

KEY INFORMATION**Ward** East Port**Proposal**

Conversion of Clocktower & Shed 25 to Residential use
new build residential on site
of Shed S to provide 35
dwellings

Address

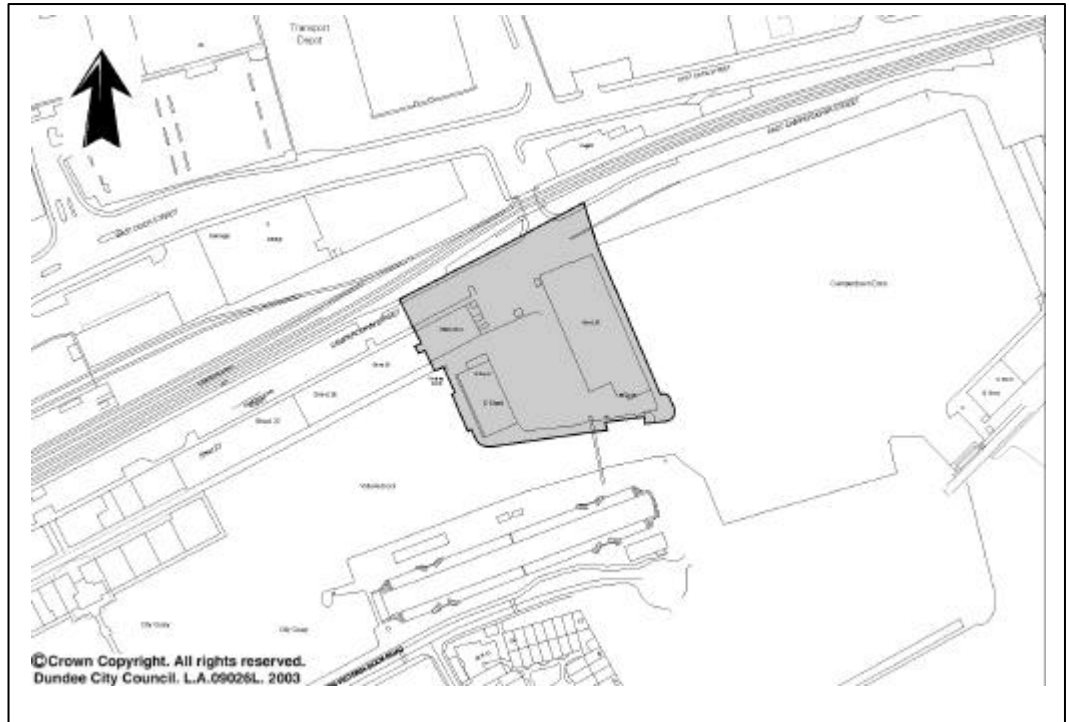
Clocktower, Shed 25 &
Shed S
City Quay/Victoria Dock
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Applicant

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Registered 19 July 2004**Case Officer** C Walker

Proposal to Develop Historic Dock Bldgs for New Housing in City Quay

The conversion of a Clocktower and Shed 25 to Residential use plus new build residential on site of Shed S is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with the policies of the Development Plan and the approved Master Plan for the City Quay development. A justification has been provided for the demolition of Shed S. The development will enhance the environmental quality of this visually important site and will provide a good standard of residential amenity. The development is therefore recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought for a development of 35 dwellings principally through the conversion of the Category A and B listed buildings on the site.
- In the adopted Dundee Local Plan 1998 the site is allocated for housing as part of a mixed use development. Policy H10 sets out guidelines for new housing development. In the Finalised Dundee Local Plan Review it is also allocated for housing. The approved Master Plan for the City Quay development indicates a housing development on this site similar to the current application proposals.
- Following consultation, letters were received from the Royal Fine Art Commission for Scotland raising issues about the treatment of the listed buildings and the replacement building on the site of Shed S, from Dundee Civic Trust commenting on the proposals and one from a private citizen objecting to the demolition of Shed S and the quality of the replacement building. The initial informal comments received from Historic Scotland are generally supportive of the proposed development.
- Although the amount of flats is slightly above the permitted level and the garden sizes are below the minimum size recommended, it is considered that the development falls within the exception to Policy H10 relating to the retention of listed buildings. For the same reason it is considered to be in accordance with the Finalised Dundee Local Plan Review.
- It is also considered that the proposed development generally complies with the requirements of both the Master Plan and the Conservation Plan, that the development will serve to preserve and enhance the character and appearance of the listed buildings and that there is a justifiable for the demolition of the listed building at Shed S.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a development of 35 dwellings. The 3 components of the scheme are:

- a The conversion of the Category A listed Clock Warehouse to 9 large loft style apartments on the upper floors, with parking at ground floor level for 12 cars. Alterations to the building are proposed including the removal of a corrugated iron clad lift shaft on the east elevation and its replacement with a small extension, the opening up of new windows (principally in areas currently bricked up), the formation of new windows and 2 terraces at roof level and the restoration of the clock.
- b The erection of a new building of 2 and 3 storeys on the site of the Category B listed Shed S (which it is proposed to demolish) to provide 6 town houses and 2 apartments and
- c The conversion of the Category B listed Shed 25 including the rebuilding of the roof on the western section to provide 18 houses, 11 single storey units in the eastern section and 7 units with roofspace accommodation in the western section. A new internal street is formed within the building between the 2 bays.

It is proposed to form a hard landscaped courtyard area in setts between the buildings providing a parking area of 34 spaces. A central green space would be provided in this courtyard as well as a pedestrian route through the site to the swing bridge to the south.

SITE DESCRIPTION

The site comprises a group of 3 listed buildings, the Category A listed Clock tower warehouse and the Category B listed Shed S and Shed 25.

The Clock Tower Warehouse is a very imposing 5 storey and attic stone building constructed in 1877. It sits at the end of a long run of transit sheds and is a landmark feature within the City Quay site, being visible from Dock Street for a considerable

distance. Its interior includes cast iron columns and brick arches. It is currently vacant but was used until recently for the storage of furniture and is in reasonable condition.

Shed S (or South Shed) is a whitewashed brick building with ashlar base and eaves courses constructed in 1874. It sits on the east side of Victoria Dock just south of the Clock Tower Warehouse. Its condition is very poor having been vacant for some time and having been affected by subsidence.

Shed 25 sits on the west side of Camperdown Dock and comprises 2 bays, the older eastern bay by the dock built in 1864 and the western extension



built in 1880/90. These are single storey brick buildings which are in reasonable condition having been used for intermittent storage in recent times.

The railings between the Clock Tower Warehouse and Shed 25 are also category B listed.

The ground between the buildings is finished in setts whereas Camperdown Street to the north is paved in bitmac. Further to the north is the Dundee to Aberdeen railway track and then East Dock Street. To the west is the row of transit sheds on the north side of Camperdown Street, the western portion of which has been converted into the City Quay retail development. To the east is Camperdown Dock (including the Sea Cadets building and the storm water storage tank) and to the south is the entrance to Victoria Dock which is crossed by a pedestrian swing bridge.

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:

The City Quay area is allocated for mixed use development in line with the approved Planning Brief under Policy EU 9. Proposal HS3 allocates an undetermined part of this area for housing stating that "a bold solution is

expected which will include flats and town houses". Finally Policy H10 sets out guidelines for new housing development. For Inner City locations the requirements for a development of this size is that 75% of the units should be houses with private gardens of 50 sq. metres, parking should be at least 100% with 40% of the houses having garages or space for a garage. Exceptions are made in all cases where the retention of Listed Buildings may otherwise be prejudiced or for difficult and visually important sites which might need a more dominant building and where a very imaginative proposal of quality is put forward.

Policies BE1, 2 and 3 promote good design, townscape and use of materials and Policy BE17 requires alterations to a listed building to 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

This site is allocated for housing under Proposals H35 and H36. Policy 4 sets out requirements for the design of new housing. Policy 55 promotes good urban design, Policy 56 promotes public art and Policy 60 is similar in wording to Policy BE17 of the adopted Local Plan.

