

Application ref: 2024/0662/P
Contact: Sam Fitzpatrick
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Date: 8 October 2024

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Gerald Eve LLP
One Fitzroy Place
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:

O2 Masterplan Site
Finchley Road
London
NW3 6LU

Proposal:

Details required by parts A and B of condition M26 (Land Contamination Risk Assessment) of planning permission ref. 2022/0528/P dated 20/12/2023 (Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8).

Drawing Nos:

Covering Letter (prepared by Gerald Eve, dated 07/02/2024); Land Contamination Risk Assessment (Part 1) 104878-PEF-ZZ-XX-RP-GG-600003 P03 (prepared by Pell Frischmann, dated 03/10/2024); Remediation Strategy 4602_001-PEF-XXX-XXX-RP-GG-600004_P02 (prepared by Pell Frischmann, dated 03/10/2024); Cover soils: import acceptability procedure 4602_001-PEF-XXX-XXX-RP-GG-600005 (prepared by Pell Frischmann, dated 26/04/2023); Unexpected contamination: preliminary guide 4602_001-PEF-XXX-XXX-RP-GG-600006 P02 (prepared by Pell Frischmann, dated 03/10/2024); Condition M26 Part A and B Discharge Statement (prepared by Pell Frischmann, dated 07/02/2024); Factual Ground Investigation Report Project no. 1921993 R01(02) (prepared by RSK Geosciences, dated 06/12/2021).

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

Informative(s):

1 Reasons for granting approval:

Condition M26 requires details of a land contamination risk assessment to be submitted to and approved. Part A of this condition specifically required a site investigation report to be submitted, which should identify all potential risks, include a generic quantitative risk assessment and a revised conceptual site model, and should encompass an assessment of the risks posed by ground gas and vapours. Part B of the condition requires a Remediation Strategy to be submitted and approved, which should detail required remediation works and be designed to mitigate against any remaining risks, as well as include a strategy for dealing with previously undiscovered contamination.

The applicant has submitted documents to demonstrate that Parts A and B of the condition can be discharged, including a Ground Investigation Report and a Remediation Strategy. These were reviewed by the Council's Land Contamination Officer, who did initially raise some concerns regarding issues such as gas monitoring and reported hydrocarbon odours. In response, the applicant has provided follow-up information and amended the Remediation Strategy and Risk Assessment documents to account for this. The land contamination team have now reviewed these documents and confirmed the provided information responds to these comments, such as by including an updated gas risk assessment and a watching brief for potential hydrocarbons in the vicinity of higher gas readings. As such, the provided information and details are now deemed to be satisfactory to allow for the discharge of parts A and B of the condition; part C is still outstanding and requires the submission of details to be discharged.

As such, the details allow for the partial discharge of condition M26, and are in general accordance with Policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017. The details are also in general accordance with the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 You are reminded that conditions D1, D2, D4, D6, D7, D8, D9, D11, D12, D13, D14, D16, D17, D18, D19, D20, and D25 (relating to Phase 1) and conditions M3, M4, M6, M7, M8, M9, M11, M12, M13, M14, M17, M18, M23, M24, M25, M26 (part C), M27, M28 (relating to the whole masterplan) of planning permission 2022/0528/P dated 20/12/2023 are outstanding and require details to be submitted and approved.

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

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name.

Daniel Pope
Chief Planning Officer