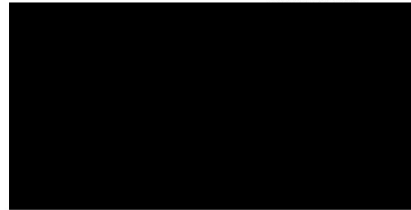




CBRE Limited



Mr David Fowler
Regeneration and Planning
London Borough of Camden
2nd Floor
5 Pancras Square
London
N1C 4AG

11 January 2019

Dear David,

JUNCTION OF ABBEY ROAD AND BELSIZE ROAD, LONDON, NW6 4DP

APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANING ACT 1990

On behalf of our client, the London Borough of Camden Supporting Communities ('the applicant'), please find enclosed an application under Section 73 of the Town and Country Planning Act 1990 for a Minor Material Amendment to planning permission 2013/4678/P (as amended by 2016/4578/P and 2017/2523/P).

This application has been submitted via Planning Portal (ref: PP-07389925) and comprises the following documents:

- Application Form
- Covering Letter
- Statement to Satisfy Planning Condition 60 – CHP (BS 1536)
- Micro Series T20V1 Natural Gas Indoor Canopy Specification Sheet



Application Background

This application has been submitted to vary Conditions 14 (Play Space) and 60 (CHP). The purpose of amending the conditions is to alter the trigger dates for the provision of play space and the catalytic converter for the CHP.



Planning permission was granted 16 May 2014 for:

Hybrid application for phased redevelopment of site, comprising detailed application for Phase 1 and outline application for layout and access only for Phases 2 and 3 (scale, appearance and landscaping are reserved matters). Full details provided for Phase 1 comprising: up to 141 residential units (including up to 66 affordable units) in a 14 storey tower and 6 storey block, with 522.5 sq m of retail floorspace (Class A1) and 398.9 sq m of flexible commercial floorspace (Classes A1-A5 and B1) at ground floor and associated space for parking, plant, servicing, ancillary storage and energy centre at basement level. Phase 1 includes open space and landscaping, alterations to existing highway layout and creation of new access routes, following demolition of the Belsize Road car park building. Phase 2 to comprise up to 2,500 sq m of community and health uses (Class D1) and up to 126sqm of office space (Class B1) in a two storey building following demolition of existing high level walkways. Phase 3 to comprise up to 85 residential flats in 6/7 storey blocks and 15 mews houses (including up to 48 affordable units), up to 120sqm of office space (Class B1) and up to 645sqm of flexible commercial floorspace (Classes A1-A5) and associated ancillary space for parking, plant and servicing in basement. Phases 2 and 3 include open space, landscaping, alterations to existing highway layout and new access routes. Phase 3 to follow demolition of the Abbey Community Centre and Hinstock and Emminster blocks including Belsize Priory Health and Medical centre, residential and commercial units and site-wide walkways.

The detailed element of the hybrid planning permission was in respect of Phase 1 and commenced in December 2014.

Phases 2 and 3 were granted outline consent under the hybrid planning permission. A separate full planning application for Phase 2 and a Reserved Matters application pursuant to the hybrid planning permission for Phase 3 were submitted in December 2015. These applications are currently held in abeyance.

The hybrid planning permission has been subject to two other Section 73 planning applications, with the minor material amendments solely relating to Phase 1. The first application (ref: 2016/4578/P) was approved 11 May 2017 and related to amendments for altering substation and refuse store location, installation of plant at 12th floor and minor alterations to elevations at ground and upper floors and rear boundary wall.

The latter Section 73 application (ref: 2017/2523/P) was approved 12 April 2018 and related to amendments to brickwork, design of balustrades, privacy screens and soffits, elevations, boundary treatments, photo-voltaic panels, brick vents and triggers for conditions 93 and 94.

Both of these minor material amendments did not amend Conditions 14 or 60 from the hybrid planning permission.

For completeness, this Section 73 application applies to the hybrid planning permission and the subsequent Section 73 planning permissions.

The content of this application has been informally discussed with David Fowler (Principal Planning Officer), who has confirmed that a Section 73 application would be appropriate for applying for the amendments sought by the applicant.

Condition 14 (Play Space)

Condition 14 states:

"Prior to first occupation of residential units in phase 1 the following areas of play space shall be completed and made available for use by the public:

- a. New doorstep playable spaces (suitable for under 5 year olds) of no less than 300sqm within Belsize Open Space including landscaping for play, climbable objects and equipment, seating and any other appropriate features.*
- b. Local play spaces (suitable for 5-12 year olds) of no less than 150sqm within the Belsize Open Space including new or enhanced provision of playable landscaping, climbable objects and equipment, seating and any other appropriate features.*
- c. Youth play spaces (suitable for 12+ years) of no less than 100sqm within the Belsize Open Space including new or enhanced provision of climbable objects and active play elements, shelter and any other appropriate features.*

Such play spaces to be implemented in accordance with detailed designs which have been prepared in consultation with local residents and community groups, and approved in writing by the local planning authority. All approved measures shall be retained and maintained thereafter."

The Belsize Open Space referred to in the above condition is located in Phase 2 of the development and is an existing green space located to the rear of Snowman and Casterbridge House(s). Condition 14 states that areas of play space in this location shall be completed and made available for public use prior to the occupation of the residential units in Phase 1.

