

London Borough of Camden
Planning and Development
5 Pancras Square
London
N1C 4AG

FAO: David Fowler

Our ref: U0011576

Your ref: PP-13596669

5 February 2025

Dear David

**The O2 Masterplan Site, Finchley Road
Town and Country Planning Act 1990
Section 73 Application to Application Ref. 2022/0528/P**

We write on behalf of our client, LS (Finchley Road) Limited, to submit a Section 73 application which seeks to vary the hybrid planning permission ref. 2022/0528/P, granted on 20 December 2023 (the "Approved Masterplan"), in respect of the O2 Masterplan Site ("the Site") within the London Borough of Camden ("LBC"). Whilst the Section 73 application will grant a new planning permission for the entire Site, amendments are only proposed to the Detailed Element. The Outline Elements will be unaffected by the proposed changes except for a reduction in the maximum residential floor area proposed.

Following the grant of planning permission for the Approved Masterplan, the Applicant has been reviewing the deliverability of the Detailed Element. Deliverability has been significantly affected by changes to the Building Regulations surrounding fire safety. Accordingly, the Detailed Element needs some refinement in order to ensure that the proposals are deliverable, and this has also presented the opportunity to bring forward some further enhancements. The physical amendments are proposed by way of a S73 Application. Not only will this address the fire safety issues but it will also enhance residential quality and assist with commercial delivery. The Applicant has also taken the opportunity to review the approved facades to consider how these might be revised to enhance the Approved Masterplan.

The S73 Application proposes physical amendments to the Detailed Element of the Approved Masterplan, as well as varying some of the conditions attached to the original planning permission. Generally, the variations to conditions relate to updates to plan or document references, or figures, where these change as part of the S73 Application.

The changes proposed as part of the S73 Application have been extensively discussed with LBC planning, design and conservation officers since August 2024 through a series of pre-application meetings and design workshops. The changes have also been presented to Camden's Strategic Panel, the Design Review Panel, and have been the subject of a series of public consultation events. A pre-application meeting also took place with the GLA prior to submission.

Planning permission is sought for:

“Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Conditions I4 (Severability Condition), AD1 (Approved Drawings - Masterplan), AD2 (Approved Drawings - Reserved Matters), AD3 (Approved Drawings - Phase 1), RM1 (Parameter Plans and Development Specification), RM6 (Phasing Plan), RM11 (Reserved Matters – Access Statement), RM21 (Reserved Matters – Total floorspace), D20 (Photo-voltaic Cells), D21 (Phase 1 Long Stay Cycle Parking), D22 (Phase 2 Short Stay Cycle Parking), D24 (Phase 1 Disabled Car Parking), D26 (Phase 1 Fire Safety Implementation of Approved Measures), and M28 (Phase-Wide Lighting Strategy) and the removal of Condition M7 (Major Utilities Infrastructure) of planning permission ref. 2022/0528/P dated 20 December 2023 for ‘Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and Sui Generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots, in accordance with the Development Specification. For the avoidance of doubt, the Detailed and Outline planning permission are separate and severable for each of the Plots shown on plan P011 and the description of development on any decision notice issued pursuant to the application would reflect that’, to allow for amendments to the Detailed Element (Plots N3-E, N4 and N5) including additional height, alterations to the design, massing and footprint of the buildings; the replacement of Block N4D with the relocated community centre; additional residential floorspace (and corresponding reduction in floorspace within Outline Elements); revisions to unit mix and internal layouts; additional community (Class F2) floorspace, reduction in retail (Class E,a) floorspace, reduction in professional services (Class E,c) floorspace, additional blue badge parking and cycle parking; revised landscaping and additional public realm; and associated works”.

It should be noted that the description of development noted above differs from the description of development within the submitted application documents as amendments have been made to the description since the application was submitted, namely it was previously proposed to remove Condition M6 (Enabling Words), which is no longer proposed. It is the above description of development that applies to this S73 Application.

