

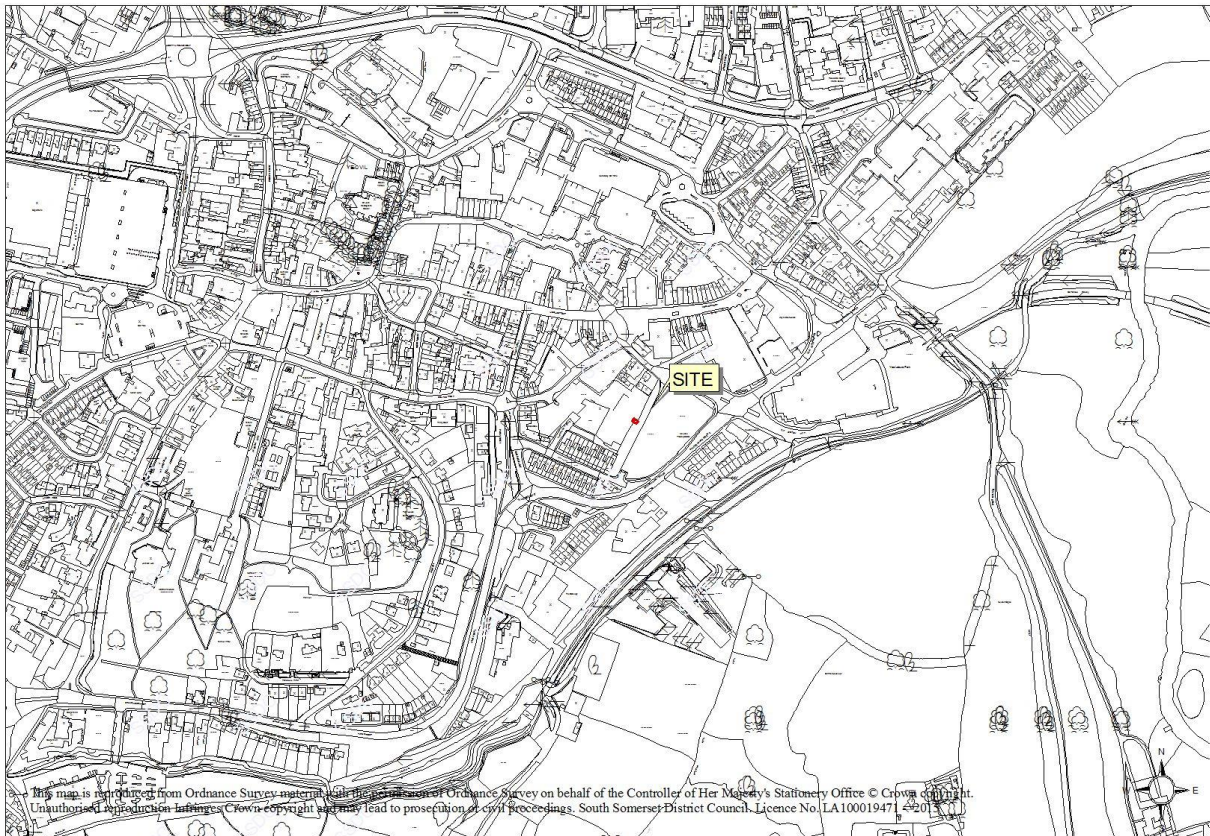
**Officer Report On Planning Application: 15/00510/FUL**

<b>Proposal :</b>	The change of use of land for the siting of a storage container in relation to car wash facility (Revised Application)(GR 355947/115850)
<b>Site Address:</b>	Box Factory Car Park South Street Yeovil
<b>Parish:</b>	Yeovil
<b>Yeovil (Central) Ward (SSDC Member)</b>	Cllr J Vincent Chainey Cllr A Kendall Cllr P Gubbins
<b>Recommending Case Officer:</b>	Jane Green Tel: 01935 462079 Email: jane.green@southsomerset.gov.uk
<b>Target date :</b>	24th March 2015
<b>Applicant :</b>	South Somerset District Council
<b>Agent: (no agent if blank)</b>	Property And Engineering Services South Somerset District Council The Council Offices Brympton Way Yeovil Somerset BA20 2HT
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

