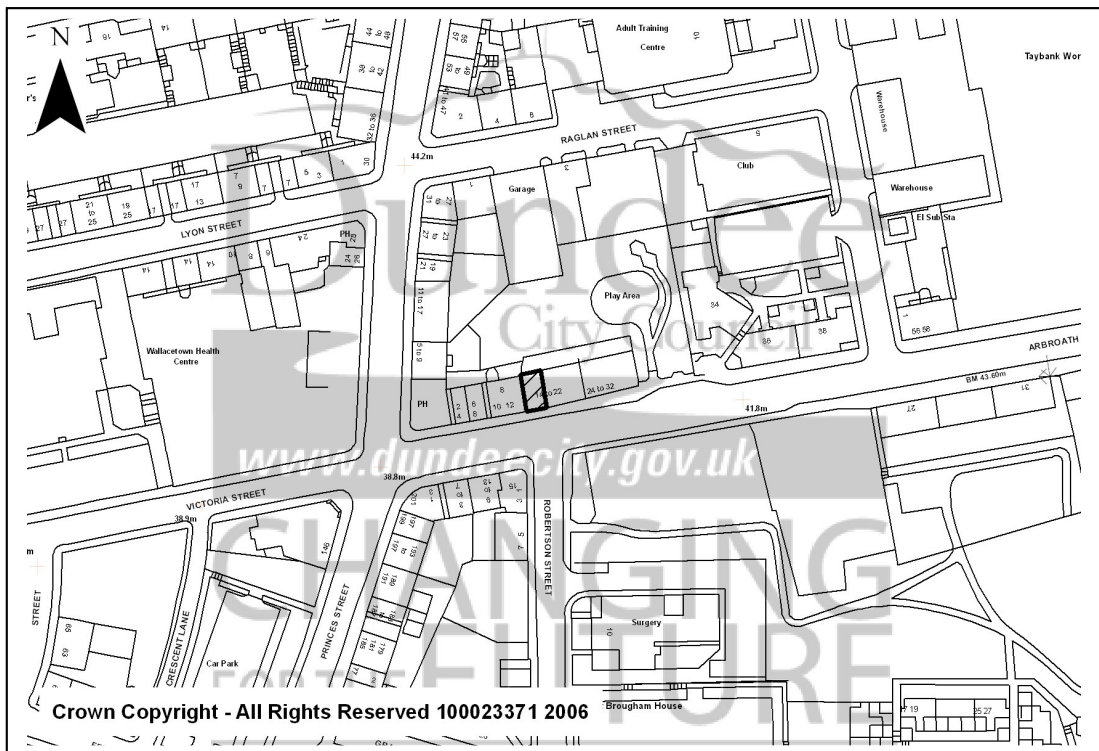


KEY INFORMATION

Ward Maryfield

Proposal

Change of use from greengrocer to sunbed salon

Address14-16 Arbroath Road
Dundee
DD4 6EP**Applicant**Mr Mark Anderson
26 Baxter Park Glebe
Dundee
DD4 6PD**Agent**Ron Weir
Balloch Bungalow
South Balloch Farm
Alyth
Perthshire
PH11 8JN**Registered** 23 Aug 2007**Case Officer** Paul Macari

Change of Use to Sunbed Salon Proposed in Arbroath Road

A change of use from greengrocer to sunbed salon is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed change of use is considered to meet the criteria of Policies 1 and 40 of the Dundee Local Plan Review 2005. The proposed change of use from Class 1 Retail to Class 2 Financial and Professional Services is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought to change the use of 14-16 Arbroath Road from a Greengrocer to a Sun Bed Salon.
- The application site is situated on the ground floor of a mid terraced 4 storey tenement building on the northern side of Arbroath Road.
- 1 letter of representation has been received from a third party. The concerns raised relate to existing on street parking facilities and the principle of the proposed use of the application site should planning permission be granted.
- The proposal complies with the Development Plan.
- There are no material considerations including the points raised in the letter of representation that would justify laying aside the Development Plan and withholding planning permission.

DESCRIPTION OF PROPOSAL

Planning permission is sought to change the use of the application site from Class 1 Retail to Class 2 Financial and Professional Services. The premises are currently vacant with the previous use being a Greengrocer. It is proposed to open a sun bed salon.

The applicant does not propose any external alterations to the application site, with the erection of internal partition walls being the subject of a building warrant.

The applicant is aware that the display of signage requires to be the subject of a formal application for advertisement consent which will be submitted for consideration by the Council in due course.

SITE DESCRIPTION

The application site comprises a ground floor commercial unit situated within a mid terraced 4 storey tenement building on the northern side of Arbroath Road. The 3 upper floors of the building are currently occupied by residential flats. The application site takes the form of a vacant former greengrocers.

The application site is located at the western end of Arbroath Road, 100m from the junction with Albert Street. The application site therefore lies on the boundary of Albert Street District Centre as defined in Appendix 5 of the Dundee Local Plan Review 2005.

The building has a slate pitched roof and is finished in a buff coloured stone. The exposed gables are finished in a weathered buff render. The windows of the flatted dwellings are timber framed top hopper style. The application site itself has a brown painted timber fascia with a white painted timber sign displayed upon it. The windows and doors are secured by aluminium roller shutters with the shutter boxes concealed behind the timber fascia. The exposed stone work on the ground floor has been painted blue. Access to the rear of the premises and to the flatted dwellings above is taken from a close located to the east of the application site between 14 and 18 Arbroath Road.

POLICY BACKGROUND

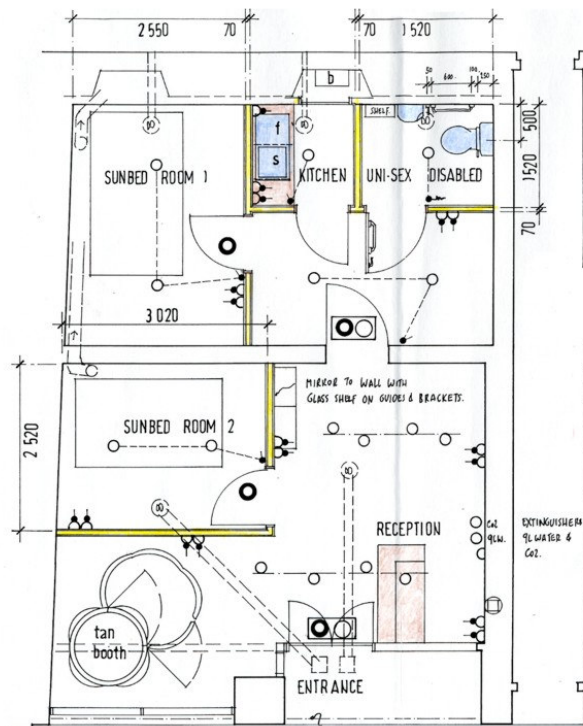
Dundee and Angus Structure Plan 2001-2016

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 40: District Centres outwith Core Areas - within District Centres, the City Council will support proposals outwith core areas which involve change from shopping use will generally be acceptable.

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. However, it should be noted that the proposed change of use will bring a vacant commercial unit situated on the ground floor of a tenement building back into use, preventing the unit from falling into a state of dereliction.

SITE HISTORY

There is no planning history of relevance to the outcome of this application.

PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours. One letter of objection has been received from a third party raising concerns over the proposed use of the application site and the impact this will have upon existing on street parking provision and the lack thereof.

Copies of the letter of objection are available in the Members' Lounges and the issues raised are addressed in the "Observations" section of this report.

CONSULTATIONS

The Council's Transportation Division has no objections to the proposed change of use.

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.

Dundee Local Plan Review 2005

The proposed change of use from Class 1 Retail to Class 2 Financial and Professional Services is considered to meet the criteria of Policy 1 Vibrant and Sustainable Communities, and, Policy 40 District Centres outwith Core Area of the Dundee Local Plan Review 2005.

It is considered that a mix of uses and the availability of a range of services and facilities locally help to create a stable, strong and sustainable community. Furthermore the provision of local services and facilities reduces the need for people to travel to meet their everyday needs making an important contribution to the promotion of sustainable development whilst also adding to the City's vibrant urban fabric.

The proposed change of use will bring a vacant commercial unit back into use and although no external alterations are proposed, the re-use of this unit will have a positive impact on what is quite a run down area on the outskirts of Albert Street District Centre.

Although the main use of properties surrounding the application site is housing, it is important that ground floor commercial units are retained to further promote economic development within the city as well as provide facilities to support the surrounding residential population. It is considered that the proposed use will not adversely impact on the residences above by virtue of noise disturbance. The proposed change of use will safeguard the longevity of this vacant ground floor commercial unit through providing a use that compliments the surrounding Class 1 Retail uses whilst also furnishing the local residential population with additional commercial facilities.

Given that the existing use of the application site is Class 1 Retail it is considered that the proposed change of use to Class 2 Financial and Professional Services will not further intensify existing on street parking problems as there are adequate on street parking facilities in close proximity to the application 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:

Views of Objectors

The matters raised by the letter of objection received from a 3rd party are discharged elsewhere in the Observations Section of this report (i.e. Local Plan Assessment and Consultations) and very little weight can be accorded to either of these matters.

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.

Design

There are no external alterations proposed. The applicant is aware that any future display of signage will require to be the subject of a formal application for Advertisement Consent. The design of such signage will be assessed under the criteria of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and the Dundee Local Plan Review 2005.

CONCLUSION

The proposed change of use is considered to meet the criteria of Policies 1 and 40 of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the provisions of the Development Plan and withholding planning of permission.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.

Reasons

- 2 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.