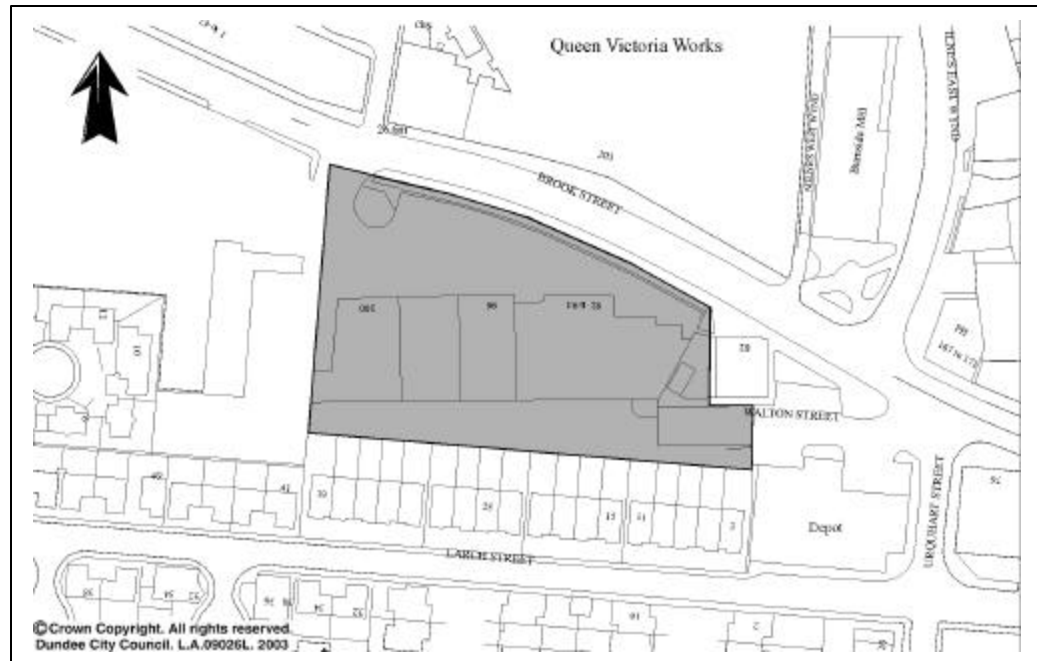


KEY INFORMATION

Ward Logie

Proposal

Erection of 25 three storey townhouses

AddressLand West of Walton Street/South of Brook Street
Dundee
DD1 5BP**Applicant**H & H Properties
71 Blackness Road
Dundee
DD1 5PD**Agent**KDM Architects
15 Camperdown Street
Broughty Ferry
Dundee
DD5 3AA**Registered** 27 Nov 2003**Case Officer** D Gordon

Proposed Townhouse Development in Brook Street, Blackness

The erection of 25 three storey townhouses is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal will contribute to the continual improvement in the environmental quality of this important redevelopment area of the city. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of 25, three storey townhouses on an industrial site located within the Blackness area of the city. Existing industrial buildings are to be removed as part of the proposals.
- Policies H1 and H10 of the Dundee Local Plan 1998 that relate to residential developments within Dundee are of relevance to the consideration of this application. Also of relevance are Policy 1 (Vibrant and Sustainable Communities) and Policy 4 (Design of New Housing) of the Finalised Dundee Local Plan Review.
- A total of 3 objections to the proposed development have been received. In general, these objections relate to the potential impact of the proposals on the adjacent businesses and the effect of the new development on the car parking in the local area.
- The proposal is considered to comply with the relevant policy requirements of the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. The proposal is also considered to be in accordance with the terms of the Urban Design Guide for Dundee. The concerns of the local occupiers are not considered to be of such a weight as to justify refusal of the application.

DESCRIPTION OF PROPOSAL

The application seeks permission to erect 25, three storey townhouses on a slightly elevated site located on the south side of Brook Street in the Blackness area of the city. The site currently accommodates vacant industrial buildings that are to be demolished as part of the development proposals.

The layout of the development will consist of a series of terraced dwellings orientating in a north to south direction across the site. The scheme will involve a mix of two different house types. Each dwelling will be 3 storeys in height and will accommodate an integral garage, utility room, family room, lounge, kitchen, bathroom and 3 bedrooms. An additional space for car parking will be provided on the driveway in front of the integral garage. Three additional off - street car parking spaces for visitors are also proposed in the central area of the site. All houses will have private rear garden areas ranging in size from 53.8 sq.m. to 103 sq.m.

The west end of Walton Street, that runs through the south east section of the development site, is to be closed off and reconstructed to form a cul-de-sac for the new houses. Two new access roads to serve the proposed houses are to be formed off Brook Street to the north.

SITE DESCRIPTION

The site is located on the south side of Brook Street, to the west of Walton Street and to the north of Larch Street.

The site currently accommodates industrial buildings that are to be demolished as part of the development proposal. The site measures approx. 0.54 hectares in area and, although relatively flat, sits in a slightly elevated position above Brook Street. The north side of the site is bounded by a 1m high brick wall and landscaping. Further to the north is the Queen Victoria Works and to the west and south there are new dwelling houses. To the east there are occupied industrial buildings and a veterinary surgery.

The site is currently accessed from Walton Street with no access evident from Brook Street.

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 - Advises that within areas where residential use predominates, developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents.



Policy H10 - Offers guidelines for new residential developments within the city.

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. New developments should be in accordance with other policies of the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents.

Policy 4: Design of New Housing. The design and layout of all new housing in Dundee should be of a high quality. As a basis for achieving this,

new development will be required to conform to the Design Standards contained in Appendix 1 of the Finalised Dundee Local Plan Review. New housing should also have regard to the principles of the City Council's Urban Design Guide.