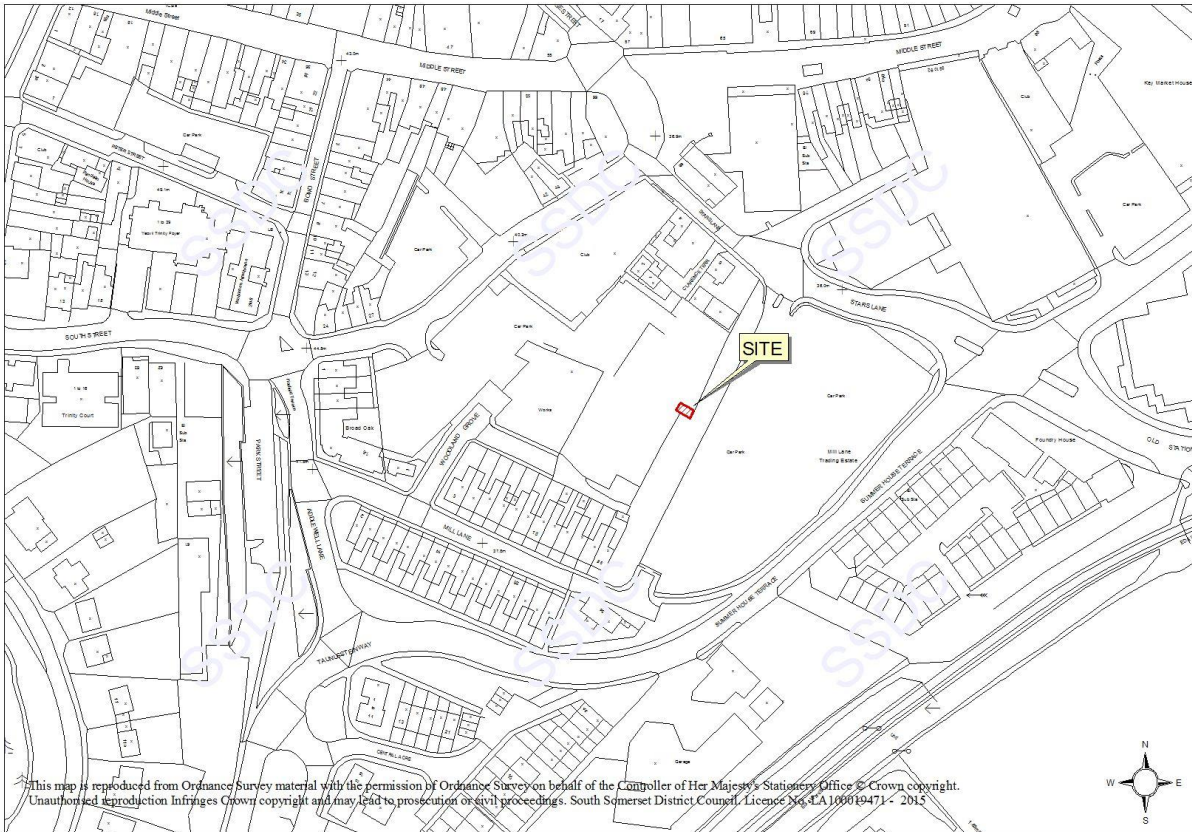
**Reason for Referral to Committee**

This application is brought to Committee under the Council's adopted scheme of delegation as there are objections received and the applicant is South Somerset District Council and the application site is on land within their ownership.

**Site Description and Proposal**



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The site is located between South Street, Woodland Grove and Stars Lane Public car park and backs onto Club Neo with vehicular access from South Street. The surroundings are mixed use but predominantly residential. Visible from the street and neighbouring properties, the site forms an area of 0.6 hectares and is effectively on two levels, the eastern side of the site sitting lower than the western side. The site has been highlighted in the document "Yeovil Urban Development Framework" report as a site, along with the adjacent Stars Lane car park, as having potential for future development as part of the Yeovil Vision Town Centre Strategy.

The application seeks a change of use of land to site a metal storage container, grey in colour, measuring 6.1 metres deep by 2.44 metres wide and 2.44 metres high. It is to be located against the boundary wall on the north east boundary on the lower level of the car park. A close boarded timber fence would be erected on the north side of the storage container to a height of 2.4 metres. The container is to be used as a store to serve a car wash facility which will operate in Stars Lane, Petter's Way and Goldenstones car parks. The actual act of washing cars in their parking spaces does not require planning permission.

Following concerns from occupants of neighbouring properties the previous submission was withdrawn and a new location was negotiated with the applicant, case officer and objectors. The position of the storage container has been chosen to minimise its visual impact and so it is further away from the properties which raised concern.

The applicant is South Somerset District Council and the land is also within SSDC's ownership.

## HISTORY

14/05441/PREAPP - Car wash facility and siting of a cabin - December 2014

13/00481/S73A - Application to vary conditions 3 (approved plans), and 8 (use of existing gate) planning approval 12/04058/FUL - Application permitted with conditions April 2013

12/04058/FUL - The demolition of existing factory and use of land as a public car park and the continued use of land as a public car park - Application permitted with conditions - December 2012

10/03395/R3D (Regulation 3 District) - Continued temporary use of land as a car park - October 2010

09/00938/R3D (Regulation 3 District) - Continued temporary use of land as a car park - Reg3/4 District - permitted with conditions - 08/05/2009

07/03347/R3D (Regulation 3 District) - Continued temporary use of land as a car park (GR 355947/115850) - Reg3/4 District - permitted with conditions -10/07/2008

05/00660/R3D (Regulation 3 District) - Temporary renewal of use of existing car park (GR355947/115850) - Reg3/4 District - permitted with conditions - 07/09/2005

03/02574/R3D (Regulation 3 District) - The continued use of land as a temporary car park (GR355947/115850) - Application permitted with conditions - 26/11/2003

02/00218/R3D (Regulation 3 District) - The continued use of land as a temporary car park (GR 559/158) - Application permitted with conditions - 12/04/2002

00/01515/R3D (Regulation 3 District) - The construction of a new vehicular access and the formation of a temporary public car park and associated works (GR 355/115) - Reg3/4 District - permitted with conditions - 10/10/2000

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006.

### Saved policies of the South Somerset Local Plan (Adopted April 2006):

Policy ST5 (General Principles of Development)

Policy ST6 (The Quality of Development)

On the 8th January 2015, South Somerset District Council received the Inspector's Report into the emerging South Somerset Local Plan (2006 - 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

## Policies of the Emerging South Somerset Local Plan (2006-2028)

Policy EQ2 (General Development)  
Policy TA6 (Parking Standards)

## National Planning Policy Framework (March 2012)

Chapter 4 (Promoting Sustainable Transport)  
Chapter 7 (Requiring Good Design)

Somerset County Council Parking Strategy (March 2012) and Standing Advice (June 2013)

### **CONSULTATIONS**

Yeovil Town Council - Object, unsightly; Inappropriate use of a car park; Inappropriate use in the town centre

Highways Authority - Standing advice applies. In this case parking provision is considered

Environmental Protection Unit - No comments to make

### **REPRESENTATIONS**

15 neighbours notified and site notice (general interest) displayed, no representations received

### **CONSIDERATIONS**

#### Principle of Development

The application is to site a storage container to facilitate a car wash business. Planning permission is required for the use of the land to site it. The act of car washing in the vehicle spaces of the 3 car parks specified does not need planning permission. As such the main consideration of the application lies with saved policies ST5 and ST6 of the current Local Plan and policy EQ2 of the emerging Local Plan, namely:

- o Is the proposal in keeping with the surrounding area
- o Does the proposal cause demonstrable harm to the residential amenities of the neighbouring properties?

#### Visual Amenity

Storage containers by nature are not hugely attractive although it is noted they are often used by businesses to provide additional/temporary storage. In this case, the applicant sought advice from the Local Planning Authority prior to the submission of the application with regard to the potential location of the container. Various locations were discouraged due to their prominence in the wider area and from public view points. The lower level of the Box Factory car park was chosen as this location was considered to be discreet and the least prominent of the car parks in Yeovil. The location is on the north east boundary and is within an enclave of the car park.

The applicant has confirmed that the finish of the container will be grey to blend in with the concrete surfacing of the car park and the blockwork walling around the car park. It would measure 2.44 metres high and a close boarded fence is proposed to be erected on the north

side of the container to assist in screening the development.

The consultation response received from the Town Council refers to the use of the car park and the inappropriate use in the town centre. As previously mentioned the use of the car parks for cleaning cars does not need planning permission and therefore cannot be considered as part of this application. The comments regarding the container as 'unsightly' is noted but it is considered in its context to be in keeping with the area and little different in design to recycling skips and clothes banks that until recently was located in the same lower level of car park.

Overall the siting of the storage container is considered to be acceptable and in keeping with the area and with the mitigation measures proposed will not cause demonstrable harm to the character and appearance of the area.

#### Impact on Residential Amenity

The original submission of the application attracted several concerns by local residents and operators of businesses close to the site. That application was withdrawn to address the issues of location and the applicant answered questions that were raised. Following that consultation and negotiation this revised application was submitted and attracted no comments from local residents.

It is considered the location is a sufficient distance from the properties at Stars Lane, Clarence Terrace and Woodland Grove and the siting of the container would not cause demonstrable harm in terms of noise and disturbance. It should be noted that the location is within a public car park with activity from vehicles most of the day and the area is dominated by late night drinking establishments, night clubs and takeaways which operate well into the early hours of the morning.

The Council's Environmental Protection Unit raise no objection to the proposal and as such the proposal is considered to safeguard residential amenity of the occupants of neighbouring businesses and residential properties.

#### Highway Safety

The location of the storage container will not impact on the parking provision within the car park to any great extent. The car park is not one of the most heavily used in Yeovil town centre and the fact the Box Factory has been demolished has allowed more capacity anyway. Overall it is considered the container will be sited in a position that will not impact on highway safety.

### **RECOMMENDATION:**

#### **To approve application 15/00510/FUL subject to the following conditions:**

01. The siting of a storage container, by reason of its form, design and location, would safeguard the character and appearance of the area and cause no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of saved policies ST5 (General Principles of Development) and ST6 (The Quality of Development) of the South Somerset Local Plan (2006), policy EQ2 (General Development) of the emerging South Somerset Local Plan (2006-2028) and the principles of the National Planning Policy Framework (2012).

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site layout plan, site location plan and Design and Access Statement all received 27 January 2015

- Reason: For the avoidance of doubt and in the interests of proper planning  
03. The storage container hereby approved shall be finished in a light grey colour unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the locality in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and policy EQ2 (General Development) of the emerging South Somerset Local Plan (2006-2028).