

Sofie Fieldsend
Regeneration and Planning
London Borough of Camden
Camden Town Hall
London
WC1H 8ND

19 December 2022

Dear Sofie,

CAMDEN GOODS YARD, CHALK FARM ROAD, NW1 8EH
NON-MATERIAL AMENDMENT TO PLANNING PERMISSION REF: 2020/3116/P S.96A
TOWN AND COUNTRY PLANNING ACT 1990

Further to our pre-application discussions and our letter of 21 November (attached), we write enclosing an application for non-material amendments (“NMA”) to Planning Permission ref: 2020/3116/P (“Planning Permission”) under Section 96A of the Town and Country Planning Act 1990.

This NMA relates to the main unit of the Affordable Workspace located within the railway and Camden Market arches of the Camden Goods Yard Main Site. The Affordable Workspace comprises four units all at Lower Ground level around the Camden Yard public space. Three small units are located within Building B adjacent to the Morrisons servicing access. The main Affordable Workspace unit is located next to the existing railway arches and below the new Railway Park to be constructed.

The planning obligations for the delivery of the Affordable Workspace are set out in the Camden Goods Yard S106 agreement dated 15 June 2018. Under the s106 St George is required to deliver a total of 677 sqm (GEA) Affordable Workspace. There is also a requirement to undertake a feasibility study to include a mezzanine providing an additional 370 sqm of Affordable Workspace. Should the study indicate that it is feasible to create the Affordable Workspace by way of mezzanine floorspace the feasibility findings should be implemented.

We have previously raised with you the significant issue of below ground obstructions identified during works to reduce levels along the eastern boundary of the site. The obstructions comprise structures providing structural support to the existing railway arches which accommodate the retail units within Camden Market, below the Overground railway line. As highlighted in **Appendix 1**, the retaining structures extend further within the Camden Goods Yard site into the space that was proposed to accommodate the main affordable space and offices. Consequently, St George is not able to deliver the required 677 sqm (GEA) affordable workspace within the current consented configuration, as illustrated in **Appendix 2**. We have discussed this in pre-app previously and agreed that the space needs to be re-configured. We have presented to you proposals for minor revisions to the main affordable workspace floorplate to deliver the overall floorspace required under the S106.

This is achieved through converting adjacent lower level office space (same use class) at

Lower Ground level.

We have been liaising with Camden Collective who are potential operators for the affordable workspace. They are satisfied the re-configured space is fit for purpose. As obligated within the S106 we have also reviewed the feasibility of creating a mezzanine within the affordable workspace. Through our collaborative discussions with Camden Collective, we are pleased to confirm that it has now be established that a mezzanine can be accommodated and this will be incorporated into the main space. We therefore now need to formalise the revised layout to enable the space to be reflected in the Affordable Workspace Management Plan and lease that are currently under discussion with Camden Collective.

St George has engaged in constructive discussions with Camden Collective as the proposed Affordable Workspace Provider (AWP). Camden Collective are supportive of the revised proposals for the main Affordable Workspace contained in this application. Subject to contract, Camden Collective are the preferred Affordable Workspace Provider (AWP) and we are not in dialogue with other potential operators. Subject to these revisions being formalised through the NMA, we intend to prepare the Affordable Workspace Plan for submission to LBC for approval, as required by the S106, in 2023. Subject to contract, this will include Camden Collective as the named AWP.

Through the collaborative discussions with Camden Collective, St George has agreed that the revised proposals can accommodate 370 sqm of additional Affordable Workspace through the insertion of a mezzanine within the space, which St George will deliver.

1. Planning Considerations

The re-configured affordable workspace will require updating the approved planning drawings.

S96A of the Town and Country Planning Act 1990 gives the local planning authority the power to make non-material changes to planning permissions. There is no statutory definition of 'non-material'. It is a matter of fact and degree dependent on the context of the whole development as approved.

St George has engaged with LBC on the requirement for the changes to the Affordable Workspace through the pre-app process between September 2021 and December 2022. In the context of the main site and wider Camden Goods Yard development, it has been agreed that the amendments proposed through this application are not considered to be material to the approved scheme.

The principle of the application being an NMA has been agreed with LBC officers for the following reasons:

- There is no overall increase in floorspace beyond the current permission;
- The overall Affordable Workspace floorspace is maintained
- Design amendments relate principally to internal layout of the spaces;
- The external design principles and materials as approved are maintained;
- The elevational changes are minor in nature;

- There are no material changes to the environmental, social and economic impacts assessed under the approved Environmental Implications Letter (EIL).
- The revisions would enable the original S106 affordable workspace area to be maintained and also deliver the 370 sqm mezzanine identified within the S106.
- Minimises further delay to delivery of the space and the proposed Affordable Workspace Provider, Camden Collective.

2. Enclosed Information

The following four sets of documents are submitted in support of this application:

- Completed application form
- Existing Location Plan
- Drawings – as three sets:
 - Approved Drawings (references in drawings schedule enclosed)
 - Proposed Drawings for approval (references in table below)

Table of Drawing References

No.	Superseded Plan	Approval Plan
1.	1095_00_07_200 (P2) – Camden Yard Plan and Elevations	1095_00_07_200 (P4) – Camden Yard Plan and Elevations
2.	1095_00_07_099 (P6) – Masterplan Drawing	1095_00_07_099 (P7) – Masterplan Drawing
3.	1095_00_07_122 (P3) - Masterplan drawings - Lower Ground Floor plan $\frac{3}{4}$	1095_00_07_122 (P5) - Masterplan drawings - Lower Ground Floor plan $\frac{3}{4}$
4.	1095_00_07_115 (P4) – Masterplan Drawings Tenure	1095_00_07_115 (P6) – Masterplan Drawings Tenure
5.	1095_03_07_100 (P4) - Block C Ground Floor Plan	1095_03_07_100 (P5) - Block C Ground Floor Plan

3. Affordable Workspace S106 Triggers Change

Under the current S106, handover of the Affordable Workspace to the Affordable Workspace Provider is required prior to the occupation of the Morrisons supermarket or buildings within which the Affordable Workspace is located. However, given the requirement to re-design the affordable workspace to ensure it is deliverable and respond to identified ground obstructions, there will be a delay to the delivery of the space that means we are no longer able to provide the space in accordance with the current S106 triggers.

As explained at our meeting on 20 October 2022, due to the issues and delays encountered progressing revised planning and detailed design, we have not been able to:

1. Engage with the proposed Affordable Workspace Provider, Camden Collective, to produce the Affordable Workspace Plan and Marketing Strategy documents for submission to LBC for approval.

2. Progress the full delivery of the Affordable Workspace within the timescales required.

As per our letter dated 21st November, we therefore propose the following changes to three S106 relevant triggers to ensure they align with the revised timescales for the delivery of the Affordable Workspace. These are summarised in the table below:

Item	S106 Requirement	Current Trigger Position	Proposed Trigger Changes
1	Affordable Workspace Plan <u>Submission to LBC</u> (Clause 39.1)	Prior to implementation of Phase 2b (18 November 2022)	As set out in draft Community Plan presented to officers 20.10.22. Submission by 30 June 2023
2	Affordable Workspace Plan <u>Approval by LBC</u> (Clause 39.2)	Prior to Occupation of the Supermarket Development or Buildings within which Affordable Workspace located (November 2024)	<u>No change proposed.</u> Prior to Occupation of the Supermarket Development or Buildings within which Affordable Workspace located
3	Marketing Strategy - Affordable Workspace <u>Submission to LBC</u> (Clause 39.4)	Prior to implementation of Phase 2b (18 November 2022)	As set out in draft Community Plan presented to officers 20.10.22. Submission by 30 June 2023.
4	Marketing Strategy - Affordable Workspace <u>Approval by LBC</u> (Clause 39.5.1)	Prior to Occupation of the Supermarket Development or Buildings within which Affordable Workspace located (November 2024)	<u>No change proposed</u> - Prior to Occupation of the Supermarket Development or Buildings within which Affordable Workspace located
5	Affordable Workspace handover to Affordable Workspace Provider ready for occupation (Clause 39.5.2)	Prior to Occupation of the Supermarket Development (or Buildings within which Affordable Workspace located) (November 2024)	Affordable Workspace to be laid out, constructed and fitted out in accordance with the Affordable Workspace Plan no later than 6 months after occupation (opening) of the Supermarket Development.

A payment for £234 +VAT to cover the requisite application fee has been made online via the Planning Portal. Planning Portal Ref: PP-11771238.

I trust that the information provided will enable this NMA to be validated and I look forward to confirmation in due course. If you have any queries or require further detail to determine this application please do contact me on 020 7471 4444 or richard.syddall@stgeorgeplc.com

Yours sincerely.



Richard Syddall
Senior Development Manager
St George West London Limited (SGWL)

Appendix 2: Plan Showing Consented Affordable Workspace Lost

