

**KEY INFORMATION****Ward** Broughty Ferry**Proposal**

Amendments to planning permission 02/00790/FUL for 4 townhouses and 8 flats including use of glass block, alterations to roof and stair tower and insertion of glass block windows on west gable of flats

**Address**

312 King Street & 51 Beach Crescent  
Broughty Ferry  
Dundee DD5 2BG

**Applicant**

Camperdown Construction Ltd  
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**Agent**

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Architects  
18 High Street  
Newport on Tay

**Registered** 13 Aug 2003**Case Officer** C Walker

The Amendments to planning permission 02/00790/FUL for townhouses and 8 flats including use of glass block, alterations to roof and stair tower and insertion of glass block windows on west gable of flats is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed amendments to the approved development will enhance its design quality and therefore serve to complement and enhance the setting of the adjoining listed buildings and the wider conservation area. It will not result in an unacceptable adverse impact on the amenities of surrounding residents. The development is therefore recommended for **APPROVAL** with conditions.

**SUMMARY OF REPORT**

- Planning permission is sought to amend a previously approved housing development at Beach Crescent and King Street. The changes include a slight increase to the height of the buildings, alterations to the stair tower, the introduction of obscure glass block on the west elevation of the Beach Crescent building, the relocation of bin stores towards the eastern site boundary and alterations to some of the finishing materials.
- A letter of objection was received from adjoining occupiers concerned about the use of glass block on the west elevation of the proposed building on the basis that this would be inappropriate adjacent to the listed building and would affect their privacy.
- Broughty Ferry Community Council has objected to the increase in height of the Beach Crescent building, the additional bin stores and the increased depth of the stair tower which it considers will reduce the already tight amenity space for the development and suggests that perhaps the number of units should be reduced to accommodate the changes.
- The proposed changes to the development are relatively minor and it is considered that there will be no adverse impact in residential amenity and that the proposed design changes will enhance the quality and appearance of the building. The development complies with Local Plan policy and will have a more beneficial impact on the adjoining listed buildings and the conservation area when compared with the approved scheme.

## DESCRIPTION OF PROPOSAL

Planning permission is sought to amend a previously approved development comprising 8 flats at Beach Crescent and 4 townhouses at King Street.

The principal alterations to the proposed flats at Beach Crescent are as follows:

- 1 A slight (0.8 metres) increase to the height of the building to allow the roof pitch to align with that of Beach House, the Category B listed building to the west
- 2 The use of glass block (as opposed to render) on the projecting curved bay feature on the front elevation of the building
- 3 Alterations to the stair tower to the rear of the building, advancing it by approximately 0.75 metres and finishing it in glass block (as opposed to glass and render)
- 4 The introduction of obscure glass block on the west elevation of the building to provide light to kitchens and bathrooms.
- 5 The introduction of velux windows on the rear elevation of the building

The other alterations are the increase in the pitch of roof of the proposed townhouses at King Street (approximately 0.6 metres increase in height) to allow for the use of slate and the relocation of bin stores towards the eastern site boundary.

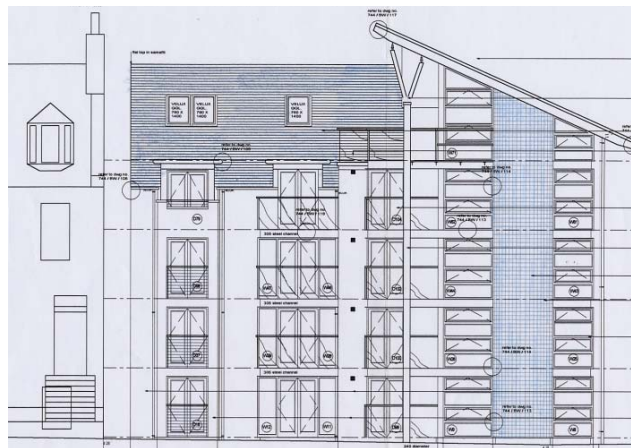
## SITE DESCRIPTION

The site comprises the former Castle Hotel now used as Broughty Ferry Ex-serviceman's Club at 51 Beach Crescent and a disused storage building last used as a pottery at 312 King Street, Broughty Ferry. These buildings are currently being demolished.

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 are 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 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.

The following policies are of relevance:

Policy 4 and Appendix 1 set out Design Standards for new housing.

Policy 15 sets out guidelines for garden ground development.

Policy 55 promotes good design standards.

Policy 61 requires development in conservation areas to preserve or enhance the character of the surrounding area.

## Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

NPPG18 "Planning and the Historic Environment" sets out Government policy on the historic environment with a view to its protection, conservation and enhancement.

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 Councils Urban Design Guide 2001 seeks to encourage good urban design.

## LOCAL AGENDA 21

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

## SITE HISTORY

Following a number of previous applications which were refused, planning permission was granted in February 2003 to erect a development of 8 flats and 4 townhouses on the site (application ref. no 02/00790/FUL refers). At the same time conservation area consent was granted to demolish the existing buildings on the site (application ref. no 02/00129/COU refers).

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was advertised as affecting the setting of the conservation area and listed buildings.

A letter was received from the occupiers of a flat in Beach House to the west of the site objecting to the use of glass block on the west elevation of the proposed Beach Crescent building on the basis that this would be inappropriate adjacent to the listed building and would affect their privacy. They also restate previous concerns about inadequate parking provision for the development.

A copy of this letter is available for inspection in the Members Lounges and the issues raised are considered in the Observations section of this Report.

## CONSULTATIONS

Broughty Ferry Community Council has objected to the increase in height of the Beach Crescent building. It also objects to the additional bin stores and the increased depth of the stair tower which it considers will reduce the already tight amenity space for the development and suggests that perhaps the number of units should be reduced to accommodate the changes.

## 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

### The Development Plan

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

The proposed changes to the development are relatively minor but given the extent of public interest in previous development proposals on this site it was considered important to allow the occupiers of neighbouring properties to be fully consulted on them.

Policy H4 deals with the impact of the proposed development on residential amenity. In this case it is considered that there will be no adverse impact. The slight increase in the height of the buildings has been proposed for good design reasons (to align the roof pitches at Beach Crescent and to permit the use of slate on King Street) and will not result in any noticeable additional overshadowing. The provision of obscure glass block on the west gable to provide light to kitchens and bathrooms will not affect privacy (these features cannot be seen through and are not openable). Similarly the use of glass block on the stair tower to the rear of the building will not result in any unacceptable overlooking.

The proposed minor extension to the stair tower and the relocation of the bin stores have no material impact on the layout and the development does not raise any implications in terms of Policy H10 when compared with the approved scheme.

Policy BE11 deals with the impact of the development on the conservation area. It is considered that the proposed design changes will enhance the quality and appearance of the building and will have a more beneficial impact

on the conservation area when compared with the approved scheme.

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:

- a Finalised Dundee Local Plan Review
- b The statutory duty to have regard to the setting of the listed buildings and the conservation area set out in Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
- c The views of the Community Council and the objectors

The policies in the Finalised Dundee Local Plan Review are similar to those in the adopted Local Plan and it is therefore considered that the proposed development complies with Policies 4,15, 55 and 61 of the Finalised Plan for the same reasons as it complies with Policies H4, H10 and BE11 of the adopted Local Plan.

Regard must also be had to Sections 59(1) and 64(1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, 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 statutory duty set out in Section 64 of the Act is broadly similar to Policy BE11 of the adopted Local Plan and identical to Policy 61 of the Finalised Dundee Local Plan Review. It has already been considered that the proposed design changes will enhance the visual appearance of the buildings in the context of the conservation area. It is further considered that there will be a similarly beneficial impact on the adjoining listed building.

It is also considered that the proposed development pays due regard to the principles set out in NPPG 18, the Scottish Executives "Policy on Architecture" and "Designing Places" as well as the Councils Urban Design Strategy.

The concerns in the letter of objection from the occupiers of the flat to the west of the site have already been

considered in the analysis of Policy H4 of the adopted Local Plan and the consideration of the design of the development relative to Section 59(1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997. The concerns about car parking are not valid as the proposed development involves no increase in accommodation or reduction in parking when compared with the previously approved scheme.

The views of the Community Council are not accepted as valid. The slight increase (0.8 metres) in height of the Beach Crescent building has the beneficial impact of aligning the roof pitch with that of the adjoining listed building. The details of the stair tower have since been amended so that the incursion into the amenity area is now very slight (0.75 metres) and the additional bin stores have little impact on this area.

It is concluded from the foregoing that insufficient weight can be accorded to the letters of objection such as to justify the refusal of planning permission. 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 enhanced by the use of glass block on the front and rear elevations and the alignment of the roof pitch with the adjoining listed building. The amendments to the King Street townhouses are minor and allow for the use of slate which is important in order to enhance the character of the conservation area.

## CONCLUSION

The proposed amendments to the approved development will enhance its design quality and therefore serve to complement and enhance the setting of the adjoining listed buildings and the wider conservation area. It will not result in an unacceptable adverse impact on the amenities of surrounding residents.

## 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 including the use of paviers and setts on the driveway and parking bays, the screening of the bin stores and the provision of an outdoor drying area, 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.
- 6 The details and layout of the proposed garages shall be in accordance with Drawing No. 744/PL/020 dated October 2003 and received by the Council on 13/10/03.

## 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
- 6 The proposed outdoor amenity space is tight and it is considered that any additional building in the courtyard area would be detrimental to the amenities of the occupiers of the proposed development.