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PLANNING STATEMENT

Use of Premises as Operating Base i.e. Office, Storage and Light Maintenance of Cars (Not Car Breaking, Panel Beating, Tyre Changing, Paint Spraying or Valeting of Vehicles) by Mobile Mechanic – Use Class B1

1.0 Introduction and Background

1.1 The existing building at No.1A Victoria Avenue, Widley has been used for many years by several small scale Class B1 businesses. Previous occupiers have included Jenkinson Brothers Car Mechanics, Lawnswood Limousines, furniture re-upholsterers and Colemore Glass. All of these uses operated from the site as light industrial uses – Class B1. Colemore Glass vacated the site in April 2009. The following occupiers were Hi-Flo H2O Limited. This was a window and general cleaning company which used reverse osmosis water purification equipment. This business also stored water on the site together with window cleaning equipment, and utilised the north-east corner of the building as an office. Planning permission was granted on 4th February 2010 for Hi-Flo H2O Limited to operate from the premises (HBC Ref: 09/63310/000).

1.2 A grant of planning permission is sought retrospectively by South Coast Auto Repairs for the continued use of the premises as an operating base for a mobile vehicle repair business. The applicant occupied the building on 1st July 2013 not realising that planning permission would be required.

1.3 The existing building is used by South Coast Auto Repairs for the storage of equipment associated with mobile vehicle repairs and as an office. Occasionally, the applicant will undertake minor vehicle maintenance on the site but this is done wholly within the building and does not involve noisy or noxious activities. At the end of each day, and at weekends, the building will be used for parking two cars. Additionally, two vehicles may also be parked on land, immediately outside the front of the building (to the south), which is within the control of the applicant. The applicant may seek access to the premises over the weekend in order to catch up on paperwork in the office.



Above: Aerial Photo of Application Site

2.0 The Site

2.1 The application site is located at the end of a private drive which is accessed from the north-east corner of Victoria Avenue, Widley. To the west of the site is No.2 Victoria Avenue, a bungalow. To the east of the site are the back gardens of two storey houses which front onto London Road. To the north is further garden land. The applicant, together with the occupiers of the adjacent houses, have a right of access over the private drive. Many of the houses fronting onto London Road access either hard standings or garages via the drive to park their cars.



Above: View of Application Site from South

2.2 The building itself is of a single storey height beneath an asymmetrical ridged roof which has a maximum height of 4.2m. The structure has a width of approximately 9.0m and a depth of 12.5m. The building has elevations comprising a mix of finishes: white profiled steel sheet with blue trim to south elevation – windows and doors, white upvc; blue up and over garage door; corrugated green painted metal sheeting - east elevation.

2.3 Internally, the building accommodates a parking area for two cars together with a small office, w.c. and storage areas. Work benches have been erected against some of the walls as is seen from the photographs below.



Above: Interior Work Space.

3.0 The Proposal

3.1 The proposal seeks a grant of planning permission for the retention of the use of the site as a base for a mobile car mechanic. The site would be used for the maintenance of vehicles which may involve general car repairs including servicing, resolving electrical problems, diagnostics, fault finding, MOT repairs, computer work and air conditioning. Tools used on the repair of vehicles includes ratchets, screwdrivers, hammers, spanners and sockets. The premises have a compressor which is only used around once a week. The applicant also uses a battery operated socket gun which is used infrequently.

3.3 The applicant would like to stress that works undertaken on the premises do not involve noisy or potentially noxious activities such as car breaking, panel beating, tyre changing, paint spraying or valeting of vehicles.

3.4 The applicant operates a largely mobile business and only occasionally repairs or maintains cars on site. However, in some instances his work necessitates bringing a vehicle back to base in order to run a diagnostic check or perform minor maintenance/repair works. Consequently, two vehicles are often parked within the building together with two on the forecourt immediately outside the building. The applicant is always careful to park vehicles on land that is owned by his landlords and not on the shared private drive. The applicant has a website which can be viewed at <http://www.southcoastautorepairs.co.uk/>.

3.5 The applicant is obviously aware that local residents may be concerned, and have the perception that, his use of the building is inappropriate within a predominantly residential area. As such, in order to reassure both the Local Planning Authority local residents it is suggested, if a grant of permission is forthcoming, that a planning condition such as the one below could be imposed on any future proposal.

No process shall be carried out on, nor machinery/plant/ventilation equipment installed anywhere on, the site (including inside the building) which is not such as could be carried on in a residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of the amenities of the area.

3.6 Additionally, the applicant wishes to reassure residents that his intended working hours (i.e. 8.30am – 6.00pm, Monday to Friday; 8.30am – 1.00pm Saturdays; Closed Sundays and Public Holidays) would be compatible with a quiet business carried out in a residential area. If the Local Planning Authority is to impose an hours of operation condition on the continued use of the site, as described, the applicant would not wish to be prevented from accessing the site, outside of the stated hours, to undertake office/administrative duties.

4.0 Relevant Planning History

4.1 The site, historically, has been occupied by a number of light industrial businesses – as detailed at paragraph 1.1. It is understood, that other than the planning permission granted by the Council to Hi-Flo H20 Limited in January 2010 (LPA Ref: 09/63310/000) the site has no other formal planning history.

