

16 May 2016

**Delivered by Planning Portal**

London Borough of Camden  
5th Floor  
Town Hall Extension  
Argyle Street  
London  
WC1H 8NJ

Dear Sir/Madam,

**SECTION 73 MINOR-MATERIAL AMENDMENT APPLICATION TO PLANNING APPLICATION REF: 2014/1617/P  
AND PLANNING APPEAL REF: APP/X5210/W/14/3001616 – 100 AVENUE ROAD, LONDON, NW3 3HF**

We have been instructed by our client to submit an application for a minor-material amendment (PP- 05118991) in relation to Planning Condition 31 (Outline Method Statement) following the grant of planning permission at the above site at planning appeal, allowed by the Secretary of State at 100 Avenue Road.

The applicant is keen to progress with redevelopment of the site. The first stage of this will be demolition of the existing building. To allow for this there are a number of pre-commencement planning conditions which need to be satisfied and/or wording modified.

The applicant recently submitted a non-material amendment application on Planning Condition 31 (Outline Method Statement) to change the wording to allow for above ground demolition works to take place if an outline method statement for how the above ground existing building was to be demolished in consultation with Transport for London and the Local Planning Authority.

Despite the proposed minor wording change being agreed with Transport for London, who suggested the condition as part of the planning application process, the Council refused the minor material application route.

As the council have now determined that this change in wording is 'material', this application is for a Section 73 minor-material amendment to alter the wording of Condition 31. This revision to the wording is as before and has been discussed and agreed with Peter Brierley of TfL.

**Condition 31**

The current wording of Condition 31 that we are seeking to amend is:

*"Before development commences detailed design and assessment reports and outline method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning authority, such reports shall:*

- *provide details on all structures over and adjacent to LU assets*
- *accommodate the location of the existing London Underground structures and tunnels*
- *accommodate ground movement arising from the construction thereof*
- *mitigate the effects of noise and vibration arising from the adjoining*

*operations within the structures and tunnels and mitigate against any EMC (Electromagnetic Compatibility) issues arising from the construction of the new plant.*

*The development shall thereafter be carried out in all respects in accordance with the approved design and assessment report, method statements and subject to an agreed monitoring strategy, and all structures and works comprised within the development which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied."*

We proposed that the wording should be amended to exclude demolition works, as follows:

*"(a) Demolition shall not commence until an outline method statement (in consultation with London Underground) for all ground floor structures has been submitted and to and approved in writing by the Local Planning Authority.*

*b) No below ground works shall take place until detailed design and assessment report (in consultation with London Underground) for all foundations, basement and any other structures below ground level, including piling (temporary and permanent), has been submitted and to and approved in writing by the Local Planning Authority, such report shall:*

- provide details on all structures over and adjacent to LU assets*
- accommodate the location of the existing London Underground structures and tunnels*
- accommodate ground movement arising from the construction thereof*
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels and mitigate against any EMC (Electromagnetic Compatibility) issues arising from the construction of the new plant.*

*The development shall thereafter be carried out in all respects in accordance with the approved design and assessment report, method statements and subject to an agreed monitoring strategy, and all structures and works comprised within the development which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied."*

## **Submission package**

Please find enclosed the following:

- Application form; and
- CIL form.

The fee of £195 has already been paid to Camden Council.

The Charlotte Building  
17 Gresse Street  
London  
W1T 1QL

T 020 7851 4010 [turley.co.uk](http://turley.co.uk)

Should you require any further information please contact Lorna Henderson or myself at this office.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fiona Flaherty', with a stylized flourish at the end.

Fiona Flaherty  
**Assistant Planner**