



Appeal Decision

Site visit made on 7 February 2023

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2023

Appeal Ref: APP/R0660/W/22/3308152

Land at North Street, Crewe CW1 4NJ

- 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 Carbana Ltd and Monktondean Investments Ltd (Mr Simon Moxon) against the decision of Cheshire East Council.
 - The application Ref 22/0897N, dated 1 March 2022, was refused by notice dated 4 August 2022.
 - The development proposed is manned eco car wash facility and electric vehicle charging, construction of four jet wash bays and four valeting bays, two self serve electric vehicle charging bays. A single, modular, amenity building containing a customer lounge, store and employee welfare area. Change of use as determined.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the application was determined, the emerging Site Allocations and Development Policies Document (the SADPD) has been formally adopted and policy HOU10 used in the Reason for Refusal by the Council is now renamed HOU12.
3. Due to the above adoption, Policy BE.1 of the Crewe and Nantwich Replacement Local Plan has been formally deleted and is no longer a relevant policy. I am satisfied that neither party has been prejudiced by this course of action.

Main Issue

4. The main issue in this appeal is the effect of the development on the living conditions of nearby residents, with specific reference to noise and disturbance.

Reasons

5. The appeal site is adjacent a busy roundabout, with a mix of residential and commercial properties in the surrounding area.
6. The site was formerly used as a parking area for a nearby car sales garage. The proposed use would significantly intensify the use of the site, creating a larger number of vehicular movements to and from the site every day, and it would generate far more noise from operations on site than the use it would replace. It would also operate 7 days a week.

7. The proposal was accompanied by a Noise Impact Assessment. It indicates that the main background noise in the area is currently traffic noise, which concurs with what I observed at my site visit.
8. However, I find that noisier activities, such as jet washing and vacuuming, could create noise levels substantially greater than the background noise levels. As a result, they would be audible above this at the surrounding properties.
9. Such noise may only be relatively short lived, but I consider that intermittent short bursts of noise such as these would be much more disturbing than the more constant hum of traffic on the road, which forms the current background noise environment. The noise and disturbance these bursts would create for nearby residents would be particularly noticeable in the summer months when windows would be more likely to be open and gardens used more extensively.
10. In addition, noise and disturbance would be created by car radios/sound systems, the shutting of car doors and conversations between operatives and between operatives and customers, which would all add to the noise emanating from the site.
11. The proposed use would almost certainly be busiest at the weekends and so the noise from the proposed use would be greatest at times when residents are most likely to be at home and wanting to enjoy their homes and gardens. Moreover, a 7 days per week operation would give little respite for nearby occupiers from the range of noise and disturbance.
12. I find that the proposal is contrary to policy HOU12 of the SADPD and policy SE12 of the Cheshire East Local Plan Strategy, which, amongst other matters, expect new development to not cause harm to the amenities of the nearby occupiers of residential properties.
13. I also find conflict with Paragraph 185 of the National Planning Policy Framework which states that development should avoid noise giving rise to significant adverse impacts on health and the quality of life.

Other Matters

14. The proposal would make a small contribution to the local economy. However, it would have a very limited impact in this regard. Therefore, this benefit would be of limited weight in favour of the proposal

Conclusion

15. The proposal conflicts with the development plan as a whole, and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

Paul Cooper

INSPECTOR