

Application No: 20/1769C

Location: 71, MANCHESTER ROAD, CONGLETON, CW12 2HT

Proposal: This application is for professional car valeting and hand carwash facility at existing vacant off Manchester Road, Congleton, CW12 2HT.

Applicant: Akbar Shah

Expiry Date: 24-Jun-2020

Summary

Full planning application for a car valeting and hand carwash facility at a vacant commercial site on the Manchester Road in Congleton. The site is located within the settlement zone boundary.

It is considered that the principle of development on the site is acceptable in the context of surrounding uses. In addition, that the impact on residential amenity would not be unduly detrimental given the distance from residential properties and the level of existing background noise in the area, and with recommended conditions to restrict the use. The impacts on the public highways network are considered to be minimal with safe access and egress and sufficient on site parking. The application is therefore in accordance with adopted planning policy and is recommended for approval.

RECOMMENDATION: Approve, subject to conditions

Reason for Report

The application is to be presented at Southern Planning Committee due to being called-in by an elected Ward Councillor, in accordance with the Council's Constitution.

The call in was made for the following reasons:

- Does not comply with Policy SD2 – whilst the site is a commercial operation it does not comply with many of the guidelines and policies that CEC use.
- The 'security fencing' is see-through and does not prevent noise disturbance or air borne chemical spray to the surrounding houses.
- Residents are being asked to comment on a plan which would have a significant impact on their residential amenities, but many of the residents that will be living in the direct line of site of the proposals have not moved in yet, and may have bought their house off plan. They would not know about this application as it would not have arisen when searches were carried out.

- This is a significant residential, not a commercial area. It is not acceptable that where other properties have been required to comply strictly with planning design policy, that this site should be excused from conforming to these policies just because it is a commercial site. The policies below (SE1 of the CELPS) do not say that these rules can be relaxed just because the site is commercial.

Site Description and Context

The site consists of a rectangular, vacant commercial site which is accessed via Manchester Road, in the settlement zone of Congleton. The site is immediately adjacent to a car showroom and a carpet showroom and storage facility. To the rear of the site is an additional parcel of commercial land which is not included in the current application.

Constraints: Settlement Zone Line

Details of Proposal

Application for a commercial car valeting and hand carwash facility.

Applicant's Submission

The applicant's submission included:

- Location Plan
- Existing Site Plan/Block Plan
- Proposed Site Plan/Block Plan/Elevations
- Design and Access Statement

Relevant Planning History

18/4223C	Erection of three light industrial/warehousing units B1 Business B8 Storage or distribution. Approved with conditions 12-Nov-2018.
15/0134C	Extension to warehouse. Approved with conditions 04-Jun-2015.
37641/3	Addition of use to include sale, hire and repair of garden machinery and associated products. Approved with conditions 24-Aug-2004.
37131/3	Change of use from sui generis car retail to enable the applicant to retail ceramic wall and floor tiles and associated products to both the public and the trade. Approved with conditions 12-May-2004.
28783/9	NEW ILLUMINATED FASCIA SIGNAGE. Approved with conditions 13-Feb-1997.
22977/9	ADVERTISEMENT SIGNS. Approved with conditions 22-Jan-1991.
22611/3	NEW PREFABRICATED BODY SHOP. Approved with conditions 02-Oct-1990.
20712/3	MOTOR CAR SALES & REPAIRS. Approved with conditions 18-Apr-1989.
18925/3	EXTENSION TO EXISTING CAR WORKSHOP. Approved with conditions 25-Aug-1987.
17669/3	EXTENSION OF EXISTING CAR SHOWROOM. Approved with conditions 01-Jul-1986.
13793/9	FLAG POLES. Approved with conditions 19-Jan-1982

6395/9	FASCIA SIGN AND ILLUMINATED POLE SIGN. Approved with conditions 07-Feb-1978.
4571/3	NEW SEPTIC TANK. Approved with conditions 29-Dec-1976.
6653/3	EXTENSION TO WORKSHOP. Approved with conditions 31-May-1978.
0928/6	REVISIONS TO SALES/CUSTOMER CAR PARKING AREA. Refused 08-Jan-1975.

CONSULTATIONS

Highways – No Objection

- Existing access used which has sufficient width and visibility to serve development
- Sufficient parking and stacking space within the site and the highways impact on public highway will be minimal

Environmental Health

- Suggested opening hours to be closed on Sundays and Bank Holidays

Environment Agency

- No objection – recommend attachment of informatives

United Utilities

- Conditions for drainage of surface and foul water
- Water supply – applicant should engage with UU at earliest opportunity regarding water supply

VIEWS OF THE PARISH COUNCIL

Congleton Town Council – Objection (summarised below)

- Access and egress of A34 will be a nightmare
- Application has been refused before on access, noise and social harm

REPRESENTATIONS

4 letters of support were received (summarised below)

- Bringing an empty site into use
- Employment opportunity
- Impact on highway would be minimal
- Background noise from A34 higher than the proposed use
- Could operate reduced schedule during Sundays and Bank Holidays
- Only taking the front section of land

10 letters of objection were received (summarised below)

- Noise from jet washes
- Opening hours – 7 days a week, 9am to 6pm
- Too many car washes in Congleton
- Additional traffic
- Dangerous access for vehicles
- Site could be used for something more beneficial
- Will make area look run down and messy

- Water supply from United Utilities not capable of supplying the amount of water it would require
- Pressure on sewage works
- Half of the site is for sale – applicant should state what this is likely to be used for
- No commensurate provision of facilities for number of houses

1 general observation was received

- Doctor's practice would be better use for the site due to proximity of new builds

POLICIES

Cheshire East Local Plan Strategy 2017

MP1 (Presumption in Favour of Sustainable Development)

PG2 (Settlement Hierarchy)

EG1 (Economic Prosperity)

SD1 (Sustainable development in Cheshire East)

SD2 (Sustainable development principles)

SE1 (Design)

Congleton Borough Local Plan – saved policies

PS4 (Towns)

GR6 (Amenity 1)

GR7 (Amenity 2)

GR9 (Accessibility, Servicing and Parking Provision)

GR10 (Accessibility, Servicing and Parking Provision)

Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Officer Appraisal

Principle of Development – Congleton Settlement Zone

The site is located within the settlement zone of Congleton. Policy PS4 states that in these settlements, there is a general presumption in favour of development provided it is in keeping with the town's scale and character and does not conflict with the other policies of the local plan.

The proposals for a car valeting and hand car wash facility, located in a site which has previously been in commercial use is considered to be acceptable in principle, and would be in keeping with the character of the area in relation to surrounding uses. This is subject to other material considerations which are considered below.

Design

Policy SD2 of the Cheshire East Local Plan states that all development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping, choice of materials, and external

design features. In addition, in terms of it's relationship to neighbouring properties, the street scene and wider neighbourhood.

The site is located on Manchester Road where there is a range of commercial and industrial uses. The site is located between a car showroom, and a carpet showroom and warehouse. These sites contain a mixture of office and warehouse buildings.

The proposals relate to two small portacabin style buildings, and a group of three valeting bays.

The physical changes to the site would be of a relatively small scale, and given the nature of the surrounding businesses, they would not appear out of character for the area.

The proposals are therefore considered to be acceptable in terms of design, and would comply with Policy SD2 (CELPS).

Impact on Residential Amenity

Policy GR6 (CBLP) states that planning permission for any development adjoining or near to residential property or sensitive uses will only be permitted where the proposals would not have an unduly detrimental effect on their amenity due to:

- I) Loss of privacy;
- II) Loss of sunlight and daylight;
- III) Visual intrusion;
- IV) Environmental disturbance or pollution
- V) Traffic generation, access and parking.

In addition, that would lead to significantly increased air, land, water, light or noise pollution to environmentally unacceptable levels (GR7).

The Council's Environmental Health Service was consulted on the proposals. It was commented that the application was on the A34 Manchester Road, where the background noise level in the area is high in terms of traffic noise. The site is also on a site which has previously been in commercial use, with established commercial uses in adjacent sites.

It was also noted that there is some separation distance between the rear elevations of the nearest dwellings. The rear elevation of the nearest neighbour to the west would be approximately 72m away, and to the south would be approximately 35m. It was noted that whilst those properties may be sufficiently distanced to not be subjected to noise nuisance from the proposed hand held jet washers and hoovers due to the separation distance – there is potential for loss of amenity if adequate controls are not employed. There are also homes currently under construction opposite the site on the other side of the A34 Manchester Road.

It was noted that the proposals are to operate on a seven day per week basis including Sundays and Bank Holidays. Due to the potential impact on residential amenity, there will be a reduced amount of traffic flow at these times, which in turn will reduce the background noise level of the area. Noise from the operation of equipment at the site and the movement of vehicles around the site on these more sensitive days is likely to become more noticeable. Therefore the Environmental Health Service have recommended the proposed hours of use

should exclude Sundays and Bank Holidays. It is therefore considered to be reasonable to attach a condition which would restrict the hours of opening.

Therefore it is acknowledged that there may be some external noise generative activities resulting from the proposals, which would be difficult to mitigate against. However due to the distance of the nearest residential properties from the site, the suggested hours of operation, the surrounding commercial uses and existing level of background noise, then on balance it is not considered that the proposals would lead to an unduly detrimental impact on the amenity of nearby occupiers.

Access and Highways Safety

Policy GR9 (CBLP) states that proposals for development requiring access, servicing or parking facilities will only be permitted subject to certain criteria. This includes adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway.

The comments regarding highways safety and access and egress are noted. The application does not propose a new access point, but would utilise the existing access.

The Local Highway Authority were consulted and do not object to the proposals. It was commented that the existing access would be used which has sufficient width and visibility to serve the development.

The site is relatively large, and would contain sufficient parking and stack space within the site, so that there would be no queuing on the road to use the proposed car wash. As such the impacts on the public highway network would be minimal.

Therefore while the objections are noted, it is considered it has been demonstrated the proposals would not materially affect the local highways network, and that the existing access and egress are suitable for the scale of the development to ensure acceptable highways safety.

Other Issues

The comment regarding the impact on drainage and the water supply are noted. United Utilities were consulted on the proposals, and did not object subject to the attachment of relevant conditions. It was also noted that the applicant should engage with United Utilities at the earliest opportunity regarding the potential water supply.

The comments regarding the preference for alternative development such as a doctors surgery and other community facilities are noted. However it should be emphasised that each application is assessed on its own merits, and given the commercial use on the site and surrounding uses, the principle of a car wash and valeting facility is considered to be appropriate for the area.

Conclusions

The proposals are considered to be acceptable in principle on a former commercial site, and in the context of surrounding commercial uses. It is not considered that the proposals would lead to a significant impact on the local highway network, and that safe egress and access can be achieved. While it is acknowledged that there would be some additional impact on residential amenity from external noise generative activities resulting from the proposals, for the reasons outlined previously, this would not be considered to be unduly detrimental and on balance the application is recommended for approval, subject to conditions.

RECOMMENDATION

APPROVE subject to following conditions;

- 1. Commencement of development (3 years)**
- 2. Development in accord with approved plans**
- 3. Materials as application**
- 4. Opening hours excluding Sundays and Bank Holidays**
- 5. Contaminated land**
- 6. Drainage of foul and surface water**

In order to give proper effect to the Southern Planning Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

