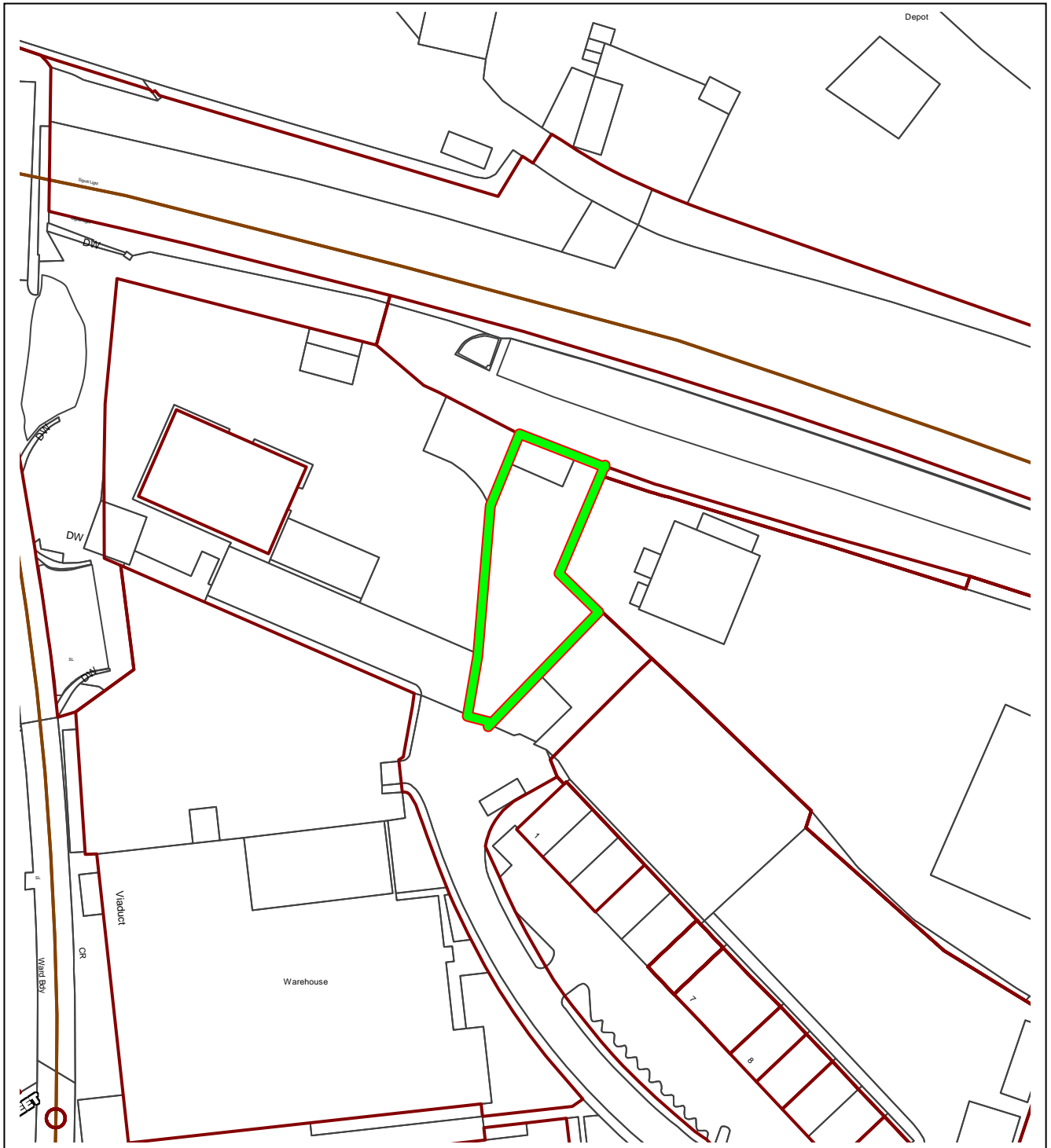


Land and Buildings to the North of Regis Road 2022/0652/P

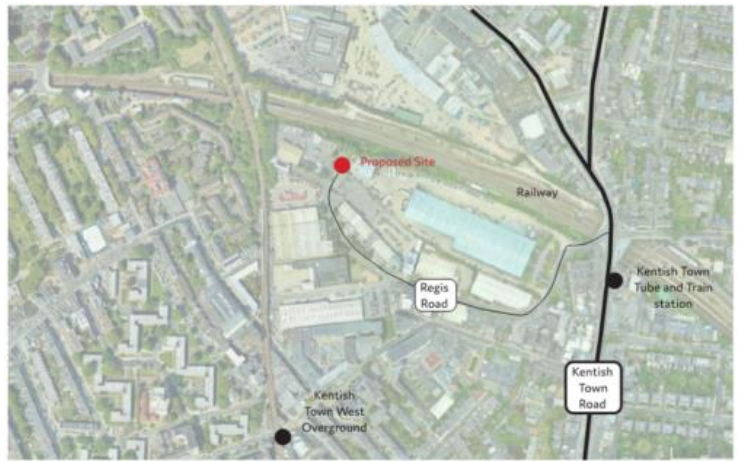


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Kentish Town Neighbourhood Plan Area of Interest

1. Kentish Town Neighbourhood Plan Area of Interest with site in pink



View looking North-East

2. View looking north-east with site outlined in red



3. Site outlined in red

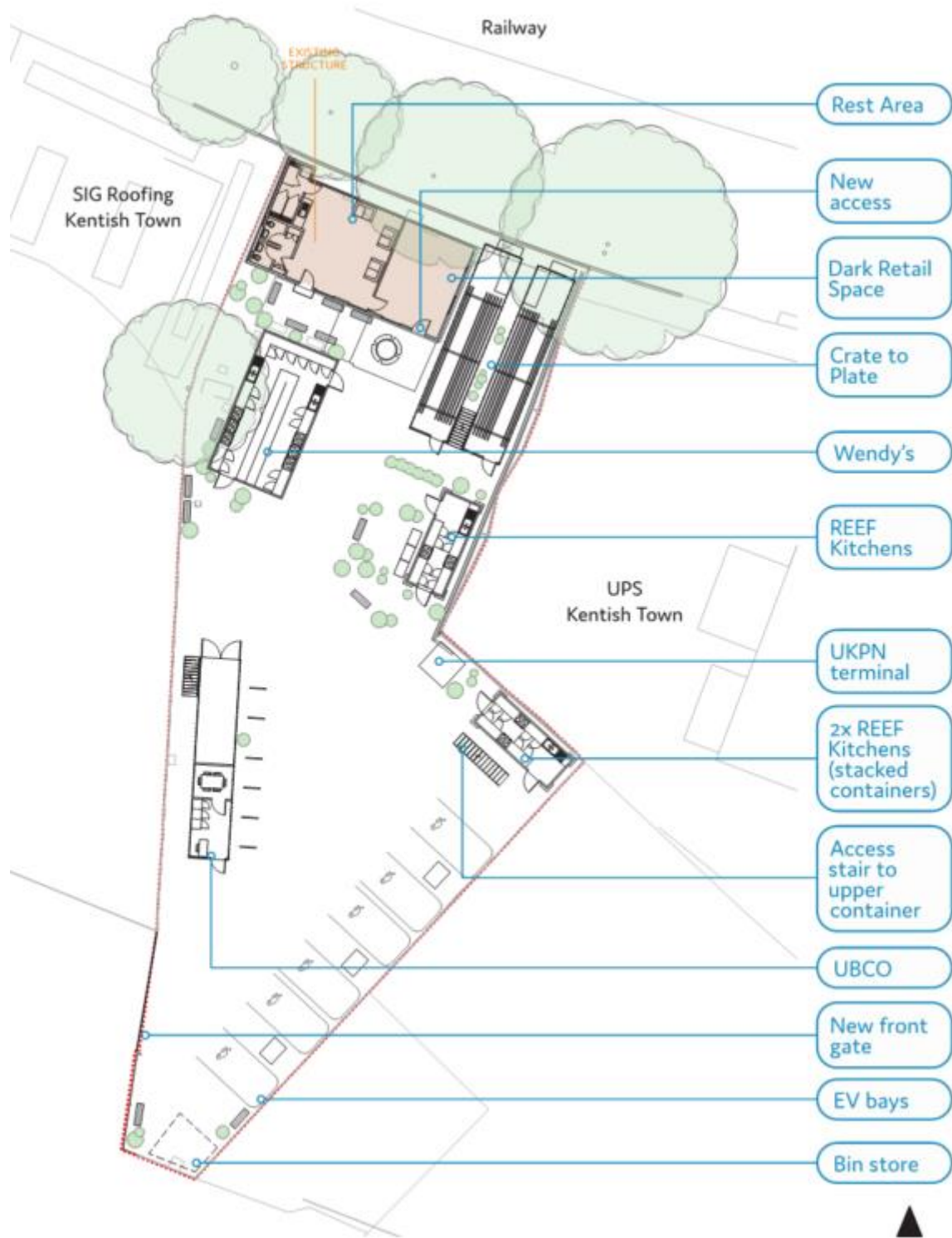


Looking North from the South, entrance side of the site, on Regis Road..

