

T 01206 274144
M 07825 633575
F 01206 274146
E ian.coward@collinscoward.co.uk



Ref: IC/1294
SPECIAL DELIVERY

23rd February 2011

Westwood Park
London Road
Little Horkesley
Colchester
Essex CO6 4BS

Development Control Planning Services
London Borough of Camden
Town Hall
Argyll Street
London
WC1H 8ND

Dear Sir/Madam,

CHANGE OF USE OF 16 OSPRINGE ROAD (RETROSPECTIVE PERMISSION)

Introduction

We are instructed by our clients, Mr Betaudier and Ms Powell, to submit an application for development described as follows:

"Change of use of 16 Ospringe Road, London (retrospective) from a single family dwelling to two maisonettes and a self-contained flat".

Accordingly, we enclose the requisite copies of each of the following:

- This covering letter dated 23rd February 2011;
- Planning application form;
- Application plans (M Cumming architect, ED/OSP/01 and 02) to include red line site plan;
- Car parking survey;
- Planning fee in the sum of £670 (comprising two cheques in the sum of £335).

Commentary

This application is submitted further to Mr Nicholls' letter of 28th January 2011 in advance of the 28-day deadline of 25th February 2011.

The application is retrospective as the single family dwelling has already been converted into two maisonettes and a flat, as follows:

- three bedroom garden maisonette comprising of lower and raised ground floors;
- the middle flat is a two bedroom flat on the first floor; and,
- The top property is a three bedroom maisonette on the second and third floor.

A previous application to regularise this matter was submitted pursuant to 2007/4617/P and we refer to the local planning authority's letter of the 7th October 2010 to the applicant (the same as with the current application) and the third paragraph which reads as follows:

"Following an assessment it is my view that the proposal forms the basis of an acceptable scheme. Provided no significant issues arise following a site visit or through the consultation process the application could be recommended for approval. The application will need to be considered by the Development Control Committee. The Council is under no obligation to accept amendments to the scheme, and they will only be invited if the Council is satisfied that they can be addressed with any necessary re-consultation undertaken within the eight-week processing time."

There is therefore no issue (at officer level) with the principle of the sub-division into three flats in relation to issues such as unit size, quality of accommodation, overlooking, stacking or any other related matters.

The letter goes on to confirm that any recommendation for approval be subject of a section 106 agreement in relation to:

"car-free housing for two of the new flats".

In relation to the definition of a car-free scheme it is understood that this aspiration is met if only a single parking permit was able to be issued for one of the three units as the decision-maker needs to take account of the lawful position pre the conversion works.

This matter is reflected in the local planning authority's previous letter and the quote cited above.

The application, following a car parking survey, questions the necessity of a car-free scheme and sets out the views as to why this is not sought necessary as an appropriate obligation in terms of the tests set out in 05/05.

The applicants would be amenable to accepting a section 106 which deals with:

"car-free housing for one of the new flats".

Since the letter of October 2010 Camden's "development policies" have been adopted and policy DP18 entitled "Parking standards and limiting the availability of car parking" is clearly relevant.

The first paragraph reads as follows:

"The Council will seek to ensure that developments provide the minimum necessary car parking provision. The Council will expect development to be car-free in the Central London area, the town centres of Camden Town, Finchley Road/Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead, and other areas within controlled parking zones that are easily accessible by public transport".

We note that the application site does not lie within any of the specified areas, however, it lies within a controlled parking zone.

However this aspect of the policy is conjunctive and requires a controlled parking zone to be easily accessible by public transport for the policy to bite.

It is our view that the site, whilst served by public transport, is not as easily accessible as other areas within the borough. It has a PTAL of 4 and not 5 or 6.

It is therefore our view that the policy does not require, in the instance of this application, the minimum necessary car parking provision.

The policy then goes on to confirm that:

“Development should comply with the Council’s parking standards, as set out in appendix 2 to this document. Where the Council accepts the need for car parking provision, development should not exceed the maximum standard for the area in which it is located (excluding spaces designed for disabled people).”

It concludes:

“Development in areas on a street parking street stretch should be “car capped””.

In terms of low parking provision areas these are defined (reference paragraph 18.2 of the development policies document) as Central London area, our town centres and other areas with high public transport accessibility.

This does not apply to the application site and therefore with regard to appendix 2 the standard to be applied is as follows:

“Rest of Borough: maximum of one space per dwelling”.

The application site cannot provide any on-site parking and the provision is met wholly off site.

It is noted that as part and parcel of this assessment there is little potential for on-site cycle parking in a safe and secure environment.

We have undertaken a car parking survey to confirm that this area has reasonable capacity to cater for any cars which would arise from this conversion. The survey was undertaken in the morning and afternoon to coincide with the operation of the extant parking restrictions.

The street is not therefore an area of parking stress which would require a car capping as per the wording of the policy.

The survey confirms that there is an average of roughly 22 free car parking spaces during restricted hours in a street that has roughly 54 spaces in total.

This equates to 40.5% and therefore represents a huge percentage of free parking.

It is accepted that part of the intention of the policy is to encourage more sustainable modes of transport. By allowing 2 of the 3 units to not be car free still represents a significant reduction in the overall floor area of the property which would not have the benefit of a parking permit: this reduction in potential car parking is a material factor when one assesses the proposal against the policies and the move towards sustainability.

It should be noted that the tube station is still a 10 minute walk from the site and that other than storing cycles in the building itself (which is not ideal with grease and dirt in primary residential accommodation) there is little potential to store cycles on site in a covered and secure environment.

The summary of the car parking issue is as follows:

- The applicants would settle for only one of the residential units being car free;
- This is a material reduction in the amount of space which could benefit from a permit;
- The site lies within a controlled parking zone but is not easily accessible by public transport: the tube station is a 10 minute walk away and there is little potential to store cycles either on the site or even at the station;
- The area is not one of parking stress as evidenced by the submitted survey: empirical observations by the applicant confirms that this recorded pattern of parking is pretty much the case for most of the time; and,
- The site does not lie within a low parking provision area so the ability for two of the flats to apply for a permit accords with policy.

Conclusion

This application therefore seeks retrospective consent in accordance with the previous assessment made by planning officers of the local planning authority. This statement does therefore not focus on matters such as room size, amenity and suchlike as it is considered that these were previously addressed.

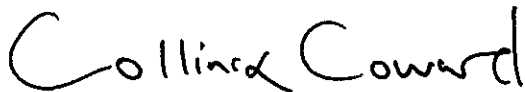
The key issue is the previous intention to reduce the number of car parking permits attributable to the site and we note that whilst the area falls within a controlled parking zone it is not readily accessible by public transport.

The proposal also does not fall within an area of low parking provision and in terms of any practical assessment of harm arising from this application it is noted that there is sufficient capacity on the road to cater for the car parking associated with this unit.

Conclusion

Ian Coward from these offices is dealing with this matter if you require any further information and/or clarification.

Yours faithfully



Collins & Coward
encs