

KEY INFORMATION

Ward East Port

Proposal

Partial demolition of former spinning works and erection of 43 townhouses and 45 apartments

Address

Tay Spinners Ltd
Arbroath Road
Dundee
DD4 6EX

Applicant

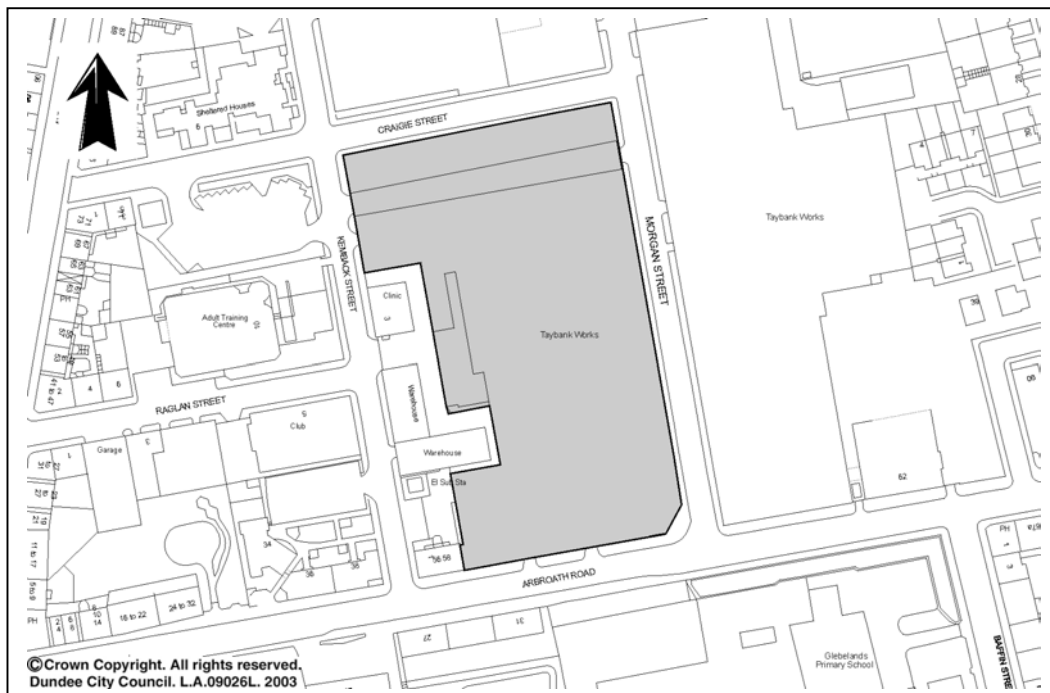
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Agent

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Registered 10 Aug 1004

Case Officer G S Reid



The Partial demolition of a former spinning works and the erection of townhouses and apartments is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be acceptable in terms of the policies of the development plan.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of town houses and maisonettes at the former Tay Spinners Works, Arbroath Road, Dundee.
- The proposed development raises issues for consideration in terms of the Employment Uses and Housing Policies of the Dundee Local Plan 1998 and Policy 3 and 4 of the Finalised Dundee Local Plan Review.
- A single letter of objection was received to the proposal from a resident to the south of the site. The main grounds of objection were that the proposed development would result in overlooking and overshadowing and that there should be no flats along the Arbroath Road frontage.
- It is considered that the proposed development is acceptable in terms of the Employment Uses and Housing Policies of the Dundee Local Plan 1998 and Policy 3 and 4 of the Finalised Dundee Local Plan Review. In addition, it is considered that there are no material considerations that would warrant refusal of the application

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of town houses and maisonettes at the former Tay Spinners Works, Arbroath Road, Dundee.

The proposal involves the retention of the facades of the building onto Arbroath Road and Morgan Street and the demolition of the remainder of the buildings on the site.

The retained facades are to be incorporated into the development of 45 maisonettes. The maisonettes are to be a mixture of 2 single bed, 32 two bed and 10 three bed. There is also a penthouse unit which is being left for individual fit out. Parking for the maisonettes is to be accommodated in an underground garage with 45 spaces. Bin stores are also located within this area. Amenity spaces is to be provide to the north of the building. Twelve of the maisonettes are to have dedicated decked and garden areas and approximately 300 square metres of communal amenity space is also provided. The upper maisonettes have south facing balconies. Visitor parking of 19 spaces for the flats and townhouse is provided.

Within the remainder of the site 43 townhouses are proposed. There are to be 4 two bed, 18 three bed and 21 four bed town houses. Car parking provision is to be 10 with a single space, 33 with a space and a garage. A total of 19 visitor spaces as indicated above is provided within the site. Garden ground for the townhouses range from 50 sq. metres to 96 square metres.

The finishing materials are to be a mixture of modern metal cladding/tiles to the roofs with render, brick and cedar linings to the walls.

SITE DESCRIPTION

The application site is located to the north of Arbroath Road, to the west of Morgan Street, to the south of Craigie Street and to the east of Kemback Street. The site is occupied by the various buildings of the former Tay Spinners works. The premises are currently vacant and in a poor state of repair. To the east and west are residential and commercial properties, to the south are residential properties and a school and to the north is a commercial property.

The property is a category B listed building. The main entrance to the building is on the corner of Arbroath Road with Morgan Street. There are other accesses from the surrounding streets.

POLICY BACKGROUND

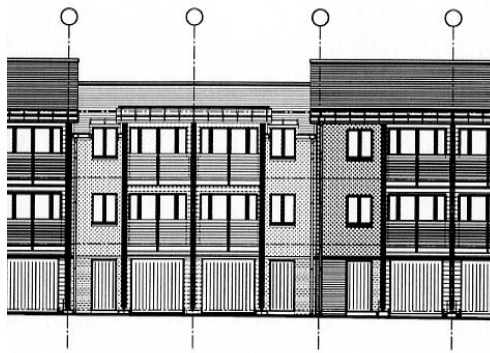
Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies are of relevance:

Employment Uses Policy EU1 seeks to encourage the establishment and where possible the retention of industrial and business uses. The Policy does allow for exceptions to the presumption against other uses.



Employment Uses Policy EU1(E) sets out the criteria for allowing exceptions not provided for by Policy EU1.

Housing Policy H10 sets out the criteria for the design and layout of new housing developments.

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 Design of New Housing sets out through Appendix 1 the criteria for

the design and layout of new housing developments.

Policy 3 Housing Investment Focus Areas relates to the Stobswell/Baxter Park area and the proposed site is allocated as a brownfield residential site in Appendix 2 through H29.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application.

LOCAL AGENDA 21

Local Agenda Key Theme 15 is of relevance to the consideration of the application and seeks to ensure that diversity and local distinctiveness are valued and protected. It is considered that given the location and design of the proposed development the aims of Key Theme 15 are achieved.

SITE HISTORY

There is no site history of relevance to the consideration of this application.

PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and the application was advertised in the "Dundee Courier and Advertiser" on the 23 August 2004 as a potential departure to the development plan.

A single letter of objection was received to the proposal from a resident to the south of the site. The main grounds of objection were that the proposed development would result in overlooking and overshadowing and that there should be no flats along the Arbroath Road frontage.

A copy of the letter of objection is available in the Members Lounges and the concerns raised are addressed in this Report.

CONSULTATIONS

The Head of Environmental Health and Trading Standards advised that he had no objection subject to:

- 1 a condition being attached to any permission granted requiring a full investigation of the site for contaminated land and its remediation.
- 2 a condition being attached to any permission granted requiring a noise assessment to be carried out.

No adverse comments were received from any of the other statutory consultees.

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 application site is allocated in the Dundee Local Plan 1998 as a general employment area. Policy EU1 applies and seeks to encourage the retention and establishment of industrial and business uses. A housing use would not be encouraged within these areas. However, Employment Uses Policies EU1(E) Escape into other uses advises that other uses not accommodated by EU1 will, notwithstanding its presumption, be favourably considered independently of that policy's employment objectives provided that a range of criteria are met. It is considered that as the area in question is self contained, will be accessed independently of the other employment uses, would a logical extension of residential development along Arbroath Road, has been vacant for at least 5 years and would not result in a shortage of industrial/business land it is an acceptable exception to Policy EU1. In addition, the site has been

allocated for residential development in the Finalised Dundee Local Plan Review.

As the proposed development is for 45 maisonettes and 43 townhouses it falls to be considered against Housing Policy H10 of the Dundee Local Plan 1998.

Housing Policy H10 sets out the guidelines for the design and layout of new housing. The application site is located within the Inner City Area and therefore falls to be considered against the criteria for this area. The guidelines set out criteria for house type/mix, amenity space/garden area, outdoor drying facilities, privacy, parking/garaging and layout/urban design.

The proposed development is for 45 maisonettes and 43 townhouses. Whilst the guidelines allow for flats as part of a larger development they would normally be limited to 25% of the total number. However, in this instance the flats are proposed as part of the retention of the façade of the listed building. In addition, it is considered that a flatted solution is appropriate for the frontage onto Arbroath Road. Given this it is considered that the level of flats is acceptable in this instance.

All houses and maisonettes meet the criteria for amenity space/garden area, outdoor drying facilities, privacy, parking/garaging and layout/urban design.

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 application site is located within the Stobswell/Baxter Park area which is identified as one of the Housing Investment Focus Area in the City. Policy H3 applies and seeks to encourage investment in housing within these areas. The application site is allocated as a brownfield Housing site H29 refers.

Policy 4 Design of New Housing advises that all new housing should be of a high quality and will be required to conform to the Design Standards set out in Appendix 1 of the Local Plan. The standards are broken down into House Type, Car/Cycle Parking,

Amenity/Garden Space and Privacy. In terms of the plan the proposal is located within the inner city area. On the basis of the details set out above it is considered that the proposed development accords with standards set out in Appendix 1.

It is considered that the proposed development is in accordance with the Policies of the Finalised Dundee Local Plan Review.

A single letter of objection was received to the proposed development. The main grounds of concerns were that the proposed development would result in overlooking and overshadowing and that there should be no flats along the Arbroath Road frontage. In terms of over shadowing it is considered that as the site is to the north of the objectors property and that the façade is being retained with only a slight increase in height there would be no significant change in the level of overshadowing over that which exists at present. In terms of overlooking the proposal would introduce residential properties to the site which would utilise the existing openings in the building. In addition, there is a tenement block to the west that already over looks the street frontage of the flats on the south side of Arbroath Road. It is considered that the proposal would not result in an unacceptable level of overlooking. Finally it is considered that a flatted development is the most appropriate option for the Arbroath Road frontage and allows for the retention of the Listed façade.

It is concluded from the foregoing that there are no material considerations that would justify the refusal of the application.

Design

The proposed development forms two distinct parts. Firstly the maisonettes which incorporates the listed facades on Arbroath Road and Morgan Street. This part of the development allows for the retention of the façade and introduces a contemporary design of an industrial feel to the rear of the building. The townhouses carry through the design and materials of the maisonettes and produces a good quality layout and design and maintains themes of the industrial past of the site.

CONCLUSION

It is considered that the proposed development is acceptable in terms of the Employment Uses and Housing Policies of the Dundee Local Plan 1998 and Policy 3 and 4 of the Finalised Dundee Local Plan Review. In addition, it is considered that there are no material considerations that would warrant refusal of the application.

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 all finishing materials shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out utilising only the approved finishing materials.
- 3 That a scheme for the investigation of contamination within the site and for its remediation and validation of remediation shall be submitted to the Council for approval prior to the commencement of development and if approved the development shall be carried out only in full accordance with such approved details.
- 4 That a Noise Assessment shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 5 Samples of all hard standing and road surface finishing materials shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out using only the approved finishing materials.
- 6 That a detailed landscaping scheme shall be submitted to the Council for approval prior to the commencement of development

- and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 7 Details of the landscaping strip and car parking area between Block B and Block F shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 8 That the detailed design of the northmost entrance from Morgan shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 9 Details of the boundary treatments including, walls, railings and piers shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 10 Details of the gables and link boundary walls/railings onto Morgan Street and Craigie Street shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 11 Details of the retained window frames in the boundary walls onto Morgan Street shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that the visual appearance of the proposed development is to an acceptable quality.

- 3 To ensure that the site is fully investigated for any potential contamination and that any contamination that is found is adequately dealt with prior to development
- 4 In the interests of residential amenity and to comply with the Council's standards for the control of night-time noise.
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