

Planning Obligations  
Regeneration and Planning  
Development Management  
London Borough of Camden  
Camden Town Hall  
WC1H 8ND

12 October 2022

Dear Planning Obligations team,

**S106 AGREEMENT PLANNING OBLIGATIONS: PLANNING PERMISSION REF: 2017/3847/P (AS AMENDED) AT MORRISONS SUPERSTORE AND PETROL FILLING STATION, CAMDEN GOODS YARD (CGY), CHALK FARM ROAD, LONDON NW1 8EH**

This submission seeks to discharge the following planning obligation:

- First Schedule, Part 3, Clause 38 – Bus Infrastructure Safeguarding Plan for Phases 2B and 3.

## **1. Project background**

On 15 June 2018 full planning permission (ref: 2017/3847/P) was granted for the redevelopment of the 3.26 hectare site known as Camden Goods Yard, located off Chalk Farm Road.

A Section 106 Agreement was signed by London Borough of Camden (LBC) and Safeway Stores Limited dated 15 June 2018. The Section 106 Agreement secures a range of obligations, a number of which must be discharged by the Owner.

Subsequently, a S96a non-material amendment was approved by LBC on 4 July 2019 (2019/2962/P) that altered the wording of Condition 29 (protection of trees).

Condition 29(a) was discharged on 8 January 2020 which required details demonstrating how four trees on Chalk Farm Road are to be protected during construction works on the PFS land parcel.

On 5 May 2020 a Section 73 application (ref: 2020/0034/P) was granted approval for variation of Condition 4 (approved drawings) for redevelopment of the petrol filling station site and main supermarket site; namely for a single storey temporary food store on the Petrol Filling Station site with associated parking, servicing, access and landscaping.

On 3 December 2020, a Section 73 application (ref: 2020/3116/P) was granted for variation of conditions 3 (approved drawings) and 73 (number and mix of residential units) of planning permission 2020/0034/P for 71 additional homes.

On 23 February 2022, the description of development of the Original Permission was amended pursuant to section 96A of the 1990 Act (decision reference 2022/0673/P).

## **2. Bus Infrastructure Safeguarding Plan S106 Overview**

The following section of this letter out out the Bus Infrastructure Safeguarding Plan requirements within the s106 agreement for Phases 2B and 3 for the CGY project.

### **1. First Schedule 1, Part 3, Clause 38.1 – Bus Infrastructure Safeguarding Plan (BISP)**

- 38.1 On or prior to Implementation of each Phase the Owner shall submit the Bus Infrastructure Safeguarding Plan relating to that Phase to the Council for approval.*
- 38.2 The Owner shall not Implement nor permit Implementation of each Phase until such time as the Council has approved the Bus Infrastructure Safeguarding Plan relating to that Phase in writing.*
- 38.3 Following approval of the Bus Infrastructure Safeguarding Plan the Owner shall carry out and Occupy each Phase in compliance with the terms and requirements of the approved Bus Infrastructure Safeguarding Plan (and for the avoidance of doubt the Owner may be liable for the reasonable legal costs of Transport for London in drafting negotiating and completing any legal agreements to secure the terms and requirements of the Bus Infrastructure Safeguarding Plan) relating to that Phase or such other Bus Infrastructure Safeguarding Plan as may be varied or substituted by agreement between the Parties from time to time*

The Bus Infrastructure Safeguarding Plan is defined in the S106 as follows:

***“Bus Infrastructure Safeguarding Plan”*** a plan to be submitted by the Owner and approved by the Council (as may be varied by agreement in writing between the Parties from time to time) prepared in consultation with Transport for London to:

- (a) safeguard the land required to provide the stops and stands for Transport for London / London Buses during the Construction Phases and following completion of the Development;*

*(b) to identify locations for accommodating rail replacement bus services stops and stands during the Construction Phases and following completion of the Development;*

*(c) ensure that bus drivers of Transport for London/London buses are permitted to use the public washroom facilities in the Supermarket Development during the time that the café within the Supermarket Development is open for trading; and*

*(d) use reasonable endeavours to take into account and give effect to the outcomes of exploration with TfL of alternative locations for the bus infrastructure (which for the avoidance of doubt may also be located outside of the Site but remaining within the locality of the Site and subject to obtaining necessary third party consents).*

### **3. Stephenson Street Highway and Bus Stand Detailed Design Process 2021**

The Stephenson Street road realignment detailed design was been undertaken in 2021 through close working with LBC Highways and TfL Buses.

Under Clause 20 of the S106 agreement dated 15 June 2018, St George have an obligation to deliver the upgraded road to Juniper Crescent (to be known as Stephenson Street) to an adoptable standard. This section of road in the S106 is referred to as (S106 definition “Access Road (Main Site)”). The new road would be inspected both during works and upon completion. LBC Highways then sign off the works to enable discharge of the obligation prior to the occupation of Block A.

To (i) de-risk the S106 approval process for Clause 20 for the Access Road (Main Site) and (ii) ensure the bus infrastructure to far as possible meets TfL operational requirements, St George went through an extensive collaborative design process with TfL Buses and LBC Highways to produce the road detailed design layout over the period of March 2021 to November 2021 leading to the road design being approved by LBC Highways 16 November 2021.

The principle TfL Bus permanent infrastructure delivered by St George comprises:

- i. 1 x westbound bus stand accommodating two buses directly outside the new Morrisons store.
- ii. 1 x eastbound bus stand accommodation two buses.
- iii. 1 x bus stand for either replacement bus services for one bus.
- iv. Bus signage and shelters as agreed with TfL.

Meetings between St George, LBC Highways and TfL Buses were held on the following dates:

- 26 March 2021 – St George and LBC Highways
- 13 April 2021 – LBC Highways, St George, TfL Buses
- 7 May 2021 - LBC Highways, St George, TfL Buses

- 26 May 2021 - LBC Highways, St George, TfL Buses
- 14 June 2021 - St George and TfL Buses
- 29 June 2021 – St George-TfL Buses design workshop

Constraints to the detailed design of the road highways and bus infrastructure included:

- Finite land space to accommodate the highway, bus infrastructure and public realm within a site abutted on either side by railway lines.
- Ensuring LBC Highways design standards were accommodated to ensure pedestrian, cyclist and driver safety.
- Maintaining Morrisons HGV entrance access via Goods Yard square public square to ensure store can be operated.
- Achieving DDA compliant levels to footpaths and tying in the consented landscape and bus stands.

Road safety audits were carried out throughout the design process as follows and raised no concerns about the highway design in relation to the bus infrastructure:

- Road Safety Audit (Stage 1) – June 2021
- Road Safety Audit (Stage 1) – August 2021
- Road Safety Audit (Stage 2) – September 2021

The design reflects the optimal layout for bus infrastructure achievable when factoring in site constraints and S106 requirements to deliver the upgraded highway adopted standards.

#### **4. TfL Buses BISP Review**

TfL Buses have reviewed the draft of this Phase 2B and 3 BISP. Their comments have been captured and addressed in the schedule of TfL responses included within the BISP document. The comments cross reference updates to the Phase 2b BISP document itself.

TfL's review of the BISP prompted further discussions with TfL Buses and LBC Highways in April 2022 to explore further options for improving the relationship between the second bus doors and the kerb. This included reviewing removing the eastern pedestrian crossing raised table and build outs next to the railway bridge, to create more length to improve entry tapers. LBC Highways confirmed that this would be unacceptable on grounds it would compromise pedestrian safety. Shortening the raised table was also explored however TfL confirmed that this would not be acceptable as this would result in a poor ride experience for bus passengers. There remains no scope to further improve the position which both LBC Highways and TfL Buses recognise.

St George will continue to work constructively and collaboratively with TfL Buses on both the interim bus stand operational arrangements and the delivery of the new bus infrastructure within the approved highway design. The highway upgrade, including bus infrastructure, will start December 2022.

I enclose the Phases 2B and 3 Bus Infrastructure Safeguarding Plan (BISP). I trust the enclosed provides sufficient information to satisfy the BISP S106 obligations. The Plan also comprehensively addresses points (a) – (d) as defined above and in the Bus Infrastructure Safeguarding Plan of the S106.

Do not hesitate to contact me if you have any queries or require further detail to determine this application please do not hesitate to contact me at [richard.syddall@stgeorgeplc.com](mailto:richard.syddall@stgeorgeplc.com) or on 07811 024555.

Yours sincerely.



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