



Agenda Item

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Formation of Car Wash and Valet Centre, Including Siting of No. 2 Containers, Erection of Shelter, 2.2 Metre High Acoustic Fence and 3 Metre High Polycarbonate Screen (Partially Retrospective) at Land to the South East of Tannery Garage, Grangemouth Road, Falkirk for Wash & Valet North Ltd - P/17/0044/FUL

FALKIRK COUNCIL

Subject: FORMATION OF CAR WASH AND VALET CENTRE, INCLUDING SITING OF NO. 2 CONTAINERS, ERECTION OF SHELTER, 2.2 METRE HIGH ACOUSTIC FENCE AND 3 METRE HIGH POLYCARBONATE SCREEN (PARTIALLY RETROSPECTIVE) AT LAND TO THE SOUTH EAST OF TANNERY GARAGE, GRANGEMOUTH ROAD, FALKIRK FOR WASH + VALET NORTH LTD - P/17/0044/FUL

Meeting: PLANNING COMMITTEE

Date: 27 June 2017

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk North

Councillor David Alexander
Councillor Robert Bissett
Councillor Dennis Goldie
Councillor Cecil Meiklejohn

Community Council: Grahamston, Middlefield and Westfield

Case Officer: Julie Seidel (Planning Officer), Ext. 4880

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application relates to the formation of a car wash and valet centre, on land to the rear of the New Tannery Garage, Falkirk. Access is proposed from the garage forecourt, off Grangemouth Road with the exit being taken via a car repair garage onto Randyford Street.
- 1.2 The development is partially retrospective, with a hard standing formed and a container already in place.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application requires consideration by the Planning Committee as it has been called in by Councillors Carleschi and Chalmers, for the following reasons:
 - a business of this nature has operated successfully on this site for a number of years;
 - concerns raised by the applicant that the impact of the development has been overstated. To allow the applicant's concerns to be assessed by the Committee.

3. SITE HISTORY

- 3.1 P/16/0372/FUL - Formation of Car Wash and Valet Centre (Partially Retrospective) - withdrawn on 1 August 2016.
- 3.2 P/16/0527/FUL - Formation of Car Wash and Valet Centre (Partially Retrospective) - withdrawn on 5 October 2016.
- 3.3 P/16/0664/FUL - Formation of Car Wash and Valet Centre (Partially Retrospective) - withdrawn on 5 January 2017.

4. CONSULTATIONS

- 4.1 The Scottish Environment Protection Agency have no objection.
- 4.2 The Council's Roads Development Unit have no objection.
- 4.3 Scottish Water did not respond to consultation.
- 4.4 The Council's Environmental Protection Unit have no objection.

5. COMMUNITY COUNCIL

- 5.1 Grahamston, Middlefield and Westfield Community Council did not make comment in relation to the application.

6. PUBLIC REPRESENTATION

- 6.1 In the course of the application, 7 objection letters were submitted to the Council. The salient issues are summarised below:
 - The proposed car wash would be too close to adjacent residential properties and would cause nuisance by way of noise and increased traffic (vehicular and pedestrian);
 - Even although the noise would be low level, there would be a constant drone;
 - The proposed development would have an unacceptable impact on parking and traffic generation in an already busy area;
 - The visual impact of a 3 metre high barrier would be unacceptable in terms of residential and visual amenity;
 - Spray would come over the proposed barrier into adjacent gardens;
 - Existing drainage is inadequate;
 - The application form and supporting information refer to different companies and opening hours;
 - The application states that no connection to water supply would be required;
 - No lighting details;
 - The residential amenity of adjoining properties would be unacceptably affected;
 - Gardens could not be used;
 - Loss of privacy and amenity;
 - Chemical odours in garden ground; and
 - Objection in relation to the number of resubmitted applications.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

- 7a.1 The Falkirk Local Development Plan was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan.
- 7a.2 The application site consists of rough undeveloped land to the rear of the New Tannery Petrol Filling Station. The site is directly bounded to the south and east by residential properties, in the form of terraced blocks. The dwellinghouses are sited approximately 12 metres from the mutual boundary.
- 7a.3 Policy HSG06 'Non-Residential Uses in Residential Areas' seeks to ensure that changes in residential areas are managed to maintain residential amenity. It is considered that the introduction of a car wash and valet centre would be incompatible with the well established residential character and amenity of the area. It is considered that the nature of the operation, an open air process, would have the potential to cause noise and disturbance to adjoining residents, unacceptably affecting their privacy, visual and residential amenity. The application is therefore considered contrary to policy HSG06.
- 7a.4 Accordingly, the application fails to accord with the Falkirk Local Development Plan.

