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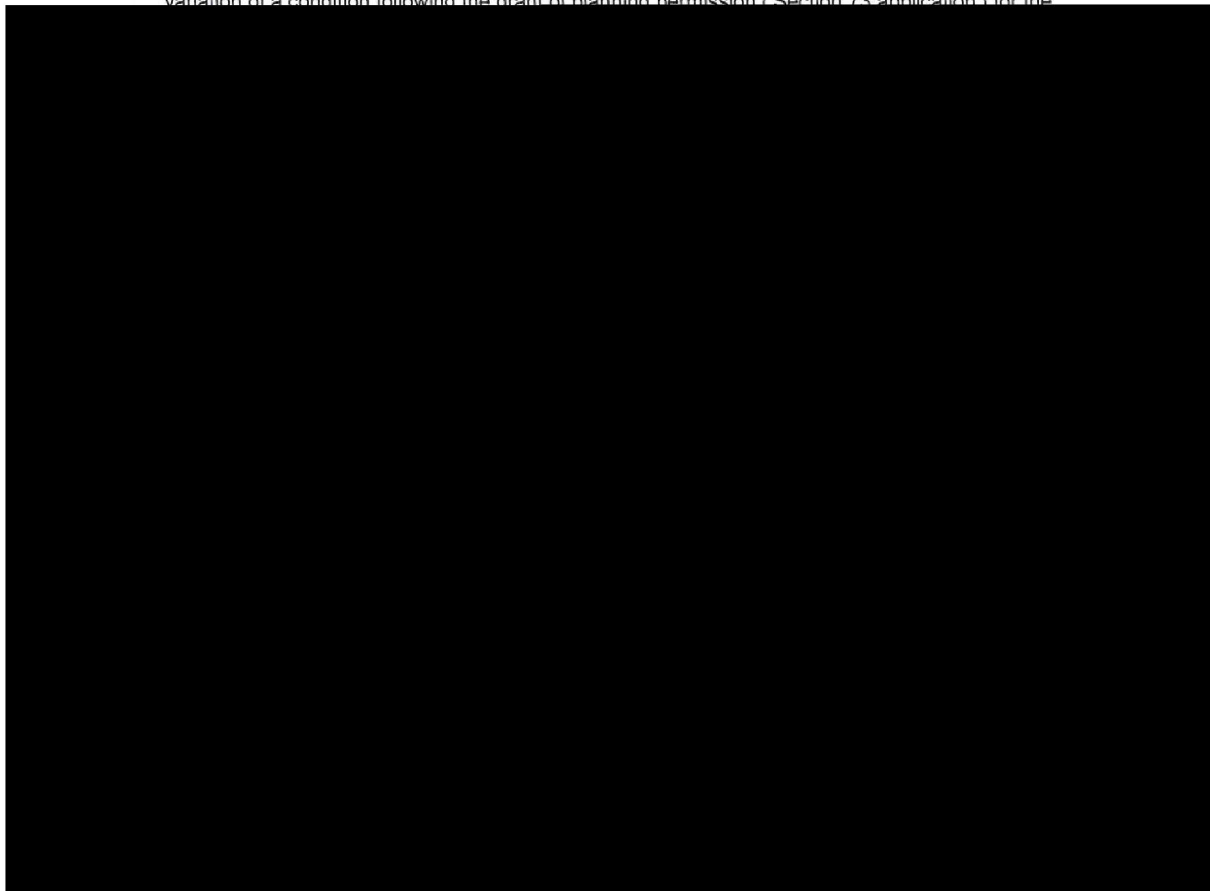
7 August 2015

Our ref: NFD/J10003/Apps and Decisions/MMA

Dear Sir

**Town and Country Planning Act 1990 (as amended)
Section 73 Application for Removal or Variation of a Condition following the Grant of
Planning Permission
Land at Hawley Wharf Land bounded by Chalk Farm Road, Castlehaven Road, Hawley Road
Kentish Town Road and Regents Canal, London, NW1**

On behalf of our client, Stanley Sidings Limited, ('the applicant'), we enclose an application for the variation of a condition following the grant of planning permission ('Section 73 application') for the



A; 12001_MP_(00)_202 rev A; 12001_MP_(00)_203 rev A; 12001_MP_(00)_204 rev A; 12001_MP_(00)_205 rev A; 12001_MP_(00)_206 rev A; 12001_MP_(00)_207; 12001_MP_(00)_208; 12001_MP_(00)_209; 12001_MP_(00)_210; 12001_MP_(00)_300; 12001_MP_(00)_301; 12001_MP_(00)_302 rev A.
 Area A: 12001_A_(00)_99; 12001_A_(00)_100; 12001_A_(00)_101; 12001_A_(00)_102; 12001_A_(00)_103 rev A; 12001_A_(00)_104; 12001_A_(00)_105; 12001_A_(00)_200; 12001_A_(00)_210; 12001_A_(00)_211; 12001_A_(00)_212 rev A; 12001_A_(00)_221 rev A; 12001_A_(00)_222 rev A; 12001_A_(00)_230; 12001_A_(00)_231; 12001_A_(00)_300.

