

**KEY INFORMATION**

**Ward** Stobswell

**Proposal**

Demolition of existing Buildings and erection of 11 flats

**Address**

9-13 Dura Street and  
53 Erskine Street  
Dundee

**Applicant**

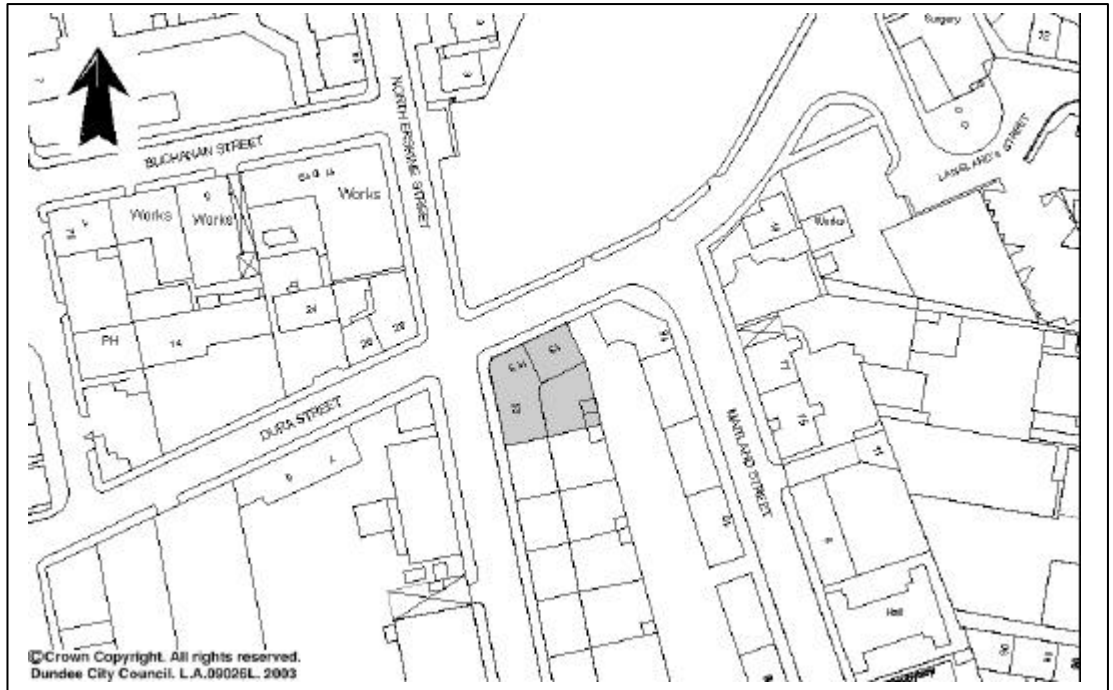
Home in Scotland  
Cleghorn House  
27 Albert Square  
Dundee

**Agent**

Baxter Clark & Paul  
(Dundee) Ltd  
24 South Tayside Street  
Dundee  
DD1 1PD

**Registered** 12 Oct 2005

**Case Officer** J Young



## Proposed Housing Development at Corner of Dura Street and Erskine Street

The demolition of existing buildings and erection of 11 Flats is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposal is contrary to Policy 4 of the Dundee Local Plan Review 2005. The applicant submitted supporting information in support of the proposal.

The development will contribute to the regeneration of the Stobswell area and provide a high quality, modern flatted development on this main commuter route into the City. The development is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the demolition of existing buildings and the erection of 11 flats at 9-13 Dura Street and 53 Erskine Street, Dundee.
- Housing Policies 1 and 4 of the Dundee Local Plan Review 2005 are relevant to the determination of the application. The proposal does not comply with Policy 4 as no parking is provided with the development.
- Two letters of objection were received from neighbouring residents on the grounds of adverse visual impact due to the design of the proposed new building; objections to the demolition of the existing building due to its historic value and objections related to construction such as noise and disruption.
- Considerable pre application discussions have taken place with the applicant regarding the design and layout of the proposed flats. It is considered that there are material considerations to justify approval of the proposal in these circumstances. The development will contribute to the regeneration of the Stobswell area and provide high quality living accommodation in this Inner City location.