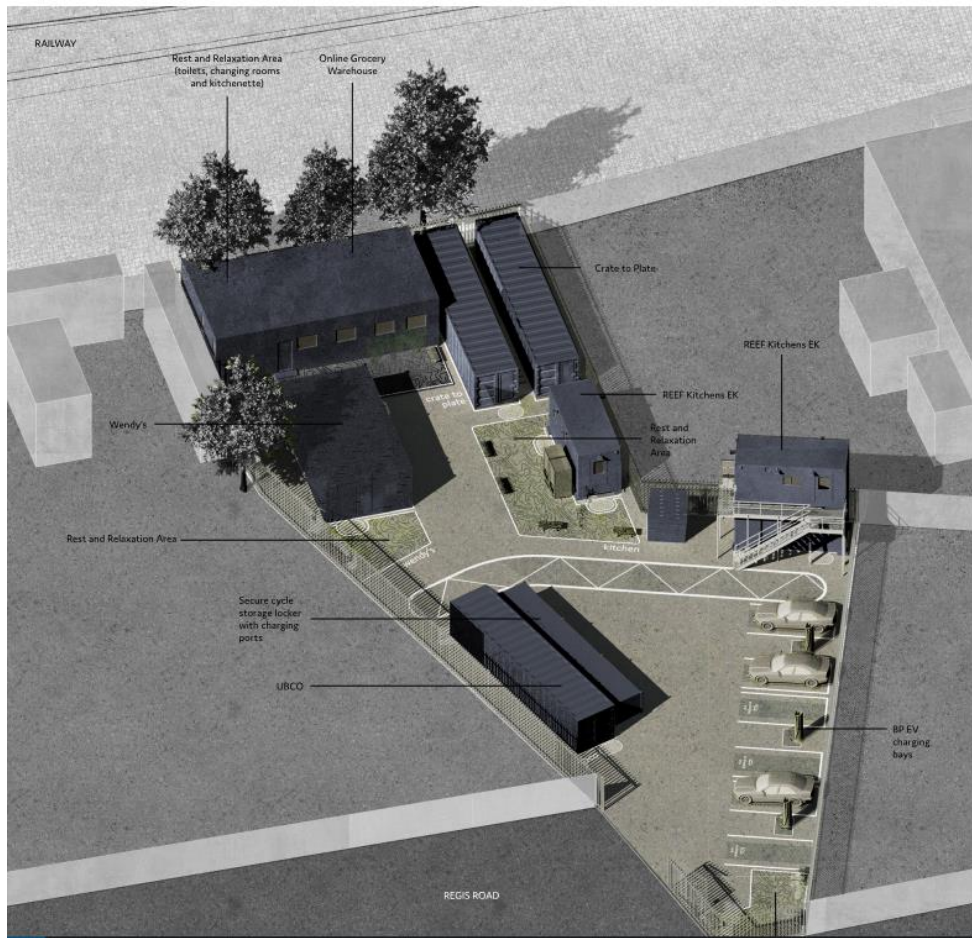


Looking South from the middle of the site.

4. Photos of site



5. Ground floor plan with a key of activities



6. Proposed CGI

Delegated Report (Members Briefing)	Analysis sheet		Expiry Date:	28/03/2022
	N/A		Consultation Expiry Date:	04/04/2022
Officer			Application Number(s)	
Josh Lawlor			2022/0652/P	
Application Address			Drawing Numbers	
Land and buildings to the north of Regis Road London NW5 3EW			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Part-retrospective application for siting of containers within open storage and parking area to commercial kitchen units, vertical farming units, online grocery distribution facility, electric bicycle testing and charging facility with staff office and communal staff rest area and electric vehicle charging bays (Sui Generis) for a period of three years.				
Recommendation:	Grant conditional planning permission subject to S106 Legal Agreement			
Application Type:	Full Planning Permission			
Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	Site notices were displayed near to the site on the 09/03/2022 (expiry 02/04/2022)			
Adjoining Occupiers:	No. of responses	3	No. of objections	3
Summary of consultation responses:	<p>In total there were three objections from neighbouring occupiers.</p> <p>The neighbouring occupiers at nos. 42 Rochester Place, 13 Leverton Street, 4 Raglan Street objected on the following grounds:</p> <ol style="list-style-type: none"> 1. Support hydroponic farming and electrical vehicle charging in some instances. The delivery, pick-up and business hours applied would lead to noise from motorbikes and vans driving in and out of the 			

delivery site late at night and in the early hours of the morning. Could set a precedent for other delivery businesses operating trucks, container vehicles, motorbikes, vans etc.

42 Rochester Place, 13 Leverton Street, 4 Raglan Street objected on the following grounds:

2. Object to the proposed piecemeal change of use for the site. The Regis Road area should be redeveloped as a whole (See Kentish Town Neighbourhood Plan, Policy SP2 KTPDA - Regis Road Site). Small areas should not be picked off for small uncontrolled ventures.
3. The application states "No prior assistance or advice sought from Camden [about the application]". This seems a serious omission.
4. Concerned that the employment implications are horrendous. People will be expected to work unsocial hours, all night shifts, in semi-secret conditions.

Officer Response: *The applicant is not required to apply for pre-application advice prior to applying for planning permission. Please see section 3.1 to 4.4 of the Land use and the entire Transport section*

**Kentish Town
Neighbourhood
Forum**

Regis Road where the applicant's site is positioned is a prominent part of the Kentish Town Neighbourhood Plan and is safeguarded as KENTISH TOWN POTENTIAL DEVELOPMENT AREA (KTPDA)(policies CC1 & SP2). The kitchens were established in August 2021 but no planning permission was sought until March 2022, nor was prior advice from KTNF requested.

KTNF regards the site as a hub for start-ups, micro and small businesses and it is the plan's ambition to establish a variety of businesses. KTNF welcomes the applicant's green endeavours, such as vertical farming and electric bicycle testing.

There are already more than one hundred existing commercial kitchen units, so-called "dark kitchens" on the Regis Road site. Adding another fifteen such units would not create a greater variety of small businesses.

Dark kitchen by their very nature - last-mile delivery - contribute heavily to air pollution and traffic congestion since every one of these units attracts a vehicle for each order that is placed at these kitchens. The application for 15 commercial kitchen units and online grocery distribution would add undue pressure onto the road network and on the 65, or so, households that border directly onto Regis Road. Neither noise nor traffic assessments included the (predominant) use of motorbikes for delivery and their impact.

KTNF appreciates that the applicant cannot apply for permanent development so as not to jeopardise the development of the whole Regis Road site, however, the poor quality of the "buildings", i.e. containers, does

not meet KTNF's policy SP2a to create new employment space with the provision of good quality employment space.

Should the application go ahead with the use of commercial kitchen units and grocery B8 last-mile delivery, KTNF would like to see the following:

- tight controls and heavy restrictions on working hours to mitigate the adverse impact on the residential units adjoining and on the wider community
- evidence of an appropriate ratio of worker to work space and that health and food safety standards are being met.
- that there is proper insulation and temperature control to ensure acceptable working conditions during high-temperature periods in summer (during our visit on a cold evening the workers kept the doors of the containers open, the site looked like a shanty town)
- evidence for the quality and variety of jobs newly created, and that there are jobs provided for local people. In general, KTNF welcomes the additional employment opportunities that the application proposes (up to 38)
- overall, KTNF suggests a more comprehensive and higher quality approach to the whole site, in line with KT Neighbourhood Plan Policy SW1. We fear that this application may seek to set a precedent for a series of developments of poor quality in Regis Road while awaiting a comprehensive redevelopment of the whole Regis Road site, sought through Policy SP2.
- electric vehicles and bicycles as delivery vehicles allowed exclusively
- The hours applied for - up to 24/7 for some parts of the business - exceed the Framework hours by far and do not fit with residential neighbours.

Officer Response: *In response to bullet point 1 -5 please see section 3.1 to 4.4 of the Land use. In response to the second to last bullet point see Transport section 6.24*

Inkerman Area Residents Association

The Inkerman Residents Association objected to the application on the following grounds-

Holmes Road is within the Inkerman Area and backs onto Regis Road.

Residents of Holmes Road have experienced serious late-night noise nuisance from existing businesses on the Regis Road Industrial Estate. Motorbikes in particular can be heard leaving the site in the early hours of the morning and cause broken sleep to nearby residents.

This current application asks for totally unreasonable hours - up to 24 hours a day, 7 days a week.

Some of the proposed uses of the site would be welcome in the area, but not more food delivery services operating day and night.

Unless these proposed hours are amended we ask for this application to be refused.

Officer Response: *Please see Para 5.4 to 5.12 of the Residential Amenities section of this report*

Site Description

The application site comprises an existing open yard that lies to the north of Regis Road located within the Kentish Town Industrial Estate. With Regis Road to the south, a large logistics/distribution site lies directly to the east. The premises to the west are operated by a roofing materials supplier. To the north of the site is a railway line that runs from east to west.

Access to the site is provided through a metal gate on the western boundary, with vehicular access thereto being from Regis Road. Regis Road adjoins Kentish Road (A400) in an easterly direction.

The storage yard is enclosed by a steel fence apart from the northern boundary of the site which is bordered by a brick wall. A hardstanding surface covers the entirety of the site with the addition of a portacabin building in the northwest corner which will be retained as part of the application proposals. The application site and its surrounding context are depicted in the aerial photograph below.



Figure 1. Aerial View of site highlighted in red

The surrounding land and buildings are predominantly in light industrial and logistical use with several large warehouses in the vicinity of the site. Notably, the Royal Mail Kentish Town Delivery Office is located 14m to the southwest of the site, and the Council's recycling centre 'Regis Road Recycling Centre' is located 150m to the southeast.

To the southeast of the site is an area of surface car parking, and to the south of this is a parade of light industrial/business units which front onto the eastern side of Regis Road. A number of dark kitchen/delivery facilities operate from these premises.

The site is not within a conservation area, nor are there any listed buildings within the site boundary. The nearest Conservation Area is the Inkerman Conservation Area, which lies approximately 200m to the south of the site.

The site is not at risk of flooding and is situated in Flood Zone 1. The Public Transport Accessibility Level (PTAL) of the site is 4, on a scale where 0 is the worst and 6b is the best.

Relevant History

None relevant

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the Impact of Development
- A4 Noise and Vibration
- A2 Open space
- A3 Biodiversity
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- C6 Access for all
- D1 Design
- D2 Heritage
- E1 Economic development
- E2 Employment sites and business premises
- G1 Delivery and Location of Growth
- T2 Car-free development
- T1 Prioritising walking, cycling and public transport
- T4 Sustainable movement of goods and materials
- DM1 Delivery and monitoring

Kentish Town Planning Neighbourhood Plan

- CC1 Pre-application consultation
- D3 Design Principles
- SP2 Kentish Town Potential Development Area (KTPDA)
- SP2a KTPDA General Development Criteria

Camden Planning Guidance (CPG)

- Air Quality - January 2021
- Amenity - January 2021
- Biodiversity CPG - March 2018
- Design - January 2021
- Employment sites and business premises - January 2021
- Energy efficiency and adaptation - January 2021
- Water and flooding CPG - March 2019

Kentish Town Planning Framework 2020

Draft Site Allocations consultation - Camden Council

08 Kentish town area Policy:

- KT1 Kentish Town
- KT2 Regis Road Growth Area

Assessment

1. The proposal

1.1. A Temporary (three years), part retrospective planning permission is sought for:

- The change of use of a former open storage and parking area to facilitate the provision of a mixed-use (Sui Generis) development comprising single storey commercial delivery kitchens, urban farming pod units, a 'dark' food distribution unit, electric vehicle (EV) charging bays and an electric bicycle testing/sales unit with staff office.
- There is one proposed two storey dark kitchen located to the southern dogtail of the site.
- The application is part retrospective because there is an existing dark kitchen on-site which prepares food solely for delivery. This existing container is located to the very rear of the site but would be replaced.

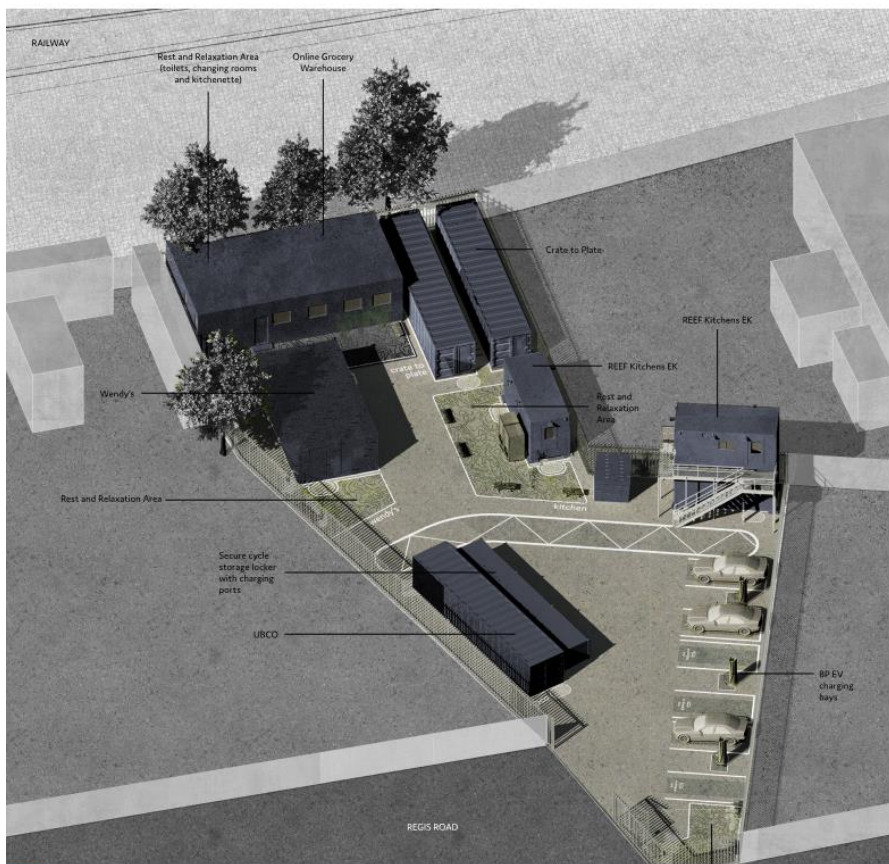


Figure 2. CGI of proposals

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- Land Use
- The visual impact upon the character and appearance of the host property, streetscene, local area (Design)
- The impacts caused upon the residential amenities of any neighbouring occupiers (Residential Amenity)
- Transport
- Air Quality
- Biodiversity

- Nature Conservation

3. Land Use

- 3.1. KTNF spatial policy SP2 (Kentish Town Potential Development Area) recognises the potential of the KTPDA within the KTNP Area, for a mixed-use development whilst retaining, and where possible increasing, the level of industrial floorspace and employment opportunities including the growth of small and start-up businesses.
- 3.2. The proposals comply with Policy E1, comprising a mixed-use scheme that will create up to 38no. new jobs, whilst offering services. The Kentish Town Neighbourhood Forum (KTNF) raises concerns about the type of jobs, health and safety requirements associated with the employment and the number of similar 'dark kitchens' in the immediate area are not assessed as part of the application. The council does not have a specific policy which restricts these uses subject to consideration of relevant material considerations such as residential amenity and design. The standards of the premises i.e. insulation, temperature controls and working hours are the subject of separate legislation and not assessed under the Development Plan. Dark kitchens or delivery-only restaurants Dark kitchens refer to food that is prepared at separate takeaway premises rather than in a restaurant. Compared to a usual takeaway format, however, orders are placed online, without the option for the public to enter the premises.) The KTNF has commented on the potential for the use to jeopardise the development of the whole Regis Road site, however, this is temporary permission and the development is reversible in that the container pods are removable.
- 3.3. Section 3.2.4 of The Kentish Town Planning Framework is relevant to the application states that 'any development that occurs before comprehensive development comes forward should not prejudice the future goals for the area'. As a result, this is a temporary permission for three years and this is secured by condition 8. It is also noted that the structures on site are in the form of 'pods' and are not permanent. This enables flexibility in terms of layout and the units can be occupied flexibly by different tenants. The development can be adaptable to future changes in demand for floorspace from businesses. The temporary nature of the structures on-site means that the council's long-term aspirations for the comprehensive redevelopment of the wider area will not be compromised.
- 3.4. CPG Business Sites and Employment premises state that the "*Council considers that existing industrial areas are the most appropriate location for such uses.*" The proposals comply with the Council's guidance regarding the location of commercial kitchens. The application site is within an existing and well-established industrial estate and in a designated Growth Area. As previously highlighted, within growth areas, proposals which provide additional jobs and a range of business premises on site are supported.

4. Design

- 4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 4.2. The site is within a predominantly industrial area surrounded by large format, metal-clad warehouse buildings. The surrounding buildings and context can be described as functional and industrial. It holds little architectural or visual quality. The design of the proposed development is functional and appropriate within its surrounding context.
- 4.3. The proposed buildings are arranged around the perimeter of the site to maximise manoeuvring space. The temporary structures are in the form of pre-fabricated 'pods' which are similar in form

and scale to shipping containers. There would be one two storey container which may be seen in longer views over the existing boundary fence but this is considered acceptable.

5. Residential Amenity

- 5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused by the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacted by noise or vibrations.
- 5.2. The operational control that we put in place for these types of development is bespoke and tailored to the specific sites.
- 5.3. The application is supported by technical studies including a Transport Statement, External Lighting Assessment, Noise Impact Assessment, and Air Quality / Odour Assessment.
- 5.4. The proposal would incorporate seven containers providing commercial delivery kitchens, urban farming pod units, a 'dark' food distribution unit, electric vehicle (EV) charging bays and an electric bicycle testing/sales unit with a staff office. These containers are located at a minimum of 120 metres from the nearest residential properties on Woodyard Close, see Figure 3 below. The industrial/warehousing units closer by would not be assessed in terms of potential amenity impacts.

