

Committee Report Planning Committee on 17 April, 2013

Item No. 12
Case No. 13/0236



Planning Committee Map

Site address: 15 Steele Road, London, NW10 7AS

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

RECEIVED: 5 February, 2013

WARD: Stonebridge

PLANNING AREA: Harlesden Consultative Forum

LOCATION: 15 Steele Road, London, NW10 7AS

PROPOSAL: Proposed change of use from existing office ancillary to the garage workshop to a radio controlled only mini cab office (Use Class Sui Generis)

APPLICANT: Mr Francis Kearney

CONTACT: Draw-It

PLAN NO'S:
(See Condition 2 for the approved plans)

RECOMMENDATION

Approve, initially for a temporary 1 year period.

EXISTING

The premises, currently used as a vehicle repair workshop (Use Class B2) are situated on the eastern side of Steele Road, within Park Royal Strategic Industrial Land.

Vehicle access to the premises can be gained via Steele Road to the front, and Corby Road at the rear. Potentially up to 5 cars can park within the service areas either side of the building.

The property is not within a Conservation Area, nor is it a Listed Building.

PROPOSAL

Proposed change of use from existing office ancillary to the garage workshop to a radio controlled only mini cab office (Use Class *Sui Generis*)

HISTORY

11/1699 – Granted at Planning Committee on 14/12/11

Proposed change of use from existing office ancillary to the garage workshop to a radio controlled mini cab office (Use Class *Sui Generis*).

POLICY CONSIDERATIONS

National Planning Policy Framework (NPPF) - 2012

Brent Unitary Development Plan 2004

SH14 Mini-Cab Offices

SH19 Rear Servicing

TRN4 Measures to Make Transport Impact Acceptable

TRN22 Parking Standards: Non-residential developments

Brent Core Strategy – July 2010

CP12 Park Royal

CP20 Strategic Industrial Locations

Main Policy Considerations;

Principle of use in Strategic Industrial Location (SIL)
Transportation implications of use
Impact on neighbouring occupiers

CONSULTATION

In total 17 surrounding properties were consulted on 6 February 2013.

Five objections to the proposal have been received. The concerns raised in the objection letters are summarised as follows:-

- Steele Road is already busy and there is no further room for the extra vehicles a mini-cab business would bring into the area.
- The existing use as a repair garage has resulted in vehicles awaiting repair being parked on the surrounding public highway. Allowing a mini-cab use will only exacerbate the problem.
- Proposal will lead to further parking strain on Steele Road.
- There is no dedicated space for mini-cabs to park.

Transportation comments; -

When considering the previous grant of permission (ref; 11/1699) no Transport objection was raised. This was on the basis that the proposal relates to a radio-controlled only operation, with no customers being picked up from base, or drivers visiting base.

The proposed use remains as previously approved.

REMARKS

Members are reminded that an identical proposal was approved at Committee on 14 December 2011 (ref; 11/1699). This consent was subject to conditions that (i) permission initially be granted for a temporary period of 1 year and; (ii) that the mini-cab business shall operate only as a radio-controlled office with no drivers or customers permitted to visit the premises.

The 1 year temporary consent expired on 14 December 2012 and the approved use was never implemented. As this is no longer a valid consent the application once again seeks permission for a radio controlled only mini-cab business within part of the premises (identical to the previous application).

As before this application proposes a change of use to part of the existing B2 premises to accommodate a radio controlled mini-cab office. At the moment the building is a vehicle repair workshop, with small ancillary office areas to the front and the rear. The proposal is to change the use of the existing office area at the front of the building, which is just 6sqm in area into a radio-controlled mini-cab office. No customer or driver waiting areas are proposed.

Policy context and principle of change of use to radio controlled mini-cab office;

The National Planning Policy Framework (NPPF) adopts a presumption in favour of sustainable development. Of the twelve core principles set out in the NPPF it is noted that sustainable economic development should be supported, and the effective use of land by reusing land that has been previously developed should be encouraged.

The site is within designated Strategic Industrial Land (SIL) and under this policy the Council will protect such designated areas for employment uses characterised by use classes B1, B2 and B8, or *Sui Generis* uses that are closely related.

The proposed change of use would see a very minor loss of B2 floorspace (6sqm). The critical point is that the proposal is for a radio controlled only mini-cab office, and given the minor amount of floorspace involved this level of loss would not undermine the role of the Borough's Strategic Industrial Land.

UDP policy SH14 states that mini-cab offices and similar operations will be permitted only if traffic safety problems would not be caused, and where they are located away from pre-dominantly residential areas. Regard must be had to the concentration of such uses at the same time.

