

Louise Braine  
CGMS  
140 London Wall  
London  
EC2Y 5DN

Application Ref: **2017/2891/P**  
Please ask for: **David Peres Da Costa**  
Telephone: 020 7974 5262

7 December 2017

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Section 106A Granted Subject to a Section 106 Legal Agreement

Address:

**159-161 Camden High Street**  
**London**  
**NW1 17Y**

Proposal:

Application under section 106A (3) to modify a legal agreement and amend Schedule 1 (service management plan) of the S106 associated with planning permission 2006/0776/P dated 16/05/2006 (as amended by 2009/3719/P dated 05/08/2010) (for the demolition of existing 3 and 4 storey buildings and the redevelopment of the site through the erection of a five-storey plus basement level building, with retail (Class A1) at basement and ground floor levels, and 14 self-contained flats above (Class C3)), namely to allow deliveries via Camden High Street rather than Underhill Street.

Drawing Nos: Cover letter prepared by CGMS dated 19th May 2017 including site location plan

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

Condition(s) and Reason(s):



Informative(s):

1 Reason for granting

The application seeks to modify the legal agreement and amend Schedule 1 (service management plan) of the S106 associated with planning permission 2006/0776/P to allow deliveries via Camden High Street rather than Underhill Street. Camden High Street is part of the Transport for London Road Network (TLRN). The servicing management plan relates to the retail space at ground floor level (sub-divided into two units). The approved development also includes residential flats above.

It is unclear why the original application sought servicing from Underhill Street. However, it is noted servicing the property from Underhill Street would be problematical. Underhill Street is a narrow cul-de-sac and any servicing activity would most likely cause traffic congestion in the vicinity of the M&S car park. It would also most likely obstruct access to the M&S loading bay. In addition, goods would need to be transferred via the footpath adjacent to the property. This would lead to conflicts with pedestrians using the footpath. It would also cause unnecessary noise adjacent to residential properties. The Council's transport officer has therefore confirmed that the change to servicing from Camden High Street would be acceptable subject to agreement from TFL.

TFL raised initial concerns to servicing from Camden High Street. However, TFL have now confirmed the applicant has demonstrated by means of a loading survey that the proposal is unlikely to have a severely negative strategic transport impact on the adjacent TLRN. An informative would be included on decision advising of the need to liaise with TfL Road Space Management and TfL Planning to discuss loading in the vicinity once the new foodstore is occupied.

One comment was received and has been duly taken into account. One letter of support was also received. The planning and appeal history of the site has been taken into account when coming to this decision.

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

As such, the proposed development is in general accordance with policies A1, TC4, 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.

2 You are advised to continue to liaise with TfL Road Space Management and TfL Planning to discuss loading in the vicinity, once the new foodstore is occupied.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

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 that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Director of Regeneration and Planning

