APPLICATION NUMBER: 19/00490/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00490/FUL	Mubeen Patel	6 August 2019

Address: Burns Garages Ltd Haynes Street Rochdale OL12 0UW

Proposal: New car wash facility together with creation of new access onto Haynes Street, erection of entrance gates and canopy to form covered valeting area, and bricking up of existing repair garage door to north eastern side elevation

PUBLICITY	**Weekly list expired?**	Y	**Site notice expired?**	Y
	Neighbour letters expired?	Y	**Press Notice expired?**	N/a

DELEGATION	**Significant departure from local plan?**	N	**Contrary to national policy?**	N
	Applicant a Council Member or officer?	N	**Contrary to previous decision?**	N
	Major with 10 or more objections and recommending approval?	N	**Called in or Planning Panel objection?**	N

COMMENTS	**Planning Panel comments received?**	N/a
	Neighbour comments received?	Y

EIA	**Screening opinion completed and saved to Onbase?**	N/a

CONDITIONS	**Pre-commencement conditions proposed?**	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	APPROVE

CHECKED AND SIGNED OFF BY: AT **DATE: 15.08.2019**

SITE

The application site relates to a vehicle repair garage located on the corner of Lomax Street and Haynes Street. The garage building is located towards the south eastern corner of the site with hardstanding and parking areas positioned to the front and side of the building. The site is bound by a 2.5m high galvanised palisade fencing with double gates provided on Lomax Street which provides the access into the site. Two large metal storage containers are located to the north of the garage building.

The surrounding area is of mixed use with commercial and retail uses in the immediate vicinity with the closest residential dwellings located on Elliot Street to the east of the site at distance of approximately 75m.

The site lies within the defined Urban Area and in a Mixed Employment Zone, as identified within the adopted Rochdale UDP.

PROPOSAL

The application proposes a hand car wash facility at the site including the creation of a new access into the site from Haynes Street and the erection of a canopy along the north western side elevation of the repair garage in order to provide a covered valeting area. The hand car wash would be an additional facility at the site where the operation of the existing repair garage would be unaffected.

The canopy would be open sided with four pillars and a pitched roof design. It would measure 6m x 6m, the height to eaves level would be 2.5m whilst the height to ridge would be 4.6m. The roof of the canopy would be finished in steel profile cladding. The plans show the existing garage door along the north eastern side elevation of the repair garage would be bricked up. T

The new access from Haynes Street would provide the entrance for the car wash whilst the exit would be from the existing opening along Lomax Street. The new entrance would include the erection palisade fencing gates 2.5m in height similar to the existing boundary fencing around the site.

AMENDMENTS

The original plans submitted showed a ramp/inspection pit proposed as part of this application (retrospective) positioned towards the north western corner of the site. Concerns were raised by the Council relating to its height, prominent positioning and design of the brick built ramp. Amended plans have now been submitted which show the ramp omitted from the proposal.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – Revised

National Planning Practice Guidance (NPPG)

Unitary Development Plan (UDP) Saved Policies:

G/D/1 Defined Urban Area

E/3 Mixed Employment Zones

Rochdale Core Strategy (CS) Adopted October 2016:

P3 Improving Design of New Development

DM1 General Development Requirements
G9 Reducing the impact of pollution
E1 Establishing Thriving Town, District and Local Centres
T2 Improving Accessibility

RELEVANT SITE HISTORY

The site has no relevant planning history.

CONSULTATION RESPONSES

Highways And Engineering

We have no objection to these amended proposals.

The changes are typical of this business type. The amended access is acceptable. I do not envisage any road safety issues to be associated with this proposal.

Env Health - Noise/Odours

No objection.

Lead Local Flood Authority/Drainage

The Proposed Works Plan does not include a silt trap, nor does it appear that such a chamber has been installed.

A silt trap is a chamber that provides simple, effective separation and storage of silt to protect drainage systems. A silt collection chamber is required to be installed before discharging the dirty water to UU's combined sewer.

Numerous supplies of such equipment are available. A quick search on the internet provides suitable designs and off-the-shelf chambers that can be installed on this site.

