

KEY INFORMATION

Ward Lochee East

Proposal

Outline consent for demolition of existing units and erection of car showroom

Address

Block 1A
Dunsinane Avenue
Dunsinane Industrial Estate

Applicant

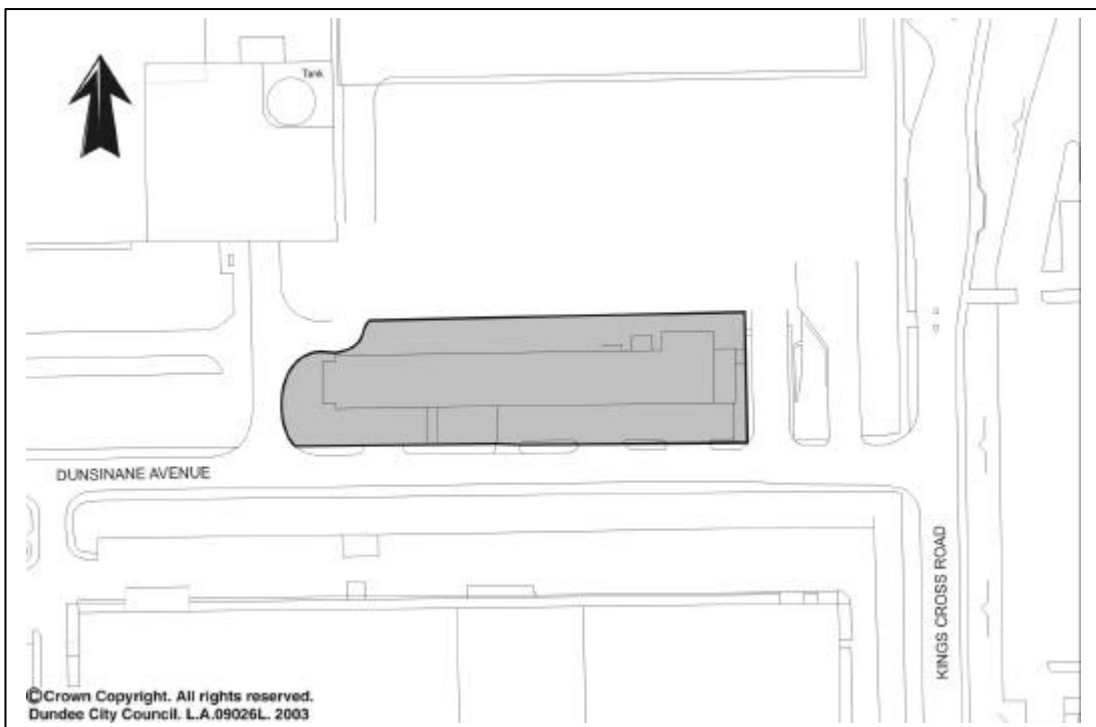
Raynor Holdings Ltd
Craigmill House
Craigmill Road
Bridgefoot
Dundee DD3 0PH

Agent

Davidson Property Services
49 Yeaman Shore
Carnoustie
DD7 7AW

Registered 22 Nov 2005

Case Officer D Gordon



New Car Showroom for Dunsinane

The outline consent for demolition of existing units and erection of 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 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

- Outline planning permission is sought for the demolition of a terrace of industrial units and the erection of a car showroom on a site located on the north side of Dunsinane Avenue and to the west of Kings Cross Road. No formal details of the new building have been submitted for formal consideration.
- The site is located on the eastern boundary of Dunsinane Industrial Estate and consequently, the terms of Policy 25 (Dunsinane Revitalisation) of the Dundee Local Plan 2005 are of relevance in the determination of this application.
- The statutory neighbour notification procedure has been undertaken by the applicants and no objections to the proposals have been received.
- It is considered that the proposals comply with the local plan policies for the area. There are no material considerations that would justify the refusal of the application contrary to these policies.

DESCRIPTION OF PROPOSAL

The proposal under consideration seeks outline planning permission for the demolition of existing commercial/industrial units and the erection of a new car showroom.

The applicants have submitted elevations and floor plans of a new showroom building and associated parking that could be accommodated on the site. However, these details are for indicative purposes only and do not form part of the consideration of this application.

SITE DESCRIPTION

The site is located on the north side of Dunsinane Avenue and to the west of Kings Cross Road. The site is flat and accommodates a terrace of single storey commercial/industrial units that are currently occupied by various uses.

The surrounding area displays a variety of uses including new permanent and temporary car showrooms and display areas to the north and east, a DIY superstore to the east and industrial uses to the south and west.

Access to the site is achieved from Dunsinane Avenue to the south and a service road to the west.

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:

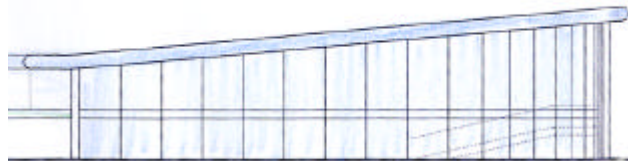
Policy 25: Dunsinane Revitalisation. The site is considered to be within an area of the Estate that is suitable for higher value economic development uses such as car showrooms and wholesaling. Such higher value uses must be justified on the basis of

substantial reinvestment in the Dunsinane Business Area to maximise its attraction as a Principle 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 1997.

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 therefore is considered sustainable and consequently consistent with the aims of Agenda 21.

SITE HISTORY

03/00596/OUT - Outline Planning Permission for the Regeneration of Dunsinane Industrial Estate. This application was withdrawn by the applicants on 13 October 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. This facility is now operational.

05/00808/FUL - Proposed new car showroom and associated parking on a site located to the north - Approved 05 December 2005.

05/00863/FUL - Erection of Temporary Car Showroom on land located to the east - Approved, for a period of 18 months, on 5 December 2005.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure was undertaken by the applicants. No objections to the proposals have been received.

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.

The Council's Forestry Officer has requested that any detailed planning application for the development of the site should be accompanied by appropriate landscape proposals.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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 seeks outline planning permission to demolish a terrace of industrial/commercial single storey units and erect a car showroom and associated parking on a site located on

the north side of Dunsinane Avenue. The applicants have submitted details of a building that could be accommodated on the site. However, these are indicative details only and do not form part of the consideration of this application.

The location and the nature of the development are subject to consideration under Policy 25 (Dunsinane Revitalisation) of the Dundee Local Plan Review 2005. This policy advises, amongst other things, that in certain identified areas within the Estate higher value economic uses will be supported. The application site falls within such an identified area and a car showroom is considered to be an example of 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 the 'motor mile' development and that there are ongoing productive discussions with the owners of the Estate on the provision of a Masterplan, 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 proposal, the matters relating to design, scale, appearance, materials, access, parking and landscaping shall be dealt with at the time of consideration of any future application submitted for detailed planning permission.

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:

The site currently under consideration is located on the south side of a larger site that was granted planning permission for the erection of a car showroom and associated parking on 5th December 2005 (05/00808/FUL refers). The site, as part of the approved application, is identified for used car display and access purposes. The applicants of this approved planning application have advised that it is now no longer their intention to develop this southern section of the site as it is surplus to their operational requirements. The relevant amendments to the approved application are currently the subject of on-going discussions with this Council.

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 application is for outline consent to establish the principle of the use proposed. The details of the new building will be submitted at a later stage and the issue of design, appearance, scale, materials, access and parking will be discharged at that time.

CONCLUSION

The use of this prominent frontage site within Dunsinane Industrial Estate for a higher economic development use ie a car showroom and associated facilities, is considered to be in accordance with the relevant land use policies of the development plan. In addition, the use of the site for car sales/display purposes has been established by the grant of permission for the new car showroom to be located immediately to the north. The proposal will assist in the environmental improvement of the area 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 approval of the City Council shall be obtained to the following reserved matters before any development is commenced viz: the siting of the building(s) the design of the building(s) the external appearance of the building(s) the means of access to the building(s) the landscaping of the site.
- 2 Application for approval of the matters referred to in condition (1) above must be made within 3 years of the date of this permission.
- 3 The development to which this permission relates shall begin within 5 years of the date of permission or 2 years of the final approval of the reserved matters, whichever is the later.
- 4 The land which is the subject of this permission shall be used for car showroom and associated uses only 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
- 5 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 include details of proposals to deal with contamination to include:

Reasons

- 1 To reserve these matters for future consideration by the Council.
- 2 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 3 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 4 In order to protect the Council's adopted policy on new retail development within the city.
- 5 In order to ensure that the site is fit for the use proposed.