

KEY INFORMATION

Ward Stobswell

Proposal

Change of use from vacant yard to car sales yard

Address

3 Langlands Street
DUNDEE
DD4 6SZ

Applicant

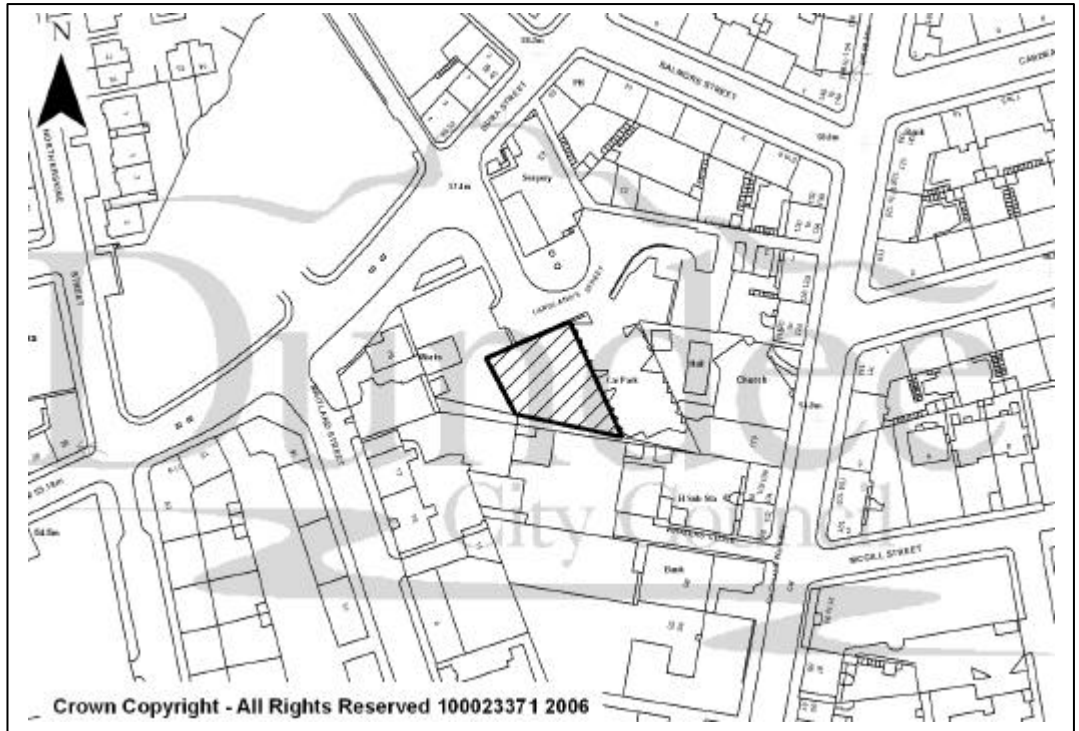
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Registered 11 Dec 2006

Case Officer <C Walker



Proposed Car Sales Yard in Langlands Street

A change of use from vacant yard to car sales yard 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 adversely impact on the amenities of neighbours. The application is recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought to use a vacant yard at Langlands Street as a car sales yard.
- Policy 26 of the Dundee Local Plan 2005 is relevant and permits car sales uses at this location.
- It is considered that with the imposition of appropriate planning conditions there should be no adverse impact on parking in the vicinity of the site.
- The proposed development complies with the Development Plan and will not adversely impact on the amenities of neighbours.

DESCRIPTION OF PROPOSAL

Planning permission is sought to use a vacant yard as a car sales yard. The layout plan shows an existing portable building being retained on the eastern site of the site, 4 parking spaces being retained for staff and customer parking and the remainder of the site being used for car sales (space for some 35 cars is indicated on the plan). No alterations to the site boundaries or access point are proposed.

SITE DESCRIPTION

The site is a vacant yard on the south side of Langlands Street. It is enclosed by high brick walls topped with razor wire. There is a portable building at the eastern side of the site.

To the east is the public car park at Langlands Street. To the north is a doctor's surgery. To the west is a yard owned by the Council and to the south is an area of vacant ground accessed from Whalers Close off Albert Street. Further to the south west are flats on Maitland Street.

