



# Planning Committee

2 June 2015

<b>Planning application no.</b>	15/00367/FUL
<b>Site</b>	The Bradmore Garage, Trysull Road, Wolverhampton
<b>Proposal</b>	Partial change of use to hand car wash and retention of car sales
<b>Ward</b>	Merry Hill
<b>Applicant</b>	Mr Darren Curley
<b>Agent</b>	Mr Robert Francis
<b>Cabinet Member with lead responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity
<b>Accountable director</b>	Nick Edwards , Service Director, City Assets
<b>Planning officer</b>	Name Colin Noakes Tel 01902 551124 Email Colin.noakes@wolverhampton.gov.uk

## 1. Summary Recommendation

1.1 Grant subject to conditions.

## 2. Application site

2.1 The site lies within the Bradmore area of the city, fronting onto Trysull Road. The site is located in a predominantly residential street, bordered by residential properties to the east and west, while there is a service road leading to privately owned garages at the rear.

2.2 The site has been vacant for some time but was originally used as a car repair garage with ancillary car sales. The applicant has stated that the use of the site as a car repair garage has now become economically unviable.

2.3 Planning permission was granted for four dwellings on the site in 2012, however the applicant has stated that due to the ground contamination on the site the costs of the implementation of the scheme are prohibitive.

2.4 There is evidence the site has previously been used as a hand car wash. However, there is no history for this use, it was therefore unlawful.

### **3. Application Details**

- 3.1 This application is a hand car wash, with all car washing and drying operations occurring inside the -building. It is proposed that the car sales will be sited on the front of the site.

### **4. Planning History**

- 4.1 11/00765/FUL Erection of two 3 bed dwellings Granted on 15 September 2011
- 4.2 12/00908/FUL Demolition of existing garage, sales/repair workshop and erection of four dwellings. Granted on 15 April 2013.

### **5. Relevant Policy Documents**

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)

### **6. Publicity**

- 6.1 Two letters of objection have been received from neighbours. Raising the following issues:
- Queuing cars blocking access to residential properties
  - Spray and water causing nuisance
  - Increased traffic
  - Unsuitable use in a residential area

### **7. Internal Consultations:**

- 7.1 Transportation – No objections providing the proposed planting area around the car sales is kept to a low level and appropriate signage is used.
- 7.2 Environmental Protection – No objection subject appropriate conditions to protect neighbour amenity.

### **8. Legal Implications**

- 8.1 S55(2)(f) of the Town and Country Planning Act 1990 requires that planning permission be obtained for the development of land, including the making of the material change in the use of any building or land. The Town and Country Planning (Use Classes) Order 1987 prescribes a number of classes of use. A use not falling within a specific class is a sui generis use. Class B1(c)(Business) comprises a use for any industrial process being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash , dust or grit.

8.2 The proposed use will be for a mixed use under Class B1(c) in respect of the car wash use together with the car sales being a sui generis use. KR/20052015/G

## **9. Appraisal**

9.1 Although the site is close to residential properties the operation of the car wash in the existing buildings should ensure noise levels generated by the washing and drying process are kept to an acceptable level in line with UDP policy EP5.

9.2 A one way system will operate through the site with vehicles entering adjacent to No.66 Trysull Road, exiting adjacent to No.76. The site is large enough to accommodate several cars while they are waiting to be washed and conditions can be imposed which require signage to be displayed requesting waiting drivers turn off engines and audio equipment.

9.3 Water generated by the use will be disposed of using the existing drainage system, more detail is required to assess the adequacy of the existing drainage facilities, this can be achieved by condition. If planning permission is granted a condition will be placed on the decision notice require draining details to be agreed before the proposed use is commenced.

9.4 The proposal would represent sustainable development, would improve the appearance of this site, bring an empty site back into use and create jobs.

## **10. Conclusion**

10.1 The proposal is considered acceptable subject to appropriate conditions and is in accordance with the development plan.

## **11. Detailed Recommendation**

11.1 That planning application 15/00367/FUL be granted subject to any appropriate conditions including:

- Drainage
- Appropriate signage depicting traffic flow and instructing engines and audio equipment is turned off.
- All car cleaning operations to be carried out in existing buildings
- No diesel powered machinery
- Restrict hours of use



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