

PLANNING APPLICATION REF. 17/00913/FULL

**DESCRIPTION OF DEVELOPMENT:
CHANGE OF USE FROM FORMER NIGHTCLUB TO PUBLIC BAR**

AT

2A ST MALCOLM'S WYND KIRRIEMUIR DD8 4HB

REPRESENTATIONS

**Thrums Hotel
25 Bank Street
Kirriemuir DD8 4BE**

Head of Planning
Angus Council
Angus House
Orchardbank Business Park
Forfar
FAO Stephanie Porter
4th January 2018

Dear Miss Porter

**17/00913/FULL, Change of Use from Former Nightclub to Public Bar, 2A St Malcolm's Wynd,
Kirriemuir DD8 4HB**

I refer to the aforementioned application currently pending consideration and I would take this opportunity to formally object to the proposed change of use to form a public bar at 2A St Malcolm's Wynd, Kirriemuir for the following reasons.

The application site is located within an area where three existing public bars currently operate in close proximity, namely the Ogilvy Bar, Roods Bar and Airlie Arms. As a result the proposed bar would result in an overprovision of public bars within this small section of the town centre leading to an unacceptable impact on the amenity of the town centre and to the surrounding local residents. As a result, it is submitted that the application is contrary to Policy DS4 Amenity of the Angus Local Development Plan which requires that all proposed development have full regard to opportunities for maintaining and improving environmental quality. Further, the Policy confirms that development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties amongst other impacts including

- Noise and vibration levels and times when such disturbances are likely to occur;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight daylight and overshadowing.

In general, the Policy resists development that would have an unacceptable adverse impact on the surrounding area or the amenity of the occupiers of nearby properties.

The current application site is located in close proximity to residential properties and, while the area includes existing public houses, the addition of a further public house will result in an unacceptable intensification of the public house function within the area resulting in noise and anti-social behaviour from persons entering and leaving the proposed public house, and possibly from patrons

smoking outside the bar. While it is acknowledged that the site was formerly a nightclub the noise associated from this former use caused significant problems for the local residents in terms of noise and anti-social behaviour. The nightclub only operated 1 day per week, the proposed public house will result in an unacceptable intensification of the use, operating 7 days a week resulting in noise and anti-social problems for a significantly longer period.

In addition, the plans do not provide any information in terms of refuse storage etc. Within the central area it is imperative that adequate and suitable bin storage is provided to ensure no detrimental impact on the environment. Further, the proposed public house has no associated parking, the area to the front/north is currently congested with a number of premises sharing this space. There is no space for delivery vehicles which, it can only be assumed, will park on the narrow streets causing significant congestion.

In conclusion, it is submitted that the proposed use will result in an over provision of public house premises within this area of Kirriemuir. The resulting intensification of the public house use within this small area of the town will result in an unacceptable loss of residential amenity by virtue of noise and anti-social behaviour to the local residents and is therefore contrary to Policy DS4 of the Dundee Local Development Plan 2016.

I trust you will take these matters into consideration in the determination of the current application

Yours Sincerely

Dave Clark

ANGUS COUNCIL - PLACE
ANGUS HOUSE
RECEIVED

08 JAN 2018

14KL

Head of Planning
Angus Council
Angus House
Orchardbank Business Park
Forfar
4th January 2018

16 ROADS KIRRIEMUIR
DD8 4EZ

AND

2 ST MALCOLM'S WYND
KIRRIEMUIR
DD8 4HB

Dear Sir/Madam,

17/00913/FULL, Change of Use from Former Nightclub to Public Bar, 2A St Malcolm's Wynd, Kirriemuir DD8 4HB

I refer to the aforementioned application currently lodged with Angus Council and I would take this opportunity to formally **object** to the proposed change of use for the following reasons

