

KEY INFORMATION**Ward** Lochee West**Proposal**

Change of use from public open space to additional car parking

Address40 Coupar Angus Road
Dundee
DD2 3HY**Applicant**Mrs K Marr
Belsize House
Strathern Road
Dundee**Agent**G D Architectural Services
101 Brook Street
Dundee**Registered** 16 Nov 2004**Case Officer** J Robertson

Proposal to Extend Hotel Car Park at Coupar Angus Road

A change of use from public open space to additional car parking spaces is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be in accordance with the policies of the development plan. It is considered that the material considerations provide insufficient weight to warrant refusal of the application.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the change of use of open space to additional car parking space at a hotel at 40 Coupar Angus Road.
- The proposal raises issues for consideration in terms of Housing Policy H1 of the Dundee Local Plan and Policy 1 of the Finalised Dundee Local Plan Review.
- Four letters of objection and a petition with 21 signatures were received from neighbouring residents raising issues of concern with regards to the loss of open space, noise, traffic, loss of privacy, drainage, affect on existing trees and the removal of the existing stonewall.
- It is considered that the proposal is in accordance with Housing Policy H1 of the Dundee Local Plan and Policy 1 of the Finalised Dundee Local Plan Review. It is considered that the material considerations provide insufficient weight to warrant refusal of the application contrary to the development plan.
- Should Members be minded to approve the development, it will be necessary to notify the Scottish Ministers of the proposal in order to allow them the opportunity to call in the application or pass it back to this Council for decision

DESCRIPTION OF PROPOSAL

Planning permission is sought for a change of use from public open space to car parking space at 40 Coupar Angus Road, Dundee. The application site is 0.205-hectare area of land, which is to be brought into the boundary of the adjacent hotel to provide additional car parking space and improve vehicular circulation within the site.

SITE DESCRIPTION

The application site is located on the west side of Coupar Angus Road with Langshaw Road to the west. The site associated with the application site is an existing hotel with car parking to the east, south and west of the property. To the south west of the site there is an area of open space, which is located to the rear of residential properties surrounding the area.

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:

Housing Policy 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 13 is of relevance to this application and seeks to ensure that places, spaces and objects combine meaning and beauty with utility.

SITE HISTORY

92/17636/D - Erection of Conservatory on South Elevation of Hotel - Approved - 28/10/1992

04/00042/FUL - Alterations and extension to hotel - Approved with conditions - 30/03/2004.



PUBLIC PARTICIPATION

The applicant carried out statutory neighbour notification and 4 letters of objection and a petition with 21 signatures were received from neighbouring residents. The issues of concern were with regards to the loss of open space, noise, traffic, loss of privacy, drainage, affect on existing trees and the removal of the existing stonewall.

Copies of the objection letters are available in the Members' Lounges and the issues raised will be considered in the 'Observations' section of this report.

CONSULTATIONS

The Council Forestry Officer advised that the trees (especially the root system) should be protected during development.

The Head of Environmental Health and Trading Standard advised that he had no objections to the application in terms of noise issues.

No adverse comments were received from any of the other statutory consultees.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider

- whether the proposals are consistent with the provisions of the development plan; and if not
- whether an exception to the provisions of the development plan is justified by other material considerations

The proposal is for a change of use from public open space to additional car parking for the hotel at 40 Coupar Angus Road. Four letters of objection and a petition were received from neighbouring residents.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above

Housing Policy H1 - Existing Residential Areas. The policy advises that developments would not be permitted where they would adversely affect the environmental quality enjoyed by residents by virtue of design, layout, parking and traffic movement, noise and smell. The existing use within the site is a hotel with associated parking needs. The proposed development will extend the car parking to allow additional parking space and movement within the site. Given the size of the additional space it is considered that the area of open space required would not lead to the detriment of the existing landscaped area of open space to the rear of the residential properties. In order to provide a suitable boundary the applicant has proposed a timber fence and the retention of the stone wall where it could be retained. With regards to parking only four additional spaces will be provided however this will also allow safe movement of traffic within the site. Given this small increase in numbers of vehicles moving within the site it is considered that this will not have a detrimental

affect on the traffic and parking within the area. In terms of noise the Head of Environmental Health and Trading Standards advised that there were no noise issues associated with this proposal. Given the existing use of car parking within the site and the proposed small area of land to provide additional car parking it is considered that the noise generated by the development would not significantly increase on that, which exists. In terms of smell it is considered that there are no issues, which would have a detrimental affect on the environmental quality enjoyed by residents within the area. It is considered that the proposal is in accordance with Housing Policy H1 of the Dundee Local Plan.

The site is not a protected area of open space identified under Open Space Policy OS1. The site is owned and maintained by the Council.

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 - Vibrant and Sustainable Communities. For the reasons set out for Housing Policy H1 it is considered that the proposal complies with Policy 1.

Objections

Four letters of objection and a petition with 21 signatures were received from neighbouring residents. The issues of concern were with regards to the loss of open space, noise, traffic, loss of privacy, drainage, affect on existing trees and the removal of the existing wall.

In terms of loss of open space, noise and traffic it is considered these issues have been addressed in terms of Housing Policy H1 and were considered not have a detrimental affect on the surrounding residents.

With regards to privacy and the loss of the wall it is considered that the proposed boundary treatment around the site would provide safety for the existing use as well as benefit surrounding residents given the history

of trespassing into the area of open space to the rear of the residential properties. It is considered that the proposed fence would help to alleviate these present problems. It is therefore considered that the privacy of residents will be retained and that there is a reasonable justification for the removal of the existing wall.

In terms of drainage no issues were identified that would lead to concern regarding this matter. There is no reason to believe that the drainage from the new hard standing will be any different from the provision for the existing car park.

With regards to the affect on existing trees, no trees were identified to be removed as a result of the development and with advice from the Council Forestry Officer an appropriate condition to protect trees during development will be provided.

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 on design grounds the development will not have a detrimental visual impact on the surrounding area.

CONCLUSION

The proposed development is considered to be in accordance with Housing Policy H1 of the Dundee Local Plan and Policy 1 of the Finalised Dundee Local Plan Review. There are no material considerations that outweigh the development plan in this instance. It is therefore recommended that planning permission is granted with conditions.

If Members are minded to approve the application, it will be necessary to notify the Scottish Ministers due to the Council interest in part of the site and the substantial body of objections received. This will allow Ministers the opportunity to call in the application or pass it back to this Council for decision.

RECOMMENDATION

Recommendation 1

That this permission shall not be issued unless and until the Scottish Ministers decide not to formally call in this application.

Recommendation 2

(Conditions as listed)

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 To the satisfaction of this Authority, all trees and shrubs to be retained or any tree whose root structure may extend within the site shall be fenced off before building operations begin or building material is brought on to the site and shall remain so fenced off until the development hereby permitted has been completed
- 3 Boundary fence and wall as detailed on the submitted plans shall be provided prior to the first use of the car park hereby approved.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To protect those landscape features which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
- 3 To ensure a satisfactory standard of appearance of the development.