

WEST DUNBARTONSHIRE COUNCIL

**Report by the Director of Housing, Regeneration and
Environmental Services**

Planning Committee: 4 October 2006

PLANNING APPLICATION REPORT

APPLICATION NUMBER: DC06-112

PROPOSAL: Change of use from vacant retail unit (class 1)
to office (class 2) or food/drink (class 3)

SITE: 39 High Street, Dumbarton

APPLICANT: Sydenham Developments Ltd.

AGENT: Muir Smith Evans
203 Bath St
Glasgow

WARD: 15

DATE REGISTERED: 28 April 2006

PUBLICITY:

Category	Published	Expiry	Publication
Development Contrary to the Development Plan	24/5/06	7/6/06	Reporter

REPORT:

A. SITE DESCRIPTION

The application relates to a vacant shop unit on the south side of Dumbarton High Street, opposite the former Co-op store. The building is a two storey property which was formerly used by a clothing retailer, but which has not been occupied for almost two years. The surrounding properties are in commercial use as shops and offices.

B. DEVELOPMENT DETAILS

It is proposed to change the use of the building to either a Class 2 or Class 3 use. Class 2 (Financial, Professional and Other Services) comprise uses that are normally expected to be found in shopping areas such as banks, estate agents, betting shops and job centres. Class 3 (Food and Drink) uses would include cafés and restaurants, but not hot food takeaways or public houses. The applicant does not have a particular end user in mind and hopes that obtaining this change of use would make the property easier to sell or let.

C. DEVELOPMENT PLAN POLICIES

Government Guidance

Scottish Planning Policy Guideline 8 sets out the Government's policy for town centres and retail developments. It also addresses other non-retailing uses which have a role in contributing to the economic health and enhancement of town centres. The broad policy objectives are to sustain and enhance the vitality and design quality of town centres as the most appropriate location for retailing and other related activities. Town Centres should be the principal location for retailing however other uses can bring life into the town centre throughout the day and evening.

Dumbarton District, District Wide Local Plan 1999

The site lies within the Existing Town Centre Area, and forms part of Dumbarton's Prime Retail Frontage. Policy R1A encourages retail and commercial development to locate within town centre areas. Policy R2A indicates that only Class 1 uses will be permitted at ground level within Prime Retail Frontages, and that the change of use of vacant shop units to non-retail uses will be resisted. Policy R2B encourages the use of vacant upper floor accommodation within town centres for appropriate retail and non-retail uses.

West Dunbartonshire Local Plan (Consultative Draft)

The site lies within Dumbarton Town Centre, and forms part of Dumbarton's Retail Core. Policy RET1 encourages retail and commercial development to locate within town centre areas. Policy RET4 encourages the use of vacant upper floor accommodation within town centres for appropriate retail and non-retail uses. Policy RET5 indicates that only Class 1 uses will normally be permitted at ground level within the defined Retail Core, and that the change of use of vacant shop units to non-retail uses will be resisted unless it can be demonstrated that such a change would reinforce and revitalise the town centre and would not detract from its character or amenity.

D. CONSULTATIONS

None

E. REPRESENTATIONS

None

F. ASSESSMENT

Land Use Policy

The site is located within Dumbarton town centre and the principal uses within the town centre are retailing. It is recognised that the retention and expansion of retail facilities is the basis for the success of most town centres. However the town centre supports non-retail uses.

The adopted Local Plan seeks to prevent the creation of additional non-retail activities at ground floor level with the Prime Retail Frontage. The purpose of this policy is to protect the most important parts of Dumbarton town centre from excessive concentrations of non-retail uses, which could detract from the attractiveness of the town centre as a retail destination. The draft local plan contains a similar provision however the extent of the Prime Retail Frontage / Retail Core is reduced, and the policy allows for non-retail uses in certain circumstances.

The Council has in the past resisted applications for the change of use of retail units to non-retail uses within the Prime Retail Frontage and subsequent appeals to the Scottish Ministers have been dismissed.

However, it is recognised that Dumbarton Town Centre has suffered decline in its role as a comparison shopping location in recent years. Like many other towns, Dumbarton has suffered a loss of trade to out-of-town retail locations. There are a number of vacant units within the town centre, notably the former Co-op store opposite the application site, and there is limited demand from retailers. It is hoped that the planned redevelopments of the former distillery site at Castle Street for retail and residential uses will help to reverse this decline.

The applicant has submitted a statement detailing the efforts which have been made to market the unit as a shop. It was first marketed on a confidential basis in December 2002, when the shop was still trading. This failed to attract a lessee/purchaser, so a letting board was erected on the site and it was marketed publicly. Ongoing attempts to market the property have failed to attract a lessee/purchaser, despite a 20% reduction in the advertised rent. During the four years that the site has been on the market, only two retail operators have expressed an interest and neither decided to proceed. On the other hand, a number of office and café operators have shown interest.

G. CONCLUSION AND RECOMMENDATION

The application has been assessed against the development plan and government guidance as well as other material planning considerations. The site is located to the east of the High Street and there are a variety of other uses at this part of the street. It is considered that as long as the unit remains vacant that it does not contribute to the vitality and viability of the town centre

and on balance would be acceptable for the unit to be allowed to become a non retail use.

It is recommended that planning permission be granted with the following conditions.

H. CONDITIONS

- 1. The development hereby permitted shall commence within a period of 5 years from the date of this permission.**
- 2. Prior to the premises being brought into use as a Class 3 (Food and Drink) use, exact details and specifications for the ventilation and air extract systems serving the premises (both internal and external) shall be submitted to and approved in writing by the Director of Housing, Regeneration and Environmental Services. The approved ventilation and air extract systems shall be fully implemented before the use commences.**

David McMillan
Director of Housing, Regeneration and
Environmental Services

Wards affected: 15

Appendix: None

Background Papers: 1) application forms and plans
2) supporting correspondence from agent

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