

KEY INFORMATION

Ward Coldside

Proposal

Metal recycling/end of life vehicle site glass and plastic recycling

Address

Unit G
North Tay Complex
Balfield Road
Dundee
DD3 6AG

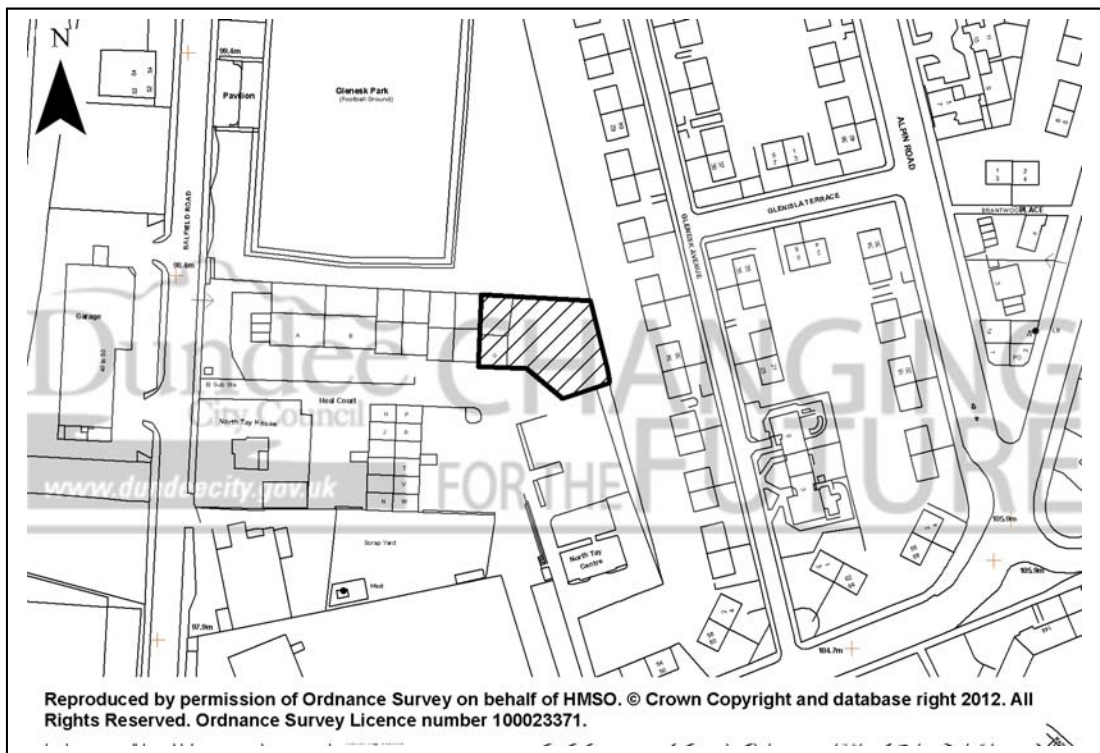
Applicant

Murray Smith and Sons
Unit G
North Tay Complex
Balfield Road
Dundee
DD3 6AG

Agent

Registered 10 Oct 2011

Case Officer Paul Macari



Recycling Business Proposed at North Tay Works

The metal recycling/end of life vehicle site glass and plastic recycling is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The proposals satisfy the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. The application is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- This application seeks planning permission for the formation of an end of life vehicle, metal, plastic and glass recycling facility at Unit G, North Tay Complex, Balfield Road, Dundee.
- Policy 26 (General Economic Development Areas) of the Dundee Local Plan Review 2005 is relevant to the outcome of this application.
- 5 valid letters of objection have been received from neighbouring residents concerned about noise disturbance, impact on the level of amenity afforded to neighbouring properties, pollution and instances of anti-social behaviour.
- The concerns of the objectors are not supported.
- The proposals comply with the requirements of the Development Plan.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the formation of an end of life vehicle, metal, plastic and glass recycling facility at Unit G, North Tay Complex, Balfield Road, Dundee.

