

KEY INFORMATION

Ward Balgillo

Proposal

Change of Use from Vacant Industrial Unit for Form offices, workshop, café and newspaper kiosk

Address

Unit 1 Ainslie Street
West Pitkerro Industrial Estate
Dundee DD5 3RR

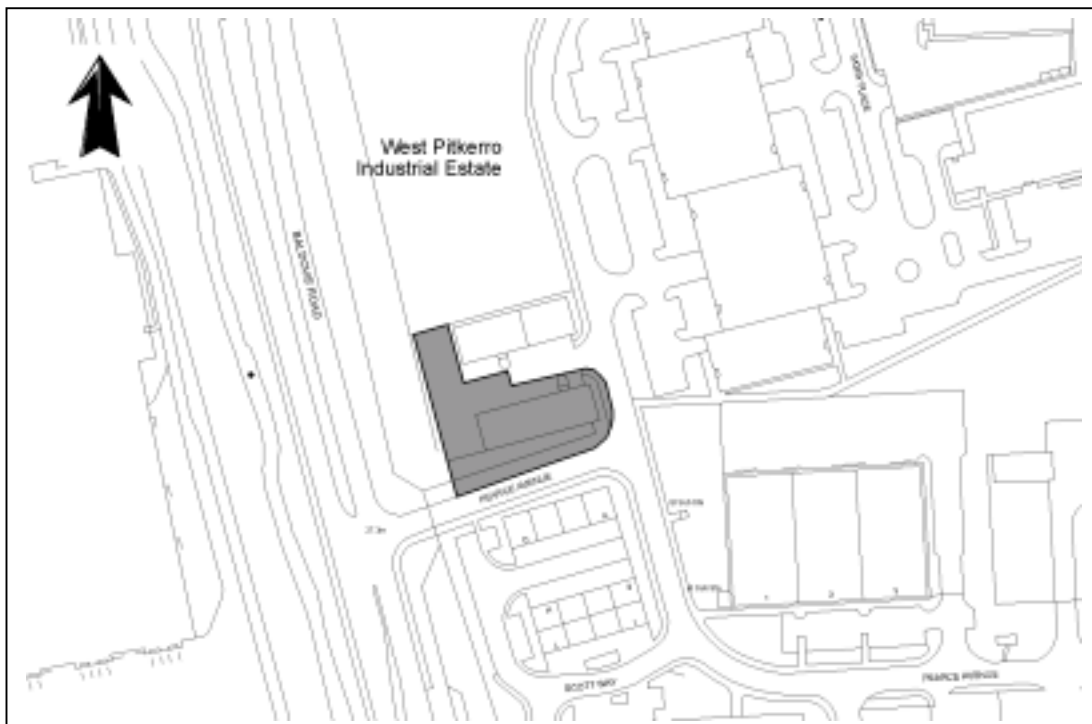
Applicant

Craze A Ltd
Unit 1 Ainslie Street
West Pitkerro Industrial Estate
Dundee DD5 3RR

Agent

Registered 23 Sept 2002

Case Officer C Walker



Proposed New Uses in Industrial Unit in Ainslie Street

A Change of Use from vacant Industrial unit to form offices, workshop, café and newspaper kiosk is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with Local Plan policy and the concerns of the objectors about a section of fencing can be addressed by a planning condition. The application is recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought to change the use of the eastern part of this industrial building to form a small café and kiosk. The remainder of the building will be used as offices and workshops.
- Within the curtilage or the site it is proposed to form an enclosed parking area to the north of the building and to the west of Unit 2 Ainslie Street, surrounded with a 2.4 metre high security fence. In addition it is proposed to enclose ground to the west and south of the premises.
- This industrial estate is classified as a prime industrial estate in the Dundee Local Plan 1998 and Policy EU2 encourages the establishment and retention of industrial and business uses. As the vast majority of the buildings and site will be maintained for industrial and storage purposes and the small café and kiosk are designed to serve workers within the industrial estate, it is considered that the proposed development complies with Policy EU2 of the Plan.
- A letter of objection was received from the occupiers of the industrial unit to the north who are concerned about the erection of a 2.4 metres high security fence within 1.8 metres of 3 windows serving their boardroom and manager's office.

DESCRIPTION OF PROPOSAL

Planning permission is sought to change the use of the eastern part of this industrial building to form a small café and kiosk. The café and kiosk, including food preparation area, toilets and access corridors measures some 68 sq. metres which represents some 14% of the total floor area of the building. The remainder of the building will be used as offices and workshops and these uses do not require planning permission. It is proposed to carry out elevational alterations to the building to form the café and kiosk and these include the enlargement of 2 windows on the east elevation to form 2 sets of patio doors and the erection of canopies above these doors and the kiosk window and the insertion of a new door on the north elevation.

