

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel 14th July 2015**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 121-127 Redbridge Road			
<b>Proposed development:</b> Erection of a detached, single-storey structure for use as a jet wash facility			
<b>Application number</b>	15/00189/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	John Fanning	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	23.04.2015	<b>Ward</b>	Redbridge
<b>Reason for Panel Referral:</b>	Request by Ward Member	<b>Ward Councillors</b>	Cllr McEwing Cllr Whitbread Cllr Pope
<b>Referred by:</b>	Cllr Pope	<b>Reason:</b>	Concern regarding highways safety

<b>Applicant:</b> Julian Cole	<b>Agent:</b> N/A
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<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</b>
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**Reason for granting Planning Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP7, SDP9, SDP16 and SDP21 of the City of Southampton Local Plan Review (as amended 2015) and CS13 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Plans and Decision Notice for 971080/W

## Recommendation in Full

### Conditionally approve

#### 1.0 The site and its context

- 1.1 The application site is currently occupied by a car sales/hire use. The site fronts onto Redbridge Road, one of the main arterial routes through the city. The site is accessed from the Redbridge Road frontage.
- 1.2 The site lies to the west of the Millbrook Trading Estate and the immediately adjacent properties on the Redbridge Road frontage are also in commercial use. However, the site is also bordered, to the rear, by a number of residential properties fronting onto Oakridge Road.

#### 2.0 Proposal

- 2.1 A structure has been erected, adjacent to the western site boundary, which currently is used to provide a jet wash facility. The structure is single-storey, profile metal finish, with a pitched roof. The structure accommodates two vehicular bays with roller shutter doors to the front elevation.
- 2.2 The existing structure and jet wash facility has been installed without planning permission and this application seeks to address this breach in planning control, although proposes to re-locate the building and jet wash facility to the south-east corner of the site. The structure will also be used as an area for the vacuuming and polishing cars, with an adjacent section of land to be utilised as a car spray jet wash area.
- 2.3 Car washing and valeting could usually be considered as being ancillary to the main use of the site and not, therefore, require planning permission. However, in this case, the original planning permission restricted the location in which jet washing could occur and, permission is also required for the new structure itself.

#### 3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**. The site is allocated for residential purposes by saved Local Plan policy H1.
- 3.2 Saved Policy SDP1 (Quality of development) of the Local Plan Review allows development, providing that it does not unacceptably affect the health, safety and amenity of the city and its citizens. Policy SDP7 (Context) and SDP9 (Scale, Massing, and Appearance) allows development which will not harm the character and appearance of the local area, and the building design in terms of scale and massing should be high quality which respects the surrounding area. Policy CS13 (Fundamentals of Design) assesses the development against the principles of good design. Policy SDP16 seeks to protect the occupiers of residential properties from noise-generating uses.

- 3.2 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

#### **4.0 Relevant Planning History**

- 4.1 The existing use of the site for vehicle hire, sales with workshop and associated offices was originally granted planning permission in 1998 (planning application reference 971080/W). The approved layout and decision notice are included as **Appendix 2** of this report. Condition 5 of this permission restricted the use of jet spray wash to a workshop on the south-east corner of the site. This workshop building is no longer present on site.

#### **5.0 Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying 13 adjoining and nearby landowners and erecting a site notice (06.03.15). At the time of writing the report **0** representations have been received from surrounding residents and **1** response was received from Ward Councillor Pope raising the following points:

##### Comment

The site is located adjacent to a busy road and cycle path and run-off from the proposed use will be a safety issue to cyclists. The application should have been submitted prior to any works on site and should have included details of how drainage will be managed.

##### Response

The application has been submitted to regularise the existing breach of planning control and is to be determined on its merits. The application proposes to relocate the existing car wash to the south-east corner of the site which is approximately 40 metres from the highway. As such, the Council's Highway officers are satisfied that run-off from the jet spray would not be hazardous for users of the adjoining public highway and footway. Planning permission should not be withheld where a suitably worded planning condition can address matters of concern. In this case, a condition to secure appropriate drainage is recommend (see condition 5 below).

#### **5.2 Consultation Responses**

- 5.2.1 **SCC Highways** - Given the distance of the car wash from the highway, it is not considered that the proposal would result in the migration of water onto the public highway. As such, it would be appropriate to apply a condition to secure adequate drainage.

- 5.2.3 **SCC Environmental Health** – No objection.

- 5.2.4 **Southern Water** –

No objection.

## 6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- (i) The principle of development;
- (ii) The impact on the residential amenity;
- (iii) The impact on the character of the area;
- (iv) Drainage and;
- (v) Highways and Parking.

### 6.2 Principle of Development

6.2.1 The site currently has an authorised use as a car sales/hire business and the valeting of vehicles could take place at any part of the site without needing planning permission. However, as part of the original consent a condition was imposed which required that any jet spray washing of vehicles take place solely in a specified workshop or other location to be agreed with the Local Planning Authority. The originally identified structure has been removed from the site and as set out above, this application seeks permission for a replacement structure. As such, a replacement jet wash building is considered to be acceptable, in principle, subject to the specific circumstances of the proposal, as discussed below.

6.2.2 Whilst the site is allocated for residential development under Policy H1 of the Local Plan, the proposal relates solely to minor alterations to the existing use of the site which does not compromise the potential for residential redevelopment. As such, it is not considered that the proposal would be contrary to the provisions of this policy.

### 6.3 Impact on Residential Amenity

6.3.1 The proposed new location of the car wash is directly adjacent to the rear gardens of neighbouring residential properties on Oakridge Road. While there is some potential for increased noise and activity in immediately proximity to the boundary, it is considered that this could be adequately controlled through the use of conditions restricting the hours operation of the use (see condition 4, below). Furthermore, it is important to note that the original planning permission for the site (see **Appendix 2**) allowed a jet wash and car workshop in this area of the site and within the same limitations on hours of operation as currently proposed.

6.3.2 The relocation of the proposed structure would physically separate the proposed jet washing area from the neighbouring residential gardens and there would be approximately 30 metres from the nearest dwellings themselves. Furthermore, as noted above the vacuuming of vehicles could take place from any part of the site, without requiring planning permission. The structure itself, being single-storey in scale, and with a modest footprint, would not have a harmful impact on the neighbouring properties or gardens. Having regard to the existing commercial nature of the site and surroundings, the relationship with the nearby residential properties is, therefore considered to be acceptable.

### 6.4 Impact on Character of the Area

6.4.1 The new location of the structure would be set well back from the public highway and therefore would have a limited impact on the character and appearance of the

area. The structure is modest in scale and its appearance would be appropriate to the commercial nature of the site.

#### 6.4 Drainage

6.4.1 Given the proposed position of the proposed building it is not considered likely that there will be significant migration of water to the public highway. Notwithstanding this, it is accepted that (particularly with reference to the neighbouring residential uses) there may be an issue associated with any surface water run-off. As such a condition is recommended requiring the submission and installation of additional information regarding proposed drainage.

#### 7.0 Summary

7.1 Provided the use of the outbuilding is restricted by appropriate conditions it is not felt that the proposal represents a significantly harmful form of development to neighbouring properties, either in terms of the physical form of the development or the proposed use.

#### 8.0 Conclusion

8.1 For the reasons discussed above, the application is therefore recommended for conditional approval.

### **Local Government (Access to Information) Act 1985** **Documents used in the preparation of this report Background Papers**

1(a)(b)(c)(d), 2(b)(d), 6(c), 7(a), 9(b)

#### **JF for 14/07/15 PROW Panel**

### **PLANNING CONDITIONS**

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works  
Within 3 months of the date on which this planning permission was granted, the existing jet wash facility and building, adjacent to the western boundary of the site, shall be removed and the site returned to its former condition. The development works and use hereby approved, which includes the re-positioning of the existing structure to the south-east corner of the site, shall not begin later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to resolve the existing breach in planning control in the interest of the character of the area, residential amenity and the safety and convenience of the users of the adjoining highway.

02. APPROVAL CONDITION - Restriction to ancillary use [Performance Condition]

The jet spray washing area hereby approved shall operate as an ancillary function of the vehicle hire and car sales use of the site only.

Reason:

To protect the amenities of the neighbouring occupiers and allow the Local Planning

Authority to retain control of the site.

04. APPROVAL CONDITION - Hours of Use [Performance Condition]

The use of the outbuilding and area for jet spray washing facility hereby approved shall not operate outside the following hours:

Monday to Saturday

08.00 hours to 20.30 hours

At no time on Sundays or Public Holidays.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

05. APPROVAL CONDITION - Drainage Details [Pre-Occupation Condition]

The jet wash use of the outbuilding hereby approved shall not commence until details for the surface water drainage have been submitted and approved in writing by the Local Planning Authority. Such details should include measures to prevent discharge of grit and other chemicals. The drainage shall be full implemented in accordance with the agreed details before the use-recommences and retained as approved.

Reason:

To prevent surface water runoff from the use from polluting the watercourses and in the interest of the amenities of neighbouring occupiers.

06. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.