

**KEY INFORMATION**

Ward North East

**Proposal**

Outline consent for a single storey extension to existing building to form new retail unit.

**Address**

The Old Police Station  
Fintry Road  
Dundee

**Applicant**

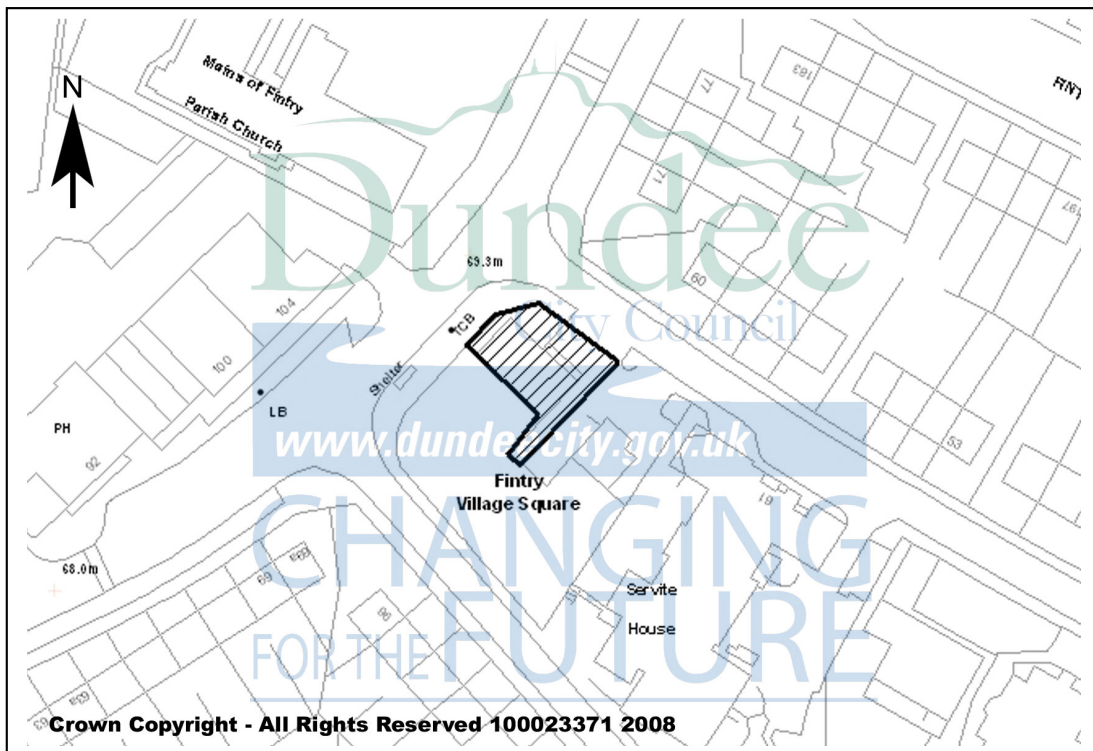
Seafeld Estates  
3 Old Hawkhill  
Dundee  
DD1 5EU

**Agent**

Mark Walker Architect  
1 Laurel Bank  
Dundee  
DD3 6JA

Registered 22 April 2008

Case Officer S Page



## Fintry Shop Seeks Extension

Outline consent for a single storey extension to existing building to form new retail unit is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation.

**RECOMMENDATION**

It is considered that the proposal complies with the policies of the Dundee Local Plan Review 2005 and there are no material considerations that would justify refusal of the application. The application is recommended for **APPROVAL** with conditions.

**SUMMARY OF REPORT**

- Outline Planning Permission is sought for the erection of a single storey extension to an existing building within the Fintry Local Shopping Centre. The site lies to the south-east of Fintry Road and south-west of Finlarig Terrace. The existing building is a bookmakers whilst the land for the extension is currently vacant land used for car parking.
- Two objections have been received concerning the loitering of youths in the area, loss of privacy and traffic and pedestrian congestion.
- The application is recommended for Approval as there are no material considerations of sufficient weight, including the submitted objections, to justify refusal of this application contrary to the Dundee Local Plan Review 2005.

## DESCRIPTION OF PROPOSAL

The proposal is for outline permission to construct a single storey extension to an existing building which lies to the south of the junction of Fintry Road and Finlarig Terrace. The existing building houses the Coral Bookmakers and is of a single storey design with red tiled roof and brick faced frontage.

An illustrative drawing was also submitted which indicated the proposed building extension would be solely to the north-east of the existing building and be used for a shop with pedestrian access to its north side (towards the junction corner) and not exceed the height of the existing building.

## SITE DESCRIPTION

The site is currently vacant ground which is used for car parking. To the west and south-west are retailing units forming the Local Shopping Centre for Fintry whilst to the south east is a dental practice. To the north-east and East are residential properties on Finlarig Terrace.

To the south of the existing bookmakers is the Fintry Village Square.

## 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 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

There is no history of relevance to the determination of this application, however the site was previously occupied by a police station.

## PUBLIC PARTICIPATION

The applicant has carried out the statutory neighbour notification procedure.

Two letters of objection were received concerning loss of privacy, loitering of youths, lack of parking and pedestrian congestion outside the existing shop.

## CONSULTATIONS

No adverse comments have been received from statutory consultees.

## 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.

Policy 42: Local Shopping - this policy supports the expansion of floorspace provision within Local Shopping Centres up to a maximum of 500 square metres gross. The proposal is for a shop in the region of 80 square metres. Accordingly the

proposal complies with that policy

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:

## Objections

### Loss Of Privacy

The proposed shop lies to the south west of Finlarig Terrace, the existence of the shop will not reduce the level of privacy to residents on the opposite side of the street as the street is equipped with public footways to both sides which allows the public a much closer proximity to local housing.

**Lack of Parking**

The proposal will involve the removal of two parking spaces, however the shopping parade is equipped with a substantial parking area to the north-west side of Fintry Road. Of particular concern is the potential loss of parking for servicing vehicles and whilst space exists to the rear of the property, the illustrative drawings do not offer sufficient access space for vehicles to enter that area and this would require to be resolved in a subsequent planning application.

**Pedestrian Congestion on Footway**

The footway outside the existing shop is in excess of 5m wide which is well in excess of the three metre maximum standard footway width required for such locations, therefore this issue is not supported.

The potential loitering of youths outside the proposed shop is not a material planning consideration and is therefore irrelevant to the determination of this application

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. It is therefore recommended that planning permission be granted with conditions.

**Design**

As this is an outline application, only limited design detail has been provided, however the applicant has indicated that the building is expected to be no higher than its south eastern neighbour and built of similar materials.

**CONCLUSION**

It is considered that the proposal complies with policy 42 of the Dundee Local Plan Review 2005 and there are no material considerations which would justify refusal of the application. Accordingly the proposal is recommended for APPROVAL subject to conditions.

**RECOMMENDATION**

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

- 1 The approval of the City Council shall be obtained to the following

reserved matters before any development is commenced viz: the design of the building(s), the external appearance of the building(s), the means of access to the building(s), the means of servicing the building(s), the landscaping of the site

- 2 Application for approval of the matters referred to in condition (1) above must be made within three years of the date of this permission.
- 3 The development to which this permission relates shall begin within five years of the date of permission or two years of the final approval of the reserved matters, whichever is the later.
- 4 Prior to the occupation of the retail unit a pedestrian footway is required to be constructed along the entire north-eastern extent of the property. Any existing accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council standards and specifications. Details of these alterations must be agreed prior to any works on site.

**Reasons**

- 1 To reserve these matters for future consideration by the Council.
- 2 To comply with Section 58 of the Town & Country Planning (Scotland) Act 1997.
- 3 To comply with Section 58 of the Town & Country Planning (Scotland) Act 1997.
- 4 In the interests of pedestrian safety.