

Application ref: 2018/0044/P
Contact: Tony Young
Tel: 020 7974 2687
Date: 9 March 2018

Development Management
Regeneration and Planning
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Eagles Chauffeurs Ltd
Fao. Mr Ardian Zabergja
Ground Floor
12 Regency Parade
Finchley Road
LONDON
NW3 5EG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Ground Floor
12 Regency Parade
Finchley Road
LONDON
NW3 5EG

Proposal:
Use of ground floor level as a private hire booking office (chauffeur driven car service) (Class B1) (retrospective)

Drawing Nos: Site location plan; site plan and ground floor plan.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; site plan and ground floor plan.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 3 The proportion of floorspace allocated to the minicab office hereby approved shall only be operated strictly as a point-to-point office being controlled remotely. No customers shall be picked up or dropped off outside the premises at any time, and no drivers shall visit the office for any purpose other than administrative duties.

Reason: To safeguard residential amenity, highway safety and ensure the free flow of traffic in the local area in accordance with policies: CS5; DP12 & DP16 of Camden's Local Development Framework

Informative(s):

- 1 Reasons for granting permission:

The application site is part of the Regency Parade which comprises shops, cafes and commercial units at ground floor level with residential flats above in Regency Lodge, a Grade II listed building occupying an island site at the south end of the Swiss Cottage triangle. The building is not within a conservation area and is located in the Finchley Road/Swiss Cottage Town Centre.

The ground floor level premises has operated as a 24 hours private hire booking office (chauffeur driven car service) since at least 2012 without the benefit of planning permission, the lawful use being financial and professional services (Class A2). The application seeks retrospective planning permission to regularise the existing Class B1 use. The main issues to assess here are (1) the principle of the use, (2) transportation and highways impacts and (3) any harm caused to the residential amenities of the nearby occupiers.

(1) There would be no in principle objection to the loss of the lawful Class A2 use within the secondary frontage of the Finchley Road/Swiss Cottage Town Centre as the proposed use is in keeping with the commercial parade, involves a small amount of floorspace (approximately 50sqm), and no external alterations are involved. The use would operate as it currently does with no walk-in trade or vehicles visiting or waiting at the premises and bookings made in advance via the telephone or online hire only (i.e. point-to-point hire). The use would therefore be acceptable in this regard in terms of safety and operation of the public highway with no undue harm or increased disturbance to local residents. A condition would be attached to any approval to secure this.

(2) The application site is located on Finchley Road, a busy TLRN road and Transport for London red route. The business operates a service mainly provided in the West End and City of London with chauffeur driven cars (rather than minicabs) and client hire mostly from hotels, restaurants and embassies based centrally. All vehicles and drivers are based in central London with no parking, waiting on standby, collecting or dispatching clients from the premises in Regency Parade. There would therefore be no adverse impacts on pedestrian or vehicular traffic, on-street parking, increased vehicular mileage or journeys, road or

pedestrian safety, or on the existing transport network.

(3) While it is recognised that the application site sits below residential flats and paragraph 10.7 of CPG7 states that minicab offices in locations adjoining residential accommodation should be resisted. Paragraph 10.8 goes on to welcome the use of radio-controlled vehicles since this avoids the need for drivers to return to the office, so reducing the disturbance to nearby residents. The proposal would not encourage customers or vehicles and drivers to visit the premises, nor for people to congregate in and around the premises. The attraction to visit the premises is further reduced given the location on an island site and closed front shutters during the night. It is also noted that the premises has operated in this way since at least 2012 with no recorded complaints from neighbours or businesses. Therefore under these particular circumstances, it is considered that there would be no material increase in noise and general disturbance for the residential properties above or nearby occupiers.

Overall, it is therefore considered that the proposal is in accordance with policies and guidance and would be acceptable.

The site's planning and appeals history has been taken into account when coming to this decision. No objections have been received following statutory consultation.

As such, the proposed development is in general accordance with policies TC2, TC4, TC5, T2, E1, E2, A1 and A4 of Camden Local Plan 2017, London Plan 2016, and National Planning Policy Framework 2012.

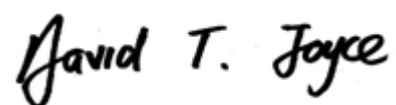
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large 'D' and 'J'.

David Joyce
Director of Regeneration and Planning