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Application Ref: **2019/2927/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

13 September 2019

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:

**Site at Hawley Wharf
Land bounded by Chalk Farm Road
Castlehaven Road
Hawley Road
Kentish Town Road and Regents Canal
London
NW1**

Proposal: Non-Material Amendments (including changes to residential and cinema entrances; redistribution of retail (A1), flexible restaurant/hot food takeaway (A3/A5), restaurant (A3) and hot food takeaway (A5), general industrial (Class B2) floorspace; use of part Building D basement as gym; change to buildings W and X window design; relocation of bike store; and variation of condition 3 trigger) to planning permission granted on 23/01/2013 under reference 2012/4628/P (as amended by 2018/1715/P dated 03/12/2018) for: Redevelopment of site to create a mixed use development comprising 8 new buildings between 3 and 9 storeys in height to provide, employment, housing, retail market, cinema, produce market.

Drawing Nos: Superseded drawings:

12001_MP_[00] 100 rev P01; 12001_MP_[00] 101 rev A; 12001_C_(00) 100 rev A;
12001_C_(00) 200 rev A; 12001_D_(00) 100 rev A; 12001_D_(00) 099 rev A;
14045_EX_(00)_2040 Rev C06; 14045_V2_(00)_3040; 12001_B_(00)_200 Rev B;
12001_B_(00)_201 Rev B; 12001_B_(00)_230 Rev B



Amended drawings:

12001_MP_[00] 100 rev P02; 12001_MP_[00] 101 rev P02; 12001_C_(00) 100 rev B; 12001_C_(00) 200 rev B; 12001_D_(00) 100 rev B; 12001_D_(00) 099 rev B; 14045_EX_(00)_2040 Rev C07; 14045_V2_(00)_3040 Rev A; 12001_B_(00)_200 Rev D; 12001_B_(00)_201 Rev D; 12001_B_(00)_230 Rev D.

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.3 of planning permission 2018/1715/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The basement, lower ground and upper ground floors of Area A shall not be occupied until the one form of entry primary school and affordable housing in Area B has reached fit out stage. The B1a office employment floorspace in Building D and Area C shall not be occupied until the Incubator space and SME floorspace at basement and ground floor of Building D and the local retail and residential uses in Area C [and viaducts] have been provided and are ready for occupation.

Reason: To ensure that the development includes the provision of affordable housing and a one form of entry primary school in accordance with policies H2, H4 and C2 of the London Borough of Camden Local Plan 2017.

For the purposes of this decision, condition no.65 of planning permission 2018/1715/P shall be replaced with the following condition:

REPLACEMENT CONDITION 65

The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing:

B0508-CH-E2 (1/2); B0508-CH-E2 (2/2); B0508-FL-1ST (1/1); B0508-FL-GRD (1/1); B0508-LR-E (1/2); E1111-CH-TS-1 (1/2); E1111-CH-TS-1 (1/2); E1111-CH-TS-1 (2/2); E1111-CH-TS-2 (2/2); E1111-CH-TS-2 (2/2); E1111-E1 (1/1); E1111-FL-GRD (1/2); E1111-FL-GRD (2/2); E1111-RC-HS (1/1); G2911-1ST (1/1); G2911-2ND (1/1); G2911-3RD (1/1); G2911-E1 (1/1); G2911-E1 (1/1); G2911-E2 (1/1); G2911-E2 (1/1); G2911-E3 (1/1); G2911-E3 (1/1); G2911-E4 (1/1); G2911-E4 (1/1); G2911-E5 (1/1); G2911-E6 (1/1); G2911-GRD (1/1); G2911-RP (1/1); G2911-SEC A (1/1); G2911-SEC A (1/1); G2911-SEC B (1/1); G2911-SEC B (1/1); G2911-SEC B (sic) (1/1); H2210-r1 (1/5); H2210-r1 (2/5); H2210-r1 (3/5); H2210-r1 (4/5); H2210-r1 (5/5); I1610-r1 (1/4); I1610-r1 (2/4); I1806-RC-E1 (1/2); I1806-TS-E1 (1/2)(sic); I1806-TS-E1(1/2); I1806-CF-1ST (1/1); I1806-CF-2ND (1/1); I1806-CF-BAS (1/1); I1806-CF-GRD (1/2); I1806-CF-GRD (2/2); I1806-CF-RP (1/1); I1806-FR-EL (1/1); I1806-HR-E1 (1/2); I1806-HR-E2 (2/2); I1806-HR-EL (1/2); I1806-HR-EL (2/2); I1806-RE-EL (1/1); I1806-SEC (1/1); I1806-T-R2 (3/3); G2911 (1/1).

