

The application is for the refurbishment of an existing hand car wash including the siting of a storage cabin and canopy to cover the drying area.

The application site is located within the Urban Area of Newcastle as indicated by the Local Development Framework Proposals Map.

The application has been called in to Committee by two Councillors due to residents' concerns about loss of amenity due to noise, light pollution and air quality.

The 8 week period for the determination of this application expired on 30th December 2019 but the applicant has agreed to an extension of time to 30th April 2020.

RECOMMENDATION

Permit subject to conditions regarding the following:

- i. Standard time limit**
- ii. Approved plans**
- iii. No discharge of surface water or waste water onto the highway**
- iv. Prevention of activities on the road to the rear of the site**
- v. Prevention of the installation of drying equipment**
- vi. Limit on the hours of activities associated with the washing or vacuuming of vehicles**
- vii. Prevention of the location of compressor plant or equipment externally**
- viii. Submission of a noise management plan**

Reason for Recommendation

The proposal raises no issues of impact on highway safety or visual amenity and subject to the imposition of conditions it is not considered that there would be any significant adverse impact on residential amenity. On this basis the proposal represents a sustainable form of development in accordance with local and national planning policy.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application

This is considered to be a sustainable form of development and complies with the provisions of the National Planning Policy Framework.

Key Issues

This is an application for full planning permission for the refurbishment of an existing hand car wash including the siting of a storage cabin, along with a canopy to cover the drying area.

The application site is located within the Urban Area of Newcastle as indicated by the Local Development Framework Proposals Map.

It is not considered that the application raises any issues of impact on highway safety. The issues of a proliferation of other car washes in the area, labour, employment, health and safety and environmental regulations that have been raised by residents are not material planning matters and are not considered further. Therefore, the key issues in the determination of the development are:

- Is the impact on the character and appearance of the area acceptable?
- Would there be any adverse impact on residential amenity?

Is the impact on the character and appearance of the area acceptable?

Paragraph 124 of the Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to say at paragraph 130, that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres.

A new storage cabin (2.7m x4.8m in plan x 2.3m in height) is in place and a new canopy (8m x 6m in plan x 3.7m in height) is proposed adjacent to the existing buildings. The structures are relatively small scale and would be viewed within the context of the existing buildings and structures on the site. On this basis any additional harm to the visual amenity of the area would not be significant. The development therefore complies with local and national planning policy in this respect.

Would there be any adverse impact on residential amenity?

There are residential properties in close proximity to the rear and to either side of the site. Objections have been received from residents particularly on the grounds of noise impact from cars and the activities associated with the car wash.

Planning permission was granted at this site in 2005 for the provision of a hand car wash facility (Ref. 05/00382/FUL) subject to conditions requiring a rear bay door to be fitted and remain closed and restricting the hours of use of the development to between 8.00am and 9.00pm Monday to Sunday. That use remains extant.

The current application is for a new hand car wash that would use an automated prewash system in place of the unenclosed jet wash compressor previously used. Site activities would also include jet washing of wheels (with the compressor located within an enclosure) and vacuuming of vehicle interiors which would be carried out to the south of the site with the associated vacuum equipment located within a cabin. The vehicles would be hand dried as there is no automated drying system on site. The proposed operating hours of the hand car wash are 08:30 to 18:30 Monday to Saturday and 09:00 to 16:30 hours on Sundays.

A Noise Impact Assessment (NIA) that accompanies the application states that noise associated with the site and the previous hand car wash is already part of the character of the area. It asserts that the noise levels would likely reduce compared to the previous operations as the previous operator located their associated jet wash compressor and vacuum at an exposed position. The NIA concludes that there would be no significant noise impact at the nearest dwellings resulting from the new hand car wash operation.

The Environmental Health Division has no objections to the application subject to a number of conditions preventing activities on the road to the rear of the site, preventing the installation of drying equipment, limiting the hours of activities associated with the washing or vacuuming of vehicles, preventing the location of compressor plant or equipment externally and requiring the submission of a noise management plan.

Paragraph 54 of the NPPF states that "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."

In this instance there is a fall-back position whereby the site can operate as a car wash facility. However, the new car wash business would operate differently and it is considered necessary to

impose conditions that further minimise the impact of the use on residential amenity levels and on this basis it is not considered that an objection could be sustained on the grounds of impact on residential amenity.

Objections on the grounds of increased litter, smoking and car fumes are not considered significant in the context of the existing uses of the site.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy T16: Development – General parking requirements
Policy T18: Development servicing requirements

Other Material Considerations include:

[National Planning Policy Framework \(2019\)](#)

[Planning Practice Guidance \(2014 as updated\)](#)

[Supplementary Planning Guidance/Documents](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

Relevant Planning History

05/00382/FUL	Provision of car wash	Approved
08/00668/ADV	One illuminated box sign and fascia sign	Approved
13/00247/FUL	Retention of installation of ATM	Approved
13/00248/ADV	Retention of illuminated ATM sign	Approved
14/00612/FUL	Proposed extension to sales area	Approved
19/00839/ADV	Replacement signage	Approved

Views of Consultees

The **Environmental Health Officer** has no objections subject to conditions preventing activities on the road to the rear of the site, preventing the installation of drying equipment, limiting the hours of activities associated with the washing or vacuuming of vehicles, preventing the location of compressor plant or equipment externally and requiring the submission of a noise management plan.

The **Highway Authority** has no objections subject to a condition regarding the discharge of surface water or waste water onto the highway.

The **Environment Agency** has no objections.

Representations

One letter of **support** has been received stating that it would be good to see the facility used instead of lying idle.

Letters of **objection** have been received from the occupiers of 5 properties expressing concerns regarding the following:

- Noise impact from vehicles, car doors slamming, jet spraying machines, vacuum cleaners, engines revving, car horns, loud music and car wash attendants shouting over the noise of equipment.
- Impact of car fumes.
- Litter.
- Pests.

- Disordered and unpleasant appearance.
- Smoking.
- Impact on privacy.
- Complaints were made to the Council about the old car wash, noise monitors were installed and the car wash ceased trading.
- When permission was granted some years ago for a car wash, conditions were not enforced.
- There are numerous car washes in the area.
- Trees adjacent to the neighbours' fences have been cut down.
- Safety concerns on the petrol forecourt as no segregation of traffic.
- Assurances are sought that labour, employment, health and safety and other environmental regulations are being adhered to.
- If permission is granted, conditions are requested regarding acoustic fencing, triple glazing, reduced opening times, traffic flow measures and sound proofing.

Applicant's/Agent's submission

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00838/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

14th April 2020