

Proposed Beauty Salon on Dundee Road

KEY INFORMATION

Ward The Ferry

Address

Miss Kimberley Reid
4 Midmar Walk
Broughty Ferry
Dundee
DD5 3GP

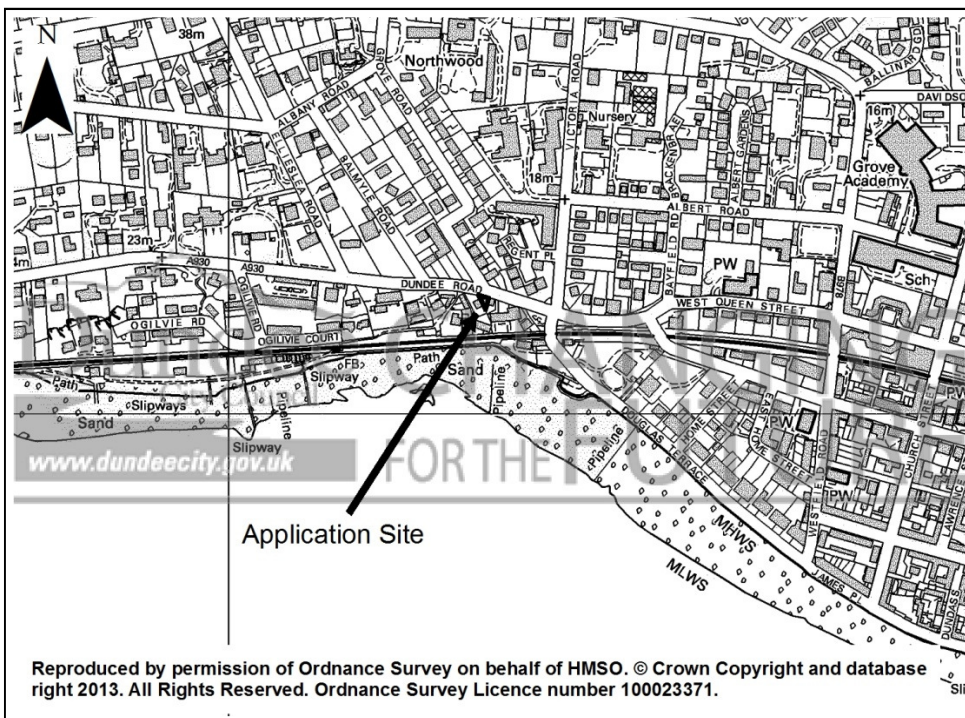
Applicant

56 Dundee Road
Broughty Ferry
Dundee

Agent

Registered 12 Sep 2013

Case Officer P Frickleton



SUMMARY OF REPORT

- The application seeks planning permission to change the use of the premises from retail to beauty salon.
- The proposal falls to be considered under Policies 1 (Vibrant and Sustainable Communities) and 50 (Development in Conservation Areas) of the Dundee Local Plan Review 2005.
- The application is required to be referred to the Development Management Committee for determination as the Council is the site owner.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MSWXMIGCG8K00>.

RECOMMENDATION

The proposal satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. Therefore, the application is recommended for APPROVAL.

1 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks planning permission to change the use of an existing retail unit (Class 1) to a beauty salon (Class 2). No external alterations are proposed to the exterior of the building.
- 1.2 In accordance with the Council's Scheme of Delegation this application is being reported to the Development Management Committee as the application site is within Council ownership.

2 SITE DESCRIPTION

- 2.1 The application site comprises a single storey building situated on the southern side of Dundee Road. The application site is located in the West Ferry Conservation Area.
- 2.2 The semi-detached building is of a traditional brick built design with slate hipped roof (see Figure 1). The original timber shop front for this and the adjacent unit was replaced in 2008 with a modern double glazed aluminium shopfront (08/00636/FUL), the surrounding terrazzo cladding was restored and existing brick work cleaned.



Figure 1 – Shop Unit

3 POLICY BACKGROUND

- 3.1 The following plans and policies are considered to be of direct relevance:

DUNDEE LOCAL PLAN REVIEW 2005

Policy 1: Vibrant and Sustainable Communities

Policy 61: Development in Conservation Areas

PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN

Policy 16: Small Scale Commercial Uses within Residential Areas

Policy 50: Development in Conservation Areas

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

- 4.1 There is no planning history of relevance to the outcome of this application.

5 PUBLIC PARTICIPATION

- 5.1 The Statutory Neighbour Notification was carried out, no objections have been received.

6 CONSULTATIONS

- 6.1 No adverse comments were received from any of the consultees.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless 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.

- 7.2 **Policy 1 (Vibrant and Sustainable Communities)** – seeks to promote vibrant communities. 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.
- 7.3 In relation to design, as the proposal does not involve any external alterations at this stage design is not a pertinent issue in consideration of this application.
- 7.4 The property does not benefit from any off-street parking and there are no proposals to provide any parking within the site, however, this is the case for the majority of independent retail units within the area. Due to the nature and scale of the business there is unlikely to be an issue with parking and traffic movement in the area.
- 7.5 Due to the location of the property (adjacent to Dundee Road) and the nature of the business, noise is not considered to be an issue.
- 7.6 There are no issues of smell arising from the proposed use.
- 7.7 Policy 1 also requires that new developments should be in accordance with other policies in the Local Plan. As discussed below it is considered that the proposed development complies with Policy 61 of the Local Plan. Therefore the proposal complies with Policy 1.
- 7.8 **The proposal satisfies the requirements of Policy 1.**
- 7.9 **Policy 61 (Development in Conservation Areas)** – requires proposals to preserve or enhance the character of Conservation Areas. The application site is located within the West Ferry Conservation Area. No external works are proposed as part of this application and the change of use will not have a detrimental impact upon the character of the West Ferry Conservation Area.
- 7.10 **The proposal satisfies the requirements of Policy 61.**

- 7.11 **It is concluded from the foregoing that the proposal complies with the provisions of the Development Plan.**

Statutory Duty

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

- 7.12 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that the Council have special regard to any buildings or other land in a Conservation Area and special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area. As discussed under Policy 61 of the Development Plan above there are no changes proposed to the external appearance of the premises as part of this application. The application is therefore considered **to discharge the statutory duties set out above.**

OTHER MATERIAL CONSIDERATIONS

A - PROPOSED DUNDEE LOCAL PLAN

- 7.13 The proposed Dundee Local Development Plan has been the subject of Examination by Reporters from the Directorate for Planning and Environmental Appeals and their Report does not recommend any changes in the allocation of this site or the policies affecting it. The City Development Committee, at its meeting on 28 October 2013, agreed to accept the modifications and progression to adoption of the Proposed Plan. In these circumstances considerable weight should be given to the Proposed Plan which will shortly become the adopted Local Development Plan for the city.
- 7.14 Policy 16 (Small Scale Commercial Uses within Residential Areas) and Policy 50 (Development in Conservation Areas) of the Proposed Dundee Local Development Plan are substantially the same as Policies 1 and 61 of the Dundee Local Plan Review 2005 that has been assessed above. As such, it is considered that **the requirements of Policies 16 and 50 of the Proposed Dundee Local Development Plan are also satisfied.**
- 7.15 **It is concluded from the foregoing that the material considerations support the approval of planning permission.**

8 CONCLUSION

- 8.1 The proposal complies with the Development Plan and there are no material considerations that would justify the refusal of planning permission. Therefore, it is recommended that planning permission be granted.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED without conditions.