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5th June 2024

Dear Ms Clark

**Agar Grove Estate - Application for Non-Material Minor Amendment to Planning Permission
Ref: 2023/0362/P**

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 correct the decision notice and some of the approved documents for the Agar Grove Estate development.

Background

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.

Summary of Changes

It was noted that the original decision notice for the 2022/2359/P permission contained an error with the wording for condition 61, relating to the total number of dwellings and the mix. This was amended via a NMA, reference 2024/1076/P, approved on 9th April 2024. However, this NMA amended the previous s73 approval, 2022/2359/P, rather than the most recent one, 2023/0362/P.

As such, this application seeks a non-material minor amendment (NMA) to planning permission reference 2023/0362/P, which was granted on 12th February to correct the wording for condition 61. The wording for the condition as set out on the decision notice is below, with the words to be removed shown struck through and the words to be added in shown in red underlined font.

***"REPLACEMENT CONDITION 61
Number and mix of residential units***

The residential element of the development hereby approved shall provide ~~507~~ 496 residential units comprising 251 market, 40 intermediate and 205 social rent units. The breakdown of the units shall be as follows: Plot A - 38 units; Plot B - ~~95~~ 94 units; Plot C / D - 14 units; Plot E - 20 units; Plot F - 14 units; Plot G - 23 units; Plot H - 20 units; Plot I - 40 units; Plot J / K / L - 85 units; and Lulworth House - 148 units.

Reason: For the avoidance of doubt and in the interest of proper planning."

This part of this NMA is the same as the previously approved NMA 2024/1076/P, relating to correcting the condition of the planning permission. The covering letter for that NMA is attached, which details this element of the change requested.

The second part of this NMA relates to two of the approved documents. There were two errors in the original submission documents for the 2022/2359/P application, one in the Design and Access Statement, the other in the Planning Statement. Both of these documents are listed as 'approved documents' on the original s73 permission (2022/2359/P) and the more recent s73 (2023/0362/P) as well.

In the Planning Statement, there are tables with the estate wide accommodation figures at paragraphs 2.20 and 4.13, both of which had minor errors within them, which have been corrected in the attached revised planning statement. The amended figures are shown in yellow highlight. Within the Supplementary Design and Access Statement on page 8, there is a table with the block B mix, which again has minor errors within it, which have been corrected in the attached version.

In order to provide clarity going forward on the accommodation which has been approved, it is felt it would be helpful if the Masterplan Accommodation Schedule Summary became an approved document in its own right. As such, schedule AGV-HBA-ZZ-SH-A-0000 is included as part of this NMA submission well.

Just to confirm, there are no changes proposed to the scheme itself, just this correction of the decision notice and these two documents, along with the introduction of the accommodation schedule into the planning permission.

Non-Material Amendments

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.

Application Submission

Accordingly, we hereby enclose copies of the following as part of this submission for information:

- 1) Application Forms

- 2) Design and Access Statement
- 3) Planning Statement
- 4) Accommodation Schedule
- 5) Previous NMA cover letter
- 6) Application Fee of £293 (plus £70 service charge)

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

Enc. as above

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18th March 2024

Dear Ms Clark

**AGAR GROVE ESTATE
APPLICATION FOR NON-MATERIAL MINOR AMENDMENT TO PLANNING PERMISSION
REF:2022/2359/P**

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: 2022/2359/P to correct the decision notice for 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.

This application seeks a non-material minor amendment (NMA) to planning permission referenced 2022/2359/P, which was granted on 20th December 2022. The decision notice for 2022/2359/P sets out a range of replacement conditions, however, the wording for condition 61 needs amending. The wording for the condition as set out on the decision notice is below, with the words to be removed shown struck through and the words to be added in shown in red underlined font.

"REPLACEMENT CONDITION 61

Number and mix of residential units

The residential element of the development hereby approved shall provide ~~507~~ 496 residential units comprising 251 market, 40 intermediate and 205 social rent units. The breakdown of the units shall be as follows: Plot A - 38 units; Plot B - ~~95~~ 94 units; Plot C / D - 14 units; Plot E - 20 units; Plot F - 14 units; Plot G - 23 units; Plot H - 20 units; Plot I - 40 units; Plot J / K / L - 85 units; and Lulworth House - 148 units.

Reason: For the avoidance of doubt and in the interest of proper planning."

It appears as if two minor 'typo' errors have occurred in the wording for this condition, which is apparent when one looks at the breakdown of units in the first sentence (ie $251+40+205=496$) and in the second sentence ($38+94+14+20+14+23+20+40+85+148=496$). Whilst this is a minor correction, it is felt important to make so it is clear just how many dwellings will be delivered.

There are no changes proposed to the scheme itself, just this correction of the decision notice.

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

CMA Planning