1 INTRODUCTION

1.1 The application site is located on the West side of Grange Road, Monifieth. The Milton House Hotel, a Category ‘B’ listed building, is set back from the public road within the site and extends up to the northern boundary. To the front of the house is a car parking area while the rest of the site largely comprises of an unkempt garden area which is immediately adjacent to an area of public open space.

1.2 The site is on two main levels with the present car parking area at the same level as Grange Road and the hotel set below the level of the car park. The land to the rear of the hotel slopes steeply downwards to the existing garden area which is elevated on the north side, including an area of banking, and incorporates a considerable slope from north to south. The land to the south of the House is also steeply sloping and is presently heavily overgrown.

1.3 It is proposed to provide a new 10 unit flatted development within the curtilage of the hotel which is to be retained in its present use. The new flatted development comprises of a single storey unit at the car park level with the steeply sloping ground to the south utilised to increase the height of the building to three storeys. The proposal also includes the removal of previous unsympathetic alterations to the hotel.

1.4 The application seeks to improve the views to the principal elevation of the house from Grange Road by reducing the level of the existing parking area. This area would be more formally utilised for parking provision with variations in surface treatments and materials proposed to delineate the area. It is also proposed to carry out planting to the rear of the Hotel to link this area to the recently planted Millennium Forest within adjacent public open space.

1.5 The design of the new build flats incorporates traditional elements which take reference from the listed building, including crow stepped gables and steeply pitched roofs. Finishing materials comprise slate for roofing and walls finished externally with a combination of traditional wet dash roughcast and areas of natural stone detailing at doors and windows.

1.6 There are a large number of trees within the site which are covered by a Tree Preservation Order. A provisional Tree Preservation Order (2003 No. 1) came into effect on 13 June 2003 under Section 163 of the Town and Country Planning
(Scotland) Act 1997. This Order was confirmed at the meeting of the Development Control Committee on 4 December 2003.

1.7 The applications have been advertised as potentially affecting the setting of a listed building.

2. RELEVANT PLANNING HISTORY

2.1 There are a number of recent applications relating to the site.

• 03/00713/FUL: Outline erection of five dwellinghouses - withdrawn September 2003.

• 03/01311/FUL and 03/01321/LBC: Change of use of the existing building and formation of 26 flats - withdrawn January 2004.

• 04/00020/FUL and 04/00021/LBC: Erection of 18 new build Flats and change of use from hotel to domestic - refused February 2004.

• 03/01157/FUL: Outline erection of four dwellinghouses - withdrawn February 2004


3 APPLICANT'S CASE

3.1 The applicant has submitted the following: -

• Design Statement.
• Information from structural engineers regarding the condition of the existing building and the formation of the access proposed under 04/00379/OUT.
• Costings from a quantity surveyor in respect of the repair and upgrading works required to the existing building.

3.2 The main points of the applicant's Design Statement in terms of a design solution may be summarised as follows:-

Access

• The solution chosen maximises the site's potential to provide quality town centre flats in a soft and green landscape, together with the maximisation of the setting of Milton House.

• Pedestrians and cars will enter a reduced level courtyard of planting and setts. Milton House will be able to be seen in full elevation for the first time since the raised car park was created.

• Car parking will be delineated in different hues of setts and be interspersed with low shrubs creating variety and interest. The area will encourage slow but flexible movements and provide safe spaces, shade, shelter and intimacy. Planting beds
for clipped hedges and herbaceous plants will define spaces and provide colour and texture variation throughout the year.

- Then natural pattern of renewal and growth of plant life throughout the site will be controlled by sympathetic maintenance. The new landscape will reach maturity after several years of correct maintenance which will be ensured by the developer.

Milton House

- The existing house will be completely refurbished externally with all existing features being secured and in the case of some window and door openings reopened. The inappropriate extensions will be demolished.

- The views of the principal front and rear elevations will be significantly enhanced by the site level changes and the new landscape proposals.

New Build

- At the newly created car park level, units of similar height and scale to the existing house will enhance the space as a protected, safe, welcoming environment.

- The materials will reflect the quality of the house and the traditions of Angus. Slate roof coverings, stone coloured skews and free stone detailing at some doors and windows, traditional wet dash on walls with a window/wall rhythmic proportion which reflects its inherent scottishness.

- As befits a development of this quality the construction will maximise energy efficiency and sustainability.

- We have included complete accessibility provision to ensure that no physical barriers prevent free access to the buildings or enjoyment of the gardens.

- The dramatic change in level of the site allows for a cascade grouping of units behind the entrance level which drops towards the Dighty Water. This allows us to increase the density of the development without building higher than 1 storey above the entrance level.

- The rear units will face out over the Dighty Water and woodland planting associated with the public walkways. They will be hidden from view from Grange Road and provide a "secret garden" effect for residents.

- Materials and details of the rear block will be similar to the front courtyard unit with the addition of feature windows clad in maintenance free Western Red Cedar wood lining, some statement balconies and small terraces which will maximise the enjoyment of the flats.

- The scale, material selection and architectural form will make this a sympathetic, warm and significant addition to the architectural legacy of Angus.
3.2 The information submitted by the structural engineers confirms that there has been settlement in the structure of the existing building originating at the junction of the corner of the south gable and the rear elevation. Some internal movement was also noted. It is recommended that the wall be strengthened in order to prevent further movement and monitored to assess whether any further remedial work would be required to ensure the integrity of the walls. It was also noted that the condition of the building showed a lack of remedial works having been carried out with dampness evident in the main kitchen wall. With regard to the access road proposed to serve the three houses that were granted outline planning permission under 04/00379/OUT it is stated that the change in levels from the public road to the site equates to approximately 9 metres over a distance of 115 metres resulting in a 1 in 12 gradient. While the access would not require to be adopted it is the opinion of the engineers that the gradient would raise concern over safety and future maintenance. In addition the cost of the construction of the access to serve three houses would not be economically viable.

