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15/00977/FUL
36B Kingston Road, Staines-upon-Thames, TW18 4LN

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Planning Committee

16 December 2015



Application Nos.	15/00977/FUL		
Site Address	36B Kingston Road, Staines upon Thames		
Proposal	Installation of temporary car wash facility to Staines Tyres existing forecourt		
Applicant	Mr Darren Chapman		
Ward	Staines		
Call in details	Called in by Cllr Pinkerton because of concerns over contaminated water, drainage and parking/traffic generation.		
Application Dates	Valid: 06.10.2015	Expiry: 01.12.2015	Target: over 8 weeks
Officer	Kelly Walker		
Executive Summary	<p>The proposal is for the use of the existing forecourt of Staines Tyres for a temporary car wash facility. The proposal involves the erection of a screen to protect footpath users and white line markings on the ground to provide a waiting area, washing area and drying area for vehicles.</p> <p>The proposal is considered to be for a use which is comparable to existing uses at the site and is not considered to give rise to loss of amenity to neighbouring residential properties. It is considered to have an acceptable impact on highway safety/traffic generation, noise and disturbance, flooding/contamination. The applicant has sought a temporary consent and is recommended that permission is given for a two year period. This will enable the use to be monitored.</p>		
Recommended Decision	This application is recommended for approval for a temporary period of two years.		

MAIN REPORT

1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- EN1 (Design of New Development)
- EN11 (Noise and disturbance)
- CC3 (parking provision)
- LO1 (flooding)

2. Planning history

10/00903/FUL	Installation of temporary car wash facility	Refused 22.03.2011
33/34148/FUL	Continued use of building for motor cycle maintenance and tuning purposes for a motor cycle club.	Granted 10.12.1964

3. Description of Current Proposal

3.1 The site is located at the south western side of Kingston Road and is a rectangular plot occupied by a single storey building, and a large forecourt area in front, facing Kingston Road with a vehicular ingress and egress. The site is located within the urban area, close to the Staines Town Centre. To the north and west are the properties that form part of the Oast House Adult Education Centre, which is a listed building and is currently vacant. There is a carpark to the rear of the site which is accessed via the road to the north of the site from Kingston Road. To the south east are semi-detached residential dwellings at nos. 38-44 Kingston Road and other residential properties opposite. Although the surrounding area does have residential uses, it also has various other commercial uses including a dental practise opposite.

3.2 The current proposal relates to the use of the existing forecourt of the tyre centre to be used as a temporary car wash. The proposal will utilise the existing concrete forecourt and involve the removal of the existing external car lift, provide a screen to protect the adjacent footpath users from spray, white lines to indicate the waiting/ cleaning spaces and the re-use of the existing drainage. The applicants have submitted a design and access statement which provides details of drainage and waiting areas, and also a statement on flood risk. The process will involve a hand car wash using an industrial pressure washer. The applicant has requested a temporary permission and has not specified the length of time.

3.3 Background

In 2010 planning permission ref 10/00903/FUL, was refused for the same proposal. The only reason for refusal was as a result of an objection from the Environment Agency regarding insufficient information being submitted to demonstrate that the risk to pollution to controlled waters was acceptable. Appropriate information has been submitted with the current application. In terms of flooding highway safety and impact on amenity, the previous proposal was considered to be acceptable.

3.8 Copies of the proposed site layout are attached as an appendix.

4. Consultations

4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
County Highway Authority	No objection.
Environment Agency	No objection – recommend condition
Environmental Health Department (pollution)	No objection –recommends conditions.
Environmental Health Department (noise)	No objection –recommends conditions.
Thames Water	No objection

5. Public Consultation

There have been 3 letters of objection received raising the following points:-

- traffic generation
- drainage/contamination
- entry from road is a Bus Lane
- traffic will block driveway to residential properties, disabled people live nearby and need constant access in and out of driveway.
- noise and disturbance
- area looking unkempt

6. Planning Issues

- Principle of use
- Traffic generation and parking
- Impact on neighbouring properties (noise and disturbance)
- flooding/contamination/drainage

7. Planning Considerations

Principle of development – use

- 7.1 The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to *'contribute to the achievement of sustainable development'*, identifying the three elements of sustainable development as economic, social and environmental. It goes on to say that *'these roles should not be taken in isolation, because they are mutually dependant. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities'*. It explains further that one of the core planning principles is to *'proactively drive and support sustainable economic development to deliver homes, business and industrial units infrastructure and thriving local places that the country needs.'* .
- 7.2 The applicant's state that the site has been used as a car as a garage/vehicle rental depot for the past 30 years and cars have been washed in the past as part of this service. There are other commercial uses nearby and the site is within close proximity of the town centre. As such the proposal for the temporary car wash is a use which is considered to be comparable to existing/previous uses at the site and acceptable in principle subject to the matters below being satisfactorily addressed.

Traffic generation

- 7.3 The garage site already exists and is of limited size. The submitted plans show 3 spaces for waiting vehicles, 3 for cars being washed and also an additional 2 spaces for drying/finishing. The County Highway Authority (CHA) has raised no objection to the proposal on highway safety grounds but has recommended a number of conditions including the provision of drainage at the boundary of the site to prevent runoff onto the highway that could have highway safety issues and also the display of signage for vehicular entry and exit.
- 7.4 The proposal provides space for 7 vehicles to be parked compared with the 6 spaces in the previously refused scheme. (The previous scheme was not refused for highway reason). This should be sufficient to overcome any concerns in most cases. In addition it should be noted that the road is a busy highway into Staines Town Centre and is a bus lane, therefore access issues may already arise at peak times.
- 7.5 The CHA has stated that *'there would be no objection to vehicles waiting on the highway because there is sufficient width within the carriageway to allow for waiting vehicles and yet permit other vehicles to pass by freely on the carriageway.'* He goes on to note that this may lead to blocking of neighbouring accesses, however if someone is being prevented from accessing or leaving their property, this would be a police matter. Queuing is also likely to result across the footway and onto the bus lane. As such the CHA has requested that the applicants submit a plan with a sign stating no queuing across the footway or on the bus lane and a traffic management plan to actively enforce this, which will be imposed by condition. As noted there are 7 onsite parking spaces and it is not considered that the proposal will have a significant impact in terms of traffic generation. As indicated above, it should

also be noted that this issue was not a reason for refusal on the previous application.

- 7.6 The Environmental Health Officer has recommended a condition for signage to be positioned informing waiting customers to switch off their engines, to prevent exhaust emissions from impacting nearby residents.
- 7.7 The County Highway Authority have raised no objection to the proposal in terms of highway safety and parking provision and it conforms to policy CC3.

Impact on Neighbouring Properties

- 7.8 Policy EN11 of the CS & P DPD sets out the Councils general approach to minimising the adverse impact of noise by reducing noise levels from noise generating activities and requiring developments that generate unacceptable level of noise to include measures to reduce noise to an acceptable level.
- 7.9 The Councils Environmental Health Officer, in regards to noise, makes no objection to the proposal. The applicant has not stipulated any hours of operation, however it is considered that a condition restricting the hours of operation would help to restrict noise to socialable hours.
- 7.10 The Council's Environmental Health Officer notes that the application drawings show the car washing to take place in the centre of the site. She recommends a condition to ensure this is the case in the interest of amenity of the locality, in particular as it will keep this activity away from the boundary with the neighbouring residential property. The screen provided to the front of the site, adjacent to the footpath will ensure that spray does not impact on passers by using the footpath, which the CHA has welcomed.
- 7.11 As noted above, the site has previously been used as a garage/vehicle rental depot and in view of the previous use; it is not considered that there would be any undue noise and disturbance arising from the proposed use above and beyond that which could exist under the existing legitimate planning uses on the site. The recommended conditions for the hours of use will help to control time limits for the use and restrict it to socialable hours. A condition restricting the use to a temporary period of 2 years will also allow the use to be monitored.
- 7.12 It is considered that the application will have an acceptable impact on the amenity of neighbouring properties

Flooding/drainage/contamination

- 7.13 The site is located within the 1 in 100 flood zone and the Environment Agency (EA) have made no comment but referred the authority to their standing advice. The proposal is a 'less vulnerable use' and is considered to be acceptable on flooding grounds, conforming to policy LO1. No new buildings or hardstanding is proposed.
- 7.14 As previously noted the applicants have provided details of drainage and note that the existing forecourt and drainage will be used with no additional works required. They note that the drainage will comprise of the existing combined sewer which crosses the front forecourt, to which the existing gully is

connected. It is intended to add a further three gullies to the forecourt to ensure there is no standing water. These will be connected to the same drainage. The surfacing of the forecourt will be graded to provide falls to each of the gullies to allow the surface water to drain. The ground will be sealed below the site so that no wash can penetrate it.

- 7.15 The Environment Agency has confirmed that the site is located within a Groundwater Protection Zone (SPZ3). However they raise no objection to the proposal, but recommend a condition, and the EA state that, '*...as long as there are no changes to the hard standing and no ground penetration, the pollution risk can be adequately covered by condition.*' They also provide general advice on pollution prevention and land owner/occupiers responsibilities, which has been forwarded to the applicant.
- 7.16 Thames Water have advised that with regard to sewerage infrastructure capacity, they do not have any objection to the proposal and have provided information to the applicant which will be attached as an informative
- 7.17 As such the proposal is considered to overcome the previous reason for refusal and is acceptable from a ground contamination and flooding perspective, conforming to policy LO1. The application is recommended for approval.

8. Recommendation

GRANT planning permission subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans no. site location plan rec on 15.07.2015, plan no. 15-039/A3/SK003 P1 and 004 P1 rec on 16.10.2015.

Reason:-.For the avoidance of doubt and in the interest of proper planning.

2. That the premises are not used for the purposes hereby permitted before 08.00 or after 18.00 on Monday to Fridays or before 08.00 and 1300 on Saturdays and not on Sundays or Bank holidays.

Reason:- To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties in accordance with policies SP6, EN1 and EN11 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 3 The proposed development shall not be occupied until space has been provided within the forecourt for vehicles to enter and leave the site in forward gear in accordance with the approved plan numbered 15-039/A3/SK003 Rev P3, all to be permanently retained.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

4. The proposed development shall not be occupied until drainage has been provided in accordance with the approved plan numbered 15-039/A3/SK003 Rev P3, all to be permanently retained.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

5. Notwithstanding the submitted plans the development shall not be occupied until the eastern most access has been provided with an entry sign facing the highway (no exit facing the site) and the western most access has been provided with an exit sign facing the highway (no entry facing the site) in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

6. The development shall not be occupied until the eastern most access has been provided with a sign stating "No Parking Across the Footway or on the Bus Lane" and a traffic Management Document in accordance with a plan and accompanying traffic management document to be submitted to and approved in writing with the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009. Informative

7. Notwithstanding the submitted plans the development shall not be occupied until a sign requiring waiting cars to turn off engines, facing the highway in accordance with a plan to be submitted to and approved in writing with the Local Planning Authority is installed and maintained as such.

Reason: In the interest of the amenity of the locality.

8. All drainage from car washing activities shall go to foul sewer.

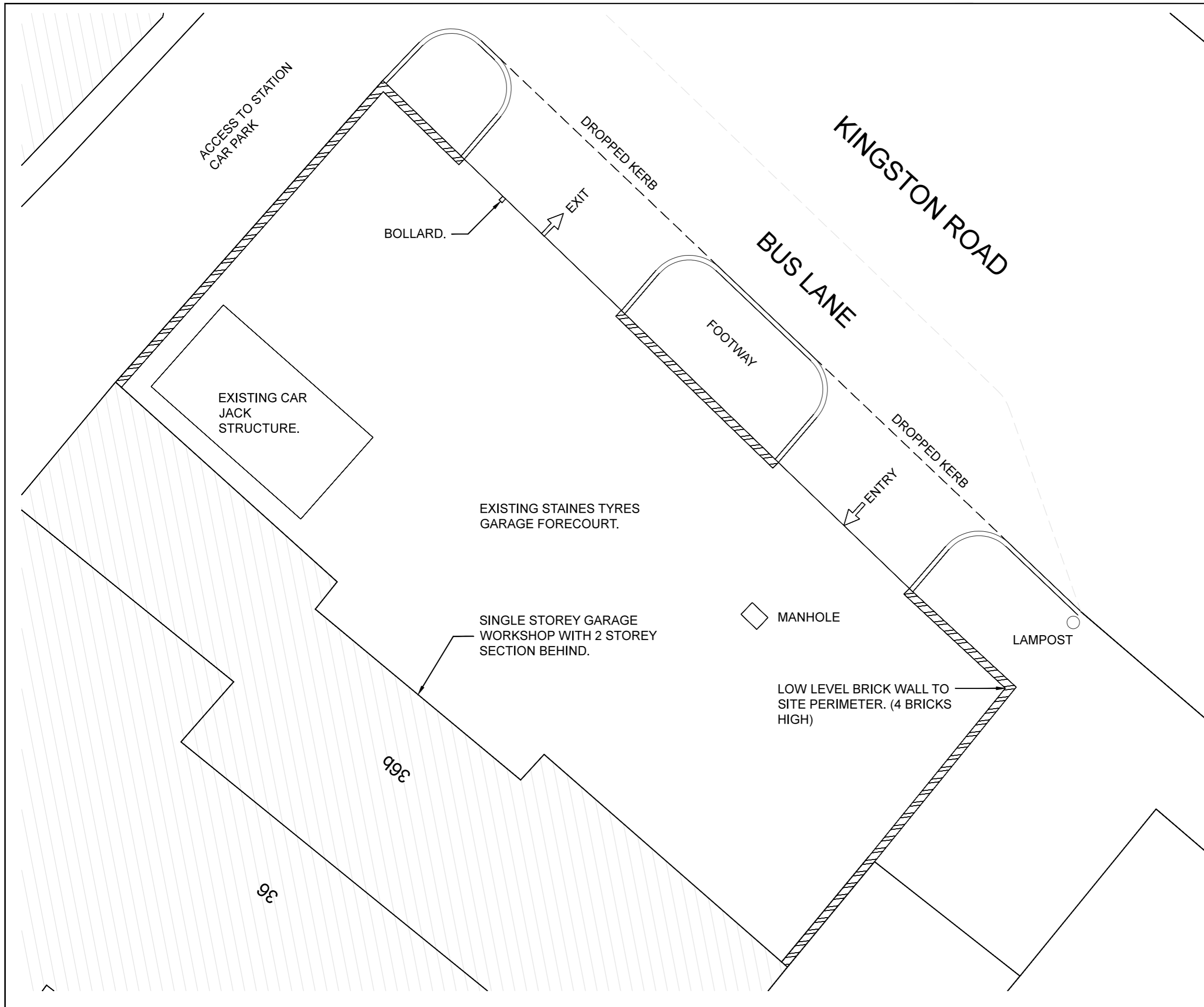
Reason: - National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

9. That this permission be for a limited period of 2 years only expiring on the 16.12.2017; when the use hereby permitted shall be discontinued and the works carried out under this permission removed and the land reinstated in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

Reason: - In the interest of the amenity of the area and to allow the use to be monitored


