

Delegated Report		Analysis sheet	Expiry Date:	08/01/2013
		N/A / attached	Consultation Expiry Date:	N/A
Officer			Application Number(s)	
Neil McDonald			2012/6629/P	
Application Address			Drawing Numbers	
103 Camley Street London NW1 0PF			Superseded plans: [prefix (00)] P100 rev 02, P101 rev 01, P201 rev 01, P202, P204, P205. Amended plans; [prefix (00)] P100 rev 03, P101 rev 02, P201 rev 02, P202 rev 01, P204 rev 01, P205 rev 01. Non-Material Changes Report ref. REP-14Urbanest/November 2012.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Non-material amendment to planning permission dated 30/03/2012 (ref 2011/5695/P for demolition of existing industrial buildings and the erection of a building ranging from 4-12 storeys to create a mixed use development) to allow for relocation of towpath lift; revised configuration of the north service yard to create enclosed area in place of turning head; and amendments to the student entrances and the ground floor windows/doors of the proposed Camley Street elevation.				
Recommendation(s):		Granted Subject to a Section 106 Legal Agreement (Deed of Variation)		
Application Type:		Non Material Amendments		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	None required					
CAAC/Local groups* comments: <small>*Please Specify</small>	Not consulted					

Site Description

Former open storage and depot site located adjacent the Regents Canal to the north of the Oblique Bridge on Camley Street. Permission has been granted for redevelopment for student housing, Class C3 housing and an office incubator in a building stepping up to 12-storeys in height. The site borders the Regents Canal Conservation Area.

Relevant History

On 31st March 2012 permission was granted for demolition of existing industrial buildings (Class B1c & B8) and the erection of a building ranging from 4-12 storeys to create a mixed use development comprising 307 x student units accommodation (Class Sui-Generis) including student cycle store; 14 x 2-bed, 15 x 3-bed and 11 x 4-bed self contained residential flats (Class C3); incubator business units comprising 1,653sqm floorspace (Class B1); 2 x retail units of 406sqm (Class A1/A3) and associated works and improvements to public realm including canal footpath (2011/5695/P).

Approvals of details have since been issued in respect of conditions 5 (survey of canal wall), 7 (lifetime homes), 16 (tree protection), 17 (biodiversity enhancements), 19 (appointment of chartered engineer) and 21a (programme of ground investigation).

As of the date of consideration of this application conditions 3a-e (details of various parts of the elevations and materials), 4 (sample panel of facing brickwork), 6 (details of lighting of the canalside and cctv), 13 (hard and soft landscaping), 15 (green roof details), 18 (report of watching brief for clearance of warehouse building and vegetation on canal wall), 20 (play facilities) and 21c (ground remediation verification report) of planning permission 2011/5695/P (granted 31/03/2012) are outstanding and require details to be submitted and approved.

Relevant policies

LDF Core Strategy and Development Policies

The proposed amendments are assessed for materiality – not on the basis of their planning merits. Planning policies therefore do not apply.

Assessment

This application seeks confirmation that the following amendments would be considered as non-material changes to planning permission ref. 2011/5695/P:

Re-location of towpath lift:

The accessibility lift for wheelchair users is proposed to be moved from its approved location within the retail shop next to the towpath steps to a new location beneath the undercroft of block B adjacent the reception entrance. The main difference apart from the location is that instead of being accessed directly off the towpath, the revised arrangement accesses the towpath from within the café courtyard. This has the benefit of providing improved safety and security for the lift and its users and does not necessitate physically entering a building as would be the case if located within the shop, which entails additional restrictions on its use. The space requirements of the lift are addressed by omitting the section of wider 'seating' steps from the adjacent stairway into the courtyard which would not restrict its use as a stairway in any way.

The location being more central to the development would be less instantly visible from the public realm than the originally approved arrangement. However this could be addressed by clear signposting. This is readily capable of being addressed via details to be submitted under the 'Community Access Plan' under the existing Section 106 Agreement.

The Council's Access Officer has assessed the revised arrangement for the lift and considers this to be an improvement.

Revised north service yard:

Due to technical requirements from UK Power Network, there is a need for the size of the electricity substation to be increased. This has a knock-on effect on the adjacent floorplan filling in the previously cut-out section of the north elevation which was originally to serve as an open bin-store and turning head for the adjacent service yard. The binstore of same capacity can still be provided, although is now enclosed so that the turning head is lost.

Swept-path diagrams have been provided to demonstrate that a 3.5t panel van is still capable of entering and leaving the service yard in forward gear without the need of a turning head and that large refuse vehicles are also able to access this yard as before. LBC Transport officers have assessed these diagrams and find them to be acceptable.

The revision to the adjacent parts of the floorplans necessitate a slightly smaller entrance lobby for the Incubator offices with the inclusion of one passenger lift rather than two as was approved. The Council's Access Officer has confirmed that the two lifts was not a requirement under Building Regulations and the one lift would therefore still be adequate for the size of accommodation in this case.

Ground floor elevations:

In order to provide a more secure entrance and to address Secure By Design criteria, the applicant proposes to combine the student entrances to blocks B and C into a single entrance in block B. A passage route is provided between blocks B and C via the undercroft rather than having a separate entrance from Camley Street to Block C. The changes to the Camley Street elevation therefore entail the replacement of the sliding entrance doors to the front façade of Block C with curtain walling together with other minor changes:- removal of a low-level planter and in front of Block B allowing for increased clerestory windows providing more daylight and ventilation to the incubator space below; splayed form to the building corner of Block B rather than squared; and relocation of the substation

doors to the north service yard elevation.

Assessment

Whilst there is no statutory definition of what constitutes a 'non-material' amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

In the context of the permitted scheme it is not considered that the amendments, either individually or cumulatively will have any material impact on the overall design idiom, neighbour amenities or conservation area character. This is primarily owing to the context of the overall approved scheme and the relationship of the proposed changes with the neighbouring buildings and environmental features. The proposed changes are considered to be of a relatively minor scale and nature in this context and there are no other previous changes so far granted which could be considered to cumulatively result in any significant impacts on interests of acknowledged importance.

It should be noted that the relocation of the towpath lift does have an impact upon the signed section 106 Agreement for the original application in that section 2.11c identifies the lift for the purposes of the Community Access Plan as being located within the shop unit and shown on Plan 3 annexed to the Agreement. In order for the relevant clause of the Agreement to continue to have effect a Deed of Variation would need to be drawn up.

The applicant has agreed in principle to the signing of such an Agreement and this can be tied to any grant of approval for the non-material amendments applied for.

Recommendation: Grant non-material amendments subject to a S106 Deed of Variation