

Development Management (Regeneration and Planning)
London Borough of Camden
Town Hall
London
WC1H 9JE

30th January 2020

FOA: Mr David Peres Da Costa

Dear Sir / Madam

**AGAR GROVE ESTATE REGENERATION
APPLICATION FOR NON-MATERIAL MINOR AMENDMENT TO PLANNING PERMISSION REF:
2013/8088/P PURSUANT TO SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS
AMENDED)**

Further to our recent discussions, please find enclosed an application for a non-material minor amendment to planning permission ref: 2013/8088/P. The application seeks a non-material amendment to the description of development set out on the decision notice, along with the imposition of an additional planning condition setting out the number of residential units within each phase of development.

Background

The Agar Grove project forms part of Camden's 'Community Investment Programme' (CIP) which aims to generate investment, deliver new homes and regenerate neighbourhoods. Full planning permission was granted by the local planning authority in August 2014 for the comprehensive redevelopment of the estate to create a new mixed-tenure development comprising new homes, retail, business and community space, set within a series of high-quality new buildings and landscape.

Proposed non-material minor amendments

The approved description of development as set out on the decision notice is as follows:

"Demolition of all existing buildings and structures except Lulworth House and Agar Grove Children's Centre (249 existing Class C3 residential units and 2 retail units), and erection of new buildings ranging between 4 and 18 storeys in height along with the refurbishment and extension of Lulworth House (extending from 18 to 20 storeys in total) to provide a total of 493 Class C3 residential units, comprising 240 market, 37 intermediate and 216 social rent units; a community facility (Class D21); 2 flexible retail units (Class A1) or restaurant and café (Class A3) units; business space (Class B1) or non-residential institution (Class D1) units; refuse and recycling facilities; car cycle parking; landscaping / amenity space; and associated works".



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It is proposed under this application to amend the description as follows (amendments highlighted):

“Demolition of all existing buildings and structures except Lulworth House and Agar Grove Children’s Centre (249 existing Class C3 residential units and 2 retail units), and erection of new buildings ranging between 4 and 18 storeys in height along with the refurbishment and extension of Lulworth House (extending from 18 to 20 storeys in total) to provide a total of 493 Class C3 residential units, comprising 240 market, 37 intermediate and 216 social rent units; a community facility (Class D21); 2 flexible retail units (Class A1) or restaurant and café (Class A3) units; business space (Class B1) or non-residential institution (Class D1) units; refuse and recycling facilities; car cycle parking; landscaping / amenity space; and associated works”.

In parallel with this change to the description it is requested that an additional planning condition be imposed on the consent as follows:

“Unless otherwise agreed in writing by the local planning authority, the residential element of the development hereby approved comprises the following: Plot A – 38 units; Plot B – 105 units; Plot C / D – 14 units; Plot E – 20 units; Plot F – 14 units; Plot G – 23 units; Plot H – 20 units; Plot I – 38 units; Plot J / K / L – 73 units; and Lulworth House – 73 units”.

Non-Material Amendments

Section 96A of the 1990 Act (as amended) allows a local planning authority to make a change to a planning permission if it is satisfied that the change is not material. There is no statutory definition of ‘non-material’ and so it is necessary for the local planning authority to be satisfied that the changes are non-material which will depend on the effects of the amendment bearing in mind its context.

In this instance it is considered that the proposed amendments are non-material as they would not give rise to any material change to the approved scheme, nor would they give rise to any additional planning considerations that were not taken into account at the time of the original decision.

As part of this application we hereby enclose the following:

- 1) Application form
- 2) Council’s own development form
- 3) Application fee

We trust the enclosed application is in order, however, please do not hesitate to contact this office should you have any queries.

Yours sincerely

CMA Planning