
Site Address:	Units G & H, Furniss Way, Hayling Island		
Proposal:	Change of use from light Industrial units (B1), to an MOT Testing Station (B2).		
Application No:	APP/17/00058	Expiry Date:	17/04/2017
Applicant:	Mrs Jermy Sandy Point Service Station LTD		
Agent:	Mr Brooks PWP Architects	Case Officer:	Daphney Haywood
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site forms part of a larger mixed use development currently under construction as approved under application APP/15/00919. The B1 units granted permission under this application are located on the western part of the site with access off Furniss Way, a cul-de-sac serving a number of employment units. These units which are nearing completion back onto the residential development approved under the mixed use application reference APP/15/00919.

2 Planning History

APP/13/00639 - Outline planning permission for mixed-use development comprising up to 59 dwellings and 1,250sqm of light-industrial accommodation (Use Class B1). Off-site highway works including widening of footpath. , PERM,23/12/2013
APP/15/00919 - Mixed use development comprising 76 residential units (4No. 1bed, 22No. 2 bed, 31No. 3bed; and 19No. 4 bed dwellings; and 1000sqm of light-industrial accommodation (use Class B1) with associated parking, access, landscaping and surface water drainage, (approved 23.12.15). Request to Discharge Condition No.s 3,4,6,7,8,9,10 and 14 (approved 2.3.16). Request to Discharge Condition No. 6 (resubmission) (received 21.10.16)., PERM,23/12/2015
APP/15/01291 - 1No. externally illuminated hoarding sign., PERM,14/01/2016
APP/15/01292 - Erection of 1No. two storey dwelling., PERM,08/04/2016
APP/16/00016 - 1 Tri-sign (illuminated), 5 hoarding signs (illuminated), 2 hoarding signs (non-illuminated) and 5 flag signs., PERM,21/04/2016
APP/16/01227 - Retention of substation and construction of enclosure., PERM,31/01/2017

3 Proposal

Change of use from light Industrial units (B1), to an MOT Testing Station (B2). The change of use relates to the 2 most northerly of the 8 light Industrial units from B1 to B2 enabling use as an MOT garage to be occupied by Sandy Point Service Station who are required to vacate their current premises.

The submitted information states:-

- MOT testing on a typical day is 5 MOT tests. The equipment to be used is a roller brake tester, vehicle hoists and a silent compressor. There will be some plant required to allow safe working for their staff and this would include new exhaust extract equipment .
- The MOT test itself requires the cars to be run for the emissions test with the following criteria: Raise the engine speed to around 2500 rpm or half the maximum engine speed if this is lower. Hold this speed steady for 20 seconds to ensure that the inlet and exhaust system is properly purged. Allow the engine to return to idle and the emissions to stabilise. They are required to assess the idle engine speed and 2500rpm or half max if lower and the respective smoke levels emitted from the tailpipe,. This generally only takes a few minutes.
- Brake testing is carried out on a rolling road and does not require the vehicle's engine to be running. The garage carries out no bodywork or paint spraying and if welding is required this work is taken care of by other companies off the site.
- The other main task the garage performs is vehicle servicing. This includes fluid changing, spark plug replacement etc. All these servicing tasks are carried out using hand tools and without the engine being run until the end of the service. No servicing or repairs are carried outside the unit.
- Opening hours would be 8.00am to 6.00pm Monday to Friday and 8.00am to 1pm on a Saturday, No trading occurs on Sundays or Bank Holidays. .
- The garage carries out no bodywork or paint spraying of cars and no servicing or repairs are carried outside the unit.
- Cars waiting for testing/ servicing are stored inside the units and it is expected that 6-7 cars can be kept within the new units.
- Sandy Point Service Station intend not to take their current older equipment with them and will instead buy new state of the art equipment. This includes a silent compressor, details of which will be passed over to the acoustic engineer together with other equipment specification for sound modelling.
- There will be some plant required to allow safe working for their staff and this would include new exhaust extract equipment, which can be covered by condition .

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS2	(Employment)
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Natural England Government Team

No objection

Economic Development

Fully support the application as it will provide a valuable service to the locality as well as retaining employment.

Environmental Health Manager

No objection subject to conditions regarding hours of operation and no bodywork/paint spraying

Development Engineer

The Highway Authority has no adverse comment to this application

Property Services Manager

No comments received

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: 16

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 41

Summary:

In support (23)

- Fully support the application as it will provide a valuable service to the locality, retaining employment. should support local business
- The unit doesn't have any open windows overlooking the houses behind it, so no-one can see into the gardens and with no open windows there will be very little sound filtering through either.
- Hayling has already lost local service & MOT stations. With all the housing developments being built on the island there is a need for another MOT station. Our road on and off the Island is already congested as yesterday with Portsmouth Water highlighted and if we all have to go off the Island to get our cars serviced and MOT'd that will just add to it.
- modern garages are not noisy, they are clean and efficient. Independent noise report suggests no significant or adverse effects to the surrounding area.
- restrictions in place for working hours
- MOT's are arranged by appointment, therefore I would have thought vehicle movements would be reasonably regulated and there is plenty of available parking

spaces for this business to carry out its work without disturbing neighbours.

Objecting (18)

The site adjoins both established and new residential development and is totally the wrong place for a business of this type, the permission for these to go up was giving in the understanding that it would be light industrial.

- We currently enjoy a peaceful working environment and this would be strongly disrupted by additional traffic and also continuous mechanical noises. The additional traffic would also impose further problems with our existing units in respect of access for delivery vehicles to our current businesses.
- Inadequate parking, there is no way that there will be enough for the cars waiting to go in and out of a MOT station and Furniss Way already heavily used for parking by those visiting the area and the theatre. The road is already overcrowded with cars all parked up one side, leaving a single lane for large lorries to navigate through, causing access & delivery problems.
- I have to park on this road when visiting, and I am registered disabled and can barely get anywhere near already without parking right down the road.
- the noise, pollution and additional traffic that the MOT centre will no doubt bring is unacceptable.
- An MOT centre will undoubtedly be open 6 days per week, meaning that our weekends will be disturbed with the Saturday trade.
- how people can recommend this planning application when they live nowhere near the facility. West Town does not need another MOT centre - we have two
- And if one factory unit is granted B2 status, this opens the flood gates to all units thinking about doing the same.
- depreciation of property values due to noise and pollution from the MOT test centre if passed.
- the clause in our leases states "no motor trade". This, having worked here for over 20 years, looks to have been a very sensible clause given the number of private homes in the area.
- service work would be the core business causing a lot more noise and disturbance to the local housing population. the doors are always open!
- Parked cars are already a problem to the businesses that are here, causing access & delivery problems, could we please put yellow lines down the road & restrict in some way the quantity of "Cars awaiting work" that will without doubt be parked in Furniss Way for short term storage.

Officer Comment: *see section 7*

7 Planning Considerations

- 7 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 streetscene
- (iii) Impact upon amenity

(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. The occupation of the commercial units in question would offer employment opportunities which are welcomed in principle.

(ii) Impact upon the streetscene

The proposal does not involve any external changes to the approved units, and as such the visual impact will be limited and acceptable. All MOT work is proposed to be carried out inside of the building.

(iii) Impact upon amenity

The unit lies in close proximity to commercial premises served by Furniss Way and residential properties to the rear. At the time of the original planning permission for the unit the employment units were, like the existing units off Furniss Way, restricted to B1 Light industrial in recognition of the proximity to existing and proposed residential properties and that a non B1 use has the potential to cause nuisance through noise and fumes. An MOT garage falls outside a B1 use and hence the need for planning permission for the proposed use. In determining the application it is therefore necessary to consider whether the proposal would be contrary to the reasons for imposing the B1 restriction, ie would there be a material adverse impact on amenity. The main considerations in this respect relate to noise, fumes, and parking.

