

KEY INFORMATION

Ward Broughty Ferry

Proposal

Demolition of existing buildings, erection of 4 townhouses to King Street, erection of 8 residential flats to Beach Crescent

Address

312 King Street &
51 Beach Crescent
Broughty Ferry
Dundee

Applicant

Camperdown Construction
Ltd
c/o 18 High Street
Newport
DD6 8AD

Agent

Pask & Pask Architects
18 High Street
Newport on Tay
NE Fife

Registered 7 Nov 2002

Case Officer C Walker



Proposed Housing Development at Beach Crescent

The demolition of an existing building, erection of 4 townhouses to King Street, erection of 8 residential flats to Beach Crescent is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is of good design and will enhance the character of the conservation area. It will not result in an unacceptable adverse impact on amenity. The grant of planning permission contrary to one of the provisions of Policy H10 and Policy EU27 of the development plan is justifiable. The proposal is therefore recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought to erect a residential development on the site comprising 8 flats in a building of 4 and 5 stories at Beach Crescent and 4 townhouses at King Street. The design of the development is of a contemporary quality and its scale and massing reflects the variety in this area.
- This is the third application for a residential development on this site, with each new application involving a scaling down of the previous proposals.
- Six letters of objection from local residents, 2 from amenity bodies and 1 from the Community Council were received, the principal concerns being the design and scale of the buildings, overlooking and overshadowing of adjoining properties and inadequate provision of car parking. Historic Scotland in its informal comments whilst preferring the retention and adaption of the existing buildings is supportive of the design of the new buildings. The Royal Fine Art Commission for Scotland welcomes the improvements on previous proposals but remains concerned about the detailing of the development.
- The proposed development provides a good design, scale and massing and will serve to complement and enhance the character of the conservation area. It will not result in an unacceptable adverse impact on the amenities of surrounding residents. It complies with almost all of the requirements of Policy H10 of the Local Plan and provides a satisfactory standard of residential amenity. Sufficient weight can be accorded to other material considerations such as to justify the grant of planning permission contrary to one of the provisions of Policy H10 and Policy EU27 of the development plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a residential development on the site comprising 8 flats at Beach Crescent and 4 townhouses at King Street. The proposed 4 and 5 storey building on Beach Crescent has 4 two bedroom flats, 3 three bedroom flats and a large four bedroom maisonette flat at fourth floor and attic levels. All of the flats have generous space standards and either patios at ground floor or balconies on the upper levels. The building is offset by 1 metre from the Category B listed building known as Beach House to the west. Despite the fact that it has more storeys, its eaves level is similar to that of Beach House and the apex of its roof is slightly lower due to the deeper plan of the proposed building and its lower roof pitch. It therefore protrudes behind Beach House and obscures the 2 windows on its gable.

The height of the building varies so that the fifth floor section beside Beach House is contained entirely in the roof space and the elevation at this point has a 4 storey appearance. On the eastern section of the building, the corner feature closest to the one and a half storey cottage to the east is 5 storeys high. This eastern section of the building is covered with a monopitch roof. Windows on the eastern elevation have been angled to minimise overlooking.

The elevational treatment of the building is complex and its staggered building line projects forward of Beach House at the eastern side of the building. The roof treatment adjacent to Beach House is conventional and finished in slate. The eastern portion of the building is covered by a monopitch roof of slate finish. The walls are finished in render and blockwork.

The proposed building on King Street is 3 storeys in height providing 4 townhouses. At ground floor are 4 garages on King Street and the upper floors provide 3 bedroom dwellings with first floor balconies to the south. The design of this building is similar to but more conventional than the Beach Crescent building and the proposed finishing materials are similar although the use of natural stone over the western section of the building is indicated.

Vehicular and pedestrian access to the flats is taken from Beach Crescent by a road to the east of the building. This road leads to a courtyard containing 8 garages (one of which is a double garage) and 4 parking spaces. 3 of these garages are underneath the King Street building and the other 5 are in a building along the western site boundary. The King Street townhouses have 4 garages underneath the building which are directly accessed from King Street.

Each flat and townhouse will have a balcony or patio area. In addition there is a large garden area in front of the Beach Crescent building open to public view and smaller secluded landscaped areas to the rear of that building and to the east of car parking spaces within the courtyard. A small drying area is also proposed within the courtyard. Cycle parking facilities and storage areas are proposed under the King Street building.



A separate application for conservation area consent to demolish all the buildings on the site has been made (see Report on application ref. no 02/00806/CON elsewhere in this Agenda).

The applicants have submitted a statement in support of their proposals. In it they state that the design and accommodation standards of the proposed development are of the highest quality and appropriate for the conservation area. They state that the footprint of the proposed development is less than that of the existing site coverage and that the scale is appropriate for the surrounding area. They state that the development complies with the terms of Policy H10 of the Local Plan and that EU27 seeks to retain only non residential uses which are not detrimental to residential

amenity whereas the current social club use has caused noise pollution and parking problems in the past. Finally they have provided information on the impact of the proposed development on the gable windows at Beach House and state that they have been in negotiations with the occupiers of the affected dwelling with a view to removing this window but have failed to agree on a price.

Previous applications for planning permission and conservation area consent for a housing development on this site were refused by the Council in May 2002 and details of these applications are contained in the Site History section of this Report

SITE DESCRIPTION

The site comprises the former Castle Hotel now used as Broughty Ferry Ex-servicemans Club at 51 Beach Crescent and a disused storage building last used as a pottery at 312 King Street, Broughty Ferry.

51 Beach Crescent is a 2 storey building facing Beach Crescent which has been much modified over time. Records show that the land was feued in 1808 and that the house was occupied as Ferry House in 1810. Its facade is rendered and painted white and its roof is slated. A single storey flat roofed function room extension has been added to the front of it. To the rear the building continues in an elongated form towards King Street. This section of the building is lower and similar in character to 312 King Street. The walls are harled and the slated roof projects over the walls with exposed rafters. There are also significant single storey flat roofed extensions to the rear of the building up to the northern and western boundaries.

312 King Street is a stone and slate building of industrial character. It also has projecting rafters and no openings on the north elevation to King Street other than vents. It appears to have been the stable block for 51 Beach Crescent in the past, but it has had its own separate curtilage for many years.

The surroundings of the site are residential in character, comprising either houses or nursing homes. The sweep of Beach Crescent forms a focal point in the Broughty Ferry Conservation Area and includes a

number of listed buildings (all the buildings between Gray Street and the application site are listed). Beach House lies directly to the west and is Category B listed. This is a large 2 storey over basement flatted building with attic accommodation also dating from the early 19th century. The ground floor flats are approached by steps from Beach Crescent and the basement and attic flats are approached via pedestrian access from King Street. There are 2 windows in the gable of this building facing the application site. There is a mutual garden area to the north of the building. Also to the north, on King Street, is a single storey house at 298 King Street which is attached to 312 King Street. Further to the west is the Category B listed former Orchar Gallery (now a nursing home).

To the east is a one and a half storey cottage and its garden ground at 71 Beach Crescent and a modern flatted block of 4 storeys at 316 - 328 King Street. To the north, on the opposite side of King Street, are houses and flats of traditional and modern construction.

There is a considerable variety in the scale of buildings surrounding the site ranging from single storey cottages to 3 and 4 storey buildings of traditional and modern construction

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies of the adopted Local Plan are relevant:

- 1 Policy H4 states that infill development should comply with a number of criteria designed to protect the visual and residential amenity of the area.
- 2 Policy H10 sets out standards for new housing developments.
- 3 Policy EU27 allocates this area of Broughty Ferry as a mixed use area where there is a presumption in favour of non residential uses provided there is no detriment to residential amenity.

- 4 Policy BE11 requires new development in conservation areas to complement and enhance the character of the surrounding area.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application.

Finalised Dundee Local Plan Review.

In January 2003 the Council approved this Plan. It contains similar policies as the adopted Local Plan although there is no longer a policy presuming in favour of the retention of mixed uses in this part of Broughty Ferry and the standards for new housing have been varied.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

The Scottish Executive has published a "Policy on Architecture" in October 2001 and "Designing Places - A Policy Statement for Scotland" in December 2001.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

In August 2001 the Council reviewed Policy H10 and adopted new non statutory guidelines for new housing developments.

In December 2001 the Council adopted the Urban Design Strategy for Dundee.

LOCAL AGENDA 21

The Councils Local Agenda 21 Policies seek to value and protect local diversity and distinctiveness.

SITE HISTORY

The premises at 51 Beach Crescent were originally constructed as a house and then became a hotel and latterly a social club. 312 King Street has been the subject of a number of recent applications including application ref.

no D23686 which was a refusal of permission for a restaurant, office and flat in February 1999. The reasons for refusal related to contravention of Policies LT8 and EU27 of the Local Plan with specific reference to noise and parking issues.

In June 2000 planning permission and conservation area consent to demolish all the buildings on the site and erect a 45 bedroom hotel were refused (application ref. nos. D24456 and DS00170 refer). The reasons for refusal included the overdevelopment of the site and the visual impact on the conservation area and adjoining listed buildings, adverse impact on residential amenity (due to overshadowing, overlooking and noise) and inadequate parking provision.

In April 2001 applications for a housing development on this site and conservation area consent to demolish the existing buildings were withdrawn by the applicants before they could be determined by the Committee (applications ref. nos. D25105 and DS00176 refer). The planning application involved the erection of a much larger building on Beach Crescent directly attached to Beach House with 3 extra flats and King Street townhouses of a design not dissimilar to the current proposals.

In December 2001 an application to change the use of the social club on Beach Crescent to a public house was refused on grounds that the proposal would contravene Policy EU27 due to the adverse impact on residential amenity. This decision was subsequently appealed and the appeal was dismissed.

In May 2002 further applications for a housing development on this site and conservation area consent to demolish the existing buildings were refused by the Committee (applications ref. nos. 02/00128/FUL and 02/00129/CON refer). Although similar to the current proposals, that development involved a larger building at Beach Crescent with 2 flats over a pend, so that the building was both higher than the current proposals and stretched to the eastern site boundary. The current proposals delete these 2 flats over the pend but involve just 1 less flat because an additional unit has been proposed within remainder of the building. The

reasons for refusal of the planning application were:

- “1 the proposal represents overdevelopment of the site, creating buildings with a scale and massing and a design and finish that detracts from the visual amenity of the Broughty Ferry Conservation Area and the setting of the adjoining listed buildings to the west of the site contrary to Policy BE11 of the Dundee Local Plan 1998
- 2 the proposed development contravenes Policy H10 of the adopted Dundee Local Plan by reason of the inadequate provision made for outdoor drying facilities, car parking and for gardens for the townhouses. There are no material considerations that justify departing from Policy H10 of the plan
- 3 the proposed development contravenes the Councils Review of Policy H10 adopted in August 2001 because it exceeds the total number of flats permissible on this site and there are no exceptional circumstances that would justify departing from this policy review”

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was advertised as affecting the setting of the conservation area and listed buildings as well as contravening Policies H10 and EU27 of the Local Plan.

8 letters were received objecting to the development, 6 from local residents and 1 from the Scottish Civic Trust and 1 from the Dundee Civic Trust (copies available for inspection in the Members Lounges). The principal grounds of objection are:

- 1 Inappropriate design, scale, height and finishing materials for a site within a conservation area and adjoining listed buildings.
- 2 Overlooking and overshadowing of adjoining properties and particularly a gable window at Beach House.
- 3 Inadequate provision of car parking and loss of parking spaces on King Street.

4 Inadequate drainage infrastructure at King Street.

5 Demolition of the buildings is not justified and they should be retained and adapted for a new use.

3 letters were received supporting the application, stating that the existing buildings were an eyesore and that a residential development should be welcomed and would be preferable to a social club.

The issues raised in these letters are considered in the Observations section of this Report.

CONSULTATIONS

The Royal Fine Art Commission for Scotland considers that there have been improvements to the design of the development compared with previous proposals and welcome the deletion of the flats over the pend. It considers that slate should be used on the roofs through out the development, that careful consideration should be given to the proposed finishing materials and that the landscaping and treatment of the courtyard area should be specified.

Broughty Ferry Community Council accepts that the proposal is an improvement on previous schemes but objects to the application due to the inadequate size of the townhouse gardens, the fact that the design is largely unaltered from that previously refused by the Committee, that greater use of stone and slate should be considered and that Beach House will suffer from a loss of light to the gable window.

Historic Scotland has informally commented on the proposed development. It notes the scaling down of the buildings and the simplification of the roof, states a preference for the retention of the existing building on Beach Crescent but if the site is to be redeveloped prefers a good modern building rather than a pastiche solution.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider

- a whether the proposals are consistent with the provisions of the development plan; and if not

b whether an exception to the provisions of the development plan is justified by other material considerations

Regard must also be had to Sections 59(1) and 64(1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act1997, by which special consideration must be given to the effects on the setting of listed buildings and on the character and appearance of the conservation area.