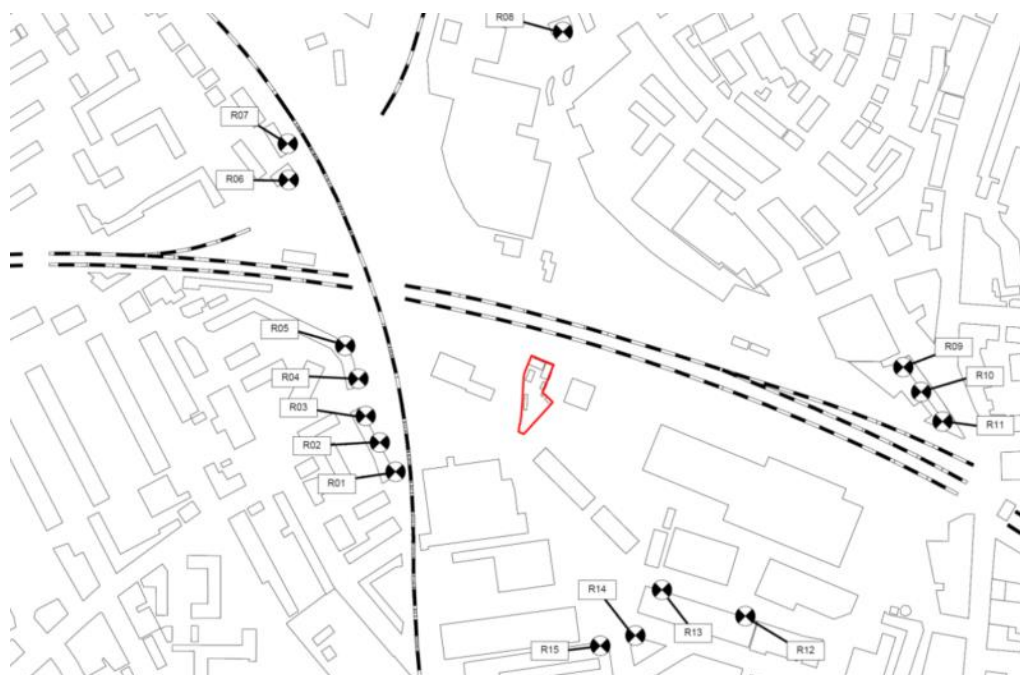


Figure 3. Map showing site in relation to nearest residential properties

- 5.5. The submitted noise report considers the noise impact of the proposed daytime and night-time (24-hour) operation of external noise sources at the site. The receptors are modelled at 8.0m above ground level at their facade. The report adequately presents the methodology and results from an environmental survey, followed by calculations in accordance with the British Standard (BS4142) to provide an indication as to the likelihood of the noise emissions from the proposed development having an adverse impact on the closest noise sensitive receiver.
- 5.6. The nearest residential property is 120m to the west. Operational noise emission limits have been adequately predicted at the identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the building. Based on the

results of the submitted noise assessment, the noise limits for the new plant have been adequately calculated.

- 5.7. The applicant has also submitted information of the proposed installation which details sufficient odour component details in compliance with the 'EMAQ+Control of Odour and Noise from Commercial Kitchen Exhaust Systems.
- 5.8. An adequate lighting strategy has been submitted in support of the application which shows lighting contours that demonstrate vertical illumination of neighbouring premises in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes for the Reduction of Obtrusive Light'.
- 5.9. The Councils Environmental Health Officer has reviewed the report and does not expect any impact on the amenity of residential receivers with respect to noise and odour, if development is designed as specified in the submitted assessment reports and secured by condition. These conditions which secure compliance include odour abatement equipment and anti-vibration isolators and background noise limits for the plant equipment.
- 5.10. The KTNF state that neither noise nor traffic assessments included the (predominant) use of motorbikes for delivery and their impact. In response the applicant provided a technical note which assesses the specific noise levels from vehicle movements with respect to the ambient noise level (LAeq) at all sensitive receptors established in the supporting Noise Assessment. The assessment compares the predicted cumulative noise levels from the site (inclusive of vehicles arriving/exiting the site along Regis Road) with the existing measured night-time ambient LAeq noise level at sensitive receptors.
- 5.11. The note provides a worst-case scenario, assuming 1 delivery vehicle movement along Regis Road every 2 minutes for the duration of the assessment period. This is based upon the assumption that the total deliveries for a 24-hour period are evenly distributed per hour, which is likely to exceed the actual generated trips during the night-time. In the interest of making worst-case assumptions for the type of delivery vehicle, each delivery has also been assumed to be undertaken using a van.
- 5.12. There is no specific policy which limits hours of operation for this use. The hours of operation are assessed on a case-by-case basis. For the reasons set out above the use of the containers 24/7 hours is acceptable as there would not be any impact to neighbouring residential properties in terms of noise and disturbance, including from the use of the highway for deliveries.

6. Transport

6.1. Trip Generation

- 6.2. A trip generation survey was undertaken, taking all the elements into account, the development is expected to generate 15 arrivals and departures by car and HGV in the morning peak (8am-9am) and 17 arrivals and departures by cars in the evening peak (5pm-6pm).
- 6.3. The trip generation would not be expected to have a significant impact on the highway network.
- 6.4. Future trip generation would also include the Electric Vehicle Charging Points (EVCPs) and the UBCO unit (Electric bicycles). The EVCPs are assumed to operate at 50% capacity throughout the day and the UBCO unit is assumed to have a low generation of 2 movements a day.
- 6.5. The Councils Transport Officer has confirmed that trip generation would not be expected to have a significant impact on the highway network.

