

Delegated Report		Analysis sheet		Expiry Date:		21/10/2014	
		N/A / attached		Consultation Expiry Date:		16/09/2014	
Officer				Application Number(s)			
Jonathan McClue				2014/4563/P			
Application Address				Drawing Numbers			
2 Highgate Road London NW5 1NR				Refer to Decision Notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use from Estate Agent (A2) to use as Minicab office (Sui Generis).							
Recommendation(s):		Refuse Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	6	No. of responses	0	No. of objections	0	
			No. electronic	0			
Summary of consultation responses:		None received					
CAAC/Local groups comments:		None received					

Site Description

This application relates to a ground floor commercial unit (Class A2) within a 4 storey building located on an island block at the northern end of Kentish Town Road where the road splits into two. The property lies within the Kentish Town Centre with the upper floors containing vacant residential flats.

The unit has a lawful A2 (financial and professional services) use and lies next to an existing minicab office (solely as an operations base and not for a base to serve customers – see history **2010/1061/P**).

Relevant History

P9602526:

Planning permission granted 15/11/1996 for the change of use from A1 shop to minicab office. Temporary permission for 1 year. Condition relating to service remaining as a radio controlled operation only with no cards operating from the base.

PE9700943:

Planning permission granted 23/10/1998 for the use as a minicab office. Temporary permission for a further year. Condition relating to service remaining as a radio controlled operation only with no cards operating from the base.

PEX0100044:

Planning permission granted 19/03/2001 for the retention of use as minicab office.

Condition 1: No drivers of minicabs or similar vehicles shall stop or pick up any customers from outside the premises, within a distance of 100 metres (one hundred) from any part of the premises, between the hours of 07.30 and 19.30, Monday to Saturday inclusive.

2010/1061/P:

Planning permission granted 18/05/2010 for the retention of change of use from minicab office to estate agents (A2).

Enforcement History

EN09/1060:

Enforcement case against the unlawful use of the property as A2. Was made compliant by way of 2010/1061/P.

Relevant policies

National and Regional Policy

National Planning Policy Framework 2012
London Plan 2011

LDF Core Strategy and Development Policies

CS1 (Distribution of growth)
CS5 (Managing the impact of growth and development)
CS7 (Promoting Camden's centres and shops)
CS11 (Promoting sustainable and efficient travel)

DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)

DP16 (Transport implications of development)

DP21 (Development connecting to the highway network)
DP 26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 6 - Amenity
Camden Planning Guidance 7 – Transport

Assessment

1. Proposal

1.1 Planning permission is sought for the change of use of the estate agent office (A2) into a minicab office (Sui Generis), to provide a waiting area for customers serving an existing minicab operations office in the adjacent property (currently run by Spotty Cars). The change of use would relate to the ground and basement floors of the A2 unit.

1.2 The main issues to assess here are transportation impacts and harm caused to the residential amenities of the nearby occupiers.

2. Loss of A2 Unit and Principle of the Use

2.1 There would be no in principle objection to the loss of an A2 unit within the secondary frontage of the town centre, subject to the proposed use being in keeping with the retail parade and the surrounding area. The proposal would result in the existing minicab office being able to accept walk-in trade that could then wait at the premises. This alteration would cause an unacceptable impact on the safety and operation of the public highway and undue harm and disturbance to local residents. The change of use and creation of a waiting area is therefore unacceptable for the reasons outlined below.

3. Impact on the Surrounding Highways

3.1 The application site is located on a busy route and is on a busy junction with the strategic network (Kentish Town Road and Fortess Road). There are significant concerns regarding the impact the proposal could have on the operation of the public highway in the vicinity of the site. This includes inappropriate parking and waiting, traffic congestion and road safety.

3.2 The proposed change of use would result in a walk-in and waiting facility as opposed to a point-to-point service. These types of uses lead to minicab drivers parking and waiting near the office before they are called to collect customers, which would be detrimental to the capacity of the existing transport network and create dangerous situations for vulnerable road users. Policy DP21 states that the Council will not grant planning permission for development that would harm on-street parking conditions or add to on-street parking where existing in-street parking conditions cannot meet demand. Drivers can park without a parking permit (as they are occupying the vehicles) which can be detrimental to Controlled Parking Zones.

3.3 The only acceptable operation in this location would be if the office were to operate purely as a “remote” control office as it currently does (i.e. point-to-point hire). Adding the ability to walk into the office and wait for collection would result in more drivers waiting in the in surrounding streets. In addition, attracting walk-in trade is impractical and encourages unnecessary vehicle mileage, which is contrary to Camden and London Plan policies which are focused on increasing sustainable travel and reducing traffic.

4. Residential Amenity

4.1 The application site lies below residential units and paragraph 10.7 of CPG7 states that minicab offices in locations adjoining residential accommodation should be resisted. The creation of a walk-in

service and waiting area would encourage customers to congregate around and inside of the minicab office. The use would be associated with late night activity and due to its location in close proximity to a number of drinking and entertainment venues, including the Forum on the opposite side of Highgate Road, would be likely to attract late night patrons from these establishments. It is therefore considered that a material increase to noise and general disturbance would result for the nearby occupiers.

4.2 It is noted that the flats above the application site are currently vacant (real estate signs were displayed on the windows during the site visit); however, it is very likely that these will be occupied in the future and any potential impact on these occupiers must be given a material weight.

5. Conclusion

5.1 The proposed use of the premises as a minicab office to provide a waiting facility and further walk-in capabilities for an existing operations office would result in additional parking stress and congestion on the local highway network and customer associated noise and disturbance activity to the neighbouring residential occupiers.

Recommendation: Refuse planning permission