

Erection of 2 Workshop Units

KEY INFORMATION

Ward Strathmartine

Address

Land to South of
534A Strathmartine Road
Dundee

Applicant

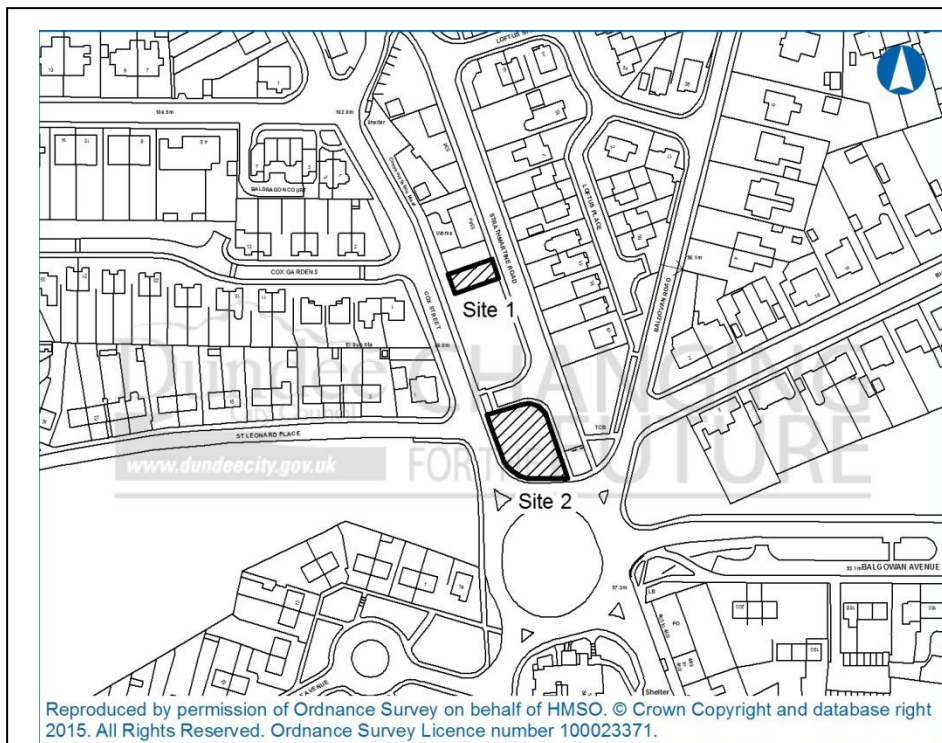
Alpine Fencing (Dundee) Ltd
Unit 2 Balgray Works
Balgray Place
Dundee DD3 8SH

Agent

James Paul Associates
4 Brook Street
Broughty Ferry
Dundee DD5 1DP

Registered 11 Sep 2015

Case Officer B Knox



SUMMARY OF REPORT

- This application seeks planning permission for the erection of 2 workshop buildings, yard areas, parking and access areas over 2 sites on the western side of Strathmartine Road.
- The proposal engages several Local Development Plan policies relating to commercial development within residential areas of the city.
- Six letters of objection have been received.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=NUICHYGC0AX00>.

RECOMMENDATION

The proposal fails to satisfy the requirements of the Development Plan. There are no material considerations that would justify approval of planning permission. Therefore, it is recommended that this application be REFUSED.

1 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for the erection of 2 workshop buildings, yard areas, parking and access areas over two sites on the western side of Strathmartine Road.

1.2 Site 1 to the north of Strathmartine Road will comprise of a workshop building with a footprint of 172.6m². The building will have a north east to south west orientation and will have a pitched roof. The building will be finished in dark grey rendered walls and grey concrete roof tiles. A large roller door and pedestrian door openings will be located on the north eastern elevation fronting on to Strathmartine Road. A pedestrian door opening will also be located on the south western elevation.

1.3 Site 2 at the southern end of Strathmartine Road will comprise of a workshop building with a footprint of 127.7m², 4 car parking spaces and a yard area. Vehicle access to the site will be taken from Strathmartine Road. The workshop building will comprise of an office and reception area as well as a large workshop. The building will have a north west to south east orientation. The building will have a pitched roof finished in grey rendered walls and grey concrete roof tiles. The building will have large roller door and pedestrian door openings on the north west elevation and a window opening on the north east elevation.

1.4 Each of the proposed buildings will have secure indoor bicycle storage for 3 bicycles.

1.5 The purpose of the application is to allow Alpine Fencing (Dundee) Ltd relocate from their present premises to new purpose built premises. The proposal is to build a small workshop and office building on each of the two sites. This will allow a phased development and move from the applicants present premises.

1.6 The applicant has confirmed that no manufacturing will take place on site with the workshops mainly used for the storage and cutting of materials.

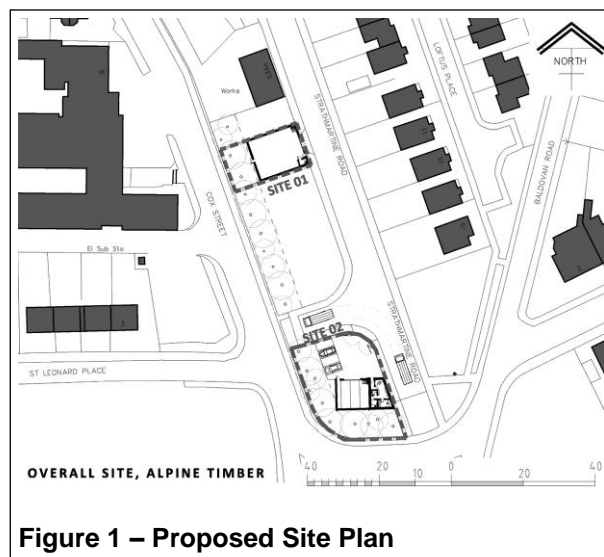


Figure 1 – Proposed Site Plan

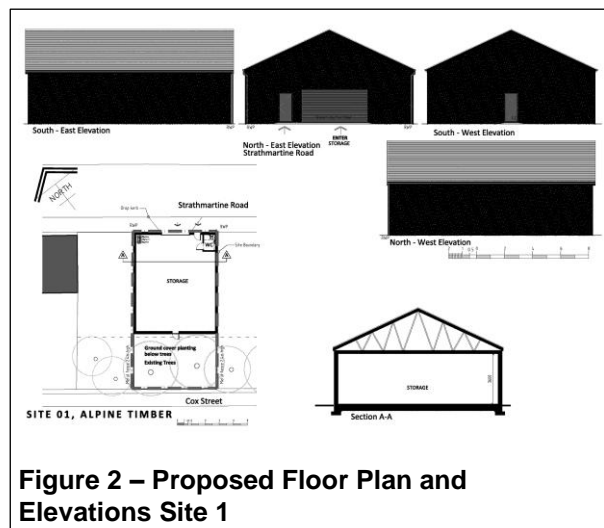


Figure 2 – Proposed Floor Plan and Elevations Site 1



Figure 3 – Proposed Floor Plan and Elevations Site 2

- 1.7 The application is accompanied by a contaminated land risk assessment, a planning statement and a transport statement.
- 1.8 In accordance with the Council's Scheme of Delegation this application requires to be determined by the Development Management Committee at the request of an elected member.

2 SITE DESCRIPTION

2.1 The application site is located on the western side of Strathmartine Road on a landscaped area between Cox Street and Strathmartine Road. The site is bound by a buffer of mature trees and a 1m high timber fence that follows the western and southern side of the landscaped area between Cox Street and Strathmartine Road. The application site is divided into 2 small sites divided by a turning head on Strathmartine Road. There is a pedestrian footpath leading from Cox Street that meets the western end of the turning head and follows the western side of Strathmartine Road.

2.2 Adjacent to the application site on the eastern side of Strathmartine Road there are the rear gardens of houses fronting on to Loftus Place. To the north of the application site there are small industrial units.

2.3 This part of Strathmartine Road is narrow and is congested with on street parking.



Figure 4 – View North Along Strathmartine Road



Figure 5 – View South Over Sites 1 and 2

3 POLICY BACKGROUND

3.1 The following plans and policies are considered to be of direct relevance:

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 16: Small Scale Commercial Uses Within Residential Areas

Policy 29: Low and Zero Carbon Technology in New Development

Policy 42: Sustainable Urban Drainage Systems

Policy 45: Land Contamination

Policy 47: Environmental Protection

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

- 4.1 Planning application ref: 15/00546/FULL sought permission for the erection of two workshop buildings with associated ancillary uses, parking and landscaping. This application was withdrawn to address concerns raised in terms of access, road safety and air quality.

5 PUBLIC PARTICIPATION

- 5.1 The statutory neighbour notification process has followed and six letters of objection have been received. The valid objections raised relate to:
- road and pedestrian safety;
 - noise and disturbance;
 - loss of open space;
 - increased litter; and
 - privacy.
- 5.2 Invalid objections relating to increased crime have also been raised.
- 5.3 Members will already have access to the letters of objection and the issues raised are considered in the Observations section below.

6 CONSULTATIONS

- 6.1 **Environment Department** – the Head of Environmental Protection has requested that the operating hours of the proposed workshops, noise from M and E plant and deliveries to the application site are restricted by condition should planning permission be granted.
- 6.2 The Head of Environmental Protection is also satisfied that matters related to contaminated land can be controlled by condition should planning permission be granted.

7 DETERMINING ISSUES

- 7.1 **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 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.

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.2 **Policy 16: Small Scale Commercial Uses Within Residential Areas** - is supportive of the development of a range of small scale commercial services and facilities close to and within

existing housing areas that do not have a detrimental effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement, noise or smell.

- 7.3 The scale, massing, design and finish of the proposed workshop buildings are such that there will be no adverse impact on the environmental quality or visual amenity of the Strathmartine Road or Cox Street streetscape or the outlook from west facing windows of neighbouring houses on Loftus Place. The proposals will be screened from Cox Street to the west and Strathmartine road to the south by the retention of the tree lined landscape buffer.
- 7.4 With regard to site layout and parking and traffic movement issues the volume of traffic generated by the proposed development, the inability of large vehicles to enter and exit Site 2 in a forward gear and the requirement for deliveries to be unloaded on Strathmartine Road will exacerbate existing issues of traffic congestion and on-street parking pressure on Strathmartine Road. This would be to the detriment of road and pedestrian safety and consequently the environmental quality enjoyed by local residents.
- 7.5 In terms of noise and disturbance the proposed development will impact on the environmental quality afforded to neighbouring properties due to the nature of the cutting process proposed and the comings and goings of staff, customers and deliveries to the premises. The impact of the proposed development in terms of noise and disturbance can be reduced by conditions restricting the operating hours of the workshops, delivery times and noise from mechanical and electrical plant. However, it is unlikely that the conditions outlined above would reduce the impact of this development on the environmental quality of residential properties to an acceptable level.
- 7.6 The proposed development is unlikely to generate instances of smell nuisance.
- 7.7 Members should note that the Local Development Plan designates areas of the City as General Economic Development Areas specifically for uses falling within Classes 4 (Business), 5 (General Industrial) and 6 (Storage or Distribution) of the Town and Country Planning (Use Classes) (Scotland) Order 1997. The development proposed comprises of Class 4, 5 and 6 uses and therefore its location within a residential areas is inappropriate. This is demonstrated by the proposal's failure to satisfy the criteria of Policy 16.
- 7.8 **The proposal contravenes Policy 16.**
- 7.9 **Policy 29: Low and Zero Carbon Technology in New Development** - requires that, for specified developments, carbon emissions will be reduced by defined percentages through the installation and operation of zero-carbon generating technologies. Should the Committee be minded to grant planning permission the requirements of Policy 29 can be addressed by condition.
- 7.10 **The proposed development can be conditioned to satisfy Policy 29.**
- 7.11 **Policy 42: Sustainable Urban Drainage Systems** - will be formed across the vehicle access to the sites to prevent surface water from within the sites draining onto the public road. Although no modelling or calculations have been submitted to demonstrate that the drainage channel will be designed to attenuate and treat a 1 in 200 year rainstorm event or evidence that Scottish Water has approved connection to their drainage network these matters can be controlled by condition should the Committee be minded to grant planning permission.
- 7.12 **The proposed development can be conditioned to satisfy Policy 42.**

- 7.13 **Policy 45: Land Contamination** - is supportive of the redevelopment of brownfield sites where:
- 1 a site investigation is submitted establishing the nature and extent of contamination; and
 - 2 the Council is satisfied that remediation measures proposed for the development, adequately address contamination risks to all receptors, such that the land demonstrably does not meet the statutory definition of contaminated land and is suitable for the planned use.
- 7.14 A contaminated land risk assessment has been submitted giving a reasonable review of the likely historical contamination issues on the application site and makes recommendations for an intrusive investigation to test this. The Head of Environmental Protection has confirmed that the implementation of the recommendations of the submitted risk assessment should allow for the extent of contamination on the application site to be identified and a remediation strategy created. As such the remediation of the application can be controlled by condition to ensure that the site is suitable for the proposed use.
- 7.15 **The proposal satisfies Policy 45.**
- 7.16 **Policy 47: Environmental Protection** - requires all new development that would generate noise, vibration or light pollution to demonstrate that it can be accommodated without an unsatisfactory level of disturbance on the surrounding area.
- 7.17 By failing to satisfy the requirements of Policy 16 in terms of noise and disturbance the proposed development also fails to satisfy the requirements of Policy 47.
- 7.18 **The proposal contravenes Policy 47.**
- 7.19 **The proposed development is contrary to Policies 16 and 47 of the Dundee Local Development Plan 2014.**
- 7.20 **It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.**

OTHER MATERIAL CONSIDERATIONS

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

A - PLANNING SUPPORTING STATEMENT

- 7.22 The planning statement submitted in support of the proposed development confirms that the business will operate with one articulated lorry delivery of timber every month and one articulated lorry delivery of metal components every two months. The applicant does not anticipate that there will be an increase in deliveries at the proposed premises. There will be no manufacturing on site. The statement clarifies that the workshops will be used for the storage of and the cutting of materials by electric saw.
- 7.23 The workshops and offices will operate with office staff being present on site through out the working day. The workforce will arrive at the application site in the morning to collect materials for work off site and normally do not return to the premises until the end of the working day.
- 7.24 The statement provides a brief assessment of the proposed development against the requirements of the Local Development Plan but other than suggesting conditions to restrict

operating hours fails to address issues of road and pedestrian safety, contaminated land and site drainage.

B - VIEWS OF OBJECTORS

- 7.25 Six letters of objection have been received from neighbouring residents concerned about:
- road and pedestrian safety;
 - noise and disturbance;
 - loss of open space;
 - increased litter; and
 - privacy.
- 7.26 Concerns relating to road and pedestrian safety and noise are supported. These concerns have been addressed in the assessment of the proposed development against the requirements of the Development Plan above. It has been concluded that the proposal will exacerbate existing issues of traffic congestion and on street parking pressure to the detriment of road and pedestrian safety. It is also concluded that the proposed workshops will generate noise and disturbance to the detriment of the environmental quality of neighbouring residential properties
- 7.27 With regard to concerns relating to the loss of open space there is a large area of public open space available on the south eastern side of Strathmartine Road adjacent to the application site. The application site is not designated for any particular purpose by the Dundee Local Development Plan and is of lesser amenity value than the adjacent area of open space due to its location between Strathmartine Road (south and east), Cox Street (west) and existing industrial buildings (north). These concerns are not supported.
- 7.28 Concerns relating to increased litter are not supported as the proposed development will be served with adequate refuse storage facilities.
- 7.29 Concerns relating to impact on privacy are not supported as the houses on the north eastern side of Strathmartine Road are enclosed by 1.8m high fencing blocking any views from the application site into neighbouring properties.
- 7.30 **The concerns of the objectors are partially supported.**
- 7.31 **It is concluded from the foregoing that the material considerations do not support the approval of planning permission. It is therefore recommended that planning permission be refused.**

8 CONCLUSION

- 8.1 The proposal fails to satisfy the requirements of the Development Plan. There are no material considerations that would justify approval of planning permission. Therefore, it is recommended that this application be refused.

9 RECOMMENDATION

9.1 It is recommended that consent be REFUSED for the following reason:

REASON

- 1 The proposed development by virtue of the volume of traffic generated, the inability of large vehicles to enter and exit Site 2 in a forward gear and the requirement for deliveries to be unloaded on Strathmartine Road will exacerbate existing issues of traffic congestion and on-street parking pressure on Strathmartine Road. This would be to the detriment of road and pedestrian safety and consequently the environmental quality enjoyed by local residents. Therefore the proposed development is contrary to Policy 16 of the Dundee Local Development Plan. There are no other material considerations that would justify the approval of planning permission contrary to Policy 16 of the Local Development Plan.
- 2 The proposed development by virtue of noise and disturbance generated by the cutting of materials and the comings and goings of staff, customers and deliveries to the premises will adversely impact on the environmental quality enjoyed by local residents. Therefore the proposed development is contrary to Policies 16 and 47 of the Dundee Local Development Plan 2014. There are no material considerations that would justify the approval of planning permission contrary to Policies 16 and 47 of the Local Development Plan.