

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 23/00892/FUL **CASE OFFICER:** Andrew Hunt

WARD: Roby **PARISH:** N/A

LOCATION: Court Hey Garage, Rimmer Avenue, Roby, Knowsley, L16 2NG

PROPOSAL: CHANGE OF USE OF PART OF CAR PARK TO FORM HAND CAR
WASH INCLUDING ERECTION OF SMALL BRICK OUTBUILDING FOR
JET WASH AND VACUUM EQUIPMENT

Site Description

This application site is a rectangular site on Rimmer Avenue. It consists of 2 buildings and hardstanding with trees at the edge of the site. There are dwellings to the east, west and south and a church to the north west. There is a grassed area with footpaths to the north of the site.

Proposal

The proposal is for a change of use of part of car park to form hand car wash. The jet wash and vacuum equipment would be contained within a small brick building of 2x4 metres and 2.8 metres high.

Consultations

Environmental Health – No objection subject to conditions in relation to operational noise, signage, operational hours, a construction management plan, construction hours and wastewater and an informative in relation to contamination.

Highways - At a total floor area of approximately 230m², the proposed development would require a maximum of 4 parking spaces. In addition, there is a requirement for a minimum provision of 2 No disabled parking bays and 2 cycle parking/storage spaces. Notwithstanding the proposed site layout, which indicates some parking bays, a parking layout for the full site should be provided to enable an efficient use of the space and to avoid the need for parking off site. This can be secured via a planning condition.

Lead Local Flood Authority - Insufficient details have been provided of wastewater impacts. However, this could be addressed by a planning condition to require details to be submitted.

Representations

This application has been publicised by letters sent to 30 neighbours. 4 Objections from 3 individuals have been received and 1 representation in support.

Objections

- There are existing traffic, parking and drainage issues at the junction which will be made worse.
- There are no privacy measures to prevent viewing into my rear garden by cars or pedestrians. Previously this was shaded by trees.

Support

- This will be a benefit to the area and will be an additional business around Court Hey.

Planning History

Several applications have been approved at the site, including the following:

- ERECTION OF 2.4 METRE MESH PANEL FENCING AND DOUBLE GATES BETWEEN SIDE OF GARAGE AND BOUNDARY WITH BOWRING COURT. (07/00705/FUL – approved 01/11/2007)
- ERECTION OF EXT TO WORKING AREA FOR LIGHT MOTOR VEHICLE REPAIR (74/10623/HIST- approved 18/12/88)
- RIMMER AVENUE HUYTON COURT HEY SERVICE STATION :- DEMOLITION OF EXISTING PUMPS AND ISLAND AND CONVERSION OF CAR WASH TO LUBRICATING BAY CAR HIRE AND SALES FACILITIES (74/04848/HIST - 17.06.1980)

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

H5 – Primarily Residential Area

ENV2 - Noise and Vibration

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Streetscene

In relation to streetscene impacts, the proposed brick building would be very small only (2 x4 metres) and would also be small relative to the existing building on site. The appearance of the brick building is considered acceptable and matches the existing buildings on site. Overall, there would be no harm to the streetscene. Details of bricks and material colours shall be secured and be approved by condition.

Highways

NPPF para 116 states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

The application would not result in significant trip generation above and beyond that of the existing car park or of the existing use of part of the site for auto repairs. Only a small part of the site would change from a car park to a car wash. The use of the site for a car wash is considered to be complementary and ancillary to the main use of the site as a car repair garage. In relation to existing highways issues at the site, these are pre existing issues and therefore not the responsibility of the applicant to address. The applicant merely has to avoid making the situation significantly worse. In relation to parking issues, some parking is shown on the plans, however additional details are required in relation to car and cycle parking which can be secured via condition. Therefore, the proposal would not result in significant highways issues. This is supported by the council's highways department who have no objection subject to condition.

Neighbour Amenity

In relation to amenity, the car wash would be located at the north of the site away from neighbouring properties. Given the existing nature of the site as a car garage, the proposal for a hand car wash will not cause significant harm to amenity. This is supported by the council's Environmental Health team who have no objection subject to conditions. In relation to privacy and overlooking, the situation will not be materially different to the existing use of the rest of the site as a car garage. The removal of existing trees on the boundary is a separate matter to the current planning application and does not relate to the existing proposal. This was done prior to any application and does not require consent. However, in order to reduce further any impact on neighbours, conditions will be attached to restrict opening hours and construction hours. A construction management plan would not be proportionate given the building is only 2 x 4 sqm in size.

In relation to proposed signage, the site is an existing car park with a garage and workshop, the signage would therefore be attempting to address a pre existing issue rather than solely be concerned with the new proposal. The idling of engines and playing of music is not something that can effectively be controlled by planning condition and is controlled by other noise legislation. Music would only be an issue if it were played very loud.

Water runoff

In relation to water runoff from the proposed car wash use. A condition will be attached to the proposal to ensure that a wastewater scheme is submitted to and has been approved by, the local planning authority prior to works commencing. This is supported by the Lead Local Flood Authority who have no objection subject to the condition. Overall, with this condition, there will not be any adverse impact from water runoff.

Conclusion

The proposal would be acceptable in relation to Street scene, highway safety and amenity. The application complies with local planning policies and is recommended for approval.

Recommendation

That planning permission be granted subject to the following conditions.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents :-
 - a. Vacuum cleaner details - (Received 24/10/2024).
 - b. Proposed Elevations - (Received 24/10/2024).
 - c. Proposed Floor Plan - (Received 24/10/2024).
 - d. Proposed Site and Location Plan – Rev A (Received 24/10/2024).

Reason: For the avoidance of doubt.

Parking Scheme

3. No development shall take place until a scheme identifying areas of parking and manoeuvring has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall not be brought into use until the areas identified have been hard surfaced, drained within the site and permanently marked out or demarcated in accordance with the details agreed. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

Wastewater Scheme

4. The development hereby permitted shall not be commenced until a scheme for the provision and implementation of a wastewater system to manage the wastewater within the site without discharging to the highway and prevent pollution and contaminated water from entering the infrastructure, has been submitted and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the site by the car wash and valeting use.

Reason: To prevent the increased risk of pollution and contaminated water to the environment by ensuring satisfactory disposal of wastewater from the site and to comply with paragraph 99 and 187 of the National Planning Policy Framework and saved Policies ENV1 and ENV7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

Materials

5. No above ground works shall take place until details of materials have been submitted to and been approved by, the local planning authority. The works shall be carried out in accordance with the approved details and retained as such hereafter.

Reason: In order to ensure appropriate materials for the proposal.

Jet Wash

6. The jet wash unit and the vacuum cleaner unit shall remain in the purpose-built enclosure whilst they are being used.

Reason: In order to protect neighbours from harmful noise levels.

Operating Hours

7. The car wash shall only operate during the following hours:

- 8am to 6pm Monday to Friday
- 9am to 5pm Saturday
- 10am to 5pm Sunday

Reason: In the interests of residential amenity.

Construction Hours

8. No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays.

Reason: In order to prevent harm to amenity from construction at unsociable hours.

Signed Case Officer¹:

Andrew Hunt

**Signed Authorising
Officer²:**

Jo Sheridan

Date:

07/05/2025

Informatives

1) Contamination

Based on the information available we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

2) Signs

Signs shall be in place from the first day of business advising customers not to leave their engines running whilst they are waiting, and not to be playing music loud in their vehicle.

1 I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

2 I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed