

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

15 January 2020

**REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT**

18/2110/REV

Sun Street Garage , Sun Street, Thornaby

Revised application for the partial demolition and re-configuration of the existing building to facilitate the commercial garage including MOT workshops, servicing, repair and maintenance of vehicles, ancillary tool and tyre storage, a reception, office and w.c. Installation of boundary enclosure and gates to front, with associated parking.

Expiry Date 15 January 2020

SUMMARY

Planning permission is sought for the partial demolition and re-configuration of the existing garage building to continue to facilitate this garage use which would incorporate MOT workshops, servicing, repair and maintenance of vehicles along with ancillary tool and tyre storage. Such works would also include an area for a reception and office. Externally there would be a new boundary treatment with access gates to the front along with some car parking in association with this business.

This application site sits within a relatively newly built residential estate and is situated upon a corner plot at a slightly elevated position to some of the surrounding dwellings, especially those along Pottery Wharf.

A total of 6 objection comments have been received which relate to a number of concerns. The main objections relate to the need for a commercial garage, adverse noise and odour impacts as well as concerns on the required car parking provision that would further add to on street car parking and thus create a highway and pedestrian safety issue.

Taking into account all comments received and noting the existing established use, it is considered that the scheme would on balance not have a significant detrimental impact upon the character of the area, the amenity of neighbouring occupiers and highway/pedestrian safety, it is therefore recommended that the application be approved subject to conditions.

RECOMMENDATION

That planning application 18/2110/REV be approved subject to the following conditions and informatives below;

01. Time Period for commencement

The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

02. **Approved plans**

The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date Received
15064 S (00) 01B	22 February 2019
0030 P10	20 September 2019
0031 P10	20 September 2019
0035 P5	20 September 2019
0036 P1	20 September 2019
0037 P1	20 September 2019

Reason: To define the consent.

03. **Materials**

Prior to the completion of the demolition of the existing front off-shoot, details of the materials and any associated render colours to be used in the construction of the external surfaces of the development shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development.

04. **Enclosure**

Notwithstanding the proposals detailed in the submitted plans and prior to the operation of the development hereby, full details of the enclosure, including heights, materials and cross sections shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected in full accordance with these details.

Reason: In the interests of the visual amenities of the locality.

05. **Operation Hours**

The premises to which this permission relates shall not be open for business outside the hours of 9:00am - 6:00pm Monday to Friday and 9:00am - 5pm on Saturday and not at any time on Sundays and Bank Holidays. Deliveries associated with the use shall not take place outside of the permitted hours of operation.

Reason: In order to safeguard the amenities of residential occupiers.

06. **Noise attenuation; Insulation of building**

Before the use/plant is brought into use the building, structure and plant shall be insulated against the emission of noise in accordance with a scheme to be approved by the Local Planning Authority. Such noise insulation shall be thereafter maintained to the satisfaction of the Local Planning Authority. Any new plant installed subsequent to the approval shall not increase background levels of noise as agreed without the agreement in writing of the Local Planning Authority.

Reason: In the interests of the occupants of neighbouring premises.

07. **Construction/ Demolition**

No construction/demolition works or deliveries/ removal of materials, shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

08. **Noise disturbance from New Plant**

The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 1 hour LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of nearby residents.

09. **Lighting**

No new lighting shall be installed to the building facades or external areas of the site without the details first being submitted to and approved in writing by the local planning authority. Such details shall include the method of illumination, siting, angle of alignment, colour and luminance levels. Any lighting shall be implemented in full accordance with the agreed scheme and shall be retained thereafter for the lifetime of the development.

Reason: To enable the Local Planning Authority to control details in the interest of the amenity of nearby residential dwellings.

10. **Car Parking/ Hardstanding**

Prior to the approved development being brought into use, the additional car parking spaces shall be provided in accordance with Plan 0030 P10 (dated 20.09.19) and this parking provision shall be retained thereafter for the lifetime of the development. The demonstrated hard-standing areas shall also be constructed from porous/permeable materials or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house.

Reason: To provide the requisite in curtilage car parking provision in the interests of highway safety and to prevent increase risk of flooding from surface water run-off.

11. **Landscaping Hardworks**

Prior to the completion of the development, full details of the proposed hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority and in accordance with the approved details within a period of 12 months from the date on

which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

Reason: To enable the local planning authority to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

12. **Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

Reason: To ensure the proper restoration of the site.

13. **Drainage of fluids**

A bonded impervious area shall be constructed where vehicles can be sited to drain off sump oil, gearbox oil, hydraulic fluids and battery acids. This area shall drain into an interceptor, constructed to retain such fluids until removed by a licensed waste transport carrier.

Reason: To prevent pollution of the water environment.

14. **Use of Engine Cleaning Solvents**

No engine cleaning using solvents is permitted on site unless in association with a cleaning system, details of which must first be submitted to and approved in writing by the Local Planning Authority. Any cleaning system shall be implemented in accordance with those agreed details.

Reason: To prevent pollution of the environment

15. **No Spray Painting**

Notwithstanding the submitted details, no paint spraying shall be carried out on the application site, unless otherwise agreed with the local planning authority.

Reason: In the interests of amenity and the users of neighbouring properties.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

Informative: Section 287 Agreement

It should be noted that the proposed car parking layout may require the relocation of the existing street lighting column; this and any other works within the adopted highway (resurfacing/dropped vehicle crossings/planting) should be carried out via a Section 278 agreement.

Informative: Demolition and Dust Emissions

A scheme should be provided to control dust emissions as a result of demolition works, such as dampening down, dust screens and wheel washers to prevent mud being tracked onto the highway. Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection.

Informative: Tyre Storage

The applicant should contact the Environment Agency regarding the storage of tyres at the site. The Environment Agency will then advise accordingly if additional controls/ permits are required for this activity.

Informative: Waste

There shall be provided at the premises containers for the storage and disposal of waste. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.

BACKGROUND

1. An Application for a new three storey apartment building and single storey commercial garage with mezzanine ancillary accommodation with associated parking and demolition of existing garage (ref; 17/0196/FUL) was refused on ground of the impact on amenity, visual impact and intensification of use.

SITE AND SURROUNDINGS

2. This application site relates to a derelict building which has extant permission to be used as garage repair workshop.
3. The building is situated on a corner plot within a residential estate. To the north east of the site is 7 Sun Street and sharing the eastern boundary of the application site, are the rear gardens of 3 and 4 Pottery Street. To the south of the site is a wide access path and the west is the path and highway, followed by further residential dwellings.

PROPOSAL

4. This application originally came in for works to the existing garage and the introduction of a residential dwelling. A revised scheme has been submitted to now only show works to the garage. As such the building would be partly demolished and re-configured but to all intents and purposes it will function as a new garage facility. The scheme will allow for MOT workshops and areas to service and repair vehicles. There would also be an ancillary tool and tyre storage area, a reception, office and the installation of a boundary enclosure.
5. The roof height would be lowered and its style changed as part of the works to remove the front-most of this building. The new roof would be a mix of a hipped and pitched style. Two new garage doors would be installed to the frontage and to the western side is where the reception area is to go and so glazing would be installed to facilitate this.
6. A boundary enclosure and gates are to be installed to the northern part of the site to enclose the frontage of the building. Access would still be gained from this side of the site.

CONSULTATIONS

7. The following Consultations were notified and any comments received are set out below:-

Highways Transport & Design Manager

Highways Comments

The applicant has submitted a site layout plan, drawing reference 0030, in support of the proposals.

In accordance with SPD3: Parking Provision for Developments 2011, this proposal should provide incurtilage car parking:

- MOT/car repair – 3 spaces per service / MOT bay plus 1 space per employee (3 bays plus 3 employees = 12 spaces),

It should be noted that the extant car repair use could be brought back into use without the need for planning permission and it is therefore reasonable to net off the parking requirement associated with proposed MOT / car repair against the current shortfall in provision. This would result in a parking requirement for the proposed MOT / car repair of 2 spaces which is the current provision for the existing garage.

Taking this into account the proposal to provide 3 spaces, which have been shown on the submitted plans, is considered to be acceptable.

The Highways, Transport and Design Manager is therefore unable to object in this instance.

It should be noted that the proposed car parking layout may require the relocation of the existing street lighting column; this and any other works within the adopted highway (resurfacing/dropped vehicle crossings/planting) should be carried out via a Section 278 agreement.

Landscape & Visual Comments

There are no landscape and visual objections to the proposals, however it is requested that conditions be applied to any decision to secure the final details of the site boundary wall and railings, and details of the proposed hard landscaping materials.

Informatives: Landscaping Hardworks & Enclosure

Environmental Health Unit

Further to my previous comments dated 16/04/2019 I have reviewed the application further and would request the following conditions be attached should the development be approved:

- Unexpected Land Contamination
- Construction/ Demolition Noise

I would also recommend the conditions as detailed be imposed on the development should it be approved.

Noise

Should the applicant install external plant a noise report would be required before the plant is brought into use. The report should be done in line with the condition below:

- Noise disturbance from New Plant

Miscellaneous

- Demolition and Dust Emissions
- Waste Collection

Informatives: Drainage of oil &Tyre Storage

Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development.

In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

For information only

We can inform you that a public sewer crosses the site and the associated easement and access may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. For further information is available at <https://www.nwl.co.uk/developers.aspx>.

PUBLICITY

8. Neighbours were notified and a total of 6 objection comments have been received from the following addresses:-

1. Mrs Katherine Boothby, 2 Pottery Street
2. Dr Lee Copping, 3 Pottery Wharf
3. Mr Adam Johnson, 66 Pottery Wharf Thornaby
4. Mr Callum O'Reilly, 76 Sun Gardens
5. Mrs Rachael Stevenson, 7 Pottery Wharf
6. Mr Jonathan Stevenson, 5 Pottery Wharf

Their concerns are summarised below:

- No requirement for commercial garage, others are in proximity to this area
- Concerns of overlooking, being overshadowing/ overbearing and a loss of light
- Adverse noise and odour impacts
- Insufficient car parking and thus concerns that further on street car parking would cause a highway and pedestrian safety issue.
- Impact upon property sale prices
- The garage was to be removed as part of the residential development/ completion of this estate for either access or more housing
- The development would be out of character to the area
- Drainage concerns and concerns over pollution from oil and other products used within the garage
- Reference is made to the Human Rights Act
- Reference is made to the site being on a flood plain and appropriate information should be submitted
- Concerns over hazardous substances which could be highly flammable along with potential gas leakage if the works are not carried out correctly
- Wider neighbour consultation should have been carried out
- Reference is made about a stopping up ordered referred to in the submitted plans.

PLANNING POLICY

9. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
10. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

National Planning Policy Framework

11. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.
12. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
 - approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Local Planning Policy

13. The following planning policies are considered to be relevant to the consideration of this application.

Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,

- Specific policies in that Framework indicate that development should be restricted.

Strategic Development Strategy Policy 4 (SD4) - Economic Growth Strategy

1. Economic development needs will be directed to appropriate locations within the Borough to ensure the delivery of sustainable economic growth.
2. Proposals for the redevelopment of previously developed land, in particular prominent sites which have been derelict for a significant period of time, will be supported.

Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:
 - a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
 - b. Landscape character of the area, including the contribution made by existing trees and landscaping;
 - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
 - e. Privacy and amenity of all existing and future occupants of land and buildings;
 - f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
 - g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
 - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

MATERIAL PLANNING CONSIDERATIONS

14. The main planning considerations of this application, is the principle of development, the impacts upon the character and amenity of the area, as well as the implications for highway safety.

Principle of Development

15. The application site is located within the limits to development and is not formally designated for a specific use within local policy. Policy SD4 also looks to support the redevelopment of previously developed land, especially those that have been derelict for some time. This application site has lawful use for a garage workshop, albeit the site has not been in use for some time.
16. Whilst it is noted that there are neighbours who have concerns over the need for a garage within a residential area and with other garages nearby, it must be noted that this building could be brought back into use as a garage workshop, without the need for planning permission.
17. It is therefore the alterations to the building, its additional uses such as the reception area and boundary treatments, which require consent. Any intensification associated with the use also needs to be considered within the overall context of proposal, these are considered in further detail within the report below.
18. Several comments have been made about the land to be sold off, for either a second access for emergency vehicles or for a further residential use. The original permission for the estate

(07/1482/REM), shows the garage being outside of the development site and remaining in situ, nevertheless and as detailed above the existing garage is a an established use.

19. As such it is considered that the principle of development is acceptable and will be subject to the other material planning considerations below.

Character

20. It is noted that the building would change in style and material but the proposed changes are considered to be suitable when taking into account the modern nature of this residential estate. The proposed render, whilst the colour is to be confirmed, is considered to be acceptable in principle given that the apartment block opposite already features this material.
21. Objection comments have referenced that the building would be getting bigger, however whilst the overall design will change the floor area is being reconfigured and will actually reduce. The overall height would also be reduced and the eaves height that abuts the properties on 3 and 4 Pottery Street is not increasing to what the original height was. As such the scale of the building is considered to be suitable to the area.
22. There are no landscape and visual objections, whilst it is accepted that the estate is open in nature, this site differs in context to the surrounding area i.e. it is a commercial use and so it is not considered that this is directly comparable. Although the 2m high walls would be on an elevated position, they are considered to be sited in a similar position as the existing the front off-shoot, it would then lower to about 1.5m in height adjacent the pavement. As such subject to the further details to be agreed upon, the principle of enclosing this area of the site is considered to be suitable.
23. A comment was expressed that the formation of hardstanding would be out of character to the street scene, but the application site (outlined in red) is predominately hardstanding and the removal of the front section of this building, is not considered to worsen the street scene in this regard. Nevertheless, a condition has been attached to request the final details of any new hardstanding areas to ensure an appropriate material is used. Furthermore, a comment was made about surface water run-off concerns and so a condition has been attached to request that any additional hardstanding is permeable or allows the water to drain away.

Amenity

24. One of the main neighbouring concerns relates to noise and smells produced from the development. However, as already noted extant permission for the garage to be used without restrictions already applies and so a degree of noise and smells can be produced without any control from the local planning authority.
25. Notwithstanding the extant position, in essence the proposed works effectively re-build the garage and as a consequence a degree of control can be had through this planning application and to ensure that the impact upon amenity is not significantly worsened, this would include control over sound insulation, hours of operation and control over garage activities (i.e. paint spraying/use of solvents/disposal of oils).
26. The construction/ demolition hours have also been conditioned owing to the proximity of neighbouring dwellings. However, given that only partial demolition of the building is required, in this instance the advice about dust and demolition, has been attached as an informative for the attention of the applicant.
27. An additional condition has been applied should any new plant be installed and this has been deemed appropriate. A condition has also been attached to request any further details of lighting to the externals of the building are summited. This is to ensure that new lighting would not adversely impact upon the amenity levels of nearby residential dwellings.

3 & 4 Pottery Street

28. As already noted above, the eaves height of the part of the building that abuts the rear boundaries of these residential dwellings is not significantly increasing in height. It has been measured on site from the ground level nearest the eaves/ guttering, that the overall height is approximately 3.3m and the drawings show this to the guttering of the development. But while it is noted that this height may increase slightly with the new roof tile to be implemented, the roof pitches away owing to the hipped design and so on balance, it is not considered to create a significant adverse overbearing and overshadowing impact. No new openings would be installed that could adversely affect the current privacy levels.

Surrounding Residential Dwellings

29. With regards to the surrounding dwellings, the development is not considered to adversely impact upon amenity through being significantly overbearing or overshadowing and this is taking into account the siting of the development in relation to the orientation of the surrounding dwellings. The development is also not considered to adversely impact upon privacy levels as the new openings are similar to the existing. It is also considered that there sufficient distances and there are no new openings to the western side of the building, therefore, the reception area is considered to achieve oblique views at best, towards Pottery Wharf.

Highway Safety

30. Owing to the extant use of this site, it has been assessed that the requirement for car parking spaces is two and the applicant has provided three car parking spaces. Whilst acknowledging the concerns expressed with regards to on street car parking and any resulting manoeuvrability issues, it has to be accepted that the business could be brought into use in its current form. Consequently this would be out of the control of the local authority. Therefore, the Highways, Transport and Design Manager is unable to object to this application and so the scheme has to be considered suitable with regards to highway safety.

31. Nevertheless, a condition has been attached to ensure the car parking that has been demonstrated is provided on this site. Any indiscriminate car parking can also be managed with the neighbourhood enforcement team.

Residual Matters

Stopping up Order

32. It has been informally discussed with the applicant that they would in the future, seek to stop up a part of the footpath running adjacent the site. But this matter is and can be controlled outside of planning and if granted will be done to ensure local services are still available to the general public.

Human Rights Act

33. Whilst reference is made to this Act, it has been legally accepted that the planning system is generally compliant with the European Convention on Human Rights and also the Human Rights Act (1998). With regards to this application these acts have been taken into consideration and it is considered that the proposed extensions will not significantly undermine those human rights which are set out within articles 1, 6 or 8 of the Human Rights Act and in view of all the material planning considerations there is no significant effect on their properties, no significant loss of privacy and they have been given the opportunity to comment on the application.

Flood Plain

34. A comment made reference to their property being on a flood plain which is why the needed a specialised report to submit to the mortgage provider. However, the application is not in flood

zones 2 and 3 and so no further information needed to be submitted to the planning department in regards to this matter.

Northern Gas - Gas Leakage

35. A comment was made about there being a danger of a gas leakage if northern gas is not contacted about their being certain apparatus within the site. From reviewing the most recent site plan sent by Northern Gas, this does not show pipes within or immediately adjacent the site and so the attached informative for the applicants attention is considered to be suitable to this decision.

Waste

36. A waste area has been shown within the application site and with respect to the concern about waste being blown about in high winds (owing to the sites elevated position), it is noted that the bin(s) would be stored within the site that is to be enclosed. It is also considered when stored on the main street for collection that the waste bin would generally be heavier than a domestic bin. On balance, the waste is considered to be manageable and there are no planning grounds to refuse the scheme on this basis.
37. The comment from the Environmental Health Unit has been placed as an informative for the attention of the applicant.

Flammable Materials

38. With respect to the comment expressed about flammable chemicals used within the building, it is expected that the management and storage of this would be done by the owner/ occupier of this building. However, based on its use, there is no information to the contrary to suggest that the implementation of this development would significantly increase a fire risk over and above the use at this site.

Notification

39. A comment was made about there not being enough neighbours being notified on this scheme and that the whole estate should have been consulted. However, only those neighbours that about the site or are considered to be directly affected by the development will be notified and this is considered to have been done on this planning application.

Devaluation of Property Prices

40. In relation to those concerns about property sale prices, this is not a material planning consideration and therefore has not been considered as part of the determination of this planning application.

CONCLUSION

41. Whilst it is acknowledged that there can often be conflicts between the nature of the garage operation and residential properties, there is an extant use and the building could be brought back into use as a garage workshop, without the need for planning permission.
42. Whilst the building will change in its appearance and layout, allowing for a reconfigured internal arrangement, the overall footprint of the building will reduce. Overall the scale of the building is not too dissimilar and is on balance considered to be suitable to the area.
43. Notwithstanding the extant position of the existing garage, in essence the proposed works are effectively a re-build of the garage and as a consequence a degree of control can be had through this planning application, such as control over sound insulation, hours of operation and control over garage activities (i.e. paint spraying/use of solvents/disposal of oils).
44. It is recommended that the application be Approved with Conditions for the reason(s) specified above.

**Director of Economic Growth and Development
Contact Officer Christina Poles Telephone No 01642 526063**

WARD AND WARD COUNCILLORS

Ward	Mandale and Victoria
Ward Councillor	Councillor Luke Frost
Ward Councillor	Councillor Tina Large
Ward Councillor	Councillor Steve Walmsley

IMPLICATIONS

Financial Implications:

There are no known financial implications.

Environmental Implications:

The environmental implications are set out within this report but it is not considered that they result in any significant implications.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

Local Plan – 2019

Supplementary Planning Documents

SPD3 – Parking Provision for Development