

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 20 <sup>th</sup> December 2022	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> Regent's Park	
<b>Subject of Report</b>	<b>St John's Wood Car Park, Kingsmill Terrace, London, NW8 6AA</b>		
<b>Proposal</b>	Use of levels 5 and 6 of car park as Self-Storage (B8)		
<b>Agent</b>	Harris Lamb Ltd		
<b>On behalf of</b>	NW8 Self-Storage Limited		
<b>Registered Number</b>	22/03546/FULL	<b>Date amended/ completed</b>	22 August 2022/20 October 2022
<b>Date Application Received</b>	27 May 2022		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Outside of St John's Wood Conservation Area		
<b>Neighbourhood Plan</b>	Not applicable		

## 1. RECOMMENDATION

Grant conditional planning permission.

## 2. SUMMARY & KEY CONSIDERATIONS

Planning permission is sought to use the sub-basement levels (5&6) of the public car park for self-storage purposes. Representations of objection have been received from the St John's Wood Society on grounds of the loss of public car parking spaces, which are needed to support the High Street regeneration and visitors to St John and Elizabeth hospitals and Lords Cricket Ground. Residents of Birley Lodge (located above the car park) have also objected on various grounds including:- loss of car parking spaces, nature of proposed use, safety and security and impact on residential amenity.

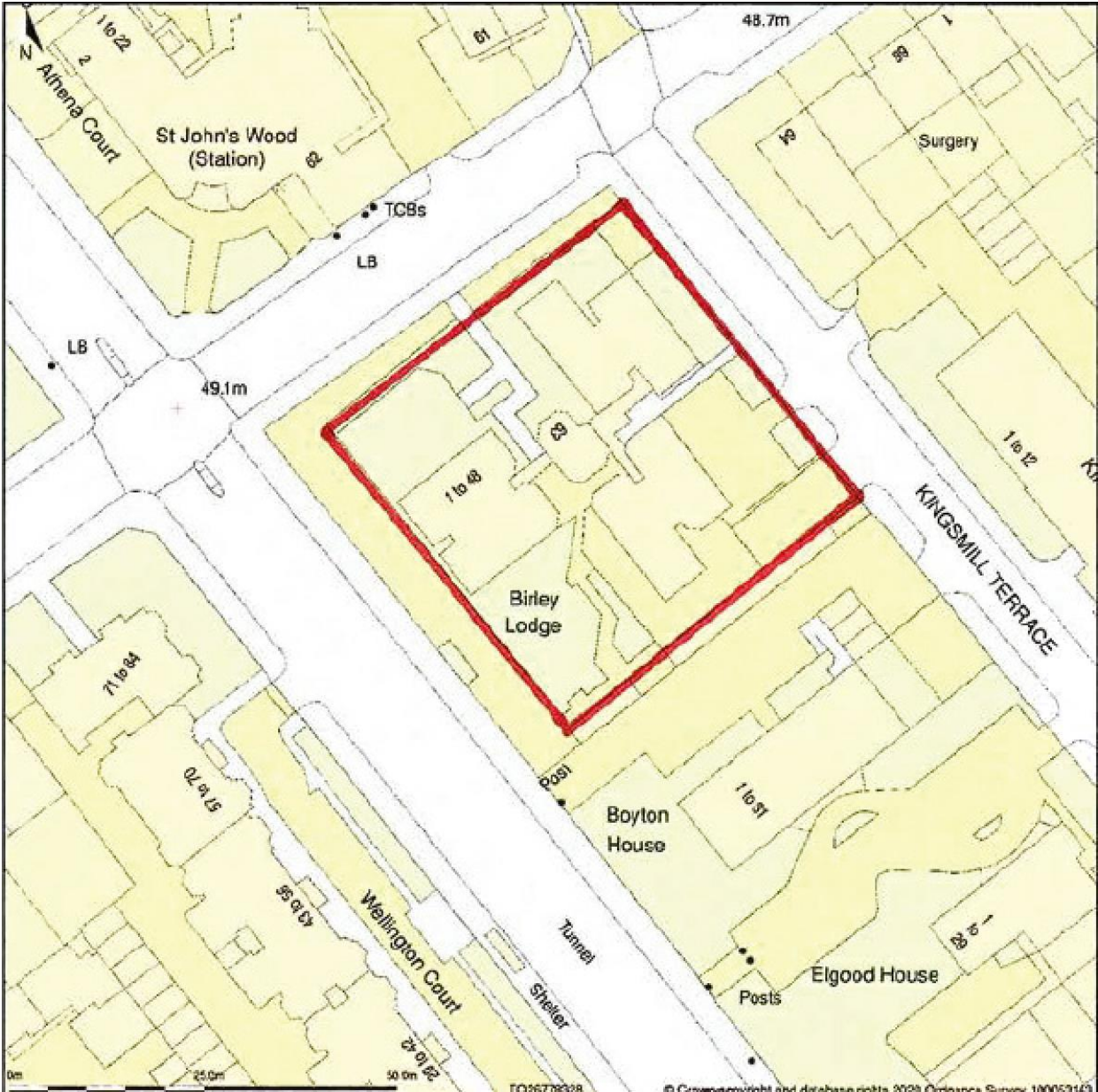
The key considerations in this case are:

- The loss of public car parking spaces.
- The principle of the self-storage use in this location.
- Impact of the use on the amenities of residents, including on safety and security.

The concerns raised by the St John's Wood Society and residents are well understood.

However, the car park has been shown to be under-utilised and would continue to provide 122 car parking spaces for use by the public. The use of under-utilised public car parks, including this one, for self-storage use is not uncommon and the proposal has been designed in liaison with the designing out crime officer, to address matters of crime and safety. As such, the proposal accords with the relevant City plan policies and a favourable recommendation is made.

3. LOCATION PLAN



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## PHOTOGRAPHS



Kingsmill Terrace – Vehicular & Pedestrian Access to Public Car Park and other commercial activities, sited below Birley Lodge, which is a residential development comprising three linked towers.



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## 4. CONSULTATIONS

### 4.1 Application Consultations

#### **HEALTH AND SAFETY EXECUTIVE (HSE)**

Comment. Not a relevant building.

#### **HIGHWAYS PLANNING**

No objection subject to conditions including requiring a Servicing/Operational Management Plan.

#### **WASTE PROJECT MANAGER**

No Objection. Details are in line with the council waste storage requirements. Recommend perpetuity condition to secure provision in accordance with drawing 004/B.

#### **DESIGNING OUT CRIME OFFICER**

No objection. Recommend Secure By Design Accreditation.

#### **ENVIRONMENTAL HEALTH**

Any response to be reported verbally. (Note, they did not raise objection to earlier proposal- 20/07482/FULL)

#### **BUILDING CONTROL**

Comment. Will require full plans Building Regulations.

#### **ECONOMY TEAM**

Any response to be reported verbally.

#### **WARD COUNCILLORS FOR REGENTS PARK**

Any response to be reported verbally.

#### **ST JOHNS WOOD SOCIETY**

Objection.

We strongly object to the change of use which will result in the loss of local off-street parking places. This is particularly unwelcome at a time when WCC's £2m NCIL High Street regeneration project is under discussion. If the improvement works go ahead, a substantial number of parking places will be lost on the High Street. Parking space in the garage will become even more important for visitors. The new Compton and Edrich stands at Lords are welcoming over 2000 additional visitors to Lords, not only for cricket but also for large year round functions. Visitors to St John and Elizabeth hospitals also need to access easily available off street car parking. There is no other parking garage available locally and local on street car parking is notoriously in very short supply. Please refer to the Highways team for the project. We would like to see evidence that the applicant has done sufficient marketing of their parking space to warrant a change of use at levels 5 and 6. There are a number of self-storage facilities already available locally.

#### **ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS**

No. consulted: 132 Total No. of Replies:21

No of. Objections: 21 from 20 addresses including from Birley Lodge Managing Agent (appointed by freehold company). Birley Lodge Limited, freeholder of Birley Lodge and the Car Park which sits in the basement floors of Birley Lodge and manage Birley Lodge which contains 48 flats.

Including responses from nine addresses (25,26,27,36,42,44,46,47 &48) from the same named person.

No.in support:-0

#### LAND USE

- This is a residential property and as such, commercial use should not be permitted inappropriate commercial use is already rife and causing significant harm to the residents.
- There should be no commercial use of the property permitted at all. I would suggest that the only proper use of the lower floors should be as private parking spaces for the residents - as I believe was the original intention for these floors.
- Birley lodge is a residential building and Kingsmill Terrace is a very small side street. To allow the commercial activity of self-storage is not what the building was intended for.
- The proposal states that the carpark is working at a 35% occupancy rate for many years. We would propose from what we have already seen that even at this current level of activity it is a huge nuisance and greatly impacts the quality of our lives at Birley Lodge.

#### TRANSPORTATION/ LOSS OF CAR PARKING

- Lack of parking spaces in Kingsmill Terrace where the Birley Lodge residents can usually park on a temporary basis.
- Increase in incoming and outgoing traffic.
- Problems residents are already facing illegally parked vehicles on Kingsmill Terrace and the lack of visible parking enforcement. Indeed, many of these problems, as per my complaint, were as a result of unconventional businesses already operating out of the NCP car park beneath Birley Lodge (self-storage, car hire, car sales, etc). No doubt, the problem with illegally parked vehicles on Kingsmill Terrace and surrounding streets will be further exacerbated by the removal of yet more parking spaces. Where are the supposed clients of this new self-storage facility supposed to park?
- They say that only 10 cars use the parking per day, but then equally say as a 24/7 car park there shouldn't be any restriction on the commercial use. However, we can see that the current level of activity is low and the level of disruption caused by commercial enterprises is significantly greater than that of a car park. The argument cannot be made both ways i.e. the car park is hardly used, but the new enterprises won't increase the disruption.
- This is a residential area with limited car parking facilities as it is for both residents and visitors to Lords Cricket Ground and numerous hospitals in the area.
- We are already facing many challenges in regard to illegally parked vehicles on Kingsmill Terrace and the lack of visible parking enforcement. Many of these problems are as a result of unconventional businesses already operating out of

- the NCP car park beneath Birley Lodge (self-storage, car hire, car sales, etc).
- In the proposal it states that they expect no more than 10 people to use the storage facility per day, each spending 45-60 minutes per day. How can they foresee this and what measures are there in place to monitor this? In the proposal they state that they expect vehicle usage for the storage units to be no more than 2 cars and 1 van. Again we believe that this is an unrealistic and far too under-estimated for the proposed 200 storage units!

### AMENITY

- Will adversely impact the well-being of the residents as well as their security and peace of mind.
- The existing storage use already has a vast array of different people visiting, storing large items, shouting, swearing, being generally abusive on our premises.
- The building, despite being residential in its nature, is already used as a hub for webuyanycar sales people to sell second-hand cars, seven days a week. Every day, webuyanycar sales people loudly flog second-hand cars, rev engines and generally block up Kingsmill Terrace. They also conduct their business in the private car parking space for Birley Lodge - taking loud phone calls and generally treating even the private space as their personal office. This is a huge nuisance, especially when residents are increasingly working from home.
- Disturbances from self-storage clientele after-hours and on weekends, for the residents at Birley Lodge and other immediately surrounding residential blocks of flats.
- As it is the number of businesses operating from NCP car park has detrimentally affected our day to day life at Birley Lodge . A self-storage business is not suited to a residential area such as this and is more appropriate for an industrial park .
- A proposal of 200 storage units to be available for use 7 days a week and for 14 hours a day! This in itself will convert what is supposed to be residential area into an industrial site and further increase the traffic of cars and people. This in turn is a significant concern in the security of our building, the wellbeing and privacy of the residents and the reassurance that they need whereby they are living over a 'safe' base.
- Creates extreme nuisance to the residents, as follows:
- the alarm system is broken - the alarm frequently rings for hours on end and despite many residents having complained about this many times over the past years, the problem always recurs;
- the entrance to the carpark is not secure - this results in people breaking in frequently, especially during the night - not only does this also cause the alarm to sound, it is also a risk to the security of residents in Birley Lodge;
- the carpark is usually unmanned so these issues cause chaos to the residents and often take HOURS to resolve;
- A good example of the sheer chaos QPark's lack of management causes, QPark does not operate the carpark within its capacity - last week QPark overbooked it and caused about 6 hours of blaring horns on Kingsmill Terrace and chock-a-block traffic as people who had booked parking spaces could not even go into the car park (and as a result missed the cricket) - another reason not to allow QPark to operate there - they don't have a handle on their operations at all.

### SAFETY/SECURITY



- Higher risk of fire hazard due to uncontrolled stocking of inflammable and illicit materials that could be stored in the facilities.
- A safety risk to the building due to more frequent unknown users of the storage.
- Concerned that dangerous chemicals and explosive devices could be stored that put our lives at risk.
- It is unacceptable for a storage space to be run in a residential building. The residents should not be subject to the risks of whatever is stored in the facility, by whomever.
- Adversely impact the well-being of the residents as well as their security and peace of mind.
- Hazardous/flammable items being stored beneath a residential block of flats;
- How have the security concerns regarding increased potential crime and disorder been addressed? Will the commercial organisation make undertakings to guarantee this won't happen and what recourse is there if this undertaken is not taken seriously and the crime/disorder becomes worse?
- will increase the risk of crime , disorder , personal safety and fire hazards .
- fire risk and storage of hazardous / illegal substances . How can or will the Council ensure such materials are not stored?
- unacceptable risk of illicit activity, as well as a fire hazard. As residents living above the car park, we will have no idea who will be storing what right under our feet, for what purpose and what risks that would pose and how we may mitigate it.
- The access to the car park and the proposed storage units are the same ones used by residents. As it is, we are finding the public and those using the car park hanging around and loitering on this private property. This creates extra work for the building porters and residents who are constantly having to check on the aforementioned people and ask them to move on. Not only is there extra work but this is a clear invasion of privacy and is not at all conducive to promoting the feeling of safety amongst the residents. Furthermore, the proposal states that the storage will only be manned 'at certain times' with staff located in existing reception areas in level. In our opinion and from what we have already seen in the loitering this is highly inadequate and even concerning in spite of CCTV.

#### OTHER/ PRIVATE MATTERS

- The added risks will increase the insurance premiums for residents and impact the general property evaluation in the area.
- Looks like the applicants are trying their luck by re-submitting this application, already knowing that the residents had previously objected to these plans. The fact that we need to object to this proposal again and again only shows us how the Applicants are lacking moral and ethical standards and how Westminster's rules for filing such applications leave much to be desired.
- Insurance implications for the residents of Birley Lodge and rises to premiums as a result of this commercial activity.
- This is a major application due to the change of use relating to over 1,000m2 of floorspace. On that basis this application should not have been accepted on the basis of the current City Plan and new validations requirements.
- Almost an identical planning application was made and rejected a couple of years ago for good reason. So, I am surprised to see this application being sneakily made again.

**SITE NOTICE** : Yes

**ADVERTISEMENT**: Yes

#### **4.2 Applicant's Pre-Application Community Engagement**

The applicant has not provided any details of an engagement with the local community and key stakeholders in the area prior to the submission of the planning application in accordance with the principles set out in the Early Community Engagement guidance. However, the applicant in liaison with Q Park has undergone discussions with the Designing out Crime Officer (DOCO) post the earlier refused planning application and during the course of this application, resulting in two site visits.

### **5. WESTMINSTER'S DEVELOPMENT PLAN**

#### **5.1 City Plan 2019-2040 & London Plan**

Since the consideration of the earlier refused planning application in March 2021, the City Council has adopted its new City Plan 2019-2040 on 21 April 2021. This has now replaced the UDP and 2016 City Plan policies. Therefore, this current application has been assessed in the light of these new development plan policies.

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

#### **5.2 Neighbourhood Planning**

The application site is not located within an area covered by a Neighbourhood Plan.

#### **5.3 National Policy & Guidance**

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

St John's Wood Car Park is a public car park operated by Q Park, comprising of levels 1, 1A, 2, 3, 4, 5, and 6, providing 183 car parking spaces. Its entry and exit is to Kingsmill Terrace with a 2m height restriction and leading down to the six level subterranean car park. Level 1A (annexe to level 1) is already in use as a self-storage facility by the applicant following a 2014 permission, Enterprise Vehicular Hire also operate from part of the site. It is understood that Q Parks are the parking management company and long term leaseholders of the car park.

The Car Park is located beneath Birley Lodge, which is a residential development comprising three linked towers. The site falls outside of the St John's Wood Conservation Area and is not located in any designated special policy areas (e.g. Central Activities Zone (CAZ) or North Westminster Economic Development Area (NWEDA)).

The site is located in close proximity to St John's Wood London Underground Station and the bus routes on Wellington Road, which is part of the Strategic Road Network managed by Transport for London. The area is home to a number of residential properties, private hospitals, Abbey Road Studios and Lords Cricket ground and St John's Wood Shopping Centre is located in close proximity.

### 6.2 Recent Relevant History

Conditional planning permission was granted on 29.01.2014 for the Use of level 1A of St Johns Wood Car Park for self-storage (Class B8) with reception and loading area. (13/10250/FULL). Condition 2 restricts the hours of operation to between 08.00-20.00 daily.

Conditional planning permission was granted on 12.01.2015 for Change of use of parts of site to vehicle hire. This was to convert an existing structure within the car park into a bookings office and to dedicate a total of 16 car parking spaces to a car hire company (14/11382/FULL).

Approval of details granted on 29.01.2015 for Details of a management plan, to include details of how cars shall be transported to and from the site, hours of delivery of vehicles and hours of operation of the proposed use and details of a plan showing the location of the 16 parking spaces pursuant to Conditions 3 and 5 of planning permission dated 12 January 2015 (RN: 14/11382/FULL).(15/00336/ADFULL)

Permission was refused on 05.03.2021 for the use of levels 5 and 6 of Car park as self-storage (Class B8) (20/07482/FULL). The Reason for refusal was :-

*The proposed self-storage use would, by reason of its nature, operation and location, exacerbate the potential for crime and disorder and associated anti-social behaviour, adversely affecting residential amenity and local environmental quality, to the detriment of the health, safety and well-being of the local community. This would be contrary to policy S29 of Westminster's City Plan, adopted November 2016. The proposal is also contrary to the National Planning Policy Framework (NPPF) February 2019, the London*

*Plan 2021 and Section 17 of the Crime and Disorder Act 1988.*

## 7. THE PROPOSAL

Planning permission is sought by NW8 Self-Storage Limited for the change of use of 1600m<sup>2</sup>, or 61 car parking spaces at levels 5 and 6 of St Johns Wood Car Park, from Public Car Parking (Sui Generis) to Self-Storage (B8). The self-storage facility would provide around 200 self-storage units of various sizes ranging from 2m<sup>2</sup> to 10m<sup>2</sup>, operating 08.00-22.00 Monday to Sundays including Bank Holidays.

The applicant has stated that the maximum number of customers expected in any one day is 10, with the maximum vehicle number being 2 cars and a van at any one time, and that the average time spent at the facility is 45-60 minutes. Consequently, three car parking bays are to be provided for customer parking /offloading/loading.

The self-storage facility is proposed to be operated in conjunction with the facility at level 1A of the car park. The two existing full time staff that operate level 1a facility from the reception area, will with an additional member of staff, also manage the proposed new facility at levels 5 and 6. It is proposed that the facility at level 5 and 6 will be subject to 24 hour CCTV coverage and that access to the area by customers will be via coded security door system which has direct contact with security personal.

In order to rent a storage space with Space Station, copies of ID and bank details are provided and kept on file. In addition, once a storage unit has been rented a passcode is provided which they would need to use to get through the entrance into the self-storage facility. Once this user ID and passcode is entered into the door, providing that it is correct, it will deactivate the alarm with the storage unit that their user account is associated with. When the user ID and passcode are correctly inputted, CCTV records the person(s) entering the self-storage facility along with their User ID and passcode data and is stored remotely in case Police or emergency services require these details at a later date.

This current application seeks to address an earlier refusal of planning permission on 05.03.2021 which was refused on security grounds. Since the earlier refusal of planning permission, the applicant has, in liaison with the designing out crime officer (DOCO) and following a site visit, undertaken to implement a number of security measures to the existing car park. During the course of this application, the case officer and DOCO made a further site visit to the car park to view all levels as well as the fire escape points.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

#### **Loss of the existing public car parking spaces**

St John's Wood Car Park currently provides 183 car parking spaces. Areas of the car park are already used for alternative uses, including for self-storage by the same applicant within level 1A of the car park, granted under a 2014 permission. The proposal would utilise 61 of these car parking spaces at levels 5/6 to provide lettable storage facilities; the car park would continue to provide 122 car parking spaces.

Policy 27 (Parking) of our City Plan supports proposals for the use of existing car parks for alternative uses and as such the loss of public car parking spaces is acceptable in principle in land use terms.

The St John's Wood Society, together with a number of local residents has raised objection to the loss of the public car parking spaces, citing them as valuable car parking spaces which are vital to the local high street, local hospitals, and for Lords Cricket Ground on match days.

The applicant has provided data collected between 2019-2022 pertaining to the use of the car park. The figures indicate an average occupancy of the car park in 2022 as between 16-27% and at its highest in 2019 between 19-38% This is backed up by a letter from Q Park submitted by the applicant which states that *"car parking numbers have been declining for several years... and that the proposed storage use will have no impact on its current usage"*.

For these reasons the loss of the 61 spaces is not considered to have an adverse effect on local on-street parking. The Highway's Planning Manager has accepted these figures and raises no objection to the proposed change of use, as the car park would generally still have additional capacity above its average usage levels. Furthermore, any spikes in demand on different days (which may be caused by occasional one-off events such as those highlighted by the St John's Wood Society and local residents) are expected to be relatively few and would not justify withholding permission on this ground. As such the Highway's Planning Manager has not raised concerns to the loss of car parking spaces and the objections raised on this ground are not supported by officers.

#### **Proposed self-storage centre**

The proposed self-storage centre use falls within Class B8 (Storage and distribution) of the Use Classes Order 1987 (as amended). There are no specific land use policies within the City Plan that are relevant to the determination of this application for a self-storage centre (Class B8) in this location. As such, the principle of the proposal in land use terms is acceptable, subject to meeting other relevant policies of the City Plan with respect to transport, amenity etc. However, in order to prevent another type of storage and distribution use under Class B8 taking place at the site without planning permission, which may have very different characteristics for activity and traffic generation, a condition (6) is recommended to restrict the use to self-storage use only.

## **8.2 Environment & Sustainability**

#### **Sustainable Design/Floodrisk & sustainable drainage**

This application, whilst a major application, due to the change in floorspace of over 1,000m<sup>2</sup>, is for a change of use only and no external alterations to the outside of the car park are proposed. As such, it would not increase the size of any impermeable surfaces and no alterations are proposed to the existing drainage systems. For these reasons, a Sustainable Drainage (Suds) Design Strategy was not required and Policy 35 and policy 38(D) is not triggered.

#### **Energy Performance**

The application is for a change of use only and internal storage units do not in themselves require planning permission (once a change of use has been granted).

However, the applicant has advised that the storage units are to be constructed of Aluzinc, a 100% recyclable product. The internal lighting will be made to be compliant with building regulations. As such, given the nature of the proposal, it is considered to maximise low carbon energy sources. For these reasons no further assessment (including GLA energy assessment) was considered relevant, appropriate or necessary, given that the development relates to the internal use of an existing car park structure with no external alterations. As such condition 36 has been adequately addressed.

### **Air Quality**

The proposal is for a change of use only, with anticipated vehicle trips of 10 incoming and 10 outgoing trips per day, compared to the potential vehicle movement associated with 61 car parking spaces within a 24/7 car park. The City Council's Highways Planning Manager has advised that the proposal would not have a significantly detrimental impact on the safety or operation of the highway network, as there should be a substantial decrease in vehicle trip numbers to and from the site in regard to the change of use.

For these reasons, given the reduction in vehicle movements, it is considered that the proposal would not detrimentally impact on air quality and reflects Westminster's air quality objectives of the City Plan and policy 32. An air quality assessment was for these reasons, not required.

### **Other**

No external alterations are proposed and therefore the objections raised with respect to design and potential for light pollution are not justified. Vehicle headlights would be no different to vehicles using the 24/7 car park.

Objections have raised concern over the potential environmental impact of the use with respect to vehicle congestion and air pollution. However, given the existing use of the site as a 24 hour car park, it is not considered that the proposal would result in any significantly worse impact than the current use.

### **8.3 Biodiversity & Greening**

This application is for a material change of use only, at subterranean levels 5 & 6 within an existing car park structure, with no external alterations. As such there is no scope to incorporate greening measures or provide a net gain in biodiversity under Policy 34.

### **8.4 Townscape, Design & Heritage Impact**

The proposal involves internal alterations to an unlisted building, located outside of a conservation area. As such it does not raise townscape, design or heritage impact issues.

### **8.5 Residential Amenity**

As the proposal is for a material change of use within an existing building, The key considerations with respect to the proposed use and its potential impact on the amenity of surrounding residential occupiers, particularly those within Birley Lodge are:

1. Noise and disturbance associated with the external impact of vehicular and pedestrian activity to and from the site.
2. Noise and disturbance associated with the internal use.
3. Crime and Disorder associated with the proposed use.

Noise and disturbance associated with the external impact of vehicular and pedestrian activity to and from the site.

Given that the existing use of the site is as a 24 hour public car park, restriction on large vehicles accessing the site due to the restricted head height, and that all activity would be required to take place internally and within the hours of 08.00-22.00, it is not considered that the external vehicular and pedestrian activity associated with the proposed use (arrivals and departures) would result in any significant increase in noise and disturbance over and above the existing use as a 24 hour public car park. A condition would be appropriate to prevent loading or unloading from the highway, to control the nature of the use and number of units as well as hours of use and the overall operation of the premises. Subject to these recommended restrictions, the objections raised by local residents with respect to potential impact of traffic noise, general noise nuisance are not supported by officers.

Noise and disturbance associated with the internal use

With respect to the internal activities, this would involve unloading items for storage from within the car park at levels 5 and 6 (below ground), wheeling or carrying them to a storage unit and then leaving the building. Due to the nature of storage centres, the storage items are then left in situ until required or further items stored/change in storage user etc, in which case the same activity would take place when vacating storage items from the storage unit. Given, the nature of the internal activities and their internal location within the enclosed car park levels 5-6 below ground level, it is not considered that the internal activities would result in any significant noise escape to cause noise and disturbance to residents, including those within Birley Lodge and would not result in noise and disturbance that would cause material harm.

The City Council's environmental health officer has not commented on this current application, but did not raise concern with the earlier proposal on environmental noise or nuisance grounds and had advised that the existing self-storage use within the site has not been subject of complaint to the department from adverse impacts. As such, he considered the proposal to be acceptable, subject to controlling the hours of use to those sought and on the basis that the existing head height of the car park access, limits the type of vehicles that can access the site. Consequently, the internal activities associated with the proposed development is not considered to result in any noise and disturbance to surrounding residents and policy 33 is satisfied.

Crime and Disorder associated with the proposed self-storage use

The potential for Crime and Disorder associated with the proposed use has been considered in detail in liaison with the DOCO. Following the refusal of the earlier application on crime and security grounds, on-site and virtual (Teams) meetings have taken place, the most recent on-site meeting took place during the course of this application with the case officer, applicant and agent and DOCO on 28.09.2022. A tour of the internal area of the entire car park and existing self-storage centre was undertaken, together with a tour of the external area and in particular to look at the locations of the fire escape stair core access points. It was noted that the security of the existing car park had been significantly upgraded to address concerns previously raised by the DOCO, as part of the earlier refusal of planning permission.

These include:-

- o Fitted all doors to the car park with magnetic locks and alarms
- o Additional directional signage around the car park to ensure customers have a greater degree of clarity whilst navigating throughout the application site.
- o Servicing and repair works has been undertaken on all self-closures on fire doors to ensure they all work correctly.

A number of local residents of Birley Lodge have raised objection to the proposal on grounds that it would exacerbate the security risk for these residents that live above the car park.

The applicant is proposing a number of security measures, including:-

- o Levels 5 and 6 will be accessible through a security operated set of double doors next to the parking/offloading area from level 4.
- o Ten CCTV cameras are proposed throughout levels 5 and 6 and at the parking/offloading area which is accessible through level 4.
- o 3 CCTV cameras are provided on levels 3 & 4 and 11 CCTV cameras on level 1 & 2.
- o Alarmed help points are positioned at every fire escape door at all levels.
- o CCTV data is linked to 'Synology' data and image storage facility.
- o All alarmed emergency help points are on the Skidata system which is linked to Q-Parks central office and monitored 24 hours a day.

The DOCO has advised in their formal consultation response that they are now satisfied that their previous concerns have been addressed and as such, do not raise objection to the proposed self-storage use under this current planning application. They do however recommend that in the pursuit of reducing crime and the fear of crime, that the implementation of proven crime prevention products and designing out principles are secured through Secured by Design (SBD) Accreditation. As such a condition is recommended to secure evidence of SBD Accreditation prior to the operation of the proposed use. For the reasons set out, the proposal, by reason of its nature and operation and location would not exacerbate the potential for crime and disorder and associated anti-social behaviour, and would protect residential amenity and local environmental quality, in accordance with policy 38 (Design principles), policy 44( Security measures in the public realm, the National Planning Policy Framework (NPPF) February 2019, the London Plan 2021 and Section 17 of the Crime and Disorder Act 1988.

The applicant has advised that the proposed use of levels 5 & 6 is likely to take place in two phases with level 6 being fit out first and taking around 4 months. As such in order to ensure that the security measures are in place prior to the use of the different levels, a condition (8) is recommended.

#### Nature of Goods Stored in self storage units

The adequacy of controls over the safety of materials that could be stored has been raised by residents of Birley Lodge. Such a use is usually bound as a condition of insurance to take adequate measures to prevent the storage of hazardous substances.

A list of banned substances would be made clear to customers, verified identification/photograph of use, card payments only and other necessary measures would be secured through an operational management plan, and these are considered



to be reasonable and practical measures to minimise the risk of storage of unsafe and inappropriate items, including items that could attract vermin.

A copy of the Terms of Conditions of the self-storage Licence agreement has been provided. A condition of this is:- " *The Customer must not store (or allow any other person to store) any of the following in the Room: (a) food or perishable goods unless securely packed so they are protected from and do not attract vermin; (b) any living creatures; (c) combustible or flammable substances such as gas, paint, petrol, oil, cleaning solvents or compressed gases; (d) firearms, explosives, weapons or ammunition; (e) chemicals, radioactive materials, biological agents; toxic waste, asbestos or other potentially hazardous substances; (f) any item that emits fumes, or odours; (g) any illegal item or substances or goods illegally obtained such as illicit (counterfeit/smuggled) tobacco or alcohol and unlicensed or unsafe goods (such as toys, electrical goods, medicines, aerosols, cosmetics, fireworks); (h) goods which are environmentally harmful or that are a risk to the property of any person; This is not an exhaustive list*".

It is considered that sufficient measures are in place to address this matter as far as possible in planning terms.

#### Fire escape

The existing car park has a main vehicular and pedestrian entrance from Kingsmill Terrace and three staircase cores which extend from level 6 up through all levels of the car park to street level. A Fire statement has been submitted. The Health & Safety Executive has advised that the car park is not a relevant building for the purpose of planning gateway one and have therefore not offered any comments. The City Council's Building Control Officer has advised that a full plans application will need to be submitted to Building Control where structural load and fire safety will be considered further.

## **8.6 Transportation, Accessibility & Servicing**

#### Loss of public car parking spaces

The loss of public car parking spaces has been assessed within the land use section of this report. The City Council's Highways Planning Officer has advised that the loss of 61 off -street public car parking spaces would not cause a problem for on-street demand and is consequently considered acceptable. The objections raised on grounds that the proposal will increase demand for on-street car parking is not supported by officers.

#### Proposed self-storage use

St John's Wood Car Park is accessed from Kingsmill Terrace and the car park is located beneath Birley Lodge. Access to the proposed self-storage use would be from this existing vehicular access arrangement. The site is easily accessible via the local road network for customers and servicing purposes and the application site is considered suitable for a storage use because of its relatively isolated and self-contained nature.

#### Parking

The applicant has stated that the maximum number of customers expected in any one day is 10, with the maximum vehicle number being 2 cars and a van at any one time, and that the average time spent at the facility is 45-60 minutes. Three internal car

parking bays are to be provided for customer parking /offloading/loading within the car park and this is considered appropriate for its operational requirements and is to be secured by condition in accordance with Policy 27.

#### Highway Impact

The City Council's Highway Planning Manager has advised that the use is likely to generate less vehicular movement than it would if it were regularly used for public car parking and as such that the proposal will not have a significantly detrimental impact on the safety or operation of the highway network, as there should be a substantial decrease in vehicle trip numbers to and from the site in accordance with Policy 28.

Experience of self-storage uses indicate that they do not generate as many vehicular movements as people expect and that once people have stored their belongings they subsequently do not visit often. As the proposal is not considered to give rise to significant transport implications, a Transport Assessment was not deemed necessary.

As the car park entrance has an existing headroom restriction of 2m, vehicles of higher than 2m are to be prevented from attending this site to prevent goods being loaded/unloaded from the highway or from the entrance ramp to the car park. Measures are to be included in a servicing/operational management plan to inform potential customers/visitors of the restriction and explain how the site will operate on a day to day basis and include measures that will be taken to limit any potential impact of the development on the public highway.

#### Servicing and Waste & Recycling Storage

The Highway's Planning Manager has requested that a condition be imposed to require submission of a servicing/operational management plan to detail predicted vehicle types, movements, size and height restrictions, measures to deal with busy times and how customers will load unload goods from vehicles and storage areas. This is recommended as condition 5.

Waste storage bin location is indicated on drawings supplied and is in line with the City Council's waste storage requirements as confirmed by the City Council's Waste Project Officer. This is welcomed and is to be secured by condition, in accordance with Policy 25.

#### Cycling & Cycle Storage

The proposal indicates 4 cycle parking spaces which satisfy the requirements of the London Plan. This is welcomed and is to be secured by condition, in accordance with Policy 25.

For the reasons set out above, the proposal is considered acceptable in transport and highways terms and the objections raised on these grounds are not supported.

#### Disabled Access

The applicant has advised that the self-storage units would be fully compliant with Building Regulations, with step free facilities, wide corridors and a wheelchair accessible WC at level 1 next to the car park reception/pay point. The loading/unloading vehicular bays would also be accessible.

### **8.7 Economy including Employment & Skills**

The development is of insufficient scale to require an employment and skills plan, it will continue to contribute positively to the local economy. An additional 1 full-time equivalent job will be provided alongside the two existing full time employees that manage the level 1A self-storage, which will continue to help to promote opportunities for local employment and will lead to increased spending in existing nearby shops and services and other town centre uses.

### **8.8 Environmental Impact Assessment**

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

### **8.9 Planning Obligations & Pre-Commencement Conditions**

Planning obligations are not relevant in the determination of this application.

## **9. Conclusion**

Given the existing use of the site as a 24 hour public car park, with existing lawful storage and car hire elements, its location in close proximity to the Shopping Centre, public transport and Wellington Road, together with the nature of the use and location and nature of associated activities, it is considered that the principle of the self-storage use is acceptable in this case. Furthermore, it is not an uncommon use of public car parks within Westminster, where the car park is not used to full capacity.

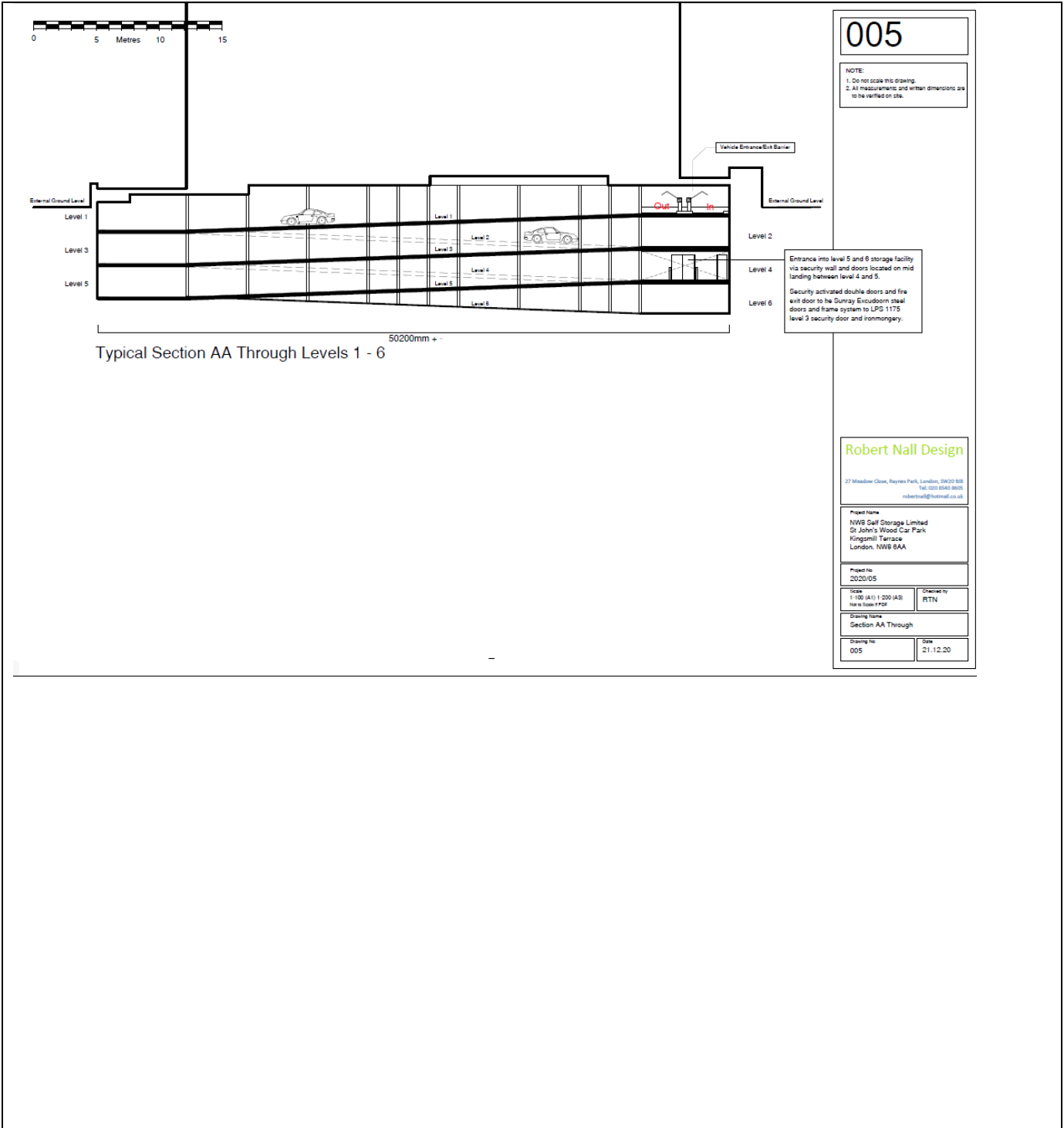
In order that the premises are not used for a more disruptive form of warehousing or storage it would be appropriate to restrict the use to self-storage use only and to prevent the intensification of the use by restricting the number of self-storage units to that proposed (200 units). Whilst local residents have raised objection to the principle of the use, suggesting it introduces an industrial use into a residential area, for the reasons set out above, officers do not support these objections and consider that with controls over the nature and intensity of use, that the proposal is acceptable in land use terms.

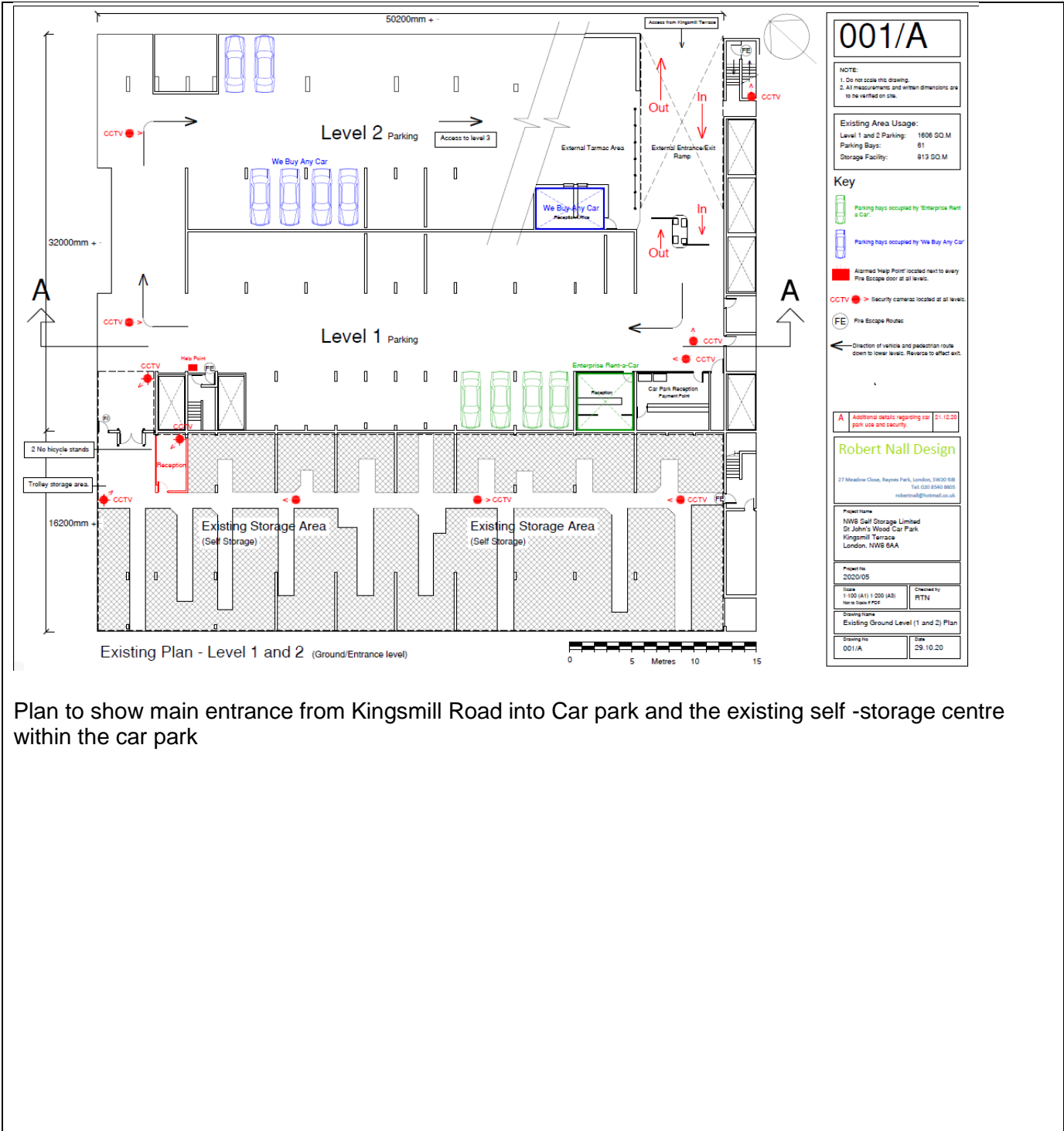
For the reasons set out within this report, it is considered that the proposed use is acceptable, subject to a number of conditions to ensure that the day to day operations are carried out satisfactorily with regard to transport, amenity and crime prevention

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)

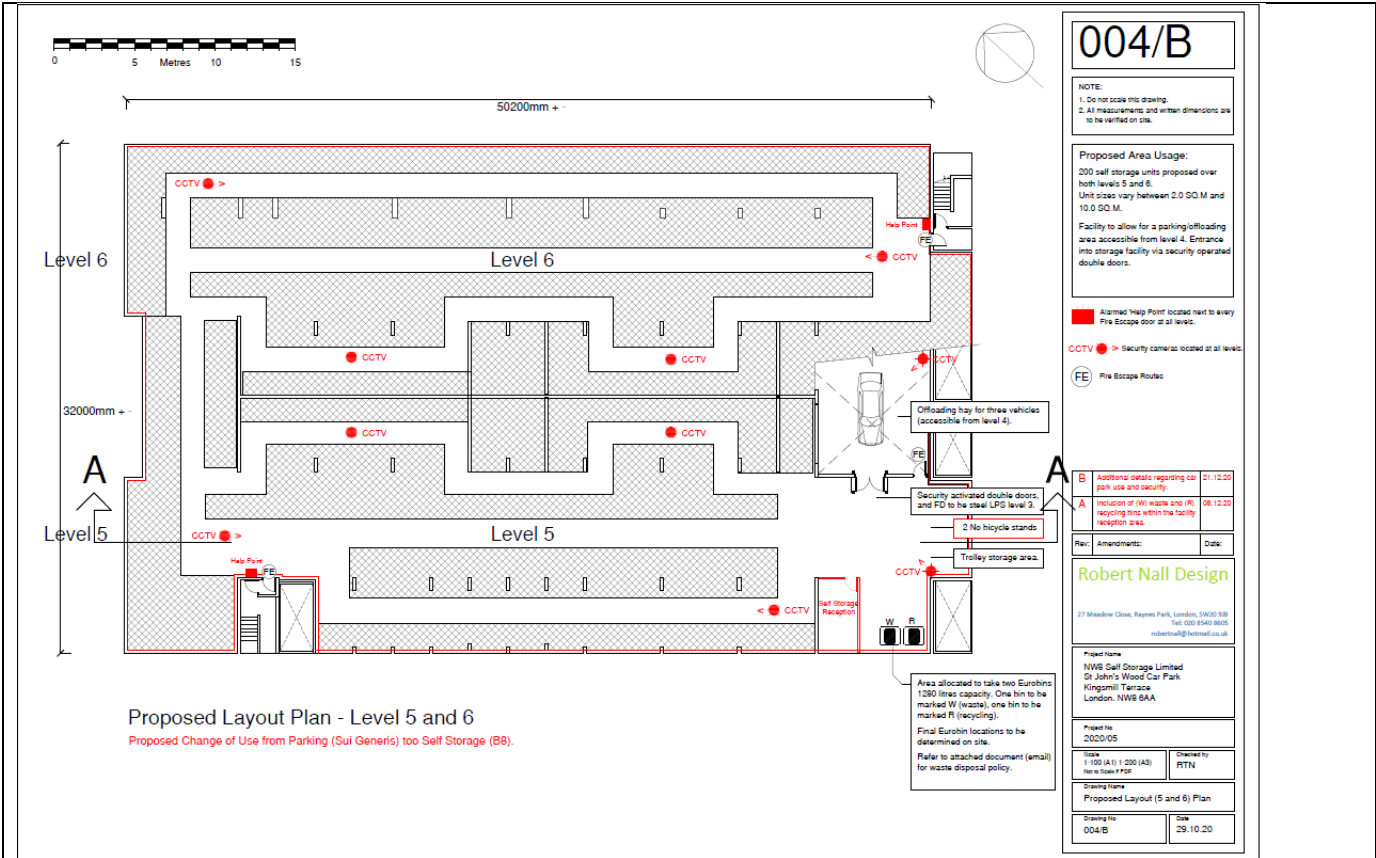
# 10. KEY DRAWINGS



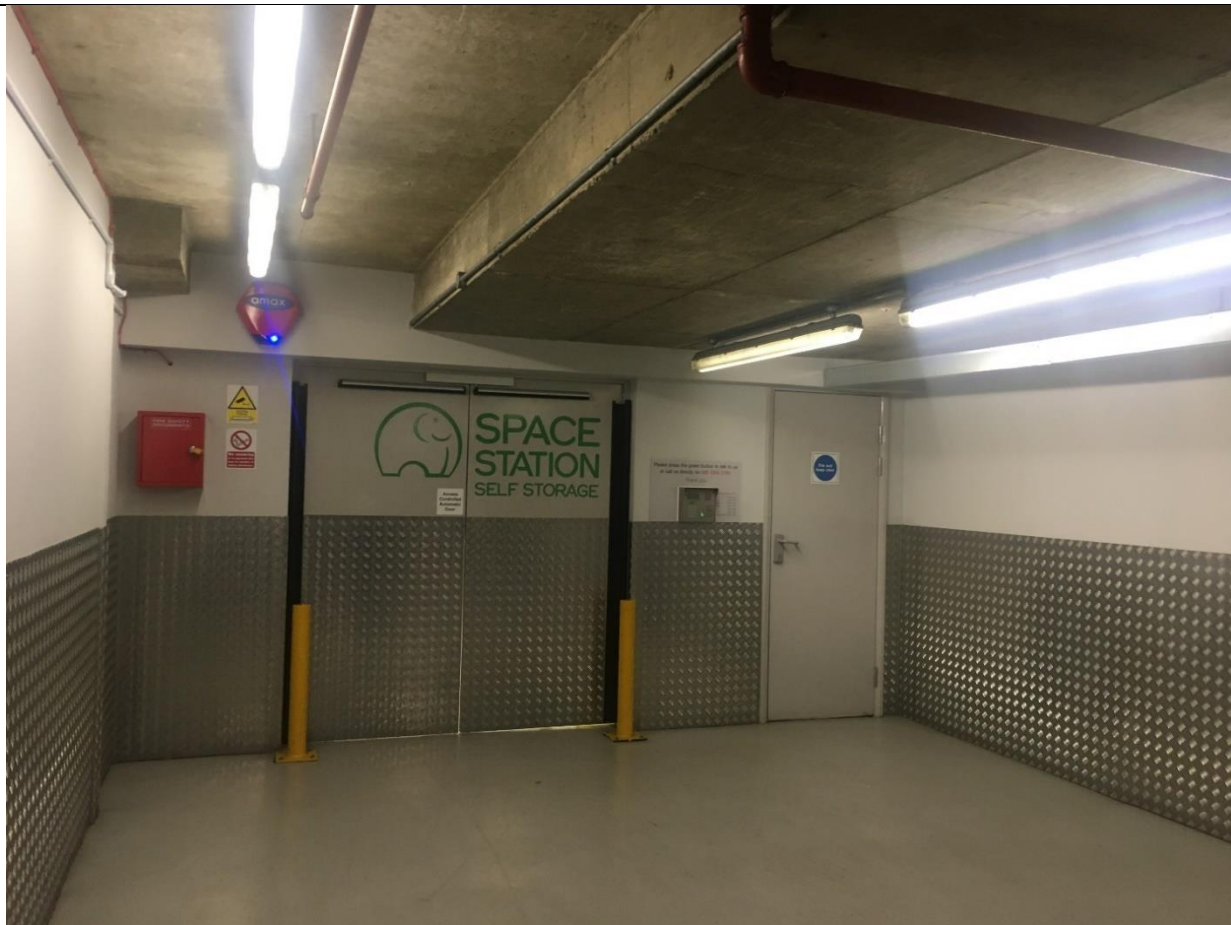


<b>001/A</b>	
NOTE: 1. Do not scale this drawing. 2. All measurements and written dimensions are to be verified on site.	
Existing Area Usage: Level 1 and 2 Parking: 1806 SQ.M Parking Bays: 61 Storage Facility: 813 SQ.M	
<b>Key</b>	
	Parking bays occupied by Emergrise Rent-a-Car
	Parking bays occupied by We Buy Any Car
	Alarmed Help Point located next to every Fire Escape door at all levels.
	CCTV - security cameras located at all levels.
	Fire Escape Routes
	Direction of vehicle and pedestrian route down to lower levels. Reverse to effect exit.
<b>A</b>	Additional details regarding car park use and security.
<b>Robert Nail Design</b>	
27 Meadlow Close, Raynes Park, London, SW20 8BB Tel: 020 8461 8800 robertnail@hotmail.co.uk	
Project Name: NWB Self Storage Limited St John's Wood Car Park Kingsmill Terrace London, NW8 6AA	
Project No: 2020/05	
Scale: 1:100 (A1) 1:200 (A3) None (over 1:50)	Checked by: RTN
Drawing Name: Existing Ground Level (1 and 2) Plan	
Sheet No: 001/A	Date: 29.10.20

Plan to show main entrance from Kingsmill Road into Car park and the existing self-storage centre within the car park



Proposed levels 5/6 use as self-storage

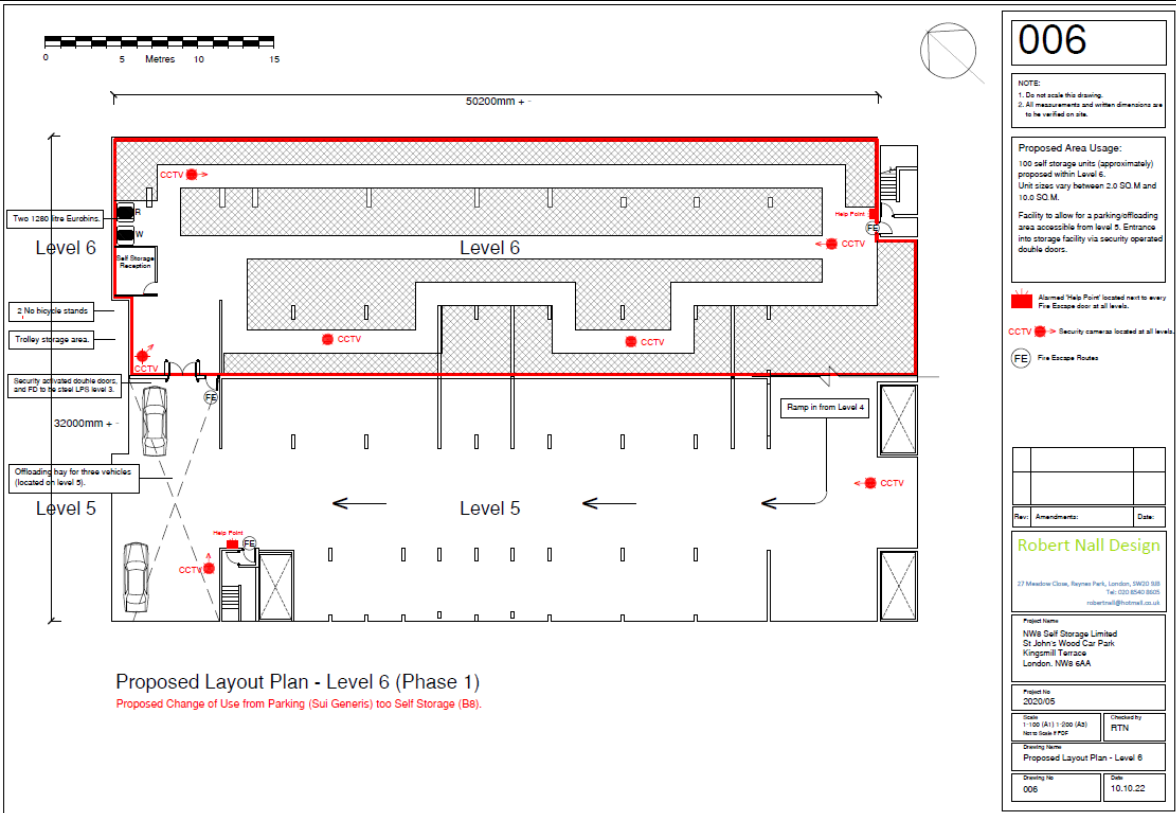


**Existing self-service unit entrance and loading area at level 1 within the car park**



**Existing self-service units at level 1 within the car park**





**Proposed phase 1 layout**

**DRAFT DECISION LETTER**

**Address:** St John's Wood Car Park, Kingsmill Terrace, London, NW8 6AA

**Proposal:** Use of levels 5 and 6 of car park as Self-Storage (B8)

**Reference:** 22/03546/FULL

**Plan Nos:** Site Location Plan (No reference), Existing Levels 1 & 2 Layout Plan (Reference: 001A), Existing Levels 3 & 4 Layout Plan (Reference: 002A), Existing Levels 5 & 6 Layout Plan (Reference: 003A), Proposed Level 5 & 6 Layout Plan (Reference: 004B), Section AA Through levels 1 to 6 (Reference: 005), Car park usage data provided by Q Park 17.11.2020, Planning Statement May 2022, Self-Storage Terms and Conditions Details (No reference) , Fire Statement 07.08.2022, Letter from Robert Nall Design (27th December 2020) clarifying security measures., Agent Email 24.08.2022, Proposed layout plan- Level 6 -006 10.10.2022, Harris lamb letter 13.10.2022, Car Park Data for 2019, 2020,2021,2022, Q Park Lease 06.05.2022, Agent email 08.12.2022,

**Case Officer:** Sarah Whitnall

**Direct Tel. No.** 020 7641  
07866036375

**Recommended Condition(s) and Reason(s)**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , o between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 13.00 on Saturday; and , o not at all on Sundays, bank holidays and public holidays. , , You must carry out piling, excavation and demolition work only: , o between 08.00 and 18.00 Monday to Friday; and , onot at all on Saturdays, Sundays, bank holidays and public holidays. , , Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 You must provide each cycle parking space shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces must be retained, and the space used for no other purpose. (C22FC)

Reason:

To provide parking spaces for people using the development as set out in Policy 27 of the City Plan 2019 - 2040 (April 2021). (R22AC)

- 4 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 004/B prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the Self-Storage use. (C14FC)

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R14AD)

- 5 Prior to the use commencing, you must submit to us for approval A Servicing and Operational Management Plan in relation to the use of the site for Self-Storage use (Class B8). It shall include but not be limited to:-
- A. All loading and unloading to take place internally within the car park from the three designated vehicular bays and no loading or unloading on-street or from the entrance ramp area.
  - B. No vehicles in excess of 2m in height are permitted to attend the site.
  - C. Maximum of 200 self-storage units,
  - D. All access and egress for pedestrians to take place via the main entrance to the car park from Kingsmill Terrace, except in the case of emergency.,
  - E. The vehicular and loading areas shall only be used for the parking or waiting of vehicles of customers visiting the premises for the purpose of using the self-storage units.,
  - F. Hours of operation between 08.00-22.00 daily,
  - G. Details of how an influx of customers at any given time i.e., public holidays would be dealt with so as not to have queuing on the ramps or at the entrance to the site on public highway.,
  - H. Details of vehicle types (height and size restrictions) and movements/site navigation.,
  - I. Measures to prevent storage of hazardous goods, , The use must be operated in accordance with the details in the approved servicing management plan at all times.

Reason:

To protect the environment of residents and the area generally and to safeguard highway safety as set out in Policies 7, 25, 27, 28 and 33 of the City Plan 2019 - 2040 (April 2021).

- 6 You must only use the self-storage use for this use. You must not use it for any other

purpose, including for any other use within Class B8, Part A, Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent class in any order that may replace it).

Reason:

To protect neighbouring residents from noise nuisance, avoid blocking surrounding streets, to ensure that sustainable transport modes are used, to prevent sensitive air quality receptors from occupying the site or uses that would have a significant adverse effect on air quality, policies 7, 25,28, 29, 32, 33, 38,39,40 of the City Plan 2019 - 2040 (April 2021).

- 7 Prior to occupation of the proposed development, you must provide evidence of Secure by Design Accreditation.

Reason:

To ensure that the development has been built with suitable security measures in place to minimise the risk of crime and anti-social behaviour in accordance with Policies 38 and 43 of the City Plan 2019 - 2040 (April 2021).

- 8 A. Following fit-out of Level 6 (Phase 1), Level 6 (Phase 1) shall not be occupied until the security measures as shown on drawing (006) have been implemented and are fully operational.

B. Prior to the occupation of Level 5 (Phase 2) as shown on drawing 004/B, Level 5 (Phase 2) shall not be occupied until all security measures as shown on the approved plans are implemented and fully operational.

Reason:

To ensure that the development has been built with suitable security measures in place to minimise the risk of crime and anti-social behaviour in accordance with Policies 38 and 43 of the City Plan 2019 - 2040 (April 2021).

### **Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

Item No.
<b>5</b>

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on site.