

Delegated officer's report	Officer: THB
Application ref. 9/2018/1233	
CHANGE OF USE OF PORTACABIN FROM A HAND CAR WASH TO A PRIVATE TAXI OFFICE AT UNIT 1 STENSON FIELDS FARM STENSON ROAD STENSON DERBY	
Valid date:	06/12/2018
Consults expired:	04/02/2019
EIA development?	☐ Yes ☒ No
Habitats development?	☐ Yes ☒ No

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Responses to consultations

County Highway Authority (CHA) – Requested further information in regards to whether taxis will be operating from the site. The applicant confirmed that this is not the case and the unit will be used as a booking office only with no other vehicles parked on site. As such, the CHA have no objections to the proposal.

Environmental Health – No objections to the proposal in principle.

Responses to publicity

2no. letters of objections received –

- The road is very busy and the development would create further traffic movements which will also produce an increase in the level of fumes and noise, this would be harmful to neighbouring dwellings.
- There is a bus stop close to the entrance of the site, the increase in traffic would be harmful to people crossing the road at this point.
- Continued use of the office throughout the night for people wanting to book taxis would be harmful to the amenity of neighbouring levels.

Planning history

9/2000/1177 - The use as a store of the workshop and the dwelling as offices for a construction company - Granted - 31/01/2001

9/2001/0891 - The use of the land for B1 (light industry) and B8 (storage and distribution) purposes - Granted - 13/11/2001

9/2007/0234 - The change of use of office accommodation and outbuildings to an operational office and depot - Granted conditions - 24/12/2007

9/2010/0495 - The retention of use of land for the storage of contractor's vehicles, equipment, machinery and storage containers and materials - Refused - 21/07/2010 - Approved at appeal.

9/2011/0118 - Retrospective application for broadening of existing permitted uses to include class uses b1 and b8 vehicle repairs and bodywork, vehicle sales valeting and rental - Granted - 10/05/2011

9/2013/0813 - The variation of condition 1 of planning permission 9/2010/0495 (granted at appeal) for an extension of temporary permission until 20 December 2014 -
Granted - 14/11/2013

9/2014/0718 - Retrospective application for the change of use from offices to tattoo studio –
Granted 17/11/2014

9/2016/0257 - Change of use of land for the operation of a plant hire business - Granted
09/05/2016

9/2016/1050 - Change of use to a vehicle maintenance depot (use class sui generis) –
Granted 22/03/2017

Development Plan Policies

The relevant policies are:

2016 Local Plan Part 1: S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), S6 (Sustainable Access), E2 (Other Industrial and Business Development), E3 (Existing Employment Areas), SD1 (Amenity and Environmental Quality), SD4 (Contaminated Land and Mining Legacy Issues) and INF2 (Sustainable Transport).

2017 Local Plan Part 2: SDT1 (Settlement Boundaries and Development).

National Guidance

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Planning Considerations

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- Principle of development;
- Amenity impacts; and
- Highway safety.

Planning Assessment

Principle of development

The existing car wash office is located on a small industrial site, where the other buildings have changed use class several times. The change of use from car wash office to taxi booking office, is of a similar nature in regards to the work that would be undertaken within the unit, with the unit already being established as an office. It would seek to retain the unit as a business use and would allow for it to remain in a viable use, instead of it potentially being vacant.

Amenity impacts

Given that the rest of the site is used as a car wash facility with office and also a vehicle repairs business with parking area. The proposed booking office, which is akin to a regular office, in regards to the impact on the surrounding residential dwellings to the north it would be minimal as the only potential impact on amenity would be the entrance and exiting of the 1no. member of staff, which would arguably be less impact than that coming from neighbouring dwellings. It is also noted that Environmental Health has no objections to the proposal. It is however, considered necessary to restrict the use of the premises to that applied for i.e. a booking office only. As such it is considered that there are no concerns in regards to the impact on neighbouring amenity and the proposal there complies with policy SD1.

Highway safety

The change of use of an existing unit on an existing business park is unlikely to cause any highway issues and this is confirmed in the Highway Authority's response. A condition relating to the use being restricted to the operation of the booking system only and no private hire cars to be allowed to operate from the site would be attached to any permission granted. As such it is considered that the proposal would therefore comply with policy INF2.

Recommendation

- ☐ Approve without conditions
- ☒ Approve subject to conditions
- ☐ Approve subject to conditions and planning obligation
- ☐ Refuse

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended).

Recommendation made:	22/02/2019	
Recommendation agreed:	22/02/2019	Agreed by: RES