Informative

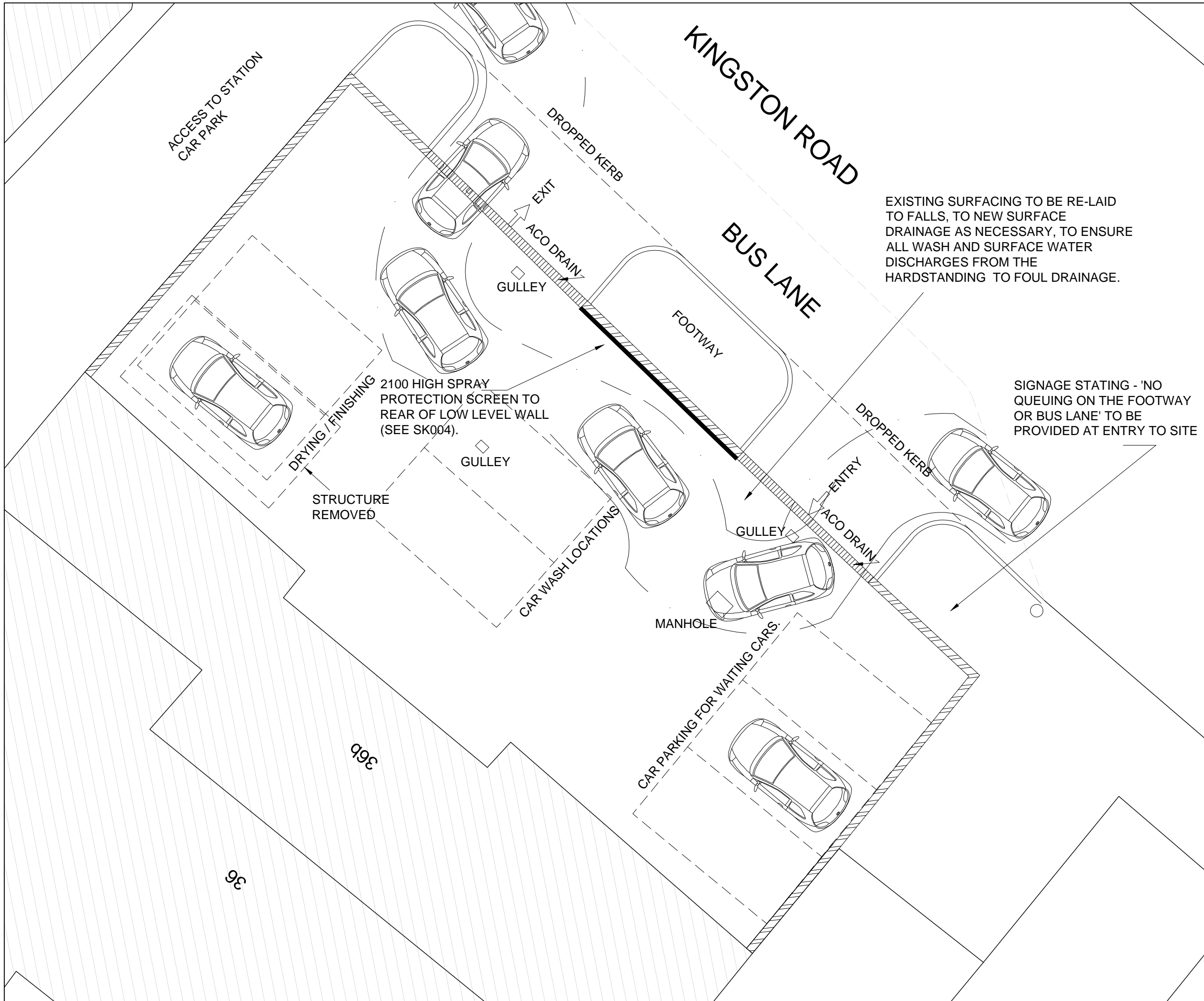
1. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
2. The developer is reminded that water shall be drained into a private foul water sewer and that there shall be no water from the site entering the highway.
3. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc., may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses



notes :

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rev	amendments	by	date
			
Client:			
Staines Tyres, Staines 36B Kingston Rd, Staines, TW18 4LN			
Project:			
Staines Tyres Proposed Temporary Car Wash			
Title:			
Existing Arrangement			
Drawing Status:	Date Created:	Drawing Scale:	
Planning	April 2015	1 : 100	
Drawing Number			Rev:
15-039 / A3 / SK002			-
Project Leader:	Drawn By:	Initial Review:	
DJD	DJC	DJD	



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P3	Updated further, following comments.	MM	02.12.15
P2	Car turning Radii Added.	MM	01.12.15
P1	Surfacing / drainage note added.	DC	20.08.15

rev	amendments	by	date
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Client:
Staines Tyres, Staines
36B Kingston Rd, Staines, TW18 4LN

Project:
Staines Tyres
Proposed Temporary Car Wash

Title:
Proposed Arrangement

Drawing Status: Planning	Date Created: April 2015	Drawing Scale: 1 : 100
Drawing Number 15-039 / A3 / SK003		Rev: P3
Project Leader: DJD	Drawn By: DJC	Initial Review: DJD