

**3        7 UNION TERRACE, DUNDEE, DD3 6JD - PROPOSED CHANGE OF USE FROM 5 PERSON HMO TO A 7 PERSON HMO IN GROUND FLOOR FLAT (AN345-2006)**

Reference is made to Article 1(r) of the minute of meeting of the Development Quality Committee of 5 December 2005 wherein the above proposal was refused planning permission because the Council considered that the proposal was contrary to Policies 1 and 11 of the Dundee Local Plan Review 2005. (The cumulative impact of the proposal on the environmental quality enjoyed by residents and in terms of the proposals unsatisfactory arrangements for parking, bin storage and garden ground.)

The decision was appealed by the applicant under the provisions of Section 47 and Schedule 4 of the Town & Country Planning (Scotland) Act 1997.

The appeal was determined by written representations and the decision was received by the Council on 27 September 2006. A copy of the decision letter can be found in the Members' Lounges.

The Reporter considered the determining issues to be whether the proposals:

- a        Would preserve or enhance the Crescents conservation area;
- b        Conform to the relevant provisions of the development plan and if not;
- c        Whether an exception to the plan is justified by other material considerations.

The Reporter found that the proposals paid "little courtesy" to the conservation area (refuse storage area and the introduction of parking spaces); that they conflicted with parts (b) and (c) of Policy 11 and with Policy 1 of the Dundee Local Plan Review for the reasons advanced by the Council. The Reporter found no reasons why the provisions of the development plan should be set aside in this instance.

Accordingly, the appeal was **DISMISSED**.