

KEY INFORMATION

Ward Tay Bridges

Proposal
Erection of seven houses

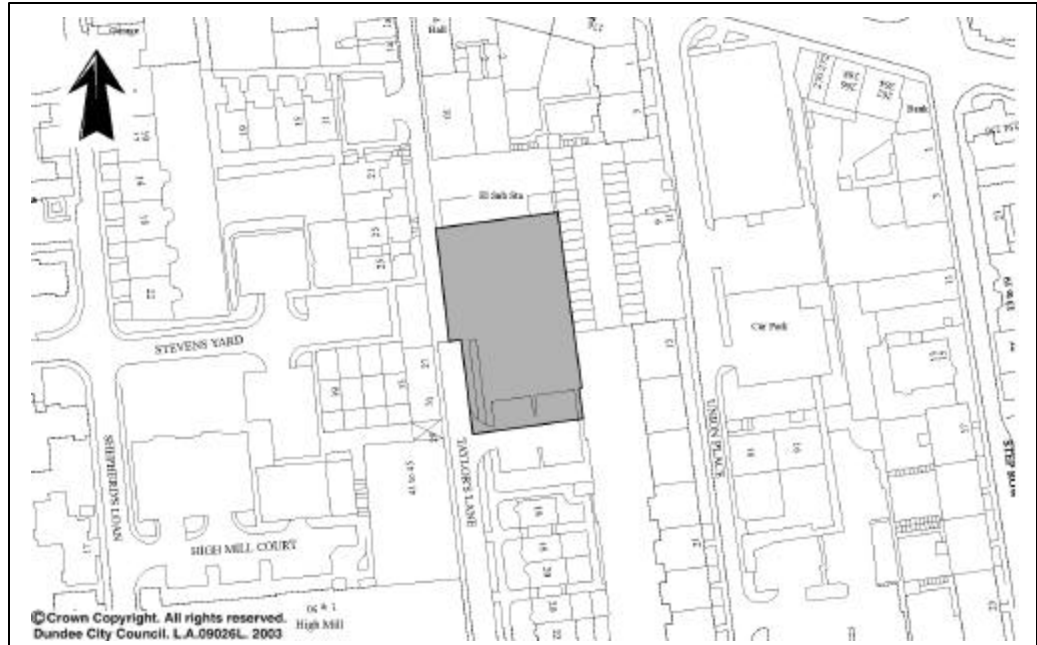
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Registered 19 Sept 2003

Case Officer D Gordon



Proposed New Townhouse Development in Taylors' Lane

The erection of seven houses is **RECOMMENDED FOR APPROVAL** subject to **Conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal will contribute to the improvement in the environmental quality of this former inner city industrial site. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of 7, three storey houses on a vacant site located on the east side of Taylors Lane. The land forms part of the former Seafield Works redevelopment site and is currently in an untidy and unsightly condition. The proposal forms one of the final phases of the redevelopment.
- The site was previously granted permission for a terrace of 4 blocks of a three storey flatted development. Permission for a block of 22 flats was also granted (on appeal) although this consent has now lapsed
- The statutory neighbour notification procedure was undertaken by the applicants in addition to the proposal being advertised in the local press as development potentially contrary to Policy H10 (Design and Layout of New Housing) of the Dundee Local Plan 1998.
- One objection to the proposal and a letter of representation have been submitted. The main issues raised relate to the potential impact of the development on the existing car parking provision and the environmental quality of the surrounding area
- The details of the proposal are considered to be in accordance with the relevant development plan policies and there are no material considerations, including the issues raised by the objectors, that would justify refusal of the application contrary to these policies.

DESCRIPTION OF PROPOSAL

The application seeks permission to erect 7, three storey dwellings on a site located on the east side of Taylors Lane. There will be 2 blocks of housing on the south side of the site with a terrace of 3 no. houses located on the west side. The new houses will each accommodate kitchen, living room, dining room, bathroom and 4 bedrooms.

As part of the proposal, Taylors Lane is to be widened to 5.5metres in width along its east side and finished to match the existing road surface. Fourteen off street car parking spaces are to be provided in association with the development.

The proposed external finishing materials of the dwellings will match those of the surrounding buildings.

SITE DESCRIPTION

The application site is located on the east side of Taylors Lane, to the south of Perth Road and to the west of Union Place. The site is contained within the West End Lanes Conservation Area.

The land is currently vacant, overgrown and in an untidy condition. The site slopes in a north to south direction and sits in a slightly elevated position above the adjacent roadway.

The surrounding area is predominantly residential in character with a mixture of new build houses and flats and also stone built tenemental flats and converted former mill buildings. Off street car parking is located immediately to the south of the site and a bank of lock up garages are located to the east.

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 new residential developments within the city.

Policy BE1 - The Council will expect the highest standards of composition and design in all new development and its careful integration with its surroundings as regards scale, form, siting, alignment, materials and landscaping. Infill development should relate closely to the established character of the surrounding area.

Policy BE11 - Within conservation areas, all development will be expected 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 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 be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell.

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 61: Development in Conservation Areas. Within conservation areas all development proposals will be expected to preserve and enhance the character of the surrounding area.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy 3: Planning for Housing. SPP 3 reflects the key planning policies in Scottish Planning Policy 1: The Planning System, addressing them in relation to new housing.

