

<b>Application</b>	<b>2.</b>
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<b>Application Number:</b>	19/02034/FUL
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<b>Application Type:</b>	Full Planning Permission
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<b>Proposal Description:</b>	Change of use from Vacant Car Park to Car Wash with associated staff welfare facility.
<b>At:</b>	Skellow Grange Social Club, 223 Skellow Road, Skellow, Doncaster.

<b>For:</b>	Mr Kujtim Uka
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<b>Third Party Reps:</b>	46 individual letters 8 signature petition	<b>Parish:</b>	N/A
		<b>Ward:</b>	Norton and Askern

<b>Author of Report:</b>	Alicia Murray
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## SUMMARY

A large proportion of objections have been received by the Local Planning Authority outlining concerns of highway safety, residential amenity and environmental impact of the proposal.

The application has been assessed by all relevant consultees and the issues raised by the neighbouring residents have been fully assessed. The proposal is considered to be acceptable as it would not result in a significantly detrimental impact to the highway safety of the area, or residential amenity in terms of noise and hours etc., there would be no harm to the drainage of the area or to natural environment surrounding the site. Consequently, the development would not have environmental, social, or economic issues and is therefore recommended for approval on a temporary basis of 12 months to monitor the impact and ensure if there is any harm the development can be controlled and an assessment made regarding future permissions.

**RECOMMENDATION: GRANT (Temporary Consent for 12 months).**



## **1.0 Reason for Report**

- 1.1 This application is being presented to planning committee due to the amount of representations received, which will be outlined in the report below.
- 1.2 Additionally, Councillor White called this application to planning committee on the grounds of the impact this proposed use could have on the environment i.e. pollution and the impact on the residential area, as well as the highway safety concern in this location.

## **2.0 Proposal**

- 2.1 Planning permission is sought for the change of use of the vacant rear car park to the Skellow Social Club into a hand car wash facility.

## **3.0 Site Description**

- 3.1 The site is located to the rear of 'Skellow Social Club', the land is vacant and has telecommunication apparatus and a small container on site..
- 3.2 The site is accessed off Ings Lane, but the site as a whole is located along Skellow Road behind the Social Club. The parking for the Social Club is to the front of the site and there are some parking areas for neighbouring boxing club/gym to the rear of the site, outside of the red line boundary for the hand car wash.
- 3.3 Surrounding the site is a mixture of commercial and residential land uses. To the east of the site are commercial units at ground floor with residential above and to the north are residential properties with the immediate neighbour to the west being a hot food takeaway.
- 3.4 The fencing and staff welfare unit has been placed on site, prior to the submission of this application.

## **4.0 Relevant Planning History**

- 4.1 There is no relevant planning history for this site.

## **5.0 Site Allocation**

- 5.1 The site is designated within Commercial Policy Area, as outlined within the Unitary Development Plan (adopted 1998).

## **5.2 National Planning Policy Framework (NPPF 2019)**

- 5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.4 Paragraph 170 outlines that new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water, or noise pollution or land stability.
- 5.5 Paragraph 180 outlines that decisions should also ensure the new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. Decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.

#### **5.6 Core Strategy 2011 - 2028**

- 5.7 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 5.8 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.9 Policy CS1 of the Core Strategy states that development should protect local amenity and are well-designed: attractive; fit for purpose; locally distinctive; and capable of achieving nationally recognised environmental, anti-crime and design standards.
- 5.10 Policy CS 4 requires all development to address the issues of flooding and drainage where appropriate. Development should be in areas of lowest flood risk and drainage should make use of SuDS (sustainable drainage) design.
- 5.11 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates.

#### **5.12 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)**

- 5.13 Policies SH1 and SH3 of the UDP sets out that within Commercial Policy Areas of small towns and district centres that development not listed within the policy should be considered on their own merits. Development should not create environmental, amenity, traffic or parking problems.

#### **5.14 Local Plan**

- 5.15 The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The Local Plan was approved at Full Council on the 25th July 2019 and Regulation 19 Publication has recently been completed. The Council is aiming to adopt the Local Plan by the end of 2020. Given the relatively early stage of preparation of the emerging Local Plan, the document carries limited weight at this stage, although the following policies would be appropriate:

- 5.16 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development.
- 5.17 Policy 55 requires the need to take into account air and noise pollution.
- 5.18 Policy 56 deals with the need to mitigate any contamination on site.
- 5.19 Policy 57 requires the need for satisfactory drainage including the use of SuDS.

## **5.20 Other material planning considerations**

- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- National Planning Policy Guidance

## **6.0 Representations**

- 6.1 54 public objections including an 8 signature petition has been received by neighbouring properties, some of these representations are submitted on behalf of The Skellow, Carcroft, Adwick, and Woodlands Action Group and The Old Skellow Neighbourhood Watch Group. The material planning considerations raised can be summarised as:
  - Do not want to live next to a hand car wash
  - Would increase pollution, chemicals going into drains and rivers
  - Would increase traffic and the junction with Ings Lane and Skellow Road cannot cope with more traffic
  - Impact on health via airborne particles/air pollution
  - Noise from jet washes and hoovers
  - Already other car washes in the local area
  - Conflict with beer garden to the pub
  - Operating next to food outlets
  - Skellow Road is considered to be unsafe in terms of highway safety with ongoing parking problems around the area of the shops/Ings Lane/social club with both cars and HGVs
  - Footpaths blocked for people in wheelchairs and scooters by existing parking problem, the proposal would make this worse
  - Proposal would be too close to residential properties
  - Concerns regarding operational hours
  - Could result in illegal parking on the road
  - Porta-cabin would harm the visual appearance of the area
  - Spray for water/chemicals escaping the site area
  - Environmental Impact of the development
  - Car Park is not vacant
  - Potential stacking of cars onto Highway
  - Residential area not commercial or industrial.

## **7.0 Relevant Consultations**

- 7.1 **Highways Development Control** – Requested amended plans and further detail relating to the parking on site and that used by other businesses. This has been

received and highways have removed their objections but have requested a temporary consent.

- 7.2 **Pollution Control** – No objections but has requested that an informative be added to the decision notice, to ensure the development operates to the Environment Agency best practise to prevent water pollution.
- 7.3 **Environmental Health** - Given the jet wash will be housed and there is an acoustic barrier alongside Ings Lane noise should be kept to a minimum on site and equal to or less than daytime background levels meaning no negative impact to the nearest sensitive receptors; therefore the officer has no objections.
- 7.4 **Internal Drainage Officer** – No objections, requested conditions relating to surface water drainage and interceptor requirements.
- 7.5 **Area Manager** – The Area Officer is aware of various community concerns that have been raised including the increase in traffic being created in a relatively dense location, the water waste and noise from the car wash operation. These aspects should be given due consideration in determining the outcome of the planning application.
- 7.6 **Yorkshire Water** – No objections have been raised but the case officer will outline via an informative that a trade effluent consent/agreement with Yorkshire Water will be required; but this is separate to the planning consent.
- 7.7 **Ecology** – No objections
- 7.8 **Environment Agency** – The application form outlines that the drainage will be discharged into the mains foul sewer, therefore the Environment Agency do not require consultation.

## **8.0 Assessment**

- 8.1 The principal issues for consideration under this application are as follows:

- Principle of development;
- Impact on neighbouring land uses
- Character of the area
- Highway Safety
- Drainage and Pollution
- Overall planning balance

- 8.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

## Principle of Development

- 8.3 The application site is allocated as a commercial policy area within the saved UDP Policies, and the proposed use itself will sit alongside other commercial uses and some residential properties (this impact will be assessed below). A hand carwash is classified as *sui generis*, and is not amongst the list of acceptable uses in Commercial Policy Areas in saved Policy SH3. The use is however commercial in nature and would not appear out of place alongside this row of commercial units. The application site is located on a main road through the settlement, where such a use would be expected to be located, as opposed to being located within a residential estate. Hand carwashes located alongside main roads within commercial areas are not an uncommon situation, and would not appear out of place in this location. As such, it is considered that the principle of development is acceptable in this location.

## **8.4 Sustainability**

The National Planning Policy Framework (NPPF 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs

There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

## **SOCIAL SUSTAINABILITY**

### **8.5 Impact on Neighbouring Land Uses**

- 8.6 The site is designated within the commercial policy area but there are residential properties located on Ings Lane opposite the site and within the surrounding area; therefore there are potential impacts on these properties.
- 8.7 The proposed jet washes will be housed within a metal container to reduce the noise generated from them, additionally there is a fence running along the boundary of the car park which divides the site and does result in an acoustic barrier facing onto Ings Lane. The Council's Environmental Health Officer has been consulted and does not object to the application, as the two mitigating factors outlined above are considered sufficient enough to reduce the noise levels to similar or lower than expected daytime background noise levels.
- 8.8 The proposed opening hours for this hand car wash have been outlined as 08:00 to 18:00 hours 7 days a week; however given that there are residential properties approximately 35m away from the gated entrance to the hand car wash, it is considered appropriate to restrict these hours to 09:00 to 17:00 Monday – Saturday and 10:00 to 16:00 Sundays and Bank Holidays.
- 8.9 The other surrounding land uses include a beauty salon, boxing gym, convenience stores and other commercial uses; the operation of this site during the day time hours

should not result in harm to these other commercial enterprises. As the hours would be similar to those surrounding it and the noise is mitigated to an acceptable level. Parking, highway implications and pollution considerations will be discussed further in the report.

