

22.11.2012

For the attention of Planning Officer Jenna Litherland
Planning Services
Camden Town Hall
Argyle Street
London
WC1H 8EQ



Dear Jenna,

Re : **Application for removal or variation of conditions following grant of planning permission (Ref: 2009/2228/P) for the proposed development at:**

Address: **Land to rear of 125-133 Camden High Street/ facing Arlington Road, London NW1 7JR.**

Further to our recent telephone and email correspondence, please find enclosed a planning application package for the removal or variation of conditions following planning approval (Ref: 2009/2228/P) for the above named project as discussed and agreed.

This application was approved 10 March 2010 and is valid for three years from that date (Condition 1). Due to ongoing Rights of Light investigations we are of the opinion that it will not be possible to make the applications for 'for approval of details reserved by a condition' prior to the commencement of any works on site. The intention is to commence the works in accordance with the planning approval prior to the expiry date, however given the limited time and required studies we believe it will be unrealistic to complete the various Conditions required as part of the application prior to the commencement of works.

We will meet all of the Conditions as stated in the planning approval but request that the Conditions be approved prior to the commencement of the relevant part, rather than prior to the commencement of any works. This will allow the design team and the local authority to spend time to agree the relevant details. The most pertinent Condition (5) will be approved prior to the commencement of any works, with the other Conditions to follow as required by the relevant work stages.

The package includes:

The original and three copies of the Application Form
An application fee cheque of £170.00
Appendix A (email from District Surveyor Peter Connell)

We would like a variation to the following Conditions as they appear on the planning approval dated 10th March 2010 (ref: 2009/2228/P):

Condition 4

Before the development commences, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved by the Council and the approved facility shall therefore be provided prior to the first occupation of any of the new units and permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Supporting narrative

We request this Condition be discharged post commencement of the development rather than pre commencement, however prior to occupation of the site and any relevant part of the work is begun. This will allow adequate time to make the application 'for approval of details reserved by a condition' as necessary.

Condition 5

No development shall take place until:

- A) The applicant has submitted a programme of ground investigation for the presence of soil and groundwater contamination and landfill gas for approval by the Council;
- B) The investigation has been carried out in accordance with the approved details and the results remediation measures (if necessary) have been submitted to and approved by the Council and
- C) All approved remediation measures shall be implemented in accordance with the approved details and a verification report shall be submitted and approved by the Council.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy SD10B of the London Borough of Camden Replacement Unitary Development Plan 2006.

Supporting narrative

We request this Condition be partly discharged. The ground investigation for the presence of soil and groundwater contamination will be submitted for 'approval of details reserved by a condition' prior to occupation of the site and any relevant part of the work is begun; however we request the investigation for landfill gas be delayed until the investigative results which may take up to three months to complete have been concluded. If any landfill gas is found, this does not affect the piling of the site which can begin at an earlier stage. Should land fill gas be found this can be controlled by a membrane to protect against contamination. I have spoken to Building Control Officer Peter Connell and he is happy to accept this.

We shall start with a Desk Study for the Site Investigation which will provide for the following:

- Enables initial understanding of the geological ground model and site history
- Provides early recognition of site characteristics and potential geo-hazards
- Aids the scoping of the site investigation
- Provides information on possible contaminants and anticipated areas of contamination
- Assists health and safety and geoenvironmental management
- Provides a tool for risk assessment and risk management

From this study a scope for the site investigation can be evaluated along with Camden's environmental department.

If gasses are deemed to be present then gas monitoring will commence. A good understanding will be gained after the first few readings and it can then be determined if a gas membrane is required. If a long period of gas monitoring is required by the local authority then piling can commence on site while the last few readings are taken.

Condition 6

Before the development commences, details of proposed cycle storage area for 9 cycles shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Supporting narrative

We request this Condition be discharged post commencement of the development rather than pre commencement, however prior to occupation of the site and any relevant part of the work is begun. This will allow adequate time to make the application 'for approval of details reserved by a condition' as necessary.

Condition 7

Details of security measures including external lighting, lighting to entrance areas, parking and service areas, gates and other related measures shall be submitted to and approved by the local planning authority prior to the commencement of the development. The development shall be carried out in accordance with any such approved measures.

Reason for condition: To ensure that suitable measures are taken in respect of security of the site, in accordance with Policy SD1 of the Camden Replacement UDP 2006.

Supporting narrative

We request this Condition be discharged post commencement of the development rather than pre-commencement, but prior to any relevant construction. This will allow adequate time to make the application for Discharge as necessary.

Condition 8

Prior to construction detailed plan, elevation and section drawings of the solar thermal panels at a scale of 1:10 shall be submitted to and approved by the Council. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies B1 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Supporting narrative

We request this Condition be discharged post commencement of the development rather than pre commencement, however prior to occupation of the site and any relevant part of the work is begun. This will allow adequate time to make the application 'for approval of details reserved by a condition' as necessary.

Condition 9

Details of proposed slab levels of the proposed development, in relation to the existing and proposed levels of the site and the surrounding land, shall be submitted to and approved by the local planning authority before development commences. The development shall not be carried out other than in accordance with such details as approved.

Reason: In order to ensure that the height of the development is no greater than indicated on the approved drawings, so as to protect the availability of light enjoyed by nearby residential premises and amenities of the area, in accordance with the policies B1 and SD6 of the Camden Replacement Unitary Development Plan 2006.

Supporting narrative

We request this Condition be discharged post commencement of the development rather than pre commencement, however prior to occupation of the site and any relevant part of the work is begun. This will allow adequate time to make the application 'for approval of details reserved by a condition' as necessary.

Condition 10

The areas of flat roof on the building not covered by solar thermal panels shall have a green roof. Prior to construction a plan showing details of the green including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for an initial scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies SD9, N5 and B1 of the London Borough of Camden Replacement Unitary Development Plan 2006 and Camden Planning Guidance 2006.

Supporting narrative

We request this Condition be discharged post commencement of the development rather than pre commencement, however prior to occupation of the site and any relevant part of the work is begun. This will allow adequate time to make the application 'for approval of details reserved by a condition' as necessary.

Yours sincerely

George Kythreotis



Appendix A

Email from District Surveyor Peter Connell dated 22nd November 2012