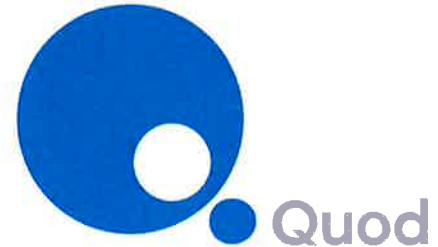


our ref: Q30150  
your ref:  
email: poppy.carmody-morgan@quod.com  
date: 26 February 2015



FAO: Nick Bell  
**London Borough of Camden**  
Regeneration and Planning  
Culture and Environment  
6<sup>th</sup> Floor, Town Hall Extension  
Development Management  
Argyle Street  
London  
WC17 8ND

Dear Nick,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**  
**SECTION 73 APPLICATION TO VARY CONDITION 58 OF APPLICATION 2012/6338/P**  
**LAND BOUNDED BY HAVERSTOCK ROAD, WELLESLEY ROAD AND VICARS ROAD INCLUDING NOS 121-211**  
**BACTON LOW RISE ESTATE 113A, 115 AND 117 WELLESLEY ROAD AND 2-16 VICARS ROAD**  
**GOSPEL OAK, LONDON, NW5 4**

We are instructed by our client, London Borough of Camden, to submit an application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 58 attached to planning permission 2012/6338/P.

The application submission includes the following information in line with your validation requirements:

- Application Form, duly completed;
- Council Own Development Form;
- Planning permission ref. 2012/6338/P;
- Site Location Plan;
- This covering letter;
- Arboricultural Method Statement dated January 2015 including plan ref: 15\_AMS\_01\_22 and 15\_AMS\_01\_22\_Plan2;
- Tree Removal and Replacement Document dated December 2014;
- Cheque for £98 in payment of the relevant fee.

Paragraph 62 of the DCLG Guidance 'Greater flexibility for planning permissions' (2010) states that:

***"a minor material amendment is one whose scale and nature results in a development which is not substantially different from the one which has been approved."***

Given the limited nature of the changes to the scale and nature of the proposals, it will not be substantially different from the one which has been approved.

As explained in the Tree Removal and Replacement Strategy document enclosed, there is now the need to revise the permitted tree details. Rydon have worked hard to date to progress matters on site with the four trees on Vicars Road in place. The retention of the four London Plane trees on Vicars Road are however causing significant issues regarding the deliverability of the Bacton Low Rise development. We consider that there are strong reasons justifying their removal. These include:

- The requirement to close Grafton Road Entrance which necessitates moving the site entrance to Vicars Road;
- The only viable drainage solution passes straight under the trees which would in turn damage the root protection areas;
- It is likely that other statutory undertakers services could have a negative impact on the root protection areas of the four trees; and
- The trees are not protected by Tree Preservation Orders and we have proposed an appropriate strategy for replacement trees which has equal benefits in terms of the street scene and amenity value.
- If the four trees are not removed, the ability of Rydon to construct the development is jeopardised therefore halting the much needed delivery of new homes for the Borough.

It therefore is now proposed to remove and replace the existing trees with 4 no. London Plane trees. Please see the enclosed Tree Removal and Replacement Document and the Arboricultural Method Statement which provide further details.

Pre-application discussions with the Council have taken place and it has been confirmed that the replacement of the existing trees with 4 no. London Plane trees with 20-25cm girth and 5.0-5.5m height is acceptable.

Condition 58 of planning permission 2012/6338/P currently reads as follows:

*“The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan dated 21/11/2012; 202\_A\_P\_001\_00; 202\_A\_P\_010\_00; 202\_A\_D\_100\_001; 202\_A\_P\_003\_01; 202\_A\_P\_003\_02; 202\_A\_P\_003\_03; 202\_A\_P\_DHO\_100\_00 Rev 1; 202\_A\_P\_DHO\_100\_01 Rev 01; 202\_A\_P\_DHO\_100\_02 Rev 01; 202\_A\_P\_DHO\_100\_03 Rev 01; 202\_A\_P\_DHO\_100\_04 Rev 01; 202\_A\_P\_DHO\_100\_05 Rev 01; 202\_A\_P\_DHO\_06 Rev 01; 202\_A\_P\_DHO\_100\_07 Rev 01; 202\_A\_P\_DHO\_100\_08 Rev 01; 202\_A\_P\_DHO\_200\_01 Rev 01; 202\_A\_P\_DHO\_200\_02 Rev 01; 202\_A\_P\_DHO\_200\_03 Rev 01; 202\_A\_P\_DHO\_300\_00 Rev 01; 202\_A\_P\_DHO\_300\_01; 202\_A\_P\_DHO\_300\_02 Rev 01; 202\_A\_P\_DHO\_300\_03; 202\_A\_P\_DHO\_300\_04 Rev 01; 202\_A\_P\_DHO\_400\_01; 202\_A\_P\_BLR\_100\_B01; 202\_A\_P\_BLR\_100\_00 Rev 01; 202\_A\_P\_BLR\_100\_01; 202\_A\_P\_BLR\_100\_02; 202\_A\_P\_BLR\_100\_03; 202\_A\_P\_BLR\_100\_04; 202\_A\_P\_BLR\_100\_05; 202\_A\_P\_BLR\_100\_06; 202\_A\_P\_BLR\_100\_07; 202\_A\_P\_BLR\_100\_08; 202\_A\_P\_BLR\_200\_01; 202\_A\_P\_BLR\_200\_02 Rev 01; 202\_A\_P\_BLR\_200\_03; 202\_A\_P\_BLR\_200\_04; 202\_A\_P\_BLR\_200\_05; 202\_A\_P\_BLR\_300\_00; 202\_A\_P\_BLR\_300\_01; 202\_A\_P\_BLR\_300\_02; 202\_A\_P\_BLR\_300\_03; 202\_A\_P\_BLR\_300\_04; 202\_A\_P\_BLR\_300\_05; 202\_A\_P\_BLR\_300\_06; 202\_A\_P\_BLR\_400\_01; 202\_A\_P\_DHO\_110\_001 Rev 01; 202\_A\_P\_DHO\_110\_002; 202\_A\_P\_DHO\_110\_006; 202\_A\_P\_DHO\_110\_007; 202\_A\_P\_DHO\_110\_008; 202\_A\_P\_DHO\_110\_009; 202\_A\_P\_DHO\_110\_010 Rev 02; 202\_A\_P\_DHO\_110\_011; 202\_A\_P\_DHO\_110\_012; 202\_A\_P\_DHO\_110\_013 Rev 02; 202\_A\_P\_DHO\_110\_014; 202\_A\_P\_DHO\_110\_015 Rev 02; 202\_A\_P\_DHO\_110\_016; 202\_A\_P\_DHO\_110\_017; 202\_A\_P\_DHO\_110\_018; 202\_A\_P\_DHO\_110\_019 Rev 01; 202\_A\_P\_DHO\_110\_020; 202\_A\_P\_DHO\_110\_021; 202\_A\_P\_BLR\_110)001; 202\_A\_P\_BLR\_110\_002; 202\_A\_P\_BLR\_110\_003; 202\_A\_P\_BLR\_110\_004; 202\_A\_P\_BLR\_110\_005; 202\_A\_P\_BLR\_110\_006; 202\_A\_P\_BLR\_110\_007; 202\_A\_P\_BLR\_110\_008; 202\_A\_P\_BLR\_110\_009; 202\_A\_P\_BLR\_110\_010; 202\_A\_P\_BLR\_110\_011; 202\_A\_P\_BLR\_110\_012; 202\_A\_P\_BLR\_110\_013; 202\_A\_P\_BLR\_110\_014; 202\_A\_P\_BLR\_110\_015; 202\_A\_P\_BLR\_110\_016; 202\_A\_P\_BLR\_110\_017; 202\_A\_P\_BLR\_110\_018; 202\_A\_P\_BLR\_100\_019; 202\_A\_P\_BLR\_100\_020; 202\_A\_P\_BLR\_100\_021; 202\_A\_P\_BLR\_100\_022; 202\_A\_P\_BLR\_100\_023; 202\_A\_P\_BLR\_100\_024; 202\_A\_P\_BLR\_100\_025; 202\_A\_P\_BLR\_100\_026; 202\_A\_P\_BLR\_100\_027; 202\_A\_P\_BLR\_100\_028; 202\_A\_P\_BLR\_200\_030; 202\_A\_P\_BLR\_200\_031; 202\_A\_P\_BLR\_200\_032; 202\_A\_P\_BLR\_200\_033 Rev 01; 202\_A\_P\_BLR\_300\_034; 202\_A\_P\_BLR\_300\_035; 202\_A\_P\_200\_036; 202\_A\_P\_BLR\_200\_040; 202\_A\_P\_BLR\_200\_049; 202\_A\_P\_BLR\_200\_050; 202\_A\_P\_BLR\_200\_051 Rev 01; 202\_A\_P\_BLR\_200\_052; 202\_A\_P\_BLR\_300\_064; 202\_A\_P\_BLR\_300\_065; 202\_A\_P\_BLR\_200\_067; 202\_A\_P\_BLR\_200\_068; 202\_A\_P\_BLR\_200\_069; 202\_A\_P\_BLR\_200\_070; 202\_A\_P\_BLR\_200\_071;*

