

KEY INFORMATION

Ward Stobswell

Proposal

Residential development comprising 29 townhouses and 14 apartments.

Address

15-17 Dundonald Street and
35-39 Dens Road
Dundee
DD3 7QA

Applicant

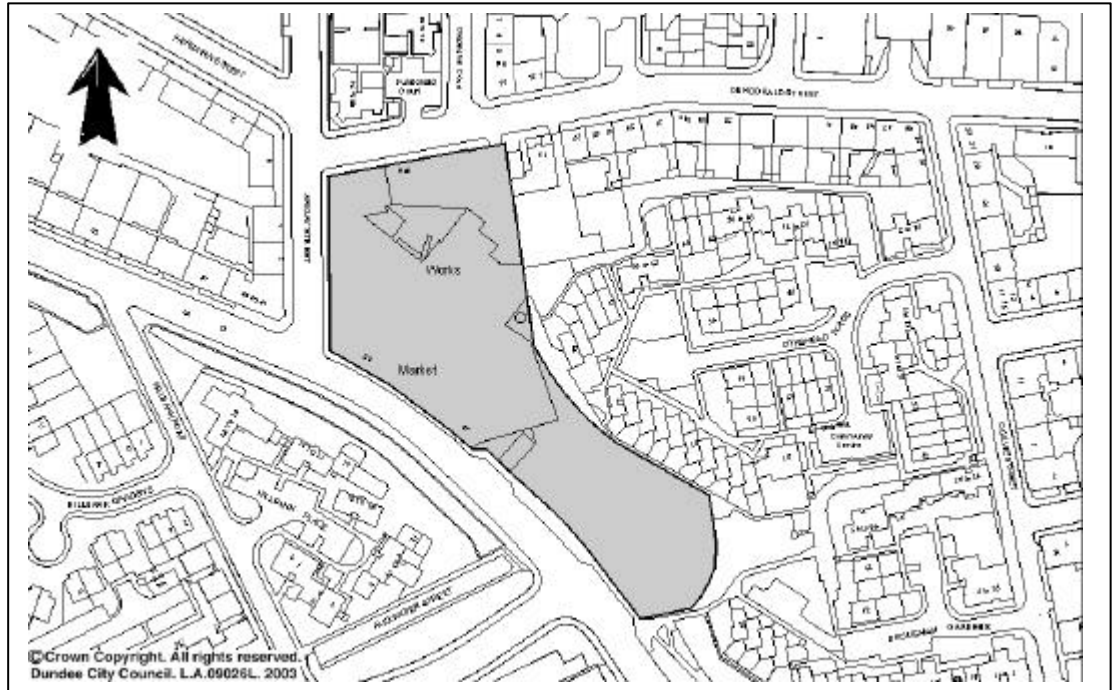
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Registered 11 Mar 2005

Case Officer C Walker



Proposed New Housing Development in Dens Road

A residential development comprising 29 townhouses and 14 apartments is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with the provisions of the Development Plan, with the limited amount of apartments being justifiable in terms of urban design. The application is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought for a housing development comprising 29 townhouses and 14 apartments on a 0.9 ha site currently occupied by Dens Road Market.
- The housing policies of the Dundee Local Plan Review 2005 are of relevance.
- A letter was received from a local resident questioning the noise levels that might be associated with demolition and building work on the site
- Although the site is not specifically allocated in the Local Plan as a housing site, the development of a brownfield site in a housing investment focus area is in accordance with the strategy of the Plan.
- Although the Local Plan contains a presumption in favour of houses and against flats, it does state that flats are acceptable where site specific circumstances demand a flatted solution. In this case it is considered that the focal point formed by the junction of Dens Road and Alexander Street, 2 significant inner city routes, demands a building of the scale proposed in this application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a housing development comprising 29 townhouses and 14 apartments. A new road is proposed to access the development from Dundonald Street with the townhouses facing the adjoining streets (apart from 6 dwellings facing the new internal road). The road terminates with a crescent shaped block of apartments forming a focal point at the junction of Dens Road and Alexander Street.

All the townhouses are 3 storeys in height, have an integral garage, first floor balcony and 3 bedrooms. The apartment block is 3 and 4 storeys in height with a curved elevation addressing the Dens Road/Alexander Street junction. A mix of 2 and 3 bedroom units is proposed, with each unit having a terrace or balcony.

Proposed finishing materials are coloured render and limited areas of reconstituted stone for the walls, grey roof tiles on the roofs of the townhouses and a standing seam roof for the flats.

SITE DESCRIPTION

The site comprises some 0.9 ha of ground bounded by Dundonald Street to the north, Arklay Street and Dens Road to the west, and housing at Brougham Gardens and Dykehead Place to the south and east.

The bulk of the site comprises former industrial buildings currently occupied by the Dens Road Market and a snooker club. These buildings are largely of stone and slate construction but there are some brick buildings and a free standing brick chimney stack. The southern part of the site was formerly occupied by Dens Metals but that building has been demolished and the site decontaminated.

The site slopes downwards from north to south with the housing at Dykehead Place to the east sitting some 4 metres above it. The site is surrounded by housing except at the north eastern corner where there is a small retail and commercial premises on Dundonald Street.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 3 Housing Investment Focus Areas - investment in housing and infrastructure is encouraged at this location.

