

APPENDIX 2

S.96A Decoupling application condition changes

1) Changes to s.73 Permission F/04687/13

Condition 13.1 Pre-Phase1 Commencement Submissions and Approvals

“13.1. (Save where otherwise specifically provided in Paragraph 2.1.10 - 2.1.12 of Schedule 2 to the S106 Agreement) no development shall begin within Phase 1 or any Sub-Phase unless and until a) The Phase 1 Details for the Critical Infrastructure (Pre-Phase) to be delivered or provided in accordance with the Primary Development Delivery Programme as part of the whole (or any approved Sub-Phase) of Phase 1 as listed below have been submitted to and approved in writing by the LPA in accordance with the relevant parameters and principles contained in the DSF and the Design and Access Statement (including the Design Guidelines); and b) All Necessary Consents have been agreed, obtained permitted or otherwise authorised to enable the Critical Infrastructure (Pre-Phase) for the whole of (or any approved Sub-Phase of) Phase 1 to be begun and completed in accordance with the LPA’s approval of the Phase 1 Details as listed below (subject to any amendments to the Indicative Phasing Plan or any defined Sub-Phases which may be approved in accordance with Condition 4.2 and Clauses 13 and 14 of the S106 Agreement):.....

(vii) Claremont Avenue (Phase ~~4AN 1BS~~);

(viii) Claremont Road Junction North (Phase ~~4AN 1BS~~);....

(xvi) High Street South (East Works) (Phase ~~4AN 1BS~~);....

(xxxv) Clitterhouse Playing Fields Improvements (Part 1) (Phase ~~4AN 1BS~~);....

(xxxiii) Claremont Park Improvements (Phase ~~4AN 1BS~~);”

Condition 14.1 Pre-Phase 2 Commencement Submissions

“No development shall take place within Phase 2 (South) or any Sub- Phase of Phase 2 (South) unless and until a) The Phase 2 Details for the Critical Infrastructure (Pre-Phase) to be delivered or provided in accordance with the Detailed Delivery (Non PDP) Programme as part of the whole (or any approved Sub-Phase of Phase 2) as listed below have been submitted to and approved in writing by the LPA (in accordance with the relevant parameters and principles contained in the DSF and the Design and Access Statement (including the Design Guidelines); and b) All Necessary Consents have been agreed, obtained, permitted or otherwise authorised to enable the Critical Infrastructure (Pre-Phase) for the whole of (or any approved Sub-Phase of) Phase 2 to be begun and completed in accordance with the LPA’s approval of the Phase 2 Details as listed below (subject to any amendments to the

Indicative Phasing Plan or any defined Sub-Phases which may be approved in accordance with Condition 4.2 and Clauses 13 and 14 of the S106 Agreement):
Strategic Access Points

- (i) A41 Whitefield Avenue Junction Primary and secondary roads, Cycle and pedestrian routes, and associated junctions, as shown on Parameter Plan 003;
- (ii) Claremont Park Road Part 2
- (iii) High Street South (except the High Street South (East Works) which are part of Phase ~~1A (North)~~ 1B (South))”

Condition 20.20 attached to the 2014 Permission:

“Not to close to the public or to redevelop any part of Clarefield Park (~~save for that part of the northern area of the park adjacent to the Tempelhof Link Road as required to construct and deliver Tempelhof Link Road~~) unless and until the practical completion to a standard capable of public use of ~~Claremont Park and Clitterhouse Playing Fields Part 1 (excluding Clitterhouse Stream Nature Park) in accordance with all relevant Necessary Consents and the parameters and principles set out in paragraph 2.68 of the DSF and the Phase 1 Details relating to it.~~ of Clarefield Park Temporary Replacement Open Space, and such space is to remain open to the public until the practical completion of Claremont Park Improvements and Clitterhouse Playing Fields Improvements (Part 1) (unless agreed otherwise with the Local Planning Authority).

It is proposed to make the following non-material amendment to Condition 20.26:

Not to Occupy more than ~~750~~ 200 residential units in the Market Quarter Zone prior to the practical completion and provision of the Claremont Park Improvements in accordance with the relevant Necessary Consents.

It is proposed to add a new Condition 20.24 to the 2014 Permission as follows:

No improvement works to commence in Clitterhouse Playing Fields Improvements (Part 1) until Claremont Park Improvements are completed and open to the public (unless otherwise agreed in writing with the LPA).

Clitterhouse Playing Fields Improvements (Part 1) shall be undertaken in phases (of no more than three broadly equivalent phases (by area)) and such phases are to be agreed in writing with the LPA prior to commencing Clitterhouse Playing Fields Improvements (Part 1). Any such phase must be substantially complete and open to the public prior to the beginning of the subsequent phase (unless otherwise agreed with the LPA).

Not to Occupy more than 750 residential units south of the A406 prior to the practical completion of the first phase of Clitterhouse Playing Fields Improvements (Part 1)

Not to Occupy more than 1,400 residential units south of the A406 prior to the practical completion and provision of the Clitterhouse Playing Fields Improvements (Part 1).

2) Changes to Reserved Matters Approval Ref: 15/03312/RMA

“The development (save for Claremont Avenue, Claremont Road Junction North, Orchard Lane and High Street South (East Works)) hereby permitted shall be carried out in accordance with the following approved plans unless minor variations are agreed in writing after the date of this reserved matters consent with the Local Planning Authority:...

It is proposed to delete the following plans from Condition 1 as they are to be superseded by the drawings submitted under the amended RMA 15/06571/RMA:

- Tempelhof Bridge (B1) - Tempelhof Avenue Level General Arrangement - BXCRURS- B1-HS-AP-SE-00001 P05
- Tempelhof Bridge (B1) - North Abutment Details BXCR-URS-B1-HS-AP-SE-00002 P04
- Tempelhof Bridge (B1) - Pier 1 Details - BXCR-URS-B1-HS-AP-SE-00003 P04
- Tempelhof Bridge (B1) - Pier 2 Details - BXCR-URS-B1-HS-AP-SE-00004 P04
- Tempelhof Bridge (B1) - Pier 3 Details - BXCR-URS-B1-HS-AP-SE-00005 P04
- Tempelhof Bridge (B1) - South Abutment Details - BXCR-URS-B1-HS-AP-SE-00006 P04
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 1 of 3) BXCR-URS-B1-HS-AP-SE-01001P03
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 2 of 3) BXCR-URS-B1-HS-AP-SE-01002P03
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 3 of 3) BXCR-URS-B1-HS-AP-SE-01003P03
- Tempelhof Bridge - General Arrangement - North Approach Embankment - BXCRURS- B1-HS-AP-SE-02001 P04

It is also proposed to add the following Condition (Condition 1A)

“The development of Claremont Avenue, Claremont Road Junction North, Orchard Lane and High Street South (East Works) hereby permitted shall be carried out in accordance with the following approved plans unless minor variations (including any integration works required to connect the infrastructure delivered under Condition 1) are agreed in writing after the date of this reserved matters consent with the Local Planning Authority.

Highways Alignment - General Arrangement Phase 1A North - Sheet 15 BXCURS-AH-RM-DR-CE-00015 P08;

Brent Cross Phase 1A North Site Location Plan Re-Phased Alignment Sheet 8 BXC-URS-AH-RM-SK-CE-00018 P02; and

Brent Cross Phase 1A North Site Location Plan Re-Phased Alignment Sheet 14 BXC-URS-AH-RM-SK-CE-00019 P02.

3) Changes to Reserved Matters Approval 15/00720/RMA

Amendment to Condition 9 as follows:

~~No material operation relating to the construction of the residential units on Plots 53 and 54 shall commence until arrangements have been made to the written satisfaction of the Local Planning Authority for the provision of the Claremont Park Improvements and the Clitterhouse Playing Fields Improvements (Part 1) and submission against this condition must include a clear commitment to a timetable of delivery.~~

~~No residential units on the Brent Terrace triangles shall be occupied prior to the practical completion and provision of the Claremont Park Improvements and the Clitterhouse Playing Fields Improvements (Part 1) in accordance with the relevant Necessary Consents unless otherwise agreed in writing by the Local Planning Authority.~~

Not to Occupy any residential floorspace on Plots 53 and 54 until a construction contract is in place for the Claremont Park Improvements.

Reason: To ensure the loss of open space on Plots 53 and 54 triangles is mitigated in an appropriate timescale by proportionate improvements to open **space**