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David Peres da Costa
LB Camden
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Judd Street
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4 August 2021

AG/SM – 19/423
BY EMAIL

Dear David,

3-6 SPRING PLACE, KENTISH TOWN – PLANNING APPLICATION 2020/5913/P

Following recent correspondence with Bethany Cullen, we understand the Council is currently preparing its report on the above application.

You will recall that we met with you and Stephen Burke on 5th March 2021 to discuss various concerns that had been identified, principally relating to the potential for the use of the site for B8 purposes and highways issues associated with the use. At that meeting, proposed amendments to the scheme were discussed, including widening of the loading doors, which would allow all servicing to be undertaken off-street, and an updated routing strategy for goods vehicles, thereby addressing key outstanding concerns identified by officers. You will recall that in the meeting you encouraged SEGRO to issue the proposed amendments to officers for review and feedback, and a pack of documents was duly issued on 19th March.

On 12th April, you then requested additional details on baseline traffic flows, and this information was provided in response on 15th April. No detailed feedback has yet been provided on the amendments identified in the 19th March submission, albeit we note your comments in your email of 23rd April that:

“As you are aware the change of use to enable the operation of a last mile depot is contentious and officers still have a significant number of concerns about the impacts from such a use.”

Following your email of 23rd April we have sought to clarify what these concerns might be, given the amendments identified by SEGRO are considered to address the issues previously raised. Meanwhile Vectos have spoken directly with Stephen Burke in recent weeks, who indicated he had provided additional highways comments and these would be relayed to the applicant via the case officer. Unfortunately however we have not received a response since 23rd April.

Accordingly, in order to collate the additional information already provided and discussed to date, please find enclosed a pack of updated documents which we request the Council takes into consideration in its assessment of the development proposals. Further to the details already provided on 19th March, which have been published on the Council's online case file and which we understand have been the subject of consultation, we include for ease of reference all relevant updated documents incorporating the amended scheme. These documents include the key principles discussed with officers previously and included in the March submission, and clarifies the amendments made by SEGRO since submission of the planning application.

We request that the Council ensures these documents are added to the case file and, if necessary, that any consultation on these documents is carried out prior to the Council determining planning application 2020/5913/P. We consider this to be appropriate and necessary in order to ensure due procedure is followed in determination of this planning application.

For clarity, we provide below a brief summary of the updates included within the enclosed pack of information, and a summary of how the relevant issues raised to date have been addressed.

a. Updated Application Documents

For ease of reference, we summarise below the original application documents, those documents submitted since validation of the application, and those updates now submitted to the London Borough of Camden.

Original Submission

Document	Consultant
Application Form & Certificates	Iceni Projects
CIL Additional Information Form	Iceni Projects
Application Drawings <ul style="list-style-type: none"> Location Plan (19-275 SGP XX XX DR A 130000 A) Existing Floor Plan (19-275 SGP XX 00 DR A 130100) Existing Roof Plan (19-275 SGP XX R1 DR A 130101) Existing Section (19-275 SGP XX XX DR A 130200) Existing Elevations (19-275 SGP XX XX DR A 130300) Proposed Layout Plan (19-275 SGP XX 00 DR A 130100 E) Proposed Floor Plan (19-275 SGP XX 00 DR A 131100 E) Proposed Roof Plan (19-275 SGP XX R1 DR A 131101 B) Proposed Section (19-275 SGP XX XX DR A 131200) Proposed Elevations (19-275 SGP XX XX DR A 131301) 	SGP
CGIs <ul style="list-style-type: none"> Aerial view Bike store Entrance view (Rev B) Exterior (Rev A) Interior arches (Rev C) Reception area 	SGP
Design & Access Statement	Hollis
Planning Statement	Iceni Projects
Air Quality Assessment	Redmore Environmental
Bat Roost Potential Survey Report	Delta Simons
BREEAM Pre-assessment Report	Harley Haddow
Energy and Sustainability Statement	Iceni
Environmental Noise Survey and Noise Impact Assessment Report	Hann Tucker
Foul & Surface Water Drainage Strategy	Hydrock
Health Impact Assessment Screening Report	Iceni
Transport Statement	Vectos
Framework Delivery & Servicing Management Plan	Vectos
Travel Plan Statement	Vectos
Statement of Community Involvement	SEGRO

Amendments Following Validation

4 February 2021

In response to comments from the Council, updated floor plans and elevations were submitted as follows.