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 rural and urban development in Scotland.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Dundee - The Urban Design Guide (approved January 2000).

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, together with the larger comprehensive redevelopment of the surrounding area to the east and south, on this brownfield site will achieve this aim.

SITE HISTORY

There is no recent planning history of direct relevance to this site.

PUBLIC PARTICIPATION

The applicants agents have undertaken the statutory neighbour notification procedure. 3 letters of objection to the proposals have been received within

the prescribed time period. The main issues raised by the objectors relate to:

- 1 The impact on new houses of any noise generated by adjacent businesses.
- 2 The part closure of Walton Street and the consequent impact on the access/servicing arrangements of adjacent businesses.
- 3 On street car parking for the adjacent business and associated care takers flat would be reduced.
- 4 The development will involve the loss of one tree.
- 5 The proposal will potentially prejudice the ability of an adjacent business to extend to the north.
- 6 Continuity of services to adjacent properties during construction works.

Comments on the above issues raised can be found in "Observations" below. Copies of the objections can be found in the Members Lounges.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has advised that due to the history of industrial use in this area a site investigation for ground contamination will be required. The applicants have been advised of this requirement.

The West End Community Council have advised that there was a generally favourable response to this development at a WECC Meeting in December 2003.

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 is located within the former Blackness industrial area of the city. Several local businesses still remain although there is clear evidence that the physical and land use characteristics of the locality are gradually evolving with number of sites in the surrounding area being recently developed for new housing.

Policy H1 of the Dundee Local Plan 1998 states that within areas where residential use predominates, developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell. The proposed development should also be in accordance with policies and proposals contained elsewhere in the Plan. Due to the location, siting, layout and design of the proposed new housing, the development will not adversely impact on any of the residential properties surrounding the application site.

Policy H10 of the Plan offers design guidance on new residential developments within the city. It is considered that the development achieves the requirements of the Guidelines in terms of House Type/Mix (all 3 bedroom), Amenity Ground (all houses have private rear gardens of between 53 sq.m. and 103 sq.m.) Privacy (all directly facing windows are a minimum of 20m apart) and Parking (200+% off street parking provision is proposed). With regard to the proposed Layout and Urban Design, it is considered that the details of the proposed scheme are appropriate and are to be welcomed in this area of the city.

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:

Policy 1: Vibrant and Sustainable Communities. The terms of this policy are reflected in Local Plan Policy H1 above and consequently, the same conclusion applies.

Policy 4: Design of New Housing. The terms of this policy are reflected in Policy H10 above. Consequently the details submitted for determination are considered acceptable.

It is further considered that the proposed development is in accordance with terms of the Urban Design Guide for Dundee.

With regard to the matters raised by the objectors to the proposed development, the following comments are offered:

- 1 The impact on the new houses of any noise generated by the adjacent businesses. The applicants are aware of this issue and have proposed a 1.800m high screen fence with appropriate planting on the east side of the site adjacent to the existing garage premises. In addition, the applicants have also offered to investigate the use of various methods of reducing any noise nuisance within the new houses eg trickle vents in the window designs.
- 2 The impact that the part closure of Walton Street will have on adjacent business. The proposal involves the closure of the west end of Walton Street and its reconstruction to form a cul-de-sac for the new houses within the development site. The applicants have discussed this matter fully with this Council during pre-application meetings. It is considered that the details submitted for determination are acceptable and should not significantly impact on the current service arrangements for the adjacent properties.
- 3 That on street car parking for an adjacent business and associated flat would be reduced. While there would be a reduction in on-street parking for the business due to the formation of new access into the development site from Brook Street, there will remain an opportunities to park on street within the vicinity of the business premises.
- 4 The development will involve the loss of a tree. While the loss of any tree within a development site is regrettable, the applicants have advised that a new avenue

of trees is to be provided along the north boundary of the site in addition to a new tree being provided in the front garden of each new house.

- 5 The development will prejudice the ability of an adjacent business to expand to the north. It is considered that the extension of the adjacent property may be possible providing an appropriate design is put forward and that such a development would not encroach into sightlines of any approved access details leading into the new housing site.
- 6 Continuity of services during any construction works. It is considered that this matter that is not currently under the control of planning 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 proposed development is in keeping with the aspirations of the Council for the redevelopment/regeneration of this area of Blackness. The layout, design and appearance of the proposed new houses together with the appropriate use of materials results a quality scheme that further enhances the improvement works currently evident and on-going in this local area.

CONCLUSION

The proposed development is in keeping with the aspirations of the Council for the redevelopment/regeneration of this area of Blackness. The layout, design and appearance of the proposed new houses together with the appropriate use of materials results a quality scheme that further enhances the improvement works currently evident and on-going in this local 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 Development shall not begin until details of a scheme of hard and soft landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- a location of new trees, shrubs, hedges and grassed areas;
- b schedule of plants to comprise species, plant sizes and proposed numbers/density; and
- c programme of completion and subsequent maintenance.

All landscaping works shall be carried out in accordance with the scheme approved in writing by the planning authority.

- 4 That a 2.0 metre high close boarded fence or other appropriate boundary enclosure agreed in writing with the planning authority shall be provided on the east boundary of the site. In addition, details of acoustic attenuation measures for the east elevations of the east most dwelling houses on the site 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 acoustic measures shall be implemented to the satisfaction of the planning authority prior to the first occupation of the east most dwelling houses.
- 5 Development shall not begin until a scheme to deal with contamination on the site has been submitted and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:

- a the nature and type(s) of contamination on the site;
- b measures to treat/remove contamination to ensure the site is fit for the use proposed
- c measures to deal with contamination during construction works
- d 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

Reason

- 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 protect the occupants of the new residential units from noise associated with adjacent land uses.
- 5 In order to ensure that the site is fit for the use proposed.