6.6. Electric Vehicle Charging Points

- 6.7. The proposal includes six EVCPs. CPG Transport states at para 6.22: *Where a need for new parking is agreed, the Council will require the provision of bays to include electric vehicle charging points (EVCPs) in accordance with the standards in the London Plan.* This implies that the parking need must be established before EVCPs are considered. The London Plan gives specific instances when EVCPs are required for example: retail parking, residential developments, and distribution centres. In these three examples, the charging facilities would exist to cater for the demand internal to the development site. The most relevant steer in the London Plan regarding charging hubs is in Policy T6 G, which refers to petrol filling stations: *New or re-provided petrol filling stations should provide rapid charging hubs and/or hydrogen refuelling facilities.*
- 6.8. The strongest support for charging hubs is found in the NPPF 2021. Within paragraph 110 it states: *(applications for development should) e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*
- 6.9. Within Camden it is acknowledged that there is a need to provide EVCPs, particularly rapid charging EVCPs, which are difficult to provide on street as they usually require an electricity substation to be installed. So, on balance, the proposal for a charging hub would be supported. It should be noted that the London Plan requires EVCPs to be rapid charging in commercial situations i.e., all uses except residential.
- 6.10. The applicant has offered to undertake periodic reviews of the usage of the BP Pulse points by fleet/minicab services to see whether extending access to the wider BP Pulse network would make sense. This is secured as part of the S106 Agreement.
- 6.11. Car parking
- 6.12. Six parking bays would be required for the vehicle charging hub to function. Except for the vehicle charging hub, the development would be car-free, and this should be secured by a s106 agreement. The s106 agreement should also require the charging hub parking to exist only while the EVCPs are functioning and for the spaces to be removed if the EVCPs fall into disuse.
- 6.13. Cycle parking
- 6.14. Policy T1 seeks to prioritise walking and sustainable modes of transport. Regarding cycle parking, the policy sets out that the site must provide accessible, secure cycle parking facilities exceeding the minimum standards outlined within the London Plan.
- 6.15. The proposed cycle parking would accommodate 12 bikes. The application form states the expected number of employees would be 38 so the ratio of cycle spaces to employees approximates to 1 space per 3 FTE staff. The proposed storage comprises covered and secure cycle storage and includes the provision of charging facilities for electric cycles.
- 6.16. Deliveries and servicing
- 6.17. A framework Delivery and Servicing Plan (DSP) has been submitted with the application.
- 6.18. The Transport Statement includes an estimate of service vehicle demand based on the survey CCTV survey and with a pro-rata increase for the proposed additions. The site is expected to generate 26 arrivals and departures by light goods vehicles and eight arrivals and departures by heavy goods vehicles between 7am and 12am (i.e., a 17-hour period). It is expected that there could be up to 3 HGVs visiting the site in any one hour. The vehicles are expected to stay on-site for between 10-15 minutes and hence could be accommodated.

6.19. Servicing will take place on-site. The DSP states that deliveries will be undertaken by small to medium-sized vehicles, e.g., light panel vans up to 7.5t. Figure 4 shows that swept path analysis has been carried out and it demonstrates that 7.5t vehicles can enter and leave the site in a forward direction. The on-site turning space would need therefore be sufficient.



Figure 4. Swept path analysis of entry and exit

6.20. The servicing-related trips should have a limited impact on the surrounding highway network if they are managed effectively. To ensure that deliveries, refuse collections and other servicing vehicles do not have a severe impact on the area, a Delivery and Servicing Management Plan would be secured as a section 106 planning obligation.

6.21. Travel planning

6.22. A draft workplace travel plan has been submitted in support of the planning application. This is welcomed as it demonstrates a commitment to encouraging and promoting trips by sustainable modes of transport.

6.23. A local level workplace travel plan and associated monitoring and measures contribution of £5,161 would be secured as a section 106 planning obligation. The Travel Plan would be targeted toward the office and retail use, to encourage staff to make walking, cycling and travel by public transport the natural choice for day-to-day trips.

6.24. Other matters (electric vehicles for servicing and delivery)

6.25. The KTNF has requested all deliveries be limited to electric vehicles and bicycles for delivery. The applicant states that the majority of the vehicles operating from the site are powered by either petrol or diesel, with perhaps 2-3 per day being electric vehicles and certainly on an ad hoc basis. Officers did request a fully electric fleet, but the applicant stated that this would not be commercially viable or justified in planning terms. There is no policy requirement within the Kentish Town Neighbourhood Plan nor the Camden Local Plan for the use of only electric vehicles for these types of uses. It is noted that there is a Deliveroo site at Finchley Road that was granted permission subject to a condition requiring deliveries to be carried out by foot, bicycle or electric two-wheeled vehicles only. However, the site-specific circumstances are different in that the Finchley Road site is not within a designated industrial area but does have residents in much closer proximity, compared to this site where there are no residential uses

nearby and where policy states that industrial activities should not be prejudiced by any other uses.

7. Waste

7.1. The submitted plans allocate bin storage area adjacent to the site entrance, to minimise the distance that bins are required to be pulled from the store to the collection point on the road outside the site. The bin storage area will store three waste bins each 1100 Litre bins and three recycling bins each 1100 litre Eurobin. The bins would be within the site and are acceptable in terms of location and quantum.

