

Erection of Ramp Access

KEY INFORMATION

Ward Maryfield

Address

223-227 Albert Street
Dundee DD4 6QA

Applicant

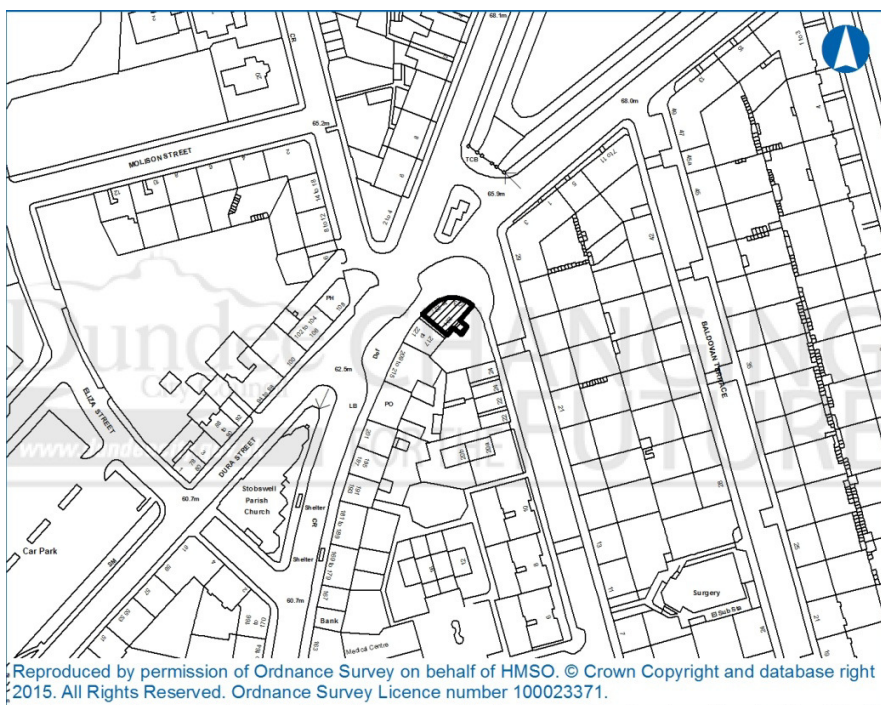
Asif Brothers
c/o 223-227 Albert Street
Dundee DD4 6QA

Agent

G D Architectural Services
Unit 2.8, Discovery House
Gemini Crescent
Technology Park
Dundee DD2 1SW

Registered 21 July 2015

Case Officer S Doward



SUMMARY OF REPORT

- The application seeks planning permission for the erection of a ramp to the front entrance of an existing retail store.
- Policies 7 and 50 of the Adopted Dundee Local Development Plan (2014) are relevant to the determination of the application.
- The statutory neighbour notification procedure was undertaken, no comments have been received.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee because the application has been submitted on behalf of an Elected Member of the Council.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=NLGIL5GC06600>.

RECOMMENDATION

The application complies with Policies 7 and 50 of the Dundee Local Development Plan and with national guidance for development within a Conservation Area. The proposal also satisfies the statutory requirements of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. There are no material considerations that would warrant refusal of planning permission. Therefore, the application is recommended for APPROVAL subject to conditions.

1 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks planning permission for the erection of an access ramp to the north west elevation of the property, extending across 7 metres of the public footway, with handrails. The submitted plans also illustrate minor alterations to the existing windows and doors of the shop front. External finishes are not specified.
- 1.2 In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee because the application has been submitted on behalf of an Elected Member of the Council.



Figure 1 – Proposed Main Elevation

2 SITE DESCRIPTION

- 2.1 The application site relates to an existing Class 1 shop located on Albert Street within Inner City Dundee and Maryfield Conservation Area as per the Adopted Dundee Local Development Plan (2014). There is an existing temporary timber structure with steps, handrail and platform to the main store entrance on the north west elevation.

