

Development Management Delegated Decision Report

B/21/0013



SUMMARY OF APPLICATION

Application Reference	B/21/0013		
Application Type	Full Planning Permission		
Proposal	Proposed hand car wash and valeting area with canopy		
Location	51A, Wide Bargate, Boston, PE21 6SH		
Applicant	Mr Serkan Arslan		
Agent	Mr Sejad Mehanovic, SM Design Consultancy Studio		
Received Date:	18-Jan-2021	Consultation Expiry Date:	08-Oct-2021
Valid Date:	01-Feb-2021	Statutory Expiry Date:	29-Mar-2021
Date of Site Visit:	---	Extension of Time Date:	22-Oct-2021
Objections received?	Yes		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Cllr M Griggs	13/10/2021	13/10/2021	Yes – delegated
Cllr Y Stevens	13/10/2021	13/10/2021	Yes – delegated
Recommendation	Approve		
Report by:	Richard Byrne		
Date:	12 th October 2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is adjacent to John Adams Way and comprises part of a privately owned car park. Access and egress is from the south off George Bass Way leading to Grove Street West and Wide Bargate to the north (through an undercroft section of 51A Wide Bargate).

The majority of the car park is outside and lies adjacent to the Boston Town Centre Conservation Area, however the access road and exit road are within the designated area.

The site is well located for the wider road network and is within Flood Zone 3 which is within 20 metres of bank top contaminated land.

DETAILS OF PROPOSAL:

Planning permission is sought for the change of use of part of the car park for a canopied car wash area adjacent to the easterly boundary i.e. the boundary adjacent with the John Adams Way. The proposed development has been amended during the course to overcome initial concerns regarding drainage of the site and the effect on Heritage Assets. The amended



scheme has been duly publicised and is now the basis of this determination shown on the following plans and supporting documents:

- Site Location Plan – received 21 May 2021;
- PC/2021/004 Rev A - Proposed Hand Car Wash Valeting Layout;
- PC/2021/005 Rev A - Proposed Drainage Plan;
- PC/2021/006 Rev A - Proposed Site Plan;
- PC/2021/007 Rev C - Proposed Elevations with Plastic Clear Panel Detail;
- PC/2021/008 Rev A - Proposed Customer Waiting Room & Staff Storage Room;
- PC/2021/009 Rev A - Proposed Sound Proof Vacuum Cleaner & Water Power Jet;
- Heritage Statement;
- Anglian Water Assessment Report;
- Water Connection Point Maps; and
- Air quality Assessment.

The plans show vehicles would enter the existing car park from Grove Street West to then either turn into the car park area (on the westerly side) or continue straight to the proposed car wash.

The proposed car wash and associated staff parking (four spaces adjacent to the northern boundary) would result in the loss of 18 car parking bays.

A further six parking bays would be lost adjacent to the southern boundary to facilitate the siting of three modular buildings. The buildings would house a central jet wash and vacuum cleaner system, a customer waiting room and staff room respectively.

A bin storage area is shown between the canopy and staff parking bays adjacent to the easterly boundary.

It is proposed by the applicant that the use of the car wash would operate between 0800 Hours – 1930 Hours Monday to Saturday (0830 Hours – 1830 hours Sundays and Bank Holidays).

Proposed car wash area

The proposed canopy would cover the majority of the car wash and valeting area measuring 22.5 metres in length by 6 metres in width. The canopy would have a maximum height of 3.2 metres and is covered by constructed with a 100 mm wide metal frame with infill clear plastic panelling to the walls. The roof is a heavy duty vinyl.

Upon entry vehicles would be washed with foul water filtering through a three stage drainage system before leaving to the existing Anglian water piped system. Vehicles would then continue to the next part of the covered section where then valeted (if required). Exiting vehicles would then lead through the existing car park.

