

Unrestricted Report

ITEM NO: 5

Application No.
20/00627/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
8 September 2020

Target Decision Date:
3 November 2020

**Jemca Toyota Bracknell John Nike Way Binfield
Bracknell Berkshire RG12 8TN**

Proposal: **Structure for vehicle washing and valeting, including related drainage**

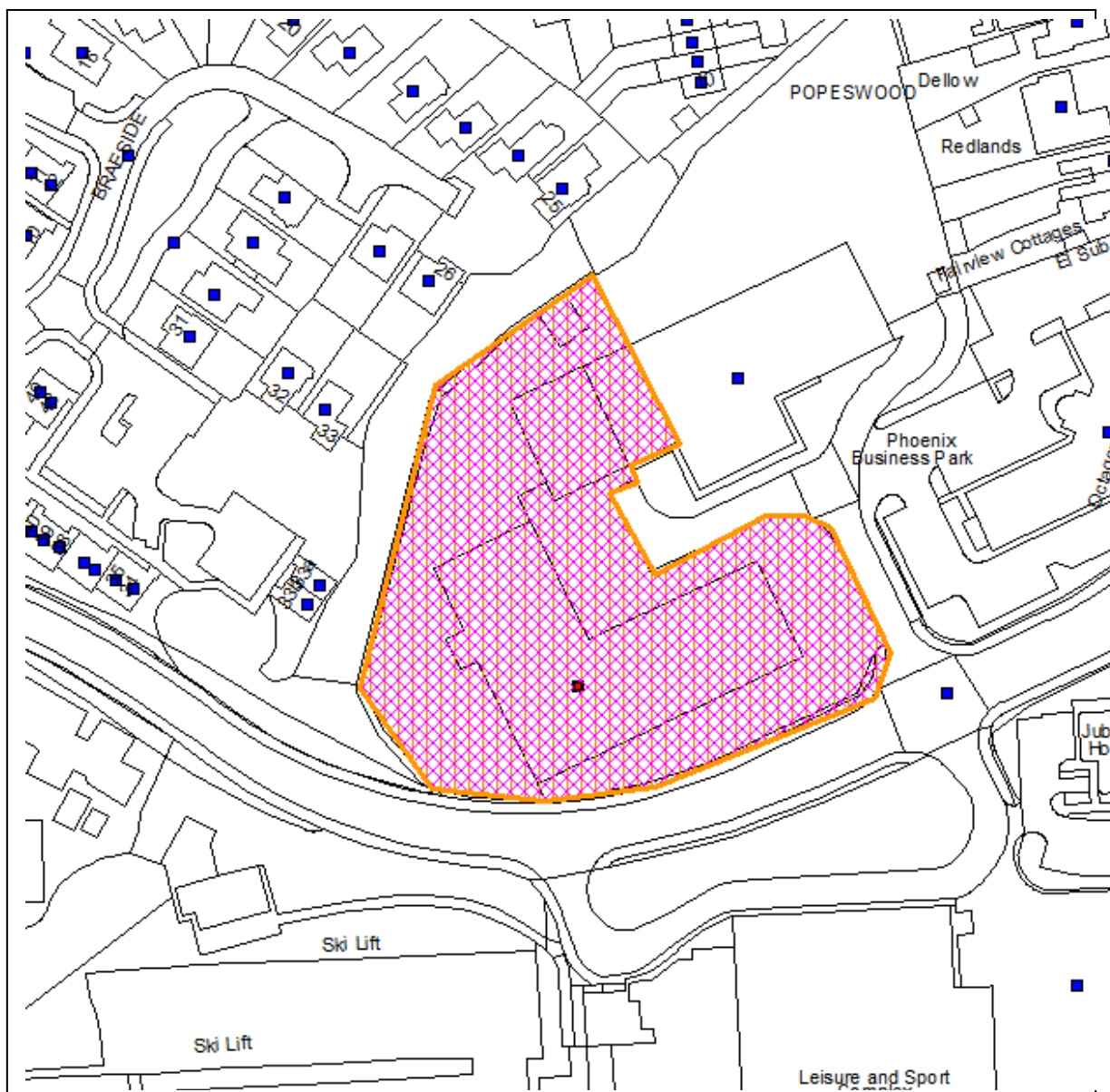
Applicant: Mr Bavinder Jagdev

Agent: Mr Tim Waller

Case Officer: Olivia Jones, 01344 352000

Development.control@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1. SUMMARY

- 1.1 Planning permission is sought for the erection of a covered structure to provide car washing and valeting services within the car park of Jemca Toyota. This application is retrospective.
- 1.2 The development relates to a site within the settlement boundary and is therefore acceptable in principle. The scheme is not considered to adversely impact upon the character and appearance of the surrounding area, or the residential amenities of neighbouring occupiers. There is not considered to be an adverse impact on highway safety or drainage.

RECOMMENDATION

Planning Permission be granted subject to the conditions in Section 11 of this report.
--

2. REASON FOR REPORTING APPLICATION TO THE PLANNING COMMITTEE

- 2.1 The application is being reported to the Planning Committee as it has received more than 5 objections and is recommended for approval.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within a defined settlement boundary

- 3.1 The structure is located within the car park of Jemca Toyota, a car dealership accessed from John Nike Way. The structure is located to the north of the site, separated from the residential street Braeside by a strip of vegetation.

4. RELEVANT SITE HISTORY

- 4.1 The relevant planning permissions relating to the site are as follows:

608991

Outline Application for the demolition of existing buildings and erection of new buildings to house the existing building merchants, builders yard and haulage and plant depot.

Appeal Allowed 1985

614309

Erection of 3 single storey buildings comprising of 4180 sq.m floorspace to house existing builders merchants yard, haulage depot and plant depot. Demolition of existing workshop.

Approved 1989

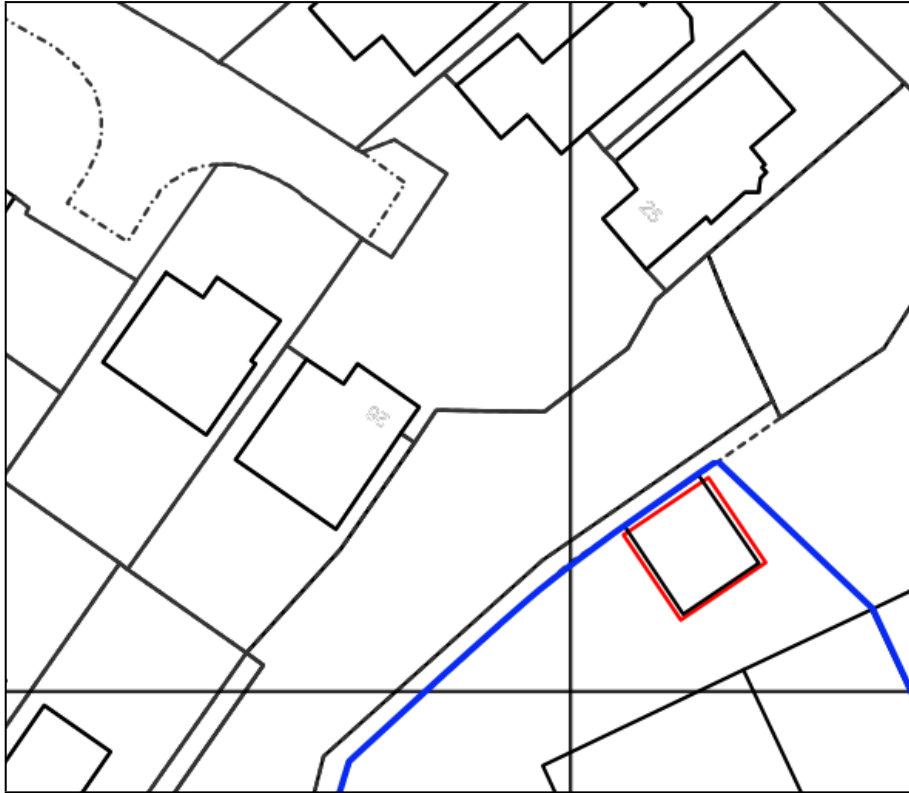
03/00948/FUL

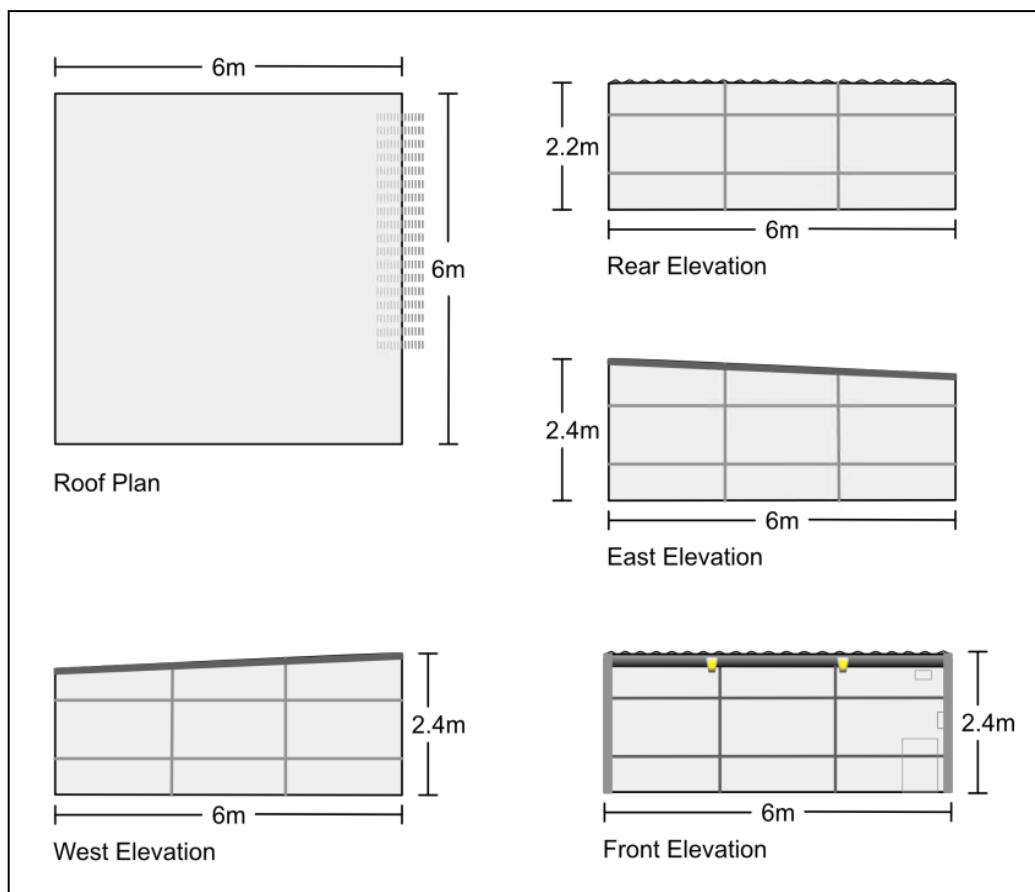
Application for entrance way amendment and revised external treatment.

Approved 2003

5. THE PROPOSAL

- 5.1 The structure is a single storey covered canopy, measuring 6 metres x 6 metres, with a maximum height of 2.4 metres. The structure is used for the washing and valeting of cars in association with the Jemca Toyota dealership.





6. REPRESENTATIONS RECEIVED

Binfield Parish Council

6.1 Object on the following grounds:

- (i) This is an unneighbourly development and is causing significant interruption to the quiet enjoyment of nearby residents' properties
- (ii) Retrospective planning applications are inappropriate and businesses should know better than to start operations without appropriate permissions in place.

Other Representations

6.2 Letters of objection were received from the occupiers of ten neighbouring dwellings raising the following concerns:

- (i) Noise and disruption
- (ii) Pollution from car fumes and dirt/dust

7. SUMMARY OF CONSULTATION RESPONSES

Environmental Health Officer

7.1 No objection

Drainage Officer

7.2 No objection

Highway Authority

7.3 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

