

DELEGATED OFFICER REPORT

Application Ref: F/23/95964

Site Address: Service Station, Winchester Road, Fair Oak, Eastleigh, SO50 7HD

Case Officer: Summer Sharpe

Description: Removal of car wash including building, plant room enclosure and works to associated access roads to provide additional customer parking. Retrospection relocation of fuel tanks.

Particular Site Constraints?	Yes ☒	No ☐
• Within urban edge • Fair Oak Centre • Flood Risk (east) • Locally Listed St Thomas' Church (east)		

Planning History	Yes ☒	No ☐
Application no.	Proposal	Decision
F/22/92617	Replacement of existing fuel tanks, fills, pipework and forecourt. Alterations to existing parking provisions, relocation and increase of height to canopy, extension of service yard, works to existing and creation of new pedestrian footpath, relocation of equipment, installation of vehicular bollards and lighting located on poles and building, and replacement of fencing on eastern boundary.	Permitted (June 2022)
A/22/92722	Consent to display; 1no. illuminated freestanding facility sign, 1no. illuminated sign to existing totem pole, 4no. illuminated fascia signs to canopy, and 8no. illuminated ancillary petrol pump signs.	Consent to Display the Advert (June 2022)
F/19/86429	Proposed modular warehouse extension with chiller unit and new timber fence to match existing	Permitted (28 November 2019)
A/15/76129	Display of 5no. Externally illuminated projecting signs	Advertisement Consent (24 April 2015)
A/14/74754	Display of 5no. Illuminated fascia signs, 1no. illuminated projecting sign and 7no. Non illuminated associated advertisement signage.	Advertisement Consent (4 August 2014)

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None received.		
Parish Council:	No objection.		
EBC Environmental Health:	None received.		
HCC Highways:	No objection from a highways perspective. In terms of the car park works, these are internal and so have no direct impact on the highway. The layout has been checked however, and appears acceptable with adequately spaced parking spaces and an aisle width suitable for easy turning in and out of the spaces. In terms of the fuel tank locations, again these are off highway, and appear to be in a suitable position.		
EBC Contaminated Land:	<u>Comments 27 November 2023 (following the receipt of additional information):</u> As the works involve minor excavations and the applicant will undertake a watching brief during the works, I am happy with the information.		

	<u>Comments 20 November 2023 (following the receipt of additional information):</u> Information with regard to the relocation of fuel tanks is acceptable (<i>The works were the agreed in the Remediation Strategy and Verification Plan ref 70091303-RS-V1 dated 12/10/2022</i>). Additional information was requested with regard to the removal of existing car wash. <u>Comments 20 October 2023:</u> Additional information was requested.
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Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), DM1 (General development), DM8 (Pollution), DM13 (Transport) & DM14 (Parking).

Supplementary Planning Documents

Site Visit

Yes ☒

No ☐

No site visit was undertaken as part of this application, however a site visit was undertaken 21 April 2022 as part of planning application F/22/92617.

Assessment:

Site & Surroundings

The application site relates to a detached petrol station, currently occupied by Tesco Express located to the west of Winchester Road, almost opposite St Thomas' Church. To the frontage of the building is a forecourt with petrol pumps and an associated canopy and signage. To the west there are parking provisions and a car wash.

The surrounding area comprises a mixture of uses, however it is predominantly residential.

Proposal

The application proposes a range of works, comprising:

Removal of car wash including building and plant room enclosure. This is currently situated to the western boundary of the application site (behind the shop). The car wash building itself has a maximum flat roof height of approx. 5.4m, this has a footprint of approx. 10.6m by 5.5m. The plant building projects 2.9m further west from the car wash and has a flat roof height of 2.5m.

The application includes works to associated access roads to provide additional customer parking to the rear. Currently the site benefits from approx. 10no. parking provisions to the west of the building, whereby the proposals would increase this to 20no. parking provisions.

The application also includes retrospection relocation of fuel tanks. Planning application F/22/92617 permitted the replacement of fuel tanks. This application seeks to regularise their relocation.

Principle

The application site falls within the urban edge and is also a unit within a current and viable usage, whereby the principle of development; extending/ altering such a building, or development within the curtilage is considered to be acceptable, however, would be subject to the following considerations.

Design

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

The proposals comprise the removal of car wash, works to associated access roads to provide additional customer parking and retrospection relocation of fuel tanks, which are contained entirely within the site itself.

The existing car wash and associated buildings are not considered to have any particular design merit. They are of a fairly large scale, and therefore their removal would result in the loss of clutter, thus would be considered a visual improvement. The works to the roads would also improve the existing layout. It is however, noted that there would be an excessive amount of hardstanding. Whilst acknowledging there is a significant amount of hardstanding as existing, the removal of the car wash and creation of parking provisions would allow for some soft landscaping opportunities. As a such, and following discussions with the agent, it is recommended that a landscaping condition be imposed to soften the appearance of the, otherwise, acceptable development.

The application also seeks to regularise the relocation of fuel tanks. These are situated below ground level and would not impact upon the overall design. Overall, and to conclude, the proposals are considered to be in accordance with the abovementioned policy and would therefore be acceptable.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

The application proposes the removal of the car wash and associated structures. There are no immediate residential neighbouring properties, therefore there would be no impact upon these. There are, however, commercial uses nearby. The removal of the car wash would not necessarily directly impact upon these, however their removal would improve the visual appearance of the site, reducing clutter/ buildings, which could be viewed from wider public vantage points. The removal of the car wash element is also likely to reduce noise, thus improving the noise environment within the vicinity. Due to the nature of the car parking arrangements, this would not be dissimilar to the existing, and would not have an adverse impact upon existing neighbouring commercial uses. The relocation of the fuel tanks was underground and therefore this element would not have any impact upon the neighbouring amenities. Therefore and to conclude, the proposals are considered to be acceptable in this regard.

Highway Safety & Parking

Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. Policy DM14 of the same Plan requires that an appropriate level of car parking be provided in accordance with the Council's adopted standards. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 107 and 108.

Due to the nature of the proposals the Local Highways Authority (LHA) were consulted, whereby they raised no objection. The proposals would result in the removal of the existing car wash, alteration of access roads and creation of additional parking. The LHA noted that the proposals would be confined to the application site and would therefore not have a direct impact upon the highway network. The LHA did assess the proposed parking layout, noting that this appears acceptable with adequately spaced parking provisions and aisle width which allows for easy turning. Therefore the proposals are considered to accord with the abovementioned policies and contents of the NPPF, as such would be acceptable in this regard.

Contaminated Land:

Policy DM8 of the Eastleigh Borough Local Plan (2016-2036) stipulates that development will not be permitted if it is likely to cause loss of amenity or impact upon public health or other unacceptable environmental impacts; including land contamination.

Owed to the nature and location of the proposals, the Council's Contaminated Land Team have been consulted upon. Originally the Council's Contaminated Land Officer (CLO) requested additional information. Following the receipt of this, the CLO was agreeable to the relocation of the fuel tanks, however they did request further information with regard to the removal of the car wash and associated structures. Following receipt of additional information they advised they were agreeable subject to a watching brief condition. Therefore, and subject to such a condition, the proposals are considered to be acceptable in this specific regard.

Other Matters

In accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the Local Planning Authority informed the agent of the pre-commencement conditions (relating to landscaping) to which they confirmed they were agreeable (email dated 29 November 2023).

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other this, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020-2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF and development plan do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies, S1, DM2, and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion:

This application is recommended for approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