

**KEY INFORMATION**

**Ward** Tay Bridges

**Proposal**

2 storey extension

**Address**

The Forum Centre  
Chapel Street  
Dundee

**Applicant**

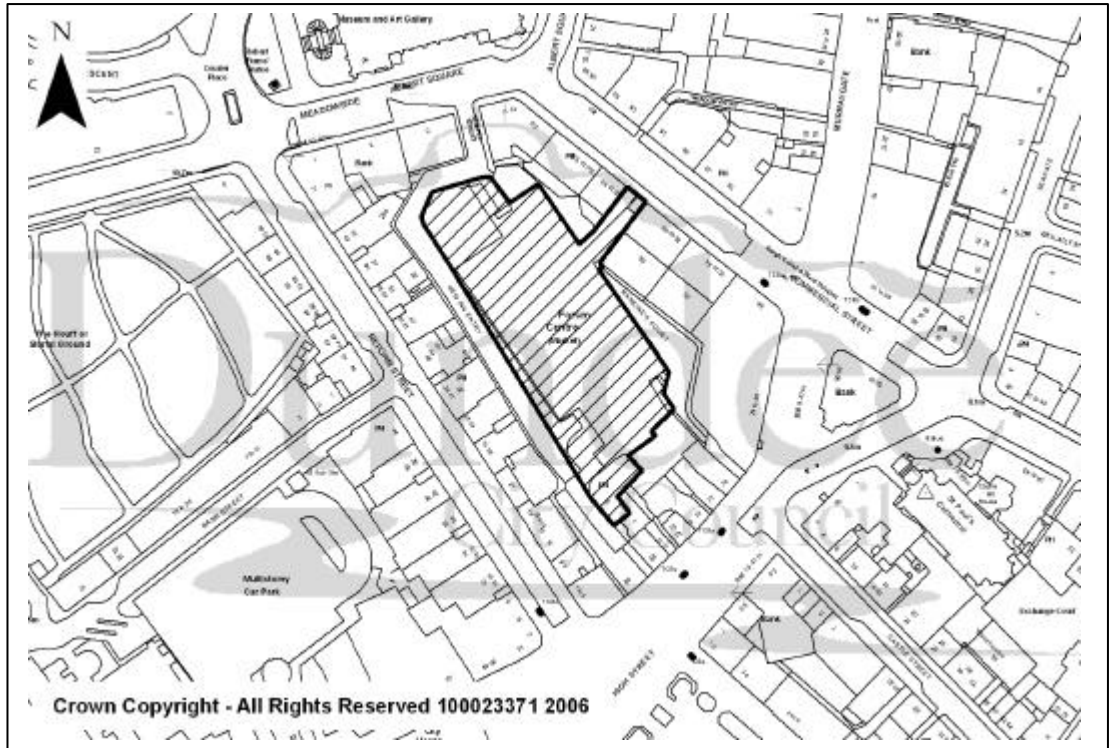
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**Agent**

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**Registered** 16 Oct 2006

**Case Officer** C Walker



# Proposed Retail Extension of the Forum Centre

A 2 storey extension is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development complies with the Development Plan and will not lead to unacceptable parking or servicing difficulties. The application is recommended for **APPROVAL**.

**SUMMARY OF REPORT**

- Planning permission is sought to extend the Forum Centre by some 445m<sup>2</sup> by developing an area of ground currently used as a private car park.
- Policies 36 and 37 of the Dundee Local Plan Review 2005 are of relevance.
- 2 letters were received from neighbours, 1 making representations and 1 objecting to the proposal. The concerns in both cases relate to matters of parking and servicing.
- The proposal complies with the provisions of the development plan.
- There is nothing in the nature of the proposed development that would lead to unacceptable parking or servicing difficulties.

## DESCRIPTION OF PROPOSAL

Planning permission is sought to extend the Forum Centre by developing an area of ground currently used as a private car park. The proposed extension has a plan area of some 445 sq. metres providing a retail unit of 300 sq metres along with customer and service access areas. An upper floor area of some 130m<sup>2</sup> in extent is proposed, for relocated office/staff facilities, with 2 new units of a total of 100 sq. metres being formed within the existing centre replacing the current facilities. The design of the proposed extension is modern in appearance with walls of blockwork and smooth render, although its essential form will match that of the existing buildings.

The applicants have submitted a letter with their application in which they state that it is their intention to regenerate interest in and attract new tenants to the centre and that the proposed extension is the first phase of a longer term strategy. They also state that the car park area over which the extension is proposed is currently let out as individual spaces and is not used by customers to the centre. They state that the method of deliveries will not change if the proposed extension is approved but suggest that matters should be improved by the provision of an offloading layby to the west of the proposed extension.

