

## **PART ONE REPORT**

**Application Recommended for APPROVAL**  
Daneshouse with Stoneyholme Ward

**APP/2013/0396**

Full Planning Application

Variation of conditions 1 & 3 of planning permission APP/2011/0288 to allow parking for 24 additional private hire vehicles to the basement garage at 54 Church Street, in addition to those permitted under planning permission APP/2011/0288. Total of 29 vehicles to be operated from the booking office.

M&G Blueline - 44 CHURCH STREET, BURNLEY

### **Background:**

The taxi booking office is situated on Church Street, grouped with 2 taxi firms (*Burnley & Crown / A1 Tiger*), a hot food take-away (*Dixy Chicken*), vacant pub and a newsagent shop. The existing parking for 5 private hire vehicles is located to the rear of the Coaching & Horses PH and is at distance of 85m by foot from the booking office.

The application is for the variation of condition 1 & 3 of planning permission APP/2011/0288, to increase the private hire vehicle fleet. The proposed parking would be located below 54 Church Street, in a secure basement garage unit with security shutters to the entrance. The garage has a capacity to accommodate 24 vehicles without causing obstruction.

The garage was last used a carpet warehouse and there was regular activity of large vehicles coming and going to the site.



Top o'th Town Conservation Area

Objections have been received.

### **Relevant Policies:**

Burnley Local Plan Second Review

TM14 – Taxis and Taxi Booking Offices

EW4 – Expansion and Improvement of Existing Businesses

E12 – Development in or Adjacent to Conservation Area

### **Article 31 Statement**

The application as submitted was in accordance with the local plan policies and the National Planning Policy Framework and there was no need for any negotiation with the applicant.

### **Site History:**

APP/2011/0288 – Retrospective and continuation of planning permission

APP/2008/0183 (operating 5 private hire vehicles with parking to rear of 48-52 Church Street, Burnley 24 hours / 7 days a week). (c/c)

### **Consultation Responses:**

#### **LCC Highways Burnley:**

The application seeks to vary the wording of conditions to increase the number of vehicles operating from the site. Whilst the Highway Authority raises no objections to the proposal, passing observations on Church Street indicates that there is an issue with private hire vehicles parking/waiting on Church Street. It is advised that the conditions ensure that the parking occurs in the designated spaces and no on the highway.

#### **A1 Tiger, 50 Church Street, Burnley – object on the following grounds:**

- Existing parking issues / congestion to the rear of coaching & horses PH.
- Adequate space not available to manoeuvre mini buses along the access road.
- Booking office too far from parking area

#### **A & M News, 52 Church Street, Burnley – object on the following grounds:**

- Create problems with parking / access to the rear car park
- Increased problems for A & M News, i.e deliveries
- Increased risk for pedestrians
- Issues regarding land issue at the rear

*The Highway Authority raises no objections regarding this proposal and adequate access space is available for vehicles to access and egress the private parking area. The proposed vehicles would be parked in an enclosed basement garage and would not interfere with the existing parking or cause any disturbance. The rear car park is managed by a private car park company to ensure appropriate parking for such designated vehicles.*

### **Planning and Environmental Considerations:**

**Policy TM14** of the Burnley Local Plan accepts that proposals for taxi offices can provide an alternative mode of transport and sets out proposals for private hire booking offices which will be permitted when:

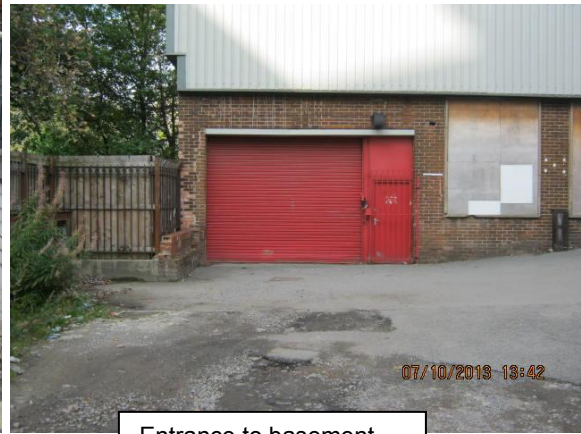
The proposal is appropriately located in a Secondary Street or District or Local Centre;  
The booking office and car park are not located in the Secondary Shopping Street Area, but are within the Town Centre Boundary. The proposal does not affect the existing retail units and the location is acceptable. The purpose of this application is to extend its fleet and provide parking in a secure location.

One off-street parking space is provided for each taxi operated;

The applicant intends to retain the existing parking spaces for 5 vehicles to the rear of Coaching & Horses PH and proposes an additional 24 vehicles in the basement garage of 54 Church Street, below the retail units. The use will be conditioned to limit the numbers operated to the number of parking spaces available.



Access road from Church Street



Entrance to basement...

Parking spaces are located on site or no more than 50 metres from the office;

The parking spaces are located more than 50m from the booking office when travelling by foot, but are easily accessible without the need to cross roads. Burnley & Crown Taxis also make use of the parking to rear of Coaching & Horses and no major concerns have arisen. The taxi firm is a long established business and the proposed parking is the only suitable option available which is easily accessible.

It does not have a detrimental impact on the character and amenity of the surrounding uses, particularly residential;

The booking office and parking is within a commercial terrace and does not raise any issues relating to the character and amenity of residential uses. The nearest residential properties are on Adlington Street, which are across the busy main road and are not affected over and above the general activity and noise in the surrounding area.

The proposal does not create an unacceptable concentration for taxi businesses;

The terrace has already lost its retail character as it has proven to be difficult to retain shops here. Taxi firms and fast food takeaways have been in service for a number of years within this block and the proposal is to continue operating as a taxi firm.

The office is within the Top o'th Town Conservation Area, but there is no adverse impact to the character or appearance of the Conservation Area as a result of this particular proposal. The property is not undergoing any changes to its external appearance and would remain unchanged.

In conclusion there is no reason to justify a refusal for this application even though concerns have been raised. These are mainly related to the existing parking area and the main issues are private matters for the land owners. Secondly the Highway Authority has no objections to the proposal or the access to the basement garage. This does not conflict with the existing parking arrangements or cause any obstruction.

The proposal is in accordance with the above local plan policies and is considered to be acceptable

**Recommendation:**

That planning permission be granted subject to the following conditions.

**Conditions**

1. The existing five parking spaces as approved on planning permission app/2011/0288 and the 24 parking spaces shown on the approved plan for private hire vehicles at the basement garage, 52 Church Street shall be available at all times the booking office is in use. If the spaces become unavailable the use as a booking office shall cease immediately.
2. No private hire vehicles operating from the booking office hereby approved shall be parked on the highway within 100 metres of the booking office.
3. No more than 29 private hire vehicles shall operate or be permitted to operate from the booking office hereby approved.
4. The 29 spaces shall be retained at all times for the parking of taxis in connection with the applicants private hire operation. Should any spaces become unavailable, the number of private hire vehicles operated by that business shall be reduced by 1 for every parking space becoming unavailable. The Local Planning Authority shall be informed in writing within 28 days of any change in the number of parking spaces available.

**Reasons**

1. In the interest of preventing congestion on the highway, in accordance with Policy TM14 of the Burnley Local Plan Second Review.
2. In the interest of preventing congestion on the highway, in accordance with Policy TM14 of the Burnley Local Plan Second Review.
3. To ensure there is sufficient off-street parking for private hire vehicles operating from the premises in accordance with Policy TM14 of the Burnley Local Plan Second Review.
4. In the interest of preventing congestion on the highway, in accordance with Policy TM14 of the Burnley Local Plan Second Review.

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