

Report

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Report to:	Planning Committee
Date of Meeting:	21 June 2011
Report by:	Executive Director (Enterprise Resources)

Application No	CR/11/0058
Planning Proposal:	Temporary Change of Use of Vacant Land to Car Wash and Valet Service

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Wash & Valet t/a Splash Autocare
- Location : 84 Hamilton Road
Cambuslang

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission (Subject to Conditions) – Based on the Conditions Attached

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 14 Cambuslang East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
Policy RES2 – Proposed Housing Sites
Policy DM1 – Development Management

- ◆ Representation(s):

- ▶ 3 Objection Letters and Petition with 90 signatures
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

- ◆ Consultation(s):

Environmental Services

Scottish Water

S.E.P.A. (West Region)

Roads and Transportation Services (Cambuslang/Rutherglen Area)

Planning Application Report

1 Application Site

- 1.1 The application site consists of a former 'Texaco' petrol filling station on Hamilton Road, Cambuslang. The site is now partly grassed over and covers an area of 1700 sqm (0.17ha). The site is flat and is directly opposite residential dwellings to the south, west and east and the Glasgow to Lanark railway line to the north. The site sits on the A724 Rutherglen – Hamilton Road, approximately 500m west of Cambuslang Town Centre.

2 Proposal(s)

- 2.1 The applicants propose the retrospective temporary change of use of vacant land to car wash and valet service. The site has its own access and exit onto Hamilton Road. The site previously had planning permission for a similar use and its temporary consent has since expired. The applicant has re-submitted an application that was previously withdrawn. The re-submission has resulted in the site office unit being re-orientated to improve the flow of traffic into and out of the site and provide additional parking. Furthermore, a proposed car sales area from the previous application has now been removed. A planning application is currently under consideration for the siting of a hot food takeaway and convenience store unit on the southern part of the site.

3 Background

3.1 Local Plan Background

- 3.1.1 Policy RES2 – Proposed Housing Sites of the South Lanarkshire Local Plan (adopted) states that the Council will support development for housing on those sites included in the Housing Land Audit as summarised in Appendix 1 of the Local Plan and identified in the Local Plan Proposals map.
- 3.2 Policy DM1 – Development Management of the South Lanarkshire Local Plan (adopted) states that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

3.3 Relevant Government Policy/Advice

None relevant

3.4 Planning Background

The site was previously operated as a petrol filling station with car wash. There is an outstanding detailed planning consent for the development of 14 flats on the site (CR/07/0228). This consent was granted on 25 September 2007 and will not expire until September 2012. A planning application for a temporary car wash on the site was withdrawn in March 2011. In addition, a planning application for the erection of a hot food take-away and convenience store within grounds of car wash and valet centre was also withdrawn in March 2011. This application has also been re-submitted and is currently under consideration. (CR/11/0070)

4 Consultation(s)

- 4.1 **SEPA** – no objections.
Response: Noted.
- 4.2 **Scottish Water** – no objections.
Response: Noted.

4.3 **Environmental Services** – no objections subject to conditions relating to noise and waste control.

Response: Noted. These conditions have been attached.

4.4 **Roads and Transportation Services (Cambuslang/Rutherglen)** – no objections provided that vehicles can manoeuvre within the site and that access is maintained at all times.

Response: Noted. The current layout shows this.

5 Representation(s)

5.1 Following statutory neighbour notification and advertisement in the Rutherglen Reformer, 3 letters of objection and a petition with 90 signatures have been received. The points raised are summarised as follows:

a) **The proposal has a detrimental impact on amenity as a result of smell, water spray, noise, litter and vermin.**

Response: The layout has been altered to reduce the impact of noise and the provision of waste disposal facilities has been conditioned. In addition, the opening hours of the facility have been limited.

b) **There is no toilet provision on site and this has lead to incidents of anti-social behaviour.**

Response: Noted. This matter has now been resolved as the applicant has since provided a portable toilet.

c) **The proposal will cause traffic and parking problems.**

Response: The Roads and Transportation Service have confirmed that they have no objections to the proposal and that the site has the requisite space for parking and manoeuvring.

d) **The proposal will affect property values.**

Response: This is not a material planning consideration.

e) **Water is flooding onto Hamilton Road which can cause safety problems in cold weather.**

Response: A condition has been attached to ensure that the surface of the car wash is trapped and finished in such a way to prevent flooding onto Hamilton Road.

f) **The site now has more of an appearance of an industrial estate.**

Response: The site does not operate significantly differently from when it was a petrol filling station with a car wash. The buildings on site are of a temporary nature as the proposal is for a temporary period.

g) **Staff parking is calculated on the size of the site and the type of development. The spaces require to be available. The staff do not use the staff car parking spaces. The extra space available could therefore be used to sell second hand cars.**

Response: The sale of cars would require a separate planning application. This aspect has been removed from the current planning application. The Planning Service will be monitoring the site closely.

h) **Fencing has been attached onto property owned by residents of the Hamilton Park Estate.**

Response: This fencing has now been removed.

