

Application ref: 2020/0362/P
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:

Site at Hawley Wharf
Land bounded by Chalk Farm Road
Castlehaven Road
Hawley Road
Kentish Town Road and Regents Canal
London
NW1

Proposal: Variation of various conditions of planning permission dated 23/01/2013 ref: 2012/4628/P amended by planning permission dated 03/12/2018 ref: 2018/1715/P (Redevelopment of site to create a mixed use development comprising 8 new buildings between 3 and 9 storeys in height to provide, employment, housing, retail market, cinema, produce market, including change of use of 1 Hawley Road to educational, together with associated engineering works to create basements, plant and ancillary works, highways, public realm improvements, car and cycle parking and landscaping, tree removals, and associated works, following the demolition of all buildings across the site including single storey shopfront extensions at 1-6 Chalk Farm Road (excluding 1 Hawley Road and remaining structures at 1-6 Chalk Farm Road), to reflect various physical and land use amendments to the permitted scheme, to relocate cinema (Class D2) to the northern arches, provision of new family entertainment (sui generis) use in the basement of Building C, including new mezzanine floor, relocation of light industrial (Class B1c) to the basement of Building A1, loss of existing market retail (Class A1), reconfiguration of Buildings A1 and

A2 roof terrace seating, variation of condition 10 (cinema plan) and conversion of four market residential units to intermediate residential units and associated works.

Drawing Nos:

Superseded:

17019_AX_(00)_1181 P01; 17019_AX_(00)_1231 P01; 12001_C_(00)_98 rev A;
12001_C_(00)_99 rev A; 12001_C_(00)_100 rev A; 12001_C_(00)_200 rev A;
12001_C_(00)_221 rev A; 12001_C_(00)_300 rev A. 12001_MP_(00)_003;
12001_MP_(00)_100 P01.

Amended:

17019_AX_(00)_1181_P02; 17019_AX_(00)_1231_P02; 12001_C_(00)_098 rev B;
12001_C_(00)_099 rev B; 12001_C_(00)_100 rev C; 12001_C_(00)_200 rev C;
12001_C_(00)_221 rev B; 12001_C_(00)_300 rev B; 12001_MP_(00)_P03;
12001_P_MP_100_P03; 21891-81-098; 21891-81-099; 21891-81-099M; 21891-81-100;
21891-81-301; 21891-81-302; 21891-81-303; 21891-81-304.

List of all approved/amended:

Drawing Nos:

Area A:

17019_AX_(00)_1181 P02; 17019_AX_(00)_1191 P01; 17019_AX_(00)_1201 P01;
17019_AX_(00)_1211 P01; 17019_AX_(00)_1221 P01; 17019_AX_(00)_1231 P02;
17019_AX_(00)_1241 P01; 17019_AX_(00)_2051 P01; 17019_A_(00)_210 P01;
17019_A_(00)_211 P01; 12001_A_(00)_230; 12001_A_(00)_231 P01;
12001_A_(00)_300 P01.

Area B:

12001_B_(00)_100 rev A; 12001_B_(00)_101 rev A; 12001_B_(00)_102 rev A;
12001_B_(00)_103 rev A; 12001_B_(00)_104 rev B; 12001_B_(00)_105 rev A;
12001_B_(00)_106 rev A; 12001_B_(00)_107 rev A; 12001_B_(00)_108 rev A;
12001_B_(00)_109 rev B; 12001_B_(00)_200 rev B; 12001_B_(00)_201 rev B;
12001_B_(00)_230 rev B.

Area C:

12001_C_(00)_98 rev B; 12001_C_(00)_99 rev B; 12001_C_(00)_100 rev C;
12001_C_(00)_101 rev A; 12001_C_(00)_102 rev A; 12001_C_(00)_103 rev A;
12001_C_(00)_104 rev A; 12001_C_(00)_105 rev A; 12001_C_(00)_106 rev B;
12001_C_(00)_107 rev A; 12001_C_(00)_108 rev A; 12001_C_(00)_109 rev A;
12001_C_(00)_110 rev A; 12001_C_(00)_111 rev A; 12001_C_(00)_200 rev C;
12001_C_(00)_201 rev B; 12001_C_(00)_202 rev A; 12001_C_(00)_220 rev A;
12001_C_(00)_221 rev B; 12001_C_(00)_222 rev A; 12001_C_(00)_223 rev A;
12001_C_(00)_300 rev B.

Building C - fit out:

21891-81-098; 21891-81-099; 21891-81-099M; 21891-81-100; 21891-81-301; 21891-81-302; 21891-81-303; 21891-81-304.

Area D:

12001_D_(00)_099 rev A; 12001_D_(00)_100 rev A; 12001_D_(00)_101 rev A;
12001_D_(00)_102 rev A; 12001_D_(00)_103 rev A; 12001_D_(00)_104 rev A;
12001_D_(00)_105 rev A; 12001_D_(00)_106 rev A; 12001_D_(00)_200 rev B;

12001_D_(00)_220 rev A; 12001_D_(00)_300 rev A.

Existing:

B0508-CH-E2 (1/2); B0508-CH-E2 (2/2); B0508-FL-1ST (1/1); B0508-FL-GRD (1/1);
B0508-LR-E (1/2); E1111-CH-TS-1 (1/2); E1111-CH-TS-1 (1/2); E1111-CH-TS-1 (2/2);
E1111-CH-TS-2 (2/2); E1111-CH-TS-2 (2/2); E1111-E1 (1/1); E1111-FL-GRD (1/2);
E1111-FL-GRD (2/2); E1111-RC-HS (1/1); G2911-1ST (1/1); G2911-2ND (1/1);
G2911-3RD (1/1); G2911-E1 (1/1)

Demolition:

12001_MP_12_001; 12001_MP_12_099; 12001_MP_12_100; 12001_MP_12_101;
12001_MP_12_102; 12001_MP_12_103; 12001_MP_12_110; 12001_MP_12_111;
12001_MP_12_112; 12001_MP_12_113; 12001_MP_12_114; 12001_MP_12_200;
12001_MP_12_201; 12001_MP_12_202; 12001_MP_12_300; 12001_MP_12_301;
12001_MP_12_302.

Masterplan:

12001_MP_(00)_001; 12001_MP_(00)_002; 12001_MP_(00)_P03;
12001_MP_(00)_100 P03; 12001_MP_(00)_101 rev A; 12001_MP_(00)_102 rev A;
12001_MP_(00)_103; 12001_MP_(00)_104; 12001_MP_(00)_105;
12001_MP_(00)_110; 12001_MP_(00)_200 rev A; 12001_MP_(00)_201 rev A;
12001_MP_(00)_202 rev A; 12001_MP_(00)_203 rev A; 12001_MP_(00)_204 rev A;
14045_MP_(00)_205 P1; 14045_MP_(00)_206 P1; 14045_MP_(00)_207 P1;
14045_MP_(00)_208 P1; 14045_MP_(00)_209 P1; 14045_MP_(00)_210 P01;
12001_MP_(00)_300; 12001_MP_(00)_301; 12001_MP_(00)_302 rev A; D1807 L101
D.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be begun no later than the end of three years from the date of the original permission granted on 23/01/2013 under reference 2012/4628/P.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 No development in areas A, C and D shall be occupied until the one form of entry primary school and affordable housing in Area B has reached fit out stage.

Reason: To ensure that the development includes the provision of affordable housing and one form of entry primary school in accordance with policies H2, H4 and C2 of the London Borough of Camden Local Plan 2017.

- 3 The basement, lower ground and upper ground floors of Area A shall not be occupied until the one form of entry primary school and affordable housing in Area B has reached fit out stage, and the employment; local retail and residential uses in Area C [and viaducts] have been provided and are ready for occupation.

Reason: To ensure that the development includes the provision of affordable housing and a one form of entry primary school in accordance with policies H2, H4 and C2 of the London Borough of Camden Local Plan 2017.

- 4 The east-west route along the southern boundary of the southern viaduct and the arches open space in the development shown on drawing number 12001_MP_(00)_101 rev A hereby approved shall be implemented within 6 months of the date of this decision.

Reason: In order to ensure that the development makes sufficient provision for permeability and public access across the site in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan 2017.

- 5 The north-south route along the eastern boundary of Buildings X and W and the arches open space in Area B in the development shown on drawing number 12001_MP_(00)_101 rev A hereby approved shall be delivered and ready for public use prior to occupation of Area B.

Reason: In order to ensure that the development makes sufficient provision for permeability and public access across the site in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 6 The Metropolitan walking route, community open space and arches open space in Areas C and A in the development shown on drawing number 12001_MP_(00)_101 rev A hereby approved shall be delivered and ready for public use within 6 months from the date of this decision.

Reason: In order to ensure that the development makes sufficient provision for permeability and public access across the site in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 7 Notwithstanding the provisions of Class B2 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the B2 premises shall not be used in B1 or B8 use.

Reason: To ensure that the future occupation of the building provides required general industry space in accordance with policies E1 and E2 of the London Borough of Camden Local Plan 2017.

- 8 Notwithstanding the provisions of Class B1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the B1 premises shall not have permitted change to B8 use.

Reason: To ensure that the future occupation of the building provides required business space in accordance with policies E1 and E2 of the London Borough of Camden Local Plan 2017.

- 9 Notwithstanding the provisions of Class D2 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to

that Class in any statutory instrument revoking and re-enacting that Order, the D2 premises shall only be used as a cinema, dance, sport hall, gymnasium, bingo hall and other indoor sports although not including shooting.

Reason: To ensure that the future occupation of the building provides required leisure facilities space in accordance with policies C1, C3 and A1 of the London Borough of Camden Local Plan 2017.

- 10 The cinema shall operate in accordance with the Cinema 'Operational Management Plan' and Curzon document titled 'Form C-06' hereby approved, or other such details as submitted to and approved in writing by the Council prior to occupation. Details shall include Art House occupant, capacity of visitors, number of screens, associated food and drink uses, and accessibility. The cinema shall not operate otherwise than in accordance with the details thus approved.

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 London Borough of Camden Local Plan 2017.

- 11 The following uses hereby permitted shall not be carried outside the following times:

Market Retail: 08:00 - 21:00 Monday to Sunday and on Public/Bank Holidays [except on 12 days out of every year where the use shall not be carried out outside the following times 08:00 - 23:00 and these days shall first be agreed in writing by the Council].

Local Retail: 07:00 - 22:00 Monday to Sunday and on Public/Bank Holidays.

