

**KEY INFORMATION**

**Ward** East Port

**Proposal**

Demolition of existing buildings and erection of 4 townhouses and 4 flats

**Address**

Bradley Removals  
40 Arthurstone Terrace  
DUNDEE

**Applicant**

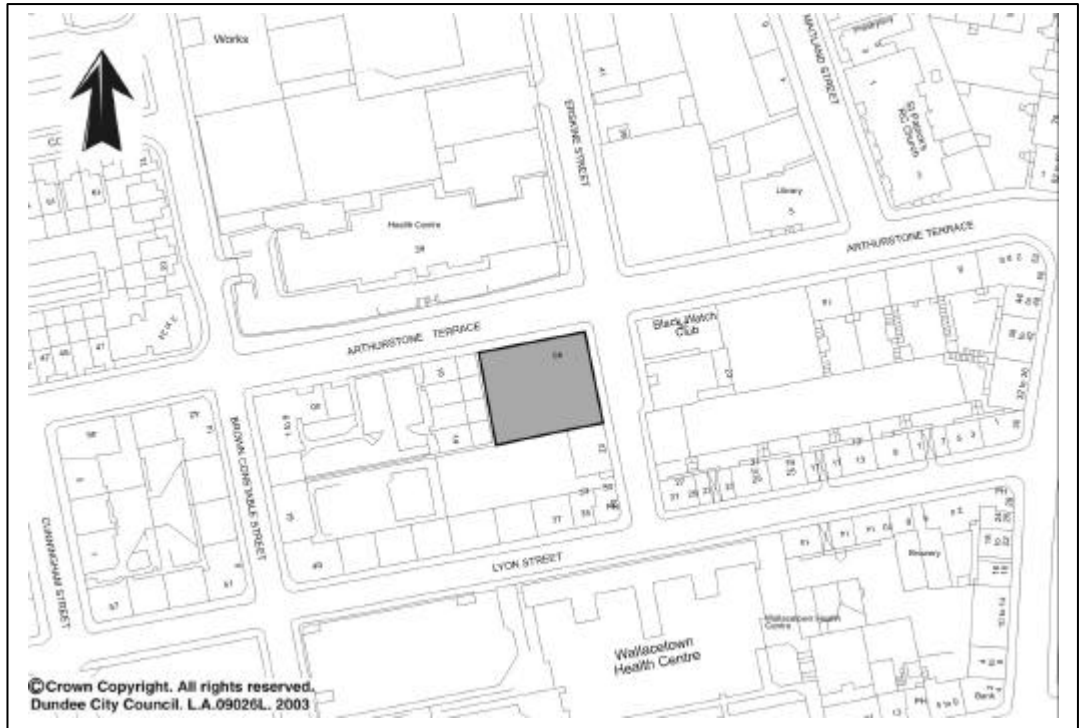
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**Registered** 20 June 2006

**Case Officer** J Young



# Residential Development Proposed in Arthurstone Terrace

The Demolition of existing buildings and erection of 4 townhouses and 4 flats is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

It is considered that the proposal complies with the Policies in the Dundee Local Plan Review 2005 and the objections are not supported. The redevelopment of this brownfield inner city site is welcomed. The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of 4 townhouses and 4 flats at 40 Arthurstone Terrace.
- The application raises issues for consideration in terms of Policy 4 of the Dundee Local Plan Review 2005.
- Four letters of objection were received regarding adverse impact on residential amenity due to overshadowing, overlooking, loss of privacy and noise.
- It is considered that the proposal complies with Policy 4 of the Dundee Local Plan Review 2005. A number of objections have been addressed by the applicant and it is considered they do not carry sufficient weight to merit refusal of the application.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of 4 townhouses and 4 flats on the Bradley Removals site at 40 Arthurstone Terrace, Dundee. The site area is 0.085 hectares. Vehicular access to the site is from Erskine Street to the east. The townhouses are 3 storey in height, all have 4 bedrooms and are entered from Arthurstone Terrace. The proposed flats, which are on the corner of the site, are 4 storeys, all have 2 bedrooms and are entered from the south end, within the curtilage of the site. There are private gardens, including a decked area above car parking spaces to the south of the buildings. The garden areas for the townhouses are all 50sqm and above and there is well in excess of 40sqm amenity space for the flats.

The proposed finishing materials are forticrete pewter blockwork, white render sections, dark blue panels, slate grey concrete tiled roof and dark blue railings.

## SITE DESCRIPTION

The application site is located on the south side of Arthurstone Terrace and west side of Erskine Street. There is a 2 storey building on the site, which is owned by a furniture removal company. The site slopes downwards from north to south and there is a level difference of approximately 2m from the north to south end of the site. There is a 2 storey social club on the opposite side of Erskine Street. A 2 storey medical centre is located on the opposite side of Arthurstone Terrace and 2 storey townhouses diagonally opposite to the north east. There are single storey terraced houses immediately to the west and rear gardens adjacent to the site boundary. 4 storey tenements flats are located to the south.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 2005

The following policies are of relevance:

### Policy 4: Design Of New Housing

The design and layout of all new housing in Dundee should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards contained in Appendix 1 of this Local Plan unless:



- a the City Council, through either site allocation in the Local Plan or site planning briefs, considers it appropriate to vary the standards to reflect the constraints or opportunities offered by the development of a particular site; or
- b the proposal is within an established low density residential area, in which case the density of the new development should reflect this and more generous external space standards will be required.

New housing development should also have regard to the principles of the City Council's Urban Design Guide.



In addition, new housing development should meet "Secured by Design" standards. New residential streets should be designed to promote low vehicle speeds of 20 mph or less. New housing should have regard to

opportunities to maximise energy efficiency and promote sustainable waste management.

## 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 proposed development is considered to be sustainable as it is re-using an inner city brownfield site.

## SITE HISTORY

There is no site history of direct relevance to the application site.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and four letters of objection were received from residents immediately to the west on the grounds of the adverse impact on residential amenity due to overlooking, overshadowing, loss of privacy and noise.

The objections are discussed in detail in the "Observations" section below. Copies of the objections are available for viewing in the Members' Lounges.

The application was advertised as a potential departure to Policy 4 of the Dundee Local Plan Review 2005 on 3rd July 2006.

## CONSULTATIONS

The Head of Environmental Health and Trading Standards has indicated that a noise impact assessment will be required to ensure there is no noise ingress from the social club on the opposite side of Erskine Street. It is considered that any potential noise issues can satisfactorily be dealt with by improved glazing. Therefore, if planning permission is granted, a condition should be attached to ensure that the glazing specifications for the

flats are submitted and agreed prior to development commencing on site.

The Head of Environmental Health and Trading Standards has indicated that the site is at low risk from potential contamination. However due to the historical use of adjacent sites, the uncertainty over the ground conditions and the sensitive end use, a condition will be required to ensure that potential contamination is addressed.

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## OBSERVATIONS

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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 proposal is for 4 townhouses and 4 flats at 40 Arthurstone Terrace. Vehicular access to the site is from Erskine Street to the east. The 4 townhouses are entered from the street at Arthurstone Terrace. The townhouses are 3 storeys in height and the flats which are on the corner of Arthurstone Terrace and Erskine Street are 4 storeys in height.

In terms of Policy 4, the overall aim is to promote high quality new housing. The means of achieving this high standard is set out in the associated design standards. The main criteria to consider are the inclusion of flats within the development, the design and layout of the houses, car parking provision, garden space and privacy, and the residential amenity of future and existing residents.

The four proposed townhouses are 3 storeys in height and all have 4 bedrooms. The size of gardens complies with the requirement in Policy 4 as they all have over 50sqm and 30% have more than 75sqm. In addition to the provision of garden areas at ground level, there is a decked area above car parking bays. Due to the slope of the ground, the decked

areas can be accessed directly from the rear gardens of the houses.

Policy 4 indicates that flats within inner city areas will only be permitted if identified in a site planning brief or there are site specific circumstances which demand a flatted solution. It is considered that the inclusion of a four storey flatted element on the corner of this site contributes significantly to the streetscape and provides a strong corner feature for the overall development. The flats are 4 storeys in height, they all have two bedrooms and they have sufficient amenity space. 10 car parking spaces are provided in total for the development and this complies with Policy 4 of the Local Plan.

The design and materials are reflective of other recent housing developments along Arthurstone Terrace and are considered acceptable. There are generous proportions of glazing and the use of modern and colourful materials are considered beneficial to the appearance of the streetscape and the overall image of the Stobswell Regeneration area.

Various negotiations took place with the applicant and amendments were submitted to ensure the development fully complies with the development plan and also to address some objections from residents to the west.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan as there are material considerations to justify the provision of flats within the site.

### Other Material Considerations

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

#### Objections

##### Overlooking

There are no windows on the west gable and so there will be no overlooking problems for residents to the west. The proposed decked area is at a lower level than the gardens of houses to the west due to the slope of the site and there are timber fences along the east boundary of the gardens. Therefore it is considered that there will be no overlooking issue.

##### Overshadowing

The ridge height of the proposed townhouses is 12m high. There is a

building on the site at present which is approx 10m high at ridge level. The applicant has amended the roof on the west elevation to a hip end, so that it reduces any potential impact on the amenity of those residents to the west. Only morning sunlight will be affected by the proposed development and due to the height of the current building on the site, it is not considered that any overshadowing will be significantly greater than at present. Therefore this objection is not supported.

##### Loss of privacy

As previously discussed there will be no windows on the west elevation and so there will be no loss of privacy. There will be a fence along the west boundary of the proposed decked area and so there will be no loss of privacy.

##### Noise

The proposal is for residential development and it is not considered that there will be noise concerns. If there is a domestic noise problem, this is dealt with under separate legislation from planning. Construction noise is not a relevant planning consideration, so long as construction only takes place during normal working hours. This objection is not supported.

It is concluded from the foregoing that insufficient weight can be accorded to 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 redevelopment of this brownfield site is welcomed at this inner city location. The design and layout of the houses and flats are considered acceptable and will result in a high quality living environment for future occupants.

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## CONCLUSION

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It is considered that the proposal complies with Policy 4 of the Dundee Local Plan Review 2005. The objections are not supported in these circumstances. There are no material considerations that would justify 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 details of the proposed finishing materials and boundary treatments, including a boundary treatment around the proposed decked area, 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 .
- 3 detailed specifications of the glazing for the flatted properties, which shall be of a quality to eliminate potential noise disturbance from a social club on the opposite side of Erskine Street 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 .
- 4 The City Council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by the City Council. The scheme shall include a full timetable for the reclamation measures proposed. Upon completion, verification that reclamation has been undertaken, in accordance with, and to the standard specified in the agreed reclamation scheme, shall be provided by the applicant.

## 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 that the amenity of future occupants is protected from potential noise disturbance.
- 4 To ensure that the site is suitable for the proposed use as residential properties .