

PLANNING APPLICATION NUMBER:P10/0157

Type of approval sought	Full Planning Permission
Ward	ST THOMASS
Applicant	Mr. Shazad Hussain & Mohammed Nasar, White Star Cars
Location:	2, PROSPECT ROW, DUDLEY, WEST MIDLANDS
Proposal	CHANGE OF USE OF OFFICE AND STORAGE UNIT (B1) TO TAXI BASE (SUI GENERIS)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The application site comprises an industrial unit set within an area designated as a Local Employment Area within the Adopted UDP (2005). The unit forms part of a larger industrial building and occupies approximately 21.5m² of floor space. There is off-road parking immediately in front of the unit with designated parking for 3 vehicles. There are parking restrictions along both sides of Prospect Row.
2. The site is set within a semi-industrial / semi-residential area with residential aspects on the periphery of the industrial estate to the south and east.

PROPOSAL

3. It is proposed to change the use of the unit in question from B1 (light industry) to a taxi base (sui generis). The taxi base would operate from 8am to 11pm Mondays to Fridays, 8am to 2am on Saturdays and 8am to 11pm on Sundays and Bank Holidays. A total of 7 licensed vehicles would be in operation, 5 of these would be hackney carriages and 2 would be private hire vehicles. No external alterations are proposed to the industrial unit.

HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
88/51810	Single storey showroom and store	Approved with Conditions	29/09/88
90/50615	Erection of first floor extension to form office	Refused	16/08/90
90/51896	First floor office extension	Approved with Conditions	08/11/90

PUBLIC CONSULTATION

5. Direct notification was carried out to neighbouring commercial units and no representations have been received.

OTHER CONSULTATION

6. Group Engineer (Development): No objection subject to financial contributions towards transport infrastructure.
7. Head of Environmental Health & Trading Standards: No objection.

RELEVANT PLANNING POLICY

- Adopted Unitary Development Plan (2005)
- AM14 Parking
- DD4 Development in Residential Areas
- DD6 Access and Infrastructure
- DD7 Planning Obligations

EE2 Local Employment Areas
EP7 Noise Pollution

- Supplementary Planning Document

Parking Standards and Travel Plans

Planning Obligations

- National Planning Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Guidance 13 - Transport

ASSESSMENT

8. Key Issues

- Principle
- Residential Amenity
- Highways & Parking
- Planning Obligations

Principle

9. Policy EE2 of the Adopted Dudley UDP (2005) seeks to protect employment uses B1 – Research and Development and Light Industry, B2 – General Industrial, B8 – Warehousing, Storage and Distribution and those commercial uses which are not pure retail. The Council's adopted policy is to ensure a mix of employment activity, and the policy aims to protect this diversity, whilst at the same time preventing inappropriate retail uses. Other non-retail commercial uses can be considered appropriate within local employment areas which would not be more appropriately located in a town centre. Whilst the proposal would involve the loss of existing B1 floor space, the proposed taxi base would only cover a relatively inconsequential area of 21.5m² and would be an appropriate use within a Local Employment Area. The availability of off-street parking confirms that the proposed development would be more appropriately located within a Local Employment Area rather than a town centre location. On this basis, the proposal is therefore considered to be compliant with Policy EE2 – Local Employment Areas of the Adopted Dudley UDP (2005).

Residential Amenity

10. There are residential properties on the periphery of the industrial estate and the taxi base proposed would operate into the evening and early morning. The Head of Environmental Health and Trading Standards however raises no objection to the proposal as the area is predominantly commercial/light industrial and the proposed use is unlikely to adversely affect neighbouring properties in terms of noise disturbance. It is therefore considered that there would be no demonstrable harm to neighbouring amenity and in this respect, the proposal therefore complies with Policy DD4 – Development in Residential Areas and EP7 – Noise Pollution of the Adopted Dudley Unitary Development Plan (2005).

Highways & Parking

11. The proposed development would have 3 designated parking spaces and 6 vehicles would be in operation. However, 5 of these vehicles would be hackney carriages which would operate from existing taxi ranks within the borough. The other vehicle would be private hire and would operate directly from the taxi base. On this basis, the Group Engineer (Development) raises no objection to the proposal subject to financial contributions for transport infrastructure improvements based on the single private hire vehicle. It is however considered prudent to attach a condition to ensure that only one private hire vehicle operates from the proposed taxi base. There would be inadequate parking for additional private hire vehicles which would raise highway safety concerns as additional parking may occur on the adjacent narrow highway or adjacent streets. Subject to condition and in this respect, the proposal therefore complies with policy AM14 – Parking and DD6 – Access and Infrastructure of the Adopted Dudley UDP (2005).

Planning Obligations

12. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of the following contributions.

Offsite Contributions:

The proposal attracts a requirement for a commuted sum to be paid

towards the following infrastructure:

- Transport Infrastructure Improvements - £987.84
- Management and monitoring charge - £250

Total Offsite Contribution = £1237.84

At the time of writing this report the applicant has not agreed to the payment of these offsite planning obligations.

CONCLUSION

13. It is considered that the proposed taxi base (Sui Generis) would be an appropriate use within the Local Employment Area. There would be no demonstrable harm to neighbouring amenity or the safe and convenient operation of the highway. The proposal, therefore, complies with the following Council policies; AM14 – Parking, DD4 – Development in Residential Areas, DD6 – Transport and Infrastructure, DD7 – Planning Obligations, EE2 – Local Employment Areas and EP7 – Noise Pollution of the Adopted Unitary Development Plan (2005), and Supplementary Planning Documents; Planning Obligations and Parking Standards and Travel Plans.

RECOMMENDATION

14. It is recommended that the application be approved subject to;

- a) The development not beginning until a scheme for the submission and approval of a planning obligation to guarantee a contribution of £1237.84 for the provision of off site transport infrastructure improvements and management and monitoring charge has been submitted to and agreed in writing by the Local Planning Authority
- b) The Scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies.

- c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary;

Reason for The Grant of Planning Permission

It is considered that the proposed taxi base (Sui Generis) would be an appropriate use within the Local Employment Area. There would be no demonstrable harm to neighbouring amenity or the safe and convenient operation of the highway. The proposal, therefore, complies with the following Council policies; AM14 – Parking, DD4 – Development in Residential Areas, DD6 – Transport and Infrastructure, DD7 – Planning Obligations, EE2 – Local Employment Areas and EP7 – Noise Pollution of the Adopted Unitary Development Plan (2005), and Supplementary Planning Documents; Planning Obligations and Parking Standards and Travel Plans.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including Supplementary Planning Guidance.

The above is intended as a summary of reasons for the grant of planning permission for further detail please see the application report.

Note for Applicant

The development hereby approved shall be built in accordance with the approved drawings received on the 18th January 2010 and referenced DWG No. AH/SK – 03 and AH/SK - 01 unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

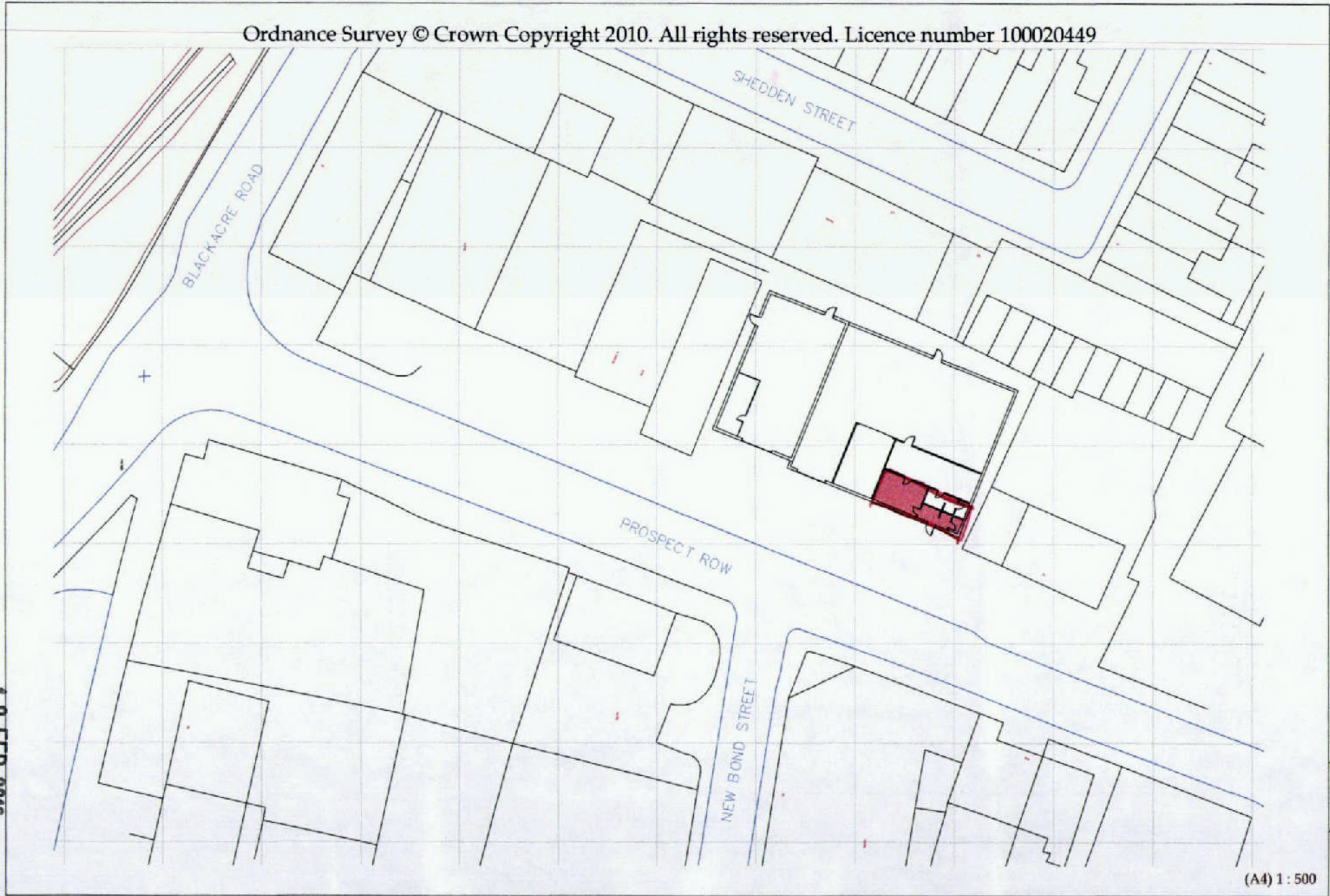
1. The development shall not begin until a scheme for the provision of:
 - Off site transport infrastructure improvements
 - Management and monitoring charge

has been submitted to and approved in writing by the Local Planning Authority. The

scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of the infrastructure required in connection with the proposed development.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. There shall be no more than one private hire vehicle licenced to operate from the site for the lifetime of the development without the written approval of the Local Planning Authority.

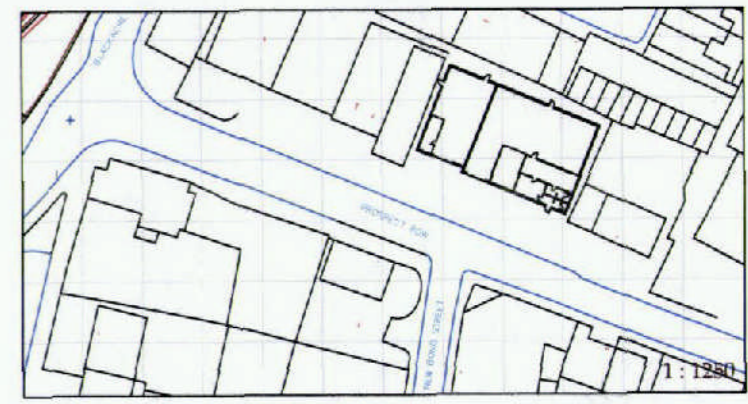
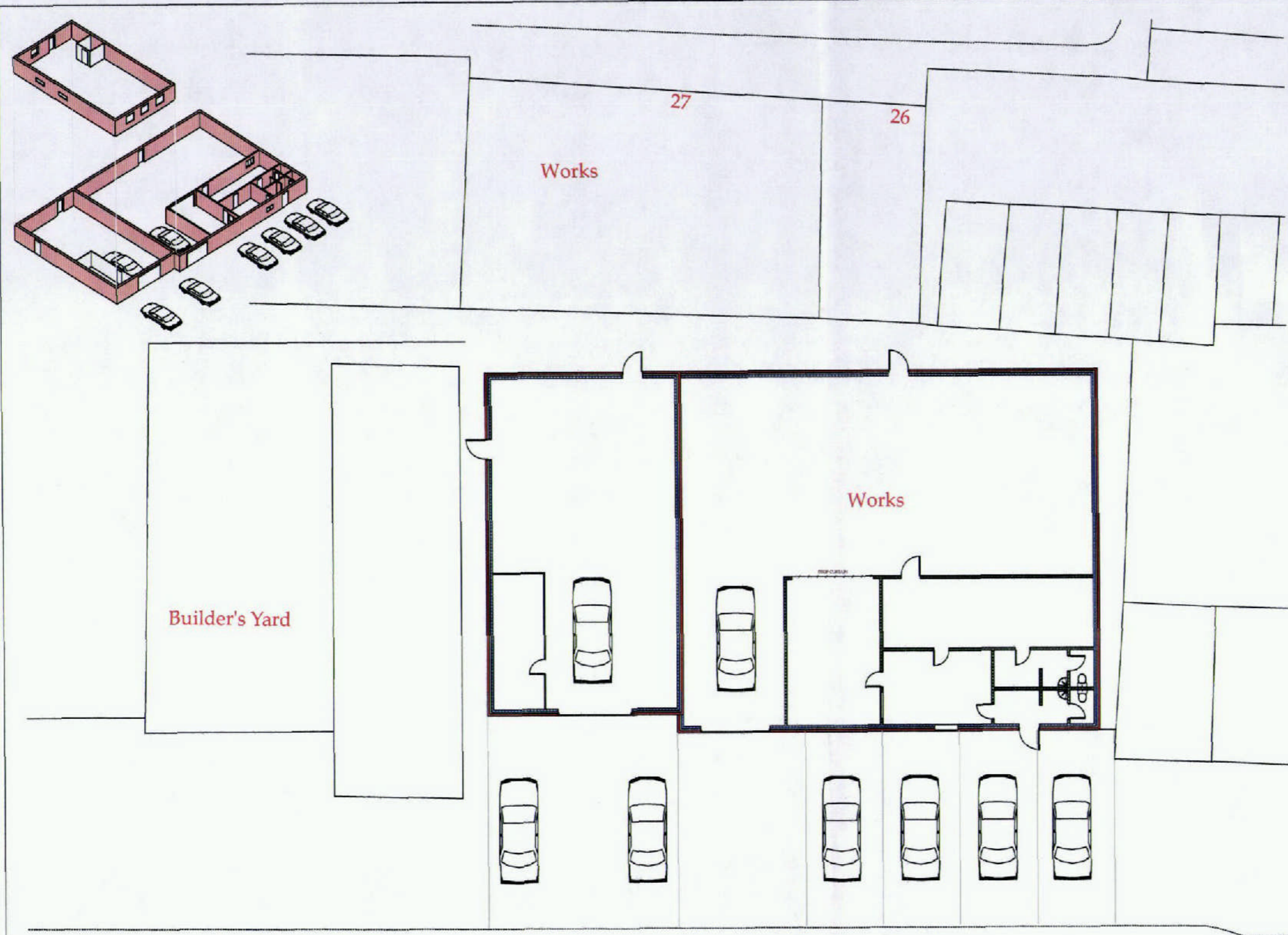
Ordnance Survey © Crown Copyright 2010. All rights reserved. Licence number 100020449



10 FEB 2010

Location Plan
P10/157

(A4) 1 : 500



EXISTING LAYOUT

REVISION	DESCRIPTION	DATE



ANDI-CAD
INTERIOR & EXTERIOR BUILDING DESIGN
SPECIALIST IN THE DESIGN OF INDUSTRIAL STEEL
PARTITIONING

ANDREW HOWELL DESIGN DRAUGHTSMAN
PLAN PREPARED: ANDREW HOWELL 27/02/2010
Email: andi-cad@hotmail.co.uk



Mob: 07834855731
Email: andi-cad@hotmail.co.uk

SITE Unit 2 Prospect Row Dudley DY2 8SG	WORKING WITH BAYCREST LIMITED Manufacturers of Steel Partitioning Systems	
	DRAWN BY Mike Coleman Architectural Technician - AMASI	
	DRW No AH/SK - 01	
	DATE 1st Feb 2010	SCALE (A3) 1 : 200

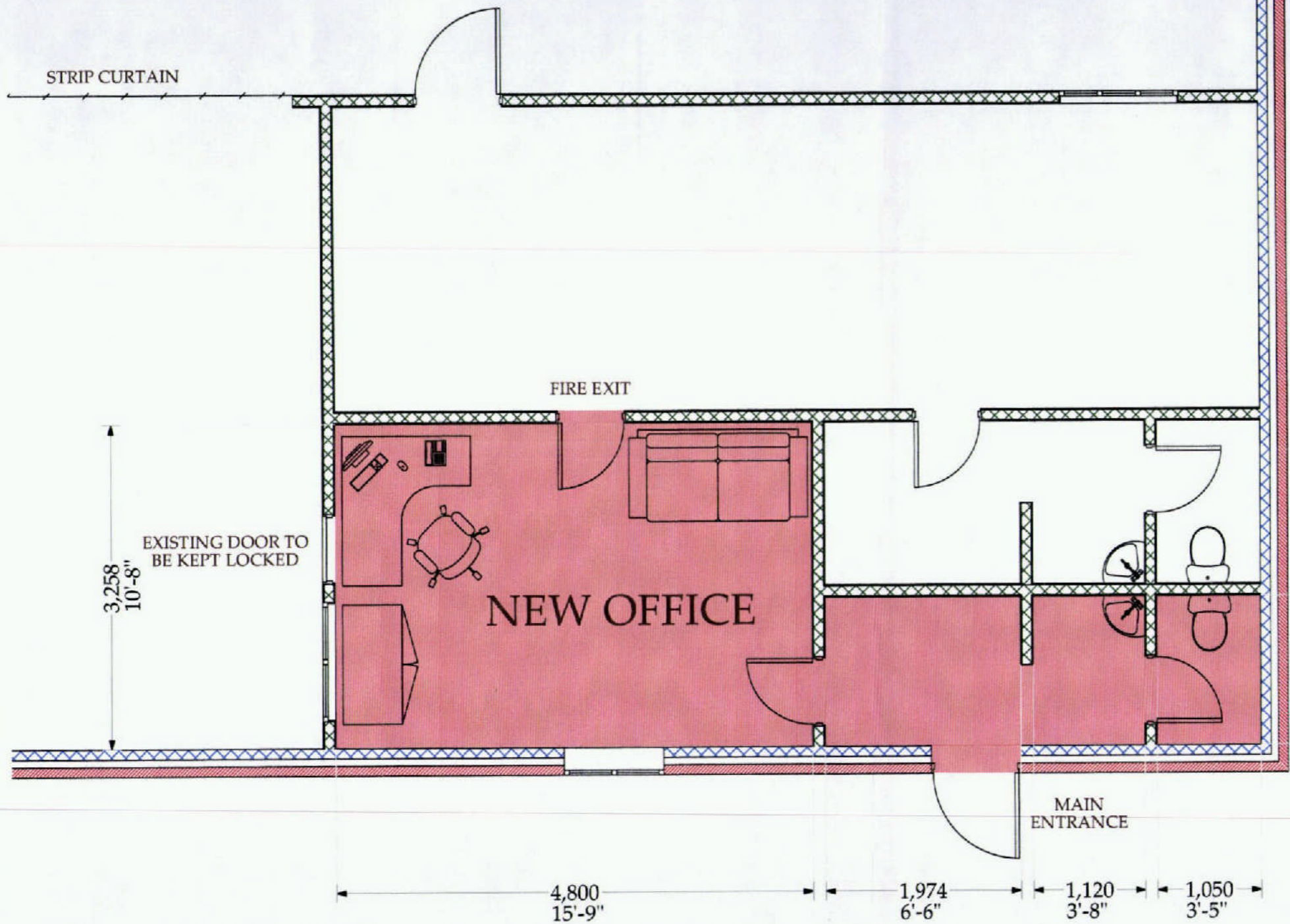
This drawing and the copyright therein, is the exclusive property of ANDI-CAD LTD, and may not be disclosed, copied in whole or part, or used other than for the purpose for which the drawing has been supplied, without the prior written authority of ANDI-CAD LTD

© ANDI-CAD.

Proposed layout
P10/0157

This drawing and the copyright therein, is the exclusive property of ANDI-CAD LTD, and may not be disclosed, copied in whole or part, or used other than for the purpose for which the drawing has been supplied, without the prior written authority of ANDI-CAD LTD
© ANDI-CAD.

OWNER FOR SITE
Mr Sana Khan
PROPOSED TENANT
Mr M. Nasar & Mr S. Hussain
OFFICE HOURS
Monday / Friday - 8am to 11pm
Saturday - 8am to 2am
Sunday - 8am to 11pm




NEW LAYOUT TO BE USED AS RAIDIO BASE FOR WHITE STAR CARS OFFICE with toilet facilities and car parking for at least three cars



PROPOSED LAYOUT


REVISION	DESCRIPTION	DATE



ANDI-CAD
INTERIOR & EXTERIOR BUILDING DESIGN
SPECIALIST IN THE DESIGN OF INDUSTRIAL STEEL BUILDINGS

ANDREW HOWELL DESIGN DRAUGHTSMAN
PLANS PREPARED AND SUBMITTED www.andi-cad.co.uk ARCH/CAD

Mob: 07834655731
Email: andi-cad@hotmail.co.uk



SITE Unit 2 Prospect Row Dudley DY2 8SG	WORKING WITH BAYCREST LIMITED Manufacturers of Steel Partitioning Systems	
	DRAWN BY Andrew Howell	Mike Coleman Architectural Technician - AMASl
	DRW No AH/SK - 03	DATE 1st Feb 2010
	SCALE (A3) 1 : 50	