- i) **The premises lack the appropriate electricity supply resulting in the use of a noisy generator.**

Response: The applicant has advised that once the site office is re-sited they will make use of the existing electricity supply on site which will remove the need for the generator.

These letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The key determining factors in the consideration of this application are whether or not it accords with the relevant local plan policies affecting the site and the proposed development and whether there are any other material considerations which may affect the decision.
- 6.2 In terms of the adopted local plan, the application site is identified as a housing site in terms of Policy RES2 - Housing Land Supply. Furthermore, Policy DM1 – Development Management which all applications for development must be assessed against, is also relevant.
- 6.3 With respect to Policy RES2 the proposed use is clearly not for a housing development as set out in the local plan. There is however an outstanding detailed planning consent for the development of 14 flats on the site. This consent was granted on 25 September 2007 and will not expire until September 2012. As a result, the proposal will not adversely affect housing land supply and can therefore comply with Policy RES2.
- 6.4 Policy DM1 – Development Management states that all planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. Development will require to have no significant adverse impact on the local environment and to comply with various criteria the following of which are relevant to this application:
- respect the local context;
 - provide suitable access, parking and have no adverse implications for public safety;
 - have no significant adverse effects on air, water or soil quality and as appropriate, mitigation to minimise any adverse effects to be provided.
- 6.5 The application site lies on the edge of a residential area with dwellings to the east and south and in this regard it may be considered to be out of context with the immediate area. However the west of the site is bounded by open space, while to the north there is also open space and beyond lies an active railway line. It is also noted that the previous use of the site was as a petrol filling station, which included a car wash. Given this background and the temporary nature of the proposal it is concluded that the proposed development does take account of the local context and will not have a significant impact on the local environment. Roads and Transportation Services are satisfied that the development has a suitable access and exit and parking and no adverse impact on public safety. Furthermore, they are satisfied that the site's relationship with the proposed hot food unit and convenience shop in terms of access and egress. Finally given the comments of both the Council's Environmental Services and SEPA there would appear to be no concerns regarding air, water or soil quality. In light of this it is concluded that the proposed development accords with Policy DM1.

- 6.6 The nature of the proposed car wash is such that noise and water spray may be a concern however the applicants have agreed to take steps to minimise the noise by utilising the existing electricity supply on site to remove the need for a generator. This will be controlled by condition. The site office will sit parallel with and some 12 metres from the boundary with the nearest house on the eastern boundary. This arrangement will have the effect of minimising spray from the car wash and reducing noise to the neighbouring house. Given this and the temporary nature of the application it is considered that the likely nuisance arising from the car wash will not be of a scale that would justify the refusal of consent.
- 6.7 Concern has been raised that there would appear to be no toilet facilities for staff of the car wash. The Council's Environmental Services are responsible for health and safety at work regulations and they were made aware of the objector's concerns in this regard. Following this, a portable toilet has now been installed.
- 6.8 In considering this application it is also noted that there is a previous temporary consent was granted for a car wash at this location setting a precedent for this type proposal.
- 6.9 In light of the above it is recommended that as the proposal accords with Policy DM1 and as it will not have an unacceptable impact on the residential amenity of the neighbouring properties temporary planning consent should be granted subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposed development complies with Policies RES2 and DM1 of the South Lanarkshire Local Plan.

Colin McDowall
Executive Director (Enterprise Resources)

13 June 2011

Previous References

- ◆ CR/07/0228
- ◆ CR/10/0158

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan 2009
- ▶ Consultations

Roads and Transportation Services (Cambuslang/Rutherglen Area)	13/04/2011
Environmental Services	13/04/2011
Roads and Transportation Services (Cambuslang/Rutherglen Area)	04/05/2011
Scottish Water	07/04/2011
- ▶ Representations

Representation from : S Irons , 32 Robert Templeton Drive, Cambuslang , G72 7NE, DATED 19/04/2011

Representation from : Mr and Mrs G McCaffrey, 38 Robert Templeton Drive, Cambuslang , G72 7NE, DATED 19/04/2011

Representation from : Mr and Mrs Gordon , 44 Robert Templeton Drive, Cambuslang , G72 7NE, DATED and petition with 90 signatures dated April 2011

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Iain Morton, Planning Officer, Civic Centre, East Kilbride
Ext 6314, (Tel :01355 806314)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

CONDITIONS

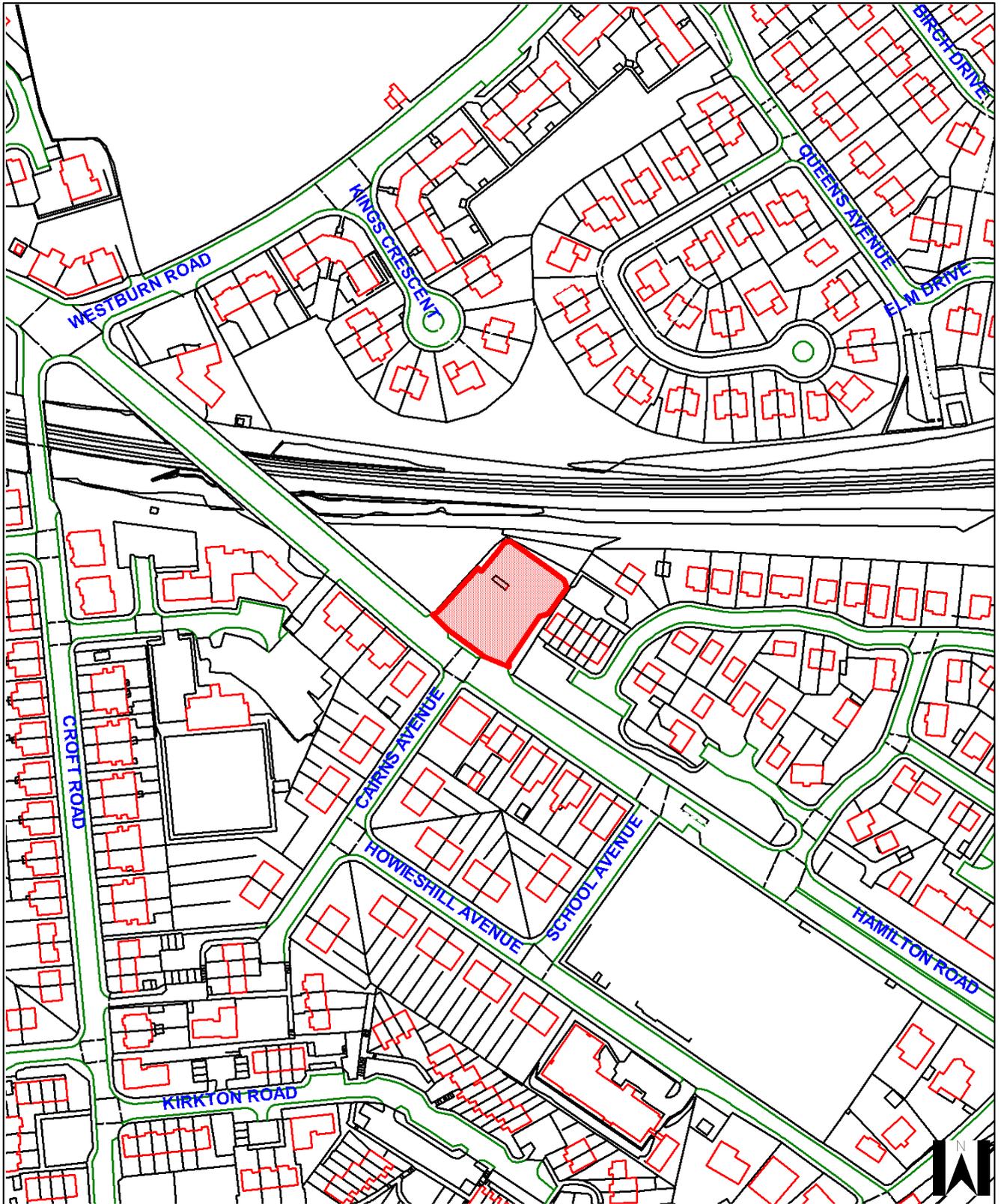
- 1 This decision relates to drawing numbers:

811-01
811-02
811-03
- 2 That the permission hereby granted is for a temporary period only and shall expire on 21 June 2013.
- 3 That the development hereby approved shall be carried out strictly in accordance with the plans hereby approved and no changes to the design or external finishes shall take place unless agreed or required by the Council as Planning Authority.
- 4 That vehicular access to all parts of the facilities is maintained at all times to the satisfaction of the Council as Planning and Roads Authority.
- 5 The use of the premises (with the exception of maintenance works not audible outside the premises), shall be restricted to the following hours of operation:

Mondays to Fridays: Between 09.00 and 20.00
Saturdays: Between 09.00 and 19.00
Sundays: Between 10.00 and 17.00
- 6 That within 28 days of the date of this consent, details of the storage of waste arising from the commercial activity shall be submitted to and approved in writing by the Council as Planning Authority. The agreed details shall then be in place within 14 days of their approval by the Council as Planning Authority.
- 7 That no adverts are to be displayed outwith the boundary of the site.
- 8 That within 28 days of the date of this consent the car wash hereby approved shall utilise the permanent electricity supply on site to the satisfaction of the Council as Planning Authority.
- 9 That within 28 days of the date of this consent, the surface of the car wash shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.
- 10 That no consent is hereby granted for the existing signage on site. This signage shall be subject to a separate application for advertisement consent.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 Temporary Consent is hereby granted
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interest of traffic and public safety
- 5 To minimise noise disturbance to adjacent occupants.
- 6 To minimise nuisance, littering and pest problems to nearby occupants.
- 7 To safeguard the amenity of the area.
- 8 To protect local residents from noise nuisance and in the interests of the amenity of the adjoining residential area.
- 9 In the interest of public safety
- 10 In the interests of amenity and in order to retain effective planning control.



For information only

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