

**KEY INFORMATION**

**Ward** Pitkerro

**Proposal**

Erection of 7 flats and ancillary accommodation for Class 8 Use

**Address**

Land to the South of  
31 Pitairlie Road  
Dundee  
DD4 8DG

**Applicant**

Abertay Housing Association  
147 Fintry Drive  
Fintry  
Dundee DD4 9HE

**Agent**

KDM Architects  
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Dundee  
DD5 3AA

**Registered** 11 April 2003

**Case Officer** J Finlay



The erection of 7 flats and ancillary accommodation for Class 8 use is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development is an appropriate design for this location and it is considered to be in accordance with the development plan policies.

The proposal is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a 7 flatted development with ancillary accommodation for women who are escaping from domestic abuse situations.
- The development is located on land to the south of 31 Pitairlie Road.
- Policies H1 and H10 of the Dundee Local Plan 1998 are relevant which seek to protect residential amenity and set requirements for the design of new housing. Policies 1 and 10 of the Finalised Dundee Local Plan Review are also relevant and are a material consideration.
- One letter of objection and one petition have been received from neighbouring residents stating concerns about the adverse impact on the residential amenity enjoyed by neighbouring residents, loss of amenity open space, traffic, parking and access problems and drainage problems. In addition, invalid planning objections were raised.
- The application was deferred from the May Development Quality Committee meeting to allow wider consideration of the points of objection particularly regarding the loss of the adjacent layby.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of 7 flats and ancillary accommodation at Pitairlie Road, Dundee. The development will be 2 storey with three flats on the ground floor and four flats on the first floor. There will be a laundry, office, common room and playroom on the ground floor. Each flat will have 2 bedrooms, kitchen, living room and bathroom. There are separate amenity garden spaces, drying area, secure play area and six car parking spaces provided with the development. The materials used will be buff and blue coloured facing brick and dark grey concrete roof tiles. There will be a 600mm high buff multi brick wall with blue brick on edge cope along the west boundary with 900mm high railings on top. Existing fences along all other boundaries will remain.

## SITE DESCRIPTION

The application site is located on the east side of Pitairlie Road and it is a brownfield site with trees and an electricity substation to the south. A neighbourhood centre is located directly opposite on Pitairlie Road. There are two storey houses opposite and to the west and also to the south east. There are 3 storey tenements to the north and east. A bus stop and layby are located directly in front of the site along Pitairlie Road.

## 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 are of relevance:

H1: Developments will be permitted within existing residential areas where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

H10: The design and layout of any new housing will generally conform to the guidelines which indicate that the

development may be houses or flats. There may be individual gardens of 40sqm or a private landscaped courtyard of 10sqm per unit. There should be outdoor drying facilities, 18m between facing habitable room windows and 75% parking.

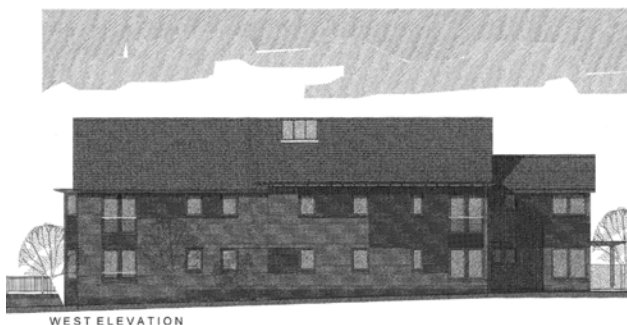
### Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

### Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 1: Vibrant and Sustainable Communities - The City Council will promote vibrant communities, encouraging the development of an



appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 10: Non Mainstream Residential Uses - Proposals for the development of non-mainstream residential uses will be supported where:

- a a good quality residential environment will be created for residents and the proposal does not impact adversely on the amenity of neighbours by virtue of design, overshadowing, overlooking and parking; and
- b the site is well located to give access to a range of local services and facilities and is accessible by public transport; and

- c it will not lead to an excessive concentration of non-mainstream residential uses to the detriment of the character of the particular area; and
- d appropriate car parking provision is made relative to the needs of occupants, visitors and any support staff. In determining appropriate provision the availability of public transport and proximity of local services and facilities will be considered; and
- e generous amenity space is provided in a sheltered, private location that is sunny for most of the day; and
- f the design reflects the scale, massing and materials of adjacent buildings.

### Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application

### Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application

## LOCAL AGENDA 21

The key themes of Local Agenda 21 relevant to this application are Key Themes 8, 9 and 13. Key theme 8 seeks to ensure that health is protected by creating safe, clean, pleasant environments. Key Theme 9 seeks to ensure that people live without fear of personal violence from crime or persecution because of their personal beliefs, race, gender or sexuality. Key Theme 13 seeks to ensure that places, spaces and objects should combine meaning and beauty with utility.

## SITE HISTORY

The site previously had a total of 57 tenement flats and these were demolished in 1993.

## **PUBLIC PARTICIPATION**

Statutory neighbour notification was carried out and one letter of objection and one petition with seven signatures were received. The points of objection raised are the loss of amenity space, adverse impact on residential amenity, traffic and parking problems and access problems.

## **CONSULTATIONS**

The relevant Council Departments and outside bodies were consulted. The Council's Forestry Officer has requested that a detailed landscaping plan is submitted for consideration.

## **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

## **Background**

The proposal is to provide additional refuge accommodation within Dundee for women escaping from domestic abuse situations. The safety of the women, their children and the surrounding community is of utmost importance to the applicant. Funding was sought in partnership between Dundee City Council, Abertay Housing Association and the user group from the Scottish Executive in 2001 under the Domestic Abuse Refuge Accommodation Programme. The proposal would bring the City up to the current COSLA target refuge accommodation. The proposal is designed to address the increased focus on providing self-contained as opposed to hostel accommodation. The group have approximately 28 years of experience working with other similar developments in Dundee.

The proposal is for a secure purpose built refuge to replace one of the older, inadequate buildings within Dundee. The proposed site is in the heart of a major regeneration area and is surrounded by housing association and private new build housing, which has

replaced much of the inter-war council housing. Regeneration of the area is continuing and the site is close to all local facilities. The facility will be developed and managed by Abertay Housing Association and it will be leased to the user group, who will manage the project and provide appropriate support and advice to women and children using the service.

The proposal indicates Dundee's experience and commitment to social inclusion, social injustice and partnership working across the public, voluntary and private sectors.

## **The Development Plan**

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

The site is located within an existing residential area and Policy H1 of the Dundee Local Plan 1998 is relevant which seeks to protect the residential amenity enjoyed by neighbouring residents. The proposal is for residential accommodation, which will provide a safe and secure environment for women and their children. The design of the building and its layout are considered appropriate in this residential environment as it is 2 storey and the materials blend in with the surrounding properties. Six car parking spaces are provided with the development which is acceptable as many women using the flats will not have or use their own private transport. The parking spaces will be used predominantly by members of staff. It is not considered that the development will raise any noise issues or other adverse amenity issues. It is considered that the proposal fully complies with Policy H1.

The housing guidelines for amenity housing in Policy H10 specify that housing or flats may be acceptable with individual gardens of 40sqm or a private landscaped courtyard of 10sqm per unit. Outdoor drying facilities must be provided, 18m between facing habitable room windows and 75% parking provision. In addition, the layout and urban design of the development must contribute positively to the street scene and respect the surroundings. The development is 2 storey and this respects the height of surrounding properties. The design is imaginative

but not overpowering and uses small features such as canopies and different coloured materials to give the building character. The proposal fully complies with these guidelines.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

## **Other Material Considerations**

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

## **Finalised Dundee Local Plan Review**

Policy 1 seeks to protect the residential amenity enjoyed by surrounding neighbours and, as discussed above, it is considered that the proposal is in accordance with this policy and will not have an adverse impact on the surrounding area.

Policy 10 states that proposals will be supported where a good quality environment is provided which does not impact adversely on the amenity of neighbours and this requirement is complied with as previously discussed. There are numerous local services and facilities such as shops, schools, post office, doctors and community facilities. The site is accessible by public transport and the nearest bus stop is on Pitairlie Road in front of the site. There are no other non-mainstream residential uses within close proximity to the site and there are sufficient parking spaces relative to the needs of the occupants, visitors and staff. The proposal includes the provision of two amenity garden space areas to the north and east ends of the site; a secure play area; drying area and parking spaces. The building will be 2 storey, which reflects the height of surrounding buildings and the proposed materials are considered appropriate for this location. For the reasons discussed it is considered that the proposal complies with Policy 10.

## **Objections**

An objection was received from a neighbour at Kerrystone Court stating concerns about the loss of amenity space, noise during construction works, drainage problems and loss of trees. The site is brownfield and there is a large play area to the south of the site. Disturbance during construction works is not a valid planning

objection. No adverse comments have been received from Scottish Water, SEPA or within the Council about potential drainage problems. There used to be 57 flats on the site and this would have produced more roof water and surface runoff than the proposed 7 flats. The trees to the south of the site will be retained and do not form part of the application site.

A petition with seven signatures was received from residents to the north of the site and they object to the proposal on the grounds of traffic, parking and access problems, residential amenity issues due to noise disturbance. A further concern was raised about safety as the tenants have no controlled entry to their tenement. Sufficient parking is provided with the development and there will be no access problems. The development is for seven residential units with ancillary accommodation and it is not considered that there will be associated noise problems. The group who manage the project have 28 years experience within Dundee and no problems have been raised with other similar accommodation units. There will be staff within the building during normal daytime working hours to provide support and advice for the women and their children.

Objections have been raised about the loss of the layby in front of the site which is used as a parking area for people using the Brooksbank Centre. The layby is adopted by the Council and a stopping up order would be required for all or part of its removal. It is assumed that the layby was used by residents in the original tenement flats on the site. This layby is one of three along this stretch of Pitairlie Road and is in addition to bus laybys along the road. The applicant has since submitted an amended plan to move the layby slightly south which is considered acceptable. The same number of spaces will be provided (although not officially laid out as separate parking bays) and it will not affect visibility from any of the adjacent roads.

It is considered that the objections raised do not raise any material considerations that would justify refusal of the application in these circumstances.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such

as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

### **Design**

The proposed building is located on quite a prominent site on Pitairlie Road. Careful consideration has been given to the height, design and materials of surrounding buildings, so that the proposed building blends in appropriately. It is considered that the proposal meets these aims together with the provision of a safe and secure environment for the occupants.

### **CONCLUSION**

It is considered that the proposal complies with Policies H1 and H10 of the Dundee Local Plan 1998 and Policies 1 and 10 of the Finalised Dundee Local Plan Review. The design and materials are considered appropriate for this location. A safe and secure environment is required for the occupants and surrounding residents and it is considered that this is achieved without detriment to the surrounding environment. There are no other material considerations that would justify refusal of the application in these circumstances.

### **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 prior to the commencement of development chestnut paling fencing of one metre in height and to the satisfaction of the Council shall be erected along the drip line of all trees to be retained to the south of the site and thereafter maintained in place throughout the construction period
- 3 no development shall take place until there has been submitted to and approved by the planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with

measures for their protection in the course of development

- 4 The new layby shall be provided and finished to Dundee City Council standards prior to the first occupation of the proposed development

### **Reasons**

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 to protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development
- 3 to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 4 To ensure that there is no loss of parking amenity for the area through the development of this site