The Development Plan

The provisions of the development plan relevant to the determination of this application are Policies H4, H10, EU27 and BE11 specified in the Policy background section above.

Policies H4 and BE11 and the scale and massing of the buildings: It is considered that the scale and massing of the proposed buildings are acceptable for this prominent site in the Broughty Ferry Conservation Area adjacent to a number of listed buildings. The existing pattern of development at Beach Crescent forms a gentle curve along the waterfront. The scale of the building varies from substantial buildings such as the former Orchar Gallery to small cottages such as the one to the east of the application site. There is a similar pattern of development on King Street. It is considered that the Beach Crescent frontage is capable of taking a substantial building without detriment to the visual amenity of the area. Although the proposed development is up to 5 storeys high at its south eastern corner, its scale is similar to that of Beach House to the west. The deletion of the 2 flats over the pend at the eastern end of the site creates a much more acceptable relationship with the adjoining cottage to the east. The height relationship of the proposed flats to this house is much less disparate than that of the existing tenement at 85-95 Beach Crescent and that house. The reduction in scale of the proposed Beach Crescent building when compared with the previous proposals contributes significantly to providing an acceptable relationship in terms of both scale and massing with the surrounding buildings.

The position at King Street is similar. The proposed 3 storey townhouse development is much lower than the

modern flats at 316-328 King Street and higher than the cottage at 298 King Street. However taking into account the varied building heights and massing along King Street, it is not considered that the scale and massing of the proposed development is unacceptable.

For the entire development it is considered that the proposed scale and massing is also appropriate in the context of the requirement in Policy BE11 of the adopted Local Plan to complement and enhance the character of the surrounding area and with the statutory duties to have regard to the conservation area and the setting of listed buildings in the making of determinations on planning applications.

Policies H4, H10, BE11 and the design of the buildings: It is considered that the design of the proposed Beach Crescent building is innovative and will present an attractive frontage on this important site. The intricate modelling of the building along with the extensive use of glazing and choice of finishing materials will produce a building of exceptional quality that will serve to enhance the appearance of the conservation area. The reduction in scale from the previous proposals coupled with the simplification of the roof treatment have served to produce a building that is much more appropriate for the site. The Royal Fine Art Commission for Scotland welcomes the changes from the previous proposals. In general they have not criticised the height or massing of the buildings but are concerned about the detailing of the building, use of material and treatment of the courtyard area. It is considered that these concerns can be addressed by planning conditions which should ensure that the development including the courtyard area is finished to a high specification.

Contrary to the views expressed by some objectors, it is not considered appropriate to try to develop the site with a "pastiche" building as though dating from the Victorian era. Both Historic Scotland and the Royal Fine Art Commission for Scotland agree with this viewpoint.

The design of the proposed King Street townhouses is of a different character, these buildings being more domestic in scale. The use of natural stone on the

western gable and on the ground floor of these buildings will help to integrate them with the adjoining stone cottage to the west. Although it is accepted that it is difficult in design terms to provide 4 garages on the King Street elevation, it is considered that in this case a satisfactory elevation has been produced.

For the entire development it is considered that the proposed design is appropriate in the context of the requirement in Policy BE11 of the adopted Local Plan to complement and enhance the character of the surrounding area and with the statutory duties to have regard to the conservation area and the setting of listed buildings in the making of determinations on planning applications.

It is also considered that the proposed development pays due regard to the principles set out in the Scottish Executives "Policy on Architecture" and "Designing Places" as well as the Councils Urban Design Strategy.

Policy H4 and the impact on residential amenity: Concerns about overlooking and overshadowing of adjoining properties have featured in the objections to this planning application. The previous proposals for this development directly adjoined Beach House thereby obscuring 2 gable windows. The current application sets the proposed Beach Crescent building 1 metre back from the boundary. It is considered that the gable window at the ground floor flat, which is already substantially overshadowed by the existing buildings on this site will not be affected by the proposed development. However the gable window of the upper floor flat will be affected and the occupiers of this dwelling have objected to the development. It is considered that although there will be overshadowing of this window, this can only be avoided by restricting any development on the application site to a height of 3 storeys. If this gable window served a habitable room then it is considered that it would be appropriate to impose such a restriction on the development. However, the window in question serves a stairway and it is not considered that the loss to residential amenity as a result of the overshadowing of this window would

be such as to justify a refusal of planning permission.

