
Site Address:	181-183 Havant Road, Hayling Island, PO11 0LG		
Proposal:	Change of use of car wash to ancillary A1, single storey extension to north elevation, external alterations to existing and extended unit, installation of 3No. air conditioning condenser units to rear of converted unit and provision of 4No. new car parking spaces.		
Application No:	APP/17/00420	Expiry Date:	02/08/2017
Applicant:	Euro Garages Limited		
Agent:	Mr McLeod	Case Officer:	Rachael McMurray
	Walsingham Planning		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located on the western side of Havant Road on Hayling Island and forms parts of a petrol filling station development. It is the former car wash which has not been in use for some time. The petrol station and associated shop are still in use. To the west and north of the site is a dense planting area. To the west of the planting area is also a car park which serves users of the coastal trail which runs along the western side of the island. There is residential development to the south and east of the site.

2 Planning History

90/53358/002 - O/A for erection of 5 bedroom chalet style dwelling house., PERM,
99/53358/005 - Installation of Automatic Telling Machine to front of shop,
PERM,22/09/1999
99/53358/006 - Crown raise and deadwood an Oak tree (T1) subject to TPO 1167,
PERM,26/11/1999
97/53358/004 - Internally illuminated sign., INV,19/03/1998
95/53358/003 - Retention of 1.2m diameter satellite dish on roof of service station
building., PERM,10/03/1995
05/53358/008 - Installation of roof and acoustic doors and side panels to existing car
wash., PERM,22/04/2005
05/53358/007 - Display of non illuminated fascia signs to the entrance and exit of car
wash, 3 standing non illuminated signs to the north and south of the car wash and 1
static illuminated fascia sign to the car wash., PERM,29/04/2005
06/53358/010 - Display of 17 No. illuminated and non-illuminated wall mounted signs,
fascia signs, totem signs and free standing directional signs., WD,01/02/2007
06/53358/009 - Demolition of existing site structures and erection of new sales
building, forecourt canopy, car wash building plus garage storage box & plant room.
Also 2No. new 60,000 litre underground fuel storage tanks to replace existing, plus
other associated forecourt works. Boundary treatment and 18m high palisade fencing
to rear of sales building., WD,01/02/2007
07/53358/011 - Demolition of existing service station; replace with new sales building,
underground tanks, canopy, car wash and other associated forecourt items.,
WD,17/01/2008
08/53358/012 - Height reduction of 20% Leylandii (Group 1) subject to TPO 1886.

(Unconfirmed.) , PERM,05/06/2008

08/53358/013 - Installation of freestanding ATM cash machine., PERM,11/09/2008

APP/13/00536 - Display of 1No. illuminated free standing double sided totem sign., PERM,23/07/2013

GEN/13/01008 - History check, ,18/11/2013 14:29:52

APP/15/00056 - Display of 16 No. forecourt signs, comprising 2 No.externally illuminated breaking wave signs; 2 No. externally illuminated blade signs; and non illuminated signs comprising 2 No. koala signs; 8 No. pump number signs and 2 No. end cap signs., PERM,26/02/2015

APP/16/00437 - Retention of ATM and 2No. steel anti ramraid bollards in front of ATM installation. (Retrospective), PERM,28/07/2016

APP/16/00438 - Display of 1No. ATM with black bezel surround and white illuminated lettering 'Free Cash Withdrawals' on black background. Blue LED halo illumination to ATM surround. (Retrospective), PERM,28/07/2016

3 Proposal

Change of use of car wash to ancillary A1, single storey extension to north elevation, external alterations to existing and extended unit, installation of 3No. air conditioning condenser units to rear of converted unit and provision of 4No. new car parking spaces. The unit formed will be occupied by Greggs. The unit would be finished with clad panelling and will be fitted with a grey framed and glazed automatic sliding floors on the eastern elevation. There would be no internal seating within the unit.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

CS16 (High Quality Design)

DM10 (Pollution)

DM14 (Car and Cycle Parking on Development (excluding residential))

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Initial response:

Having looked at the application I would require further information for the justification for the removal of the Oak tree.

With regard to the line of Cypress – reducing these trees in height will

dramatically impact on the street-scene; following recent (unauthorised) tree removal on site and combined with subsequent storm damage to the remaining trees it would be more practical to remove these trees and submit a new planting plan for the site.

A new planting plan will offer sustainability to the area in terms of tree cover and offering a screen between the site and the adjacent SSSI.

Officer Note - an amended tree report and updated planting plan were submitted on 23/8/17 however, whilst the tree report which justifies the loss of the oak tree and line of conifers is now acceptable, the proposed planting plan is not as it does not take into account for the previously unauthorised tree removal and there is no mitigation for those trees. A further updated planting plan was submitted on 15/9/17. The Tree Officer advised the following response:

'No objection to the application - the new planting scheme appears to be well thought out and appears acceptable'.

Coastal Engineering

Thank you for your consultation on the above application, I apologise for the delay in getting this response to you.

I can confirm that the Eastern Solent Coastal Partnership (ESCP) have no objection to the proposed development. The site is shown to lie within the Environment Agency's Flood Zone 3, and is therefore at risk of experiencing a 1:200 year (0.5% annual probability) extreme tidal flood event. For information, the 1:200 year extreme tidal for Langstone Harbour is 3.3mAOD, increasing to a predicted 4.4mAOD by the year 2115, due to the effects of climate change.

The applicant has submitted a Flood Risk Assessment (FRA) compiled by Campbell Reith Consulting Engineers, which sufficiently demonstrates how flood risk at the site will be mitigated. As stated by the FRA, the existing ground levels of the area of the site proposed for the construction of a Greggs bakery range from 2.70mAOD to 2.78mAOD. Whilst these levels are below the present day 1:200 year extreme tidal level for Langstone Harbour, the finished floor levels of the development will be set no lower than the existing shop floor levels. In addition, the FRA states that flood resistant and resilient construction techniques will be utilised.

Furthermore, the FRA proposes that all staff members working at the site will sign up to the Environment Agency's Floodline Warnings Direct service to ensure that adequate warning is received prior to an extreme tidal flood event. It is worth noting however, that this service has now moved as part of the Government's Flood Information Service.

Developer Services, Southern Water

No response provided.

Economic Development - Retail and Town Centres

Economic Development raise no objections to this proposal

Engineering Services, Havant Council

As the site of the development is already impermeable, there will be no significant drainage as a result of the proposed development

Environmental Health Manager, Community Group

From an air quality perspective, the siting of the Greggs store at the petrol filling station is likely to increase opportunities for linked / combined trips, and is likely to be frequented by pass-by trips from vehicles already on the road network. The net traffic increase is considered likely to be negligible, and the co-location of these retail uses is considered to be compatible with Policy DM11.

Localised Highway safety / congestion issues are another matter, but given position of access egress roads, visibility splays are good, and it is not considered likely that an excessive increase in queuing is likely to result from the addition of an ancillary use, and the additional turning movements associated with southbound pass-by traffic making use of the 'food-to-go' outlet. I have no adverse comments to make on air quality grounds.

In terms of potential contamination a condition is advised:

In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,

2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;

3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved. Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development, OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: *Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and the National Planning Policy Framework, there is a potential for contamination to exist at the site could pose a risk to sensitive off-site receptors (particularly the ecology of the protected harbour habitats)"*

Hampshire Highways

Refer to HBC Development Engineer

Highways Engineer, Development Engineer

The Highway Authority have no adverse comment to this application.

Langstone Harbour Board

No objections

Natural England Government Team

No objections

Traffic Management, HBC

No objections

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 8

Number of site notices: A1

Statutory advertisement: Not applicable.

Number of representations received: 4no. objections received against the application which are summarised below:

Comment	Officer Comment
Additional traffic, noise, litter causing disturbance to residential homes located nearby.	Please see Section 7 - Planning Considerations
Increased traffic - The traffic that builds outside our property as a result of people turning into the petrol station to buy fuel/visit the shop will increase with the siting of an additional retail outlet.	Please see Section 7 - Planning Considerations
It may cause traffic accidents.	Please see Section 7 - Planning Considerations
Potential harmful smells from the new retail outlet cooking a number of hot food items will become unpleasant and not something that we would welcome.	Please see Section 7 - Planning Considerations
Signage - There is already a large amount of illuminated signage present at the garage. We object to further illuminated signage being present as this will impact the view from our	Please see Section 7 - Planning Considerations

property along with increased amount of glare into our property. We are considerably disappointed to see that there has already been removal of a number of high trees to the rear of the existing car wash site without any planning permission. Removal of these trees has had considerable impact on the view from the Billy Trail towards the garage as well as from the road towards the Billy Trail. The Billy Trail is an area of natural beauty which attracts not only human visitors but also a large proportion of wildlife to the area. The proposal of the new retail unit and parking spaces will also impact the wildlife that visits in relation to noise, litter and destroying part of the habitat.	Please see Section 7 - Planning Considerations
Impact on parking - Garage customers already park on the grass verge in front of our property - this has caused significant damage to the turf and exposed manhole covers. This would only increase as the number of proposed parking spaces would be inadequate, and also south-bound traffic is likely to park on the verge rather than turn across the north-bound traffic into the Garage site.	Please see Section 7 - Planning Considerations
A higher level of foot traffic to the fuel station would result in more serious injuries or fatality. Especially as the fuel station is in walking distance from a bus stop regularly used by children to and from school. Environmental damage Before an application had been submitted, removal of trees took place in spring results in wildlife habitats being destroyed during breeding season. Trees that are visible from the Hayling Billy which is classified as a nature reserve and area of beauty. The trees should be replaced to maintain wildlife. Litter	Please see Section 7 - Planning Considerations Please see Section 7 - Planning Considerations

The fuel station already creates high levels of litter with in the area and residents gardens. The purposed retail unit would increase the surrounding issue as 'faster' food facilities would increase non recyclable material. It should already be the responsibility of the fuel station to maintain its facility and surrounding areas.	Please see Section 7 - Planning Considerations
Loss of privacy from the increase of custom to the fuel station would allow surrounding residents properties to be over looked reducing the privacy they have with on their own home.	Please see Section 7 - Planning Considerations
The associated fast food facilities would increase the already current problem of rats and other pests associated to the fuel station.	Please see Section 7 - Planning Considerations

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Impact on trees
- (v) Parking and Highway considerations

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

The existing car wash has not been in use for some time and is fenced off, resulting in an adverse impact to the visual impression of the site within the wider streetscene. The proposal to convert this and improve the appearance is welcomed. The height would only increase by 0.47m. The materials would include panelling (colour yet to be determined but would be subject to a condition) and aluminium doors. Overall the proposed design would be a low key and sensitive to its location, with the coastline and SSSI being close by.

(iii) Impact upon residential amenity

Several concerns have been raised with regards to litter and noise pollution arising from the use of the car wash as a Greggs outlet. In terms of litter there is no evidence to suggest that this would increase and it could be conditioned that a bin is provided

outside of the unit. As the unit does not contain any internal seating, it is likely that customers would return to their car with purchases, rather than consuming these on the forecourt. With regards to the potential for rodents, so long as food safety standards are adhered to, there is no evidence to suggest this would occur and this would not be a planning consideration. With regards to the potential for smells, it is unlikely that this would be harmful as the range of food being sold can be limited to baked goods only unless otherwise agreed by the planning authority. Furthermore, there would be no need for any associated extraction equipment.

(iv) Impact on trees

Prior to the submission of the application, unauthorised tree removal took place on the site with the removal of a line of conifer trees on the western boundary of the site. The Tree Officer therefore considers that this application could further enhance that unfortunate situation with replacement tree planting. The proposal also includes the removal of an oak tree to the NW of the existing petrol station shop. This has been justified within the amended Tree report and the Council's Tree Officer is now satisfied that this is acceptable. The proposed planting scheme is also considered to be acceptable and would be secured by condition.

(v) Parking and Highway considerations

Concerns have been raised with regards to the potential for additional traffic queuing to get into the petrol station to visit the unit in terms of disturbance and also the potential for causing traffic accidents. Both the Council's Development Engineer and Traffic Team have been consulted and have not raised any objections to the proposal. The forecourt previously included 3no parking spaces to the west of the shop however, this proposal would provide a further 4no spaces at the south of the site which is currently a grass verge.

8 Conclusion

Whilst it is noted that there are several concerns with regards to the proposal, the majority of these could be mitigated against with the provision of a bin and a restriction of what can be cooked within the unit. With regards to the other concerns, the relevant consultee responses have not raised any issues and therefore it would be unreasonable to refuse the application. Furthermore it would have the benefit of providing local jobs and also improving the visual appearance of the site. The application is therefore recommended for permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00420 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed floor plan - DN: FREG/S3xxx/01BP
Planting Plan - 01 Rev B
Flood Risk Assessment
Arboricultural Impact Assessment and Method Statement - received on 23rd August 2017
Location plan - existing and proposed DN: PLN056.01.A3.AL
Existing and proposed floor plans - DN: PLN056.02.A2.AL

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,

2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;

3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development,

EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,

OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and the National Planning Policy Framework, there is a potential for contamination to exist at the site could pose a risk to sensitive off-site receptors (particularly the ecology of the protected harbour habitats)"

- 5 The development shall be carried out in strict accordance with the Arboricultural Report and Method Statement received on 23 August 2017

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, DM8 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The premises shall only be open for trade or business between the hours of 0600 and 2200.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 There shall be no outside seating area unless otherwise agreed in writing by the Local Planning Authority

Reason: in the interests of the amenity of the locality and having due regard to policies CS16 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Other than the units hereby approved, no external extraction or plant equipment shall be installed without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenity of the locality and having due regard to policies CS16 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 The landscaping works shown on the approved plan [ref. drawing no 01 Rev B - Planting Plan] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Prior to the occupation of the unit, details of the type and location of external refuse bins are to be provided and agreed in writing by the Local Planning Authority and shall be retained thereafter for their intended purpose.
Reason: In the interests of the amenities of the locality and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.