Scottish Planning Policies, Planning Advice Notes and Circulars

NPPG 18 Planning and the Historic Environment sets out the framework for dealing with planning applications affecting listed buildings.

Non Statutory Statements of Council Policy

In March 1998 the Council adopted Urban Design Guidance for the Redevelopment of Victoria Dock. This Guidance anticipated the conversion of these buildings to housing as well as a bar/restaurant and offices/studios.

In December 2003 the Council approved an amendment to the Master Plan for the City Quay development to reflect changes which had taken place since 1998. The amended Master Plan indicates a housing development on this site similar to the current application proposals with the sole exception that Shed S was to be converted to "live/work" units.

LOCAL AGENDA 21

The development of this site is considered to be sustainable because it is close to the city centre and can therefore be made accessible to the public. The appropriate treatment of the site's unique heritage can contribute to the protection of local distinctiveness.

SITE HISTORY

Outline planning permission was granted for the redevelopment of Victoria and Camperdown Docks in February 1999 (application ref no D22266 refers). Since then the retail portion of the development, some 150 houses and the Apex Hotel have been completed. Planning permission was granted in September 2004 for a further 73 dwellings at Works Yard Lane (04/00006/FUL) and there is a current application for outline planning permission for a residential development on the site of the car park and adjoining ground to the east (04/00761/OUT), all on the south side of South Victoria Dock Road.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the development was advertised as potentially contravening Policy H10 of the adopted Local Plan. Three letters were received, one from the Royal Fine Art Commission for Scotland and one from Dundee Civic Trust commenting on the proposals and one from a private citizen objecting to the development (copies available for inspection in the Members Lounges).

The RFACS raises issues about the treatment of the listed buildings and the replacement building on the site of Shed S.

Dundee Civic Trust is supportive of the proposals and simply seeks to ensure that the pedestrian swing bridge across the entrance to Victoria Dock is renovated.

The individual objection is concerned about the demolition of Shed S and the quality of the replacement building and the form of the extension to the Clock Tower Warehouse.

These views are fully considered in the Observations section of this Report.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has pointed out that the issues of noise and potential contamination need to be addressed but considers that they can be dealt with by planning conditions.

The Scottish Executive Trunk Roads Director has not objected to the proposed development.

Historic Scotland was involved in pre application discussions and was consulted informally on the accompanying application for listed building consent for this development (application ref no 04/00647/LBC). The initial comments received are generally supportive of the proposed development.

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. In this case the proposal is consistent with the allocation for housing under proposal HS3. In terms of Policy H10 the development would not comply with the Inner City standards because the amount of flats slightly exceeds the permitted standard (31% as opposed to 25%) and the garden areas are less than the stated standard. However Policy H10 makes exceptions for all cases where the retention of Listed Buildings may otherwise be prejudiced. In this case due to the nature and location of the listed buildings it is only possible to provide limited garden areas and in addition the new building on the site of S Shed contains only 2 flats and provides a scale and design of building which is entirely appropriate at this quayside location. It is considered that the development falls within the exception to Policy H10 relating to the retention of listed buildings.

Policies BE1, 2 and 3 promote good design, townscape and use of materials and Policy BE17 requires alterations to a listed building to have regard to the restoration or enhancement of its architectural and historic character. The listed buildings are sensitively treated in accordance with the requirements of Policy BE17 and in addition it is considered that the design of the development and the finishing materials chosen are of a high quality and in keeping with the character of the surrounding area.

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 The Finalised Dundee Local Plan Review

The policies of the Finalised Plan are almost identical to those in the adopted Local Plan. The site allocation for housing under Proposals H35 and H36

does not set out any criteria for the proposed development.

Policy 4 sets out requirements for the design of new housing. The proposed development does not meet all these standards. There is a general presumption in the policy against flats but this can be overcome where site specific circumstances demand a flattened solution. It is considered that in this case the flats in the converted Clock Tower Warehouse are of a very high standard. The small number of new build flats (2 in total) is negligible in terms of the total number of units proposed and provide an appropriate scale of development for this building which is predominantly composed of townhouses. All flats should have a minimum gross internal floor area of 60 sq. metres and this standard is met by the proposed development. The general requirement for parking of 130% is met in this case. The provision of cycle parking is more than adequate.

Garden ground for the houses and flats falls short of the standards but all the townhouses have a reasonable level of garden ground and for the flats the treatment of the courtyard areas with a high specification of finishing materials provides an attractive outlook. In addition all the flats have generous space standards and some have external balconies.

Policy 55 promotes good urban design, Policy 56 promotes public art and Policy 60 is similar in wording to Policy BE17 of the adopted Local Plan. Policies 55 and 60 have already been covered in the section of this Report dealing with Policies BE1, 2, 3 and 17 of the adopted Local Plan. Public Art can be catered for in the provision of a piece of art in the central garden area between the buildings.

b The Master Plan and Conservation Plan for City Quay

The revised Master Plan indicates a housing development in the converted Clock Tower Warehouse and Shed 25 buildings and the conversion of Shed S to what are described as live/work units.

The Conservation Plan, which was drawn up for the original City Quay development in 1999, recognises the importance of the listed buildings on this site. It regards the Clock Tower Warehouse as the most imposing

building on the site and suggests a residential use for it. It also regards the S Shed and Shed 25 as being of outstanding and considerable importance respectively but does not suggest any new uses for these buildings.

It is considered that the proposed development generally complies with the requirements of both the Master Plan and the Conservation Plan although it is now proposed to demolish Shed S and replace it with a new build residential development. The issue of the demolition of this building is more fully dealt with below where the views of objectors are considered.

c The views of Objectors and Consultees

The RFACS is generally satisfied with the conversion of the Clock Tower Warehouse but has some concerns about the design of the eastern extension to the building and the treatment of the interior. It is also concerned that the demolition of the roof at the western bay of Shed 25 and the failure to provide loft accommodation in the eastern bay is wasteful of these assets and that the building on the site of Shed S is too anodyne and suburban for such a prominent location.

This application was the subject of extensive discussions prior to its submission. The Council also involved Historic Scotland in these discussions. The conversion of the Clock Tower Warehouse is very much in line with the guidance provided in the Conservation Plan and will serve to preserve and enhance the character and appearance of the listed building.

The treatment of Shed 25 involves the conversion of almost all of the building with the only significant change being the rebuilding of the roof over the western bay. The location and spacing of the trusses over the eastern bay is such that it would not be practicable to provide loft accommodation but the applicants are prepared to expose some of the original trusses over living/dining accommodation. It is considered that the treatment of this building will serve to preserve its character and appearance.

The RFACS does not take issue with the demolition of S Shed but considers the replacement building to be too

small and suburban for such a prominent location.

However a large building on this site would detract from the setting of the listed Clock Tower Warehouse and in pre application discussions the advice given was that any building on this site should be low rise. The proposed building is not dissimilar in plan form and scale to the building it replaces and the finishing materials match those on other buildings in the vicinity.

Dundee Civic Trust is supportive of the proposals and simply seeks to ensure that the pedestrian swing bridge across the entrance to Victoria Dock is renovated. In fact this bridge was renovated at the time of the original City Quay development and has been left open to prevent pedestrian traffic whilst construction took place on the housing site to the south. The reopening of this bridge to pedestrian traffic can be made a condition of this consent.

The individual objector is concerned about the demolition of S Shed and the quality of the replacement building and the form of the extension to the Clock Tower Warehouse. The latter 2 matters have been considered in the assessment of the views of the RFACS. The demolition of Shed S has come about as a result of the condition of that building. A Listed Building Impact Assessment submitted with the accompanying listed building application of this development indicates that there have been signs of structural movement and that it is not economically justifiable to repair the building and bring it back to a suitable use. This assessment also disagrees with the original Conservation Plan for the City Quay site, ascribing a limited local significance to the building. In these circumstances it is considered that a justifiable case has been made for the demolition of the listed building, particularly since the application secures the retention of all the other listed buildings on the site.

