

**Change of use of part of car showrooms to general retailing plus an office, Performance
House, Heywood Street, Bury BL9 7DZ
Planning statement**



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Prepared by Hartley Planning and Development Associates Ltd

Performance House is a car showrooms but has been vacant for over three years.

On 26 August 2022 planning approval was granted under application ref 68430, subject to conditions, for the change of use of part of it for a café with an office on the mezzanine above. The application is extant.

It has not proved possible to let or sell the remaining part of the building (separated from the extant approval by a solid party wall) for car sales.

Therefore, planning is now sought for the change of use and extension of the remainder of the building from car sales (sui generis) to general retail shops and a separate office to the rear (Classes E(a) and E(g)(i) of the Town and Country Planning Use Classes Order (2020).

	M2
Two No. proposed retail unit (combined)	
Existing space to be converted to 2 units	170
Extension for existing space to provide 2	54
Total retail space for 2 units	224
Resulting size of each retail unit	112
Proposed office	
Existing space to be converted	58
Extension for office space	56
Total office space	114

Each of the two retail units would have an internal floor area of some 112m² and the separate office some 114m².

The proposed development would include 228m² of existing floor space and 110m² of new space to be constructed.

Each shop would have a floor area of 17m by 8.45m, while the proposed office would be 17m by 6.7m.

The plans include 6 parking spaces each with a width of 2.5 m

The Main Issues

The main issues are (i) whether the proposed development is in a suitable location having regard to development plan policies and the National Planning Policy Framework 2023 (the Framework); (ii) design matters and (iii) car parking and servicing.

Planning policy

When determining the application to change the use of part of the car showroom to a café/office, the LPA, in its officer report concluded as follows:

‘The site falls at the periphery of, but within the defined boundary of Bury town centre. The proposed uses of the unit are defined as main town centre uses in the NPPF. UDP policies TC2/2 and BY10 states that the Council will encourage and support compatible mixed use development within the town centres, including Class E uses. Therefore, the principle of development is acceptable’.

Design matters

The proposed rear extension would be built to the same design and with the same materials as those of the existing building.

The only change to the front elevation would be the incorporation of two glazed access doors to match the existing door.

Parking provision and servicing

While, when considering application ref 68430, the highways officer objected to it on grounds of servicing and car parking provision, the LPA took a pragmatic view of these matters, bearing in mind that the building already exists and also taking into account its relatively central position.

The officer report concludes that ' the site, whilst at the periphery, falls within the defined boundary of Bury town centre. There are small areas of public parking at the northern end of Heywood Street and there is a town centre multi-storey public car park within 500m walking distance and bus stops on Rochdale Road within 100m. There are areas on the surrounding streets with unrestricted on-street parking.

Supplementary Planning Document 6 sets a maximum parking standard of 18 spaces for the two uses combined. There is no minimum overall standard. The site falls within a high accessibility area.

The NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Whilst it would be preferable that the proposal included provision for servicing, the test has to be whether the lack of such and customer parking would result highway safety impacts of such severity that the proposal should be refused.

It is not uncommon for town centre commercial businesses located in traditional properties to lack parking and servicing and often where they are located in a more restricted environment (e.g. to the north on Rochdale Road). As noted, there are locations on the surrounding highways to the site that have unrestricted parking options, that could enable servicing. Customers could also potentially utilise immediate streets, but also public parking areas serving the wider town centre that are within easy walking distance. It is also possible that customers would be drawn from nearby residential areas. Given such circumstances, and whilst the Highway Officer objects to the proposal, it is not considered

that a refusal of planning permission on the basis of a lack of off-street parking and servicing would be reasonable, justifiable and sustainable’.

While the site is within an area with good public transport and where there is public parking close-by, provision is made for 8 spaces for parking and servicing within the site itself.

Conclusion

The change of use of part of the car showroom to general retailing use, plus part for an office, would be largely for local residents.

The officer conclusion relating to planning approval ref 68430 for the change of use of part of the car showroom to a cafe and office is equally apt for the current application: -

‘The proposed uses would support the role and function of Bury town centre, in a sustainable location where servicing could take place from unrestricted areas of the immediate highway network and where there is plentiful public parking, public transport options and walking potential from nearby residential areas. The above assessment also finds that subject to appropriate conditions, the proposal would not have any unacceptable impacts on residential or visual amenity.

Given this, the proposal would be compliant with the above stated policies and would not conflict with SPD 11 and the NPPF. Therefore, in accordance with the Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval’.

The proposed extension would be to the rear of the property and would accord with its existing design in terms of scale and the use of materials.