

Date of Meeting	16/06/11		
Application Number:	S/2011/0432		
Site Address:	Land adjacent to Rose Cottage Castle Lane Whaddon Salisbury SP5 3EQ		
Proposal:	Demolish the existing garage, shop/workshop. Change of use of site and erect a new workshop to be used as a car service and MOT station for the relocation of M&M Auto Engineers and reinstate access on North of site		
Applicant/ Agent:	Barclay & Phillips Ltd		
Parish:	Alderbury		
Grid Reference:	419629.691 126291.017		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

Reason for the application being considered by Committee

Councillor Britton has requested that this item be determined by Committee due to:

Relationship to adjoining properties
Design, bulk, height general appearance
Environmental/highway impact
Car parking

1. Purpose of report

To consider the above application and to recommend that planning permission be REFUSED

2. Report summary

The main issues in the consideration of this application are as follows:

- Principle of development
- Scale and design
- Impact upon highway safety
- Impact upon neighbour amenity
- Other matters

The application is supported by the parish council and has generated 23 expressions of support and 9 letters and e-mails of objection from the public.

Neighbourhood Responses

9 letters received objecting to the proposal

11 letters and e-mails and 12 copies of a circular letter of support received

1 letter commenting on the application received

3. Site Description

The site is adjacent to the Old Southampton Road in Whaddon, opposite the shop and Post Office and close to the Whaddon office park and business units and the access on to the A36.

The site is adjacent to residential property, Fircroft and Rose Cottage bound the western side of the site and Bramleigh House the northern boundary. The site, which is currently

accessed from Castle Lane via double gates, is screened from the Old Southampton Road and Castle Lane by a 2m brick wall. It consists of an open yard area and two buildings providing workshops, garage and display space.

4 Relevant Site History

10/0509	demolish existing garage and shop/workshop and replace with a new workshop to be used as a car service and mot station for the relocation of M&M auto engineers	WD 14/05/10
88/48	Erection of new showroom/store	AC 18/2/88
79/630	Relaxation of Condition 1 of Planning application 75/397	R 4/7/79
76/693	Addition to existing building to form workshop	AC 20/10/76
75/397	Workshop and alteration of access	AC 22/10/75
74/2 Section 53	Section 53 (a) Storage and service of motor vehicles (inc motor vehicles for export (b) Store of motor fuels not for resale (c) office and Storage for (a) (b)	PP required 18/12/74
70/210	Erection of Portakabin as office & store	R 29/10/70
7596	Utilisation of existing property for display of portable garden buildings	R 10/11/68
7239	Change of Use from petrol filling station to shop	R 11/04/68
2256	Installation of new petrol pump and new access	R 29/07/58
ADV 44	Illuminated Regent sign	A22.1.53
ADV 46	Banjo Advert	A 19.3.53
ADV 59	General Display	R 25.11.54
PET 36	Application in principle Resiting of petrol filling station new underground tanks and erection of new building with alterations to existing access	A 26.10.61
PET 38	Resiting of petrol filling station new underground tanks and erection of new building with alterations to existing access	A 28.12.61

5. Proposal

It is proposed to demolish the existing garage, shop/workshop on the site; change the use of the site and erect a new workshop to be used for car servicing and MOT's. It is also proposed to reinstate a vehicular access on the north of the site.

The application also states that M&M Auto Engineers will relocate to the site.

6. Planning Policy

Local Plan policies G1, G2, H16, D2, TR11, E16 and E17.

PPS4 Planning for sustainable economic development

PPG24 Planning and noise

PPS23 Planning and pollution

7. Consultations

Parish Council

No objections

Environmental Health

Recommend refusal

Concerns that noise from car repairs and MOT testing would be detrimental to the amenity of the nearest residential properties.

Petroleum Officer

There appear to be three fuel tanks on the site dating from 1931 when the petrol station opened. There are no records for the site. No evidence regarding decommissioning.

Highways

Recommend refusal

Despite discussion of revised designs, following withdrawal of previous application this proposal will have a detrimental impact on the surrounding highway

Environment Agency

Concerns regarding potential for contamination. It is unclear whether any/all underground fuel storage tanks have been properly decommissioned or removed.

The site overlies a secondary aquifer. Any approval should be conditioned to investigate whether the tanks still exist, their precise location, whether any contamination of the soil has occurred and the risk this poses to controlled waters. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and the Agency would wish to object to the redevelopment of the site on these grounds.

Fire and rescue

Ensure access to the site and water supplies are adequate for the purpose of fire fighting

Archaeology

Although a high potential for archaeology remains, as site is adjacent to medieval village of 'Watedene', evidence has been produced to show that the site has been much disturbed and therefore no comment on the proposal.

8. Publicity

The application was advertised by site notice, and neighbour consultation.

Support

12 copies of a circular letter in support (9 from addresses in West Grimstead)

Summary of key points

- Proposed development would benefit the village, providing local employment
- Business is well supported but current site is cramped,
- Proposed site would ease current parking problems on the main road as it provides more and better parking, better working conditions for employees and better premises for the business

11 letters and e-mails of support

Summary of key relevant points raised:

- Current premises are far too small and there is insufficient space to park vehicles
Site has been a workshop for nearly 30years
- M&M provides a valuable and essential service
- Reduces need to travel outside the village for essential car maintenance
- Provides local jobs

- A local business which should be supported
- Proposal will remove vehicles parking on the roadside to a self-contained unit
- New location is ideal adjacent to industrial units and office park
- New site gives better visibility and easier parking
- New site will have little or no impact on neighbouring properties
- Noise levels below that caused by school buses.
- In view of history , an appropriate use for the site
- M&M are close to houses at present and there have been no complaints about noise. Proposed location is opposite the shop and PO; which it is already a noisy environment and site could be used as a commercial workshop
- Proposed site would ease current parking problems on the main road as it provides more and better parking,
- Proposed new site provides better working conditions for employees
- Provides better premises and facilities

Object

9 letters of letters of objection received

Summary of key relevant points raised:

- Very similar to previous withdrawn application, concerns regarding parking and noise have not been addressed
- Inadequate parking provided for proposed workshop and MOT floor space. (Require parking for 5 employees' vehicles, 3 M&M Auto vehicles plus cars being worked on.)
- Moves parking problem from one part of the village to another. Frequently 6-10 cars parked outside current premises on Southampton Road
- Concerns regarding highway safety; site is close to bus stop.
- Will conflict with traffic movements relating to shop opposite
- Plans show cars in the lay-by adjacent to bus stop; this is not land private to M and M Autos.
- There has not been a vehicle access at the north of the site since the petrol station closed more than 30 years ago.
- Concerns regarding pollution
- Concern from neighbours regarding noise from previous uses on this site; this will be worse; e.g. emissions test for MOT's involve revving engines for a sustained period
- Concerns regarding existing underground petrol tanks. Never decommissioned
- Site has not been a garage since 1967. More recently was used for sale and servicing of garden machinery.
- The scheme is not the only garage in the village. There is already a garage and MOT station on Old Road Alderbury.
- Design and appearance of proposed building out of keeping with neighbouring buildings.
- Proposed buildings are oversized for site
- Building more suitable for Whaddon Business Park

1 letter of Concern

- Unclear if business is moving to new premises or expanding and using both sites.
- Supporters of scheme do not live adjacent to the site.

9. Planning Considerations

9.1 Principle of development

History of use of site

The history of the use of the site is not entirely clear, though it was a petrol filling station from the 1930's until the late 1960's. It appears that the main road (the A36) was re-aligned

in the 1960's and part of the petrol filling station site was incorporated within the road line. The village was then by-passed and at some time in the late 1960's the site went out of use as a petrol station. The site was then given permission to be used solely in conjunction with the servicing of two lorries and two cars for Sarum Lime. In 1979, the lifting of this restriction was sought but was refused. The reason being that an open servicing facility would have a detrimental impact upon neighbours. Securicor seems also to have used the site for its vehicles and then from about 1984, the site was used for servicing of lawn mowers, though the previous owner of the site states that some servicing of private vehicles also occurred. As very little evidence has been provided by the applicant to show that the site has been used continuously for the repair and servicing of vehicles, and in view of the planning history of the site, which specifically excludes car servicing; and the introduction of an MOT station, this proposal now incorporates an application for a change of use .

Policy considerations

A main aim of the Local Plan is to provide a range of job opportunities and as the site's last use was for employment purposes, policy E16 of the Local Plan would seek to retain the site for employment purposes. In this context, the use of the premises for lawn mower sales and servicing repairs has been very low key for a long period, so employment levels were low. This use has now ceased and the premises are currently vacant. The scheme under consideration, would comply with the criteria of policy E16 as it would provide 5 full time jobs. Additionally as the employment site is within the village, it would appear that its re-use for car repairs and for MOT's would widen the range of services and facilities available within the village and would fulfil the aims of policy G1 which seeks to enhance the quality of life for residents, reduce the need for travel and enhance the vitality and viability of the settlement.

The existing buildings on the site are now redundant but are of permanent construction, and could be adapted for a small scale employment use however, due to their unattractive appearance and the lack of modern facilities, the redevelopment of the site to provide a modern unit would result in improved local employment facilities. National guidance as expressed in PPS4 encourages the provision of employment within villages and Local Plan policy E17 would support proposals to create new business development.

Therefore provided the proposed use and redevelopment of the site would have no adverse effect on residential amenity, the access, parking and turning were adequate and the scale and design of the building are compatible to the locality; the redevelopment of an existing employment site would be in accordance with national and local guidance

9.2 Scale and design

It is proposed to remove the existing 3m. high buildings from the site and erect offices and a replacement workshop to provide a large space for an MOT bay and a service bay. The replacement workshop will be approximately 4.9m high, reducing to approximately 4m adjacent to the boundary with Rose Cottage. A small office and waiting area is to be provided as well as an office on the front adjacent to the entrance on Castle Lane. The proposed buildings are almost flat roofed and are intended to be metal clad. The existing boundary wall is to be repaired and rendered topped by a plain tile and brick cap.

Given the contemporary, industrial nature of the design of the buildings, it is considered that they would not be in keeping with the immediate surrounding area and additionally as the building occupies the full width of the site, it could be perceived as dominating and out of scale for the site, as well as appearing to be prominent at the entrance to the village. Overall it is considered to be detrimental to the appearance and character of the locality.

9.3 Impact upon highway safety

Concerns have been expressed that there will be conflict with pedestrians using Castle Lane and that because insufficient parking has been proposed there is a likelihood of additional parking on the surrounding streets which will make parking for the shop and PO difficult.

The Highway Authority recommends that 4 spaces per work bay should be provided within the site when the use proposed is for motor repairs and MOT. The submission shows only 7 spaces within the site and 2 spaces in the lay-by on Southampton Road. It is not acceptable to count on-street parking, within the overall requirement, as the lay-by area is not solely for the applicant's use. Therefore the Highway Authority considers that the proposal has insufficient parking.

There are also concerns that whilst only 1 MOT bay and 1 work bay are currently proposed, the building is of such a size that an additional 2 vehicles could be worked upon at any one time. This would raise the required parking provision to at least 16 spaces. Indeed the previous scheme, which was withdrawn, showed an additional bay and so as the size of the proposed building is similar, it seems unlikely that only 2 vehicles will be worked upon at one time (especially as additional members of staff are proposed, bringing the total number to five full time employees). The intensification of the use of the site would not require planning permission. Overall, it would appear likely therefore that the proposal will result in an increase in on-street parking at a busy trafficked and pedestrian area, where bus stops, a shop and a post office are also located and this likely to be prejudicial to the safety of other users of the highway

It is also proposed to re-create/create the northern vehicular access to the site. Neighbours maintain that this access has not been in use for at least 30 years and the Highway Authority is concerned that vehicles entering and leaving the site at this point could not do so in a forward gear as there is insufficient space to turn a vehicle. The use of this proposed access is therefore in their view likely to be prejudicial to highway safety.

Overall, it is considered that in view of the size of the proposed building and the likely level of use and as the public lay-by adjacent to one of the bus stops has been incorporated into the proposal, that there is likely to be an increase in on-street car parking in a heavily trafficked area, with much coming and going to the shop and post office by both pedestrians and vehicles. Therefore the proposal is likely to be prejudicial to the safety of both pedestrians and users of the highway.

9.4 Impact upon neighbour amenity

Concerns were expressed by neighbours that the introduction of motor car repairs and MOT testing on this site would result in an increase in noise and pollution. The Council's Environmental Health Officer is also concerned regarding the likely impact of the noise from car repairs and MOT testing on the neighbours.

The immediate environment around the premises is primarily residential and therefore the background noise levels are fairly low. The noise produced by a car repairs and MOT testing tends to be of an intrusive and annoying character and whilst there will be a wall and small separation distance between the proposed building and Rose Cottage, there is likely to be a significant impact upon the amenities of these neighbours' use of their garden, particularly as a six day operating week is proposed. Whilst the noise would be reduced if the building were insulated and the doors of the new building were shut, in practice this is not likely to be practical, due to the need to regularly move vehicles.

In view of the size of the proposed building and the likely level of use, as well as its proximity to the neighbouring dwelling there is likely to be detrimental impact upon the amenities of neighbours contrary to Local Plan policy G2.

9.5 Other matters

It would appear that there are no records regarding the petroleum storage tanks located under the application site, and shown on drawings 1408/A-001 Rev A and 1408-07 Rev B. Whilst they are still in existence, it is not clear therefore whether they have been decommissioned. It has also been suggested, though again there are no records, that there may be older petroleum storage tanks under the adjacent highway. Both the Council's Petroleum Officer and the Environment Agency consider that any approval of this proposal should be conditioned to investigate whether these tanks still exist and if they do, their precise location. As the site is over an aquifer, the Environment Agency would also require an investigation of whether any contamination of the soil has occurred from any of the petrol tanks and whether there is any risk posed to the water source. Depending on what is found, full remediation may be required. Without this information, the risk to the environment is unknowable and unquantifiable and the proposal would be contrary to Local Plan policy G2.

10. Conclusion

The site is an existing employment site, whose re-use and enhancement would be in compliance with Local Plan policy. M and M Autos are currently located in the centre of the village on a small site adjacent to residential properties. This use results in some on-street parking on the Southampton Road. The proposed site is larger and is located on the edge of the village adjacent to the shop and post office and close to other employment sites. The site is screened from the Southampton Road by a 2m brick wall which it is proposed to re-furbish. The buildings on the site are innocuous in appearance and not prominent in the street scene. The proposed replacement modern, metal clad buildings will be much more prominent in the street scene and their contemporary design and materials are considered to be unsympathetic to the location at the entrance to the village. Car repairs and MOT's are noisy and in view of the design of the building and its proximity to the neighbouring dwellings, their amenity will be detrimentally affected.

The Highway Authority has concerns regarding the adequacy of the parking for the proposed scale of the use,(two working bays) and as the use could easily be intensified in the future (without planning permission) is concerned that this inadequate level of parking would encourage even more on-street parking. Additionally there are highway safety concerns regarding the use of the proposed northern vehicular access.

Whilst the proposal, refers to the development as being a relocation of an existing business, the existing site in the centre of the village does not form part of the application and therefore this aspect of the proposal cannot be controlled.

11. RECOMMENDATION

Planning Permission be REFUSED for the following reasons:

1 The proposed development, by reason that adequate provision has not been made on the site for the parking of vehicles in a satisfactory manner and adequate manoeuvrability/turning space has not been allowed for, would be likely to encourage the parking of vehicles on the public highway, which would be prejudicial to the safety of all users of the highway, contrary to policies TR11 and G2 of the Salisbury District Local Plan.

2 The proposed development, by reason that the site is directly adjacent to residential properties, and the amenities of the occupants of these properties would be detrimentally effected by noise caused by the proposed use, would be contrary to policy G2 (viii) of the Salisbury District Local Plan and national advice as expressed in PPG24.

3. The proposed development, by reason of the scale of the buildings, would represent a cramped form of over development, and, by reason of the design of the buildings, would be unsympathetic to and out of keeping with the locality, and which, by virtue of the its prominence in the street scene, would appear overbearing and dominant and detrimental to the character of the locality contrary to policy D2 of the Salisbury District Local Plan.

4 In the absence of a sufficient information to show that the development would not be a hazard to controlled waters, the applicant has not proven to the satisfaction of the Local Planning Authority that the proposed development would not pose an unacceptable risk to the environment contrary to the contrary to policy G2 (ii) of the Salisbury District Local Plan and national advice as expressed in PPS23.