

KEY INFORMATION**Ward** Lochee East**Proposal**

New car showroom,
workshop, valet facility,
external display area,
staff/customer parking and
landscaping

Address

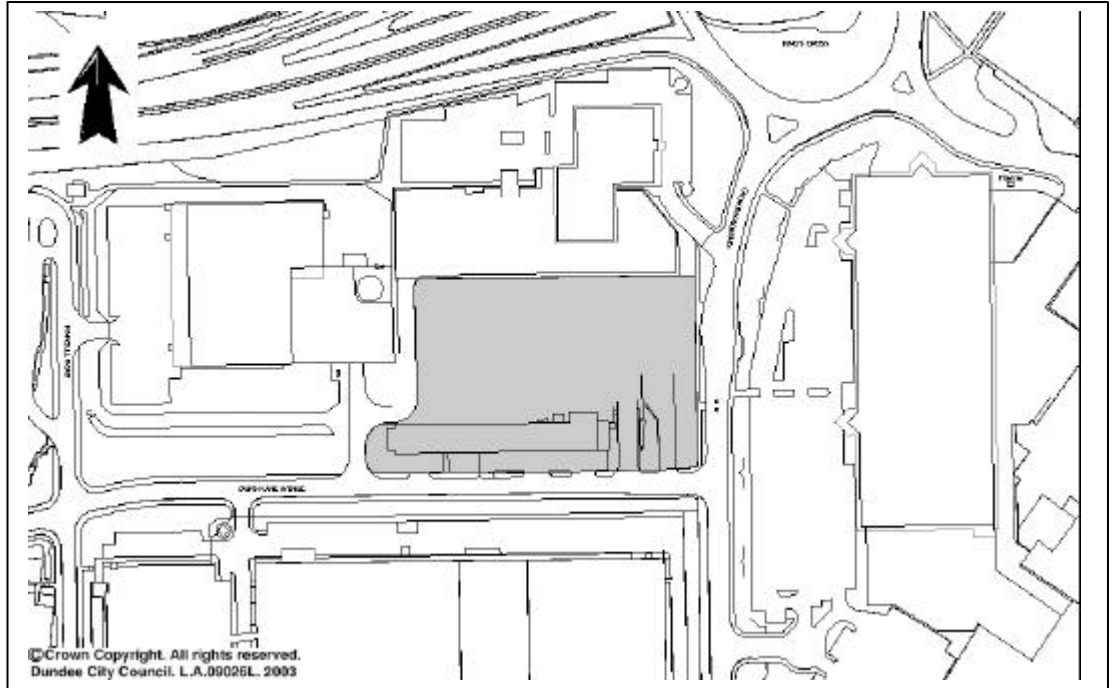
Block 1A
Dunsinane Avenue
Dunsinane Industrial Estate

Applicant

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Ltd
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Aberdeen

Agent

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Registered 13 Sept 2005**Case Officer** D Gordon

Proposed New Car Showroom in Dunsinane Avenue

A new car showroom is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal which is the subject of this application is considered to be in accordance with the relevant land-use policies of the Dundee Local Plan Review 2005. There are no material considerations that would justify the refusal of this application contrary to the terms of the Plan. Recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a car showroom, car servicing workshop, valet and MOT facilities, external used car display area, staff and customer car parking and landscaping on a site located on the west side of Kings Cross Road. The development will be phased in order to allow a degree of short term trading to take place from the site while construction of the main showroom and associated buildings is undertaken.
- The site is located on the east boundary of Dunsinane Industrial Estate and consequently, the terms of Policy 25 (Dunsinane Revitalisation) of the Dundee Local Plan Review 2005 are of relevance in the determination of this application.
- Two letters of objections to the proposals have been submitted by adjacent occupiers. The main grounds of concern relate to the potential impact on traffic safety, the potential impact on local flooding, the proposed development is contrary to the Local Plan and the effects of the removal of the occupied units located on the south side of the site.
- It is considered that the proposal complies with the local plan policies for the area. There are no material considerations, including the submitted objections, which would justify the refusal of the application contrary to these policies.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves the erection of a Car Showroom, Workshop, MOT Facility, Valet Service, External Used Car Display, Car Parking and associated landscaping.

The proposal will be the subject of a phased programme of development. The Phase 1 will involve the clearance and decontamination (if required) of the northern section of the site, erection of a section of 1.8m high security fencing and the provision of a section of a used car display area on the Dunsinane Avenue/Kings Cross Road junction.

Second phase works will include the construction of the new car sales showroom and associated buildings and the provision of car display/service parking spaces. Additional 1.8 high boundary fencing is also proposed during this phase of the development. Access into the site will be taken from the west.

The removal of the existing industrial/commercial units located on the south side of the site ie facing onto Dunsinane Avenue and the commencement of any required decontamination works will form Phase 3 of the proposals. This area will be developed for used car display/sales. A proposed new access leading into the site is to be taken from Dunsinane Avenue to the south.

The Members are referred to a planning application for the erection of a temporary car showroom on the south east corner of this application site, the details of which can be found elsewhere on this agenda (05/00863/FUL refers). This showroom is to operate as a temporary facility during the construction of the larger and permanent showroom to the north. While this temporary facility does not form part of the application currently under consideration, it does form part of the overall strategy for the short term development of the site.

With regard to the design details of the proposed development, the new building will orientate in an east to west direction across the site. A glass fronted showroom with a curving roof will face onto Kings Cross Road. To the rear of this is the flat roof, single

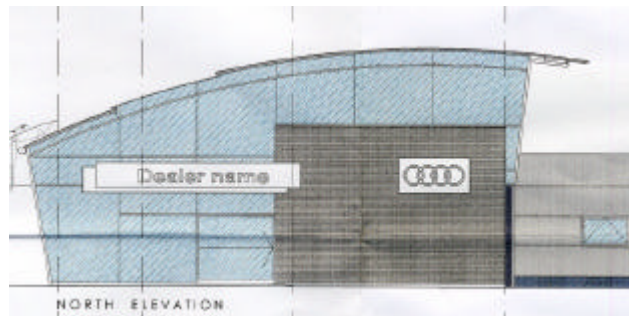
storey, metal clad administration section of the complex. The workshop building, including the body shop, valet and MOT facilities, to be located to the west side of the administration block, is flat roofed in design and is finished in external metal cladding.

SITE DESCRIPTION

The site is located on the west side of Kings Cross Road and to the north of Dunsinane Avenue. The northern and eastern sections are flat, cleared brownfield sites. The southern section of the site accommodates occupied industrial units.

The surrounding area displays a variety of uses including a new car showroom to the north, a DIY superstore to the east (B&Q) and industrial uses to the south and west.

An access road, that serves the existing car showroom complex to the north, is located on the west side of the site.



POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The following policies are of relevance:

Employment Policy 2: Existing Employment Areas. This policy safeguards and promotes existing employment land at Kingsway West for uses within Classes 4, 5 and 6 of the Use Classes Order 1997.

Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 25: Dunsinane Revitalisation. The site is identified on the Proposals Map as being suitable for higher value economic development uses such as car showrooms and wholesaling. Such higher value uses must be justified on the basis of substantial reinvestment in

Dunsinane Business Area to maximise its attraction as a Principal Economic Development Area. Any higher value uses should conform to the wider development plan policy background of keeping Dunsinane primarily for business and employment type uses. In order to safeguard the retail strategy, when granting permission for the sale or display of motor vehicles, the planning authority reserves the discretion to impose conditions preventing subsequent changes into Class 1 Use, notwithstanding the provisions of Class 10, Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

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.

LOCAL AGENDA 21

The development will result in the redevelopment of a brownfield site and is therefore considered to be sustainable and consequently consistent with the aims of Agenda 21.

SITE HISTORY

03/00596/OUT - Outline permission for the Regeneration of Dunsinane Industrial Estate. The application was withdrawn by the applicants on 13.10.2003.

02/00886/FUL - A planning application for the erection of a car showroom and commercial vehicle workshop on a site located to the north (Mercedes-Benz) was granted permission subject to conditions on 25 August 2003.

An outline planning application for the removal of the existing industrial units and the erection of a car showroom on the south side of the site has been submitted to this Council for consideration. This application remains to be determined.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants. The proposals have attracted 2 objections from adjacent occupiers. The main issues raised relate to:

- 1 Impact of the proposed development on road traffic safety (access and parking).
- 2 The proposed development is contrary to the Local Plan policies for the area.
- 3 The proposal will adversely impact on the drainage in the local area
- 4 The proposals will result in the removal of existing and occupied units located on the south side of the site.

Copies of these objections are available for inspection in the Members Lounges. It is intended to comment on the terms of the objections in the "Observations" section below.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has advised that a condition should be attached to any permission granted requiring certain works to be carried out in relation to any potential contamination and consequent remediation of the site.

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.

The proposal involves the phased provision of a car showroom, workshop and associated facilities on a site located on the junction of

Dunsinane Avenue and Kings Cross Road. The details of the development are outlined in the 'Description of Proposal' section above. The applicants have advised that they currently operate in the Blackness area of the city on the Lochee Road frontage. The lease for this site expires in December 2005 and consequently, they have to vacate the premises by that time.

The location and nature of the proposed development are subject to consideration under Policy 25 (Dunsinane Revitalisation) of the Dundee Local Plan 2005. This policy advises, amongst other things that in certain identified areas within the Estate higher value economic development uses will be supported. The application site falls within such an identified areas and a car showroom is considered to be an example a higher value use. In this respect, the proposal is considered to be appropriate in land use terms.

The Policy also requires the approval by the Council of a Masterplan illustrating the proposed regeneration and improvement of the whole of Dunsinane Business Area will be required to ensure that development takes place in a logical manner. In addition to this, higher value uses should be justified on the basis of substantial reinvestment in the Business Area with this being achieved through Planning Agreement(s). While an approved Masterplan is not yet in place, there are currently ongoing productive discussions taking place between the Council and the owners of the Estate on this matter. In this respect, it is concluded that, due to the scale and nature of the proposals, the anticipation that this site would at some point form part of a 'motor mile' development and that there are ongoing productive discussions with the owners on the provision of a Masterplan for the Estate, it would be unreasonable to delay consideration of the proposals at this time and consequently the requirement for a Section 75 Agreement relating to reinvestment should be set aside in this instance.

With regard to the development details of the application, it is considered that the design, siting, appearance and the materials of the new complex are acceptable on this frontage location. The new development will complement the existing showroom/workshop

facility located to the north and will improve the environmental quality of this area of the Estate. It is further considered that the proposal represents a reinvestment in the city by an established business that requires to relocate from an existing inner city site.

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:

With regards to the submitted objections to the proposals the following comments are offered:

- 1 Road Traffic Safety - Access and Parking. The details of the proposed development have been fully assessed and it is considered that, following some minor alterations to the access specifications (that will be covered by a Road Construction Consent application) the new development will not adversely impact on the road traffic of the local area. In addition, the applicants are providing 41 customer/staff car parking spaces within the site, 85 spaces for service parking and 165 spaces for display purposes. This level of off-street car parking provision within the site is considered to be acceptable for the use proposed.
- 2 Local Plan Issues. The details of the proposals have been discussed above and it has been concluded that the development is in accordance with the provisions of the relevant Local Plan Policy for the Estate (Policy 25 refers).
- 3 Drainage Matters - The area is not recognised as being in a flood sensitive area and has not been highlighted in the Councils biennial Report on Flooding within the city. Consequently, it is considered that this is a matter that can be competently dealt with through the proper drainage of the site.
- 4 The removal of existing units from the south side of the site. The demolition of these units will not detrimentally impact on the operational aspects of the Estate or indeed detract from the visual

amenities of the local area. While, the application does not advise of the future of any of the current occupiers of the units, it is understood that their possible relocation within the Estate is being currently being investigated and pursued. It is also the case that owners of the property have recently applied for outline planning permission for the erection of a car showroom on the site of these units.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The design, siting, scale and materials of the proposed new building are considered to be acceptable. The development will compliment the appearance of the existing car showroom facility located to the north, will improve the environmental quality of the site and will enhance the general setting and appearance of the industrial estate on this Kings Cross Road frontage.

CONCLUSION

The use of this frontage site within Dunsinane Industrial Estate for a higher economic development use, ie a car showroom and workshop complex is considered to be in accordance with the relevant land use policies of the development plan. The proposal will assist in the environmental improvement of the area and will and will make a positive contribution to the revitalisation of the Estate.

RECOMMENDATION

It is recommended that planning permission 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 land which is the subject of this permission shall be used for car showroom, car servicing workshop, valet and MOT facilities, external used car

display, customer and staff car parking and landscaping and for no other use notwithstanding the provisions of Class 10, Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

- 3 Details of the proposed surface and foul drainage arrangements shall be submitted for the written approval of the planning authority prior to the commencement of development and if approved, the proposed arrangements shall be carried out only in full accordance with such approved details.
- 4 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.
- 5 That details of all proposed boundary treatments, including walls, fencing, railings and hedging shall be submitted for the written approval of the planning authority prior to the first use of the building/land and if approved the development shall be implemented only in full accordance with such approved details.
- 6 Development shall not begin until a scheme to deal with any 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 types of contamination on the site;
- b measures to treat/remove contamination to ensure that 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 buildings/site is occupied the measures to decontaminate the site shall be

fully implemented as approved by the planning authority.

- 7 Development shall not begin until details of a scheme of hard and soft landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - a hard landscaping works including the location and design of all new boundary enclosures
 - b indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration.
 - c location of new trees, shrubs, hedges and grassed areas
 - d schedule of plants to comprise species, plant sizes and proposed numbers/density
 - e programme for completion and subsequent maintenance.

For the avoidance of doubt, all hard and soft landscaping works shall be carried out in accordance with the scheme approved in writing by the planning authority.

- 8 That the footway ex-adverso the site on Kings Cross Road shall be upgraded to adoptable standard by the applicants at their expense. These works shall be agreed in writing with the planning authority and shall be implemented prior to the first use of the use hereby granted permission.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to protect the Councils adopted policy on new retail development within the city.
- 3 In order to ensure the proper drainage of the site.
- 4 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.

- 5 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 6 In order to ensure that the site is fit for the use proposed.
- 7 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 8 In the interests of road traffic and pedestrian safety.