

Holloway + Holloway

DISCHARGE OF CONDITIONS

GONDAR GARDENS



DISCHARGE OF CONDITIONS

Client: London Property Ventures Ltd
Date: June 2022
REF: 2217
AT: Gondar Gardens, West Hampstead
Written by: VH



INTRODUCTION

Application 2021/2596/PL for Land between Gondar House and South Mansions, Gondar Gardens, and to the rear of 1 Hillfield Road, West Hampstead was approved in March 2022.

The permission included various conditions, this application seeks to discharge conditions 10 and 20.

10 Prior to the commencement of work for each section of the development or stage in the development as may be agreed in writing by the Local Planning Authority (LPA) a scheme including the following components to address the risk associated with site contamination shall be submitted to and approved in writing by the LPA.

A) A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses (including asbestos, landfill gas, ground water contaminants); a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

B) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

C) The results of the investigation and detailed risk assessment referred to in (b) and, based on these, in the event that remediation measures are identified necessary, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

D) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying and requirements for the longer monitoring of pollution linkages, maintenance and arrangements for contingency action.

Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Land Contamination Risk Management (LCRM). If additional significant contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the LPA. For the avoidance of doubt, this condition can be discharged on a section by section basis.

20 1a) No development shall commence (other than demolition above ground level) until an appropriate radon ground gas investigation (incorporating the detailed assessment of the risks to all receptors that may be affected) is undertaken and a ground gas and vapour

assessment report (GVAR) [where necessary incorporating a Remediation Strategy (RS)], is submitted to, and approved in writing by, the local planning authority.

1b) No occupation or use of the development shall commence until the approved RS is implemented and a Verification Report (VR) and evidence of any unexpected contamination identified during the development is submitted to, and approved in writing by, the local planning authority.

Where remedial measures are implemented to protect end-users of the development they shall be maintained.

CONDITION 10

Prior to the commencement of work for each section of the development or stage in the development as may be agreed in writing by the Local Planning Authority (LPA) a scheme including the following components to address the risk associated with site contamination shall be submitted to and approved in writing by the LPA.

- A) A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses (including asbestos, landfill gas, ground water contaminants); a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
 - B) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - C) The results of the investigation and detailed risk assessment referred to in (b) and, based on these, in the event that remediation measures are identified necessary, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 - D) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying and requirements for the longer monitoring of pollution linkages, maintenance and arrangements for contingency action.
- Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Land Contamination Risk Management (LCRM). If additional significant contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the LPA.

EPS undertook a Phase 1 and 2 Geo-Environmental Assessment which has been included in this application. Please refer to this for all of the above requirements.

CONDITION 20



1a) No development shall commence (other than demolition above ground level) until an appropriate radon ground gas investigation (incorporating the detailed assessment of the risks to all receptors that may be affected) is undertaken and a ground gas and vapour assessment report (GVAR) [where necessary incorporating a Remediation Strategy (RS)], is submitted to, and approved in writing by, the local planning authority.

1b) No occupation or use of the development shall commence until the approved RS is implemented and a Verification Report (VR) and evidence of any unexpected contamination identified during the development is submitted to, and approved in writing by, the local planning authority.

Within the EPS report, it was found: "The Envirocheck report indicates the site to lie in a location where the percentage of homes above the radon action level is less than 1%. It further reports that the site does not require any radon protection measures in the construction of new buildings or extensions."