

## **II LOCAL PLANNING REVIEW LRB12/2022**

PLANNING APPLICATION 21/00433/FULL – ERECTION OF EVENTS MARQUEE FOR A TEMPORARY PERIOD OF 3 YEARS – FARM SHOP AND CAFÉ, NORTH GRANGE FARM, ARBROATH ROAD, DUNDEE.

There was submitted Agenda Note AN50-2022 giving details of a request for a review of planning the erection of an events marquee for a temporary period of three years at Farm Shop and Café, North Grange Farm, Arbroath Road, Dundee.

Papers had been circulated and the Local Review Body had requested an accompanied site visit, which had taken place on 11th November, 2022.

The Legal Adviser advised that the applicant and Environmental Health Officer had provided further information in relation to the addendum to the Noise Impact assessment from the applicant's acoustics advisers. This did relate to a matter already known to the Appointed Officer, therefore could be taken into consideration by the Local Review Body when reaching their decision regarding this review.

The Local Review Body noted all of the above, and agreed in terms of the Local Review Procedure Regulations, to determine the review without further procedure on the basis of the information before it.

Thereafter, having considered all the information, the Local Review Body, having taken into account the provisions of the Development Plan, all material considerations, the findings of the accompanied site visit and all matters raised at the review, upheld the Appointed Officer's decision to refuse planning permission 21/00433/FULL for the following reasons: -

1. The proposed marquee would be located within the Open Countryside where is a presumption against new development. As the proposal does not constitute a new building, there are no existing buildings being restored and there is no agricultural justification for the development, the proposal fails to meet any of the criteria of Policy 31. The proposal is contrary to the requirements of Policy 31 of the Dundee Local Development Plan 2019. There are no material considerations to justify a decision contrary to the Plan.
2. The application site is in close proximity to residential properties at North Grange Farm and would introduce noise associated with music, plant/equipment, visitors and additional traffic/footfall to the area during night time hours. The applicant has failed to demonstrate that the proposed marquee and associated events can be accommodated without an unsatisfactory level of disturbance on the surrounding area and without impacting on the amenity of the neighbouring residential properties by virtue of noise and light pollution. The proposal is therefore contrary to the requirements of Policies 27 and 39 of the Dundee Local Development Plan 2019. There are no material considerations to justify a decision contrary to the Plan.