

Recommendation: Conditional approval	
20192171	1 Exploration Drive
Proposal:	Change of use of part of car park to car wash; construction of single storey detached building; construction of canopy; installation of security camera; installation of floodlights; alterations (Sui Generis)
Applicant:	Waves Valeting Services Ltd
View application and responses	https://planning.leicester.gov.uk/Planning/Display/20192171
Expiry Date:	7 January 2020
CH	WARD: Abbey



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Summary

- Brought to Committee due to number of objections.
- 14 objections from city addresses were received concerning noise pollution, air pollution, congestion and standing traffic and the number of car washes in the local area
- The main considerations are residential amenity, design, highways and drainage.
- The application is recommended for approval.

The Site

The application relates to the carpark of a supermarket.

The site is within a 250m buffer of a known air pollutant Renault Leicester and is within a GDO Landfill 250m Buffer. Parts of the site are at risk of Surface Flood (1 in 1000). The site is located close to Abbey Lane which is a Classified Road.

Background

There is a corresponding application (ref 20192172) for the installation of seven non-illuminated fascia signs and four freestanding signs to the car wash. This application is currently under consideration.

20111711 – Foodstore (Class A1) with petrol filling station, parking and landscaping and technology/innovation building (class B1b) with parking and landscaping (Conditional approval was granted 27/09/2011 – implemented).

The Proposal

The proposal is for the change of use of part of the car park to provide a hand carwash. The proposal also includes the construction of a single storey cabin to provide a reception and storage, the construction of a canopy, the installation of hardstanding and associated drainage to serve the car wash and the installation of a security camera and floodlights.

The application states that the car wash will provide employment for four full-time and four part-time members of staff. The proposed hours of use are 08:30-17:30 Monday to Saturday and 10:00-16:00 on Sundays and Bank Holidays. These hours of use are within the hours of use of the supermarket.

Policy Considerations

National Planning Policy Framework (NPPF) 2019

Paragraphs 2 and 11 (Presumption in favour of sustainable development)

Paragraphs 108 and 109 (Highways)

Paragraphs 127 and 130 (Good Design)

Paragraph 163 (Sustainable Drainage)

Development Plan policies

Development plan policies relevant to this application are listed at the end of this report.

Supplementary Planning Documents (SPD)

Appendix 01 – City of Leicester Local Plan

Consultations

Pollution (Noise) – Recommends the following condition should be attached: ‘No machinery shall be installed or operated nor shall any processes be undertaken which are detrimental to the amenity of the area by reason of noise, in the interests of the amenities of nearby occupiers’

Pollution (Contamination) – Recommends the following conditions: ‘Petrol/Oil Interceptor be Provided’ and ‘tanks to be bunded’

Local Highways Authority – No objections
Air Quality – No objections

Representations

Objections have been received from 14 separate City addresses, the concerns are:

- The area is already heavily polluted and congested.
- There are already 3 car washes in the nearby area.
- The car park is crowded at peak times and slow moving traffic causes air pollution and is a health risk.
- The car wash will increase the amount of standing traffic while people wait to have their cars washed.
- The products used in the car wash will pollute nearby gardens.
- The hours of the supermarket mean there is no respite from pollution during the day time.
- Litter as a result of the supermarket.
- Light and noise pollution caused by the store and the illuminated ASDA advertisement.
- The store attracts cars late at night as the barriers are not put down, we do not want anymore vehicles to be attracted to the site for illicit purposes.

Consideration

Principle of development

The proposed development is considered to be acceptable in principle, as it is located within an existing shopping area on the ground of an ASDA supermarket.

The main issues in this case are: the impact on residential amenity; the character and design; highways; and drainage.

Residential amenity

Residential properties are within close proximity to the site, along Ariana Place and Swithland Avenue. An acoustic report was submitted, including typical noise levels of car washing facilities, based on other sites. The location of the wet area is furthest away from the residential properties and the office and screens are considered to act as acoustic barriers. The noise level of the proposal is considered to be below the existing noise levels of the traffic in and around the site. I therefore consider there to be minimal impact in relation to noise to the adjacent residential properties. It is unlikely that the proposed car wash facilities would have a detrimental impact on the light, outlook and privacy to these properties.

I conclude that the proposal would comply with Policy CS03 of the Core Strategy (2014) and would not conflict with saved Policy PS10 of the Local Plan (2006), and is acceptable in terms of the privacy and amenity of the neighbouring occupiers.

Character & Design

The size of the proposal is considered to be appropriate in relation to the neighbouring ASDA supermarket and would not appear dominating in the street scene. The proposed cabin would measure 2.4m in width by 4.8m in length with a height of 2.5m.

The materials proposed are suitable for the use of the development. On balance the proposal is considered to be acceptable in design and would be unlikely to cause significant visual harm within the local area.

I conclude that the proposal would comply with Policy CS03 of the Core Strategy (2014) and would not conflict with saved Policy PS10 of the Local Plan (2006), and is acceptable in terms of the character and appearance of the area.

Highways and Parking

The proposed development takes up 14 existing parking spaces of the ASDA car park, reducing the parking capacity from 225 to 211 spaces. The proposed use is unlikely of itself to generate trips in numbers that will have a noticeable impact on the local highway network. The number of lost spaces is relatively small and unlikely to create problems.

I conclude that the proposal would comply with Policy CS15 of the Core Strategy (2014) and with saved Policy AM12 of the Local Plan (2006), and is acceptable in terms of parking.

Drainage

The use of the site as a car wash could result in contaminated water from the washing of cars needing to be discharged from the site. The site is served by a surface water sewer and a public foul sewer. A drainage plan has been submitted in the application, including the foul and surface water systems, the connections to the public sewer system and flow control devices. The details provided are considered to be sufficient and the proposal is considered to be acceptable in relation to drainage considerations. I conclude that the proposal would not conflict with Policy CS02 of the Core Strategy (2014) and is acceptable in terms of sustainable drainage.

Conclusion

The proposed development is considered to have an acceptable relationship with the adjacent buildings and would be unlikely to cause detrimental visual harm on the character of the local area, complying with Core Strategy Policy CS03. There is considered to be minimal harm in relation to residential amenity, complying with saved policy PS10, and minimal harm to highway safety. Drainage details submitted are considered to be acceptable.

I therefore recommend that the application be APPROVED subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. Provision shall be made at the time of development for surface water drainage from the car park to pass through a petrol/oil interceptor, details of which shall

have been agreed in writing with the City Council as local planning authority. (To minimise the risk of pollution of drains and watercourses.)

3. Any above-ground chemical tanks shall be bunded, in accordance with details to be agreed in writing with the City Council as local planning authority, before they are brought into use. (To prevent pollution through loss or spillage of contents.)
4. No machinery shall be installed or operated nor shall any processes be undertaken which are detrimental to the amenity of the area by reason of noise, in the interests of the amenities of nearby occupiers
5. This consent shall relate solely to the submitted plans ref. no. ## received by the City Council as local planning authority on ##. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019.

Policies relating to this recommendation

- 2006_AM12 Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
- 2014_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
- 2014_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
- 2014_CS02 Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.