

APPLICATION REF: 12/00487/FUL

PROPOSAL: CHANGE OF USE TO SUI GENERIS FOR USE AS PRIVATE HIRE TAXI BUSINESS

SITE: 93 FENGATE, PETERBOROUGH, PE1 5BA,
APPLICANT: MR WAYNE FITZGERALD

AGENT:
REFERRED BY: HEAD OF PLANNING TRANSPORT AND ENGINEERING SERVICES
REASON: APPLICATION MADE BY AN ELECTED MEMBER
SITE VISIT: 11.04.2012

CASE OFFICER: MS L C LOVEGROVE
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RECOMMENDATION: APPROVED SUBJECT TO RELEVANT CONDITIONS

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The application site is formed by a single storey industrial unit which forms part of a larger building oriented north-south within a small industrial estate accessed off Fengate. The access is shared by the industrial estate and a large warehouse located to the east. There are residential premises along the eastern side of and facing the access. The application building has 3 no. allocated car parking spaces and there are 6 no. communal spaces shared between the 6 units on the site. The wider site is located within the identified Eastern General Employment Area.

Proposal

The application seeks planning permission for the change of use from a light industrial unit (Use Class B1) to a private hire taxi business (sui generis use). It is proposed that up to 10 vehicles will be operated from the site on a 24 hour basis with 2 full time staff and up to 10 part-time staff/drivers (5 full time employee equivalent).

2 Planning History

No relevant planning history.

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework

Paragraph 19

Significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 22

Applications for alternative uses of land or buildings in allocated employment areas should be treated on their merits having regard to market signals and the need for different land uses to support sustainable local communities.

Peterborough Core Strategy DPD (2011)

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Local Plan (First Replacement) (2005)

OIW06 - Non Employment Uses in General Employment Areas

Will not be permitted unless there is no unacceptable impact on amount/quality of employment land, there are no adverse traffic impacts and where appropriate it accords with the sequential test principles.

T10 - Car and Cycle Parking Requirements (Outside of the City Centre)

Parking should be provided in accordance with the identified standards.

4 Consultations/Representations

Transport and Engineering Services (10.04.12)

No objections - The proposal will result in an intensification of use. The width of the vehicular access is sufficient. There is only space for 6 private hire vehicles to be operated from the site given the size of the unit and number of external parking spaces.

Doran Pollution Team

No comments received.

Taxi Enforcement Officer

No comments received.

Police Architectural Liaison Officer (10.04.12)

No objections.

Local Residents/Interested Parties

Initial consultations: 12

Total number of responses: 1

Total number of objections: 0

Total number in support: 1

No neighbour objections have been received. One letter of support has been provided by the owner of the site.

5 Assessment of the planning issues

The main considerations are:

- Principle of the change of use
- Highways implications
- Impact upon residential amenity

a) Principle of the change of use

The application site is located within the identified Eastern General Employment Area (GEA) which has a presumption in favour of employment uses (Classes B1, B2 and B8). Policy OIW6 of the Peterborough Local Plan (First Replacement) (2005) makes provision for the change of use to non-employment uses within GEAs providing that certain criteria are met. Those relating to highways implications will be discussed in Section B below. Further to this, it is

considered that the proposal would represent an appropriate use within this location, given that it will generate employment and is of a use not dissimilar to others in the locality. The application site forms a small industrial estate within the GEA and there are many other examples throughout Fengate with a variety of employment and non-employment uses. It is considered that the proposed use would not result in the long-term loss of high quality employment land and will not prejudice the reuse of the site for employment uses in the long-term. As such, it is considered that the principle of the change of use is acceptable.

b) Highways implications

The current lawful use of the application site is for light industrial B1 use and as such, in highways terms, the proposed use for private hire taxi business is considered to represent an intensification of the use particularly in relation to the parking requirements. The shared access to the application site measures approximately 9 metres in width which is acceptable to accommodate this intensification. However, the application building has only 3 no. allocated car parking spaces to the front and the overall industrial estate has 6 no. additional communal car parking spaces shared between the 6 units. Within the unit itself, the applicant has proposed that up to 9 vehicles can be parked. However having visited the site, Highways Engineers are of the opinion that only 5 vehicles could be accommodated internally. Given that there will be administration staff at the site, it is considered that these staff will require at least 2 no. parking spaces and therefore, only 6 no. car parking spaces will remain available for the private hire/taxi vehicles to park. As such, Engineers have not raised any objections to the proposal, subject to the imposition of a condition limiting the number of vehicles operating from the site to 6.

c) Impact upon residential amenity

It is acknowledged that there are residential properties adjacent to and opposite the access to the site. Whilst the proposal would operate on a 24 hour basis, this is dependent upon demand and, given the restriction in the number of vehicles requested above by Highways Engineers, it is not considered that there will be a significant level of vehicular movements during unsociable hours. Therefore it is considered that the proposal will not result in any significantly harmful impact upon the amenity of occupants of these neighbouring properties.

6 Conclusions

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- the proposed use would not result in the loss of high quality employment land and would not prejudice the reuse of the building for an employment use within the General Employment Area in future in accordance with Policy OIW6 of the Peterborough Local Plan (First Replacement) (2005);
- sufficient car parking and safe access from the public highway can be accommodated in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy T10 of the Peterborough Local Plan (First Replacement) (2005); and
- no detrimental impact will result upon the amenities of neighbouring residential occupants in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

7 Recommendation

The Head of Planning Services recommends that planning permission is **APPROVED** subject to the following conditions:

C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 Notwithstanding the details hereby approved, the private hire taxi business shall operate no more than 6 no. private hire/taxi vehicles from within the site at any time.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011).

Copies to Councillors N Shabbir, S Goldspink, M Y Todd