

KEY INFORMATION

Ward Lochee East

Proposal

Change of use from vacant
Class 1 retail unit to Class 2
office

Address

123 High Street
Lochee
DUNDEE

Applicant

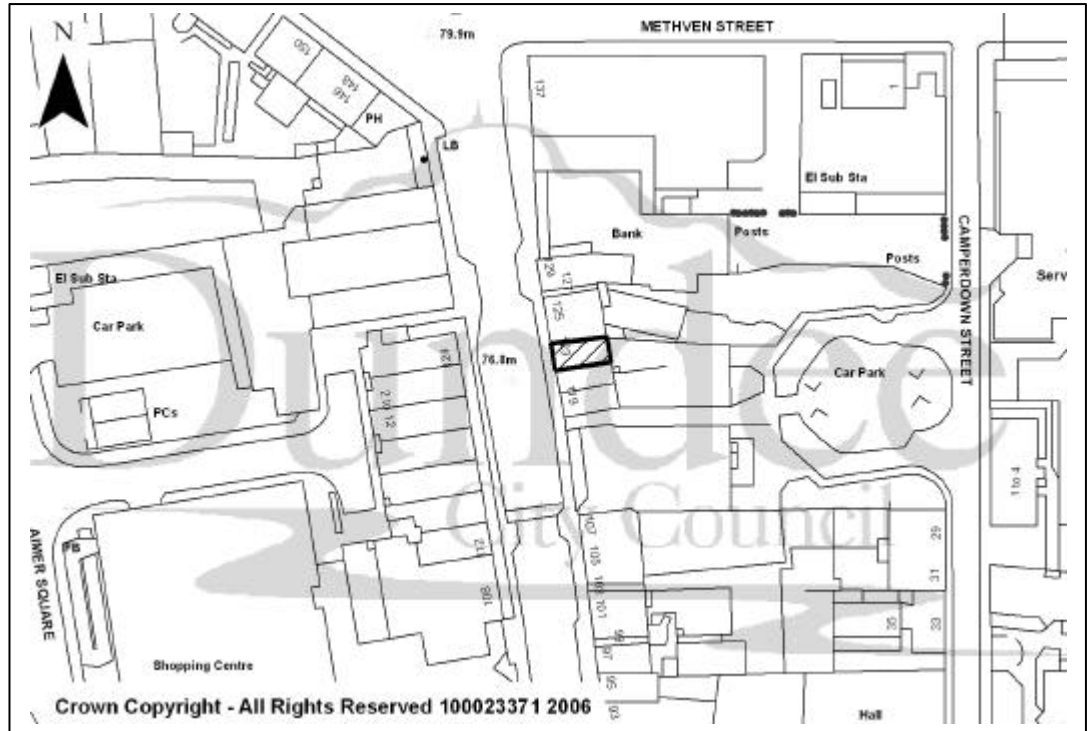
Cheque Centre Properties
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EH3 8EA

Agent

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Registered 25 Oct 2006

Case Officer Eve Jones



Proposed Non-Retail Use in Lochee High Street

A change of use from vacant Class 1 retail unit to Class 2 office is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal does not comply with the criteria for Policy 39 but this is a very small unit which has been vacant for some time. The material considerations are considered to support **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the change of use of an existing vacant Class 1 retail shop to a Class 2 office which will provide financial services to visiting members of the public.
- The site is a small traditional shop unit in a stone built two and a half storey building which lies on the east side of the High Street in Lochee. The floor area of the unit is only 32 square metres on the basement and ground floors. There are no significant changes proposed to the building.
- Policy 39: District Centre Core Areas of the Dundee Local Plan Review does not support loss of retail units where more than one in five units in a single frontage would be occupied by uses other than shops, restaurants and cafes as is the case in this location.
- However, the proposal should be considered in the context of the ongoing Lochee Masterplan. There are a number of vacant units in the High Street and it is clear that there is little demand from retail providers for the units in their current format.
- It can be argued that in the climate of high levels of vacancy that the occupation of one of these units would go some way to contributing to the vitality of the High Street and is providing a service that does not exist in the District Centre.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the change of use of an existing vacant Class 1 retail unit to form a Class 2 office providing financial services to visiting members of the public

SITE DESCRIPTION

The site is a small traditional shop unit in a stone built two and a half storey building which lies on the east side of the High Street in Lochee. The floor area of the unit is only 32 square metres on the basement and ground floors. There are no significant changes proposed to the building.

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 following policies are of relevance:

Policy 39 - District Centre Core Areas of the Dundee Local Plan Review 2005.

Scottish Planning Policies, Planning Advice Notes and Circulars

SPP8 Town Centres and Retailing sets out the framework for protecting town centres. It envisages a broad range of land uses in town centres including business uses. It also recognises the need for development plan policies to better reflect local circumstances when interpreting national policy.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application

SUSTAINABILITY ISSUES

The following sustainability policy implication(s) arise from this application: Policy 5 - Built Environment.

The issue is discussed in greater detail below.

SITE HISTORY

There is no planning history.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and was also advertised as a Potential Departure to the Development Plan in the local paper. There were no objections.

CONSULTATIONS

There are no adverse comments from 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

Policy 39: District Centre Core Areas

Within the areas defined in Appendix 5, development proposals which would result in the loss of Class 1 (retail) or restaurant and café uses at ground floor level will not be acceptable:

- a where they are located within the retail core of the Broughty Ferry

and Lochee District Centres and would result in more than one in five units in a single frontage being occupied by uses other than shops, restaurants and cafes; or

- b where they are located within the retail core of other district centres and would result in more than 2 in 5 units in a single frontage being occupied by uses other than shops, restaurants and cafes.

The proposal does not comply with ratio requirements of Policy 39 as there are existing non-retail uses within this frontage.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

Other Material Considerations

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

Lochee Masterplan

The proposal should be considered in the context of the ongoing Lochee Masterplan. Committee Reports 76/2006 and 609/2206 highlight a number of issues that are a cause for

concern in the Lochee District Centre and makes recommendations to address these matters as part of a wider Masterplan for Lochee. As part of the Masterplan process, the District Centre received specific attention in terms of public consultation.

97% of respondents to the consultation document agreed that there should be a wider range of shops available in Lochee High Street. In this respect, the proposed change of use will not address this desire. On the other hand, it is evident that there are a number of vacant units present in the High Street with a proportion being unoccupied for some time. It is clear that there is little demand from retail providers for the units in their current format.

The Masterplan is supportive of Policy 38 that states:

"Within the areas defined on the Proposals Map the City Council will encourage new retail and other shopping developments which would contribute to the vitality and viability of the District Centres."

It can be argued that in the climate of high levels of vacancy that the occupation of one of these units would go some way to contributing to the vitality of the High Street and is providing a service that does not exist in the District Centre.

If Members are minded to approve the application, any signage which requires advertisement consent will have to be in accordance with the ongoing façade enhancement to shopfronts in the High Street. This issue was reinforced during the consultation exercise whereby 94% of respondents agreed that the shop frontages are in need of improvement. This information can be transmitted to the applicant.

SPP 8 Town Centres and Retailing

Government guidance takes a flexible approach to non retail uses in retail areas, accepting a broad range of uses in town centres. In this case the proposed use is one that is in line with the guidance set out in SPP8.

Sustainability policy implication: Policy 5 - Built Environment. This policy seeks to protect the City's built heritage and enhance local environments through ongoing regeneration. Returning this unit to a beneficial use will support this policy in Lochee.

It is concluded from the foregoing that sufficient weight can be accorded to the material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan.

Design

There are no design issues in this change of use application.

CONCLUSION

The proposal is contrary to Policy 39 in respect of the ratio of retail to non-retail premises. However, the size of the unit is very small and it is currently vacant. Given the scale of the proposal, the fact that there are a number of existing vacant units in the High Street and the desire to maintain and encourage the vitality of the District Shopping Centre, it can be argued that the proposed use will provide services to the public and the proposal should be looked upon favourably.

It is therefore recommended that planning permission be granted with conditions.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition-

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.