

Delegated Report		Analysis sheet	Expiry Date:	19/07/2024
		N/A	Consultation Expiry Date:	04/07/2024
Officer			Application Number(s)	
Connie Marinetto			2024/2094/P	
Application Address			Drawing Numbers	
44-46 Caversham Road London Camden NW5 2DS			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use of land used for storage of vehicles (Class B8) to public car park (Sui Generis).				
Recommendation(s):	Refuse planning permission and warn of enforcement action			
Application Type:	Full Planning Application			

<p>Informatives:</p>	<p>ENFORCEMENT ACTION TO BE TAKEN:</p> <p>The change of use of the site from Class B8 (Building materials storage) to Sui Generis (Car parking) has occurred without planning permission. By way of the harm identified in the reasons for refusal, the Council finds it expedient to issue an Enforcement Notice. It is thereby recommended that the Director of Supporting Communities will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.</p>			
<p>Consultations</p>				
<p>Adjoining Occupiers:</p>	<p>No. of responses</p>	<p>0</p>	<p>No. of objections</p>	<p>03</p>
<p>Summary of consultation responses:</p>	<p>A site notice was displayed 19/06/2024 which expired 13/07/2024. A press notice was published 20/06/2024 which expired 14/07/2024.</p> <p>Three letters of objection were received. Two of the objections were received from unknown addresses. One objection was received on behalf of Camden Cycling Campaign.</p> <p>Their objections can be summarised as below:</p> <ul style="list-style-type: none"> • The public car park would encourage car use • Concerns about increase of traffic on residential street and surrounding area <p><u>Officer's Response:</u></p> <ul style="list-style-type: none"> • <i>Transport, including car parking and sustainable transport, is a material planning consideration and is addressed in section 3 of the report</i> <p>The Kentish Town Neighbourhood Forum and the Bartholomew Estate & Kentish Town CAAC were consulted. No comments were received.</p>			

Site Description

The application site consists of hardstanding land located on the north side of Caversham Road, to the immediate west of the railway line. The site is in the Bartholomew Estate Conservation Area. The consented land use is for the storage of building materials and cars.

Relevant History

Application Site:

8600880 – Construction of 2.5m wide crossover. **Granted 22/09/1986.**

2004/1361/P – Certificate of Lawfulness (Existing) for use of the yard as open storage yard for building materials. **Granted 20/05/2004.**

2022/3351/P – Use of the land for open storage of rental vehicles with no public access to the site (Class B8). **Granted 18/10/2022.**

Relevant policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

G1 – Delivery and location of growth

H1 – Maximising housing supply

A1 – Managing the Impact of Development

T1 – Prioritising walking, cycling and public transport

T2 – Parking and Car-free development

Camden Planning Guidance

CPG Transport (2021)

Kentish Town Neighbourhood Plan 2016

D2 – Railway Lands

Bartholomew Estate Conservation Area Statement 2000

Assessment

1.0. Proposal

1.1 Retrospective planning permission is sought for the temporary change of use of land used for storage of vehicles (Class B8) to a public car park (Sui Generis).

1.2 The main planning considerations for the proposal are:

- Land Use

- Transport
- Amenity

2. Land use

- 2.1 Policy G1 of the Local Plan aims to deliver growth in the borough by supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site. The policy resists development that makes inefficient use of Camden's limited land and expects the provision of a mix of uses where appropriate, in particular in the most accessible parts of the borough, including an element of self-contained housing where possible. Growth in Camden will be expected to help contribute towards achieving the strategic objectives of the Local Plan and Policy H1 regards self-contained housing as the priority land-use of the Local Plan. Additionally, Policy D2 of the Kentish Town Neighbourhood Plan supports sustainable development on railway land and would support the reinstatement of frontages along Caversham Road.
- 2.2 The use of the land for public car parking, is not considered an effective or efficient use of land. It is therefore considered that the proposal is contrary to policies G1 and H1 of the Camden Local Plan 2017 on the basis of ineffective land use, and the priority land use being housing. It is considered that any proposed development at this site should support Camden's key priority of the delivery of additional homes.

3. Transport

- 3.1 Policy T1 of the Local Plan aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and improving links with public transport. All these measures are in place to ensure the Council meets their zero carbon targets.
- 3.1 Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. Proposals seeking to develop land for the purposes of providing public car parking will therefore be resisted.
- 3.2 Taken together, it is clear that Policies T1 and T2 seek to resist development that promotes reliance on the private motor vehicle, seek to promote sustainable forms of travel (walking, cycling and public transport), limit the availability of parking in the borough and address problems associated with poor air quality in the borough. The proposal would be contrary to Policy T1 and T2 as it would promote the use of private motor vehicles, fail to encourage the use of sustainable modes of transport and exacerbate local traffic conditions.
- 3.1 Whilst the current use is for the storage of rental vehicles, it is considered that a public car park operates very differently and will have a greater impact on the surrounding area, as well as actively encouraging travel by private motor vehicles, contrary to Policy T1. It is considered that any benefits of the public car park would be outweighed by the harm caused by the car park.

- 3.1 Policy A1 seeks to ensure that the amenity of communities, occupiers and neighbours is protected. The proposal is considered to have some impact on amenity of neighbouring residents by increased air pollution and traffic congestion surrounding the site.
- 3.2 The site is located in the East Kentish Town Controlled Parking Zone (CA-V) which operates between 0830 and 1830 hours on Monday to Friday. In addition, the site has a PTAL rating of 5 which means its accessibility by public transport is very good. The site is located in close proximity to Kentish Town Station.
- 3.2 Transport officers were consulted for the application and stated the following:
- 'The proposed change of use is clearly contrary to Policy T2 and as such should be refused on that basis.'*
- The proposed use of the site as a public car park fails to promote walking, cycling and public transport as a sustainable transport mode. The proposal is clearly contrary to Policy T1 and as such should be refused on that basis.'*
- 3.3 In relation to transport considerations, the proposal fails to comply with policies A1, T1 and T2 of the Camden Local Plan 2017.

4. Enforcement

- 4.1 Whilst advised that a retrospective application would not be looked upon favourably, the applicant exercised their discretion to apply for the retention of the Sui Generis use - the subject of an open enforcement investigation (EN24/0168).
- 4.2 This application is recommended for refusal. The change of use from Class B8 (Buildings storage materials) to Sui Generis (Car parking) will therefore persist without planning permission.
- 4.3 An informative has been included which recommends the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.

5. Recommendation:

Refuse Planning Permission with warning of enforcement action for the following reasons:

1. The use of the land for public car parking is contrary to policies G1 (Delivery and location of growth) and H1 (Maximising housing supply) of the Camden Local Plan 2017 on the basis of ineffective and inefficient land use, and housing as the priority land use of the Local Plan.
2. The use of the land for public car parking would promote the use of private motor vehicles, fail to encourage the use of sustainable modes of transport, exacerbate local traffic conditions and harm local amenity, contrary to policies T1 (Prioritising walking, cycling and public transport),

T2 (Parking and car-free development) and A1 (Managing the impact of development) of the Camden Local Plan 2017.