In summary, the Section 73 design amendments relate principally to the Detailed Element and involve adjustments to the height, massing and footprints of the buildings; the

replacement of Block N4D with a two storey community centre; new landscaping and additional public realm; revisions to architecture; and revisions to unit mix and internal layouts. Overall, there is an increase in floorspace of 5,766 sqm (GIA) for the Detailed Element compared with the Approved Masterplan, an increase of 43 residential units, an increase in the size of the community centre and a slight reduction in commercial floorspace (-8sqm GIA). The affordable housing provision remains the same at 36% of the floorspace (GIA).

The S73 Application will deliver the following additional public benefits, over and above the Approved Masterplan:

- Early delivery of 43 additional residential homes, which includes 20 affordable homes;
- A more prominently located and increased scale (+46sqm GIA) two storey community centre, within the heart of the Linear Park;
- Removal of Block N4D creating additional space and greater separation between the residential blocks, improving outlook and daylight for a significant number of the residential units, particularly the affordable homes;
- Enhanced landscape strategy providing approximately 300sqm of additional public open space and 5m increased width of the Linear Park;
- Approximately 400sqm of additional play space; and
- An uplift in BNG to 268% (from >165%) across the Site (both Outline and Detailed Elements).

For further details on the proposed S73 Application amendments, please refer to the Planning Statement Addendum prepared by Newmark and the Design and Access Statement Addendum prepared by Grid Architects that form part of the S73 Application submission.

Severability

The S73 Application proposes an update to the severable plot plan submitted and approved under the Approved Masterplan, along with related updates to the wording of Condition I4. For further detail on the approach to severability, please refer to the Planning Statement Addendum submitted with the S73 Application.

Application Documentation

We submit the following documents in support of this S73 application:

- 1) Covering Letter, prepared by Newmark (i.e. this letter);
- 2) Completed Planning Application Forms, prepared by Newmark;

- 3) Completed Community Infrastructure Levy Form, prepared by Quod;
- 4) Community Infrastructure Levy Phasing Strategy, prepared by Quod;
- 5) Site Location Plan, prepared by AHMM;
- 6) Proposed General Arrangement Plans, Sections and Elevations, prepared by GRID;
- 7) Landscaping Plans, prepared by Townshends;
- 8) Design and Access Statement including Landscaping Strategy, prepared by GRID, Heatherwick Studios and Townshends;
- 9) Revised Development Specification Document, prepared by Newmark;
- 10) Affordable Housing Statement Addendum, prepared by Quod;
- 11) Revised Fire Statement and Gateway One Form, prepared by Jensen Hughes;
- 12) Basement Impact Assessment Addendum, prepared by Pell Frischmann;
- 13) Flood Risk Assessment Addendum, prepared by Pell Frischmann;
- 14) Drainage Strategy Addendum, prepared by Pell Frischmann;
- 15) Health Impact Assessment Addendum, prepared by Quod;
- 16) Circular Economy Statement Addendum, prepared by Buro Happold;
- 17) Supplementary Internal Daylight and Sunlight Report, prepared by Point 2;
- 18) Energy Strategy Addendum, prepared by Buro Happold;
- 19) Sustainability Statement Addendum, prepared by Buro Happold;
- 20) Statement of Community Involvement, prepared by SOCO;
- 21) Urban Greening Factor Assessment Addendum, prepared by Townshends;
- 22) Open Space and Landscape Statement Addendum, prepared by Townshends;
- 23) Biodiversity Net Gain Assessment Addendum, prepared by Pell Frischmann;
- 24) Updated CAVAT Assessment, prepared by Pell Frischmann;
- 25) Environmental Statement Addendum, prepared by Plowman Craven.

We trust that you have all the necessary information to validate this Application and we look forward to confirmation of this shortly. If you have any queries, please contact Leonie Oliva or Hannah Bryant of this office.

Yours faithfully

Newmark Gerald Eve LLP