



Glasgow City Council

Planning Local Review Committee

Report by Executive Director of Neighbourhoods, Regeneration  
and Sustainability

**Item 1**

18th February 2025

Contact: Sam Taylor Ext: 78654

**24/00213/LOCAL- Site At Muirend Avenue/ Clarkston Road, Glasgow**

**Use of site as car wash, valeting & detailing facility with tyre fitting, service & repairs garage, parking and 2no EV charge points. (Partly Retrospective).**

**Purpose of Report:**

To provide the Committee with a summary of the relevant considerations in the above review.

**Recommendations:**

That Committee consider the content of this report in coming to their decision.

Ward No(s): 1 – Linn

Citywide: N/A

Local member(s) advised: Yes ☐ No ☐

consulted: Yes ☐ No ☐

**PLEASE NOTE THE FOLLOWING:**

*Any Ordnance Survey mapping included within this Report is provided by Glasgow City Council under licence from the Ordnance Survey in order to fulfil its public function to make available Council-held public domain information. Persons viewing this mapping should contact Ordnance Survey Copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. The OS web site can be found at <http://www.ordnancesurvey.co.uk> "*

*If accessing this Report via the Internet, please note that any mapping is for illustrative purposes only and is not true to any marked scale*

## **1 LOCATION AND DEVELOPMENT PLAN DESIGNATIONS**

- 1.1 The proposal site is at the corner of Muirend Avenue and Clarkston Road, Muirend (248 Clarkston Rd). A former petrol filling station which sits on the southwest corner of a street block, the site is bounded by the Cathcart/Muirend Local Town Centre to the south and east. The site has an area of approximately 1200sqm.
- 1.2 The site is in a Coal Authority Low Risk area.
- 1.3 The proposal seeks consent for the use of the site as a car wash, valeting & detailing facility with tyre fitting, service & repairs garage, parking and 2no EV charge points. (Partly Retrospective). The extent of existing development on site includes two “sinusoidal metal cladding” sheds to provide a tyre fitting and service area, and a car vacuuming area. Two 2.4m high transparent screens would be installed to form two power wash areas under the existing canopy, accessed by a dual queue system from Clarkston Road and exiting onto Muirend Avenue.
- 1.4 Previously the site has been used as a petrol filling station, as car sales, a mini valet service and an unauthorised use as a car repairs/tyre business.
- 1.5 The site has subject to enforcement action for ‘Alleged Change of Use to Car Repairs/Tyre Business and Erection of Outbuildings.’ (23/00478/EN). During the investigation, the proposed sheds were erected and the tyre fitting, service & repairs garage use commenced, making these elements of the proposal retrospective. In addition, signage was erected without advertising consent. The outcome of this application was to seek a retrospective planning application (23/00628/FUL), which has been refused.

## **2. DEVELOPMENT PLAN POLICIES**

- 2.1 NPF4 was adopted by the Scottish Ministers on 13 February 2023 and is part of the statutory Development Plan. Where there is an area of incompatibility it is expected that the newest policy document will take precedence, which will be NPF4 for the time being.

In this case, the relevant policies from NPF4 are:

- Policy 12. Zero waste
- Policy 13. Sustainable transport
- Policy 14. Design, quality and place
- Policy 22. Flood risk and water management
- Policy 23: Health and Safety

- 2.2 The relevant City Development Plan policies are:

- CDP1: The Placemaking Principle
- CDP 2 – Sustainable Spatial Strategy
- CDP 8 – Water Environment
- CDP 11 – Sustainable Transport

- 2.3 The relevant Supplementary Guidance is:

- SG1: The Placemaking Principle (Parts 1 & 2)
- SG 8 – Water Environment
- SG 11 – Sustainable Transport

## **3 REASONS FOR REFUSAL**

- 3.1 The reasons for refusal are set out below:

01. The proposal was not considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's variance with the Development Plan.
02. The proposal is contrary to NPF 4 Policy 14 'Design, quality and place' and CDP 1 & SG 1: Placemaking of the City Development Plan (adopted 2017) in that the use of the site as a car wash, valeting and detailing facility would detract from the residential amenity of adjacent properties and would not improve the streetscape quality of the local area. The proposal is therefore poorly designed and inconsistent with the six qualities of successful places.
03. The proposal is contrary to NPF 4 Policy 13 'Sustainable Transport' and CDP 11 & SG 11: Sustainable Transport of the City Development Plan (adopted 2017) in that the information provided of the use of the site as a car wash, valeting and detailing facility would contribute to an unacceptable impact on the road network.

## 4 APPEAL STATEMENT

4.1 A summary of the material points raised in the appeal statement is given below.

01. The Appeal site is identified within the settlement boundary and has been a commercial petrol station vehicle garage and showroom for 40 years. Citing NPF4 Policy 9 and 12, there is a need to conserve embodied energy, demolition will be regarded as the least preferred option. Smaller vehicle sale garages are now unviable and vacant.
02. The alternative, to redevelop the site in residential or mixed-use, is unviable. There has never been an application for redevelopment in 40 years. Allowing a well-established type of business to operate with strict management codes is the best option for this site.
03. The proposals are presented as an opportunity for sustainable transport with the EV chargers, which responds to market need and would deliver considerable social and economic benefit, citing CDP Policy part (f).
04. The re-use of vacant car garage show room is significantly better for the urban fabric and aesthetic feel of the local area. The nature, use and appearance of garage has not altered in 40 years and has become a known motor hub in the southside of Glasgow, the applicant believes there is prescriptive rights to use the garage for its proposed use. The vacant site creates blight, and the new garage will improve the area.
05. In response to original noise concerns, the proposal plans to erect custom noise reduction panels on the exterior wall to reduce any noise impact to neighbour's residential properties.
06. The site is surrounded on three sides by commercial uses in terms of a third-party car garage, Royal Mail Depot, and a builders yard. The presence of a vehicle garage at this location is well established.
07. There was initially concern raised by Environmental Health Department. A robust noise survey was undertaken which provided technical information and demonstrated there would be no impact to the local residents through the mitigation measures to accompany the application.
08. The Council's Flood Risk Management Team and Scottish Water have offered no objection to the proposed development and the development is considered to be acceptable in relation to flood risk.
09. The appeal application was supported by a Transport Technical Note Statement ("TRANSPORT REBUTTAL NOTE ISSUE") that states
  - 01 the proposals will integrate and function within the surrounding road network,

- 02 any increases in vehicle movements can be accommodated across the road network, without compromising its efficiency and safety.
- 03 The Transport Statement concludes that the site satisfies the relevant policy requirements.

4.2 The applicant did not request any further procedure in the determination of the review.

## 5 REPRESENTATIONS AND CONSULTATIONS

5.1 There were six letters of representation received to the application, all of which were objections. These are given below:

- Noise pollution in a quiet residential area, both from the construction and operation of the development.
- Potential for traffic congestion caused by access and egress arrangements onto a busy road. Concern around air pollution increase caused by increased traffic.
- Concerns around residential parking, around Clarkston Road.
- There does not appear to be permits of license in place for battery and oil recycling.
- Already operating outwith proposed hours of operation, with concern around hours of operation.
- Drainage impact from surface water run-off.
- Continued development indicating further breach of planning enforcement, including a shed, described elsewhere as a 'tall metal building...which houses ramps, metal shelves and a large quantity of tyres with a sign stating garage works and tyre fitting service'.
- Concerns relating to durability of the unauthorised construction of the shed, if additional unauthorised construction has been planned and discrepancies between the plans and what is already constructed.
- Previous planning permission for a car wash was denied and previous use as a car valeting business was closed due to complaints from local residents.
- Concern with impact of property values.

5.2 No further letters of representation were received to this review.

5.3 The following external statutory parties were consulted as part of the application process and a summary of their advice is given below:

- **Scottish Water** – A Capacity Assessment and Network Assessment were carried out. Sufficient capacity in the Balmore Water Treatment Works and sufficient capacity in the Shieldhall Waste Water Treatment works to service development. No issues were identified in the water or wastewater network. However, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Additionally, Scottish Water will not accept any surface water connections into our combined sewer system.

5.4 The following internal GCC departments / teams were consulted and a summary of their advice is given below:

- **NRS – Public Health - Recommendation:** “Refuse.”  
Conclusions: at the time of the application concerns were raised about the noise impact on residents. A more detailed Noise Impact Assessment was requested - as no assessment considering the surrounding noise sensitive dwelling in near proximity made. The same noise assessment had been put forward again with no changes and no further mitigation measures were proposed, leading to a refusal recommendation. Further information has been provided for the committee to consider.
  
- **NRS – Public Health – Contaminated Land Recommendation:** “Refuse.”  
Conclusions: at the time of the application, the Public Health Team expressed concern of the sites contamination. Citing Planning Circular 4/1998, it was recommended that given the sites history as a petrol station, a desk study should be submitted to the council No site investigation report was submitted.
  
- **NRS – Transport Planning Recommendation:** “Refuse.”  
Conclusions: The site is in a high accessibility zone. Concerns were by Transport Planning were raised about the road safety and traffic generating due to the proximity of the proposed egress on Muirend Avenue to Clarkston Road and the placement of the EV Charging Bays. As vehicle access points should be spaced at least 25 meters from a road junction – especially in commercial uses – this development was deemed unsafe. The consultation cited SG11, and pointed out that minimum cycle parking, parking thresholds for car washes requirements (5 parking spaces) should be met.  
 The above points would require to be addressed before a full response as to the impact on the road network can be made.
  
- **NS – Landfill sites, waste and recycling** in consultation, the officer requested further information of a waste management plan - covering the bin storage and collection details to be provided.

## 6 COMMITTEE CONSIDERATIONS

- 6.1 Committee should consider if the following are in accordance with NPF4, the relevant City Development Plan policies and Supplementary Guidance, and if there are material considerations which outweigh the Development Plan considerations.
  
- 6.2 The following are relevant policy considerations:
  
- 6.3 **NPF4 Policy 9. Brownfield and Vacant Sites**

NPF4 Policy 9 states that:

- “c) Where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- d) Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses.

Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.”

Committee should note:

- The site has not been in use since 2021.
- Committee should consider whether the proposed use could be considered an effective long term solution to the sites vacancy, in a manner that would not affect the community in a detrimental way.

#### 6.4 **NPF4 Policy 12. Zero waste**

NPF4 Policy 12 intends to encourage, promote and facilitate development that is consistent with the waste hierarchy:

- c) Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:
- i. provision to maximize waste reduction and waste separation at source, and
  - ii. measures to minimize the cross contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localized waste management facilities.

Committee should note:

- No waste storage/management arrangement details were provided, contrary to policy.
- Committee should consider whether they are satisfied with the waste/refuse management arrangements.

#### 6.5 **NPF4 Policy 13. Sustainable transport , CDP 11 & SG 11 – Sustainable Transport**

NPF4 Policy 13 intends to encourage promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

The relevant policy guidance is:

- a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals:
- i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy.
  - ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery.

- d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.

CDP11 aims to ensure that Glasgow is a connected City, characterized by sustainable and active travel by supporting better connectivity by public transport, discouraging non-essential car journeys; encouraging opportunities for active travel; reducing pollution and other negative effects associated with vehicular travel; and optimizing the sustainable use of transport infrastructure

### Cycle Parking

The Council shall require the provision of cycle parking, in line with the minimum cycle parking standards specified (below), as well as the following guidance:

- b) Wherever possible, employee cycle parking should be located within buildings or a secure compound. Where such a location is not feasible, provision should be close to areas of high activity, such as the main entrance of developments, to ensure cycling is encouraged through enhanced security provided by passive surveillance.
- c) Cycle parking should always be safe, sheltered and secure. The form of cycle parking provided should facilitate the securing of the frame of the bike to the “stand”. “Sheffield” racks are a good, and preferred, example of such provision.
- d) Employment sites shall provide on-site showers, lockers, changing and drying facilities, as a means of promoting walking and cycling to work. These are important trip-end facilities that can positively affect an individual’s decision to walk, run or cycle regularly.

Minimum standard for Shopping and Commercial use:

Staff: 1 space per 10 staff

Visitor: 1 space per 500 sqm gross floor area

### Vehicle Parking

Vehicle parking provision should be assessed against the standards set out below.

Maximum standard for Motor Trade – Car Wash

Base Accessibility: 5 queuing spaces.

Committee should note:

- The site is located within an area of a High Accessibility Public Transport Zone;
- The proposal includes 4 tyre fitting parking bays and 2 EV charging spaces, and the subsequent Transport Statement has provided an indicative queuing arrangement of 8 cars with 2 EV charging points, above the maximum standard and contrary to policy;
- The supporting statement notes that ‘cycle parking will be provided’ but no further details have been provided an indicative queuing arrangement;



- No details have been provided on how many staff members are anticipated in order to determine the car and cycle parking standards.
- NRS Transport Planning were not supportive as the impact on the road network could not be determined and had expressed concern at the curtilage placement of the EV bays.

Committee should consider:

- Whether the proposed development provides adequate cycle parking provision.
- Whether the proposed development provides adequate vehicle parking provision.
- If this proposal successfully promotes the use of sustainable transport options.
- If the proposed development adequately mitigates traffic impacts anticipated from the proposed development use

#### 6.6 **NPF4 Policy 14. Design, quality and place and CDP1: The Placemaking Principle (Part 2)**

Policy 14 intends to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle. The policy required development to be designed to improve the quality of an area regardless of scale. Development will be supported where they are consistent with the six qualities of successful places:

**Healthy:** Supporting the prioritisation of women's safety and improving physical and mental health.

**Pleasant:** Supporting attractive natural and built spaces.

**Connected:** Supporting well connected networks that make moving around easy and reduce car dependency

**Distinctive:** Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

**Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

**Adaptable:** Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Policy 14 states that proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported. Further details of the six qualities of place can be found in Annex D of NPF4.

This overarching policy states that new development should encourage placemaking by being design-led, aspiring towards the highest standards of design while directing development to the right place. All development should

respect and protect the City's heritage by responding to its qualities and character of its site and surroundings. Development should make the City an appealing place to live, work and visit for all members of society, providing high quality amenity to existing and new residents.

CDP/SG1 Part One includes the six Qualities of Place that apply to all development proposal:

- A place with character and identity: a place that is distinctive.
  - A successful open space: a place that is useable, high quality and multi-functional.
  - A legible and safe place: a place that is accessible, easy to navigate, and welcoming.
  - A place that is easy to move around: a place that is well-connected and focussed on active travel.
  - A vibrant and diverse place: a place that has multiple uses and high levels of street level activity.
  - A place which is adaptable and sustainable: a place that is adaptable for future needs and demonstrates sustainable design.
- Committee should consider whether this proposal is consistent with the qualities of successful places.
- Committee should consider if this proposal is of a high design standard that respects the City's place quality.

#### 6.7 **NPF4 Policy 22: Flood risk and water management, CDP 8 & SG 8 Water Environment**

Policy 22 intends to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

- c) Development proposals will:
- i. not increase the risk of surface water flooding to others, or itself be at risk.
  - ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer.
  - iii. seek to minimise the area of impermeable surface.
- d) Development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity

SG8 states that: "for all business and trade effluent discharges the Council recommends that the applicant engages with an appointed Licensed Provider to Scottish Water."

Committee should note:

- The applicant has not provided evidence of a Trade Effluent Consent from Scottish Water for the discharge from the car wash. NRS Flood Risk Management have advised this would be conditioned and is nonetheless a requirement for operation.
- Committee should consider if the management of the discharge of trade effluent could be controlled by condition.

## 6.8 **NPF4 Policy 23: Health and Safety & SG 1: The Placemaking Principle**

4.6-4.7 of SG1: The Placemaking Principle policy on “Noise” states that:

“It is advised that developers liaise with the Council’s Environmental Health Service in the early stages of the planning process. Preplanning application discussions can be very useful to determine the risk of noise being a significant consideration and to identify the supporting information and detail on noise likely to be required.

Prior to commencing any noise impact assessment, the appointed noise consultant should contact the Council’s Environmental Health Service to agree the relevant noise assessment methodology and establish appropriate noise assessment criteria to avoid unnecessary delay in the planning process”

At 7.1, SG1 also provides policy for “Waste Storage” in new development:

“All new developments must include appropriate and well-designed provision for waste storage, recycling and collection which meets the City’s wider placemaking objectives, see also SG 1 - Placemaking, Part 1. All waste/recycling areas must be located discreetly, so as to have no adverse visual impact or cause traffic/noise nuisance to neighbours. Applicants must provide full details of the provision for waste storage, recycling and collection in the initial submission for planning permission”

NPF4 Policy 23: Health and Safety intends to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

- e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

Committee should note:

- The council are committed to reducing the amount of vacant brownfield land. The reuse of vacant land is supported by both local and national government policy.
- The application site’s location adjacent to a raised residential backcourt (at 254-258 Clarkston Road)
- The noise impact assessment originally provided was deemed inadequate by the Public Health consultee, contrary to 4.7 of SG1, Part 2.
- No information has been provided regarding the collection of waste and recycling materials, despite requests from Public Health.

- A previous application for a car wash onsite, 06/01749/DC, was refused.
- Committee should consider if the suggested conditions would be sufficient for this development to accord with the request for a waste management plan raised by Public Health consultees, and the policy stated in SG1 and CDP 2
- Committee should consider if the suggested conditions would be sufficient for this development to accord with the request for a noise impact assessment raised by Public Health consultees, and the policy stated in SG1 and CDP 2
- Committee should consider if the proposal will have cause significant noise issues for residents and if the Noise Impact Assessment provided was sufficient despite its recommendation for refusal by the Public Health Team

## 7 COMMITTEE DECISION

7.1 The options available to the Committee are:

- a. Grant planning permission, with the same or different conditions from those listed below; or
- b. Refuse planning permission.
- c. Continue the review to request further information.

## 8 Policy and Resource Implications

### Resource Implications:

*Financial:* n/a

*Legal:* n/a

*Personnel:* n/a

*Procurement:* n/a

**Council Strategic Plan:** n/a

### Equality and Socio-Economic Impacts:

*Does the proposal support the Council's Equality Outcomes 2021-25? n/a Please specify.*

*What are the potential equality impacts as a result of this report?* no significant impact

*Please highlight if the policy/proposal will help address socio-economic disadvantage.* n/a

### **Climate Impacts:**

*Does the proposal support any Climate Plan actions? Please specify:* n/a

*What are the potential climate impacts as a result of this proposal?* n/a

*Will the proposal contribute to Glasgow's net zero carbon target?* n/a

### **Privacy and Data Protection Impacts:**

Are there any potential data protection impacts as a result of this report  
N

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

## **9 Recommendations**

That Committee consider the content of this report in coming to their decision.