8.1 The key policies and guidance applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent (except for CP1 of SALP which is not wholly consistent)
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP, BF1 of the Binfield Neighbourhood Plan	Consistent
Residential Amenity	Saved policies EN20 and EN25 of BFBLP, BF1 of the Binfield Neighbourhood Plan	Consistent
Parking & Transport	Saved policy M9 of BFBLP, CS23 of CSDPD	Consistent
Drainage	CS1 of the CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Design SPD		
Other publications		
National Planning Policy Framework (NPPF) 2021 and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on character and appearance of surrounding area
- iii. Impact on residential amenity
- iv. Drainage
- v. Highway safety

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.

9.3 The site is adjacent to a residential area and within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers, upon the character and appearance of the area, highway safety, drainage etc.

ii. Impact on Character and Appearance of Surrounding Area

9.4 CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development

should be in sympathy with the appearance and character of the local area. It further states that the design of the development should promote local character and a sense of local identity. Policy BF1 of the Binfield Neighbourhood Plan states that all infill and backland development will reflect the scale, mass, height and form of neighbouring properties.

- 9.5 The structure under consideration is located to the northern part of the site, behind the main building when viewed from John Nike Way. As such, the structure is screened from views from this highway.
- 9.6 The structure is located south of the boundary with Braeside, a residential street. The structure has a maximum height of 2.4 metres and is located on land lower than Braeside which reduces the impact of the structure on the streetscene. In addition, the boundary of the site is lined with vegetation providing screening from the highway. As such, it is not considered that the structure is unduly prominent from public views on Braeside. Any private views of the structure from the surrounding dwellings would not be a material planning consideration and therefore cannot be considered.
- 9.7 It is therefore considered that the development does not result in an adverse impact on the character and appearance of the area and would be in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iii. Impact on Residential Amenity

