



# GERALDEVE

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FAO: Jonathan McClue

26 November 2020

**Our ref: LJW/GBR/J10337**

**Your ref: 2018/3682/P / PP-08964856 & PP-09288261**

Dear Sir

**Town and Country Planning Act 1990 (as amended)  
Non-material amendment to and discharge of condition 5 of app ref. 2018/3682/P  
101 Camley Street, London NW1 0NF**

On behalf of our client, Chalk Farm Development Limited, we enclose discharge of condition and non-material amendment applications which both concern the canal side landscaping in relation to planning permission ref. 2018/3682/P at 101 Camley Street. This aspect of the proposal has been discussed in detail over a significant period of time with both LB Camden and the Canal & River Trust.

In summary, the approach is to provide LB Camden with details of the canal side landscaping which is on land which the applicant owns and is within the red line of the original application boundary. Discussions remain ongoing with the Canal & River Trust with regard the adjacent land and the landscaping design hereby proposed has the flexibility to tie in with this in the future. Given the delay caused by discussions which have taken place so far and that the applicant is looking to be in a position to complete the building so that it can be occupied imminently, it is also sought to undertake the landscaping at a slightly later point of the wider construction.

### **Background**

Officers are very familiar with the site and the proposals following a number of various planning applications; indeed the residential-led scheme is now nearing completion and will be ready for occupation in 2021.

Planning permission (ref. 2014/4385/P) was originally granted on 18 March 2015 for the demolition of the existing industrial building at the site and a new building up to 13 storeys in height which would provide 121 residential flats and workspace. The proposals included the provision of a bridge over the adjacent canal which would have spanned across to 103 Camley Street but following discussions within the Canal & River Trust this will not be delivered, though a different bridge may be which lands at the nearby 'Ugly Brown Building' site.

The original planning permission has been amended twice. The first time was on 14 July 2017 (ref. 2016/6311/P) where alterations included changing the configuration of the flats and an uplift in the amount of office provision. The most recent section 73 application (ref. 2018/3682/P) was permitted

on 21 February 2020 with changes largely consisting of façade design amendments. This is the permission which is currently being implemented.

Condition 5 on this decision notice covers the need for further details to be provided in relation to the landscaping works and is worded as follows:

*“No works on the relevant parts of the development shall commence until full details of hard and soft landscaping and means of enclosure of all un-built, open areas, including the communal roof terraces and roof top allotments have been submitted to and approved by the local planning authority (in consultation with the Canal and River Trust where relevant). The details shall include provision for children’s play space and play equipment. The relevant works shall not be carried out otherwise than in accordance with the details thus approved”.*

Landscaping works are proposed around the base of the building on all sides and on roof terraces. Landscaping details for all areas, with the exception of the canalside area, have previously been approved under application ref. 2019/1221/P. Therefore, this condition has been part discharged with this submission seeking to discharge the outstanding element.

#### **Discharge of condition 5 of application ref. 2018/3682/P**

This application seeks to provide landscaping details with regard the triangular shaped area of land close to the canal side and a design report prepared by LDA forms part of the application, along with a full drawing set. The design seeks to draw on the character of the area by providing a wide range of woodland style plants which support biodiversity in the area in addition to the Camley Street nature reserve, which is due to re-open shortly.

Greenery would surround this area in the form of woodland style planting with playspace in the middle on a wet pour play surface. Play equipment would include ladybird / bee springers, eight timber climbing posts with four balancing ropes, one set of timber balancing blocks and a see-saw. The design has been developed along two play specialists (Timber Play and Russell Play) to ensure a mix of play experiences for a range of ages. The amount of equipment has been maximised whilst ensuring that the required fall safety zones have been factored in.

To ensure the safety of children, 1.1m bespoke railings are provided along the Granary Street edge within the planting zone. The party wall between this site and the neighbouring moorings would be rebuilt but no trees would be removed or affected by this. Seating would also be provided within the park area as well as a cycle stand and lighting columns. The lighting would constitute downward illumination to minimise light spill and to reduce any impact on nocturnal wildlife. Logs have also been included within the design to promote local biodiversity.

The woodland-style planting mix includes shade loving species comprising a mix of ferns, grasses and glossy ground cover for year-round interest. Good pollinating species have been incorporated to provide foraging opportunities for a wide variety of pollinating insects to promote local biodiversity. A landscape management plan also forms part of this submission.

Discussions remain ongoing with the Canal & River Trust regarding undertaking a further phase of landscaping works on its land so to extend the planting and improve the openness between this space and the canal. Indicative designs of what this would look like are also included within the accompanying design pack and the proposed design has been developed so that it would allow for this to be easily extended. Should agreement be reached between all parties the extended landscaping and improvements to the bankside for the canal boats would form part of a separate, full planning application.

## **Non-material amendment**

Due to the delay agreeing the design of this area due to ongoing discussions with various parties and given that the applicant is working to ensure that the residential flats are occupied as soon as possible, elements of the landscaping works may not be completed prior to occupation as required by the condition. On this basis a non-material amendment application is sought to amend the wording of condition 7, as follows:

*All hard and soft landscaping works shall be carried out in accordance with the approved landscape details ~~prior to~~ **within six months of first occupation of the residential units, or in the case of soft landscaping by not later than the end of the planting season following completion of the development.** Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.*

Section 96A(3B) of the Town and Country Planning Act 1990 (as amended) allows conditions to be altered whereby the change would be non-material. The PPG does not define a 'non-material' change but the time by which landscaping works are undertaken at a project of this scale is considered to be non-material. In addition, a similar change was recently agreed at the neighbouring residential development at 102 Camley Street (ref. 2018/5357/P).

The change sought is with regard the timing of completion of the landscaping works and the occupation trigger linked to this. This application seeks to allow the dwellings to be occupied for a period of six months following first occupation of the residential element of the scheme or by the end of the first planting season following completion of the development in terms of the completion of the landscaping works. The applicant remains fully committed to undertaking the landscaping works which are submitted for approval in relation to condition 5.

## **Application documentation**

In terms of the non-material amendment application (ref. PP-09288261), no additional documentation other than this letter, red line plan and application form is required. A fee of £234 plus the planning portal service charge has been paid by the applicant.

With regard the discharge of condition application (ref. PP-08964856) the following documents have been submitted through the planning portal:

- Completed application form;
- Landscape design pack, prepared by LDA Design;
- Proposed detailed landscaping drawings, prepared by LDA Design and Hutchinson & Partners;
- Landscape Management Plan, prepared by LDA Design.

Our client has paid the £116 application fee plus planning portal charge electronically.

We look forward to receiving confirmation of validation of the applications. In the meantime, should you have any questions, please do not hesitate to contact Gary Brook (07557742363).

Yours faithfully

A handwritten signature in black ink that reads "Gerald Eve LLP". The signature is written in a cursive, flowing style.

**Gerald Eve LLP**

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Enc. As above