

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Director of Development Services

**S/1867/05/F – Papworth Everard
Change of Use to Hand Car Wash (Retrospective)
at Former Shell Garage, Cambridge Road (A428), for H. Tafa**

**Recommendation: Approval
Determination Date: 2nd December 2005**

Site and Proposal

1. The former Shell Petrol Filling Station lies on the northern side of Cambridge Road (A428 Trunk Road), approximately 80m to the west of the Caxton Gibbet roundabout at the junction of the A428 and A1198. On the opposite side of Cambridge Road is a Shell Petrol Filling Station and a Little Chef Restaurant. The site measuring 0.34 hectares retains its petrol canopy and kiosk, and ceased operation as a petrol filling station around 1991. A low security fence has been erected along the road frontage.
2. The full application, received on 30th September 2005, seeks retrospective approval for a change of use to a hand car wash. The hand washing occurs under the existing petrol canopy, with the existing kiosk used as an office, staff room and toilet. The site has a separate vehicular entrance and exit off Cambridge Road.
3. The canopy on the site has been painted bright yellow with the words “Hand Car Wash” hand painted in blue lettering, on the eastern and western elevations. Part of the existing kiosk has also been repainted in yellow.
4. The agent has stated in a covering letter submitted with the application that the peak time for this type of business is between 11am and 12.30pm. The site is expected to clean a car every 8-10 minutes, that is 8 cars per hour. The site is of sufficient size to allow ‘car stacking’ within the site. The sight of a queue normally discourages customers because of obvious delay, however my client intends to have a mobile sign positioned at the entrance instructing clients not to queue on the highway. Between two and four employees would be on site, subject to demand. The opening hours would be 8am to 7pm Monday to Saturday and 9am to 5pm on Sunday. Subsequent discussions with the former site manager have revealed that the business closed at 9.30pm at the latest.
5. The agent adds that all “drainage will be contained within the existing drainage system which discharges into a three stage petrol/oil interceptor, it is intended to install a Kargester Bio-Disc sewerage treatment plant. Existing system connects to the foul sewer via a three-stage petrol/oil interceptor.
6. All cleaning materials would be kept in a secure store to prevent any spillage entering the drainage system.”

Planning History

7. Outline planning permission for a petrol filling station on this site was given in 1965, with detailed planning permission granted in 1966 (Ref: **C/0858/64/O** and **C/0642/66/D** respectively). Redevelopment of the filling station was approved in 1986 (**S/0168/86/F**). Since the closure of the petrol filling station, the following planning applications have been received.
8. Temporary planning permission was given for a mobile catering unit in January 1993 (Ref: **S/1730/92/F**).
9. Planning permission was refused for a change of use to used car sales in July 1997 (Ref: **S/1271/97/F**) for the following reasons:
10. “The site is located within open countryside in an Area of Best Landscape. The use of the site for the storage and eventual sale of second hand cars would represent a visually unacceptable form of development within this countryside location and would consequently have an adverse effect on the landscape quality of the adjoining landscape, which the Area of Best Landscape Designation seeks to protect, contrary to Policy C1 of the South Cambridgeshire Local Plan 1993 and Policy SP12/2 of the Approved Structure Plan 1995. Moreover the proposed use would be contrary to Policy SP12/1 of the Structure Plan, which restricts development in the countryside to uses which require a countryside location.
11. The proposed use would result in an increase in right turning traffic across this busy stretch of the A428 Trunk Road on the approach to the roundabout junction where slowing traffic requires maximum driver concentration, the use would therefore be detrimental to highway safety”.
12. Duplicate planning applications **S/1821/01/F** and **S/1822/01/F** for the erection of a restaurant, with associated car parking and landscaping were withdrawn in April 2002.
13. The use of the site for a car wash commenced in September 2005.
14. It is noted that planning permission was given for a change of use to hand car wash (retrospective) at the former Q8 Petrol Filling Station, Cambridge Road, Croxton on 24th May 2005; with change of use to hand car wash (retrospective) also given for the former Service Station, A14 East of Swavesey Interchange, Junction 28 Swavesey on 8th June 2005 (Ref: **S/0612/05/F** and **S/0814/05/F** respectively).

Planning Policy

15. The site lies within the Countryside.
16. Government Planning Policy Statement 7: Sustainable Development in Rural Areas (**PPS7**) does not contain specific policies concerning road side sites but generally encourages the reuse of existing buildings in rural areas, subject to no adverse impact on the countryside.
17. **PPG 13** “Transport” aims to reduce the growth in the length and number of motorised journeys.
18. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) requires a high standard of design for all new development that responds to the local character of the built environment.

19. **Policy P2/6** of the County Structure Plan states that sensitive small-scale employment development in rural areas will be facilitated where it contributes to one or more objectives, including enabling the re-use of existing buildings and enabling the re-use of vacant, derelict or under-used land within villages.
20. **Policy P8/1** of the County Structure Plan encourages the use of sustainable transport policies in Local Plans. This policy states that “in rural areas there may be instances where small-scale development which is provided for under **Policies P2/6, P3/4 and P5/5**, is unable to be located in an area which is or can be made highly accessible to public transport. In such circumstances, developments should be located and designed so far as possible to meet the remaining requirements of this policy.”
21. **Policy P7/4** of the County Structure Plan and **EN1** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) seek to protect areas from development which would adversely affect the character and appearance of the local landscape.
22. **Policy EM10** of the Local Plan 2004 states that “outside village frameworks planning permission will be granted for the change of use and conversion of rural buildings to employment use providing that:
 1. The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction;
 2. Conversion does not lead to dispersal of activity on such a scale as to prejudice town and village vitality;
 3. The form, bulk and general design of the building both before and after conversion are in keeping with their surroundings;
 4. The buildings are capable of re-use without materially changing their existing character or impact upon the surrounding countryside;
 5. Safe and satisfactory vehicular access can be provided together with adequate space within the curtilage to accommodate ancillary requirements such as car parking and lorry manoeuvring without significant detriment to the setting of the building and the landscape within which it is located; and
 6. The scale and frequency of traffic generated by the proposal can be accommodated on the road system without undue adverse effects.”
23. **Policy TP1** of The Local Plan aims to promote more sustainable transport choices, to improve access to major trip generators by non-car modes, and to reduce the need to travel, especially by car.

Local Development Framework Submission Draft 2006

24. Development Control **Policy DP/1** (2006) states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It outlines various criteria to assess the sustainability of proposed development, including making efficient and effective use of land by giving priority to the use of brownfield sites.
25. Development Control **Policy DP/2** (2006) outlines that all new development must be of high quality design, appropriate to the scale and nature of the development. It outlines criteria, which define what is meant by high quality design. This includes preserving or enhancing the character of the local area.

26. Development Control **Policy DP/3** (2006) outlines requirements for new development within the district.
27. Development Control **Policy (ET/8)** largely repeats the advice of **EM10** of the current Local Plan.

Consultation

28. **Papworth Everard Parish Council** – Raises no objection to this retrospective application providing that:
 - a) “Highways are satisfied with the safety aspects of the entrance/exit arrangements from/to the A428; and
 - b) Appropriate signage is non-illuminated and of a reasonable height and size (i.e. not visible cross-country from the adjacent villages), and is confined to the area immediately adjacent to the site.
29. **Caxton Parish Council** – Recommendation of refusal. “Caxton Parish Council is aware that there previously was a petrol station on the same site, but the A428 is a much busier road now and carries traffic which travels at a higher speed. The exit so close to a roundabout is considered unsafe.”
30. **Elsworth Parish Council** – No recommendation. No comments made.
31. **Councillor Daphne Spink** – Recommendation of refusal. A traffic impact assessment was prepared for the previous planning application, which was turned down by the Committee. “I have seen several near misses there and with the advent of duelling to that roundabout, I think it would be another hazard. Not a day goes by that we do not have shunt accidents”.
32. **Highways Agency** – As the application will not adversely affect the A428 trunk road at this location, the Highways Agency does not intend to issue a direction and would not wish to comment further on the application.
33. **Environment Agency** – No objection subject to the use of a condition regarding disposal of vehicle washwater and trade effluent.

Representations

34. None received.

Representations by Agent

35. The authorised use of the site as a petrol filling station with twelve filling positions, could generate over 200 traffic movements per hour. The proposed use, with an estimated 8 vehicles washed per hour, would generate a significant lower level of traffic than the authorised use.

Planning Comments

36. The key issues for consideration in the assessment of this application are the suitability of this use in a rural location, the visual impacts of the change of use on the visual amenities of the Countryside and impacts on highway safety. It is noted that planning permission is not required for the repainting of the canopy and kiosk. The signage painted on the canopy is not a material consideration in the assessment of this application, as it would be subject to a separate application for advertisement consent.

Suitability of Use in Rural Location

37. Structure and local planning policies, in addition to Government guidance are supportive of the reuse of existing buildings in rural locations. The proposal does not involve the erection of new buildings and structures, and requires a road-side location due to its dependency on passing trade for business.
38. It is noted that the use of the site as a petrol filling station ceased over twelve years ago and no appropriate long-term use for the site has since been found. If the hand car wash use is refused, the site is in danger of becoming vacant and derelict.
39. I am of the view that the proposal represents an appropriate use for a brownfield site in a rural location. It is also noted that planning permission has been given for other hand car wash sites in rural locations.

Character and Appearance

40. As stated previously, the colour of the petrol canopy and the signage painted on this canopy do not require planning permission (although the signage does require advertisement consent) and hence are not materially considerations in the assessment of this application.
41. The proposed use as a hand car wash is of modest scale and involves the reuse of existing buildings and structures on the site. The use as a hand car wash by itself will have no additional impact on the visual amenities of the area than the former use of petrol filling station.
42. Security fencing on the site is approximately 1m in height and does not require planning permission.
43. Members will be aware of the difficulties in finding alternative uses for derelict petrol filling sites, and in this case the visual implications of the use are considered acceptable, particular given the petrol filling station appearance of the site and the existing commercial uses on the opposite side of Cambridge Road.
44. It is noted that verbal complaints have been received regarding the poor appearance of the site. This issue is being separately addressed by Council officers. I am of the view that it is not appropriate for planning permission for the change of use to be denied, on the grounds of activities, which are not directly related to the proposed use of hand car wash.

Traffic and Highway Safety

45. An independent traffic impact assessment by Highway Consultants, Atkins was commissioned by the Council, with findings released in March 2006. The findings of this study are attached in the Appendix. The study concluded that:
46. "Taking account of the accident record on this section of the A428 in the vicinity of the new car wash site, the Shell Petrol Filling Station and the Little Chef Restaurant it is felt that there are insufficient highway concerns to refuse the change of use of the obsolete Shell Petrol Filling Station".
47. The report also identifies suggestions for reducing the risk of potential conflicts, including the removal of existing signage within visibility splays, new signage on the site to encourage a one-way system through the car wash (it is noted that a one way system is indicated on the application plan) and removal of loose gravel within the eastern access.
48. Furthermore, it is noted that although the petrol filling station use ceased over 12 years ago, I am of the view that planning permission would not be required for the recommencement of this use on the site.
49. ADL Traffic Engineering Ltd. acting on the behalf of McDonald's Restaurants, previously stated in supporting documents for planning applications S/1821/01/F and S/1822/01/F) that the previous use of petrol station was expected to generate between 205-280 vehicle movements per filling bay during weekdays and between 250-300 movements per filling bay during weekends. As the former petrol station had 2 pump islands, equivalent to 4 filling bays, the site had the potential to generate up to 1120 movements per day on weekdays and 1200 movements on weekends.
50. It is noted that Cambridge Road (A428) and Ermine Road (A1198) are heavily used roads, subject to a national 60mph speed limit. The carriageway along the length of the A428 is marked as a clearway, and therefore a continuous white line marks the edge of the carriageway of the Trunk Road, except for a layby to the west of the site and accesses to existing commercial properties. It is noted traffic flow at the time of the site visit by Atkins was in the order of 30-40 mph approaching and exiting the A428/A1198 roundabout.
51. Based on the traffic estimates supplied by the applicant, it is estimated that the number of vehicles entering the site per day would be approximately 88. As the proposed use of hand car wash will generate a lower number of vehicular movements than the permitted use of the site as a petrol filling station, there is no indication that the proposed use would significantly affect the operation of the highway at this point.
52. It is expected that the business will be dependent on passing trade, as opposed to generating a large number of deliberate trips to the site by non-local residents. The proposed use is unlikely to generate a significant number of extra trips on the A428 that would not otherwise have taken place. It is noted that planning policies make allowances for small-scale development in rural areas that are not readily accessible by public transport and the nature of the use means that customers are unlikely to travel to the site by public transport regardless of its location.
53. There is sufficient room on site for the parking and manoeuvring of several vehicles, including customer and employee parking without impacts on highway safety.

Recommendation

54. Approval.

Conditions of Consent

The use, hereby permitted, shall cease unless, within a period of two calendar months from this Decision Notice, all vehicle wastewater and trade effluent arising from the proposal has been directed and discharged to a newly constructed watertight sealed cesspool, designed and constructed to the satisfaction of the Local Planning Authority.

Reason: to prevent the increased risk of pollution to the water environment.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** **P1/3** (Sustainable design in built development), **P2/6** (Rural Economy), **P7/4** (Landscape) and **P8/1** (Sustainable Development – Links between Land Use and Transport)
 - **South Cambridgeshire Local Plan 2004:** **EM10** (Employment in the Countryside), **EN1** (Landscape Character Areas) and **TP1** (Planning for More Sustainable Travel)
2. The proposal is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - Highway Safety and Visual Impact on Countryside and Streetscene

Environment Agency Informatives

No foul sewerage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent, shall be discharged to the surface water drainage system.

Only clean, uncontaminated surface water, should be discharged to any soakaway, watercourse or surface water sewer,

The applicant should be aware that the discharge of vehicle wash water/trade effluent to controlled waters may lead to prosecution under the Water Resources Act 1991.

All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway.

Facilities should be provided to ensure that waste oil/chemicals are stored and disposed in a manner that will not lead to pollution.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Other

The existing signage on the petrol canopy and highway verge does not form part of this planning application and a separate application for advertisement consent is required for its retention. No signs should be displayed on the highway verge/highway land.

It is the applicant's responsibility to ensure that the fencing does not encroach onto the Highway verge without the consent of the Highways Agency.

For the purposes of clarification, the application relates only to a change of use to hand car wash only. Planning permission would be required for any material change to the use of land, including storage for goods not associated with the hand car wash or vehicle sales.

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning Policy Statement No. 7: Sustainable Development in Rural Areas
- Planning Policy Guidance Note 13 – Transport
- Planning file Refs C/0858/64/D, C/0642/66/D, S/168/86/F, S/1730/92/F, S/1271/97/F, S/1821/01/F, S/1822/01/F, S/0814/05/F, S/0612/05/F and S/1867/05/F

Contact Officer: Allison Tindale – Planning Assistant
Telephone: (01954) 713159