

KEY INFORMATION

Ward Maryfield

Proposal

Erection of Timber Pavilion
on South Side of Existing
Building

Address

Baxter Park Bowling Club
Wortley Place
Dundee

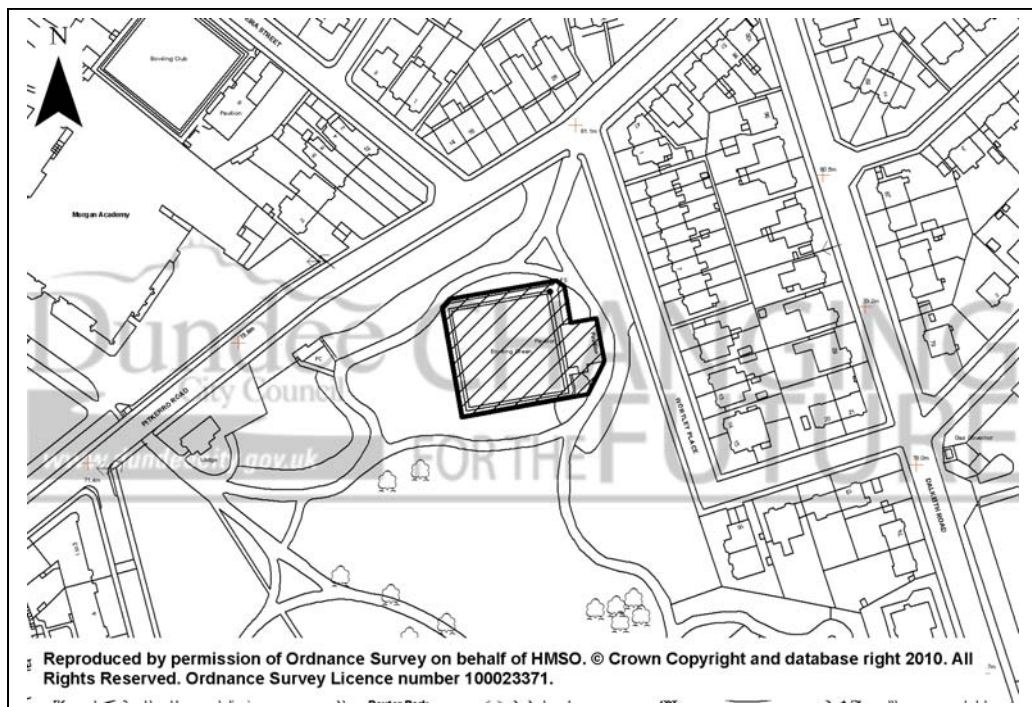
Applicant

Baxter Park Bowling Club
FAO David Millar
Wortley Place
Dundee
DD4 7HD

Agent

Registered 8 April 2010

Case Officer D Gordon



Proposed Pavilion at Baxter Park Bowling Club

The proposed erection of a timber pavilion is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The proposal complies with the provisions of the development plan. There are no material considerations of sufficient weight that would justify the refusal of this application contrary to these provisions. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The application seeks permission to erect a timber, pitched roof pavilion to be used for purposes directly associated with an adjacent bowling club.
- The proposal involves the development of land which is in the ownership of the Council. In this respect, the application is prohibited from being determined by an 'appointed officer' under the Council's Scheme of Delegation.
- The proposal falls to be considered under the terms of Policy 1 (Vibrant and Sustainable Communities), Policy 55 (Urban Design), Policy 61 (Development in Conservation Areas) and Policy 66B (Protection of Other Open Space) of the Dundee Local Plan 2005.
- No objections to the proposal have been submitted.
- The proposals fully comply with the relevant development plan policies. There are no material considerations of sufficient weight which would justify the refusal of this application contrary to the provisions of the development plan.

DESCRIPTION OF PROPOSAL

The proposal under consideration seeks permission to erect a timber pavilion for the members of the Baxter Park Bowling Club. The new structure is to be located on the south side of (and independent from) the existing bowling club pavilion building and to the east side of the Bowling Green.

The building measures approximately 4 metres x 5 metres and will be approximately 3.53 metres in height. The structure will be pitched roof in design and the walls will be constructed of nordic spruce wall logs. The roof will be finished in felt shingles.

The entrance door and the majority of the windows will face to the west over the bowling green. Additional windows are to be located on both the north and south elevations of the pavilion.

The existing 2 metre high security fence located to the east and south of the pavilion is to be repositioned and extended in length by approximately 3 metres to enclose the open area of ground currently evident on the east side of the building.

The application involves the development of land which is in the ownership of the Council. In this respect, the application is prohibited from being determined by an 'appointed officer' under the Council's Scheme of Delegation.

SITE DESCRIPTION

The site is located in the north east corner of Baxter Park with Pitkerro Road to the north west and Wortley Place to the north east.

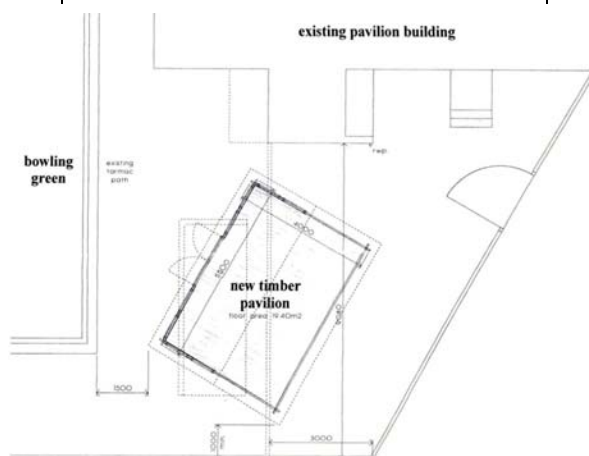
The application site accommodates a bowling green to the west and existing bowling club facilities to the east. The existing building is a single storey, part pitched/part flat roofed structure that is finished in white roughcast with a base course facing brick. The bowling green is enclosed to the east, west and south by high evergreen hedging.

The surrounding area accommodates a variety of uses including residential approximately 40 metres to the east (Wortley Place), public open space to

the north, south east and west and education to the west (Morgan Academy).

The recently renovated Baxter Park Pavilion (which is a Category A listed building) is located approximately 220 metres to the south.

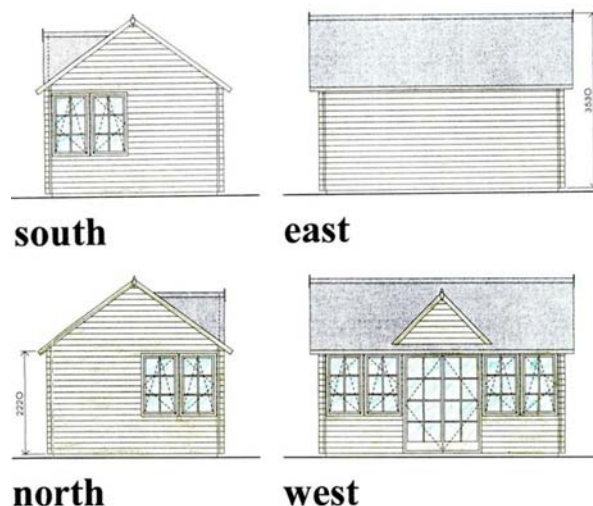
The site is located within the Baxter Park Conservation Area.



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 policies are of relevance:

Policy 1: Vibrant and Sustainable Communities - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and

facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 55: Urban Design - for all new developments the emphasis will be on design quality and the City Council will seek the creation of new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. All development should respect the setting of listed buildings.

Policy 61: Development In Conservation Areas - within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

Policy 66B: Protection of Other Open Space - there will be a presumption against the development or redevelopment of all other open space within the Local Plan area unless:

- the broad principles of criteria listed in Policy 66A are satisfied; or
- the proposals are consistent with a park masterplan, strategy or programme approved by the Council to improve the management of open space."

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy February 2010

SHEP: Scottish Historic Environment Policy

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

92/17936/D - Single storey extension to north side of bowling club - Approved 31/03/1993.

98/23242/D - Erection of single storey extension to north side of bowling club (renewal of 92/17936/D) - Approved 20/04/1998.

02/00074/DLA - Restoration of Baxter Park - Deemed to be Granted 29/04/2002.

02/00468/FUL - Single storey extension to north side of bowling club - Application withdrawn 29/11/2002.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure was undertaken. No objections to the proposals have been received.

CONSULTATIONS

No adverse comments have been received from any of the statutory consultees.

OBSERVATIONS

Statutory Requirements

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless other material considerations indicate otherwise.

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 proposal under consideration involves the erection of a pavilion for the use of by the members of the existing bowling club located to the north and east. The structure will be pitched roof in design and will be constructed of spruce wall logs.



The proposal falls to be considered by the following Dundee Local Plan 2005 policies:-

Policy 1: Vibrant and Sustainable Communities - this policy promotes and encourages a range of appropriate services and facilities within housing



areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell. There are no issues of smell or parking and traffic movement issues associated with this application.

The proposed small, pitched roof pavilion will be located adjacent to the existing bowling club building and will be used for purposes associated with the club. This will not include the preparation of hot food or the sale of

alcohol. The nearest residential properties are located to the east in Wortley Place, approximately 40 metres distant.

It is concluded that due to the size, scale and location of the new structure, the proposed development will have a minimal impact on the environmental qualities currently enjoyed by local residents.

In this respect, the proposal is considered to be in accordance with Policy 1 of the Plan.

Policy 55 (Urban Design): - this policy states that all development should respect the setting of listed buildings. The proposed pavilion will be located approximately 220 metres to the north of the recently restored Baxter Park Pavilion. It is considered that due to the location, size, scale and appearance of the proposed pavilion, the proposal will not have any adverse impact on the character or setting of the Category A listed Building.

Policy 61 (Development in Conservation Areas) - this policy states that within conservation areas, all development proposals will be expected to preserve or enhance the character of the surrounding area.

The application site is located within the Baxter Park Conservation Area. The site of the proposed new structure is immediately to the east/south east of the existing bowling club facilities. It is considered that by virtue of its location, size, scale, design and appearance the new pavilion will have a neutral impact on the character of the surrounding area.

It is concluded that the proposed development is in accordance with the requirements of Policy 61.

Policy 66B (Protection of Other Open Space) - this policy states that there will be a presumption against the development or redevelopment of all other open space (other than playing fields and sports pitches) within the Local Plan area unless certain criteria can be satisfied.

It is concluded from the submitted details that the proposal will assist in the development and the operation of the existing sports facility without the

loss of any useable open space. In this respect, the application is consistent with the requirements of Policy 66B.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

The Statutory Requirements under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The statutory requirements under Sections 59 and 64 of the above enactment have been discharged in the assessment of the proposal against the criteria of the Development Plan above.

Other Material Considerations

The other material considerations to be taken into account are as follows:

SHEP (Scottish Historic Environment Policy)

Non Statutory Designations - Gardens and Designed Landscapes.

As stated in Scottish Planning Policy (paras 110-112), the effect of proposed development on a garden or designed landscape is a material consideration in the determination of a planning application. The application under consideration is located within a designated Garden and Designed Landscape. It is considered that due to the location, size, scale and appearance of the proposed pavilion, the proposal will not have any adverse impact on the specific qualities, character or the integrity of this garden and designed landscape.

Impact on the setting of a Cat 'A' Listed Building - this issue has been discharged in the assessment of the proposal against Policy 55 of the Development Plan above and it was concluded that the proposed development will not adversely impact on the character or setting of the Category A listed Building.

It is also considered that, due to the minor nature of the proposals and the neutral impact the development will have on the character and setting of the surrounding area, there is no requirement to consult with the Scottish Ministers under the terms of Article 25 and Schedule 5 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

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

The pitched roof design of the proposed log pavilion is considered to be acceptable in this location within the Baxter Park Conservation Area, within a designated garden and designed landscape and within the curtilage of a category 'A' listed building.

CONCLUSION

It is concluded that the proposed development is in accordance with the provisions of the development plan. The use of the building is considered to be consistent with the characteristics of the adjacent bowling club without the loss of useable open space. The design and appearance of the pavilion is appropriate to its proposed location within the conservation area and will have a neutral impact on both the surrounding Garden and Designed Landscape and the setting of Baxter Park Pavilion which is a Category 'A' Listed Building. The proposal, by virtue of its size, scale and use, will not significantly detract from the environmental qualities currently enjoyed by local residents.

RECOMMENDATION

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

- 1 That within three months of the first use of the pavilion, or within a further period of time agreed with the planning authority, the structure shall be painted in a colour that has been agreed in writing with the planning authority.

Reason

- 1 To ensure that the proposed development preserves the character and appearance of the conservation area.