

P/14/0813/CU

LOCKS HEATH

MR R DORTI

AGENT: MR R DORTI

CHANGE OF USE OF A PART OF A CAR PARK TO A CAR VALETING BUSINESS WITH ASSOCIATED REMOVABLE CANOPY, PORTACABIN AND FENCE

LOCKS HEATH SHOPPING CENTRE - CAR PARK FAREHAM HANTS

Report By

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Site Description

The application site is in the north eastern corner of the main car park of the Locks Heath Shopping Centre, due east of the Waitrose store. The site comprises a total of 11 parking spaces and a small trolley bay area.

Description of Proposal

The application, which is made in retrospect, seeks full planning permission for the retention of the hand car wash/valet enterprise at the Locks Heath Shopping Centre. In the eastern most 4 bays is the wet wash area with drainage gullies on two sides. In the central three bays is a metal container that acts as a staff changing area and equipment store. The western most four bays and trolley store area is the dry valeting area. This part of the site is covered with a cantilevered dome style canopy which has a finished height of 3.5m.

Policies

The following Guidance and Policies apply to this application:

The National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Approved Fareham Borough Core Strategy

CS1 - Employment Provision

CS3 - Vitality and Viability of Centres

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS9 - Development in Western Wards and Whiteley

CS17 - High Quality Design

Development Sites and Policies

DPS1 - Sustainable Development

DSP2 - Design

DSP3 - Environmental Impact

DSP4 - Impact on Living Conditions

DSP35 - Locks Heath District Centre

Fareham Borough Local Plan Review

S7 - Non-Retail Uses in the District and Local Centres

DG4 - Site Characteristics

Relevant Planning History

The following planning history is relevant:

P/11/0573/FR **ERECTION OF NEW RETAIL TERRACE WITH FULL MEZZANINE, RECONFIGURATION OF CAR PARK AND EXTERNAL AREAS AND RETENTION OF RE-CYCLING FACILITIES (FULL RENEWAL OF P/08/0598/FP)**

APPROVE 15/11/2011

P/08/0598/FP **ERECTION OF NEW RETAIL TERRACE WITH FULL MEZZANINE, RECONFIGURATION OF CAR PARK AND EXTERNAL AREAS AND RETENTION OF RE-CYCLING FACILITIES**

PERMISSION 06/08/2008

Representations

One letter from 124 Locks Road - Objection:

- Given the increased popularity of the Locks Heath Centre on the arrival of Waitrose this operation takes up valuable parking spaces and I was shocked to find that there was no planning permission before starting business.
- With a disabled passenger on board it is, at times, difficult to find a space close to the shops not helped by the space required for washing cars. In those instances we go to Whiteley.
- This operation would be ideal in the currently closed off section of the car park adjacent to the bus stop.

Consultations

Director of Planning & Development (Highways): No objection. Would it be appropriate to permit a temporary permission on the basis of reviewing the impact on parking in the longer (three year?) term?

Director of Community (Environmental Health): I note that the drainage issues have been resolved and I don't think that noise will be an issue based on the location.

Southern Water: Southern Water requires a formal application for a new connection to the public foul and surface water sewer to be made by the applicant.

Environment Agency: No objection

Planning Considerations - Key Issues

The key considerations in the determination of this application are:

- the principle of the use in the district centre
- impact on parking provision
- amenity

THE PRINCIPLE OF THE USE IN THE DISTRICT CENTRE:

Policy CS3 of the Core Strategy encourages development proposals within the identified centres (of which the Locks Heath Centre is one) in order to promote competition and

consumer choice whilst maintaining and strengthening the individual character, vitality and viability of the centre. Policy CS3 sets out a hierarchy of centres and whilst encouraging development the policy also seeks to ensure that the retail hierarchy should be maintained. The application site is in one of the defined "District Centres".

Policy CS5 of the Core Strategy requires developments to not adversely affect the safety and operation of the local road network.

Core Strategy policy CS9 is permissive of development in the Western Wards and Whiteley within the defined urban settlement boundary through a number of measures, one of which is the "...expansion of the district centre".

