

KEY INFORMATION

Ward Coldside

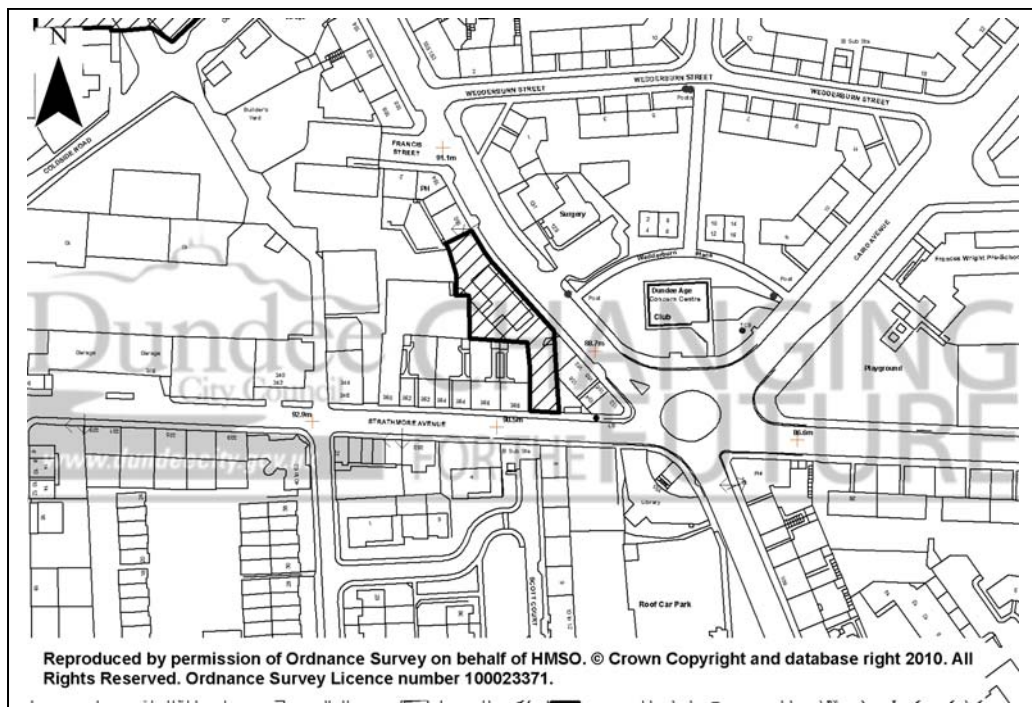
Proposal

Change of Use from former filling station to car sales

AddressFormer Coldside Filling Station
166 Strathmartine Road
Dundee**Applicant**Taycars Ltd
c/o 164/178 Strathmartine Road**Agent**G D Architectural Services
101 Brook Street
Monifieth

Registered 15 Mar 2010

Case Officer B Knox



Proposed Car Sales Yard in Strathmartine Road

The Change of Use from former filling station to car sales is **RECOMMENDED FOR APPROVAL** . subject to conditions Report by Director of City Development.

RECOMMENDATION

It is considered that the application complies with Policy 1 of the Dundee Local Plan Review 2005. There are no objections and no material considerations that would justify a decision contrary to the Local Plan. The application is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The application proposes the change of use of the site to car sales. The proposed ancillary car wash facility has now been removed from the proposal at the request of the applicant.
- The application falls to be considered under the terms of Policy 1 of the Dundee Local Plan Review 2005 due to its location within a residential area.
- No objections were received in relation to the application and the application has been referred to Committee at the request of a Councillor.
- The application is considered to comply with the Dundee Local Plan Review 2005 and there are no material considerations to justify a decision contrary to this.
- Members will be aware that this application was placed before them at the previous Development Quality Committee meeting of 17 May 2010 where it was deferred in order to allow the applicant to put forward details of the proposed access/egress and car parking arrangements on site.

DESCRIPTION OF PROPOSAL

The application seeks permission to change the use of the site to car sales. The car wash element of the proposal has been removed at the request of the applicant. The change involves few physical alterations to the existing buildings on site. The existing canopy is to remain in place and the existing buildings are to remain on site. Based on the detailed block plan that has now been provided the site would be capable of accommodating around 40 spaces offering cars for sale. In addition to this, there will be separate staff and customer parking provided within the site for 8 spaces. Four of these shall be reserved for customer use and four for the use of staff.

There is to be a cabin structure on site to be utilised on a temporary basis until the existing building on site can be refurbished to accommodate a small showroom space capable of displaying approximately 3 cars. The refurbishment of the building would involve altering the shop front to provide new sliding glazed doors to allow the display of motor vehicles.

SITE DESCRIPTION

The application property is located on the west side of Strathmartine Road and occupies a site of approximately 0.104 hectares. The site is disused at the present time but the last use was that of a petrol filling station, shop and associated car wash.

On site, there are remaining petrol pump islands. There is an existing access and egress pattern to the site. There is also the existing canopy on site remaining from the previous use as a petrol filling station.