- The premises were formerly operated as a nightclub, every weekend this use caused significant disturbance to my property and my neighbours with an unacceptable level of noise and anti-social behaviour. The disturbance was so great that at times I could not stay in my own home at the weekends. The proposed public house will cause similar problems in terms of noise and anti social behaviour over an extended period of time with customers of the pub entering and leaving the pub at all hours and customers standing outside smoking resulting in a detrimental impact on my amenity.
- This part of Kirriemuir already includes 3 pubs, the Ogilvy Bar, Roods Bar and Airlie Arms, a further pub will result in a saturation of pubs within this area resulting in an unacceptable loss of amenity to the local residents.
- The application will result in traffic congestion, the proposal does not provide any off street parking for patrons or delivery vehicles as a result and patrons parking on the land adjacent to the site causing traffic congestion in the surrounding narrow streets.
- The application provides no information on refuse storage, essential within this congested part of the town.

I hope you will take these comments in consideration and refuse the application.

Yours Faithfully

[Redacted Signature]

17/00913/FOW

RECEIVED

12 JAN 2018

PLANNING & PLACE
COUNCIL BUILDINGS

14 KL

Gairie Inn,

1-3 School Wynd

Kirriemuir, Angus,

DD8 4BQ.

Dear Sir/Madam,

I write to you in connection with the proposed change of use from the nightclub which was situated at 2A St Malcolm's Wynd, Kirriemuir, DD8 4HB, into a Public Bar.

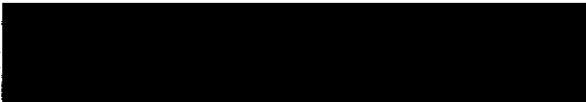
I would like to formally submit my objection to this proposal. I am new to this town & the licensed trade & have invested in an Established Public House & the trade that has been built up. I have also invested in provision for Sports viewing. In my opinion in a small town like Kirriemuir I feel it would be over provision & have a detrimental impact on the current hostelryes.

The plan to open 7 days a week will be a further impact. It is in an area already well provided for with general well established Public Houses who will also be adversely affected. This area has little or no parking & is a known hotspot for anti social behaviour because of the over provision.

I would sincerely hope that their submission is considered with a view to not just the livelihood of myself & other publicans but also the numerous environmental issues this proposal will undoubtedly affect.

Yours Sincerely

S.A.Jamieson.



Letter received from Sylvia Glendinning, Flat 1 & A-1, 12 Roods, Kirriemuir, DD8 4EZ, dated 10 January 2018, reads as follows:-

"I should like to make an objection to the above proposal as the premises concerned is within a few metres of my home and overlooks our bedrooms. This was a very stressful time with noise and anti-social behaviour when it was previously running as a nightclub at the week-end, but proposals now is for 7 nights? The area is now well overprovisioned with 3 bars and a restaurant and would escalate noise pollution, littering and privacy. That said there is little information pertaining to what plans would be for any smoking area, refuse storage which would encroach into the little left area which is the fire exit of the back entrance to the neighbouring restaurant. I do hope these details are considered when you consider said application.

Letter 17/00913/FULL (Sylvia Glendinning)

Comments for Planning Application 17/00913/FULL

Application Summary

Application Number: 17/00913/FULL

Address: 2A St Malcolm's Wynd Kirriemuir DD8 4HB

Proposal: Change of Use from Former Nightclub to Public Bar

Case Officer: Stephanie Porter

Customer Details

Name: Mrs Dilys Robertson

Address: Airlie Arms Hotel 4 St Malcoms Wynd Kirriemuir

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This establishment would represent a severe over provision of licensed premises within Kirriemuir. The local pubs are struggling for business already. Another public house will not attract new customers but will take custom from other struggling businesses. The premises have poor access and no provision for disabled clients. There is a refuse problem in the area already and the type of use proposed would add to this encouraging vermin and spoiling the local amenity. There is a lack of parking provided in the area and no provision for delivery vehicles who already have problems delivering to the area. The authority should refuse the permission due to over provision, preservation of the local amenity and the unsuitability of the building in terms of access and provision for services.