

#### 4 PLANNING APPEAL DECISIONS (AN6-2018)

- (i) APPEAL DECISION – 17/00272/FULL (PPA-180-2052) - SITE: 1 LOCK-UPS, 38-42 EMMOCK WOODS DRIVE, DUNDEE - PROPOSAL: CHANGE OF USE OF LOCK UP GARAGE TO GYM

Planning application reference 17/00272/FULL sought planning permission for the change of use of a lock up garage to a gym at 57A William Fitzgerald Way. The application was refused by the Development Management Committee at its meeting on 14th August, 2017. The reason for refusal was that the development was contrary to Policy 16 of the Dundee Local Development Plan 2014 because it would have a detrimental impact on residential amenity and parking provision.

The appointed Reporter **UPHELD** the appeal and granted planning permission for the development subject to conditions that restricted the hours of operation, required the submission of a scheme to protect neighbouring properties from noise, was personal only to the occupants of 57A William Fitzgerald Way, restricted the use to a personal training gym for only one client at any one time, and required the single space on site to be used solely for the client at the gym.

With these restrictions, the Reporter concluded that the proposed development complied with the relevant provisions of the Development Plan and stated that there were no material considerations which would justify refusing to grant planning permission for the development.

- (ii) APPEAL DECISION – 17/00330/FULL (PPA-180-2053) – SITE: FOOTPATH AT BUS SHELTER, STRATHERN ROAD, BROUGHTY FERRY, DUNDEE – PROPOSAL: INSTALLATION OF 15m HIGH MONOPOLE MAST AND ANCILLARY EQUIPMENT

Planning application reference 17/00330/FULL sought planning permission for the installation of a 15 metre high monopole mast and ancillary equipment on Strathern Road. The application was refused by the Development Management Committee at its meeting on 25th July, 2017. The reasons for refusal were that the development was contrary to Policies 7 and 53 of the Dundee Local Development Plan 2014 and Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) 1997 because it would have a detrimental impact on the setting of adjacent listed buildings, and the West Ferry Conservation Area. The application was also refused because the applicant had failed to demonstrate that there were no other suitable alternative sites.

The appointed Reporter **UPHELD** the appeal and granted planning permission for the development on the basis that it would not have a significant detrimental impact on the surrounding area, including on listed buildings or the conservation area. The Reporter added that the proposal would provide infrastructure for improved network services for those living, working and travelling in the area and would accord with the Scottish Government's objectives for digital connectivity.

On that basis, the Reporter concluded that the proposed development complied with the relevant provisions of the Development Plan and stated that there were no material considerations which would justify refusing to grant planning permission for the development.