

Application ref: 2019/4401/P
Contact: Jonathan McClue
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Date: 16 March 2020

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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:

65-67 Holmes Road
London
NW5 3AN

Proposal: Variation of condition 6 (waste) of 2013/7130/P dated 06/03/2014 (for: Erection of part seven, part three storey building above two basement levels to provide student accommodation with ancillary facilities, warehouse and a coffee shop) to update the previous condition approved plans to reflect the as-built condition to reflect the current occupier service management strategy.

Drawing Nos: Approved details: (140715 (CL)) P100 Rev B; P085 (Refuse Servicing Plan - Mezzanine Basement Bin Store scale 1:20); P085 (Refuse Servicing Plan - Mezzanine Basement Bin Store scale 1:100), and Refuse Collection Arrangements.

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.6 of planning permission 2013/7130/P shall be replaced with the following condition:

REPLACEMENT CONDITION 6

The development should be undertaken in accordance with the details of the location, design and method of waste storage and removal (including recycled materials) approved under this permission: (140715 (CL)) P100 Rev B; P085

(Refuse Servicing Plan - Mezzanine Basement Bin Store scale 1:20); P085 (Refuse Servicing Plan - Mezzanine Basement Bin Store scale 1:100), and Refuse Collection Arrangements. The approved facility shall therefore be provided prior to the full occupation of any of the development and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5 of the Camden Local Plan 2017.

Informative(s):

1 Reason for granting approval

The waste details were originally discharged under 2016/5269/P dated 03/03/2017. Following substantial completion of the scheme and partial occupation, the details were not implemented as approved under the approval of details application. The main issue was that several large private refuse bins were being stored on the public highway round the corner in Cathcart Street near Azania Mews. Therefore, new details were worked up with the Council's Principal Environmental Services Officer, Senior Area Monitoring Officer and Planning Enforcement.

This non-material amendment seeks to vary the original waste condition of the application and essentially re-discharge the condition. The submitted details confirm that refuse storage is located at mezzanine basement level. On collection day, the bins would be the operations team to the assigned collection point within the service yard. Crucially waste would not be stored or collected on the public highway. The new details reflect CPG guidance in that: it is located within 10 metres of an external access; external storage areas and collection points are within 10 metres of a place suitable for a collection vehicle to stop; it is safe for users by being well lit and visible from public vantage points and nearby dwellings/tenancies; it is fully enclosed and secured (ideally inaccessible to animals); it is accessible for collection purposes and not impede pedestrian or vehicular access on Public thorough fares or to and from buildings.

The non-material amendment procedure is considered a suitable approach, as s96A allows LPAs to vary planning conditions. In this case the condition would be varied to secure the details. The changes are considered non-material in themselves as they would be in line with the original details (i.e. waste storage internal and collected from the service yard).

No objections were received prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

2 You are advised that this decision relates only to changes to the refuse strategy as related to condition 6 and shall only be read in the context of the substantive permission granted on 06/03/2014 under reference number 2013/7130/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 positioned above the typed name and title.

Daniel Pope
Chief Planning Officer

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