The enclosed application seeks to replace and substitute all previously approved drawings identified in condition 65 which relate to the façade of the Area A retail building. The replacement drawings are identified as:

Approved drawing reference number	MMA proposed drawing reference number
12001_A_(00)_200;	12001_A_(00)_200; Rev A
12001_A_(00)_210;	12001_A_(00)_210 rev A
12001_A_(00)_211;	12001_A_(00)_211; rev A
12001_A_(00)_212 rev A	12001_A_(00)_212 rev B

The proposed amendments the subject of this application, represent an evolution of the scheme which was granted planning permission by Camden Council in January 2013. The proposed minor material change in material from timber to terracotta has been discussed with the Council's planning and design officers. In addition, the applicant has presented the proposals to the Regent's Canal Conservation Area Advisory Committee and the Hawley Wharf Community Liaison Group which was established under the s106 legal agreement for the masterplan site. It should be noted that the remainder of the approved scheme remains the same in content and visual terms.

The amendments to the approved scheme have led to a review of the previously approved submission documents and where necessary, further assessments of the potential impacts of the scheme have been carried out. The Section 73 application (which has been submitted via the Planning Portal under reference PP-04400819) comprises the following material:

1. This covering letter
2. Application forms
3. CIL Additional Information Form prepared by Gerald Eve
4. Design and Access Statement including visuals prepared by AHMM Architects
5. Plans and Drawings, including Site Location Plan prepared by AHMM Architects
6. Sustainability letter prepared by Hoare Lea
7. Statement of Community Involvement prepared by London Communication Agency

The previously submitted Heritage Assessment which describes nearby heritage assets around the application site remains valid, and has therefore not been updated as part of this submission. In

In addition, the Environmental Statement has not been updated as the proposed amendments to the consented scheme will not result in any new or different significant effects on the environment which were not assessed in the Environmental Statement submitted with the original application.

Planning Policy Considerations

The two key planning policy considerations relevant to this application relate to design and sustainability.

Design

At a national level, paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

At paragraph 57, the NPPF stipulates that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF goes on to state at paragraph 58, that planning policies and decisions should aim to ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- c) Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;
- d) Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- e) Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- f) Are visually attractive as a result of good architecture and appropriate landscaping.

The London Plan at Policy 2.10 seeks to sustain and enhance the distinctive environment and heritage of London, recognising both its strategic components and other features including distinctive buildings and historic heritage, through high quality design and urban management.

Policy 7.3 states that development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.

Policies 7.4, 7.5 and 7.6 relate to ensuring that development respects the local character of the area; promotes high quality public realm; and ensures that the architecture makes a positive contribution to a coherent public realm, streetscape and wider cityscape.

At a local level, Core Strategy policy CS14 seeks to ensure that new developments are attractive, safe and easy to use. The aim of policy Development Policies DP24 is to require all developments to be of the highest standard of design

The proposal seeks to enhance the approved building by using a material which would have a natural and warm appearance which is similar to timber from a distant viewpoint. The proposed

material is considered to create a sympathetic interface with the Regent's Canal Conservation Area.

The proposed terracotta fins and bay detail would be the same as the approved timber screen. The terracotta would be robust, durable and would be low maintenance. The approved timber however would weather in a way which could not be controlled. In addition, the timber fins could twist and warp over time leading to an expensive maintenance programme

During the consultation process, a number of queries were raised regarding graffiti. In response to this query, it was found that timber has a high potential for water absorption and therefore it would make it difficult for graffiti to be erased. A seal would need to be applied but this would create additional maintenance which would be expensive over time. If seriously damaged, the entire fin would need to be replaced and would therefore stand out on the building if the rest of the timber fins have weathered. Terracotta on the other hand does not absorb water and is easily washable. A glazed finish is proposed on the inside of the building which is more likely to be damaged. In the case of breakage, the entire could be replaced but would look identical to the rest of the terracotta fins. It is therefore considered that the proposed materials meet the guidance contained within National, London and local planning policy.

Sustainability

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking (paragraph 14).

Camden Core Strategy policy CS13 advises that the council will require all developments to take measures to minimise the effects of and adapt to climate change.

As part of the s106 legal agreement entered into by the Applicant in relation to planning permission 2012/4628/P a Sustainability Plan was produced and subsequently approved by Camden Council in January 2015. Hoare Lea has confirmed that the proposed material amendment does not affect the findings of the Sustainability Plan and the Energy Efficiency and Renewable Energy Plan.

From the evaluation of the planning policies and guidance, it is concluded that this S.73 application is in accordance with the development plan and there are no material considerations of sufficient weight to justify departing from the presumption in favour of granting planning permission.

We look forward to receiving confirmation of the registration and validation of the application. Should you have any queries please contact Natalie Davies of this office.

Yours faithfully



Gerald Eve LLP

