

Report of Handling for Application 23/00628/FUL

ADDRESS:	Site At Muirend Avenue/ Clarkston Road Glasgow
PROPOSAL:	Use of site as car wash, valeting & detailing facility with tyre fitting, service & repairs garage, parking and 2no EV charge points. (Partly Retrospective)

DATE OF ADVERT:	31 March 2023
NO OF REPRESENTATIONS AND SUMMARY OF ISSUES RAISED	<p>Six letters of objection were received from members of the public, the points of objection are summarised below:</p> <ul style="list-style-type: none"> • A previous car valeting business which operated on the site many years ago was closed due to numerous complaints from local residents which included increased traffic, noise pollution and operating antisocial hours. • A large extremely tall metal building has been constructed which houses ramps, metal shelves and a large quantity of tyres with a sign stating garage works and tyre fitting service. • Increased traffic congestion between access and egress to the facility onto an already busy Clarkson Road and Muirend Avenue • Hours of operation- will this business operate within normal business hours, if not, what is the impact on residents in terms of noise and parking disruption? • Will a Drainage Impact Assessment (DIA) be carried out to determine impact on Scottish Water Network along with SEPA Guidance? • Increased pollutants from potential volume of increased traffic awaiting being valeted. • Increased traffic noise and disturbance from increased traffic. • Will traffic calming measures be required? • Will Traffic Monitoring be carried out to identify potential trends and models? • Will visibility splays be required at junction on Muirend Avenue and Clarkson Road? • Concerns over reduced parking availability on roads where insufficient parking already exists for the residents of Clarkston Road. • Potential for light pollution. • The building is not of substantial conventional construction and would very likely not be able to achieve a Building Warrant without being demolished and rebuilt. • Concern on impact on property values in the area.
PARTIES CONSULTED AND RESPONSES	Scottish Water – No objection.
PRE-APPLICATION COMMENTS	No pre-application advice was sought.

EIA - MAIN ISSUES	NONE
CONSERVATION (NATURAL HABITATS ETC) REGS 1994 – MAIN ISSUES	NOT APPLICABLE
DESIGN OR DESIGN/ACCESS STATEMENT – MAIN ISSUES	NOT APPLICABLE

IMPACT/POTENTIAL IMPACT STATEMENTS – MAIN ISSUES	NOT APPLICABLE
S75 AGREEMENT SUMMARY	NOT APPLICABLE
DETAILS OF DIRECTION UNDER REGS 30/31/32	NOT APPLICABLE
NPF4 POLICIES	12. Zero waste 13. Sustainable transport 14. Design, quality and place 22. Flood risk and water management
CITY DEVELOPMENT PLAN POLICIES	CDP 1 & SG 1 – Placemaking CDP 2 – Sustainable Spatial Strategy CDP 8 & SG 8 – Water Environment CDP 11 & SG 11 – Sustainable Transport
OTHER MATERIAL CONSIDERATIONS	06/01749/DC – RF – Use of former petrol filling station as car wash with mini-valet service. 06/00222/EN – CLOSED – Alleged unauthorised use of filling station as a car wash facility.
REASON FOR DECISION	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.

Comments	
Planning History	<p>86/00019/DC – GC – Redevelopment of petrol filling station and alteration to existing vehicular accesses.</p> <p>94/02346/DC – GC – Redevelopment of petrol filling station and alteration to existing vehicular accesses.</p> <p>07/02889/DC – GC – Use of petrol filling station (Sui Generis) as car sales (Sui Generis).</p> <p>09/02614/DC – GC – Amendment to consent 07/02889/DC - deletion of condition 1 (temporary consent).</p> <p>23/00478/EN – Alleged Change of Use to Car Repairs/Tyre Business and Erection of Outbuildings.</p> <p><u>Previous Similar Use</u></p> <p>06/01749/DC – RF – Use of former petrol filling station as car wash with mini-valet service.</p> <p>06/00222/EN – CLOSED – Alleged unauthorised use of filling station as a car wash facility.</p>
Site Visits (Dates)	29 th July 2023 – Use of site as car wash, valeting & detailing facility with tyre fitting, service & repairs garage, parking and 2no EV charge points (Partly Retrospective)
Siting	The application site is a former petrol filling station, most recently in use as for car sales, located on the corner of Clarkston Road and Muirend Avenue. The site is bounded by the Cathcart/Muirend Local Town Centre to the south and east and is within Ward 1, Linn.
Design and Materials	<p>Full planning permission is sought for use of a former petrol filling station as car wash, valeting & detailing facility with tyre fitting, service & repairs garage with associated parking and two EV charge points.</p> <p>The site previously operated as a petrol filling station, although in latter years has been in use for car sales before becoming unoccupied. Adjacent uses comprise 3-storey apartments to the north, tenemental properties with ground floor commercial uses to the south-east and south-west and a postal sorting office and builders suppliers premises to the north-west.</p>

	<p>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.</p> <p>During the course of the application, the proposed sheds were erected and the tyre fitting, service & repairs garage use commenced, making these elements of the proposal retrospective. This has generated considerable disquiet among neighbouring residents and there is an open enforcement case, reference 23/00478/EN.</p> <p>In addition signage has been erected without advertising consent.</p>
Daylight	Not applicable to this application.
Aspect	Not applicable to this application.
Privacy	Not applicable to this application.
Adjacent Levels	Not applicable to this application.
Landscaping	Not applicable to this application.
Access and Parking	No alterations are proposed.
Site Constraints	The application site is not listed or in a conservation area, the site is in a Coal Authority Low Risk area.
Other Comments	<p>Sections 25 and 37 of the Town and Country Planning (Scotland) Acts require that when an application is made, it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.</p> <p>The issues to be taken into account in the determination of this application are therefore considered to be:</p> <ul style="list-style-type: none"> a) whether the proposal accords with the statutory Development Plan; b) whether any other material considerations (including objections) have been satisfactorily addressed. <p>Each development proposal will be considered on its individual merits and must respond to its setting appropriately to ensure protection and enhancement of amenity in the area.</p> <p>In respect of (a) the Development Plan comprises the National Planning Framework 4 adopted 13th February 2023 and the Glasgow City Development Plan adopted on the 29th March 2017.</p> <p><u>NPF4</u></p> <p><u>Policy 12. Zero waste</u> Additional information is required on the storage and collection of waste and recycling materials. This could be subject of a condition requiring this detail.</p> <p><u>Policy 13. Sustainable transport</u> The access at the corner of Muirend and Clarkston Road would require to be reinstated to full height and thus not illustrated on the drawing as a partial access.</p> <p>There is no detail of dimensions and number of bays in the area marked as Tyre Fitting Area at the proposed egress. This is required to assess capacity of site to contain vehicles without impact on the surrounding road network. This also to assess against SG11 parking threshold tables.</p> <p>The proposed electric parking bays, 01 and 02 are close to the proposed ingress at Clarkston Road and could cause queue back before the traffic signals with vehicles manoeuvring in and out of the proposed spaces. The queue back can potentially be managed in curtilage but the placement of the EV bays will cause conflict as majority of</p>

<p>vehicles charge from the rear therefore would result in reversing vehicles being in direct conflict with other vehicles using or queuing for the power wash or ingressing the site.</p> <p>NRS Transport Planning are not supportive as the impact on the road network cannot be determined.</p> <p>The proposal does not accord with Policy 13.</p> <p><u>Policy 14. Design, quality and place</u></p> <p>The applicant has provided a Noise Assessment which has been considered by NRS Public Health. The use of the site as a car wash and valeting/detailing facility would negatively impact the amenity of the adjacent residential properties and Public Health have objected to this proposed use.</p> <p>The proposed use is a sui generis use which would involve the washing and valeting of cars. The proposal would result in noise and activity from these activities as well as a higher volume of vehicle movements at the locus, with cars entering and exiting, and manoeuvring within the site.</p> <p>This is supported by the previous unauthorised use and retrospectively refused use of the site as a car wash, reference 06/01749/DC.</p> <p>The applicant has been advised that the retrospective use, as a tyre fitting, servicing garage may be acceptable on its own, subject to a noise assessment of this use, however they have declined to remove the car wash and valeting use from the description.</p> <p>The use of the site as a car wash with valeting would fail to meet the 'healthy', 'pleasant' and 'distinctive' qualities of successful places and would be detrimental to the amenity of the adjacent residential properties.</p> <p>The proposal is contrary to Policy 14 on design, quality and place.</p> <p><u>Policy 22. Flood risk and water management</u></p> <p>The Department has no concerns about the flood risk associated with the proposed development. 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.</p> <p>Subject to conditions, the proposal would accord with Policy 22.</p> <p>The proposal does not accord with the relevant policies of NFP4.</p> <p><u>City Development Plan</u></p> <p><u>CDP 1 & SG 1 – Placemaking</u></p> <p>The application site is located within a residential area on a busy road corridor into the City. The application site is immediately adjacent to the tenement with a raised backcourt at 254-258 Clarkston Road.</p> <p>Additional information is required on the storage and collection of waste and recycling materials. This could be subject of a condition requiring this detail.</p> <p>The applicant has provided a Noise Assessment which has been considered by NRS Public Health. The use of the site as a car wash and valeting/detailing facility would negatively impact the amenity of the adjacent residential properties and Public Health have objected to this proposed use.</p> <p>The proposed use is a sui generis use which would involve the washing and valeting of cars. The proposal would result in noise and activity from these activities as well as a higher volume of vehicle movements at the locus, with cars entering and exiting, and manoeuvring within the site.</p>

This is supported by the previous unauthorised use and retrospectively refused use of the site as a car wash, reference 06/01749/DC.

The applicant has been advised that the retrospective use, as a tyre fitting, servicing garage may be acceptable on its own, subject to a noise assessment of this use, however they have declined to remove the car wash and valeting use from the description.

The proposal is contrary to CDP 1 & SG 1

CDP 2 – Sustainable Spatial Strategy

The Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable City. In doing so, the Council will support new development proposals that: Utilise brownfield sites in preference to greenfield sites; and Prioritise the remediation and reuse of vacant and derelict land.

The site was a vacant brownfield site and the reuse of it would accord with the Sustainable Spatial Strategy.

The proposal is in accordance with CDP 2 and the Sustainable Spatial Strategy.

CDP 8 & SG 8 – Water Environment

SG8: Water Environment provides detailed guidance about flood risk and drainage in developments. The Department has no concerns about the flood risk associated with the proposed development. 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.

Subject to conditions, the proposal would accord with CDP 8 & SG 8.

CDP 11 & SG 11 – Sustainable Transport

The access at the corner of Muirend and Clarkston Road would require to be reinstated to full height and thus not illustrated on the drawing as a partial access.

There is no detail of dimensions and number of bays in the area marked as Tyre Fitting Area at the proposed egress. This is required to assess capacity of site to contain vehicles without impact on the surrounding road network. This also to assess against SG11 parking threshold tables.

The proposed electric parking bays, 01 and 02 are close to the proposed ingress at Clarkston Road and could cause queue back before the traffic signals with vehicles manoeuvring in and out of the proposed spaces. The queue back can potentially be managed in curtilage but the placement of the EV bays will cause conflict as majority of vehicles charge from the rear therefore would result in reversing vehicles being in direct conflict with other vehicles using or queuing for the power wash or ingressing the site.

NRS Transport Planning are not supportive as the impact on the road network cannot be determined.

The proposal does not accord with CDP 11 & SG 11.

In respect of (a) the proposal is contrary to the Development Plan.

In respect of (b) other material considerations include the views of statutory and other consultees and the contents of letters of representations.

	<p><u>Material Considerations – Objections</u></p> <p>Six letters of objection were received from members of the public, the points of objection are summarised below:</p> <ul style="list-style-type: none"> • A previous car valeting business which operated on the site many years ago was closed due to numerous complaints from local residents which included increased traffic, noise pollution and operating antisocial hours. • A large extremely tall metal building has been constructed which houses ramps, metal shelves and a large quantity of tyres with a sign stating garage works and tyre fitting service. • Increased traffic congestion between access and egress to the facility onto an already busy Clarkson Road and Muirend Avenue • Hours of operation- will this business operate within normal business hours, if not, what is the impact on residents in terms of noise and parking disruption? • Will a Drainage Impact Assessment (DIA) be carried out to determine impact on Scottish Water Network along with SEPA Guidance? • Increased pollutants from potential volume of increased traffic awaiting being valeted. • Increased traffic noise and disturbance from increased traffic. • Will traffic calming measures be required? • Will Traffic Monitoring be carried out to identify potential trends and models? • Will visibility splays be required at junction on Muirend Avenue and Clarkson Road? • Concerns over reduced parking availability on roads where insufficient parking already exists for the residents of Clarkston Road. • Potential for light pollution. • The building is not of substantial conventional construction and would very likely not be able to achieve a Building Warrant without being demolished and rebuilt. • Concern on impact on property values in the area. <p><i>Comment:</i> The proposal is contrary to the Development Plan, these points of objection are noted.</p> <p>In respect of (b) none of the material considerations would outweigh the proposals variance from the Development Plan.</p> <p>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.</p>
Recommendation	Refuse

Date: 20/08/2024	DM Officer	Neil Moran
Date: <u>27/08/2024</u>	DM Manager	Ross Middleton