



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: BRIERFIELD AND REEDLEY COMMITTEE

DATE: 5th January 2016

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 05 JANUARY 2016

Application Ref: 13/15/0514P

Ref: 19082

Proposal: Full: Partial demolition; external alterations and change of use of existing workshop to car sales with associated repair workshop, office and parking/display area (part retrospective).

At: 8A CHURCH STREET BRIERFIELD NELSON BB9 5AB

On behalf of: Mr M Hussain

Date Registered: 22 October 2015

Expiry Date: 17 December 2015

Case Officer: Alex Cameron

Site Description and Proposal

This application has been brought before Committee at the request of a Councillor.

The application site is an existing workshop / storage building located within the settlement of Brierfield. To the north and south are dwellings, to the west is an open green space through to Burnley Road and to the east is a public car park on Wood Street. The building previously consisted of a rendered block element to the east side of the site and a timber element to the west, the timber element has recently been demolished.

The proposed development is the change of use of the site to car sales with a parking area for 10 cars surrounded by a 1.8m palisade fence and with access gates in the north west corner, the fencing and gates have been erected and therefore this part of the application is retrospective. The remaining building would be used as an associated vehicle repair workshop and office. The details state there would be space to park 2 further vehicles in the workshop bringing the total to 12.

Relevant Planning History

None.

Consultee Response

LCC Highways - The parking spaces are below minimum recommended sizes of 2.6x5.0m, with additional issues with manoeuvring space if the adjacent parking bay is occupied as the manoeuvring space should be 6m.

Additionally the applicant is advised to provide details of how you can enter the office if the car parking bays adjacent to the building are occupied, as it assumed that customers would not be allowed within the workshop area for health and safety issues.

The under provision of car parking within the site has the potential to encourage on road parking at the detriment to highway amenity for the existing adjacent properties.

As part of the parking layout one of the spaces is to be made available for customer car parking at all times and this space is to be clearly marked on a plan.

Due to the manoeuvring restraints within the site may of the vehicles will require cars to reverse in and out of the access at the detriment to highway safety.

The Highway Development Control Section is of the opinion that the sight lines from the site onto Church Road and the back street to be 2.0x11m based on an estimated 85th percentile speed of 10mph and table 7.1 from Manual for Streets. From the details provided the 1.8m high fence will severely affect the sight lines at the detriment to highway safety for pedestrians and vehicles.

Public Response

16 neighbours notified - no response.

Officer Comments

Policy

Replacement Pendle Local Plan

Policy 13 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings. The proposal's compliance with Policy 13 is addressed in the design and amenity sections.

Policy 31 states that the Council will support car parking in new developments in line with maximum car parking standards.

Emerging Core Strategy

Policy SDP1 sets out the presumption in favour of sustainable development which runs through the plan.

Policy ENV2 states that all new development should seek to deliver the highest possible standards of design, in terms of both form and sustainability.

ENV4 states that new developments should comply with the existing car parking standards set out in the Replacement Pendle Local Plan. New developments should have regard to potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict the free flow of traffic.

Principle of the development

The application site is located in a sustainable location for such a use, the principle proposed car sales use in this location would not conflict with the policies of the Development Plan and Framework.

Visual amenity

The demolished part of the building was dilapidated and unattractive building, its removal benefits the visual amenity of the area. However, the palisade fencing that has been erected to the boundaries of the forecourt is of unattractive utilitarian appearance that this not appropriate in this predominantly residential setting facing onto the main route through the Town Centre. It causes unacceptable harm to the visual amenity. A condition would be necessary to require that the unauthorised palisade fencing is replaced with an acceptable alternative.

Residential amenity

The existing building is an industrial/storage building the use of which could be potentially noise generating. Taking this into account, with conditions to control the hours of use, the proposed use would be acceptable in terms of its potential residential amenity impact.

Highways

The car parking layout shows the proposed forecourt crammed with cars in spaces of 4m x 1.8m (5m x 2.4m is a standard parking space size), this would leave insufficient space for manoeuvring or pedestrian access to the proposed office and includes no dedicated staff or customer parking.

The site is located adjacent to Brierfield Town Centre and a public car park and this can be taken into account in determining the level of staff and customer parking necessary.

