

KEY INFORMATION

Ward Baxter Park

Proposal

Second storey extension to existing funeral directors

Address

1A Cardean Street
Dundee
DD4 6PS

Applicant

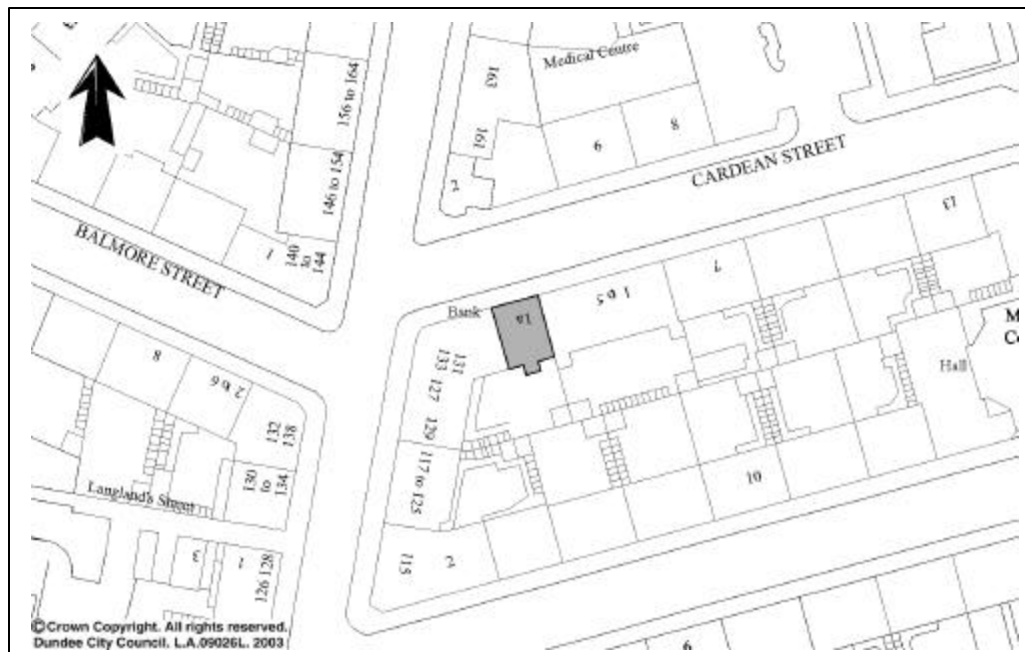
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Registered 23 Jan 04

Case Officer Julie Finlay



Proposed Extension in Cardean Street

The second storey extension to existing funeral directors is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposal is in accordance with the policies of the Development Plan in this instance. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a second storey extension on an existing funeral directors at 1A Cardean Street, Dundee.
- Policy H1 of the Dundee Local Plan 1998 and Policy 1 of the Finalised Dundee Local Plan Review are relevant to the consideration of the application as there are adjacent flats.
- One letter of objection and one letter of representation have been received. The main points of objection refer to the adverse effect on residential amenity and appearance of extension.
- It is considered that the proposal complies with the policies in both the Adopted and Revised Local Plan. In addition, it is considered that the objections are not of sufficient weight to warrant refusal of the application.
- The application was deferred from the March Committee to allow the applicant and objectors to discuss the objections and any compromise solutions. A petition with 45 signatures was received since last Committee raising similar issues to previously such as overlooking, noise disturbance, parking issues and traffic and pedestrian safety.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a second floor extension on an existing funeral directors at 1A Cardean Street to provide a preparation area with refrigerators. The floor area of the extension is 78sq metres. The materials proposed are a flat roof, red smooth finish concrete block wall to match the existing tiles on the ground floor and with obscure glass windows.

SITE DESCRIPTION

The application site is located on the south side of Cardean Street and it is currently a single storey funeral directors, which is sandwiched between two 4 storey tenement blocks. The premises have a pink tiled frontage, recessed doorway, brown timber windows and a timber fascia with individual brass letters. There is a bank at ground floor level to the west and at the corner of Cardean Street and Albert Street. There are flats and a medical centre on the opposite side of Cardean Street.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

H1: Existing Residential Areas.

Dundee Urban Nature Conservation Subject Local Plan 1995

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

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 1: Vibrant and Sustainable Communities.

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.

LOCAL AGENDA 21

Key theme 7 is of relevance and seeks to ensure that access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all. It is considered that the proposed development achieves the aims of this Key Theme.



SITE HISTORY

Planning permission was granted on 3rd June 1993 for alterations to the frontage of the funeral directors' premises.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and one letter of objection and one letter of representation were received. Subsequently, a petition with 45 signatures was received since the deferral of the first application. Copies are available for inspection in the Members' Lounge. The main points of objection are as follows:

- 1 Increased traffic and parking;
- 2 Increased noise level from ventilation systems;

3 Extension not in keeping with surrounding properties; and

4 Overshadowing into garden.

The points raised are considered in the Observations section below.

CONSULTATIONS

No adverse comments were received from any of the statutory consultees. The Head of Environmental Health and Trading Standards requires a condition to restrict the noise level from any mechanical and electrical plant equipment to NR30.

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 H1 specifies that developments will be permitted within existing residential areas where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

The extension is only one storey and it is considered that the proposed design and materials will sit comfortably between the tenement blocks on either side. The extension will provide a preparation room and it is not considered that this will attract a higher level of traffic. The proposed extension is to improve the existing service and facility and the business operation will not change. Due to the close proximity of the adjacent flats, it is considered necessary to attach a condition to ensure that any potential noise from the mechanical and electrical plant equipment does not exceed a certain level. It is concluded

that the proposal complies with the requirements of the 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:

Finalised Dundee Local Plan Review

Policy 1 specifies that new development should be in accordance with other policies in the Plan and seeks to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues. This policy reiterates Policy H1 and it has been discussed that the proposal complies with the requirements of this policy.

Objections

Traffic and Parking Problems - the proposal is for an extension to the funeral directors to provide a preparation room which will not generate further traffic.

Design and Materials - the design and use of materials for the extension have been discussed widely with the applicant and it is considered that the extension will sit comfortably between the tenement buildings on either side.

Increased Noise Levels - ventilation will be required on the rear elevation of the extension as refrigerators have to be installed. The Head of Environmental Health and Trading Standards is satisfied that any potential noise breakout from mechanical or electrical plant can be controlled by a condition. Due to the nature of the business operating from the premises, the applicants will require equipment with very low noise levels.

Overshadowing - the garden area is sandwiched between high buildings on all sides and the extension will be on the north boundary. Therefore it is not considered that there will be any significant overshadowing, such as to merit refusal of the application.

The application was deferred from the March Committee to allow the applicant and objectors to discuss the issues of concern and reach a compromise, if possible. The

applicant held a meeting with the objectors on 14th April 2004. The applicant explained that the premises are being expanded to improve the current service provided and there will be no change to the business operations or associated traffic levels. No amendments to the application have been made as a result of the meeting. A petition with 45 signatures was received since the last Committee meeting. Similar points of objection have been raised such as overlooking, parking issues and traffic and pedestrian safety.

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

It is considered that the design of the extension and proposed materials will blend in appropriately with the existing ground floor premises.

CONCLUSION

It is considered that the proposal complies with Policy H1 of the Dundee Local Plan 1998 and Policy 1 of the Finalised Dundee Local Plan Review. In addition, it is considered that the objections raised by neighbours are not of sufficient weight to warrant refusal of the application in this instance.

RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 All electrical and mechanical plant equipment must not exceed NR30 as measured 1 metre external to the facade of any residential property.
- 3 Details of the proposed finishing materials shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full

accordance with such approved details.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that the level of noise emanating from the building is reduced to levels which would not adversely affect the amenities of the occupiers of nearby properties.
- 3 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.