202\_A\_P\_BLR\_200\_072; 202\_A\_P\_BLR\_200\_073; 202\_A\_P\_BLR\_300\_074;  
202\_A\_P\_BLR\_300\_075; 202\_A\_P\_BLR\_300\_075; 202\_A\_P\_BLR\_200\_076;  
202\_A\_P\_BLR\_200\_077; 202\_A\_P\_BLR\_200\_078; 202\_A\_P\_BLR\_200\_079;  
LL439\_C\_SP\_001 Rev J; LL439\_C\_SP\_002

Rev K; LL439\_C\_SP\_003 Rev D; LL439\_C\_SP\_004 Rev B; LL439\_C\_SP\_009

*Design & Access Statement Statement of Community Involvement Ref 202-A-REP-DA by Karakusevic Carson Architects; Appendix to Design & Access Statement by Karakusevic Carson Architects; Block C Design Development Supplementary Addendum to Planning Application Ref 202\_A\_REP\_ADDENDUM\_01 dated December 2012 by Karakusevic Carson Architects; Landscape Proposals by Camlins Rev A 08.02.2013 8th Revision dated 04/02/2013; Construction Management Plan by EC Harris; Planning Statement by Quod Ref Q30150 dated 22/11/2012; Bat Survey Report by Greengage Ref 550355mtJul12FV01\_Bat\_Survey dated January 2013; Ecological Extended Phase 1 Habitat & Protected Species Survey by Greengage Ref 550338MTJan13FV02\_Phase1\_Bacton dated January 2013; Daylight & Sunlight Report by GVA Schatunowski Brooks dated November 2012; Addendum Daylight & Sunlight Report by GVA Schatunowski Brooks dated November 2012; Second Addendum Daylight and Sunlight Report by GVA Schatunowski Brooks dated February 2013; Daylight Analysis Bacton Low Rise by GVA Schatunowski Brooks dated 28/02/13, as submitted 03/03/13;*

*BRE073, as submitted 03/03/13; Air Quality Assessment by Peter Brett Associates Ref 26572/004 Rev 01 dated 20/11/2012; Basement Impact Assessment Revision B by Rolton Group Limited Ref 12-0083 XRP007 dated February 2013; Requirements for Code for Sustainable Homes Level 4 by EC Harris; Energy Strategy Report by Rolton Group Limited Ref 12-0083 XRP004 dated November 2012; Flood Risk Assessment by Rolton Group Limited Ref 12-0083 XRP003 Rev A dated November 2012; Geotechnical and Geo-Environmental Report by Rolton Group Limited Ref 12-0083 XRP005 Rev A dated November 2012; Noise and Vibration Assessment by Peter Brett Associates Rev 26572/003R001 Rev 01 dated 22/11/2012; Sustainability Statement by EC Harris; Transport Assessment by Peter Brett Associates Ref Issue 1 Rev 1 dated 23/11/2012; Tree Survey, Implications Assessment and Constraints by Greengage Ref 550355MTSept12FV04\_BS5837 dated November 2012; Email from Rolton Group Limited to Environment Agency dated 17/12/2012; Impact Assessment and Tree Removal - Addendum by Greengage, as received 12/02/2013; Dust Monitoring Protocol Technical Note by Peter Brett Associates Ref TN001A dated 07/02/2013; Response to LBC Comments on Transport Assessment by Peter Brett Associates Ref 001 dated 08/02/2013, as received 14/02/2013; Trip Generation Calculations Residential Land Use, dated 08/02/13, as received 27/02/13; TRAVL - Average Trip Rate by Mode and Time, as received 27/02/13; Revised Trip Generation trips by mode and time, as received 27/02/13; Revised Trip Generation trips by time, as received 27/02/13; Email from Greengage dated 22/02/2013 and associated annotated photographs (x3), Tree Constraints Plan GRNGE-BCTLWRS-583707 and*

***untitled Vicars Road RPZ plan; Email from Greengage dated 03/03/2013."***

This condition is proposed to be modified as follows:

***"The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan dated 21/11/2012; 202\_A\_P\_001\_00; 202\_A\_P\_010\_00; 202\_A\_D\_100\_001; 202\_A\_P\_003\_01; 202\_A\_P\_003\_02; 202\_A\_P\_003\_03; 202\_A\_P\_DHO\_100\_00 Rev 1; 202\_A\_P\_DHO\_100\_01 Rev 01; 202\_A\_P\_DHO\_100\_02 Rev 01; 202\_A\_P\_DHO\_100\_03 Rev 01; 202\_A\_P\_DHO\_100\_04 Rev 01; 202\_A\_P\_DHO\_100\_05 Rev 01; 202\_A\_P\_DHO\_06 Rev 01; 202\_A\_P\_DHO\_100\_07 Rev 01; 202\_A\_P\_DHO\_100\_08 Rev 01; 202\_A\_P\_DHO\_200\_01 Rev 01; 202\_A\_P\_DHO\_200\_02 Rev 01; 202\_A\_P\_DHO\_200\_03 Rev 01; 202\_A\_P\_DHO\_300\_00 Rev 01; 202\_A\_P\_DHO\_300\_01; 202\_A\_P\_DHO\_300\_02 Rev 01; 202\_A\_P\_DHO\_300\_03; 202\_A\_P\_DHO\_300\_04 Rev 01; 202\_A\_P\_DHO\_400\_01; 202\_A\_P\_BLR\_100\_B01; 202\_A\_P\_BLR\_100\_00 Rev 01; 202\_A\_P\_BLR\_100\_01; 202\_A\_P\_BLR\_100\_02; 202\_A\_P\_BLR\_100\_03; 202\_A\_P\_BLR\_100\_04; 202\_A\_P\_BLR\_100\_05; 202\_A\_P\_BLR\_100\_06; 202\_A\_P\_BLR\_100\_07; 202\_A\_P\_BLR\_100\_08; 202\_A\_P\_BLR\_200\_01; 202\_A\_P\_BLR\_200\_02 Rev 01; 202\_A\_P\_BLR\_200\_03; 202\_A\_P\_BLR\_200\_04; 202\_A\_P\_BLR\_200\_05; 202\_A\_P\_BLR\_300\_00; 202\_A\_P\_BLR\_300\_01; 202\_A\_P\_BLR\_300\_02; 202\_A\_P\_BLR\_300\_03; 202\_A\_P\_BLR\_300\_04; 202\_A\_P\_BLR\_300\_05; 202\_A\_P\_BLR\_300\_06; 202\_A\_P\_BLR\_400\_01; 202\_A\_P\_DHO\_110\_001 Rev 01; 202\_A\_P\_DHO\_110\_002; 202\_A\_P\_DHO\_110\_006; 202\_A\_P\_DHO\_110\_007; 202\_A\_P\_DHO\_110\_008; 202\_A\_P\_DHO\_110\_009; 202\_A\_P\_DHO\_110\_010 Rev 02; 202\_A\_P\_DHO\_110\_011; 202\_A\_P\_DHO\_110\_012; 202\_A\_P\_DHO\_110\_013 Rev 02; 202\_A\_P\_DHO\_110\_014; 202\_A\_P\_DHO\_110\_015 Rev 02; 202\_A\_P\_DHO\_110\_016; 202\_A\_P\_DHO\_110\_017; 202\_A\_P\_DHO\_110\_018; 202\_A\_P\_DHO\_110\_019 Rev 01; 202\_A\_P\_DHO\_110\_020; 202\_A\_P\_DHO\_110\_021; 202\_A\_P\_BLR\_110\_001; 202\_A\_P\_BLR\_110\_002; 202\_A\_P\_BLR\_110\_003; 202\_A\_P\_BLR\_110\_004; 202\_A\_P\_BLR\_110\_005; 202\_A\_P\_BLR\_110\_006; 202\_A\_P\_BLR\_110\_007; 202\_A\_P\_BLR\_110\_008; 202\_A\_P\_BLR\_110\_009; 202\_A\_P\_BLR\_110\_010; 202\_A\_P\_BLR\_110\_011; 202\_A\_P\_BLR\_110\_012; 202\_A\_P\_BLR\_110\_013; 202\_A\_P\_BLR\_110\_014; 202\_A\_P\_BLR\_110\_015; 202\_A\_P\_BLR\_110\_016; 202\_A\_P\_BLR\_110\_017; 202\_A\_P\_BLR\_110\_018; 202\_A\_P\_BLR\_100\_019; 202\_A\_P\_BLR\_100\_020; 202\_A\_P\_BLR\_100\_021; 202\_A\_P\_BLR\_100\_022; 202\_A\_P\_BLR\_100\_023; 202\_A\_P\_BLR\_100\_024; 202\_A\_P\_BLR\_100\_025; 202\_A\_P\_BLR\_100\_026; 202\_A\_P\_BLR\_100\_027; 202\_A\_P\_BLR\_100\_028; 202\_A\_P\_BLR\_200\_030; 202\_A\_P\_BLR\_200\_031; 202\_A\_P\_BLR\_200\_032; 202\_A\_P\_BLR\_200\_033 Rev 01; 202\_A\_P\_BLR\_300\_034; 202\_A\_P\_BLR\_300\_035; 202\_A\_P\_200\_036;***



