

Address:	186 Camden High Street London NW1 8QP		
Application Number:	2008/1484/P	Officer: Jenny Fisher	
Ward:	Camden Town with Primrose Hill		
Date Received:	27/03/2008		
Proposal: Change of use of part of the first floor from retail (Class A1) to a mini cab office (Class B1) and alterations to the shopfront to provide an independent access from the street to the first floor.			
Drawing Numbers: Site Location Plan x2; 01; 02; 03; 04; 05; 06			
RECOMMENDATION SUMMARY: Grant planning permission subject to a S.106 legal agreement			
Applicant:		Agent:	
Mr Ahmed Haddad 186 Camden High Street London NW1 8QP		H. Solaimani 12 Stanhope Mews West London SW7 5RB	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	A1	Shop	19m ²
Proposed	B1	Business	19m ²

OFFICERS' REPORT

Reason for Referral to Committee:

The application involves the making of a S.106 planning obligation that falls outside the scheme of delegation [Clause 3 (vi)]

1. SITE

- 1.1 The premises comprise basement, ground, 1st and 2nd floors. The ground floor is trading as a retail shop, and the upper floors are used for associated storage. The ground floor has a fully openable frontage, in common with many of the surrounding properties, and the forecourt is extensively used for display purposes. The windows to the upper floors are covered with a solid black blind. Immediately adjacent to the south is the Electric Ballroom, a concert nightclub venue.
- 1.2 The premises are located on the east side of Camden High Street, within close proximity to Camden Town underground station and facing Inverness Street. Access to public transport is excellent (PTAL 6b).
- 1.3 The site is within the Camden Town Conservation Area and Gospel Oak Neighbourhood Renewal Area.

2. THE PROPOSAL

- 2.1 The use of the front part of the first floor as a mini cab control office. One full time and two part time staff are proposed to be employed. The hours of operation would be 18.30 – 06.30. Access would not be permitted for either members of the public or drivers.
- 2.2 As existing, the only access to the upper floors is via the ground floor retail unit. A new entrance door would be created within the shop front. This would give direct access from the highway into the building, and a new flight of stairs giving access to the first floor would be provided. The first floor is divided by a partition; the larger area to the front would be used as a mini cab office. A door would be installed in what is currently a narrow opening in the partition. Floor space on the other (rear) side of the partition includes the flight of stairs that leads from the ground floor to the second floor; the accommodation at this level would be retained for storage purposes.

3. RELEVANT HISTORY

- 3.1 None

4. CONSULTATIONS

Conservation Area Advisory Committee

- 4.1 Confirmation of “no objection” received.

Adjoining Occupiers

	Original
<i>Number of letters sent</i>	23
<i>Total number of responses received</i>	01
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	01

4.2 A letter of objection has been received from The Electric Ballroom at no. 184 Camden High Street [adjoining to the south]. The objector states that the area is well served with mini cab services. Another is considered detrimental to the area for the following reasons:

- people queue outside the premises for access. Adjoining shops close about 6.30 – 7.00; therefore the queue does not interfere with access to the retail units. A business opening beyond these hours would be disruptive
- probably more importantly, there is in this area a problem with people hanging around on the street and street crime. This is exacerbated by late night take-aways and other places where people like to hang around
- although keen to assist customers and others to get home as early as possible, feel they are well catered for already
- at night there is a huge increase in the number of vehicles parked at this location

Officer comment

If the use operates as proposed none of the above should occur. The operation of the use as proposed will be subject to a Management Plan secured by a S.106 [see para. 6.8 below].

5. **POLICIES**

Replacement Unitary Development Plan 2006

- 5.1 S1/S2/S12 (strategic policies – sustainable development – town centres)
SD1D (community safety)
SD2 (planning obligations)
SD6 (amenity for occupiers and neighbours)
B1 (general design principles)
B4 (shop fronts, advertisements, signs)
B7 (conservation areas)
T2 (capacity of transport provision)
T12 (works affecting the highway)
R7 (protection of shopping frontages)
E1 (location of business uses)
E3 (specific business uses and areas)

Camden Planning Guidance 2006

- 5.2 Design; town centres

5.3 Camden Town Conservation Area Statement

5.4 Planning Guidance for Camden Town – Food, Drink and Entertainment Uses 2008
[contextual information rather than of direct relevance]

6. **ASSESSMENT**

6.1 Principal considerations material to the determination of this application are summarised as follows:

- principle of change of use from ancillary retail to office use
- transport issues
- impact upon the area / occupiers and neighbours

Principle of change of use from ancillary retail to office use

- 6.2 The application has been assessed for compliance with replacement UDP policy R7 seeking the protection of shopping frontages. The principle of the change of use is considered acceptable. The majority of the ground floor would remain in retail use, so there would be no loss of retail activity or interruption of the shopping frontage. The basement, rear part of the first floor and the second floor would be retained for retail storage. It is therefore considered that the small amount of retail floor space that would be lost at first floor level (19m²) would not prejudice the viability of the existing ground floor unit and its continued operation as a retail shop.
- 6.3 The ground floor shop unit would be retained, albeit with a section of the window removed in order to provide space for the installation of a new door providing direct access from the street to the first floor. As this is a shop with a fully opening frontage typical of this part of Camden High Street, it is considered that a reduction in the area potentially available for a window display would not harm the character, function, vitality or viability of the area, or compromise the viability of the retail unit.
- 6.4 The application complies with policy R7. It is also in line with policy E1, which encourages office development in areas easily accessible by public transport as in this case. Policy E3 encourages the provision of accommodation to meet the requirements of small businesses. As such, the principle of the change of use proposed is considered acceptable.

Transport

- 6.5 Camden High Street has extremely high traffic flows. Within this context, a mini-cab office open to the public, where minicabs could stop to pick up passengers, would be unacceptable. Camden High Street does not have the capacity to accommodate an increase in transport demand. Mini cabs would obstruct other vehicles using the carriageway and reduce the capacity of the High Street and adjacent roads.
- 6.6 The only acceptable operation would be as described by the applicant. Cabs would not stop outside the office to collect passengers. Customers would not walk into the office but would have to telephone to order a cab. Drivers would not call into the office, and they would be directed to the pick-up address by phone and deliver

customers to their destination without returning to the office. However, these requirements cannot be secured by condition.

6.7 It is therefore considered that the applicant would be required to enter into a S.106 legal agreement for the provision of a Management Plan. This would allow the Council to ensure that the use operates in a way that is not detrimental to the operation of the highway or the amenities of local residents, and to take appropriate action if the mini- cab office failed to abide by the requirements of the Management Plan. The agent has stated (1st December 2008) his client's willingness to enter into such a legal agreement.

6.8 The Management Plan will specify that:

- The business will be confined to controlling the operation of minicabs remotely by telephone communication on a point-to-point hire basis i.e. it will operate as a call centre.
- Advertising material will not be permitted on either the outside of the building or within the ground floor/forecourt.
- No more than an agreed number of drivers will be employed at any one time [to control the number of trips per day]. The drivers will be employed directly by the office, and not sub-contracted.
- Cars will not be permitted to park in specified streets or within a specified radius of the office.
- Passengers will not be picked up from the office, wait in the shop or outside the site or within a specified radius of the office.
- Drivers will not be permitted to call at the premises at any time. Whilst working their shifts, drivers would not be allowed to use toilets at the premises. Drivers' timesheets will be submitted electronically via email as drivers will not be permitted to call at the office at any time. Drivers will not be paid by any means that requires collection from the office. Payslips will be mailed to the driver's home address.
- A nominated person will be appointed to deal with any complaints from local residents/businesses

and any other issues that are considered to be necessary and relevant to control as the Plan is worked up.

6.9 Following the completion of the S.106 Agreement, the Council would review the Management Plan from time to time. Any revision to the plan would need to be approved by the Council. Should any of the terms of the Management Plan not be adhered to by the operators of the mini-cab business, the Council will take appropriate action.

Impact upon the area / occupiers and neighbours

6.10 The application has been considered for compliance with policies B1, B3 and B7 and the need to ensure that development does not have an adverse impact on existing building or the Camden Town Conservation Area. Signs and advertisements would not be permitted, so it would not be apparent externally that the mini-cab office was there.

- 6.11 The new door that would provide direct access to the first floor is considered acceptable. It would correspond with a similar arrangement at the Electric Ballroom. It is recommended that a condition is attached requiring the installation of a timber door.
- 6.12 Included in the Management Plan would be measures aimed at the protection of the amenity of occupiers and neighbours, in accordance with Policy SD6. In this case, residents are most likely to be accommodated in streets off the High Street.
- 6.13 It is considered that the change of use/minor external alterations proposed would not harm the character and/or appearance of the Conservation Area, or, subject to the requirements of the S.106 agreement, the operation of the road network in surrounding streets or the amenities of adjoining occupiers.

7. CONCLUSION

- 7.1 Planning Permission is recommended subject to a S.106 Legal Agreement covering the following Heads of Terms:-
- Management Plan covering elements outlined above in relation to transport and other matters.

8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.