

Report to Planning applications committee

Item

26 November 2015

Report of Head of planning services

Subject Application no 15/01487/F - The Windmill Knox Road,
Norwich, NR1 4LQ

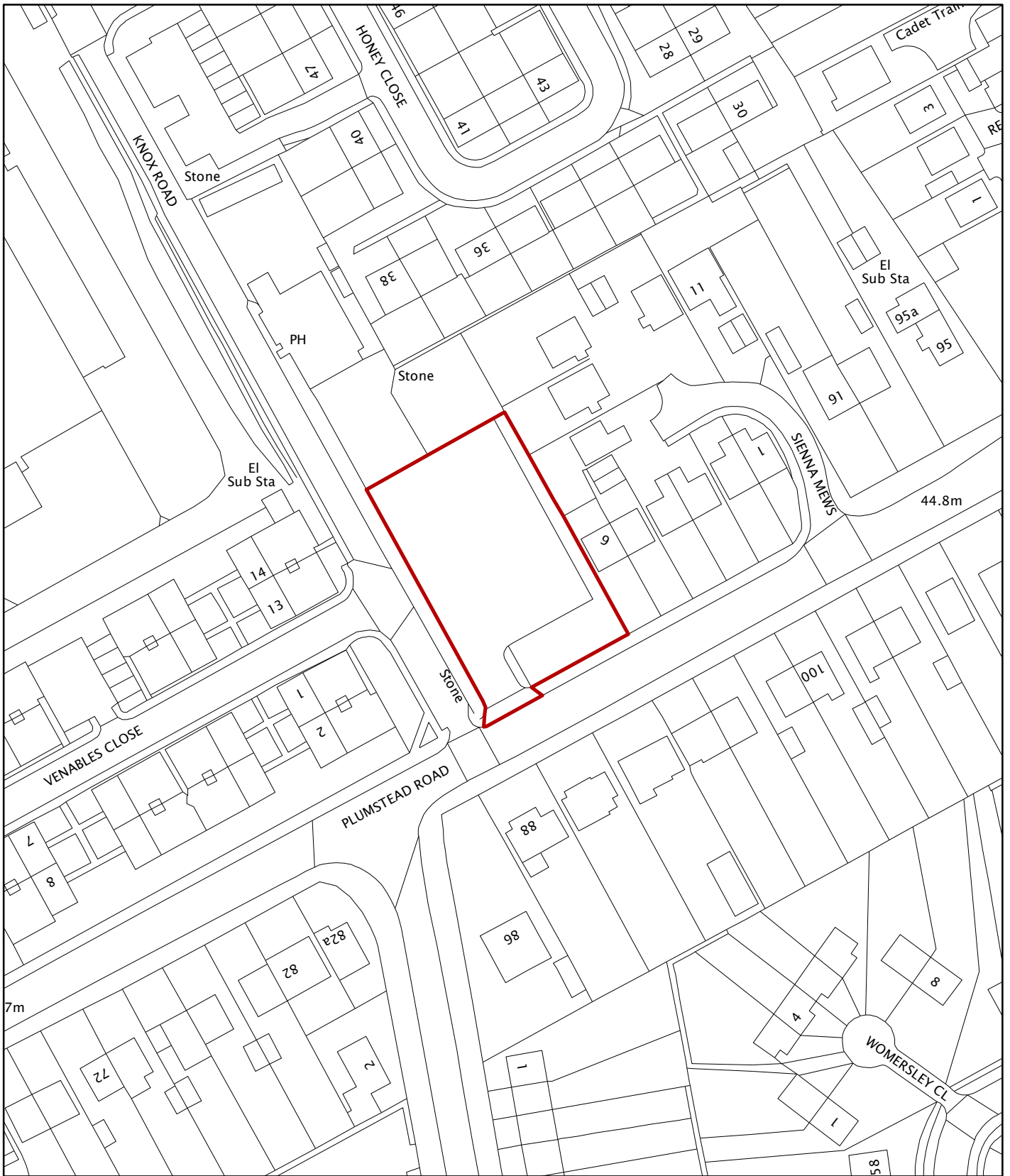
**Reason
for referral** Objection

4(C)

Ward:	Crome
Case officer	John Dougan - johndougan@norwich.gov.uk

Development proposal		
Change of use of part of existing car park to car wash including erection of office and waiting room building.		
Representations		
Object	Comment	Support
6	0	0

Main issues	Key considerations
1 Principle	Creating employment and operation of the existing pub.
2 Design	Appearance of the development in the street scene.
3 Transport	Appropriateness of access / parking and highway safety.
4 Amenity	Noise disturbance and water spray
Expiry date	25 November 2015
Recommendation	Approve



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Planning Application No 15/01487/F

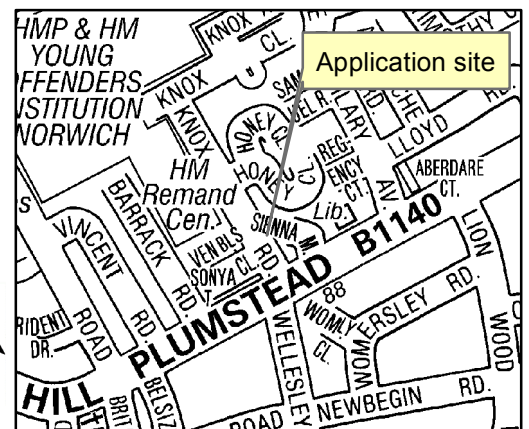
Site Address Car park Windmill Pub
Knox Road

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The area is residential, the application site forming part of the Windmill public house being accessed from Plumstead Road.
2. The western boundary contains a mature hedge with residential properties to the other side of Knox Road which runs parallel to the application site. The eastern boundary comprises a close boarded fence with a mature hedge with residential properties to the other side of the boundary.
3. Adjoining the rear of the site is a parking area and external seating area serving the pub and to the front of the site, a grassed area which was previously occupied by an unauthorised use in the form of a portable building selling fire works together with unauthorised signage, which is directly adjacent to a pedestrian crossing area. The firework retail building is not proposed as part of this planning application and in any case is due to be removed shortly, following the involvement the Council's planning Enforcement team.
4. It was also observed that the parking area within the application site has a number of cars for sale.
5. The main car wash area is located to the northern extents of the application site and comprises an office / waiting room and a car wash area, together with drain to an existing foul sewer line. It is understood that the car wash has been operating since early August 2015.
6. The Council's planning enforcement team were informed about the unauthorised use, inviting the operator to submit a planning application.

Constraints

7. Critical drainage catchment

Relevant planning history

- 8.

Ref	Proposal	Decision	Date
04/01007/T	Installation of a 12 metre high telecommunications mono-pole, three antennae, one dish antenna and equipment cabinets.	REF	08/10/2004
07/00362/F	Erection of timber framed and glazed lean to shelter to side of building adjacent Knox Road.	APPR	16/05/2007
12/00260/A	Display of 1 No. double sided, internally illuminated post sign.	APPR	26/03/2012

Ref	Proposal	Decision	Date
14/01745/F	Erection of new access staircase and means of escape from first floor and change windows to folding doors to rear elevation and removal of chimney	APPR	29/01/2015

The proposal

9. Proposed car wash and valeting facilities with water being discharged via a new silt trap to a foul sewer line within the site.
10. The use has been in operation since 1st August 2015 and submission states that it will be operated by 4 persons.
11. The proposed opening times are 0800 -1800 every day.

Representations

12. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 6 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
The car wash has been operating for a number of months and I am surprised that a planning application has only been submitted.	See paragraph 6
The various uses, structures and signage will have an adverse impact on the visual amenities of the street scene and character of the area.	See main issue 2
We already suffer from noise and disturbance from smokers congregating at the pub.	See other matters
The car wash activities have been very disruptive and noisy since they started, adversely impacting our enjoyment of our rear garden.	See main issue 4
The spray from the washing process is unpleasant when sitting in our gardens.	See main issue 4
Operating the car wash 7 days a week with pressure washers, especially on Sunday	See main issue 4

Issues raised	Response
morning, will mean that we don't get a break from the disturbance.	
The various uses and structures are having an adverse impact on highway safety, particularly the pedestrian crossing area.	See other matters
The fireworks could be dangerous. Does it have the appropriate permission?	See other matters
Adverse impact on property values	See other matters
The hedgerows are now badly overgrown making existing from Knox Road extremely dangerous.	See main issue 3 and other matters.

Cllrs Waters and Bradford conveyed the concerns of local residents about the unauthorised sale of fireworks and signage on the application site.

Consultation responses

13. 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.

Environmental protection

14. There is little harm in terms of noise, water spray due to the very limited operation and distance to the nearest potential receptor. The hand car wash operator has installed a silt trap to capture, dust, grit and sand and the grey water will discharge into the foul sewer rather than the surface water sewer which is good. The business has been operating for about 6 months and there does not appear to have been any complaints concerning noise, only in relation to whether the business benefits from planning permission. Conditions should be attached restricting the operating hours and number of operatives on site at any one time to limit the scale of the operation.

Highways (local)

15. I have no objection on highway grounds with regard to the provision of car wash in an extant car park. There is adequate access to the highway network.

Assessment of planning considerations

Relevant development plan policies

16. **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
- JCS3 Energy and water
- JCS5 The economy

17. 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
- DM16 Supporting the needs of business
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

18. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change

Case Assessment

19. 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

20. Key policies and NPPF paragraphs – DM16, NPPF paragraphs 18 and 19.
21. The principle of setting up a small car wash business which will contribute to the local economy and provide employment is acceptable as long as it would not compromise the operation of the existing pub or have a significant adverse impact on the character of the area, the amenities of neighbouring properties and highway safety as set out in the sections below.

Main issue 2: Design

22. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
23. The small scale and low profile building associated with the car wash are set back some 44 metres from the main road, the car park boundaries to the west and east being laid to mature hedging.

