

**FORMER CAR SHOW ROOM, BLACKFRIARS ROAD, NEWCASTLE-UNDER-LYME**  
**STAFFORDSHIRE TRIUMPH**

**21/00969/COU**

Planning permission is sought for the change of use of a former retail store to a motorcycle dealership including sales, servicing, repairs and MOTs.

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map. In the Newcastle Town Centre Supplementary Planning Document the site lies within the Pool Dam Waterside Quarter.

**The 13 week period for the determination of this application expires on 10<sup>th</sup> January 2022.**

**RECOMMENDATION**

**Permit, subject to conditions relating to the following matters:-**

- i. Commencement time limit**
- ii. Approved plans**
- iii. Provision of parking, turning and service areas**
- iv. Provision of cycle storage**
- v. Restriction on hours of opening and deliveries**

**Reason for Recommendation**

The principle of the proposed change of use is considered acceptable in this sustainable location. Subject to the imposition of conditions there would be no adverse impact on highway safety or residential amenity.

**Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application**

This is considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework and therefore, no amendments were sought.

**Key Issues**

Planning permission is sought for the change of use of a former retail store to a motorcycle dealership including sales, servicing, repairs and MOTs (a sui generis use).

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map. In the Newcastle Town Centre Supplementary Planning Document the site lies within the Pool Dam Waterside Quarter.

No external alterations are proposed and therefore the proposal would have no adverse impact on the character and appearance of the area. The key issues in the determination of the application are:

- Is the principle of the proposed use acceptable?
- Is the proposal acceptable in terms of highway safety?
- Would there be any adverse impact on residential amenity?

**Is the principle of the proposed development on the site acceptable?**

Paragraph 81 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The application is within the Pooldam Waterside Quarter as defined in the Town Centre SPD. The SPD states that this represents a new growth area for the Town Centre and development should create active frontages and additional public realm rather than a mass of impenetrable development.

In this case, the application is for a change of use of the existing building and therefore the guidance in the SPD is largely not relevant.

The site comprises previously developed land in a sustainable location. The site is very accessible by foot with good pedestrian infrastructure in place in the vicinity of the site. Bus stops are located adjacent to the site which provide frequent bus services to a range of destinations including Newcastle-under-Lyme Town Centre. Local bus services also provide access to Stoke-on-Trent Rail Station allowing travel by sustainable transport to destinations further afield.

It is considered that the site provides a sustainable location for the proposed use that would accord with the aims and objectives of the NPPF.

Is the proposal acceptable in terms of highway safety?

Policy T16 of the Local Plan states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on-street parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets.

The NPPF, at paragraph 111, states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe. In March 2015 the Secretary of State gave a statement on maximum parking standards indicating that the government is keen to ensure that there is adequate parking provision both in new residential developments and around town centres and high streets.

The site has an existing vehicular access off Blackfriars Road which would continue to be used and 19 parking spaces are proposed. The Highway Authority raises no objections to the development stating that due to the proximity to two bus stops and two public car parks, the number of parking spaces would be acceptable. The average daily number of vehicle movements generated by the proposal would not be significantly different to that generated by the previous use and it is also acknowledged that the site has been used as a car showroom before.

Subject to the imposition of conditions, it is not considered that the proposal would have any adverse impact on highway safety.

Would there be any significant adverse impact on the amenity of neighbouring residential properties?

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Paragraph 185 of the NPPF also states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The application site is in a mixed use area with student accommodation to the west, a car park to the east and primarily commercial units to the north and south. The permission for the previous use of the site was subject to a condition restricting hours of deliveries. Such a condition is considered necessary now in addition to a condition limiting operational hours. No objections have been received from the Environmental Health Division and given the location of the property, the nature of the surrounding uses and the fall-back position of the former use of the site, and subject to the imposition

of conditions, it is not considered that there would be any significant adverse impact on residential amenity.

### Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

## **APPENDIX**

### **Policies and proposals in the approved development plan relevant to this decision:-**

#### [Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy SP1: Spatial Principles of Targeted Regeneration  
Policy SP2: Spatial Principles of Economic Development  
Policy SP3: Spatial Principles of Movement and Access  
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy  
Policy CSP3: Sustainability and Climate Change

#### [Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy T16: Development - General Parking Requirements  
Policy T18: Development – Servicing Requirements

### **Other Material Considerations include:**

#### [National Planning Policy Framework \(2021\)](#)

#### [Planning Practice Guidance \(2018 as updated\)](#)

#### [Supplementary Planning Guidance/Documents](#)

#### [Newcastle Town Centre SPD \(2009\)](#)

#### [Relevant Planning History](#)

88/17198/N	Erection of new garages, showrooms and workshops and covered used car area – Approved
18/00179/FUL	Change of use to an A1 retail unit to be used by The Donna Louise Charity providing 1232m <sup>2</sup> of non-food retail floorspace – Approved

#### [Views of Consultees](#)

The **Highway Authority** has no objections subject to conditions regarding the provision and retention of the parking, turning and service areas and provision of a secure and weatherproof cycle parking storage facility.

The **Environmental Health Division** has no objections.

Staffordshire Police **Crime Prevention Design Advisor** states that the nature of the proposed business suggests that a multi-layered and comprehensive approach to security provision, and robust staff operating procedures/policies will be required to ensure the dealership will be well placed to combat any security threats that it may face. The applicant is directed to relevant security guidance.

#### [Representations](#)

None received.

#### [Applicant's/Agent's submission](#)

A Design & Access Statement has been submitted. All of the application documents can be viewed on the Council's website using the following link: <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00969/COU>

**Background papers**

Planning files referred to  
Planning Documents referred to

**Date report prepared**

16 December 2021