

Seonaid Carr  
Case Officer  
Regeneration and Planning Development Management  
London Borough of Camden  
Town Hall  
London  
WC1H 8ND

Our ref: 84923/AL

Your reference: PP-04864667

26<sup>th</sup> February 2016

Dear Ms Carr

**Regents Park Estate, London, NW1 – Discharge of Condition 35: Sustainability Plan, Condition 36: Level Plans, Condition 44a, b, c, d, f and g, Condition 48: Pedestrian Access Plan and Condition 49: Phasing Plan**

Please find enclosed a discharge of condition planning application for Condition 35: Sustainability Plan, Condition 36: Level Plans, Condition 44a, b, c, d, f and g, Condition 48: Pedestrian Access Plan and Condition 49: Phasing Plan Ref: PP-04864667 relating to the existing planning permission ref: 2015/3076/P for the Regents Park Estate, London, NW1.

In respect of the above application the following documents have been submitted via the Planning Portal:

- Completed planning application form;
- Cover Letter (*this document*);
- Condition 35: Sustainability Plan
  - Written Statement (*contained within this letter*)
- Condition 36: Level Plans
  - COGH-IW-XX-ZZ-DR-A-10.0.10 - Site Wide Plan
  - DCH-IW-XX-ZZ-DR-A-10.0.10 - Site Wide Plan
  - NL-IW-XX-ZZ-DR-A-10.0.10 - Site Wide Plan
  - ROBS-IW-XX-ZZ-DR-A-10.0.10 - Site Wide Plan
  - RWOS-IW-XX-ZZ-DR-A-10.0.10 - Site Wide Plan
  - SBM-IW-XX-ZZ-DR-A-10.0.10 - Site Wide Plan

- TVP-IW-XX-ZZ-DR-A-10.0.10 - Site Wide Plan
- VARS-IW-XX-ZZ-DR-A-10.0.10 - Site Wide Plan
- Condition 44a,b,c,d, f and g: Accessibility Plan
  - 84923-DCH-Accessibility Plan
  - 84923-NL-Accessibility Plan
  - 84923-RWOS-Accessibility Plan
  - 84923-SBM-Accessibility Plan
- Condition 48: Pedestrian Access Plan
  - COGH-IW-XX-ZZ-DR-A-10.0.03 - Site Constraints Plan
  - DCH-IW-XX-ZZ-DR-A-10.0.03 - Site Constraints Plan
  - NL-IW-XX-ZZ-DR-A-10.0.03 - Site Constraints Plan
  - ROBS-IW-XX-ZZ-DR-A-10.0.03 - Site Constraints Plan
  - RWOS-IW-XX-ZZ-DR-A-10.0.03 - Site Constraints Plan
  - SBM-IW-XX-ZZ-DR-A-10.0.02 - Site Constraints Plan
  - TVP-IW-XX-ZZ-DR-A-10.0.03 - Site Constraints Plan
  - VARS-IW-XX-ZZ-DR-A-10.0.03 - Site Constraints Plan
- Condition 49: Phasing Plan
  - RPE-IW-XX-ZZ-DR-A-10.0.01 Construction Phasing Plan
  - Regents Park Estate – Contract Project Programme
- Planning application fee of £97.00

In addition we request that the Council also take into account the contents of this letter as a material consideration in their determination of this application.

By way of background the following conditions relate to the shadowing section 106 agreement with regard to the Regents Park Estate development. Based on the foregoing section 106 conditions identified, the following extracts and statements from the formal Decision Notice and Section 106 Legal Agreement provide further clarity on the information and detail to be submitted in support of discharging these Section 106 conditions.

### **Condition 35: Sustainability Plan**

Condition 35 makes reference to a Sustainability Plan which shall:

(a) “be based on a Building Research Establishment Environmental Assessment Method assessment with a target of achieving an ‘Excellent’ rating and attaining at least 60% of the credits in each of Energy and Water and 40% of the credits in Materials categories”

and

(b) “include a pre-Implementation review by an appropriately qualified and recognised independent verification body certifying that the measures incorporated in the Sustainability Plan are achievable”.

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### 2015/3076/P - condition 35

It is unclear if this relates to a formal BREEAM assessment and corresponding design stage certificate via the BRE. If this is the case, it is assumed that this condition applies to the Camden Peoples Theatre application (2015/4232/P). A BREEAM Domestic Refurbishment Pre-Assessment for the Camden Peoples Theatre was undertaken and submitted by TGA in support of the previous planning application (2015/4232/P)

Furthermore Policy DP22 states that.

*The Council will promote and measures sustainable design and construction by:*

*e) expecting non-domestic development of 500sqm of floorspace or above to achieve “very good” in BREEAM assessment and “excellent” from 2016 and encouraging zero carbon from 2019’.*

Based on the foregoing the non-residential elements of the main application (2015/3076/P) are all less than 500m<sup>2</sup> of floor space and therefore do not require a BREEAM assessment as stated in Policy DP22 Promoting sustainable design and construction of the Camden Development Policies 2010.

### Condition 36: Level Plan

*‘On or prior to the implementation date, the owner shall submit level plans for the approval in writing by the LPA.’*

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architecture  
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*'plans demonstrating the levels at the interface of the development the boundary of the Property and the Public Highway'*

The identified Level Plans identify a clear relationship between the site boundary, property and the public highway. It is the view of my client that the following plans/drawings submitted, are sufficient in discharging this Section 106 condition.

#### **Condition 44: Accessibility Plan (part discharge)**

The following plans and drawings submitted in within this application relate to a partial discharge for the following parts for condition 44:

(a) be fitted out either:-

(i) in accordance with the Camden Wheelchair Housing Design Brief 2013 or any successor document for the Affordable Housing Units; or

(ii) in accordance with the Habinteg Wheelchair Housing Design Guide 2006 or any successor document for the Private Units

(b) the number unit size and mix of homes and the storey level(s) of the Wheelchair Accessible Units;

(c) a plan showing the location of the Wheelchair Accessible Units within the relevant phase of the Development;

(d) demonstration of how all units would meet relevant lifetime homes and relevant size and layout standards;

(f) measures to ensure the Development is easily accessible to residents and visitors to the Development who are wheelchair users;

(g) principles of inclusive design inform and are fully integrated within the Development.

It is the view of my client that the following plans/drawings submitted, are sufficient in according to the Camden Wheelchair Housing Design Brief 2013 and Lifetime Homes standards for the part discharge of this Section 106 condition.

#### **Condition 48: Pedestrian Access Plan**

This condition reads as follows:

*'Prior to the Implementation Date a Pedestrian Access Plan shall be submitted to and approved by the Council. The plan shall set out a package of measures to be adopted by the Owner in the management of the Development with a view to maintaining improving and enhancing the various pedestrian and cycle access routes across the Regents Park Estate as set out in the submission document Planning Design and Access Statement to ensure that permeability of the Regents Park Estate for pedestrians and cyclists is retained during the **Construction Phase** and following Occupation'*

The submitted site constraints drawings in support of Condition 48 identify, both the retention of permeability for pedestrian and cyclists during the construction period and identify any site constraints. Furthermore, the information submitted relates to section 8.5: Movement and Access and Parking, of the approved Design and Access Statement and Section 4,5,6,7,8, 10, and 11 of the Construction Management Plan 23.12.2015.

### **Condition 49: Phasing**

*'On or prior to the Implementation Date to provide to the Council for approval a draft Phasing Plan. Implementation shall not commence until the plan has been approved by the Council. The plan shall provide details for Phase 1 and Phase 2 of the Development including details of timing and programming for construction and fitting out of each of the residential blocks forming part of the Relevant Phase of the Development ensuring the following:-*

- (a) identification of the construction programme for each Relevant Phase of the Development including estimated delivery times and dates;*
- (b) measures to ensure that Dick Collins Hall site in Phase Two is not implemented until such time as the Community Centre within Robert Street Car Park is ready for occupation;*
- (c) programming to ensure the build out of the remaining phases of the Development within certain times; and*
- (d) identifying means of ensuring the provision of information to the Council and provision of a mechanism for review and update as required from time to time'*

The submitted Construction Phasing Plan ref: RPE-IW-XX-ZZ-DR-A-10.01 Construction Phasing Plan, provide a clear view of how the Regents Park Estate development will be delivered through the phasing process. This plans has been produced in conjunction with Lovell's Construction Project Programme, which is also submitted in support of this application. Furthermore the information submitted relates to section 8.7: Phasing of the approved Design and Access Statement.

I trust the aforementioned is satisfactory and look forward to receiving confirming of the validation of the application at your earliest opportunity. However, should you require any further information, please do not hesitate the contact the undersigned.

Yours sincerely



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