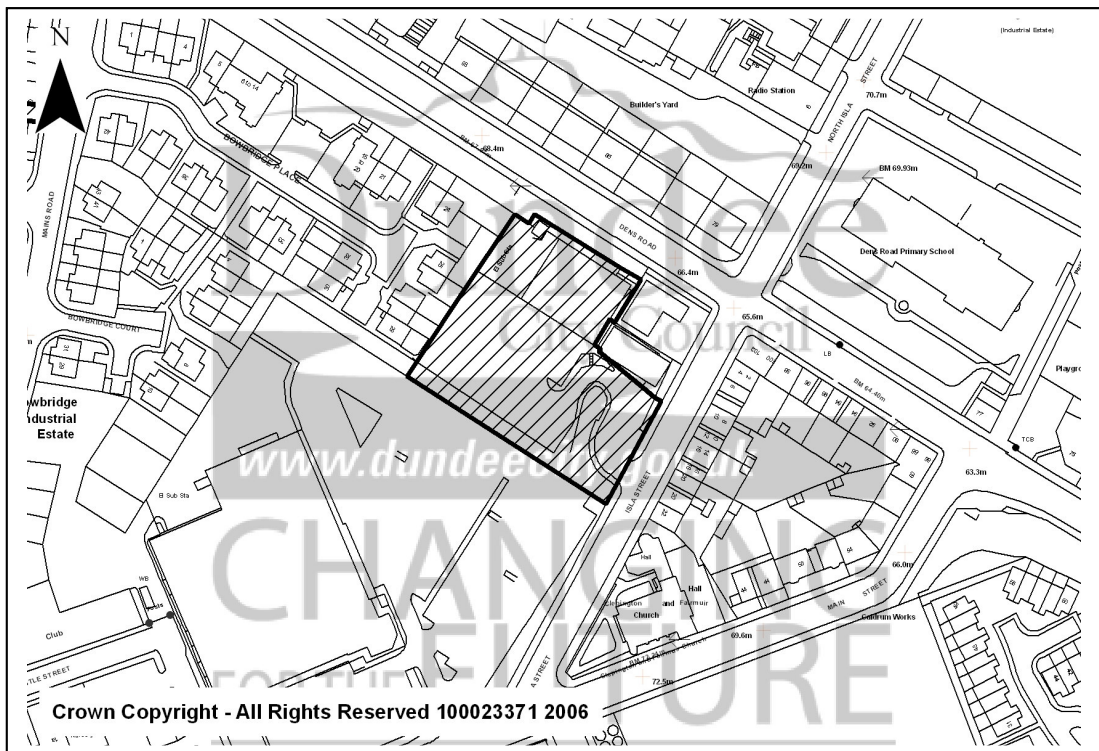


**KEY INFORMATION**

Ward Coldsid

**Proposal**

Change of use to form taxi office

**Address**Bowbridge Works  
Unit 36  
3 Isla Street  
Dundee**Applicant**Dundee Taxi Cab Ltd  
The Eagle Mill  
Victoria Street  
Dundee  
DD4 6EB**Agent**Peter Inglis Architects  
30 South Tay Street  
Dundee  
DD1 1PD**Registered** 26 Sep 2007**Case Officer** Paul Macari

# Proposed New Taxi Office in Isla Street

A change of use to form a taxi office is **RECOMMENDED FOR APPROVAL** subject to conditions.  
Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposal complies with Policy 1 of the Dundee Local Plan Review 2005. The objections do not carry sufficient weight to merit refusal of the application. The development is therefore recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought to change the use of Bowbridge Works from Class 4 Business Use to Sui Generis Taxi Office and 3 Class 4 Business Units.
- Policy 1 of the Dundee Local Plan Review 2005 seeks to ensure that the design of new development should minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell.
- 6 letters of objection have been received from 3rd parties concerned about noise disturbance, light pollution, anti-social behaviour, traffic congestion and pedestrian safety.
- The proposed change of use is considered to have a positive impact upon the local area by bringing vacant premises back into use as well as providing additional services for the local community and much needed facilities for small businesses.

**DESCRIPTION OF PROPOSAL**

Planning permission is sought to change the use of the application site from Class 4 Business to Sui Generis Taxi Office and form 3 Class 4 Business Units. The proposed change of use will involve both internal and external alterations to the existing business units to form a control room, driver's room, training room, offices and 3 small Class 4 business units. The Taxi Office shall be operational 24 hours a day and as such has been advertised as a Bad Neighbour Development. Planning permission is not required for the subdivision of the remaining Class 4 Business unit to form 3 small Class 4 Business units.

**SITE DESCRIPTION**

The application site is located on the western corner of the junction between Dens Road and Isla Street. The site is bound by 1.8m high steel post and chain-link fencing to the north, east, south and west. Given the topography of the site the northern, southern and eastern boundaries are reinforced by 1-2m high stone built retaining walls.

The site is surrounded by traditional stone built 4 storey tenements flats on the opposing sides of Dens Road and Isla Street (to the north and east respectively). To the west the site is bound by newly built 2 storey dwellinghouses and to the south by Hill Park which forms the north most part of Hilltown District Centre. There are 2 small industrial units located between the application site and Dens Road.

Vehicle access to the site is taken from Isla Street where an access road serves 2 large industrial units located in the northern sector of the site then wynds round to access an extensive car parking area to the south of the site. A large landscaped bund separates the car parking area and access road. The bund is populated by mature shrubbery and coniferous trees and provides a screen between the industrial units and flats on Isla Street.

**POLICY BACKGROUND**

**Dundee and Angus Structure Plan 2001-2016**

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



parking and traffic movement issues, noise or smell."

The proposals also include the formation of 3 small Class 4 business units to provide additional community services and facilities as well as some much needed business premises within the city. As the policy notes, the development must accord with other policies in the Plan and this will be assessed in Observations section of this report.

**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.

**Dundee Local Plan 2005**

The following policies are of relevance:

Policy 1: Vibrant and Sustainable Communities

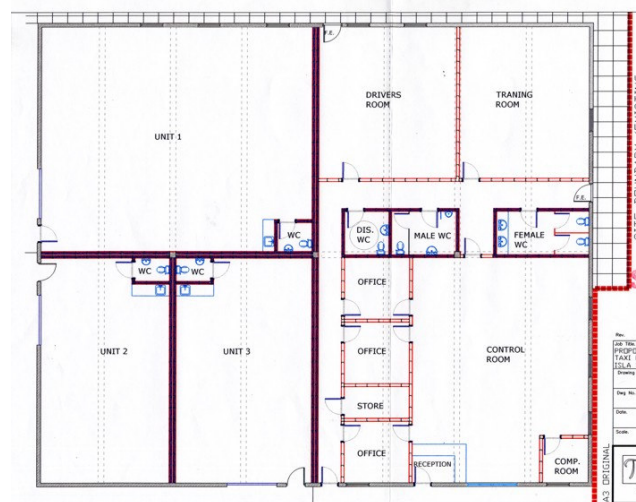
"The City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and

**SUSTAINABILITY ISSUES**

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

**SITE HISTORY**

Over the last 17 years several planning applications of relevance have been submitted to the Council for consideration.



Planning application 90/15764/D sought permission for change of use from vacant car park to car sales display area and erection of temporary portacabin. Planning Permission was granted.

Planning application 95/21257/D sought permission to change the use of Bowbridge works from a scaffolding storage yard to a car sales yard. Planning permission was granted.

Planning application 00/02477/D sought full planning permission for the erection of a portacabin. This application was approved.

Planning application 02/00632/FUL sought full planning permission for the erection of 2 industrial units. Planning

within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout,

permission was granted subject to conditions.

## **PUBLIC PARTICIPATION**

Statutory neighbour notification was carried out and 6 letters of representation were received.

The main concerns raised relate to:

- Late night/ early morning noise disturbance due to vehicle movements;
- Car lights shining into windows at night;
- Anti-social behaviour;
- Traffic congestion;
- Pedestrian safety especially school children;
- Overshadowing; and
- Overlooking.

## **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**

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 H1 of the Dundee Local Plan 1998. This Plan was superseded in August 2005 with the surrounding predominant land use remaining residential. In light of this, Policy H1 of the Dundee Local Plan 1998 has since been replaced by Policy 1: Vibrant and Sustainable Communities of the Dundee Local Plan Review 2005. Through Policy 1 the Council aims to promote vibrant communities through encouraging the development of an appropriate range of services and

facilities close to and within residential areas. Such services and facilities should seek to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking, traffic movement issues, noise or smell.

It is concluded from the foregoing that the proposal complies with the development plan as not only will it bring vacant premises back into use but will also provide additional services of benefit to the surrounding community while providing modern business premises for small companies.

## **Other Material Considerations**

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

## **Objections**

The objections raised relate to:

- 1 Traffic Congestion and Pedestrian Safety

It is considered that there are sufficient parking spaces within the application site to accommodate the occupiers/ employees of the industrial units, taxi office as well as the taxis and associated traffic without the need arising for such vehicles to park on-street. Given the proximity of the application site to Dens Road, the proposed change of use is not considered to generate additional traffic to the detriment of road safety.

- 2 Noise Disturbance caused by late night/ early morning vehicle movements.

The Council's Environmental Health and Trading Standards Department have no comments to make with regard noise disturbance in relation to the proposed change of use. Given that the application site backs on to Dens Road which is a main arterial route through the city, the level of noise generated from vehicle movements within the application site is not considered to be more intensive than existing late night noise levels generated from traffic using Dens Road. This view is supported further by the existing Class 4 Business Use afforded to the site where there

are no restrictions on operating hours.

- 3 Anti-social Behaviour

There is currently no planning legislation to deal with anti-social behaviour. However it should be noted that the application site will be operational 24 hours-a-day and therefore the level of anti-social behaviour shall not increase due to 24 hour surveillance of the premises. Concerns over litter disposal can be addressed by planning conditions requiring that litter bins are positioned around the entrance to the Taxi Office. It should be noted that although there is a reception area the applicant has confirmed that members of the public will not be picked up from the Taxi Office with entry to the reception area being through a security door. The reception area is to provide a formal area where deliveries can be received and patrons of the company can be welcomed (new members of staff arrive to be trained/ waiting area for meetings etc). At times, this area may also be used as a passenger waiting area.

- 4 Light Pollution caused by car lights shining into windows at night.

Environmental Services have no comments to make with regard to light pollution. The level of light pollution caused by car headlights shining into windows of adjacent dwellings is not considered to be of significance to warrant a refusal of planning permission given the location of adjacent residential dwellings to Dens Road, Isla Street and Bowbridge Place. However, to overcome such issues and to further negate the opportunity for noise disturbance and anti-social behaviour planning permission if granted will be subject to a condition that a close boarded timber fence no less than 1.8m high from ground level be erected along the western boundary of the application site.

Issues of overshadowing and overlooking are not considered to be material to the outcome of this planning application. Principally this is because the only external

alterations to the existing buildings will involve the formation of an additional west facing door opening and to the north elevation the formation of a vehicle entrance to the building and 3 single door openings. Such development will not further intensify any existing issues of overlooking or overshadowing.

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

## Design

The design and appearance of the proposed taxi office and 3 Class 4 business units is considered to be acceptable and generally in keeping with the quality of the surrounding commercial and residential buildings. Given the topography of the application site and the existing areas of landscaping within the site, the existing buildings do not intrude on the residential streetscapes of Isla Street and Dens Road.

## CONCLUSION

It is considered that the proposal meets the criteria of Policy 1 Vibrant and Sustainable Communities of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the Development Plan and withholding the grant of planning permission.

## RECOMMENDATION

It is recommended that consent 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 BEFORE WORK STARTS ON SITE, details of a 1.8m high close boarded timber fence to be erected along the line coloured green on the site plan, shall be submitted to this Planning Authority for written approval.
- 3 BEFORE WORK STARTS ON SITE, details of commercial refuse storage facilities and litter bins to be located out with the

taxi office and industrial units shall be submitted to this Planning Authority for written approval.

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interest of safeguarding residential amenity.
- 3 In the interest of safeguarding amenity.