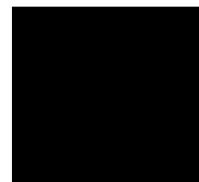


17th August 2018

FAO David Fowler
Principal Planning Officer
Regeneration and Planning Development Management
London Borough of Camden
Judd Street
London
WC1H 8ND



Dear LB Camden Planning Department,

**Liddell Road Phase 2 – Application seeking a Lawful Development
Certificate for an Existing use, or Operation**

Phase 2 of Liddell Road is for a comprehensive, mixed-use redevelopment involving the construction of three new buildings: Block A (5 storeys) to provide 3,700 sqm (GIA) of mixed commercial use (Class B1), Block B (11 storeys) and block C (5 storeys) to provide 106 mixed tenure residential units (Class C3) and associated public realm landscaping works.

Planning permission was granted on 31st March 2015 under ref. no: 2014/7651/P.

Given the need for works to start within 3 years of the date of approval, the extant planning permission needed to be implemented prior to 31st March 2018.

Implementation Works

An initial meeting took place on 2nd October 2017, at LB Camden's offices, to discuss Phase 2 of Liddell Road and the extant planning permission (ref. no: 2014/7651/P).

It was agreed that in order to enable implementation of the extant planning permission, a non-material amendment (NMA) application (under Section 96A of the Town and County Planning Act 1990) would be submitted.

Within the extant consent, there were 28 conditions which were 'pre-commencement' conditions and given the impending timescale and the need to implement, the burden of discharging all of the pre-commencement conditions was deemed to be too great.

To avoid submitting a fresh planning application, and in order to implement the extant consent, it was proposed to vary the wording of the existing pre-commencement conditions.

The variation proposed to change the trigger for the pre-commencement

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conditions from: “prior to the commencement of any works on site”, to:

“prior to commencement of any works comprised in the build out of the development (excluding the following site preparatory works, works of demolition and breaking up of the existing slab).”

This allowed for site preparation works, demolition and the breaking up of the existing concrete slab to occur in advance of more onerous works.

The inclusion of the defined works: “breaking up of the existing slab” was necessary, so as to provide a material operation within these works, and one which would be considered to legally implement the extant permission (in line with the definition of development contained within The Planning Act).

The proposed wording was considered acceptable following discussions with Aidan Brookes; Principle Lawyer at LB Camden on 1st November 2017.

The Section 96 (NMA) application also involved splitting one of the pre-commencement conditions (Condition 36) into two separate parts; requiring the submission of a Demolition Management Plan (DMP - Part A) and a Construction Management Plan (CMP - Part B). The DMP would require approval: “prior to commencement of development (including demolition).”

The Section 96A (NMA) application was approved on 16th January 2018.

An approval of details application was subsequently submitted to partially discharge Condition 36 (Part A), as the details submitted related only to the breaking up of the existing basement slab and related clearance and not to all of the demolition on site.

Demolition works, specifically: breaking up a section of the existing concrete slab and the clearance of the arising's from site, was undertaken in February 2018, in order to minimise disruption on surrounding residents, and the school building (which was built as part of the Phase 1 works).

The works involved one bay of reinforced concrete slab to be removed up to but excluding the spine beam which was left as a clean and tidy edge on site. The slab was broken and lifted out in sections using a 360-degree excavator with a pneumatic breaker. The broken sections were then removed from site via waste lorries.

Evidence that this material operation took place, by virtue of photos showing the site in its existing condition and post-works condition were sent to David Fowler in February 2018.

The DMP was partially discharged on 14th May 2018, under ref. no: 2018/0202/P.

The Demolition Management Plan is attached in support of this CLEUD application, and shows the location of the section of concrete slab which was removed and all additional details related to the works..

Since the specified material works (breaking up of the existing concrete slab and



the clearance of the arising's from site) have taken place and Condition 36 Part A (DMP) has been partially discharged, the Phase 2 consent is considered to be implemented.

Grounds for a Lawful Development Certificate

The breaking up of the existing concrete slab is a form of demolition work and can be considered to constitute material works. It is therefore in line with the definition of development contained within the Town and Country Planning Act 1990, meaning it is in accordance with planning legislation.

A lawful development certificate is sought to confirm that the works described above are lawful for planning purposes under section 191 of the Town and Country Planning Act 1990.

Evidence to verify this application includes:

- Cover Letter (this document);
- The site location plan;
- The Demolition Management Plan (and associated Air Quality Assessment);
- Condition 36 (Part A) Decision Notice;
- Existing Site Photos (no's 1 – 6)
- Post Works Site Photos (no's 1 – 22).

The requisite planning application fee has been paid under separate cover.

In light of the evidence which is described within this covering letter and the additional supporting material, we respectfully request that a Lawful Development Certificate for Existing Use is granted.

Yours sincerely
For Tibbalds Planning and Urban Design



Senan Seaton Kelly
Planner



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cc