Ancillary buildings

Three modular buildings are proposed to be positioned adjacent to the southern boundary which have all a depth of 4 metres with differing widths (5.3 metre, 5.5 metre and 7.1 metre). The modular buildings are flat roofed with a maximum height of 3 metres and are constructed in timber with a dark stained exterior.

RELEVANT HISTORY:

B05/0502/97 - Formation of a car parking area. Granted 9 December 1997.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The South East Lincolnshire Local Plan 2011-2036 (SELLP) which was adopted by Boston Borough Council and South Holland District Council on the 8 March 2019. The relevant policies within the South East Lincolnshire Local Plan 2011-2036 are:

- Policy 1 – Spatial Strategy
- Policy 2 – Development Management
- Policy 3 – Design of New Development
- Policy 4 – Approach to Flood Risk
- Policy 7 – Improving South East Lincolnshire’s Employment Land Portfolio
- Policy 25 – Supporting the Viability and Vitality of Boston Town Centre
- Policy 29 – The Historic Environment
- Policy 31 – Climate Change and Renewable and Low Carbon Energy
- Policy 36 – Vehicle and Cycle Parking

Other material considerations:

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance (online resource)

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2021)

At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Chapter 1. Introduction
- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 6. Building a strong, competitive economy
- Chapter 7. Ensuring the vitality of town centres
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 12. Achieving well-designed places
- Chapter 14. Meeting the challenge of climate change, flooding and coastal change
- Chapter 16. Conserving and enhancing the historic environment

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Conservation Advice – received 9 July 2021

- Fails to have considered views towards the listed buildings and conservation areas from across the site. The proposed canopy is located immediately adjacent to the public highway and so any views will be potentially impacted by the proposed canopy, which in turn could adversely affect the setting of the listed buildings. The drawings demonstrate a large structure that is totally unsympathetic to the character and appearance of the site. The large modern intervention, enormous signage board and fascia panel are over-dominant and will adversely affect the setting of the listed building and the conservation. Views away from the listed building will also be compromised, contrary to the conclusion of the Heritage Statement.
- The proposed staff room and waiting room have been relocated but are still generic installations that make no attempt to be sympathetic to the listed buildings they are in the setting of.
- These proposals will have an adverse impact on the setting of both listed building and the conservation area. The large signage, generic materials and scale of the proposals will all impact views towards and away from designated heritage assets, and have a negative impact on their settings.

Environment Agency – received 25 June 2021

- Notes previous objection to the above application because the proposed development would pose an unacceptable risk of pollution to surface water quality.
- Reference made to the comments in the Section 4 – Water Recycling Services in the Anglian Water Services Pre-Planning Assessment Report dated 20 May 2021 submitted to support the application:

“Anglian Water has assessed the impact of gravity domestic and trade effluent flows of 0.19l/s from the planned development to the public foul sewerage network. We can confirm that this is acceptable as the foul sewerage system, at present, has available capacity for your site. Trade Effluent flows will not be permitted to discharge to a public surface water sewer.
- Accordingly, we withdraw our objection to the above application.
- A formal application should be made to Anglian Water to discharge trade effluent to the public foul sewer and a trade effluent consent granted. No discharges are to be made to surface water drains due to the risk of causing a pollution.
- Informative for the LPA - Anglian further added in section 4 of the Pre-Planning Assessment Report that they would request a suitably worded condition at planning application stage to ensure this strategy is implemented to mitigate the risk of flooding.
- We suggest the site sign up to the flood warning service due to the potential flood risk and danger posed of the site becoming isolated by surrounding flood waters. We would advise a flood warning and evacuation plan is developed in order to address the residual risks of flooding at the site and to confirm the approach that will be taken for safe evacuation of the area.

Highway Authority – 24 June 2021

- The proposal is for a hand car wash and valeting area with canopy and it does not have an impact on the Public Highway or Surface Water Flood Risk.
- Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

Witham Fourth District Internal Drainage Board – received 10 June 2021

- No comment to make on the application

Environmental Health – received 1 February and 8 June 2021

- The proposed site lies next to the busy John Adams Way and therefore the general background noise of the area is relatively high. Nonetheless the applicant has also provided an acoustic assessment. This indicates that noise from the proposed car wash operation should not impact negatively on the amenity of business and residential properties within the area during the proposed operating hours.
- Therefore it can be advised that Environmental Health have no objections to this application subject to the hours of operation being appropriately conditioned.

THIRD PARTY REPRESENTATIONS RECEIVED:

The application has been advertised by notifying letters to the adjacent properties to the application site. A Site Notice was erected on Wide Bargate with an advertisement published in the press to accord with the procedures set out in the DMPO and the Council's Statement of Community Involvement.

As a result of the publicity 27 representations have been received, which 22 support the application. The remaining representations have raised an objection to the scheme and are summarised as the following:

Original notification:

- Increased volume of traffic into the existing car park;
- Effect on children health attending the adjacent nursery;
- Car park is used on a more prolonged basis reducing disturbance;
- Effect of car pollution in the town centre;
- Other suitable sites in industrial areas away from young children;
- Detrimental to the Conservation Area and to Listed Buildings;
- Car wash less than 5 minute drive from location;
- Traffic through to Wide Bargate would increase and not suitable as narrow car park exit;
- Directly opposite Council car park;
- Signage would have to be erected in CA and outside listed building;
- Would distract drivers along John Adams Way;
- Increase surface water;
- There is already 6 car washes in Boston town centre;
- Two supporters live outside of area;
- Increase of noise;
- Is a residential area and a car wash is a commercial venture;
- Plans do not show entrance from the highway;
- Proposed sign is out of keeping with area;
- Questions business model and thus puts pressure on need for customers on continuous flow.

Following the notification of the amended scheme a further 3 representations have been received (1 in support 2 in objection):

- Dangerous exit from the proposed car wash;
- Health risk to children at Tumble Tots Nursery.
- A car wash in a Conservation Area with Listed Buildings is not appropriate and would be better situated in a commercial area.
- The hours are not appropriate as people finish work at 5.00pm and do not want to come home to the noise and nuisance of a car wash and valeting area, after a day at work.
- Some of the supporters of this application have a vested interest as 1 is the applicant's Electrician and 1 sold the site to the applicant.
- There are 3 other car washes within close proximity.
- The exit is under an archway and the viability is very poor making it unsafe for pedestrians, leading onto a narrow Wide Bargate. Has Highways inspected the site?

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise.

Preamble

The application site is on the periphery of the town centre and located within the confines of an existing car park visible from the John Adams Way. The site is considered to be previously developed land and is bound by residential uses adjacent to the boundary of the Boston town centre Conservation Area. The nature of the proposed use whilst clearly being a commercial process, in terms of employment generating and washing process, does rely to a certain degree of passing trade to operate. As such whilst having certain attributes it does not necessarily sit squaring with a particular policy in the Development Plan.

SELLP Policy 1 sets out the parameters for where development is to be directed in the Borough. Boston is identified as a sub-regional centre which is the top of the hierarchy and indicates that it should be main focus of appropriate development and growth. The proposed use would represent growth in the broadest sense, however, the focus for this case is if the proposed use would be appropriate development.

SELLP Policy 7 provides a suitable framework to consider if the proposal is appropriate for its location and the type of development. The policy firstly advocates the focus of new employment generating developments within and outside of allocated employment areas. However, where outside of an allocation, such as this case, proposals will be supported where it involves the re-use of previously developed land and where it:

- Would not conflict with neighbouring land uses;
- Have no significant adverse impact on character and appearance of the area;
- The design is responsive to the local context;
- No significant adverse impact on the local highway network;
- No adverse impact on delivery of allocated employment sites;
- Maximises opportunities for a shift from private cars;
- There is an identified need for the business location outside of identified employment areas;

The proposed development will be considered against the above criteria and the planning balance to establish if it appropriate and in accordance with the Development Plan as a whole.

Would not conflict with neighbouring land uses

SELLP Policy 2, 3 and 30 provides a further policy stance by advocating that a proposed development should consider if there is an impact on the amenity of the site and neighbouring sites as well as the impact upon neighbouring land uses in terms of noise, odour, disturbance or visual intrusion.

It is noted that the application site is a car park and that the proposed car would occupy part of the area adjacent to the boundary wall with John Adams Way. Notwithstanding the previous 18 months (due to subdued activity) the car park does not have a restriction on time of use and could be used by up to 90 vehicles on an unfettered basis. It is unlikely the car park would be used at full capacity on a continuous basis. However, there is still a strong possibility the car park could be used by a number of vehicles over the course of day and evening. There would be the possibility of having associated vehicle noise exacerbated by normal manoeuvring with people noise of comings and goings in close proximity to the surrounding residential properties. Vehicles would also have unfettered passage underneath 51A Wide Bargate to access egress the car park with the associated noise and vibration of passing vehicles.

Representations have expressed concern with an increase of noise and activity affecting the level of amenity linked with the intensification of the use of land.

The proposed car wash would introduce a use that can be noise generating. However, the increase in noise and general disturbance must be read against the level of activity that can take place in the existing car park on a continuous basis. Furthermore, it is proposed by the applicant that the use of the car wash would operate between 0800 Hours – 1930 Hours Monday to Saturday (0830 Hours – 1830 hours Sundays and Bank Holidays). It is noted the waiting room and support cabins have been sited away from the rear of Wide Bargate taking immediate activity to the other side of the car park.

Indeed vehicle washing will involve noise from jet washes and there would be an increase possibility of water spray, even taking into account the car washing will take place in the enclosed covered area. Taking into account the proposed hours of operation the level of noise and general activity would take place over the majority of the day. Where the use could commence at 0800 Hours and finish at 1930 Hours, this would coincide with the level of background noise from the John Adams Way from passing traffic and street activity. This would thus make it difficult to distinguish if the proposed car wash activity alone would significantly exceed the level of background noise to harm the level of amenity.

The amended plans show lighting within the car wash structure. Taking into account the proposed opening hours any light as a nuisance would be contained during the peak of surrounding street activity. It is considered the lights would not significantly harm the amenity of the surrounding properties.

In the absence of an objection from Environmental Health it is considered the level of activity generated by the car wash within the proposed hours would not significantly harm the level of residential amenity to warrant a refusal of the application. The use of the proposed car wash would not affect how the existing car park is used on a continuous basis and as such the proposal would satisfy 2, 3 and 30.

Given the above the proposed car wash would not conflict with neighbouring land uses and favourable weight can be applied against the criteria of SELLP Policy 7.

Have no significant adverse impact on character and appearance of the area

In terms of the effect on the character of the area the site is within the town centre. Policy 24 provides an insight into how the town is shaped by stating Boston will be the locational focus for town centre uses and that planning permission will be granted for residential development, retail, food and drink outlets, financial and professional services, leisure and tourist-related uses.

Similarly, Policy 25 of the SELLP indicates town centres will be the primary destinations for retail and other appropriate uses. This includes supporting the redevelopment of land within the town centre boundary where thought is given to the significance of heritage assets and the special interests of the Conservation Areas and their settings.

Clearly the proposed use does not sit squarely within a town centre use as advocated by SELLP 24 and 25. That is not to say though it is unacceptable as the site's context has to be taken into account. Given the site is an existing car park, largely hardstanding enclosed by a boundary walls, the existing use of the land does not necessarily positively contribute to the character of the area. Although not listed as a town centre use it is normally associated with a town centre and similar areas of car parking are present in close proximity to the site (public parking on Wide Bargate). It is considered a car wash use, being vehicle borne, would have an association with the existing land use and as such it is considered to not be severely adverse to harm the existing character of the area.