5.0 Planning Policy

National Planning Policy Framework

5.1 The NPPF was published by the Government on 27th March 2012. This document supersedes and cancels all previous Planning Policy Guidance notes and Planning Policy Statements.

5.2 Paragraph 14 of the NPPF states that there is a 'presumption in favour of sustainable development...'

Relevant Parts of the NPPF Relating to the Economy

5.3 Paragraph 18 of the Framework states that *"The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future."* Additionally it is noted at paragraph 19 that *"The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and*

not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

Havant Borough Local Development Framework

5.4 The **Havant Borough Core Strategy** was formerly adopted on 1st March 2011. It is the principal document in the Council's Local Development Framework and sets out the spatial planning strategy for the area up to 2026.

5.5 The policies considered most relevant to the current proposal are:

Policy CS2 Employment

Planning permission will be granted for development proposals that: ... 1. Prioritise the use of previously developed land for the provision of new employment floorspace... 5. Safeguard existing employment sites and allocations that are fit for purpose from development proposals for non-employment uses...

Policy CS16 High Quality Design

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax:...

1. e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

DM10 Pollution

Development that may cause pollution of water, air or soil or pollution through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, heat, electromagnetic radiation and other pollutants will only be permitted where all of the following relevant criteria can be met:

1. The health and safety of existing and future users of the site, or nearby occupiers and residents is not put at risk.
2. National air quality standards or objectives would not be breached...

The Havant Borough District-Wide Local Plan, 1996-2011

5.6 This document has now mainly been superseded by the adopted Core Strategy. There are some "saved" policies of the Havant Borough District Wide Local Plan that still form part of the Development Plan for Havant Borough. However, these are generally the more site specific policies and those relating to land allocations. As such, there are none now considered relevant to the current proposal.

6.0 Planning Considerations

6.1 Planning permission is sought for the continued use of the site as a base for a mobile car mechanic. Much of the applicant's business is undertaken off site. However, on occasion, the site is used for the maintenance of vehicles which may involve

general car repairs including servicing, resolving electrical problems, diagnostics, fault finding, MOT repairs, computer work and air conditioning. Work undertaken on the site does not involve noisy or potentially noxious activities such as car breaking, panel beating, tyre changing, paint spraying or the cleaning or valeting of vehicles. The applicant operates the business during normal working hours as specified at paragraph 3.6 of this statement.

6.2 Current planning policy requires new development to demonstrate that it is sustainable. It needs to be established that a proposed use would be in an appropriate location which would not cause harm to interests of acknowledged importance.

6.3 The application site is a brownfield site having been occupied for many years by light industrial businesses. The applicant was genuinely unaware when taking occupancy of the land and building that it would be necessary to obtain a grant of planning permission. He was under the impression that the site had a lawful light industrial use. The applicant seeks to demonstrate through submitting this application that his business operates in a manner that falls within Class B1 (c) (light industry). A use falling within Class B1(c) is one '*... for any industrial process...being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*'

6.4 Since occupying the site the applicant has undertaken work in a manner which falls within the definition of a light industrial business. He has endeavoured to be quiet; he has not, and will not, use tools or machinery which will disturb the tranquillity of neighbouring residential property. He has also operated the business within normal business hours and not at times of the day when people might expect to enjoy peace and quiet (i.e. evening, night time and early morning). The applicant will continue to ensure that he parks vehicles within the curtilage of his business premises in order that the private drive remains unobstructed.

6.5 It is of note that policy C2 of the Core Strategy states that the use of previously developed land will be prioritized and that existing employment sites will be safeguarded. It is apparent that the application proposal is compliant with policy CS2. Additionally, policy CS16 requires development to be undertaken in a manner that '*...does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*' Given that the business operates in a manner that does not harm the amenities of adjacent residents it is considered that the application proposal is also compliant with CS16. Furthermore, the applicant is aware of Core Strategy policy DM10 which seeks to safeguard the environment from polluting activities. The applicant will continue to undertake his business in a manner that does not harm the amenities of adjacent residents through the emission of '*...noise, smell, smoke, fumes, gases, steam, dust, vibration, light, heat, electromagnetic radiation and other pollutants...*' The use of the land and building is, and will continue to be, carried out in a manner that is compliant with policy DM10. Should the Local Planning Authority consider it to be necessary the applicant would accept the imposition of controlling conditions as explained at paragraphs 3.5 and 3.6 of this statement.

7.0 Conclusions

7.1 It is concluded that the retention of the use of the site as a base for a mobile mechanic is acceptable. The applicant endeavours to operate from the site in a quiet and conscientious manner that respects the residential amenities of the occupiers of nearby homes. My client would like to state that he operates his business in a manner that does not cause danger or inconvenience to users of the private drive.

7.2 Given that the site has been occupied for many years by light industrial businesses it is considered that the proposed use, which also falls within Class B1, would be an acceptable use of the site. The National Planning Policy Framework states that there is a presumption in favour of sustainable development. Consequently, it is considered that the continued use of the site for employment purposes represents sustainable development.

7.3 The applicant respectfully that Officers and Members of the Borough Council look on this application favourably and grant planning permission.

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