
Site Address:	Petrol Filling Station, 97 Park Lane, Bedhampton, Havant, PO9 3HQ		
Proposal:	Single storey extensions to north and south elevations; installation of a jet wash bay and additional parking.		
Application No:	APP/15/00067	Expiry Date:	29/05/2015
Applicant:	Ironmoor Ltd	Team:	Team 1
Agent:	Mr D Squibb	Case Officer:	Tina Pickup
	Wyeth Projects Services limited		
Ward:	Barncroft		

Recommendation: **GRANT PERMISSION**

1 Site Description

The existing petrol station is located south of the Purbrook Way roundabout on the western side of Park Lane. It is located in a predominately residential area with residential dwellings abutting its western and southern boundaries and with a small shopping parade directly opposite the site on the north western corner of the roundabout.

The site consists of a forecourt which includes four pump islands beneath a canopy, a car wash and shop. The existing shop is a flat roofed brick building located in the north-east corner of the site, such that its rear elevation faces to the roundabout where there are a number of significant trees. The south-west corner is also heavily treed with a dense woodland appearance including TPO No 1261 which protected a Weeping Willow tree on the southern boundary in 1998 - however this particular tree was not obvious on site.

Access to the site is via two points - one on both Park Lane and Purbrook Way.

2 Relevant Planning History

APP/11/00892 - Display of lighting strip to canopy on north west and south east elevations Grant Adv Consent 3/8/11

APP/10/01032 - Replacement underground fuel tanks and associated works
Permission 9/8/11

and historically 98/51870/10 - Redevelopment of site to provide new petrol filling station with canopy, sales building, pumps, car wash, plant room & associated parking and landscaping - pp 8/10/1998 conditions include limiting hours to: Forecourt - 0600 to 2400 7 days a week; Shop 0600 to 2300 7 days a week; car wash 0800 to 2200 Mon-Sat and 0830 to 2100 Sundays & bank holidays

3 Proposal

The application proposes:

1/ Extensions to both ends of the existing shop building - 4.4m plus plinth added to both ends at full depth of 7.9m. Both extensions would be used as stores, which in

turn frees up existing storage space for additional retail space (approx 30 sqm).

2/ The installation of a jet wash bay, which on the amended plans would be sited close to the southern boundary in a forward position, 9m back from the highway. A 2.5m high acoustic screen would be sited to the south of the bay.

3/ A general re-configuration of the parking spaces available on site with an additional 5 bays on the western boundary; 4 including one disabled bay to the north of extended shop; 2 spaces on the southern boundary and a further 2 staff spaces also on the south boundary.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

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

DM17 (Contaminated Land)

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Southern Water - formal application for connection to the public foul and surface water sewer required; Informatives required

Environmental Health Manager, Community Group - without adequate mitigation to control spray & noise then would object, esp if 24 hours. If allowed should only operate between 07:00 and 19:00 and noise levels should not exceed the BS 4142-2014 assessment principles of No Observable Effect Level (NOEL) - conditions recommended

Development Engineer - Highways - no adverse comment

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: 38

Number of site notices: At least one site notice exists - 3

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:
Comment:

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) Design & Impact upon the streetscene
- (iii) Effect on trees
- (iv) Noise & Impact upon residential amenity
- (v) Highways and parking

(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) Design & Impact upon the streetscene

There is a band of trees on the roundabout which largely screens the existing garage sales building and provides a visual setting to the site. The proposed side extensions would result in the loss of 6 trees (3 on each side) which in turn would make the ends of the building more visually prominent. However the bulk of the screening to the roundabout would remain and the design of the end elevations has been improved with the inclusion of a brick plinth. With the retention of the remaining trees the proposed side extensions would not be unduly intrusive or visually inappropriate to the character of the area in street scene terms and therefore considered compliant with policy CS16 c.

The proposed jet wash, in its amended forward position, would be slightly more visually prominent than where originally sited deeper within the site, but the benefits to trees and amenity (see below) of this revised position outweigh any marginal visual impact. A 2.5m high acoustic screen fence would be sited to the side of the jet wash bay and at an angle, set back just 4m from the back edge of the highway. It is the visual appearance of this fence in an otherwise relatively open part of the site that would have the greatest impact. However within the wider residential area a mix of boundary treatments are prevalent and the visual appearance of the screen would not be out of place.

(iii) Effect on trees

An arboricultural Impact Assessment has been submitted with the application, and HBC's Arborist consulted, and his involvement has partly led to the amended plans which more clearly identify the affected trees and protect those in the south-east corner. The proposal would result in the loss of 6 trees on the roundabout frontage - 4 birches, a willow and a sorbus; provided the others remain and some supplementary landscaping takes place to mitigate against their loss, then there is no objection to the loss of these 6 trees.

The original siting of the jet wash resulted in the loss of at least 8 trees on the

southern boundary which as a group provide an important visual backdrop to the site as well as providing screening for the adjacent residential property, including the loss of a very significant Plane tree (T21 on the arb survey). The loss of these trees was unacceptable so the siting of the jet wash was amended to the more forward position which would not affect any trees on site at all. As a result 4 car parking spaces are instead proposed in this rear part of the site, 2 either side of T21. The arboricultural officer is satisfied that with appropriate conditions regarding ground works and porous surfacing, then these spaces can be achieved without detriment to the existing trees. Accordingly the proposal is considered compliant with policy DM8.

(iv) Noise & Impact upon residential amenity

The original siting of the jet wash aligned with the rear elevation and private garden area of the bungalow to the south (No 95 Park Lane). The use of the jet wash in this location would have resulted in a significant loss of amenity from noise to the detriment of the existing residential amenity of this property. The amended plans re-site the jet wash further forward such that it would be adjacent the long front drive serving the bungalow. This frontage area does not comprise the private sitting out area and as such there would be less harm to the amenity of occupiers from the use of the jet wash adjacent this more public part of the residential curtilage.

The hours of use of the site are limited by the 1998 permission so activity and noise on the site currently reduces overnight. The car wash has more limited hours (given it is a noisy operation and its proximity to residential curtilages) and it is similarly recommended to limit the hours of use of the proposed jet wash to avoid undue noise and harm to amenity to surrounding residents. Env health have suggested operation be limited to 07:00 to 19:00hrs which is more restrictive than the car wash which is 0800 to 2200 Mon-Sat and 0830 to 2100 Sundays & bank holidays. Given that the jet wash is closer to residential properties generally, including those opposite the site, and in particular the bungalow adjacent, then initially it is considered appropriate to follow Environmental Health's advice and limit the hours of use to 07:00 to 19:00hrs. This will enable its use to be monitored and if necessary some acoustic assessments undertaken, before extending the use.

The scheme also involves the creation of 5 additional parking spaces close to the western boundary and the side boundary of No 301 Purbrook Way. The dividing boundary wall at this point lowers to approx 0.5m high - noise and disturbance with car lights could affect the residential amenity of the occupiers of this dwelling - accordingly the amended plans include provision of an acoustic fence to mitigate against these issues.

Overall it is considered that the refurbishment of the site with additional parking and jet wash, with appropriate conditions, would not unduly affect adjacent residential amenity and the amended scheme is considered compliant with Policies CS16 e and DM10.

(v) Highways and parking

The scheme does not affect the flow of traffic on site and results in additional on site parking - there is no highway objection to the proposal.

8 Conclusion

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00067

(A)

(B) subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external materials to be used in the construction of the extensions shall match in type, colour and texture those on the existing building.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The jet wash hereby approved shall only be available for use between the hours of 0700 and 1900 hours. Outside these times the facility shall be locked and unavailable for use.
Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 Noise resulting from the use of any plant, machinery or equipment on site shall not exceed the principle of No Observable Effect Level (NOEL), when measured according to British Standard BS4142-2014.
Reason: To protect the amenities of occupiers of nearby premises from unreasonable noise levels and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 5 No fixed or mobile sound amplifying equipment (i.e. refrigeration units, air conditioning, extract ventilation equipment, high pressure cleaners etc,) shall be installed on the site, which when operated is audible beyond the site, without the consent of the Local Planning Authority in writing.
Reason: To protect the amenities of the area and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 No development hereby permitted shall commence until plans and particulars specifying the height, materials and alignment of the acoustic fences to be provided around the jet wash facility and on the western boundary adjacent the extended parking spaces, as shown on the approved plan, have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted

shall not be brought into use until the completion of the installation of all acoustic fencing as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

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

- 7 The tree felling for which consent is hereby granted shall not commence until a detailed scheme and specification for replacement tree planting and landscaping on an adjacent part of the site has been submitted to and approved in writing by the Local Planning Authority; such specification shall include details of the species and size of such replacement planting.

Reason: To conserve and safeguard the visual amenities of the locality in accordance with policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 The tree felling for which consent is hereby granted and the replacement planting provision to be approved pursuant to condition 7 above shall be completed no later than the first planting season after the hereby approved extension to the sales building is first brought into use.

Reason: To conserve and safeguard the visual amenities of the locality in accordance with policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 No development including site clearance shall commence on the site until all trees and shrubs, not previously agreed with the Local Planning Authority for removal, shall have been protected by fencing along a line to be agreed in writing with the Local Planning Authority. Such fencing shall conform to BS5837 2012.

The Tree Protection Plan submitted must be adhered to and made available on site. Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 The soil levels within the root protection areas of trees / hedgerows to be retained shall not be raised or lowered.

Reason: To avoid damage to health of existing trees and hedgerows and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 11 The 4 parking spaces, 2 either side of tree 21, shall be constructed of porous and non compressive, self supporting materials and shall be retained in that

condition in perpetuity.

Reason: To ensure adjacent trees are not adversely affected by the parking spaces and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Location Plan Drwg No 01

Existing Site Layout Drwg No 03

Proposed Building Elevations Drwg No 10 Rev A

Proposed Site Layout Drwg No 07 Rev C

Reason: - To ensure provision of a satisfactory development.