

KEY INFORMATION

Ward Pitkerro

Proposal

Erection of sprinkler storage tank and enclosed pump house

Address

C J Lang
Longtown Road
Dundee DD4 8JU

Applicant

C J Lang & Son Ltd
Distribution Centre
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Dundee DD4 8JU

Agent

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Registered 28 April 2003

Case Officer G S Reid



Proposed New Sprinkler Tank in Longtown Road

The erection of a sprinkler storage tank and enclosed pump house is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposed development is in accordance with the policies of the development plan in this instance.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of sprinkler storage tank, enclosed pump house and associated landscaping at CJ Lang, Longtown Road, Dundee.
- The proposed development raises issues for consideration in terms of the Employment Uses Policy of the Dundee Local Plan 1998 and Policy 26 of the Finalised Dundee Local Plan Review.
- A single letter of objection signed by 9 residents was received to the proposed development raising issues in terms of the location of the development, disturbance from noise, overlooking and general disruption.
- It is considered that the proposed development is in accordance with Employment Uses Policy of the Dundee Local Plan 1998 and Policy 26 of the Finalised Dundee Local Plan Review. In addition, it is considered that the objections raised are not of sufficient weight to warrant refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of sprinkler storage tank, enclosed pump house and associated landscaping at CJ Lang, Longtown Road, Dundee.

The storage tank is to be 4.22 metres high and 12.48 metres in diameter. The tank is to have a galvanised finish and the roof of the tank finished in a silver/grey.

The pump house is to be 7.5m long by 4m wide by 3.5m high and finished in steel cladding coloured grey.

The proposals also involve the planting of trees to screen the tank from the residential properties to the west.

The applicant has advised that the sprinkler tank and pump-house are being installed to protect the stored goods and buildings in the event of a fire. In addition, the location of the tank and pump house has been arrived at due to its proximity to the buildings to be protected, which minimises the size of tank and pump-house required. The site has also been chosen to prevent it interfering with the traffic management system operated within the site.

The applicant has also advised that the exhaust from the pump house will be fitted with a residential silencer and that the pumps will be tested once a week for an hour during the daytime. The remainder of the time the pump will not be in operation.

SITE DESCRIPTION

The application site is located within the site occupied by CJ Lang. The site contains CJ Lang Storage and Distribution depot. The entire site extends to 5.9 hectares. The application affects only a small area on the western edge of the site. To the west of the site is a public footpath with residential properties in Bellisle Drive beyond. To the north, east and south is the depot occupied by CJ Lang.

POLICY BACKGROUND

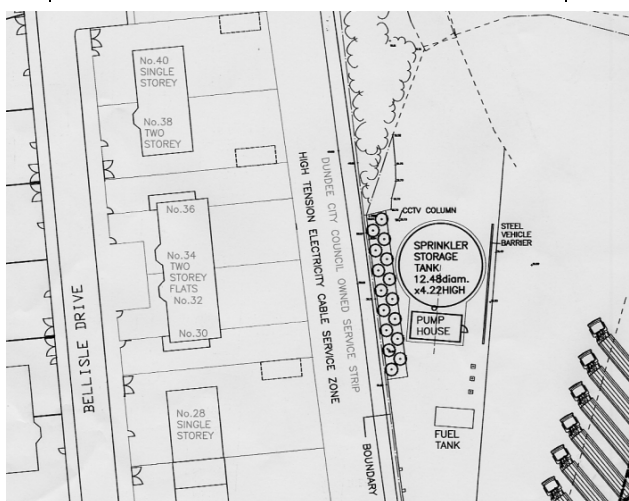
Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

The application site is located within an area covered by Employment Uses Policy EU1 General Industrial Areas. This Policy seeks to encourage the establishment and, where possible the



retention, of industrial and business uses.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

The application site is located within an area covered by Policy 26: General Economic Development Areas. This policy seeks to support proposals for Class 4, 5 and 6 type developments.

