

KEY INFORMATION

Ward Bowbridge

Proposal

Change of use from residential home for the elderly to fully licensed hotel with minor extension to south elevation and façade alterations.

Address

Strathmore House
296A Strathmore Avenue
Dundee
DD3 6SH

Applicant

Pygmalion Properties Ltd
35 Byron Street
Dundee
DD3 6QT

Agent

Aim
Castle Chambers
26 Castle Street
Dundee
DD1 3AF

Registered 14 Mar 2002

Case Officer Eve Jones



Proposed Licensed Hotel at Strathmore House

The change of use from residential home for the elderly to fully licensed hotel with minor extension to south elevation and façade alterations is **RECOMMENDED FOR APPROVAL subject to conditions**.
Report by Director of Planning and Transportation

RECOMMENDATION

The proposed change of use from a residential home to a licensed hotel does not fully comply with all the relevant policies in the Local Plan. However it is considered that the material considerations are sufficiently strong to support the proposal to provide a 68 bedroom hotel in this currently vacant and semi-derelict building. Accordingly the application is recommended for **APPROVAL subject to conditions**.

SUMMARY OF REPORT

- The application is for the change of use of a former residential home for the elderly to a licensed hotel with minor elevational alterations and the provision of car parking.
- The accommodation will comprise 60 x 2 person bedrooms, 4 x 4 person bedrooms and 4 x 2 person bedrooms suitable for disabled persons. All 68 bedrooms will have en suite facilities. The building will have a restaurant and bar area which will be open to the public. The site provides 68 parking spaces.
- The existing building is a relatively modern 5 storey block which is currently partly boarded up and vacant. It lies on the north side of Strathmore Avenue behind an existing stone wall. There are offices to the west and north in the grounds of the former Kings Cross Hospital and a respite care unit to the east which is in use at the weekends. There are residential flats on the south side of the road. Strathmore Avenue is an important district distributor road linking Lochee and Strathmartine Road.
- The proposal does not fully comply with Policy H1- Existing Residential Areas or Policy LT8 - Licensed Premises, but does comply with Policy LT 5 - Tourist Accommodation. One objection was received from a neighbour on the grounds of loss of residential amenity.
- There are strong material considerations in this instance on the grounds of; beneficial use of an existing building, demand for hotel accommodation, relatively limited restaurant and bar area within the building to serve the 68 bedrooms, agreed noise attenuation conditions which can be applied.
- In this particular instance it is considered that the material considerations are of sufficient weight to support the granting of planning permission subject to conditions.

DESCRIPTION OF PROPOSAL

The application is for change of use of a former residential home for the elderly to a fully licensed hotel. The application includes a minor extension to the south of the building and alterations to the facades. The hotel will comprise accommodation on the ground and four upper floors as follows:

GROUND FLOOR - reception, bar, restaurant and lounge area with kitchens and toilets. 4 x 2 person disabled bedrooms with en suite facilities.

FLOORS 1,2,3 and 4 - 15 x 2 person bedrooms with ensuite facilities. 1 x 4 person bedroom with ensuite facilities.

TOTAL NUMBER OF BEDROOMS - 64 x 2 person rooms and 4 x 4 person rooms.

There will be 68 car parking spaces and 8 bicycle bays. Part of the overgrown site to the west forms part of the development site and provides space for additional car parking. The remainder of that site will be screened off with a close boarded fence. A similar fence will also be erected on the east side of the site, adjacent to the grounds of the respite unit.

SITE DESCRIPTION

The property lies on the north side of Strathmore Avenue and comprises a relatively modern five storey flat roofed block finished in grey roughcast. The building is currently vacant and is visually in a poor state of repair. The property was last used as a residential home for the elderly, run by Tayside Regional Council. The property lies behind a high stone wall and has two entrances which allow vehicles access to either side of the building and around the rear. There is a grass area to the front of the building with trees. The adjacent uses are, the wooded grounds of the former Kings Cross Hospital to the north, a respite care unit to the east, City Council offices to the west beyond an open overgrown area and residential tenemental properties to the south, across Strathmore Avenue.

POLICY BACKGROUND

There are no National or Structure Plan policies of direct relevance to this application.

Dundee Local Plan 1998

The site lies within a predominantly residential area where Policy H1 - Existing Residential Areas is of direct relevance. The policy supports developments which do not adversely affect the environmental quality enjoyed by local residents by reason of design, layout, parking and traffic movement issues, noise or smell and they are in accordance with other policies and proposals elsewhere in the local plan. The policy does not preclude the retention or sensitive introduction of services or facilities (in small centres) which are desirable within residential areas.



Policy LT5 - Tourist Accommodation states that the Council will encourage the provision of a wider range of accommodation for visitors to the City having regard to the other policies in the Local Plan.

Policy LT8 - Licensed and Hot Food Premises. The policy states that no licensed premises other than off licences or possibly hotels with a restricted licence is acceptable within 45 metres of existing and proposed housing where the outlet exceeds 150 square metres gross floorspace. This policy has been the subject of a non-statutory revision which does not alter this requirement.

LOCAL AGENDA 21

The proposed development complies with Key Theme 1 regarding efficient

use of resources and minimising of waste as this development is for the reuse of an existing building. It also complies with Key Theme 13 as the renovations to the building will improve the visual appearance of the site whilst providing a beneficial use for the building.

SITE HISTORY

D22804 - Change of use from residential home to 26 flats. Approved subject to conditions 01/10/1997. This permission has not been implemented.

D24515 - Change of use from residential home (Class 8) to student accommodation (Class 7) Approved subject to conditions 10/05/2000. This permission has not been implemented.

01/30447/COU - Change of use from residential home for the elderly to licensed hotel with alterations and extension. The application was withdrawn by the applicant 28/01/2002.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and was also advertised as a Bad Neighbour development. In addition, the development was advertised as being contrary to Policy LT8 of the Dundee Local Plan 1998. One objection was received from a neighbour on the grounds of lack of local demand, increased noise late in the evening and impact on residential amenity.

A copy of the objection is in the Members' Lounges and the issues will be considered in the Observations below.

CONSULTATIONS

The Director of Environmental and Consumer Protection requested technical information regarding noise levels from heating and ventilation systems and following discussions has suggested planning conditions to be attached to any planning permission.

OBSERVATIONS

The determining issues for Committee in this instance are:

- 1 Whether the proposed development complies with the

policies in the Dundee Local Plan 1998.

- 2 Whether the objection is sufficiently strong to support the refusal of planning permission.
- 3 Whether there are material considerations of sufficient strength to support the granting of planning permission contrary to the policies in the Local Plan.

Dundee Local Plan 1998

Policy H1 - Existing residential areas. The policy supports developments which do not adversely affect the environmental quality enjoyed by local residents by reason of design, layout, parking and traffic movement issues, noise or smell and they are in accord with other policies and proposals elsewhere in the local plan. The policy does not preclude the retention or sensitive introduction of services or facilities (in small centres) which are desirable within residential areas.

The site lies within a predominantly residential area as defined in the Local Plan. However, some of the uses immediately adjacent to the site on the north side of Strathmore Avenue are non residential being; local Council administrative offices and the grounds of Kings Cross Hospital which is now health related administrative offices rather than primary health care. The residential premises immediately to the east are currently in use as a respite care unit run by the charity Sense Scotland and used on a weekly basis from Friday to Monday and for longer periods during holidays.

The nearest residential properties on the south side of Strathmore Avenue are 30 metres from the boundary of the site.

With regard to the requirements of Policy H1:

Design: the proposed conversion and upgrading of the building will improve its current appearance and will have a positive impact on the environmental quality of the surrounding area.

Layout: the layout of the buildings and accesses are unchanged. The east and west boundaries will be formed by close boarded timber fences. The current shared access for the respite unit to the east will be maintained in the short term as it is the subject of legal conditions applicable to the site.

Parking and Traffic Movement Issues: The application has been amended such that the site now provides sufficient car parking spaces for the accommodation proposed in the building, with one car parking space per room. There is provision of a vehicle drop off point and 4 disabled spaces close to the entrance. The majority of the car parking spaces will be located to the west of the building, away from the residential units to the east. However one way internal traffic circulation is indicated which will require many of the vehicles to drive past these units. The existing accesses are unchanged and are through an existing high stone wall. At this point the footway is wide and the road is straight. Strathmore Avenue is a busy district distributor road and is also a bus route. There is a bus stop to the west of the proposed exit. The proposed change of use will result in a more intensive use of the site by customers, staff and service vehicles for a substantial part of the day, seven days a week.

Noise or Smell. A noise impact assessment of the mechanical services and plant has been carried out. The Director of Environmental and Consumer Protection has suggested appropriate conditions to be attached to any planning permission which will require noise attenuation to achieve a noise level at the nearest residential property which complies with national guidance for such situations. The applicant has confirmed that the systems and equipment will comply with the suggested noise levels.

The proposed change of use will have a limited detrimental impact on the environmental quality enjoyed by neighbours as it will result in increased levels of cars and service vehicles to the site for seven days a week. Therefore it does not fully comply with Policy H1.

Policy LT5 - Tourist Accommodation. It is considered that the proposals meet the requirements of this policy to provide a wider range of accommodation for visitors to the City.

Policy LT8 Licensed and Hot Food Premises. The policy both in its original and amended forms, does not support licensed premises within 45 metres of existing or proposed housing. The residential properties to the south, across Strathmore Avenue,

are 30 metres away from the boundary of the site. In these circumstances, it is considered that the proposal contravenes Policy LT 8 in respect of those particular properties.

With regard to the respite unit to the east, whilst the buildings clearly fall within the 45 metres distance, the unit is only in use from Friday to Monday and for longer periods during holidays. The primary use of the site is not residential as these facilities provide clients with temporary care and are not their main residence. The site remains in the ownership of the City Council and its use is unlikely to change in the near future. It is considered that the proposed use does comply with Policy LT8 or its later revision in respect of the adjacent respite unit.

Objection

As detailed above, the proposal will have a limited detrimental impact on the amenities enjoyed by neighbours. However there are other non residential uses in the area and Strathmore Avenue is an important district distributor road. The objection must be assessed against other material considerations.

Material Considerations

The building is partly boarded up and does not represent an asset to either the local area or the City as a whole. There are non-residential uses to the west and north represented by City Council offices and the former Kings Cross Hospital which is now almost totally in use for health administration. There is a demand for hotel accommodation in the City. The building also has a current planning consent for change of use to student accommodation which would provide 59 rooms with shared kitchen and living areas. However that consent does not include the additional land to the west which is included within this application site and only provides 11 parking spaces and 5 lock-ups.

The applicant's agent has submitted a statement of justification in support of the application and lists the following material planning considerations: the derelict appearance of the building, the demand for hotel accommodation, the employment which will be created, the lack of impact on the immediate area and the availability of bus services. They further advise that the bar area is

a small component of the proposal which is screened from the respite centre and can be the subject of agreed noise restriction conditions. A copy of the statement is available for members.

The agent argues that the properties to the south are more than 45 metres from the building however the distance restrictions in Policy LT8 refer to the whole site in order to ensure that the whole development, including accesses and parking areas, can be included in the assessment of the impact on surrounding residential properties.

Design

The proposed elevational amendments and upgrading of the building represent a significant improvement to its current semi-derelict appearance. The parking and circulation arrangements have been amended to retain the existing trees.

CONCLUSION

The proposed change of use of this former residential home for the elderly to a licensed hotel does not fully comply with Policies H1 and LT8 of the Local Plan by reason of the increased volumes of traffic in the evenings and week ends and the proximity of residential properties to the south and the respite care unit to the east although it is not in use on a full time basis. The objection is not considered to be sufficiently strong to wholly support refusal of the application. The material considerations in this case are the beneficial use of a currently semi-derelict building which is detrimental to the area, the provision of hotel accommodation which is in demand in the City, the relatively small floor area of the restaurant and bar in relation to the 68 rooms which are proposed and the agreed noise attenuation conditions which can be imposed. The residential properties to the south are separated from the site by a high stone wall and a wide busy district distributor road. On balance it is considered that in this instance, the material considerations are of sufficient strength to support the granting of planning permission subject to conditions, contrary to the policies in the Local Plan.

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 or vocals from the building shall be so controlled as to be inaudible within the nearest residential accommodation.
- 3 The total noise from all mechanical and electrical services shall be controlled so that it does not exceed NR35 as measured at 1 metre from the facade of the nearest residential accommodation.
- 4 Prior to the first use of the building as approved by this permission, the mechanical and electrical services shall be insulated in order to comply with condition 03 as detailed above.
- 5 The areas indicated on the approved plans for vehicle circulation, car parking, cycles parking and the accommodation of service vehicles shall be laid out prior to the first use of the site and shall at all times be kept free of obstruction and available for those purposes.
- 6 Prior to the commencement of any works on site, chestnut-paling fencing of one metre in height shall be erected along the drip line of the trees to be retained and shall be maintained in place throughout the construction period. Throughout the construction, the trees shall be treated in accordance with BS 5837: Trees in relation to construction.
- 7 Within six months of the first use of the premises, trees and shrubs shall be planted on the site in accordance with a scheme which has been approved with the City Council. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and

species to those originally required to be planted.

- 8 The building, the subject of this planning permission, shall be use for fully licensed hotel purposes only and may not be used for a use within Class 7 of the Town and Country Planning (Use Classes)(Scotland) Order 1992 as amended.

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 level of noise emanating from the building is reduced to levels which would not adversely affect the amenities of the occupiers of nearby properties.
- 4 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.
- 5 To ensure that adequate manoeuvring and parking space is available to serve the development in the interests of traffic safety
- 6 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.
- 7 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 8 For the avoidance of doubt and to ensure that the building is used to provide hotel accommodation in accordance with the terms of the Dundee Local Plan and the City Council's stated aim of improving the range and choice of hotel accommodation within the City. Unrestricted use of the building for any purposed within Class 7 in the schedule to the Town and

Country Planning (Use Classes)
(Scotland) Order 1997 would be
likely to prejudice such
provision.