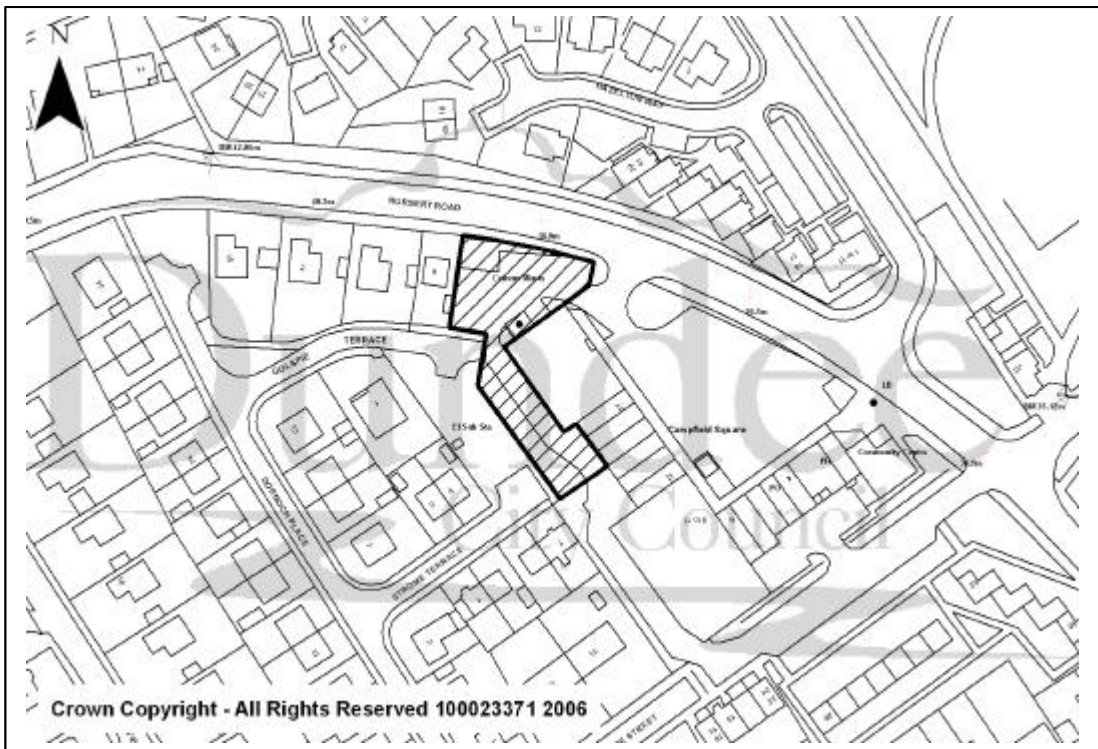


**KEY INFORMATION****Ward** Barnhill**Proposal**

Erection of Retail Unit

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

## New Retail Unit Proposed for Campfield Square

The erection of a retail 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 raises concerns in terms of manoeuvrability and health and safety and the objections are supported. The application is therefore recommended for **REFUSAL**.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a retail unit on the north west side of Campfield Square, Broughty Ferry.
- Policy 1 and 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 a retail unit on land north of units numbers 15-18, north west of the existing Iceland unit at Campfield Square, Nursery Road, Broughty Ferry Road with additional parking to the west of the existing units.

The proposed unit will measure approximately 4.15metres in height and 11.7metres in length. The total external floor area is approximately 163.4m<sup>2</sup> where the shop floor gross area will be approximately 125m<sup>2</sup>.

The proposed finishing materials for this unit are; the walls will be rendered and painted cream. 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. The external doors on the south facing elevation will be timber.

## 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. There is a telecommunications mast and associated equipment on the site for the proposed retail unit.

## 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: 07/00063/FUL) for the development of a new stand alone opticians unit to the north east of the existing units. 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 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

The Head of Environmental Health and Trading Standards has advised that due to the proximity of the proposed unit to the house to the west a condition limiting noise from any mechanical and electrical plant servicing should be imposed.

## 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 traffic movements and potential noise. Policy 1 Vibrant and Sustainable Communities seeks to safeguard the amenity of residential areas.

The application is proposing to remove an existing telecommunications mast to the north of the Iceland unit and install a new retail unit. The applicant was asked for information relating to the removal and subsequent re-positioning of the telecommunications mast as a result of this proposal. Correspondence was received from the applicant dated 11 April 2007, stating that the lease for the mast is due to expire in a few years time. There is no further information to clarify whether the mast will be positioned elsewhere on the site.

Six new staff car parking spaces are also to be provided. However, the proposed new spaces are to be located to the rear of the existing commercial units. This area to the rear of the units is essentially a servicing yard. As such the creation of parking spaces for staff would lead to a number of safety issues with pedestrians being present when lorries are delivering goods and servicing the commercial units. Therefore, the proposed car parking for staff to the rear of the units can not be supported on health and safety grounds. It is also debatable whether there is sufficient space around the proposed building for all vehicles to manoeuvre safely. The road to the rear of the units also remains open. It is questionable as to the purpose of such a link.

In terms of noise, there may be an increase in noise as a result of parking provision to the rear of the existing units. As stated above, the Head of Environmental Health and Trading Standards, is concerned that due to the proximity to the house to the west, there may be some noise from servicing the new retail unit.

Policy 1 also considers design and layout. The proposed unit is a single storey retail unit to the north of the existing Iceland unit. The proposed unit will measure approximately 4.15metres in height and 11.7metres in length. The total external floor area is approximately 163.4m<sup>2</sup> where the shop floor gross area will be approximately 125m<sup>2</sup>. Due to the proposed location of the unit it is questionable how vehicles will access the service yard and the proposed parking spaces to the rear of the units.

The proposed finishing materials for this unit are; the walls will be rendered and painted cream. 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. It is considered that this architectural treatment will fit the unit into the established site.

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 500m<sup>2</sup> gross upper threshold for the provision of additional shopping space. The applicant has stated that this proposal will provide approximately 163.4m<sup>2</sup> 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 the associated traffic movements. However, the creation of a new unit complies with Policy 42.

## 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. This is not a planning matter. However, the Council Building Standards 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. It is considered that it would be regrettable to see the loss of an area of green space and associated screening in order to provide parking spaces. This objection is supported.

### Manoeuvrability

The main concern in relation to this application is the issue of manoeuvrability. The manner, in which the shopping centre was originally built in terms of its functioning and servicing, would not appear to be suitable for the development of an additional retail unit at this location. It is considered that this development would restrict vehicle movements within the site. Consequently, it is considered that this proposal is not appropriate.

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 that the proposed design of the unit will not have an adverse impact on the established units or the residential properties.

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### CONCLUSION

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As detailed above it is considered that the proposal is contrary to Policy 1 of the Dundee Local Plan Review 2005 in terms of manoeuvrability and associated traffic movements which raise concerns in terms of the safety of pedestrians and vehicles. It is considered that there are no material considerations to justify granting planning permission contrary to the development plan.

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### RECOMMENDATION

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

#### Reasons

- 1 The proposed development is contrary to Policy 1 of the Dundee Local Plan Review 2005 in terms of manoeuvrability of vehicles within the service and parking areas and raises concerns in terms of pedestrian and traffic safety. There are no material considerations that would justify a departure to the provisions of the development plan in this instance.
- 2 The loss of a landscaped area to create new parking spaces is not desirable as this landscaping provides an important screening function from the servicing area and parking spaces to the residential properties nearby. There are no material considerations that would justify the loss of this landscaped area in this instance.