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 Key Themes of relevance to the consideration of the application.

SITE HISTORY

There is no site history of relevance to the consideration of this application.

PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and a letter of objection signed by 9 residents was received to the proposed development. The main concerns raised were:

- 1 That the proposed development would result in noise pollution.
- 2 That the proposed development should be located elsewhere within the site.
- 3 That the proposed development would result in overlooking/disruption to adjoining residents.

CONSULTATIONS

The Director of Environmental and Consumer Protection advised that the location and operation of the sprinkler tank and pump-house would not present any real noise issues affecting nearby residents. The unit is for emergency use and will therefore see little or no usage. Whilst there is to be weekly testing of the system which, will be heard by local residents, it should not be of concern given the limited duration of an hour once a week.

No adverse comments were received from any of the other statutory consultees.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act 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.

The application site is located within an area covered by Policy EU1 of the Local Plan 1998. This policy seeks to encourage the establishment and retention of business and industrial uses. The sprinkler tank and pump-house are to be installed as part of fire prevention measures being installed at CJ Lang premises. The proposal will result in CJ Lang remaining in their existing premises. The proposed development does not raise any issues of concern with regard to Employment Uses Policy 1 of the Dundee Local Plan 1998.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

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

- a Does the proposal comply with Policy 26 of the Finalised Dundee Local Plan Review. This policy seeks to support proposals for Class 4, 5 and 6 type developments. The aims of this policy are similar to Employment Uses Policy 1 of the Dundee Local Plan 1998. For the reasons already set out above it is considered that the proposal does not raise any issues with regard to Policy 26 of the Finalised Dundee Local Plan Review.
- b A single letter of objection signed by 9 residents in Bellisle Drive was received to the application. Bellisle Drive is the nearest housing to the west of the proposed sprinkler tank and pump-house. The main concerns raised are addressed in the following:
 - 1 "That the proposed development would result in noise pollution".

The applicants advised that the sprinkler system and pump-house would only generate noise during its weekly testing for one hour during the daytime. In addition, a residential silencer is to be fitted on the exhaust from the pump motor. The only other time when it would result in noise is when used to deal with a fire in the premises. The Director of Environmental and Consumer Protection advised that he had no objection to the proposals given the limited usage of the system including periods of testing.

- 2 "That the proposed development should be located elsewhere within the site". The applicants were advised of the concerns of residents and asked to consider alternative sites. They advised that the site had been chosen as it is the optimum site given its proximity to the buildings being protected, to minimise pump and pump-house sizes and to restrict mains water/distribution pipe runs. In addition, given the traffic management system operated within the site the alternative locations would seriously compromise the safety of drivers using the distribution centre.
- 3 "That the proposed development would result in overlooking/disruption to adjoining residents". The proposed development would not result in any overlooking, as apart from periodic maintenance there would be no-one working on the tank or within the pump-house. The tank and pump-house are for the reasons outlined above would not cause any disruption to the adjoining residents. The area in which the tank is located is an industrial area and as such the amenity of residents is already affected from the activity of CJ Lang. The introduction of the proposed sprinkler tank and pump-house is unlikely to have any net detrimental affect on the amenity of residents. In addition, the applicants have included tree planting to screen the tank and pump-house from the neighbours in Bellisle Drive.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such

as to justify the refusal of planning permission contrary to the provisions of the development plan.

Design

The pump-house and sprinkler tank are located within an industrial area and are of a design acceptable for that location. The proposals also include the planting of trees to screen the tank and pump-house from the residential properties to the west.

CONCLUSION

It is considered that the proposed development is in accordance with Employment Uses Policy of the Dundee Local Plan 1998 and Policy 26 of the Finalised Dundee Local Plan Review. In addition, it is considered that the objections raised are not of sufficient weight to warrant refusal of the application.

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 That the tree planting scheme shall be carried out and completed within the first planting season after the start of the development.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that the tree planting is carried within a reasonable timescale