



Appeal Decision

Site Visit made on 12 April 2021

by Chris Baxter BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2021

Appeal Ref: APP/N3020/W/21/3267371

Land at Burton Road, Carlton, Nottingham NG4 3GP

- 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 I Jowett of IDD Commercial Limited against the decision of Gedling Borough Council.
 - The application Ref 2020/0504, dated 29 May 2020, was refused by notice dated 14 January 2021.
 - The development proposed is described as "construction and operation of a hand car wash and valeting business to include construction of canopies and welfare building".
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr I Jowett of IDD Commercial Limited against Gedling Borough Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the surrounding area and (ii) the living conditions of occupiers of neighbouring properties with regards to noise.

Reasons

Character and appearance

4. The appeal site is a large open space located within a predominantly residential area with the odd commercial building such as the adjacent public house. The built form in the area is characterised with buildings of traditional form, styles and architectural detailing with two storey buildings having pitched roofs being the dominant built theme. It is this consistent pattern of built form which contributes positively to the character of the area.
5. The proposal would introduce single storey buildings and structures without pitched style roofs that would detract from the consistent pattern of built development in the surrounding area. Due to the size, design and form of the proposals, they would appear as alien features and be at odds with the character and appearance of the area.
6. The appeal site would be in a prominent location being near to the Colwick Loop Road, Conway Road, Burton Road, Brookland Drive and the adjacent public right of way. Existing trees, hedgerow, street furniture, road signs and

the introduction of boundary treatment and further landscaping would screen the proposals to some extent. However, the proposals, in particular the green wire mesh fencing, would be visually prominent particularly from immediate views, and would appear unnatural within the existing setting and compromise the appearance of the surrounding locality.

7. Accordingly, the proposal would have a harmful effect on the character and appearance of the surrounding area. The proposal would be contrary to Policy 10 of the Aligned Core Strategies Part 1 Local Plan 2014 (ACS) and the National Planning Policy Framework (the Framework) which seeks all new development to make a positive contribution to the public realm and reinforce valued local characteristics.

Living conditions

8. There are concerns that the proposed development would compromise the living conditions of neighbouring occupiers and disturb patrons of the adjacent public house with regards to noise.
9. The proposal would result in around 10 people being present on site at any one time and noise would be associated with this as well as the number of customer vehicles including conversations between staff and customers, radios playing and vehicle doors opening and closing. There would also be noise attributed to on site machinery such as spray guns and vacuums.
10. A noise assessment was submitted as part of the application and the Council's Public Protection section do not raise any concerns with the proposed development in respect of noise. The proposal would not directly abut adjacent sites as neighbouring buildings are separated by roads and the Ouse Dyke. Due to the location of the proposal and mitigation measures that could be put in place, such as acoustic fencing and restricting operating times, the proposal would not have a detrimental effect on the living conditions of neighbouring occupiers or adversely disturb patrons of the adjacent public house.
11. From the evidence before me, I consider that the proposal would not have a harmful effect on the living conditions of occupiers of neighbouring properties with regards to noise. The proposal would accord with Policy LPD32 of the Gedling Borough Local Planning Document Part 2 Local Plan 2018 which seeks development proposals to not have a significant adverse impact on the amenity of nearby residents or occupiers.

Other Matters

12. I have had regard to all representations from local residents, including comments on highway safety, traffic, parking, emergency services, wildlife, biodiversity, flooding and drainage, anti-social behaviour, land covenants, alternative sites, employment opportunities, community benefits and previous applications. I have given careful consideration to these matters and note that the Council have not raised concerns to some of these matters. They, however, do not lead me to a different overall conclusion on the main issues.

Conclusion

13. I have found that the proposal would not compromise the living conditions of neighbouring occupiers. However, this matter would not outweigh the harm I

have identified with regards to character and appearance and the conflict with the ACS and the Framework.

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

Chris Baxter

INSPECTOR

