

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0310/22/FUL
Proposal: Installation of 1 no. self-service car wash bay.
Location: Murco Costcutter
Shields Road
Cleadow
SR6 7PQ

Site Visit Made: 25/05/2022

Relevant policies/SPDs

- 1 DM1 - Management of Development (A, B, G, K and M)
- 2 SPD 14 – Cleadow Conservation Area Management Plan
- 3 LDF CS A1 - Improving Accessibility
- 4 LDF CS EA5 - Environmental Protection
- 5 LDF CS SC1 - Creating Sustainable Urban Areas

Description of the site and of the proposals

The application proposes to install 1 no. self-service car wash bay at Murco Costcutter, Shields Road, Cleadow. Vehicular access is via the A1018 (Shields Road) to the west of the site. North Street runs along the northern boundary with a public house located on the opposite side and residential properties are located along the eastern and southern boundaries. The premises is located within the Cleadow Village Conservation Area.

The premises serves as a fuel filling station with a drive-through car wash and self-service car wash. The proposal would see the drive-through car wash decommissioned and the installation of a second self-service car wash in-between the southern boundary and existing self-service car wash. The existing boundary treatment along the eastern and southern boundaries are a 1.8m high close boarded timber fence and brick retaining wall.

A 2.7m high solid acoustic wash screen is proposed along the south and east elevations of the self-service area. Above the wash screen would be translucent sheeting on an angled overhang. A self-service wash machine is proposed with a pole which would host the hose pipe. The materials would be plastic coated profiled metal sheeting and galvanized frames. The flooring within the bay would be concrete slab laid within the bay. The existing twin flood light located to the front of the jet wash area would be replaced with a Bever Innovations LED area illumination ambiente EOS area XL floodlight.

The planning application confirms that there will be plastic containers held within the compound to store and aid the collection of waste and recyclable plastic containers will be collected by the supplier for the collection of recyclable waste.

Planning History

Reference: ST/0527/97//DM
Description: Proposed installation of hand held jet wash facility to existing petrol filling station
Decision: Grant Permission
Date: 25/09/1997

Reference: ST/0209/97//DM
Description: Proposed hand held jet wash facility to existing petrol filling station.

Decision: Refused Permission

Date: 19/06/1997

Reference: ST/0766/90//DM

Description: Proposed self service filling station with car wash facility

Decision: Refused Permission (Hearing - Allowed with Conditions)

Date: 04/02/1991 (23/08/1991)

Reference: ST/1010/88//DM

Description: Proposed self-service petrol filling station and car wash

Decision: Refused Permission

Date: 16/03/1989

Publicity / Consultations (Expiry date 09/08/2022)

Site notice expiry date – 15/06/2022

Press notice expiry date – 15/06/2022

1) Neighbour responses

1 Cleadon Old Hall -

- Error in the noise assessment report (para 1.3) – did not pick up the ground floor window along the side elevation of the nearest dwellings. Both of which are bedroom windows.
- Issues with the existing forecourt flood lighting – light flooding through the bedroom window and front door. Plans do not show existing flood lighting or proposed (if any) -A small shade fitted to the back of the lights would reflect the light to where it is needed and away from the neighbours bedrooms.

4 Cleadon Old Hall –

- Our clothes line area is on the perimeter wall adjoining the garage and will be exposed to spray from the car wash, this may be a problem for all apartments in both blocks;
- Lighting – Already a nuisance. Proposed lighting would affect some adjacent apartments. Additional nuisance from extra operating hours of 06.00 to 23.00 hrs;
- Noise levels will increase – already suffer with noises from the garage – wrong to be considering increasing our noise levels. (Noise nuisance may also occur as a level of 96dB at 5m distance, for 12 minutes in an hour could be a problem, especially as it is assumed screening will be effective. Again operating hours are a factor.)
- Is it the garages plan to extend the shop?

Officer Comments – In relation to the error in the noise assessment, a second revision of the noise assessment was submitted. There are no plans as part of this planning application to extend the shop. All planning related matters will be examined further in this report.

2) Other Consultee responses

Historic Environment Officer – The existing forecourt is already fairly cluttered and I consider the proposed car wash bay to be set back far enough that it is unlikely to impact on the character or appearance of the Conservation Area.

Environmental Protection – Happy that there is adequate drainage

Traffic and Road Safety – The submission includes swept path analysis details of a car reversing out of the new wash bay in order to leave the site in forward gear, which is considered acceptable in principle. To facilitate this, no other vehicle should obstruct the manoeuvring area identified and it

may be prudent to delineate the area on the ground to prevent vehicles obstructing the necessary manoeuvring area.

In addition to the above, in order to keep the site access clear and avoid any queuing in the access area adjacent to and on the A1018, I would recommend that 'keep clear' hatched box markings be delineated on the ground just inside the access area to ensure general vehicle movements remain unhindered relative to the day-to-day operational use of the site and avoid highway safety problems on the A1018.

Environmental Health –

Initial Comment - Request clarification on parts of the assessment methodology. The methodology used by the consultant is appropriate, and has concluded that the relocation of the bay will not impact negatively on neighbours, however there are a couple of points I would like to raise that have been assumed by the consultant, and therefore impacting on the context of the assessment, which is a fundamental aspect of the methodology.

The consultant has claimed that the nearest residential window serves a bathroom, however a representation from a neighbour has confirmed that this is not the case and the window serves a habitable room and will therefore look over the relocated bay.

Additionally, the consultant has advised that a 17dB reduction in noise levels will be achieved as a result of the screening to the bay, however, as the screening obviously only serves three sides of the bay I would like further information on how this figure has been derived.

Please could you also ask the applicant to respond to a neighbours concern regarding water from overspray from the bay impacting on neighbouring amenity in terms of washing lines etc.

Final Comment - The inclusion of additional screens to ensure that overspray from the car wash will not impact on residential amenity is welcomed.

The applicant has now provided a satisfactory response to my query regarding how the 17db mitigation from screening was arrived at, and the inclusion of an appendix detailing the methodology used is welcomed and accepted.

I would advise that I am now satisfied that the original noise assessment is appropriate and I do not believe that the application will impact negatively on residential amenity from noise, overspray and lighting.

Assessment

Planning History

The initial planning application (ref: ST/1010/88//DM) for a petrol filling station and car wash was refused as it would be detrimental to road safety due to vehicles backing up in the petrol forecourt and then creating problems at the junction with Shields Road. Secondly the car wash would attract additional movements and have standing vehicles close to a busy road junction causing traffic problems and thirdly the car wash would lead to a substantial loss of amenity to residents of the immediate locality.

In 1991 a planning application (ref: ST/0766/90//DM) for a petrol filling station and car wash was also refused for three reasons. The first was concern was that the development would be detrimental to the amenities of nearby residential properties by reason of visual intrusion and general disturbance. The second reason for refusal relates to the location of the proposed car wash and its operation and the third reason for refusal relates to the character and appearance of the Cleadon Conservation Area within which the appeal site is situated.

On appeal the proposed development was allowed with conditions for the above application, the reasons as follows: in terms of general disturbance to residents, the noise from the authorized activity would be more harmful than that arising from use of the car wash and it would be unreasonable to withhold planning permission because of this aspect of the proposed development. A condition for opening hours (08:00 – 21:00) was included. In terms of visual intrusion, taking in to account the existing aspect of the garage premises from the nearby properties; the proposed provision of boundary walls, landscaping and self-closing doors to the car wash; the impact of the approved scheme; and the oblique views from the main windows of Cleadon Hall Old Flats and Nos 3-9 North Street, it was considered that the proposed development would not be injurious to the outlook of the nearby occupiers and therefore it was concluded that the proposed petrol station and car wash would not seriously harm the residents in terms of noise and visual intrusion. In terms of the location of the proposed car wash and its operation, at times when Shields Road was relatively well used the activity associated with the proposed petrol filling station would not materially increase noise levels in the adjoining residential properties. It was also considered that the noise levels whilst the car wash would be in use would not cause any unacceptable levels. It was also concluded that the proposal would preserve the character and appearance of the Cleadon Conservation Area; the density of development within the area varying considerably and that the properties fronting Shields Road in the vicinity of the appeal site are less compactly arranged than the older dwellings which follow the historic street pattern of the village. The busy A1018 passes through the centre of Cleadon and is an important feature of the conservation area. The existing premises detract from the appearance of the conservation area. Viewed from Shields Road the site is dominated by the unattractive forecourt canopy which has deep sides and is prominently sited at the back of the footway.

Planning ref ST/0209/97//DM was refused for a proposed hand held jet wash facility to the existing petrol filling station, the reasons being that the operation of the facility would be detrimental to the residential and visual amenities currently enjoyed by adjacent dwellings. Wind-borne water spray and noise generated by the facility would have a particularly detrimental effect upon the rear garden area of 1 North Street. The proposed translucent arc screen and white PVC cladding would form an incongruous and over-dominant feature when viewed from the neighbouring dwellings at 1 North Street and the Cleadon Old Hall flats which are situated within the Cleadon Conservation Area.

In September 1997 a subsequent application for the installation of a hand held jet wash facility within the petrol filling station was submitted and approved. This was due to the repositioning of the car wash away from the boundaries with residential properties. The equipment would be 6.5m away from the nearest residential property; reducing water spray and noise.

The present planning application proposes the installation of the jet wash facility in between the existing jet wash and the south facing boundary shared with adjacent neighbours at Cleadon Old Hall.

In determining this application the main issues to be considered are:

- The principle of the development;
- Impact on visual amenity and the Cleadon Village Conservation Area;
- Impact on residential amenity;
- Flood risk and drainage; and,
- Highway safety

The principle of the Development

The site operates as a fuel filling station which also includes a drive-through car wash and 1 no. self-service car wash. The proposal would see a second self-service car wash installed alongside the existing self-service car wash towards the rear of the site. The existing drive-through car wash would also be decommissioned.

The proposal would accord with Core Strategy Policy SC1 as it would maintain and improve the provision of accessible basic local services and community facilities for residents within the vicinity of the site.

Impact on Visual Amenity and the Cleadon Village Conservation Area

Policy CA-C1 (New Development) of SPD 14 (Cleadon CAMP) states that the Council will only permit development in, or affecting the setting of, Cleadon Conservation Area that protects, preserves and where possible enhances its character or appearance.

The proposed self-service car wash would be located to the rear of the site adjacent to an existing self-service car wash. The proposal would include a 2.7m high solid acoustic wash screen and the translucent sheeting on angled overhang to the jet wash facility. A self-service wash machine would also be installed adjacent to the rear solid wash screen and would hold 2 no. poles measuring 4.2m high with hoses for cleaning vehicles. It is not considered that the solid wash screen and wash machine would have any material impact or result in significant harm to the visual amenity of the Conservation Area to warrant refusal, particularly given the site's location which is not highly visible within the wider Conservation Area, other buildings/structures on the application site and the substantial set-back of the proposal from the public highway.

Furthermore, the Historic Environment Officer was consulted on this application and advised that the existing forecourt is already cluttered and the proposed car wash bay to be set back far enough and will therefore be unlikely to impact on the character or appearance of the Conservation Area.

As such the proposal is also considered acceptable in visual appearance terms. It is therefore considered the proposal would accord with LDF Policy DM1 (A) and SPD 14.

Impact on Residential Amenity

The refusal reasons for planning application ST/0209/97//DM was that the operation of the facility would be detrimental to the residential and visual amenities currently enjoyed by adjacent dwellings. Wind-borne water spray and noise generated by the facility would have a particularly detrimental effect upon the rear garden area of 1 North Street. Also the proposed translucent arc screen and white PVC cladding would form an incongruous and over-dominant feature when viewed from the neighbouring dwellings at 1 North Street and the Cleadon Old Hall flats. A second refusal reason was the jet wash facility would create an increase in the number of vehicles using the site. The maneuvering and queuing of such vehicles would unacceptably reduce the minimum level of amenity that could reasonably be expected to be enjoyed by the adjoining residents. In particular, vehicles waiting to use the facility would generate fumes from their exhausts and noise from engines and car radios.

Although the subsequent planning application (ST/0527/97//DM) was approved due to the repositioning of the proposed hand held jet wash facility away from the boundaries with residential properties and this application proposes a self-service car wash bay in a similar location as the refused planning application (ST/0209/97//DM), this application also includes a LED Area Illumination, Washing Bay Simulation and Noise Impact Assessment documentation re the proposed jet wash bay. With regards to the increase of vehicles using the site, the subsequent planning application relocated the jet wash facility further away from the boundary, which would be no different to planning application ST/0209/97//DM in terms of the number of vehicles entering the service station and waiting to use the jet wash.

A residential property (1 North Street) is located along the rear boundary and 2 no. flats (1 and 4 Cleadon Old Hall) are located along the side (east) boundary of the service station. A number of comments were received from the adjacent neighbours in relation to the adverse impact the existing lighting has on their properties. There is an existing lighting pole to the front of the jet wash area and the light itself is proposed to be replaced with an LED light which will be more sympathetic to the neighboring properties. Comments were also received in relation to over-spray from the jet wash on to

the clothes lines area of the neighbouring properties and the increase in noise levels. Amendments were made to the proposal whereby additional screening was proposed above the 2.7m high boundary screening to further confine over-spray and a noise assessment was submitted as part of the application. The Environmental Health Officer has assessed the application and advised that they're satisfied that the noise assessment is appropriate and does not believe that the application will impact negatively on residential amenity from noise, overspray and lighting.

Furthermore, a condition has been included which restricts the hours of operation for the jet wash to between 0800 and 2100 on any day. This replicates a condition on the initial planning permission for the jet wash. In this regard the proposal is considered to accord with LDF Policy DM1 (B).

Flood Risk / Drainage

The proposal would not result in any additional hard standing as it would be located within the existing service station. The Environmental Protection Officer has commented noting they're happy there is adequate drainage already on site, therefore there are no concerns in respect of flooding or drainage, and the proposal is considered acceptable in terms of these matters and LDF Policy DM1 (K).

Highway Safety

The Traffic and Road Safety team were consulted on this application and commented that no other vehicle should obstruct the maneuvering area identified and it may be prudent to delineate the area on the ground to prevent vehicles obstructing the necessary maneuvering area. Additionally, in order to keep the site access clear and avoid any queuing in the access area adjacent to and on the A1018, 'keep clear' hatched box markings are recommended on the ground just inside the access area to ensure general vehicle movements remain unhindered relative to the day-to-day operational use of the site and avoid highway safety problems on the A1018.

Officers have considered the comments of the Traffic and Road Safety team. However, it is considered that the suggested markings are not justified given the short time any vehicles are likely to be stationary on site.

In conclusion, it is considered that the proposal would have no significant adverse impact upon the residential amenity of any neighbouring properties, the visual amenity of the area, flood risk or drainage or highway safety in the area. Consequently the proposal would comply with all relevant local and national planning policy; the application is therefore recommended for approval.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Grant Permission with Conditions

Conditions

- 1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

 As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.
- 2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Drg No. PA06a Rev PE - Received 25/08/2022
Drg No. PA05a Rev PE - Received 25/08/2022
Drg No. PA04b Rev PE - Received 25/08/2022

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

- 3 The external materials for the proposed self service car wash bay hereby permitted shall be as those stated within the application form (received 14/04/2022), drawing number PA05a Rev PE (received 25/08/2022) and drawing number PA06a Rev PE (received 25/08/2022). Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with South Tyneside LDF Development Management policies DM1.

- 4 Prior to the self service car wash bay hereby permitted being brought into use, the 2.7 metre high new solid acoustic wash screen and the translucent sheeting on angled overhang to the bay (as detailed on drawing PA05a Rev PE and PA06a Rev PE - both received 25/08/2022), shall be installed, unless agreed otherwise in writing with the Local Planning Authority. That screen and sheeting shall remain in place at all times thereafter.

To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with South Tyneside LDF Development Management Policy DM1.

- 5 The acoustic screening of the car wash bay hereby permitted shall be constructed of a solid material with a minimum area density of 10 kg/m² with no holes or gaps and a minimum height of 2.7m, unless agreed otherwise in writing with the Local Planning Authority; so that attenuation of noise levels from the bay is in line with those predicted in the Noise Assessment (received 23/09/2022). Such acoustic screening screen shall remain in place at all times thereafter.

To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with South Tyneside LDF Development Management Policy DM1.

- 6 The car wash bay and associated jet wash hereby permitted shall not be in use or operational before 8am or after 9pm on any day.

To ensure the protection of and in the interests of residential amenity, in accordance with South Tyneside LDF Development Management Policy DM1.

Informatives

- 1 In dealing with this application the Council has implemented the requirements of

the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Case officer: Emma Thomas

Signed: E.Thomas

Date: 28/04/2023

Authorised Signatory: G.Horsman

Date: 05/05/2023

«END»