



LONDON BOROUGH OF BARKING & DAGENHAM PLANNING COMMITTEE

11th September 2023

Application for **Planning Permission**

Case Officer:	Cari Jones	Valid date:	16.11.2023
Applicant:	Mr Richard J Baker	Expiry date:	14.09.2023
Application number:	22/01950/FULL	Ward:	Whalebone
Address:	David James Motor Co., 154 High Road, Chadwell Heath, Romford, Barking and Dagenham, RM6 6NT		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for planning permission relating to the proposal below at 154 High Road, RM6 6NT. This application is being brought to Planning Committee as more than 5 objections to the proposal have been received

Proposal:

This is a retrospective planning application for the change of use from a car sale to hand car wash.

Officer recommendation:

Agree the reasons for approval as set out in this report, and delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth (or authorised Officer) to grant planning permission subject to the Conditions listed at Appendix 4 of this report.

Summary of conditions and informative:

Compliance

1. Time Limit
2. Approved Drawings
3. Hours of Use
4. Noise Assessment
5. Site Management Plan
6. Secure by Design

Informative

1. Noise management
2. Petrol/ oil interceptors

OFFICER REPORT

Site, Situation, and relevant background information:

The site and its use

The application site is located to the south side of High Road, close to the junction with Farrance Road in Chadwell Heath. The site was historically used as a petrol filling station, together with showroom and office accommodation and lock up garages at rear. The applicant confirmed that the use of the forecourt as a petrol filling station ceased quite recently due to the adverse effect of the Coronavirus pandemic.

Figure 1: Google Earth screenshot of aerial view of the application site (marked red) and the surrounding area



Surrounding area and background

The site, as it can be seen from Figure 1 above, is bounded by mixed use commercial/residential sites which form a part of to the east and north. To the west is a residential block of flats (The Pinnacle) and to the south is a street of residential dwellings along Farrance Avenue.

Transport

The surrounding roads are local roads, the nearest part of the TfL Road network being the A12 around 1km to the north.

The site has a Public Transport Access Level (PTAL) of 3, on a scale of 0 to 6b where 6b is the best. There are no tube stations within the immediate vicinity of the site and Chadwell Heath Station is the nearest train station to the site, being a circa 12-minute walk away.

The area is served by buses, with the nearest bus stop a short walk, approximately 71.5m away.

Archaeology

The site is also within an Archaeological Priority Area (APA). This designation is used to show where development might affect archaeological remains.

Planning History

Enforcement

On 12.10.2021 an enforcement notice was issued for the unauthorised material change of use to a car wash (ref. 21/00150/ENF). The reasons for issuing this notice were as follow:

- 1. It appears to the Council that the above breach of planning control has occurred within the last ten years.*
- 2. The use of the property for as a car wash an associated parking results in the detrimental impact on the safety, street activity and the visual attractiveness on the urban environment, contrary to policy BR9 'Parking' of the London Borough of Barking and Dagenham's, Development Plan Document (Adopted March 2011).*
- 3. The use of the property as a car wash results in significant exposure to unacceptable levels of pollution and general disturbance. Also, the intensive use of the property will result in a negative impact on present and future occupants and their neighbours. Contrary to Policy's BP8 'Protecting Residential Amenity', Policy BP11 'Urban Design' and Policy BP10 'Housing Density' of the London Borough of Barking and Dagenham's Development Plan Document (Adopted March 2011).*
- 4. Development proposals which would pose an unacceptable threat to the quantity or quality of the Boroughs water resources will not be permitted. This includes pollution caused by water run-off from developments into nearby waterways. Contrary to Policy BR4 'Water Resource Management' of the London Borough of Barking and Dagenham's, Development Plan Document (Adopted March 2011).*
- 5. The development is likely to generate harmful levels of noise, contrary to Policy BR13 'Noise Mitigation' of the London Borough of Barking and Dagenham's, Development Plan Document (Adopted March 2011)*

The applicant was instructed under Section 5 of the Enforcement Notice to do the following within 1 month of issuing the notice:

- Cease the use of the land at the property as a car wash
- Remove all alterations and fixtures related to unauthorised use for car wash business, including the canopy at the front of the premises
- Remove all subsequent waste material from the property.

Enforcement appeal

On the 29.03.2022 the applicant appealed the enforcement notice. The appeal was logged under ref: APP/Z5060/C/21/3286410. The ground of appeal was that the matters alleged in the notice have not occurred as a matter of fact. The appeal concluded that on the balance of probability, the use of the forecourt as a car wash did not commence more than 10 years before the notice was issued. Therefore, the Council was able to take enforcement action. In relation to section 5 of the Enforcement Notice the Inspector agreed that the use shall cease but they removed second and third bulleted as listed above.

Other information

Officers have corresponded with colleagues in Planning Enforcement who have confirmed that time for compliance with the notice has passed, and the case is now at prosecution stage.

Proposed Development

The proposed development seeks retrospective permission for the change of use for the change of use from a car sale to hand car wash. The applicant proposes measures to be undertaken on site to minimise harm to the area and to overcome the reasons for serving the enforcement notice

Amended Planning Application

In response to consultation comments received from officers in Transport and Environmental Protection and due to the concerns raised within several objections, further information has been provided by the applicant. These include the following:

- Hand wash progress plan – Drg no 003, Dated November 2022
- Site management plan prepared by Richard J Barker, Dated December 2022
- Noise mitigation assessment prepared by Stansted Environmental Services Ltd, Version 1.0, Dated 2nd of June 2023

Key issues to assess:

1. Principle of development
2. Design and Quality of Materials
3. Impacts to Neighbouring Amenity
4. Sustainable Transport
5. Drainage and Flooding
6. Crime and Safety

Planning assessment:

1. Principle of the development

1.1 Section 70C (1) of the Town and Country Planning Act 1990 provides that:

"A local planning authority in England may decline to determine an application for planning permission for the development of any land if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or any part of the matters specified in the enforcement notice as constituting a breach of planning control."

1.2 The Local Planning Authority (LPA) has the power to decline to determine a planning application on a development already the subject of an enforcement notice. If any new application includes part of the details of the breach in the enforcement notice, then the LPA could decline its determination. Therefore, during any appeal of the enforcement notice, it is important that consideration is given to the description of the breach of planning and whether all of the stated breaches of planning are accepted, or any part contested (and requires amendment).

1.3 It is noted that the appeal was made on:

- ground (b) *“that those matters have not occurred”* **(succeeds)**
- ground (d) *“that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters”* **(fails)**
- ground (f) – *“that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach”* **(succeeds with alterations)**

1.4 The appeal did not consider whether the development could be made acceptable if planning permission was sought with or without conditions and planning obligations. Officers therefore consider that the retrospective application can be accepted and considered. Planning Enforcement Officers have confirmed that they are content with a retrospective application being considered for determination if it can address the harm that was initially caused and required an enforcement notice to be served.

2. Design and Quality of Materials

Policy

2.1 Paragraph 126 of the National Planning Policy Framework (NPPF) talks about creation of high quality beautiful and sustainable building and places. This is reflected in Policy D4 (Delivery good design) of the London Plan, Policy CP3 (High quality-built environment) of the Core Strategy, Policy BP11 (Urban design) of the Borough Wide Development Policies DPD, strategic policy SP 2 (Delivering a high quality and resilient built environment) as well as policies DMD 1 (Securing high-quality design) and DMD 6 (Householder extensions and alterations) of the Draft Local Plan 2037 (Reg 19).

Assessment

2.3 The proposed change of use of the site is not considered to give rise to any unacceptable impacts in terms of character. The car wash represents a commercial use taking place on an established commercial premises. The applicant is not proposing any additional buildings or significant structures and the main visual impact of the use is the presence of cars on the forecourt, which is not considered to be dissimilar to what would be expected had the site remained in use as a petrol station. It is also noted that car washing facilities, including open air jet washes, are a common ancillary feature found at operating petrol stations. Overall, the proposal is considered acceptable and policy compliant in terms of design and appearance.

3. Impacts to Neighbouring Amenity

Policy

3.1 Paragraph 130(f) of the NPPF required development to provide places that have a high standard of amenity for existing and future users. Paragraph 185 requires that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and natural environment ... in doing so decision taken should seek to (a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and

avoid noise giving rise to significant adverse impacts on health and the quality of life. In addition, one of the reasons for serving the enforcement notice to cease the use of the premises as a car wash was the harm caused to surrounding residents through noise from the operation of the premises.

- 3.2 Policy D14 (Noise) of the London Plan states proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life. Policy D13 (Agent of Change) also of the London Plan places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. New noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.
- 3.3 Policies BP8 and BP11 of the Borough Wide Development Plan Document state that all developments are expected to ensure existing and proposed occupiers are not exposed to unacceptable levels of general disturbance arising from the development. Policy BR13 reiterates that any new developments likely to generate harmful levels of noise will be directed away from existing noise sensitive locations, or areas allocated for noise sensitive developments. Where it is not possible to fully separate noise sensitive and noise generating land uses, planning permission will only be granted if there will be no exposure to noise above an acceptable level.
- 3.4 Policy DMSI 3 of the Draft Local Plan 2037 states that development proposals which generate unacceptable levels of nuisance, either individually or cumulatively, will generally be resisted.

Assessment

- 3.5 The concerns expressed about affects the proposal on living conditions and residential amenity through the public consultation exercise have been considered by the case officer and Environment Protection Officer.
- 3.6 It is noted that the application site is located within a mixed-use area where commercial activities take place throughout the course of the day. The site was previously used primarily as a car sales showroom. This use can be seen on google imagery up until April 2019. Imagery from October 2020 shows part of the site unlawfully being used as a car wash. The change of use involves the open-air operation of vehicles and machinery as well as the presence of staff on site. The main source of noise from the site would be from cars entering and exiting the site and the operation of hoses and vacuums.
- 3.7 Since the application was first submitted to the Council for consideration, there has been a series of exchanges of correspondence between the applicant and the Environmental Protection Officer about the potential harm on living conditions and residential amenity from the use of the site. This has resulted in the applicant submitting a Noise Assessment, prepared by Stansted Environmental Services, ref: ENV355-CHAD-001- Smart Hand Car Wash.
- 3.8 The mitigation assessment acknowledges that complete attenuation cannot be achieved onsite using the above measures alone but states that with a sensible and proactive approach to management of site noise, an effective reduction of site plant noise can be achieved. To assist in this, the following additional points were suggested:
 - Regular maintenance of all relevant plant and related equipment.

- Where possible, replace plant with modern equipment. As manufacturing of equipment constantly evolves, so does noise control.
- Keep all doors closed when plant is operation

The second scheme does refer to bringing the noise levels “down to acceptable levels” but the report doesn’t clarify what these are nor does it confirm that the “acceptable levels” satisfy the criteria of being between -5dB and +3dB of the background level stipulated by the LPA. Undoubtedly the second scheme will reduce noise levels but by how much is probably more dependent on the day-to-day management of the site than the first mitigation scheme. If consent is given a condition will be included which requires thru applicant to require them to submit a final mitigation scheme for approval together with a noise management plan

- 3.9 A number of objections have been received to the proposed retention of the hand car wash. These are mainly concerned with noise of the machinery, water run off, and traffic queuing. It is considered that the noise measures outlined above will reduce noise levels. Surface water run off is considered in section 5. In terms of traffic queuing, transport officers have visited the site and not found there to be queues of traffic, nor have instances of traffic congestion causing a danger to pedestrian safety been reported to the transport team. It is considered that the measures to manage the site proposed will address the occasions where queues may arise.

4. Sustainable Transport

Policy

- 4.1 The NPPF at section 9 recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion.
- 4.2 The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development does not give rise to the creation of conflicts between vehicular traffic and pedestrians. However, it also stated 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 would be severe.
- 4.3 This is echoed through Policies BR9 (Parking) and BR11 (Walking and cycling) of the Borough Wide Development Policies DPD; Polices T5 (Cycling) and T6.1 (Residential car parking) of the London Plan; Policies DMT 2 (Cycling) and DMT 3 (Car parking) of the draft Local Plan 2037 (Reg 19).

Assessment

- 4.4 The concerns expressed about highway safety through the public consultation exercise have been considered.
- 4.5 Since the application was first submitted to the Council for consideration, there has been a series of exchanges of correspondence between the applicant and the Be First Transport Officer. The Transport Officer requested that the applicant submits additional information in regarding site management. Following this, the applicant has provided a site management plan and a hand wash progress plan. Those drawings

show that the site would be able to accommodate up to 14 vehicles this includes queuing within the site, processing (being washed), and leaving the site.

- 4.6 These additional drawings were reviewed by the Transport Officer who confirmed on 05.01.2022 that they were satisfied with the documents provided that the dimensions of the drawing titled "Hand wash progress plan" are amended to show the true representation of an average sized vehicle being washed. This will potentially reduce the site capacity but this was not seen to be an issue that would have a significant negative impact on the running of the car washing or the congestion on the local roads.
- 4.7 In view of the additional supporting documents which have been provided and subject to these amendments to the site management plan and appropriate conditioning, the proposed development is considered to have an acceptable impact upon the local highway.

5. Drainage and Flooding

Policy

- 6.1 Policy SI 13 (Sustainable drainage) states that Lead Local Flood Authority (LLFA) should manage area affected by surface water flooding. The policy also states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 6.2 Policy BR4 (Water resource management) of the Borough Wide Development Policies DPD states that development must ensure that greenfield surface water run-off rates are achieved where possible through the use of Sustainable Urban Drainage System (SUDS).
- 6.3 Policy DMSI 7 (Water management) of the draft Local Plan states that development should be managed in line with Policy SI 13 (Sustainable drainage) of the London Plan and the drainage hierarchy.

Assessment

- 5.4 The proposed development could pose an unacceptable threat to the quantity or quality of the Boroughs water resources. The enforcement notice was issued among other things because the development was considered to pose an unacceptable threat to the quantity or quality of water run off. The application site has been used as a petrol station in the past. Petrol stations would traditionally have a method for disposal of surface water drainage before it reaches the main sewers. The Design and Access Statement mentions that "*the existing drainage system on site is well maintained and comprises drainage gullies and a three-stage interceptor to enable dirty car wash water to be collected, cleaned of silt and particulates before eventually disposed of via the existing foul water drainage system*".
- 5.5 To demonstrate to officers that there are no contaminants remaining from the previous petrol station use, the applicant was required to submit a comprehensive Contamination Investigation Report. This was provided by the applicant and reviewed by LBBB's Flood Risk Manager who stated that from the LLFA perspective they are satisfied with the response from the applicant. The officer noted that it may still be necessary for Thames Water to approve the additional discharges that will come from the change of use.

- 5.6 Thames Water was consulted on the application and on 27.03.2023 they had no objection to the proposed development. It was recommended that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. This is because the failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. This will be added as an informative.
- 5.7 Overall, based on the submitted information, officers are satisfied that the proposal would not pose an unacceptable threat to the quantity or quality of the Boroughs water resources.

6. Crime and Safety

Policy

- 6.1 Policy D11 (Safety, security, and resilience to emergency) of the London Plan states that development proposals should maximise building resilience and minimise potential physical risks, including measures to design out crime. This approach is supported by Policy CP3 (High quality built environment) of the Core Strategy and Policy BC7 (Crime prevention) of Borough Wide Development Policies DPD.

Assessment

- 6.2 The Metropolitan Police Design Out Crime reviewed and commented on this application making recommendation of how the scheme should be amended. The changes required can be achieved by adding the Secured by Design planning condition.

Conclusion

In conclusion, the proposed amendments to the operation of the hand car wash on the site of the former petrol filling station forecourt is considered to overcome the reasons for serving the enforcement notice to cease the use. Following the additional submitted information, officers are satisfied that the proposal is not considered to generate unacceptable levels of pollution, noise and general disturbance and would not pose an unacceptable threat to the quantity or quality of the Boroughs water resources. As such, the proposal is considered to accord with the relevant development plan policies, and it is recommended that planning permission is granted. It will be subject to the proposed measures being implemented, and these will be subject to planning conditions. If further complaints are made, and the occupiers are found to have breached these measures, then a Breach of Condition notice can be served to cease the use until the conditions are complied with

Appendix 1:

Development Plan Context

The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:

National Planning Policy Framework (NPPF) (MHCLG, July 2021)

The London Plan – March 2021

- Policy D4 – Delivering good design

	<ul style="list-style-type: none"> • Policy D11 - Safety, security, and resilience to emergency • Policy D13 - Agent of change • Policy D14 – Noise • Policy SI 13 - Sustainable drainage •
Local Development Framework (LDF) Core Strategy - July 2010	<ul style="list-style-type: none"> • Policy CP3 - High Quality Built Environment
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) – March 2011	<ul style="list-style-type: none"> • Policy BC7 - Crime prevention • Policy BP8 - Protecting Residential Amenity • Policy BP11 - Urban Design • Policy BR4 - Water Resource Management • Policy BR9 - Parking • Policy BR13 - Noise Mitigation
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19 Consultation Version, Autumn 2021) was submitted for examination in public to the Planning Inspectorate in December 2021. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and considerable weight will be given to the emerging document in decision-making unless other material consideration indicate that it would not be reasonable to do so.</i></p>	
The London Borough of Barking and Dagenham's Draft Local Plan (Regulation 19) – Submission version December 2021	<ul style="list-style-type: none"> • Policy SP 2 - Delivering a well-designed, high quality and resilient built environment • Policy DMD 1 - Securing high quality design • Policy DMD 6 - Householder extensions and alterations • Policy DMSI 3 – Nuisance • Policy DMSI 7 - Water management

Appendix 2:

Consultee:	Summary of comment:
LBBB Environmental protection Officer	<p>An assessment was provided by the applicant which puts forward the following mitigation measures to bring the noise down to an acceptable level:</p> <p>All plant (i.e., vacuum base units and compressing units which that drive the pressure washing units) to be sited within the building. All services to and from the plant shall be located through the building wall(s)). All penetrations shall be sealed with appropriate mastic and maintained for the life of the building.</p> <p>With regard to the jet washing units, it is acknowledged noise emanates from both the compressing unit and handheld 'wand'. Where possible, consideration could be given to lowering the water pressure from the compressing unit(s). This will have an effect on consequent sound levels.</p> <p>Development of a noise complaint logging procedure</p> <p>The housing of vacuum units within an enclosure to mitigate motor noise levels. The report details a generic enclosure structure that would be suitable</p> <p>The above should be fully implemented together with good general noise management which should include regular maintenance of</p>

plant, equipment, building and enclosure structures, and the closing of doors during the operation of plant and equipment.

The report is based on the operating hours being 7 days per week from 08:00 hours until 19:00 hours and a condition will be included which allows the proposed non-residential use is permitted to trade between the hours of 08:00 and 19:00 on any day and at no other time.

The reason is to prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Response received on 24.08.2023:

I have looked at the relevant documents again and the acoustic consultant has provided two mitigation schemes, one in the noise assessment reference ENV355-CHAD-001 Version 1.1 dated 24/3/2023 which proposed the following:

- Enclosing the whole active work area with the use of walling and appropriate shutter doors. To provide the maximum performance for airborne sound mitigation the shutter doors to remain closed for as long as practicable during the working day.
- A possible construction type was given which included Curtain walling (> 28dB Rw) and shutter doors (>19dB Rw)
- My understanding from the discussion in the report is that the owner of the business felt that this mitigation scheme would not be financially viable. The acoustic consultant advised that the above mitigation scheme would satisfy the criteria of the plant noise being between -5dB and +3 dB of the background level given to them by the LPA.

A second mitigation scheme was proposed in the Noise Mitigation Assessment Report reference ENV355-CHAD-001 Version 1 dated 2/6/2023 which proposed the following:

- All plant (i.e., vacuum base units and compressing units which drive the pressure washing units) to be sited within the building. All services to and from the plant shall be located through the building wall(s)). All penetrants shall be sealed with appropriate mastic and maintained for the life of the building.
- With regard to the jet washing units, it is acknowledged noise emanates from both the compressing unit and handheld 'wand'. Where possible, consideration could be given to lowering the water pressure from the compressing unit(s). This will have an effect on consequent sound levels.
- Development of a noise complaint logging procedure
- The housing of vacuum units within an enclosure to mitigate motor noise levels. The report details the following generic enclosure structure that would be suitable: I. 2x15mm Sound Bloc plasterboard. II. Timber stud (100mm x 40mm). III. Cavity width 100mm. IV. 100mm Fibreglass (22kg/m³) V. 2x15mm Sound Bloc plasterboard. VI. Total system depth: 160mm. The mitigation

	<p>assessment acknowledges that complete attenuation cannot be achieved onsite using the above measures alone but states that with a sensible and proactive approach to management of site noise, an effective reduction of site plant noise can be achieved. To assist in this, the following additional points were suggested:</p> <ul style="list-style-type: none"> • Regular maintenance of all relevant plant and related equipment. • Where possible, replace plant with modern equipment. As manufacturing of equipment constantly evolves, so does noise control. 2 • Keep all doors closed when plant is operation The second scheme does refer to bringing the noise levels “ down to acceptable levels” but the report doesn’t clarify what these are nor does it confirm that the “acceptable levels” satisfy the criteria of being between -5dB and +3dB of the background level stipulated by the LPA. Undoubtedly the second scheme will reduce noise levels but by how much is probably more dependent on the day to day management of the site than the first mitigation scheme. If consent is given it may well be appropriate to require them to submit a final mitigation scheme for approval together with a noise management plan.
<p>Be First Transport Officer</p>	<p>Comments received 05.12.2022:</p> <p>We need information regarding maximum number of vehicles accessing this development at one time and information regarding how it will be managed. A servicing management plan must be conditioned and in which applicant must provide details regarding the daily operation of the facility, how many vehicles they will be able to accommodate and manage at one time? If more vehicles turn up, how will they manage without having an adverse impact to the highway?</p> <p>Comments received 05.01.2022:</p> <p>I’m satisfied with the documents provided and have no further comments.</p>
<p>LBBB Enforcement Officer</p>	<p>We have a pending prosecution on this case</p>
<p>LBBB Flood Risk Manager</p>	<p>From the LLFA perspective we are satisfied with the response from the applicant. It may still be necessary for Thames Water to approve the additional discharges that will come from the change of use.</p>
<p>Thames Water</p>	<p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.</p> <p>Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-nearour-pipes</p>

	<p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application based on the information provided.</p> <p>Thames Water would recommend that petrol / oil interceptors be fixed in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. Water Comments: With regard to water supply, this comes within the area supplied by the Essex and Suffolk Water Company.</p>
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Appendix 3:

Neighbour Notification:	
Number of neighbouring properties consulted:	117
Number of responses:	15
Address	Summary of responses
Address unknown	The car wash has been in place for a long time without proper planning. They cause excessive noise with the jet washes, and they provide adequate protection for people walking by. My kids have got wet on several occasions. The cars that queued for the car wash block the road, meaning vehicles can't turn onto Farrance Road, blocking the main road. On several occasions, my kids have almost been hit by cars driving towards the car wash. There is no one controlling traffic from the road onto the site. The place is a nuisance!
Address unknown	Ever since this has been used for a car wash, the pavement crossing the entrance is dangerous as cars park across it, also as cars start to queue they block the whole entrance to Farrance Road (mainly at weekends), also when walking past the car wash on the High Road side you are constantly getting sprayed, this is not an ideal location for this sort of business and serious concerns about the safety of pedestrians and Road users are put at risk, please also note during winter months the pavement becomes ice and slippery and there is a school entrance where children walk past every day.
Address unknown	Since the car wash has opened, all the cars block the road for Farrance Road which always causes a delay in getting home. The cars block the road as they are trying to get into the car wash however this means residence are not able to get into Farrance Road.
Address unknown	I object to the submission as wholly inappropriate for the location. This is on the corner of an extremely busy junction, causing daily disruption and inconvenience to local residence who are regularly unable to access the Pinnacle development and Farrance Road due to inconsiderate parking and road use. This is dangerous for road users, pedestrians and residents. The noise and disturbance caused by the jet washing of cars is relentless and a disturbance to all those who reside in the area. This is a residential area and a completely inappropriate location for this type of business that causes noise and disruption to all those who live and use the area.

Address unknown	<p>I object planning permission to use this premises as a Car Wash. The premises is always building up traffic that extends to the High Road and also to the Pinnacle apartments adjacent to the David James Motor Co. The movement of cars from The Pinnacle apartments is always obstructed by drivers queuing with their cars to have a wash. This is normally happening on a daily basis from morning to evening. The noise again from the gus for the jet wash is deafening to residents especially during summer time when windows to our apartments are opened to allow some ventilation. It disturbs our kids from sleeping and also, I work through the night and can't get any decent sleep during the day to get ready for my shift. When I go for a walk or shopping from local stores and it is noted that I have to use the other side of the road because the pavement are always wet and slippery for pavement users and children going for bike rides or scooter rides. I implore the council to note that we are living in the Pinnacle 160 High Road Chadwell Heath, and this car wash is a menace to us, and it is best it is situated in an industrial park. The mechanical workshop also is causing a lot of noise pollution and when they are banging stuff in the garage. It is my wish to object to this planning of Car wash.</p>
Address unknown	<p>I am writing to formally object to the retrospective planning consent application submitted by Mr Richard Wood in respect of the car wash, located on the corner of the High Road and Farrance Road in Chadwell Heath. As an owner of one of the flats in the Pinnacle, a residential block of flats directly across the road from the car wash, I have witnessed firsthand the numerous issues and disturbances caused by this business since its unauthorised establishment in circa January 2021.</p> <p>The Smart Car Wash has had a profoundly negative impact on the quality of life for the residents of the Pinnacle. The primary concern is the excessive noise generated by the car wash's compressors and vacuums. The constant and intrusive noise has disrupted the tranquillity of the living environment and has made it increasingly challenging to relax or concentrate within the homes. The noise pollution persists throughout the day and evening, including weekends, as the car wash operates from 8:00 am to 19:00 pm, seven days a week.</p> <p>Furthermore, the parking situation resulting from the car wash's operation is highly problematic and poses a significant safety hazard. The business has consistently demonstrated a complete disregard for parking regulations, leading to dangerous parking practices and frequent blockages of Farrance Road. This not only causes inconvenience to the residents but also creates potential risks for pedestrians and other road users. The obstruction of the road during peak hours, particularly on weekends, intensifies traffic congestion and compromises the safety of the area.</p> <p>In considering the retrospective planning consent application, it is crucial to note the reasons why planning permission may be lawfully refused. The Smart Car Wash fails to meet several of these criteria, which further strengthens our objection:</p> <p>Adverse Impact on Residential Amenity: The excessive noise generated by the car wash's operations significantly impacts the peaceful enjoyment of the homes. This disturbance is a clear violation</p>

	<p>of the residential amenity that should be safeguarded within our community.</p> <p>Traffic and Highway Safety: The car wash's careless parking practices and frequent blockages of Farrance Road pose a substantial risk to road safety. These dangerous conditions not only jeopardise the well-being of pedestrians but also impede the smooth flow of traffic, creating potential hazards for drivers in the area.</p> <p>Failure to Comply with Planning Regulations: The unauthorised establishment of the car wash demonstrates a disregard for planning regulations and procedures. By operating without proper permission, the business has shown a lack of respect for the legal requirements in place to ensure the well-being and harmonious coexistence of the community.</p> <p>Contravention of Enforcement Notice: An Enforcement Notice has been issued in recognition of the car wash's unauthorised operation, acknowledging the adverse impact it has on the surrounding environment. By granting retrospective planning consent, the planning authority would effectively disregard the importance of enforcing planning regulations and undermine their own enforcement measures. Considering the aforementioned reasons, it is evident that the retrospective planning consent application submitted by Smart Car Wash should be firmly rejected. Granting planning permission would set an unfavourable precedent, allowing businesses to flout regulations and compromise the well-being and safety of the community.</p> <p>I urge you to carefully consider the objections raised by the residents of the Pinnacle, taking into account the adverse impacts on residential amenity, traffic and highway safety, non-compliance with planning regulations, and the contravention of the previously issued Enforcement Notice. It is essential that the planning authority prioritises the interests and safety of the affected community by unequivocally denying the retrospective planning consent application.</p>
Address unknown	<p>Since the car wash has opened it has been a blight on the environment and impacted me being able to enjoy peace in my own home.</p> <p>The noise from the constant jet washers and vacuum is extremely loud, meaning those in the pinnacle building are unable to open their windows as the noise is disruptive to work, and general home life. To watch TV, i have to listen to it on the loudest setting to overcome the noise from the car wash. The noise pollution cannot be good for any of us.</p> <p>The car wash being there has affected the value of my property, when securing a new mortgage, it was commented upon, that this would decrease the valuation. And will be very difficult to sell to prospective buyers as they will be off put by the noise and obstruction of the road. I believe there's also risk from the amount of water it wastes and potential subsistence for all the surrounding buildings.</p> <p>The entrance to the car wash is unsuitable, causing gridlock into Farrance Road. Especially during rush hour and school runs. The car wash employees do nothing to mitigate this.</p>

	<p>Then the car showroom/garage is run by people with a complete lack of regard to their neighbours, they park on pinnacle private land, parking in the car park and on the bays on the adjacent wall which are supposed to be for pinnacle guests.</p> <p>They park on the yellow zigzag, partially blocking the access to the pinnacle car park. They are rude if you ask them to move their cars. And when they are parked on the zig zags or double yellow lines it's hard to manoeuvre our cars out of the pinnacle, I'm surprised there hasn't been an accident yet.</p> <p>All in all, I wholly object to this business being on our doorstep, it's uncomfortable, inconvenient and affecting my quality of life.</p>
Address unknown	<p>The car wash is a real nuisance as cars not only park across it they form a queue waiting to be served as there is nowhere on their site for waiting cars. The whole entrance to Farrance Road and that part of the High Road is blocked especially at weekends, not to mention people standing around blocking the pavement, again because there is nowhere for customers to wait. The jet washes spray water over people walking past on the High Road side and during the winter the public pavement is very dangerous as it gets icy and slippery. I myself slipped and slid there, it's very dangerous for all pedestrians but especially for the elderly.</p>
Address unknown	<p>Very noisy, and causing lots of traffic and pollution, there is a kids nursery at the start of the Farrance Road and kids passes by all the time which is dangerous for them as there is always a traffic jam because of the car wash queue and footpath is always wet and slippery because of soapy water which is dangerous for everyone as someone can slip and hurt themselves</p> <p>No solid wall to prevent the water go on the footpath and pedestrian, they have grill gate which doesn't prevent the water to go out,</p>
Address unknown	<p>There is an enormous amount of noise from the compressors and vacuums by operating from 8.00am to 19.00 pm, 7 days a week. The customers there park dangerously, blocking the entry to Farrance Road at all times of the day and evening especially at Weekends.</p>
Etcetera Construction Services Ltd (freeholders of The Pinnacle, 160 High Road)	<p>This objection is from Etcetera Construction Services Ltd - the freeholders of The Pinnacle, 160 High Road, Chadwell Heath RM6 6PN. We oppose the Change of Use from a car sale to car hand wash. The car sales showroom is still in place, and this is an additional business being added to an already busy site. Car hand wash is not suitable for this location for safety, noise and general disturbance to residential occupants. Letter addressing all points is attached.</p>
(Etcetera Construction Services Ltd)	<p>This is not a suitable location for a car wash This site opened as a car wash without planning permission early 2021.an Enforcement Notice was issued in October 2021 following complaints regarding parking, pollution and general disturbance. this objection was raised on behalf of the occupants of The Pinnacle. The safety of the general public is put at risk on a daily basis - in particular parents with young children as there is an entrance to a Nursery in Farrance Road and with cars</p>

	<p>parked on both sides of the road and cars queuing to enter the car wash the road is blocked and this prevents people crossing safely. The existing businesses create parking issues and to allow another business to add to this problem is not acceptable. Has the Transport Planning Officer visited site to assess the adverse impact on the Highway. The site Management Plan states there is room for 12 cars to be washed at any one time - they would all need to be very small cars. It also states that a member of staff will advise potential customers not to wait and block the road but to return at a less busy time - this has never happened. The noise from the machines is excessive and prevents occupants of the Pinnacle enjoying their homes.</p>
<p>Address unknown</p>	<p>I object it for my kid and others sake residing in the building, because it is very noisy and dangerous around here. The car wash has been causing excessive noise with the jet washes, and cars queueing on the road which clearly causes massive obstructions and chaos. They have not provided adequate protection or cover from the water for people walking by, and sometimes people have to walk on the edge of the curbs to avoid the nasty splash, and this may get extremely dangerous because the walker by do not see the traffic approaching from behind which clearly needs careful consideration and cannot be ignored, all precautions must be taken before it is too late and does not cause any fatal accidents.</p> <p>In terms of living in such noise, it is also impossible to keep the windows open for fresh air for our child because the noise during the day when the washer jets are on full power is unbearable!</p>
<p>1 Farrance Road</p>	<p>My primary concern regarding this proposed car wash facility is the potential obstruction it will cause to the incoming traffic on the main road. As it stands, there is no designated waiting area for cars to be washed.</p> <p>Consequently, this could lead to vehicles waiting on the main road, impeding the smooth flow of traffic and creating a hazardous situation for motorists. Especially when the bus lane is in operation in the afternoon.</p> <p>Furthermore, I would like to bring to your attention the existing issues we face on a daily basis due to the adjacent MOT garage. The constant activities associated with the garage, including car repairs and maintenance, already contribute to a significant lack of parking space in the area, despite it being a resident permit zone. Adding a car wash facility without proper accommodations will only exacerbate this problem and further compound the challenges faced by residents. I have already raised this matter with Glenda Paddle, highlighting the potential complications that may arise if the proposal is approved. While I understand and appreciate the need for new businesses to thrive, it is crucial to consider the adverse effects such ventures can have on the community and the surrounding infrastructure. The main concern I wish to emphasize is the impact on Farrance Road, particularly for vehicles attempting to make turns. There have been numerous instances of conflicts arising from cars waiting to be washed, blocking Farrance Road, and even parking on double yellow lines, rendering the road inaccessible and causing inconvenience to residents and commuters alike. Given the issues, I kindly request that</p>

	<p>you thoroughly review the proposal and take into account the concerns of the community. It is imperative that careful consideration on be given to the potential consequences of allowing a car wash facility without the appropriate provisions in place. Thank you for your attention to this matter. I trust that you will give due consideration to the concerns raised and take appropriate action to ensure the welfare and safety of the local community. I have tried to reach you on your mobile number provided in the letter but it is out of reach, I would be happy if you could call me or arrange a meeting, we can discuss this further. I look forward to hear from you.</p>
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Officer Summary:

Officers note receipt of the objection listed above. The material planning considerations and issues raised are addressed within the planning assessment above.

Appendix 4:

Planning conditions:

1. Time limit

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved drawings

The development hereby approved shall only be carried out in accordance with the following approved plans and documents: -

- *Site Location Plan and Block Plan - Drg no. 001 - Dated Nov 2022*
- *Proposed Site Plan - Drg no. 002A - Dated Nov 2022*
- *Hand wash progress plan - Drg no. 003 - Dated Nov 2022*
- *Site Management plan - Dated Dec 2022*
- *Existing and proposed elevations*

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s), to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

3. Hours of Use

Other than with the prior written approval of the Local Planning Authority, the proposed use is permitted to trade between the hours of 08:00 and 19:00 on any day and at no other time.

Reason: To prevent any undue noise and disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

4. Noise Assessment

The development shall be operated in strict accordance with the submitted Noise Assessment (prepared by Stansted Environmental Services, reference ENV355-CHAD-001, version 1.0, dated 02.06.2023), and the use shall be carried out in accordance with all mitigation measures set out within this document at all times.

Reason: To prevent any undue noise and disturbance to residential occupiers and occupants of neighbouring properties.

5. Final mitigation scheme

A final mitigation scheme for approval together with a noise management plan shall be provided to the Local Planning Authority for its written approval within one month of the commencement of the approved development.

Reason: To prevent any undue noise and disturbance to residential occupiers and occupants of neighbouring properties.

5. Site Management Plan

The development shall at all times be operated in strict accordance with the site management plan prepared by Richard J Barker, Dated December 2022 which requires a dedicated member of staff to control all vehicles entering and exiting the facility at all times during hours of operation.

Reason: To appropriately manage the flow of cars, and suitably consider the transport needs of the development in the interests of highway safety.

6. Secure by Design

The proposed development shall achieve security standards (based on Secured by Design principles) to the satisfaction of the local authority & Metropolitan Police, details of which shall be provided to the Local Planning Authority for its written approval within three months of the commencement of the approved development. All security measures applied to the approved development shall be permanently retained thereafter.

Reason: To ensure safe and secure development and reduce crime.

Informative(s):

1. The applicant is reminded that in addition to the recommended mitigation measures the applicant should have general noise management which should include regular maintenance of plant, equipment, building and enclosure structures, and the closing of doors during the operation of plant and equipment.
2. The application is reminded that petrol / oil interceptors should be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.