Expiry Date – 14.7.16

Development Control – Delegated Officer Report

Application Number: AWDM/0743/16 Recommendation – Approve

Site: 215 Brighton Road, Lancing

Proposal: **Retrospective application for single cantilevered canopy and waiting shelter to south elevation of car wash.**

Neighbours checked: Y

Additional neighbour notifications: Y

Date of Site Visit: 7.6.16

Site and Surroundings

This application relates to a car wash on the north side of Brighton Road just east of Old Salts Farm Road. The car wash has been in existence for about 10 years before which the site was occupied by a petrol filling station. In the last 18 months the car wash has changed hands and is now operated by Imo. The new structures were erected in the last 18 months.

The car wash has a long building at the back of the site which operates with cars entering at the western end and travelling eastwards. The original permission also included two external parking bays in front of the building which allowed for external vacuuming and tyre/screenwash. It is over the more westerly of these bays that the canopy has been erected. The shelter/waiting area is to the west of this.

The car wash is surrounded by residential properties. It is not in a conservation area.

Proposal

Permission is sought to retain a canopy and customer shelter. A sister application AWDM/0744/16 seeks permission to retain a 9m long banner sign.

Relevant Planning History

AWDM/0744/16 - Retrospective application for non-illuminated metal frame with vinyl banner sign – current.

L/93/02/TP – Redevelopment of petrol filling station/car wash with new enclosed car wash (with external vacuum, tyre and screenwash bays) and closure of western access to vehicles. Granted 5.12.02

L/21/03/TP – Internally illuminated signage on proposed car wash(including replacement gantry sign at front). Consent granted 20.3.03

Consultations

Health: No objection.

Drainage: '*Thank you for the opportunity to comment upon this application, the proposed site lies within flood zone 3 but appears to be unaffected by surface water flooding.*

The application is for a canopy on a site that is all hard standing; therefore it will make no difference to run off quantities.

From a building in the flood plain perspective, there will be no change, and there is no risk to life attached to the development

Therefore we have no further comments.'

Highways: *'The proposal is retrospective for canopy and shelter at the car wash, accessed off the A259 Brighton Road (subject to a 30mph speed restriction in this location). The canopy and shelter are not located within the publically maintained highway. Neither does their positioning affect the existing access and turning arrangements on site.*

No highways comments.'

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2012
Saved Adur Local Plan policies AG1, AP4, AE16

Planning Assessment

Principle

The principle of development can be supported as it supports a business activity within the built up area boundary. The main issues for consideration are the impacts on neighbour amenity and the appearance of the area.

Recent case law has reaffirmed that where subsequent expressly permitted works are not so substantial as to fundamentally change the nature of the development, the conditions attached to such a substantive permission continue to apply. The original permission (*L/93/02/TP – Redevelopment of petrol filling station/car wash with new enclosed car wash (with external vacuum, tyre and screenwash bays) and closure of western access to vehicles. Granted 5.12.02*) contains such restrictions, including hours of operation, and these continue to apply to the substantive use, regardless of this proposal.

Neighbour amenity

The shelter erected is partly enclosed and is intended for customers waiting for their vehicles to be washed. It is small in scale, 2.3 m (w) x 1.5 m (d) x 2.4 m (h) and is positioned 6 metres off the boundary with 5 The Herons. It is not having a harmful impact on neighbour amenity.

The canopy is to the east of the shelter and is slightly larger. It is 6 metres wide, 4.8 metres deep and 3.4 metres high. It is 10 metres off the boundary with 5 The Herons. It appears to straddle a parking bay and is being used to provide shelter to staff vacuuming cars and washing their windscreens. The original permission includes a condition which includes the following sentence:

'The noise emitted from the site, at any boundary, shall not exceed 3dB above the background noise level, expressed as 1-hour L(A) eq, within the operating hours.'

This condition is reiterated to cover activity under the canopy. We have not received complaints of additional noise associated with the additional activity under the canopy.

Visual amenity

The shelter and canopy are not excessive in their scale and are well removed from residential boundaries. They are a grey colour so not obtrusive in the streetscape and they are set well back from the road. They are not considered to be harmful to visual amenity.

Recommendation APPROVE subject to the following conditions:

1. Approved Plans
2. Noise level

Informative

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.

Is recommendation contrary to any representations? N

Case Officer signed: MOK Date: 20.7.16

Authorised and signed by: PD Date: 20.7.16