24. On the basis of the above, the building is of scale, design and location which will not result in any significant harm the character of the area or visual amenities of the street scene.
25. Concern with regard to the visual impact of other structures and advertisements on the site, in particular in connection with the sale of fireworks are noted. However these are not part of this application for planning permission and the applicant has been advised that these structures and advertisements need to be removed as soon as possible, or could be subject to enforcement prosecutions. The applicants have indicated that they will be removed. As such the visual impact of these elements, should not be taken into account as part of this current application.

Main issue 3: Transport

26. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
27. The use would not compromise the operation of the pub as a parking area for customers directly to the south of the pub is retained. Indeed, when the car wash ceases to operate in the evenings, users of the pub could then use the parking area within the application site.
28. The use is of a scale and intensity which would not result in levels of vehicular movements which would cause any significant adverse impacts to highway safety.
29. The local highway authority has confirmed that the existing access is deemed appropriate for what is a relatively small scale development.
30. It is unlikely that the use would generate significant levels of waste. Nevertheless, it is recommended that a condition be imposed requiring details of waste and recycling measures within two months of the date of any decision notice.

Main issue 4: Amenity

31. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
32. The building is set back a considerable distance from the main road and is low profile, ensuring that it will not have a detrimental impact on the visual amenities of the area.
33. The key issues are whether or not activities associated with the use would cause significant harm to the amenities of neighbouring properties e.g. noise emissions or water spray. The nearest sensitive receptors are the properties along the eastern boundary.
34. It is acknowledged that the use of a pressure washer would create some level of noise and that there may be occasions in which spray might be blown towards the rear gardens to the east. However, the proposal is not considered to be a high intensity use which would cause any significant disturbance to those properties. Any additional impacts would be further mitigated by the fact that the wash area is set back from the boundary and screened by a close boarded fence / mature hedge.

35. Nevertheless, in an effort to provide some level of control over the intensity of the use, it is recommended that a series of restrictions be imposed including:
- Hours / days of operation 0800 – 1800 Monday to Saturday and 1000 – 1600 on Sundays and Bank Holidays.
 - Limiting the number of staff to 4.

Compliance with other relevant development plan policies

36. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	The site has the capacity to accommodate secure cycle storage for staff.
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	It is regrettable that the car wash does not use a water recycling system to reduce the consumption of water. However in light of the small scale nature and intensity of the business, it is unlikely that the use would waste significant amounts of water over the course of an average working day. In light of the above, no further water conservation measures are deemed to be necessary.
Sustainable urban drainage	DM3/5	It is acknowledged that the site is located in a critical drainage area and a use which requires the use of water. However, as the use is small scale and the site is already of hard surfacing and flat, no additional sustainable urban drainage measures are deemed to be necessary. Any discharge to the foul sewer is considered to be a proportionate course of action in this instance. No significant additional run-off to other properties is expected.

Other matters

37. The washing process would result in soiled water which needs to properly disposed of to ensure that no significant pollution to any watercourses would result. The submission confirms that that water would be discharged to an existing sewer line within the car park. Such a measure is considered proportionate for what is a relatively small scale development. The development is therefore in accordance with the intent of policy DM11 and NPPF paragraphs 120-122.
38. The local highway authority has confirmed that the access to the site is adequate for a use of this scale and intensity. The maintenance of the hedge is the responsibility of the landlord of the site. Nevertheless, any concerns relating to lack of maintenance should be conveyed to the local highway authority.
39. The concerns expressed by local residents relating to the impact of the unauthorised structures, signage and fireworks store having a detrimental impact on the amenity of the area, highway safety and safe operation of the fireworks store are being addressed via separate investigations by the council's planning enforcement team. Although, it is now understood that these structures have been removed.
40. A representation stated that the customers of the pub were causing noise disturbance. The pub is an existing use outside of the planning application site. It is recommended that they convey those concerns to the Council's environmental health team.
41. Any concerns relating to a reduction in property values are not a material planning consideration.

Equalities and diversity issues

42. There are no significant equality or diversity issues.

Local finance considerations

43. 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.
44. 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.
45. In this case local finance considerations are not considered to be material to the case.

Conclusion

46. The car wash is of a scale and intensity which will not result in significant harm to the character of the area, amenity of neighbouring properties or highway safety, subject to conditions.

47. 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.
48. The unauthorised structures and uses within the site are not within the control of the applicant or the subject of this application. However, it is subject to separated investigations by the Council's enforcement team.
49. It is now understood that these structures have been removed.

Recommendation

To approve application no. 15/01487/F - The Windmill Knox Road, Norwich, NR1 4LQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Hours and days of operation
4. No more than 4 members of staff at any one time.
5. Details of refuse storage

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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



CAR WASH SITE PHOTOGRAPHS September 2015



APPLICATION SITE

CHIEF
MR P HAJDARI

**New Car Wash at Windmill PH
Knox Road, Norwich**

Site Layout & Location Plan

Scale	Date
1:200 & 1:1250 @ A1	September 2015

Drawn By **PA**

Status
☐ PRELIMINARY

Drawing No.		Rev.
<input checked="" type="checkbox"/> PLANNING <input type="checkbox"/> TENDER		

15 / 49 / 1