

KEY INFORMATION

Ward Bowbridge

Proposal

Change of Use from Retail to Community Centre

Address

216-220-222
Hilltown
Dundee DD3 7AU

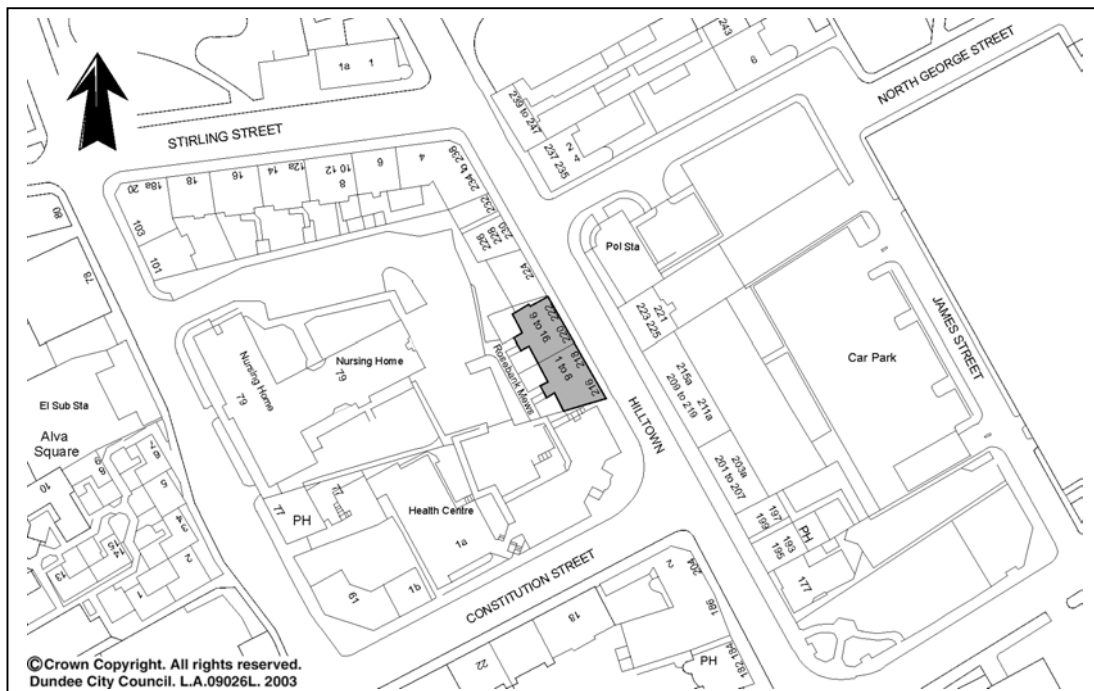
Applicant

Dundee International
Women's Centre Co Ltd
49 Lyon Street
Dundee
DD4 6RA

Agent

Registered 24 May 2004

Case Officer R Anderson



Proposed Community Centre in Hilltown

The Change of use from retail to community centre is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed change of use from retail to community centre is in conformity with local plan policy and there are no material considerations which outweigh policy in this case. Accordingly, approval of the application is recommended.

SUMMARY OF REPORT

- An application has been received for the change of use of the above vacant retail unit to a community centre. There are no external changes involved with minor internal alterations. The centre will provide educational, social and recreational opportunities for women such as IT training and careers advice.
- On letter of representation has been received. The main issues arising relate to the condition of a neighbouring building and parking and access problems in the area. The issue of the neighbouring building can be dealt with under alternative legislation and has no land use bearing on the merits of the case, whilst it is considered that the area is served adequately by public parking and public transport.
- It is considered that the proposal is in conformity with policies S18 and SCE2 of the Dundee Local Plan 1998 and will provide a valuable community resource to the benefit of the wider area. There are no material considerations which outweigh policy in this case and therefore approval of the application is recommended.

DESCRIPTION OF PROPOSAL

It is proposed to change the use of the above premises from a vacant retail unit (class1) to a community centre (class 10). The change of use involves minimal internal alterations and no change to exterior of the building.

SITE DESCRIPTION

The site in question is located on the west side of Hilltown, some 20m north of its junction with Constitution Street. It forms the ground floor of a five storey flatted block finished in reconstituted stone and concrete roof tiles. It is surrounded on all sides by mainly residential properties, with retail and office uses to the east.

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:

S18 – District Centres – Changes of Use

SCE2 – Provision of New Facilities

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:

Policy 40: District Centres Outwith Core Areas

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

Key Theme 7 indicates that access to facilities, services, goods and people is not achieved at the expense of the environment and is accessible to all. Key theme 10 indicates that access to skills, knowledge and information needed to enable everyone to play a full part in society. It is considered that the proposed change of use is compatible with these key themes.

SITE HISTORY

There is no site history of relevance to the application.



PUBLIC PARTICIPATION

One letter of objection has been received. The main issues raised relate to access, parking and the physical condition of the building. These aspects will be covered in the "Observations" section of this report.

CONSULTATIONS

No adverse comments have been received regarding the application.

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.

With regard to policy S18 of the Dundee Local Plan 1998 this policy allows for the change of use of ground floor premises from retail uses. In this case the premises in question falls within the district centre of the Hilltown as identified in the local plan but it is not within the retail core area. It will result in the loss of a vacant retail unit. However the use proposed is a community use, which is beneficial to the wider community and in many ways is complementary to the existing retail units in the immediate area. The proposal conforms to the terms of this policy.

With regard to policy SCE2 this policy seeks to ensure the provision of suitably located community facilities. Although the policy looks mainly at housing areas, the Hilltown is a mixed use area of residential and commercial uses. The proposed use adds to the range of facilities available, is beneficial to the wider area and is supported under this policy.

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:

In terms of policy 40 of the Dundee Local Plan Review 2003 similar considerations are given to this policy as to policy S18 above.

Points Raised by the Objector

The issues of access and parking are considered to be acceptable in this area. The objector refers to the previous use of the unit as a gas showroom/retail unit where vans were frequently parked on the road outside the premises. This is a matter for traffic wardens and the police and does not affect the use of the premises. In terms of the location of the community use in terms of transport it is well served by public transport and there is adequate public parking in the surrounding area to ensure that the use will not cause problems in this regard. In terms of the issue raised on building safety, again this is not related to the use of the property. Any notices served

by the council, under alternative legislation, are separate non-planning matters. They have no bearing on the planning merits of the proposal.

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

Design

The change of use involves minimal internal alterations with no changes to the exterior of the premises. Design is not a major factor in considering this proposal.

CONCLUSION

It is concluded that the proposed change of use is in conformity with policies S18 and SCE2 of the Dundee Local Plan 1998 and there no material considerations which warrant overturning policy in this case. Accordingly approval of the application is recommended.

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 all amplified music and vocals shall be so controlled as to be inaudible within the nearest residential accommodation

Reason

1. To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
2. In the interests of residential amenity