



Leeds
CITY COUNCIL

Originator: Michael Howitt

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Report of the Chief Planning Officer

PLANS PANEL WEST AND SOUTH

Date: 8th November 2012

Subject: APPLICATION 12/03494/FU – Change of use of vacant warehouse to a private hire taxi booking office with car parking and installation of radio mast– Hunger Hill, Morley, Leeds, LS27 9AD.

APPLICANT

Morley South

DATE VALID

21st August 2012

TARGET DATE

16th October 2012

Electoral Wards Affected:

Morley South

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions:

1. Standard full time limit.
2. Development in accordance with approved plans
3. No more than six vehicles to operate from the premises.
4. No customer visits to premises between 1900 and 0800 hours
5. No servicing or repair outside of 0800 and 1800 hours.
6. No playing of music or amplified sound
7. Car park to be laid out, surfaced and drained

Reason for approval: The application has operated successfully for two years without complaint, raises no issues of detrimental harm to residential amenity and no issues harm to highways safety and as a consequence, complies with policies GP5, SF14 and T2 of the UDP Review, as well as guidance contained within the National Planning Policy Framework, and having regard to all other material considerations, the applications are recommended for approval

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel (South and West) at the request of Councillors Judith Elliott and Shirley Varley due to concerns and the proposal will give rise to residential amenity issues through noise and disturbance. A Members site visit is requested.

2.0 PROPOSAL:

2.1 The application is for the renewal of a temporary use for the use of a warehouse as a private hire booking office and radio mast.

2.2 There are no proposals for any physical alterations to the premises other than the retention of the radio mast and the resurfacing of the car park with tarmac and the application remains the same as the previous two other than it being for a permanent use. There is no intensification of use proposed by this application.

3.0 SITE AND SURROUNDINGS:

3.1 The application site comprises a number of buildings that are two storey, built in stone and brick. Most of the properties in Hunger Hill have been demolished and the only property left is the Sportsman Public House.

3.2 Beyond the application site are a number of garages. However behind the buildings, there are a number of residential properties on King Street and also opposite on Great Northern Street. The site is located adjacent to the Morley Town Centre Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

4.1 There have been two previous relevant applications on the site

10/03418/FU – Change of use of vacant warehouse to a private hire taxi booking office with car parking and installation of radio mast. Approved 23.09.2010

11/03334/FU – Change of use of vacant warehouse to a private hire taxi booking office with car parking and installation of radio mast. Approved 10.10.2011

Both applications were temporary applications for one year to enable assessment of amenity and highways issues.

5.0 HISTORY OF NEGOTIATIONS:

5.1 The application was submitted without any pre application negotiations or discussions.

6.0 CONSULTATION RESPONSES:

Statutory Consultations:

6.1 None.

Non Statutory Consultations:

6.2 Neighbourhoods and Housing – No objection subject to conditions to control matters of potential harm to residential amenity
Highways – No objections subject to conditions

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by site notice on 31 August. 1 letter of objection has been received and the objection is on the following grounds.

Public Response:

- There are residential amenity issues raised by a 24/7 operation with revving cars doors slamming, car horns and car alarms.
- There is a danger of traffic issues in terms of traffic and parking congestion.
- There is a surfeit of taxi companies within the area already

Ward Members;

- concerns that the proposal will give rise to residential amenity issues through noise and disturbance

Morley Town Council:

- The Town Council support the proposal for a full permission

8.0 PLANNING POLICIES:

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development

strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this proposal.

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.3 The following policies from the UDP are relevant:

- Policy GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- Policy SF14 advises that the principal considerations for assessing proposed taxi/ private hire offices will be impact on neighbourhood, vehicular movements, parking, location and appearance
- Policy T2 ensures that development proposals should not create new, or exacerbate existing, highway problems.

National Policy/Guidance:

- National Planning Policy Framework (2012)

9.0 MAIN ISSUES:

1. Highways
2. Residential amenity

10.0 APPRAISAL:

1. Highways.

10.1 Highways did not have any issues at the time of the previous applications for the temporary permissions; there have been no 'Personal Injury Accidents' within the previous twelve months and also that the traffic team have confirmed that there have been no issues or complaints within that time and as circumstances remain the same with regard to visibility and parking levels there is no objection with regard to highway safety.

2. Impact on Residential Amenity

10.2 The premises are located on a road that has no residential properties and only a public house. However there are residential properties nearby on both King Street and Great Northern Street. The building backs onto King Street and provides a buffer between the car park. The properties on Great Northern Street face on to the car park but are separated by a 1.8 metre high brick wall. There was considered to be a potential for disturbance to these properties at the time of the previous applications and it was with this in mind that the number of vehicles operating at any one time was restricted to six and that hours of use to visiting customers was restricted in the original decision. Whilst there have been no known complaints during the period of the application, there have since been one complaint received that raises issues of harm to residential amenity. As no complaints with regard to residential amenity have been received by either vehicle licensing or Neighbourhoods and Housing, it is now considered that as the business has operated for two years without issue under temporary permissions that the business is not harmful to the residential amenity of the area. Additionally, the resurfacing of part of the car park with tarmac replacing the existing loose material should reduce tyre noise and will reduce the harm to residential amenity.

