



Appeal Decision

Site visit made on 19 June 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 July 2020

Appeal Ref: APP/M3455/W/20/3245116

244 Biddulph Road, Chell, Stoke-on-Trent, City of Stoke-on-Trent ST6 6TP

- 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 A Ali against the decision of the City of Stoke-on-Trent Council.
 - The application Ref 64141, dated 20 June 2019, was refused by notice dated 3 October 2019.
 - The development proposed is change of use to car wash and valeting facility, erection of structures and enclosures.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant submitted an amended plan with the appeal, Ref EPP JPHCW Rev 01. The key differences between this plan and the plan the Council made its decision on are: i) the vehicle route through the site is illustrated more clearly, and ii) a 2 m high brick boundary wall is proposed along the north-western boundary. The illustration of the vehicle route does not materially alter the proposal. However, the proposed 2 m high brick wall would be adjacent to the side elevation of the residential property 1 Hollington Drive. As there are 3 windows on this side elevation, I consider that the existing occupiers of the property would be prejudiced if I accepted the amended plan at this stage. I have therefore made my decision based on the plans the Council made its decision on.

Application for costs

3. An application for costs was made by Mr A Ali against the City of Stoke-on-Trent Council. This application is the subject of a separate Decision.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area, and
 - the effect of the proposal on the living conditions of existing occupiers, with particular regard to noise and disturbance.

Reasons

Character and appearance

5. The site comprises a car park to the rear of a public house, the Jester, which is located on the corner of the main A527 Biddulph Road and Hollington Drive, a road serving residential properties north-west of the site. The built-up area either side of the A527 between the roundabout north-east of the site and Oxford Road south-west of the site, is predominantly residential. The Jester appears to be the sole commercial property in this area. Hence, the character of Biddulph Road is primarily residential, until one approaches the roundabout near the centre of Chell, where it changes to a more mixed-use area.
6. The proposal would introduce a commercial activity in a residential area almost devoid of commercial uses. The section of Hollington Drive that passes the site, between the A527 and Taynton Close, comprises a row of around 6 detached bungalows on its south-western side and open fields on its north-eastern side. Being out in the open, the car cleaning operations and associated equipment would be highly visible, particularly from Hollington Drive. The 2 large, clear perspex screens that are proposed, measuring respectively around 3 m high x 14.0 m long and 3 m high x 6.0 m long, would be very prominent, incongruent structures that, along with the car cleaning activities, would disrupt the suburban ambience of the street scene. I therefore conclude that the proposal would be harmful to the character and appearance of the area.
7. Consequently, the proposal would not accord with Policy CSP1 of the Newcastle-under-Lyme & Stoke-on-Trent Core Spatial Strategy 2006-2026 (2009) (CSS), or the requirements of paragraph 127 of the National Planning Policy Framework (the Framework). Collectively, and among other things, these policies require new development to be well designed, sympathetic to and respect the character of local areas.

Living conditions

8. The nearest residential property to the site is 1 Hollington Drive, a detached bungalow whose south-eastern facing side elevation is sited around 3 m from the site boundary. As noted above, this side elevation has 3 windows in it. I acknowledge that the proposal is likely to result in an increase in noise beyond the existing level. However, the Noise Impact Assessment (NIA) submitted concludes that the proposal is likely to have a 'low impact'. Car cleaning activities would be behind perspex screens and the compressor would be sited in a cupboard. Additionally, the NIA suggests that additional noise control measures could be introduced, some of which could be controlled by condition, should the appeal be allowed.
9. As such, I conclude that the proposal would not harm the living conditions of existing occupiers with regard to noise and disturbance and therefore accords with Policy CSP1 of the CSS and paragraph 127 of the Framework, which collectively seek to ensure development secures a balanced mix of uses that work together and provide a high standard of amenity for existing and future users.

Conclusion

10. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR