

Report to Planning applications committee

Item

8 September 2016

Report of Head of planning services

Subject Application no 16/00290/F - Eaton Hand Car Wash, Ipswich Road, Norwich, NR4 6QS

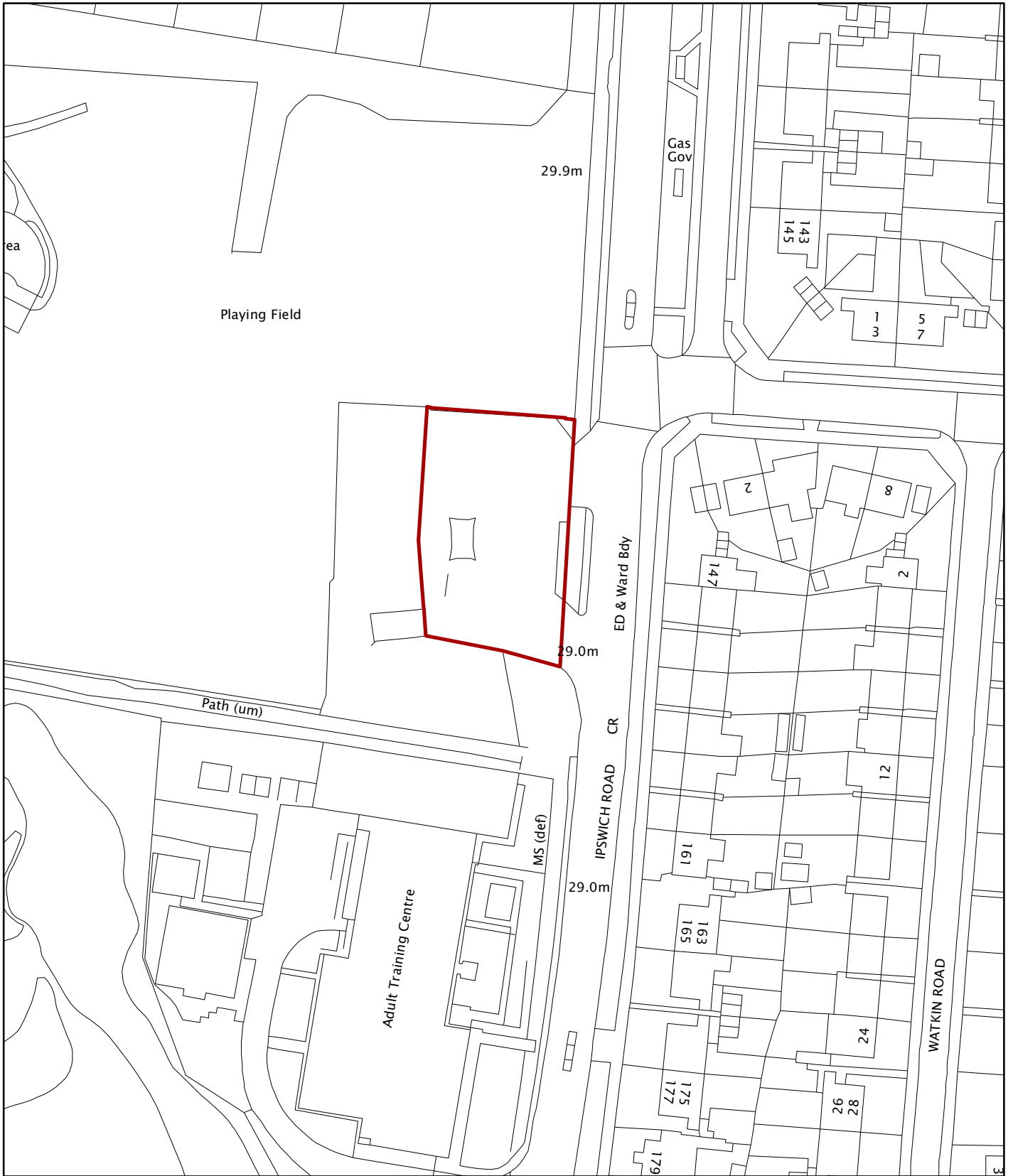
5(L)

Reason for referral Objection

Ward:	Eaton
Case officer	Charlotte Hounsell - charlottehounsell@norwich.gov.uk

Development proposal		
Retain use of land as vehicle hand washing facility and retain portable buildings.		
Representations		
Object	Comment	Support
2		

Main issues	Key considerations
1	Principle of retention of use
2	Landscaping/boundary treatments
Expiry date	18 April 2016
Recommendation	Approve



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Planning Application No 16/00290/F

