

DP4099/HS/TH

4 April 2017

Ms Bethany Cullen
Regeneration and Planning
London Borough of Camden
5 Pancras Square
London
N1C 4AG

DP9 Ltd
100 Pall Mall
London SW1Y 5NQ

Registered No. 05092507

telephone 020 7004 1700
facsimile 020 7004 1790

www.dp9.co.uk

Dear Mrs Cullen,

**MOUNT PLEASANT – LAND TO WEST OF ROYAL MAIL SORTING OFFICE
BOUNDED BY PHOENIX PLACE, MOUNT PLEASANT, GOUGH STREET AND
CALTHORPE ST, CAMDEN, WC1**

**APPLICATION FOR NON-MATERIAL AMENDMENT (SECTION 96A) IN RESPECT
OF PLANNING PERMISSION REF. 2013/3807/P**

On behalf of our client Royal Mail Group, please find enclosed with the letter an application made through Section 96a of the Town and Council Planning Act (1990) for non-material amendments to planning permission ref. 2013/3807/P.

The development permitted by planning permission 2013/3807/P, granted on 30th March 2015, is as follows:

“Comprehensive redevelopment, following the demolition of existing buildings, to construct four new buildings ranging from 5 to 15 storeys (above basement level) in height, to provide 38,724sqm (GIA) of residential floorspace (345 dwellings) (Class C3), 823sqm (GIA) of flexible retail and community floorspace (Use Classes A1, A2, A3, D1 or D2), with associated energy centre, waste and storage areas, basement level residential car parking (54 spaces), the re-provision of Royal Mail staff car parking (approx. 196 spaces) cycle parking, residential cycle parking (431 spaces) hard and soft landscaping to provide public and private areas of open space, alterations to the public highway and all other necessary excavation and enabling works”

Detailed design of the development has led to a reconsideration of the layout of the basement portion of the scheme, in particular the Royal Mail staff car parking arrangements and number of spaces required. The approved scheme permits **approximately** 196 car parking spaces for Royal Mail staff and 54 spaces for the residential units. It is proposed to reduce staff parking to 100 spaces as the greater quantum permitted is surplus to requirements. The revised basement layouts are shown in the enclosed drawings, which are provided alongside the corresponding permitted drawings for comparison.

As set out in Planning Practice Guidance ‘Flexible options for planning permissions’, new issues may arise after planning permission has been granted, which require modification of the



approved proposals. An application for non-material amendments is an option open to applicants to amend a proposal that has planning permission, providing the local planning authority is satisfied that the amendments sought are non-material.

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 Section 96a of the Act, on the planning permission as originally granted. There is no statutory definition. Whether a proposed amendment is a non-material amendment is case specific, due to the individual nature of each development. Each scheme and proposed amendment will need to be considered on its own merits, but a general test is whether or not changes would result in the development becoming contrary to planning policies or impact upon one or more important material considerations in the determination of the application.

There have been no previous changes to the permitted scheme. The changes proposed are internal only. They do not alter the footprint of the basement nor do they have any external manifestations, and so there are no new design matters to consider. The transport impacts of the development will only be reduced from that currently approved due to the decrease in parking numbers, and therefore the changes proposed do not give rise to any new transport considerations.

The proposed amends do not give rise to any additional planning considerations and we are therefore of the view that the changes are non-material in nature and capable of being handled via a S96 application for amendments to the scheme.

Amendment to description of development

The application would also seek to alter the way in which the development is controlled on the existing decision notice through amendments to the description of development. These amendments are considered necessary to allow the flexibility envisaged in Planning Practice Guidance to ensure the decision notice is structured in such a way so as to accommodate potential new issues that may arise after planning permission has been granted.

Non-material amendments can be used to alter the description of development and to add/delete or amend conditions. Planning Practice Guidance requires the description of development to be accurate.

As the proposed amendments described above have an effect on the parking figures quoted within the description of development, it is proposed for the description to be amended in tandem with the proposed design amendments to reflect the revised figures. The Section 96a application would therefore seek to amend the description of development as follows:

“Comprehensive redevelopment, following the demolition of existing buildings, to construct four new buildings ranging from 5 to 15 storeys (above basement level) in height, to provide 38,724sqm (GIA) of residential floorspace (345 dwellings) (Class C3), 823sqm GIA) of flexible retail and community floorspace (Use Classes A1, A2, A3, D1 or D2), with associated energy centre, waste and storage areas, basement level residential car parking (54 spaces), the re-provision of Royal Mail staff car parking (approx. 196 100 spaces) cycle parking, residential cycle parking (431 spaces) hard and soft landscaping to provide public and private areas of open space, alterations to the public highway and all other necessary excavation and enabling works”



The Council may be of the view that given the word “*approximately*” is included within the description of development, there is no need to amend the description. We would be content with this approach subject to the revised plans being listed on the Decision Notice in the normal way.

Accordingly the following information is submitted with this application:

- Mount Pleasant Drawing Schedule showing the amended plan references;
- Proposed plans:
 - 16035_MP_(00)_P098
 - 16305_MP_(00)_P099
 - 16305_MP_(00)_P100
 - 16305_MP_(00)_P300
 - 16305_MP_(00)_P301
 - 16305_P1_(00)_P099
 - 16305_P1_(00)_P099
 - 16305_P1_(00)_P100
 - 16305_P1_(00)_P152
 - 16305_P1_(00)_P300
 - 16305_P1_(00)_P301
 - 16305_P1_(00)_P302
 - 16305_P1_(00)_P303
- Statutory planning application fee.

Should you require any further information, please contact Hugh Sowerby or Tom Hawkley of this office should you have any queries or require any further information.

Yours sincerely,

DP9 Ltd

Enc.