

Application ref: 2020/1368/P
Contact: Mark Chan
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Date: 14 April 2020

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Tibbalds Planning and Urban Design
19 Maltings Place
169 Tower Bridge Road
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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:

Panther House
38 Mount Pleasant
The Brain Yard
156-164 Grays Inn Road
London
WC1X 0AN

Proposal: Non-material amendments to planning permission ref: 2015/6955/P dated 01/11/2017 (for: 'Redevelopment of the site following partial demolition of Panther House and Brain Yard buildings, partial demolition of 160-164 Gray's Inn Road and demolition of 156 Gray's Inn Road etc'); namely to revise the trigger points for the submission of information regarding Conditions 7, 11, 12, 19, 21, 25, 28 and 32.

Drawing Nos: Cover Letter and Site Location Plan

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. 7 of planning permission 2015/6955/P dated 01/11/2017 shall be replaced with the following condition:

REPLACEMENT CONDITION 7

Prior to the commencement of the above ground superstructure works full details of hard and soft landscaping and means of enclosure of all un-built, open areas (including terraces, balconies, green roofs, the open courtyard and the pedestrian

route through) shall be submitted to and approved by the local planning authority in writing. Details shall include a phased programme of works. The relevant part of the works shall not be carried out otherwise than in accordance with the details and programme thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.

For the purposes of this decision, condition No. 11 of planning permission 2015/6955/P dated 01/11/2017 shall be replaced with the following condition:

REPLACEMENT CONDITION 11

Prior to the commencement of the above ground superstructure works details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units 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 policies A1 and CC5 of the Camden Local Plan 2017.

For the purposes of this decision, condition No. 12 of planning permission 2015/6955/P dated 01/11/2017 shall be replaced with the following condition:

REPLACEMENT CONDITION 12

Notwithstanding the approved drawings (including PP099 Rev 03), prior to the commencement of the above ground superstructure works details of secure and covered cycle storage area for 135 spaces (including at least 19 short stay) shall be submitted to and approved by the local planning authority. The approved storage areas shall be provided in their entirety prior to the first occupation of the development, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the Camden Local Plan 2017 and table 6.3 of the London Plan 2016.

For the purposes of this decision, condition No. 19 of planning permission 2015/6955/P dated 01/11/2017 shall be replaced with the following condition:

REPLACEMENT CONDITION 19

Prior to the commencement of the above ground superstructure works details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that the plant/ equipment and extract/ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the

Camden Local Plan 2017.

For the purposes of this decision, condition No. 21 of planning permission 2015/6955/P dated 01/11/2017 shall be replaced with the following condition:

REPLACEMENT CONDITION 21

Prior to the commencement of the above ground superstructure works details of the light enhancing materials (i.e. white glazed bricks or similar) to be incorporated as part of the development to ensure acceptable daylight levels at 52-54 Mount Pleasant Hostel are achieved have been submitted to and approved in writing by the local Planning Authority. The development shall be carried out in accordance with the details thereby approved and permanently maintained thereafter.

Reason: In order to ensure acceptable levels of daylight are achieved for the adjoining occupy so that the amenities of those occupiers are retained in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

For the purposes of this decision, condition No. 25 of planning permission 2015/6955/P dated 01/11/2017 shall be replaced with the following condition:

REPLACEMENT CONDITION 25

Before work to any existing building commences, an intrusive Pre- Demolition and Refurbishment Asbestos Survey must be carried out in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and shall be submitted to the local planning authority and approved prior to commencement of the development. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the local planning authority prior to occupation.

Reasons: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the Camden Local Plan 2017.

For the purposes of this decision, condition No. 28 of planning permission 2015/6955/P dated 01/11/2017 shall be replaced with the following condition:

REPLACEMENT CONDITION 28

Prior to the commencement of the above ground superstructure works full details of the mechanical ventilation including air inlet locations and filters shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from roads and the boiler/CHP stack to protect internal air quality.

Reason: To protect the amenity of residents in accordance with London Plan policy 7.14. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies TC1, A1 and A4 of the Camden Local Plan 2017.

For the purposes of this decision, condition No. 32 of planning permission 2015/6955/P dated 01/11/2017 shall be replaced with the following condition:

REPLACEMENT CONDITION 32

Prior to the commencement of the above ground superstructure works detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies CC1 and CC2 of the Camden Local Plan 2017.

Informative(s):

1 Reasons for granting approval:

Whilst there is no statutory definition of what constitutes a 'non-material' amendment; Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."

The proposed changes to conditions 7, 11, 12, 19, 25, 28 and 32 are required because the applicant would like to implement the extant consent as soon as possible. The first step of the implementation process involves the revision of the trigger points for the submission of various information required by the conditions attached to the extant consent. The applicant would therefore like to amend the conditions so that the information is submitted prior to the commencement of the above ground superstructure works (for condition Nos. 7, 11, 12, 19, 28 and 32) and before works to the existing buildings on-site (for condition No. 25).

In the context of the permitted scheme it is not considered that the amendments, either individually or cumulatively, will have any material impact on the overall design idiom or neighbour amenities. This is primarily owing to the context of the overall approved scheme and the nature of the neighbouring buildings, with the proposed changes being of a relatively minor scale relating only to the timing of submission of information. The proposed timing of submission is considered acceptable.

The proposed amendments are not considered to alter the meaning or effectiveness of any part of the section 106 agreement which forms part of the original consent, and thus no deed of variation or other modification to that agreement is required as a result.

2 You are advised that this decision relates only to the changes set out above and

within the submitted documents and shall only be read in the context of the substantive permission granted on 01/11/2017 under reference number 2015/6955/P and is bound by all the conditions and legal 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 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer

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