

APPLICATION REPORT – 20/01381/FUL

Validation Date: 22 December 2020

Ward: Coppull

Type of Application: Full Planning

Proposal: Section 73 application to vary conditions nos. 2 (approved plans) and 3 (working hours) attached to planning permission ref. 20/00551/FUL (Change of use from workshop and storage building (Use Class B1) to vehicle repairs (Use Class B2) with ancillary vehicle sales and MOT testing (retrospective)) to add a personnel door and to allow operation on the site to commence at 8am Monday to Friday.

Location: Coppull Car And Commercial Repair Centre Ltd. Unit 3 And 5 Dickinson Industrial Estate Moss Lane Coppull Chorley PR7 5AL

Case Officer: Mrs Hannah Roper

Applicant: Mr P Booth, Coppull Car and Commercial Repair Centre Ltd.

Agent: Tony Lawson, LMP Ltd.

Consultation expiry: 20 May 2021

Decision due by: 16 February 2021

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.

SITE DESCRIPTION

2. The application relates to units 3 and 5 of Dickinson Industrial Estate on Moss Lane in Coppull, located either side of unit 4. Moss Lane bounds the site to the north and German Lane to the west. Planning permission was granted in 2020 to use the property as a commercial car repair centre. The industrial units and yard area are surrounded by residential properties.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks planning permission to vary conditions nos. 2 (approved plans) and 3 (working hours) attached to planning permission ref. 20/00551/FUL (Change of use from workshop and storage building (Use Class B1) to vehicle repairs (Use Class B2) with ancillary vehicle sales and MOT testing (retrospective)) to add a personnel door and to allow operation on the site to commence at 8am Monday to Friday. No amendments are sought to the operating hours on Saturdays, Sundays or bank holidays.

REPRESENTATIONS

4. Eight representations have been received citing the following grounds of objection:
 - The original application was objected to, but was approved anyway
 - The business is repeatedly breaking the existing conditions so would do the same with amended hours

- German Lane is blocked with cars associated with the business and there are regularly cars parked on the pavements
- Increasing the operating hours would make the existing issues with the business worse
- Privacy in rear gardens would be impacted as delivery people can see over gate
- Air pollution in the neighbouring gardens would be increased due to revving of engines
- Antisocial behaviour of staff members would increase
- The business should not be located here
- The business is over spilling onto the road and regularly results in double parking
- Vehicles associated with the business should be kept on the premises
- The applicants are simply seeking approval for their existing breaches of the original conditions
- There is a disregard for the original conditions and want enforcement action taken against the owners
- The use of the term 'least generating noise activities' is not acceptable
- Parking is the main issue and is now impacting on other businesses, who now cannot park
- The site is too small for the growing business
- This is a quiet residential area and not an industrial estate
- The hours proposed are unsocial in a residential environment
- There is an impact on the primary school due to congestion. Especially at school drop off time
- Orchard Farm cannot get their heavy farm vehicles through
- Traffic increases during services at the church
- There would be an increase in vehicles along German Lane as a result of the proposal
- Increased stress for people living in the nearby sheltered accommodation
- Detrimental impact on those living in the adjoining terraced properties
- The term 'quiet work' does not meet conditions test
- Children often have to walk in the road and often partly dismantled cars are in the road
- The shutters are never closed
- Other businesses operate within their permitted hours
- The proposed door would not alleviate the traffic concerns
- Most of the comments in support are not from people local to the unit
- The site is unkempt and unsightly, and the proposal would make this, noise levels and pollution worse
- How can vehicle emissions be checked with the shutter down? Any extraction system would add to the noise
- Night shift people would be impacted if work starts at 8m
- People cannot enjoy their gardens

Sixteen letters of support have been received stating the following:

- This is a local family running a local business
- The industrial units were located here before this business
- Other units have far less restrictions
- The business has signs asking customers to be considerate
- The parking issues in the objection letters have been exaggerated

5. It should be noted that several letters of support were received stating support but with no comments.
6. In addition, two letters of objection stated that they had no objection to the insertion of the door and one stated that the change to an 8am commencement of operation did not concern them.

CONSULTATIONS

7. Regulatory Services - Environmental Health – Have not raised a formal objection.
8. Coppull Parish Council – Have made comments neither objecting to or supporting the application.
9. CIL Officers –Comment that the proposal is not CIL chargeable.

PLANNING CONSIDERATIONS

Principle of the development

10. The site is located within a settlement area and so policy V2 of the Chorley Local Plan 2012 - 2026 is applicable and provides a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other policies and proposals within the Plan.

11. The acceptability of the use of the site for vehicle repair (Use Class B2) was established under the provisions of the approved planning application ref.20/00551/FUL. This proposal therefore seeks to establish the acceptability of the additional door and the change to the hours of operation.

Impact on residential amenity

12. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that (amongst other things):

'g) The proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses'

13. A condition of the original planning permission states that: 'There shall be no working on vehicles or car parts outside of buildings and roller-shutter doors shall remain closed while such work takes place.'

14. At the current time customers are required to access the unit through the front roller shutters. This makes compliance with this condition difficult and has a knock-on impact on surrounding residential property in terms of noise. The introduction of the front customer door would enable the roller shutter to remain closed when work is being undertaken. It would, therefore, represent a net benefit to the surrounding residents.

15. With regard to the increase in the hours of operation, these have been amended since the submission of the application and a change to all commencement of work at the site from 8am Monday to Friday. There would be no changes to the operating hours on a Saturday, Sunday or bank holiday.

16. Whilst the extended operating hours do have some potential to generate noise that would be audible in the surrounding area, at 8am on a weekday morning this would be set against the backdrop of people leaving for work and school and the general rush hour. Considering, therefore, the minimal increase per day and that this would be operated alongside the insertion of the customer door, it is considered that on balance the proposal is acceptable and would not result in the generation of an unacceptable degree of noise disturbance. The proposal is, therefore, considered to comply with policy BNE1 of the Chorley Local Plan 2012 – 2026.

17. Should the applicant fail to comply with the revised condition then this would become a separate planning enforcement matter.

Design and impact on the character of the area

18. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.

19. The proposed customer door would be located in the front elevation of the building. The unit is commercial in nature and it is not considered that the addition of the door would be out of keeping with the building or its surroundings. As such it is considered that the proposed door accords with policy.

CONCLUSION

20. The proposal is considered to be acceptable and it is, therefore, recommended that the application is approved, subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 20/00551/FUL **Decision:** PERFPF **Decision Date:** 11 September 2020
Description: Change of use from workshop and storage building (Use Class B1) to vehicle repairs (Use Class B2) with ancillary vehicle sales and MOT testing (retrospective) and in the interests of proper planning

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

Suggested conditions

1. The uses hereby approved shall only be active / operational between the hours of 8:00am and 6:00pm Monday to Friday, 9:00am to 1:00pm Saturday and there shall be no working on Sunday's or Public/Bank Holidays. There shall be no working on vehicles or car parts outside of buildings and roller-shutter doors shall remain closed while such work takes place.

Reason: In order to protect the amenities of the occupiers of nearby properties.

2. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Proposed Plans and Elevations	20-032-P01 A	17 June 2021

Reason: For the avoidance of doubt.