

**REPORT TO:** CITY DEVELOPMENT COMMITTEE – 8 DECEMBER 2014

**REPORT ON:** LOGIE, WEST END LANES, WEST END SUBURBS AND MARYFIELD CONSERVATION AREAS

**REPORT BY:** DIRECTOR OF CITY DEVELOPMENT

**REPORT NO:** 432-2014

## **1 PURPOSE OF REPORT**

- 1.1 The City Development Committee at its meeting on 22 September 2014 remitted the Director of City Development to consult with the local community and interested parties on the terms of the Draft Conservation Area Appraisals and to report back with the results of the consultation process. The purpose of this report is to present this findings of the consultation process.

## **2 RECOMMENDATION**

- 2.1 It is recommended that the Committee:
- a approves the Conservation Area Appraisals as planning guidance;
  - b remits the Director of City Development to cancel the existing Maryfield and West End Suburbs Conservation Area Boundary;
  - c remits the Director of City Development to give notice to the Scottish Government of the designation of the new Maryfield and West End Suburbs Conservation Area boundaries;
  - d remits the Director of City Development to advertise the designation in the Edinburgh Gazette and Evening Telegraph newspapers; and
  - e remits the Director of City Development to apply to the Scottish Government to replace the Article 4 Directions.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications for the Council in terms of this report.

## **4 BACKGROUND**

- 4.1 The City Development Committee on 22 September 2014 remitted the Director of City Development to consult with the local community and interested parties on the terms of the Draft Conservation Area Appraisals for Logie, West End Lanes, West End Suburbs and Maryfield Conservation Areas and to report back with the results of the consultation process.
- 4.2 The Consultation process commenced on Monday 6 October 2014 and was concluded on Monday 3 November 2014. A total of 10 formal responses were received as a result of the consultation process. A number of informal positive comments on the appraisal documents were also received verbally from local residents. Appendix 1 contains a summary table of comments received on the draft appraisals and the Council's response to these.
- 4.3 A number of the comments received did not directly relate to the purpose of the consultation on the Appraisal documents and as such shall be addressed directly with the respondents rather than within this report. Comments raised included sites outwith Conservation Areas, Houses of Multiple Occupation, redevelopment of sites not commencing after obtaining planning permission and lack of maintenance of properties.
- 4.4 A number of positive comments were received in relation to of the Appraisals. It was evident from the responses received that having a structured Appraisal document would help highlight the special character and appearance of each Conservation Area and form a sound basis for its preservation. Only 1 objection was submitted with reference to the proposed extension to the Maryfield Conservation Area (this has been detailed in Appendix 1).

- 4.5 The Appraisal documents have been updated in response to the comments outlined in Appendix 1 and can be obtained on the following web links:
- a Logie Conservation Area Appraisal  
<http://www.dundee.gov.uk/sites/default/files/publications/Logie%20CA%20Appraisal.pdf>.
  - b Maryfield Conservation Area Appraisal  
<http://www.dundee.gov.uk/sites/default/files/publications/Maryfield%20CA%20Appraisal.pdf>.
  - c West End Lanes Conservation Area Appraisal  
<http://www.dundee.gov.uk/sites/default/files/publications/West%20End%20Lanes%20CA%20Appraisal.pdf>.
  - d West End Suburbs Conservation Area Appraisal  
<http://www.dundee.gov.uk/sites/default/files/publications/West%20End%20Suburbs%20CA%20Appraisal.pdf>.
- 4.6 Appendix 2 highlights the new proposed boundaries for the Maryfield and West End Suburbs Conservation Areas and identifies the extent of the Logie and West End Lanes Conservation Areas.
- 4.7 A number of hard copies of the Appraisals have been circulated to the Group Leaders, Bailie Scott, Councillor Macpherson and Bailie Borthwick.

## **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. There are no major issues.

## **6 CONSULTATIONS**

- 6.1 The Chief Executive, the Director of Corporate Services and Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this report.

