

Ref: BF/5199/02(05June2019)/LBoCCouncil

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London WC1H 9JE



07 JUNE 2019

FAO: Mr. Gavin Sexton

Dear Mr. Sexton,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
NON-MATERIAL AMENDMENT APPLICATION TO PLANNING APPROVAL REF: 2017/3847/P
MORRISONS STORE AND PETROL FILLING STATION, CAMDEN GOODS YARD, CHALK FARM
ROAD, LONDON NW1 8EH**

Peacock + Smith have been instructed by our client, Wm Morrison Supermarkets plc (herein referred to as Morrisons), to prepare and submit an application to seek approval for an amendment (non-material) to planning approval ref: 2017/3847/P under Section 96A of the Town and Country Planning Act 1990 (as amended). This application proposes to vary Conditions 29 (tree protection), 50 (archaeology) and 60 (lighting strategy) of the granted.

Proposed Amendments

Condition 29 - Tree Protection

Currently, Condition 29 of planning permission 2017/3847/P reads as follows:

"Prior to the commencement of any works on site, details demonstrating how on-site trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and should include details of appropriate working processes in the vicinity of trees, and details of an auditable system of site monitoring. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the approved drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details."

We propose to amend the above condition into two parts in order to enable works on the Petrol Filling Station to commence prior to works on the Main Site. As such, we request Condition 29 to be reworded as follows:

- A. *"Prior to commencement of any works on the PFS land parcel, details demonstrating how the four street trees (identified as 90-93 on approved drawing 105 (Rev D03) Tree retention and removal) shall be protected during construction, shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and should include details of appropriate working processes in the vicinity of trees, and details of an auditable system of site monitoring. The*

trees shall be retained and protected from damage in accordance with the approved protection details.

- B. *Prior to commencement of demolition on the Main Site land parcel, details demonstrating how on-site trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and should include details of appropriate working processes in the vicinity of trees, and details of an auditable system of site monitoring. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the approved drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details."*

Condition 50 - Archaeology

Our client also seeks to vary Condition 50 of planning permission 2017/3847/P, which relates to archaeology. Currently, the condition reads as follows:

"No demolition or development consisting of works below ground level within the Canalside Industry Archaeological Priority Area shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no works shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by the stage 1 WSI then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition / development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. *The statement of significance and research objectives, the programme and methodology of site investigation and recording, interpretation and/or public engagement strategy and the nomination of a competent person(s) or organisation to undertake the agreed works.*
- B. *The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI."*

Discussions with GLAAS and our archaeology consultant, CgMs Heritage, has revealed that there are no archaeological interests in the Phase 1 area of the development. Therefore, in order to enable the commencement of Phase 1 works prior to discharging Condition 50, we request the following amendment to Condition 50.

*"No demolition or development consisting of works below ground level **on the Main Site** within the Canalside Industry Archaeological Priority Area shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no works shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works...."*

Condition 60 – Lighting Strategy

Condition 60 reads as follows:

- A. *"Prior to commencement of development on the PFS land parcel, a lighting strategy for the relevant areas of the public realm and fittings to the exterior of buildings on that parcel shall be submitted to and approved in writing by the local planning authority.*
- B. *Prior to commencement of development on the Main Site land parcel, a lighting strategy for the relevant areas of the public realm and fittings to the exterior of buildings on that parcel shall be submitted to and approved in writing by the local planning authority.*

Such strategy for the relevant parcel of land shall be developed with input from a specialist lighting engineer accredited by the Institute of Lighting Engineers and shall incorporate (inter alia) consideration of the impact of the lighting design on the needs of wildlife (including bats), contributing to reducing crime, residential properties within and outwith the site, maintenance, whole life cost and energy use and safe operation of the railways.

The details shall include the following, where relevant to that land parcel:

- a. *lighting to the streets and circulation areas in the public realm*
- b. *external elevations of buildings including entrances and any architectural lighting*
- c. *lighting within all publically accessible areas of ground floor in the Petrol Filling Station*
- d. *details of any lighting to the Camden Goods Yard signage on Block B*
- e. *incorporation of measures to take account of the foraging and roosting habitat for bats to the south of the site and along the railway corridors by referencing Bat Conservation Guidelines*
- f. *incorporation of street lighting designed to Camden's Streetscape Design Manual*

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

The development on the relevant parcel of land shall not be carried out in accordance with the details thus approved for that parcel of land and shall be fully implemented before the premises on that parcel of land are first occupied."

Once again, in order to enable the commencement of works for the Phase 1 Site (Petrol Filling Station) prior to works commencing on the Main Site, our client seeks to amend the wording of the first element of Condition 60 to the following:

- A. *"Prior to commencement of **the first building superstructure** on the PFS land parcel, a lighting strategy for the relevant areas of the public realm and fittings to the exterior of buildings on that parcel shall be submitted to and approved in writing by the local planning authority.*
- B. *Prior to commencement of **the first building superstructure** on the Main Site land parcel, a lighting strategy for the relevant areas of the public realm and fittings to the exterior of buildings on that parcel shall be submitted to and approved in writing by the local planning authority..."*

Conclusion

This application seeks approval for a non-material amendment to planning approval 2017/3847/P to revise the wording of Conditions 29, 50 and 60, which will enable works to commence on the Phase 1 Site (Petrol Filling Station) prior to works commencing on the Main Site. The requested changes are non-material in nature and are consistent with the overall planning permission.

In light of above, we respectfully request that the requested amendment be granted.

Should you have any questions in relation to the above then please do not hesitate to contact me on 0203 122 0030 or by email at brie.foster@peacockandsmith.co.uk.

Yours Faithfully,



BRIE FOSTER
Senior Planner
Peacock + Smith