Demolition:

12001_MP_12_001; 12001_MP_12_099; 12001_MP_12_100;
12001_MP_12_101; 12001_MP_12_102; 12001_MP_12_103;
12001_MP_12_110; 12001_MP_12_111; 12001_MP_12_112;
12001_MP_12_113; 12001_MP_12_114; 12001_MP_12_200;
12001_MP_12_201; 12001_MP_12_202; 12001_MP_12_300;
12001_MP_12_301; 12001_MP_12_302.

Masterplan:

12001_MP_(00)_001; 12001_MP_(00)_002; 12001_MP_(00)_003;
12001_MP_(00)_100 P02; 12001_MP_(00)_101 rev P02; 12001_MP_(00)_102
rev A; 12001_MP_(00)_103; 12001_MP_(00)_104; 12001_MP_(00)_105;
12001_MP_(00)_110; 12001_MP_(00)_200 rev A; 12001_MP_(00)_201 rev A;
12001_MP_(00)_202 rev A; 12001_MP_(00)_203 rev A; 12001_MP_(00)_204 rev
A; 14045_MP_(00)_205 P1; 14045_MP_(00)_206 P1; 14045_MP_(00)_207 P1;
14045_MP_(00)_208 P1; 14045_MP_(00)_209 P1; 14045_MP_(00)_210 P01;
12001_MP_(00)_300; 12001_MP_(00)_301; 12001_MP_(00)_302 rev A; D1807
L101 D.

Reason: For the avoidance of doubt and in the interest of proper planning.

For the purposes of this decision, condition no.66 of planning permission 2018/1715/P shall be replaced with the following condition:

REPLACEMENT CONDITION 66

The development hereby permitted shall be carried out in accordance with the following approved plans:

Area A:

17019_AX_(00)_1181 P01; 17019_AX_(00)_1191 P01; 17019_AX_(00)_1201
P01; 17019_AX_(00)_1211 P01; 17019_AX_(00)_1221 P01;
17019_AX_(00)_1231 P01; 17019_AX_(00)_1241 P01; 17019_AX_(00)_2051
P01; 17019_A_(00)_210 P01; 17019_A_(00)_211 P01; 12001_A_(00)_230;
12001_A_(00)_231 P01; 12001_A_(00)_300 P01.

Area B:

12001_B_(00)_100 rev A; 12001_B_(00)_101 rev A; 12001_B_(00)_102 rev A;
12001_B_(00)_103 rev A; 12001_B_(00)_104 rev B; 12001_B_(00)_105 rev A;
12001_B_(00)_106 rev A; 12001_B_(00)_107 rev A; 12001_B_(00)_108 rev A;
12001_B_(00)_109 rev B; 12001_B_(00)_200 rev D; 12001_B_(00)_201 rev D;
12001_B_(00)_230 rev D.

Area C:

12001_C_(00)_98 rev A; 12001_C_(00)_99 rev A; 12001_C_(00)_100 rev B;
12001_C_(00)_101 rev A; 12001_C_(00)_102 rev A; 12001_C_(00)_103 rev A;
12001_C_(00)_104 rev A; 12001_C_(00)_105 rev A; 12001_C_(00)_106 rev B;
12001_C_(00)_107 rev A; 12001_C_(00)_108 rev A; 12001_C_(00)_109 rev A;
12001_C_(00)_110 rev A; 12001_C_(00)_111 rev A; 12001_C_(00)_200 rev B;
12001_C_(00)_201 rev B; 12001_C_(00)_202 rev A; 12001_C_(00)_220 rev A;

12001_C_(00)_221 rev A; 12001_C_(00)_222 rev A; 12001_C_(00)_223 rev A;
12001_C_(00)_300 rev A.

Area D:

12001_D_(00)_099 rev B; 12001_D_(00)_100 rev B; 12001_D_(00)_101 rev A;
12001_D_(00)_102 rev A; 12001_D_(00)_103 rev A; 12001_D_(00)_104 rev A;
12001_D_(00)_105 rev A; 12001_D_(00)_106 rev A; 12001_D_(00)_200 rev B;
12001_D_(00)_220 rev A; 12001_D_(00)_300 rev A; 14045_V2_(00)_3040 Rev A.