LCC Highways have raised concerns about the fencing restricting visibility, however, a condition could ensure that the fencing is of a type that would provide adequate visibility.

In terms of the display parking, to exit the site it is likely that vehicles would need to reverse out onto the highway and to access vehicles displayed in the back row it is likely that multiple vehicles would need to be reversed out and parked on the highway. This would unacceptably impact upon the level of on-street car parking, the free flow of traffic and highway safety in the adjacent streets.

These issues have been raised with the applicant however no revised plans have been received.

It is likely that the number of cars proposed for display on the site would need to be reduced significantly to resolve these issues and provided adequate manoeuvring space. Without a revised layout being submitted at this stage it is not possible to establish what that acceptable number would be and therefore attach a condition to control the number of vehicles that can be stored on the site.

Therefore, the development as proposed is unacceptable in terms of its highways impact and this could not be fully resolved with conditions. Therefore the development is contrary to policies 31 and ENV4.

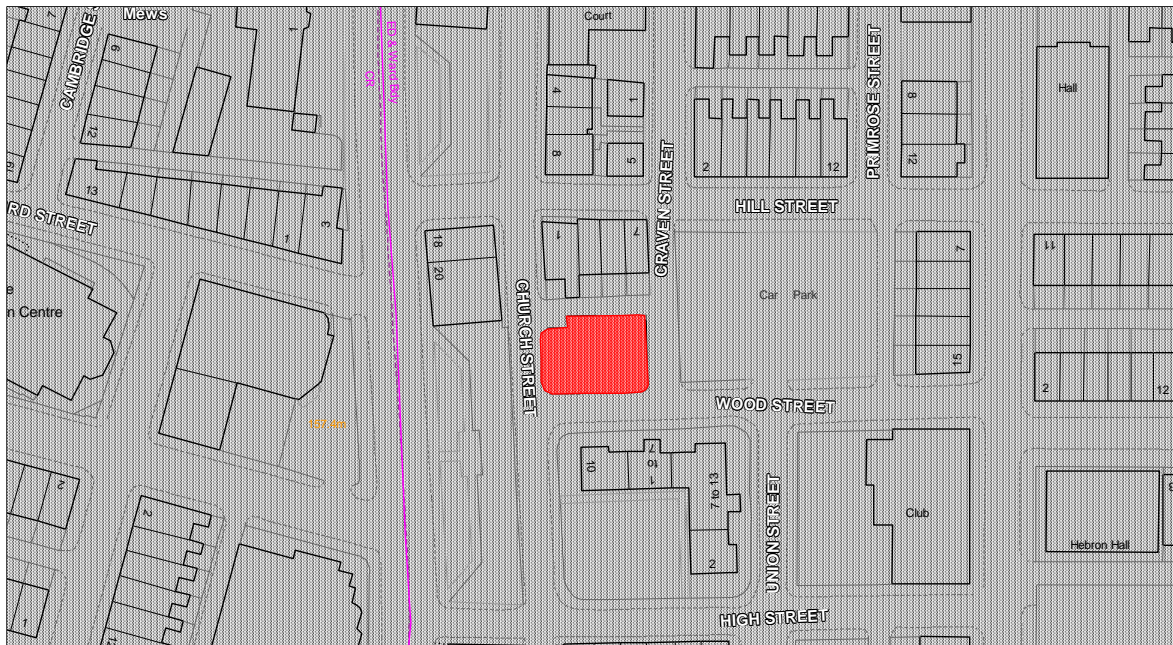
Summary

It would not be possible to accommodate the number of vehicles proposed on the site without significant adverse impacts on the highway. The application is therefore recommended for refusal.

RECOMMENDATION: Refuse

For the following reasons:

1. The proposed development would provide insufficient manoeuvring provision for vehicles and would therefore be likely to result in vehicles exiting the site in reverse gear and being parked on the highway. This would unacceptably impact upon the level of on street parking in the area and result in a severe impact upon highway safety contrary to policies 31 of the Replacement Pendle Local Plan and ENV4 of the Core Strategy and Paragraph 32 of the National Planning Policy Framework.



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LIST OF BACKGROUND PAPERS

Planning Applications

NW/HW

Date: 16th December 2015