

Application ref: 2022/3454/P
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Date: 4 November 2022

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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:

Light Industrial Estate Redevelopment Site
Liddell Road
London
NW6 1PL

Proposal: Amendment to planning permission 2014/7651/P dated 31/03/15 (for comprehensive mixed use redevelopment of site to provide 3 new buildings), namely to alter the wording of Condition 5 (Lifetime Homes Statement), Condition 6 (Refuse & Recycling Specifications), Condition 8 (Cycle Parking Specifications) Condition 9 (Block B Play Space Specifications), Condition 17 (Green/Brown Roof & Planting Strategy), Condition 28 (Noise Assessment) and Condition 33 (Employment Elements for Block A).

Drawing Nos: Liddell Industrial Estate, 1-33 Liddell Road, London NW6 2EW – Non-Material Amendment Application Relating to Conditions 5, 6, 8, 9, 17, 28 and 33 of Planning Permission 2014/7651/P (dated 08/08/22)

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. 5 of planning permission ref 2014/7651/P shall be replaced with the following condition:

REPLACEMENT CONDITION 5

The development hereby permitted shall construct 10% of residential units to

comply with Part M4(3) of the Building Regulations. All other residential units or 90% of residential units hereby permitted shall be constructed to comply with Part M4(2) of the Building Regulations.

Reason: To secure appropriate access for disabled people, older people and others with mobility constraints in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- For the purposes of this decision, condition no. 6 of planning permission ref 2014/7651/P shall be replaced with the following condition:

REPLACEMENT CONDITION 6

Prior to the occupation of each block hereby permitted, details of refuse and recycling storage for that block shall be submitted to and approved in writing by the local planning authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the occupation of each block, and shall thereafter be retained solely for their designated use.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- For the purposes of this decision, condition no. 8 of planning permission ref 2014/7651/P shall be replaced with the following condition:

REPLACEMENT CONDITION 8

- a. Prior to completion of the superstructure of the workspace building, details of cycle parking should be submitted and approved by the Council to provide a minimum of 21 secure and sheltered cycle spaces.
- b. Prior to completion of the superstructure of the residential mansion block and the tower block, details of cycle parking should be submitted and approved by the Council to provide a minimum of 136 secure and sheltered cycle spaces.
- c. Prior to first occupation of the workspace building, details of outdoor visitors' parking for 10 cycles should be submitted and approved by the Council.

All such facilities shall thereafter be retained.

Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP18, DP19 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- For the purposes of this decision, condition no. 9 of planning permission ref 2014/7651/P shall be replaced with the following condition:

REPLACEMENT CONDITION 9

Prior to first occupation of the tower block, the children's playspace shall be completed and made available for use by the public.

This playspace is to be implemented in accordance with detailed designs which have been prepared in consultation with local residents and community groups, and approved in writing by the local planning authority. All approved measures shall be retained and maintained thereafter.

Reason: In order to ensure adequate play space and amenities are available for the future occupants of the dwellings on site in accordance with the requirements of policies CS6, CS15 and CS19 of the London Borough of Camden Local Development Framework Core Strategy and policy DP31 of the London Borough.

- For the purposes of this decision, condition no. 17 of planning permission ref 2014/7651/P shall be replaced with the following condition:

REPLACEMENT CONDITION 17

Prior to the occupation of each block hereby permitted, details of green/brown roofs (including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for an initial scheme of maintenance) shall be submitted to and approved in writing by the local planning authority.

The green roof shall be fully provided in accordance with the approved details prior to first occupation of each block hereby permitted and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- For the purposes of this decision, condition no. 28 of planning permission ref 2014/7651/P shall be replaced with the following condition:

REPLACEMENT CONDITION 28

Prior to the occupation of each block hereby permitted, details of the external noise level emitted from plant/machinery/equipment, and mitigation measures as appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

The measures shall ensure that the external noise level emitted from plant/machinery/equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

A post-installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of future occupiers in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- For the purposes of this decision, condition no. 33 of planning permission ref 2014/7651/P shall be replaced with the following condition:

REPLACEMENT CONDITION 33

Prior to occupation, the Employment Elements Report shall be submitted to the local planning authority for approval in writing.

The Report shall include details of:

- a. rent and service charge levels
- b. office facilities and arrangements which are suitable for SMEs
- c. flexible spaces that can be contracted or expanded to suit the changing needs of occupiers
- d. flexible lease /membership arrangements and pricing structures;
- e. access to common areas and informal meeting spaces; and
- f. ICT Infrastructure: voice and data services

Within 3 months of implementation the Employment Element Marketing Strategy shall be submitted to and approved in writing by the Local Planning Authority. The detailed marketing strategy shall include proposals for attracting and retaining Small and Medium Enterprises (SMEs) in the Employment Element.

No part of the residential units shall be occupied until such time as the employment element has been completed to shell and core and marketed in accordance with the Employment Element Marketing Strategy as approved for a period of no less than 12 months.

Thereafter the employment element shall be maintained in accordance with the details this approved unless varied by agreement as part of a review of the occupation and operation of the Employment Element.

Reason: To ensure that the development retains adequate provision of high quality and flexible employment floorspace, local retail and new homes in accordance with policy CS8 of the London Borough of Camden Local Development Framework Core Strategy and policy DP13 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reason for granting approval-

Planning permission was granted on 31/03/2015 under 2014/7651/P for Phase 2 of comprehensive, mixed-use redevelopment involving the construction of three new buildings: Block A (5 storeys) to provide 3,700 sqm (GIA) of mixed commercial use (Class B1), Block B (11 storeys) and Block C (5 storeys) to provide 106 mixed tenure residential units (Class C3) and associated public realm landscaping works. This proposal seeks to vary the permission to alter the wording of conditions 5, 6, 8, 9, 17, 28 and 33 of the approved scheme, by removing reference to Lifetime Homes in condition 5 and varying wording of triggers in the other conditions to allow a more efficient and appropriate discharge of conditions.

The proposal would amend condition 5 of the approved scheme (relating to the internal features and facilities for residential units in phase 2). The existing wording requires compliance with Lifetime Homes, which is no longer applicable. It is considered that compliance with the requirements of Building Regulations Part M4(2) and M4(3) would be sufficient in order to discharge the condition. As such, the amendment of the wording of condition 5 is acceptable and would not alter the overall effect of the condition nor the details secured.

The proposed rewording of conditions 6, 8, 9, 17 and 28 (requiring submission of refuse and recycling storage, cycle parking, play space, green/brown roof and plant details respectively) is intended to remove the trigger of submission prior to occupation of the whole development and instead require submission of details later prior to occupation of the relevant building within the scheme. This will allow works of construction to begin on site and a phased completion and occupation programme while the detailed specifications of the refuse and recycling storage, cycle parking, play space, green/brown roof and plant are progressed. No works would be undertaken that would prejudice the details to be agreed under these conditions. The minor amendments are acceptable and will ensure that the details are satisfactorily discharged in an appropriate timescale. It will not affect in any way the overall concept of the approved scheme.

The proposal to change condition 33 requiring submission of the Employment Elements Report is intended to remove the trigger of submission prior to implementation and instead require submission of details later to prior to occupation of the workspace building. The Council's Economic Development officers have been consulted and have no objections to amending the condition 33 in this way.

The full impact of the scheme has already been assessed by virtue of the previous planning permission 2014/7651/P dated 31/03/2015. In the context of the permitted scheme, it is considered that the amendment would not have any material effect on the approved development and its programmed delivery. Furthermore, it is considered that the changes are relatively minor in the context of the approved scheme and can therefore be regarded as a non-material variation of the approved scheme.

- 2 You are advised that this decision relates only to the changes set out in the description and shall only be read in the context of the substantive permission granted on 31/03/2015 under reference number 2014/7651/P and is bound by all the conditions 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 2021.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above a faint, light-grey rectangular stamp.

Daniel Pope
Chief Planning Officer

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