

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE Report No.

Date of Meeting	25 th February 2009
Application Number	08/02680/FUL
Site Address	Unit 10 Malmesbury Business Park, Beuttell Way, Malmesbury
Proposal	Change of Use from Light Industrial/Warehouse (B1) to Tyre and Exhaust Fitting Centre (B2)
Applicant	Mr A Gale, Harkness Tyres & Exhausts
Town/Parish Council	Malmesbury Town Council
Grid Ref	392960 188370
Type of application	Change Of Use

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received

Summary of Report

This application proposes the change of an industrial unit from light industrial/warehouse use (B1) to tyre and exhaust fitting centre (B2).

The key points to consider are as follows:

- Implications on DC Core Policy C3 and Policy NE18

Officer Recommendation

Planning Permission be GRANTED subject to conditions

Contact Officer	Sue Hillier	01249 706685	shillier@northwilts.gov.uk
------------------------	-------------	--------------	----------------------------

Proposal and Site Description

The proposal is the change of use of an industrial unit from light industrial/warehouse use (B1) to tyre and exhaust fitting centre (B2). There are no external alterations proposed to the building.

The site is located within the Malmesbury Business Park, Beuttell Way and is one of the thirteen units. Unit ten is situated on a corner plot and has 196 square metres of internal floor space and there are six external parking bays.

Planning History		
Application number	Proposal	Decision
86.0818FUL	Erection of Buildings for Light Industrial – Class III and Warehousing Use Class X	Approved

Consultations

Malmesbury Town Council - have no objections.

Wiltshire County Council Highways - have no objections.

Environmental Health - no adverse comments

Representations

7 letters of objection have been received.

Summary of key points raised:

- Parking difficulties and increased traffic
- Motor trading not allowed within lease
- Excessive noise, waste material and fumes
- Outside storage of tyres would propose parking problems as there is lack of space
- Vermin problem

Planning Considerations

Use of the Building

The proposal involves unit 10 on the Malmesbury Business Park. This unit is one of 13 units within the site and is situated on a corner plot at the end of a row of 3 units. There are 6 external parking spaces and 2 internal parking ramps and there is vehicular access via an open and over door. There will be no alterations to the existing building.

Impact on amenity

Environmental Health have been consulted and are satisfied that there will be no impact on the amenity of the area.

Highways and Access

The highway approach and access to the site will remain as the existing. The Highway Authority state that the proposed use of the industrial unit is not deemed to be detrimental to highway safety and raises no objections to the proposal.

Parking

There are six external parking bays outside of the building and these will remain.

Other matters

There was a discrepancy with the original site plan submitted, as the red line did not include the

entrance door. An amended plan has been submitted and the adjacent unit is defined by the existing dwarf wall.

It is considered that as an industrial estate this use is appropriate and complies with Policies C3 and NE18 of the North Wiltshire Local Plan 2011.

Recommendations and Proposed Conditions/Informatives

1. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building on the site without the prior approval in writing of the local planning authority.

Reason: In the interests of the amenity of the area.

Informatives

1. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:-

C3 and NE18

2. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Site Plan Revised received by the Local Planning Authority on the 16th January 2009.

Reason for Decision: It is considered that as an industrial estate this use is appropriate and complies with Policies C3 and NE18 of the North Wiltshire Local Plan 2011.

Appendices:	<ul style="list-style-type: none">• None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.20, 2.02, 3.03

