

Application ref: 2021/3338/P
Contact: Jonathan McClue
Tel: 020 7974 4908
Email: Jonathan.McClue@camden.gov.uk
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Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Gerald Eve LLP
72 Welbeck Street
London
W1G 0AY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

**Address: Land to west of Royal Mail Sorting office bounded by Phoenix Place
Mount Pleasant, Gough Street & Calthorpe St. Camden WC1.**

Proposal: Amendment of planning conditions 2 (approved plans), to update relevant drawing numbers, and 34 (substations), to provide details and make a compliance condition, to planning permission 2013/3807/P granted on 30th March 2015 (as amended by 2018/0817/P, 2018/1054/P, 2018/2586/P, 2019/1931/P, 2019/3364/P, 2019/4136/P, 2019/0921/P, 2020/3333/P) by the Greater London Authority (for new buildings of 5-15 storeys, 345 dwellings, flexible retail and community floorspace and associated works (summary)). NAMELY to allow the variation of approved drawings to incorporate a re-arrangement of the electrical substation, LW switch room, introduction of a gas intake room at ground floor of Block C, omission of plant at roof level of Blocks B and C, and submission of details for the electrical substation to allow Condition 34 to be amended from a prior to commencement of superstructure works to a compliance condition.

Drawing Nos:

Approved plans: MPP2-RYD-ZZ-00-DR-A-PL00 P1; MPP2-RYD-ZZ-ZZ-DR-A-PL51 P1; MPP2-RYD-ZZ-RF-DR-A-PL31 P1; MPP2-RYD-ZZ-ZZ-DR-A-PL65 P1; MPP2-RYD-ZZ-ZZ-DR-A-PL52 P1; Planning Condition 34
Electrical Substation Pack.

Superseded plans: A-P2-03-PL2-00; A-P2-05-PL2-03; A-P2-70-PI-08; A-P2-70-PL-10; A-P2-04-PL2-05; A-P2-05-PL2-00.

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.2 of planning permission 2013/3807/P dated 30/03/2015 shall be replaced with the following condition:

CONDITION 2:

The development hereby approved shall, unless reserved for approval within another condition attached to this decision or within an associated legal agreement, be carried out in accordance with the following approved plans unless otherwise agreed in writing by the Local Planning Authority:

Building plans-

(11159_MP_(00)_) P001 P2; P002 P2; P003 P1; P010 P2; P011 P2; P012 P1; P015 P2; P098-101 P2; P103 P1; P114 P3; P200-201 P1; P300-301 P1.
(11159_P1_(00)_) P020-023 P1; P098-114 P2; P150-151 P1; P152-157 P2; P158 P1; P159-162 P2; P163 P1; P164-166 P2; P167 P1; P200-202 P2; P203 P1; P300-301 P1; P302-303 P2.
(11159_P1_(00)_) P400-402 P1; P403-404 P2; P500 P1.
(1660_P2_00_) P010 P1; P020-23 P2; P102-111 P2; P150-156 P1; P160-P162 P2; P202 P2; P401-402 P1; P403 P2; P500 P1.
(32875_4-A-P2-) 03-PL2-01; 04-PL2-02 Rev A; 04-PL2-03.
(MPP2-RYD-ZZ-)00-DR-A-PL00 P1; ZZ-DR-A-PL51 P1; RF-DR-A-PL31 P1; ZZ-DR-A-PL65 P1; ZZ-DR-A-PL52 P1/

Landscaping plans-

(LL435_MP_(00)_) 040 P3; 050 P2; 100 P2; 114 P3; 150 P3.
(LL435_P1_(00)_) 151 P2; 100 P2.
(LL435_P2_(00)_) 100 P2; 110 P2.

Reason: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended, for the avoidance of doubt and in the interest of proper planning.

For the purposes of this decision, condition no.34 of planning permission 2013/3807/P dated 30/03/2015 shall be replaced with the following condition:

CONDITION 34:

Details of the electric substations, including their acoustic specifications and cladding/facing materials, where relevant, shall be carried out in accordance with the following details - MPP2-RYD-ZZ-00-DR-A-PL00 P1; MPP2-RYD-ZZ-ZZ-DR-A-PL51 P1; MPP2-RYD-ZZ-RF-DR-A-PL31 P1; MPP2-RYD-ZZ-ZZ-DR-A-PL65 P1; MPP2-RYD-ZZ-ZZ-DR-A-PL52 P1; Planning Condition 34 Electrical Substation Pack - or any other details submitted for discharge.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: In the interest of protecting amenity and to ensure that the Authority may be satisfied that any substations do not have a harmful impact on the residential amenity of the units or habitable rooms located adjacent/above/below the substation unit in question, nor have a harmful impact on the character and

appearance of the buildings approved, the character and appearance of the conservation area or the existing streetscene. This is so as to accord with the requirements of policies A1, A4, D1 and D2 of the Camden Local Plan 2017.

Informative(s):

1 Reason for granting approval.

This non-material amendment (NMA) is limited to changes to the approved drawings within Phase 2 of the approved development. A number of other NMAs have been approved at this site, in particular a number of changes under approval 2018/0817/P dated 01/05/2018. The proposed amendments under this NMA relate to Blocks B and C in Phase 2, which are currently under construction. Overall they are considered minor and include changes to the electrical substation (and details of the treatment) and changes at roof level. There are no internal amendments proposed nor changes to the approved floorspace, residential units or mix, affordable housing or the commercial units. The changes proposed are set out on detailed comparison drawings to support the clean set of proposed drawings.

Government guidance states that there is no statutory definition of 'non-material'. The National Planning Practice Guidance (NPPG) makes it clear that this is because whether changes are non-material is dependent on the context of the overall scheme. The subject scheme is a large major development providing more than 39,547sqm of floorspace and the creation of a new urban block. Any proposed changes must be considered in this context.

The cumulative external amendments, in the context of the original approval of buildings that are up to 15 storeys high, are not considered to materially alter its appearance, character, height, scale or massing. The proposed amendments are mostly to the detailed design of the proposal and the final appearance of the development is largely controlled by a series of planning conditions (including materials, landscaping, plant equipment, PV etc.) that require further details to be approved by the Council. Therefore, many of the detailed elements are reserved for formal submission to be scrutinised under the Approval of Details procedure.

The building is not increasing in footprint, height or massing. It is therefore considered that there would not be a material change to the impact on neighbouring amenity in terms of daylight/sunlight, overbearing or loss of outlook impacts.

Provisions relating to statutory consultation and publicity do not apply to NMAs. Notwithstanding this, no comments from third parties have been received.

On this basis the proposed amendments, individually and when considered cumulatively, are considered to constitute non-material amendments in the context of the original approved scheme. It is considered that the changes would not materially alter the appearance of the building, the nature and scale of the development nor would it result in a significant increase to neighbouring amenity impacts.

In addition details of the electric substation and acoustic details in relation to condition 34 (substations) have been submitted. These details have been reviewed

by the Council's Environmental Health Officer who deemed them to be acceptable. Therefore, condition 34 is varied to become a compliance condition (i.e. securing the details and effectively discharging the condition) as the submitted details are deemed to sufficiently protect amenity and are of a suitable appearance in accordance with the requirements of policies A1, A4, D1 and D2 of the Camden Local Plan 2017.

No third party comments were received during the application process.

- 2 You are advised that this decision relates only to the changes highlighted on the plans and/or set out in the description and on the application form and shall only be read in the context of the substantive permission granted 2013/3807/P dated 30/03/2015 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 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer

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