

KEY INFORMATION

Ward Tay Bridges

Proposal

Change of use from empty
Basement units to 3 flats

Address

High Mill
High Mill Court
Dundee
DD2 1UN

Applicant

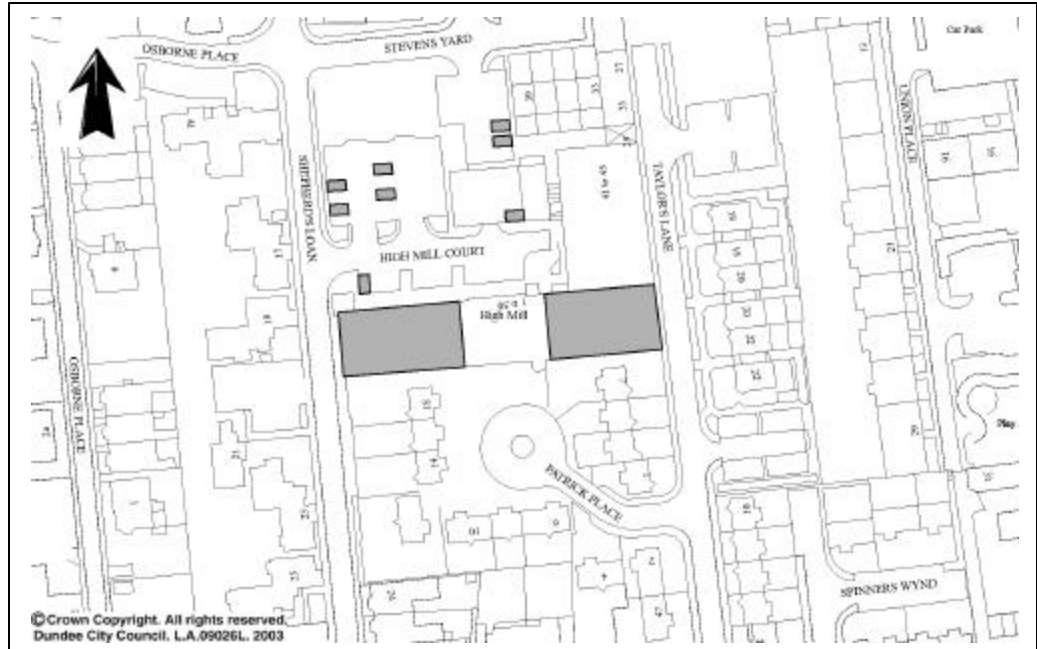
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Registered 19 Sept 2003

Case Officer D Gordon



New Basement Apartments Proposed in High Mill Court

A change of use from an empty basement to three flats is **RECOMMENDED FOR APPROVAL** subject to **Conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The part use of the basement area of the Mill for 3 large flats will not adversely impact on the environmental quality currently enjoyed by local residents or detract from integrity of the listed building. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The application seeks permission to change of use of the east and west most sections of the vacant basement area of the former Seafeld Works High Mill to 3.
- The basement area was previously granted permission, as the part of pivotal building in the redevelopment of Seafeld Works area, for craft units, heritage museum, restaurant, children's nursery and leisure complex. The building was also granted permission for, and now accommodates, flats on the upper floors. The museum, craft units, restaurant and nursery have not been developed.
- The statutory neighbour notification procedure has been undertaken by the applicants. The proposal was also advertised in the local press as being potentially contrary to Local Plan Policies H10 (Design and Layout of Housing) and Policy H16 (Roofspace and Basement Developments).
- Three objections and one letter of representation have been submitted. The main issues raised relate to the impact the proposals will have on the environmental quality of the area, the adverse affect on the existing off street car parking provision and the adverse impact on the character of a listed building.
- The details of the proposal are considered acceptable in that they involve the part re-use of the basement area of a Category A Listed Building.

DESCRIPTION OF PROPOSAL

The application seeks permission to change the use of part of an empty basement area of a former mill building (Seafield Works High Mill) to 3 flats.

The west most basement area is to be split into 2 flats. Flat 1 will accommodate a double height lounge, dining area, kitchen and bathroom at lower level with 2 bedrooms and an additional bathroom at mezzanine level. Flat 2 will accommodate a double height lounge, bathroom and a general open area at lower level with a dining area, kitchen, bathroom, and 3 bedrooms at mezzanine level.

The east most flat will also have a double height lounge / living area and bathroom at ground floor level and dining area, kitchen, bathroom entrance hall and sleeping area at mezzanine level. Minor elevational alterations are proposed on north and south elevations of this proposed flat. To the south, existing built up openings are to be part reopened and filled with glass blocks at high level. To the north, 2 new windows to match the existing windows are to be provided in existing openings.

Off street car parking spaces located within the curtilage of the Hill Mill are to be allocated to the proposed new flats.

SITE DESCRIPTION

The application site is located to the east of Shepherds Loan, to the west of Taylors Lane to the south of High Mill Court and to the north of Patrick Place. The surrounding area, the former Seafield Works complex, has been redeveloped for residential purposes ie the erection of new build dwellings and flats and the conversion of former mill buildings. The High Mill has been converted into flats.

The site under consideration is the eastern and western section of the basement area of the High Mill. This building is stone built, 4 storeys in height (with attic) with a tower feature on the west elevation. It is a Category A listed building and is contained within the West End Lanes Conservation Area.

Residential properties are located immediately adjacent to the south,

west, east and part of the north sides of the building. Curtilage off street car parking is also located on the north side of the Mill.

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:

Policy H1 - Within areas where residential use predominates, developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents. The proposals should also be in accordance with the policies and proposals found elsewhere in the Plan.

Policy H10 - This offers design guidelines for residential new build and conversion developments within the city.



Policy H16 - Development of new and separate dwellings in the roofspace or basements of buildings will not be permitted unless some use has previously been made of the roofspace as a living space or a comprehensive conversion of the building is proposed with supporting facilities eg off street parking and improved amenity space.

Policy BE11 - Within conservation areas all development will be expected to complement and enhance the character of the surrounding area.

Policy BE15 - Suitable alternative uses will be encouraged for buildings considered to be of architectural merit or townscape value where this is necessary in order to secure the future

of the building having regard to other relevant policies in the Local Plan.

Policy BE17 - The alteration of a listed building or a building in a conservation area will only be acceptable where the proposals have regard to the restoration or enhancement of its architectural and historic character.

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 Council will promote vibrant and sustainable communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should seek to minimise any affect on the environmental quality enjoyed by local residents.

Policy 4: Design of New Housing. The design and layout of new housing in the city should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards contained within Appendix 1 of the Local Plan unless certain circumstances dictate otherwise.

Policy 13: Roofspace and Basement Developments. The development of new and separate dwellings in the roofspace or basements of buildings will not be permitted unless some use has previously been made of the space as living accommodation or a comprehensive conversion of the building is proposed with supporting facilities eg off street parking and improved amenity space.

Policy 59: Alternative Uses For Listed Buildings. Suitable alternative uses for listed buildings will be considered for listed buildings where this is necessary to secure their future. Any adaptation of the fabric must be undertaken carefully and must have a minimum impact on the architectural

and historic interest, character and setting of the building.

Policy 60: Alterations to Listed Buildings. The alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character.

Policy 61: Development in Conservation Areas. Within conservation areas, all developments will be expected to preserve or enhance the character of the surrounding area

Scottish Planning Policies, Planning Advice Notes and Circulars

The following is of relevance:

Memorandum of Guidance on Listed Buildings and Conservation Areas - Historic Scotland 1998.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Dundee - The Urban Design Guide.

LOCAL AGENDA 21

Key themes of Local Agenda 21 include combining places, spaces and objects to achieve beauty with utility and protecting diversity and local distinctiveness. The proposed development of part of this vacant basement area of a category A listed building will achieve this aim.

SITE HISTORY

The site formed a pivotal role in the redevelopment of the surrounding area for residential purposes. Planning permission was granted by the former District Council to change the use of the Mill buildings to flats, an industrial heritage museum and a restaurant on 27th. November 1987. A subsequent application to change the use of the Mill to flats, craft units, leisure centre and restaurant was granted permission on 6th March 1992. A further planning application to change the use of Unit 2 in the Mill to a children's nursery was approved on 27th September 1993. The permissions for the craft units, the restaurant use, the museum and the children's nursery use

have not been taken up by the applicants.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken in addition to the proposal being advertised in the local press as being potentially contrary to Policy H10 (Design and Layout of Housing) and Policy 16 (Roofspace and Basement Developments).

- 1 The proposal has attracted 3 letters of objection and 1 letter of representation. The main issues raised by the local residents relate to:-
- 2 The impact of the new flats on the parking provision within the local area
- 3 The affect the proposals will have on the listed building
- 4 The type and location of new facilities for the storage of refuse
- 5 The removal of trees to improve light into the building and form additional car parking spaces.
- 6 Noise during any construction works.

Copies of these letters are available for inspection in the Members Lounges. It is intended to comment on the various issues raised in 'Observations' below.

CONSULTATIONS

The relevant Council Departments and outside bodies have been consulted with regard to the proposal and no adverse comments have been received.

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 specified in the Policy background section above

The proposal involves a change of use of the east and west sections of the vacant basement area of the Seafield Works High Mill to 3 flats. The application also involves minor external alterations to the north and south elevations of the building associated with the proposed flat located on the eastern section of the basement. The allocation of associated off street car spaces for the new flats, ie 7 no in total, is also proposed within the curtilage of the Mill building.

