



Da Vinci House  
44 Saffron Hill  
London EC1N 8FH  
tel: +44 (0)20 3640 8508  
fax: +44 (0)20 3435 4228  
email: [info@iceniprojects.com](mailto:info@iceniprojects.com)  
web: [www.iceniprojects.com](http://www.iceniprojects.com)

Alex Kresovic  
Regeneration and Planning  
London Borough of Camden  
2<sup>nd</sup> Floor 5 Pancras Square  
London  
N1C 4AG

26<sup>th</sup> April 2024

Via Planning Portal  
Ref. PP-12971102

Dear Alex,

**CAMDEN ROAD HOSTEL, 248-250 CAMDEN ROAD, LONDON, NW1 9HE**  
**NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 2020/3737/P**

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We write to you on behalf of our client, London Borough of Camden c/o Morgan Sindall Construction and Infrastructure Limited (the 'Applicant'), to apply for a Non Material Amendment to planning permission reference 2020/3737/P pursuant to Section 96A of the Town and Country Planning Act 1990 (as amended) in respect of the above site, Camden Road Hostel, 248-250 Camden Road, London NW1 9HE (the 'Site'). The approved description of development is outlined below:

*Redevelopment of the site to include demolition of existing hostel building and the erection of a new 4-6 storey plus basement hostel building (sui generis use) with external stairwell and rear balconies to all levels; erection of 2 x single storey garden buildings; associated works including installation of plant equipment, parking and access arrangements and tree and landscaping works. (Information for the purpose of consultation: the proposed development provides 39 units, which comprise 36 x studios, 2 x 1-beds and 1 x 1-bed wheelchair accessible unit).*

This application proposes an amendment to the wording of Conditions 38 and 40 pursuant to the above planning permission, to amend the trigger point of the condition to present the relevant detailed information prior to commencement of construction works.

In support of this application, the following documents are enclosed:

- Cover Letter; and
- Planning application fee - £363 paid via the Planning Portal

**a. Overview of Proposed Amendments**

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This is a Section 96A Application (S96A) for Non Material Amendments to the existing permission LPA Ref: 2020/3737/P dated 11<sup>th</sup> May 2021.

When considering a proposal for a non-material amendment, due regard must be given to the relevant National Planning Practice Guidance (NPPG); and S96A of the Town and Country Planning Act (1990) (as amended).

A S96A application allows applicants to submit non-material amendments to an existing planning permission, providing that it is clear that the amended proposals do not result in any changes to the actual proposed development to which the planning permission relates and are not contrary to planning policy.

Given the scale of the development, and the length of time since grant of permission, it is understandable that elements of the scheme may evolve over time and need to adapt to the practicalities of delivery, to ensure the scheme is fully deliverable and can meet all obligations.

The following is a detailed summary of the proposed changes to the approved permission (LPA Ref: 2020/3737/P), including discussion on the extent of the changes and the consideration of each as a non material amendment, as well as assessment of the policy compliance of each amendment.

#### **Amendment 1: Amendment to wording of Condition 40**

The approved development is an initiative which will provide numerous benefits through the provision of high quality hostel accommodation to support the most vulnerable residents in the Borough during periods of temporary homelessness. The scheme has been partially delivered through GLA grant funding, which has required implementation of the permission prior to the detailed design stage, and a contractor team being appointed.

Further to this, on 15th June 2022, Part L 2021 was introduced to supersede the existing standards comprised within Part L 2013, the requirements for which are referenced within the planning condition. Transitional arrangements were made, such that any development with full plans deposited and with building work started before 15 June 2023 then Part L 2013 could still apply.

Prior to a construction phase contractor being instructed, and the detailed design and construction approach being clarified, whether the terms of 2013 Part L or 2021 Part L should be followed remained unclear. Following this, informal discussions between Officers and the Project Team clarified that it was expected that the scheme should move forward in energy terms on the basis on which it was approved and information should be provided using the standard 'as approved' to enable like for like comparison using Part L 2013 and SAP10 calculations. However, this clarity could not be provided prior to the implementation of the scheme.

