

IV LOCAL PLANNING REVIEW LRB07/2025 – CHANGE OF USE OF FORMER BANK (CLASS1A) TO COCKTAIL BAR AND LOUNGE (SUI GENERIS) AND ASSOCIATED EXTERNAL ALTERATIONS - 288 BROOK STREET, BROUGHTY FERRY, DUNDEE

There was submitted Agenda Note AN29-2025 giving details of a request for a review of planning permission to refuse planning permission for the Change of Use of Former Bank (Class1a) to Cocktail Bar and Lounge (Sui Generis) and Associated External Alterations - 288 Brook Street, Broughty Ferry, Dundee.

The Planning Adviser gave a brief outline of the application and the reasons for refusal.

The Legal Adviser advised that the applicant had intimated in the Notice of Review that they had not raised any new matters which were not before the Appointed Officer at the time of reaching their decision. The review documents were therefore to be taken into consideration by the Local Review Body in reaching their decision.

The Local Review Body considered the documentation submitted and, having taken into account the provisions of the Development Plan and all material considerations, upheld the determination of the Appointed Officer and refused application 25/00888/FULL on the grounds that:

1. The proposal does not comply with Policy 27 of the adopted Dundee Local Development Plan, as the proposal is to locate a public house outside the City Centre. There are no material considerations of sufficient weight to justify approval of the application contrary to the development plan.
2. The proposal does not comply with Policy 23 of the Dundee Local Development Plan because the application site is within the retail frontage area of Broughty Ferry District Centre, where only Class 1A or Class 3 uses are supported. The proposed use class is a sui generis licensed cocktail bar and lounge. There are no material considerations of sufficient weight to justify approval of the application contrary to the development plan.
3. The proposal does not comply with Policies 14 and 23 of National Planning Framework 4 or Policies 1 and 39 of the Dundee Local Development Plan, as the development proposal would create unacceptable noise and disturbance issues, with particular reference to the relationship between the proposed cocktail bar and lounge and the flatted property above. There are no material considerations of sufficient weight to justify approval of the application contrary to the development plan.
4. The proposal fails to comply with Policy 9 of National Planning Framework 4 as the proposal would not be a suitable re-use of the building because it would result in an unacceptable impact on the residential amenity of neighbours. There are no material considerations of sufficient weight to justify approval of the application contrary to the development plan.