## DESCRIPTION OF PROPOSAL

The proposal is for the demolition of a 4 storey tenement building and the erection of 11 flats at 9-13 Dura Street and 53 Erskine Street. The flats all have 3 bedrooms.

The proposed building is 4 storeys in height and has balconies facing onto both Dura Street and Erskine Street. There is a circular section on the corner of Dura Street and Erskine Street, which has a large proportion of glazing. The proposed materials for the building are white render, brickwork, coloured cladding panels and standing seam aluminium roof. Coloured cladding panels have been introduced to both front elevations and these protrude from the main face of the building and provide a contemporary and colourful detail to the elevations. A grassed landscaped amenity area and drying greens are located to the rear of the building.

Pedestrian access to the flats is from the rear of the buildings. Bin stores and cycle stores are located at the east end of the Dura Street elevation and south end of the Erskine Street elevation.

## SITE DESCRIPTION

The application site is located on the corner of Dura Street and Erskine Street. There is currently a 4 storey stone built tenement on the site with a retail unit on the corner and at ground level. There are similar tenement flats immediately to the south on Erskine Street and a landscaping company on the opposite side of Erskine Street. A vacant site is located directly opposite on Dura Street and this recently received planning permission for a supermarket with associated car parking. There are relatively modern flats on the corner of Dura Street and North Erskine Street with brick and rendered walls and slate roof.

## 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 1: Vibrant and Sustainable Communities - the Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New developments should be in accordance with other policies in the Plan and seek to minimise any effect 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 Dundee should be of a high quality. As a basis for achieving this, new development will require to conform to the Design Standards contained within the Plan.



## 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

Key theme 13 states that places, spaces and objects should combine meaning and beauty with utility. The proposal is to redevelop a rundown and dilapidated building. It is considered that this will benefit the environment.

## SITE HISTORY

Planning permission was granted on 5th December 2005 for a new supermarket on the opposite side of Dura Street to the application site.

## PUBLIC PARTICIPATION

The application was advertised as contrary to Policy 4 of the Dundee Local Plan Review 2005 due to the absence of parking provided with the development.

Statutory neighbour notification was carried out and two letters of objection were received on the following grounds:

- 1 Adverse visual impact of building due to its design and materials;
- 2 Loss of an historic building through demolition;
- 3 Construction related problems;

Other points of objection were raised that are not valid in planning terms.

Copies of the letters are available for viewing in the Members' Lounges and the issues raised will be discussed in the "Observations" section below.

## CONSULTATIONS

No adverse comments were received from 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.

### Background

The properties at 53 Erskine Street and 13 Dura Street were partly purchased by the then Tayside Regional Council as part of the property portfolio for demolition to create the NE Arterial Road proposals through Stobswell. The abandonment of those proposals has resulted in a number of properties within the Stobswell area causing blight within their immediate environment and visually signalled a socio-economic decline in Stobswell. Dundee City Council have been acquiring the remainder of the properties within these buildings for demolition through the Vacant and Derelict Land Fund. However there are a number of private owners who have rejected offers of purchase. The

approval of the planning application would allow the Council to promote a CPO, if necessary, to complete the acquisition of the remaining properties. The proposal will result in a new landmark building, visible from the Stobswell junction, to be built along Dura Street, as the main commuter and freight route into the City from the North, and signalling the regeneration and investment in Stobswell. Erskine St and Dura St have been the subject of extensive streetscape investment over the previous three years and these proposals are a primary object of the approved Stobswell Regeneration Framework Study.

#### 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 1 seeks to protect the amenity of neighbouring residents from unacceptable developments. The adjoining residential properties on Erskine Street are 4 storey and so the proposal, which is of similar height will not overshadow or overlook the existing flats. There is a vacant site directly opposite on Dura Street and there will be no overlooking onto flats on the corner of Dura Street and North Erskine Street. The scale and proportions of the proposed development will complement the existing Victorian tenements. It is considered that the proposal complies with Policy 1.

Policy 4 states that flats will only be permitted in Inner City areas if identified in a site planning brief, site specific circumstances demand a flatted solution or conversion of existing buildings is proposed. Flats should have a minimum gross internal floor area of 60sqm, 100% parking provision, useable private communal garden ground of 100sqm and 18m between facing windows of habitable rooms. The existing tenement building on the corner of Dura Street and Erskine Street has fallen into a dilapidated condition as it was earmarked for demolition as the north east arterial route had been identified as going through the site. These road plans changed but the building had already fallen into a state of disrepair. There are flats to the south and north west and a flatted development was considered the most appropriate solution to re-develop the site and

would contribute to the regeneration of the Stobswell area.

Each flat has 3 bedrooms and a floor area well in excess of 60sqm and so this criteria is met. There is a grassed, landscaped amenity area and drying space of over 100sqm and so the proposal complies with this criteria. There is no direct overlooking into other residential properties. No car parking is provided with the proposal. However the site is within an inner city area where public transport is readily accessible. The applicant has provided supporting information regarding the failure to provide car parking and this is as follows:

- a No off-street car parking was provided on the site previously;
- b The site only offers sufficient space for a reasonable size and design of building with associated amenity space and drying areas.
- c The necessary requirement for ingress/egress for an off-street car park in such close proximity to a busy main traffic route would pose a danger to users and commuters;
- d Ample car parking is provided within close proximity in Erskine street and in the newly completed Council car park on Dura Street and possible future traffic calming measures in Erskine Street could provide dedicated lay-by parking spaces for local residents.

It is considered that the applicant has provided some valid reasons for allowing the development to proceed without off street car parking provision, without jeopardising the overall design and quality of the development.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

### Other Material Considerations

The other material considerations to be taken into account are as follows:

#### Objections

1. Adverse visual impact of building due to its design and materials

The design and layout of the building have been discussed in detail during pre-application meetings and in the

paragraphs above. It is considered that the proposal will provide high quality living accommodation for future occupants and respects the scale, mass and design of adjacent buildings. The proposal will be a landmark building on a main commuter route into the city and will contribute towards the regeneration of the Stobswell area. Therefore this objection is not supported.

2. Loss of an historic building through demolition

The building is not a listed building or within a conservation area. The Council have earmarked this building for demolition for a number of years due to previous proposals for a new north east arterial route. These road plans have since been disbanded but in the meantime the building has fallen into a very poor state of disrepair and is unsafe in parts. Therefore the retention of the building is not an option in these circumstances.

3. Construction related problems

These are not valid planning objections.

It is concluded from the foregoing that sufficient weight can be accorded to the material considerations such as to justify the grant 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 design of the building which is contemporary complements the scale and mass of the adjacent Victorian tenement buildings. The building will provide an landmark building on this main route into the City from the north. The use of balconies, generous glazing and large rooms will provide a high quality living space for future occupants.

### CONCLUSION

Although the proposed development does not comply with Policy 4 of the Dundee Local Plan 2005 due to the failure to provide parking, it is considered that there are site specific circumstances to justify approval of the application. The existing tenement building is in a poor state of repair and has been earmarked for demolition, the site is located within an inner city area where public transport is easily

accessible and there is on street parking available nearby. The objections do not carry sufficient weight to merit refusal of the application. Therefore the application is recommended for APPROVAL subject to conditions.

## 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 adjacent footway and carriageway along Dura Street and Erskine Street shall be made good, in a manner acceptable to Dundee City Council, if any damage is caused during the construction period
- 4 details of the surface finish material between the front of the building and adjacent footway 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
- 5 full details of the proposed coloured panels on the north and west elevations 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

## 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 ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 5 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.