Produce Market: 08:00 - 21:00 Monday to Sunday and on Public/Bank Holidays, [days of operation are subject to community requirements as secured in the S106 Legal Agreement].

Restaurants on roof top of Area A: 08:00 - 00:00 Monday to Sunday and on Public/Bank Holidays [this includes no customers on the premises outside this time].

Cinema: 08:00 - 01:00 Mondays to Sundays and on Public/Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies TC2, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 12 The market stalls and associated equipment shall be permanently removed and stored in the Area C upper basement on the days when the Produce Market use is not in operation.

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies D1, A1, A4, and TC2 of the London Borough of Camden Local Plan 2018.

- 13 The outdoor terrace area surrounding the rooftop restaurant uses shall be closed to restaurant customers between 21:00 and 08:00 hours, 7 days a week, and bank and public holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and TC2 of the London Borough of Camden Local Plan 2017.

- 14 With regard to the works to the terrace 1 - 8 Chalk Farm Road, the relevant works shall not be carried out other than in accordance with the following detailed drawings, or samples of materials, previously approved (or other such details which have been submitted to and approved in writing by the local planning authority) showing the following:

a) Typical details of replacement chimney pots at a scale of 1:10 with finials at 1:1, including materials, finish and method of fixing, as approved on 08/12/2016 under reference 2016/2638/P.

b) Plan, elevation and section drawings of all new doors at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1, as approved on 16/01/2017 under reference 2016/6613/P.

c) Plan, elevation and section drawings, including jambs, head and cill, of all new window and door openings, as approved on 21/07/2016 under reference 2016/2146/P.

d) Plan, elevation and section drawings of all new windows at a scale of 1:10 with typical glazing bar details at 1:1, as approved on 02/03/2017 under reference 2016/6614/P.

e) Samples and/or manufacturer's details of new facing materials for the new shopfronts [to be provided on site] and retained on site during the course of the works, as approved on 04/11/2019 under reference 2019/4131/P.

f) Plan, elevation and section drawings of the new connections between the rear of the terrace and the new Site A building at a scale of 1:10, as approved on 16/01/2017 under reference 2016/6609/P.

g) Typical details of all shopfront including jambs, head and cill, including materials and finish, as approved on 04/11/2019 under reference 2019/4131/P.

h) A sample panel (2m x 2m) of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing, as approved on 04/04/2018 under reference 2018/1002/P.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.

- 15 All new external work on the Chalk Farm Road terrace shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 16 With regard to the new market building in Area A, the relevant works shall not be carried out other than in accordance with the following detailed drawings, or samples of materials, previously approved (or other such details which have been submitted to and approved in writing by the local planning authority) showing the following:

a) Typical details of bridges, stairs and balustrades including materials, finish and method of fixing at scale 1:10, as approved on 20/06/2016 under reference 2016/2639/P.

b) Typical details of roof top pavilions including materials and finish at scale 1:10, as approved on 20/10/2017 under reference 2017/0828/P.

c) Typical details, including samples, of the vertical fins at scale 1:10, as approved on 14/05/2018 under reference 2018/1702/P.

d) Details of any night time enclosure on the main front and rear elevations of the building and finish at a scale 1:10, as approved on 20/10/2017 under reference 2017/0832/P.

e) A sample panel (2m x 2m) of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing, as approved on 04/04/2018 under reference 2018/1002/P.

f) Details, including samples, of soffit finish above walkways, as approved on 27/04/2017 under reference 2017/0829/P.

g) Typical details of all new window and door openings including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 20/10/2017 under reference 2017/0830/P.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 17 With regard to the residential buildings in Area B, the relevant works shall not be carried out other than in accordance with the following detailed drawings, or samples of materials, previously approved (or other such details which have been submitted to and approved in writing by the local planning authority) showing the following:

a) Typical details of balconies and balustrades at including materials, finish and method of fixing at a scale 1:10, as approved on 17/06/2016 under reference 2016/2658/P.

b) Typical details of all new window and door openings including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 17/09/2019 under reference 2019/4188/P.

c) Typical details of all communal entrances including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 21/09/2016 under reference 2016/2657/P.

d) A sample panel (2m x 2m) of the facing brickwork and cladding demonstrating the proposed colour, texture, face-bond and pointing, as approved on 04/04/2018 under reference 2018/1002/P.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 18 With regard to the residential building fronting Castlehaven Road (C1 building), the relevant works shall not be carried out other than in accordance with the following detailed drawings, or samples of materials, previously approved (or other such details which have been submitted to and approved in writing by the local planning authority) showing the following:

a) Typical details of balconies and balustrades at including materials, finish and method of fixing at a scale 1:10, as approved on 17/06/2016 under reference 2016/2655/P.

b) Typical details of all new window and door openings including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 17/06/2016 under reference 2016/2656/P.

c) Typical details of attic storey including sun shading and roof junction including materials and finish at a scale 1:10, as approved on 11/04/2017 under reference 2017/1240/P.

d) Typical details of all shopfront and communal entrances including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 27/06/2016 under reference 2016/2653/P.

e) Typical details of both arcade way entrances including materials and finish at a scale 1:10, as approved on 20/06/2016 under reference 2016/2654/P.

f) Typical details of all arch frontages including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 12/06/2017 under reference 2017/2775/P.

g) A sample panel (2m x 2m) of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing, as approved on 04/04/2018 under reference 2018/1002/P.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of

the London Borough of Camden Local Plan 2017.

