

**REPORT TO: PLANNING & TRANSPORT COMMITTEE - 8 SEPTEMBER 2008**

**REPORT ON: DRAFT ERSKINE STREET YARD SITE PLANNING BRIEF**

**REPORT BY: DIRECTOR OF PLANNING & TRANSPORTATION**

**REPORT NO: 359-2008**

## **1 PURPOSE OF REPORT**

- 1.1 The Purpose of the Report is to inform members of the findings of the public consultation on the Draft Erskine Street Yard Site Planning Brief and to seek approval of the finalised Site Planning Brief (copies are available in the members' lounges).

## **2 RECOMMENDATION**

- 2.1 It is recommended that the Committee:
- a notes the findings of the public consultation,
  - b approves the attached Site Planning Brief as supplementary planning guidance to the Dundee Local Plan Review 2005,
  - c refers the Site Planning Brief to the Development Quality Committee for approval as a material planning consideration for the Erskine Street Yard site.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications arising from approval of this report.

## **4 BACKGROUND**

- 4.1 Reference is made to the Planning and Transportation Committee of 10 March 2008, Report 66-2008 refers, when the Draft Erskine Street Yard Site Planning Brief was approved for public consultation and that the results of the public consultation would be reported to Committee.
- 4.2 60 copies of the Draft Erskine Street Yard Site Planning Brief were forwarded to the residents and owners of Erskine Street, other residential, religious and commercial properties in the vicinity, the Stobswell Community Forum and interested parties. The Draft Brief was also hosted on the City Council website and the targeted recipients were given a period of eight weeks in which to submit written comment on the content of the Draft Brief.
- 4.3 Three responses were received: representatives of the adjacent Scottish Islamic Cultural Centre (SICC), a landlord of Erskine Street, and the Dundee Civic Trust. A list of the respondents, a summary of their comments and summary responses forms Appendix 1 of this report.
- 4.4 No response was received from the Stobswell Community Forum suggesting that the Forum are satisfied with the content of the Draft Brief. The Dundee Civic Trust regard the content as 'excellent', a landlord of Erskine Street was generally satisfied with the content of the brief and sought clarification on future building heights, and the Scottish Islamic Cultural Centre (SICC) occupying an adjacent property at 5-7 Dura Street, presented their fundamental objections the Draft Brief.

- 4.5 The SICC raised their concern that dwellings built adjacent to, or within the vicinity of, their premises at 5-7 Dura Street may be adversely affected by the current activities of the SICC. A sentence has been inserted into the Draft Brief advising that prospective developers and/or their agents should consult with the Environmental Health and Trading Standards Department in order to establish the necessary sound insulation levels for dwellings built within the vicinity of the Scottish Islamic Cultural Centre (SICC). No current activities within the SICC premises are known to affect the current residential or commercial amenities of the immediate area.
- 4.6 The Erskine Street Yard site is an opportunity to create an attractive high-quality small-scale development in a prominent location at the corner of Erskine Street and Dura Street in order to increase residential and/or business opportunities within the Stobswell area. The Draft Brief has been produced to promote and guide the future development of this site and the relevant findings of the public consultation have shaped the content of the finalised Site Planning Brief.
- 4.7 The Erskine Street Yard Site Planning Brief forms the Appendix 2 to this report.

## **5 POLICY IMPLICATIONS**

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.
- 5.2 The Erskine Street Yard Site Planning Brief is in accordance with the approved Stobswell Neighbourhood Regeneration Framework 2002 that seeks to create better dwelling choice and supporting enterprise within the Stobswell area by redeveloping brownfield sites for housing, or other appropriate uses, in order to create an attractive and sustainable neighbourhood.

## **6 CONSULTATIONS**

- 6.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance), Head of Finance, Assistant Chief Executive (Community Planning) and the Director of Economic Development have been consulted and are in agreement with the contents of this report.

## **7 BACKGROUND PAPERS**

- 7.1 Planning and Transportation Committee of the 27 September 2004 - Report 597-2004 - The Stobswell Neighbourhood Regeneration Framework 2002.
- 7.2 Planning and Transportation Committee of 10 March 2008 - Report 66-2008 - Draft Erskine Street Yard Site Planning Brief.

Mike Galloway  
Director of Planning & Transportation

Ian Mudie  
Head of Planning

IGSM/NMcD/MM

9 July 2008

Dundee City Council  
Tayside House  
Dundee

## APPENDIX 1

## THE ERSKINE STREET YARD - SITE PLANNING BRIEF

## SUMMARY OF PUBLIC CONSULTATION RESPONSES

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| <p><b>Respondent 1</b></p> <p><b>Summary of Comments:</b></p> | <p>Mr Mahmud Sarwar Rathor, Trustee of the Scottish Islamic &amp; Cultural Centre, Dura Street, Stobswell</p> <p>The Scottish Islamic &amp; Cultural Centre (SICC), Dura Street, is a mosque and community centre with a congregation of over 500 members. The SICC are proud to belong in the Stobswell area and aim to play a positive role in society by promoting peace.</p> <p><b>'Noise/Disturbance/Loss of Amenity/Public Order'</b></p> <p>The SICC are concerned by the concept layout of the Draft Brief in general and the promotion of a four-storey building adjacent to the mosque on the corner of Erskine Street in particular.</p> <p>The SICC hold regular meetings at the mosque which on occasion continue late into the evening and are attended by up to 300 people. The SICC believe that the development of residential dwellings adjacent to the mosque would cause an unacceptable level of potential conflict with the mosque and its current activities.</p> <p>The SICC believe that a development of circa thirteen dwellings would result in a large increase in the number of people causing direct noise pollution in the area which may compromise the prayer and meditation during the month of Ramadan.</p> <p><b>'Privacy/Overshadowing/Overbearing'</b></p> <p>The SICC believe that the erection of a four-storey building adjacent to the mosque will cause overshadowing of the mosque and a loss of privacy. The SICC states that they have made a concerted effort, since its formation, to overcome cultural stigma and now fear that the proximity to new dwellings will cause their current members to no longer come and support the SICC in this location.</p> |
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| <p><b>Response:</b></p> <p><b>Revision to the Brief:</b></p> | <p><b>'Road Safety/Traffic Generation'</b></p> <p>The SICC believe that a development site for circa thirteen dwellings would result in a significant increase to the number of vehicle movement and car parking issues through the area and compromises pedestrian safety in the immediate area of the mosque.</p> <p><b>'Conclusion'</b></p> <p>The SICC object to the Draft Site Planning Brief.</p> <p>An acknowledgement was forwarded to the SICC advising that their comments would be reported to the Committee and that the Committee would decide if revisions to the brief are necessary.</p> <p>A sentence has been inserted into the Site Planning Brief advising prospective developers to consult with DCC Environmental Health and Trading Standards Department as to the sound insulation levels required, in excess of the current Building Standards, necessary for wall/window/roof construction of new dwellings, or other new buildings, in close proximity to the existing activities of the SICC building in Dura Street.</p> <p>It is considered that all other objections made upon the Draft Site Planning Brief by the SICC are not justified.</p> |
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| <p><b>Respondent 2</b></p> <p><b>Summary of Comments:</b></p> <p><b>Response:</b></p> <p><b>Revision to the Brief:</b></p> | <p>Dundee Civic Trust</p> <p>'Having taken the time to consider the brief the Trust considers that it is excellent and hopes that its provisions can be successfully carried forward into any development which takes place on the site.'</p> <p>None</p> <p>None</p> |
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| <p><b>Respondent 3</b></p> <p><b>Summary of Comments:</b></p> <p><b>Response:</b></p> <p><b>Revision to the Brief:</b></p> | <p>Mr Chris Bissell (Landlord of property at 49 Erskine Street)</p> <p>Mr Bissell is pleased that the Stobswell area continues to be a focus for investment and is generally 'happy' with the content of the draft site planning brief. Mr Bissell sought clarification that should new buildings be built in the positions indicated in the concept layout of the Draft Site Planning Brief they would not interrupt the views from his top floor flat.</p> <p>It is anticipated that should new buildings be built in the positions indicated in the concept layout of the Draft Site Planning Brief they would not interrupt the views from Mr Bissell's top floor flat. Modern domestic buildings of four-storeys are generally not as tall as four-storey Victorian tenements. Nonetheless the right to retain a view is not generally a material consideration in determining the merits of a planning application.</p> <p>The concept layout suggests a south facing green-space and as such overshadowing of existing adjacent buildings is likely to be at a minimum.</p> <p>Owners of Erskine Street would receive statutory Neighbour Notification for a detailed planning application regarding proposals for the site. The concept layout contained within the Site Planning Brief is included to solely stimulate discussion to the future form development should take and is not a prescriptive layout.</p> <p>None</p> |
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## **APPENDIX 2**