Other than that gable window it is not considered that the proposed development will lead to any significant overshadowing of adjoining properties. At the eastern end of the site, the proposed Beach Crescent building is set back between 5 and 6.5 metres from its boundary with the cottage at 71 Beach Crescent which in turn is set back an average of 6 metres from its boundary. At King Street, the cottage at no 298 already directly adjoins a substantial building on the application site which extends to the south in much the same manner as the proposed buildings on King Street. The residents of the modern flats at 316-328 King Street have also objected on grounds of overshadowing. The principal windows on these flats face north and south. The south facing windows principally overlook the garden of the cottage at 71 Beach Crescent. They are sufficiently distant and angled away from the proposed Beach Crescent building (some 21 metres from the proposed building) that there should not be a problem with overshadowing. There are also west facing windows on the gable of the flats serving kitchens. Although these windows are just over 4 metres from the gable of the proposed King Street townhouses, the proposed townhouses are mainly to the north of the windows. There will therefore be no impact on daylight and direct sunlight will only be affected at the very end of the day when the sun is setting. In addition kitchens are not considered to be habitable rooms for the purposes of daylight protection.

In terms of overlooking, because the site is in a densely built up area there is a considerable degree of overlooking at present. In particular the cottage and its garden ground at 71 Beach Crescent is already substantially overlooked by the flats at 316-328 King Street and the cottage at 298 King Street is overlooked by the flats in Beach House. It is considered that the proposed development will not lead to any unacceptable overlooking. Windows on the eastern elevation of the proposed Beach Crescent building are angled away from adjoining properties and there are no windows on the western gable. South facing windows are sufficiently distant and

angled away from the flats at 316-328 King Street as to avoid any unacceptable overlooking. Concerns about overlooking from first floor balconies on the proposed King Street townhouses are overcome by the provision of screen wing walls.

In conclusion it is considered that the development will not result in an unacceptable adverse impact on residential amenity and therefore complies with Policy H4 of the adopted Plan.

Policy H10 standards: These standards in the adopted Local Plan permit flats at this location. The proposed flatted development complies with all the standards set out in Policy H10. The proposed townhouses comply with the standards for flats but fail to provide 50 sq. metres of garden ground.

In areas where car parking is difficult 130% parking should be provided and in this case the provision is just in excess of this figure. The issue of parking has been the subject of objections to this development. It is considered that the level of parking proposed is sufficient for this scale of development. Although the dwellings can be considered as being in the luxury bracket, they have a very central location where it would not be unreasonable to expect 1 car per unit, with the additional on site parking catering for any additional demand. In addition, as vehicular access to the development is from Beach Crescent, any overspill parking is likely to occur at this location where there is much greater provision than in King Street. Objectors are concerned that parking problems are likely to be increased by the loss of parking on King Street due to the provision of garages for the town houses. However at most 3 spaces would be lost on King Street and this should be balanced against any on street parking generated by the use of the existing buildings on both King Street and Beach Crescent.

Policy EU27: This policy contains a presumption against residential development on existing non residential sites in this mixed use area. The proposed development contravenes this policy.

It is concluded from the foregoing that the proposal complies with Policies H4 and BE11 but does not comply with Policy H10 (with regard to gardens for

the townhouses) and Policy EU27 of the development plan.

Other Material Considerations

The other material considerations to be taken into account are as follows:

- a With regard to the Policy H10 standards these have twice since been revised, once in August 2001 and again in January 2003 with the approval of the Draft Local Plan. It is considered that the August 2001 changes have largely been taken up in the Draft local Plan. These changes do not have any significant implications for the development as currently proposed.

The August 2001 review of Policy H10 emphasises concerns about over provision of flatted development. This Review did not formally amend the adopted Local Plan but expresses the Council's desires with regard to the provision of new housing. For central Broughty Ferry, if the site is for 12 units or less then these can all be flats. As the proposed development is for 12 dwellings flats are acceptable. The Draft Local Plan 2003 accepts flats where site specific circumstances demand a flatted solution. In this case it is considered that this site is an exceptional one where there is a justification for the form of development proposed. A suburban style of housing would be totally inappropriate at this location where design requirements can only be satisfied by development of a substantial scale and massing. In addition both the Council's review of Policy H10 and the Draft Local Plan stress the need for new flats to be of an exceptionally high standard. In this case, as has been pointed out above, the flats have very generous internal space standards with individual balconies and patios and a lift is proposed for the flats. It is considered that both the nature of the site and the quality of accommodation proposed justifies the approval of this development even taking into account the review of Policy H10 and the Draft Local Plan.

