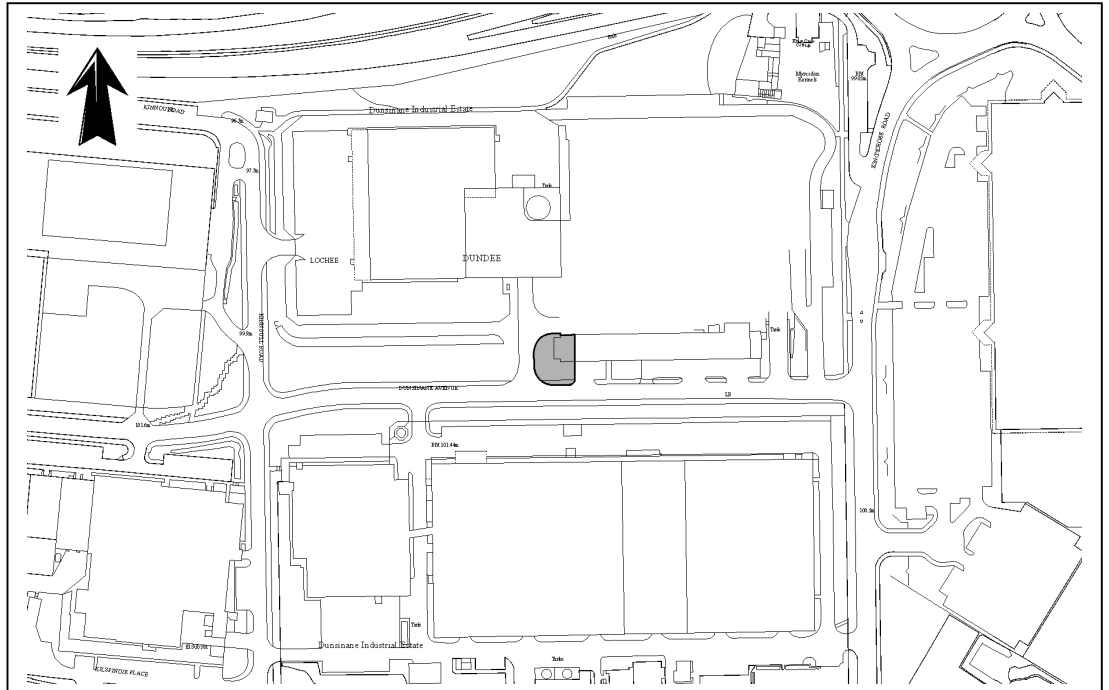


KEY INFORMATION**Ward** Lochee East**Proposal**Change of Use from
Forecourt to Car Wash**Address**Block 1a Unit 8
Dunsinane Avenue
Dundee DD2 QN**Applicant**Ronald Petrie
Pentagon Car Care Centre
Unit 8 Block 1A Dunsinane
Avenue, Dunsinane
Industrial Estate
Dundee DD2 3QN**Agent**Davidson Property Services
49 Yeaman Street
Carnoustie
DD7 7AW**Registered** 21 Jan 2003**Case Officer** Eve Jones

RETROSPECTIVE CONSENT SOUGHT FOR CAR WASH IN DUNSINANE AVENUE

The change of use from forecourt to car wash is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

The proposed development is contrary to the relevant policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. There are no material considerations in support of the application. It is therefore recommended for **REFUSAL**.

SUMMARY OF REPORT

- Planning consent is sought for a car wash which is currently operating at a site on the north side of Dunsinane Avenue. Two jet wash machines operate on land to the west of an existing car repair unit.
- There is no drainage on site and the use currently causes flooding on land to the north. The proposal is for the use of the site and the installation of a drainage system to store and filter the water prior to discharge to the sewer.
- The site is identified in the Dundee Local Plan 1998 within an area where the redevelopment of the industrial sites will be encouraged and where specific industrial and business uses will be encouraged.
- The Finalised Local Plan Review also supports the revitalisation of Dunsinane Industrial Estate by the identification of sites for specific high value economic development. The application site lies within such a larger site. The proposed use is not in accordance with these policies.
- One objection to the proposal was received on the grounds of pollution and road safety. The objection is supported on traffic grounds. There is insufficient space within the site to accommodate queuing traffic and no properly formed vehicle access on to the site

DESCRIPTION OF PROPOSAL

The application is for planning permission for change of use from forecourt to car wash with installation of drainage and silt interceptor tank. The site is currently in operation with two jet wash units.

SITE DESCRIPTION

The site lies on the north side of Dunsinane Avenue, at the western end of a block of single storey commercial units. The site is an open tarmaced area to the side of the existing car repair business. The site is bounded by roads on three sides and slopes down slightly from south to north. The road to the rear is unmade and gives access to the rear of the adjacent commercial units. There is no drainage on site at present and water from the site gathers in this area before soaking into the ground. There is no car park and waiting vehicles occupy the access road to the adjacent properties. The surrounding area is occupied by industrial units of varying sizes. The site to the north has recently been the subject of wholesale clearance prior to major redevelopment. Dunsinane Avenue to the south of the site, is the major route through the industrial estate and is heavily trafficked at some times of the day.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The following policy is of relevance:

Employment Policy 2: Existing Employment Areas. The policy states that Councils will continue to safeguard and promote well located brownfield employment sites which are appropriate for regeneration and redevelopment.

Dundee Local Plan 1998

The following policies are of relevance:

Policy EU2 - Prime Industrial Estates. The policy supports the establishment and retention of specific industrial and business uses. A car wash is not within the specified uses.

Policy EU3 - Kingsway West Corridor. The policy supports the redevelopment of Dunsinane Industrial Estate in order to maximise the economic benefits of the prime location of the estate adjacent to the Kingsway. The policy identifies the need to replace poor quality buildings within the estate.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Local Plan Review

The following policies are of relevance:

Policy 25 - Dunsinane Revitalisation. The site lies within one of the areas identified for higher value economic development uses in order to facilitate the regeneration of the industrial estate.

Policy 27 - Ancillary services within



Economic Development Areas. The policy supports appropriate services which can be demonstrated to meet the needs of employees and complement the existing businesses. However, they must satisfy criteria which include, adequate access and parking arrangements, landscaping and boundary treatments, noise impact and compliance with other policies in the Plan.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application

LOCAL AGENDA 21

There are no policies of relevance to this application.

SITE HISTORY

02/00058/COU previous application for same development on same site was withdrawn following discussions in order to allow the applicant to agree site drainage with the relevant water and pollution agencies.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from an interested party who regularly uses the road. The objection was on the basis of traffic safety and pollution. The objection will be dealt with in the Observations below.

CONSULTATIONS

There were no adverse comments from statutory consultees or other Council departments

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider

- whether the proposals are consistent with the provisions of the development plan; and if not
- whether an exception to the provisions of the development plan is justified by other material considerations

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above

Policy EU2 - Prime Industrial Estates. The policy supports the establishment and retention of specific industrial and business uses. A car wash is not within the specified uses. However the

site is small and adjacent to an existing small car repair unit.

Policy EU3 - Kingsway West Corridor. The policy supports the redevelopment of Dunsinane Industrial Estate in order to maximise the economic benefits of the prime location of the estate adjacent to the Kingsway. The policy identifies the need to replace poor quality buildings within the estate. The site is part of a small group of units which lie at the entrance to the estate immediately adjacent to a large recently cleared redevelopment site. There is a current planning application for a major car sales development on part of the land to the north.

The site is small, adjacent to an existing car repair unit and could be considered to be one of the ancillary services which may be appropriate in an industrial area. However it is in a key location within an industrial estate where the City Council is seeking to promote regeneration. The site cannot be used temporarily without the proposed drainage infrastructure as flooding of the site by waste water has been the subject of separate investigation by SEPA under their legislation.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

Other Material Considerations

The other material considerations to be taken into account are as follows:

Finalised Local Plan Review

Policy 25 - Dunsinane Revitalisation. The site lies within one of the areas identified for higher value economic development uses in order to facilitate the regeneration of the industrial estate. A current planning application is under consideration for part of the major site to the north. Continued investment in these units is not supported by Council policy as it may prejudice regeneration and the economic benefits which may result.

Policy 27 - Ancillary services within Economic Development Areas. The policy supports appropriate services which can be demonstrated to meet the needs of employees and complement the existing businesses. However, the site has inadequate parking for customers who have to queue on the

access road or within the grounds of an adjacent unit. There is insufficient space within the site for traffic circulation and there are no properly formed vehicle accesses on to the highway.

Objection. As noted above, the application was the subject of an objection on the grounds of pollution from waste water, overspray causing potential hazard to drivers and traffic congestion caused by traffic to the site. The proposed drainage system would address the pollution issue. There is no evidence of significant overspray from the current use. There is insufficient space within the site for customer's vehicles to queue other than on the access road. The applicant has indicated that they have an arrangement with an adjacent unit for customers to park off street whilst waiting in line to use the car wash. However this situation cannot be enforced or be the subject of any planning conditions. The traffic issues are the only planning ground which is supported.

Design

There are no design issues of relevance in this case

CONCLUSION

As detailed above, the application is contrary to the policies in the Dundee Local Plan 1998 and in the Finalised Local Plan Review. There are no other relevant material considerations which would support the granting of planning permission contrary to those policies.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reason(s):-

Reason

- 1 The proposed development is contrary to Policy EU2 Prime Industrial Estates in the Dundee Local Plan 1998 as the use of the site as a car wash is not an acceptable use for this site within Dunsinane Industrial Estate and there are no material considerations of sufficient strength to support the granting of planning permission contrary to that policy.

- 2 The proposed development is contrary to Policy EU3 The Kingsway West Corridor in the Dundee Local Plan 1998 as the policy is for the redevelopment of poor quality buildings within the industrial estate and the proposed investment in the site is likely to prejudice the implementation of regeneration proposals and there are no material considerations of sufficient strength to support the granting of planning permission contrary to that policy.
- 3 The proposed development is contrary to Policy 25 Dunsinane Revitalisation in the Finalised Dundee Local Plan Review as the site lies within an area identified for regeneration for a higher value economic use and the investment proposed in the site is likely to prejudice the achievement of that objective.
4. The use of the site for a car wash is unacceptable as the site has insufficient space to accommodate queuing traffic which has to park on adjacent roads. This arrangement is not in the interests of road safety within the context of the traffic circulation of the surrounding industrial estate.