### **THE ERSKINE STREET YARD - SITE PLANNING BRIEF**

#### **INTRODUCTION**

Since 2002 the Stobswell Partnership, and alliance between Dundee City Council, Scottish Enterprise Tayside, NHS Tayside and Tayside Police have directed significant funding and resources for the regeneration of the Stobswell area in order to recreate an attractive place where 'people choose to live and work'. The Erskine Street Yard site provides the opportunity to create an attractive and high-quality development in a prominent location.

This Site Planning Brief is supplementary planning guidance to the Dundee Local Plan Review 2005 to provide site-specific planning policy guidance to developers and designers for the satisfactory redevelopment of this site.

The vacant Erskine Street Yard is a brownfield site situated at the corner of Dura Street and Erskine Street within the regeneration area of Stobswell and is owned by Dundee City Council. The site extends to 0.22ha.

#### **LOCATION AND SITE HISTORY**

The site is near to the Albert Street District Shopping Area of Stobswell which has excellent cross city transportation connections as well as being near to a large range of commercial and recreational amenities within Dundee city centre, around 1km to the south.

The site is bounded to the east by Erskine Street, a traditional Victorian sandstone tenement street; to the south by the Erskine Street Garden Landscape Company premises; to the west by a new private housing development and to the north by the Scottish Islamic Cultural Centre and Dura Street.

At the end of the 19th century the site use changed from being part of the green-space of James's Park into industrial premises and remained so into the 1990s when it was used as a coal depot. The yard was purchased by the former Tayside Regional Council for the now abandoned North East Arterial road proposals.

The Dundee Local Plan Review 2005 identifies the site as 'H31' for 'Brownfield Housing Proposals'.

In 2005 the site was cleared of all buildings to the satisfaction of the City Engineer in anticipation of future development. The land-clearance project files are available for inspection however, these documents do not form part of the sales particulars for the site and an independent site investigations by interested parties is advised.

#### **PLANNING HISTORY**

There is no recent planning history for the Erskine Street Yard however, in the immediate site locality there have been a number of recent developments:

- In 2006 planning approval was given for the demolition of the derelict property on the north-east corner of Erskine Street and the erection of eleven apartments, planning

application reference number 05/00890/FUL refers. Dundee City Council has acquired all interests in this property and demolition and site clearance are anticipated in 2008.

- In 2005/06 environmental improvements took place along Dura Street and included upgrading the footways and lighting along Erskine Street as well as planting street trees.
- Since 2003 all of the brownfield and gap sites along Arthurstone Terrace, to the south of Erskine Street, have been developed for both private and social rented housing and the land adjacent to the west of the Erskine Street Yard has recently been redeveloped with private housing.

## **FUTURE LAND USES**

The City Council is determined to achieve a high standard of redevelopment with all new development opportunities in Dundee and many parts of the wider Stobswell area are undergoing land-use change from industrial and commercial premises to housing. This site offers opportunity for designers and developers to positively reshape the built character of this area and contribute to the regeneration successes of Stobswell.

The Dundee Local Plan Review 2005 identifies the site as appropriate for housing which, as a new use, would provide greater dwelling choice within the Stobswell Housing Investment Focus Area. The predominant dwellings with the area are Victorian tenements and in order to retain families and attract newcomers to settle in the area a greater range of dwelling types and sizes are needed to provide for the long-term sustainability of the Stobswell neighbourhood.

Other uses, or a range of uses, will not be precluded if the proposed uses are not deemed to adversely affect the growing residential character of Erskine Street area.

## **THE DESIGN STATEMENT AND PRE-APPLICATION MEETINGS**

The Dundee Local Plan Review 2005, Policy 55 'Urban Design' states that "The City Council requires the use of a Design Statement for planning applications for listed buildings, for new buildings or extensions to existing buildings on significant sites". The Erskine Street Yard is regarded as a 'significant site' and a Design Statement must be submitted with the planning application. The Design Statement must illustrate an exploration of the site context and should include clear diagrams indicating the selection of a range of option layouts, construction materials etc. Comprehensive guidance on the preparation and content of Design Statements is provided in the Scottish Government's Planning Advice Note 68 'Design Statement'. The use of pre-application discussions between relevant Dundee City Council Planning and Transportation Department Officers and the developer/agent are encouraged early in the design process and will aid the production of an appropriate Design Statement that clearly demonstrates the merits of redevelopment proposals.

## **DESIGN GUIDANCE AND HOUSE STANDARDS**

The Dundee Local Plan Review 2005 at Appendix 1 requires such an 'Inner City' site to be developed with houses only and it is anticipated that the site can accommodate around five three-storey townhouses, however one four-storey building comprising eight flats is considered appropriate, in addition to the townhouses, because the townscape potential of this site could justify a four-storey building in the north east of the site.

Policy 5 of the Dundee Local Plan Review 2005 outlines that high quality of design and detail is expected for this and all new housing development in Dundee.

The Dundee Local Plan Review 2005 Appendix 1 - Design of New Housing quantitative policy standards applicable to the site are:

## **1 Townhouse Dwellings**

### **a 'House Type'**

All houses to have a minimum of two bedrooms with 65% to have more than three bedrooms or a minimum gross internal floor area of 100sqm living accommodation.

### **b 'Car/Cycle Provision'**

All houses to have at least one space within the curtilage of each house and in addition 40% of the houses to have a garage or space for a garage and 30% visitor parking should be provided within the site. Appropriate secure storage for household waste must also be provided.

### **c 'Amenity/Garden Space'**

A minimum of 50sqm of useable garden ground should be provided for all houses although 30% should have more than 75sqm.

### **d 'Privacy'**

A minimum distance of 18m is to be maintained between the facing windows of habitable rooms or between balconies and the facing windows of habitable rooms. Living room windows and balconies should not unacceptably overlook private gardens of houses.

## **2 Flats**

### **a 'House Type'**

All flats to have a minimum of 80sqm living accommodation. (This standard is an increase of 20sqm upon the Dundee Local Plan Review 2005 standard in order to ensure that larger flats are provided augmenting dwelling choice in the Stobswell area, in addition to the townscape justification for the north east corner of the site).

### **b 'Car/Cycle Provision'**

All flats to have 130% for car space and 30% visitor parking should be provided within the curtilage of the site. Secure indoor storage for cycles and household waste must be provided.

**c 'Amenity/Garden Space'**

A minimum of 100sqm of useable private communal garden ground should be provided, in addition to a clothes-drying area. The provision of useable balconies is encouraged, however their provision will not enable a reduction of the extent of the private communal area on this site.

**d 'Privacy'**

A minimum distance of 18m is to be maintained between the facing windows of habitable rooms or between balconies and the facing windows of habitable rooms. Living room windows and balconies should not unacceptably overlook private gardens of houses.

**FORM AND DETAIL OF NEW BUILDINGS**

A high standard of site planning and architectural design is required to create a positive 'sense of character' for this site and the thoughtful integration of townscape modelling and careful orientation of buildings to maximise solar gain should be the starting points to developing a successful site layout. The high quality of design anticipated will be achieved through the use of contemporary modern architectural styles, construction details and landscape features. The use of low-maintenance cladding/construction materials that respond harmoniously with the surrounding area should create a valued 21st century townscape contribution to Erskine Street and Dura Street.

The Dundee Local Plan Review 2005, Policy 57 'Visual Impact on Major Routes' requires that development improves the quality of the environment of Dundee. The site has a boundary with Dura Street which is the main commuter and freight route into the City Centre from the north.

**SECURED BY DESIGN STATUS**

The Tayside Police Architectural Liaison Officer must be consulted by the Applicant/Agent in order to achieve 'Secured by Design' status consistent with the other requirements of this brief. The achievement of the 'Secured by Design' criteria must be included within the content of the Design Statement.

