

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

**DATE:** **24<sup>TH</sup> JUNE 2015**

**REPORT BY:** **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

**SUBJECT:** **PART CHANGE OF USE FROM CAR DISMANTLERS TO MOT TESTING STATION AND VEHICLE REPAIRS AT TRANSPORT YARD, ASTON HILL, EWLOE.**

**APPLICATION NUMBER:** **053460**

**APPLICANT:** **JACKSON'S CAR DISMANTLERS LIMITED**

**SITE:** **TRANSPORT YARD, ASTON HILL, EWLOE**

**APPLICATION VALID DATE:** **24<sup>TH</sup> MARCH 2015**

**LOCAL MEMBERS:** **COUNCILLOR H BROWN**  
**COUNCILLOR G HARDCASTLE**

**TOWN/COMMUNITY COUNCIL:** **HAWARDEN COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **REQUESTED BY LOCAL MEMBERS DUE TO AMOUNT OF LOCAL INTEREST**

**SITE VISIT:** **YES**

**1.00 SUMMARY**

1.01 This is a full application for a change of use to an MOT testing station and vehicle repairs. The site is an existing car dismantler's and the proposal is for a part change of use in order for one of the existing buildings on the site to be used independently for MOT testing and vehicle repairs. The matters for consideration are highway safety and residential impact.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-**

## 2.01 Conditions

1. Time limit on commencement.
2. To be in accordance with plans and particulars.
3. Adequate facilities to be provided and retained within the site for the loading, unloading, parking and turning of vehicles.
4. Hours of operation

## 3.00 **CONSULTATIONS**

### 3.01 Local Members:

#### Councillor H Brown

Requested determination by Planning Committee with a site visit.

#### Councillor G Hardcastle

Requested determination by Planning Committee with a site visit.

#### Hawarden Community Council

Objects to the application on the grounds of highway safety and proposed hours of operation in a residential area. Also question whether the business has already commenced without consent.

#### Head of Assets and Transportation

No objection subject to a condition being imposed to ensure that facilities are provided and retained within the site for the loading, unloading, parking and turning of vehicles.

#### Head of Public Protection

No adverse comments.

#### Natural Resources Wales

No objection.

#### Airbus UK

No aerodrome safeguarding objection to the proposal.

## 4.00 **PUBLICITY**

### 4.01 Site Notice and Neighbour Notifications

13 objections received from local residents who raise the following material planning matters:

- Highway safety;
- Increase in vehicular traffic; and
- Hours of operation.

## 5.00 **SITE HISTORY**

5.01 No relevant planning history.

## **6.00 PLANNING POLICIES**

- 6.01 Flintshire Unitary Development Plan  
Policy GEN1 – General Requirements for Development  
Policy AC13 – Access and Traffic Impact  
Policy AC18 – Parking Provision and New Development

## **7.00 PLANNING APPRAISAL**

### 7.01 Introduction

This planning application seeks consent for a change of use of part of an existing car dismantler's yard. There is an existing building on the site and the proprietor wishes to rent out the unit for a separate business to operate.

### 7.02 Proposed Development

The said business consists of MOT testing and vehicle repairs. The unit measures 10.9 metres wide and 13.5 metres long. Internally, the proposal is to have one MOT testing bay and one service bay. Externally there is allocated parking spaces: 8 parking bays and 2 disabled parking bays. There is also an area of land to the rear of the unit that forms part of the application site.

- 7.03 It would appear that different businesses have carried out vehicle repairs at this site for a number of years; however, planning permission was never sought.

### 7.04 Access and Parking

The main reason for local objections is highway safety with objectors making reference to vehicles being parked on the highway outside of this site. This proposed change of use is not retrospective; therefore, any vehicles being parked are not in association with the business proposed.

- 7.05 As stated earlier, the application site provides vehicular parking outside of the unit and the number of parking bays provided is adequate for the proposed B2 use and has been fully assessed by the Head of Assets and Transportation.

### 7.06 Impact on Adjacent Residential Amenity

The hours of operation proposed seem early with a 6am start, however, having discussed the business plans with the owners I understand that the 6am start is to allow for those occasions where a customer requests an MOT before working hours. For this reason, I consider the proposed hours of operation of 6am-6pm to be acceptable for Monday to Friday. The business proposes to open 6am -1pm on Saturdays but I am mindful of it being the weekend and suggest that a condition is imposed to allow 8am-1pm hours of operation only.

## **8.00 CONCLUSION**

- 8.01 The proposed development is considered acceptable in principle and detail subject to appropriately worded conditions.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

### **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

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