

Date: 12/08/2024

Our Ref: 12698

DWD

69 Carter Lane
London
EC4V 5EQ

Planning Department
Camden Council
Camden Town Hall
London
WC1H 8ND
FAO: Joanne Clark, Planning Officer

Dear Joanne,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED): TYBALDS ESTATE, NEW NORTH STREET, LONDON, WC1N 3JT (REF. 2021/3580/P)

APPROVAL OF DETAILS APPLICATION TO PART DISCHARGE CONDITION 33 (ENERGY AND SUSTAINABILITY)

We write on behalf of the London Borough of Camden Council ('Applicant'), to submit an application to part discharge Condition 33 (Energy and Sustainability) in connection with development at Tybalds Estate, New North Street, London, WC1N 3JT (the 'Site'), secured by planning permission reference 2021/3580/P.

Background

On 14th October 2022, planning permission was granted, following the completion of the shadow S106 Legal Agreement for:

"Demolition of existing storage sheds and infill development on the existing Tybalds Estate including erection of three blocks, two mews terraces, and conversion of the lower ground floor of three existing blocks to provide a total of 56 residential homes (Class C3) comprising 28 affordable and 28 market units with associated community space, alterations to existing residential block entrances, provision of a lift to existing Devonshire Court, refuse facilities, public realm improvements, alterations to parking layout, cycle parking, landscaping and associated works." (ref: 2021/3580/P).

Following the discharging of a number of pre-commencement conditions, development commenced and the Applicant has now delivered the 10 underbuild affordable units, located in the converted existing floorspace at lower ground floor level of the existing Blemundsbury, Richbell and Falcon blocks. Associated hard and soft landscaping works have also been carried out adjacent to these blocks. Submitted plan reference X-702 details the extent of the initial development that has taken place.

This discharge application relates Condition 33. The 'relevant part of the development', that this partial discharge application relates to is the delivery of the underbuilds and associated works (see submitted plan ref. X-702) at the Site. The condition will be further discharged when further development comes forward on the Site.

Condition 33 – Energy and Sustainability

Condition 33 attached to Planning Permission ref. 2021/3580/P states that:

“The development shall not be carried out other than in complete accordance with the submitted Energy and Sustainability Statement prepared by TGA to achieve a reduction in CO2 emissions across the site by at least 38.1% beyond the baseline. A meter shall at all times be installed to monitor the energy output of the technologies.”

The shadow S106 associated with the grant of planning permission sets out further requirements with regards to the energy and sustainability obligations. The shadow S106 at paragraphs 4.6.2 and 4.11.2 required an energy efficiency and renewable energy plan and sustainability plan to be signed off ahead of works commencing on site. The requirements of paragraphs 4.6.2 and 4.11.2 associated with the delivery of the 10 underbuilds were signed off via a part discharge of Condition 33 under application reference 2022/5424/P in March 2023.

The shadow Section 106 Legal Agreement also requires a post- completion review of both the energy efficiency and renewable energy plan and sustainability plan. Paragraph 4.6.3 and 4.11.3 of the shadow Section 106 Legal Agreement requires:

“4.6.3 Not to Occupy or permit Occupation of the Relevant Phase until a satisfactory post-completion review has been submitted to and approved by the Council in writing confirming that the measures incorporated in the Energy Efficiency and Renewable Energy Plan, as approved by the Council and associated with the Relevant Phase have been incorporated into the Property.”

“4.11.3 Not to Occupy or permit Occupation of the Relevant Phase until a satisfactory post-completion review has been submitted to and approved by the Council in writing confirming that the measures incorporated in Sustainability Plan as approved by the Council and associated with the Relevant Phase have been incorporated into the Property.”

To further part discharge Condition 33, and to address paragraphs 4.6.3 and 4.11.3 of the shadow S106 Agreement, the following information has been submitted:

- Phase 1A Post Completion Review: Energy and Sustainability, prepared by Harley Hadow and dated August 2024

Condition 33 will be further discharged when further development comes forward on the Site.

I trust that this provides you with all the required information, however if you have any queries, please contact me on the below details.

Yours sincerely,



Emma Penson

Director

DWD

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