- 9.8 'Saved' policy EN20 of the BFBLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. 'Saved' policy EN25 of the BFBLP states that development is not permitted which generates unacceptable levels of noise or other pollution. Paragraph 130 of the NPPF states that the Local Planning Authority should ensure high quality amenity for all existing and future users. Policy BF1 of the Binfield Neighbourhood Plan states that all infill and backland development should protect the amenity of neighbours.
- 9.9 The application site consists of a car dealership. As such, the car park can be used for the washing and valeting of cars for the purposes of running the dealership without the need for planning permission. Therefore, the fall back position for the applicant is to perform car washing and valeting in the same place as the proposed structure, but without any canopy or other building/structure.
- 9.10 Since the planning application was submitted the applicant has made the following improvements to the structure:
- Replacement of the original steam cleaner with a lower pressure steam cleaner which generates less noise
 - Reduction on cleaning hours, to no later than 5pm.
- Neighbouring properties were reconsulted once these improvements were undertaken, and only one response was received maintaining concerns regarding the scheme.
- 9.11 The applicant has submitted a noise survey based on the current situation (taking into account the improvements listed above) which includes recommendations for methods to limit noise escaping from the structure. These consist of:
- Introducing a layer of insulated panel
 - Sealing all gaps between wall panels, roof and upright structural elements

9.12 The noise survey concludes that there is a small worsening on noise levels impacting local residents compared with that without the car washing facility of +1dB rating level above background. The Council's Environmental Health Officer has reviewed the noise survey, and is satisfied that, subject to the noise limitation methods proposed, and a limit on the hours of operation, the scheme is not considered to have a significant adverse impact on residential amenity.

9.13 Subject to conditions limiting hours of operation and the implementation of the mitigation methods proposed, it is considered that the submitted scheme does not result in a significant increased impact on residential amenity, in particular taking into account the fall back position of undertaking the car washing and valeting in the same location without a covering structure.

iv. Drainage

9.14 CSDPD Policy CS1 states that development shall protect and enhance the quality of natural resources including water. This is consistent with the NPPF paragraphs 167 and 165 which state that decision makers should ensure flood risk is not increased elsewhere when determining planning applications, and that, where appropriate, applications should be supported by flood risk assessments and incorporate sustainable drainage systems (SuDS).

9.15 The application submitted includes a plan setting out details of drainage for the scheme. This has been reviewed by the Council's Drainage Officer who is satisfied the development does not result in an adverse impact on the drainage infrastructure or result in unacceptable surface water flooding.

v. Highway Safety

9.16 'Saved' policy M9 of the BFBLP ensures that development provides satisfactory parking provision. A further material consideration for parking provision is provided in Bracknell Forest Council's adopted Parking Standards SPD. The NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.17 The structure is located in the rear part of the development within an area used for operational purposes in connection with the car dealership. The Highway Authority has reviewed the scheme and, subject to the structure being used by Jemca Toyota as part of their existing use, do not consider that any noticeable impact would occur over the day to day operations of the site. If a third party were to use the building this would likely require separate access and parking, and therefore it is recommended that the structure is retained by condition to be ancillary to the main use.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle due to being located within the settlement boundary. It does not result in any unacceptable adverse impact on the character and appearance of the surrounding area, drainage or highway safety, nor would the development result in a detrimental impact on the residential amenity of the neighbouring properties or future occupiers. It is therefore considered that the proposed development complies with 'Saved' policies of the BFBLP and Policies of the CSDPD, the Binfield Neighbourhood Plan and the NPPF (2021).

11. RECOMMENDATION

11.1 That the application be **APPROVED** subject to the following conditions amended, added to or deleted as necessary:

01. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents:

Site Location Plan - Received 08.09.20
Site Plan - Received 08.09.20
Drainage Details - Received 08.09.20
Roof Plan and Elevations (002/A) - Received 08.09.20
Karcher Washer Specifications - Received 17.03.22
Activity Noise Assessment - Received 08.07.22

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

02. The operating hours of the structure hereby permitted shall be limited to the following times:

08:00 – 17:00 Monday to Friday
09:00 – 17:00 Saturday
And no operation at any time on Sundays or public holidays.

REASON: In the interests of the amenity of residents.

[Relevant plans and policies: BFBLP EN20, CSDPD CS7]

03. The structure hereby permitted shall only be used in an ancillary capacity to the car dealership known as Jemca Toyota.

REASON: An independent use would require additional parking and access.

04. Within one month of the date of this permission the noise control measures set out in activity noise assessment (Syntegra, June 2022, ref: 22-9315 rev A), submitted with the application, shall be implemented and maintained as such. Vehicle cleaning shall only take place within the bay structure hereby permitted.

REASON: To protect occupiers of nearby premises from noise

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

1. Approved Plans
2. Operating Hours
3. Ancillary Use
4. Noise Control Measures