All information has now been clarified by Officers with an agreed approach between all parties, with the appointed Energy and Sustainability Consultants presently preparing the relevant plans to meet these requirements. However, in response to the existing constraints and current status of the project and following advice from officers, it has not been possible to deliver the required information on or prior to the implementation date and accordingly, in the interests of proper planning, this application has been submitted to amend the trigger point of this condition to deliver these plans instead prior to the commencement of construction works. This is in line with the comparable trigger points on similar schemes, such as Chester Road Hostel (LPA ref: 2020/3461/P). Accordingly, it is requested that the wording of the condition be changed as follows, with the amendments set out in red:

~~On or Prior to the implementation date~~ **Prior to implementation (excluding demolition)**, a sustainability plan and an energy plan shall be submitted to and approved in writing by the local planning authority. Such plans shall demonstrate:

- Sustainability measures to be secured through sustainability plan
- Water efficiency targets to be secured through sustainability plan
- Energy provisions to be secured through EE&RE plan: - Passive and efficiency measures in accordance with the proposed plans
- Overall minimum 75% CO2 reductions beyond Part L 2013 as amended; minimum 15% Be Lean stage reduction through building efficiency for the whole development; minimum 70% Be Green stage reduction (reduction against the previous stage) through renewables for the whole development (all using SAP 10 Factors).

*Reason: To ensure the proposal is energy efficient and sustainable in accordance with Policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.*

#### **Amendment 2: Amendment to wording of Condition 38**

The above matters arising with respect to the implementation of the development have created a similar discrepancy with regards to the timeframe for preparing and finalising the relevant Highways Agreement associated with the permission. The practicalities of the delivery of this scheme were not understood at the time of the original grant of permission. However, the full details and obligations are now in the process of being finalised, with the full construction phase team instructed. It is therefore prudent to regularise this matter at this stage, in the interest of proper planning.

Accordingly, it is proposed that the wording of Condition 38 be amended, to allow for the provision of a Highways Agreement prior to the commencement of construction works. The obligation to secure a Section 278 is commonly required either at this stage, or *prior to commencement of the relevant works*, therefore such a change should be in keeping procedurally. The associated changes would ensure that the details would be provided shortly, to ensure the discharge of this obligation fulfils the purposes of the condition reason set out below.

The proposed wording of Condition 38 would be secured as below:

*Prior to commencement of the development **(excluding demolition)**, confirmation that an agreement under Section 278 of the Highways Act 1980 has been entered into between the Owner and Transport for London (or its successor) as the relevant highways authority in relation to any works required to the Public Highway as a result of the Development, shall be submitted to and approved by the Local Planning Authority.*

*Reason: In order to ensure the development has an acceptable impact on the adjacent highway and provides an attractive safe and secure environment in accordance with the requirements of Policy A1 of the London Borough of Camden Local Plan 2017 and paragraph 6.11 of the London Plan 2016*

#### **Summary**

The proposed amendments above do not materially alter the scheme approved, or the associated information to be provided under planning permission 2020/3737/P and are therefore considered to constitute non-material amendments to the approved development.

#### **b. Conclusion**

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In summary, the proposed amendments are considered non-material in nature and acceptable in planning terms and relates exclusively to the trigger point for delivery of the documents required as part of the above planning conditions, which is being amended in the interests of proper planning.

Following submission of the information detailed above, we trust that you have sufficient information required to consider the proposed non material amendments and we look forward to receiving confirmation in writing.

Should you have any queries or wish to discuss any aspect of the application in further detail please do not hesitate to contact William Clutton ([wclutton@iceniprojects.com](mailto:wclutton@iceniprojects.com), 07557 805372) or Kieron Hodgson ([khodgson@iceniprojects.com](mailto:khodgson@iceniprojects.com), 07807 264 704) of this office in the first instance.

Yours faithfully,



Iceni Projects Limited