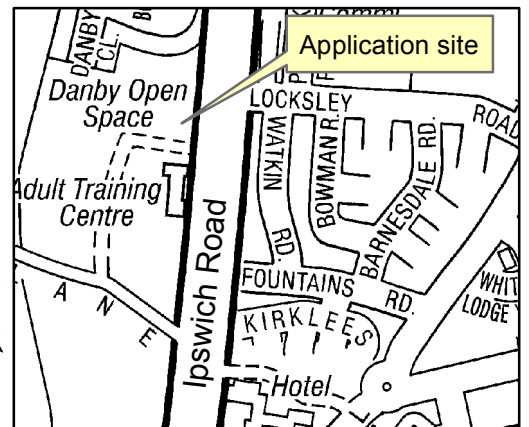
Site Address Ipswich Road
Eaton Hand Car Wash

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The subject site is located on the site of a former petrol filling station on the West side of Ipswich Road, South West of the City Centre. The site is open to Ipswich Road with separate entrance and exit accesses to the highway. The site is currently used as a hand car wash which was granted temporary consent in March 2011. The area is hard-surfaced with existing portable buildings on site for equipment and staff. The car wash site is currently surrounded by fencing and walls, although some of these boundaries are in poor condition or have been removed. An area of land to the rear of the site is within the same ownership, however it does not form part of this car wash application. Opposite Ipswich Road to the south of the site is a residential estate and to the rear / north of the site is open space.

Constraints

2. To the rear of the blue site outline is a designated open space and local nature reserve.
3. The car wash site is located at a higher level to the land owned behind it and the open space.

Relevant planning history

- 4.

Ref	Proposal	Decision	Date
4/1994/0857	Illuminated forecourt signage, manolith and fascia.	INSFEE	01/11/1994
4/1995/0797	Construction of jet wash, vacuum unit and air/water Units.	REF	30/10/1995
4/1995/0798	Internally illuminated signs for jet wash, vacuum and air/water units.	REF	26/10/1995
4/1996/0418	Installation of 25,000 litre diesel tank.	APCON	08/07/1996
4/1996/0556	Condition 2: details of full structural details of tank, its surround, associated pipework and monitoring system for previous permission 4960418/F "Installation of 25,000 litre diesel tank".	APPR	18/10/1996
4/1997/0007	Internally illuminated price/facility sign to be incorporated on existing identification sign.	TEMP	16/01/1997
4/1997/0326	Installation of 16 no. collection boxes.	APCON	06/06/1997
06/00935/F	Construction of conveyor car wash facility and vacuum bays and alteration to	APPR	17/11/2006

Ref	Proposal	Decision	Date
	access.		
06/01238/A	Internally illuminated fascia signs.	APPR	02/02/2007
10/02187/F	Change of use to vehicle washing facility and site portable building.	APPR	16/03/2011
11/00685/D	Details of Condition 4: foul and surface water drainage of previous permission 10/02187/F 'Change of use to vehicle washing facility and site portable building.'	APPR	08/09/2011

The proposal

5. The proposal is for the retention of the existing car washing facility which was previously granted temporary permission in 2011 (see history section) Following the expiration of this temporary use, the continued unauthorised use of the site, alongside removal of vegetation adjacent to the application site was brought to the attention of the Council's enforcement team who have investigated the issue.
6. The application seeks to regularise the situation by retaining the use of site as existing with no additional equipment etc.
7. The rear of the site (outlined in blue) is within the same ownership but does not form part of the application site.

Summary information

Proposal	Key facts
Scale	
Total floorspace	0.10 hectares
Appearance	
Materials	Asphalt paving Painted shipping containers as offices/waiting areas Vinyl washing canopy
Operation	
Opening hours	Monday – Saturday: 08:00 – 19:00 Sunday and bank holidays: 10:00 – 16:00
Ancillary plant and equipment	Retention of existing canopy and storage containers Use of car washing equipment as existing on site
Transport matters	

Proposal	Key facts
Vehicular access	Existing access onto/from Ipswich Road
No of car parking spaces	7 informal spaces shown on site plan for waiting/washing areas. There is additional space available on the forecourt as a waiting/parking area.
No of cycle parking spaces	N/A

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Boundary treatments have either been removed or are not adequate	See Main Issue 2
Removal of vegetation at the rear of the site	See Main Issue 2
Incorrect plans submitted	Revised plans submitted to address this.

Consultation responses

9. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Highways (local)

10. No objection in transportation terms to the use of this site for a car wash facility. The site was a former petrol station, so the traffic generation from a car wash is going to be less. Also the entrance/exit arrangements are satisfactory.

Natural areas officer

11. The application site adjoins Danby Wood Local Nature Reserve (LNR) on part of the wood's eastern boundary. The wood is an important wildlife site and is a valued and well-used amenity for local people. While there is no objection in principle to this application, we need to ensure that:
- i) The applicants maintain a well-defined boundary with the LNR and that there is no encroachment into the woodland area

- ii) There is no run-off or waste water from car washing into the adjacent woodland
- iii) If external lighting is provided on the site, care should be taken to avoid light spillage into the adjacent woodland.

