

By Planning Portal

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Dear Ms Clark

**Agar Grove Estate - Application for Non-Material Minor Amendment to Planning Permission
Ref: 2023/0362/P. LB Camden Ref: 2024/1811/NEW**

On behalf of our client, the London Borough of Camden (Supporting of Communities Directorate), we hereby enclose an application for approval of a non-material minor amendment to planning permission ref: 2023/0362/P to provide accommodation for refugees at the Agar Grove Estate development.

Planning permission was originally granted by the Council in August 2014 (ref: 2013/8088/P) for the comprehensive redevelopment of the Agar Grove estate to deliver new homes for the community along with a series of retail, business and community spaces. The multi-phased project is part way through construction and a number of material amendments to the scheme have been approved by the local planning authority, namely, 2019/4280/P; 2020/0468/P; 2022/2359/P and 2023/0362/P.

This application seeks a non-material minor amendment (NMA) to planning permission referenced 2023/0362/P, which was granted on 14th February 2024.

A supporting statement for the proposals is included with this application, but in summary, it is intended to change the tenure of some of the flats from private sale to affordable housing and reallocate some intermediate rent homes for use as temporary accommodation.

Since the decision by the Home Office to close bridging hotels housing Afghan refugees, councils have been searching for solutions to house refugees from Afghanistan who came to the UK with special status because of their contribution to supporting the British Armed Forces as translators, doctors, special forces, civil servants, journalists, and many other roles. In addition to this, many Ukrainians still live in the UK having arrived here following the Russian invasion of their home country in 2022. The challenges in accommodating these people and

helping them continue their lives is compounded by the general shortage of temporary and emergency accommodation, putting pressure on homelessness prevention services.

To help address these issues, it is proposed to convert 29 homes in Block JKL at Agar Grove which were to be private sale into accommodation for Afghan and Ukrainian refugees, with 35 homes in Block I previously intended for intermediate rent to be re-allocated for use as temporary accommodation. The properties in Block JKL will be let to refugee families for the first three years after which, subsequent tenants can be general needs affordable homes on intermediate rents. As a result, there will be an increase in the number of Council-owned properties on the Agar Grove estate.

The proposal to change the tenure of the flats at the Agar Grove Phase 1c site from private sale to affordable will not involve any changes to the external appearance, general arrangement or building footprints, or their use class within remain as C3 dwellings and this will not create any delays to the current construction programme.

In terms of the flats within Block JKL, these are shown as being private sale in the original approval, but that is not controlled in any way. The planning system does not normally control the tenure of dwellings (unless they are affordable homes controlled via a section 106). For example, a Council could buy a private house or flat on the open market and then use it to house social rented tenants without needing planning permission. The tenure of these flats would change, but they would remain as C3 dwellings, so there is no change in the planning status.

The flats within Block I would remain as intermediate rent and there would be no change to their tenure.

Section 96A of the 1990 Act (as amended) allows a local planning authority to make a change to a planning permission if it is satisfied that the change is not material. There is no statutory definition of 'non-material' and so it is necessary for the local planning authority to be satisfied that the changes are non-material which will depend on the effects of the amendment bearing in mind its context.

In this instance it is considered that the proposed amendment is non-material as the changes would not give rise to any additional planning considerations that were not taken into account at the time of the original decision.

We trust the enclosed application is in order, however, please do not hesitate to contact this office should you have any queries.

Yours sincerely

Tim Gaskell

Tim Gaskell
CMA Planning