

KEY INFORMATION

Ward Stobswell

Proposal

Continuance of use of premises as auction saleroom

Address

6 North Isla Street
Dundee
DD3 7JQ

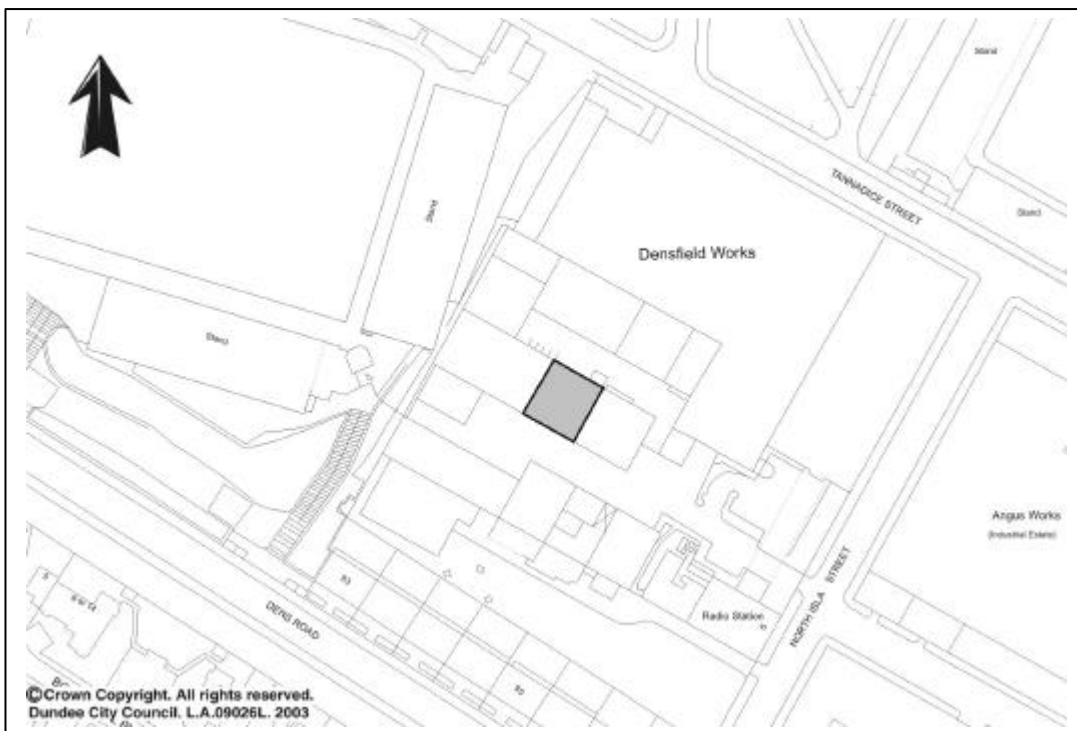
Applicant

Steven Fraser Dewar
Unit E
6 North Isla Street
Dundee DD3 7JQ

Agent

Registered 7 Feb 2006

Case Officer Julie Young



Retention of Auction Saleroom in North Isla Street

The continuance of an auction saleroom is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed change of use is considered acceptable at this location. There are material considerations such as the speciality nature and operation of this use that justify granting planning permission in these circumstances. Accordingly the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the continuance of the use of premises as an auction saleroom at Unit E, 6 North Isla Street, Dundee.
- There are no policies of the Dundee Local Plan Review 2005 that are directly relevant to the application site.
- One letter of objection was received from an adjacent business with their main concerns relating to traffic and parking. The objection is not supported in these circumstances.
- It is considered that the use is acceptable at this location and a condition will be attached to ensure that the business only operates in accordance with agreed details in terms of opening hours and operations.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the continuance of the use of premises as an auction saleroom at 6 North Isla Street, Dundee. The floor area of the building is 253sqm.

The sales programme, as detailed with the original application for temporary use, is one auction per fortnight and the business operations are as follows:

Viewing Days:

Sunday 10am - 12noon

Monday 8.30am - 5pm

Sale Day:

Tuesday 8.30am - 5pm

Collection Day: Wednesday
8.30am - 5pm

The unit is used for storage of goods 63% of the time and 37% accounted for by trade/public opening times.

SITE DESCRIPTION

The application site is located on the west side of North Isla Street and it is located within a small industrial area. The unit is located within a private courtyard which is shared between seven users. Radio Tay is located at the entrance and they have their own private car park to the north of the entrance off North Isla Street. Other operators within the courtyard include a kitchen interior shop, car repair unit, small manufacturing company and a few empty units. There are two units to the north which have their own separate allocated parking area.

The application premises are a single storey building with a loading bay door with roller shutters. There is an adjacent two storey building to the east which is occupied by a kitchen interior shop. A car repair business is located to the west within the same single storey building as the application site. There are single storey units opposite. Each unit has allocated parking bays and there is a shared parking area to the south west in the courtyard. The courtyard is not adopted by the City Council. Therefore its management is the responsibility of the owners and occupiers of the units.

In the surrounding streets, there are two football stadia to the north and west and industrial units further north

along North Isla Street. A primary school is located to the south east, which has restricted parking on the street outside the school grounds. There are spaces available with no parking restrictions on surrounding streets such as North Isla Street, Fairbairn Street and Tannadice Street.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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



Dundee Local Plan Review 2005

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

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

Key theme 7 is of relevance and seeks to ensure that access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all. It is considered that the proposed development achieves the aims of this key theme.

SITE HISTORY

Change of use was granted for two years for the proposed use as an auction saleroom on 28th June 2004 (ref: 04/00310/COU). As this time restriction will expire shortly, the applicant is re-applying for full permission.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and one letter of objection was received with the main concerns relating to traffic and parking issues within the private courtyard.

CONSULTATIONS

No adverse comments were received from statutory consultees. No objections have been received by the Department within the past two years regarding parking problems on surrounding streets within the vicinity of the application 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

There are no policies in the Dundee Local Plan Review 2005 which are of direct relevance to the determination of the application. The previous application for the site was assessed against Policy EU1 of the Dundee Local Plan 1998. This Plan was superseded in August 2005 and the area is no longer allocated for industrial use. Although the previous application was advertised as contrary to Policy EU1 it was considered that there were material considerations to allow approval contrary to the Plan. Temporary permission was granted to allow the traffic and parking issues to be assessed. No objections have been received from businesses in the private courtyard area and there have been no official complaints about problems with on street parking on the surrounding streets. Therefore it is

considered acceptable to grant full permission for the change of use to auction saleroom.

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

Other Material Considerations

The other material considerations to be taken into account are as follows:

Objection

The objection relates to traffic and parking issues. As discussed above, no objections have been received about parking problems within the private courtyard area at 6 North Isla Street and no official complaints have been received about problems with on-street parking on the surrounding streets.

It is considered that there are sufficient parking spaces on adjacent streets for customers to park and others will walk or use public transport.

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

Design

No alterations are proposed for the external fabric of the building and the proposed alterations internally are considered acceptable.

CONCLUSION

It is concluded that the proposal raises no material issues for determination since temporary planning permission was granted for the unit. The area is no longer specifically allocated for industrial use and it is considered that there are no issues regarding traffic movement and parking which would mitigate against the grant of a permanent permission. Therefore the application is recommended for APPROVAL subject to conditions.

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 premises shall operate as an auction saleroom only as in accordance with the details regarding opening times and operations of the business as granted with the application ref: 04/00310/COU (letter stamped 15.04.04 refers), unless otherwise agreed in writing with Dundee City Council

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that the premises are not used in an unacceptable manner which would adversely impact upon other businesses or members of the public.