202\_A\_P\_BLR\_200\_040; 202\_A\_P\_BLR\_200\_049; 202\_A\_P\_BLR\_200\_050;  
 202\_A\_P\_BLR\_200\_051 Rev 01; 202\_A\_P\_BLR\_200\_052; 202\_A\_P\_BLR\_300\_064;  
 202\_A\_P\_BLR\_300\_065; 202\_A\_P\_BLR\_200\_067; 202\_A\_P\_BLR\_200\_068;  
 202\_A\_P\_BLR\_200\_069; 202\_A\_P\_BLR\_200\_070; 202\_A\_P\_BLR\_200\_071;  
 202\_A\_P\_BLR\_200\_072; 202\_A\_P\_BLR\_200\_073; 202\_A\_P\_BLR\_300\_074;  
 202\_A\_P\_BLR\_300\_075; 202\_A\_P\_BLR\_300\_075; 202\_A\_P\_BLR\_200\_076;  
 202\_A\_P\_BLR\_200\_077; 202\_A\_P\_BLR\_200\_078; 202\_A\_P\_BLR\_200\_079;  
 LL439\_C\_SP\_001 Rev J; LL439\_C\_SP\_002

Rev K; LL439\_C\_SP\_003 Rev D; LL439\_C\_SP\_004 Rev B; ~~LL439\_C\_SP\_009~~  
**15\_AMS\_01\_22; 15\_AMS\_01\_22\_Plan2**

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*BRE073, as submitted 03/03/13; Air Quality Assessment by Peter Brett Associates Ref 26572/004 Rev 01 dated 20/11/2012; Basement Impact Assessment Revision B by Rolton Group Limited Ref 12-0083 XRP007 dated February 2013; Requirements for Code for Sustainable Homes Level 4 by EC Harris; Energy Strategy Report by Rolton Group Limited Ref 12-0083 XRP004 dated November 2012; Flood Risk Assessment by Rolton Group Limited Ref 12-0083 XRP003 Rev A dated November 2012; Geotechnical and Geo-Environmental Report by Rolton Group Limited Ref 12-0083 XRP005 Rev A dated November 2012; Noise and Vibration Assessment by Peter Brett Associates Rev 26572/003R001 Rev 01 dated 22/11/2012; Sustainability Statement by EC Harris; Transport Assessment by Peter Brett Associates Ref Issue 1 Rev 1 dated 23/11/2012; Tree Survey, Implications Assessment and Constraints by Greengage Ref 550355MTSept12FV04\_BS5837 dated November 2012; Email from Rolton Group Limited to Environment Agency dated 17/12/2012; Impact Assessment and Tree Removal - Addendum by Greengage, as received 12/02/2013; Dust Monitoring Protocol Technical Note by Peter Brett Associates Ref TN001A dated 07/02/2013; Response to LBC Comments on Transport Assessment by Peter Brett Associates Ref 001 dated 08/02/2013, as received 14/02/2013; Trip Generation Calculations*

***Residential Land Use, dated 08/02/13, as received 27/02/13; TRAVL - Average Trip Rate by Mode and Time, as received 27/02/13; Revised Trip Generation trips by mode and time, as received 27/02/13; Revised Trip Generation trips by time, as received 27/02/13; Email from Greengage dated 22/02/2013 and associated annotated photographs (x3), ~~Tree Constraints Plan GRNGE-BCTLWRS-583707~~ and untitled Vicars Road RPZ plan; Email from Greengage dated 03/03/2013. **Arboricultural Method Statement dated January 2015**"***

We trust the enclosed is sufficient for you to register and validate the planning application and we look forward to confirmation of this in due course. If however you require any additional information please do not hesitate to contact me.

Yours sincerely,



Poppy Carmody-Morgan  
Senior Planner