The proposed floor areas of the west most flats will measure approx. 220 sq.m and 340 sq.m with the east most flat measuring approx. 450 sq.m. Each flat will accommodate a mezzanine level and while the applicants have submitted suggested internal floor layouts, these large flats will be tailored to suit the requirements of the eventual purchasers. The proposed alterations to the north and south elevations of the building are very minor in nature and will involve the use / re-use of original openings in the building. Due to their minor nature and design, these alterations will not detract from the appearance, character or integrity of the building and will not impact on the environmental quality enjoyed by local residents. In this respect, the proposal is considered to be in accordance with Policy H1 (Protection of Residential Amenity), Policy BE11 (Development in Conservation Areas) and Policy BE17 ((Alterations to Listed Buildings).

Policy H10 requires that any new flats within the inner city area of the city should provide certain associated amenities. The flats should have at least 2 bedrooms, a minimum of 10 sq.m of amenity space / garden ground per flat, drying facilities and 130% off street car parking provision. The proposed flats achieve the bedroom and car parking requirements. However, proposal fails to meet the required garden area / drying area provision as there is no amenity ground attached to the High Mill building. This lack of amenity space also applies to the existing residents of the mill building. In this respect, the proposal is contrary to Policy H10 of the Plan.

Policy H16 requires that the development of new and separate dwellings in the basements of buildings will not be permitted unless some use has previously been made of the basement for living space or a comprehensive conversion of the building is proposed with supporting facilities eg off street parking and improved amenity space. The basement level of the High Mill has never been used for living accommodation although the conversion of the upper floors to flats was completed some years ago. As mentioned above, off street car parking is to be provided although there are no proposals to improve amenity space facilities as none exist at the present time. In this respect, the proposal fails, in part, to fully accord with all the requirements of Policy H16.

Policy BE15 supports alternative uses for listed buildings where this is necessary to secure the future of the building having regard to other relevant policies in the Local Plan. While the use of this part of the mill for residential purposes is not critical to secure the future of the building, the area has remained vacant for a number of years despite a number of alternative commercial uses being approved for the basement area. The use of the basement for flats is considered preferable to the area remaining empty and derelict.

It is concluded from the foregoing that the proposal does not fully comply with the provisions of the development plan.

Other Material Considerations

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

It is considered that the terms of Policy 1 (Vibrant and Sustainable Communities), Policy 4 (Design of New Housing), Policy 13 (Roofspace and Basement Developments), Policy 59 (Alternative Uses for Listed Buildings), Policy 60 (Alterations to Listed Buildings) and Policy 61 (Developments in Conservation Areas) are reflected in the Dundee Local Plan policies discussed above. Consequently, the same conclusions are considered appropriate.

The proposed development of the large new flats, while not being in full accordance with the requirements of the relevant development plan policies

for the area, is considered to be an acceptable use for this vacant basement area of the High Mill. The new flats will form an appropriate part of the conversion of the building and by their layout and design will not impact on the environmental quality enjoyed by the local residents. Indeed, a residential use in this location would be preferable to the various commercial uses that have previously been granted for this level of the Mill. The size and type of the flats are considered appropriate for the scale of the building and the required parking provision is allowed for in the approved car park layout. On balance, the proposal does provide a suitable alternative use for a category A listed building without detracting from its external appearance, character or integrity and consequently, support of the application is offered

With regard to the submitted objections, the following comments are offered.

- 1 Impact of the proposals on the current parking provision within the local area. It is considered that this matter has been discussed above. The applicants have advised that the required off street car parking provision can be accommodated within the existing car park layout. The applicants advise that there are currently 10 unallocated spaces in the car park to the north side of the mill, 7 of which will be used for any new flats granted permission.
- 2 The affect the proposal will have on the listed building. This matter has been discussed above and discharged.
- 3 The type and location of new refuse facilities. The applicants have advised that all new facilities will be contained within the fabric of the building with no consequent impact on the external appearance of the Mill building.
- 4 The removal of trees to improve light into the building and to provide more parking spaces. The applicants have confirmed that no trees are to be removed within the site.
- 5 Noise nuisance during construction works. This is a

matter that is controlled under separate legislation.

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

Design

The proposal involves minor alterations to the north and south elevations of the Mill for the east most flat only. These alterations involve the re-use of existing openings only and it is considered that these changes will not detract from the external appearance or historical character of this category A listed building.

CONCLUSION

The use of the east and west sections of the basement for 3 large flats would be preferable, in terms of impact on the environmental quality currently enjoyed by the local residents, to the uses that were previously granted permission for this basement area ie craft units, restaurant etc. It is considered that the development will not adversely impact on the current amenities of the area or detract from the architectural or historic character of the Mill building.

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 That prior to the commencement of works, scaled drawings of the proposed alterations to the original openings, including the new window and glass infill details, on the north and south elevations of the building shall be

submitted to and approved in writing by the planning authority

- 4 That prior to the commencement of works, details of the proposed refuse facilities for the new flats shall be submitted to approved in writing by the planning authority.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 4 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.