

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2064/OF1	
2.	Proposed Development:	REPLACEMENT OF EXISTING JET WASHES AND ERECTION OF NEW JET WASH BAYS	
3.	Location:	BRIDGE END GARAGE, BRIDGE END, EGREMONT	
4.	Parish:	Egremont	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  This application relates to Bridge End Garage, which is located within the south-east of Egremont. The existing garage is accessed from South Street and benefits from a petrol filling station, a SPAR convenience store, a car wash and pressure washing facilities.  <b>Relevant Planning History</b>  No relevant planning history.  <b>Proposal</b>  This application seeks planning permission for the replacement of the existing jet washes at this site		

and for the erection of new jet wash bays.

The site currently benefits from two jet wash units, which have been in operation for over 10 years, sited to the north of the existing store building. These units are open and separated from each other by a dividing screen. The proposal seeks to replace these jet washes with two new units and enclose them with a new canopy. The canopy will measure 11.8m x 6.85m, benefitting from a flat roof with an overall height of 3.7m. Each jet wash bay within the canopy will have a width of 4.5m, with the remaining space being used for the housing of the plant machinery for the jet hoses.

Externally, the canopy will be constructed from a steel frame and UPVC.

The site will be operational between 8am – 11pm Monday to Saturday and 10am – 4pm Sundays and Bank Holidays.

The drainage for the site will remain unaffected, and the site currently benefits from the provision of interceptors within the drainage system.

### **Consultation Responses**

#### Egremont Town Council

*17<sup>th</sup> March 2022*

No objections.

#### Cumbria County Council – Cumbria Highways & LLFA

*7<sup>th</sup> March 2022*

##### **Jet-Wash Bays:**

I can confirm the LHA raise no objections to the proposed jet-washed bays as they are replacing existing and there is unlikely to be a material change.

##### **Parking Bays:**

We have concerns that the proposed parking bays parallel with the public footway and road may cause an obstruction to visibility for vehicles leaving the site. I would recommend the applicant submits visibility splays demonstrating clear visibility onto the road from the site will be achievable when vehicles are parked in this location.

To conclude, the Local Highway Authority have no objections to the propose jet wash bays but we are not in a position to support the proposed parking bays adjacent to the public footway.

*27<sup>th</sup> June 2022*

The proposed jet-wash bays are to replace the existing. There will not be an increase of bays and the applicants have confirmed in the Design and Access Statement they will be using the existing

drainage systems for the disposal of the water. I can therefore confirm the LHA and LLFA raise no objections to this proposal.

Copeland Borough Council – Environmental Health

*28<sup>th</sup> February 2022*

I have no objections to the proposal subject to the following comments being considered:

- Noise – there is some potential for noise disturbance by prolonged and regular use of the jet washers. Noise levels of between 85 – 110 Dba may be experienced at source, with higher frequency noise being prominent. A 2004 [HSE](#) study document provides useful background information. In this instance, the two jet washers plus a static roller washer are already in place and have been in operation for some time. This Environmental Health Team has received no noise complaints from their use to date. Given this, and the distance between the washers and nearest noise sensitive property and partial acoustic barrier effect of a building between Bridge End Park estate and the washers, I consider that an acoustic survey is not required for this application.

In order to protect the amenity of residents, the Council could require that the washers are not used between the hours of e.g 23.00 – 07.00 (Monday to Friday) / 23.00 – 08.00 (weekends and Bank Holidays).

- Disposal of effluent - The documentation provided with the proposal is unclear on the disposal of used effluent from the washers. Some washer systems have capacity for effluent capture and re-use, but the application suggests that used effluent may enter the surface water system. Since the effluent will contain detergents, vehicle lubricants and screen wash chemicals, it should be directed to an appropriate foul sewer system if untreated. Drainage gulleys taking the effluent should have a silt trap and then discharge to the foul water system. A 225mm combined mains sewer on the frontage of the garage in Vale View may be the nearest appropriate point of disposal, and a trade effluent consent from United Utilities may be required.
- Contaminated land – a desk top study shows that the area was used as historic landfill for railway cuttings. However the proposal does not entail substantial excavation and use of standard PPE in the limited ground works will be sufficient.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to six properties.

One letter has been received from a neighbouring property which indicates a neutral response on this application, however it states that business hours are relevant and should be declared.

Furthermore it is stated that opening hours should be restricted in order to reduce disturbance to others.

### **Planning Policy**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **Development Plan**

#### **Copeland Local Plan 2013 – 2028 (Adopted December 2013)**

##### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER5 – Improving the Quality of Employment Space

Policy ER6 – Location of Employment

Policy ER9 – The Key Service Centres, Local Centres and other small centres

Policy ER11 – Developing Enterprise and Skills

Policy ENV1 – Flood Risk and Risk Management

##### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposal and Flood Risk

### **Other Material Planning Considerations**

National Planning Policy Framework (2021)

##### Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

## **Assessment**

The key issues raised by this application relate to the principle of the development, impact of the development, impact on highways/parking, and drainage.

### Principle of Development

Policies ST1, ST2 and ER6 of the Copeland Local Plan concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The site lies within Egremont, which is identified as one of the Borough's Key Service Centres, where opportunities for expansion of existing employment sites will be encouraged. As such the principle of development is considered to be acceptable.

### Growth of Existing Business

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate growth of the Borough's local economy. Policy ER7 seeks to promote the diversification of the Borough's economy by expanding new and expanding employment sectors, and by supporting the development of commercial units, which meet the needs of business, encourage start up and promote further expansion in order to retain enterprise, jobs and skills within the Borough. The NPPF also states that planning decisions should help create the conditions in which businesses can invest, expand and adapt.

Bridge End Garage is a well-established business operating within one of the Borough's Key Service Centres. The site already benefits from a number of facilities including jet washing located to the side/rear of the site. The proposed would improve these facilities by inserting new jet washes and enclosing the site with formal bays. The proposed works would therefore support this existing business and improve the facilities offered within the site for the local community and other users of the site.

On this basis it is considered that the proposal complies with the policies ST1, ST2, ER6 and ER7 of the Copeland Local Plan and NPPF.

### Impact of Development

Policy ST1, DM10 and section 12 of the NPPF seeks protection of residential amenity, a high standard of design, fostering of quality places, and proposals, which respond to the character of the site.

The proposal seeks to replace existing jet washing facilities and enclose them with new jet wash bays. The existing jet washes are located along the side/rear of the existing store and are separated from each other by a screen but are otherwise open. Whilst the site is located within a residential area the proposal to replace the existing jet washes is not considered to have a significant detrimental impact on the amenity of residential properties given the existing facilities at this site. It is also considered that the proposal will help to mitigate the impact of the use of the site as the jet wash facilities will be enclosed by the new bay structure which will help to contain any noise from the jet washes. The

submitted information has also been amended to include operation hours for the new jet washing facilities which will also help reduce the impact on residential amenity as currently there are no restrictions on the use of the existing facilities. The proposed operation times will be secured by an appropriately worded planning condition.

Although comments have not been received to the amended information from the Council's Environmental Health department, their original comments stated that they had no objections to the development. They did, however, suggest restrictions to operational hours for the jet washes. The proposed operation hours for this site fall within the times suggested by the Environmental Health team and are therefore considered acceptable.

On the basis of the above it is considered that the proposal complies with ST1 and DM12 of the Local Plan and section 12 of the NPPF.

#### Impact on Highway/Parking

Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context. Section 9 of the NPPF promotes sustainable transport.

Originally the application sought permission to create additional parking spaces to the front of the site, in place of the existing raised feature frontage the existing petrol station. Following concerns raised by Cumbria Highways this element of the proposal has now been withdrawn from the application. On this basis, Cumbria Highways have confirmed that they have no objections to the application as the proposal is not considered to be a material change given the existing use.

On this basis, the proposal is considered to be compliant with the Policy DM22 of the Copeland Local Plan and Section 9 of the NPPF.

#### Drainage

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

As the site currently benefits from two existing jet wash bays, the drainage at the site will remain unaltered. The agent has confirmed that the site benefits from two interceptors within the existing drainage system which collect and hold any contaminants and stop them entering the main drainage system. As the jet washes already exist and the numbers are not being increased, a new drainage system is not required and all relevant permits are in place. Based on this the LLFA have confirmed that they have no objections to the development.

On this basis, the proposal is therefore considered to comply with policies ST1, ENV3 and DM24 of the Copeland Local Plan and provision of the NPPF.

	<p><b><u>Planning Balance &amp; Conclusion</u></b></p> <p>This application seeks to improve existing facilities within a business located within one of the Borough's Local Service Centres. The site currently benefits from jet wash facilities which will be replaced under this application and enclosed by new jet wash bays.</p> <p>Although the site is located within a residential area the existing facilities establishes the use at this site. The proposed works are considered to help reduce any impacts from the use of the facilities. Operation hours will also be secured by condition.</p> <p>There are no objections in terms of highways or drainage as the use of the site will not materially alter and the existing drainage system will be retained. The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li>2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:- <ul style="list-style-type: none"> <li>- Location Plan (Amended), Scale 1:1250, Dwg No: 2, Rev: A, received by the Local Planning Authority on the 25<sup>th</sup> May 2022.</li> <li>- Existing Site Plan, Scale 1:500, Dwg No: 4, Rev: A, received by the Local Planning Authority on the 10<sup>th</sup> February 2022.</li> <li>- Site Plan (Amended), Scale 1:500, Dwg No: 1, Rev: A, received by the Local Planning Authority on the 25<sup>th</sup> May 2022.</li> <li>- Plans/Elevations (Amended), Dwg No: 3, Rev: A, received by the Local Planning Authority</li> </ul> </li> </ol>

on the 25<sup>th</sup> May 2022.

- Istobal: Jet Wash – Product Document, received by the Local Planning Authority on the 5<sup>th</sup> April 2022.
- Design and Access Statement (Amended), received by the Local Planning Authority on the 15<sup>th</sup> June 2022.

**Reason**

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

**Other Conditions:**

3. The use of the jet wash bays hereby permitted must only be open to the public/customers between:

- 08:00am – 23:00pm Monday to Saturday;
- 10:00am – 16:00pm Sundays and Bank Holidays.

**Reason**

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.

**Statement:**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

**Case Officer:** C. Burns

**Date :** 12.07.2022

**Authorising Officer:** N.Hayhurst

**Date :** 12.07.2022

**Dedicated responses to:-** N/A