The policy also states that where sufficient off-street parking cannot be provided then consent may be granted for a radio controlled operation only, on a temporary basis so the use can be monitored for its impacts.

As the proposal is so minor in floorspace it is not considered that it will undermine the employment land hierarchy, and as it is for a radio controlled business there is no conflict with LDF Core Strategy policy CP20 or UDP policy SH14. However, before the proposed change of use can be considered acceptable, in all respects, the other, more direct, impacts of the proposed development must also be considered.

Impacts of the Proposed Use on Surrounding Area

Surrounding uses are commercial, there are a variety of light industrial and general industrial uses along Steele Road and on surrounding roads. There are no residential units located nearby.

The main area of concern surrounding mini cab uses is often the impact these can have on parking conditions and traffic. As this is proposed as a radio controlled mini cab office only, by its very nature there would be no customer collections from base, nor would drivers be required to drive to base and wait there for jobs. On this basis Officers do not consider that the change of use will give rise to the sorts of parking problems or generate extra traffic on the surrounding roads as one would typically associate with a normal mini-cab office where drivers visit the base office.

As with the 2011 consent any new permission will also be subject to planning conditions restricting its use as a radio-controlled office only, with no customers permitted to be picked up from site and no drivers permitted to visit or collect customers from site. Again it is recommended that the permission be granted on a temporary basis in the first instance so that once operational this use can be monitored, and accordingly a 1 year temporary permission is recommended. This 1 year temporary permission will allow the local planning authority, in conjunction with Highways Officers to review the situation in 12 months time and assess what impacts the use (if any) has had on the surrounding area in terms of noise and parking when operational.

Transportation Implications

As no increase in floor space is proposed, and this is for a radio controlled only operation the change of use does not affect parking or servicing standards, as set out in the 2004, UDP.

The proposed mini-cab office is subject to UDP policy SH14. The policy states that these uses will only be permitted where "traffic safety problems would not be caused" and "away from predominantly residential areas", and Transportation are of the view that both of these points are fulfilled by the proposal site. Furthermore, policy SH14 states that "radio-operation only" is appropriate for sites where the mini-cab business cannot be provided with off-street parking. This is the case with the application site.

Transportation officers have previously noted that there is parking available within the front and back yards of the premises, accessed from both Steele Road and Corby Road. However a condition is recommended restricting use of these spaces for the existing B2 vehicle repair workshop only, these parking spaces are not permitted to be used in association with the proposed mini-cab office as this would be contradictory to it being a radio controlled office only.

On this basis, despite the local objections received on parking and traffic grounds, the impact of the proposed change of use on the free and safe flow of traffic and on existing parking pressures is not considered to be significantly worse to warrant a refusal of this application on these grounds alone.

Conclusion

The proposed change of use is acceptable in policy terms and the proposal is considered to comply with policies SH14, TRN22 of Brent's Unitary Development Plan 2004, and LDF Core Strategy Policy CP02.

Accordingly, it is recommended that planning permission be **granted**, on a temporary 1 year basis to monitor whether mini-cabs are calling at the site to pick up customers.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

Document Imaged

- (1) The proposed development is in general accordance with policies contained in the:-

LDF Core Strategy 2010
Brent Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Employment: in terms of maintaining and sustaining a range of employment opportunities
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

- (1) This permission shall be for a limited period of 1 year only expiring 12 months from the date of the decision notice when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) and the use hereby approved shall be discontinued.

Reason: To enable the Local Planning Authority to review the position in the light of the impact of this use during a limited period on the neighbouring highways and local area.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

Plan S.1
Plan S.2
Land Registry site plan

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

- (3) The mini-cab business shall operate only as a radio-controlled, mini-cab office from which cars are directed and no drivers or customers are permitted to visit the premises at any time.

Reason: To accord with the terms of the application and ensure that vehicles and customers do not visit or congregate at the premises, in the interests of the free flow of traffic on the neighbouring highway and the amenities of occupiers of neighbouring properties, consistent with policy SH14 of the Brent Unitary Development Plan 2004.

- (4) The existing off-street parking area accessed from Steele Road and the proposed off-street parking area accessed from Corby Road, as indicated on drawing S.2 shall only be used in conjunction with the existing vehicle repair business, and at no time is it permissible for these spaces to be used by mini-cab drivers for collection or waiting purposes.

Reason; In the interests of maintaining the free flow and safe movement of traffic.

INFORMATIVES:

- (1) Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
- (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings

Any person wishing to inspect the above papers should contact Gary Murphy, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5227