## SITE DESCRIPTION

The site comprises the Forum Centre, a large market hall style retail development with pedestrian accesses from High Street and Commercial Street and vehicular access from Rankines Court and Chapel Street.

The area of ground proposed for development lies to the north of the centre and is currently used as a private car park providing 20 spaces. It is cordoned off from Chapel Street/New Inn Entry by low railings.

The Forum Centre is surrounded by properties fronting onto Commercial Street, High Street, Reform Street and Albert Square. These properties are mainly in commercial use but there is a significant level of residential occupation on upper floor levels.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 2005

The Forum Centre is located in the non core area of the City Centre Retail Area and Policy 36 encourages uses within Classes 1, 2 and 3. Policy 37 identifies the Forum Centre as one of 3 areas capable of accommodating a major element of the new comparison goods floor space requirement in the City Centre.

### 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

There is no relevant site history.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and 2 letters were received from neighbours, 1 making representations and 1 objecting to the proposal.

The concerns in both cases relate to matters of parking and servicing. It is feared that the loss of this area to

development will result in parking and traffic congestion problems, particularly with large vehicles servicing the centre. The objector states that the original permission for the Forum Centre deliberately kept this area free from development to allow for parking and servicing.

Copies of these letters are available for inspection in the Members Lounges and the points raised are considered in the Observations Section of this Report.

## CONSULTATIONS

The Head of Environmental Health and Trading Standards has asked for a Noise Impact Assessment of any plant associated with the development and has also point out that there may be contamination issues associated with the development.

## OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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. Policy 36 permits retail uses at this location and the development is in accordance with this policy. Although Policy 37 identifies the Forum Centre site as being capable of accommodating a major element of the new comparison goods floor space requirement in the City Centre, there is nothing in the nature of the current proposals that would prejudice the redevelopment of the centre at some future date. The plan area of the proposed extension is less than 12% of the floor area of the existing centre, so this modest level of expansion would not have a bearing on any plans for a whole scale redevelopment of the area.

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 The Grounds of Objection

Concerns have been raised about servicing and parking. At present, the area of ground where the extension is proposed is used as a private car park. As such it makes no contribution to the centre in terms of servicing or parking. Indeed it generates additional traffic into Chapel Street and New Inn Entry, which can only contribute to congestion in this area.

The proposed development makes provision for servicing along the lines of the current operation. A small enhancement is proposed with the provision of a lay by some 2.5 metres wide by 18 metres long adjacent to the new extension. This should help to reduce congestion on the adjoining road.

The proposed extension is not large (some 12% of the floor area of the Forum Centre) so that additional servicing traffic generated will not be significant.

Finally there are no longer any records indicating that the area of ground where the extension is proposed was to be kept free for parking and servicing. For many years now it has not been used for these functions and it is concluded that there is nothing in the nature of the proposed development that would lead to unacceptable traffic congestion in adjoining streets.

### b The Views of Consultees

The issues raised by the Head of Environmental Health and Trading Standards about noise and contamination can be satisfactorily addressed by planning conditions should Members be minded to approve this application.

It is concluded from the foregoing that insufficient weight can be accorded to the concerns of neighbours such as to justify the refusal of planning permission. It is therefore recommended that planning

permission be granted with conditions.

## Design

The design of the proposed extension represents a significant improvement on the somewhat dated appearance of the Forum Centre. The materials are appropriate and the form of the extension fits in with the existing building.

## CONCLUSION

The proposed development complies with the Development Plan and will not lead to unacceptable parking or servicing difficulties.

## RECOMMENDATION

It is recommended that consent 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 Samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.
- 3 Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:
  - a the nature, extent and type(s) of contamination on the site.
  - b measures to treat/remove contamination to ensure the site is fit for the use proposed.
  - c measures to deal with contamination during construction works.
  - d condition of the site on completion of decontamination measures.

Before the development is occupied the measures to decontaminate the site shall be

fully implemented as approved by the planning authority.

- 4 A Noise Impact Assessment 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. The assessment shall identify the current ambient and background noise levels, predict the total noise from all proposed M&E services and final levels as measured 1 metre external to the façade of the nearest residential accommodation.
- 5 The proposed servicing lay by shall be fully operational prior to the first use of the proposed extension, and shall be kept free at all times for the servicing of the premises.

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that any potential contamination is appropriately treated.
- 4 To ensure that the amenities of nearby residents are not adversely affected by noise from plant.
- 5 In order to reduce traffic congestion at Chapel Street and New Inn Entry.