## **7 BACKGROUND PAPERS**

- 7.1 Scottish Government - Scottish Planning Policy (SPP) 2010.
- 7.2 Historic Scotland – Scottish Historic Environment Policy – December 2011.
- 7.3 Scottish Government - Conservation Area Management PAN 71 2004.

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27 November 2014

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## APPENDIX 1

## SUMMARY OF COMMENTS RECEIVED FROM CONSULTATION ON DRAFT LOGIE, WEST END LANES, WEST END SUBURBS AND MARYFIELD CONSERVATION AREA APPRAISALS

| Comment Received  | DCC Response  | Action   |
|---|---|--|
| <b>Logie Conservation Area Appraisal</b>  |   |  |
| Comment received relating to errors to Miln Street name spelling, reference to Balgay Park rather than Victoria Park, correction of Primary School name.  | Noted.  | Corrections have been agreed and Appraisal document updated to reflect the changes.        |
| <b>Maryfield Conservation Area Appraisal</b>  |   |  |
| Nos 88 to 100 Dalkeith Road should be included as they are around the same age and style. Also, the dwellings on the south side of Pitkerro Road west of Dalkeith Road are not included in the proposal.  | The mentioned properties are included in the existing Baxter Park Conservation Area.                                | No change.   |
| The Chair of the Friends of Stobsmuir Park welcomed the park and ponds becoming part of the expansion proposal.   | The support for the proposed extension is noted.  | Noted.   |
| Forfar Road is not a boundary but Pitkerro Road is the east boundary.   | The document has been updated to reflect the comment. Pitkerro Road has been used to describe the eastern boundary. | Appraisal updated.   |
| In terms of Conservation Policy and appraisal the restoration of Morgan Academy after the fire when there was an argument being put forward to clear the site and rebuild on a green field is perhaps worth mentioning as a "conservation success story."<br><br>The water supply mainly came from the reservoir, which is a remarkable covered structure, perhaps one of the few ever constructed at that scale. | Comments noted.   | The Appraisal has been amended to reflect the comments raised. Section 3 has been amended. |
| Of equal damage to the appearance of the area as driveways in modern materials is the insensitive widening of the earlier pedestrian entrances to accommodate the car. Often these are unfinished or crudely finished in inappropriate materials.   | The Council's Policy on Breaches in Boundary Walls document, provides advice on alterations to boundary enclosures. | No change.   |

| Comment Received  | DCC Response  | Action                                  |
|---|---|---|
| Is the quietening of residential streets not a good thing and should it not be extended to create a pedestrian friendly area. Much of the traffic is "by-passable" ie lorries and buses which have no destination in the area but are heading to the trunk road and north. These should be on Broughty Ferry Road, Greendykes Road and Kingsway.                | Traffic movement patterns and restrictions on such are beyond the scope of the Conservation Area Appraisal document.  | No change.                              |
| Mention should also be made about trees which should not have been planted where they are because for one reason or another they are inappropriate.<br><br>Other trees which, because they were all planted at the same time will all come to the end of their life at the same time, could have a catastrophic effect on the quality of the Conservation Area. | The Council's Forestry Officer provides advice and comment to members of the public on suitable tree replacement.<br><br>It is noted that the life cycle of trees and the loss of such can dramatically impact on the character of an area. | No change.<br><br>The comment is noted. |
| It is unfortunate that the image at the foot of Page 17 shows another house where policy has been evaded. The transom is far from the mid line or even matching the original next door.   | Noted.  | Image updated to reflect comment.       |
| Especially along tenemental frontages there is accumulation of poorly maintained cabling, much from redundant cable TV companies. Apart from detracting from the appearance of the area they are potentially dangerous.   | The comment reflects the information within the Appraisal document. The reference to dangerous cabling is outwith the scope of the Appraisal.   | No change.                              |
| The attention given to the surface textures is most welcome.<br><br>Nothing is said about protecting these surfaces from public utilities or "road improvements" or maintenance works.<br><br>Nothing is said about the very poor quality of footways or of the impressive patterned slabs at the Stobswell junction which surely offers scope for extension.   | The comments are noted. DCC works with Utility companies to ensure surfaces are protected/reinstated.<br><br>The extension of paving is subject to the availability of funding and is outwith the scope of the Appraisal.                   | No change.<br><br>No change.            |
| The award of "Façade Enhancement Grants" was conditional upon the heritage frontage being reinstated or at least being the starting point of a modern design. This was highly successful and widely commended. Could this not form the basis of a "shopfront policy"?   | The development of a shopfront policy is beyond the scope of the consultation. The creation of a shopfront guidance document shall be investigated separately.  | No change.                              |