The car park at Langlands Street is heavily used, being adjacent to the district shopping centre at Albert Street and the Terra Nova Medical Centre.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

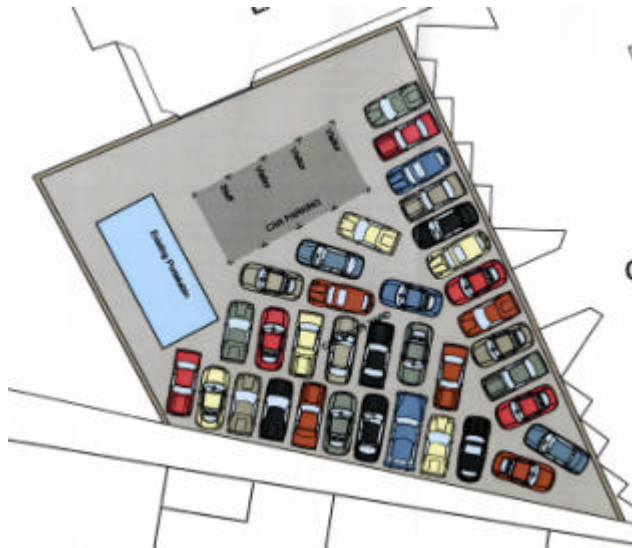
There are no policies relevant to the determination of this application.

Dundee Local Plan 2005

Policy 26 states that in areas designated as General Economic Development Areas, proposals for Class 4, 5 and 6 developments will be supported. Other uses of a wider industrial nature such as car showrooms, wholesaling, taxi offices and scrap yards may be permitted provided;

- a there is no detrimental impact on neighbouring uses and local residential amenity, and
- b there is no unacceptable traffic impact; and

c the scale of development is appropriate to the size and location of the site.



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 history of planning applications on this site.

PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours but no comments were received.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has noted that there residential properties to the south and west of the site and although there are no specific concerns about noise he suggests that an hours of operation condition should

be considered if Members are minded to grant permission.

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 26 permits car sales at this location provided that there is no detrimental impact on residential amenity, no unacceptable traffic impact and the scale of development is appropriate for the site.

In this case there are no dwellings directly adjoining the site and the nearest houses are some 30 metres to the south west at Maitland Street and some 35 metres to the south east at Albert Street. Car sales businesses (unlike car repairs) do not generally have associated noise issues and taking into account the existing character of the area (mixed commercial, industrial and residential) and the distance to the

nearest houses, it is considered that the proposed development can happily coexist with housing without detriment to amenity. However in line with the views of the Head of Environmental Health and Trading Standards an hours of operation condition should be imposed should Members be minded to approve the application.

The traffic impact of the proposed development will not be significant. The amount of customer and staff vehicles attracted to the site will not be significant, and will certainly not have an impact on the surrounding industrial uses. Experience of other car sales businesses does suggest that parking issues may arise where sites are crammed full of cars for sale with staff and customer parking as well as some vehicles for sale spilling onto adjoining streets. In this case the adjoining car park at Langlands Street is heavily used by the nearby medical centre, businesses on Albert Street and the occupiers of nearby dwellings. This is an issue which was raised with the applicants prior to the submission of the application and the plans indicate 4 spaces within the site being retained for customer and staff parking. It is considered that this level of parking is sufficient for the scale of the development and should Members be minded to approve the application it is suggested that planning conditions be attached retaining these parking spaces free for staff and customer use at all times and preventing nearby parking spaces at Langlands Street being used for the sale or display for sale of motor vehicles. With these safeguards in place, it is suggested that there should be no adverse impact on parking in the vicinity of the site.

Finally it is considered that the scale of the development is appropriate for the size and location of the site.

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

Other Material Considerations

The other material consideration to be taken into account is the views of the Head of Environmental Health and Trading Standards. This matter has already been considered in the assessment of the application against Policy 26 of the Local Plan and it was concluded that an hours of operation condition should be imposed should

Members be minded to approve the application.

The application site is located in an area where there is a considerable amount of vacant, derelict and underutilised land. The Council's regeneration of the Stobswell Area through the Stobswell Project is tackling areas such as this. In order to ensure that a comprehensive redevelopment of this area is not prejudiced, it is suggested that should Members be minded to approve the application that the duration of the consent be limited to 3 years.

It is concluded from the foregoing that there are no material considerations that would justify the refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

Design

There are no design issues associated with this proposal as no development is proposed.

CONCLUSION

The proposed development complies with the Development Plan and will not adversely impact on the amenities of neighbours.

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 The use hereby permitted shall only operate between 0900 and 1900 hours from Mondays through to Saturdays and between 1000 and 1700 hours on Sundays.
- 3 The staff and customer parking area of 4 spaces shall be clearly marked out on site as indicated on the submitted plans and shall be maintained solely for the use of staff and customers at all times.
- 4 All vehicles associated with this car sales business shall be kept within the application site and in particular no vehicles shall be kept or displayed for sale in Langlands Street or Langlands Street Car Park.

- 5 The car sales use hereby permitted shall cease on 31/03/2010.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To protect the occupants of nearby housing from noise and disturbance early in the morning and late in the evening.
- 3 To ensure that adequate staff and customer parking is provided within the application site so that cars do not need to park in the adjoining car park at Langlands Street.
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- 5 In order to review the position should comprehensive redevelopment proposals emerge at Whalers Close/Langlands Street.