

TWC/2016/1096

Severn Valley Motorsport, Ironbridge Road, Madeley, Telford, Shropshire, TF7 5JU
Part change of use to a hand car wash

APPLICANT

Ravinder Gill

RECEIVED

28/11/2016

PARISH

Madeley

WARD

Madeley and Sutton Hill

OFFICER Andrew Gittins

CLLR PAUL WALTLING (LOCAL WARD MEMBER) HAS REQUESTED THAT THE APPLICATION IS CONSIDERED BY PLANS BOARD.

1. THE PROPOSAL

- 1.1 This is a full application for the proposed change of use of part of the site to a hand car wash in addition to the existing permitted use as a Service Station, MOT station, Offices, Petrol Station and Car Sales, although the site is currently vacant and the petrol station element has been decommissioned.
- 1.2 The hand car wash would be located at the rear of the site adjacent to the southern boundary with a wooded area with an acoustic screen erected parallel with the rear boundary. Entrance would be via the existing access adjacent to the adjoining residential property 'The Bungalow'. Vehicles would proceed to the rear of the site to be washed behind the proposed absorptive acoustic barrier before entering the former petrol station canopy for valeting. Vehicles would then exit via the other existing access between the former petrol station canopy and the existing buildings.
- 1.3 Surface water is proposed to be conveyed to the mains sewer. The proposed Block Plan also includes a parking area behind the canopy should vehicles need to park-up and wait. The agent has also confirmed that the existing rest room / toilets on site will be available for use and that staff parking will be designated.
- 1.4 The proposal intends to employ 4 full time employees and 2 part time employees. The Application seeks consent for the following hours of operation: Monday to Sunday including Bank Holidays 09:00 to 18:00. However, the Acoustic Report outlines that the Applicant would be happy to accept a condition restricting hours of use to 10am – 4pm Sundays and Bank Holidays.

- 1.5 The application has been accompanied by an amended Block Plan, Existing Block Plan, Location Plan, Application Form, Supporting Statement, example of acoustic barrier and Acoustic Report.
- 1.6 During consideration of the application, and in response to concerns from the Town Council, Local Member and local residents about the permanent use as a car wash threatening the deliverability of the permitted redevelopment of the site for residential purposes, the Applicant has confirmed they would accept a 2 year temporary consent.

2. SITE AND SURROUNDINGS

- 2.1 The 800sqm site is located within the Built up Area of Telford, within the District Centre of Madeley as defined in the Wrekin Local Plan. The site is located outside of the Conservation Area and Retail Zone, with an area defined as Green Network to the south.
- 2.2 The site is located on Ironbridge Road, one of the approach roads into Madeley opposite 32 – 36 Ironbridge Road. A row of 3 terraced cottages and a detached property are located to the east across a private access drive which is a Right of Way; a further residential property 'The Bungalow' adjoins the western boundary with an area of woodland designated as Green Network to the south.
- 2.3 The site consists of an area of hard standing under a former petrol station canopy and corrugated steel buildings running the full depth of the site along the western boundary. The southern and western boundaries are well screened with trees the equivalent height of a two-storey building.
- 2.4 The site has extant consent for the demolition of the existing workshops and erection of 8 dwellings, granted on the 24th October 2016 with 3 years to implement.

3. RELEVANT PLANNING HISTORY

- 3.1 TWC/2016/0407 – Demolition of existing workshops and erection of 8 dwellings – Granted 24th Oct 2016.

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Policy Framework (the NPPF)
- 4.2 Saved Wrekin Local Plan policies
E4 Development on unallocated employment sites in the urban area

UD2 Design Criteria

- 4.3 LDF Core Strategy policies
CS2 Jobs
CS13 Environmental Resources
CS15 Urban Design

- 4.4 Telford & Wrekin Local Plan (Submission Version)
BE1 Design criteria
ER11 Sewerage systems and water quality

5. SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

5.1 **Madeley Town Council: Object:**

- Intensification of non-conforming commercial business in a predominately residential area likely to increase noise nuisance and disturbance.
- Preference would be to implement approved residential development.
- Acoustic Report recommends jet washing is undertaken at the rear of the site behind an acoustic barrier but Plans propose jet washing under the canopy with no barrier proposed. *Officer Note - Original Block Plan was uploaded in error the amended plans address these concerns.*
- Operation at front of site close to a residential property and could cause noise disturbance through parked cars with revving engines, machinery noise and staff shouting over machinery.
- Lack of fencing could result in water spray onto footpath.
- Proposal does not nominate any parking for staff or customers.
- No indication if there are any suitable rest rooms / toilets on the site to use.
- No indication if the existing drainage system can cope with the extra run-off and how any contaminants might be dealt with.
- Unclear if any additional lighting will be required under canopy.
- If consent is granted requested that consideration is given to temporary consent to assess the impact and conditions should be attached restricting hours of use avoiding evenings and weekends.

5.2 **Cllr Paul Watling (Ward Member):** Object and request that the application is determined by the Planning Committee.

- Inappropriate site due to noise and other environmental factors.
- Proposal may hold up permitted residential development.
- Such a business in a residential area is inappropriate.

5.3 **Drainage:** No objection subject to the attachment of a condition requiring any runoff to be disposed of to a foul drain following the submission and approval

of details to reduce the possibility of pollution of the surface water environment.

5.4 **Environmental Health (Pollution Control):** No objection subject to the attachment of conditions controlling the hours of operation, details of the acoustic barrier, use of the jet spray wash behind the acoustic barrier, and the submission of details of the acoustic enclosure of the jet wash motor so as the noise from the motor is inaudible at the site boundary and details of the acoustic enclosure of the vacuum cleaner.

5.5 **Highways:** No objection subject to the receipt of a plan from the agent detailing the proposed location of adequate designated staff parking.

5.6 **Shropshire Fire Service:** Comment

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications".

Neighbours representations

5.7 The application has been advertised by Neighbour Notification Letters sent to the occupants of 31-37 Ironbridge Road, 60 Park Street, 1-3 Meadow Cottages and 'Keigame Cottage' referred to as The Bungalow on the Proposed Block Plan with the consultation period expiring on the 20th December. Two letters have been received raising the following objections:

- Increase in volume of traffic using highway, which is subject to speeding and used as a cut through presenting safety issues to children crossing.
- When Madeley Service Station was operational residents experienced issues with blocked driveways, even though site is of sufficient size to park vehicles.
- Previously experienced issues with noise, unsociable hours, heavily congested roads.
- Site seems large to house car cleaning.
- Question whether the working hours are appropriate in a residential neighbourhood with very young children?
- Applicant's Acoustic Report claims it would be unacceptable without mitigation the acoustic fencing is not shown on the plans.
- Washing under canopy would cause echo.
- Proposed hours would require lighting which would be detrimental to amenity.
- Some residents work shifts so need to sleep in the day.
- Jet wash was audible in houses when used by garage, the Acoustic Report states this will not be the case.

- Clarification required as to what activities are being sought as application makes reference to car repair.
- There are a number of existing car washes nearby.
- Concern about extra surface water drainage, capacity of existing system to cope with additional runoff and mechanism to prevent runoff onto pavement / road.

6. PLANNING CONSIDERATIONS

6.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of development
- The impact on the living conditions of neighbours
- The impact on the character and appearance of the area
- Drainage
- Highway safety

6.2 Principle of development

6.2.1 The site is located within the Built up Area of Telford where saved policy E4 of the Wrekin Local Plan is applicable. This outlines that development employing less than 5 people will be permitted within the built up area when the following criteria, which will be assessed within the report are met:

- a) the site is adequately serviced in terms of car parking and public utilities,
- b) the site does not have an adverse impact on adjacent land uses and satisfies the environmental health and other policies of the plan,
- c) the site does not have an adverse impact on the character of the area.

6.2.2 The Town Council have objected on a number of grounds. The first is that the preference would be to implement the approved residential development. The agent has agreed to a 2 year temporary consent to allow productive use of the site whilst the residential redevelopment of the site is progressed.

6.3 The impact on the living conditions of neighbours

6.3.1 Criteria b) of WLP policy E4 states that small scale employment uses within the built up area will be permitted subject to the site not having an adverse impact on adjacent land uses and satisfying the environmental health and other policies of the plan. This saved policy is consistent with one of the Core Principles of the NPPF, which states that development should always seek to secure a good standard of amenity for all existing and future occupants of

land and buildings. Whilst the environmental role of sustainability requires minimisation of pollution by preventing new development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of air, water or noise pollution.

6.3.2 There are a number of residential properties located in close proximity. These include 'The Bungalow' or 'Keigame Cottage' to the west, No.60 Park Street, and 1-3 Meadow Cottages to the east and No's. 31-37 Ironbridge Rd to the north.

a) Acoustic

6.3.3 An Acoustic Report has been submitted with the application. This included measurements being obtained for the two main source activities (spray washing and vacuum cleaning) from another similar site in Telford. The results indicated that only 'The Bungalow' would be exposed to significant sound levels. However, locating spraying activities behind an acoustic barrier at the rear of the site as proposed is likely to further reduce the overall impact more than that predicted by the assessment. The Acoustic Report notes that it would be inappropriate to correct the acoustic readings to take account of the existing perimeter fence which will have a beneficial acoustic effect.

6.3.4 The application has been assessed by the Council's Environmental Health (Pollution Control) Team who concur with the conclusion that the installation of the mitigation measures recommended in the Acoustic Report and that there is no reason in acoustic terms why the site cannot be operated without causing loss of amenity.

6.3.5 At its closest the boundary of the curtilage of The Bungalow is located 16m from the jet car wash and 5m from the canopy under which the cars would be valeted which involves vacuuming, drying and polishing. The circulation route would involve cars driving in adjacent to the side boundary for the first 15 metres. The boundary with 'The Bungalow' consists of a robust fence and dense row of trees extending to approximately the height of a two storey building which will act as a visual, acoustic and physical barrier avoiding any loss of visual amenity, noise issues or spray from any jet washing. The impact would be further reduced by the installation of a 2.5m high x 10m wide acoustic barrier and enclosure of the vacuum in a bespoke container will reduce sound levels by at least 10Db; this will be a condition of any approval.

6.3.6 To the west the development will be screened from view by the existing buildings on site. This will avoid any impact on the amenities of the occupants of the four properties (No.60 Park Street and 1-3 Meadow Cottages) and the right of way which the Town Council have expressed concern about. The

valeting under the canopy will be closer to the properties on Ironbridge Rd (No's. 29-40). The Acoustic Report outlines that the vacuum cleaner is audible but not intrusive with the impact further reduced by siting within a mobile acoustic enclosure.

b) Illumination

6.3.7 In respect of external lighting, a condition has been proposed requiring the submission and approval of details prior to its installation in order to protect the amenities of neighbouring residential properties. Notwithstanding this, properly installed LED lights should be installed parallel to the ground and with the light-source not visible and not causing any spillage.

6.4 The impact on the character and appearance of the area

6.4.1 Policy UD2 of the Wrekin Local Plan requires high quality development which respects and relates well to the context. Applications are assessed in relation to scale, massing, form, density, orientation, layout, proportions, materials, landscape elements, access and spatial quality. In addition to this policy, Policy CS15 of the Core Strategy seeks design of development that assists in creating and sustaining safe places, strengthening local identity and projecting a positive local image. The National Planning Policy Framework also attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. It is noted that Policies BE1 of the new Telford and Wrekin Local Plan relates to design quality in relation to size, character, appearance and impact on neighbouring properties.

6.4.2 The amount of development would be limited to the provision of a 2.5m high by 10m long acoustic barrier at the rear of the site, an example of which has been submitted with the application and further details would be conditioned for approval. The business would also display advertisements on the canopy which would require separate Advertisement Consent. Any A-boards on the forecourt (not including the highway footpath) would benefit from deemed consent if under 1.55m² individually and 4.6m² cumulatively. On this basis, Officers are satisfied that the proposal would preserve the character of the area.

6.5 Drainage

6.5.1 The Application Form indicates that both foul and surface water will be disposed of via Mains sewer and that a small amount of car cleaning chemicals and water run-off from the cleaning of cars will enter the existing foul drainage system. In addition, the agent has confirmed that consent to

discharge trade effluent is in the process of being sought from Severn Trent Water. The proposal has been assessed by the Council's Drainage Engineers who have no objection subject to confirmation of how runoff will be disposed of to the foul water drainage system. The imposition of this condition is considered necessary to ensure protection of water quality in accordance with policies CS13, and the Submission Version plan policy ER11.

6.6 Highway safety

6.6.1 The proposed Block Plan illustrates that access will be gained via the existing access adjacent to The Bungalow with exit via the existing access between the canopy and the site buildings. The agent has confirmed that the four full time staff and two part time staff are likely to park in the centre of the site or by the top office. This will be illustrated on plan. The scheme has been assessed by the Highways Development Control who have no objection to the proposals, subject to the receipt of the aforementioned plan from the agent detailing the proposed location of adequate designated staff parking. The Highways Officer has also noted that there appears to be sufficient space within the site to accommodate queuing vehicles and adequate space for parking in the event that the capacity for queuing within the site reaches a maximum.

6.6.2 It is therefore considered that the proposed scheme will have no detrimental effect upon the operational safety of the local adopted highway network. Officers acknowledge that the proposal will result in increased traffic accessing the site; however this will be negligible when regard is given to amount of traffic previously accessing the decommissioned petrol station.

7. **CONCLUSIONS**

7.1 The additional use of the existing vacant, decommissioned and unused commercial premises for hand car washing and valeting is an appropriate form of small scale commercial employment in this predominantly residential area. Any impact on the occupants of neighbouring properties in respect of noise, light and water spray can be mitigated through the installation of the absorptive acoustic barrier, the conditioning of lighting details and existing buildings and boundary treatments. The site can be adequately drained using the existing foul water drainage system which will reduce the possibility of pollution of the surface water environment. Furthermore, the site can be safely accessed with sufficient circulation space for customers and parking for staff to avoid any on-street parking or queuing. The permission is recommended on a two year temporary basis to allow assessment of the impact and to allow the landowner to progress the permitted residential scheme. Accordingly, whilst acknowledging local concern, subject to conditions the proposal is considered

to be in accordance with Saved Wrekin Local Plan policies E4, UD2; LDF Core Strategy policies CS2, CS13, T&WLP Submission Version policies CS15, BE1 and ER11; alongside guidance with the NPPF.

8. RECOMMENDATION

8.1 Based on the conclusions above, it is recommended to **GRANT PLANNING PERMISSION** subject to the following conditions:

1. A07: Time Limit – 2 year Temporary Permission - Uses of Land
2. BCustom: Details of enclosure of jet wash motor and vacuum
3. BCustom: Details of absorptive acoustic barrier
4. B062: Runoff disposed of to a foul water drainage system
5. B145: Lighting strategy
6. C013: Parking, Loading, Unloading and Turning
7. C38: Development in accordance with deposited plans
8. D11: Hours of work (9-6 Monday to Sat, 10-4 Sundays and BH)
9. DCustom: Jet wash only used behind acoustic barrier

Informatives

I40: Conditions

I41: Reasons for grant of permission

RANPPF1: Approval NPPF