

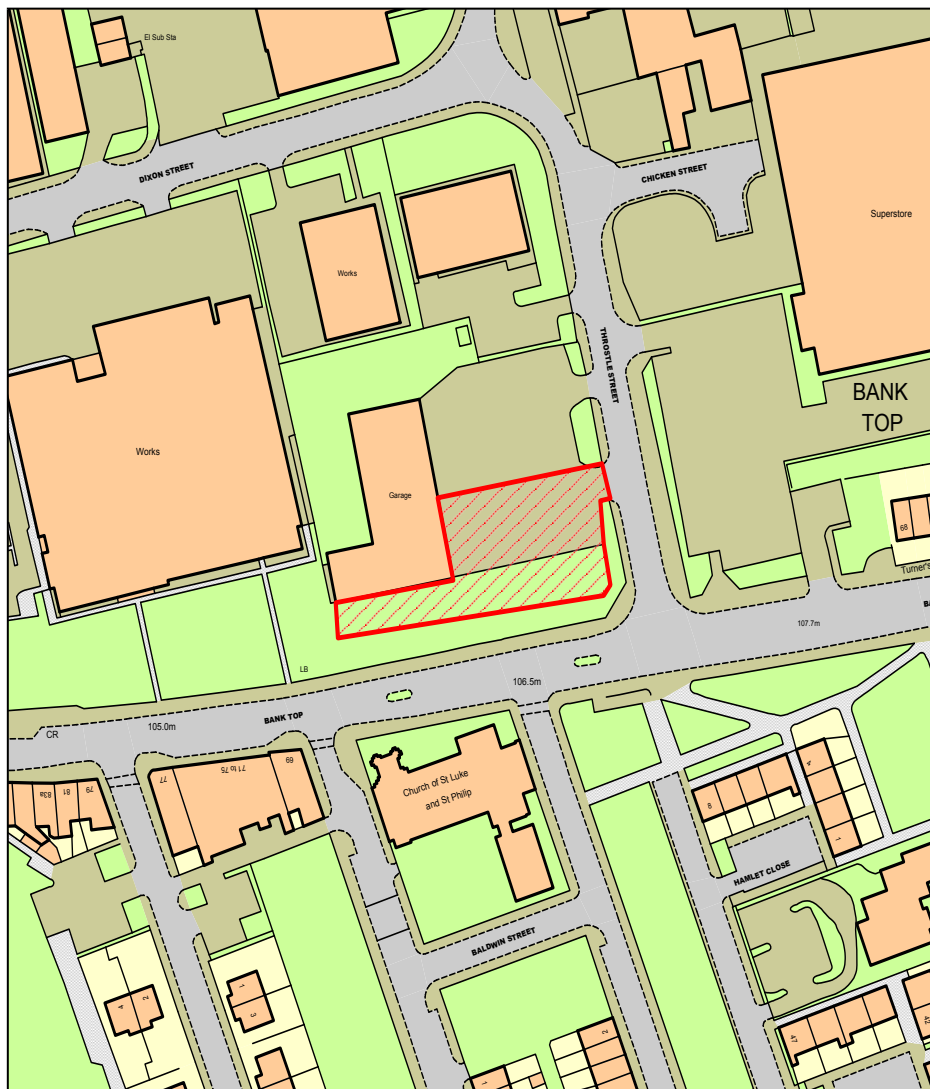
Proposed development: Change of use of grass verge to part of car dealership premises

**Site address:
Land Adjacent to
BCC Citroen Dealership
Throstle Street
Blackburn
BB2 1QT**

Applicant: BBC Citroen Blackburn

Ward: Wensley Fold

**Councillor Mohammed Khan
Councillor David Harling
Councillor Quesir Mahmood**



1.0 SUMMARY OF RECOMMENDATION

1.1 The planning application is **recommended to be approved** planning permission, subject to application of the conditions set out in paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The application is presented to Committee under the Chair Referral Process; in accordance with the Scheme of Delegation.

2.2 The proposed change of use of the grass verge seeks to incorporate additional land into the car dealership confines, to supplement the existing vehicle sale display area, through provision of a tarmacked surface and relocation of existing low level powder coated metal hoops, as a redefined boundary treatment.

2.3 The key issues to be addressed are as follows:

- Principle of the development
- Impact of the development on the character and appearance of the area
- Drainage
- Highway and transportation impact.

2.4 Careful consideration has been applied to the principle of the development; its impact on the character and appearance of the area, relative to the value of the green space that will be lost; appropriate drainage measures and highway / transportation impact on the surrounding network, balanced against the overall benefits.

2.5 It is acknowledged that a single Horse Chestnut tree has recently been felled to accommodate the development. It was not, however, protected by a Preservation Order. The applicant submits that the remaining tree stump and its root system will be removed.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site relates to a piece of unallocated landscaped verge to the immediate south of the BCC Citroen Dealership, which is located at the junction of Bank Top and Throstle Street, Blackburn. The verge extends 10m along its eastern flank and 5m along its western flank, towards Bank Top; amounting to 550 square metres. An existing landscaped area of similar proportion will be maintained from the edge of the application site up to the public highway along Bank Top, including the length of existing trees, save for the aforementioned Horse Chestnut tree. A larger expanse of verge extends

along Bank Top to the west, up to Garden Street, along frontages to adjacent commercial units.

3.1.2 The area is general characterised as commercial, accommodating a range of uses along Bank Top, relative to the application site, Throstle Street to the east and Dixon Street to the north.

3.1.3 The entirety of the site is within the ownership of the applicant; as confirmed by Capita land management colleagues. The adjacent to be retained as grass verge is Council owned.

3.2 Proposed Development

3.2.1 Full planning permission is sought for a change of use of grass verge to part of the car dealership premises, to be used for the display of vehicles for sale. The land will be tarmacked and maintained at its existing level with appropriate drainage provision; as set out in the submitted drawings.

3.3 Development Plan

3.3.1 In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.3.2 The Development Plan comprises the Core Strategy and the adopted Local Plan Part 2 – Site Allocations and Development Management Policies. In determining the current proposal the following are considered to be the most relevant policies:

3.3.3 Core Strategy

- CS1 – A Targeted Growth Strategy
- CS11 – Facilities and Services
- CS16 – Form and Design of New Development

3.3.4 Local Plan Part 2

- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 15 – Secondary Employment Areas

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (The Framework).

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both

plan making and decision taking. For decision making, this means approving development proposals that accord with the development plan without delay (paragraph 14). Paragraphs 21 and 56 are also relevant in requiring proactive planning to ensure a strong and competitive economy and good design, respectively.

3.5 Assessment

3.5.1 The principle of the development is guided by Core Strategy Policies and Local Plan Part 2 - Policy 15, which relates to allocated Secondary Employment Areas, within which the application site is located. As a proposed expansion of the pre-existing use, contained entirely within the allocation, the principle of the proposal is accepted; in accordance with The Framework's sustainable development principles.

3.5.2 Amenity Impact

Local Plan Part 2, Policy 8 requires development to contribute positively to the overall physical, social, environmental and economic character of the area and secure satisfactory levels of amenity for surrounding uses.

3.5.3 The development will increase the currently available vehicle sale display area and provide additional customer parking within the existing confines of the site. In doing so, it will help sustain the business in its current location, ensuring a positive contribution to the economic character of the commercial area.

3.5.4 It is considered that no excessive intensification of the existing use will occur; ensuring appropriate levels of amenity for surrounding uses are maintained.

3.5.5 Compliance with Policy 8 is achieved.

3.5.6 Environmental Impact

Local Plan Part 2, Policy 9 requires that development has no unacceptable impact on environmental assets or interests, including but not limited to flood risk, trees and efficient use of land.

3.5.7 The loss of the aforementioned tree, whilst recognised, is not considered to carry sufficient material weight to hinder support of the application, as it is not protected by Preservation Order, as confirmed by the Council's Arboricultural Manager. Moreover, remaining trees along the Bank Top frontage will be retained.

3.5.8 Appropriate drainage mitigation is proposed in the form a soakaway along the length of the application site adjoining the existing showroom and external display area, which, together with the natural topography of the site, will ensure no additional surface run-off onto the public highway.

3.5.9 Compliance with Policy 9 is achieved.

3.5.10 Accessibility and Transport

Local Plan Part 2 Policy 10 requires that road safety and the safe and efficient and convenient movement of all highway users is not prejudiced and that appropriate provision is made for vehicular access, off-street servicing and parking.

3.5.11 Existing access / egress arrangements onto Throstle Street to the east will remain and additional customer parking will be provided within the site, along a section of the northern perimeter. As the site is currently congested, the problem of significant overspill parking is experienced along both sides of Throstle Street. It is envisaged that the proposal will assist in alleviating this issue.

3.5.12 Compliance with Policy 10 is achieved.

3.5.13 Design / Character and Appearance

Local Plan Part 2 Policy 11 requires development design to be of a good standard, to demonstrate an understanding of the wider context and make a positive contribution to the area.

3.5.14 The site forms part of a wider section of landscaped green space to the north of Bank Top, which serves as an important break between the frontages of commercial buildings and the public highway. The proposal will result in the loss of this section, giving way to a tarmacked surface that will host a vehicle display area. Although the value of the green space in this prominent location and introduction of a replacement commercial space utilitarian in appearance is acknowledged, the impact when considered against the commercial context, together with retention of a significant section of green space, including trees abutting Bank Top, is not considered to excessively erode the character and appearance of the area. As a compensatory measure, a landscaping scheme is recommended, to be secured through application of an appropriately worded condition.

3.5.15 Moreover, the sites allocation as a Secondary Employment Area and absence of protection afforded to the green space, aligned with the aforementioned economic and highway benefits of the development, should be afforded significant weight in the assessment.

3.5.16 Accordingly, on balance, the proposal is considered compliant with Policy 11.

4.0 RECOMMENDATION

4.1 **APPROVE** subject to the following conditions:

- Development to be commenced within 3 years of approval.
- Submission of a landscaping scheme.
- Development to be carried out in accordance with approved drawings.

5.0 PLANNING HISTORY

5.1.1 No planning history exists

6.0 CONSULTATIONS

6.1.1 2 neighbouring premises were consulted by letter and a site notice was displayed. 3 Ward Councillors were also consulted - 2 objected; the material issue raised is summarised as follows:

- Loss of green space and resultant impact on the character and appearance of the area.

6.1.2 Highways Officer – no objection.

6.1.3 Arboricultural Manager – no objection.

6.1.4 Drainage – no objection.

7.0 CONTACT OFFICER: Nick Blackledge, Planner.

8.0 DATE PREPARED: 11th May 2018.

9.0 SUMMARY OF REPRESENTATIONS

Objection Cllr Dave Harling, Wensley Fold Ward

In am concerned about the proposal as it will alter the visual appearance of the street scene significantly. I appreciate that the site is tight for parking and this would improve the situation, but I wonder if this is too much. The shape of the increase mean the impact is greater as it sticks out further on the Throstle St end of the site – this will be visible along the whole length of the site, but if it was reduced so it was a parallel strip this impact would be lessened.

Regards, Dave

Cllr Dave Harling,
Wensley Fold Ward

Objection Cllr Mohammed Khan, Wensley Fold Ward

I fully support the views express by Cllr Dave Harling.
Regards
Come M.Khan.