

Committee: Development	Date: 10/07/2012	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Shahara Ali-Hempstead		Ref No: PA/12/00462	
		Ward(s): Shadwell	

1. APPLICATION DETAILS

Location: Unit A, Ground floor at Thames House, 566 Cable Street, London, E1W 3HB

Existing Use: Vacant Unit (17sq metres), formerly the court yard office (Use Class B1)

Proposal: Change of use from vacant court yard office to mini cab control room.

Drawing Nos:

- 1) Location plan
- 2) Ground Floor plan of 566 Cable Street
- 3) Existing and proposed plan A

Supporting Documents: Impact Statement

Applicant: Mr Mahfuj Khan
Owners: Sudbury Properties Ltd
Historic Building: N/A
Conservation Area: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of this application against the provisions of the adopted London Plan Spatial Development Strategy for Greater London (2011), the adopted London Borough of Tower Hamlets Core Strategy (2010), the saved policies in the Tower Hamlets Unitary Development Plan (1998), the Council's Interim Planning guidance (2007), Managing Development Plan (Submission Version 2012), associated supplementary planning guidance, National Planning Guidance and other material considerations and has found that:-

1) The proposed change of use of this unit to a mini-cab control office/sui generis use will restore previous employment use. The proposal therefore accords with the objectives of the saved policy EMP1 of the Unitary Development Plan (1998) policy EE2 of the Interim Planning guidance (2007) and policy SP06 of the Core Strategy (2010) which seeks to encourage employment through the reuse of vacant buildings to ensure protection of employment floorspace and jobs for the local community.

2) Subject to the imposition of conditions, the proposed use of unit A, part of Thames House purely as a mini-cab control office will not result in loss of amenity to neighbouring residents

in terms of noise. This is in accordance with saved Policy DEV2 of the adopted Unitary Development Plan (1998), policy DM25 of the Managing Development - Development Plan Document (DPD) Submission Version 2012 and DEV2 of the Interim Planning Guidance (2007). These policies seek to ensure proposals do not have an adverse impact on residential amenity.

3) The proposed mini-cab control office would not result in any impact on the safety and efficiency of the adjoining highway network and would be acceptable in terms of saved policy T16 of the Unitary Development Plan 1998 and policy SP09 of the Core Strategy (September 2010) which seek to ensure highway safety and efficiency.

3. RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to conditions.

3.2 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

3.3 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

3.4 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in this planning permission.

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

3.5 3) The mini -cab operation shall be conducted as a control room only and no facilities are to be provided on site for drivers waiting for fares or between shifts nor shall the premises be used as a pick up point for customers.

Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with saved policy DEV2 adopted UDP (1998) and DEV1 of the Interim Planning Guidance (2007).

3.6 4) No flashing lights shall be fixed to the external face of the unit or on the building in association with the use hereby permitted.

Reason: To safeguard traffic movements in the vicinity of the site by reducing the potential for the use of the premises as a "pick-up" point for fares. This is in accordance with saved policies DEV2 and T16 of the adopted UDP (1998) and DEV1 of the Interim Planning Guidance (2007).

3.7 5) No signage/advertising shall be displayed on the building or within windows of Unit A in association with the use hereby permitted.

Reason: To safeguard traffic movements in the vicinity of the site by reducing the potential for the use of the premises as a "pick-up" point for fares. This is in accordance with saved policies DEV2 and T16 of the adopted UDP (1998) and DEV1 of the Interim Planning Guidance (2007).

- 3.8 6) No storage/parking of vehicles associated with the mini-cab office within the site.

Reason: To protect safety, convenience of all road users and to reduce congestion on the road . This is in accordance with policy SP09 of the Core Strategy (2010) and policy T16 of the Unitary Development Plan (1998).

Any other planning condition(s) considered necessary by the Corporate Director of Development & Renewal.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application proposes the change of use of a vacant court yard office measuring 17sq meters B1 use to Sui generis mini cub control room.

Site and Surroundings

- 4.2 The application site, Unit A, 566 Cable Street, London, E1 9HB is located within the complex now known as Cable Street Studios. The complex was built in the 1860's and was originally a sweet and cracker factory. In 1984 the factory was formed into an artist run institution and since then has had a fluctuating history. Cable Street Studios was purchased in December 2000 by the current freeholders, Sudbury Properties Ltd.
- 4.3 The site now lies within the extended York Square Conservation Area, which was originally designated in January 1973 and subsequently extended in October 2009.
- 4.4 The complex is surrounded by residential developments to the north, and south west, a hotel behind the houses to the south west, a cement factory to the south east, a business park to the west and Butchers Row and St Katharine's Church to the east.

Planning History

- 4.6 Whilst there is an extensive planning history of the whole site there is no relevant planning history associated with the vacant application site Unit A.

5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for "Planning Applications for Determination" agenda items. The following policies are relevant to the application:

5.2 London Plan 2011

None

5.3 Adopted Core Strategy (2010)

Policies:	SP06	Maximise investment and job creation
	SP09	Creating Attractive and Safe Streets and Spaces

5.4 Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV2	Environmental Requirements
	DEV50	noise a material planning consideration
	EMP1	Promoting employment growth

EMP8	Encouraging small business growth
S8	Mini-cab offices may be approved if they do not <ul style="list-style-type: none"> - abut residential accommodation - have a material detrimental impact on the amenity of nearby residents - have a material detrimental effect on free flow of traffic - result in increase in potential danger to other road users - conflict with other policies
T16	Transport and Development

5.5 Managing Development - Development Plan Document (DPD) Submission Version 2012

Policies DM25 Amenity

5.6 Interim Planning Guidance for the purposes of Development Control

Policies: DEV1 Amenity
DEV10 Noise pollution, including road noise
DEV19 Parking for Motor Vehicles
EE2 Redevelopment/ Change of use of employment site
RT5 Evening and night - time economy

6. CONSULTATION RESPONSE

6.1 The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

The following were consulted regarding the application:

London Borough of Tower Hamlets - Transportation & Highways

6.2 Comments dated 26/04/2012

*The proposed "cabs unloading" spot is on LBTH highway, where there are around 7 permit bays. Between these and the entrance/exit to the complex and the Red Club is the cycle superhighway. At night parking is not controlled. I have some concerns about the potential impacts on the generation of additional cars in this area, especially where they may be manoeuvring next to or even over the cycle superhighway. To limit the potential for cabs being drawn to the site and congesting the highway, Highways require (in the event the Case Officer is minded to approve the application) the following conditions. No advertising of services on site, this covers no telephone number/address and no revolving minicab light - No storage/parking of vehicles, - No picking up of fares from the site I gather from the application form that there is parking in the complex consisting of 2 car, 2 LGV, 1 disabled and 6 cycle spaces. There are no corresponding figures in the *proposed' column. I'm not clear what use will be made of these and whether they are shared with other businesses, but I assume they aren't core to this business. Subject to the above conditions, Highways has no objection.*

6.3 **Officer Comment** The reference to the submitted form in terms of parking within the complex was given in relation to the parking provision for Thames House and not for Unit A, the application unit for mini-cab use. Notwithstanding, all conditions requested by highways will be imposed on any decision notice, to ensure highways safety in the vicinity.

7. LOCAL REPRESENTATION

7.1 A total of 65 neighbouring properties within the area shown on the map appended to this report were notified about the application.

7.2 The total number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:	2	Objecting:	1	Supporting:	1
No of petitions received:		1 objecting containing	30 signatories		
		1 supporting containing	74 signatories		

7.3 The following issues were raised in objection that are addressed in the next section of this report:

- If planning permission was allowed the new mini cab office will seriously affect my minicab business in the building.

7.4 **Officers Comments** This comment was from an existing mini-cab operator from Unit 9 within Thames House. As such the issue of competition is not a planning material consideration as such it does not form part of the decision making process.

- Noise from the mini –cab office

7.5

Officer's Comments The mini cab office will have two controllers per shift. As such, it is unlikely that any noise nuisance will be generated.

- Antisocial behaviour as a result of mini-cab use

7.6

Officer's Comments Amenity related matters are discussed in detail in section 8 of this report

7.7

- Parking problems associated with the mini-cab office use

Officer's Comments Highways related matters are discussed in detail in section 8 of this report

7.8 The following comments were made in support of the proposal:

- The petition against the proposal is false
- We are not against the proposal
- Happy for Tower Hamlets to go ahead with the application.

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1.Land Use

Encouraging the re-use of the vacant Unit A from court yard office B1 use to mini cab office.

2.Residential Amenity

Impact on the amenity of the surrounding area.

3. Mini Cab Control Office use

Acceptability of mini cab office use within the area

4. Highways Impacts

Impact on the public highway and local road network.

Land Use:

- 8.2 The proposal is for the change of use of a ground floor unit measuring 17sq meters from vacant office space (Use Class B1) to a mini cub control room (Use Class Sui Generis), to be operated on a 24 hour basis and 7 days a week.
- 8.3 The change of use of this unit to a mini-cab control office/sui generis use will restore previous employment use as such the proposal accords with the objectives of the saved policy EMP1 of the Unitary Development Plan (1998) policy EE2 of the Interim Planning guidance (2007) and policy SP06 of the Core Strategy (2010) which seeks to encourage employment through the reuse of vacant buildings to ensure protection of employment floorspace and jobs for the local community.
- 8.4 Currently the application site is vacant. The reuse of the space for commercial operation would be acceptable in this location as the unit size is small measuring 17sq metres, moreover the applicant will be vacating a first floor unit measuring 10sq metres which will revert back to its lawful use as a studio.
- 8.5 The proposed use for a mini-cab control office operating as a small office with sui generis use would generate employment for at least 15 local residents within the mini-cab control room and as mini cab drivers.
- 8.6 It is therefore considered that the use is acceptable and compatible with the area and its general commercial usage. The use would be acceptable as a mini-cab control office/sui generis use which would retain employment onsite and would be acceptable in terms of policy EMP1 of the Unitary Development Plan 1998, policy EE2 of the Interim Planning Guidance 1999 and policy SP06 of the Core Strategy 2010.

Amenity

- 8.7 Policy SP10(4) of the adopted Core Strategy (2010) along with Saved Policy DEV2 in the UDP 1998 and Policy DEV1 of the Interim Planning Guidance seek to ensure that development where possible protects and enhances the amenity of existing and future residents.
- 8.8 The applicant has applied for the mini-cab control office to operate on a 24 hour basis/7 days a week. Residential properties are located to the north and north east of the application site. However, due to the nature of the proposal as a mini-cab control office only with no facilities provided on site for drivers waiting for fares or between shifts or as a pick up point for customers. As such it is considered that there will be no undue noise created or any form of antisocial behaviour.
- 8.9 Subject to conditions imposed on the decision notice with regards to the above restriction. The proposal will not have an adverse affect on residential amenity, as such the proposal is considered acceptable in terms of Core Strategy policy SP10, saved UDP policy DEV2 and IPG policy DEV1.

Mini Cab Control Office use

- 8.10 Saved policy S8 of the Unitary Development Plan (UDP) 1998 sets out the criteria for minicab offices within the borough and states that they should not be located near residential accommodation and not have a detrimental impact upon nearby residents. Furthermore, in terms of highways, the operation of a minicab centre must not impinge on the free flow of traffic and in particular they must not be detrimental to the free flow of public transport. Given the minicab office proposes to operate as a remote office only with no vehicles coming to the

office at any time, it is considered that subject to the imposition of suitable conditions, the proposed use of part of the Thames House premises as a mini cab control office will not result in loss of amenity to surrounding residential occupiers or impact upon the local highway network. The proposal is considered to accord with saved policies S8, DEV2 and DEV50 of the UDP 1998, policy SP10 of the Core Strategy 2010 and policies DEV1 and RT5 of the Interim Planning Guidance 2007.

Transport & Highways

- 8.11 Council policies contain a number of safety and operation policies which seeks to protect the highway from development.
- 8.12 Council's Highways Officers have advised that the mini-cab control office should have the following restrictions imposed to prevent potential for cabs being drawn to the site and congesting the highway:
- No advertising of services on site, this covers no telephone number/address and no revolving minicab light
 - No storage/parking of vehicles
 - No picking up of fares
- 8.13 With the restrictions of the above mentioned conditions, it is not considered that there will be any adverse impact on the surrounding highway network.
- 8.14 The area is well served by public transport, bus stop and Limehouse DLR is within walking distance of the site. The mini-cab control office would complement the borough's public transport provision. No highways issues are foreseen on the traffic flow as the mini cab will operate as a control room only with no cars parking, dropping or picking up customers from the site. It is considered that if the use of the mini-cab office is controlled in order to ensure it operates as a control base office with no pick up at the site it would be in accordance with saved policy T16 of the adopted UDP (1998).
- 8.15 Therefore, the use of the mini-cab control office would not result in any impacts on the safety and efficiency of the highway network and would be acceptable in terms of saved policy T16 of the UDP 1998 and policy SP09 of the Core Strategy which seek to ensure highway safety and efficiency.

9.0 CONCLUSIONS

- 9.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

