

APPLICATION: MA/11/1866 Date: 1 November 2011 Received: 7 November 2011

APPLICANT: Mr G. Obee, Motorline Holdings Ltd

LOCATION: RENAULT/HYUNDAI DEALERSHIP, BIRCHOLT ROAD, MAIDSTONE, KENT, ME15 9YN

PARISH: Boughton Monchelsea

PROPOSAL: Change of use to provide an MOT station within existing building as shown on drawing no. LAD2572-01A, A1 site plan and A3 site plan received on 1st November 2011 and A4 site location plan received on 7th November 2011.

AGENDA DATE: 15th December 2011

CASE OFFICER: Richard Timms

The recommendation for this application is being reported to Committee for decision because:

- The Council has an interest in the application being the owner of the land

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ED2, R18
- South East Plan 2009: CC1, CC6, RE1, RE3, NRM10
- Government Policy: PPS1, PPS4, PPG24

2. HISTORY

(Most Relevant)

MA/09/0361 - Demolition of existing showroom and workshop buildings, erection of new car dealership incorporating MOT facility and associated works. Partial demolition of existing body shop building, alteration of remaining section to form IT unit/valet bays – APPROVED WITH CONDITIONS

3. CONSULTATIONS

Boughton Monchelsea Parish Council: Do not wish to object/comment.

4. CONSIDERATIONS

4.1 Site Description

- 4.1.1 The application relates to a car showroom/workshop building and parking areas on the east side of Bircholt Road within the Parkwood Industrial Estate, which falls within the parish of Boughton Monchelsea. The estate is designated for B1 (offices and light industry) and B2 (general industry) uses under policy ED2 of the Local Plan, or car sales and showrooms under policy R18. The site is within the defined urban settlement boundary of Maidstone.
- 4.1.2 The building and site was previously part of a larger site but following the grant of permission MA/09/0361 it was subdivided from buildings to the north by a new service road and new replacement showrooms were built to the north.
- 4.1.3 The brown steel building is occupied by Renault and Hyundai and is located towards the front, west end of the site. There are parking areas to the front and rear and an internal service road along the south side. Access is via this service road off Bircholt Road, and at the rear, off the new service road to the north. The front of the building is used for sales and the rear for workshops, which carry out general repairs and servicing. To the north is a new Mercedes showroom and to the south a vehicle repair workshop.

4.2 Proposal

- 4.2.1 Permission is sought for a change of use of part of the building to provide an MOT workshop service for customers. Such a use, being a mix of retail and industrial activities, is commonly regarded as being a '*sui generis*' use (uses that do not fall within a defined use class). However, I consider this is similar to the existing use, which is a mix of retail and industrial, so it would not actually need planning permission. However, VOSA have advised the applicant that it wishes to see a planning consent for the proposed MOT facilities and so the applicant has submitted this application. Regardless of whether permission is needed, an application has been submitted and so must be decided by the Council.
- 4.2.2 The MOT bay would be provided within a workshop on the northern side of the building between the internal sales area and the rear workshop. No external changes to the building are required. Vehicles would be brought in from the rear car park via an adjoining workshop on the south side.

4.3 Principle of Development

- 4.3.1 Policy ED2 of the Local Plan designates the Parkwood Industrial Estate for B1 and B2 uses. Whilst MOT uses are generally regarded as a *sui generis* use (due

to the mix of retail and industrial), I consider this type of use within an existing car showroom and workshop is well suited to an industrial estate.

- 4.3.2 The objective of policy ED2 as outlined in the explanatory text is to retain existing allocated employment sites,

"in order to maintain a variety of accommodation available in the Local Plan area, and to reduce the pressures for additional allocations on fresh land that would arise if they were redeveloped for other uses."

- 4.3.3 The MOT use is associated with the existing users of the site, is a use well suited to the industrial estate and is likely to create two further full time jobs. I am also mindful that government guidance in PPS4 and policies within the South East Plan promote a flexible approach to economic development. For all these reasons, I consider the principle of the use to be acceptable in the industrial estate.

4.4 Other Matters

- 4.4.1 The nearest houses are around 185m to the northeast with roads and commercial uses in between. I do not consider there are any serious implications for the residential amenity of these properties bearing in mind the surrounding estate. There is a suitable access on and off Bircholt Road so there are no highway issues. No external changes are proposed so there are no implications for visual amenity.

5. CONCLUSION

- 5.1.1 The MOT use would relate to an existing business and is considered to be appropriate for the industrial estate. There would be no harmful impacts upon residential amenity or the character and appearance of the area. There are no highway issues and I therefore recommend permission subject to the following conditions.

6. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.