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<b>Snodland</b> Snodland West	<b>570203 161661</b>	<b>09.03.2005</b>	<b>TM/05/00785/FL</b>
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Proposal:	Change of use from Employment Bureau to taxi booking office
Location:	64 Malling Road Snodland Kent ME6 5NB
Applicant:	K Byrne

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## **1. Description:**

1.1 This application proposes the change of use of the ground floor of 64 Malling Road to a taxi booking office. The application is retrospective. The unit was previously an employment bureau, falling within Class A2 of the Use Classes Order. The application forms state that the normal hours of use for the office would be 6am to 6pm seven days of the week.

1.2 As well as the details on the application forms the applicant has submitted supporting information that states the following:

- *Vehicles do not park at the office. There is a car park in Rocfort Road and also there is an arrangement with Rocfort Road Garage to park on their forecourt. No parking takes the places of local residents. Under no circumstances are vehicles ever parked outside the office on Malling Road, in Bramley Road or any other place where we may cause residents inconvenience.*
- *If a taxi is required from the office the customer is asked to walk with the driver to where the car is parked or alternatively arrange a suitable pick up point thus complying with the traffic waiting restrictions outside the premises.*
- *The office is open to staff on a 24 hour basis but it is a rarity for members of the public to enter the office between 10pm and 6am. Blinds are fitted to the office and these are pulled down no later than 10pm and lights are off by midnight to ensure that the activity does not disturb neighbours.*

## **2. The Site:**

2.1 The application site is on the west side of Malling Road and is part of a terrace of properties between Bramley Road and Chapel Road that are primarily business uses on the ground floor with residential above. The road directly outside the premises has waiting restrictions with double yellow lines. The site is within the urban area confines of Snodland but outside the central retail and business area.

### **3. Planning History:**

- 3.1 The site has been subject to a variety of uses over the years, the most relevant applications being as follows:
- 3.2 TM/88/1221            Approved 07.10.1988  
Change of use from shop to office (estate agency).
- 3.3 TM/90/279            Refused 04.07.1990; Appeal Dismissed 08.04.1991  
Change of use of office (use class A2) to restaurant (class A3).
- 3.4 TM/91/551            Refused 09.07.1991  
Change of use of estate agents (A2) to takeaway (A3) with car parking.
- 3.5 TM/94/0665           Refused 26.07.1994; Appeal Dismissed 11.05.1995  
Change of use from office to take away.
- 3.6 Members may also recall that protracted enforcement proceedings took place when the premises was being operated illegally as a hot food takeaway.

### **4. Consultees:**

- 4.1 TC: No objection in principle, but wish to see restriction on working hours in force - 6am-6pm seven days a week.
- 4.2 KCC (Highways): Support.
- 4.3 Private Reps: 11/0X/4R/0S. Objections received on the following grounds:
- Would result in traffic congestion at the junction of Malling Road and Rocfort Road.
  - Noise and disturbance from taxis and also running repairs at the roadside.
  - Lights from building late into the night disturbing sleep.
  - Noise and disturbance from people waiting for taxis.

Further comments received on the additional information:

- Taxi drivers sleeping in cars outside houses and leaving engines running.
- Cab drivers yelling across road at all hours and tooting each other as they pass the office.

**5. Determining Issues:**

- 5.1 The principal consideration with the application is the impact of the use on the adjacent residential properties. The premises has residential properties opposite and above that would potentially be affected by late night noise and disturbance.
- 5.2 The supporting information submitted by the applicant states that the taxi office is open 24 hours a day for staff but it is a rarity for customers to enter the office between 10pm and 6pm. This though is at variance to the details on the application forms that state it would only be open between 6am and 6pm with telephones diverted out of these hours.
- 5.3 However, given the residential nature of the surroundings I do not consider a 24 hour use to be appropriate in this location. Concerns relating to late night use of the premises have been a factor in the previous appeals that were dismissed for a takeaway in the unit. Although it is stated by the applicant that efforts are made to ensure that there is no noise and disturbance to local residents, a complaint has been made to DHH relating to noise and disturbance from the office and the taxis late into the night.
- 5.4 It is stated by the applicant that no taxis would be parked outside the office. It is apparent from the objections received that this does occur to the detriment of the residential amenity of the adjacent properties.
- 5.5 Given the previous use of the property and also the ground floor business use of other properties in the terrace I can see no objections to the principle of the unit being used as a taxi booking office. However, such a use would need to be controlled by conditions to ensure that the impact on residential amenity is minimised.
- 5.6 To ensure this I consider that conditions to restrict the use of the office to the hours of 6am to 6pm, 7 days a week, and to also stipulate that there be no customers picked up from the office outside these hours are appropriate. This would reduce the congregation point for taxis, drivers and customers and prevent the 24 hour use of the office. With regard to vehicle parking on the street outside the office, the stopping of vehicles on a no-stopping area is not controlled by the planning system but by other legislation.
- 5.7 Subject to such conditions the proposal is considered to be acceptable.

**6. Recommendation:**

**6.1 Grant Planning Permission**, subject to the following conditions:

- 1 The business shall not be carried on outside the hours of 06:00 to 18:00 on any day unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

- 2 No customers shall be picked up from the premises outside the hours of 06:00 to 18:00.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

Contact: Robin Gilbert