
Appeal Decision

Site visit made on 18 November 2019

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 28 November 2019

Appeal Ref: APP/L5240/W/19/3232929
Rear of 3 Central Parade, Croydon CR0 0JB

- 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 Paul Bogle against the decision of the Council of the London Borough of Croydon.
 - The application Ref 18/04920/FUL, dated 1 August 2018, was refused by notice dated 15 January 2019.
 - The development proposed is use of rear of shop as hand car wash.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development on:
 - The free flow of traffic and highway safety;
 - The living conditions of occupiers of nearby residential properties, with particular regard to noise and disturbance; and
 - Drainage.

Reasons

Free flow of traffic and highway safety

3. The proposed hand car wash is located close to the northern end of a service lane which runs along the rear of Central Parade. The lane serves a number of commercial properties located within Central Parade as well as garden plots and garages at the rear of residential properties on Salcot Crescent. The appeal site would provide a hardstanding space for one vehicle at a time to be washed, along with a small building to provide a waiting area and storage space. There would not, however, be any further provision for parking or waiting within the site.
4. The service lane is narrow and vehicles parked or waiting in the rear lane to be washed would severely restrict access for other vehicles along the service lane. Because the appeal site is situated close to the service lane's entrance from Salcot Crescent, any difficulties negotiating parked vehicles here would result in vehicles backing up across the entrance into the lane from Salcot Crescent.
5. Salcot Crescent was, at the time of my visit to the site, busy with cars and buses, and with pedestrians accessing the shops and facilities on Central

Parade. Although my visit provided me with only a snap-shot in time of the site and its surroundings, the nature and extent of shops and services within Central Parade, and proximity to the tram terminus and other public transport facilities, suggests that such levels of activity would not be particularly unusual and would instead be sustained across extended periods of the day.

6. The appellant has stated that the car wash would operate on an appointment only basis, but I have no further details of those arrangements before me. Thus, it is not clear how that 'appointment only' basis would operate, nor has it been explained how incidences such as over-lapping arrivals, late running appointments or impromptu 'drive up' enquiries would be managed.
7. Neither the site nor the service lane would be sufficiently spacious to accommodate such incidences. Nor would Salcot Crescent, where parking restrictions, junctions and the busy nature of the road network are such that vehicles waiting to access the car wash, or those seeking to access the rear lane inconvenienced by the operation of the car wash would impede the safe and efficient operation of the local road network. Despite the appellant's best intentions regarding an appointment-only operation, the absence of detail regarding its operation and management is such that I am not persuaded that that would be sufficient to avoid the harm that I have identified above.
8. Croydon Local Plan (CLP) policies SP8 and DM29 seek, amongst other things, to secure safe, efficient and clean movement of people and goods. The latter also requires proposals to have a positive impact, and avoid detrimental impacts, upon highway safety for pedestrians, cyclists and public and private transport users. The proposal would not, for the reasons I have set out, achieve these aims and is thus contrary to CLP policies SP8 and DM29.
9. I have noted the appellant's assurance that, during his previous operation of a car wash from the appeal site, there were no concerns regarding vehicle congestion. Whilst the Council have not provided evidence of congestion or accidents to dispute the appellant's claim, nor do I have more than the appellant's anecdotal comments regarding congestion concerns. I have based my conclusion on the basis of the available evidence and from all that I have seen and read. As a consequence, I give these anecdotal comments limited weight.

Living conditions

10. Central Parade is a busy and active commercial parade close to public transport links. Residential properties on Central Parade above the ground floor commercial uses and, to a lesser extent, those on Salcot Crescent, are therefore already subject to a degree of activity associated with those commercial uses.
11. However, the proposal would introduce an active car wash use into an area at the rear of the parade which, despite the commercial uses at ground floor and service areas at the rear, is quieter and less dominated by those commercial uses. Since the appellant's previous operations at the site, I am advised that he has purchased an electric rather than petrol-powered jet-washer. This would, it is claimed, be quieter when operating than the previous petrol-powered machine and, whilst that may be so, I have not been presented with any technical evidence to support the appellant's claims in this respect.

12. Nor would noises associated with the car wash use be limited just to the jet-washer. Thus, the comings and goings of vehicles, engines revving, car doors being closed, music and voices would all be introduced to the site and rear lane to a degree which they are not currently. Whilst a planning condition would be capable of preventing car wash operatives from playing music during operation of the car wash, such a condition would, however, be powerless to prevent customers arriving, departing or, given my concerns above in terms of overlapping or late appointments, waiting, from playing music in their cars. The appellant may strive to ensure that such noise sources would be kept to a minimum but I cannot be certain that that would be the case.
13. Due to the layout and form of Central Parade, the appeal site lies close not just to the residential units on upper floors of the Parade, but also to the nearest residential property¹ on Salcot Crescent. The proposal would result in an intensification of the use of the appeal site and service lane close those residential properties which would result in increased noise and disturbance. This would be harmful to the living conditions of those nearby residents and the proposal would as a consequence fail to secure the high standards of development sought by CLP policies DM10.6 and DM23.

Drainage

14. It is stated that surface water run off from the car wash operation would discharge to main sewer. However, I have not been provided with any details of these arrangements, nor how the broken surface of the yard area and the rear lane would facilitate the effective and appropriate management of water from the car wash operations. It has not therefore been adequately demonstrated that the proposal would make adequate provision for the effective and sustainable drainage of the site, contrary to CLP policy DM25 and London Plan policies 5.12 and 5.13.

Other Matters

15. I have carefully considered the appellant's comments, supported by a local resident, that the previous operation of the car wash business acted as a deterrent to anti-social behaviour, littering and fly-tipping at the rear of Central Parade. I have also noted the appellant's desire to provide employment for others and to support himself through the proposed venture. Whilst the former is a positive matter to which weight may be attributed, and the latter is noted, they are not sufficient individually or cumulatively to outweigh the harm identified above.

Conclusion

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

Graeme Robbie

INSPECTOR

¹ 2 Salcot Crescent