

Application ref: 2019/3762/P
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Date: 4 August 2021

Development Management
Regeneration and Planning
London Borough of Camden
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London
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Create design
Wigglesworth House
69 Southwark Bridge Road
London
SE1 9HH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
68 Mansfield Road
London
NW3 2HU

Proposal: Change of use of ground floor from retail (A1) to mixed retail (A1) and storage and distribution (B8) use (retrospective).

Drawing Nos: 10011 P 01.01, Outline Delivery Servicing Plan dated February 2020 and letter dated 13 July 2019.

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

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 10011 P 01.01, Outline Delivery Servicing Plan dated February 2020 and letter dated 13 July 2019.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 Deliveries to and from the B8 unit via the rear of the site shall not exceed four times per week and shall be restricted to Monday to Friday between 9am to 4pm. Delivery vehicles shall park on Mansfield Road only.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The application seeks permission for the retrospective change of use of the ground floor retail premises (A1 class) to a mixture of retail and storage and distribution (B8 class). The site is currently in use as a pharmacy and has been since 2010. Between 1980 and 2010, the site was in use as a light industrial printing works. The development would see approximately 31.6sqm to the rear of the ground floor converted into storage and distribution use. The existing pharmacy to the front would be retained, along with the existing dispensary, consulting room, staff room and associated store room. Approximately 136sqm would be retained as A1 use, and as such, the change of use of the rear would not impact the viability of the existing retail unit and would accord with the Council's town centre policies. There is direct access from the rear storage room onto Hodes Row, which is accessed via Estelle Road, or via Courthope Road.

At the planning officer's request, an outline delivery servicing plan was submitted. The report details the inward delivery arrangements and states that smaller goods are delivered daily from Mansfield Road to the front of the site, and that goods on pallets are delivered two or three times weekly by small HGV/7.5 tonne van from Mansfield Road and then wheeled to the rear of the site using a pallet truck. Outward deliveries of smaller goods leave the front of the site to Mansfield Road, and goods on pallets leave the rear of the site two or three times per month using a pallet truck to Mansfield Road. All deliveries occur Monday to Friday between 9am to 4pm. The report details that all delivery/servicing trips shall arrive and depart from Mansfield Road which is a busier, more commercial road rather than Estelle Road or Courthope Road or other residential streets. Vehicles shall also not be left idling during deliveries.

The measures identified in the delivery and servicing plan, combined with the hours of operation and number of deliveries are not considered to unduly impact neighbouring amenity, and the number of deliveries are not dissimilar from the levels of servicing that would be expected for a large retail unit. A full delivery and servicing plan shall be secured via S106 legal agreement, which will be a live document allowing the Council to monitor the impacts of the deliveries and request changes where necessary. The S106 shall also secure the B8 use so that it is personal to the existing pharmacy, requiring the use to revert back to retail should they cease occupation of the premises. A condition shall also restrict the hours of deliveries to Monday to Friday between 9am to 4pm.

The application submission has been reviewed by the Council's Transport Officers who have confirmed they do not have concerns in terms of transport implications.

The proposals do not involve any external alterations and as such, would not impact the character or appearance of the host building or Mansfield Conservation Area.

Two objections have been received and duly considered in the attached consultation summary.

The planning history of the site and surrounding area has been taken into account.

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 Planning (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, D1, D2 and TC1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

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, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer