

KEY INFORMATION**Ward** Barnhill**Proposal**

Erection of New Opticians Unit

AddressLand North East of
Campfield Square
Broughty Ferry
Dundee**Applicant**Bracewood Developments
Ltd
c/o Big Design Architecture
12 Novara Park
Belfast Road
Antrim
County Antrim BT41 1PA**Agent**Big Design Architecture
12 Novara Park
Belfast Road
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County Antrim BT41 1PA**Registered** 20 Feb 2007**Case Officer** S Johnson

Opticians Proposed in Car Park Site

The erection of a New Opticians Unit is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be contrary to Policy 1 of the Dundee Local Plan Review 2005. It fails to provide adequate customer parking, effects the visibility at the car park access and raises concerns in terms of health and safety, and so the objections are supported. The application is therefore recommended for **REFUSAL**.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a new opticians unit on land to the north east of Campfield Square, Broughty Ferry.
- Policy 1 and Policy 42 of the Dundee Local Plan Review 2005 are relevant to the determination of the application as these policies seek to protect the existing amenity of neighbouring properties and assess the requirement for additional retail units.
- Three letters of objection were received on the grounds of traffic and parking issues, noise and loss of privacy.
- It is considered that the proposal does not comply with Policy 1 of the Dundee Local Plan Review 2005 and poses risks in terms of health and safety. The views of the objectors are supported and there are no material considerations that would justify the approval of this application contrary to the provisions of the Development Plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of an opticians unit on land to the north east with additional staff car parking to the rear of the existing units at Campfield Square, Nursery Road, Broughty Ferry, Dundee.

The proposed unit will measure approximately 4.25metres in height and 16.8metres in length. The gross floor space for retail purposes will be approximately 92.7m². This proposal will result in the loss of eight car parking spaces. However, the applicant has indicated that nine new car parking spaces will be provided in the service yard.

The proposed finishing materials for this unit are; the walls will have a mixture of polished granite base course, painted cream and red render and timber cladding and glass blocks. The roof will be a flat roof with lead canopy with timber supports. There will be a PPC aluminium shop front with a painted render base for signage and the bin storage will be located behind a perforated aluminium screen.

SITE DESCRIPTION

The application site is located on the south side of Nursery Road. Campfield Square is a reasonable sized shopping area with a number of small retail units and two larger units to the north west and south west with a car parking area within the centre of the site and some additional parking spaces to the north west. The proposed site is currently a landscaped area with customer parking spaces.

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.

Policy 42: Local Shopping - at the Local Shopping Centres and shopping parades the City Council will support:

- a measures for the upgrading of existing shopping provision; and
- b where appropriate, the provision of additional shopping floorspace up to a maximum of 500 square metres gross.



The City Council will undertake a study of local shopping across the city as a whole which will include identifying opportunities for the targeted improvement of existing shopping provision. It will also investigate potential sources and mechanisms of funding to assist the implementation of these measures. The study will also identify where the expansion of local shopping centres

and shopping parades would be appropriate.

The City Council will use its Retail Database updates and associated retail surveys to monitor change in the nature and distribution of local shopping provision across the city following the introduction of the policy.

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

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

It should be noted that there is also a current application (Planning Reference: 07/00064/FUL) for the development of a new retail unit to the north of the existing Iceland unit. There are a number of previous applications for Campfield Square. These include the following: An application for the erection of a retail unit and stand alone ATM unit (Planning Reference: 06/00446/FUL). This application was withdrawn. An application was approved in July 2006 for the erection of totem signage and various other signs (Planning Reference: 6/00443/ADV). An application for the erection of a stand alone ATM unit to the north east of 2 Campfield Square was approved in November 2006 (Planning reference: 06/00905/FUL).

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out. Three letters of objection were received from neighbouring residents. The grounds of objection are:

The current number of car parking spaces is already insufficient for the number of people using the shopping centre.

An additional retail unit would have an adverse impact on the main Broughty Ferry shopping centre.

How will the new parking spaces be accessed?

The new spaces will create noise and disturbance to residents when staff vehicles arrive.

The removal of the screening behind the wall would increase the noise from the servicing the shops.

How much room will be left for lorries servicing the existing units?

There will be an increase in traffic in Strathmore Street. The existing car park lay-by to the front of the properties at Strathmore Street will be taken over by customers.

The site for the Optician's Unit is at the entrance of a busy car park. This will increase the number of pedestrians walking across traffic.

Currently, visibility at this junction is poor and often congested.

The trees and bushes have provided a degree of privacy. Any removal should be replaced along the boundary wall.

Concerned that it will be necessary to blast the rocky ground and this will cause damage to the foundations of nearby dwellings.

Copies of the objections are available for inspection in the Member's Lounges and the issues are discussed in the "Observations" section below.

CONSULTATIONS

No adverse comments were received from statutory consultees or other bodies.

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 main issues for consideration under Policy 1 relating to this proposal are the loss of parking spaces, traffic movements and noise. Policy 1 Vibrant and Sustainable Communities seeks to safeguard the amenity of residential areas.

The application is proposing to remove eight existing customer car parking spaces and an existing landscaped area to erect the opticians unit and to provide nine new staff car parking spaces to compensate for this loss. However, the proposed new spaces are to be located to the rear of the Iceland unit and it would appear that they are to provide for staff parking only. This area to the rear of the units is essentially a servicing yard. As such the creation of parking spaces for staff or customers would lead to a number of safety issues with pedestrians being present when lorries are delivering goods to the commercial units. It is not acceptable to have pedestrians present where heavy goods vehicles will be present to service the retail units. As such, the proposed car parking spaces whether for staff or customers to the rear of the units, can not be supported on safety grounds. In addition, this proposal does not address the shortfall of customer parking. The proposed new parking spaces to the rear of the existing units within the service yard can not be regarded as providing adequate car parking spaces to compensate for the loss of spaces as a result of this development. Consequently, this proposal can not be supported as there is inadequate replacement of customer car parking spaces.

It is proposed to develop this unit close to the junction with Nursery Road. Due to the proximity to the junction, the proposed unit encroaches on the required visibility splay at the car park access. The minimum splay required is 2.5x70metres and no buildings, walls fences or other obstructions are permitted within the splay. This would not be the case with this proposal. This development would have an adverse impact on the circulation of traffic both accessing and leaving Campfield Square. In addition, it is considered that the building at this

location disrupts the symmetry of the existing centre. Consequently, this proposal is contrary to Policy 1 in terms of the lack of adequate customer parking provision and the safety issues associated with the traffic movements of this development.

In terms of noise, there may be an increase in noise as a result of parking provision to the rear of the existing units and the required removal of the existing vegetation to provide these additional spaces. However, no adverse comments in relation to noise have been received as a result of consultations.

Policy 1 also considers design and layout. The proposed unit is a single storey opticians unit detached from the rest of the commercial units. The proposed unit will measure approximately 4.25metres in height and 16.8metres in length. The applicant states the external gross floor area will be approximately 92.7m². The proposed finishing materials for this unit are; the walls will have a mixture of polished granite base course, painted cream and red render and timber cladding and glass blocks. The roof will be a flat roof with lead canopy with timber supports. There will be a PPC aluminium shop front with a painted render base for signage and the bin storage will be located behind a perforated aluminium screen. Due to the detached nature of the unit away from the other units it is considered that the architectural treatment will make this unit stand out as a new addition to an established retail area where the overall design is relatively uniform. Consequently, it is considered that the design of this unit is not acceptable for this location.

In assessing the development against Policy 42, Campfield Shopping Centre is a local shopping centre. As such, the policy permits up to a maximum of 500m² gross upper threshold for the provision of additional shopping space. The applicant has stated that this proposal will provide approximately 92.7m² of external floor space. Consequently, the provision of this additional unit is in line with Policy 42.

It is concluded from the foregoing that the proposal does not comply with Policy 1 in terms of parking provision, associated traffic movements and overall design.

Other Material Considerations

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

Objections

Three letters of objection were received in respect of this application. The main issues in relation to parking, access and noise have been covered in the development plan section above. The other issues raised by the objectors are:

One of the objectors is concerned that due to the rocky nature of the land any development will require the site to be blasted which will damage the house foundations. It is considered that this objection relates to the other current application (Planning reference: 07/00064/FUL) for the development of a new retail unit to the north of the Iceland unit. Regardless, this is not a planning matter. However, the Council Building Standards section during their assessment of any Building Warrant application will consider the stability issue. If structural damage were to occur to an adjacent property as a consequence of building work this is a legal matter rather than a planning issue.

One of the objectors is concerned that the removal of trees and shrubs will result in a loss of privacy. Again it is considered that this objection relates to the other current application (Planning reference: 07/00064/FUL) for the development of a new retail unit to the north of the Iceland unit.

It is concluded from the foregoing that there are no material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be refused.

Design

As discussed above it is considered due to the detached location of the proposed unit and the design this will make this unit stand out as a new addition to an established retail area where the overall design is relatively uniform.

CONCLUSION

As detailed above it is considered that the proposal is contrary to Policy 1 of the Dundee Local Plan Review 2005 in terms of parking and associated traffic

movements which raise concerns in terms of traffic and pedestrian safety. It is considered that there are no material considerations to justify granting planning permission contrary to the Development Plan.

RECOMMENDATION

It is recommended that consent be REFUSED for the following reason:

Reason

- 1 The proposed development is contrary to Policy 1 of the Dundee Local Plan Review 2005 in terms of failing to provide adequate customer parking, effecting the visibility at the car park access and raising concerns relating to traffic and pedestrian conflicts within the servicing area. There are no material considerations that would justify a departure to the provisions of the development plan in this instance.