Emerging policy DSP35 of the Development Policies and Sites Plan (Local Plan Part 2) provides for the expansion and/or redevelopment of the Locks Heath Local Centre for A1, A3 and A4 uses. In this case the proposed use, given that the definition of an "industrial process" within the Use Class Order includes "washing" and "cleaning" would be a B1(c) use; so it would not fit within any of the proposed emerging uses for the centre however the current Core Strategy policies are not explicit in terms of the form of what the additional development may take.

Additionally the National Planning Policy Framework (NPPF) sets out a commitment to securing sustainable economic growth in order to create jobs and prosperity. Paragraph 21 of the Framework sets out that "Investment in business should not be over-burdened by...planning policy expectations". It continues that "Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances".

The application documents set out that the proposal will "...create new and sustainable economic growth for the area" and will create an estimated four full time jobs.

Subject to the impact of the new use on the level of parking provision provided and neighbouring amenity the application is acceptable in principle.

IMPACT ON PARKING PROVISION:

The Locks Heath Centre Manager, on behalf of the applicant, has confirmed that the car wash and valeting service opened on the same day as the new Waitrose store and the combined customer parking implications for the centre were reviewed prior to this event.

The Local Planning Authority is advised that Co-operative staff had previously been allocated 28 spaces in the car park to the rear of the store. Following negotiations between Waitrose and the land owner, Waitrose partners were instructed that they were not permitted to use the customer parking facilities. This effectively released an additional 28 spaces (the Co-operative staff parking spaces) back to public parking from the first day of operation of the Car Valet service. As such part of the applicant's case is that there is actually a net increase of 17 spaces (the 28 former Co-operative parking spaces minus the 11 for the proposed car wash/valet) since the opening of the business.

The applicant additionally makes the point that the majority of car wash customers are likely to also be centre customers so that the net loss of car parking spaces would only be expected to be some 6-7 spaces rather than the 11 in the application site. In principle such a loss would not therefore, be expected to have a material impact on parking provision and hence no, in principle, highway objection is raised to the application.

However the centre is and continues to be well used and the actual positive impact of Waitrose on the centre and the provisions within policy CS3 and emerging policy DSP35 for some expansion of the centre means that the parking provision for the centre will be crucial to its future viability and vitality.

In the absence of any car park usage data to understand when the parking provision is at a premium (the applicant has not shared any such data) the national Planning Practice Guidance (PPG) advises that where a trial run is needed "...in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period" that a temporary permission may be appropriate.

The PPG also advises that "refusing planning permission on a planning ground capable of being dealt with by conditions risks an award of costs, where it is concluded that suitable conditions would enable the proposed development to go ahead". As such, in this case it is considered reasonable and necessary that the proposal be recommended favourably but subject to a three year temporary permission in the first instance. This will allow the Local Planning Authority to "trial run" the development during an entire calendar year and see how the proposal complements, or otherwise, the parking function of the Locks Heath Centre.

If the Local Planning Authority were to conclude that the material considerations in favour of the proposal do not outweigh the harm of the loss of parking to justify a permanent permission then clearly a temporary permission falls to be considered consistent with the advice in the PPG.

Whilst the proposal utilises 11 existing car park spaces, none of these are designated as disabled spaces of the type referred to by the third party representation. It is also noted that the site is, at its closest, 75m away from the nearest Waitrose customer entrance.

AMENITY:

As described above, the proposal falls within the description of an "industrial process" for the purposes of the Use Class Order and so would be categorised as a B1(c) use. The application site is not within close proximity to the adjoining residential development that surrounds the centre with the nearest neighbouring property in excess of 100m away.

CONCLUSION:

The use is likely to be a complementary use to the other commercial outlets in the Centre such that the users of the car wash/valet are likely to be using the site in-combination with an existing trip to the centre. As such the proposal is acceptable for a temporary permission for a three year period to enable to the full impact of the use on the car park to be properly understood.

Recommendation

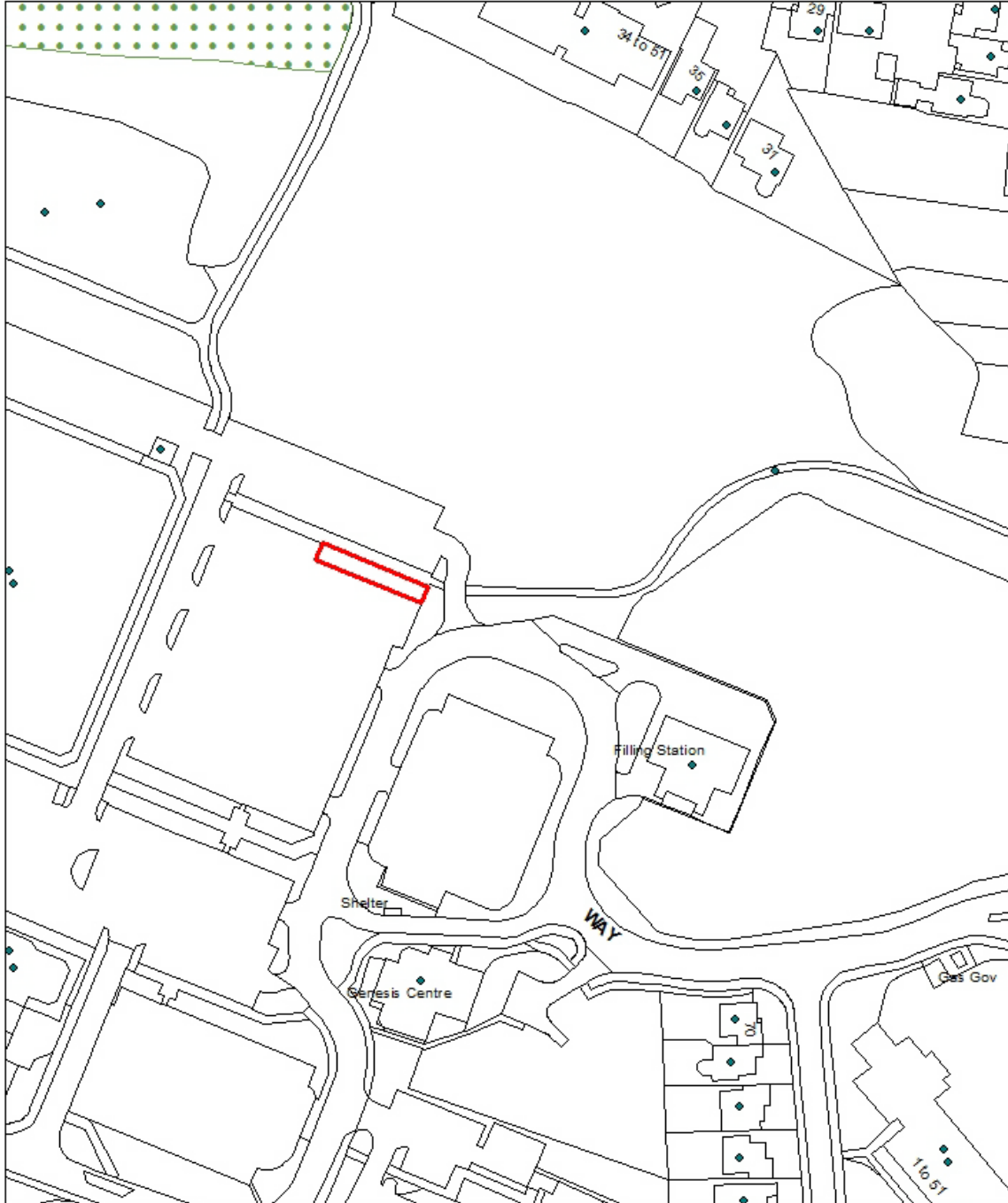
TEMPORARY PLANNING PERMISSION subject to conditions: Use ends and land restored to its former condition within 3 years.

Background Papers

See "relevant planning history" above

FAREHAM

BOROUGH COUNCIL



LOCKS HEATH SHOPPING CENTRE
SCALE: 1:1,250

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