

Application No: 15/1100C

Location: JODRELL BANK SERVICE STATION, KNUTSFORD ROAD, HOLMES CHAPEL, CW4 8HU

Proposal: Change of use from garage and workshop to vehicle and plant maintenance/testing, storage of equipment and plant soil testing laboratory (Geotechnical), offices for running drilling company and workshops, toilets and canteen

Applicant: Mr C Wakefield, Strata Renewables Limited

Expiry Date: 12-May-2015

CONCLUSION:

The proposed change of use is not considered to be significantly different from the existing lawful use nor detrimental with regard to amenity for any surrounding properties. The proposed development does not involve any external alterations to the existing built form and is therefore in accordance to Local Plan Policies and the NPPF.

The application site is within the Rudheath Woods Infill Boundary Line and the scheme represents a sustainable form of development where the planning balance weighs in favour of supporting the development subject to conditions.

SUMMARY RECOMMENDATION:

Approve with conditions

REASON FOR REPORT:

This application has been called to Committee by Councillor Kolker as: *“there is substantial public interest in the site due it's proximity to housing, and the change of use is a significant departure from its original use.”*

PROPOSAL:

Planning permission is sought for a change of use from garage and workshop to vehicle and plant maintenance/testing, storage of equipment and a geotechnical plant soil testing laboratory, offices for running a drilling company and workshops, toilets and canteen.

No external changes to the existing building are proposed.

SITE DESCRIPTION:

The application site is a roughly triangular shaped piece of land, located to the west of the Knutsford Road (A50). The site comprises a one and a half storey, detached stone building with an attached single storey appendage. At the rear of the building are two metal portable containers.

The surrounding area is residential in character. To the south of the application site is Two Oaks, a detached bungalow that sits approximately 1.8 metres from the boundary with the application site at the closest point. To the north of the application site is a row of four dwellings, approximately 20 metres from the northern boundary (the gardens serving these 4 dwellings back onto the northern application site boundary). To the east of the application site is Knutsford Road. To the west of the application site is Hunters Wood, a detached dwelling set away from the western boundary by approximately 25 metres.

The site falls within the Rudheath Woods Infill Boundary Line located with the Open Countryside.

RELEVANT HISTORY:

08/0583/OUT – demolition of existing motor vehicle workshop and construction of 1 detached dwelling – approved 10th July 2008

10/3885C – time extension of 08/0583/OUT – approved 24th January 2011

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework (2012)

Development Plan:

The Development Plan for this area is the Congleton Borough Local Plan First Review, adopted 27th January 2005

Rudheath Woods Infill Boundary Line

PS6 – Settlements in the Open Countryside and the Green Belt

GR1 – New Development

GR6 – Amenity and Health

GR7 – Amenity and Health

GR9 – Accessibility, Servicing and Parking Provision (New Development)

E4 – Employment Development in Villages

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP.1 – Presumption in Favour of Sustainable Development

SD.1 - Sustainable Development in Cheshire East
SD.2 - Sustainable Development Principles

CONSULTATIONS:

Strategic Infrastructure (Highways): No objection subject to a condition limiting the number of staff parking to 5 vehicles, as per the supporting information.

Environmental Protection: No objection subject to an informative relating to external lighting and hours of use. Environmental Protection have investigated noise complaints from local residents. The main source of the noise is fork lift driving and metal fabrication and this is infrequent. As such, Environmental Protection do not object to the use.

TOWN/PARISH COUNCIL:

Crnage Parish Council: Object to the proposed change of use, as summarised below:

- The site covenant only allows vehicle repairs and servicing
- The site is far too small for a business such as Strata Renewables
- There is noise and pollution nuisance for local residents
- There is extreme danger to traffic emerging from Northwich Road and adjacent houses due to sightline blocking by Strata renewables' vehicles that park outside the site on the A50 verges
- Rudheath Woods is essentially a residential area and a noisy business operating as this one does from 5.00 am until late evening is not acceptable.
- Evidence provided by residents, Strata Renewals have not proved themselves to be responsible occupiers.
- The working hours proposed should not be allowed when Jodrell Bank Service Station was a building site (08.00 - 18.00 weekdays and 08.00 - 12.00 on Saturdays). Occasional out of hours access and infrequent Sunday and Bank Holiday access is too vague and effectively provides too much flexibility which is unacceptable.
- The site is quite clearly too small for their activities (again vehicles parked well into the A50 into Northwich Road at about 09.30 today)
- A more suitable site (e.g. an industrial estate) within say 3 months should be located for these activities.
- There MUST be restrictions on noise, lighting and traffic movement and more restrictive working hours (given the site's location adjacent to housing); all of which would need to be strictly monitored and controlled and with real penalties (fines and/or suspension of activities) for infringement.

REPRESENTATIONS:

A total of 21 letters of representation were received, 8 of which support the application and 13 of which are letters of objection.

The letters of support are summarised below:

- The change of use is minor. The proposed use is similar to the existing use.

- No external change to the building or site.
- Part of the site was previously used as a spray shop. The proposed use as a geotechnical soil lab would be a betterment and would have no further impact.
- Noise is kept to a minimum on site.
- There is no parking issue.
- Local people are employed at the site.
- The site condition is a vast improvement from the last use.
- The last use was a 24 hour recovery service and this use is a betterment.
- The site has always been a commercial business.
- Local residents should support local businesses and rural enterprises/growth.

The letters of objection are summarised below:

- The area is rural in nature and a commercial business is not sympathetic.
- There is a covenant on the site preventing such a use.
- There is not enough parking in the area.
- The noise level is too high.
- The increased volume of traffic is unacceptable.
- The site is too small for the use and vehicles park on verges.
- There are 2 large containers at the rear of the site that are an eyesore.
- Long working hours causes a nuisance.
- Light pollution issues.
- Concerns relating to the future use of the site.
- Large machines stored on site are unsightly.

A letter of objection was received from the Dane Valley Ward Councillor and is summarised below:

- The application is considered retrospective therefore the issues are known.
- The occupier works long hours and associated noise pollution.
- The vehicle movements to and from the site are unacceptable.
- The site is not large enough for the operation.
- Reduced visibility due to the parking of vehicles at the front of the site.
- The area is predominantly residential.

Following on from the above letters of objection, a parking plan and additional information was sought from the Applicant/Agent. 5 further letters of representation have been received and are summarised below:

- The letter submitted by the Agent is factually incorrect.
- The proposal is not in line with Policy E5.
- The previous use has never been a 24 recovery service.
- There are a number of complaints re: the current use.
- There is not enough space for cars to park and vehicles to access the site.
- The current use is more extensive than alluded to in the Agent's letter.

APPRAISAL:

Principle of Development

The proposal is for the change of use from garage/workshop to vehicle and plant maintenance/testing, storage of equipment and plant soil testing lab (geotechnical) offices for running a drilling company (including workshops, toilets and canteen). The application site is within the Rudheath Woods Infill Boundary Line where in line with Policy PS6 (Settlements in the Open Countryside and the Green Belt) development is acceptable where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with other policies in the local plan, the most relevant here being E4 (Employment Development in Villages).

Policy E4 states that proposals for employment development within settlement zone lines will be permitted where the proposal is for a small scale enterprise appropriate to a rural settlement or relates to an existing business, the site is not committed for any other purpose in the local plan and the proposal complies with Policy GR1 and the other relevant planning policies.

The letters of objection identify a restrictive covenant on the site which would prevent a change of use. This is a civil matter and is not a planning issue.

It is considered that the proposal is acceptable in principle providing that the development does not give rise to any detrimental impact on the amenities of adjacent properties and satisfies highways and parking requirements.

Amenity

In terms of neighbouring residential amenity the closest neighbouring dwelling is Two Oaks, directly to the south of the application site. There will be no change in the relationship between the two buildings as no extensions to the existing building are proposed. The existing lawful use is for a garage and workshop and historically the use involved 24 hour vehicle recovery and associated repair. As suggested by Environmental Health, the proposed use would be controlled by an hours of operation condition and this would serve to restrict the hours of operation to a reasonable time. As per the supporting letter, the hours of operation will be restricted to 7:30am – 6:00pm Monday to Friday and 7:30am and 2:00pm on Saturday with no work on Sunday or Bank Holidays.

Policy GR6 and GR7 (Amenity and Health) state that development will be permitted provided that the proposal would not have an unduly detrimental effect on amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, environmental disturbance or pollution, traffic generation, access and parking. As there are no external alterations proposed, it is not considered that the development would have any significant impact on the privacy, sunlight/daylight or visual intrusion. Environmental Health have been consulted and have no objection, subject to the informatives as stated above therefore it is not considered that the development would give rise to any further environmental disturbance or pollution over and above the existing use.

Environmental Health have conducted investigations into the noise levels at the application site, however have not raised any objection to the change of use based on this. Environmental Health have concluded that:

“Having review the recent noise recordings made at your premises (immediate neighbour, Two Oaks) it was noted that predominant noise from Strata Renewables consisted of metal fabrication and the movement of the fork lift truck which occurred on one day mainly within the week.

I have spoken to and visited Strata Renewables to discuss the matter and have advised that for future metal fabrication works that these be undertaken within the premises with the doors closed at every possible opportunity. I was advised that some days the size of equipment prevents this to which I have advised that the works be undertaken as quickly as possible in order to negate any excessive disturbance. With regards to the fork lift truck I have advised them to undertake works to either silence the machine or to look at a more quieter modern alternative”.

When considering the above Environmental Protection response, the orientation of the application site and the distances to the other residential properties (more than 20 m from the boundary) it is not considered that the proposed change of use would have any increased negative impact on the amenity of the residential dwellings.

It is not considered that there will be any significant negative impact on the amenity of the surrounding residential properties and as such the proposal complies with Policy GR6 and GR7 (Amenity and Health).

Access and Car Parking

The existing car parking and access arrangement is to remain unchanged and there is no perceived substantial difference between the proposed use and the existing use in terms of access and car parking. The submitted car parking plan shows space for 8 cars to park and Strategic Infrastructure have no objection to the proposal, subject to a condition limiting staff parking to 5 vehicles. A number of objections raise issues with large vehicles accessing the site. This has not been raised as an issue by Strategic Highways and there is no real evidence of this causing disturbance to the traffic flow.

It is not considered that there will be any significant change to the access and car parking arrangement and as such the proposal complies with Policy GR9 (Accessibility, Servicing and Parking Provision).

Planning Balance

The proposal is within the Rudheath Woods Infill Boundary Line. The site has previously been used on a commercial basis as a garage and workshop. The proposal is in accordance with development plan policy. There are no significant issues raised with regard to either amenity or access and parking, subject to the imposition of appropriate conditions. As such the application is recommended for approval.

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning and Enforcement, in consultation with the Chair (or in her absence the Vice Chair) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

RECOMMENDATIONS

APPROVE subject to the following conditions

- 1. Standard (3 years)**
- 2. Approved plans**
- 3. External lighting**

4. Hours of operation

5. Staff parking restricted to 5 vehicles



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