

## **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

### **DESIGN & ACCESS STATEMENT**

Use of the Ground floor as an A1 Internet café & Data-controlled  
Administrative Booking Office for Private Hire Vehicles

**4 CASTLEHAVEN ROAD, LONDON NW1 8QU**

Our ref: YM/Mohamed/0312/ym



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## 1.0 **SITE AND SURROUNDINGS**

- 1.1 The application site comprises a 4 storey mid-terraced building on Castlehaven Road. The ground floor is in commercial use and the upper floors in residential use. The building is not listed and not located within a conservation area.

## 2.0 **RELEVANT PLANNING HISTORY**

- 2.1 Planning application (ref: 2009/1262/P) for change of use of ground floor retail (Class A1) to Mini-cab office (Sui Generis) refused 15/9/09 for the following reasons:

*"The unauthorised use of the premises as a minicab office would have a detrimental impact on the highway and its operation contrary to policies T2 Capacity of transport provision, T3 Pedestrians and Cycling, T9 Impact of parking and R6 Other town centre uses of the London Borough of Camden Replacement Unitary Development Plan 2006."*

*"The use of the premises as a minicab office has a detrimental impact on the amenity of neighbouring residential occupiers through noise nuisance contrary to policy SD6 Amenity for occupiers and neighbours of the London Borough of Camden Replacement Unitary Development Plan 2006."*

- 2.2 Planning Appeal against the above refusal of planning permission (Ref: APP/X5210/A/09/2114018) dismissed on 10/3/10

### **3.0 PROPOSAL**

- 3.1 The proposal is for the use of the ground floor as an A1 Internet cafe. In addition to this the premises will be used as a data-controlled administrative booking office for private hire vehicles.

### **4.0 PLANNING POLICY**

#### **4.1 National Planning Policy Framework**

##### **London Plan 2011**

##### **London Borough of Camden Core Strategy 2010**

### **5.0 COMMENTS**

#### **5.1 AMOUNT**

The proposal is for the change of use to an A1 internet cafe and a data-controlled administrative booking office for private hire vehicles. The proposed site area covers approximately 50 sqm.

#### **LAYOUT**

- 5.2 The vast majority of floorspace would be occupied by the A1 Internet Café. The area labelled Counter on the plan would be extent of the private hire use measuring a mere 2.59sqm out of approximately 25sqm floorspace representing approximately 10% of the floorspace.

#### SCALE

- 5.3 The proposed scheme does not involve changes to the scale of the building.

#### LANDSCAPING

- 5.4 Not applicable.

#### APPEARANCE

- 5.5 No signs advertising the development are proposed. The applicant is agreeable to the imposition of a planning condition prohibiting this. It is considered that the absence of signs relating to the private hire use means that passers-by would be unaware of the private hire service and would have no need to enter the premises to make a booking. There is therefore a restriction to customers/ drivers congregating at the site, ordering a car and waiting to be picked up by the allocated vehicle. Customers of clubs and bars in the area would not be drawn to the service. The proposal would have negligible impact on the external appearance of the property.

#### USE

- 5.6 The Council raised no objection in the 2009 planning application to the loss of A1 retail use. In particular it was stated in paragraph 6.2 of the case officer report that:

*"The loss of an A1 is considered acceptable in this location. The proposed unit will serve members of the public and provide an active frontage for a use that would be typically found within a Town Centre. It is therefore considered that the proposal in terms of a loss of an A1 would not cause any serious harm to the character, function, vitality and viability of the area complying too policy R7 and parts of policy R6 of the London Borough of Camden Unitary Development plan. The part of R6 that this application does not comply to is explored in the transport section."*

5.7 Paragraph 6.3 of the 2009 case officer report states:

*"For a minicab office to be acceptable it would have to be a purely "remote" control office. Customers would need to phone the cab office and the cars would be controlled remotely (e.g. Radio, mobile, PDA), and be given instructions to pick the customer up from wherever they are and deliver them to their destination without returning to the office (i.e. point-to-point hire). No advertisements connected with the development would be allowed."*

5.9 No external signs are proposed in relation to the private hire use indeed the applicant is prepared to accept a suitably worded condition to ensure this. Furthermore the use would be purely data-controlled. Bookings would be received by telephone and the internet and details of the jobs would be relayed to drivers who would be located off-site. The area marked counter on the submitted plans would be screened off so it wouldn't be possible to determine the nature of the actual use within. It is considered that the use would operate just as the Council set out in

paragraph 6.3 of the case officer report, with the private hire element acting purely as a "remote" control office

5.10 The premises would not be open to drivers or visiting members of the public wishing to book a vehicle. Indeed due to the lack of external adverts and the internal layout the public would be unaware of the private hire use. In this context patrons of nearby bars and clubs would be unaware of the use and consequently customers would not congregate at the premises expecting to be collected by a car associated with the business.

5.11 Given the retention of an A1 use in the form of the internet café it is considered that there would be no harm to the character, function, vitality and viability of the shopping area.

#### ACCESS

5.12 It is submitted that no implications are relevant regarding external access arrangement, which remain as existing. It is worth acknowledging that private hire vehicles also have a role to play in the safe movement of people, particularly for women and children; therefore, private hired vehicles compliments the provisions of public transport in the form of buses and trains, consistent with the sustainable development principles of the National Planning Policy Framework.

5.13 It is submitted that there would be absolutely no need for drivers to frequent the premises. In this context there would be no pressure on local parking. It follows therefore that the proposal would have negligible impact in terms of parking and general activity. The proposal complies with the Provisions of the Development Plan

## 6.0 **CONCLUSION**

- 6.1 The applicant is agreeable to the imposition of the following planning conditions that address the issues raised on appeal and by the Council in the refused planning application.
- 6.2 No waiting room for customer
- 6.3 Office to remain closed to drivers
- 6.4 No Drivers rest area
- 6.5 No external signs advertising the business