Phase 1 is currently under construction and given the constrained nature of the site in respect of the limited space available, the contractor and associated compound was required to be located in an area within Phase 2. Whilst this close proximity has enabled works to successfully progress Phase 1, it has become apparent that the play space cannot be provided in accordance with the timescales prescribed in Condition 14. The contractor compound inhibits the physical delivery of the play space, therefore compliance with the condition cannot be practically achieved at this stage.

The applicant is committed to delivering the upgraded Belsize Open Space inclusive of designated play space as part of the wider Abbey Road development, and they are currently preparing initial plans for the play spaces. In accordance with the condition and the applicant's aspirations, the details of the play space will be worked up in consultation with the local community.

To ensure that a detailed consultation can be undertaken with the local residents and in light of the physical circumstances of the contractor compound relative to the play space, it is proposed to amend the trigger for the delivery of the play space to:

Within 12 months of practical completion of residential units in phase 1 the following areas of play space shall be completed and made available for use by the public:

- a. New doorstep playable spaces (suitable for under 5 year olds) of no less than 300sqm within Belsize Open Space including landscaping for play, climbable objects and equipment, seating and any other appropriate features.*
- b. Local play spaces (suitable for 5-12 year olds) of no less than 150sqm within the Belsize Open Space including new or enhanced provision of playable landscaping, climbable objects and equipment, seating and any other appropriate features.*
- c. Youth play spaces (suitable for 12+ years) of no less than 100sqm within the Belsize Open Space including new or enhanced provision of climbable objects and active play elements, shelter and any other appropriate features.*

Such play spaces to be implemented in accordance with detailed designs which have been prepared in consultation with local residents and community groups, and approved in writing by the local planning authority. All approved measures shall be retained and maintained thereafter.

It is anticipated that an additional 12 months will enable the successful removal of the contractor compound following practical completion of Phase 1, facilitate detailed consultation and discussions with the community, cohesively providing an attractive and responsive play space.

Condition 60

Condition 60 states:

"Prior to first occupation of phase 1 the energy centre comprising a CHP system shall be installed and commissioned in accordance with the Energy Statement (dated 18 July 2013).

The energy centre to be sized to provide sufficient access height and circulation space for the purposes of installation, system expansion, maintenance and replacement of the energy generation in order to supply electricity and hot water to all residential and commercial units within the three phases of the development.

The CHP shall be fitted with a catalytic convertor and the ventilation inlets for the flats shall be designed and located in accordance with the recommendations of section 6 (mitigation measures) of the Air Quality Assessment hereby approved.

Measures shall be incorporated within the design to allow future connection to other buildings outside the site boundary but including the Snowman and Casterbridge towers.

No development in phases 2 or 3 shall be occupied until such time as the necessary energy generation measures have been secured and are in operation in the energy centre. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations."

Following the submission details for the hybrid planning permission and associated documents (dated July), the detailed design of Phase 1 has significantly advanced.

As noted in Condition 60, a CHP shall be fitted with a catalytic converter in accordance with the Air Quality Assessment. This assessment recommended that the catalytic converter was to be used to lower

NOx emissions to 250/mg/Nm³. However, following the advanced design undertaken, a different CHP has been selected to serve Phase 1 of the development which produces NOx emissions of 95/mg/Nm³ without a catalytic converter, therefore a catalytic converter is not considered to be necessary for Phase 1. The accompanying documents to this application provide further detail on the Shenton T20V1 CHP unit which is proposed for Phase 1 and clearly demonstrate the levels of NOx emissions which are produced.

In light of the above, it is proposed to amend Condition 60 to:

"Prior to first occupation of phase 1 the energy centre comprising a CHP system shall be installed and commissioned in accordance with the Energy Statement (dated 18 July 2013).

The energy centre to be sized to provide sufficient access height and circulation space for the purposes of installation, system expansion, maintenance and replacement of the energy generation in order to supply electricity and hot water to all residential and commercial units within the three phases of the development.

The CHP shall be selected and installed and the ventilation inlets for the flats shall be designed and located in accordance with the recommendations of section 6 (mitigation measures) of the Air Quality Assessment hereby approved.

Suitable measures, such as catalytic converters, be applied as required to ensure that NOx levels from the combined CHP plant are limited to no more than 95 mg/Nm³ at 5% O₂ for Phase 1 alone, or 250 mg/Nm³ at 5% O₂ if Phase 2 or Phase 3 come forward'

Measures shall be incorporated within the design to allow future connection to other buildings outside the site boundary but including the Snowman and Casterbridge towers.

No development in phases 2 or 3 shall be occupied until such time as the necessary energy generation measures have been secured and are in operation in the energy centre. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations."

Initial consultation has been held with officers in respect of amending the wording for Condition 60.

The proposed amendments to Conditions 14 and 60 will ensure the continued successful delivery of Phase 1 of the wider Abbey Road development. The changes are considered not to be major and reflect the practical situation of the advanced construction of Phase 1.

I trust you have all of the necessary information to register this application but if you have any queries or require anything further please contact me or my colleague Kelly Lippett [REDACTED] as soon as possible.

Yours sincerely,

[REDACTED]

**LAURA MORRIS
SENIOR PLANNER**