



Appeal Decision

Site visit made on 19 November 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd December 2025

Appeal Ref: APP/A2280/W/25/3371921

Garden Service Station, Frindsbury Hill, Wainscott, Rochester, ME2 4JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Lockyer against the decision of Medway Council.
 - The application Ref is MC25/1230.
 - The development proposed is described as 'Retrospective application for car ramp'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The scheme before me is retrospective as development has already been carried out and I have assessed the scheme accordingly.

Main Issues

3. The main issues are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of neighbouring occupants.

Reasons

Character and Appearance

4. The appeal site is currently in use as a tyre repair garage and hand car wash. The buildings are generally confined to the rear of the site with a canopy extending over the central part of the forecourt. Although there are some obscured panels on the Frindsbury Hill frontage, views into the site are possible and the nature of the operations are clearly evident.
5. The car washing takes place on the open forecourt with the tyre repairs more discreetly located towards the northeastern part of the site. Although the appeal site houses a commercial operation, the structures and built form are not unduly prominent or visually harmful in an area that is otherwise largely residential in character.
6. The ramp is not enclosed and is positioned at the southwestern edge of the site. When not in use, the base of the ramp is not readily visible from outside of the site. The posts are clearly visible but in and of themselves are not so large as to appear excessive in relation to other equipment and paraphernalia associated with the commercial operations.

7. However, when in use, the ramp would necessarily raise vehicles up in order to allow work to be undertaken to the wheels and around the underneath of the vehicle. In comparison to the existing commercial operations, this would have a jarring and obtrusive appearance in this prominent location. The overall visual effect of this would be to introduce something that would contrast uncomfortably with the prevailing character and appearance of the area.
8. On this issue, I therefore find that the proposal would have an adverse effect on the character and appearance of the area. It would therefore be contrary to Policy BNE1 of the Medway Local Plan 2003 (MLP) which, amongst other things, seeks to ensure proposals are appropriate in relation to their environment.

Living Conditions

9. Policy BNE2 of the MLP requires, amongst other things, that developments protect those in nearby or adjacent properties. The design of a development should therefore have regard to such factors as noise and activity levels.
10. By its very nature, a car wash and tyre repair operation will to some extent be dependent upon when customers choose to visit. Thus, activity can be intermittent with any associated noise being of different tone, loudness and duration depending on the nature of the services required. This noise profile can be more annoying to residents than consistent or regular noises, such as the constant hum of traffic noise.
11. The ramp would be used in connection with the existing commercial operations. It would allow the site to increase its capacity to deal with customers. Any noise or activity in relation to work undertaken on the ramp would therefore be in addition to the existing operations. Even if it were shown that these additional operations were to be broadly reflective of the current type of noise and activity emanating from the site, they would be additional random and unpredictable events which would vary in length between different jobs.
12. Furthermore, there would be the potential for additional noise and disturbance from 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. It is also not inconceivable that the ramp would be busiest on Saturdays and so the noise and activity could be greatest at times when nearby residents are most likely to be at home.
13. The area where the ramp is located is open on all sides and is adjacent to and opposite properties of a residential nature. Given my concerns outlined above, there is a strong likelihood that these neighbours would be subject to additional noise and disturbance as a result of the ramp being operational.
14. As there is no substantive noise information or evidence to support the proposal, it would not be appropriate to allow the scheme subject to a condition requiring a noise impact assessment. Not only is there no guarantee its findings would show there to be no impact, but if mitigation measures were required, they could raise further issues such as their visual impact.
15. Consequently, the proposal would be contrary to Policy BNE2 of the MLP which seeks to ensure developments have regard to such matters as noise and activity levels in order to protect the amenity of nearby and adjacent properties.

16. In this respect the proposal would also be contrary to paragraph 135 of the Planning Policy Framework insofar as it seeks to ensure developments provide a high standard of amenity for existing and future users.

Other Matters

17. The proposal would make a small contribution to the local economy. However, it is likely to have a very limited impact in this regard. Therefore, this benefit would be of limited weight in favour of the proposal.
18. It is suggested that there are difficulties with vehicles being parked on Parsonage Lane and that the proposal could cause overspill parking on adjacent roads. Whilst I saw a van associated with the appeal site parked on Parsonage Lane, I have no substantive evidence to indicate that the proposal would generate overspill parking or that there is not capacity on the adjacent road network to accommodate additional parked vehicles.

Conclusion

19. The proposal would cause harms which would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Stewart Glassar

INSPECTOR