

12/00158/COU**USE OF AREA OF CAR PARK AS CAR WASH FACILITY INCLUDING
ERECTION OF CANOPY AND OFFICE BUILDING****CAR PARK STATION APPROACH STATION ROAD RAYLEIGH****APPLICANT: MR GEZIM SALIHU****ZONING: RESIDENTIAL****PARISH: RAYLEIGH TOWN COUNCIL****WARD: WHEATLEY**

In accordance with the agreed procedure this item is reported to this meeting for consideration.

This application was included in Weekly List no. 1131 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on 2 May 2012, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs M J Webster.

The item that was referred is appended as it appeared in the Weekly List, together with a plan, except that since drafting the original Weekly List item the applicant has explained that in relation to condition no. 7 (the time period of the temporary permission) when allowing for installation, discharge of planning conditions, etc., considerable expenditure will be required but with only some 21 or 22 months in which to operate. They request a 3 year temporary consent.

The Local Planning Authority is required to ensure any temporary consent is reasonable set against the applicant's financial commitments and in this case extending the recommended period to 3 years is considered reasonable and condition 7 has been so amended.

1 NOTES

- 1.1 Planning permission is sought for the use of an area of car park as a car wash facility including the erection of a canopy and office building at Car Park, Station Approach, Station Road, Rayleigh. The site is currently an area used for parking surrounded by a roadway used to drop off and collect users of the railway line. To the north of the site is Rayleigh station and train line and to the south is an area of parking on an elevated area and then the residential properties within Love Lane. To the west is a taxi rank and then a bus stop and to the east is the main car park including bicycle rank.

2 PROPOSAL

- 2.1 The proposal is to use part of the parking area for the operation of a car wash facility. The area allocated for car washing would measure approximately 23m wide and 16.4m deep. Part of this area would be covered by a temporary light constructed car wash canopy measuring 4.8m wide, 7m deep and 3.2m high. To the west of the car wash area an office building would be located measuring 2.4m wide, 4.8m deep and 3.2m high with a pitched roof. There would be PVCU cladding to the office walls, preferably of a white colouring and a low level steel clad roof. On its front elevation, the structure would have a door, centrally positioned, and two long windows either side of the door. The car wash facility with office would take the place of 21 car parking spaces at the site. A supporting statement has been submitted with the application by National Car Parks Ltd.

3 RELEVANT PLANNING HISTORY

- 3.1 11/00404/FUL – Use of area of car park as car wash facility, including erection of canopy and office unit. Refused on 7 September 2011. This application was refused for the following reasons:-
- 1 The proposal, by way of the proposed design, materials and siting of the office unit within this prominent and visible location, is considered to have a detrimental impact upon visual amenity.
 - 3.2 2 The proposal, by way of the proposed direction of waste water arising from the car wash activity to surface water gulleys on the site, is not acceptable and could lead to the pollution of water courses.
 - 3.3 3 The proposal, by way of the likely queuing of vehicles for the proposed car wash facility, may cause conflict with the taxi rank and those exiting the commuter drop off/collection area, which would have a detrimental impact upon the functionality of this area and its ability to effectively serve the train station at peak periods. Particularly around peak train times this could be detrimental to highway safety.
- 3.4 In an attempt to address the previous reasons for refusal, the following changes have been made within the current application:-
- 3.5 Car wash canopy:-
- Removal of 'Wonder Wash' sign on canopy.
 - Reduction in depth of the proposed canopy from 8m to 7m.
 - Office – the container previously proposed has been replaced with a timber office building in a different position.
 - A change in directional arrangement of the car wash facility with the proposed removal of 21 spaces now instead of 10 on the previous application.

4 MATERIAL CONSIDERATIONS

4.1 DESIGN AND VISUAL AMENITY

- 4.2 The car park is located in a prominent position visible from commuters on the train, those arriving at/departing from the station, those using the car park, vehicular and pedestrian users of Crown Hill and those occupying properties in Crown Hill, Love Lane and, to a lesser extent, The Approach. The proposed development would be sited within a small car park area that is close to a taxi rank and a circular access, which is used to drop off/collect commuters. This small car park is segregated from the larger car park to the west of the site.
- 4.3 The car wash canopy proposed would consist of a green roof (as identified within the previous application, although final details relating to colours and materials can be controlled by planning condition) and the previously proposed advertisements to the front (north) and rear (south) elevations have now been removed from the proposal, which is considered to represent an improvement to the proposal. The side elevations would remain open to allow entrance and exit of a vehicle. The canopy structure with openings on two elevations would retain a fairly modest and unobtrusive appearance. It is not considered that the canopy structure alone would be detrimental to visual amenity or that its design would be unacceptable here, particularly because of its more open canopy style appearance.
- 4.4 The office container proposed within the previous application with its industrial design and materials proposed and its more central positioning within the car park was considered to have a detrimental impact upon visual amenity.
- 4.5 The building proposed within the current application would be located in a less conspicuous position behind the car wash canopy when viewed from Rayleigh Station. Although it would still be visible from Crown Hill and to those entering and using the car park area, it is considered that it would create a less prominent appearance within this car park in comparison to the siting of the container within the previous application. The design of the building now proposed is a timber office clad with uPVC, including a steel roof and elongated windows to the front elevation. Such a design is considered to have a more commercial appearance, rather than the industrial appearance proposed with the previous container design. There are neighbouring commercial units located opposite the station (unit 3 and Bestax Taxis). It is not considered that the proposed building would have any greater impact on visual amenity than these existing buildings, especially when considered collectively with its new, less conspicuous positioning on the site.

5 SURFACE WATER

- 5.1 The Environment Agency raised an objection to the previous application due to a concern regarding the potential pollution of water courses, which subsequently led to the refusal of the application.

- 5.2 The Environment Agency has not raised an objection to the current application, subject to a planning condition being attached to an approval relating to the need for a scheme for the disposal of surface and foul water from the proposal to be agreed. This can be controlled by requiring such details to be submitted to and agreed by the Local Planning Authority including Environment Agency involvement.

6 HIGHWAY CONSIDERATIONS

- 6.1 Twenty one existing parking spaces would be lost by the proposed car wash facility in comparison to the ten that were proposed to be lost within the previous application. When viewing the existing facilities available to commuters it should be noted that there is a large car park to the west and a further smaller car park to the north. In addition to this, there are regular buses to the station and a ten minute walk away are also the public car parks within the High Street of Rayleigh. Upon viewing, it does not appear that all of the area of this small car park is currently being used for parking. The supporting statement submitted with the application from National Car Parks Ltd. explains that the premier reserved parking bays have sat unoccupied for at least 6 months and were empty prior to that in a sporadic fashion for around two years. In addition, this statement explains that ‘the main car park itself is never any more than 85% (we take occupancy data daily) occupied, being at least 100 empty spaces each day close to the Service Man garage’. Therefore it is not considered that the loss of twenty one spaces at this site would result in insufficient parking spaces for commuters.
- 6.2 The Parking Standards: Design and Good Practice Supplementary Planning Document Adopted December 2010 considers that vehicle parking spaces for rail stations should be assessed on their individual merit. The ECC Highways department has not raised an objection to the proposed facility and it is not considered, on the site’s individual merits, that allowing the proposed car wash would detrimentally affect existing vehicle parking capacity for this railway station.
- 6.3 The site is in close proximity to the taxi rank and the area surrounding the proposed car wash is used as a drop off/collection area for commuters to the railway station. Within the previous application, it was intended to direct car wash users around the car parking area and past the taxi rank. This arrangement raised concern regarding the impact the proposed facility may have upon the functionality of this area and its ability to effectively serve the train station at peak periods. Within the current application, the entry and exist arrangements to the proposed car wash have been altered so that the entry is no longer near to the taxi rank. Whilst losing additional parking spaces by directing users across existing parking spaces, this arrangement has provided a longer queuing area to allow queuing for approximately 4 cars whilst a further car is being washed, away from the main circular entry and exit route of the car park. The proposed new arrangement is no longer considered to conflict with the taxi rank and the functionality of this area and is therefore considered to be acceptable. A planning condition, requiring a route to be

marked out on the ground so that users are aware of the queuing arrangement, could be attached to an approval.

- 6.4 The car wash facility would generate greater activity within this small parking area with those visiting this site that would not normally be attending for use of the railway station. This area is already fairly restricted and can become particularly busy at peak periods. Whilst traffic generation is likely to increase to some extent, it is also the case that those using the railway station to park or drop off/collect commuters may use the car wash. The car park is busy around rush hour times and when trains are due to arrive and depart. However, those using the car park around these times are not within the car park area for prolonged periods of time. Therefore, although the car wash would generate greater activity, it is not considered that such activity would have a detrimental impact on the users of this area sufficient to justify refusal of this application.
- 6.5 The entrance to the car wash facility would require a nearly half circle of the car park area. Therefore, although the actual siting would be close to the Crown Hill entrance, any queuing would be sufficiently distanced from this entrance to not conflict with it. ECC Highways department has not raised an objection to the proposal in terms of highway safety.
- 6.6 ECC Highways department has suggested that a planning condition be attached to an approval relating to controlling the release of surface water onto the highway. This could potentially be addressed using a similar planning condition as that proposed by the Environment Agency.

7 IMPACT ON NEIGHBOURS

- 7.1 The nearest residential property is no.133 Love Lane, which would be located approximately 47m from the proposed development. The recently constructed block of flats (The Trinity, 50 Crown Hill) at the bottom of Crown Hill would also be located approximately 56m away.
- 7.2 Within the previous application, some objections were received to the proposal from the occupiers of properties in The Approach and one objection has been received from a resident of The Approach within the current application. However, upon reading these objections, it is possible that there may have been some confusion surrounding the precise location of the car wash facility with the occupants of some properties within The Approach wrongly believing it is proposed to be located within the car park accessible from The Approach as opposed to its actual proposed location within the car park accessed from Crown Hill.
- 7.3 Whilst it is not considered that the proposed car wash facility would have a detrimental impact in terms of design or size on any neighbouring properties, there is the potential for noise implications with the use of the car wash facility. It was confirmed within the previous application that only one electrically powered domestic scale pressure gun would be used. The

applicant has confirmed within the current application that the machine they intend to use is a KARCHER 6/13C with noise levels of 60.08 DB (normal) and 75.40 DB (maximum). The officer report for the previous application suggested that the applicant provide further information to the LPA in order for an appropriate assessment to be made within any future application. Whilst some information has been provided at a later stage of this application it is still considered that more detailed information is required and, as concluded within the previous application, it is considered that a planning condition controlling noise mitigation should be attached to an approval.

8 OTHER MATTERS

- 8.1 Within the received petition, comments are made regarding impact on other car wash facilities, however, business competition is not a material planning consideration. Some elements of the petition suggest that the taxi rank would be removed by the proposal. It should be made clear that the proposal does not include removal of the taxi rank facility at Rayleigh Station; the site area itself does not include this rank. However, it should also be noted that the Local Planning Authority (LPA) could not stop the land owner from restricting use of the taxi rank or parking in the premier parking areas, if they so wished. This would be a matter relating to management of the land, which is a private matter between the landowner and those that use this area.

9 CONSULTATIONS AND REPRESENTATIONS

- 9.1 RAYLEIGH TOWN COUNCIL – Objects to this application, as it will cause additional congestion with traffic, which, overall, would interfere with the operation of the taxis.
- 9.2 RDC ENVIRONMENTAL SERVICES – Comment as follows:-
- It has been difficult to assess the potential noise impacts of the proposed development as there is a lack of information regarding noise from the jet washer and power supply, which is assumed to be a generator. As such, the Head of Environmental Services recommends that the applicant is asked to provide further information to the LPA in order for an appropriate assessment to be made.
 - The Head of Environmental Services reports that if Members are minded to approve the application, the following conditions should be attached to any consent granted.
- 9.3 Prior to the commencement of the development hereby permitted, a noise impact study shall be submitted to and agreed in writing with the LPA. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose.

- 9.4 Informative: The agreed report shall state equipment specifications that are to be honoured during the lifetime of the proposed development. 2) Hours of use restriction.
- 9.5 ECC HIGHWAYS – No objection, subject to the following conditions being attached to any permission granted:-
1. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 9.6 ENVIRONMENT AGENCY – Comment as follows:-
- The information submitted with this application advises that a new drain will be installed in the vehicle washing area, which will connect to the foul sewer. Provided all runoff is contained in the wash area and directed to this drain with either kerbs or slopes, then we are satisfied that, if constructed and managed appropriately, this should adequately minimise the risk of pollution to the nearby watercourse.
 - The submitted plans do, however, indicate that there is a gully adjacent to the vehicle washing area that is connected to the surface water system and nearby water course. The application does not currently demonstrate how the polluted runoff will be prevented from entering this gully.
 - We therefore consider that the application will only be appropriate if the following condition is appended to any permission granted. To discharge this condition the applicant will need to demonstrate to us what measures, for example, kerbs or slopes, have been taken to prevent the runoff entering the surface water gully.
- 9.7 Condition: The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface and foul water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
- 9.8 Reasons: To protect the water environment.
- 9.9 LOCAL RESIDENTS - 4 responses received (125 Love Lane, 127 Love Lane, 56 The Approach, 4 Parklands Avenue) which can be summarised as follows:-
- It will devalue residential properties in the area.

- The design is ugly and will spoil the general look and feel of the area. It is not an industrial estate, which is where this development would be more suited.
- This will generate even more traffic in an area that already has major congestion (especially at peak times). At times taxis and cars already queue, backing up to the end of the road. Queues already form in surrounding areas, e.g., Crown Hill and this will have a knock-on effect with even more vehicles illegally turning into Love Lane from Crown Hill. I have already witnessed various road rage incidents where drivers are queuing and getting impatient; this development will only make matters worse.
- This development will also make it more awkward for the taxis when they are trying to stop/park in their rank and I believe this would also impact on the neighbouring bus parking area if cars are queuing to get in the car wash.
- If the development goes ahead I believe it will cause more accidents in this area. A lot of pedestrians and cyclists also use this area and I believe this would have an impact on them.
- It will cause a loss of car parking spaces in a car park that already gets full at times causing more people to try and park in surrounding roads.
- The car wash will generate even more noise and disturbance for residents who live in this area and this is unacceptable, especially at weekends when it is generally quieter.
- Rayleigh already has adequate car wash facilities; another car wash is not needed.
- I am concerned over the impact of the drainage infrastructure and its ability to cope with the volume of water being used.
- I am also concerned over the environmental impact this would have using up our valuable water supplies and also additional vehicle emissions this would create. Especially as we are being told we are facing a drought/hosepipe bans this year!
- There are too many vehicles, traffic, commuter problems down this road; we do not want any more reasons for people to park, annoy and take up space in our road. We have trouble with kids and vandalism, plus people parking over our driveways to pick people up. We do not need a car wash facility this side of the station; do it the other side if you wish.
- As per the previous application, I object on the grounds of noise and disturbance and I have grave concerns over the extra traffic that the car

wash will generate. There is already an existing traffic issue whereby cars go up Love Lane illegally through the "no entry" entrance to avoid traffic congestion going towards the High Street. The car wash will increase the amount of cars travelling around the station and further increase the safety issue of cars going up Love Lane contravening the "no entry" sign.

- Further to my email regarding the proposed Car Wash Facility within Rayleigh Station Car Park Application no 12/00158/FUL I would like to raise further concerns/objections in connection with this planning application and in particular the supporting document letter from NCP.
- I would suggest this letter is biased as NCP would clearly have a vested interest in this development proceeding. They state that this area has been unoccupied for at least 6 months. I would suggest that is because the prices for these spaces were inflated and therefore people will buy the cheaper spaces. If the price of these spaces was reduced I believe they would have no problem filling the spaces. NCP suggest the car park is no more than 85% full, however, it is a fact that more and more people are using the train and therefore there will be more demand for the additional parking. NCP also indicate that the unoccupied spaces are by the Station Man Garage, therefore I would suggest this would be a much better site for this development and it would also alleviate any traffic issues since it is away from the entrance/exit to the car park. NCP state that vehicles are moved on from the double yellow lines when their staff are in attendance. I am in this area on a daily basis and have never witnessed this. I would also suggest that this method of traffic management is clearly inappropriate and ineffective and for it to be effective someone would need to be there full time.

In the supporting letter to the application from NCP to Gezim Salihi, paragraph 4 regarding "Taxi Ranking" states "this area will not be impacted by any car wash." Comments on this quote are as follows: (1) Two signs indicating to the public the taxi rank position and queuing arrangement have been removed. Layout map. (1) The accompanying layout Map shows the road marked taxi rank as "car parking". (2) A single yellow line has been painted onto the road surface, intersecting the taxi rank, extending into the proposed car wash facility, (not indicated on map).

9.10 TAXI DRIVERS & COMMUTERS – A petition has been received, which has been signed by hackney carriage drivers (62) and commuters (197) using Rayleigh railway station. The objections received can be summarised as follows:-

- Possible disruption to present taxi rank facilities.
- Traffic generation and access to the station for both taxis and the general public.

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- The effects traffic increase will have on road access and visibility, parking and highway safety.
 - Public safety – in particular lone female commuters, elderly or infirm, who rely upon a taxi service to continue their journeys.
 - Effects on local business – there are already two car wash facilities in close proximity to the station.
 - Drain on the resources of the emergency services – when long queues form for taxis there are often fights, which lead to police and ambulance services having to attend.
 - Rayleigh taxis service a wide area. Many commuters use Rayleigh Station as they are assured that they are able to access a taxi.
 - Until recently we were unaware of the application and had we had longer would have obtained more signatures on both petitions.
 - Other objections are as follows:-
 - Traffic generation/access
 - Impact on the neighbourhood of the area
 - The effects on traffic, road access and visibility, parking and highway safety
 - The “inappropriate” use of the proposed land use for a car wash
 - The frontage of Rayleigh Station has been used for both privilege parking spaces and for the use of a taxi rank in providing vital services for commuters. This area, which has been designated for the taxi rank is already congested.
 - We believe that the introduction of a car wash will cause traffic and congestion both inside the station boundary and also up Crown Hill and down London Road. Taxi drivers who queue, in particular on busy days (Wed/Thurs/Fri), would be “backed up” into Crown Hill/Love Lane waiting for fares. This would also compound the problem of the illegal use of the “No entry” of the Crown Hill end of Love Lane for impatient members of the public. This will cause delay to commuter journeys and cause an increase to the cost of taxi fares.
 - This neighbourhood would be severely blighted by increased traffic and congestion.

- Our livelihoods stand to suffer with fewer spaces to wait and park waiting for fares. Please note there are in excess of 60 taxi drivers working within Rayleigh, at any one time there could be 30 drivers operating from the station.
- The additional congestion by the introduction of a car wash would jeopardise the safety of commuters, the general public and disabled persons alike.
- This area, which has been designated for the taxi rank we all view as a vital service.

10 RECOMMENDATION

10.1 It is proposed that the Committee **RESOLVES**

To approve the planning application, subject to the following conditions:-

- 1 SC4B - Time Limits Full - Standard
- 2 SC14 - Materials to be Used (Externally)
- 3 At such time as the use hereby permitted ceases to operate from the site, the car wash canopy and office building shall be permanently removed from the site.
- 4 Prior to commencement of the development hereby permitted, a noise impact study shall be submitted to and agreed in writing with the Local Planning Authority. This must include information regarding equipment specifications and hours of use restrictions. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form whilst the premises are in use for the permitted purpose.
- 5 Prior to commencement of the development hereby permitted a scheme to dispose of surface and foul water shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented as approved and retained thereafter whilst the premises are in use for the permitted purpose.
- 6 Prior to commencement of the development hereby permitted details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the car wash becoming operational and shall be retained thereafter whilst the premises are in use for the permitted purpose.

- 7 This permission shall be limited to a period expiring on 31st May 2015 at which time the use of the site as a car wash shall cease and the land restored to its former condition (see Informative below), on or before the expiry date, unless a 'renewal' of this permission has been sought and obtained.



Shaun Scrutton

Head of Planning and Transportation

Relevant Development Plan Policies and Proposals

Policy CP1, T3 and T8 of the Rochford District Council Core Strategy 2011

Policy UT2 of the Rochford District Replacement Local Plan 2006

Parking Standards: Design and Good Practice Supplementary Planning Document adopted December 2010

For further information please contact Claire Robinson on:-

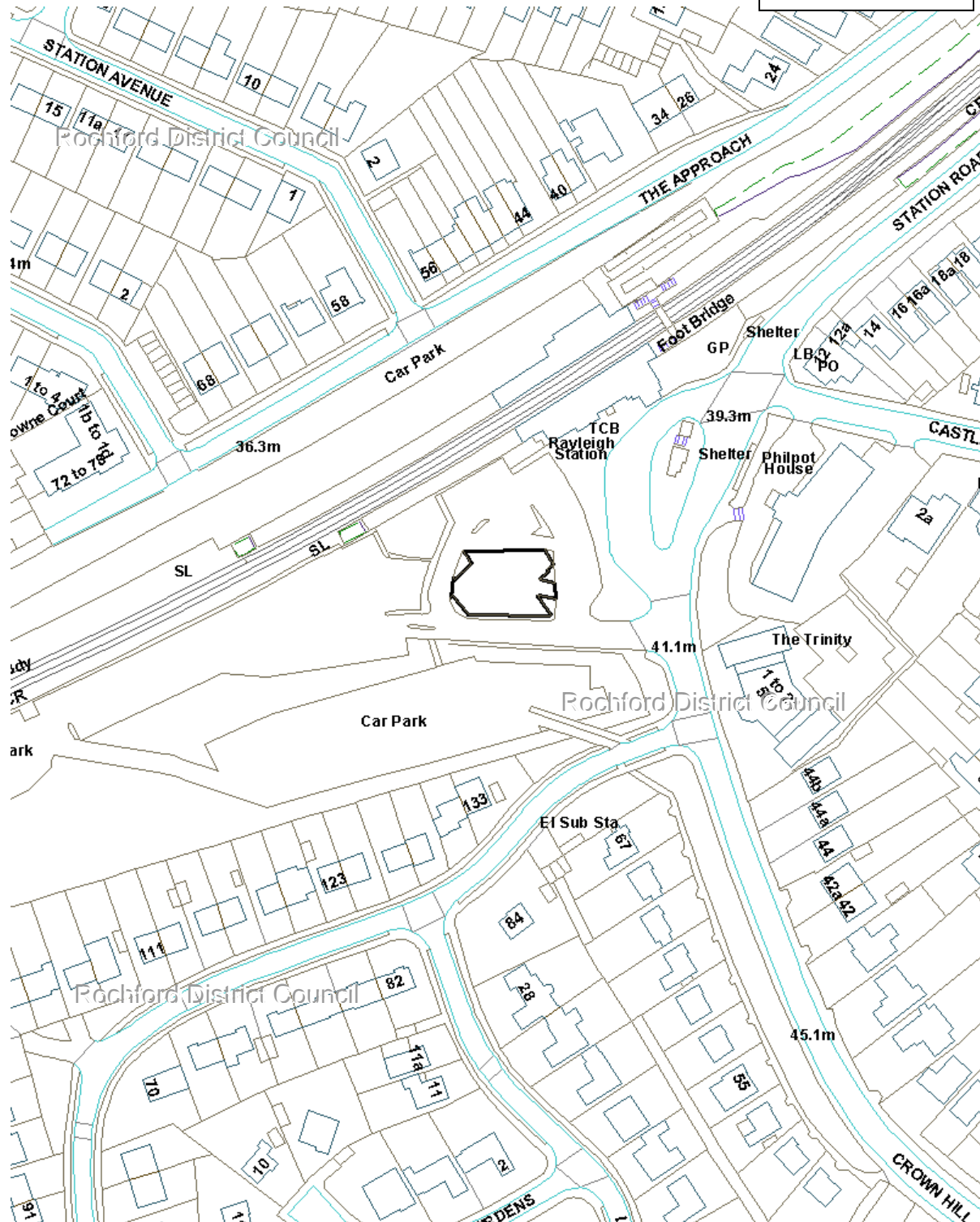
Phone: 01702 318096

Email: Claire.robinson@rochford.gov.uk

The local Ward Members for the above application are Cllrs J D Griffin and Mrs M J Webster.

If you would like this report in large print, Braille or another language please contact 01702 318111.

12/00158/FUL



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