Tree protection officer

12. The proposed development will have a negligible effect on the trees, all of which are small and in relatively poor condition. Given this there is no objection to the proposed works.

Environmental Protection

13. No comments received.

Assessment of planning considerations

Relevant development plan policies

- 14. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS6 Access and transportation
- 15. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM5 Planning effectively for flood resilience
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM8 Planning effectively for open space and recreation
 - DM11 Protecting against environmental hazards
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

- 16. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
 - NPPF0 Achieving sustainable development
 - NPPF7 Requiring good design
 - NPPF8 Promoting healthy communities
 - NPPF11 Conserving and enhancing the natural environment

Case Assessment

17. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

18. Key policies and NPPF paragraphs – DM1, NPPF Section 1.
19. The application is to retain the use of the site as existing which was granted temporary consent in 2011. The site was previously used as a petrol filling station and therefore has existed as a section of hard standing for some time. The site is not part of any site allocation and due to its previous use as a petrol station, its proposed viable uses are limited without likely significant remedial action. In addition given the previous use of the site as a petrol filling station, trip generation and access arrangements would not be significantly different to the previous use. Therefore the current use as a car wash facility is considered to be acceptable in principle. Details of this are discussed in the following sections.

Main issue 2: Trees, Landscaping and open space

20. Key policies and NPPF paragraphs – JCS1, DM3, DM7, DM8, NPPF paragraphs 9, 17, 56, 109 and 118.
21. Concerns have been raised that, despite the general support for the car wash, the site is now an eyesore. Landscaping to the rear of the site, which is owned by the applicant but is not directly within the application site, was removed. These works did not require consent and works have since ceased on site. It should be noted that any works to be carried out to the rear of the site which require consent must be applied for in a separate application.
22. The car wash itself cannot easily be seen from the open space due to the existing boundary wall/fence. It could be argued that the removal of vegetation does not directly impact on the suitability of the site for use as a car wash, which is the consideration of this application. Therefore it may be considered unreasonable to request alterations to this rear part of the site as it does not fall within the remit of this application.
23. However, considering the concerns raised in relation to this application, it is considered reasonable that the site itself should be improved in appearance if it is going to be used as such on a permanent basis. Part of the existing boundary fencing is damaged and part of the rear boundary wall has been removed. The applicant has agreed to a condition requiring replacement/re-instatement of boundary treatments shown on the site plan within a specified timeframe that must be retained thereafter. As part of the consideration of these details, green landscaping/boundary treatments could be negotiated to improve the appearance of the site from both the highway and the rear to ensure the site responds appropriately to its surroundings.

24. One tree is located within the blue line of the site at the South Western corner of the site which is subject to a Tree Protection Order. Whilst this application does not propose any changes that may affect the tree, the replacement of nearby boundary treatments could impact upon the tree and therefore an AIA/AMS for the replacement boundary treatments will also be required by condition.

Other matters: Contamination

25. Concerns were raised that waste/contaminants could be released into the open space to the rear. However, existing surface water and interceptor drainage systems to the mains sewer network are present which were approved as part of 11/00685/D. Discussions with the Environment Agency highlighted that the above measures were likely to be adequate, the site was not within 20m of a watercourse and at this point in time they would not likely need to provide any further comments. Therefore the measures to protect against contamination are likely to be adequate.
26. As part of 10/02187/F Environmental Protection requested that a full site investigation be undertaken should the use change or become longer term. Although this proposal is for a long term use, a site investigation has not been required as the proposal does not include 'breaking ground' development and the site has already been 'capped off' with hard surfacing. As such there will be no increased risks to human health in comparison to the existing situation, in accordance with policy DM11. .

Equalities and diversity issues

27. There are no significant equality or diversity issues.

Local finance considerations

28. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
29. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
30. In this case local finance considerations are not considered to be material to the case.

Conclusion

31. The principle of the retention of the car wash is acceptable as the current use (under the temporary consent) is to be continued and there are no planning considerations to deem this to be unacceptable . Whilst concerns have been raised regarding the loss of landscaping at the rear portion of the site, this does not directly form part of the application. As the car wash cannot easily be seen from the open space at the rear due to existing boundary treatments, the retention/replacement of these boundaries, secured by condition, including

negotiations for new “green” boundaries is considered an acceptable solution to improve the appearance of the site within the remit of this application.

32. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no. 16/00290/F - Eaton Hand Car Wash Ipswich Road Norwich NR4 6QS and grant planning permission subject to the following conditions:

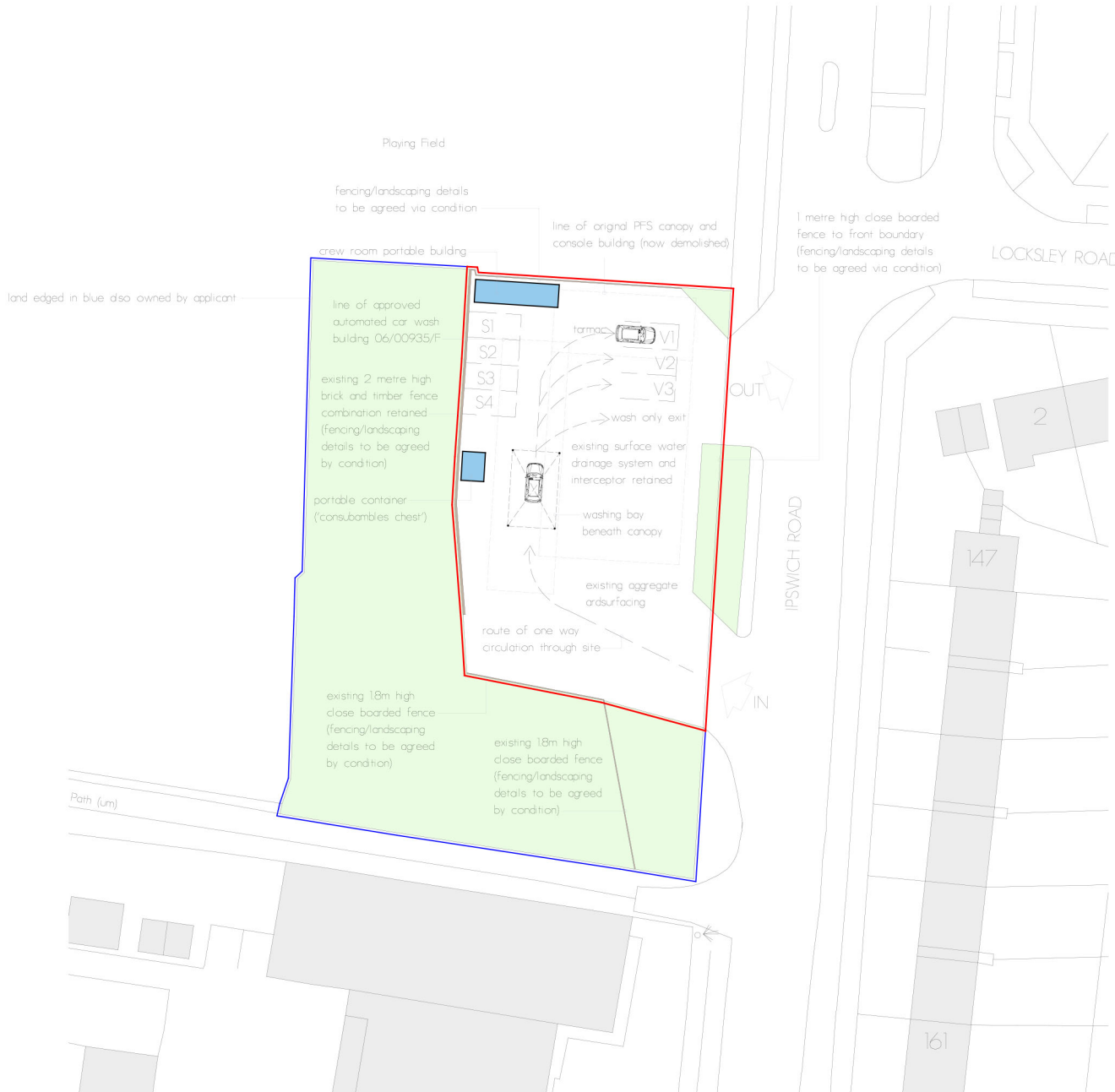
1. Standard time limit;
2. In accordance with plans
3. Details of the boundary treatments specified on PDB/16/07/02A must be submitted within 8 weeks and a supplementary AIA/AMS for the installation of these.
4. Opening hours restricted to 08:00 – 19:00 Monday to Saturday and 10:00 – 16:00 Sunday and Bank Holidays.

Informative

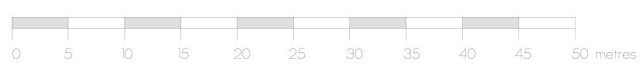
It should be noted that a separate application would be required should any development (which requires consent) be undertaken on the land within the same ownership that is outlined in blue on the site location plan.

Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.



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The Planning & Design Bureau Ltd	
Plan Title:	Block Plan and Site Layout
Site Address:	Former Eaton Rise Service Station, Ipswich Road, Norwich, NR4 6QS
Proposed:	Retain Hand Car Wash and Portable Buildings
Plan No:	PDB/16/07/02A
Scale:	1:500 @ A3

Amendment A: June 16' - boundary annotations amended