7b Material Considerations

- 7b.1 The material consideration to be assessed are the representations received, additional planning considerations and consideration of the site in relation to coal mining legacy.

Assessment of Public Representations

- 7b.2 It is noted that the proposed car wash would be in close proximity to adjacent residential properties.
- 7b.3 It is noted that development would likely lead to increased traffic generation in the area and the potential for noise nuisance.
- 7b.4 It is accepted that the erection of a 3 metre high barrier on the boundary with adjoining residential properties, would have an unacceptable impact on their outlook, residential and visual amenity.
- 7b.5 The potential for spray to come over the proposed barrier is noted.
- 7b.6 The content of the application form and supporting information is noted.

- 7b.7 The applicant has submitted a letter from Scottish Water, confirming approval of waste water from the proposed development to the public foul or combined sewer.

Additional Planning Considerations

- 7b.8 The site lies adjacent to residential properties which bound the application site to the south and east. It is considered that the development of an open air car wash and valet centre would introduce people, vehicles, noise disturbance and water spray into a residential area. It is acknowledged that there is an existing petrol filling station and car garage already on site. However these are some distance from residential properties and the associated building is enclosed / screened from them. This proposal will further intensify use / operations at this location. The properties bounding the site have relatively small rear gardens and it is considered that the privacy, outlook and visual and residential amenity of the neighbouring properties, in particular the properties to the east of the site, would be unacceptably impacted on as a result of development.

Consideration of the Site in relation to Coal Mining Legacy

- 7b.9 The application site falls within or is partially within the Development Low Risk Area as defined by the Coal Authority. However, as coal mining activity was undertaken at depth, no recorded surface hazards currently exist which could pose a risk to new development. Unrecorded coal mining related hazards could still exist. It is not necessary to consult the Coal Authority on any planning applications which fall within the Development Low Risk Area. Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

7c Conclusion

- 7c.1 The proposal represents an unacceptable form of development and is assessed as being contrary to the Falkirk Local Development Plan. The representations received are assessed and addressed in the main body of this report and comments received from consultation are noted. There are no material planning considerations that would justify the granting of planning permission in this instance.

8. RECOMMENDATION

- 8.1 **It is therefore recommended that Committee refuse Planning Permission for the following:-**

Reason(s):-

- 1. It is considered that the introduction of a car wash and valet centre would be incompatible with the established residential character and amenity of the area, contrary to policy HSG06 'Non-Residential Uses in Residential Areas' of the Falkirk Local Development Plan.**

Informative(s):-

1. **For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 04 and Supporting Documents.**

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pp Director of Development Services