Document	Consultant
Application Drawings <ul style="list-style-type: none"> Proposed Floor Plan (19-275 SGP XX 00 DR A 131100 F) Proposed Elevations (19-275 SGP XX XX DR A 131301 A) 	SGP

11 March 2021

In response to comments received from the Lead Local Flood Authority, further details were provided by Hydrock as follows.

Document	Consultant
Rainwater harvesting details	Hydrock

19 March 2021

Following the meeting with officers on 5th March, additional details of the proposed amendments were issued. Whilst these were intended for officer comment prior to a formal submission being made, we note that the documents were uploaded to the Council's online case file, allowing others to review and comment on their contents.

Document	Consultant
Covering letter	Iceni
Proposed Floor Plan (19-275 SGP XX 00 DR A 131100 G)	SGP
Proposed Elevations (19-275 SGP XX XX DR A 131301 B)	SGP
Sustainability Infographic	SEGRO
Illustrative Last Mile B8 Operation Video	SEGRO
Transport Note – Response to Highways Comments	Vectos
Environmental Noise Survey and Noise Impact Assessment Report Addendum	Hann Tucker

29 March 2021

Following further correspondence with the Council regarding the drainage strategy, an annotated plan was submitted showing the proposed location of the rainwater harvesting tank.

Document	Consultant
Rainwater harvesting tank location plan	Hydrock

15 April 2021

Following a request from the Council, the applicant provided additional traffic flow information, with accompanying commentary.

Document	Consultant
ATC Survey data	Vectos

Documents Comprising the Current Submission

The following documents are now submitted for LBC's consideration ahead of any determination of the planning application, incorporating amendments previously discussed with officers and responding to issues raised to date.

Document	Consultant
Covering letter (this document)	Iceni
Proposed Floor Plan (19-275 SGP XX 00 DR A 131102)	SGP
Proposed Elevations (19-275 SGP XX XX DR A 131301 B)	SGP
Environmental Noise Survey and Noise Impact Assessment Report (Rev 6)	Hann Tucker
Transport Statement	Vectos
Framework Delivery & Servicing Management Plan	Vectos
Travel Plan Statement	Vectos
B8 Last Mile Statement	Fowler Consulting and SEGRO
Illustrative Last Mile B8 Operation Video	SEGRO
Sustainability Infographic	SEGRO
Illustrative Site Walkthrough Video	SEGRO
Supply Chain Animation	SEGRO

b. Summary of Updates and Responses to Issues Raised

Building on the amendments previously discussed with officers at the meeting on 5th March, we set out for ease of reference a summary of the amendments formally proposed by the applicant and how the issues raised during the consultation period have been addressed.

Summary of Amendments

The principal change to the physical alterations proposed to the building involves the widening of the loading doors. Whilst the original submission sought to retain the existing openings, the current proposals include the widening and reconfiguration of the existing openings onto Spring Place. The 3 existing loading doors at the southern end of the Spring Place elevation will be replaced by 2 wider loading doors, which will be 10m in width. The existing loading door to the northern end of the Spring Place elevation will also be widened to 6.4m.

The wider loading doors will allow all deliveries to the site to be accommodated within the building itself, and removes the need for any servicing to be carried out on Spring Place. The tracking information included within the Transport Statement confirms that the largest vehicles serving the site (7.5-18 tonne vehicles) could be accommodated within the unit. Accordingly, the current proposals confirm that there would be no servicing of the unit from Spring Place.

