

Application ref: 2023/2664/P
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Shalini Aujla
16 Windsor Road
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:

163 Malden Road
London
NW5 4HT

Proposal:

Details of contaminated land required by condition 3 of prior approval 2022/5388/P dated 24/03/2023 (for Change of use of ground floor from retail unit (Class E) to residential (Class C3) comprising 1 x 1 bed flat).

Drawing Nos: Phase I Environmental Report at 163 Malden Road 2532-P1E-1 (prepared by GO Contaminated Land Solutions, dated 19th June 2023).

The Council has considered your application and decided to grant permission.

Informative(s):

1 Reason for granting approval:

Condition 3 requires the submission of a Preliminary Risk Assessment and scheme of investigation, which takes account of the historical and environmental context of the site based on a desk study or the Enhanced Environmental Information Review. Once this has been approved, the condition requires a written scheme of remediation measures to be submitted to fully discharge the condition.

The Council's Land Contamination Officer has reviewed the submitted Phase 1

Environmental Report, which notes that the existing terrace building was constructed in 1871 and historical land uses within 150m of the site include a garage and a builders yard. Given the underlying London Clay limiting contaminant migration and the distance of the off-site potential sources, the Land Contamination Officer agrees with the conclusions of the report that these nearby historical land uses pose a very low risk to the site. The conclusions in the report are considered to be acceptable, with no unacceptable risk identified on site, and therefore no intrusive investigation or remediation required.

The report recommends a watching brief should be undertaken during construction works and that the local authority should be contacted in the event of any contamination being encountered. The Council's Land Contamination Officer also notes that if the garden area proposals change from hardstanding to include soft landscaping, the local authority should be contacted as this would introduce a potential pathway for contamination to the receptors.

The full impact of the proposed development has already been assessed. The details are in general accordance with policies G1, D1, A1 and DM1 of the Camden Local Plan 2017 and sufficient to fully discharge the condition.

- 2 You are advised that all conditions relating to prior approval 2022/5388/P granted on 24/03/2023 which need details to be submitted, have been approved.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer