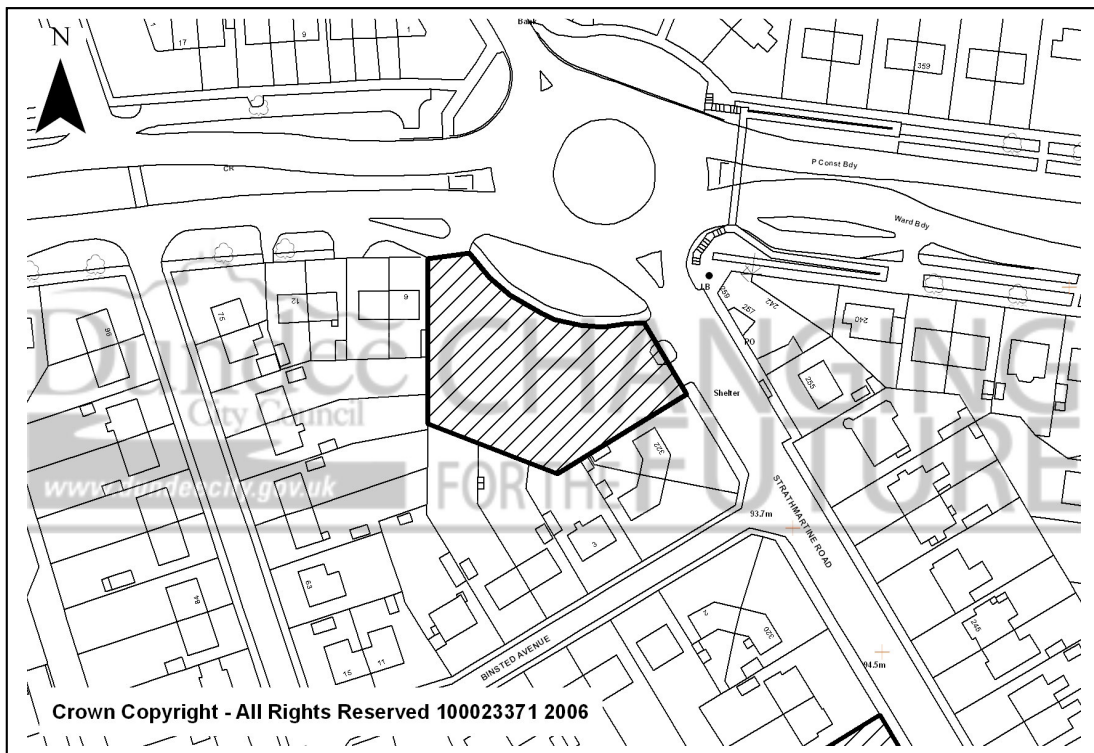


KEY INFORMATION**Ward** Coldside**Proposal**

Change of use from service station to hand car wash

AddressFormer B P Garage
Kingsway West
Dundee**Applicant**Squarewright Ltd
c/o LJRH Chartered
Architects
18 South Tay Street
Dundee DD1 5LR**Agent**Leadingham Jameson
Rogers and Hynd
18 South Tay Street
Dundee
DD1 1PD**Registered** 17 Dec 2008**Case Officer** B Knox

Car Wash Facility Proposed at Kingsway West Roundabout

A change of use from a service station to a hand car wash is **RECOMMENDED FOR REFUSAL**.
Report by Director of Planning and Transportation

RECOMMENDATION

The application is considered to fail to comply with Policy 1 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify a decision contrary to this. The application is therefore recommended for REFUSAL.

SUMMARY OF REPORT

- The application proposes the change of use of a former petrol filling station and shop to that of a car wash facility.
- The applicant undertook the statutory neighbour notification procedure and in total
- 6 letters of objection were received from 5 different sources.
- The proposal is considered to fail to comply with Policy 1 of the Dundee Local Plan Review 2005 because it will detract from the visual amenity of the area.

DESCRIPTION OF PROPOSAL

The application proposes the change of use of a former petrol filling station and shop to that of a car wash facility. Alterations would be made to the existing access and egress points. The access would be taken from the north of the site from the Kingsway and the egress would be confined to the east of the site, to Strathmartine Road. Alterations to the kerb lines at these points will be required to facilitate this.

There would be an office cabin located at the west side of the site and 8 car parking spaces to the west and south of the site. Three wash bays are proposed within the central area of the site and they would have individual canopies. Two spaces for car valets are also proposed at the north of the site.

It is also proposed to erect a screen wall to the north of the site. This will take the form of a wall with glazed panels which incorporate glazed water features which can be individually lit and will recycle the water, flowing over the glazed surface.

The proposed hours of opening are to be 8.00am till 8.00pm.

SITE DESCRIPTION

The application site is located at the roundabout to the west of Strathmartine Road and the north of the Kingsway. The site occupies approximately 0.26 hectares and is currently vacant. It was formerly occupied by a petrol filling station and associated shop a number of years ago.

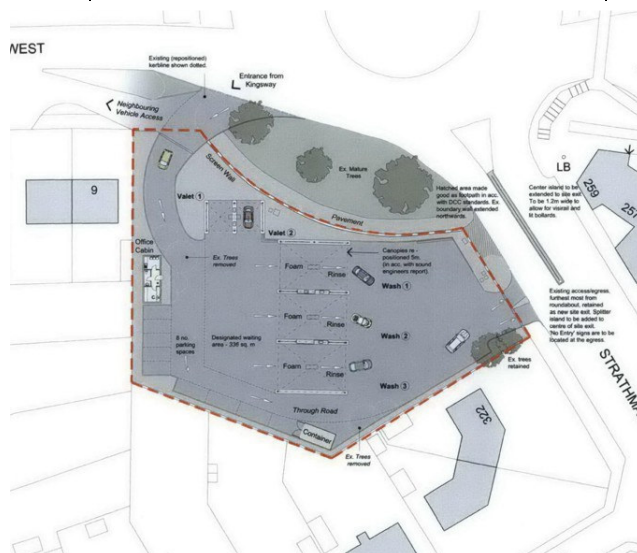
Due to its location on the trunk road and at a busy roundabout, this is a busy site with a high volume of passing vehicular traffic. There are residential properties to the west and southern boundaries with gardens which face onto the application site. The dwellings which face north onto the Kingsway share an existing access to the site from the Kingsway roundabout.

There are some naturally seeded trees growing on site at the present time. The pedestrian footpath curves along the northern boundary of the site.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

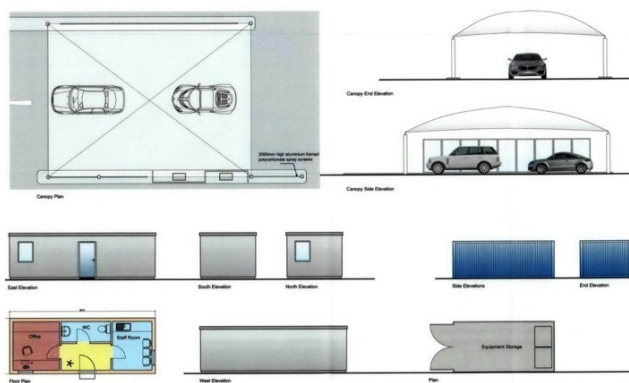


Dundee Local Plan 2005

The following policies are of relevance:

Policy 1: Vibrant and Sustainable Communities - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Proposed Car Wash Facility, Strathmartine Rd / Kingsway Junction, Dundee



Policy 57: Visual Impact on Major Routes - the City Council in association with other agencies will seek to further the implementation of the major routes concept, subject to

finance being available, where the objectives will be to:

- improve the image of Dundee; and
- create a memorable image on arrival to Dundee that will have an imposing presence both day and night; and
- improve the quality of the environment. In relation to visual amenity, highly visible primary frontages, and certainly those within 25 metres of the kerb line (depending on local circumstances) will be required to abide by the guidelines within the Ambassador Route Design Guide.

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.

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

There are a number of previous planning applications over the years for small scale alterations to the site including installation of an ATM and various signage applications.

Two applications have direct relevance to the determination of the current planning application as follows:

97/23081/D Installation of jet wash facility: approved subject to conditions

03/00876/FUL Redevelopment of site: This application was withdrawn.

PUBLIC PARTICIPATION

The applicant undertook the statutory neighbour notification procedure and in total 6 letters of objection were received from 5 different sources.

The following valid planning issues have been raised:

- 1 Concerns regarding the proposed access and egress for the site.
- 2 The noise from the facility will have an impact upon the amenity.
- 3 Traffic levels making access to private driveway difficult.
- 4 Danger of chemicals to family.
- 5 Litter generation as a result of the proposed use.
- 6 The potential for exhaust fumes due to waiting cars.

Members will already have had access to copies of the objection letters and the issues are discussed in the "Observations" section below.

CONSULTATIONS

The Head of Environmental Health and Trading Standards requested a Noise Impact Assessment in order to assess the potential impact that the use may have. The applicant carried this out and The Head of Environmental Health and Trading Standards has advised that subject to the mitigating measures recommended within the NIA, the proposal will not have an adverse impact upon the amenity of the nearby area. The applicant has amended the location of the bays to comply with the recommendation within the NIA and has confirmed that the recommended alteration to the opening hours is acceptable.

Transport Scotland was consulted as a statutory consultee due to the proximity to the trunk road. Changes to the access and egress were recommended and the applicant submitted amended plans to take account of these recommendations. Transport Scotland has confirmed acceptance to the revised arrangements.

OBSERVATIONS

Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland)

Act 1997 the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b 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 1 of the Dundee Local Plan Review 2005 states that The City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

In terms of design, there will be three wash bays enclosed by polycarbonate spray screens with a canopy. There will also be one secure storage container. In addition, there will be a single office cabin measuring approximately 8.6 metres by 3.3 metres which would be finished in a red brick with an aluminium standing seam roof. The applicant has also proposed to erect a 1.6 metre high screen wall at the front of the site running parallel to the curve of the footpath. The preamble to Policy 1 states that there is a need to ensure that the amenity of residential areas is not adversely affected by inappropriate development. It is considered that the prominence of the application site requires an appropriate scale of use with a design that will not detract from the visual amenity of the area. Whilst the use of the screen wall will minimise views into the site, it is considered that the grouping of buildings and features required for the proposed use will result in a poor image and detract from the visual amenity in this prominent location.

In terms of the layout and traffic movement, it is proposed to create an access point directly from the Kingsway into the site, channelling

vehicles through the wash process and out via Strathmartine Road. The existing access to the dwellings fronting the Kingsway to the west of the site would be retained. As discussed above, Transport Scotland have confirmed acceptance of the proposed layout and access arrangements. A central island is to be extended at the west of the site to discourage drivers from attempting to enter the site from the egress point on Strathmartine Road. These arrangements are all to the satisfaction of Transport Scotland.

In terms of any noise impact, as discussed above, The Head of Environmental Health and Trading Standards requested a Noise Impact Assessment in order to assess the potential impact that the use may have. The applicant carried this out and The Head of Environmental Health and Trading Standards has advised that subject to the mitigating measures recommended within the NIA, the proposal will not have an adverse impact upon the amenity of the nearby area. The applicant has amended the location of the bays to comply with the recommendation within the NIA and has confirmed that the recommended alteration to the opening hours is acceptable.

It is considered that the proposal would not result in a smell which would be detrimental to the amenity of nearby residential properties.

It is therefore considered that whilst the proposal is in compliance with parts of Policy 1, the design will have a detrimental impact upon the visual amenity of the area and is such fails to comply with this policy of the Dundee Local Plan Review 2005.

Policy 57 of the Dundee Local Plan Review 2005 relates to visual impact upon major routes. The core aim of the Ambassador Routes Concept is to achieve a consistent good image across the whole City. The Kingsway is among one of the selected routes. In this respect, it is important that the appearance of the application site does not detract from the visual amenity of the surrounding area. As discussed above it is considered that the use and buildings will detract from the visual amenity of the area and the proposal therefore fails to comply with Policy 57.

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:

Views of the objectors:

- 1 Risk of traffic accidents; and
- 2 Concerns regarding the proposed access.

As stated above, the revisions to the layout have been agreed with Transport Scotland as trunk roads authority who have confirmed acceptance of the amended scheme taking into account road safety issues. The layout will ensure the retention of the vehicular access points to the dwellings fronting the Kingsway and will restrict the access to this point only. In addition, egress will only be possible from the east of the site onto Strathmartine Road and an extended central island to Strathmartine Road shall discourage drivers from attempting to enter the site in this location.

- 3 Foam and wax discharging into the drainage system - a petrol interceptor and silt trap are included in the proposals and a safety kerb and drainage system has also been proposed to be installed at the entrance and exit to the site. These are then linked to the petrol interceptor and silt trap. These details are considered to be acceptable and will mitigate the potential for discharge of foam and wax.
- 4 Noise - the issue of potential noise has been discussed above in the Observations Section of the report.
- 5 Emissions from waiting vehicles - the car washing process takes approximately 8 minutes per vehicle and any waiting vehicles are therefore expected to have their engines switched off. In addition to this, the location of the site at a busy roundabout means that there are queuing vehicles in this area for much of the day. It is not therefore considered that the proposed use will have a significant adverse

impact upon air quality in the locality.

- 6 Security - the proposed use of the site is not anticipated to present a significant security risk since the site will be occupied and prominent due to its location.
- 7 Loss of trees - some of the trees on site at present are proposed to be retained. The applicant has stated that they are happy to consider any landscaping to enhance the site. Any grant of consent would therefore require a condition to be applied for additional landscaping details.

It is concluded from the foregoing that there are no material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

As discussed above, it is considered that due to the prominence of the site and the location on a designated Ambassador Route, any use or proposed buildings on site should be of a high quality and enhance the appearance of the locality. It is considered that the use proposed will result in a disjointed appearance due to the presence of several small scale structures which will have a detrimental impact upon the visual amenity of this prominent frontage.

CONCLUSION

It is concluded from the foregoing that the application fails to comply with Policy 1 of the Dundee Local Plan Review 2005 due to the detrimental impact upon the visual amenity of the surrounding area. The views of the objectors are not supported.

RECOMMENDATION

It is recommended that consent be REFUSED for the following reasons:

Reasons

- 1 The application is considered to be contrary to Policy 1 of the Dundee Local Plan Review 2005 as it would be detrimental to the visual amenity of the surrounding area by virtue of design.

- 2 The application is considered to be contrary to Policy 57 of the Dundee Local Plan Review 2005 as it will detract from the visual appearance of the Ambassador Route of the Kingsway.