The proposed routing strategy set out within the Framework Delivery & Servicing Management Plan (DSMP) has been updated to respond to officer comments and feedback. All servicing vehicles (7.5t - 18t) will route to/ from the site via Holmes Road and Grafton Road to the south. There will be no requirement to route via Queens Crescent or Gillies Street. Additional updates to the transport evidence and a response to issues raised during the consultation are set out within the Transport Statement and DSMP prepared by Vectos. This also identifies other examples of comparable sites and discussion on the enforceability of the measures proposed.

In response to discussions regarding a potential B8 'last mile' use, further details are provided regarding the internal operation of the unit, should a last mile logistics operator be identified. The

statement prepared by Fowler Consulting & SEGRO provides these details, which are illustrated further by the videos included in the submission pack.

Draft Conditions

In order to secure the measures identified by SEGRO, a list of suggested draft conditions has been prepared in order to assist LB Camden with its consideration of this application. There are put forward by the applicant as suggested conditions which could be attached to a planning permission, if considered necessary in order to secure the various benefits identified in the proposals.

1. The development shall not be served by vehicles over 18 tonnes or articulated HGVs.
2. The development shall be served by a maximum of 9 HGVs (18 two-way trips) per day.
3. Prior to occupation of the development, a final Delivery & Servicing Management Plan (DSMP) shall be submitted to the Council and approved in writing, relevant to the intended occupier of the site. The development must subsequently comply with the provisions of the approved DSMP unless otherwise agreed by the Local Planning Authority. The DSMP shall include details of delivery vehicle routing, measures in relation to highway safety and measures to encourage sustainable freight.
4. The design and installation of new items of fixed mechanical plant and/or machinery shall be such that, when in operation, the cumulative noise level LAeq 15 min arising from the proposed plant/machinery, measured or predicted at 1m from the window of nearest residential premises shall be a rating level of at least 10dB(A) below the background noise level LAF90. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS4142:2014 +A1:2019. Upon request by the local planning authority a noise report shall be produced by a competent person and shall be submitted to and approved by the local planning authority to demonstrate compliance with the above criteria.

Discussion of Key Issues

Transport

The key issues raised during the consultation period mainly relate to highways considerations. In particular, questions were raised regarding the appropriateness of on-street loading, as well as the routing strategy identified for servicing vehicles. A full response to these issues is included in the Transport Statement and DSMP prepared by Vectos.

The wider loading doors now proposed and discussed previously with officers will allow all loading to take place off-street, within the existing building. This will address the concern previously raised that transferring goods over the footway on Spring Place would be detrimental to pedestrian safety. Notwithstanding the discussion in the original submission explaining how this would be appropriately managed, and the Council's acceptance of continued on-street loading as part of planning permission 2016/5181/P, the removal of any on-street loading fully addresses this concern. As explained within the transport evidence and the report produced by Fowler Consulting & SEGRO, there is sufficient space available within the unit to allow goods vehicles to enter and unload within the site, and any last mile operation would be carefully managed to ensure the effective and efficient operation of the space.

Concerns were also raised on the proposed routing strategy set out in the original submission, including suggestions that the street market and potential future closure of Queens Crescent would mean this could not be relied upon as a route for delivery vehicles. In response, the latest routing strategy avoids Queens Crescent, with all vehicles going to/ from the site via Holmes Road and Grafton Road to the south.

Whilst the suitability of Holmes Road and Grafton Road to accommodate delivery vehicles has also been queried, the transport evidence confirms that the development would generate negligible amounts of traffic on Holmes Road, and that suitable mitigation can be provided as part of the scheme, if considered necessary, to address the safety concerns raised regarding the Holmes Road/Kentish

Town Road junction. Meanwhile the development would also generate negligible levels of traffic on Grafton Road, as evidenced in the submitted trip generation assessment, and the road is currently used by a range of vehicles serving existing sites and there are no relevant restrictions to suggest this road is unsuitable for 7.5 – 18 tonne vehicles. The Spring Place/Holmes Road/Grafton Road 'dogleg' junction has also been raised in discussions, however as noted the scheme would result in a negligible increase in vehicle movements, and the safety measures already present at this junction help protect the safety of pedestrians and cyclists.

We are also aware that local residents and nearby schools have raised concerns regarding potential safety impacts of vehicles travelling past the schools. Notwithstanding the lack of evidence to suggest that specific issues might arise, and the negligible increase in traffic generated by the proposals, SEGRO has committed within the DSMP to restrict servicing vehicles (7.5t -18t) travelling on Holmes Road between the hours 0800-0945 and 1515-1615 to avoid school times.

The measures set out within the transport documents are capable of being monitored and enforced, and if considered necessary conditions can be attached to a planning permission to ensure compliance with relevant requirements. The draft conditions provided above include restrictions regarding the size of delivery vehicle and number of HGVs serving the site, as well as requiring further details once an occupier is identified, in order to provide additional comfort in this regard. The DSMP also includes a range of measures that an operator will be required to adhere to, including internal loading and the use of electric vehicles. SEGRO will further make it a condition of an occupier's lease (should the unit be occupied for a last mile B8 use) that 25% of its vehicle fleet will be electric or otherwise emission free, thereby ensuring a commitment to sustainable logistics operations, in addition to the significant environmental improvements to the building itself.

Having regard to the above and taking account of the detailed discussion of these issues in the transport evidence presented, we consider that there are no grounds on which the development proposals could be reasonably refused, having regard to planning policy requirements and material considerations. In particular, the accommodation of all loading on-site and the updated routing strategy directly address previous concerns raised. It should also be reiterated that the overall daily vehicle numbers would significantly decrease when compared against the past use at the site, and the anticipated trip generation as a result of the proposals is considered to be negligible when spread across the course of a day. Furthermore, when comparing the development flows against the baseline traffic flows on surrounding roads, the impact is shown to be immaterial. The application site comprises a vacant employment facility benefitting from a currently unrestricted B2 use and the development proposals would achieve significant benefits, including the creation of a modern, high quality and sustainable employment space, which would also be carefully controlled by the measures proposed.

Noise

The internal servicing arrangement also results in a betterment in terms of the potential noise impact. Whilst the previous assessment concluded that noise associated with on-street loading would be acceptable, the current arrangement will remove this source of potential noise, with all activities now being undertaken within the building. Accordingly, the updated Noise Impact Assessment included with this submission concludes that noise breakout from the unit would be classified as 'No Observed Effect Level' based on the Council's guidance.

Meanwhile the effect of noise from traffic associated with the proposed use has also been assessed, with reference to the traffic generation identified in the Transport Statement. This also categorises the noise from this source as being 'No Observed Effect Level'. In addition, it is emphasised that the noise generated overnight/ in the early morning, which would be more sensitive for residents, would be negligible compared to existing background levels.

The assessment therefore confirms that there would be no valid grounds on which to object to the proposed development based on noise impact, having regard to relevant policy requirements and the level of noise generated.

As a further safeguard, a condition could be imposed by LB Camden as discussed above, if considered necessary, which would require any fixed plant or machinery to be at least 10dB(A) below the background noise level LAF90. This would further give assurance that any plant or machinery ultimately installed by the future tenant would not cause noise disturbance to local residents.

Details of a Potential B8 'Last Mile' Operation

The statement prepared by Fowler Consulting and SEGRO provides further details to help clarify how a 'last mile'/ city depot would operate from the site, based on their significant experience of the market and key examples such as DPD's award winning urban logistics network in Central London. This seeks to address concerns officers have raised regarding this particular potential use under the B8 class currently sought.

The statement explains the role and function of such a facility, and a breakdown of activities that would typically be undertaken throughout the day. This would involve the delivery of pre-sorted goods to site between 07:00 – 09:00, with goods subsequently loaded onto the smaller 'last mile' vehicles which depart by around 10:30. Vehicles would then return upon completion of their round between 16:00 and 19:00, with little activity taking place on site during the middle of the day or beyond approximately 19:00.

