
Appeal Decision

Site visit made on 2 May 2017

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 June 2017

Appeal Ref: APP/B1740/W/16/3166072

Cheyneys Farm Business Centre, Romsey Road, Hampshire, Ower, SO51 6AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jimmy Ferati against the decision of New Forest District Council.
 - The application Ref 16/10523, dated 14 April 2016, was refused by notice dated 30 June 2016.
 - The development proposed is a hand car wash.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the hand car wash on the character and appearance of the surrounding area and the setting of Cheney's Farmhouse which is listed grade II;
 - The effect of the hand car wash on highway safety in the area, and;
 - Whether the hand car wash would increase reliance on the private car.

Reasons

Character and appearance/setting of listed building

3. Cheynes Farm Business Centre comprises a collection of former agricultural buildings which are arranged around a courtyard. The use of the courtyard and buildings for B1 light industrial use was granted planning permission in 1993 (ref 93/51747). The site is located within the countryside and previously formed part of Cheynes Farm, which includes a grade II listed farmhouse located just beyond the southern boundary of the courtyard. The close proximity of the courtyard and the fact that the converted former agricultural buildings retain much of their original character means that they make an important contribution to the historic setting of the listed farmhouse, despite the two now being in separate ownership.
 4. There have been two previous applications for planning permission for a hand car wash on the front forecourt of Cheynes Farm Business Centre (refs 15/10792 and 15/11665). The proposal before me now is for a hand car wash
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in the far corner of the courtyard opposite the access. This area falls outside that which was granted planning permission for light industrial use and is currently being used as a material recycling facility. However, the Council have stated that this is unauthorised and the subject of ongoing enforcement investigations.

5. At the time of my site visit the recycling facility was not in use. The activities being carried out within their respective units and the parking associated with this did not cause undue disturbance and was appropriate given the rural environs of the site and the proximity of the adjacent listed building. Although my visit provided only a snap shot of activity within the business centre it was on a week day during working hours when you would expect most of the units to be in use and as such I consider it to be a fair assessment of conditions, irrespective of any unlawful activity on site which would be a separate matter for enforcement.
6. A hand car wash would, however, significantly increase the levels of noise and activity in the courtyard from persons washing cars, to the cars themselves arriving and leaving the site, and moving between the washing and drying areas. In addition to this, there would be noise from the use of any portable jet wash devices and vacuum cleaners. The noise and disturbance associated with an estimated four vehicles per hour between 8am-6pm every day would be obtrusive in this rural location, increasingly so at quieter times such as weekends and bank holidays. It would also jar with the rural/agricultural heritage of the site, thereby adversely affecting the setting of the adjacent listed farmhouse.
7. It is also likely that a lightweight canopy or gazebo would be erected. Furthermore screens are often required to shield spray from hand car washes so I cannot rule out that such a structure could also be required. Such installations would be completely out of character with the countryside setting of the appeal site and that of the adjacent listed building. Although the car wash would be largely screened from wider public views the impacts outlined above would be palpable from the immediate surroundings and the courtyard itself which is a public space.
8. Taking all of the above points together the proposed hand car wash would be harmful to the character and appearance of the surrounding area and would fail to preserve the setting of the adjacent listed farmhouse. It would therefore conflict with Policies CS2 and CS3 of the New Forest District (outside the National Park) Core Strategy (2009) (CS) and DM1 of the New Forest District (outside the National Park) Local Plan Part 2: Sites and Development Management (2014) (LP). These policies require new development to respect the character of the countryside and conserve the historic environment. It would also conflict with the relevant provisions of Policies CS21 and DM22 which, although broadly supportive of improving and redeveloping existing rural employment sites are clear that this should not be at the expense of harm to the environment.
9. Although harmful to its immediate surroundings, in terms of the advice in the National Planning Policy Framework (the Framework), the harm to the setting of the listed building would be 'less than substantial'. This would, nevertheless, still represent a harmful impact, adversely affecting the significance of this

designated heritage asset. As per paragraph 134 of the Framework, less than substantial harm should be weighed against the public benefits of the proposal.

10. The benefits put to me are increased employment (four full-time employees) and an increase in the range of facilities currently available at Cheynes Farm Business Centre which could in turn generate business for the other traders on site, although suitable roadside advertising would likely be as effective. There is also the possibility that the proposed car wash would be closer to some people than existing car washes thereby reducing the need to travel in some cases. These would, however, be relatively modest benefits. It is also suggested that the proposal would tidy up this part of the courtyard and improvements would be made to drainage, but this could be done without resulting in the harm I have identified. Similarly, any social benefit in terms of customers feeling satisfied at having clean and shiny cars could be achieved by alternative methods. The benefits are therefore clearly outweighed by the harm.

Highway safety

11. At the time of my visit the courtyard was being used mainly for parking for employees and visitors of the B1 units. Whilst the proposed hand car wash would not be located on this parking area it would still have an impact on it as vehicles accessing and exiting the car wash would need to move around it. The plans before me show arrows indicating a circular route around the courtyard but do not actually demonstrate that a car would have the space to navigate around the parked cars in a satisfactory manner. There is also no detail as to how cars currently using the courtyard would interact with the flow of traffic using the hand car wash. In the event of vehicles queuing to use the car wash, even with the best will in the world, persons not connected with the hand car wash wanting to access or exit the site by vehicle are likely to, at the very least, be inconvenienced, if not involved in a collision due to conflicting vehicle movements. I also have serious concerns in respect of pedestrians using this area.
12. I accept that it would be unlikely that the amount of traffic generated would result in queuing cars on the adjacent highway, particularly given the relatively generous forecourt to the business park. However, persons who currently park their car within the courtyard may be discouraged given the above impacts which could lead to parking around the entrance to the site which would have an adverse impact on visibility. The A36 is a relatively fast moving road which feeds other local roads and businesses including the nearby Paultons Park. Although I accept the findings in the submitted Highway Statement that the existing access is safe this could be undermined by the above.
13. On the evidence before me I am not satisfied that the proposed hand car wash could operate in such a way which would not have serious implications for highway safety within the site and on the adjacent highway. I therefore find conflict with the relevant parts of Policies CS2 and CS24 of the CS which concern pedestrian and road safety. These policies require new development to be well designed and safe, and incorporate well integrated car parking and pedestrian routes. Similarly the Framework requires safe and suitable access to sites to be achieved for all people.

Reliance on the private car

14. The Council have objected to the creation of a hand car wash in this location as they consider it would be at odds with Policies CS1 and CS10 of the CS which seek to minimise reliance on the private car. Whilst the appeal site is located in a countryside location it is accessed directly off of the A36 which is a busy road and where there was, at the time of my site visit, a great deal of passing traffic. Therefore, I consider it more likely that the proposed hand car wash would avail itself to passing trade, rather than generating significant numbers of trips specifically to the site for this purpose.
15. Although future employees might have to rely on the private car to get to work, I am mindful of the general policy support for the intensification and redevelopment of existing rural employment sites as set out above. I therefore consider that the proposal would not unacceptably increase reliance on the private car. My findings in this respect do not, however, outweigh the harm I have identified above.

Other matters

16. Current occupants of Cheynes Farm Business Centre have raised concern over disruption to deliveries and customers, and the general increased noise and pollution from cars queuing immediately outside of their premises. I have some sympathy with all of these points which further weigh against the proposal.
17. I have considered the appellant's comments that the appeal site has either agricultural use or acquired rights for commercial activity which would have more harmful implications than the use proposed and note its previous use for the storage of coaches. However, these uses have not been formally determined by a lawful certificate application, therefore I can only afford them limited weight.
18. The appellant refers to a planning permission granted at Unit 9 within Cheyneys Farm Business Centre which included an element of open storage. This was, as per the Officer's report, a small area which was fairly self-contained therefore its impacts were not considered harmful. I do not consider this to be directly comparable to the appeal before me, the adverse effects of which would be felt across the whole courtyard. Finally, any perceived lack of dialogue from the Council during the application process, whilst frustrating, would not alter my conclusions above.

Conclusion

19. Although I do not consider that the proposed hand car wash would unacceptably increase reliance on the private car, it would, nevertheless, be harmful to the character and appearance of the surrounding area. It would also detract from the setting of Cheney's Farmhouse which is grade II listed. Furthermore it would be detrimental to vehicular and pedestrian traffic within the site. For these reasons, and having had regard to all matters raised, the appeal is dismissed.

Hayley Butcher

INSPECTOR