



COMMITTEE REPORT

Item Number:

Application Number: S/18/1546/RM

Ward: Haydon Wick

Parish: Haydon Wick

Proposal: Erection of a canopy and siting of storage container to existing car park for use as car wash/valeting bays.

Site Location: The Boundary House , 1 The Street, Moredon

Agent:

Applicant

Arkell's Brewery Ltd
Hyde Road
Swindon
SN2 7RU

Officers Report

Background: Cllr Renard and Haydon Wick Parish Council have requested that this application is considered at planning committee due to the impact on the adjacent residential properties and the concerns initially expressed by the drainage officers.

1 Summary of Recommendation:

1.1 That planning permission be GRANTED with Conditions.

2 The Proposal:

2.1 Erection of a canopy and siting of storage container to existing car park for use as car wash/ valeting bays.

3 The Site and Surroundings:

3.1 The site is located within The Boundary House car park which is adjacent to residential dwellings in Moredon. The car park has residential properties on three sides and is adjacent to Purton Road.

4 Representations:

4.1 Neighbours comments: object 5; 7 and 11 The Street; 2 A; 25 and 29 Purton Road:

This is a residential area, with gardens backing on to the site, may lead to customers parking in residential areas if oversubscribed;

opening hours as proposed are too long;

Increased traffic, the car park is adjacent to a roundabout which is already an accident black spot;

the pavement outside the site is used for children to access the local schools.

the use may be noisy if using a generator or jet wash.

Drainage may be an issue.

Need to safeguard the countryside and the local wildlife will be impacted by this development;

the water pressure, to houses, may be impacted by this development;

Appreciate that Arkell's wish to make use of his land. However the land is in a residential area, Arkell's should be investing in a more family/community environment. Rather than requesting a 24/7 business which we feel is unsuitable for this area. Arkell's should speak directly with its local community to see if an overall development could be sought that would work for both sides. How about a community garden and pond? It would attract more families to drink and eat in the garden and pub. How about a layout like the Manor Farm. With so many new families in the area it should be something the brewery should be capitalising on.

There is a large hedge between the garden and the car park which will be more difficult to maintain.

4.2 Comments on additional information: 5; 7 and 11 The Street; 2A; 25 and 29 Purton Road:

Making many of the previous points and additional issues:

Not a suitable place for a carwash and valeting service, as this is not an industrial site but a residential area which will affect the residents living close by.

Have noted over the last month that 75% of the car parking spaces have been used.

Encouraging visits to the pub could lead to a greater number of drink driving incidents.

4.3 Councillor Donachie: Seeks clarification for where the chemical run off for this car wash will occur and the cleaning schedule planned for the accrued waste? Will the Council on a schedule undertake this during the life time of the business?

4.4 Councillor Renard: opposed to this application. This is too close to residential properties and there are other car wash options in the area.

4.5 Haydon Wick Parish Council Comments: Support the objections raised by the Lead Local Flood Authority and expressed concerns about the opening hours and what impact that will have on the neighbouring properties.

Comments on revised details: Object on the grounds that the hours of business, ie. 7 days a week 7.30 a.m. to 7.00 p.m., and an increase in noise from people and equipment will be detrimental to the amenity of the neighbouring residents.

4.6 Drainage Engineer: Initial comments

The proposals do not conform to current National Planning Policy, Local Planning Policy, or best practice design guidance.

Additional Design Requirements are necessary for the Detailed Design Stage

The Detailed design of the surface water management strategy should be submitted to the LLFA for approval in advance of works starting onsite.

4.7 Drainage Engineer: Additional Comments following further information.

The additional information provided addresses the concerns and demonstrates that the scheme is acceptable subject to appropriate condition(s).

4.8 Highway Engineer: No objections

The proposal is to erect the canopy and storage container to the north west of the site leaving a distance of 10.35m from the pedestrian footway. The canopy and container cover less than half of the existing car park, leaving ample parking spaces for the public house, thus is unlikely to displace parking onto the highway.

As the car wash and storage container are a sufficient distance from the carriageway, it is unlikely the car wash facility would cause an adverse impact on local highway conditions. No objections are raised subject to conditions.

4.9 Environmental Health Officer: initial comments:

Raise concerns about noise emanating from the proposed development. The applicant has not submitted a noise impact assessment in support of the application. Without this assessment, we are unable to determine whether change of use at this location is acceptable in principle. Request that further information is submitted in order that the LPA can be assured that the development will not give rise to an adverse impact on amenity of future residents.

4.10 Additional comments: Cautious about trusting these figures as there appears to be no details/credentials for the person who carried out the assessment, no details of when the assessment was completed and no details about where the monitoring points were.

4.11 Further comments: Having now reviewed a Noise Impact Assessment, the development is considered to be acceptable in principle subject to conditions which will ensure that any noise is kept to an acceptable level.

5 History:

T/90/0199 for erection of a conservatory and construction of additional car parking, this application was approved June 1990.

S/14/1896 for the siting of a Hot Food vending vehicle, this application was refused January 2015. The reasons for refusal include increase in noise, disturbance, litter and odour particularly at unsocial hours.

6 Planning Considerations:

6.1 Planning Policy:

Development Plan

Swindon Borough Local Plan 2026 (2015)

- Policy SD1 - Sustainable Development Principles
- Policy DE1 - High Quality Design
- Policy TR2 Transport and Development
- Policy EN7 Pollution

Material Planning Considerations

- National Planning Policy Framework (2019)

Amenity

6.2 Policy DE1 seeks to ensure that there is a high standard of development for all proposals, this includes consideration of the impact upon neighbours in respect of matters of light, privacy, outlook, noise, disturbance, smell, pollution and space. There are concerns regarding the location of the proposed car wash and the impact that this would have on the amenity of the neighbouring residential properties. Policy EN7 echoes Policy DE1 and is also concerned with the protection of residential amenity from emissions such as noise and require development to demonstrate there will be no significant loss of amenity arising therefrom.

6.3 As originally applied for the applicants wished the car wash to be open 07:30 - 19:00 each day. However the applicant has reviewed this and now proposes that the facility be

open between 0830 and 1800, Monday to Saturday and 1000 – 1600 on Sundays and bank Holidays. This will lessen the impact upon residential amenity and also ensures the car park remains available in the evenings for public house customers. This will be conditioned.

6.4 The proposal is adjacent to the boundary with 2a Purton Road and the rear of Silbury Mews. As at the request of the Environmental Health Officer more information on the generator and associated equipment to be used has been supplied. The environmental health officer has considered the information supplied the applicants and is satisfied that appropriate controls and safeguards can be imposed that will ensure that there would not be a significant adverse effect on the amenity of the occupants of neighbouring properties. The area already experiences some noise with activity associated with the Public House and the car park. It is considered that there is insufficient evidence regarding additional general disturbance that this use could generate in the area, over and above the present activity that would be significantly harmful. The applicant has demonstrated that the vacuum and washing lances to be used can be mitigated to not exceed 5dB above background noise levels (LA90). It is also noted that the operating hours have reduced further limiting the impact. The proposed use of mains electricity to power the facility will avoid the need for generators. This too can be conditioned.

6.5 Due to the location of the proposal, it is considered that there would be limited adverse impact to the amenity of the neighbouring properties, with its tall hedges and existing available car park. The environmental health officer is happy that there would not be any adverse impact on the surrounding residential properties, from the proposal, therefore it is in conformity with Policy DE1 and EN7.

Design

6.6 In design terms, whilst functional in appearance the structures will be positioned so as not to be over dominant or incongruous in this part of the car park and will be appropriate to its surroundings, nor it is considered that it would have an adverse impact on the surrounding area with the proposed canopy and storage container and is in conformity with Policy DE1.

6.7 Whilst the use will occupy a number of car parking spaces, there are no highways, objections as there are sufficient car parking spaces to serve the public house, for the hours proposed. The site will utilise the existing points of access and egress to and from the public highway which are more than suitable to serve the wider car park and the associated use, therefore in conformity with Policies DE1 and TR2. Out of hours the car park should be available for public house customers.

6.8 Following requests for further information the drainage engineer is now happy that the strategy proposed to deal with discharge / run off from the development via a drainage gully with silt traps and interceptors is acceptable. This can be conditioned. There are no chemicals proposed to be used to clean the cars which would are not available in the high street and drainage would be and excess water will eventually be channelled into an existing foul drain. This is an appropriate and acceptable solution.

6.9 The applicant has addressed number of the issues raised by the neighbouring properties including amending the hours of operation, and there are no plans for a generator as there will be a mains supply from the Boundary House. Traffic – all regulations will be observed and the applicant will not be looking to encourage drink driving. Chemicals used to clean the vehicles will be similar to those available within the high street. Concerns regarding drainage and noise have been covered by reports undertaken by experts and supplied as part of the application.

6.10 The neighbouring properties have made a number of points and these have been

addressed by the highway engineer, who is satisfied that there is both sufficient parking on the site and existing access the access to the site is adequate. The environmental health officer has requested additional noise information and is now satisfied with the information and data supplied that there will be no additional disturbance to the neighbouring properties. The drainage engineer is also satisfied, with the further information supplied.

Concluding comments

6.11 There is not considered to be a significant adverse impact on the residential amenity enjoyed by the nearby residents. The proposal will not generate any design, amenity or highway concerns and can be supported in policy terms. The proposal is therefore in compliance with Policy DE1, EN7 and TR2 of the Swindon Borough Local Plan 2026, and the NPPF.

Recommendation:

That Planning Permission be GRANTED with conditions.

Conditions/Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

Surface water Drainage

2. Development shall not begin until a drainage scheme for the site, in accordance with the submitted drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The works comprised within the scheme shall be implemented and maintained in accordance with the approved details in accord with the approved details prior to the use commencing and thereafter retained in that form. The scheme shall include, but not be limited to:

General arrangement, which should be coordinated with the landscape proposals and the masterplan;

Manhole Schedules;

Details of how the scheme shall be maintained and managed after completion;

Confirmation Thames Water will accept additional flows into their network;

Any drainage systems offered for adoption will be designed to Sewers for Adoption 7th edition and/or SBC standards as part of the detailed design and relevant technical approval processes.

Reason: To ensure development does not increase the risk of flooding elsewhere.

Noise

3. All mitigation measures, as set out in the submitted Noise Impact Assessment Report (Ref:M4343), shall be installed prior to the proposed being brought into operation and retained in their approved forms for the duration of the use.

Reason: To protect the amenities of the residents surrounding the site.

Noise

4 Within three months of the first use of the proposed development, an acoustic report including measures shall be submitted to the local planning authority that demonstrates the

impact of operational noise on nearby residential premises has been mitigated to such an extent that the rating level of any noise source does not exceed 5dB below the background level (LA90), as determined by a BS 4142:2014 assessment. Should the expected mitigation not be achieved the use shall cease until alternative measures have been installed and similarly assessed.

Reason: To protect the amenities of the residents surrounding the site.

5. No amplified music (e.g. radio) shall be installed or operated on the site such that it is audible outside the boundaries of the site.

Reason: To safeguard the amenities of the area.

6. No flood or other lights shall be used on this site unless they have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure the appearance of the development is satisfactory.

Hours of operation

7. The premises shall not be used in connection with the development hereby permitted, outside the following hours:-

0830 to 1800 Monday - Saturday,
and 1000 to 1600 Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area.

Temporary Permission

8. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 31 December 2023 in accordance with a scheme of work that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the area.

9. The parking spaces within the carpark used in connection with the use shall be kept clear of obstruction be available for use in connection with the Public House when not used by the car wash operation.

Reason: To ensure that satisfactory provision is made for the parking of vehicles off the highway at all times.

Informative

CIL

Outside CIL definition of Planning Permission: Whilst the development proposed generates a net gain in floor space, the development proposed does not constitute Community Infrastructure Levy (CIL) liable development as the proposed works fall outside the definition of planning permission for CIL purposes as defined by the Community Infrastructure Levy (England and Wales) CIL Regulations 2010 (as amended) Regulation 5 'Meaning of Planning permission'.