The statement also explains the significant benefits of such facilities for the efficient functioning of delivery services in urban locations and the environmental benefits that result. The types of vehicles used by operators is also discussed, noting a reliance on smaller vehicles and the use of technology to ensure an efficient and sustainable operation.

Suitability of the Site for a B8 Use

In the discussions and brief correspondence with officers to date, it is noted that a general concern has been raised regarding the suitability of this location for a B8 use. It has been suggested by the Council that the Regis Road Growth Area and Murphy's Yard would be preferred locations for a 'last mile' depot, and that Spring Place is more suited to creative, cultural and tech industries, reflective of the mixed light industrial and residential nature of the area.

The submitted Planning Statement includes an assessment of the proposals against relevant policy. Specifically in terms of the principle of the proposed development, Local Plan Policies E1 & E2 support the retention and intensification of existing employment sites, with a particular focus on small businesses, local employment and those which support the functioning of the Central Activities Zone (CAZ), including logistics and distribution uses. Policy T4 also supports the provision of freight consolidation facilities. Accordingly, the Local Plan recognises the importance of distribution activities encompassing those which might occupy the application site under a B8 use.

Considering the Kentish Town Planning Framework, it should be noted that its principal focus is the redevelopment of two major growth areas, Regis Road and Murphy's Yard, and the provision of over 3,000 new jobs. The accompanying Access Study has been prepared in this context, and its assessment of potential access points should be considered in terms of the strategic scale growth envisaged by the Framework. Whilst Spring Place is not identified by the Access Study as being suitable for *high* volumes of HGV traffic, it is identified as being suitable for low HGV traffic generating uses, reflecting the existing uses on Spring Place. Noting the Framework's support for 'last mile' and logistics uses, there is clearly no restriction within the Framework on lower volume HGV generating uses, subject to appropriate transport assessment work.

Accordingly, we consider that the reuse of this small existing employment site for a suitably conditioned B8 use is entirely appropriate and supported by relevant policy. The Kentish Town Planning Framework Access Study specifically supports lower intensity HGV generating uses where these are supported by appropriate evidence, and clearly up to 9 HGV movements per day would not be significant given the context of the site. LB Camden and London Plan policy supports the reuse and intensification of existing employment land, and the importance of 'last mile' logistics uses is also recognised. It is noted that no concerns raised to date have specified any breach of a specific policy.

The supporting technical assessments, summarised above and in the original submission, robustly deal with the various technical considerations relevant to this application, and conclude that there

would be no valid grounds on which to object to the application proposals on matters such as highways, noise & vibration and air quality. Concerns identified in pre-application discussions relating to issues including traffic generation, the suitability of local roads, and the impact on residential amenity have been addressed by the submitted documents.

Whilst we note that a number of concerns have been expressed by local residents, we have not seen any objections which raise relevant additional issues which have not been dealt with in the submission. Whilst the Council has raised various 'concerns' regarding the proposed B8 use we do not consider that any issues that have been raised are supported by relevant evidence or constitute a sound planning reason for refusing the application.

c. Summary

We trust the above helps to summarise the latest position on SEGRO's planning application for the refurbishment and change of use at Spring Place. As stated, we request that the enclosed documents, which build on previous discussions with officers, are formally added to the case file and given due consideration before any decision is made on this proposal.

Whilst we appreciate officers have identified several 'concerns' regarding the proposals, we have endeavoured to collaboratively and proactively work with the Council to address the issues raised, and we consider that the proposals are entirely acceptable, having regard to relevant planning policy and the technical evidence submitted. In the context of officer concerns and the interest in the application from local residents, SEGRO's proposals have recently had the benefit of a legal review by Simon Bird QC, which has confirmed the robustness of the approach set out on these matters. Accordingly, we trust this assists to clarify and address any outstanding concerns or issues the Council may have, thereby allowing the application to be recommended for approval.

We look forward to your further consideration of the issues raised and the Council's response on intended next steps in its assessment of the application.

Yours sincerely,



Andrew Gale
CHIEF OPERATING OFFICER

cc. Stephen Burke, LB Camden Highways
Bethany Cullen, LB Camden