

Delegated Report		Analysis sheet		Expiry Date:		13/08/2010	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Jonathan Markwell				2010/3140/P			
Application Address				Drawing Numbers			
3 Holford Road, London NW3 1AD				Please see decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Details of Remediation scheme and verification report pursuant to conditions 6 and 7 of planning permission dated 04/06/2010 (ref: 2009/4699/P) for excavation to create a rear basement floor level with associated rooflights within rear garden, and installation of car lift within front garden for single family dwellinghouse (Class C3).							
Recommendation(s):		Approve details					
Application Type:		Approval of Details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:		None.					
CAAC/Local groups* comments: <small>*Please Specify</small>		None.					
Site Description							
<p>The application site comprises a detached single family dwellinghouse located on the east side of Holford Road, between the junctions with East Heath Road (to the north) and Cannon Place / Hampstead Square (to the south). The substantial property includes accommodation across five existing storeys (lower ground, ground, first, second and roof level third floor).</p> <p>The host building, together with the others on this side of Holford Road, date from the 1880s and include red brick dressing and Dutch gables. The application site is located within Hampstead Conservation Area. Although not listed, the application site is identified as making a positive contribution to the special character and appearance of the area.</p>							
Relevant History							
2009/4699/P - Excavation to create a rear basement floor level, installation of car lift within front garden and associated alterations to single family dwellinghouse (Class C3). Granted following							

completion of S106 Legal Agreement 04/06/2010.

Relevant policies

Replacement Unitary Development Plan 2006

SD6 – Amenity for occupiers and neighbours

Camden Planning Guidance 2006

Hampstead Conservation Area Statement

PPG14 - Development on Unstable Land (Published: 30th April 1990)

PPS23 - Planning and Pollution Control (Published 3rd November 2004)

LDF Core Strategy and Development Policies

As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.

Draft LDF Core Strategy - CS1 – Distribution of growth; CS5 – Managing the impact of growth and development **Draft Development Policies** - DP26 – Managing the impact of development on occupiers and neighbours.

Assessment

Introduction

This application seeks to discharge conditions 6 and 7 of planning permission 2009/4699/P, as granted on 4 June 2010 (see relevant history above). Condition 6 states:

Development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks, is submitted and agreed in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. After the completion of the development the site should not be capable of being determined as contaminated land under part IIA of the Environmental Protection Act 1990.

Condition 7 states:

The approved remediation scheme shall be carried out in accordance with the agreed Remediation Scheme prior to the commencement of building works otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the agreed works. Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report), that demonstrates the effectiveness of the remediation carried out shall be submitted and agreed with the Local Planning Authority prior to commencement of building works.

Assessment

Condition 6 relates to a ground remediation scheme at the site to ensure the site (after development) cannot be capable of being determined as contaminated land. The applicant has submitted a remediation strategy, which the Council's Contaminated Land officer has verified is sufficient to allow condition 6 to be discharged. Section 2.3 of the remediation report denoted that a closure report was also required; during the course of the application this report (Validation sampling) was submitted in order to satisfy condition 7. This report demonstrates that the development does not pose a significant risk to human health/end users and therefore remedial measures to protect human health are not required in this instance. Such details are considered to be sufficient and satisfactory for the purposes

of this application. Thus it is recommended that the discharge of condition 7 can also be approved.

Recommendation: Approve details

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