In these circumstances, because the site is considered to be an exceptional one, it is considered that it also complies with the terms of the Draft Local Plan with regard to the provision of flats on the site.

In terms of the gardens for the town houses, each unit will be provided with an attractive south facing patio and whilst they do not meet the garden size standard, it is considered that an adequate level of amenity is provided for these town houses in this central location.

In conclusion, although the proposed development fails to meet the Policy H10 standards with regard to the provision of 50 sq. metres of garden ground for the townhouses it is considered that an adequate standard of residential amenity is provided, particularly when account is taken of the character and location of the site.

- b In terms of Policy EU27 it is accepted that the character of the surrounding area is entirely residential, including a number of residential homes. Proposals for commercial development at both 51 Beach Crescent and 312 King Street have been refused in the past due to residential amenity considerations. It is not considered that the loss of the existing social club would lead to a deterioration in the character or quality of the area. In addition the Finalised Dundee Local Plan 2003 removes the Policy EU27 designation. It is therefore considered that an entirely residential development on the site would be acceptable despite the terms of Policy EU27.
- c The refusal of planning permission for a housing development on this site in May 2002 (application ref. no. 02/00128/FUL) is also a material consideration. The first reason for refusal related to overdevelopment of the site but it is considered that the reduction in the scale of the current proposals justifies the approval of this application. The second reason for refusal related to contravention of Policy H10 with regard to outdoor drying facilities, car parking and gardens

for townhouses. It is considered that the proposed development complies with the outdoor drying and parking standards of H10 and for reasons stated above there is a justification for approving the development contrary to the other provision of H10 relating to gardens for the townhouses. Finally the third reason for refusal is no longer relevant as the development now complies with the number of flats permissible under the Councils review of Policy H10 in August 2001.

- d The demolition of the existing buildings is considered in more detail in the report on the accompanying application to demolish these buildings elsewhere in this agenda (application ref. no 02/00129/CON).
- e An objector has referred to drainage problems in the area but no concerns have been raised by Scottish Water or SEPA. If the application is approved the applicants will be obliged to ensure that the site is adequately drained.

It is concluded from the foregoing that sufficient weight can be accorded to these material considerations such as to justify the grant of planning permission contrary to the some of the provisions of Policy H10 and Policy EU27 of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

It is considered that the design of the proposed Beach Crescent building is innovative and will present an attractive frontage on this important site. The intricate modelling of the building along with the extensive use of glazing and choice of finishing materials will produce a building of exceptional quality that will serve to enhance the appearance of the conservation area. The design of the proposed King Street townhouses is of a different character, these buildings being more domestic in scale. The use of natural stone on the western gable and on the ground floor of these buildings will help to integrate them with the adjoining stone cottage to the west.

CONCLUSION

The proposed development provides a good design, scale and massing and will serve to complement and enhance the character of the conservation area. It will not result in an unacceptable adverse impact on the amenities of surrounding residents. It complies with almost all of the requirements of Policy H10 of the Local Plan and provides a satisfactory standard of residential amenity. Sufficient weight can be accorded to other material considerations such as to justify the grant of planning permission contrary to the one of the provisions of Policy H10 and Policy EU27 of the development plan.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 the development hereby permitted shall be commenced within five years from the date of this permission
- 2 samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples
- 3 all the roof areas for the flats and townhouses shall be finished in natural slate and the detailing of the slate on the monopitch roofs shall be such as to avoid a heavy or chunky appearance all to the satisfaction of the Council. The roof of the garages shall be finished in standing seam metal cladding.
- 4 details of the hard and soft landscaping of the site and the provision of an outdoor drying area in accordance with the amended plans received on 5/2/03, including timescales for implementation and provisions for maintenance of landscaping shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details

- 5 any trees or shrubs planted in terms of condition 4 above which are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of condition 4.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 In order to safeguard the visual amenity of the Conservation Area
- 3 In order to safeguard the visual amenity of the Conservation Area.
- 4 To ensure a satisfactory standard of appearance of the development
- 5 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.