- 19 With regard to the triangular building in Area C (C2 building), the relevant works shall not be carried out other than in accordance with the following detailed drawings, or samples of materials, previously approved (or other such details which have been submitted to and approved in writing by the local planning authority) showing the following:
- a) Typical details of balconies and balustrades at including materials, finish and method of fixing at a scale 1:10, as approved on 21/06/2016 under reference 2016/2820/P.
 - b) Typical details of all new window and door openings including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 11/04/2017 under reference 2017/1240/P.
 - c) Typical details of all shopfront and communal entrances including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 12/06/2017 under reference 2017/2775/P.
 - d) Typical details of the service area enclosures including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 12/06/2017 under reference 2017/2775/P.
 - e) A sample panel (2m x 2m) of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing, as approved on 04/04/2018 under reference 2018/1002/P.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 20 With regard to the buildings in Area D, the relevant works shall not be carried out other than in accordance with the following detailed drawings, or samples of materials, previously approved (or other such details which have been submitted to and approved in writing by the local planning authority) showing the following:
- a) Typical details of balconies and balustrades at including materials, finish and method of fixing at a scale 1:10, as approved on 12/06/2017 under reference 2017/2905/P.
 - b) Typical details of all new window and door openings including jambs, head and cill, including materials and finish at a scale 1:10, as approved on 12/06/2017 under reference 2017/2905/P.
 - c) A sample panel (2m x 2m) of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing, as approved on 04/04/2018 under reference as approved under reference 2018/1002/P.
 - d) Typical details of all shopfront and communal entrances including jambs, head and cill, including materials and finish at a scale 1:10, as approved on

06/07/2017 under reference 2017/3275/P.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 21 The 'Shopfront Strategy' shall be installed in accordance with the details approved on 13/02/2020 under reference 2019/6215/P, or other such details which have been submitted to and approved in writing by the local planning authority, which shall include details of shutters for individual units, fascias, any proposed enclosure and advertising. All relevant parts of the development shall be implemented and maintained in accordance with the approved strategy.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 22 The floor surface materials and access requirements for the Area A buildings shall not be carried out other than in accordance with the details previously approved on 27/06/2016 under reference 2016/2149/P or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 23 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 24 Condition 24 (regarding details of privacy measures) is removed as it is now no longer considered necessary.

- 25 The programme of recording, photographing and completing an historic analysis of the building structure and architectural detail of all non-designated Heritage assets (including:
- a) Granite Setts in Haven Street and Water Lane
 - b) 3-17 Hawley Road
 - c) 2a, 4, 6 and 8 Torbay Street
 - d) 49a Kentish Town Road
 - e) Timber market sheds
 - f) Projecting shopfronts on Chalk Farm Road
 - g) Inside of viaduct arches across site)

shall be retained in accordance with the written scheme of investigation approved on 17/12/2014 under reference 2014/5907/P, or other such details

which have been submitted to and approved in writing by the local planning authority.

Reason: To record the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 26 No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved on 02/03/2015 under reference 2015/0107/P.

No part of the development shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved on 02/03/2015 under reference 2015/0107/P.

The analysis, publication and dissemination of the results and archive deposition shall be carried out in accordance with the details approved on 16/05/2018 under reference 2017/5352/P or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: The development of this site is likely to damage archaeological remains. Accordingly, the Council wishes to ensure the preservation of these remains, in situ or by record, and subsequent analyses and dissemination of the results in accordance with the requirements of Policy D2 of the London Borough of Camden Local Plan 2017.

- 27 All proposed benches and seating to be used in the public open spaces shall not be installed other than in accordance with the details approved on 25/06/2018 under reference 2018/1991/P and 03/01/2019 under reference 2018/5723/P, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 28 The removal of the granite setts in Haven Street and Water Lane (the lane to the north of the railway viaduct, to the east of Kentish Town Road) shall not be carried out other than in accordance with the strategy previously approved on 11/11/2014 under reference 2014/5841/P or other such details which have been submitted to and approved in writing by the local planning authority outlining the methodology for the careful removal and the secure storage of the granite setts and the plan detailing the areas within the site for their re-laying.

Reason: To preserve the public realm heritage and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 29 The "skewed arch" shall be implemented in accordance with the details approved on 03/09/2020 under reference 2020/3425/P unless otherwise agreed in writing with the local planning authority and shall be completed once

the coal chute has been demolished in Area A.

Reason: To protect the amenity of the local open space in accordance with the requirements of policies A1 and A2 of the London Borough of Camden Local Plan 2017.

- 30 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out at the application site otherwise than within the servicing bay at ground floor in C2 building, Area C or the loading bay accessed from Hawley Road and Kentish Town Road. At no time should servicing be completed from the public highway.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy T4 of the London Borough of Camden Local Plan 2017.

- 31 The development of Areas A and D hereby permitted shall not be completed other than in accordance with the detailed design and method statements for all foundations, basement and ground floor structures, below ground level structures, including piling (temporary and permanent), as approved by the local planning authority on 26/11/2015 under reference 2015/2307/P, or other such details which have been submitted to and approved in writing by the local planning authority.

All structures and works comprised within the development hereby permitted which are required by the approved design statements in order to accommodate the location of the existing London Underground structures and tunnels, accommodate ground movement arising from the construction thereof and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels, shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the requirements of policy T4 of the London Borough of Camden Local Plan 2017.

- 32 The development shall not be occupied until the public cycle storage areas for 186 cycles within the viaducts have been provided in their entirety in accordance with the details approved on 04/05/2020 under reference 2020/1564/P, or other such details which have been submitted to and approved in writing by the local planning authority, and shall be thereafter permanently maintained and retained. These spaces should be provided for use free of charge to the general public.

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

- 33 The details of the feasibility study to assess the potential for moving freight by water during the construction cycle (which concluded that waterborne transport was not feasible) were approved on 11/11/2014 under reference 2014/5972/P.

- 34 The relevant parts of the development shall not be occupied until the following cycle storage areas have been provided in their entirety, in accordance with the details approved on 03/05/2016 under reference 2016/2148/P, or other such details which have been submitted to and approved in writing by the local planning authority, showing the following-
- a) Area B storage areas for 48 cycles
 - b) Area C storage areas for 204 cycles
 - c) Area D storage areas for 50 cycles.

They shall be thereafter permanently maintained and retained as such.

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

- 35 The wider opening in the Flexible Space in building C2 at ground floor level onto the Northern Arches route shall be implemented in accordance with the details approved on 03/05/2016 under reference 2016/2147/P, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To secure improved interconnectivity of commercial uses in accordance with the requirements of policies TC2, TC6 and E2 of the London Borough of Camden Local Plan 2017.

- 36 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan 2017.

- 37 The paving across the site shall be installed in accordance with the sample panels and details approved on 10/05/2018 under reference 2018/1914/P, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan 2017.

- 38 The development of Area A shall be carried out in accordance with the details of the Shop Mobility service approved on 11/11/2014 under reference 2014/5899/P, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the London Borough of

Camden Local Plan 2017.

- 39 The Audio-frequency induction-loop system (AFILS) within the employment, leisure and retail development shall not be installed other than in accordance with the details approved on 11/11/2014 under reference 2014/5899/P, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan 2017.

- 40 The following community safety measures shall be installed in accordance with the details previously approved (or other such details which have been submitted to and approved in writing by the local planning authority):

a) CCTV strategy including details of cameras to be affixed to the external faces of the buildings and within the public realm, including their range of coverage, as approved on 05/07/2018 under reference 2018/1920/P.

b) External lighting strategy including details of freestanding, fixed to the buildings, towpath wall lights and towpath ground up-lighting, as approved on 05/07/2018 under reference 2018/1920/P.

c) Bench seating along towpath, as approved on 06/07/2018 under reference 2018/1989/P.

d) Details of anti-graffiti-brickwork to towpath walls, as approved on 06/07/2018 under reference 2018/1989/P.

e) Details of planting strategy to towpath walls, as approved on 06/07/2018 under reference 2018/1989/P.

f) Details of towpath wall buttresses to prevent opportunity for hiding, as approved on 06/07/2018 under reference 2018/1989/P.

g) Details of all security gates that are to close routes at night, including anti-climb measures, as approved on 06/07/2018 under reference 2018/1989/P.

h) Details of all communal residential entrances being fitted with an audio visual verification access control, electronic lock release and entry phones lined to residential flats, as approved on 05/07/2018 under reference 2018/1920/P.

The approved measures must be implemented prior to occupation of the relevant parts of the development and be thereafter retained and maintained.

Reason: In order to protect the amenities of residents living in the area immediately surrounding the development in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

- 41 Above-ground construction shall not be carried out other than in accordance with the details of hard and soft landscaping and means of enclosure of all un-built, open areas approved on 06/07/2018 under reference 2018/1987/P, or other such details which have been submitted to and approved in writing by the local planning authority in consultation with the Canal and Rivers Trust..

Reason: To enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies D1, D2, A1, A2 and A3 of the London Borough of Camden Local Plan 2017.

- 42 All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or prior to the occupation for the permitted use of the development, whichever is the sooner. 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 Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies D1, D2, A1, A2 and A3 of the London Borough of Camden Local Plan 2017.

- 43 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the details approved on 11/11/2014 under reference 2014/5767/P, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies D1, D2, A1, A2 and A3 of the London Borough of Camden Local Plan 2017.

- 44 The relevant part of the works shall not be carried out otherwise than in accordance with the details of the design of building foundations and the layout of service trenches and other excavations on site (in so far as these items may affect new or existing trees on or adjoining the site), approved on 16/01/2015 under reference 2014/6221/P, or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies D1, D2, A1, A2 and A3 of the London Borough of Camden Local Plan 2017.

- 45 A minimum of 10 bird boxes and 10 bat boxes shall be incorporated within the

proposed buildings and positioned as close to the canal as possible, in accordance with the details approved on 20/03/2017 under reference 2017/0184/P, or other such details which have been submitted to and approved in writing by the local planning authority, prior to the occupation of the development and thereafter retained and maintained, unless prior written permission is given by the local planning authority.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements policy A3 of the London Borough of Camden Local Plan 2017.

- 46 The buildings shall not be occupied until the green roofs in the areas indicated on the approved roof plans have been implemented in accordance with the details approved on 18/04/2018 under reference 2018/1248/P, or other such details which have been submitted to and approved in writing by the local planning authority. These works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CC1, CC2, CC3 and CC4 of the London Borough of Camden Local Plan 2017.

- 47 An updated bat survey was approved on 11/11/2014 under reference 2014/5563/P, and thus no further details are required.
- 48 All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements policy A3 of the London Borough of Camden Local Plan 2017.

- 49 The measures in the Biodiversity Action Plan approved on 16/01/2015 under reference 2014/5979/P, or other such details which have been submitted to and approved in writing by the local planning authority, shall be implemented and maintained thereafter, including the enhancement and provision of additional wildlife habitats on site.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements policy A3 of the London Borough of Camden Local Plan 2017.

- 50 Before the restaurant uses at the rooftop level in Area A commence, sound insulation shall be provided for the two buildings (A1 and A2) in accordance

with the scheme approved on 18/05/2020 under reference 2020/1603/P or other such details as approved in writing by the local planning authority. The use shall thereafter not be carried out other than in complete compliance with the approved scheme.

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 London Borough of Camden Local Plan 2017.

- 51 Before the cinema use in the northern arches commences, sound insulation shall be provided for the premises in accordance with a scheme to be first approved in writing by the local planning authority. The use shall thereafter not be carried out other than in complete compliance with the approved scheme.

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 London Borough of Camden Local Plan 2017.

- 52 Sound insulation and mitigation measures shall be provided for any buildings that contain a residential use, in accordance with the details approved on 24/03/2017 under reference 2017/0632/P, or other such details which have been submitted to and approved in writing by the local planning authority. The residential units shall not thereafter be occupied other than in accordance with the approved should insulation scheme.

Reason: To enable the Council to ensure a reasonable standard of residential amenity in the scheme in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 53 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

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 London Borough of Camden Local Plan 2017.

- 54 Noise levels arising from external sources within all habitable rooms during the night period (23:00 - 07:00) shall not exceed 30dB LAeq (8 hours) nor 45dB LAm_{ax} (fast). Similarly, noise levels in habitable rooms shall not exceed 35 dB LAeq (16 hours) during the day time (07:00 - 23:00). Sound insulation measures for all relevant residential windows shall be installed in accordance with the details approved on 24/03/2017 under reference 2017/0632/P, or other such details which have been submitted to and approved in writing by the local planning authority. The approved sound insulation measures shall be installed prior to occupation of any of the residential units, and retained and maintained thereafter.

Reason: To safeguard the amenities of occupiers of the proposed use, adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 55 Before any A3 or A5 use commences, details of ducting and ventilation shall be provided in accordance with details approved on 09/04/2019 under reference 2018/6051/P, or other such details approved in writing by the local planning authority. The A3 and A5 uses, or any primary cooking activities, shall thereafter not be carried out other than in complete compliance with the approved scheme.

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 London Borough of Camden Local Plan 2017.

- 56 The development shall be carried out in accordance with the impact studies of the existing water supply infrastructure approved on 03/02/2015 under reference 2015/0105/P, or other such details which have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with the requirements of policy CC3 of the London Borough of Camden Local Plan 2017.

- 57 Piling works shall not be carried out other than in accordance with the piling method statement approved on 26/11/2015 under reference 2015/2238/P, or other such details which have been submitted to and approved in writing by the local planning authority. Any piling shall be undertaken only in strict accordance with the approved method statement.

Reason: To safeguard the existing public sewer infrastructure, in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

- 58 The site drainage system shall be constructed in accordance with the surface water drainage scheme approved on 16/01/2015 under reference 2014/5822/P, or other such details which have been submitted to and approved in writing by the local planning authority, and be thereafter permanently maintained and retained. The scheme shall include all the green roofs as outlined in the Flood Risk Assessment dated August 2012 reference CIV10498 ES0004 and a reduction in surface water run-off rates to 110l/s for the whole site.

Reason: To attenuate water run-off and to prevent pollution of the water environment in accordance with the requirements of policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 59 Condition 59 (regarding details of water recycling) was removed by permission dated 04/11/2016 under reference 2016/3940/P.

- 60 The development shall not be carried out other than in accordance with the details of the chartered engineer approved on 17/12/2014 under application reference 2014/5928/P, or other such details which have been submitted to and approved in writing by the local planning authority. Those details should demonstrate that a suitably qualified engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy A5 of the London Borough of Camden Local Plan 2017.

- 61 The development shall be completed in accordance with the detailed scheme of assessment of site contamination consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation, as approved on 16/01/2015 (ref: 2014/6867/P) and 29/01/2015 (ref: 2015/0048/P), or other such details which have been submitted to and approved in writing by the local planning authority.

Reason: 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 London Borough of Camden Local Plan 2017.

- 62 The development must be completed in accordance with the remediation scheme approved on 25/09/2015 under reference 2015/4780/P, or other such details which have been submitted to and approved in writing by the local planning authority. The remediation scheme as approved shall be implemented before any part of the development hereby permitted is occupied.

In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of CLR11, and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

Reason: 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 of the London Borough of Camden Local Plan 2017.

- 63 Condition 63 (regarding appeals on building in Area D) was removed by permission dated 23/12/2015 under reference 2015/5682/P.