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

1 Reason for granting approval:

The proposed amendments include minor design alterations, land use swaps and a variation of condition 3 to enable the occupation of Area A sooner. It is proposed to increase the width of the cinema entrance to improve its street presence. A second entrance door and an additional 50sqm GIA of cinema at ground level would be provided. This would be a minor alteration visually, with limited impact on the overall design and architectural intent of the approved scheme. The 50sqm increase in cinema entrance requires the local retail space to be relocated to the ground floor of building C2, which would result in an increase in total local retail GIA of 18sqm. Although it would result in a loss of office (B1) floorspace in this location, this was only proposed to be an entrance lobby, and as such, does not impact the usability or viability of the office. Furthermore, the proposed amendments include increases in office floorspace elsewhere on site so that there would not be an overall loss site-wide. As such, this amendment is considered non-material.

The two residential entrance lobbies to the east and west sides of the north façade of building D would be reduced in size by 102sqm GIA, to provide additional office (B1a) floorspace. The existing lobbies were very large, and the reduction would not result in the loss of any usable residential floorspace or dwellings.

The previously approved gym within the basement of Building D would be relocated to the basement of Building E, replacing the previously proposed office use in this location. Due to land use swaps elsewhere, there would be no overall reduction in office floorspace, and the basement is considered more appropriate for gym than office use.

The proposals include land use swaps within the arches, so that the A1 retail units would be located on the outskirts, with the A3/A5 food and beverage units at the centre of the site to better draw visitors through the site. The floor area of each use class would remain the same as previously approved.

The applicant has been in discussions with an affordable housing Registered Provider who has requested that all residential windows on buildings W and X are returned to their originally approved design (i.e. with transoms across the

windows). The change would be similar to the originally approved design for both buildings, approved under reference 2012/4628/P).

The amendments include changes to the land use of arches N5, N5A, E1 to general industrial (B2). The previous approval was for cycle storage in N5 and light industrial B1c in N5A and E1. The changes would result in a loss of 174.07sqm of light industrial B1c use but an additional 77.93sqm general industrial B2 use. There would be no site wide reduction in employment floorspace due to the increases in B1a floorspace elsewhere. The change to B2 use is sought as the intention is for the space to be occupied by a small scale brewery who will be using it for production of brewery products as well as providing tastings. The original committee report highlighted that the B1c space "would be marketed to attract artisan tenants who could design and make products, to be sold by businesses in the market area proposed in Area A. This would encourage an area where goods are both designed/produced and sold locally." The introduction of a brewery within the space is considered to be in keeping with the original intention for the use of this space, and as such, is considered a non-material amendment. The proposed cycle store would also need to be relocated as a consequence. Although there would be a slight reduction in floorspace it would be more efficient cycle parking and would result in an increase of two spaces.

- 2 It is proposed to change the trigger for condition 3 to allow buildings A1 and A2 to be occupied sooner. The condition originally tied the occupation of buildings A1 and A2 to the fit out of one form of primary school and area B affordable housing, and the occupation of employment, local retail and residential uses in Area C. Other than the incubator space, all other parts of the condition (school, affordable housing, local retail, residential) are fitted out and ready for occupation. The Area C incubator space is proposed to be moved from Area C to the employment space within the ground floor of Building D/E via a S106 deed of variation, and as such, its delivery will still be secured via the proposed condition wording, whilst also allowing for the occupation of buildings A1 and A2.

Due to the nature of the proposals, they are not considered to introduce any new design or amenity impacts. The visual impact of the amendments would be limited and would not materially impact the architectural aesthetic of the approved scheme.

Given the nature of the application as a non-material amendment to a previously approved scheme, no neighbour consultations were undertaken. The site's planning history was taken into account when coming to this decision. The full impact of the proposed development has already been assessed by virtue of the previous permission granted on 23/01/2013 under reference 2012/4628/P (as amended by 2018/1715/P dated 03/12/2018).

- 3 You are advised that this decision relates only to the changes highlighted on the plans and shall only be read in the context of the substantive permission granted on 03/12/2018 under reference number 2018/1715/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 paragraph 38 of the National Planning Policy Framework 2019.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is centered on a light grey rectangular background.

Daniel Pope
Chief Planning Officer

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