Within the curtilage or the site it is proposed to form an enclosed parking/storage area to the north of the building and to the west of Unit 2 Ainslie Street, surrounded with a 2.4 metre high security fence. The brochure submitted with the application illustrates a colour-coated fence with a fine mesh. However the applicant has since stated that he is prepared to utilise a more open galvanised mesh fence.

In addition it is proposed to enclose ground to the west and south of the premises. Similar fencing to the car park will be used at this area for the western boundary. On the southern boundary it is proposed to erect a 0.8 metres high brick wall with 1.2 metres high railings and brick piers, dropping to 1.2 metres high railings at the eastern section. It is proposed to retain the existing trees at this location but to surface the areas to the east and south of the building in paving slabs.

SITE DESCRIPTION

The site comprises a vacant industrial building of some 500 sq. metres, a landscaped strip to the south on Pearce Avenue, an area of ground to the west and north west, and an access road and parking area to the north. The building sits on the junction of Pearce Avenue and Ainslie Street and was last occupied by George Ritchie Interiors. Its predominant finishing material is blue metal cladding on the walls with

limited areas of brick on the east and north elevations.

To the south and east are industrial and commercial units. To the north is a further industrial building similar to that on the application site and sharing an access road. There are 2 occupiers of this unit, DPI Instruments and Richard Middleton Monumental Sculptor. To the west is a landscaped belt of trees and then Baldovie Road.

POLICY BACKGROUND

This industrial estate is classified as a prime industrial estate in the Dundee Local Plan 1998 and Policy EU2 encourages the establishment and retention of industrial and business uses. As the vast majority of the buildings and site will be maintained



for industrial and storage purposes and the small café and kiosk are designed to serve workers within the industrial estate, it is considered that the proposed development complies with Policy EU2 of the Plan.

Policy LT8 sets out amenity distances from housing for hot food businesses and the proposed development complies with these distances.

LOCAL AGENDA 21

The Council's Local Agenda 21 Policies seek to ensure that local needs are met locally. The proposed café and kiosk are designed to serve workers within the industrial estate and can therefore be seen as helping to achieve this Policy.

SITE HISTORY

In October 2001 an application to change the use of these premises to a children's nursery, offices, café and kiosk was refused planning permission - ref. no 01/30110/COU refers. The reasons for refusal related to contravention of Policy SCE4 on the provision of nurseries and the proposals for a lay by on Pearce Avenue.

In March 2002 a similar application with altered access arrangements was withdrawn by the applicants prior to its being determined by Committee.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and a letter of objection was received from the occupiers of the industrial unit to the north, a copy of which can be viewed in the Members' Lounges. Their concerns relate to the erection of a 2.4 metres high security fence within 1.8 metres of 3 windows serving their boardroom and manager's office, and the consequent impact on the outlook from the windows and natural daylight.

The issues raised by this objection are discharged in the Observations section of this Report.

CONSULTATIONS

No adverse comment on the development was received from Statutory Consultees.

OBSERVATIONS

The determining issue for the Committee in this instance is whether the erection of the fence around the parking area will have such an adverse impact on the amenities of the occupiers of the industrial building adjacent to the fence that it should not be permitted.

The west facing windows serving the boardroom and managers office of the objectors premises will suffer from the presence of a security fence so close to them. Since the proposed fence will be an open mesh fence it is not considered that there will be any unacceptable loss of daylight and the size of the mesh can be varied to ensure that this will be

the case. However amenity will be affected by the visual presence of a security fence so close to the windows. Discussions with the applicants and objectors have resulted in a possible solution whereby the section of fence adjacent to these windows could be deleted. This would require agreement between the parties over access rights. An alternative would be to approve an attractive fence of an open design. It is suggested that a planning condition should be imposed permitting either of these options should Members be minded to approve this development.

The other aspects of the proposed development are satisfactory. The nature and the scale of the proposed uses, including the café and kiosk, are acceptable within this industrial estate.

Design

The proposed development principally involves the conversion of an existing building where the extent of new work is minimal. The design of the proposed alterations to the building and the proposed enclosures is satisfactory

CONCLUSION

The proposed development complies with Local Plan policy and the concerns of the objectors about a section of fencing can be addressed by a planning condition.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:-

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 Details of either the deletion of the section of security fencing to the west of Unit 2A Ainslie Street or a more attractive design of open fencing at this location shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details
- 3 Details of the canopies over the patio doors and window on the east elevation of the building shall be submitted to the Council

for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details

- 4 The proposed secure car park shall be used predominantly for the parking of vehicles. Any storage of materials in this area shall be subject to the written approval of the Council
- 5 Details of the formation of the paved areas to the east and south of the building, which shall ensure that existing trees are adequately protected, shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To protect the amenities of the occupiers of Unit 2A Ainslie Street
- 3 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 4 To provide adequate parking to serve the proposed development and to ensure that the open storage of any materials is carried out in a visually acceptable manner.
- 5 In the interests of visual amenity and to protect the existing trees on the site.