- 64 The residential flats in Area C shall not be occupied until two active and two passive electric vehicle charging points have been installed within the sub-

basement car park of Area C. The charging points shall be thereafter be permanently maintained and retained.

Reason: To encourage the uptake of electric vehicles, in accordance with Policy 6.13 of the London Plan.

- 65 The development hereby permitted shall be carried out in accordance with the following approved plans -

Existing:

B0508-CH-E2 (1/2); B0508-CH-E2 (2/2); B0508-FL-1ST (1/1); B0508-FL-GRD (1/1); B0508-LR-E (1/2); E1111-CH-TS-1 (1/2); E1111-CH-TS-1 (1/2); E1111-CH-TS-1 (2/2); E1111-CH-TS-2 (2/2); E1111-CH-TS-2 (2/2); E1111-E1 (1/1); E1111-FL-GRD (1/2); E1111-FL-GRD (2/2); E1111-RC-HS (1/1); G2911-1ST (1/1); G2911-2ND (1/1); G2911-3RD (1/1); G2911-E1 (1/1); G2911-E1 (1/1); G2911-E2 (1/1); G2911-E2 (1/1); G2911-E3 (1/1); G2911-E3 (1/1); G2911-E4 (1/1); G2911-E4 (1/1); G2911-E5 (1/1); G2911-E6 (1/1); G2911-GRD (1/1); G2911-RP (1/1); G2911-SEC A (1/1); G2911-SEC A (1/1); G2911-SEC B (1/1); G2911-SEC B (1/1); G2911-SEC B (sic) (1/1); H2210-r1 (1/5); H2210-r1 (2/5); H2210-r1 (3/5); H2210-r1 (4/5); H2210-r1 (5/5); I1610-r1 (1/4); I1610-r1 (2/4); I1806-RC-E1 (1/2); I1806-TS-E1 (1/2)(sic); I1806-TS-E1(1/2); I1806-CF-1ST (1/1); I1806-CF-2ND (1/1); I1806-CF-BAS (1/1); I1806-CF-GRD (1/2); I1806-CF-GRD (2/2); I1806-CF-RP (1/1); I1806-FR-EL (1/1); I1806-HR-E1 (1/2); I1806-HR-E2 (2/2); I1806-HR-EL (1/2); I1806-HR-EL (2/2); I1806-RE-EL (1/1); I1806-SEC (1/1); I1806-T-R2 (3/3); G2911 (1/1).

Demolition:

12001_MP_12_001; 12001_MP_12_099; 12001_MP_12_100;
12001_MP_12_101; 12001_MP_12_102; 12001_MP_12_103;
12001_MP_12_110; 12001_MP_12_111; 12001_MP_12_112;
12001_MP_12_113; 12001_MP_12_114; 12001_MP_12_200;
12001_MP_12_201; 12001_MP_12_202; 12001_MP_12_300;
12001_MP_12_301; 12001_MP_12_302.

Masterplan:

12001_MP_(00)_001; 12001_MP_(00)_002; 12001_MP_(00)_P03;
12001_MP_(00)_100 P03; 12001_MP_(00)_101 rev A; 12001_MP_(00)_102
rev A; 12001_MP_(00)_103; 12001_MP_(00)_104; 12001_MP_(00)_105;
12001_MP_(00)_110; 12001_MP_(00)_200 rev A; 12001_MP_(00)_201 rev A;
12001_MP_(00)_202 rev A; 12001_MP_(00)_203 rev A; 12001_MP_(00)_204
rev A; 14045_MP_(00)_205 P1; 14045_MP_(00)_206 P1;
14045_MP_(00)_207 P1; 14045_MP_(00)_208 P1; 14045_MP_(00)_209 P1;
14045_MP_(00)_210 P01; 12001_MP_(00)_300; 12001_MP_(00)_301;
12001_MP_(00)_302 rev A; D1807 L101 D.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 66 The development hereby permitted shall be carried out in accordance with the following approved plans -

Area A:

17019_AX_(00)_1181 P02; 17019_AX_(00)_1191 P01; 17019_AX_(00)_1201

P01; 17019_AX_(00)_1211 P01; 17019_AX_(00)_1221 P01;
17019_AX_(00)_1231 P02; 17019_AX_(00)_1241 P01; 17019_AX_(00)_2051
P01; 17019_A_(00)_210 P01; 17019_A_(00)_211 P01; 12001_A_(00)_230;
12001_A_(00)_231 P01; 12001_A_(00)_300 P01.

Area B:

12001_B_(00)_100 rev A; 12001_B_(00)_101 rev A; 12001_B_(00)_102 rev A;
12001_B_(00)_103 rev A; 12001_B_(00)_104 rev B; 12001_B_(00)_105 rev A;
12001_B_(00)_106 rev A; 12001_B_(00)_107 rev A; 12001_B_(00)_108 rev A;
12001_B_(00)_109 rev B; 12001_B_(00)_200 rev B; 12001_B_(00)_201 rev B;
12001_B_(00)_230 rev B.

Area C:

12001_C_(00)_98 rev B; 12001_C_(00)_99 rev B; 12001_C_(00)_100 rev C;
12001_C_(00)_101 rev A; 12001_C_(00)_102 rev A; 12001_C_(00)_103 rev A;
12001_C_(00)_104 rev A; 12001_C_(00)_105 rev A; 12001_C_(00)_106 rev B;
12001_C_(00)_107 rev A; 12001_C_(00)_108 rev A; 12001_C_(00)_109 rev A;
12001_C_(00)_110 rev A; 12001_C_(00)_111 rev A; 12001_C_(00)_200 rev
C; 12001_C_(00)_201 rev B; 12001_C_(00)_202 rev A; 12001_C_(00)_220 rev
A; 12001_C_(00)_221 rev B; 12001_C_(00)_222 rev A; 12001_C_(00)_223 rev
A; 12001_C_(00)_300 rev B.

Building C - fit out:

21891-81-098; 21891-81-099; 21891-81-099M; 21891-81-100; 21891-81-301;
21891-81-302; 21891-81-303; 21891-81-304.

Area D:

12001_D_(00)_099 rev A; 12001_D_(00)_100 rev A; 12001_D_(00)_101 rev A;
12001_D_(00)_102 rev A; 12001_D_(00)_103 rev A; 12001_D_(00)_104 rev A;
12001_D_(00)_105 rev A; 12001_D_(00)_106 rev A; 12001_D_(00)_200 rev B;
12001_D_(00)_220 rev A; 12001_D_(00)_300 rev A.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 67 Prior to the commencement of use of the plant equipment hereby approved, the equipment shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such. All such measures shall thereafter be permanently retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4 and TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Introduction

The buildings on site are now fully constructed but the majority of the site

remains vacant.

Relocation of cinema

Relocating the cinema from the basement to the northern arches is considered a positive move as it will give the cinema greater presence at ground level. The proposed relocation is acceptable given the distance from residential properties and sound insulation. The cinema will operate later in the evenings and provide natural surveillance of the area beside the arches.

A Cinema Plan has been submitted in accordance with condition 10 of the original permission. The new cinema will be a Curzon with up to 160 cinema seats within 5 different arches (condition 10 details approved 162 seats, 5 screen cinema). These details are sufficient to discharge condition 10, which will be amended to become a compliance condition.

Condition 51 of the original permission required details of sound insulation 'prior to the commencement of the cinema use in Area C'. This condition will be amended given the cinema will be moving from the basement of Area C to the northern arches.

Building C Basement:

The area that the cinema would have occupied in the basement of Area C is proposed to be a 'family entertainment use' which will feature games or facilities such as soft play, bowling, videogames, a mini rollercoaster, trampolines with the target age being up to 16. The proposed use is considered sui generis. Officers consider that this proposed use will not have a more significant amenity impact than the approved cinema, and given its location in the basement and given the target age group, will not create late-night amenity issues. The use is considered positive, as there are currently no family-orientated uses in the markets/Camden Town area.

The area that was proposed for the basement has very high ceilings. Under the proposals, an additional mezzanine floor would be built, with a floor area of 975sqm (GIA). This increase in commercial floor area triggers the mixed use policy (H2) with 50% of floorspace required to be housing - i.e. 487.5sqm, 243.75sqm (50%) of which should be affordable. The applicant has considered opportunities for provision as part of the wider scheme and intends to convert four market units within Area B (Building W), with a floor area of 307sqm GIA to intermediate affordable units. It was previously proposed to convert these units to intermediate to offset the increase in commercial floor area from the Camden Lock Market scheme (2015/4774/P), but this permission has expired. Under the proposals, the revised scheme will not provide any market housing but will overprovide affordable housing by 63.25sqm to compensate. Officers consider that this is a sufficient provision of affordable housing to compensate for no market housing being provided. These additional affordable units would be secured via a deed of variation to the section 106 agreement.

2 Building A1 Basement

The relocation of the cinema to the northern arches would displace the approved light industrial floorspace (Class B1c). This would be reprovided in the basement of Building A1 and would result in the loss of 981sqm of market retail (Class A1). The original application featured in uplift in market retail from 2,716sqm GEA to 7,146sqm (GEA) (i.e. uplift of 4430sqm) and therefore the

loss of this area would still result in a significant uplift of 3449sqm. A Retail Marketing Report, produced by Colliers has been submitted, which provides details of the marketing approach and discussions with potential tenants. The applicant argues that they have been unable to find sufficient tenants given the downturn in the retail economy and given the location of the floorspace in the basement. Economic Development are supportive of the application. Given the submitted marketing and that there would still be significant market retail provided, the loss of this area of market retail is considered acceptable.

Building A Rooftop

Under the proposals, there would be a reconfiguration of roof terrace seating, with some areas given over to external seating for restaurants. There would still be sufficient space for pedestrians to pass. The restaurants would be controlled by the amenity conditions attached to the original permission and given their distance from residential use, would not result in a material amenity impact.

Conclusion

No objections have been received to the section 73 application.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 (CA's) of the planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

All of the above amendments are considered minor material amendments to the original application.

As such, the proposed development is in general accordance with policies G1, H1, H2, H4, H6, H7, C1, C2, C3, C5, C6, E1, E2, E3, A1, A2, A3, A4, A5, D1, D2, D3, CC1, CC2, CC3, CC4, CC5, TC1, TC4, TC5, TC6, T1, T2, T4 and DM1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2018.

- 3 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPe', is positioned above the printed name and title.

Daniel Pope
Director of Economy, Regeneration and Investment