The site is accessed from Strathmartine Road, a busy arterial route through this part of the city. There are residential properties to the north, south and south west of the site which take the form of tenement properties. There is a Doctors surgery directly opposite the site on the east side of Strathmartine Road. In addition to this, some of the ground floor properties at ground level on the west of Strathmartine Road are occupied by Class 1 Retail uses.

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 1: Vibrant And Sustainable Communities - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.



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

The use would reuse a vacant brownfield site in the inner city and is therefore considered to be sustainable.

SITE HISTORY

There have been various applications in relation to the function of the garage on site including canopies etc. The following applications are considered to be of relevance to the determination of this application:

02/00372/FUL - installation of Jetwash unit and screens. Approved subject to conditions.

09/00263/COU - change of use from petrol sales garage to car wash with elevational alterations. Approved subject to conditions.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure was carried out by the Council and the application was advertised in the local press as part of the neighbour notification procedures.

No objections were received.

CONSULTATIONS

Environmental Health and Trading Standards have advised that there may be some contamination on site and have recommended that a Preliminary Risk Assessment be carried out. However, it is considered that as the proposed change of use being sought is for car sales and there are no groundbreaking works associated with the application, an informative shall be attached to any grant of permission to advise that if any groundbreaking works are to take

place, the applicant must inform the Council in writing to agree the course of action.

OBSERVATIONS

Statutory Requirements

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance the development plan unless other material considerations indicate otherwise.

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 1 of the Dundee Local Plan Review 2005 states that the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

In terms of design, there are to be limited physical changes to the site. The canopy shall be retained in situ and would be refurbished and repainted in a white colour where required. In addition, the existing low level wall at the front of the site immediately to the west of Strathmartine Road would be made good where necessary and painted white and grey to match the existing. These limited changes to the exterior are considered to be acceptable and will enhance the appearance of the site and surrounding area.

In terms of the layout and traffic movement, it is proposed to utilise the existing access point directly from Strathmartine Road. The applicant submitted information regarding the operation of the site relating to deliveries and servicing. The predicted traffic levels are considered to be acceptable and should Members be minded to approve the application a condition shall be attached to any grant of permission to ensure that any servicing or deliveries are carried out entirely within the boundaries of the

application site and not on the adjacent Strathmartine Road. This is to ensure that the use of the site does not impact upon the busy route of Strathmartine Road and other nearby uses.

In addition, the applicant has provided details of the parking laid aside for customers and staff and this shall ensure that there is adequate parking for the users of the site so as to not impact upon the surrounding area. The details provided are acceptable and in line with other sites of this nature where there are parking pressures.

These arrangements are considered to be acceptable and it is therefore considered that there are no traffic safety issues arising as a result of the proposal.

In terms of any noise impact, it is not anticipated that the car sales proposed on site shall have a detrimental impact upon the nearby occupiers of properties, including those nearby residential properties and in comparison to the previous use of a filling station it is likely to be quieter.

It is considered that due to the nature of the proposal, it would not result in a smell which would be detrimental to the amenity of nearby residential properties.

It is considered that the proposal is in compliance with Policy 1, of the Dundee Local Plan Review 2005.

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:

Compatibility with Existing Uses - the use of the site for commercial purposes is consistent with the site history and it is not considered to be significantly prejudicial to the surrounding land uses in terms of environmental matters.

Planning Benefits

It is considered that the re use of the vacant building and site located on an important inner city site will benefit the visual quality of the local area by removing otherwise vacant and dilapidated buildings in such a prominent location.

It is concluded from the foregoing that the material considerations support

approval of the application in line with the Dundee Local Plan Review 2005.

Design

The changes proposed to the buildings and site are minimal but will improve their appearance by refurbishing and repairing where necessary. It is encouraging to see this site being brought back into active use since it has lain vacant for some time. The proposed use of the site will achieve this and in turn will improve the appearance of the immediate surroundings.

CONCLUSION

It is concluded from the foregoing that the application complies with Policy 1 of the Dundee Local Plan Review 2005. There are no material considerations that would justify a decision contrary to this.

RECOMMENDATION

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

- 1 The land and buildings which are the subject of this permission shall be used for car showroom/display/sales and parking purposes and for no other use.
- 2 All vehicles offered for sale and all other vehicles associated with the use hereby granted permission, including customer parking, shall be parked off street within the curtilage of the site in accordance with Block Plan Layout Option 3 (2203.21 A).
- 3 No car repairs or engine testing other than routine starting and running repairs using non-powered hand tools (plus cleaning/polishing) shall be undertaken on or around the site at any time.
- 4 No servicing of the site shall be carried out by vehicles parked on Strathmartine Road. All servicing and deliveries shall be carried out from within the site.
- 5 The use shall operate only in accordance with the 1:200 block plan submitted 'Layout Plan Option 3' Ref: 2203:21 A dated Feb 2010 for the avoidance of doubt no more than 40 vehicles

shall be offered for sale at any one time.

Reasons

- 1 In order to protect the Council's adopted policies on new retail developments within the city.
- 2 In order to prevent on street car parking that would be to the detriment of road traffic safety.
- 3 To safeguard the amenity of the closest dwellings, commensurate with the character of the location.
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