
Appeal Decision

Site visit made on 17 January 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 26th January 2017

Appeal Ref: APP/U4230/W/16/3160258
523 Eccles New Road, Salford M50 1DN

- 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 Nadir Khan against the decision of Salford City Council.
 - The application Ref 16/68432/FUL, dated 18 June 2016, was refused by notice dated 14 September 2016.
 - The development proposed is the change of use from MOT garage to mixed use including MOT garage and hand car wash with erection of a canopy to the front.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Although the proposal is described simply as a new car wash on the original application form, I have adopted, with slight amendment, the description used in the Council's formal decision which I consider to more accurately describe the proposal and the uses of the site that would arise from this proposal. I note that the appellant also adopted the Council's more detailed description in their subsequent appeal submissions, and I have therefore considered the appeal on this basis.
3. The Council refer to the name of the street immediately to the west of the site as Broughton Road, but I noted from my site visit that the street is named as Borough Road. For the avoidance of doubt, I refer to it hereafter as Borough Road.

Main Issue

4. The main issue is the effect of the proposed development on highway safety and the free flow of traffic.

Reasons

5. The appeal site comprises an industrial unit with forecourt area to the front, enclosed by a metal railing fence, at Eccles New Road. The larger of the two main buildings within the site houses an MOT garage whilst a smaller flat roofed element of the building houses a church. Although the site has a lengthy frontage along Eccles New Road, access to the site is instead taken from Mode Wheel Road to the east and Borough Road to the west.
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6. The proposal seeks to introduce a hand car wash operation at the site, in addition to the continuation of the operation of the existing MOT garage and church. A building mounted, retractable canopy is proposed on the main building's north facing elevation to provide a covered area for the drying and finishing of vehicles, whilst other elements of the car wash service would be carried out in the open within the forecourt area.
7. The site currently has three points of vehicular access, one from Mode Wheel Road to the east at its junction with Eccles New Road, and two from Borough Road to the west. In order to facilitate the operation of the car wash, I note that a one-way system is proposed through the site, with access to be taken from Mode Wheel Road, exiting onto Borough Road.
8. At the time of my site visit, which was undertaken on a weekday in the late morning, I noted that there were 19 vehicles parked within the forecourt area of the MOT garage. Some of these vehicles were clearly not in a roadworthy condition and their presence suggested more than the transient parking typically associated with MOT appointments. I appreciate that my site visit provided just a snapshot of the operation of the existing facility, and that the number of vehicles within the site may vary. However, the constrained nature of the site, and the circulation and parking associated with the extant uses of the site, are such that the introduction of the proposed car wash operation would add to the numbers of vehicles in, and manoeuvring within, a limited space. Although the appellant describes the proposed operation as a small hand car wash facility, I agree with the Council that there would be no limit to the potential success, and therefore scale, of the proposed operation.
9. The level of trip generation assumed by the Council (based upon TRICS data) has not been disputed, and I have not been presented with any compelling arguments to lead me to conclude otherwise. With space within the forecourt area limited in its depth and lacking flexibility for the manoeuvring of vehicles in connection with both the car wash and the MOT garage, I agree with the Council that there would be potential for the queuing of vehicles within the site.
10. It has not been demonstrated how access to or egress from the two operations would co-exist, and therefore queuing or manoeuvring vehicles for one may have implications for the free flow of vehicles in connection with the other. Given the proposed one-way system, this could potentially lead to queuing back out of the Mode Wheel Road entrance, onto Mode Wheel Road at busier times. However, the access from Mode Wheel Road is very close to the traffic-light controlled junction with Eccles New Road. Not only are there parking restrictions on Mode Wheel Road for a significant distance back from this junction, this road also provides access to a number of industrial and commercial premises on the surrounding streets.
11. Eccles New Road is both a busy road and one along which trams operate, and the junction is subject to box-junction restrictions. In situations where vehicles may be queuing within the site back towards, or out of, the access from Mode Wheel Road this would, in turn, obstruct vehicles turning into Mode Wheel Road from Eccles New Road, whether or not the appeal site is the destination for those vehicles. Therefore, for the reasons set out above, I find that the proposal has not demonstrated adequate capacity within the site for the operation of both the MOT garage and the proposed car wash. As a consequence, and as a result of the site's constraints and nature of the uses,

the proposal would be likely to result in additional conflicting vehicle movements at the site entrance from Wheel Mode Road, and at the junction of that road with Eccles New Road at peak times of operation. This would, I conclude, restrict the free flow of traffic on Mode Wheel Road and, particularly, Eccles New Road, with the potential to obstruct other road users, including trams on the nearby tramline, to the detriment of highway safety.

12. Thus, for the reasons set out, I conclude that the proposal would conflict with Policy A8 of the City of Salford Unitary Development Plan and it has not been demonstrated that the proposal would provide safe and suitable access to the site. I note the concerns expressed regarding the relationship between the hours of operation of the existing MOT station, the adjoining church and the proposed hand car wash facility. Although it is stated that the church has different opening times, thereby limiting the potential for conflicts between the existing and proposed mix of uses within the site, I have not been provided with confirmation of those opening times. However, whilst not a determinative factor in this instance, it lends weight to my overall conclusion.

Conclusion

13. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR