

Application No: 14/3194M

Location: UNIT 4, EPSOM AVENUE, HANDFORTH, SK9 3RL

Proposal: Part Change of Use to car showroom (Sui Generis) and motor vehicle service/repair garage (including MOT testing) (Use Class B2) with ancillary offices and extension to existing unit with associated works

Applicant: H R Owen Plc

Expiry Date: 01-Oct-2014

Date Report Prepared: 21 August 2014

SUMMARY RECOMMENDATION

Approve, subject to conditions

MAIN ISSUES

- The principle of the development
- Highway safety
- Design
- Amenity

REASON FOR REPORT

The proposal is a major development, which is required to be considered by the Committee under the Council's constitution.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a vacant industrial warehouse building with ancillary office accommodation and front and side parking areas. The site is located within an Existing Employment Area as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks planning permission for the change of use of the site from an industrial warehouse with ancillary office accommodation to a car showroom (Sui Generis) and motor vehicle service/repair garage (including MOT testing) (Use Class B2) with ancillary offices and a front and side extension to the existing building.

RELEVANT HISTORY

68939P – Mixed Development of B1, B2 AND B8 uses – Approved 06.01.1992

78163P – Industrial and/or warehousing development with related highway and other infrastructure works – Approved 11.07.1994

14/2083M - Change of use of existing vacant industrial warehouse unit to an indoor Trampoline Park (class D2 leisure use) – Withdrawn 07.08.2014

POLICIES

Macclesfield Borough Local Plan

The application site is located within an Existing Employment Area. Therefore the relevant Local Plan policies are:

- BE1: Design principles for new developments;
- E1: Employment land
- E3: B1 (Business)
- E4: General industrial development;
- DC1: Design – New Buildings
- DC2: Design - Extensions
- DC3: Amenity
- DC6: Circulation and Access.

Other material considerations

National Planning Policy Framework (the Framework)

Cheshire East Local Plan Strategy – Submission Version (CELP)

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28 February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The following policies are relevant:

- Policy SD 1 Sustainable Development in Cheshire East
- Policy SD 2 Sustainable Development Principles
- Policy SE 1 Design
- Policy SE 2 Efficient Use of Land
- Policy SE 12 Pollution, Land Contamination and Land Instability
- Policy PG 1 Overall Development Strategy
- Policy EG1 Economic Prosperity
- Policy EG3 Existing and proposed employment sites

CONSULTATIONS (External to Planning)

Environment Agency – No objection subject to conditions relating to contaminated land

Network Rail - Requests that the developer submit a risk assessment and method statement for the proposal.

Strategic Highways Manager – No objections given the existing industrial use, the proposal would not result in materially worse traffic levels being generated on the highway network and the level of parking provision is acceptable for the specialised car use proposed.

VIEWS OF THE PARISH / TOWN COUNCIL

Handforth Parish Council – Support the proposal but did query where waste materials would be stored, given the applicant's answer to question seven on the application form. There was also a lack of information about car parking on the application form, question 10.

REPRESENTATIONS

None received

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted the following reports/documents in support of the application:

- Planning, Design and Access Statement;
- Marketing Report; and
- Transport Statement.

OFFICER APPRAISAL

Principle of development

The site is allocated as an Existing Employment Area where policies E3 and E4 (which, normally permit Use Classes B1(a), B1(b), B1(c), B2 and B8) apply. Furthermore, policy E1 seeks to normally retain both existing and proposed employment areas for employment purposes to provide a choice of employment land in the Borough. As such, there is a presumption that the site will be retained for employment purposes.

However, paragraph 22 of the Framework states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed.

Policy EG3 of the Local Plan Strategy Submission Version acknowledges this more flexible approach and states:

1. Existing employment sites will be protected for employment use unless:
 - i. Premises are causing significant nuisance or environmental problems that could not be mitigated; or
 - ii. The site is no longer suitable or viable for employment use; and
 - a. There is no potential for modernisation or alternate employment uses; and
 - b. No other occupiers can be found.

Footnote 51 relating to planning policy EG3 states that the site should be marketed at a realistic price reflecting its employment status for a period of not less than 2 years.

The marketing report submitted with the application indicates that the application site has been vacant since 2011. Since that time the site has been actively marketed during that time by letting agents CBRE and DTZ.

The marketing report indicates that whilst there has been a steady flow of viewings of the application premises during the marketing process, the site has been discounted for various reasons including location, the shared service yard and insufficient offices and loading.

It is considered that the application site is likely to lie vacant at least in the short to medium term for the reasons stated above. The report indicates that there is not sufficient industrial warehouse demand locally for a unit of this size and configuration.

The majority of the proposed extended building (approx 68%) will remain in employment (B2) use in the form of a motor vehicle service/repair garage (including MOT testing). The remainder of the building (approx 32%) will be used as a car showroom (*sui generis* use). Part of the existing car park at the front will also be utilised as a display area.

Having regard to the extent of marketing that has been carried out for the site, it is considered that there is currently no reasonable prospect of the application site being used for wholly employment purposes. In these circumstances, policy EG3 of the Local Plan Strategy Submission Version states that, "All opportunities must be explored to incorporate an element of employment development as part of a mixed used scheme". The current proposal is considered to achieve this by retaining the majority of the building in employment use, whilst changing the use of the remainder to a non-conforming (*sui generis*) use. Therefore, for these reasons and in accordance with paragraph 22 of the Framework the proposed use is considered to be acceptable on its merits.

Highway safety

The Strategic Highways Manager has commented on the proposal and has noted that the existing car park at the front of the building will be used for vehicle display, and that there will

be 18 visitor car parking spaces provided which will include 2 disabled spaces. There will be 12 staff parking spaces.

Given the specialised nature of the proposal, it is unlikely that this application would result in the same level of traffic generation as the more popular car brands and therefore the demand for car parking would be lower. However, the use needs to be assessed in general terms rather than just for this specialist operator. In this regard the submitted highways information has used TRICS data from standard car show room sites to assess the traffic impact of the proposal.

Given that this site has an existing industrial use, the proposal would not result in materially worse traffic levels being generated on the highway network. The level of parking provision is relatively low for a B2 use when considered against the standards within the Local Plan Strategy Submission Version, but is considered to be acceptable given the particular mix of uses proposed. It should also be noted that the surrounding roads also have parking restrictions on them, thereby preventing any on street parking. The Strategic Highways Manager raises no objections to the application. No significant highway safety issues are therefore raised.

The site is located approximately two minutes walk from the closest bus stop on Epsom Avenue. Buses run between Handforth Dean and Stockport via Heald Green and Cheadle as well as between Wilmslow and Stockport at a frequency of approximately one an hour Monday to Friday and also on Saturdays.

Handforth railway station is located less than 10 minutes walk from the site and provides regular services to and from Manchester Piccadilly, Stockport and local stations en-route to the north as well as to Crewe, Alderley Edge and local stations to the south. There is a dedicated off road cycle link running to the west of the site connecting it with routes to Handforth village centre. The site is therefore relatively sustainable.

Character / Design

The application site is located on Stanley Green Industrial Estate, and as such the immediate area is characterised by large industrial / commercial buildings with significant areas of car parking.

The existing brick built front projection will be demolished to accommodate the proposed extension to the building. The extension will have a relatively contemporary appearance being predominantly glazed with a small element of render. The extension will have a flat roof, extending up to the eaves of the main warehouse building, and will therefore be subordinate to the larger utilitarian structure. The design is considered to be adequately in keeping with the existing building, and will not have a significant impact upon the character of the area. The proposals would bring an empty building back into use, which is a further benefit to the area. The proposal is therefore considered to comply with policies BE1, DC1 and DC2 of the Local Plan.

Amenity

The application property is a detached building with the nearest residential properties on the opposite side of the railway. The vehicle repair workshop is likely to create some noise, as will the valet bays; however these uses will be within buildings / shelters which will reduce

noise levels. Furthermore, the existing use of the site will create some noise, and with the railway between the application site and the nearest residential properties, the impact upon the living conditions of neighbours is not considered to be significant. No further amenity issues are raised, and the proposal is considered to comply with policy DC3 of the Local Plan.

Other considerations

The Environment Agency has no objection in principle to the proposed development subject to conditions relating to contaminated land to ensure the protection of controlled waters. They note that the site is part of an industrial estate and therefore may have been subject to land uses which could lead to contamination. It is located adjacent to Handforth Brook and the geology is glacial till overlying the Wilmslow Sandstone Principal Aquifer.

With regard to the comments by the Parish Council, the applicant has been asked to confirm where the storage of waste will take place and any information received on this issue will be reported to members in an update. It is recommended that the requests from Network Rail for a method statement are included as an informative on the decision notice.

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is not considered the use proposed would result in significant and detrimental parking and highway safety issues over and above an industrial use. The use proposed would also not raise any concerns in respect of the character of the area or neighbouring amenity. Whilst the partial loss of the unit for employment purposes would be contrary to policies E1 and E4 this is acceptable in the context of the advice contained in the NPPF. On that basis, the proposals are in accordance with policies BE1 (Design principles for new developments), DC3 (Amenity) and DC6 (Circulation and Access) of the Macclesfield Borough Local Plan 2004 and guidance within the National Planning Policy Framework. The application is therefore recommended for approval subject to conditions.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his 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.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application

4. Preliminary risk assessment and site investigation scheme to be submitted (contaminated land)
5. Verification report demonstrating completion of any works required by results from the investigations required by condition 4 (above) to be submitted

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