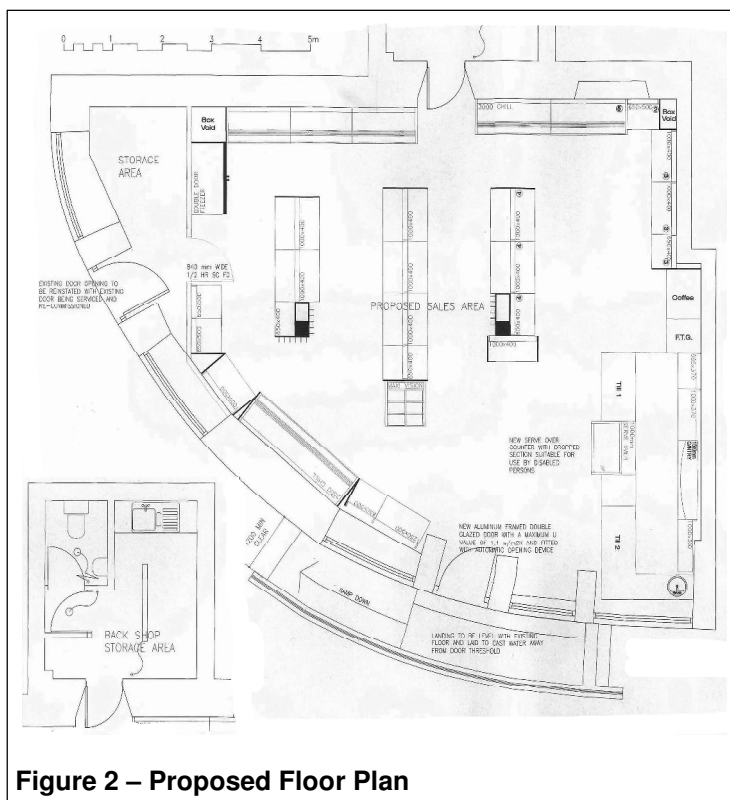


Figure 2 – Proposed Floor Plan

3 POLICY BACKGROUND

- 3.1 The following plans and policies are considered to be of direct relevance:

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 7 (High Quality Design)

Policy 50 (Development in Conservation Areas)

SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS

Scottish Planning Policy (2014)

Scottish Historic Environment Policy (2011)

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

- 4.1 There is no relevant planning history.

5 PUBLIC PARTICIPATION

- 5.1 The statutory neighbour notification procedure has been undertaken and the planning application was advertised in the Dundee Evening Telegraph. No letters of objection have been received.

6 CONSULTATIONS

- 6.1 No consultation responses have been received.

7 DETERMINING ISSUES

- 7.1 **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 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.

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.2 **Policy 7: High Quality Design** - of the Dundee Local Development Plan requires that all development contributes positively to the quality of the surrounding built and natural environment. Design should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colour.
- 7.3 The proposed ramp is of a scale, design and massing that would not detract from the appearance of the existing retail unit or the surrounding Albert Street streetscape. The ramp has been positioned and designed to minimise any impact on the flow of pedestrians on the public footpath. The proposed access ramp does not raise any concerns in terms of road or pedestrian safety.
- 7.4 Should members be minded to grant planning permission the finish of the ramp will be controlled by condition to ensure that the visual amenity of the surrounding street is not diminished by the use of inappropriate materials.
- 7.5 **With the addition of a planning condition, the proposal would satisfy Policy 7.**

- 7.6 **Policy 50: Development in Conservation Areas** - expects that all development proposals will preserve or enhance the character of the surrounding area, retaining all features that contribute to the character and appearance of the conservation area.
- 7.7 The proposed ramp installation and minor alterations to the existing windows and doors would not detract from the appearance of the conservation area. A planning condition is proposed to require that further details are submitted with regard to finishing materials, the addition of which would ensure that the character and appearance of the conservation area would be preserved.
- 7.8 **With the addition of a planning condition, the proposal would satisfy Policy 50.**
- 7.9 **It is concluded from the foregoing that the proposal complies with the provisions of the Development Plan.**

STATUTORY DUTY

- 7.10 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that with respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.11 For the reasons set out above, the proposed works comply with national planning guidance with regard to development affecting a conservation area, the proposals would preserve the Conservation Area and the statutory duty set out in Section 64 of the Act would therefore be satisfied.

OTHER MATERIAL CONSIDERATIONS

- 7.12 The other material considerations to be taken into account are as follows:
- a Scottish Planning Policy (2014) and Scottish Historic Environment Policy (2011) should be taken into account when determining applications for planning permission for development which may affect the historic environment. Scottish Planning Policy (Historic Environment) considers that the designation of a conservation area provides the basis for the positive management of an area. A proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. Scottish Historic Environment Policy acknowledges that the protection of the historic environment is not about preventing change but seeking to ensure that where change is proposed, it is appropriate, carefully considered and if appropriate, reversible. It is therefore concluded that the proposed works comply with national planning guidance with regard to development affecting a conservation area.

The proposal would comply with national planning guidance with regard to development within a Conservation Area.
 - b The proposed ramp lies over an area of footway that is on the List of Public Roads and details of any underground services located under the proposed ramp have not been provided in full. The area of footway would be formally removed from the List of Public Roads if the ramp is constructed, this matter will be controlled by condition to ensure that all owners within the property and statutory undertakers with services in the vicinity of the site are aware of the development and that the applicant is also aware that services may need to be diverted.

- 7.13 It is concluded from the foregoing that the material considerations support the approval of planning permission.

8 CONCLUSION

- 8.1 The proposal satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. It is therefore recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 Before any works start on site, the further details with regard to the external finishes of the ramp hereby approved shall be submitted for approval in writing by the Planning Authority; in particular the material to be used for the surfacing ramp and supporting walls, and details of the proposed handrail, together with details of any reinstatement of the existing footway. Thereafter the development shall be carried out in accordance with the details approved unless changes are subsequently agreed in writing with this Planning Authority.
 - 2 Before any works start on site and within 12 months of the date of this planning permission, evidence that the application site has been formally removed from the list of public roads shall be submitted for the prior approval of Dundee City Council as Planning Authority.
 - 3 The proposed access ramp hereby approved shall be erected and fully operational within 18 months of the date of this planning permission.

REASONS

- 1 To reserve the rights of the Planning Authority with respect to these details.
- 2 To be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 3 To reserve the rights of the Planning Authority with respect to these details.