
Appeal Decision

Site visit made on 8 June 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2020

Appeal Ref: APP/J4423/W/20/3247522

1 The Common, Sheffield S35 9WJ

- 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 Mikail Ali against the decision of Sheffield City Council.
 - The application Ref 19/03644/FUL, dated 2 October 2019, was refused by notice dated 28 January 2020.
 - The development proposed is described as "Proposed change of use to sui generis car wash and car park facility."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on highway safety with regards to access and the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Highway safety

3. The appeal site is the car park for the existing restaurant which is located directly adjacent. The access for the proposal is the existing access into the restaurant car park from the adopted highway. The access is located on a bend in the road and directly opposite a highway junction.
4. The bend in the road, at the location of the site, is significant and visibility when leaving the site is restricted. The close proximity of the highway junction opposite can also lead to conflict in the highway when vehicles are slowing or stopping in the road to turn into the appeal site or turn at the junction. The proposal would increase the number of vehicles exiting and leaving the site and due to the restricted visibility and highway configuration with the junction opposite, this would lead to highway safety being detrimentally affected.
5. The appellant has indicated that there is sufficient parking within the site to accommodate vehicles however, no evidence has been presented to indicate how many vehicles would be expected to visit the site. It has also been indicated that whilst the restaurant currently operates on a night time, the A3 restaurant use could be used 24 hours a day, and the example of a Costa or a McDonalds restaurant is given by the appellant. On this basis, if permission was granted for the proposed car wash facility, there is a possibility that the proposal could be operating as well as the restaurant operating for up to a 24-

hour period. In such a scenario, this could lead to significant increase in traffic entering and leaving the site and creating conflict within the highway that would compromise safety.

6. On the evidence that is before me, I find that the proposal would have a harmful effect on highway safety with regards to the access. The proposal would be in conflict with Policy H14 of the Sheffield Unitary Development Plan 1998 and the National Planning Policy Framework (the Framework) which seeks change of use proposals to provide safe access to the highway network and appropriate off-street parking.

Character and appearance

7. The area surrounding the appeal site is characterised by a mix of residential and commercial properties. The buildings in the area are mainly traditional in design, style and materials. It is this traditional architecture of the buildings which contributes positively to the character of the area.
8. The steel container is visually prominent within the surrounding area. Due to its design, form and materials, it appears as an incongruous feature which detracts from the appearance of the nearby buildings and surrounding area.
9. The appellant has suggested that the steel container could be wrapped in cedar cladding or something similar. However, the design and style of the container would remain utilitarian and not in keeping with the traditional architectural detailing of the surrounding buildings.
10. Consequently, I find that the proposal would have a harmful effect on the character and appearance of the surrounding area. The proposal would be contrary to Policy H14 of the Sheffield Unitary Development Plan 1998 and the Framework which seeks new buildings to be well designed and in scale and character with neighbouring buildings.

Other matters

11. I have had regard to the appellants statement of case, including comments regarding the Aldi supermarket which is indicated to be 60 metres from the appeal site. However, I do not consider that the Aldi supermarket represents a direct parallel with the appeal proposal, particularly in respect of access arrangement and use of the site. The appellant has also indicated that changing the appeal sites use in different parts of the day should not need permission. I have given careful consideration to all these matters, but they do not lead me to a different overall conclusion on the main issues.

Conclusion

12. I conclude that for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR