

KEY INFORMATION

Ward Tay Bridges

Proposal

Change of use from office premises to one 3 bedroom flat and two 2 bedroom flats

Address

2 Union Street
Dundee
DD1 4BH

Applicant

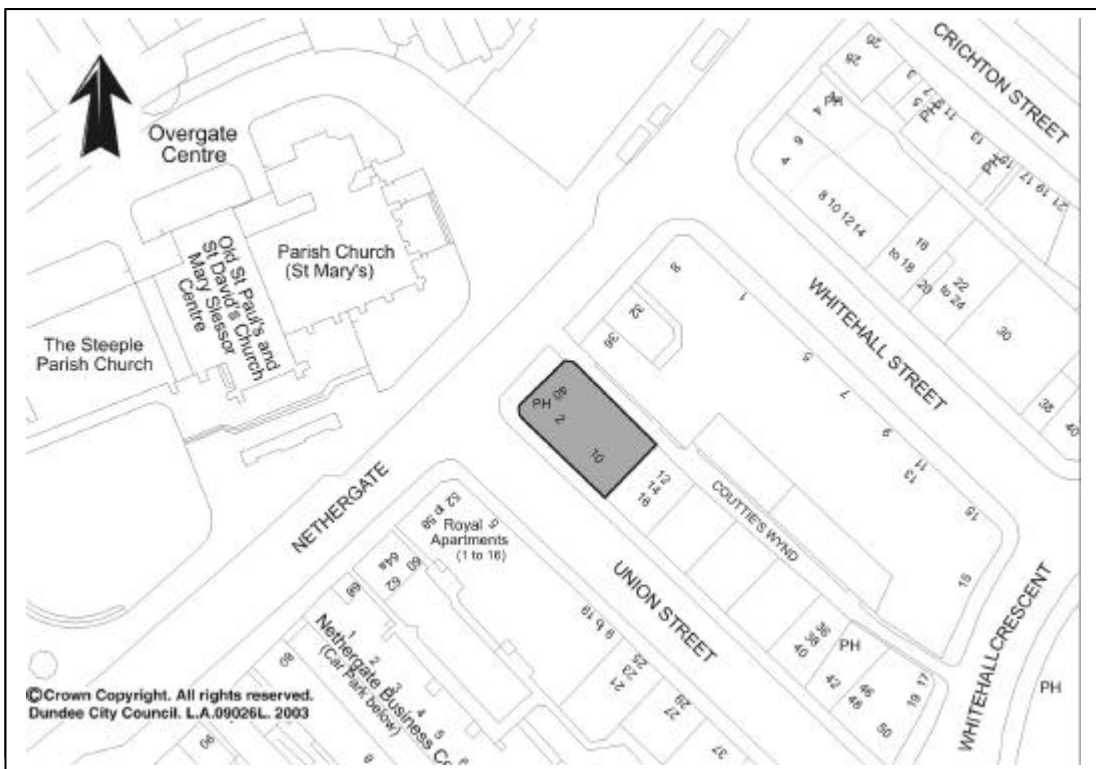
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Case Officer S Cooper



Proposal for Three New Flats in Union Street

A change of use from office premises to flats is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal is for the change of use of vacant office space on the first floor of the building to 3 individual flats. The proposal complies with the provisions of Policies 4 and 59 of the Dundee Local Plan Review 2005. One letter of objection was received. However, the views of the objector are not supported. There are no other material considerations that would justify the refusal of this application. It is therefore recommended that the application is **APPROVED**.

SUMMARY OF REPORT

- The proposal is for the change of use of the presently vacant first floor of the building to three individual flats. The first floor was most recently used as office space.
- The proposal raises issues in terms of Policies 4 and 59 of the Dundee Local Plan Review 2005.
- One letter of objection was received in respect of this application.
- The proposal complies with the relevant provisions of the development plan. The views of the objector are not supported and there are no other material considerations that would justify the refusal of this application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for a change of use from office space to 3 individual flats. It is proposed to create one 3 bed roomed flat and two 2 bed roomed flats. Each flat would also have its own living room/dining room, kitchen and shower room. No external alterations are proposed.

SITE DESCRIPTION

The application relates to the first floor of the tenement building at 2 Union Street, Dundee. The first floor was previously in use as office space. The ground floor is occupied by the Trades public house. The upper floors of the building are occupied by residential flats.

The building is listed as being of special architectural or historic interest, Category B, and is located within the 'Central' conservation area.

POLICY BACKGROUND

Dundee Local Plan 2005

The following policies are of relevance:

Policy 4: Design of New Housing is of relevance. As the application site is within the 'City Centre Residential Area', the following criteria apply:

House Type: All flats to have a minimum of 2 bedrooms

Car/Cycle Provision: For conversions, provision should be made for car parking where possible. Secure indoor bicycle storage to be provided.

Amenity/ Garden Space: To be provided where site specific circumstances allow. Where garden space cannot be provided, balconies that are attractive and useable in terms of size and outlook should be considered.

Privacy: Generally a minimum of 18 metres between facing windows of habitable rooms or between balconies and facing windows if habitable rooms.

Policy 59: Alternative Uses for Listed Buildings. Suitable alternative uses will be considered for listed buildings where this is necessary to secure their future. Any alterations to the fabric of the building should have regard to the character and appearance of the listed

building in accordance with other policies in the local 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

The proposal would result in the re-use of a vacant part of the building and is therefore considered to be sustainable, in line with the objectives of Local Agenda 21.



SITE HISTORY

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

PUBLIC PARTICIPATION

The application was subject to the Statutory Neighbour Notification Procedures. One letter of objection was received. The grounds of objection are:

Increase of existing parking problems in Union Street;

Increase an existing problem with the number of waste bins on Union Street which attract seagulls;

Impact on the potential expansion of the ground floor business premises; and

Right of emergency access into a common close, and potential congestion of the area in the case of a fire.

It is intended to comment on these issues in the 'Observations' section of this report. A copy of the letter is

available for inspection in the Members Lounges.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has advised that a condition be placed on any grant of planning permission to ensure that individual flats achieve an internal noise level of no more than 45dB(A) during the day and 35dB(A) during the night in the interests of the residential amenity of future occupants of the flats.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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 proposal is for the change of use of vacant office space in the first floor of the building to 3 individual flats.

The proposal raises issues for consideration in terms of Policies 4 and 59 of the Dundee Local Plan Review 2005.

In terms of Policy 4, the conversion of existing buildings to flatted accommodation is acceptable in principle, providing that the Design Standards contained within Appendix 1 are met.

As the proposal is for one 3 bed roomed flat and two 2 bed roomed flats, the proposal is in accordance with the Design Standards, which requires that flats have a minimum of 2 bedrooms.

No provision has been made for car parking or for amenity/ garden space for the proposed flats. However, it is recognised that buildings such as this one in the City Centre cannot provide such facilities. The Design Standards require car parking to be provided where possible. Although no car parking has been provided, it is not

possible in this case to do so. Therefore, the proposal is not contrary to the provisions of the development plan in terms of car parking. Each flat has internal storage space where bicycles could be stored securely.

The Design Standards require the provision of amenity space where site specific circumstances allow. In terms of garden ground, it is not possible to provide any in this case as there are no grounds associated with the building. It is considered that balconies would not be appropriate in this case as the introduction of balconies on principal elevations of the listed building would appear somewhat conspicuous and incongruous within the streetscape.

The proposal would not exceed the minimum distance between facing windows of habitable rooms and therefore complies with the provisions of the Design Standards in terms of privacy.

It is therefore considered that the proposal accords with all of the Design Standards contained within Appendix 1 of the Local Plan. It therefore follows that the proposal is in accordance with the provisions of Policy 4 of the Dundee Local Plan Review 2005.

It is considered that the proposal would result in a suitable use for a vacant part of the listed building. Minimal internal alterations are proposed, including the removal of non-original partition walls, and would not have any impact on any features of architectural or historical importance. As the proposal would have no impact on the architectural or historic character of the listed building there is no requirement in this case for listed building consent. It is considered that the proposal is in accordance with the provisions of Policy 59 of the Dundee Local Plan Review 2005.

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 the views of objectors.

The grounds of objection are listed under the 'Public Participation' section above.

The issue relating to car parking is covered in detail in the 'Observations'

section above. Accordingly it is considered that the view of the objector is not supported.

The applicant has confirmed that 'wheelie bins' are to be provided and stored in a close off the street. There are daily refuse collections within the City Centre. The vast majority of refuse sacks left on the street for collection are commercial. It is therefore considered that the proposal would not unreasonably increase the production of refuse in the area.

The grounds of objection relating to the future expansion of the existing ground floor business premises and rights to a common access are not material considerations in the determination of this application. In terms of fire safety, this issue is dealt with under separate 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. It is therefore recommended that planning permission be granted with conditions.

Design

The proposal raises no design issues. The proposed flats would all have generous living accommodation.

CONCLUSION

It is considered that the proposal is in accordance with the provisions of Policies 4 and 59 of the Dundee Local Plan Review 2005. The views of the objector are not supported. There are no material considerations that would justify the refusal of this application. It is therefore recommended that the application be APPROVED.

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 Internal noise levels within the individual flats hereby approved shall not be more than 45dB(A) during the day and 35dB(A) during the night. For the avoidance of doubt day time shall

be 0700 to 2300 hrs and night time shall be 2301 to 0659 hrs

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to ensure the residential amenity of future occupants of the flats.