

KEY INFORMATION

Ward Strathmartine

Proposal

Temporary change of use from Driving Standards Agency Test Centre to Adults Skill Centre and erection of portacabin for storage of equipment

Address

Unit 1, Faraday Court
Dryburgh Industrial Estate

Applicant

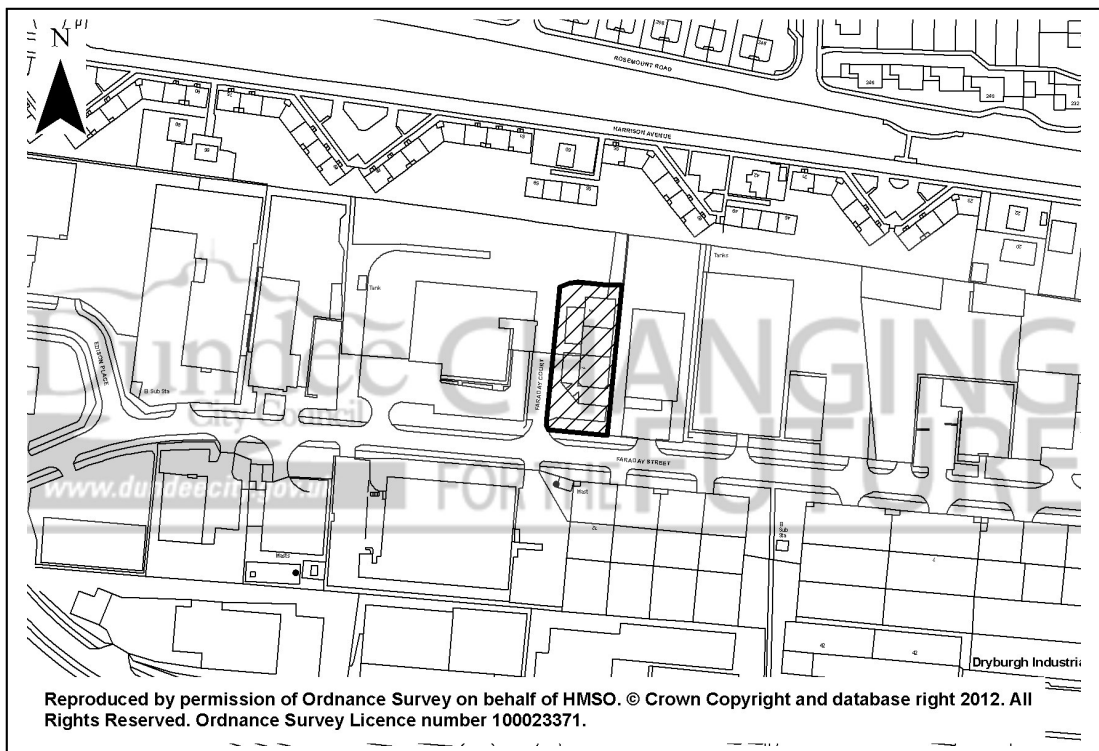
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Agent

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Registered 13 Feb 2012

Officer P Frickleton



Temporary Use as Adult Skills Centre at Faraday Court

The temporary change of use from Driving Standards Agency Test Centre to Adults Skill Centre and erection of portacabin for storage of equipment is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of City Development.

RECOMMENDATION

The proposed development is considered to contravene Policy 24 (Principal Economic Development Areas) of the Development Plan. However, sufficient weight can be accorded to the material considerations to justify the approval of the development contrary to the provisions of the plan. The application is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- This application seeks planning permission for a change of use from Driving Standards Agency test centre (Class 2) to an Adult Skills Centre (Class 10).
- The proposal falls to be considered under Policy 24 (Principal Economic Development Areas) of the Dundee Local Plan Review 2005.
- The Council has followed the statutory neighbour notification procedure stipulated by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. No letters of objection have been received.
- The application is required to be referred to the Development Management Committee for determination as it has been submitted by the Council.

DESCRIPTION OF PROPOSAL

The proposal involves the temporary change of use of the above premises from a Driving Standards Agency test centre (Class 2) to an adult skills centre (Class 10). There will be minimal internal alterations required to carry out the change of use.

Due to the major refurbishment of the MacKinnon Centre in Broughty Ferry, Social Work are required to find alternative accommodation for a temporary period until the works are carried out. The MacKinnon Centre provides short term respite care and skills services to people with physical disabilities and/or progressive illness. Alternative arrangements have been made for the residential respite and Social Work are now proposing a temporary decant to the premises at Faraday Court for the skills centre.

The skills service provides a service for up to 40 adults at any one time. It provides support and skills development opportunities. Skills officers deliver individualised skills programmes and support staff assist with personal care needs. Skills programmes offer skills training and development, which is tailored to individual needs in areas such as: personal and domestic care, social and communication skills, arts and crafts, music, gardening and information technology.

A small portacabin is proposed for the storage of activity material that will be needed in both Faraday Court and Kirkton Community Centre. The proposed portacabin which measures 6,084mm by 3,266mm and 2,573mm in height will be located in the car park to the front of the building.

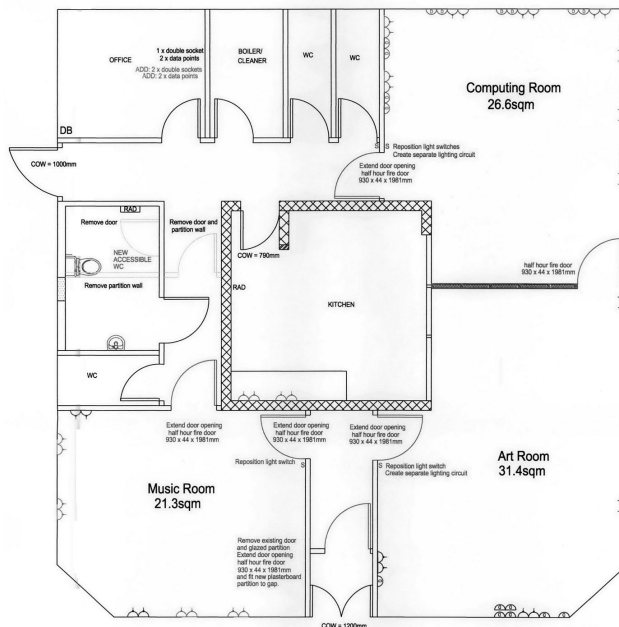
In accordance with the Council's Scheme of Delegation this application is being reported to the Development Management Committee as it has been submitted by the Council.

SITE DESCRIPTION

The property is located on the corner of Faraday Court and Faraday Street within Dryburgh Industrial Estate. The modern single storey industrial unit

adjoins Jewsons Building Merchants, access to which is separated from the application site by a 1.8m high palisade fence. The surrounding uses are a mixture of commercial and industrial uses.

Ample car parking is provided to the south and west of the building.



POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan Review 2005

The following policies are of relevance:



Policy 24: Principal Economic Development Areas - Principal Economic Development Areas are of City-wide significance and as such will be safeguarded for industrial and

business use. Uses outwith Classes 4 "Business", 5 "General Industry" and 6 "Storage and Distribution" will be resisted. Exceptions where defined in Policy 27 (Ancillary Services within Economic Development Areas), will only be considered favourably where it can be demonstrated that the development will enhance the attractiveness of the area for further industrial and business investment.

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 site history of any relevance to consider.

PUBLIC PARTICIPATION

The Statutory Neighbour Notification was carried out and the application advertised, no objections have been received.

CONSULTATIONS

No adverse comments were received from any of the consultees.

OBSERVATIONS

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless other material considerations indicate otherwise.

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 proposal under consideration involves the use of a former Driving Standards Test Centre for an adult Skills Centre. Policy 24 of the Dundee Local Plan Review 2005 identifies the site as being a Principal Economic Development Area and as such will be safeguarded for industrial and business uses within Classes 4, 5 and 6 of the Use Classes Order 1997. The proposal does not fall within these defined use classes and therefore contravenes Policy 24 (Principal Economic Development Areas) of the Development Plan.

Other Material Considerations

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

Supporting Statement

The applicants have submitted a supporting statement that outlines the operational aspects of the proposed facility and the reasons why temporary accommodation is required.

As highlighted within the supporting statement the search for an alternative and appropriate skill centre premises has proved very difficult. The application site has recently become available and would be able to provide the core facilities required by the skill centre with some minor internal alterations. In addition Kirkton Community Centre can provide access to larger rooms on a booking basis. The facilities are critical to the success of the refurbishment of the MacKinnon Centre both in terms of the Contractor starting on site on time and, most importantly, meeting the needs of the Skill Centre service users during the construction period.

The implications of not being able to use Faraday Court as a temporary Skill Centre for adults with Physical Disabilities are:

- Social Work would be unable to provide day care and rehabilitation services to a very vulnerable client group; and
- The interruption of the care and rehabilitation of this client group would have serious implications for the recovery, health and well being of a very vulnerable group of adults who, in the main, are recovering from acquired brain

injury due to a medical episode or accident trauma.

The only other alternative that was considered and rejected by Social Work would be to arrange the rental of space in various locations. Due to the physical needs of the service users, any alternative space may not have suitable facilities available to support service users with personal care. At Faraday Court they will be able to use the appropriate moving and handling equipment that is required to ensure the safety of the service users and staff.

To work between various locations would lead to serious logistical difficulties in terms of staff deployment and transport issues. More importantly, this would also cause distress to service users, carers and families.

It is acknowledged by the Council that the application site is a small courtyard unit on the northern edge of the industrial estate. While the use is not considered to be directly related to business or industry, given its location and previous Class 2 use, it is considered that the loss of this site will not significantly prejudice the potential of Dryburgh Industrial Estate to successfully operate as a Principal Economic Development Area.

Access and parking arrangements will not differ from the existing situation and are considered to be of a standard suitable for both pedestrians and vehicles accessing the building. Given the nature of the proposed use, noise impact and air quality will not be a concern.

With regard to the portacabin, it is considered that the scale, design, appearance and materials of the new structure are acceptable in this location.

Although the application does not comply with Policy 24 of the development plan, the applicant has successfully demonstrated the need for the facility and the implications should this service not be provided. Sufficient justification has been provided which demonstrates that the provision of such a facility would not significantly prejudice future opportunities for business and industrial developments within this area of the city.

Despite the development contravening Policy 24 (Principal Economic Development Areas) of the

Development Plan the above material considerations provide sufficient justification for the approval of this application.

Design

The proposal involves only minor internal alterations and the design of the portacabin is satisfactory.

CONCLUSION

It is concluded from the foregoing that sufficient weight can be accorded to the material considerations to justify the approval of the development contrary to Policy 24 (Principal Economic Development Areas) of the Development Plan. It is therefore recommended that planning permission be granted for a temporary period until 1 June 2013 to allow a sufficient timescale for the completion of the refurbishment works at the MacKinnon Centre.

RECOMMENDATION

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

- 1 The building which is the subject of this permission shall be used for an Adult Skills Centre only and for no other use including any other within Class 10 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1989 as amended or re-enacted.
- 2 The use hereby permitted shall cease not later than 1 June 2013 and thereafter the building shall be restored to its original use and the portacabin removed from site.

Reasons

- 1 In order to safeguard the economic development area. Unrestricted use under Class 10 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1989 would fail to comply with Policy 24 of the Dundee Local Plan Review 2005.
- 2 In order to ensure that the site will revert to an appropriate use at an early date and in accordance with the timescales provided by the applicant.