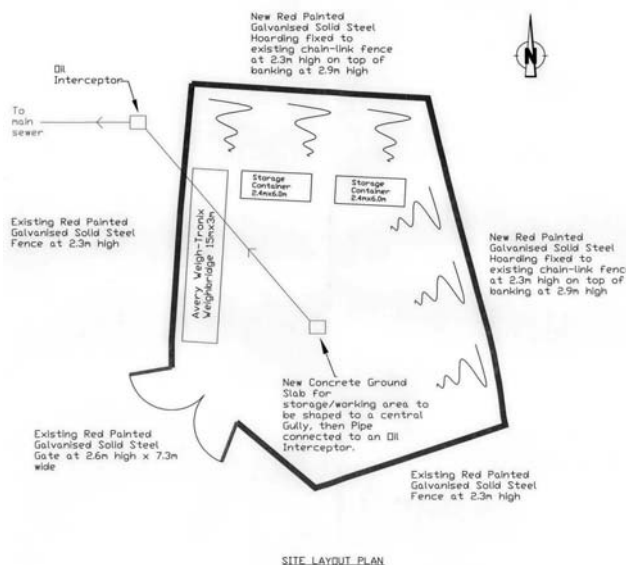
It is proposed to surface the application site in concrete. The concrete slab will be shaped so that surface water drains into a central gully and is then piped to an oil interceptor before discharging to the public sewer.

The proposed recycling facility will have a weigh bridge located along the western boundary and 2 storage containers located along the northern boundary at the foot of the sloping buffer that separates the application site from adjacent housing. The site will be enclosed by red painted galvanised steel fencing that is 2.3m high. The fencing will reinforce the existing concrete post and wire mesh fencing located along the northern and eastern boundary of the site.

The proposed recycling facility will operate between the hours of 8.00am and 7.00pm Monday to Friday, 8.00am and 1.00pm on Saturdays and at no time on Sundays. The recycling facility will operate through skip and van hire whereby scrap materials will be collected and brought back to the recycling facility. The scrap delivered to the site will be sorted into different materials and then disposed of off-site. The applicant anticipates that 2-3 skip loads of materials will arrive at the facility on a daily basis. In addition to the collection and delivery of scrap materials, the recycling facility will also involve the de-pollution, storage and disposal of vehicles. Vehicles will be de-polluted in the garage/workshop building and then stored on site before being disposed off. Every 3 months it is proposed to use a car crusher to prepare the vehicles stored on site for transportation to a metal recycling facility.

There are SEPA approved bunded tanks located to the rear of the workshop building that are used to store waste from vehicles.

In accordance with the Council's Scheme of Delegation this application is being reported to the Development Management Committee at the request of the Director of City Development.



SITE DESCRIPTION

The application site is located within the North Tay Complex on the eastern side of Balfield Road. The North Tay Complex comprises of several small and large industrial and business units. The units are brick built with large roller door access in the principal elevations.

The application site is located in the north eastern corner of the North Tay Complex and takes the form of an end terraced industrial unit which adjoins a large yard area to the east. The industrial unit has roller door and pedestrian access doors in the southern elevation. The building is brick built with a sloping roof. The building is surrounded by concrete hard-standing.



Photo 1 - Existing 2.6m high x 7.3m wide Red Solid Galvanised Solid Steel Gate

The building is separated from the yard area by 2.3m high steel fencing. The yard area is enclosed by a combination of steel mesh and post fencing and steel sheet fencing that is 2.3m high. There are access gates to the yard area in the south western corner of the yard.

Between the building and the yard and to the rear of the building there are skips and bunded tanks.

There is a steeply sloping buffer area to the north and east of the application site which separates the site from housing on Glenesk Avenue and Glenesk football ground.

The applicant currently operates a car repair garage and skip hire business from the application site.

At present the yard area to the east of the workshop building is not surfaced.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no Structure Plan policies of relevance.

Dundee Local Plan 2005

The following policies are of relevance:

Policy 26: General Economic Development Areas - in areas designated as General Economic Development Areas, proposals for Class 4, 5 and 6 developments will be supported. Other uses of a wider industrial nature such as car showrooms, wholesaling, taxi offices and scrap yards may be permitted provided that:

- a there is no detrimental impact on neighbouring uses and local residential amenity,
- b there is no unacceptable traffic impact; and
- c the scale of development is appropriate to the size and location of the site.

Class 1 retail will not be permitted unless in accordance with other policies in the Local Plan.

Residential development is generally not supported within General Economic Development Areas unless a satisfactory standard of residential amenity can be achieved; housing will not adversely impact on the ongoing operation of adjacent industrial areas; and evidence demonstrates that the site is no longer suitable for economic development purposes.

