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FAO: Ewan Campbell

26 October 2023

Our ref: NFD/AKG/BWA/J10003

Your ref: 2022/0972/P // PP-12432863

Dear Ewan,

Hawley Wharf Masterplan Site
Non-Material Amendments to Planning Permission ref: 2022/0972/P

We have been instructed on behalf of our client, Ground Gilbey Limited, to apply for Non-Material Amendments to the planning permission for the Hawley Wharf masterplan site (ref: 2022/0972/P, dated 12 July 2022).

This application seeks approval to:

- Relocate the approved light industrial use (Class B1c) to arches E4 and E5;
- Disperse the cycle parking throughout the Site; and
- amend condition 32 in respect of the location of the public cycle storage areas and number of cycle parking spaces required.

For the avoidance of doubt, no external changes to any buildings are proposed.

Background

Planning permission (ref. 2012/4628/P) was originally granted for the mixed-use redevelopment of the site on 23 January 2013. There have been various minor-material and non-material amendments to the scheme since this time.

The operative planning permission (ref. 2022/0972/P) was granted on 12 July 2022 for the following:

“Variation of condition 11 (opening hours) of planning permission dated 28/10/2020 ref: 2020/0362/P which itself varied application 2018/1715/P dated 03/12/2018 and 2012/4628/P dated 23/01/2012 for the Redevelopment of site to create a mixed use development comprising 8 new buildings between 3 and 9 storeys in height to provide, employment, housing, retail market, cinema, produce market, including change of use of 1 Hawley Road to educational, and associated works (summary), AMENDMENTS INCLUDE changes to Building A market retail operational hours.”

A series of condition discharge applications and other standalone small-scale applications related to the Hawley Wharf masterplan Site have also been approved.

An application for planning permission (ref: 2020/5442/P) in respect of Arches E4 and E5 was withdrawn on 12 February 2021 for the: **“Change of Use of Arches E4 and E5 from bike store to flexible Class E/Class B2 (general industrial) use”**. The application was withdrawn following discussions from Camden planning officers, who advised that the proposed use of the Site as commercial kitchens did not fall within Class B2 use but instead, the use fell under ‘Sui Generis’ use.

Condition 32 has previously been discharged. The most recent approval of details (ref. 2020/1564/P, dated 4 May 2020) reflected the scheme amendments approved under non-material amendment (ref. 2019/2927/P, dated 13 September 2019), which altered the location of the bike storage at the Site from arch N5 to arches E4 and E5.

Pre-Application Discussions

A pre-application meeting to present and discuss the acceptability of these proposals and the most appropriate procedural planning route was held on 15 June 2023.

Officers confirmed that the proposals were acceptable in principle, subject to sufficient marketing information, and could be dealt with as via a Section 96a application to the extant planning permission for the masterplan site.

Proposal

Relocation of Class B1c use

Local Plan Policy E2 states that the Council will encourage the provision of employment premises and sites in the Borough.

The proposals will result in the following land use area changes (GIA sqm) at the railway arches (E4 and E5):

Land Use	Previously Approved (GIA sqm)	Proposed (GIA sqm)	Uplift (+/-) (GIA sqm)
Light Industrial (Class E)	0	267	+267
Cycle Storage	267	0	-267
Total	267	267	0

Relocating the B1c use to the railway arches represents a return to the intent of the original planning permission (ref: 2012/4628/P).

The railway arches (E4 and E5) are considered the optimum location for Class B1c use because they are located away from the heart of the masterplan site, making deliveries and servicing more streamlined and placing the light industrial use away from the residential units.

Dispersal of Cycle Parking Sitewide

The bike storage will be relocated as a result of the proposals. The committee report for the original planning permission (paragraph 2.4) stated that the approved bike spaces would be a ‘public storage facility’ for visitors/tourists. The committee report also stated that the applicant has agreed that the public cycle store facility will be free of charge and will be managed by the on-site management/security team.

The Applicant has submitted a plan showing the cycle parking spaces distributed externally throughout the masterplan site in the form of Sheffield stands (ref: A-HW-100). The even distribution of the 150 spaces throughout the site is considered a better solution, when compared to the approved solution within the arches, as it allows for more parking options for cyclists and increasing points where visitors to the site would be able to leave their bikes without having to go to a centralised parking facility.

During the pre-application meeting held on 15 June 2023, officers were supportive of dispersing the bike parking in principle and asked that the Applicant explore opportunities for cycle parking to be located by the canal. The Applicant has reviewed and amended the proposed location of the cycles to provide spaces by the canal (to encourage access from canal users) and Building A0, whilst also delivering good natural surveillance at the proposed cycle parking locations.

As set out in the Transport Statement (TS), prepared by Arup to support this NMA application, the redistributed cycle parking is a benefit for the following reasons:

- i. The approved cycle parking store utilises Josta type double stacked racks that are less accessible and less convenient than Sheffield stands. The proposed redistribution throughout the site would only use Sheffield stands at grade, this is considered an improvement as Sheffield Stands are the most accessible for of cycle parking;
- ii. The proposed location of cycle stands is shown on plan drawing ref: A-HW-100 incorporates minor amends compared with the plan submitted with withdrawn application ref: 2021/1097/P to reflect discussions with officers on 15 June 2023 to provide spaces by the canal (to encourage access from canal users) and Building A0 and to enable good natural surveillance at the proposed locations;
- iii. The locations proposed offer accessible locations along/close to the main thoroughfares, which will offer natural surveillance. The proposed locations also do not significantly affect pedestrian access along these routes;
- iv. The redistributed cycle stands would include 44 covered spaces beneath the railway arch between buildings C and A2; and
- v. All the proposed redistributed spaces would be covered by CCTV.

Section 5 of the submitted TS, prepared by Arup, confirms that users of the proposed cycle parking spaces will be asked to dismount cycles when within Hawley Wharf to ensure that cycle activity does not affect other users' enjoyment along the lanes. Managing access and oversight of parking activity will be monitored by site operations and security operatives.

It is not considered that the proposed amendment to the location of the public cycle storage areas would have any material effect on the masterplan planning permission (ref: 2022/0972/P).

Condition 32 Amendments

To reflect the proposed dispersal of the cycle parking throughout the site and to ensure that the decision notice reflects that the details have been approved within the relevant condition, it is proposed to amend Condition 32 in the following way:

~~"The development shall not be occupied until the public cycle storage areas for 186-150 cycles within the viaducts have been dispersed across the Site must be provided in their entirety in accordance with the details approved on 04/05/2020 under reference 2020/1564/P, plan reference: A-HW-100 or other such details which have been submitted to and approved in writing by the local planning authority, and shall~~

be thereafter permanently maintained and retained. These spaces should be provided for use free of charge to the general public.”

Application Documentation

As part of the submission of the application on the Planning Portal, we enclose the following documents:

- A copy of this cover letter;
- Application form and notices;
- Cycle Stand Plan, prepared by LabTech;
- Transport Statement, prepared by Arup; and
- Approved and Proposed land use plans, prepared by LabTech.

The requisite planning application fee of **£234** has been paid concurrent to the submission of this application.

We trust that you have everything required to progress with the determination of this non-material amendment application.

In the meantime, should you have any questions, please do not hesitate to contact Anna Gargan or Bethan Warwick of this office.

Yours faithfully



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