## **8.10 Conclusion on Social Impacts.**

- 8.11 Paragraph.8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to support strong, vibrant and healthy communities, by ensuring well-designed and safe built environments, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 8.12 In conclusion the proposal is not considered to adversely affect the neighbouring land uses/properties; given the mitigation proposed by the applicant. The above factors are given considerable weight in the determination of this application.

## **8.13 ENVIRONMENTAL SUSTAINABILITY**

### **8.14 Impact upon the character of the area**

- 8.15 It is worth noting that the fencing and metal container are existing on site.
- 8.16 The proposal is to include a staff welfare facility in the centre of the site. This facility is provided in the form of a modular building and has been located on the site prior to the determination of this planning application. The building is concealed from Skellow Road by being situated at the rear of the building and is considerably set back from Ings Lane. Whilst it is visible from Ings Lane, views from the wider area are limited. The current appearance of this building is mostly pale green, with red and yellow paint which does result in it sticking out on the site; it is considered appropriate to condition the improvement of the building which can be achieved by painting the building one colour and given the dense vegetation to the west of the site, dark green would be an suitable colour.
- 8.17 As outlined above the proposed use is located behind the 'Social Club' and is then set back from Ings Lane behind the existing car parking spaces located on the boundary with Ings Lane; therefore the impact to the character of the area is negligible.

### **8.18 Impact upon Highway Safety**

- 8.19 The proposal would be located to the rear of a social club which has subsequently sub-divided into other commercial uses, which includes a gym and a beauty salon. The rear area of the site with an access point leading from Ings Lane, has been in situ prior to 2009 (as outlined on google street view).
- 8.20 The parking for the social club is accessed from Skellow Road. The Ings Lane access currently serves the beauty salon and gym, and the proposal includes the widening of the access to make it easier for this proposed use and the current uses to share.
- 8.21 The proposed car wash would be separated from the car parking area by a mesh fencing (already in situ) and to ensure there is no conflict with different uses the Highways Officer has requested a 12 month temporary consent, so the operation

can be monitored. Furthermore, the parking spaces for the other uses will be reduced by two spaces to facilitate the access widening and this has not raised a concern from the Highways Officer.

- 8.22 The Council's Highways Officer has been consulted during the application process and upon submission of the requested amendments does not object to the application. It is considered that the use can be wholly be facilitated within the site and there is sufficient space for queuing without spilling on to the highway. Therefore, there should be no greater harm to highway safety subject to suitably worded conditions being applied to the decision notice.
- 8.23 A substantial amount of the objections received outline concerns of an ongoing parking and highway problem on Ings Lane and this section of Skellow Road adjacent to the shops. Concerns have been raised that HGVs park on the street along with all other cars which in turn causes highways issues. This is an outstanding issue which should be raised to the Highways Network Management Team. The Council's Highways Development Control Team are content that the proposal can operate without spilling out onto the Highway and causing greater harm to the area.

#### **8.24 Drainage and Pollution**

- 8.25 The site is located within Flood Zone 1 and is therefore not susceptible to flooding. The application form outlines that the site will drain to mains foul sewer, therefore the Environment Agency do not need consulting. Yorkshire Water and the Council's Drainage Team have been consulted and have not raised any objections but the Council's Drainage Team have requested conditions relating to details of the drainage system and interceptor details prior to commencement of the development; this along with the occupier following the Environment Agency best practise guidance relating to this type of development should ensure that there is no water pollution occurring as a result of this development.
- 8.26 The Council's Pollution Control Team have also been consulted and do not raise any concerns relating to land contamination.
- 8.27 The Council's Ecologist has also been consulted and do not believe that the proposal would lead to harm to the natural environment around this site.
- 8.28 Therefore, given the comments received from the relevant consultees subject to the conditions being placed on the decision; the development should not result in harm to the natural environment or result in an increased risk of flooding or water pollution in this area.

#### **8.29 Conclusion on Environmental Issues**

- 8.30 Para.8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.31 The proposal has been fully assessed by consultees and it is considered that the development would not result in a detrimental impact to the natural environment;

significant weight has been given to the matters raised in the determination of this application.

### **8.32 ECONOMIC SUSTAINABILITY**

- 8.33 It is anticipated that there would be some economic benefit to the development of the site through employment of five full time staff.

### **8.34 Conclusion on Economy Issues**

- 8.35 Para 8 a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 8.36 The proposal would result in some economic benefit in the creation of jobs, however the job created are small in scale and therefore this is given modest weight in the determination of this planning application.

## **9.0 PLANNING BALANCE & CONCLUSION**

- 9.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused.

## **10.0 RECOMMENDATION**

### **10.1 GRANT PLANNING PERMISSION** subject to conditions:

01. The use hereby permitted shall be for a limited period being the period of 1 year from the date of this decision. At the end of this period, the use hereby permitted shall cease, all materials and equipment brought on to the land in connection with the use shall be removed, and the land restored in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

#### **REASON**

The use hereby approved needs to be monitored to ensure it does not conflict with the neighbouring land uses and the shared car parking also located on the Skellow Social Club site; in accordance with Policy CS14 of the Core Strategy.

02. The jet wash facility will be housed within the existing metal container on site.

#### **REASON**

In the interest of protecting the amenity of neighbouring land uses, in accordance with PH12 of the Unitary Development Plan

03. The hours of opening shall be limited to:  
Mondays to Saturday inclusive 08:00 hours to 17:00 hours  
Sundays and Bank Holidays 10:00 hours to 16:00 hours  
**REASON**  
In the interests of residential amenity, in accordance with PH12 of the Unitary Development Plan.
04. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.  
**REASON**  
To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.
05. Any water run off from the vehicle wash down area shall be discharged to the public foul sewer (in accordance with PPG13-Vehicle washing and cleaning) via a suitable oil/ petrol/grit interceptor. Details of these arrangements shall be approved by the Local Planning Authority prior to the commencement of the development and they shall be fully operational before the site is brought into use.  
**REASON**  
To prevent pollution of the aquatic environment and protect the public sewer network, in accordance with CS14 of the Core Strategy.
06. Within one month of the date of decision the staff welfare unit will be painted dark green RAL6005.  
**REASON**  
To ensure the modular building is sympathetic to the character of the area, in accordance with CS14.
07. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:  
3360-02E amended 28.10.19  
**REASON**  
To ensure that the development is carried out in accordance with the application as approved.
08. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced, drained and where necessary marked out in a manner to be approved in writing by the local planning authority.  
**REASON**  
To ensure adequate provision for the disposal of surface water and ensure that the use of the land will not give rise to mud hazards at entrance/exit points in the interests of public safety.
09. The development hereby approved shall not be brought into use until a crossing over the footpath/verge has been constructed in accordance with a scheme previously approved in writing by the local planning authority.  
**REASON**

To avoid damage to the verge.

10. Before the development hereby permitted is brought into use, the parking as shown on the approved plans shall be provided. The parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

**REASON**

To ensure that adequate parking provision is retained on site.

**Informatics**

01. The applicant should apply to Yorkshire Water for a trade effluent consent/agreement with the water/sewerage company (Yorkshire Water) prior to operation of the car wash.
02. The applicant should follow the best practise guidance whilst operating the car washing facility:  
Regulatory and best practice guidance relating to vehicle washing and cleaning is available at:  
[www.Environment-agency.gov.uk/business/topics/pollution](http://www.Environment-agency.gov.uk/business/topics/pollution)

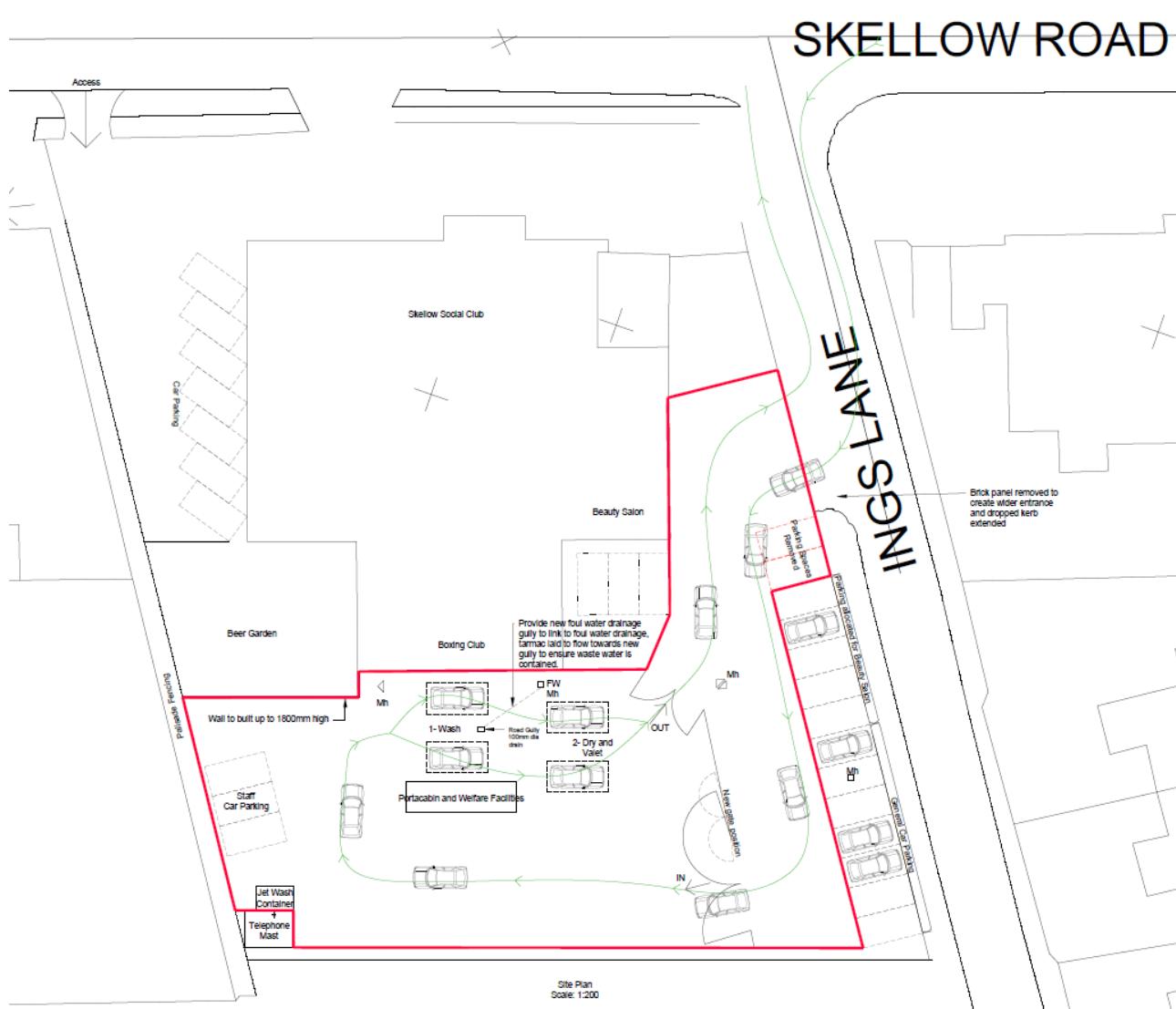
**Reason(s) for Granting Planning Permission:**

**STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

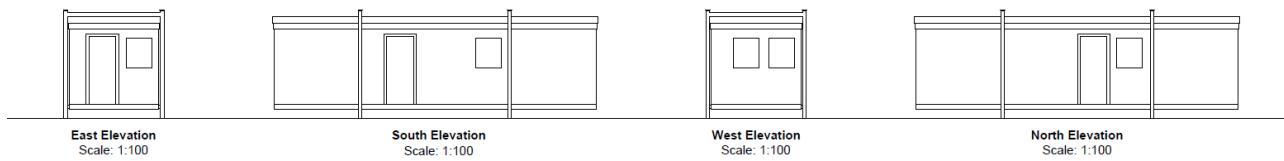
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application: To overcome the concerns raised by the highways officer.

**The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence**

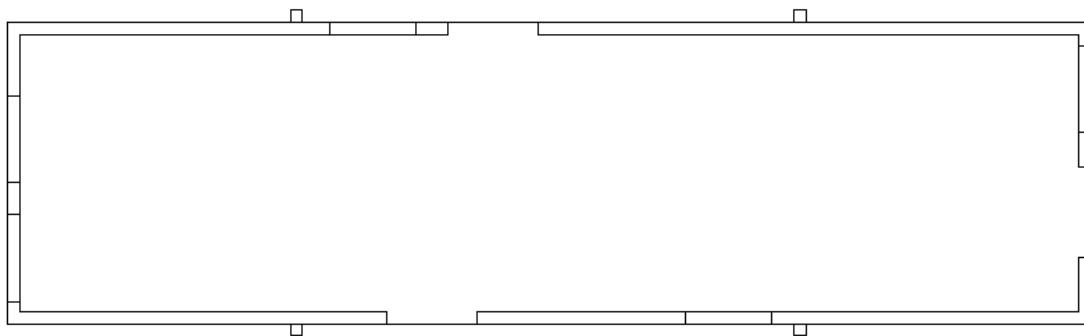
## Appendix 1 – Site Plan



## Appendix 2 – Proposed Porta cabin



PORATAKABIN BUILDING



**FLOOR PLAN**  
Scale: 1:50