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

In the period between the submission and determination of the current planning application, a complaint has been received from a neighbouring resident regarding the present use of the application site. At present the applicant stores de-polluted cars on the application site and parks lorries and skips on the site. Given that the last known use of the application site was as a storage yard, the present use of the application site is considered to be lawful. This is because no materials are being delivered to the premises and no recycling is taking place at present.

PUBLIC PARTICIPATION

The Council has carried out the statutory neighbour notification procedure.

This application was also advertised in the Dundee Evening Telegraph.

Five valid letters of objection have been received, 4 from neighbouring residents and 1 from a member of the public concerned about:

- Noise Disturbance;
- Impact on the level of amenity afforded to neighbouring properties;
- Pollution; and
- Instances of anti-social behaviour.

One invalid letter of objection has been received from a rival business.

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



Photo 2 – Existing 2.6m high x 7.3m wide Red Solid Galvanised Solid Steel Gate

CONSULTATIONS

The Council's Head of Environmental Protection is satisfied that the operating hours proposed by the applicant will not generate instances of significant noise disturbance to the detriment of residential amenity. The Head of Environmental Protection has therefore requested that the proposed recycling facility is restricted to the proposed operating hours.



Photo 3 – New Red Solid Galvanised Steel Hoarding at 2.3m high fixed to existing Chain-link Fence on top of a 2.9m high embankment, north and east sides only.

Scottish Water has no objections to the proposed development.

OBSERVATIONS

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with

the development plan unless material considerations indicate otherwise.

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 26: General Economic Development Areas - it is the aim of Policy 26 to safeguard areas of the City specifically for general economic development. This is because such areas provide premises at reasonable cost which attract the City's smaller businesses. Cumulatively, small businesses employ a significant number of people and are an important element of the local economy.

In areas designated as General Economic Development Areas, proposals for Class 4, 5 and 6 developments will be supported. Other uses of a wider industrial nature such as car showrooms, wholesaling, taxi offices and scrap yards may be permitted provided;

- there is no detrimental impact on neighbouring uses and local residential amenity;
- there is no unacceptable traffic impact; and
- the scale of development is appropriate to the size and location of the site.

The application site is located within the North Tay Complex which is a designated General Economic Development Area. There are a variety of uses within the North Tay Complex including vehicle repair and maintenance workshops, sign manufacturers, plumbing workshops and painter and decorator workshops and yards. Given the mixture of commercial uses within the North Tay Complex the proposals will not adversely affect the amenity afforded to neighbouring businesses.

To safeguard the level of amenity afforded to neighbouring residential premises located on Glenesk Avenue, the applicant proposes to enclose the application site with 2.3m high red painted steel fencing along the northern and eastern boundaries and maintain the sloping embankment

along the northern and eastern boundaries of the application site to increase the separation distance between the recycling facility and neighbouring houses and gardens and to ensure that the recycling facility does not impact on the level of visual amenity and outlook of neighbouring residential properties. The embankment will have a width of approximately 2m.

The applicant is agreeable to conditions restricting the proximity of the materials stored on site to the application site boundaries and the height at which materials can be stacked. Should the Committee be minded to grant planning permission, these conditions will ensure that materials stored within the recycling facility do not encroach on to neighbouring properties generating a fire hazard and do not impact on the level of visual amenity afforded to neighbouring properties.

In the interests of safeguarding residential amenity, the applicant is also agreeable to the operating hours of the proposed recycling facility being restricted to between 8.00am and 7.00pm Monday to Friday and between the hours of 8.00am and 1.00pm on Saturdays.

By virtue of design, site layout and operation the proposed recycling facility will not adversely affect the level of amenity afforded to neighbouring residential properties by virtue of noise disturbance and visual amenity.

The proposals satisfy the requirements of Criteria (a) of Policy 26.

The applicant has submitted a Transport Statement in support of the proposed development. The Transport Statement demonstrates that the level of traffic movements generated by the proposed development will not saturate the surrounding road network and the North Tay Complex industrial estate or adversely affect road safety in the surrounding area. The proposals therefore satisfy the requirements of Criteria (b) of Policy 26.

