

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>06/07/2009</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>02/06/2009</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Elizabeth Beaumont				2009/1972/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
139 - 147 Camden Road London NW1 9HA				Please refer to decision notice.			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Submission of soil and groundwater contamination investigation report pursuant to Condition 9 of planning permission 2006/3570/P dated 11th August 2008 for 'Demolition of the existing building and canopy structure and erection of a new single storey building in connection with the change of use from a petrol filling station (Sui Generis) and motor vehicle sales yard (Sui Generis) to a motor vehicle maintenance and repair place (Class B2) and associated parking.'							
<b>Recommendation(s):</b>		<b>Grant</b>					
<b>Application Type:</b>		<b>Approval of Details</b>					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>	
			No. electronic	<b>00</b>			
<b>Summary of consultation responses:</b>	N/A						
<b>CAAC/Local groups comments:</b>	N/A						
<b>Site Description</b>							
The site is located on the corner of Camden Road and Sandall Road. The site was previously occupied by a petrol station and motor vehicle sales yard. The property falls within the rail safeguarding area for the Channel Tunnel Rail Link (CTRL) and the Chelsea-Hackney Cross Rail link (Cross rail 2). It is also within the strategic view wider consultation area for the view from Kenwood to St Paul's Cathedral.							

## Relevant History

11/08/2008 – **p.p. granted** (2006/3570/P) for demolition of the existing building and canopy structure and erection of a new single storey building in connection with the change of use from a petrol filling station (Sui Generis) and motor vehicle sales yard (Sui Generis) to motor vehicle maintenance and repair place (Class B2) and associated parking.

16/03/2009 – **approval of details** (2008/5804/P) part granted/ refused for details of facing materials pursuant to condition 2 and details of cycle parking pursuant to condition 10 of planning permission dated 11/08/08 (ref: 2006/3570/P) for demolition of the existing building and canopy structure and erection of a new single storey building in connection with the change of use from a petrol filling station (Sui Generis) and motor vehicle sales yard (Sui Generis) to a motor vehicle maintenance and repair place (Class B2) and associated parking. **Reason for refusal:** The proposed metal cladding, by virtue of the poor quality and finish of the material, would have a detrimental impact on the appearance of the building, and the character and appearance of the streetscene, contrary to policy B1 (General design principles) of the London Borough of Camden Replacement Unitary Development Plan 2006.

09/06/2009 – **planning application** received (2009/1560/P) for variation of condition 2 as it relates to facing materials associated with planning application 2006/3570/P for 'demolition of the existing building and canopy structure and erection of a new single storey building in connection with the change of use from a petrol filling station (Sui Generis) and motor vehicle sales yard (Sui Generis) to a motor vehicle maintenance and repair place (Class B2) and associated parking.' [currently being determined]

## Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### Adopted Unitary Development Plan 2006

SD10(B) Contaminated land and uses

### Camden Planning Guidance 2006

Contaminated land

## Assessment

Planning permission (2006/3570/P) was granted on the 11/08/2008 for the demolition of the existing building and canopy structure and erection of a new single storey building in connection with the change of use from a petrol filling station (Sui Generis) and motor vehicle sales yard (Sui Generis) to motor vehicle maintenance and repair place (Class B2) and associated parking.

Condition 9 of the planning permission reads as follows;

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; and b) The investigation has been carried out in accordance with the approved details and the results and remediation measures (if necessary) have been submitted to and approved by the Council. All approved remediation measures shall be implemented strictly in accordance with the approved details.

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.

A Planning Brief Note (Ramboll, April 2009) was originally submitted indicating that only the south of the site had been investigated. A revised Assessment report was then submitted including investigations of the remainder of the site. The Environmental Assessment Report (Ramboll, June 2009) concluded that there is no significant contamination in the Northern area of the site. The use of this area of the site is to remain current (hard-standing area for parking vehicles) and the developer has proposed to leave the decommissioned underground storage tanks in situ. It is common practice for decommissioned tanks to be removed as part of the redevelopment works. However given that there has been no documented impact to the ground water and no long standing pathway or sensitive receptor will be present on this site the council does not have an objection to the tanks being left in situ. It is advised that should this side of the site be constructed on at any point in the future the tanks should be excavated and removed.

It is considered that as both sides of the site have been investigated and shown not to be causing significant contamination and the gas and ground water monitoring it is recommended that condition 9 be discharged.

**Recommendation:** Discharge Condition.

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