



Delegated Report

Planning Application

Planning Application No: 20230907

Location: Clock Tower Service Station 139 Milton Road Gravesend Kent

Description: Formation of self-service car wash bay including 2.7m high screens.

Applicant: Motor Fuel Group Ltd

Site Visit Date: Previous Application (23/02/23)

Submitted Documents/Plans

Application Form
Location Plan
PA01 – Existing Site Layout
PA02 – Existing Site Layout
PA03 – Proposed Site Layout
PA04 – Proposed Site Elevations

Relevant Planning History

Reference	Description	Decision	Decision Date
20230032	Creation of charging zone, erection of EV chargers, sub-station enclosure, LV panel and associated forecourt works.	Permitted	03.03.2023
20040782	Erection of single storey front extension to form an ATM room, installation of a new shop front and closure of vehicular access onto Wellington Street.	Permitted	19.10.2004
19990902	Installation of an ATM on Milton Road elevation of existing sales building.	Permitted	24.02.2000
19990332	Replacement of underground fuel storage tanks, installation of Class 1 interceptor, replacement fuel lines, replacement pumps and islands and new forecourt finishes.	Permitted	19.08.1999
19840543	Redevelopment of petrol filling station including erection of sales shop and office canopy and car parking	Permitted	04.12.1984
19760167	Formation of an additional vehicular access	Permitted	04.06.1976
19740004	Forecourt alterations.	Permitted	05.06.1974

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development

- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- Policy T1: Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 4 - Decision-making
- Section 6 – Building a strong, competitive economy
- Section 7 – Ensuring the vitality of town centres
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 – Achieving sustainable development and well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change

Planning (Listed Buildings and Conservation Areas) Act 1990

- Part II Conservation Areas

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006);

Consultations, Publicity and Representations

Consultees

Ward Councillors:

No comments received.

Southern Water:

Please see the attached extract from Southern Water records showing the approximate position of our existing foul rising main within the development site. The exact position of the public asset must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

- The gravity foul sewer requires a minimum clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.

- No development or tree planting should be carried out within 3 metres of the external edge of the gravity foul sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers, rising mains.
- All existing infrastructure should be protected during the course of construction works.

please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here: gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

Areas used for vehicle washing should only be connected to the public foul sewer upon receipt of a trade effluent discharge licence.

The Trade Effluent application process for non-household (NHH) customers has changed since April 2017. This was a government decision to open the Market to competition.

In order to apply for a consent, you will need to engage a Retailer and submit the application through them.

Southern Water (SWS) is still the owner of assets (Wholesaler), but all administrative or billing matters are conducted by the Retailer of your choice.

Attached is a link to the Open Water website that lists Retailers available. Please note that not all Retailers will provide a Trade Effluent service. open-water.org.uk/for-customers/find-a-retailer/suppliers/english-water-and-wastewater-retailers

Once we have received an application via your appointed water retailer, we have 2 months to issue a consent or refuse the application. Any requirement to discharge directly to the environment will require a permit/consent from the Environment Agency.

Should the Local Planning Authority be minded to grant planning permission for this development we request that the following condition is attached to the consent: The applicant should ensure that the Trade Effluent discharge licence has been obtained, before the connection to the public sewerage network can be approved.

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of sewerage disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

KCC Highways:

The application proposes the formation of a self service car wash, within the Clock Tower Service Station. The submitted plans demonstrate that the Service station operates an IN and OUT one way system.

Users of the self service car wash will have to reverse out of the bay and turn to exit the site in a forward gear, this increases the potential for vehicle conflict with other users of the service station. It is not clear where vehicles would wait to use the car wash if there was a queue and how this would affect other users of the site.

I wish to place a holding objection on the proposals until further details can be provided demonstrating use of the self service car wash will not cause a conflict with other vehicles using the site.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure

that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

GBC Highways Officer:

I have no objections to the formation of a self-service screen wash providing the 2.7 metre high screens are provided and maintained in good order. Any damage to the screens should result in the closure of the car wash until the screen is repaired or replaced as appropriate. This is to avoid wash water being sprayed over the highway which could result in a hazardous situation and be detrimental to the passage of pedestrians.

Environment Agency:

We have assessed this application as having a low environmental risk. We therefore have no comments to make.

Please note: If the application at a later stage proposes the use of non-mains drainage, we will need to be re-consulted.

Non planning consents

Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licences for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.

Drainage may be restricted in a source protection zone or over an aquifer where groundwater is at shallow depths. Foul drainage should be discharged to mains sewers where possible. Developers should check <https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h> for Binding Rules information for small scale non mains discharges.

Neighbouring properties

The final date for submission of comments ended on 20th September 2023.

54 surrounding properties were consulted and 1 comment was received from a member of the public. The comment is summarised as follows:

- The facility would result in excessive noise pollution.
- It would expose nearby residences to harmful chemicals from car wash products posing serious health risks.

Officer's Analysis

Principle of Development

This application is located inside the Urban Boundary, where appropriate development would generally be acceptable in principle as per Policy CS02: Scale and Distribution of Development.

However, all other relevant matters should be considered. In this instance, the main points to consider would be the potential impact on; Heritage, Design, Character and Appearance, Highway safety, and Residential Amenity of neighbours.

Heritage, Design, Character and Appearance

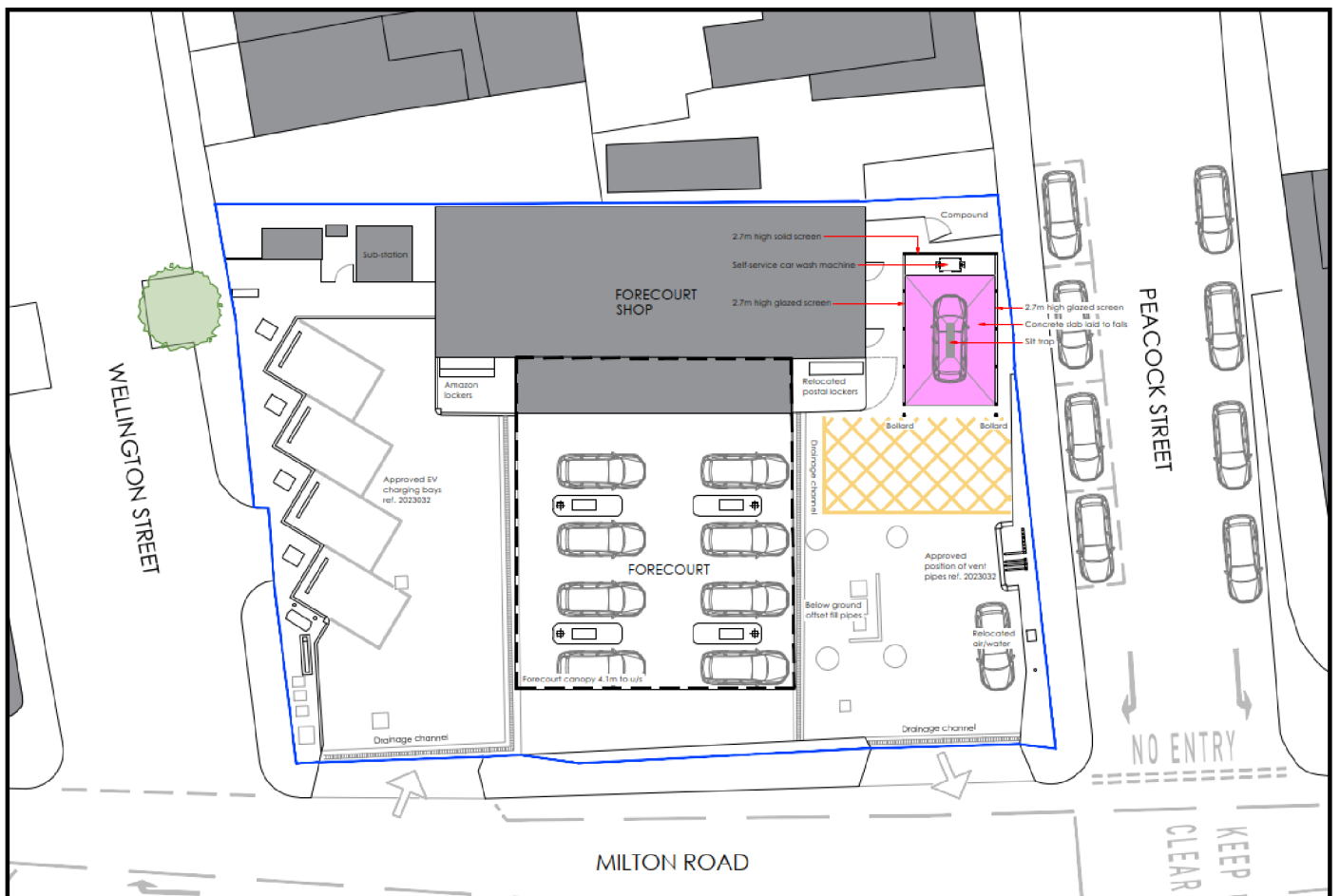
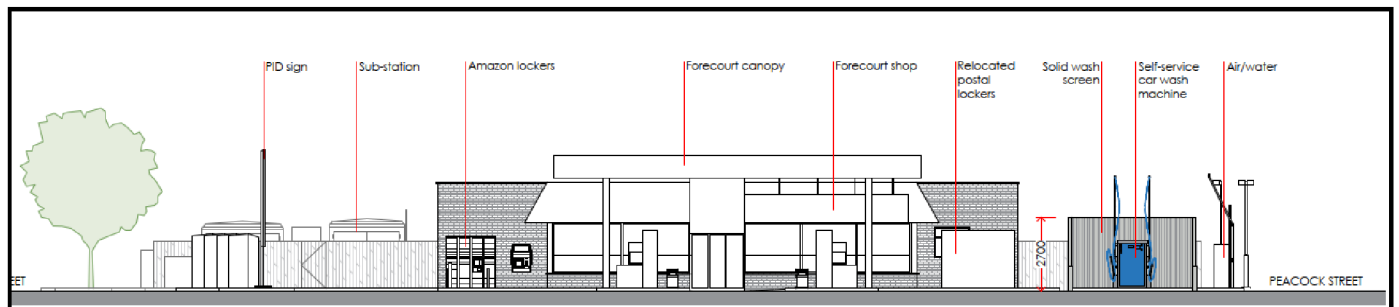
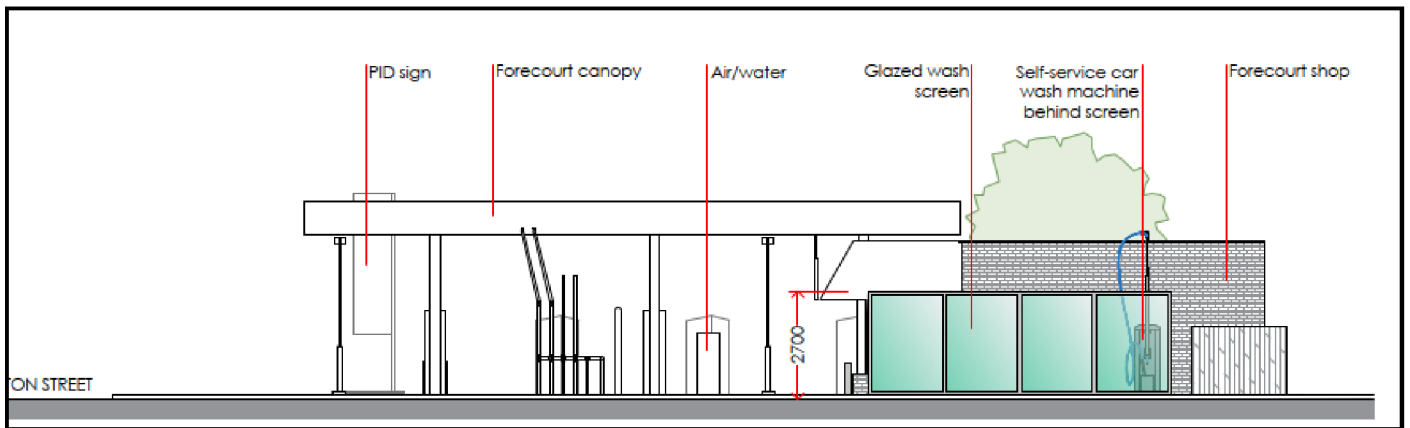
As the below map snippet shows, the site is not in the Conservation Area (Outlined in Yellow) but is located close to the Conservation Area. As such there would be no impact on the Conservation Area, in this instance.



It is however, important to understand the existing appearance and character of the site and how the proposed works would impact this. The below images show the service station from the western side.



The following plans (Not to scale show the positioning and appearance of the additions from this western side and the Front (North Elevation).



The proposed changes would result in minimal change to the existing street scene, and the changes which are evident are consistent with the use of the petrol station for vehicles with hardstanding. The screens would be of reasonable height and translucent. Overall, the impact to the character of the area would be minimal.

On balance, the proposed development would comply with the requirements of Policy CS19 and of the Core Strategy 2014 and Section 12 of the NPPF (2023) in terms of design, character and appearance.

Highway Safety

The GBC Highways Officer has not objected to the scheme subject to the inclusion of conditions and informatives. However, the KCC Highways Officer has objected raising concerns regarding potential collision within the site from the vehicle exiting the car wash reversing towards vehicles using the petrol station. To increase potential impacts, it does not appear that there is sufficient space for vehicles queuing to use the car wash to wait safely, and without increased traffic congestion.

Insufficient information has been provided to ensure that the proposed scheme would **not** result in an unacceptable impact on highway safety and the residual cumulative impacts on the road network would **not** be severe, in accordance with Section 9 of the NPPF (2023), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

Neighbouring Amenity

This plot is in an urban setting with residential neighbours nearby. However, the proposed works would likely not result in any significant increase in harm to the residential properties nearby. Reasoning for this assessment relates to the minor scale of development, the position of the plot away from residential neighbours and lack of increased parking provision. Whilst it is likely that the car wash will result in some increased noise, given that this car wash would be for the service of one vehicle at a time, it would not result in significant increase in noise and pollution which would be unlike an individual washing their car on their drive.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Conclusion & Recommendation

The proposed development by reason of its inability to demonstrate adequate measures to ensure that the development would not result in an unacceptable impact on highway safety and the road network, would as result be contrary to Section 9 of the National Planning Policy Framework (2023), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Ms Lisa Williams	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	18th October 2023	Dated:	19th October 2023