

TWC/2015/0196

Car Park, Chapel Street, Oakengates, Telford, Shropshire
Change of use of car park to hand car wash (Sui Generis)

APPLICANT

, Marewan Ahmad

RECEIVED

06/03/2015

PARISH

Oakengates

WARD

Oakengates and Ketley Bank, Ketley
and Oakengates

OFFICER Matthew Thomas

This application was considered by members of Planning Committee on Wednesday 3rd June 2015. Members deferred the application to allow for a site visit to be undertaken.

Since the application was presented to Planning Committee a number of issues have been explored and detailed below:

Ecology

Concerns were raised with regards to the presence of Japanese Knotweed on site and how this was to be addressed. The Council's Ecologist is unaware of Japanese Knotweed being present on site however has requested the following informative be included within the decision notice;

Japanese Knotweed Treatment

Japanese Knotweed is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to allow this species to be released into, or caused to grow, in the wild and landowners should not allow it to spread onto neighbouring land, although they may not be obliged to remove or treat them on their own land.

Treatment of Japanese Knotweed should be carried out by an experienced contractor and treatment may take several repeat visits and should be commenced as soon as possible to avoid delays to development timescales. Development cannot commence until the plant has been completely removed from the site.

Japanese Knotweed is classed as a controlled waste and should be disposed of by an experienced contractor to an approved waste site.

Water Supply

The applicant has since confirmed that the water supply will be taken from No.18 Market Street, Oakengates. The owner of this property is a family relation to the applicant. Water will be collected with portable plastic tanks and will be filled daily or as necessary. The used water will discharge into the existing drain on site via a new drainage channel and interceptor.

Underground cables

The Group Manager for the Council's Highways and Neighbourhood Management team has been made aware of the cable which has been laid crossing the site. It is their view that this cable is a water cable and not electric as initially thought. The Chapel Street highway is not adopted by the Council and therefore the Council's

Highways department are unable to enforce the depth of the cable crossing. This would be a private matter for the owners of the highway to pursue.

Conclusion & Recommendation

No further representations have been received. In light of the above information, officer's original recommendation to Planning Committee remains unchanged.

RECOMMENDATION

GRANT 12 MONTH TEMPORARY CONSENT subject to the following conditions:

- A04 Time limit – 12 month consent
- B079 Drainage – details of disposal for trade effluent
- C012 Parking areas to be laid out and appropriately surfaced before first use, and each space shall be maintained free of any impediment
- C38 Development in accordance with plan Nos.
- C074 Retention of trees
- D11 Hours of Operation
- D16 No external storage of any associated equipment.

Informatives

- I05 – Advertisement requires separate consent
- Ecology – Japanese Knotweed

OAKENGATES TOWN COUNCIL HAS REQUESTED THIS APPLICATION BE DETERMINED BY MEMBERS OF PLANNING COMMITTEE

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Impact on nearby Occupiers/character of area, Highways and Drainage

PROPOSAL

This full planning application seeks permission for the change of use of a private car park off Chapel Street in Oakengates to a hand car wash and valet facility. It is intended for the applicant to lease the site from the current owner and for the site to be in operation between 0900 hours to 1800 hours Monday to Saturday and 0900 hours and 1300 hours on Sundays.

A portable building is also to be erected on site which will be used as a customer waiting area and as secure storage for the washing and valeting equipment. It is proposed that there will be space for 4 cars to be washed and 4 cars to be valeted. A central area within the site will be kept clear for vehicle manoeuvring and access. The equipment to be used will include 1no. hand jet wash, 1no. hand wash spray and 1no. hand vacuum. No external equipment or fixtures are proposed. A new drainage channel is proposed at the lower edge of the car wash area to collect water run-off. This channel will discharge into a silt/oil interceptor and then into an existing drain.

A throughput of 5 vehicles per hour is anticipated and this operation will create 4-5 new jobs. No external signage is proposed.

SITE AND SURROUNDINGS

The application site consists of a small privately owned car park situated off Chapel Street within the centre of Oakengates. Chapel Street is a single width road which branches off from Lion Street, one of the main routes around the town centre. Chapel Street serves as an access to the rear of a number of neighbouring commercial units in Oakengates.

The site is bounded to the north and east by the rear of these commercial units and to the west is a nightclub. A dwarf brick wall lies along the southern boundary abutting the highway where there are also a couple of mature trees. The site is privately owned and managed. Previously the site has been used for access to the rear of the units on Oxford Street as well as for storage of containers.

SUMMARISED CONSULTATIONS

Standard consultation responses

Oakengates Town Council: Object

- Proposed scheme will block adequate access for deliveries to other businesses using the access road. The car wash will also be putting chemicals into a general drainage system. The power cables have already been installed, without the correct government regulatory depth requirements

Highways: Object subject to conditions

- The visibility splay needs to be 2.4m x 25m
- The traffic generated by the proposed development would be likely to result in a substantial increase in highway danger owing to increased use of the access which affords restricted visibility for drivers emerging from that access

Drainage: Support subject to conditions

- Any runoff produced by vehicle washing and cleaning activities should be classed as trade effluent. For this reason it should be disposed of to a foul water drainage system. If this is not available the effluent should either be stored in a sealed system for off-site removal as a liquid waste, or a new private foul system constructed to convey the waste to an existing foul outfall. Details on how this will be achieved should be submitted to and agreed in writing by the LPA and the agreed recommendations shall be implemented in full prior to the opening of this facility

Policy & Environment: No Comment

Shropshire Fire Service: No Comment

Neighbour consultation responses

Following neighbour consultation a single letter of objection was received from a neighbouring property raising the following summarised issues:

- Inadequate access to car park – single lane. Will result in vehicles queuing on the main highway causing congestion and increasing highway danger
- Air pollution from vehicles sitting and waiting to be cleaned in a built up area
- Insufficient drainage infrastructure to take water away
- Chapel Street is used by delivery vehicles since the 2 tonne weight limit was put on the High Street
- Could be detrimental for the vulnerable adult care home behind the Salvation Army as this road is the main access route in to town

RELEVANT HISTORY

None

RELEVANT POLICIES

National Guidance:

National Planning Policy Framework (NPPF)

Core Strategy:

CS2 Jobs

CS5 District & Local Centres in Telford

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

S17 Oakengates Secondary Zone

PLANNING CONSIDERATIONS

Planning Policy & Impact on nearby Occupiers

The National Planning Policy Framework (NPPF) encourages Local Planning Authorities to secure economic growth in order to create jobs, prosperity and to meet the development needs of businesses with a presumption in favour of sustainable development being at the forefront of decision making. The NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. At the same time, Local Planning Authorities are advised to consider the impact developments have on the character of the local area and existing amenities within.

At a local level, Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality. Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment.

Policy S17 of the Wrekin Local Plan recognises the need for mixed uses to assist in the creation of vibrancy within town centres. Whilst the proposed use isn't specifically listed it will add to the facilities on offer within Oakengates, supporting vitality thus allowing greater opportunities. The application site is situated within a central and sustainable location within the town centre. It is envisaged that

customers will be able to park here, have their vehicles valeted whilst visiting the town and its shops. This in turn will support local economy, one of the key aims of the National Planning Policy Framework.

The proposed development will include the change of use of a privately owned car park to a hand car wash and valet facility. Proposed hours of operation are between 0900 hours to 1800 hours Monday to Saturday and 0900 hours and 1300 hours on Sundays. A portable building will be required on site which will be used as a customer waiting area and as secure storage for the washing and valeting equipment. This facility will create 4 to 5 new jobs, complying with policy CS2 of the Core Strategy.

The noise levels associated with the type of use proposed are typically consistent throughout the times of operation with the use of power hoses and drying apparatus. Given that the site is abutted by commercial development with the nearest dwellings being set a reasonable distance away, it is not considered that the use of the land for a car wash would be sufficiently detrimental to the amenity of any dwellings to a level which would justify a refusal of permission, subject to the satisfactory control of the hours of use to be limited via a condition to daytime only, as applied for. Officers note the requirement for a portable building, and whilst not ideal, similar structures have previously been stored on site and the structure will only be temporary; furthermore the existing trees will provide some screening, and their retention can be controlled through condition.

Apart from the siting of a portable building, no other structures are proposed. As a result of the site being located in a prominent position, there are no proposals for advertisements. The trees standing on the front boundary will be retained and will help provide some natural screening. For the above reasons, officers are satisfied that the proposed development complies with policies UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

Highways

The Local Planning Authority (LPA) has considered the consultation response received by the Local Highways Authority (LHA) who confirmed that the existing visibility splay is substandard and that the traffic generated by the proposed development would be likely to result in an increase in highway danger owing to increased use of the access to the site. The LPA has a duty to ensure that development does not adversely affect highway safety. Whilst the comments from the LHA are noted; officers consider that this site has an existing access on to Lion Street and whilst the car park may not be heavily used at present, it does have the opportunity to be used more frequently, providing car parking spaces for up to 9 vehicles.

The site is restricted in size and will therefore be limited in the number of cars it can clean at once and an hourly throughput of only 4 to 5 cars is anticipated. The applicant has confirmed that one of the on-site car parking spaces will be reserved for one staff member only and other staff will park elsewhere within the town or use public transport. All other spaces will be for customers during operating hours only. With this in mind, and notwithstanding the comments received from the LHA, officers are minded to grant a temporary one year consent which will allow for monitoring of

the site. If, in 12 months' time, the monitoring shows that the operation is having an adverse impact on highway safety, the LPA will then have the opportunity not to renew the planning permission.

Drainage

With regards to the drainage of the site it is proposed for a new drainage channel to be installed at the lower edge of the car wash area to collect the water run-off. This channel will then discharge in to a silt/oil interceptor and then in to an existing drain. The Council's Drainage Engineers have confirmed that any run-off produced by vehicle cleaning activities should be classed as trade effluent and for this reason it should be disposed of to a foul water drainage system. If this is not available, the effluent should either be stored in a sealed system for off-site removal as a liquid waste or a new private foul system should be constructed to convey the waste to an existing foul outfall. An appropriate condition will be imposed to the decision notice requiring full details of the proposed drainage measures to be submitted to and approved in writing by the LPA prior to the opening of this facility.

Other matters and Conclusion

Officers have considered the objection received from a nearby neighbour. The issues raised predominantly related to the impact the development would have on highway safety and pollution. Issues relating to highway safety have already been discussed in this report, above. With regards to pollution, vehicles will not be kept running whilst being washed/valeted and the proposed use should not attract any greater amounts of pollution than its current use as a car park. No further representations were received.

The Local Planning Authority is satisfied that the proposed car wash facility will not have a significant adverse impact on neighbouring occupiers. To allow the Local Planning Authority to monitor the use of this site as a hand car wash facility, officers recommend this application be approved on a temporary basis for a 12 month period. If, following this time frame, the use is considered to be inappropriate; the LPA will not renew this consent.

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