

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 3rd August 2011

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| APPLICATION REF. NO: | 11/00301/CU |
| STATUTORY DECISION DATE: | 19th July 2011 |
| WARD/PARISH: | Central |
| LOCATION: | 19 Duke Street |
| DESCRIPTION: | Change of use from Mortgage Advisory Service Office [A2] to a to a Taxi Control Office [sui generis] |
| APPLICANT: | Mr M Wilson |

APPLICATION AND SITE DESCRIPTION

The building is mid terraced, located within a commercial area of Duke Street. It is situated towards the eastern end of Duke Street and is currently vacant.

There is no separate residential accommodation on the first floor of 19 Duke Street. The adjacent properties are commercial at both ground and first floor. A rear lane runs along the full length of Duke Street with residential properties further beyond to the South within East Raby Street.

The proposal involves the change of use of the office to a taxi office for private hire vehicles and use of the premises as a base from which taxis would be directed around the surrounding area. The applicant's agent has indicated that the personnel in the office would take telephone calls from members of the public requiring taxis and then contact the nearest taxi by electronic means. The drivers of the taxis have electronic devices to receive these instructions from the office.

The taxi office will be open 24hours a day with at least one employee in the office at any one time, directing drivers to their next fare. It is anticipated based upon the experience of the operator that the vast majority of people seeking to hire a taxi will pre book from their home or start destination and also pre book a taxi back home.

The applicant has stated within the application that during the operation of the office very few people will visit the taxi office in person. He has acknowledged however that it is more likely to happen on Friday and Saturday nights. The applicant anticipates that when this occurs the person wishing to hire a taxi will wait within the office while a taxi is called, by the operator. A taxi will arrive and leave immediately. When the taxi vehicles are not in use they will be parked at the companies base on Cleveland Industrial Estate.

PLANNING HISTORY

In November 1977 a Change of use of Ground floor from shop to office under ref 77/00525/CU was GRANTED.

PLANNING POLICY BACKGROUND

The following Government Planning Policy Statements are relevant:

PPS1 Delivering sustainable development
PPS4 Town Centres

The following policy of the Darlington Core Strategy Development Plan Document [DPD] is also relevant

CS7 The Town Centre

The following saved policy of the Borough of Darlington Local Plan is also relevant

S9 Fringe Shopping Areas

RESULTS OF CONSULTATION AND PUBLICITY

As a result of consultation four letters of objection have been received which are summarised below;

- The taxi office will be harmful to businesses in Duke Street
- Litter will be left in doorways of adjacent premises by clients of taxi office
- Parking in Duke Street is insufficient
- Taxis will block rear lane
- Existing business in Duke Street would prefer more retailers in this area
- If this site is purely for office use only during normal office hours, without a taxi rank I do not consider this to be a problem.
- It will be an unsightly addition to the area
- Possible anti social behaviour

PLANNING ISSUES

The principle planning issues are;

- Policy matters
- Effect on residential amenity
- Highway matters

Policy Matters

Generally speaking it is considered that this type of use would be acceptable in this location. The area is defined in the Darlington local plan as a fringe shopping area where businesses who can not afford the relatively high rents of central locations can still provide useful specialist service to shoppers and other users of the town centre. This is further confirmed by Policy CS7 the Core Strategy and current Government guidance.

Residential Amenity

There are no residential properties within the first floor of the proposal or the adjacent properties. The nearest residential properties are to the rear of the premises, in East Raby Street to the South. There are high brick yard walls which separate East Raby Street from the rear of properties in Duke Street, across a rear lane. As all activity at the site will be concentrated within Duke Street it is not anticipated that any significant problems in terms of noise nuisance and disturbance are likely to occur which would justify a refusal of planning permission in this instance.

Highway matters

The Council's highway officer has indicated that generally he has no problem with the proposal. However, there may be concerns that taxis start parking on the single yellow line during the day or in the Pay and Display without paying. It is acknowledged by the Highway officer that these are issues that can be addressed by parking enforcement.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The proposal is located near the town centre. There are no residential amenity issues that would justify the refusal of planning permission. Furthermore the business plan submitted with the application demonstrates that there is unlikely to be any significant vehicle movement or parking issues

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS;

A3 Implementation Limit [3years]

B5 Detailed Application [Implementation in accordance with approved plans]

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The proposal is located near the town centre. There are no residential amenity issues that would justify the refusal of planning permission. Furthermore the business plan submitted with the

application demonstrates that there is unlikely to be any significant vehicle movement or parking issue.

The decision to grant planning permission has been taken having regard to the policies and proposals in the Borough of Darlington Local Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

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INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

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