The site is separated from Dura Street by a high stone wall and whilst the wall is not listed it could remain as part of the built character of the area and be built into with a new four-storey apartment building. Breaches may be made through the wall to form doorways to give pedestrian access to and from the site onto Dura Street and Erskine Street. The retention of the wall suggests a vehicular site entrance over 20m from the Dura Street/Erskine Street junction which is in accordance with Dundee City Council 'Streets Ahead' 2006 Roads Standards.

The anticipated new four-storey building will form a new landmark corner with Dura Street. The new building will be of a high quality of architectural design and detail and of an appropriate urban scale in this location overlooking Dura Street and will have an aspect from every other elevation. A short terrace of three-storey townhouses allied to a four-storey flatted building is the envisaged form of the redevelopment to the western side of the site.

## **CONSTRUCTION MATERIALS**

It is expected that buildings will be created with high quality construction materials well detailed to avoid maintenance burdens. The careful selection of innovative cladding systems, natural stone or other materials will be encouraged to achieve a strong and attractive architectural aesthetic and the use of sustainable construction systems and techniques is encouraged to promote good environmental practice with the redevelopment of this brownfield site.

The prospective developer/agent should contact the City Council Environmental Health and Trading Standards Department to determine the necessary sound insulation levels required, that may be in excess of the current Building Standards, necessary for wall/window/roof construction of new dwellings, or other new buildings, in close proximity to the existing activities of the Scottish Islamic Cultural Centre building on Dura Street.

## **VEHICULAR ACCESS**

Vehicular access to the site can only be achieved from Erskine Street and the new roadway created to service the development will be constructed in accordance with the current roads construction standards, if City Council adoption is required. A schedule of appropriate hard landscaping materials is provided within the 'Streets Ahead' Roads Standards and the selection of high quality finishing materials with low maintenance requirements and attractive finish and colour, adding to the overall quality of development, is encouraged.

## **LANDSCAPE**

The creation of an area of green-space, in addition to the provision of private garden ground within the development, is anticipated in order to form a soft edge boundary with Erskine Street. This green-space should contain trees with an appropriately mature specification to provide an instant impact and to minimise the possibility for vandalism. All communal landscaping will be subject to a maintenance agreement which must be submitted as part of the planning application.

## **DRAINAGE**

The Dundee Local Plan Review 2005, Policy 75 'Sustainable Urban Drainage Systems' (SUDS) - states that "All appropriate development proposals must be accompanied by a Sustainable Drainage Scheme at the time of submitting a planning application. This must be supplemented by a Drainage Impact Assessment that shows the impact of a 1 in 200-year rainstorm event". Pre-application guidance should be sought from the Dundee City Council SUDS Group as to the form the drainage scheme for the site should take. (Contact Gopal Narayanan, Senior Engineer, 01382 433612).

## **USEFUL OFFICER CONTACTS**

### **DCC Economic Development Department**

Colin Craig, Estates Manager, DCC Economic Development Dept, 01382 434349 or email [colin.craig@dundeecity.gov.uk](mailto:colin.craig@dundeecity.gov.uk), or

**DCC Planning and Transportation Department**

Nigel McDowell, Planning Officer, Partnership and Regeneration Team, 01382 433464, or email [nigel.mcdowell@dundeeecity.gov.uk](mailto:nigel.mcdowell@dundeeecity.gov.uk)

Charlie Walker, Senior Planning Officer, Development Quality Case Officer, 01382 433378, or email [charlie.walker@dundeeecity.gov.uk](mailto:charlie.walker@dundeeecity.gov.uk)

Gopal Narayanan, Senior Engineer, Infrastructure Team, City Engineer's Section, 01382 433612, or email [gopal.narayanan@dundeeecity.gov.uk](mailto:gopal.narayanan@dundeeecity.gov.uk)

**DCC Environmental Health and Trading Standards Department**

Alex Henderson, Senior Environmental Health Officer, 01382 436238, or email [alex.henderson@dundeeecity.gov.uk](mailto:alex.henderson@dundeeecity.gov.uk)

Site Plan

