

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		17/07/2007	
		N/A / attached		<b>Consultation Expiry Date:</b>		03/07/2007	
<b>Officer</b>				<b>Application Number(s)</b>			
Stuart Minty				2007/2578/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
123 Kings Cross Road London WC1X 9NH				Refer to draft decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Change of use of ground floor office (Class A2) to car hire company/mini cab use including customer waiting area (sui-generis use).							
<b>Recommendation(s):</b>		Refusal of Planning Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses	02	No. of objections	02
				No. electronic	02		
<b>Summary of consultation responses:</b>		<p>A site notice was displayed on the 12/06/2007, expiring on the 03/07/2007.</p> <p>The owner/occupier of the basement flat (125 Kings Cross Road) and another unnamed flat on one of the upper floors (125 Kings Cross Road) have raised objections on the following grounds:-</p> <ul style="list-style-type: none"> <li>• Increase in antisocial behaviour</li> <li>• Increase in noise and disturbance associated with the use at anti-social hours of the day</li> <li>• The location of a taxi company will make precious parking space at an even greater shortfall</li> <li>• One way traffic flow at Kings Cross Road is at a maximum without the added burden of a taxi company.</li> </ul>					
<b>CAAC/Local groups comments:</b>		The <b>Bloomsbury CAAC</b> have raised no objections to the scheme					

## Site Description

The application site relates to the ground floor of a four storey building with basement located on the west side of Kings Cross Road. The ground floor is currently used as a betting office (Class A2), with the basement is used for ancillary purposes, and the upper floors as self contained flats. The building is not listed but is the Bloomsbury Conservation Area. The site has no on-site parking facilities, although a loading bay exists outside the site. Kings Cross Road is located on a TFL 'Red Route'.

## Relevant History

2004/5044/P - Change of use of a three storey maisonette over shop into 3 flats over shop – Approved (10/02/2005)

TP1468/19297 - To use the ground floor shop premises, No. 123, King's Cross Road, St. Pancras, for the purposes of a licensed betting office – Approved (12/01/1962)

TP1468/1965 - To continue the use of the ground floor shop premises at No. 123, King's Cross Road, St. Pancras, for the purposes of a licensed betting office – Approved (03/03/1965)

## Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### Camden Replacement Unitary Development Plan 2006

SD1 – Quality of Life; SD6 – Amenity for occupiers and neighbours; T1 – Sustainable Transport; T2 – Capacity of transport provision; T9 – Impact of Parking; T15 – Taxi's, minicabs and coaches; R7 – Protection of shopping frontages and local shops

### Camden Planning Guidance (Adopted December 2006)

P232 – Transport Assessment; P237 – Travel Plans

## Assessment

### Proposals:-

The application seeks planning permission for the change of use of the ground floor of an existing betting shop (Class A2) to a licensed car company/mini cab use with associated seating area (Sui Generis). The basement area would be used as ancillary offices as per the existing arrangements.

An access ramp has been illustrated in plan form on the proposed drawings. No other external alterations have been proposed.

### Assessment:-

The principal issues to consider in the assessment of this application are:-

- The principal of the change of use - land use
- Impact of the use on the surrounding transport network
- Impact on residential amenity
- Impact of the external alterations on the character and appearance of the building and the Bloomsbury Conservation Area

#### The principal of the change of use - land use

The application site is not located within a town centre, a neighbourhood shopping centre or any protected frontage as outlined within the Council's SPG for Central London 'Food, Drink and entertainment and specialist retail uses'. The introduction of a car hire/mini cab use in place of a betting shop would have no significant impact on the function, vitality and viability of this shopping parade and would comply with policy R7c due to their being no loss of retail uses.

#### Impact of the use on the surrounding transport network

Kings Cross Road is one-way street at the point of the application site, is located on a designated TfL Red-Route (TLRN) and the Clear Region Zone.

The nature of the proposed use will inherently have an impact on the local and surrounding road network as the proposed car hire company is likely to generate a large number of vehicle movements to and from the proposed site on a day-to-day basis. Trip rate analysis using the TRAVL database estimates that the proposed mini cab office could generate some 16 and 91 two way vehicle trips during the AM and PM peak periods respectively.

As stated within the planning application, there is no car parking available on site. The supporting information states that it is not intended to have working vehicles parked outside, but to locate them remotely. Regardless of this, there would still be an element of waiting on the TLRN, with vehicles operating under the proposed use will most likely be stopping on King's Cross Road to pick up / drop off customers. Whilst a loading bay exists immediately outside the site, it restricts stopping Monday to Saturday between 8am-7pm, except between 10am-1pm for loading for a maximum of 20 minutes. Therefore preventing mini cab drop offs and pick ups on the public highway between 8am-10am and 1pm-7pm Monday to Saturday. This will have a significant adverse effect on King's Cross Road and will cause significant disruption. This is of considerable concern as King's Cross Road is a TfL Red Route.

The applicant has not provided a Transport Assessment to identify the effects of this proposal, a 'Workplace Travel Plan' for how these effects are to be managed, or an operation methodology so therefore the proposed application is considered to be contrary to policies T1b (Transport Assessments) and is therefore considered unacceptable in transport planning terms. Both the Councils Transport Policy Officer and Transport for London have raised objection to the scheme in its submitted format.

NB - Details of what should be included within such documents are included within the Council's Transport Officers Observations on the application and shall be noted in an informative on the decision notice.

#### Impact on residential amenity

It is anticipated that the use of the premises would operate at anti-social hours of the day including late at night, whilst the location of the associated seating area would be likely to generate a number of pedestrian movements. The upper floors of the application site and both adjoining buildings contain residential components and are therefore the use may give rise to noise and disturbance detrimental to the residential amenities of neighbouring and surrounding properties. This element has not been cited as a reason for refusal however as in the event of the application being acceptable it would be reasonable to reserve the operational hours via planning condition. Likewise, details relative to the management of patrons outside of the premises could also be outlined within the workplace travel plan/operational methodology and secured via S106 obligation.

#### Impact of the external alterations on the character and appearance of the building and the Bloomsbury Conservation Area

The applicants propose a new access ramp on the forecourt of the premises to provide level access to the ground floor. No elevations, sections (inc gradient) or details of materials have been submitted as part of the application, however the location of a ramp in this location is likely to be acceptable subject to the appropriate detailing in respect of the outstanding information. The ramp is to be located on the applicant's forecourt and would not encroach onto the public highway, and the remaining footway would be of sufficient width. An informative will be added to the decision notice reminding the applicant of the validation requirements for any resubmission.

#### Conclusion

Given all of the aforementioned the application is considered unacceptable in transport terms and is accordingly recommended for refusal of planning permission.