Designing Places - Policy Statement for Scotland (Scottish Executive 2000). This document sets out the policy context for raising the standards of urban development in Scotland.

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 on this brownfield site will achieve this aim.

SITE HISTORY

The site forms part on the comprehensive redevelopment of the former Seafeld Works. The site under consideration was originally granted permission, as part of the larger redevelopment proposals, for a terrace of 3 storey blocks of flats (12 flats in total). The site was the subject of a planning application to erect a block of 22 flats in 1994. This application was refused by the Council but subsequently approved permission by

the Scottish Office, on appeal, on 6th March 1995. This consent was not taken up by the applicants and as a result the consent has now lapsed.

PUBLIC PARTICIPATION

The applicants have undertaken the required neighbour notification procedure on two separate occasions (amendments) in addition the proposal being advertised in the local press as development potentially contrary to Policy H10 of the Dundee Local Plan 1998 (Design and Layout of New Housing).

One letter of objection and one letter of representation have been received. The main concerns raised relate to:

- 1 Impact of the development on car parking provision within the surrounding area
- 2 Relationship of the development to the surrounding buildings
- 3 Noise from construction works

Comments have also been received regarding the serving of the neighbour notification forms and this matter has been discussed with the applicants. Copies of these letters are available for inspection in the members Lounges. It is intended to comment on the above objections in 'Observations' below.

CONSULTATIONS

The Head of Environmental Health and Trading Standards have advised of the existence of a small electricity substation located on the north east boundary of the site. Noise generated by the substation has the potential to disturb the occupiers of the nearest proposed housing. The applicants have been advised of this matter and have submitted information on sound power levels. It is intended to attach a condition to any consent granted requiring certain measures be put in place prior to the first occupation of the nearest residential unit.

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 site under consideration forms part of the former Seafield Works site that was redeveloped for residential purposes a number of years ago. The area of land in question was previously granted permission for the erection of a terrace of 4 blocks of three storey flats however, the site has remained undeveloped and is currently in an untidy and unsightly condition. Planning permission was granted (on appeal in 1994) for the erection of a block of 22 flats. This permission has now lapsed.

The applicants now intend to erect 7, three storey dwellings on the site. This will be in the form of 2 blocks of semi-detached houses on the south side of the site and a terrace of three houses on the west side.

It is considered that the submitted details of the development are acceptable in this location. The scale, height, form, alignment and mix of the proposed units are all appropriate to the area and reflect to a degree the characteristics of several of the surrounding 3 storey buildings. The materials to be used are also to be found in the surrounding area. The applicants have advised that there will be fourteen off street car parking spaces associated with the development (ie 200%) and that the private rear garden area provision for each new house will range from 57 sq.m to 93 sq.m.

It is considered that the development will not detract from the environmental quality enjoyed by local residents. In addition the proposal will not adversely impact on the character and setting of the West End Lanes Conservation Area. It is also considered that the proposal is a significant improvement on the flatted developments that have been previously granted permission for this particular site.

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:

The terms of Policy 1: Vibrant and Sustainable Communities, Policy 4: Design of New Housing and Policy 61: Development in Conservation Areas are reflected in Dundee Local Plan policies H1, H10, BE1 and BE11 above. Consequently, the same conclusions are considered appropriate

With regard to the issues raised by the objectors, the following comments are offered:

- 1 Impact of the development on car parking provision within the surrounding area. The applicants have advised that 200% off street car parking provision is to be provided in association with this development. Eight existing spaces (for the previously approved flats on this site) are located immediately to the south side of the site. An additional 6 spaces within the curtilages of the terraced houses on the west side of the site are also proposed.
- 2 Relationship of the development to the surrounding buildings. It is considered that the scale, form, height and alignment of the new houses are in keeping with the characteristics of the surrounding area that comprises of a mix of various sizes, heights and styles of building.
- 3 Noise from construction works. This is a matter that can be controlled through the use of appropriate legislation.

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 design of the new dwellings are considered to be in keeping with the characteristics of the surrounding residential properties. The scale,

alignment, form, siting and materials are all considered appropriate for this particular site.

CONCLUSION

The proposal completes the redevelopment of this section of the former Seafield Works site. The details submitted for determination are acceptable and considered to be an improvement on the plans originally granted permission for this site. The proposal will not detract from the environmental quality enjoyed by the surrounding occupiers and will not adversely impact on the setting of the surrounding conservation area.

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 a 2.1 metre high close boarded fence or other appropriate boundary enclosure agreed in writing with the planning authority shall be provided along the north boundary of the north most dwelling house of Block 3. In addition, details of acoustic attenuation measures for the east elevation of this north most house shall be submitted for the written approval of this authority prior to the commencement of development. For the avoidance of doubt, the required fencing / boundary enclosure shall be erected and the approved acoustic measures shall be implemented to the satisfaction of the planning authority prior to the first occupation of the north most residential unit.
- 4 Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved

in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:

- 1 the nature, extent and type(s) of contamination on the site
- 2 measures to treat/remove contamination to ensure the site is fit for the use proposed
- 3 measures to deal with contamination during construction works
- 4 condition of the site on completion of decontamination measures

Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved 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 protect local residents from any potential noise nuisance from the adjacent substation.
- 4 To ensure that the site is fit for the use proposed