8. Air Quality

8.1. Policy CC4, states that the council aims to reduce the exposure to poor air quality, ensuring new development does not negatively impact air quality.

8.2. The submitted Air Quality Assessment concludes in relation to the construction phase that *“During the construction phase, site-specific mitigation measures detailed within this assessment will be implemented. With these mitigation measures in place, the effects from the construction phase are not predicted to be significant.”*

8.3. In terms of the operational phase, the assessment confirms that the long-term (annual) assessment of the effects associated with the proposed development with respect to Nitrogen Dioxide (NO₂) is determined to be *‘negligible’*. With respect to Particulate Matter (PM) PM₁₀ and PM_{2.5} exposure, the effect is determined to be *‘negligible’* at all identified existing sensitive receptor locations.”

9. Biodiversity

9.1. Within close proximity to the boundary of the application site is a designated ‘Borough Grade 1 Site of Importance for Nature Conservation (SINC)’ and an ‘Open Space’ designation, which runs along the railway embankment to the north of the site. A condition is imposed to require the lighting levels to not exceed 3000kw so as not impact local bats and biodiversity.

9.2. In order to assess the potential implications of the proposals on the SINC, the applicant commissioned Southern Ecological Solutions (SES) to prepare a Preliminary Ecological Appraisal (PEA). The report concludes that there is limited ecological value at the site and the proposed mitigation measures would be secured by condition.

10. Conclusion

10.1. The proposal would provide employment in the area and not cause harm to neighbouring residential amenities or the local highway network. The development would be acceptable in terms of design and constitutes sustainable development as outlined in the NPPF.

11. S106 Legal Agreement

- Periodic reviews of the usage of the BP Pulse points by fleet/minicab services to see whether extending access to the wider BP Pulse network
- The Electric Vehicle Charging Points should be rapid charging with a minimum rating of 50kw.
- The Delivery and Servicing Management Plan would need to be secured as a section 106 planning obligation.

- A local level workplace travel plan and associated monitoring and measures contribution of £5,161 should be secured as a section 106 planning obligation.
- Except for the vehicle charging hub, the development should be car-free. The s106 agreement should also require the charging hub parking to exist only while the EVCPs are functioning and for the spaces to be removed if the EVCPs fall into disuse.

12. Recommendation

12.1. Grant conditional Planning Permission subject to S106 Agreement.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members' Briefing panel on Monday 20th June 2022, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2022/0652/P
Contact:
Tel: 020 7974
Date: 15 June 2022

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Firstplan
Firstplan
Broadwall House
21 Broadwall
London
SE1 9PL
United Kingdom

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**Land and Buildings to the North of
Regis Road
London
NW5 3EW**

Proposal:

DECISION
Part-retrospective application for siting of containers within open storage and parking area to commercial kitchen units, vertical farming units, online grocery distribution facility, electric bicycle testing and charging facility with staff office and communal staff rest area and electric vehicle charging bays (Sui Generis) for an interim use period of three years.

Drawing Nos: 001, 002, 010, 012, 020, 021, 022, 023, 024, 130, 031, 100-B, 110-B, 111-B, 112-B, 120-B, 121-B, 122-B, 123-B, 124-B, 130-B, 131-B

Planning Statement, prepared by Firstplan; Design & Access Statement, prepared by Office S&M; Transport Statement, prepared by TTP; Travel Plan, prepared by TTP; Delivery and Servicing Plan, prepared by TTP; Noise Impact Assessment and Ventilation Details, prepared by Tetra Tech; Air Quality Assessment, prepared by Tetra Tech; Odour Assessment, prepared by Tetra Tech (included within Air Quality Assessment); External Lighting Assessment, prepared by Synergy Building Services.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

001, 002, 010, 012, 020, 021, 022, 023, 024, 130, 031, 100-B, 110-B, 111-B, 112-B, 120-B, 121-B, 122-B, 123-B, 124-B, 130-B, 131-B

Planning Statement, prepared by Firstplan; Design & Access Statement, prepared by Office S&M; Transport Statement, prepared by TTP; Travel Plan, prepared by TTP; Delivery and Servicing Plan, prepared by TTP; Noise Impact Assessment and Ventilation Details, prepared by Tetra Tech; Air Quality Assessment, prepared by Tetra Tech; Odour Assessment, prepared by Tetra Tech (included within Air Quality Assessment); External Lighting Assessment, prepared by Synergy Building Services.

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

- 2 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 3 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 4 External artificial lighting at the development shall not exceed 3000k as the colour temperature.

Reason: To ensure that the local wildlife is not adversely affected by lighting in accordance with Local Plan policy A3.

- 5 The installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet must be in accordance with the 'EMAQ+Control of Odour and Noise from Commercial Kitchen Exhaust Systems.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by odours emanating from the development.

- 6 The Mitigation and Enhancement Measures as outlined in the Preliminary Ecological Appraisal shall be fully implemented prior to use and permanently maintained and retained thereafter:

Reason: To safeguard the ecological value of the site and surrounding area in accordance with Local Plan Policy A3.

- 7 The secure and covered cycle storage area for 12 cycles shall be provided in its entirety prior to the first occupation and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 8 The use hereby permitted is for a temporary period only and shall cease on or before 20/06/2025 at which time the containers and all physical parts of the development shall be removed from the site.

Reason: In order that the long term use of the site may be properly considered in accordance with policies DM1, G1 and A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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, 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.

- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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.

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.

Yours faithfully

Supporting Communities Directorate