Date: 16 June 2017

LIST OF BACKGROUND PAPERS

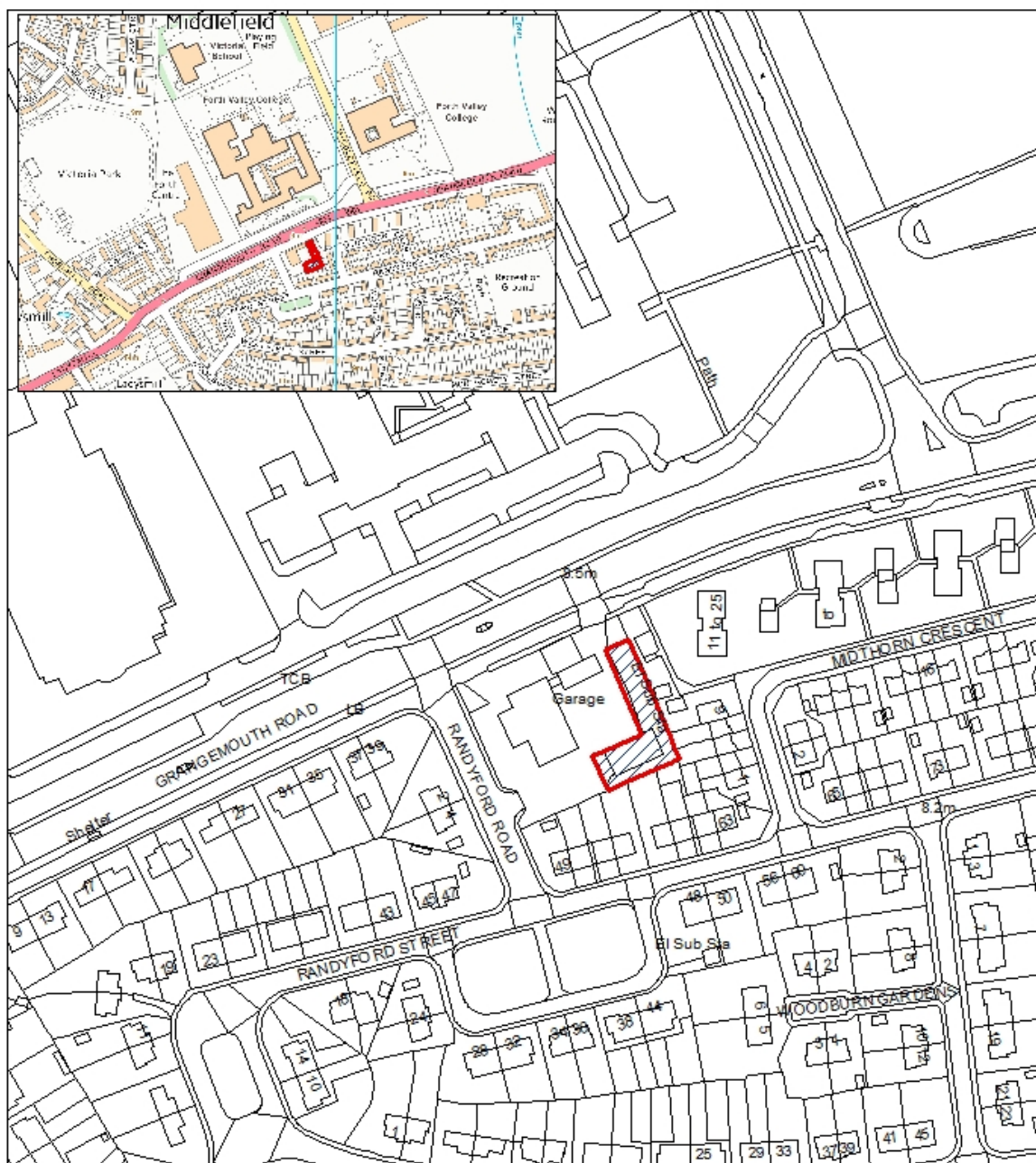
1. The Falkirk Local Development Plan.
2. Objection received from Miss Amanda Hughes, 42 Merchiston Avenue, Falkirk, FK2 7LA on 23 February 2017.
3. Objection received from Mrs Isobel Conroy, 63 Randyford Street, Falkirk, FK2 9DG on 6 February 2017.
4. Objection received from Mrs Hilda Galloway, 1 Midthorn Crescent, Falkirk, FK2 9DW on 21 February 2017.
5. Objection received from Mrs Lauren Maley, 61 Randyford Street, Falkirk, FK2 9DG on 27 February 2017.
6. Objection received from Mr Charlie Brown, 16 Blinkbonny Road, Bantaskine, Falkirk, FK1 5DA on 7 February 2017.
7. Objection received from Beth Rogers, 3 Midthorn Crescent, Falkirk, FK2 9DW on 14 February 2017.
8. Objection received from Mr Alan Moffat, 9 Midthorn Crescent, Falkirk, FK2 9DW on 15 February 2017.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

Planning Committee

Planning Application Location Plan **P/17/0044/FUL**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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