Policy 3A Housing Proposals - This site is not specifically allocated in the Plan as a housing site.

Policy 4 and Appendix 1 Design of New Housing - Standards set out for new housing development.



Policy 55 Urban Design - This policy seeks to promote good design.

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

The Council's Urban Design Guide, which sets out design principles and guidelines, was adopted by the Development Quality Committee in December 2001.

LOCAL AGENDA 21

The redevelopment of this brownfield site for housing accords with the Council's Agenda 21 policies.

SITE HISTORY

There is no planning history of relevance to the determination of this application.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the application was also advertised as contravening Policy H10 of what was then the adopted Dundee Local Plan 1998. A letter was received from a local resident questioning the noise levels that might be associated with demolition and building work on the site. He also raises the possibility of overshadowing. A copy of this letter is available for inspection in the Members Lounges and the points raised are fully considered in the Observations Section of this Report.

CONSULTATIONS

The Head of Environmental Health and Consumer Protection has raised issues of potential contamination on the site and potential noise disturbance from on adjoining roads. It is stated that these matters should be subject of planning conditions.

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.

Policy 3 of the adopted Local Plan encourages investment in housing in the Stobswell area. Although the site is not specifically allocated as a housing site under Policy 3A, the

development of a brownfield site in a housing investment focus area is in accordance with the strategy of the Plan, and indeed the Plan anticipates the emergence of sites such as this.

Policy 4 and Appendix 1 set out standards for new housing development. These standards are similar to those set out in Policy H10 of the previous Local Plan and as the development involves a number of flats, it was advertised as potentially departing from that Plan. Policy 4 and Appendix 1 of the current plan contain a similar presumption in favour of houses and against flats. However it does state that flats are acceptable where site specific circumstances demand a flatted solution. In this case it is considered that the focal point formed by the junction of Dens Road and Alexander Street, 2 significant inner city routes, demands a building of scale proposed in this application. The Council's Urban Design Guide also refers to the importance of landmark buildings and focal points. It is considered that the crescent shaped apartment block at this location fulfils an important function in urban design terms that could not be achieved by houses and that it therefore forms a justifiable exception to the presumption against flats and complies with the terms of Appendix 1.

Despite the provision of some flats on the site, the bulk of the development (over two thirds of the units) comprises townhouses. In addition the other standards on garden ground provision, unit size and parking are all complied with.

Policy 55 Urban Design - This policy seeks to promote good design and the preamble to it makes specific reference to the Council's Urban Design Guide. The application has been the subject of extensive discussions and amendments, including the relocation of the block of apartments to form a focal point at the junction of Dens Road and Alexander Street and the enhancement of prominent gable elevations. It is considered that the proposed development satisfactorily addresses the surrounding streets and built environment and is of a good modern design that will enhance the visual amenity 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 letter of objection**

The concerns of the objector relate to temporary problems with noise disturbance during the demolition and construction period. This type of temporary noise is always a feature of new development, and there is nothing particular about the proposed development that would suggest that there will be any particular problems. If noise is created through unreasonable working hours then this can be controlled by other legislation. A concern about overshadowing is also raised but the proposed 3 storey town houses will be some 24 metres from his first floor flat whereas the existing and not insubstantial Dens Road market buildings are only 15 metres distant. In these circumstances the potential for overshadowing is likely to be reduced.

b **The Views of Consultees**

Planning conditions can be imposed to cover the issues of noise and potential contamination alluded to by the Head of Environmental Health and Trading Standards should Members be minded to approve this application.

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. It is therefore recommended that planning permission be granted with conditions.

Design

The application has been the subject of extensive discussions and amendments, including the relocation of the block of apartments to form a focal point at the junction of Dens Road and Alexander Street and the enhancement of prominent gable elevations. It is considered that the proposed development satisfactorily addresses the surrounding streets and built environment and is of a good modern design that will enhance the visual amenity of the surrounding area.

CONCLUSION

The proposed development complies with the provisions of the Development Plan, with the limited amount of apartments being justifiable in terms of urban design. It forms a significant component in furthering the Council's objectives to invest in housing in the Stobswell.

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, including areas of hardstanding and new roads and pavements, 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 Details of the landscaping of the site, including species, sizes and timescales for planting 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. 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 this condition.
- 4 Development shall not begin until a scheme to deal with potential 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 potential 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.

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| <p>c Measures to deal with contamination during construction works.</p> <p>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.</p> <p>5 The proposed dwellings shall be provided with a level of noise attenuation to ensure that internal noise levels do not exceed 45 dB(A) between 0700 and 2300hrs and 35 dB(A) between 2300 and 0700hrs.</p> <p>6 The footways ex adverso the site on Dundonald Street, Arklay Street and Dens Road shall be upgraded to the satisfaction of the Council. Details of the upgrading of these footways, including the timescale for implementation, 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.</p> <p>7 Details of all proposed boundary and other enclosures, along with the proposed retaining walls, 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.</p> | <p>5 In the interests of residential amenity.</p> <p>6 In the interests of pedestrian safety.</p> <p>7 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.</p> |
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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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 4 In order to ensure that the site is fit for the use proposed.