

KEY INFORMATION

Ward East Port

Proposal

Change of use from vacant building to retail and storage unit with small showroom

Address

5 Sugarhouse Wynd
Dundee
DD1 2SH

Applicant

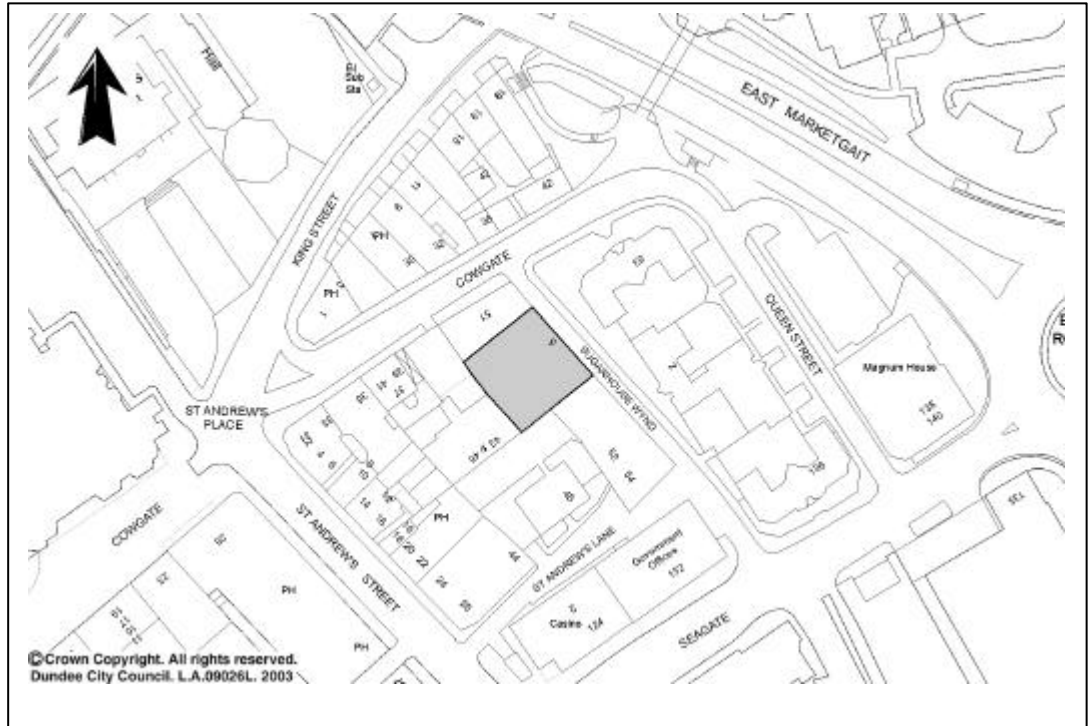
George MacKenzie
5 Sugarhouse Wynd
Dundee
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Agent

John Justice
5 Sugarhouse Wynd
Dundee

Registered 25 Oct 2004

Case Officer G S Reid



Proposed Carpet Warehouse in Sugarhouse Wynd

A Change of Use from a vacant building to a retail and storage unit with small showroom is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposed change of use is in accordance with the provisions of the development plan.

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

SUMMARY OF REPORT

- Planning permission is sought for a change of use to retail/storage of carpets at 5 Sugarhouse Wynd, Dundee.
- The proposal raises issues for consideration in terms of the Retailing Policies of the Dundee Local Plan 1998 and Policy 45 of the Finalised Dundee Local Plan Review.
- A single letter of objection was received from a business in the surrounding area on the grounds that the proposed use would result in the increase of traffic, parking and access problems in Sugarhouse Wynd and Cowgate.
- It is considered that the proposed change of use is acceptable in terms of the Retailing Policies of the Dundee Local Plan 1998 and Policy 45 of the Finalised Dundee Local Plan Review. There are no material considerations that justify a departure to the provisions of the development plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a change of use from vacant building to retail and storage at 5 Sugarhouse Wynd, Dundee.

SITE DESCRIPTION

The application site is located on the west side of Sugarhouse Wynd. The application property is a ground floor premises in a two-storey building. The applicants have already occupied the premises and commenced trading.

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:

Retailing Policy S20: Out of Centre Shopping.

Retailing Policy S30: Areas of no Change

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 45: Location of New Retail 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

Key Theme 7 is relevant and seeks to ensure that access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all. Given the nature and location of the proposal it is considered that it achieves the aims of this Key Theme.

SITE HISTORY

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

PUBLIC PARTICIPATION

The applicants carried out the statutory notification of neighbours and a single letter of objection was received to the proposals from a nearby business. The



main concerns raised were that the proposal would cause traffic, parking and access problems due to increased volume of customers and also trade customers using Sugarhouse Wynd and Cowgate.

A copy of the letter of objection is available in the Members' Lounges and the concerns raised are addressed in the "Observations" section of this report.

CONSULTATIONS

No adverse comments were received from any of the 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 proposal is for a change of from vacant building to retail and storage of carpets. The proposal raises issues for consideration in terms of Retailing Policies S20 and S30. The application site is located within an area covered by Retailing Policy S30. This Policy highlights that no changes to the existing primary uses are anticipated over the Plan period. There are already retail uses in the surrounding area including the sale of carpets. Although recently vacant the building was used for storage in the past. It is considered that the proposed change of use would not result in any significant change to the character of the surrounding area and is acceptable in terms of Policy S30.

Policy S20 sets out the criteria for consideration of new out of centre retail developments. Whilst the property is outwith the defined retail areas of the Central Area it is within close proximity. The proposed use of carpet sales and storage is one, which would be acceptable outwith the Central Area. Given the nature of the use and its location it is considered that the proposal would not have a detrimental affect on the vitality and viability of the Central Area. It is considered that the proposal is acceptable in terms of Retailing Policy S20.

Whilst the proposal for the retail of carpets is acceptable other ranges of goods could give rise to concerns in terms of the impact on the viability and vitality of the Central Area. To allow for the future assessment of other ranges of goods any permission granted should be subject to a condition restricting permission to the sale of carpets only.

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:

The proposal raises issues for consideration in terms of Policy 45 of the Finalised Dundee Local Plan Review. Policy 45 sets out similar criteria for the consideration of new retail proposals as Retailing Policy S20 of the Dundee Local Plan 1998. For the reasons set out above it is considered that the proposal is in accordance with the provisions of Policy 45.

A single letter of objection was received from a business in the surrounding area. The main concerns raised were that the proposal would cause traffic, parking and access problems due to increased volume of customers and also trade customers using Sugarhouse Wynd and Cowgate. It is considered that given the scale of the operation and the availability of car parks in the surrounding area the proposed use would not generate significant problems relating to traffic, parking and access.

It is concluded from the foregoing that there are no material considerations that would justify departing from the provisions of the development plan

Design

The planning application under consideration does not include any proposals for alterations to the exterior of the building.

CONCLUSION

It is considered that the proposed change of use is acceptable in terms of the Retailing Policies of the Dundee Local Plan 1998 and Policy 45 of the Finalised Dundee Local Plan Review. There are no material considerations that justify a departure to the provisions of the development plan.

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 The permission granted shall be restricted to the retail and storage of carpets only.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that the proposal complies with the retailing policies of the development plan and to allow the Council the opportunity to assess future retail uses.