3.3 Costings submitted by a quantity surveyor on behalf of the applicant confirm that the budget cost for repairs and upgrading works to the existing building (excluding any underpinning works) total £155 000.

4 CONSULTATIONS

4.1 The Director of Roads offers no objection to the development subject to relevant conditions.

4.2 The Director of Environmental and Consumer Protection notes that the proposal involves a mix of commercial and residential uses but offers no objection to the development subject to conditions requiring that the existing beer terrace to the west of the Hotel shall be removed and that noise from amplified music shall be controlled so as to be inaudible within any adjacent noise sensitive premises.

4.3 Historic Scotland consider that the dense mass of buildings proposed would diminish the setting of the existing house and that the massing of the buildings will obscure the aspect to and from the core of the house. It is considered that the existing building does not appear to be in a condition to require restoration and it is questioned what enabling benefit the proposed development will provide. It is recognised that a benefit of the proposed development would be that the archaeology of the corn mill site, turbine and lade would be unaffected however it is not considered to be to the long term benefit of the House that the principal outlook to the south would be overshadowed by flats. Historic Scotland can see potential for one or two mews houses to one side of the forecourt but no more.

5 LETTERS OF REPRESENTATION

5.1 A total of 16 letters of representation have been submitted and are attached to this report. The main areas of concern relate to: -

- Road safety / Parking provision - concern is raised over the potential increase in vehicles accessing the site as a result of the proposed development and the level of parking provision proposed. The Director of Roads has raised no concerns in this regard.
• Noise impact of hotel on new development - The Director of Environmental and Consumer Protection offers no objection to the development subject to conditions.

• Drainage problems - Scottish Water have raised no concerns in this regard.

• Residential amenity - this issue will be addressed in Section 5, Planning Considerations.

• Scale of development and impact on the setting of the listed building and surrounding area - this issue will be addressed in Section 5, Planning Considerations.

• Local Plan Policies / Guidance - this issue will be addressed in Section 5, Planning Considerations.

• Loss of trees - this issue will be addressed in Section 5, Planning Considerations.

6 PLANNING CONSIDERATIONS

6.1 The determining issues in this case are whether:

• the proposal complies with Development Plan policy;
• the proposal is capable of providing an acceptable layout and design;
• the proposal would be detrimental to the character, visual and residential amenity of the area;
• the proposal would be detrimental to the setting of the listed building;
• there are any other material considerations.

6.2 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 required that determination of this application for planning permission is made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of the approved Dundee and Angus Structure Plan 2002 along with the adopted Angus Local Plan 2000.

6.3 The Finalised Angus Local Plan Review was approved by Council on 15 December 2004. The Finalised Angus Local Plan is not part of the legal Development Plan but given the stage which it has reached is a material consideration to be taken into account in the determination of this planning application. In this report policies of the Finalised Local Plan Review have been referred to when the said policy is materially different to the Adopted Angus Local Plan to the extent that, as a consequence the recommendation contained within this report has been substantially influenced.

6.4 The site is within the development boundary of Monifieth as defined in the Angus Local Plan and therefore any proposal for residential development requires to be assessed in the context of Policy H5. This Policy states that:

"Development proposals for residential development on small infill, backland or redevelopment sites will be assessed on their individual merits taking into account:

(a) compatibility with surrounding land uses;
(b) provision of a satisfactory residential amenity;
(c) plot size should be compatible with those in the general area with a minimum plot size of 400m²;
(d) provision of at least 100m² private garden ground;
(e) provision of satisfactory and safe access and parking arrangements;
(f) maintain residential amenity and privacy of adjoining housing;
(g) development designed to respect the scale, form and use of materials of adjacent housing;
(h) provision of acceptable means of foul effluent and surface water disposal.

Criteria (c) and (d) would not be applicable in considering proposals for flatted development.

6.5 In general terms the site is located in a residential area and is compatible with surrounding land uses (a), although to the rear it is located adjacent to an area of open space. The area to the front of the Hotel would be entirely used for car parking provision however the retention and enhancement of the currently unkempt garden area to the rear would help to provide a reasonable level of amenity for residents (b). Criteria (c) and (d) are not applicable to flatted developments. With regard to criteria (e) the Director of Roads has made no adverse comments and Scottish Water have previously confirmed verbally that adequate drainage capacity exists to serve the development (criteria (h)).

6.6 Concern has been raised in a letter of representation regarding the potential overlooking of an adjacent property as a result of the proximity of the proposed flats along the southern boundary. This matter was raised with the applicant who provided a plan showing the distances between the south elevation of the flats and the house to the south. There are two windows in the gable of the house which face the proposed flats comprising a bedroom window in the ground floor and dining room window in the upper floor. The section of the development closest to the southern boundary is limited to a single storey in height and facing windows, which are set at an angle, are separated by a distances of 15.5 metres (bedroom) and 14 metres (main living room). Windows in adjacent south facing sections of the development are also separated by a minimum of 15 metres. In order to maintain amenity within and between houses minimum distances are set out in Advice Note 14. The minimum distance required between main living room windows and other habitable rooms (i.e. dining room and bedrooms) is 15 metres. While the main living room window in the closest section of the development is 14 metres from the habitable room windows in the adjacent property I do not consider that amenity will be adversely affected in this case as the affected windows are not directly facing and are at an angle. The garden area of the adjacent house is enclosed by a high boundary hedge and there will be no overlooking or loss of privacy to the garden area as a result. It is also proposed to carry out new tree planting along the southern boundary which would provide additional screening between the properties.

6.7 With regard to the design of the development (criteria g) it is noted in the applicant's design statement that surrounding housing comprises of a variety of styles. The proposed flatted development accordingly attempts to reflect the context of the listed building and it's setting rather than housing in the surrounding area and high quality traditional materials are proposed for external finishes. The scale of the development has been considerably reduced from the previous application which was refused by the development control committee and no longer extends above a single storey in height above the entrance level. The main part of the development still follows a
similar form to that previously proposed in terms of the use of the sloping ground to the south to increase the height of the development however this has been reduced to three storeys. I still have concerns over the 3 storey sections in relation to the scale of surrounding development. The height of these sections extend along a steeply sloping part of the site, remaining below the level of the listed building, and will be concealed from public view to the east from Grange Road. From the public areas to the south and west however the impact of the difference in scale between the 3 storey buildings and surrounding development will still be significant.

6.8 Given the considerable scale of development proposed it is important to consider whether there will be any adverse impact on the setting of the listed building. Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that "In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

6.9 The Dundee and Angus Structure Plan Environmental Resources Policy 5A : Historic Environment states:

"Local Plans will establish a policy framework to safeguard and enhance important features of the area's historic environment as a means of conserving the diverse and distinctive qualities of Dundee and Angus.

The historic environment of Dundee and Angus is a valuable, non-renewable resource which must be protected, conserved and enhanced. Local Plans shall identify these assets and include policies which:

Protect the site and setting of listed buildings and ancient scheduled monuments;
Protect other archaeological sites and sensitive areas. Where this is not feasible, proper recording and analysis shall take place;
Protect and enhance conservation areas and historic gardens and designed landscapes."

6.10 The Angus Local Plan amplifies National and Regional guidance and contains a policy regarding new development within the curtilage of listed buildings. It is recognised in the local plan that while some listed buildings have curtilage areas large enough to accommodate new development, all new proposals must respect the setting and character of the original property. It specifically identifies that building in front of important elevations may be particularly important. In this case the proposed houses are to the rear and side of the listed building. Policy ENV43 : Curtilage Development states:

"Within the curtilage of a Listed Building development proposals will not be permitted which adversely affect the setting of the building, in terms of scale, massing, form, siting, design and materials of construction. New development should avoid building in front of important elevations, felling mature trees and breaching boundary walls to provide access."

6.11 These policies are largely based on the advice contained in the Memorandum of Guidance on Listed Buildings and Conservation Areas which is used as a base to
assess all development proposals affecting the built heritage. Policy ENV31 of the Angus Local Plan requires this to be the case. It is recognised in Section 10.0.0 of the Memorandum of Guidance that works both immediately adjacent to and some distance from a listed building can have a considerable physical impact on it. It is further stated in Section 10.1.0 of the Memorandum of Guidance that at all times the listed building should remain the focus of its setting and that attention must never be distracted by the presence of any new development within or outwith its curtilage.

6.12 The landscaped setting of the building is important in this case however it is acknowledged that no part of the proposed flatted development is directly in front of any principal elevation. In this respect the principal elevation of the building facing onto Grange Road would not be directly affected by the proposals and indeed it is proposed to enhance the views to the principal elevation by reducing the level of the existing car park and to retain and enhance the existing unkempt garden area to the rear. Notwithstanding the above Historic Scotland raise concerns regarding the scale of development proposed and the impact on the setting of the listed building and these are concerns that I share.

6.13 The single storey section of development along the southern boundary has a limited impact on the setting of the building and in this respect the principal elevation of the building facing onto Grange Road would not be directly affected. The remainder of the development makes use of the steeply sloping ground to the rear to increase the height and density of the development and the submitted design statement identifies that the change in levels allows for the creation of a cascade grouping of units behind the entrance level which allows the density of development to be increased without building higher than 1 storeys at the entrance level. The 3 storey sections of the development occupy an expansive footprint and have a considerable massing, despite the significant reduction in the height and scale of the development. The development would accordingly still have a significant impact when viewed from the public areas to the south and west of the site.

6.14 The trees in the area surrounding Milton House, including the application site, are subject to a TPO and Management Plan. Policy ENV28: Tree Preservation Orders states that:-

"Tree Preservation Orders will continue to be made by Angus Council to protect groups of trees or individual significant trees of importance to the amenity of a surrounding area where such trees and woodland are under threat."

6.15 Policy ENV30: Trees on Development Sites is also applicable. This policy states that:-

"Planning applications for development proposals affecting sites where existing trees and hedges occur and are considered by Angus Council to be of particular importance will normally require to:-

(a) provide a full tree survey in order to identify the condition of those trees on site;

(b) where possible retain, protect and incorporate existing trees and hedges within the design and layout;
(c) include appropriate new woodland and or tree planting within the development proposals to create diversity and additional screening.

In addition developers may require to provide an Arboricultural Methods Statement, a Performance Bond and/or enter into Section 75 Agreements."

6.16 A tree survey has been undertaken and submitted as part of this application although a plan detailing the trunks and canopies of all trees clearly plotted, and numbered to refer to the survey information has not been submitted. The applicant's Design Statement confirms that it is proposed to remove an extensive number of poplar trees along the southern boundary of the site however and to replant a mixture of traditional Scottish hard and soft woods. It should be noted that the area of land immediately adjacent to the southern boundary of the site forms part of the Angus Millennium Forest, with new trees planted approximately three years ago. The developer has indicated a willingness to carry out extensive planting linking to the Millennium Forest. It is acknowledged that the poplar trees along the southern boundary of the site do not have a long term future and that removal of these trees may be acceptable.

6.17 The proposed layout offers scope to carry out replacement planting within the extreme west end of the site which is immediately adjacent to public footpaths within the Dighty Den. Any planting within this area would take a long time to mature however and any development would be prominent when viewed from this area, particularly given the 3 storey nature of development proposed.

6.18 The applicant has made significant efforts to reduce the overall scale of the development and this has in my view reduced both the impact on setting of the listed building and the visual impact of the development from the public area to the south. The applicant has also acknowledged concerns raised by the Community Council in respect of the previously refused application by retaining the hotel in its existing use. I am sympathetic to the desire of the applicants to restore the listed building, including the removal of unsympathetic alterations, and of the significant costs involved in carrying out the required works, detailed by the applicants' quantity surveyor. I am also sympathetic to the potential for some form of enabling development to assist in funding the required works and do not consider that the development would adversely affect the amenity of any of the residents in adjacent Millhill. Notwithstanding the above I still share the concerns raised by Historic Scotland in terms of the scale of development proposed and agree with the view of Historic Scotland that an alternative form of development would be more acceptable. On balance it is accordingly my view that it is unlikely that any development extending down the steeply sloping part of the site in order to achieve a higher density of development is likely to have an acceptable impact in terms of its scale and character and the impact within the surrounding area.

6.19 This application is for a development that is contrary to a policy or policies of the Development Plan. Should the Committee determine to approve the application contrary to the Development Plan reasons will require to be specified at the meeting for so doing.

7 HUMAN RIGHTS IMPLICATIONS
7.1 The recommendation in this Report for refusal of this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this Report justifying the present recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant’s right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council’s legal duties to determine this planning application under the planning application under the Planning Acts. Such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest as referred to in the Report.

8 RECOMMENDATION

8.1 It is recommended the application be refused.

Reasons:

1. That the proposed development would not conform to or be compatible with policy H5 as contained in the Angus Local Plan.

2. That the proposed development will detrimentally affect the character and amenity of the surrounding area.

3. That the proposed development will adversely affect the setting of the Milton Hotel which is a listed building and will not be in conformity with Policy ENV43 of the Finalised Angus Local Plan.

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

AA/DS/IAL
6 April 2005

Alex Anderson
Director of Planning and Transport
FlemingAM

From:  AdJen2@aol.com
Sent:    27 February 2005 09:25
To:      PLANNING
Subject: MILTON HOTEL

Dear Sir,

I wish to raise a few points, regarding the planning application for houses/flats, to be built in the grounds of the Milton hotel. As the Milton hotel was not allowed to be converted into flats, and had to stay as a hotel, I wonder that you are even considering this latest application. A hotel is not a proper hotel without a function room. Also an attractive garden, such as the one in the Milton, is a bonus to any hotel. These would be lost by accommodation being built, and the houses/flats would not bring tourists and locals into Monifieth. More economy would be generated from the hotel than it would from accommodation. The safety aspect also comes into this. Grange Road can not cope with the ever increasing volume of traffic, and yet another access road would only add to this. With a primary school in close proximity to the Milton, I do not think another access road is a good idea. The community has benefited greatly since the Milton re-opened, and a new function room would be a more viable addition, bring tourists and locals alike into Monifieth, thus generating a boost to the economy and job prospects. Please throw this latest application out and support the Milton, which you said had to stay as a hotel, in the first place.

Jennifer Adam. (local resident)
Director of Planning & Transport
Angus Council
St James House
St James Road
Forfar
DD8 2ZP

Dear Sir,

04/00995/FUL
04/00996/1.BC – Milton House Hotel, Grange Road, Monifieth.

I am writing in response to a neighbour notification certificate which I recently received regarding the proposed development of flats and a beer garden within the grounds of the above premises.

The proposed building would be situated between 4 and 12 metres from our mutual boundary and at a much higher level than my own property. A number of these proposed flats would have their lounge and bedroom windows directly overlooking my own and my neighbours gardens. There is a line of mature trees in the grounds of the Milton House Hotel beside the boundary fence and I am led to believe that they are subject of a Preservation Order and I am at a loss to see how these flats can be built without felling some of them. These trees afford a slight barrier to the noise coming from the Hotel when it is in use and afford some measure of privacy from the patrons. These trees, as well as the others to the rear of the Milton House Hotel, have become a natural habitat for a wide variety of birds and animals which includes some of the less frequently seen species such as woodpeckers, tree creepers, and goldcrests as well as both grey and red squirrels. All of these would disappear immediately with the form of building development proposed

Policy ENV43, Curtailage Development of Angus Local Plan states – “within the curtilage of a Listed Building Development proposals will not be permitted which adversely affect the setting of the building, in terms of scale, massing, form, siting, design and materials of construction. New building should avoid building in front of important elevation, felling mature trees and breaching boundary walls to provide access. The proposed new development extends 22 metres in front of the main elevation and by doing so will be contrary to Policy ENV43.

The proposal for a 3 storey building would be completely out of character and unsympathetic to the surrounding dwellings. I am very concerned about the loss of amenity which I will undoubtedly suffer as a result of overlooking should the development proceed.
Trusting my concerns will be given due consideration.

Yours faithfully,

Alexander Murray
Dear Sir, Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons:

1. That the privacy we have enjoyed for the past thirty or so years will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed 13 flats will directly overlook our private gardens.

2. From the limited information contained in the application, the flats at their closest point are only 6 metres from the boundary of 21 Millhill. In this situation it is difficult to see how the mature tree belt can be retained as indicated on the plans. The developer may argue that the tree belt forms an adequate screen between the proposed flats and Millhill houses but these trees are fastigiate in form and during the winter months following leaf fall will provide only limited screening.

3. From the limited information available it would appear that the developer is proposing up to three storey blocks of flats. In an area dominated by largely detached single storey bungalows on the edge of Monifieth's urban area, we consider that the proposal is an over "town cramming" development of the site.

4. We would contend that the development does not comply with the adopted Angus Local Plan
   - Policy H2 the development does not make a significant contribution to urban renewal, does not provide a good residential environment, is not in accordance with other policies of the Local Plan (not zoned as housing in the Monifieth inset map)
   - Policy H5 the development does not respect the scale etc of adjoining housing, does not maintain residential amenity and privacy of adjoining housing, flats not compatible with surrounding land use, flats have no provision of private gardens, etc etc
   - ENV 1 the development does not maintain and/or improve environmental quality
   - ENV 5 sites not identified on the inset maps will only be permitted where the proposals accord with other policies in the Local Plan. This proposal will lead to loss of amenity and character of the surrounding area and thus should not be permitted.
   - ENV 43 the development will adversely affect the setting of a Listed Building particularly in terms of scale (3 storeys) and involve felling mature trees.
   - Para 13.9 Monifieth Housing Land. As South Grange is completed, presumably infrastructure capacity in terms of drainage is now at its limit. This proposal would therefore exceed capacity. There is a long history of foul drainage problems in this area arising from the Monifieth Hotel particularly in Millhill.
- Advice Note 14 is also not taken into consideration re window to site boundary distances
5. We consider that the application is incomplete as much information required to properly assess the application is not available. As such we believe that the application should not have been registered.
- No tree survey was enclosed with the application on public view in the Monifieth office
- There is no site plan showing the relationship of the proposed development to the surrounding houses, particularly those in Millhill
- The plans of the flats are not annotated to show which are the habitable rooms that overlook our properties.

Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

Address

[Signature]

[Address]

DD5 4RN
Director of Planning and Transport  
Angus Council  
St James House  
St James Street  
Forfar

Dear Sir,

Proposed Development of flats at Milton Hotel, Grange Road, Monifieth

I refer to the revised plans which have been submitted for the above development.

The principle change which appears to have been made is a reduction in the number of flats from 13 to 10. This appears to have been achieved by replacing the two storey blocks of four flats with 1 single storey flat. The three storey blocks of 9 flats appear to have been retained in the same position as previously.

Whilst it could be argued that the degree of overlooking has therefore been reduced slightly for the houses on the east side of Millhill, there is still overlooking and there is no apparent change to the situation for the houses on the west side. Also in terms of compliance with the Local Plan the situation has not changed.

We therefore wish to maintain our objection for the same reasons as previously outlined. (copy enclosed)

Yours Faithfully

Signed
Peter M. Johnston

Address
19 Millhill
Monifieth

for Mrs S. McGlynn.
Director of Planning and Transport  
Angus Council  
St James House  
St James Street  
Forfar  

Dear Sir Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons

1. That the privacy we have enjoyed for the past thirty or so years will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed 13 flats will directly overlook our private gardens.

2. From the limited information contained in the application, the flats at their closest point are only 6 metres from the boundary of 21 Millhill. In this situation it is difficult to see how the mature tree belt can be retained as indicated on the plans. The developer may argue that the tree belt forms an adequate screen between the proposed flats and Millhill houses but these trees are fastigiate in form and during the winter months following leaf fall will provide only limited screening.

3. From the limited information available it would appear that the developer is proposing up to three storey blocks of flats. In an area dominated by largely detached single storey bungalows on the edge of Monifieth’s urban area, we consider that the proposal is an over “town cramming” development of the site.

4. We would contend that the development does not comply with the adopted Angus Local Plan
   - Policy H2 the development does not make a significant contribution to urban renewal, does not provide a good residential environment, is not in accordance with other policies of the Local Plan (not zoned as housing in the Monifieth inset map).
   - Policy H5 the development does not respect the scale etc of adjoining housing, does not maintain residential amenity and privacy of adjoining housing, flats not compatible with surrounding land use, flats have no provision of private gardens, etc etc
   - ENV 1 the development does not maintain and/or improve environmental quality.
   - ENV 5 sites not identified on the inset maps will only be permitted where the proposals accord with other policies in the Local Plan. This proposal will lead to loss of amenity and character of the surrounding area and thus should not be permitted.
   - ENV 43 the development will adversely affect the setting of a Listed Building particularly in terms of scale (3 storeys) and involve felling mature trees.
   - Para 13.9 Monifieth Housing Land. As South Grange is completed, presumably infrastructure capacity in terms of drainage is now at its limit. This proposal would therefore exceed capacity. There is a long history of foul drainage problems in this area arising from the Monifieth Hotel particularly in Millhill.
Advice Note 14 is also not taken into consideration re window to site boundary distances

5. We consider that the application is incomplete as much information required to properly assess the application is not available. As such we believe that the application should not have been registered.
   - No tree survey was enclosed with the application on public view in the Monifieth office
   - There is no site plan showing the relationship of the proposed development to the surrounding houses, particularly those in Millhill
   - The plans of the flats are not annotated to show which are the habitable rooms that overlook our properties.

Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully

Signed

Address

Peter McJohnston
19 Millhill
Monifieth

for Mrs J McSlynn
Dear Sir.

Proposed Development of flats at Milton Hotel, Grange Road, Monifieth

I refer to the revised plans which have been submitted for the above development.

The principle change which appears to have been made is a reduction in the number of flats from 13 to 10. This appears to have been achieved by replacing the two storey blocks of four flats with 1 single storey flat. The three storey blocks of 9 flats appear to have been retained in the same position as previously.

Whilst it could be argued that the degree of overlooking has therefore been reduced slightly for the houses on the east side of Millhill, there is still overlooking and there is no apparent change to the situation for the houses on the west side. Also in terms of compliance with the Local Plan the situation has not changed.

We therefore wish to maintain our objection for the same reasons as previously outlined.

(copy enclosed)

Yours Faithfully

Signed

Robert and Anna McNicoll

Address

21 Mill Hill

Monifieth

DD5 4PW

2 McNicoll
Dear Sir

Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons:

1. That the privacy we have enjoyed for the past thirty or so years will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed 13 flats will directly overlook our private gardens.

2. From the limited information contained in the application, the flats at their closest point are only 6 metres from the boundary of 21 Millhill. In this situation it is difficult to see how the mature tree belt can be retained as indicated on the plans. The developer may argue that the tree belt forms an adequate screen between the proposed flats and Millhill houses but these trees are fastigiate in form and during the winter months following leaf fall will provide only limited screening.

3. From the limited information available it would appear that the developer is proposing up to three storey blocks of flats. In an area dominated by largely detached single storey bungalows on the edge of Monifieth's urban area, we consider that the proposal is an over “town cramming” development of the site.

4. We would contend that the development does not comply with the adopted Angus Local Plan:
   - Policy H3 the development does not make a significant contribution to urban renewal, does not provide a good residential environment, is not in accordance with other policies of the Local Plan (not zoned as housing in the Monifieth inset map).
   - Policy H5 the development does not respect the scale etc of adjoining housing, does not maintain residential amenity and privacy of adjoining housing, flats not compatible with surrounding land use, flats have no provision of private gardens, etc etc.
   - ENV 1 the development does not maintain and/or improve environmental quality.
   - ENV 3 sites not identified on the inset maps will only be permitted where the proposals accord with other policies in the Local Plan. This proposal will lead to loss of amenity and character of the surrounding area and thus should not be permitted.
   - ENV 43 the development will adversely affect the setting of a Listed Building particularly in term of scale (3 storeys) and involve felling mature trees.
   - Para 13.9 Monifieth Housing Land. As South Grange is completed, presumably infrastructure capacity in terms of drainage is now at its limit. This proposal would therefore exceed capacity. There is a long history of foul drainage problems in this area arising from the Monifieth Hotel particularly in Millhill.
- Advice Note 14 is also not taken into consideration re window to site boundary distances
5. We consider that the application is incomplete as much information required to properly assess the application is not available. As such we believe that the application should not have been registered.
  - No tree survey was enclosed with the application on public view in the Monifieth office
  - There is no site plan showing the relationship of the proposed development to the surrounding houses, particularly those in Millhill
  - The plans of the flats are not annotated to show which are the habitable rooms that overlook our properties.

Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

[Signature]

Address

[Address]

[Signature]
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Proposed Development of flats at Milton Hotel, Grange Road, Monifieth

I refer to the revised plans which have been submitted for the above development.

The principle change which appears to have been made is a reduction in the number of flats from 13 to 10. This appears to have been achieved by replacing the two storey blocks of four flats with 1 single storey flat. The three storey blocks of 9 flats appear to have been retained in the same position as previously.

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(copy enclosed)

Yours Faithfully

Signed

Maureen Currie

Address

22 Millhill

Monifieth
Director of Planning and Transport  
Angus Council 
St James House 
St James Street 
Forfar 

Dear Sir, Proposed Development of flats at Milton Hotel Grange Road Monifieth 

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons: 

1. That the privacy we have enjoyed for the past thirty or so years will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed 13 flats will directly overlook our private gardens. 

2. From the limited information contained in the application, the flats at their closest point are only 6 metres from the boundary of 21 Millhill. In this situation it is difficult to see how the mature tree belt can be retained as indicated on the plans. The developer may argue that the tree belt forms an adequate screen between the proposed flats and Millhill houses but these trees are fastigiate in form and during the winter months following leaf fall will provide only limited screening.  

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- The plans of the flats are not annotated to show which are the habitable rooms that overlook our properties.

Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

[Signature]

Address

[Address]
Director of Planning and Transport  
Angus Council  
St James House  
St James Street  
Forfar  

Dear Sir.  

**Proposed Development of flats at Milton Hotel, Grange Road, Monifieth**  

I refer to the revised plans which have been submitted for the above development.  

The principle change which appears to have been made is a reduction in the number of flats from 13 to 10. This appears to have been achieved by replacing the two storey blocks of four flats with 1 single storey flat. The three storey blocks of 9 flats appear to have been retained in the same position as previously.  

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(copy enclosed)  

Yours Faithfully  

Signed  

Address  

Neil Laggenda  
19 Millhill  
Monifieth  
Dundee  
DD5 4TV
Dear Sir

Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons:

1. That the privacy we have enjoyed for the past thirty or so years will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed 13 flats will directly overlook our private gardens.

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- The plans of the flats are not annotated to show which are the habitable rooms that overlook our properties.

Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

Address

NEIL LACKENBY
19 MILLHILL
MONIFIETH
Dear Sir,

**Proposed Development of flats at Milton Hotel, Grange Road, Monifieth**

I refer to the revised plans which have been submitted for the above development.

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(copy enclosed)

Yours Faithfully

Signed

Address

17 Millhill
Monifieth

\( \text{Date} \)
Director of Planning and Transport  
Angus Council  
St James House  
St James Street  
Forfar

Dear Sir  

Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons:

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Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

Address

[Signature]

[Address]
Dear Sir,

**Proposed Development of flats at Milton Hotel, Grange Road, Monifieth**

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We therefore wish to maintain our objection for the same reasons as previously outlined.

( copy enclosed )

Yours Faithfully

Signed

Jessie White

Address

2a Millhill
Monifieth
Dear Sir Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons

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Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

[Signature]

Address
24 Millhill
Monifieth
Director of Planning and Transport  
Angus Council  
St James House  
St James Street  
Forfar

Dear Sir,

**Proposed Development of flats at Milton Hotel, Grange Road, Monifieth**

I refer to the revised plans which have been submitted for the above development.

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( copy enclosed )

Yours Faithfully

Signed

[Signature]

Address

26 Millhill, Monifieth, DD5 4PW

RECEIVED  
1 FEB 2005
Director of Planning and Transport  
Angus Council  
St James House  
St James Street  
Forfar

Dear Sir Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons

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Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

[Signature]  

Address

26 Millhill, Monifieth DD5 4PW
Letter received from Maggie Maider, 44 Grange Road, Monifieth, DD5 4LS, dated 16 October 2004, reads as follows:-

“Please find enclosed a list of my objections against application Nos. 04/00995/FUL and 04/00996/LBC.

1. Adverse affect on residential amenity due to extra traffic using present entrance to Milton Hotel.

2. Potential parking problems ensuing from a situation where there will be a restaurant, delivery vehicles, patron cars as well as the owners of the proposed development and any visitors to these houses.

3. Potential loss of trees on which a recent Preservation Order has been granted.

4. The adverse visual impact these blocks will have looking from south the north elevation to the Dighty preservation area – that is enjoyed by many residents in Monifieth.

I look forward to hearing from you.”
Dear Sir Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons

1. That the privacy we have enjoyed for the past thirty or so years will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed 13 flats will directly overlook our private gardens.

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Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully

Address

Signed

Victor Cowan

17 MILLHILL

MONIFIETH

11/5 4PW

31/10/04
Dear Sir,

Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons:

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Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

MRS S White

Address

24 Millhill
Monifieth
Angus DD5 4PW
Dear Sir

**Proposed Development of flats at Milton Hotel Grange Road Monifieth**

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5. We consider that the application is incomplete as much information required to properly assess the application is not available. As such we believe that the application should not have been registered.
   - No tree survey was enclosed with the application on public view in the Monifieth office
   - There is no site plan showing the relationship of the proposed development to the surrounding houses, particularly those in Millhill
   - The plans of the flats are not annotated to show which are the habitable rooms that overlook our properties.

Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully

Signed

[Signature: Peter Johnston]

Address

[Signature: Mrs J McGlynn]

[Address: Millhill]
Dear Sir

Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons:

1. That the privacy we have enjoyed for the past thirty or so years will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed 13 flats will directly overlook our private gardens.

2. From the limited information contained in the application, the flats at their closest point are only 6 metres from the boundary of 21 Millhill. In this situation it is difficult to see how the mature tree belt can be retained as indicated on the plans. The developer may argue that the tree belt forms an adequate screen between the proposed flats and Millhill houses but these trees are fastigiate in form and during the winter months following leaf fall will provide only limited screening.

3. From the limited information available it would appear that the developer is proposing up to three storey blocks of flats. In an area dominated by largely detached single storey bungalows on the edge of Monifieths urban area, we consider that the proposal is an over “town cramming” development of the site.

4. We would contend that the development does not comply with the adopted Angus Local Plan:
   - Policy H2 the development does not make a significant contribution to urban renewal, does not provide a good residential environment, is not in accordance with other policies of the Local Plan (not zoned as housing in the Monifieth inset map)
   - Policy H5 the development does not respect the scale etc of adjoining housing, does not maintain residential amenity and privacy of adjoining housing, flats not compatible with surrounding land use, flats have no provision of private gardens, etc etc
   - ENV 1 the development does not maintain and/or improve environmental quality
   - ENV 5 sites not identified on the inset maps will only be permitted where the proposals accord with other policies in the Local Plan. This proposal will lead to loss of amenity and character of the surrounding area and thus should not be permitted.
   - ENV 43 the development will adversely affect the setting of a Listed Building particularly in terms of scale (3 storeys) and involve felling mature trees.
   - Para 13.9 Monifieth Housing Land. As South Grange is completed, presumably infrastructure capacity in terms of drainage is now at its limit. This proposal would therefore exceed capacity. There is a long history of foul drainage problems in this area arising from the Monifieth Hotel particularly in Millhill.
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Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully
Signed

[Signature]

Address

26 MILLHILL, MONIFIETH
DUNDEE DD5 4PJ
Dear Sir

Proposed Development of flats at Milton Hotel Grange Road Monifieth

We the undersigned wish to object to the above development ref application number 04/00995/FUL and 04/00996/LBC for the following reasons

1. That the privacy we have enjoyed for the past thirty or so years will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed 13 flats will directly overlook our private gardens.

2. From the limited information contained in the application, the flats at their closest point are only 6 metres from the boundary of 21 Millhill. In this situation it is difficult to see how the mature tree belt can be retained as indicated on the plans. The developer may argue that the tree belt forms an adequate screen between the proposed flats and Millhill houses but these trees are fastigate in form and during the winter months following leaf fall will provide only limited screening

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Having regard to the foregoing we contend therefore that this Application should be refused.

Yours Faithfully

Signed  21 MILLHILL
Address  MONIFIETH
          ANGUS
          TAYSIDE
          DDS 4 PW
Director of Planning and Transport
Angus Council
St James House
St James Street
Forfar

Dear Sir,

Proposed Development of flats at Milton Hotel, Grange Road, Monifieth

I refer to the revised plans which have been submitted for the above development.

The principle change which appears to have been made is a reduction in the number of the flats from 13 to 10. This appears to have been achieved by replacing the 2 storey blocks of 4 flats with one single storey flat. The 3 storey blocks of 9 flats appear to have been retained in the same position as previously.

Whilst it could be argued that the degree of overlooking has therefore been reduced slightly for the houses on the east side of Millhill, there is still overlooking and there is no apparent change to the situation for the houses on the west side. Also in terms of compliance with the Local Plan the situation has not changed.

We therefore wish to maintain our objection for the same reasons as previously outlined.
(copy enclosed)

Yours faithfully

Signed

Address
9 MILLHILL
MONIFIETH
ANGUS
DD5 4AW
Dear sir,

**Proposed Development of flats at Milton Hotel Grange Road Monifieth**

We the undersigned wish to object to the above development ref application number 04/00995 FUL and 04/996 LBC for the following reasons.

1. That the privacy we have enjoyed for the past thirty years or so will be removed, as it would appear from the information on the planning submission that at least 10 of the proposed will directly overlook or private gardens.

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3. From the limited information available would appear that the developer is proposing up to three storey blocks of flats, in an area dominated by largely detached single storey bungalows on the edge of Monifieths urban area, we we consider that the proposal is an (over town cramming) development of the site.

4. We would contend that the development does not comply with the adopted Angus local plan policy H2 the development does not make a significant contribution to urban renewal, does not provide a good residential environment, it not in accordance with other policies of the local plan(not zoned as housing in Monifieth inset map).

Policy H5 the development does not respect the scale etc of adjoining housing, does not maintain residential amenity and privacy of adjoining housing, flats not compatible with surrounding land use, flats have no provision of private gardens, etc etc.

ENV1 the development does not maintain and/or improve environmental quality.

ENV5 sites not identified on the inset maps will only be permitted where the proposal accord with other policies in the local plan. This proposal will lead to loss of amenity and character of the surrounding area and thus should not be permitted.

ENV43 the development will adversely affect the setting of a listed building particularly in terms of scale (3 storeys) and involve the felling of mature trees. Para 13.9 Monifieth Housing Land. As South Grange is completed presumably infrastructure capacity in terms of drainage is now at its limit. This proposal would therefore exceed capacity. There is a long history of foul drainage problems in this area arising from the Monifieth Hotel particularly in Millhill.
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- The plans of the flats are not annotated to show which are the habitable rooms that overlook our properties.

Having regard to the foregoing we contend therefore, that this application should be refused.

Yours faithfully

Signed

[Signature]

Address

A MILLHILL
MONIFIETH
ANGUS
DD9 4PD
Director of Planning & Transport  
Angus Council  
St James House  
St James Road  
FORFAR  
DD8 2ZP

23 July, 2004

Dear Sir,

04/00995/FUL  
04/00996/LBC - Milton House Hotel, Grange Road, Monifieth

I write in response to a neighbour notification certificate recently served on myself in the above mentioned regard. I would also refer to previous correspondence in response to development on this site.

I must again express grave concern at the loss of amenity I will undoubtedly suffer should this proposed development proceed as a result of overlooking. The building proposed will be situated between 4 metres and 10 metres of our mutual boundary and at a much higher level than my own property. The aspect of the building is such that the lounge and bedroom windows of ten of the flats will directly overlook my garden and also that of my neighbours. It is stated on the plans lodged that all boundary trees are to be retained but this cannot be possible when the building works will come within four metres of the boundary. Any privacy afforded by these trees will be lost. In this regard Policy ENV43: Curtilage Development of Angus Local Plan states:- “within the curtilage of a Listed Building development proposals will not be permitted which adversely affect the setting of the building, in terms of scale, massing, form, siting, design and materials of construction. New building should avoid building in front of important elevation, felling mature trees and breaching boundary walls to provide access”. The removal of trees must affect the setting of this Listed Building. These trees are also the subject of a Tree Preservation Order.

It is noted that the proposed development extends some 22 metres in front of the main elevation and must surely be in contravention of Policy ENV43.

Previously in response to similar application for this site concern has been expressed that any new development would be adversely affected by sound breakout under certain circumstances particularly in the summer when the beer garden is in use. With the main building remaining in hotel use this will still be applicable.

In general/
23 July, 2004
The Director of Planning & Transport

In general terms I would have reservations as to the carparking layout proposed and its effect on the existing trees and also as to the number of spaces provided. Also the proposal for a three storey building is completely out of context not only with the immediate area but in Monifieth as a whole.

Trusting the above will be given due consideration.

Yours faithfully,

[Signature]

R. McNICOL