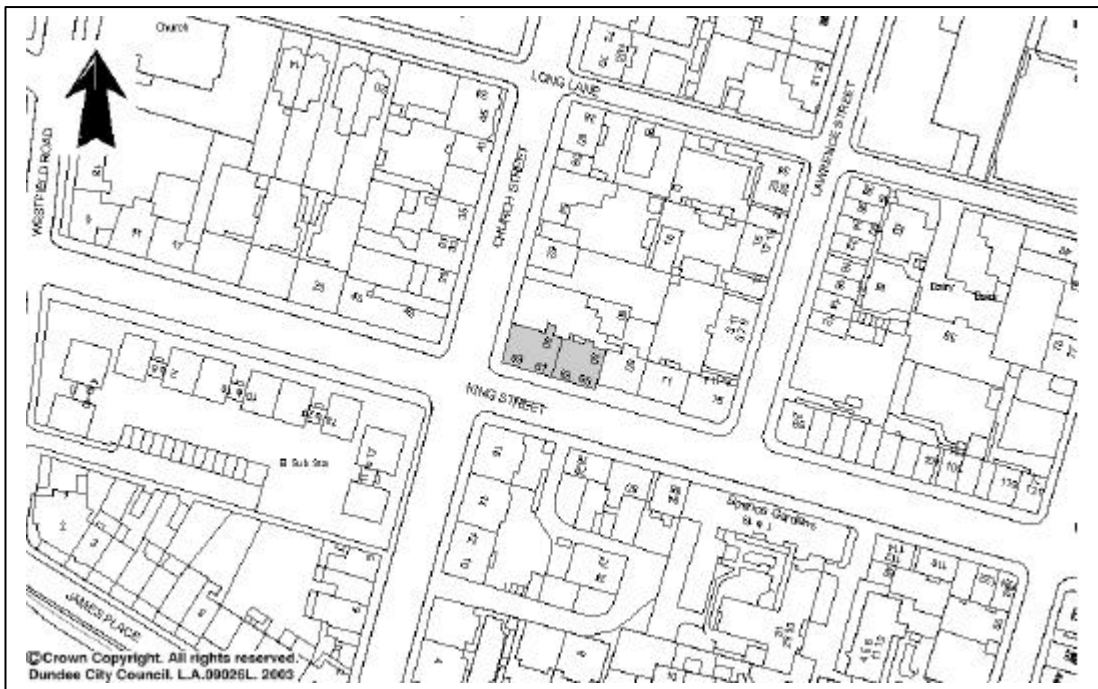


KEY INFORMATION**Ward** Broughty Ferry**Proposal**

Change of use from commercial units to 2 No flats

Address59-63, 65 King Street
Broughty Ferry
Dundee**Applicant**Ms V White
c/o 18 South Tay Street
Dundee
DD1 1PD**Agent**Leadingham Jameson
Rogers and Hynd
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Dundee
DD1 1PD**Registered** 11 July 2005**Case Officer** C Walker

Housing Conversion Proposed in King Street

A change of use from commercial units to flats is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed flats are acceptable in principle and will not adversely impact on the amenities of the adjoining occupiers. The application is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought to change the use of vacant ground floor office accommodation into 2 flats.
- 4 letters of objection were received from the occupiers of nearby dwellings sharing the mutual garden area. The objectors are concerned about the lack of car parking, noise, overlooking of the garden area and security.
- The provision of residential units at this location is acceptable in principle and is more in conformity with the surrounding pattern of development than the former office uses. It is considered that insufficient weight can be accorded to the concerns of the objectors such as to justify the refusal of planning permission.

or enhancing the character or appearance of that area.

This matter has already been considered in the assessment of the proposed development under Policy 61 of the adopted Local Plan and it was considered that the proposal would enhance the character and appearance of the adjoining conservation area.

(B) The Views of Objectors - One of the principal concerns of the objectors is the lack of parking in the vicinity of the site and the additional pressures that will result with the formation of 2 new flats. Of course office uses will generate parking requirements but the objectors feel that the problems are particularly acute at night time when office uses would normally be closed.

It is accepted that the formation of 2 flats is likely to result in increased parking demand at night time but the removal of the potential office uses will reduce demand at day time. Visits to the site have demonstrated that there is heavy demand at this location during the day. Furthermore it is not considered that 2 additional flats will have any significant impact on overall parking numbers at night time. Finally the proposed flats are in a central location close to facilities and well served by public transport, so that dependence on a car is low.

The other concerns of the objectors relate to the possibility of noise transferring from the proposed flats to the upper floor flats. It is considered that standard noise attenuation measures should suffice in this situation and that a planning condition to this effect could be attached to any consent should Members be minded to approve this application.

Concerns about overlooking and security relate to the mutual garden area. This area is already overlooked by many windows and the change of use to residential accommodation is unlikely to result in any loss of security. This issue, raised by the objectors, seems to be linked to fears about the character of future occupiers of the proposed flats, a matter that is not relevant to the determination of this planning application.

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. It is therefore

recommended that planning permission be granted with conditions.

Design

The minor alterations to the building are of satisfactory design.

CONCLUSION

The proposed flats are acceptable in principle and will not adversely impact on the amenities of the adjoining occupiers.

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 Details of a scheme of noise attenuation to ensure that any noise generated within the proposed flats does not adversely impact on the amenities of the occupiers of upper floor flats shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
- 3 Details of the building up of existing openings and the new windows and doors shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of residential amenity.
- 3 In order to safeguard the visual amenity of the Conservation Area.