

Application ref: 2023/0306/P  
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Date: 15 December 2023

**Development Management**  
Regeneration and Planning  
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The DHaus  
The DHaus Company LTD  
Unit 13 Old Dairy Court  
17 Crouch Hill  
London  
N4 4AP

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Approval of Details Granted**

Address:  
**138-140**  
**Highgate Road**  
**London**  
**Camden**  
**NW5 1PB**

Proposal:  
Details of scheme of assessment (Condition 15) of 2018/1528/P dated 09/07/2019 (for: Demolition of petrol station and MOT centre at 138-140 Highgate Road and erection of a three storey terrace building to provide 6 x 4 bedroomed dwelling houses with gardens at lower ground, ground and upper ground levels together with associated landscaping).  
Drawing Nos: Verification Report prepared by Jomas Engineering Environmental dated 01/12/2022 and email with photos from Daniel Woolfson of The D'Haus dated 28/11/2023.

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

Informative(s):

- 1 Reasons for granting approval of details-

Condition 15 required a written verification assessment to assess the potential contamination risk on the site. A verification report has been prepared in support of the application. Following discussions with the Council's

Contaminated Land officer additional photos showing the area identified as HTP6-11 were submitted confirming the area is a raised planter area. The area where trial holes HTP6-11 has been excavated is understood to be a raised planter, with no access for private residents nor the general public (the area shown in the image below). The report confirms that asbestos-containing material in HTP6 was previously removed, with replacement soil testing chemically suitable. Therefore, whilst the material is not considered physically suitable (i.e. contains many anthropogenic fragments of brick, concrete, ceramic, timber etc.) it is not within a private garden nor is it accessible to site users. Therefore, the material placed within this planter/landscaped area is not considered to pose an unacceptable risk to the site users. The Council's Contaminated Land officer is satisfied with the details provided. As the remediation strategy and validation plan recommendations were discharged on 19/06/2020 (ref 2019/4335/P) condition 15 can be discharged in full.

The full impact of the proposed development has already been assessed under planning application (2018/1528/P) granted on 09/07/2019. The proposal would protect future occupiers of the development from the possible presence of ground contamination.

As such, the details are in general accordance with policy A1 of the London Borough of Camden Local Plan 2017.

- 2 Condition 32 (evidence of SUDS implementation) of planning permission (ref 2018/1528/P) granted on 09/07/2019 has been submitted to the Council and is currently pending consideration.

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