Criteria (c) of Policy 26 requires development proposals to be of an appropriate scale for the size and location of the site. At present there is sufficient space within the application site to accommodate the proposed recycling facility. However, there is no space available for the recycling

facility to expand and it is unlikely that given the proximity of the application site to neighbouring houses that a large recycling facility in this location would be acceptable. In its current form, the proposed development satisfies the requirements of Criteria (c) of Policy 26.

The proposals satisfy the requirements of Policy 26 (General Economic Development Areas) of the Dundee Local Plan Review 2005.

It is concluded from the foregoing that the proposals comply with the provisions of the Development Plan.

Other Material Considerations

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

A - Views of Objectors

Five valid letters of objection have been received from neighbouring residents concerned about:

- Noise Disturbance;
- Impact on the level of amenity afforded to neighbouring properties;
- Pollution; and
- Instances of anti-social behaviour.

The concerns of the objectors relating to noise disturbance and impact on the level of amenity afforded to neighbouring properties have been considered in the assessment of the proposals against the Development Plan in the Observations section of this report. It was concluded that the proposed recycling facility would not adversely affect the level of amenity afforded to neighbouring properties. This is because the hours of operation of the recycling facility would be such that there would be no significant instances of late night or early morning noise disturbance. The retention of the sloping embankment along the northern and eastern boundaries of the application site will increase the distance between the recycling facility and neighbouring properties while the new fencing and level difference between adjacent houses and the application site will obscure the recycling facility from view of neighbouring houses.

The objectors have raised concern that the proposed recycling facility will generate instances of pollution that

would adversely affect neighbouring residential properties. The applicant has confirmed that the recycling facility will require to be licensed by SEPA and therefore the quantities of controlled substances drained from vehicles and disposed off-site require to be recorded and reported to SEPA. The companies processing the vehicle waste also require SEPA approval and they are also required to record and submit the quantities of waste processed to SEPA. The controlled substances drained from the vehicles are stored in SEPA approved bunded tanks to the rear of the workshop building and are designed to prevent leaks or spillages from contaminating the surrounding land.

The objectors have raised concern that airborne pollution may affect washing that is hung out to dry in the gardens to the east of the application site. The proposed recycling facility will not generate dust pollution and no burning of materials on site will be a condition of the SEPA license required for this facility.

The objectors have also raised concern over the level of anti-social behaviour and vandalism in the area surrounding the application site with specific reference to a recent fire at a scrap metal recycling facility elsewhere in the City, in which neighbouring residential properties were damaged. The applicant has specifically designed the application site so that the metal fencing enclosing the northern and eastern boundaries of the site will prevent fire spreading to neighbouring properties. In addition the applicant has purposefully proposed to retain the sloping embankment along the northern and eastern boundaries of the application site so that the storage of scrap metal will be distanced no less than 2m from the application site boundaries and 20m from neighbouring houses. To ensure that materials stored within the recycling facility do not encroach on to neighbouring properties generating a fire hazard and do not impact on the level of visual amenity afforded to neighbouring properties the height and location of the stored materials will be controlled by condition should the Committee be minded to grant planning permission.

The objectors have also raised a concern that there have been frequent instances of dogs barking throughout the night. The applicant has confirmed

that guard dogs do not protect the application site but that neighbouring commercial premises do have dogs. This matter has been passed to the Council's Environmental Protection team for investigation.

The objectors have also raised concerns that are not material planning considerations such as over provision of scrap metal businesses in Dundee, impact on property values and ability to sell properties located adjacent to the proposed metal recycling facility.

The concerns of the objectors are not supported.

It is concluded from the foregoing that insufficient weight can be accorded to the material considerations such as to justify the refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

Design

The layout and boundary enclosures of the proposed recycling facility in combination with restrictions on the height and proximity of stored materials on site will minimise the visual impact of the development on neighbouring properties.

CONCLUSION

The proposals satisfy the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. It is therefore recommended that planning permission is approved with conditions.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:

- 1 The proposed end of life vehicle, metal, plastic and glass recycling facility hereby approved shall operate between the hours of 0800 and 1900 Monday to Friday and 0800 and 1300 on Saturdays only and not at all on Sundays.
- 2 The scrap materials stored on site shall not exceed 4m in height as measured from ground level within the application site.
- 3 The materials stored on site will not be located within 2m of the application site boundaries.

Reasons

- 1 In the interest of preventing instances of late night or early morning noise disturbance from occurring.
- 2 In the interests of safeguarding visual amenity.
- 3 In the interests of visual amenity.