



01325 469 236



info@elgplanning.co.uk



www.elgplanning.co.uk

Planning
Growth and Development
Manchester City Council
P O Box 532
Manchester
M60 2LA

Our Ref: 23/122

28 March 2023

Dear Sir / Madam,

RE: TOWN AND COUNTRY PLANNING ACT 1990. APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED USE OF A CAR SERVICING CENTRE AND CAR SHOWROOM WITH ANCILLARY OFFICES AT FORMER MERCEDES BENZ CAR SERVICE CENTRE AND SHOWROOM, 26 ROWSLEY STREET, ASHTON NEW ROAD, MANCHESTER, M11 3RR.

Please find enclosed an application for a Certificate of Lawful Development (Proposed Use) the above proposal, which has been submitted on behalf of Tesla. The application comprises:

- Completed Application Form;
- Site Location Plan;
- Proposed Ground Floor Plans (CD1.10);
- Proposed First Floor Plans (CD1.11).

The planning application fee has been paid via the Planning Portal (Ref. PP-12021970).

Overview

The main purpose of this application is to confirm that the proposed use of the building by our client, Tesla, is lawful in context of the by the Town and Country (Use Classes) Order 1987 (as amended). Whilst it is clear that the proposed use is in full compliance with the permitted use of the site, it is the applicant's policy to seek confirmation from the local planning authority that their proposed operations can be lawfully accommodated under the existing use of the site/building.

The existing building has been in long-term use as a car servicing facility with car showroom and ancillary offices, an established Sui Generis Use. Our client seeks to operate and use the building for the same mix of uses, including car servicing, car showroom, and ancillary offices.

Gateway House, 55 Coniscliffe Road, Darlington, Co. Durham, DL3 7EH



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www.elgplanning.co.uk

VAT Registration No: 660033965
Registered in England No: 3409505
Registered Address: Gateway House (as above)

Site Location and Planning History

The site is located in Eastlands, East Manchester, close to the Manchester City Etihad Stadium.

The building has been subject to numerous planning applications (see below – not exhaustive) which establish its use as a car servicing facility with car showroom and confirm its Sui Generis use:

- 101963/FO/2013/N2: Installation of external flues in association with new internal car spray booths and erection of single storey storage extension to existing premises. **Approved 20 May 2013**
- 101843/FO/2013/N2: Change of use of land to form car storage area in association with adjacent car dealership and related erection of fencing, CCTV and lighting. **Approved 30 April 2013**
- 101212/FO/2012/N2: Erection of electricity sub-station and associated metering unit in car park area. **Approved 21 February 2013**
- 099217/FO/2012/N2: Alterations to west elevation involving insertion of two new high level windows and relocation of door. **Approved 18 July 2012**
- 095378/FO/2011/N2: Elevational alterations and alterations to car parking layout. Approved on **15 March 2011**
- 070959/AO/2004/N2: Various illuminated and non-illuminated signage to car showroom. Approved on **16 March 2004**
- 067867/FO/2003/N2: Refurbishment of existing vehicle sales and workshop facilities with new facade treatment, workshop welfare and sales facility extensions. Together with change of use of existing outbuilding for parts store and valet facility. Approved on **03 June 2003**.
- 066454/FO/NORTH2/02: Single storey extension to car showroom and workshop. New facade to Ashton New Rd and elevational alterations, including vehicle test lane and new washscreen and alterations to parking areas. Approved on **02 December 2002**.
- 055560/FO/NORTH2/98: Elevational alterations to vehicle showroom. Approved on **08 January 1999**.
- 049453/FO/NORTH2/96: External alterations to existing building including new entrance, external glazing and cladding to showroom and alterations to access doorway. Approved on **06 March 1996**.
- 027639: Alterations to parts store to form a vehicle body shop with paint spray booth and new sectional roller shutter door. Approved on **07 November 1986**.
- 025459: Erection of a modular "Glasdon" office/sales unit within existing car distribution and sales depot. Approved on **07 November 1985**.
- F14046: Existing motor car distribution premises and vacant land fronting Rowsley Street and adjoining Mosley St. Use of land as a car park and conversion of storage compound to a car preparation area. Approved on **01 October 1980**.

Proposed Use

As noted, our client plans to use the building as a car servicing centre and car showroom with ancillary offices. Further details are shown on the submitted Proposed Ground Floor Plans (CD1.10) and Proposed First Floor Plans (CD1.11).

This mix of different uses results in the overall use of the building comprising a 'Sui Generis' use in planning terms. The proposed use will continue the established Sui Generis use as a car servicing centre and car showroom with ancillary offices. The proposals therefore include the same parameters of the existing use class, and there will be no discernible difference between the existing and proposed use.

On the above basis, the proposal would not constitute a material change of use and planning permission is not required for the proposed use.

Closing Comments

We trust the submitted information allows the Lawful Development Certificate to be granted. Please do not hesitate to contact me should you have any queries.

Yours faithfully



Andy Darby, **Planner**