

Application No: 17/5999C

Location: 79, UNION STREET, SANDBACH, CHESHIRE, CW11 4BG

Proposal: Retrospective application for change of use from garage services to hand car wash and valeting facility.

Applicant: Mr Artan Kertolli

Expiry Date: 12-Feb-2018

Summary

The site comprises a former car repair garage within the Settlement Zone Line and Town Centre Boundary of Sandbach where there is a presumption in favour of development.

From an economic sustainability perspective, the scheme will bring economic benefits to Sandbach town centre by virtue of employment it generates and the economic activity the use generates

Whilst there are no social impacts, it can be argued that the occupation of the premises will protect it from future deterioration given its period of vacancy.

The use has commenced during this application's submission and so this proposal is retrospective. It is acknowledged that, whilst the premises are located at the end of a cul-de-sac and that jet washing takes place inside the building, the neighbouring occupiers are sheltered bungalows and during busy times at the weekend there may be queuing outside the premises waiting to be served

From an environmental perspective, given the nature of the use and the availability of another hand car wash on Congleton Road the proposal is considered to be unlikely to generate the level of activity that would be detrimental to local amenities and highway safety

The proposals are considered to be a sustainable form of development which would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy.

Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

RECOMMENDATION:
Approve subject to Conditions

CALL IN

The application has been called in to Committee by Cllr Sam Corcoran on the following grounds:

The location is inappropriate and would disturb the amenity of the area. Union Street is a quiet street with sheltered accommodation for the elderly. The increase in traffic generated by the car wash would change the character of the area as would the extra noise and queues of cars waiting to use the car wash.

DESCRIPTION OF SITE AND CONTEXT

The application site is a former vehicle repair workshop building with associated hardstanding area located at the east end of Union Street in Sandbach, to the south of the town centre. The site is within the settlement zone line as designated in the Congleton Borough Local Plan First Review (2005).

The site is bordered to the east by the Homebase store and on all other sides by residential properties. Bungalows along Union Street are occupied by elderly residents. The road is a dead end.

DETAILS OF PROPOSAL

The application is for retrospective planning permission to change the use of the site for use as a hand car wash and valeting business, and install a container unit site cabin at the south edge of the site. Hand car-washing would be undertaken inside the main building, with valeting work undertaken to cars on the hardstanding area. The application indicates that customer cars would queue on the property before being serviced. The application notes intended hours of operation as Monday-Saturday 9-5pm and Sundays and Bank Holidays 11-4pm.

The hand car-wash business was previously in operation on the adjacent car park of the Homebase store. The use of the current site commenced on 15th November 2017. This application is therefore retrospective

RELEVANT HISTORY

17/6000C – Advertisement consent for 1 fascia sign. Currently under determination.

13714/3 - PROPOSED WORKSHOP FOR THE REPAIR OF MOTOR VEHICLES. Approved with conditions, 09-Feb-1982

POLICIES

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

14 - Presumption in favour of sustainable development

18-22 - Building a strong, competitive economy

23 - Ensuring the vitality of town centres

56-68 - Requiring good design

123 – Noise and amenity

Local Plan Policy

GR6-7 - Amenity and Health

GR9 - Accessibility, Servicing and Provision of Parking

GR17 - Car Parking

GR18 - Traffic Generation

DP2 - Housing Sites

Cheshire East Local Plan Strategy

MP1 - Presumption in favour of sustainable development

PG2 - Settlement Hierarchy

SD1 - Sustainable Development in Cheshire East,

SD2 - Sustainable Development Principles,

EG1 - Economic Prosperity

EG3 – Existing and Allocated Employment Sites

EG5 - Promoting a Town Centre First Approach to Retail and Commerce

SE1 – Design

CONSULTATIONS (External to Planning)

Highways - The proposal will not generate a significant number of vehicle trips and the site can cater for a small number of vehicles parking at any given time. Given this and the highways impact of the existing use, the net highways implications will be minimal and no objection is raised with the informative that a S184 licence to create the new vehicle crossing will be required.

Flood Risk Management – No objection

Environmental Health – No objection

Sandbach Town Council - Object - will affect the amenities of a vulnerable section of the population living in close proximity to the proposed facility. The applicant documented the concerns of neighbours but did not address them within the application. The intermittent noise generated by the cleaning and valeting process, as well as the potential parking and traffic issues for existing neighbours which could be caused on this narrow section of Union Street. As a result, this application is in contravention of policies GR6 and GR7 within the retained policies of the Congleton Borough Council Local Plan.

OTHER REPRESENTATIONS

38 public comments were received, comprising three supporting comments with the remaining 35 in objection, including 23 duplicate letters from residents of Union Street.

Objections and Observations related to: Almost all objections raised concern about congestion, pedestrian safety and noise and pollution arising from additional vehicles accessing the site and forming queues along Union Street, particularly with reference to the elderly and vulnerable nature of residents along the street and the frequency of ambulances and care visitors arriving at properties along the street, and the use of Flat Lane as a popular pedestrian route into the town centre.

Concerns were also raised about the amenity effect of the operation of the car wash equipment, arising from noise, smells, water spray and cleaning chemicals. Objectors also noted existing issues with car parking and vehicle movements on Union Street. An adjoining neighbour to the immediate south of the site raised concerns about the effect of the site cabin and site flood lights (the latter not included in the application) on their amenity.

Supporting notes: Supporting comments noted the view that Union Street can accommodate the additional vehicles.

In addition, the applicant submitted around 340 supportive comments from customers. None of the comments related to the planning merits of the scheme.

SUSTAINABILITY

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;

These roles should not be undertaken in isolation, because they are mutually dependent.

ENVIRONMENTAL ROLE

Principal of Development

The site is located within the Settlement Zone Line of Sandbach, where there is a presumption in favour of development. The existing use is well established, and proposed change of use is considered to be an appropriate re-use of the site and an appropriate commercial development within the settlement boundary. The principle of development is therefore considered to be acceptable, subject to other planning considerations.

Amenity

Saved policy GR6 notes that development should not be permitted where it will have an unduly detrimental effect on residential amenity, including in terms of visual intrusion, environmental disturbance or pollution, or traffic generation, access and parking.

While it is likely that visitor levels associated with the development would be noticeably higher than with the most recent use of the site, it is not clear whether this increase will be so significant that the development would be unduly detrimental, in terms of noise, pollution or traffic generation.

The applicant's agent has submitted a brief note on the expected levels of customer visitors, which is appropriate given the scale of the operation. It is noted that the CE Environmental Protection have raised no concerns about the proposed development in terms of noise, vibration or other nuisance issues. It should also be borne in mind that the lawful use of the commercial premises is a car repair garage which itself would be uncontrolled in terms of hours of operation or the queuing of traffic on the street at busy times.

The Strategic Highways Manager, since the site is located at the end of a no through road, also raises no concerns in respect of highway congestion or safety.

It is not considered that the proposed development would result in any harm to amenity in terms of visual intrusion, loss of light or loss of privacy. The site cabin placed adjacent to the boundary with residences to the south is not of a scale that it would cause harmful visual intrusion or overshadowing. A neighbouring occupant has made reference to intrusive lighting in use at the site, however no lighting details were submitted with the application and should permission be granted such details would need further approval.

Highways Implications

CEC Highways have raised no concerns in terms of the capacity of the site to accommodate customer vehicles, or in terms of congestion or highways safety. However, given the particular nature of the surrounding residential area, and the uncertainty in relation to potential customer numbers, it is considered that there is potential for some localised congestion arising from the proposed development. It is again suggested that a temporary permission would allow for consideration of the highways impact of the scheme.

Design

Given the minimal new physical development proposed, the proposal is not considered to raise significant design issues. The new site cabin is considered to be appropriate in appearance given the commercial nature of the site and its existing character. The new fascia signs are included in this application but will be subject to separate advertisement consent approval.

Environmental Role Conclusion

As noted, it is considered that there the proposed development would have the potential to cause harm to amenity and highways safety such that the development may fail to accord with relevant

policies concerning these matters. However, given the uncertainty surrounding these issues it is not possible to make a more certain determination as to the environmental aspect of sustainability.

In many respects, given the nature of the operation and the tucked away location of the site, it is not possible to reach a definitive conclusion as to the amenity implications for neighbours.

The use has only recently commenced and the Christmas period is unlikely to be representative of the whole year. In the absence of more certainty about the likely impact of customer visits on highway safety and residential amenity along Union Street, it is recommended that permission be granted on a temporary basis for 12 months to allow for consideration of the effects of the proposal on the amenity of the neighbouring residents in the light of experience.

ECONOMIC ROLE

The proposed development would protect existing local employment opportunities by allowing for the continued operation of an existing business providing 11 full-time equivalent jobs.

As such, it is considered that the proposed development would be economically sustainable.

SOCIAL ROLE

The proposal is considered neutral in social terms.

PLANNING BALANCE

The site is within the Settlement Zone Line of Sandbach, where there is a presumption in favour of development. From an economic sustainability perspective, the scheme will allow for the retention of an existing business, protecting economic benefits for Sandbach.

From an environmental and social perspective, it is considered that proposal has the potential to be acceptable in its impact upon local amenities, highway safety, and traffic generation. However, it has not been possible to assess the development in these terms with greater certainty.

The proposal is considered to be a potentially sustainable form of development which, subject to a temporary period of operation for further consideration, could comply with the relevant local plan policies and would not necessarily compromise key sustainability principles as set out in national planning policy.

Therefore there is a presumption in favour of the development and accordingly it is recommended for temporary approval, subject to conditions.

RECOMMENDATIONS

APPROVE subject to the following conditions:

1. Temporary permission – 12 months
2. Approved Plans
3. Hours of operation
4. Submission and approval of lighting details

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