As a car wash facility, the applicant will need a Trade Effluent Consent to discharge to the Public Sewer; this will need to be obtained from United Utilities. There is no evidence that this has yet been obtained from UU.

If your business activities produce contaminated water or other polluting liquids ('trade effluent') you must make sure it doesn't cause pollution.

Such activities may include:

- vehicle washing, wheelie bin washing or yard cleaning …

You should reuse or dispose of contaminated water by:

- collecting it in a sealed system for reuse, treatment on site or removal by a registered waste carrier
- putting it down the foul water (or combined) drain if you've got permission from your water company - contact them to get consent.

Suggested Drainage Conditions

Condition 1 – Car Wash

The Applicant shall install a suitable silt interception chamber.
Reason: The current car wash arrangement does not meet UK government guidance on pollution control.

Condition 2 - Trade Effluent Consent

The Applicant shall provide evidence that United Utilities have granted a Trade Effluent Consent to the Applicant.
Reason: Possession of a Trade Effluent consent for a vehicle car wash is a legal requirement.

United Utilities

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

We request the following drainage conditions are attached to any subsequent approval to reflect the above approach detailed above:

Condition 1 – Surface water

Following our review of the submitted plan showing the proposed drainage, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Design Drawing 19.1976.2B, Issue B, Dated April 2019.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a notice was placed adjacent to the site. Two letters of objection have been received which make the following concerns;

- The ramp is poorly built
- Health and safety issues with the ramp
- The access into the car wash would exacerbate the current highways safety issues
- There are existing problems with speeding vehicles and lack of parking in the area and an accident is waiting to happen.

ANALYSIS

Principle of Development

The site lies within a Mixed Employment Zone (as allocated under the provisions of the Unitary Development Plan). Policy E2 of the adopted Core Strategy is therefore relevant. Policy E2 states that we will ensure a sufficient supply of suitable land, buildings and infrastructure in the right places to support the creation of successful businesses and increase the number and quality of jobs to create a more prosperous lower carbon economy. To do this we will protect those existing employment zones and employment (B1-B8) sites outside employment zones which are most suited to continued employment use.

Saved Policy EC/3 of the adopted Unitary Development Plan is also relevant, which categorised the site as lying within a Mixed Employment Zone. This policy states that within Mixed Employment Zones development and change of use will be permitted for the following employment generating uses

d) 'Sui generis' uses such as the motor trade, including car and caravan showrooms, petrol filling stations, tyres and exhaust centres and car washes.

This application site currently relates to a car repair garage. This application does not seek to change the use of the existing business within the site. The proposed car wash facility in the yard area would be of relative size to allow for the business to expand and to function more effectively and efficiently with the proposed development. The proposed car wash with its valeting bay would be complimentary to the existing function of the existing business and is considered to be of a suitable size.

Given that the building/business at the site would retain its existing use, which is appropriate within a Mixed Employment Zone, and the car wash would provide a further employment use, it is considered that the principle of development is acceptable in this location. The application accords with Policy E2 of the CS, EC/3 of the UDP and the NPPF.

Residential amenity and impact on environment

Policy DM1 of the Rochdale Core Strategy 2016 requires that all development proposals, including change of use, should demonstrate that they are compatible with surrounding land uses and that any impacts due to noise, air, dust, light and odour pollution are mitigated.

Policy G9 of the emerging Core Strategy states that the Council will reduce all forms of pollution in the borough by, amongst others, requiring that final development does not lead to an unacceptable increase in air, water, noise, light or other pollution

The application site is located in a mixed use area with neighbouring properties consisting of commercial and retail buildings. The nearest residential dwellings are positioned at a distance of approximately 75m to the east of the site on Elliot Street. Given the surrounding area consists of noise generating uses and where trade vehicles and high level of traffic pass on the surrounding roads near the site, it is considered the proposed introduction of noise from the jet wash equipment and comings and goings of vehicles through the site during the day would be compatible with the surrounding land uses and would not unduly harm local residential amenity.

The proposed site plan submitted indicates a drainage plan for the car wash, however the proposed works do not include a silt trap, nor does it appear that such a chamber is currently installed. A silt trap is a chamber that provides simple, effective separation and storage of silt to protect drainage systems. A silt collection chamber is required to be installed before discharging the dirty water to United

Utilities combined sewer. Given the above, it is considered that a condition should be attached to any approval for a comprehensive drainage scheme to be submitted which includes silt trap to control water pollutants.

As such, the proposed car wash subject to condition would not have a significant negative impact on the amenity of surrounding land uses and businesses including amenity of residential occupiers. Therefore the proposal would comply with the requirements of Core Strategy policies DM1 and G9.

Design and Appearance:

Policies DM1 and P3 of the Council's Core Strategy (2016) require all development proposals, including extensions and alterations to demonstrate that they are of high quality design and take the opportunity to enhance the quality of the area.

The amended plan submitted shows the brick built access ramp omitted. As such the appearance of the site would be altered through the creation of new double palisade gates 2.5m in height from Haynes Street, the erection of a covered valeting area and the bricking-up of the side garage door.

Given the positioning of the valet building, its open design set against the existing garage building, it would not appear out of character in this industrial location. The materials used for the bricking up of the garage door would be acceptable whilst the new gates along Haynes Street would be similar in height and design to the existing palisade fencing around the site and therefore would not appear to be out of character. The proposed changes to the site are considered to be minimal where an overall enhancement would be made by the removal of the two large metal containers.

Therefore the proposed development would comply with Rochdale Core Strategy policies P3, DM1 and the NPPF.

Highways and Parking

Policy T2 of the Core Strategy acknowledges that development that offers greater access for all forms of travel will assist the borough's continuous improvement to becoming more sustainable, healthier, greener and prosperous. Development and infrastructure proposal are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through.

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The proposed car wash would have at least two spaces for parking/waiting vehicles adjacent to the north western boundary. Plans indicate the car washing area can accommodate 3 vehicles at any one time. Cars which are unable to access the car washing area will likely park or wait on Haynes Street, however it is unlikely this would be a significant number at any one time. In addition, sufficient car parking space would be retained for the existing repair garage in front of the building.

The Council's Highways officer has been consulted and does not raise any objections and states that the changes are typical of this business type, the access is acceptable and the officer does not envisage any road safety issues to be associated with this proposal.

Therefore, the proposal would not have a severe impact on the safety and capacity of the surrounding highway network and would comply with Core Strategy policies DM1 and T2.

RECOMMENDATION – Grant with Conditions

1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2 This permission relates to the following plans information:-

- Site Location Plan 1:1250
- Existing Site Plan - Drawing No. 19.1976.1A
- Existing and Proposed Elevations - Drawing No. 19.1976.3
- Proposed Site Plan - Drawing No. 19.1976.2C

and the development shall be carried out in complete accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

3 Notwithstanding any description of materials in the application no works shall take place until samples and / or full specifications of materials to be used externally on the building and the covered canopy have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Information regarding the materials is required by the Local Planning Authority before any works are carried out, to ensure the development is visually acceptable.

4 No development shall take place until a detailed foul and surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority, based on the principles shown on the approved Proposed Site Plan - Drawing No. 19.1976.2C. For the avoidance of doubt, the scheme shall include the installation of a silt interception chamber. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure the appropriate disposal of foul and surface waters and to manage the risk of flooding and pollution in accordance with Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure that an acceptable scheme is agreed before development commences on site.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Notes for Applicant:

1) As a car wash facility, the applicant will need a Trade Effluent Consent to discharge to the Public Sewer; this will need to be obtained from United Utilities. There is no evidence that this has yet been obtained from UU.

2) The recently erected brick ramp does not have the benefit of planning permission and in its current condition and appearance would not be supported by the Council. The applicant is therefore advised to remove/demolish the ramp from the site and make good the land affected by the ramp within 2 months of the date of this permission. If the ramp is not removed within the specified period of 2 months then Enforcement Action would be deemed necessary.

Report Author Mubeen Patel