| Comment Received   | DCC Response   | Action            |
|--|--|-------------------|
| <p>One objection to the proposed expansion was received stating; particular concern about the restrictions and obligations the Conservation Area will put on householders. It is expensive enough to repair and maintain buildings and boundary walls as it is.</p> <p>Concern was also expressed about the current state of the adopted pavements in Anstruther Road that are currently in a poor condition. The restrictions that would be put in place as a result of the extension of the Conservation Area mean that it is increasingly unlikely these will ever be repaired.</p> | <p>The designation of a Conservation Area does not place additional burdens on owners to carry out repairs. The primary aim of a Conservation Area is to preserve or enhance the unique character and appearance of the place. Additionally, the inclusion of a property within a Conservation Area can create the opportunity for grant funding for historic repairs through organisations such as the Dundee Historic Environment Trust.</p> <p>The objector's concern relates to properties falling into a state of disrepair due to increased maintenance costs. The designation of a Conservation Area does not impact on maintenance costs.</p> <p>The inclusion within a Conservation Area boundary does not impact on repairs to pavements being carried out by Dundee City Council.</p> <p>Given the justification for the proposed extension provided within the Maryfield Conservation Area Appraisal it is suggested that the area fully meets the criteria to form part of the Conservation Area.</p> | <p>No change.</p> |
| <p>The proposed extension of the Conservation Area is a great since this is an area of unusual character in the city and one we should all be proud and protective of. A Conservation zone can protect the fabric of the area from unscrupulous development and can only be a good thing for the area.</p>   | <p>The support of the proposed extension is noted.</p>   | <p>No change.</p> |

| Comment Received   | DCC Response   | Action     |
|--|--|------------|
| Limiting permitted development is a valuable measure in areas that would be harmed by a reduction in the quality of the built environment. This is a beneficial long term measure for our city.  |  |            |
| <b>West End Lanes Conservation Area Appraisal</b>  |  |            |
| <p>Pleased to see the emphasis on preserving the unique character of the Lanes, but recognise the need to allow sympathetic modern developments. In this respect, your appraisal seems very well balanced.</p> <p>Comments also relate to the importance of having an Appraisal document, and that the document is an accurate description of the fabric and character of the built environment.</p> | Comments noted.  | No change. |
| <p>If this is the first step in the active management of the Conservation Area what has been happening up to now? Does this explain the lack of activity so far in dealing with problem areas within the West End?</p>   | <p>A Conservation Area Appraisal highlights the special character and appearance of an area. The Appraisal document is a review of the area, rather than the first Appraisal of the Conservation Area.</p> <p>The Conservation Area boundary dates from 2002, and was previously adopted from the Perth Road Lanes (1984) and Magdalen Place Conservation Area (1971).</p> | No change. |
| <p>The Appraisal sets out a number of proposals for the enhancement of the Conservation Area. It would have been useful to see these proposals set out or highlighted clearly and separately rather than hidden within the text.</p>   | <p>The guidance is highlighted in each relevant section with reference to the individual section.</p>  | No change. |
| <p>Emphasis is put upon planning permission, but there are countless examples in the West End where people have not sought permission for unsuitable windows especially in the fine Victorian tenements, modern gates, satellite dishes, aluminium railings and various additions which look out of place.</p>   | <p>All breaches of Planning Legislation are investigated, enforcement action has been taken on numerous instances to rectify breaches of legislation.</p>  | No change. |

| Comment Received                             | DCC Response | Action |
|--|--------------|--------|
| West End Suburbs Conservation Area Appraisal |              |        |
| No comments received.                        |              |        |

**APPENDIX 2**











