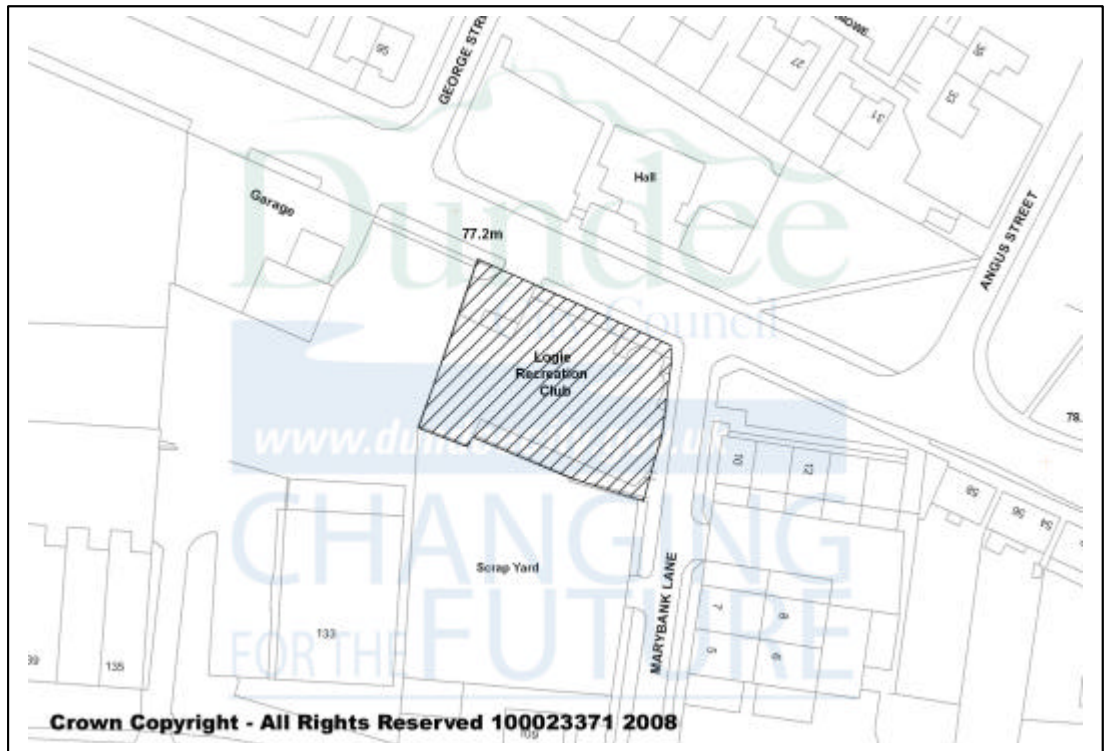


KEY INFORMATION

Ward Lochee

Proposal

Erection of shelter/canopy to rear of premises

AddressLogie Recreation Club
64-80 Liff Road
Dundee**Applicant**Logie Recreation Club
64-80 Liff Road
Dundee**Agent**B S Design
4 Grove Road
Broughty Ferry
Dundee
DD5 1JL**Registered** 11 June 2008**Case Officer** E Jones

Proposed Smoking Shelter at Logie Recreation Club

The erection of a shelter/canopy to the rear of the premises is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

There are no policy issues raised by the development and the objection is not supported. Therefore it is recommended that planning permission be granted with conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a timber shelter/canopy which has already been erected on the south elevation of this social club. The structure has a flat, sloping roof of profile steel sheeting and is supported on timber supports.
- The Logie Recreation Club lies on the south side of Liff Road, west of its junction with Marybank Lane. There is a narrow elevated platform along the rear of the building which provides access from the fire escapes to Marybank Lane. The shelter/canopy is located at the corner of the building above one of these exits. There are industrial yards and buildings to the west, south and east. There is a dwelling house 45 metres to the south at the corner of Marybank Lane and Lorne Street.
- One objection was received from the neighbour to the south on the grounds of noise and loss of residential amenity.
- The site lies within an area covered by Policy 26:General Economic Development Areas and is an established Social Club. The policy has no direct relevance to the proposal other than to confirm that this is an industrial area.
- It is considered that the presence of the shelter has not resulted in significant increases in noise and the house is 45 metres away to the south. The privacy distance for developments in the Local Plan is 18 metres. The objection is not supported.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a timber shelter/canopy which has already been erected on the south elevation of this social club. The Enforcement Officer was alerted to the structure in March and following the serving of a Planning Contravention Notice, this application has been submitted. The shelter is 6 metres by 3 metres. It has a flat, sloping roof of profile steel sheeting and is supported on timber supports. It is assumed that the shelter is to protect smokers.

SITE DESCRIPTION

The Logie Recreation Club lies on the south side of Liff Road, west of its junction with Marybank Lane. There is a narrow elevated platform along the rear of the building which provides access from the fire escapes to Marybank Lane. The shelter/canopy is located at the corner of the building above one of these exits. There are industrial yards and buildings to the west, south and east. The site to the south is identified as a scrap yard which is partly screened by vegetation. There is a dwelling house 45 metres to the south at the corner of Marybank Lane and Lorne Street.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 2005

The following policy is of relevance:

Policy 26: General Economic Development Areas

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.

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.



SITE HISTORY

As noted above, the shelter/canopy has already been erected and there has been action taken by the Enforcement Officer to require the submission of this planning application.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from the neighbour to the south on the grounds of noise and loss of residential amenity. This is considered in the Observations below and copies are available in Members' lounges.

CONSULTATIONS

The Head of Environmental Health and Trading Standards requests a standard precautionary contaminated land condition. However, this structure has already been erected.

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.

The site lies within an area covered by Policy 26:General Economic Development Areas and is an established Social Club. The policy has no direct relevance to the proposal other than to confirm that this is an industrial area. The site is surrounded by industrial yards and buildings and the erection of the shelter has limited impact upon them.

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:

Objection - one objection was received from the neighbour to the south on the grounds of noise and loss of residential amenity.

The noise results when the rear doors are left open and music noise or noise from patrons can be heard. As this is an area to the rear of the building served by 2 fire doors, it is likely that smokers will congregate here whether or not there is a shelter and when the club is warm, the doors are likely to be opened. It is considered that the presence of the shelter has not resulted in significant increases in noise. Other legislation may be more appropriate to protect the amenity of the neighbour.

The loss of residential amenity relates to loss of privacy as patrons can look into the rear windows of the property. As noted, the house is 45 metres away to the south and the privacy distance for developments in the Local Plan is 18 metres. The objector also objects to cigarette ends being deposited on her land which will, in future, be developed as a garden.

The objection is not supported.

It is concluded from the foregoing that insufficient weight can be accorded to

the material consideration such as to justify the refusal of planning permission contrary to the provisions of the development plan.

Design

The shelter is a simple timber construction, stained dark brown which is acceptable and complements the rear elevation of the building.

CONCLUSION

There are no policy issues raised by the development and the objection is not supported. Therefore it is recommended that planning permission be granted with conditions.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition:-

- 1 The development hereby permitted shall be commenced within five years from the date of this permission

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.