A noise assessment has been submitted with indicates that there will be no adverse impact on the proposed development from noise sources surrounding the site. The matter of potential contamination can be adequately dealt with by a planning condition.

d Other Issues

The matter of recycling has been raised with the applicants and they are agreeable to the provision of facilities for the entire City Quay development at the retail part of the site. A planning condition to ensure that this is achieved is proposed.

Open space is provided for the town houses in the form of private garden ground. In addition an attractive pocket park is provided in the centre of the courtyard between the buildings.

It is concluded from the foregoing that insufficient weight can be accorded to any of these material considerations such as to justify the refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

Design

The treatment of the listed buildings and any modern interventions to them all serve to enhance their character and appearance. The new building on the site of Shed S is of an appropriate scale and design for the site and relates well with the adjoining listed buildings. The choice of finishing materials for the buildings and for the treatment of the surrounding ground adds to the quality of the development.

CONCLUSION

The proposed development complies with the policies of the adopted Local Plan and generally complies with the approved Master Plan for the City Quay development. A justification has been provided for the demolition of Shed S. The proposed development will serve to enhance the environmental quality of this visually important site and will provide a good standard of residential amenity for the future occupiers of the dwellings.

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 The hard and soft landscaping of the site shall be in accordance with the Landscape Layout set out in drawing 1402/01 by Ian White Associates along with the accompanying statement but in addition the proposals shall be modified to include the retention of the existing railway tracks within the application site and the timescales for the implementation of the landscaping proposals. The modified proposals shall be submitted to and approved in writing by the Council prior to the commencement of development.
- 4 Any trees or shrubs 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 3 above.
- 5 Development shall not begin until a scheme to deal with waste recycling has been submitted to and approved in writing by the Council. The development shall not be brought into use until the measures have been put in place in full accordance with the approved scheme.
- 6 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:
 - a the nature, extent 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 unit is occupied the measures to decontaminate the site

shall be fully implemented as approved by the planning authority.

- 7 No development shall take place within the site until a scheme of archaeological investigation (including a timetable) has been submitted to and approved in writing by the Council. This approved scheme shall be fully implemented as approved by the Council.
- 8 Details of the proposed boundary fences between the townhouses and any proposed quayside railings as well as the relocation of the listed railings 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.
- 9 The clock mechanism within the Clock Tower Warehouse shall be restored to working order to the satisfaction of the Council prior to the occupation of any of the dwellings within that building.
- 10 The listed Clock Tower Warehouse and Shed 25 shall be maintained and repaired in accordance with the recommendations set out in paragraphs 5.1 - 5.4.2 of the Listed Building Impact Assessment by Simpson and Brown dated March 2004.
- 11 Details of the exposure of original trusses in Shed 25 over the living/dining accommodation of the dwellings 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.
- 12 The pedestrian swing bridge over the entrance to Victoria Dock shall be opened to pedestrian traffic prior to the occupation of any of the dwellings in Shed 25 or the building on the site of Shed S and shall thereafter be maintained open to regular pedestrian use.
- 13 The noise mitigation measures for the Clock Tower Warehouse and Shed 25 set out in the Noise Assessment dated 17/12/04 by New Acoustics shall be fully implemented prior to the

occupation of any of the dwellings in these buildings.

- 14 Details of the provision of public art within the central garden area between the buildings 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.

Policy 56 of the Finalised Dundee Local Plan Review.

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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 4 to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 5 In the interests of sustainable development.
- 6 In order to ensure that the site is fit for the use proposed.
- 7 in order to examine, record, and salvage items related to archaeology and history
- 8 In order to safeguard the setting of the statutorily listed buildings.
- 9 in order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 10 in order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 11 in order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 12 To provide a pedestrian route around Victoria Dock in the interests of residential amenity.
- 13 In the interests of residential amenity.
- 14 In order to provide for public art within the site in accordance with