11.0 CONCLUSION:

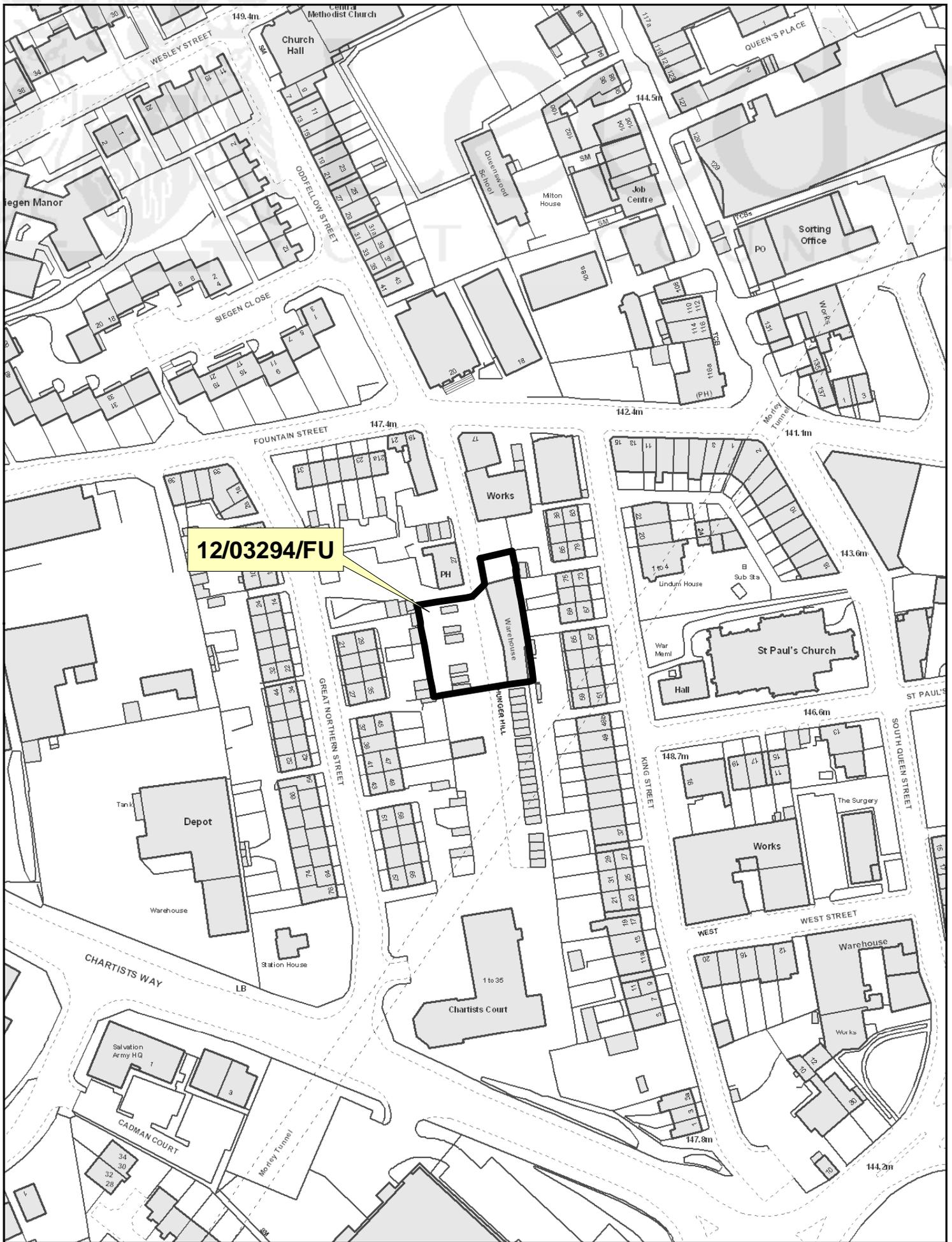
11.1 On balance, it is considered that subject to appropriate conditions as discussed above, the proposal is acceptable given that the business has operated for two years without complaint during that period to either Highways or Neighbourhoods and Housing. As such, it raises no issues of detrimental harm to residential amenity and no issues of harm to highways safety and it is therefore recommended that the application be approved.

Background Papers:

Application files 12/03494/FU

Certificate of ownership:

Notice served on owner and certificate B signed



12/03294/FU

SOUTH AND WEST PLANS PANEL