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Application Ref: **2019/0153/P**
Please ask for: **Gavin Sexton**
Telephone: 020 7974 **3231**

6 February 2019

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:
Morrisons Superstore and Petrol Filling Station
Camden Goods Yard
Chalk Farm Road
LONDON
NW1 8EH

Proposal: Changes to timing of triggers for submission of details for conditions 47 (Drainage strategy), 48 (Water supply infrastructure) and 49 (HS2) approved under planning permission 2017/3847/P dated 15/06/2018 for redevelopment of the petrol filling station site and main supermarket site.

Drawing Nos: Cover letter dated 10 Jan 2019.

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, condition no. 47 of planning permission 2017/3847/P dated 15/06/2018 shall be replaced with the following condition:

REPLACEMENT CONDITION 47

Drainage strategy



A. Prior to commencement of piling on the PFS land parcel a drainage strategy for that parcel of land detailing any on and/or off site drainage works shall be prepared in consultation with the sewerage undertaker and submitted to and approved in writing by the local planning authority.

B. Prior to commencement of piling on the Main Site land parcel a drainage strategy for that parcel of land detailing any on and/or off site drainage works shall be prepared in consultation with the sewerage undertaker and submitted to and approved in writing by the local planning authority.

The drainage strategy for the relevant parcel of land shall include details of :

- a. a sustainable urban drainage system (SUDs) which is based on a 1 in 100 year event with 40% provision for climate change demonstrating attenuation to support no more than three times greenfield runoff rate.
- b. Goods Yard rain garden and any other SUDs features within the public realm including a plan of maintenance.

The drainage works and features approved for the relevant parcel of land shall be implemented in full prior to first discharge of foul or surface water from the relevant parcel of land into the public system.

Reason: To ensure reduce the rate of foul and surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policy CC3 of the Camden Local Plan 2017.

For the purposes of this decision, condition no. 48 of planning permission 2017/3847/P dated 15/06/2018 shall be replaced with the following condition:

REPLACEMENT CONDITION 48

Water supply infrastructure

A. Prior to the commencement of piling on the PFS land parcel an impact study of the existing water supply infrastructure for that parcel of land, which has been prepared in consultation with the statutory undertaker, shall be submitted to and approved in writing by the local planning authority.

B. Prior to the commencement of piling on the Main Site land parcel an impact study of the existing water supply infrastructure for that parcel of land, which has been prepared in consultation with the statutory undertaker, shall be submitted to and approved in writing by the local planning authority.

The study for the relevant parcel of land should determine the magnitude of any new additional capacity required in the system and suitable water supply infrastructure reinforcements required to support the relevant parcel of land.

The development of each parcel of land shall be implemented in accordance with the details as approved.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with this additional demand, in order to safeguard the amenities of the area generally, in accordance with the requirements of policy CC3 of the Camden Local Plan 2017.

For the purposes of this decision, condition no. 49 of planning permission 2017/3847/P dated 15/06/2018 shall be replaced with the following condition:

REPLACEMENT CONDITION 49

HS2

A. Prior to the commencement of demolition on the PFS land parcel, detailed design and method statements (in consultation with HS2 Ltd) for that parcel of land shall be submitted to and approved in writing by the local planning authority.

B. Prior to the commencement of demolition on the Main Site land parcel detailed design and method statements (in consultation with HS2 Ltd) for that parcel of land shall be submitted to and approved in writing by the local planning authority.

The design and method statement/s to be submitted for each parcel of land shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted on the relevant parcel and of the HS2 works, the construction of the HS2 works are not impeded.

The schemes hereby approved for the relevant parcel of land shall not be implemented other than in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority in consultation with HS2 Ltd.

Reasons: To safeguard the HS2 programme and to protect HS2 assets. In accordance with London Plan 2015 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

Informative(s):

1 Reason for granting non material amendments:

The applicant seeks to vary the trigger point of three conditions to allow early works to proceed prior to formal submission of details relating to those three conditions.

The existing conditions are pre-commencement conditions, triggered on commencement of 'development' or 'works'. The matters covered by the conditions relate to engagement with the statutory water undertaker on drainage strategies and water supply infrastructure studies and with HS2 on method statements to ensure that HS2 safeguarding is maintained during the works. Each of the conditions is split into two parts to reflect the development phases, with one submission relating to the Petrol Filling Site and the other to the Main Site.

The change to the triggers for conditions 47 and 48 to the piling stage would allow site remediation to proceed, which would have no material consequences for the preparation and agreement with the statutory undertaker of a drainage strategy and water supply preparation study for the proposed building.

Similarly the change to condition 49 to allow demolition would provide some flexibility to enable initial works to start which not impede HS2 activities. HS2's consultation response to the main planning application was "...the developer will have to coordinate with HS2 appointed contractors in relation to logistics and programme... in order to protect the delivery of HS2".

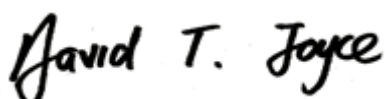
It is noted that the commencement of demolition or implementation works on either site would require the Council's formal agreement of a Construction Management Plan (CMP, under the s106 legal agreement). The CMP would require engagement and consultation with local interests, which would include HS2, and would need to demonstrate "minimal possible impact on and disturbance to the surrounding environment and highway network". With these supporting requirements in place it is considered that the change to the trigger of conditions 47, 48 and 49 would not result in a material change to the development nor its impact on the implementation of HS2.

In all three cases it is considered that the proposed change to the conditions, which would allow preparatory works to the sites in advance of submission, would have no material impact on the matters required by the condition. Furthermore the changes would not material alter the planning purpose, enforceability or preciseness of the original conditions.

- 2 You are advised that this decision relates only to the changes to the triggers of conditions 47, 48 and 49 permission and shall only be read in the context of the substantive permission granted on 15/06/2018 under reference number 2017/3847/P and is bound by all the conditions and obligations attached to that permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully



David Joyce
Director of Regeneration and Planning

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