Turning to the area's appearance the proposed cabins have been lowered in height and positioned adjacent to the southern side of the car park. The car wash sheltered has also been lowered and sits adjacent to the boundary wall with John Adams Way. Taking into account the proposed placement and revised height it is considered the car wash and the ancillary cabins would not be untoward to the general appearance of the area. The proposed materials of the cabin and car wash structure can be secured by planning condition. Any advertisements shown on the submitted plans will be considered as an application under the Advisement Regulations i.e. for advert consent. It is noted that the freestanding sign has been removed from the plans and the fascia to the car wash has been reduced in depth, reducing its dominance.

Impact on Heritage assets and appearance of the area

SELLP Policy 2 indicates that development will be permitted which will not have harmful impacts on the character and appearance of the area.

SELLP Policy 29 seeks the conservation and enhancement of the area's historic environment.

The Planning (Listed Buildings and Conservation Areas) Act 1990 confirms the duty of a Local Planning Authority to have special regard to the desirability of preserving conservation areas and the settings of listed buildings. In the context of Sections 66 and 72 of the Act, the objective of preservation is to cause no harm. The courts have said that this statutory requirement acts as a paramount consideration – 'the first consideration for a decision maker'. Planning decisions require a balanced judgement but, in that exercise, significant weight must be given to the objective of heritage conservation.

In practice, this requires a methodical approach to be followed, whereby the relevant assets that would be affected are identified, along with their significance. Consideration can then be

given to any effects on this significance arising from the proposals, which may be reduced through mitigation. If harm is identified, it is then required to establish the scale and extent of such harm, before moving on to matters such as the planning balance and weighing the public benefits arising against any identified harm.

Heritage Assets affected

Grade II Listed Building – 53 and 55 Wide Bargate
Grade II Listed Building – 2, 4 and 6 Grove Street West
Boston Conservation Area

Level of significance

53 and 55 Wide Bargate – It is noted the cabins have been positioned away from the rear of the listed buildings and sited in the southern part of the site. Although still affecting the setting it is considered to be low. The car wash structure is in the same position and would affect the setting of the buildings.

2, 4 and 6 Grove Street West – not positioned adjacent to the site, however, No. 6 would however have fleeting views from the southern part of the site.

Boston Conservation Area – the majority of the site is not in the conservation area, the part being the northern section through the undercroft section and in the southern section the road, George Bass Way. Given the presence of the proposed structures within the site it is considered the Boston Conservation Area would hold a medium significance.

Impact on significance:

The revised position of the cabins has improved the setting of the 53/55 Wide Bargate. It is noted there is a degree of separation between the proposed car wash and rear of the listed buildings. This maintains the integrity of the setting of the listed building. Although the canopy structure would be within their setting it is considered it would not be untoward. Given the revised height, position and separation distance long range views of the rear of buildings would be maintained and would still be read separately from the canopy structure.

Taking into account 2, 4 and 6 Grove Street West the existing setting of the terrace row has the presence of other building, urban spaces and rear of the modern elongated extension to the New England Hotel. These all contribute to the setting of the listed buildings. Although there would be the presence of the cabins and canopy structure in the periphery area it is considered these are modest in height and would not necessarily harm the current setting.

The presence of the canopy and ancillary cabins would have an effect on the setting of the Boston Conservation Area. Although the proposed buildings would be in the foreground, the overall heights have been reduced and have a more inclusive material palette which lends itself to be more sympathetic to the surroundings. The introduction of the buildings would inevitably have a presence, however, taking into account the existing use is a car park it is considered the harm to the Conservation Area would not be severe.

Conclusion

In all, it is considered that the proposed development will not significantly harm the character and appearance of the Conservation Area and the settings of the nearby listed buildings. It is therefore considered the scheme is acceptable in respect of SELLP Policy 2, 7 and 29.

The design is responsive to the local context

The proposed car wash structure is simple in its construction and although accessed by the means of the car park features in the John Adams Way streetscene.

The depth of the car wash structure fascia has been reduced and although sitting above the existing boundary wall would not draw undue attention. Given the presence of street lighting columns, central reservation railing barriers and large commercial buildings on the opposite side of John Adams Way it is considered the car wash assimilates into the local context of the area.

Given the above favourable weight can be applied against the criteria of SELLP Policy 7 in respect of the responsiveness to the local context.

No significant adverse impact on the local highway network

SELLP Policy 2 providing an overarching stance to Policy 7 by stating that developments will be permitted providing that sustainable development considerations are met relating to access and vehicle generation levels.

There would be an inevitable loss of parking spaces given the siting of the car wash and ancillary cabins. However, given the availability of public car parking in close proximity of the site it is considered the loss would not be significant to the remaining town centre offering.

With respect to the representations in regard to access, it is noted that the planning history indicates that the access to the existing car park was taken from Wide Bargate and egress was on to George Bass Way. The access and egress for this proposal would see it switched.

In terms of comings and goings and the effect to amenity this has been considered above. However, in terms of using the undercroft of 51A to egress the site vehicles would pass through the current barrier before approaching the footway beyond the building line along Wide Bargate. Although a vehicle exiting the site would have less visibility than the current arrangement it is considered in the absence of an objection from the Highway Authority it would be no less harmful to highway safety. Pedestrians would still see and be aware of oncoming vehicles exiting the car park which given the length of the undercroft section, vehicle speed would be relatively low.

Therefore taking into account there are no explicit conditions attached to the previous approval for the car park or flatted development (51 Wide Bargate) to explicitly restrict the access and exit arrangement it is considered that the proposed car wash won't necessarily harm highway safety. The loss of parking spaces within the existing car park would not harm the level of provision for the wider town centre and as such is considered acceptable.

Given the above favourable weight can be applied against the criteria of SELLP Policy 7 in respect of highway safety and parking provision.

No adverse impact on delivery of allocated employment sites

It is considered the introduction of a car wash would not have an adverse impact on the delivery of the allocated employment sites. This would hold positive weight against the proposal in respect of SELLP Policy 7.

Maximises opportunities for a shift from private cars

Clearly the proposed use relies heavily on the use of private cars for the operation. This would weight against the proposal in respect of SELLP Policy 7.

There is an identified need for the business location outside of identified employment areas

The application has not been supported in terms of identifying a need for the proposed use. It can be gleaned from the submitted plans that the proposed car wash is capturing business from passing trade, most likely from John Adams Way in addition to potential users of the car park.

Nevertheless, it can be construed that the proposed use may not necessarily be beneficial to be located within an employment area which may not have the street exposure to passing trade that the proposed car wash would rely. Although the proposed use would generate employment opportunities these may not be a level to make best use of land within an employment area that could hold a greater level of economic activity.

In respect of this matter neutral weight can be applied against the criteria of SELLP Policy 7.

Conclusion against SELLP Policy 7

Taking a balanced approach to SELLP 7 it is considered that the proposed use would not significantly harm the level of residential amenity (subject to condition) and would not be untoward to the general appearance of the area. There would not be significant harm inflicted on the Conservation Area or indeed the listed buildings around the site.

Favourable weight can be applied in respect of highway safety and parking provision with the proposed use not affecting the delivery of allocated employment sites. Clearly the proposed use is vehicle derived and weighs heavily against the balance with neutral being applied to the use meeting an identified need.

In all, it is considered that there are sufficient factors in favour of the proposal to satisfy SELLP Policy 7.

It will now turn to the other matters.

Flood risk and drainage

SELLP Policy 4 seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. It identifies the process by which planning applications in Flood Zones 2 and 3 will be considered, and sets out particular requirements for certain types of applications.

Developments within all flood zones (and development over 1 hectare in size in Flood Zone 1) will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.

The site is located in flood zone 3 and as such a flood risk assessment has been submitted to accompany the application.

In terms of flood risk the proposed use is considered less vulnerable and as such would not pose a greater flood risk than existing use as a car park. A suitably worded planning condition to secure the implementation of the revised drainage scheme will alleviate an increased risk of flooding.

Turning to surface water and in particular the disposal of trade effluent the scheme has been revised to now discharge into public foul sewer. The Environment Agency have lifted their objection and subject to the imposition of planning condition to secure the method of discharge this matter is now considered acceptable.

As such SELLP Policy 4 has been satisfied.

Air Quality

The proposed use is vehicle based where it would contribute to the determination of air quality in the area. There is no mitigation which can be secured by planning condition which would meet the tests set out in the NPPF and PPG. Informative notes will be added to encourage vehicles being switched off during any waiting and washing process. However, as a planning condition these are not enforceable. As such this weighs negatively against the proposal.

Planning balance and conclusion

This proposal is clearly finely balanced and although satisfying SELLP Policy 7 still attracts negative weight in respect of the effect on air quality.

The applicant has sought to resolve the manner of discharge of surface water which amongst other matters can be secured by planning condition.

It is therefore considered taking all the matters into account that the scheme is on balance acceptable when taking the development as a whole.

RECOMMENDATION:

Approve, subject to the following conditions and reasons: -

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	The development hereby permitted shall be begun before the expiration of four years from the date of this permission. Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2	<p>The development hereby permitted shall be carried out in strict accordance with the application received 18 January 2021 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> • Site Location Plan – received 21 May 2021; • PC/2021/004 Rev A - Proposed Hand Car Wash Valeting Layout; • PC/2021/005 Rev A - Proposed Drainage Plan; • PC/2021/006 Rev A - Proposed Site Plan; • PC/2021/007 Rev C - Proposed Elevations with Plastic Clear Panel Detail; • PC/2021/008 Rev A - Proposed Customer Waiting Room & Staff Storage Room; • PC/2021/009 Rev A - Proposed Sound Proof Vacuum Cleaner & Water Power Jet; <p>Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan 2011-2036.</p>
3	<p>Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.</p> <p>Reason: To ensure use of appropriate materials which are sympathetic to the character and appearance of the adjacent Heritage Assets and the street scene to accord with the requirements of Policies 2, 3 and 29 of the South East Lincolnshire Local Plan 2011-2036.</p>
4	<p>The development hereby approved shall be carried out in full accordance with the surface water drainage strategy outlined in the 'Pre-Planning Assessment Report (inflow reference: PPE-0119250, report published 20/05/2021). The measures contained within the drainage strategy shall be implemented before the car wash hereby approved is first brought into use and shall be retained as such thereafter.</p> <p>Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of surface water in accordance with the requirements of Policies 2, 3 and 4 of the South East Lincolnshire Local Plan 2011-2036.</p>
5	<p>The use hereby permitted shall only be open for trade or business between the hours of:</p> <ul style="list-style-type: none"> • 0800 Hours – 1930 Hours Monday to Saturday • 0830 Hours – 1830 hours Sundays and Bank Holidays). <p>Outside of these times; no machinery shall be operated, no processes associated with the permitted use shall be carried out and no deliveries shall be taken.</p> <p>Reason: To minimise the potential for noise and disturbance arising from site operations and vehicle movements in the interests of the amenity of surrounding occupiers in accordance with the requirements of Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2011-2036.</p>

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INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<u>STATEMENT OF PROACTIVE WORKING:</u>	
In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.	
A formal application should be made to Anglian Water to discharge trade effluent to the public foul sewer and a trade effluent consent granted. No discharges are to be made to surface water drains due to the risk of causing a pollution.	
It is recommended the applicant signs up to the Environment Agency flood warning service due to the potential flood risk and danger posed of the site becoming isolated by surrounding flood waters. Furthermore, it is advised a flood warning and evacuation plan is developed in order to address the residual risks of flooding at the site and to confirm the approach that will be taken for safe evacuation of the area.	