

DELEGATED APPLICATION REPORT

Ward: Kentwood

App Ref: 220822/FUL

Address: The Restoration PH, 928 Oxford Road, Tilehurst, Reading, RG30 6TJ

Proposals: Temporary permission to use available land as a hand carwash facility up to 18 months (Amended Description)

Case Officer: Mr David Brett

Applicant: Carwash Five Star Ltd

Date received: 06/06/2022

Target Decision date: 12/08/2022, extension of time on decision agreed from 01/08/2022

1. INTRODUCTION

The application site comprises a currently vacant 1930s public house known as 'The Restoration', with associated car park and gardens. The car park is currently in use as a hand car wash. Areas of hardstanding and relatively low-rise commercial buildings are located to the east and southeast of the site, and two storey dwellings are situated to the south and south west, on the far side of Oxford Road. To the northwest of the site lies a two and a half storey parade of shops, with accommodation within the roof space.

The site in question adjacent to The Restoration Pub has historic use as a hand car wash and is a known site to the Transport Development Control Team due to highways issues along Oxford Road when the site has been in use as a hand car wash.

The site is not located within any designated local centres as set out in the Reading Borough Local Plan 2019. The site is within an air quality management area.

2. PROPOSAL AND SUPPORTING INFORMATION

This application is a resubmission of planning application 220514, which was withdrawn on 30/05/2022 due to officer concerns that the proposed layout would be detrimental to highway safety. The plans and layout have since been revised and submitted for consideration within this application.

The proposed development seeks:

- Temporary planning permission for the use of the application site as a hand car wash facility for up to 18 months.

The application description also references application 211142, which is yet to be determined.

Plans & information considered:

~~Management and Noise 05th June 2022~~

- Site Block Plan - OXR928:101
- Site Location Plan - OXR928:102
- Existing covered area and store - OXR928:103
- Site Plan to show access and waiting and wash areas - OXR928:104

Received on 06/08/2022

- Site Plan to show access and waiting and wash areas - OXR928:104 Rev P1
- Management and Noise 05th June 2022 (Revision A : 29/07/22)

Received on 29/07/2022

3. RELEVANT PLANNING HISTORY

220514/FUL - Proposal for a temporary permission to use available land as a hand car wash facility up to 18 months - Application Withdrawn on 30/05/2022

211142/FUL - Demolition of the vacant Restoration Public House and the erection of 18 apartments with associated amenity space, parking and landscaping. Awaiting determination.

180202/FUL - To continue use as a car wash (retrospective) - Application Withdrawn on 01/10/2018.

172147/ADV - 4m width x 3m height hoarding - Application Refused on 01/06/2018

121256/FUL - The operation of a hand car wash at the car park land adjoining 928 Oxford Road Tilehurst. - Application Permitted on 26/06/2012

120913/OUT - Outline application for the demolition of 'The Restoration' public house and erection of 20 apartments with associated parking, cycle storage and refuge storage (access, layout and scale only) (-re- submission of 11/01759/OUT) - Application Refused on 08/02/2013. Appeal Dismissed on 10/06/2013

110504/OUT - Outline application for the demolition of 'The Restoration' public house and erection of 26 apartments with associated parking (access, appearance, layout, scale) - Application Refused on 13/07/2012. Appeal Withdrawn on 17/09/2012

101059/ADV - Canvas banner and A-board adjacent to car wash facility - Application Refused on 28/07/2010

101058/FUL- Operation of a hand car wash at the car park adjoining 928 Oxford Road - Application Permitted on 28/07/2010

100944/ADV - One advertisement measuring 1713mm x 1163mm - Application Permitted on 20/05/2010

091508/FUL - Operation of a hand car wash at the car park adjoining 928 Oxford Road (re-submission of 09/00717/FUL) - Application Refused on 14/01/2010

090248/FUL - Change of use of land to hand car wash - Application Withdrawn on 06/07/2009

040500/ADV - New brewery signage - Application Permitted on 27/04/2004

030003/ADV - New Brewery signage - Application Refused on 03/06/2003

4. CONSULTATIONS

4.1 The following addresses were consulted by letter.

10-12 Deacon Way, Tilehurst, Reading, RG30 6QQ - No response received.

The Restoration Ph, 928 Oxford Road, Tilehurst, Reading, RG30 6TJ - No response received.

Hellaby Meats, Reading Cold Store, Deacon Way, Tilehurst, Reading, RG30 6AZ - No response received.

Berkshire Meat Traders, Reading Cold Store, Deacon Way, Tilehurst, Reading, RG30 6AZ - No response received.

Adrian Truck Rental, Reading Cold Store, Deacon Way, Tilehurst, Reading, RG30 6AZ - No response received.

Eurasia, Reading Cold Store, Deacon Way, Tilehurst, Reading, RG30 6AZ - No response received.

Weddell Swift, Reading Cold Store, Deacon Way, Tilehurst, Reading, RG30 6AZ - No response received.

Vicars Game, Reading Cold Store, Deacon Way, Tilehurst, Reading, RG30 6AZ - No response received.

Reading Borough Council, Environmental Protection - Response received on 22/06/2022

- *Applications which include noise generating plant when there are nearby noise sensitive receptors should be accompanied by an acoustic assessment carried out in accordance with BS4142:2014+A1:2019 methodology.*
- *A noise assessment has not been submitted with the application and therefore I cannot determine the likely noise impact of the proposal and whether the proposals are acceptable. I therefore recommend refusal unless a noise assessment can be submitted and considered by us before the application is determined.*
- *Alternatively, a condition could be attached to consent, however it is possible that the criteria would be met with the plant specifications proposed in this application and a new application may need to be made at a later date for alternative plant / location.*
- *It is acknowledged that the proposal is for use of existing foul drainage with a petrol interceptor. Permission is still required from Thames Water to discharge trade waste to the foul sewer therefore the applicant should contact them to arrange the necessary permission.*

Reading Borough Council, Natural Environment - Response received on 14/07/2022

- *No objections to the application subject to the inclusion of an informative concerning the grass verge.*

Reading Borough Council, Transport - Response received on 19/07/2022

- *The application site is located on the northern side of the A329 Oxford Road, which is subject to a 30mph maximum speed limit and is one of the main routes into and out of the town centre from the west. Street lighting can also be found on either side of the carriageway. There are wide footways and verge along the site frontage and double yellow lines. There is also a dedicated cycle path across the site frontage that links up with the rail station.*
- *All developments accessed from a classified road are required to provide adequate access and parking to ensure that the safety and efficiency of the classified road network is maintained for all road users. The proposed Site Plan Drwg no. OXR928:104. illustrates the use of both dropped kerb accesses in a one-way system, providing entry from the western access and exit via the eastern exit.*
- *There is no data regarding the anticipated customer numbers. A limited amount of queuing capacity is available within the site. However, the revised layout provides an overflow waiting area enabling approximately 4 vehicles to wait within the site.*
- *The supporting management and noise statement states that the applicant manages a very similar operation on the Kings Road in Reading, where it's a much smaller site and there has never been an issue with road queuing.*
- *The applicant states that on quiet days, Monday - Thursday it is intended that 2No permanent staff and 4No part time staff would be present to run the facility. On Peak days, up to an additional 4-6 part time staff would be called in, and they would monitor incoming and outgoing traffic.*
- *No data has been submitted with the application regarding the anticipated customer numbers at peak times. It should be noted that the previous temporary permission provided more queuing capacity within the site, and queueing still occurred on the*

public highway during peak times due to lack of management within the site. Therefore, in order for this application to be acceptable, an operational management plan should be submitted which sets out the specific procedures which will be followed to ensure that no queueing occurs on the public highway. In peak times, measures must include turning vehicles away if queueing cannot be fully accommodated on-site. This can be secured by condition but it must be approved by the Highway Authority before the car wash is operational.

Reading Borough Council, Transport - Updated response received on 05/08/2022 upon review of updated management plan

- *All developments accessed from a classified road are required to provide adequate access and parking to ensure that the safety and efficiency of the classified road network is maintained for all road users. The proposed Site Plan Drwg no. OXR928:104 Rev P1 illustrates the use of both dropped kerb accesses in a one-way system, providing entry from the western access and exit via the eastern exit.*
- *The supporting management and noise statement states that the applicant manages a very similar operation on the Kings Road in Reading, where it's a much smaller site and there has never been an issue with road queuing. There is no data regarding the anticipated customer numbers but it anticipated that up to 12 vehicles can be serviced at any one time with the overlap of washing and drying teams.*
- *The revised layout provides an overflow waiting area to enable wait within the site, off the public highway. The applicant states that on quiet days, Monday - Thursday it is intended that 2No permanent staff and 4No part time staff would be present to run the facility. On Peak days, up to an additional 4-6 part time staff would be called in, and they would monitor incoming and outgoing traffic. It is unlikely that vehicles would be able to queue in accordance with the submitted plan, however, the applicant has demonstrated that sufficient queueing capacity exists within the site providing the site is appropriately managed.*
- *It is proposed to place permanent signs and then in addition daily mobile signs at the entrance to ensure that the footpath is not blocked, and that no waiting is allowed onto or along the road. Permanent signage will be erected at the site boundary and it is proposed that mobile signage will be erected on the verge area to prevent queuing on the footway or cycleway. The proposed mobile signage is acceptable in principle subject to the applicant seeking a highway licence for any signage displayed on the public highway. The supporting management and noise statement also confirms that the operation will ensure that vehicles are sent away if this ever becomes necessary.*
- *In view of the measures put forward by the applicant, there are no further transport objections subject to conditions.*

Reading Borough Council, Ecology - No response received.

No further consultation responses have been received for this application.

5. EQUALITY ACT 2010

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

6. LEGAL AND PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Borough Local Plan (2019).

The '*National Planning Policy framework*' (NPPF) 2021 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Reading Borough Local Plan, 2019) according to their degree of consistency with the '*NPPF*' (the closer the policies in the plan to the policies in the '*NPPF*', the greater the weight that may be given).

National Policy

National Planning Policy Framework

National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 2019)

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

EN12 Biodiversity and The Green Network

EN14 Trees, Hedges and Woodland

EN15 Air Quality

EN17 Noise Generating Equipment

EN18 Flooding and Drainage

TR1 Achieving the Transport Strategy

TR3 Access, Traffic and Highway-Related Matters

TR5 Car and Cycle Parking and Electric Vehicle Parking

7. APPRAISAL

7.1 Principle of Development

As details within section 3 of this report, there is historic use of the site as a hand car wash facility. The Transport Development Control Team have informed officers that there have been issues with the previous uses at the site, where queuing occurred on the public highway during peak times. This compromised highway safety as well as interfered with the flow of traffic and function of the transport network.

Nevertheless, the principle of the development is accepted provided the proposals meet the requirements of the Reading Borough Local Plan and in particular the policies concerning highway safety, such as Policies TR3 and TR5.

7.2 Design

A covered area, and timber shed/store is proposed to the northeast corner of the site and is set as far from the highway as conceivable within the site. The proposed shed and covered area is considered a necessity in order for the proposed layout to function.

It is, however, considered by officers that due to the strictly temporary nature of the development, the development would not result in lasting damage to the character and appearance of the surrounding area in accordance with Policies CC7 of the Reading Borough Local Plan.

7.3 Safeguarding Amenity

As per the response from Reading Borough Council Environmental Protection; there are concerns regarding the impact of noise generated from equipment used at the hand car wash, such as jet wash pumps and vacuum cleaners. A brief noise statement has been provided, however, a detailed noise assessment in accordance with BS4142:2014+A1:2019 methodology is required in order to confirm that the development will not result in harmful levels of noise and disturbance to neighbouring residents along Oxford Road. It is considered feasible that the use can be demonstrated as suitable through the provision of a noise assessment. Therefore, a noise assessment will be secured via condition to any approval of this application in accordance with Policies CC8 and EN17 of the Reading Borough Local Plan.

The opening hours proposed from the hand car wash are from 8:30am to 7:00pm from Monday to Friday; 9:00am to 7:00pm on Saturday; and from 9:00am to 7:00pm on Sunday. The opening hours proposed are considered reasonable given the nature of the proposed use.

7.4 Transport

As per the response received for this application from Transport Development Control; all developments accessed from a classified road are required to provide adequate access and parking to ensure that the safety and efficiency of the classified road network is maintained for all users. The onus is therefore on the applicant to demonstrate that the proposed hand car wash can be run in a way that does not compromise highway safety or the flow of traffic along the classified road network.

Whilst it is acknowledged that there is a recent history of use of the site by hand car wash businesses, however, these have instances where the hand car wash has been run in a way that has compromised highway safety for instance with queuing for the hand car wash spilling out on to the highway. It was therefore requested that the applicant provides a detailed Occupational Management Plan for the hand car wash. This includes demonstrating a suitable operational layout, waiting areas and signage.

A revised Management and Noise Statement has been submitted for consideration. The details of the management of the hand car wash have been agreed by Transport Development Control, subject to conditions that the queuing and management layout is in place prior to first use, and for the hand car wash to be operated in accordance with the approved statement. Therefore, subject to conditions, the development is considered in accordance with Policies TR1, TR3 and TR5 of the Reading Borough Local Plan.

7.5 Ecology and Natural Environment

A response from Ecology was not forthcoming for this application, however, the following comments were provided to application 220514; "The proposals are unlikely to directly affect any protected species or priority habitats. However there will be run-off (chemicals, greases, oils, plastic and litter etc.) from the car wash and an interception device may need to be installed to ensure that these do not pollute groundwater, or the surface water runoff, or affect the nearby trees or vegetation". This advice is considered applicable to this application given how recent the comments were provided, and as the scale and nature of the proposed development is similar.

A response from the Natural Environment Team was forthcoming for this application, with concerns of parking on the grass verge if there is insufficient queuing available within the site. As the details of the management plan have been agreed by Transport it is considered suitable to include and informative to any approval of this application for the development not to damage the verge. The development is therefore considered in accordance with Policies EN12 and EN14 of the Reading Borough Local Plan.

8. CONCLUSION

The proposed development has been assessed and the proposed works are considered to be in accordance with the above relevant policies and planning permission can be granted.

9. RECOMMENDATION

GRANT

10. CONDITIONS

Temporary Planning Permission

The use hereby permitted shall cease and all buildings and all associated structures shall be removed on or before the expiration of eighteen months from the date of this permission, and the land returned to its former condition.

Reason: In the interests of the residential amenity of the surrounding area and in the interests of the visual amenity of the area of open space in accordance with Policy CC8 of the Reading Borough Local Plan (2019).

AP1: Approved Plans

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

- Site Block Plan - OXR928:101
- Site Location Plan - OXR928:102
- Existing covered area and store - OXR928:103
- Site Plan to show access and waiting and wash areas - OXR928:104

Received on 06/08/2022

- Site Plan to show access and waiting and wash areas - OXR928:104 Rev P1
- Management and Noise 05th June 2022 (Revision A : 29/07/22)

Received on 29/07/2022

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

Noise Assessment

No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by the Local Planning Authority. The assessment shall be carried out for in accordance with BS4142:2014+A1:2019 methodology. The predicted specific sound level (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to the nearest noise-sensitive façade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard.

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CC8 and EN17 of the Reading Borough Local Plan 2019.

Signage

Prior to first occupation of the development, signage shall be erected in accordance with the approved plan and thereafter maintained in good condition.

REASON: In the interest of the safety and convenience of all highway users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

Vehicle Queuing Spaces

The hand car wash hereby permitted shall not be occupied until all vehicle parking and queueing space(s) have been provided in accordance with the plans hereby approved. The space(s) shall be kept available for parking at all times thereafter.

REASON: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

Management and Noise Statement Measures

Prior to first occupation of the development hereby approved, the operation and queuing system shall be implemented fully in accordance with those details shown on the site plan and in accordance with the measures within the Management and Noise statement to prevent safety concerns and congestion on the A329 Oxford Road. Thereafter the operation of the hand car wash will be carried out in accordance with the approved Management and Noise statement at all times.

REASON: In the interest of the safety and convenience of all highway users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

11. INFORMATIVES**IF1: Positive and Proactive Working - approval**

The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target timescale for the decision to be issued.

IF5: Terms

Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

Temporary Use

a) Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

b) The applicant is advised of the need to secure the appropriate events license(s) for the temporary uses approved as part of this planning permission.

c) The applicant is reminded that the temporary use of the site hereby permitted will be subject to environmental protection regulations under the Environmental Protection Act 1990.

IF8: Encroachment

During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at: www.communities.gov.uk/publications/planningandbuilding/partywall

Thames Water

Permission is still required from Thames Water to discharge trade waste to the foul sewer therefore the applicant should contact them to arrange the necessary permission.