

Officer Report

Application Number:	HGY/2023/0298
Application Type:	Approval of details reserved by a condition
Address:	Land adjacent to, 20, Ermine Road, London, N15 6DB
Proposal:	Approval of details pursuant to Condition 3a (Desktop contamination study) of planning permission HGY/2017/3586 granted on the 19/09/2019 for a residential development comprising six 3-storey 4-bedroom dwelling houses and associated works.
Case Officer:	Neil McClellan
Valid Date:	30/01/2023
Applicant:	Mr Schneck
Agent:	Mr Ryan Lewis

RECOMMENDATION

Approve

APPROVED DEVELOPMENT

Residential development comprising 6 no. three-storey dwellings (4-bed), with associated car parking, cycle and bin storage, landscaping together with the provision of an ecological enhancement area.

ANALYSIS/ASSESSMENT

Condition 3 reads:

Before development commences other than for investigative work:

a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority for written approval.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy 5.21 of the London Plan 2016 and Policy DM23 of The Development Management DPD 2017.

Submitted Details

Pursuant to condition 3(a) the applicant has submitted a Desktop Study which has been subsequently revised following comments for LBHs Pollution officer.

Assessment

Having considered the revised Desk Top Study Report prepared by Herts & Essex Site Investigations Ltd. dated August 2023 and taken note of Sections 10 (Previous Reporting), 11 (Environmental Settings), 15 (Outline Conceptual Model), 16 (Discussion on Sources of Contamination) and 17 (Next Steps), LBH Pollution recommend the partial discharge of Condition 3 (a) ONLY attached to approved planning permission HGY/2017/3586.

An Informative will be attached to the decision notice advising the applicant that only Part (a) of condition 3 is discharged.

It is noted the three-year time limit for commencing the planning permission to which this condition relates expired on the 9th September 2022. It does not appear that a material start has been made and it is possible that the permission has expired. An informative will be attached to the decision notice advising the applicant of this.

RECOMMENDATION

GRANT DISCHARGE PARTIAL DISCHARGE OF CONDITION 3 (Part (a) only).

Informatives:

The applicant is advised that this approval of details applies only to part (a) (desktop study) of Condition 3 (Site contamination) and that parts (b) (site investigation) and (c) (remediation) of this condition remain outstanding.

INFORMATIVE: Expiry of planning permission

The applicant is advised that the three-year time limit for the commencement of work on the planning permission to which this discharge of condition applies (HGY/2017/3586 - Residential development comprising 6 no. three-storey dwellings), expired on the 09/09/2022. If a material start on the approved development had not been made prior to this date, then the planning permission is no longer valid.