The working hours for the application are 08.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 on Saturdays. The weekday hours are consistent with the working week and the hours on Saturday are restricted to a half day only. These hours are considered reasonable and could be covered by a planning condition.

In respect to environmental pollution from noise and fumes, the building has no openings backing onto the residential development and the submitted information indicates that the roller doors in the elevation onto Furniss Way would be shut during operation of the garage. This would be controlled by electric doors which it is proposed would automatically close after 3 minutes of opening. A condition requiring the provision and retention of such a mechanism is recommended. Additionally the new Furniss Way units are constructed using the modern materials necessary to reach the required BREEAM 'very good' standard. One of the by-products of this is that not only are these materials well insulating to the passage of heat but also have far better acoustic properties. BREEAM and indeed all standard new buildings are required to have much greater levels of Air Tightness. Both these factors will help keep workshop noises within the building. The application is supported by a noise assessment which has been assessed by the Environmental Health officer and he is satisfied that the proposal would not result in unacceptable nuisance based on the report and the submitted information.

In respect to servicing the supporting document states that *the other main task the garage performs is vehicle servicing. This includes fluid changing, spark plug replacement etc. All these servicing tasks are carried out using hand tools and without the engine being run until the end of the service. No servicing or repairs are carried on*

outside the unit.

A number of the representations refer to existing parking congestion and obstruction to delivery vehicles in Furniss Way and that an MOT garage would add to this with cars being double parked in Furniss Way. The proposal is for a single MOT testing bay and the submitted information states that vehicles awaiting testing will be parked within the building, leaving the on site parking available for staff. This is considered acceptable and can be covered by condition.

8 Conclusion

The concerns of local residents including those who have recently purchased properties backing onto the development on the basis that the units would be B1 light industrial and therefore appropriate in proximity to residential development are acknowledged; however the activities associated with the proposed use are considered to satisfy the requirements for a use which would normally fall within a B1 use by reason of the design of the building with a high level of insulation (BREEAM compliant); no rear openings; the scale of development of only one testing bay; and the operational procedures forming part of submitted proposal such as use of mainly hand tools and the roller doors to be closed during operation of the garage. As a result the impacts of the proposed use are considered to be limited and acceptable. Subject to the use of conditions in respect of hours, procedure as set out in the applicant's supporting statements and to prevent other B2 uses or garages operating from the site, approval is recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00058 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 This permission shall enure solely for the benefit of Sandy Point Service Station Ltd for the use of premises as a class 4 MOT testing station, light car repairs and servicing, and for no other person, persons or organisation and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when Sandy Point Service Station Ltd ceases to occupy the land.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 The site shall be used only for car servicing, mechanical repairs ,(excluding bodywork/panel beating) and MOT'S only, and for no other purpose whatsoever including any other purpose in Class B2 (including Paintspraying).
Reason: To ensure a satisfactory form of development and to protect the amenities of occupiers of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy)

2011 and the National Planning Policy Framework 2012.

- 4 The premises shall only be open for trade or business between the hours of 0800-1800 hours Monday to Friday and 0800-1300 hours on a Saturday, and not at all on Sundays or Bank Holidays

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.

- 5 No article of any description shall be manufactured, assembled, altered, repaired or stored outside the buildings hereby approved; all vehicles awaiting testing shall be stored within the building.

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 Prior to commencement of the use hereby approved, both roller shutter doors shall be fitted with automatic closing controls on a timer set to close the door 3 minutes after opening. Such closing controls shall remain in effect at all times during which the use of the building as an MOT testing station is carried out.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Site location plan dwg 1001 rev B

Block Plan dwg 1002 rev B

Block Plan dwg 1003 rev B

Noise Impact Assessment KR05599 dated 6th January 2017, as supplemented by email from agent dated 17/3/17 regarding roller shutter doors

Reason: - To ensure provision of a satisfactory development.