
Appeal Decision

Site visit made on 28 October 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 02 December 2025

Appeal Ref: APP/X4725/W/25/3372076

84 Lower York Street, Wakefield WF1 3NA

- 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 Mrs Hazel Gough against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 25/00051/FUL.
 - The development proposed is change of use from a building merchants' yard to a small independent valeting and vehicle repair garage.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from a building merchants' yard to a small independent valeting and vehicle repair garage at 84 Lower York Street, Wakefield WF1 3NA in accordance with the terms of the application, Ref 25/00051/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed use on the living conditions of nearby residents, with particular reference to noise and disturbance.

Reasons

3. The appeal site is located within a predominantly residential area, with neighbouring dwellings in close proximity and separated by palisade fencing. I am told that historically the site operated as a building merchants' yard accommodating significant commercial activity, including up to 30 operatives, plant storage, and office use, with frequent movements to and from the site, and operations both inside the building and in the open.
4. The proposed change of use represents a substantial reduction in scale and intensity of activity, with only around 3 people engaged in vehicle repairs and valeting. Compared to the previous use, the proposed operations, although different in nature, are more limited in both the number of staff involved and the overall level of activity.
5. The appellant submitted a detailed noise assessment and an addendum report in response to the Council's concerns. These reports included noise monitoring during a range of typical activities, including bodywork repairs, compressor use, paint spraying, and pressure washing.
6. The assessments found that noise levels at the nearest residential receptor did not exceed the external daytime expectations, and that there was no significant

difference between background and operational noise levels. The reports concluded that the impact of the garage's operations would be heard but would not have an unacceptable effect on the amenity of occupants of neighbouring properties in respect of noise.

7. I note the concerns regarding the duration of noise monitoring and the absence of a BS4142 assessment. However, the reports provide a clear rationale for applying alternative standards, as the minimal difference between background and operational noise levels renders BS4142 less relevant in this context. The assessments are based on robust and accepted acoustic principles and provide a thorough and credible evaluation of noise impacts.
8. To address any potential disturbance to neighbouring properties from spray drift associated with pressure washing, the addendum report recommends that a dedicated indoor wash-down area be provided and that the roller shutter door be kept closed during washing to maintain noise to a satisfactory level. These measures would effectively minimise any risk of spray drift affecting occupants of neighbouring properties.
9. The appellant has confirmed willingness to accept conditions restricting hours of operation and requiring all mechanical repairs to be conducted indoors with doors closed. These conditions, together with others set out below, would ensure that the development does not result in significant adverse impacts on the living conditions of neighbouring occupants with particular regard to noise and disturbance.
10. Therefore, I conclude that the proposed development would accord with Policies LP56 and LP67 of the Wakefield District Local Plan 2036, January 2024, which seek to ensure that, among other things, development should have no significant detrimental impacts on the amenity of neighbouring users and residents where it can be demonstrated that measures can be implemented to minimise noise to a satisfactory level.

Other Matters

11. I note the concerns raised about bonfires, litter, music, and inappropriate conduct. However, these matters are best addressed through environmental health or public order controls rather than planning conditions. The proposed use is small in scale, and there is no substantive evidence that it would cause parking or highway issues. As such, these matters weigh neither for nor against the proposal.

Conditions

12. The Council has provided a list of suggested conditions, which I have considered against paragraph 57 of the National Planning Policy Framework, (the Framework), and advice contained in Planning Practice Guidance. Where appropriate, I have amended the wording of the suggested conditions for clarity and reasonableness.
13. For the reasons of certainty and clarity, I have imposed a condition that requires the development to be carried out in accordance with the submitted drawings.
14. I have attached conditions requiring the submission and approval of schemes of noise control and mitigation, including the installation of plant and machinery, and limitations on the use of the site in the interests of the amenity and living conditions of occupants of neighbouring properties.

15. A condition restricting parking on the street is not considered necessary or reasonable as parking restrictions are already in place and subject to control through highway regulations.

Conclusion

16. The proposal accords with the development plan, when taken as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal is allowed.

C Mayes

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with drawings;
 - Location and Block Plan
 - Existing Layout
- 2) Within three months from the date of this permission, a scheme for protecting neighbouring properties from noise from plant and machinery associated with the use of the site for valeting and car repairs shall be submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be fully implemented and maintained and retained thereafter.
- 3) No externally sited fixed plant, machinery, or equipment (including ventilation and extraction equipment), or internally sited fixed plant, machinery, or equipment, shall be installed until a scheme detailing the control of noise and emissions arising from such plant, machinery, or equipment has been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be fully implemented and maintained and retained thereafter.
- 4) The use hereby permitted shall only take place between the following hours:
 - 08:00 and 18:00 Monday to Friday; and,
 - 10:00 and 13:00 Saturdaysand shall not take place at any time on Sundays or on Bank or Public Holidays.
- 5) All valeting and vehicle repair works, including pressure washing, shall only be undertaken with the building.

Ends