

KEY INFORMATION

Ward Ardler

Proposal

Change of use from temporary retail unit to village hall

Address

Land to East of the Manse,
58 Turnberry Avenue,
Dundee

Applicant

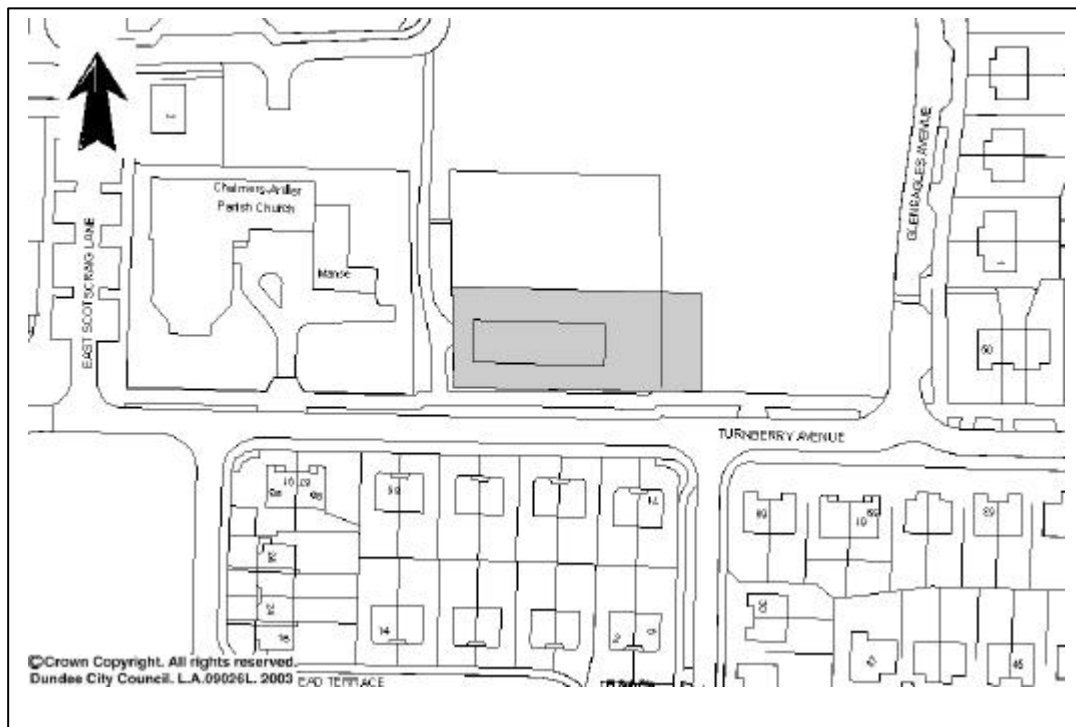
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Registered 5 July 2004

Case Officer D Gordon



Proposed Village Hall in Turnberry Avenue

Change of use from temporary retail unit to village hall is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The application is considered to be in accordance with the policies of the development plan and the aspirations of the approved Masterplan for the redevelopment of Ardler. The application is recommended for **APPROVAL** subject to conditions

SUMMARY OF REPORT

- Planning permission is sought to change the use of a temporary shop to a village hall.
- The proposal has been the subject of two objections from local residents who have raised issues relating to potential traffic / parking problems and adverse impact on the amenities of the area by virtue of noise and anti social behaviour.
- The proposal is considered to be in accordance with the relevant policies of the development plan and the aspirations of the approved Masterplan for the Ardler area. There are no material considerations, including the submitted objections, that would justify the refusal of the application contrary to these policies.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves changing the use of a temporary retail shop to a village hall. The proposal also involves the provision of 15 associated car parking spaces to be located within the curtilage of the premises.

The applicants have advised that the new hall would be used for a variety of community facilities including local meetings, social events, gardening classes, drop-in cafe, changing facilities and coffee mornings. It is intended to operate the premises between the hours of 8.00am - 9.00pm seven days a week.

Alterations are proposed for the exterior of the building including the provision of velux windows and access doors.

Access to the proposed off street car parking will be taken from Turnberry Avenue that is located to the south of the application site.

SITE DESCRIPTION

The site is located within the emerging Ardler Village and is located on the north side of Turnberry Avenue. The site is flat and rectangular and orientates in an east to west direction along the Turnberry Avenue frontage.

The site accommodates a single storey building that currently operates as a shop. The building, which is timber built, is clad in metal panels. The building and its immediate surrounds has an untidy appearance with overgrown weeds, protective plastic sheeting peeling from the external walls and a variety of different metal boundary enclosures. Informal car parking spaces have been formed on the south side of the property.

The surrounding area accommodates a variety of uses including residential to the south, Parish Church to the west and open space (football park) to the north and east. The wider surrounding area has recently undergone significant changes as part of the ongoing redevelopment of Ardler.

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.

Policy H1 - Within areas where residential use predominates, developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell and where they are in accordance with the policies found elsewhere in the Plan.

Policy ENV5 - Any development proposed within a Wildlife Corridor must make suitable provision for nature conservation taking account of



the scale and type of development and characteristics of the Wildlife Corridor.

Dundee Urban Nature Conservation Subject Local Plan 1985.

Policy WC01 - The terms of this policy are reflected in Dundee Local Plan Policy ENV5 above.

Finalised Dundee Local Plan Review

The following policies are of relevance

Policy 1: Vibrant and Sustainable Communities. The terms of this policy are generally reflected in Dundee Local Plan H1 above.

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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

The proposal will result in the reuse of an existing building on a brownfield site and is therefore considered to be sustainable and consequently consistent with the aims of Local Agenda 21.

SITE HISTORY

There is no site history of direct relevance to the application site in these circumstances.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants on 2 separate occasions (original notification of the application and notification of amendments to the scheme). Objections from 2 local residents have been received. The main issues raised relate to:

- 1 the proposal will result in an increase in traffic in the local area and additional on-street parking.
- 2 impact on the environmental quality of adjacent occupiers by virtue of potential unsocial behaviour.

Copies of these objections are available for inspection in the Members Lounges. It is intended to comment on these issues in the 'Observation' Section below.

CONSULTATIONS

The relevant Council Departments and outside bodies have been consulted with regard to the proposed development. The Council's Head of Environmental Health and Trading Standards has advised that, due to the nature of the proposed development

and the proximity of adjacent housing, a condition should be attached to any permission granted controlling noise from all amplified music and vocals and from all associated mechanical and electrical services. It is further recommended that a condition restricting the opening hours of the premises (0800 - 2300hrs) is also considered.

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 above.

The proposal under consideration involves the change of use of a retail shop to a community hall. The premises are currently operating as a local shop. Associated off street car (15 spaces) are also proposed within the curtilage of the building. The surface of the new parking area will be grass block concrete paviors.

The applicants have submitted a letter in support of their proposal and the following observations have been put forward for consideration.

The building under consideration is timber built and finished with metal cladding. The design life of the structure is 25 years with this being significantly increased with due care and maintenance. While the building currently looks unwelcoming and tatty, the property would be much improved if the protective wrapping, which was used to protect the external cladding during delivery, was removed and the building washed down. The applicants intend to do this in addition to carrying out other minor external alterations to the building in order to improve the appearance and character of the structure.

The applicants also advise that the floor area of the building is more generous than many existing village

and church halls that are used for a variety of similar community purposes throughout Scotland.

Finally the applicants argue that the reuse of an existing building is sustainable and would give a much needed community resource at a very low cost.

Policy H1 of the Dundee Local Plan 1998 presumes in favour of developments in predominantly residential areas that do not adversely impact on the environmental qualities that are enjoyed by local residents. The building in question currently sits on the site and while it has an untidy appearance the improvement works proposed by the applicants will improve its appearance and setting in the local area. In this respect, it is considered that in terms of design and layout the proposals put forward for determination are acceptable.

With regard to the issue noise generation from the premises, it is considered that this is primarily a matter that should be controlled by the management of the new community facility. However, in order to offer further protection for the adjacent residential properties to the south of the site, it is intended to attach conditions to any permission granted that will restrict the hours of operation of the new facility and will also restrict noise from any mechanical and / or electrical services noise to a tolerable level.

With regard to parking and traffic movement issues, the applicants intend to provide 15 off street car parking spaces on the east side of the site. It is considered that this provision is appropriate for a local village hall. It is further considered that the access arrangements into the site are also acceptable for the intended provision.

In light of the above, the proposal is considered to be in accordance with the requirements of Policy H1 of the Plan.

With regard to Policy ENV5 that relates to nature conservation, it is the case that a considerable amount of environmental landscaping works have been carried out in the local area in the past few years. These works have resulted in significant improvement in nature conservation in this area and consequently, this matter is discharged.

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.

The terms of Policy 1; Vibrant and Sustainable Communities are generally reflected in Policy H1 of the Dundee Local Plan above. Consequently, the same conclusions area offered.

Objections

Two objections to the proposed change of use have been submitted by local residents. The main issues raised by these residents relate to the potential increase in traffic generation in the local area, inadequate car parking and possible noise nuisance and anti social behaviour.

It is considered that these main issues have been discussed and discharged above.

The redevelopment of Ardler has been carried out in accordance with an approved Masterplan. This, amongst other things, promotes and encourages the use of community facilities. The use of the premises for a village hall would be in accordance with the general requirements of this Masterplan.

Design

The building in question is a single storey structure that elevates in an east to west direction across the site. It takes the shape of a simple rectangular structure that supports a pitched roof. The property is inoffensive in design and, with minor cosmetic improvements to the external fabric, will sit quite comfortably in this location. The proposed alterations to the external appearance of the building ie velux windows and access doors are also considered acceptable.

CONCLUSION

A stated key quality of the Masterplan approved for the redevelopment of the Ardler area is that the new village will offer a variety of places for the community, adding to and enhancing existing facilities such as schools, the neighbourhood complex, the church

and shops and provide a new range of housing. It is considered that the provision of a new village hall in this location would be in accordance with the key quality aspirations of the Masterplan

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 amplified music and vocals shall be so controlled as to be inaudible within the nearest residential accommodation
- 3 Total noise from all mechanical and electrical services shall not exceed NR45 daytime and NR35 night time as measured, 1 metre external to the facade of the nearest residential accommodation. For the avoidance of doubt, day time will be 0700 - 2300hrs and night time 2300 - 0700hrs.
- 4 That the use hereby granted permission shall only operate between the hours of 0800 - 2300hrs.
- 5 That development shall not begin until details of the boundary treatment for the application site, including new fencing, have been submitted to and approved in writing by the planning authority

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 In order to protect local residents from any noise generated from within the village hall.
- 3 To protect local residents from any noise generated by mechanical or electrical services that are associated with the village hall.
- 4 In order to protect local residents from any noise associated with the use of the village hall.

- 5 In order to ensure that the development has a satisfactory appearance in the interests of the visual amenity of the area