

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

Extension to first floor of existing hotel to create a ceremony room and external terrace

Address

Park Hotel
40 Coupar Angus Road
Dundee

Applicant

Karen Marr Properties
Belsize House
Broughty Ferry

Agent

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Dundee
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Registered 30 March
2007

Case Officer Eve Jones



Consent sought for hotel extension

An extension to an hotel is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

It is concluded that the extension to this local hotel is so designed as to seek to minimise any affect on the environmental quality enjoyed by local residents as required by Policy 1 Vibrant and Sustainable Communities. The use of appropriate conditions regarding music and the more flexible and effective licensing regime is considered to be sufficient to minimise any adverse impact on local residents. Accordingly the application is Recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the extension to the first floor of this long established, existing hotel on the west side of Coupar Angus Road, to create a ceremony room and external terrace, the room will be licensed and will be open daily from 900am to 900pm for wedding ceremonies and funeral teas. Coupar Angus Road is a busy distributor road to the Kingsway.
- One representation, one objection and one petition of objection with 43 signatures were received on grounds of noise from the terrace; the possible events and functions which could be held and the lack of parking for guests.
- The Head of Environmental Health and Trading Standards advises that if the additional suite is used as intimated in the application, it would cause little or no problems.
- Dundee Local Plan 2005 - Policy 1: Vibrant and Sustainable Communities - it is considered that the development will comply with Policy 1 other than parking provision. The parking is acceptable given a degree of shared use at different times of the day.
- The concerns of the local residents are recognised but it is considered that the applicants have made clear their operating intentions and should be given the opportunity to demonstrate that these will be carried out. Licensing will also control the operation of the premises.
- It is concluded that this local hotel provides an appropriate range of services to the community and the proposed extension is so designed as to seek to minimise any affect on the environmental quality enjoyed by local residents as required by Policy 1. The use of the more flexible and effective licensing regime is considered to be sufficient to ensure that the operation of the ceremony room and terrace does not have an adverse impact on local residents.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the extension to the first floor of an existing hotel to create a ceremony room and external terrace. The extension will have blank side walls to the east and west with a flat roof. The north elevation will include a triple glazed window. The proposed terrace is located on the west side of the proposed extension screened by a fire escape stair but with an open side facing north.

The proposed materials are white render and cedar boarding walls with a grey composition flat roof.

The applicant advises that the room will be licensed and will be open daily from 9.00am to 9.00pm. It will have a facility to provide limited background music to support wedding ceremonies and funeral teas.

SITE DESCRIPTION

A long established hotel on the west side of Coupar Angus Road, close to its junction with the Kingsway. It occupies a triangular site with parking on three sides and a small children's play area in the north corner. There are semi-detached houses to the west and north west, an area of open space to the north, flatted blocks in landscaped grounds to the east and a flatted property to the south. Coupar Angus Road is a busy distributor road to the Kingsway.

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:

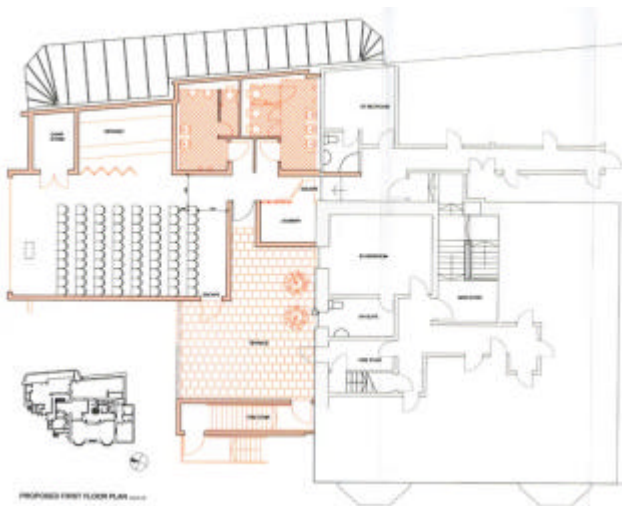
Policy 1 Vibrant and Sustainable Communities.

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

04/00042/FUL Alterations and Extensions to Hotel approved with conditions March 2004.

04/00995/COU Change of use of open space to provide additional car parking was Refused by Committee on 31 January 2005.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification. One representation, one anonymous objection and one petition of objection with 43 signatures were received. The representation did not object provided no late night or noisy functions were held in the room. The covering letter for the petition objected on grounds of noise from the terrace; the possible events and functions which could be held and the lack of parking for guests resulting in parking problems for

residents. The anonymous objection was on parking grounds. Copies of the documents will be available in Member's lounges and the issues raised will be considered in the Observations below.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has been involved in the assessment of a Noise Impact Assessment which was submitted by the applicant at the request of the City Council. This assessment sought to quantify the current noise impact in the area and the likely increase in noise from the proposed ceremony room and terrace.

He advises that if the additional suite is used as intimated in the application, it would cause little or no problems. However a full blown function with disco or live band could be different. This can be controlled by the license and appropriate planning conditions to allow the operator to demonstrate that they will operate in accordance with their proposals. There has been history of noise problems with this hotel but these have been addressed by the current management and there have been no recent problems.

Use of the terrace has potential for creating noise problems as it will accommodate those patrons of the premises who would wish to smoke. This is likely to result in increased levels of noise. Patrons should not be encouraged to linger in such an area and if planning permission is to be granted, an appropriate condition regarding music on the terrace is recommended.

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 Development Plan

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

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."

This is an existing well established local hotel on a relatively limited site on a busy road leading to the Kingsway. It is surrounded by residential properties. The extension is designed to screen the extension and the terrace in order to minimise the noise impact on adjacent residents.

The increased floorspace of the hotel would require the provision of 38 spaces plus 3 disabled spaces. The current provision is 30 spaces plus 2 disabled spaces. The parking layout has been redesigned to provide 29 spaces plus 3 disabled spaces by the entrance. The lack of capacity of the site to accommodate additional car parking space does not comply with Policy 1.

The applicant advises that the ceremony room in the proposed extension will be licensed and will be open daily from 9.00am to 9.00pm. It will have a facility to provide limited background music to support wedding ceremonies and funeral teas. The Head of Environmental Health and Trading Standards advises that the background music proposed is likely to be acceptable. This can be controlled by the license and appropriate planning conditions to allow the operator to demonstrate that they will operate in accordance with their proposals.

Use of the terrace has potential for creating noise problems as it will accommodate those patrons of the premises who would wish to smoke. There is no indication that the terrace is proposed to be used as a licensed beer garden area. Patrons should not be encouraged to linger in such an area and if planning permission is to be granted, an appropriate condition

regarding music on the terrace is recommended.

It is noted that the terrace is immediately outside the window of guest room 11 and the Noise Impact Assessment notes that use of the terrace beyond the intended hours of 9.00am to 9.00pm would have an adverse affect on residents in that room. It states that it is intended that the terrace will be closed at 9.00pm.

The proposed ceremony room and terrace will form part of the hotel and planning conditions cannot be used to require one part of the building to be closed at a different time from the rest of the licensed premises. However, the extended premises will require a license and the regular extension which allows opening beyond 11.00pm can have specific controls on specific areas. If Members are minded to approve the application, it is considered that the licensing regime is the more effective and flexible means for the City Council to ensure that the premises are operated in an acceptable way which minimizes any impact on surrounding residents.

The premises provide a local facility for the community to hold a variety of functions and provided the extension is operated in accordance with the regulatory controls, it is considered that the development will largely comply with Policy 1. The lack of capacity for additional car parking is contrary to Policy 1.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan other than in respect of car parking provision.

Other Material Considerations

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

Parking Provision

The ceremony room is designed to be used for weddings and funeral teas with a closure time of 9.00pm. Many of these functions will take place during the day and it is considered that there may be an element of shared usage of car parking spaces associated with this development given its proposed hours of operation. Many other well established hotels in the City, on similarly restricted sites have been allowed extensions to improve the facilities available to patrons even if the site cannot always accommodate

additional parking. This hotel has previously sought to extend its car park into adjoining open space but this was refused by Committee because of the likely impact on neighbouring residents to the south. It is considered that the limited enhanced provision involving the relocation of disabled spaces is acceptable in this instance.

Objections

The representation did not object provided no late night or noisy functions were held in the room. As noted, the applicants advise that the ceremony room will close at 9.00pm and will have background music only.

The objection was on grounds of parking. The covering letter for the 43 signature petition objected on grounds of noise from the terrace; the possible events and functions which could be held and the lack of parking for guests resulting in parking problems for residents.

The extension which forms the ceremony room lies between the terrace and the housing in Dryburgh Gardens and this should shield residents from any noise. As noted above, it is considered that the licensing of the premises should control the events and functions. The parking has been reorganised and is considered to be acceptable in this location given the use of the proposed extension.

The concerns of the local residents are recognised but it is considered that the applicants have made clear their operating intentions and should be given the opportunity to demonstrate that these will be carried out. Licensing will also control the operation of the premises.

It is concluded from the foregoing that the material considerations in respect of the parking provision are accepted and that insufficient weight can be accorded to the objections 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 design is simple and modern and is an acceptable extension to this property which has already had several previous extensions. The acoustic performance of the new structure will

exceed the existing function rooms. The sold slab walls have no services or ducts to minimize noise breakout and are designed to screen adjacent housing from noise impact.

CONCLUSION

It is concluded that this local hotel provides an appropriate range of services to the community and the proposed extension is so designed as to seek to minimise any affect on the environmental quality enjoyed by local residents as required by Policy 1. The limited hours and the proposed uses will involve a degree of dual use of parking facilities. The use of appropriate planning conditions regarding music and the more flexible and effective licensing regime is considered to be sufficient to ensure that the operation of the ceremony room and terrace does not have an adverse impact on local residents.

RECOMMENDATION

It is recommended that consent 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 and vocals shall be so controlled as to be inaudible at the facade of any adjacent residential property.
- 3 No entertainment (music or vocals, amplified or otherwise, including TV) shall be provided in the terrace area.
- 4 Prior to the first use of the extension hereby approved, the revised car park layout as detailed in the approved plan reference 2224/L(90) 01 revision C shall be implemented and shall thereafter be retained in use.

Reasons

- 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 a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety.