

KEY INFORMATION**Ward** Lochee**Proposal**

Conversion of Mill and Store for Form 18 Residential Units, erection of 11 flats and Formation of Road Access

Address

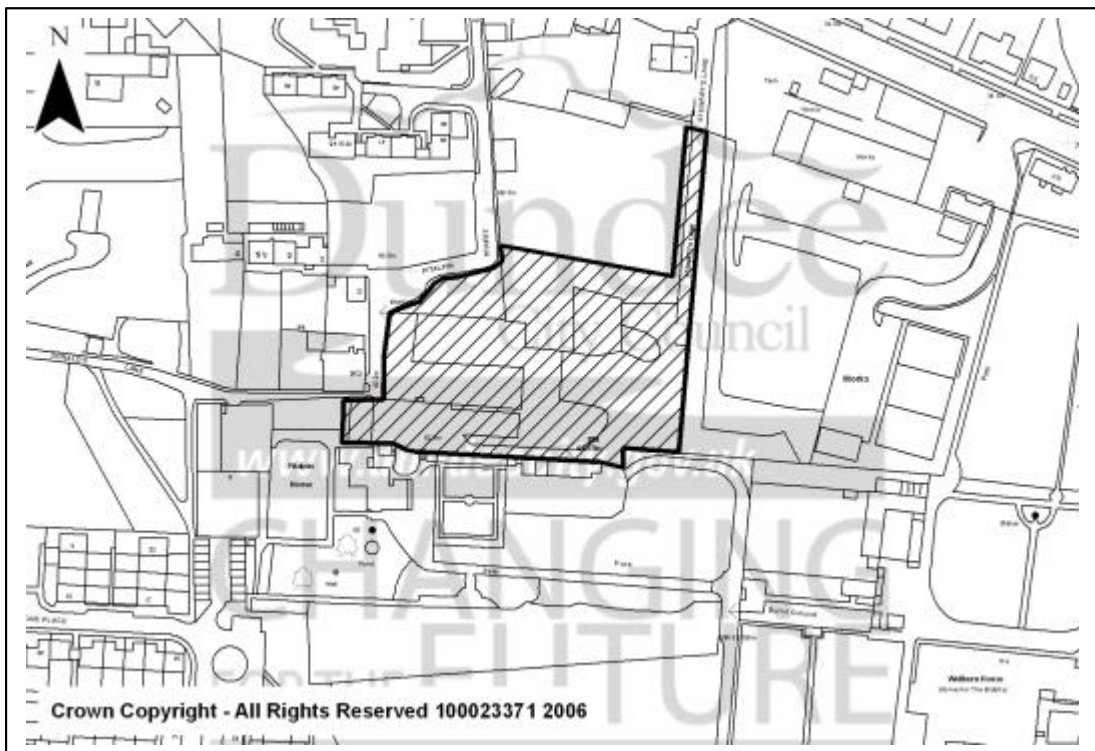
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Registered 27 Sep 2007**Case Officer** D Gordon

Proposed Housing Development at Former Pitalpin Mill

The conversion of a Mill and Store to form 18 residential units, erection of 11 flats and formation of road access is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed scheme will result in a quality residential development of a semi derelict site located in the suburban area of the city. The proposals are viewed as a very significant and important step forward in the regeneration of this local area. The application is recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- The proposal seeks permission to convert an existing derelict Mill, which is a Category B listed building, into 16 flats, subdivide an annexe to the Mill into two dwelling houses and the erection of 11 new build houses on an industrial site located to the north of Pitalpin House.
- The site is identified as a Brownfield Housing Site in the Local Plan Review 2005 (Proposal 43 refers). The site was granted outline planning permission for residential purposes in February 2006. The site is also the subject of a Site Planning Brief that was approved by this Council in 2004.
- It is considered that the details submitted for consideration are appropriate for the area although they are not fully compliant with the requirements of Policy 4 of the Local Plan. No objections to the development have been received from the surrounding occupiers.
- It is concluded that there are material considerations, including the on-going regeneration of the area, the proposed renovation of listed buildings and the aspirations of the approved Site Planning Brief, that justify the approval of this application contrary the development plan policies.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves the erection of eleven new build houses, the conversion of the vacant Mill building to 16 flats and the use of the annexe building as 2 houses. Associated garden ground, amenity space and off street car parking also forms part of the planning application.

Proposed Conversion Works

The proposed Mill conversion will accommodate 1 x one bedroom, 8 x two bedroom, 2 x three bedroom, 5 x four bedroom flats.

The main south elevation is to be restored to the original window pattern and style. The existing large openings are to be restored and reformed to provide a gated access into the inner courtyard car parking area. At ground floor level, the window openings are to be formed as French doors to allow direct access to the garden areas via the new landing and steps

On the north side the elevation is also to be restored to the original window pattern and style. The existing large openings are to be infilled with timber clad walls to form a new entrance facade to the flats. The original columns located adjacent to the entrance are to remain exposed.

Similar to the main north and south elevations above, the west elevation is to be restored to the original window pattern and style. A new stair is to be provided on the east elevation of the building.

In order to accommodate new flats within the roofspace of the building, roof lights are to be provided on both the north and south elevations.

The proposed 5 ground/first floor south facing flats of the Mill all have individual private gardens facing south towards the proposed new access road. The remaining flats have associated amenity space/drying areas located to the north side of the building. Twenty one off street car parking spaces are to be provided, these being mainly within the courtyard area to be located on the north side of the building.

The existing annexe building located on the south west corner of the Mill is to be converted into 2 x two bedroom dwelling houses. A limited amount of garden ground is to be located to the east and west side of the buildings and 2 off street car parking spaces per dwelling are to be provided.

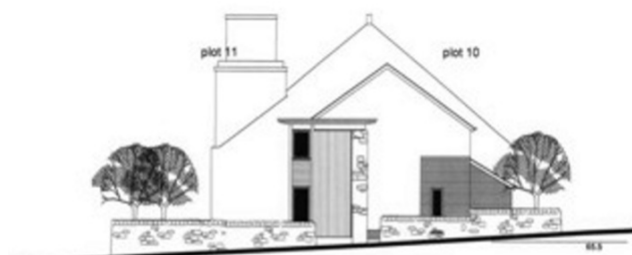
New Build Dwellings

The new build element of the development is to be located to the east and north east of the existing Mill. This involves the erection of 11, two storey houses each of which will accommodate three bedrooms. The houses are a mix of detached, semi-detached and terraced properties.



The proposed finishing materials are to be white roughcast with limited areas of feature stone and weatherboard panels (walls) and grey roof tiles with natural slate on the porches.

All the dwellings will accommodate 120m² of garden area and 2 off street curtilage car parking spaces.



EAST ELEVATION (to STEWARTS LANE)

Access to the site is to be taken from Stewart's Lane to the north with the existing access road running along the east side of the site to be up-graded to an adoptable standard. The proposed 4 off street parking spaces for the new flats to be located on the north side of the Mill are to be accessed from Pitalpin Street.

SITE DESCRIPTION

The site is located to the south/south west of Stewart Lane, to the south of Pitalpin Street and to the north of Pitalpin House.

The site slopes in a north to south direction and accommodates a derelict mill building which is a category B listed building. This former mill is predominantly 2 storey in height and stone built. The roof of the building has been removed adding to the semi-derelict appearance of the structure.

The land surrounding the Mill has been for open storage yard purposes associated with the existing business located to the west and has an untidy/unsightly appearance.

The surrounding area contains a variety of uses including a general industrial property (timber yard) to the west, a former quarry to the north, industrial and residential properties to the east and residential and open space 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 Review 2005

The following policies are of relevance:

Proposal 43: The site is identified as a suburban brownfield housing development site.

Policy 1: Vibrant and Sustainable Communities. The Council will promote vibrant communities, encouraging the development of a range of services and facilities close to and within housing areas.

New development 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 or smell.

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 developments will be required to conform to the Design Standards contained in Appendix 1 of the Dundee Local Plan Review 2005 unless:

- a the 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 area 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.

Policy 55: Urban Design. For all new developments the emphasis will be on design quality. In addition, all development will, in its design and layout, be expected to contribute to an environment that is safe and accessible to all.

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 adaptation of the fabric must be undertaken carefully and sensitively and have minimum impact on the architectural and historic interest, character and setting of the building. Reference should be made to other policies in the Plan.

Policy 60: Alterations to Listed Buildings. The alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest.

The City Council will provide specific supplementary guidance on the following: window and door alterations, advertisements, shopfronts, roller shutters, treatments to masonry and painting and use of materials.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy 3: Planning for Housing (2003). SPP3 reflects the key planning policies in Scottish Planning Policy 1: The Planning System, addressing them in relation to new housing. The measures are intended to promote a more attractive and sustainable living environment as part of the wider investment in new housing.

Planning Advice Note 67: Housing Quality 2003. This seeks to promote high quality design in new housing developments. This Note supports the preparation of design statements in conjunction with planning applications and the need for successful residential developments not to be limited by road standards or to benefits of Home Zones.

Designing Places: A Policy Statement for Scotland. This Statement from the Scottish Executive sets out their aspirations on the design and the role of the planning system for delivering these aims. It promotes the need for high quality design of buildings and layout for proposed developments and in particular it highlights the advantages of the Masterplan process.

Memorandum of Guidance on Conservation Areas and Listed Buildings 1998 (Historic Scotland).

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Dundee - The Urban Design Guide.

Site Planning Brief for Pitalpin Village - Approved 2004.

SUSTAINABILITY ISSUES

The redevelopment of this brownfield site for new housing and conversion of a listed building for residential purposes, together with the larger comprehensive redevelopment of the area located to the north, south and west is consistent with the Sustainability policies of this Council.

SITE HISTORY

05/00782/OUT - Outline Planning Permission for Housing - Approved 27.02.2006. The application currently under consideration is located in the north east sector of this larger residential development site that was approved for 71 dwellings and 6 flats with associated garages and garden ground.

05/00961/OUT - Outline permission for the Erection of 33 dwellings - Refused (on appeal - Public Inquiry) 24 September 2007:

06/00672/REM - Erection of 6 dwellings - Approved 25 July 2007.

06/00673/REM - Erection of 36 dwellings - Approved 24 April 2007.

07/00810/FUL - Formation of Ground Surface Water Attenuation - Approved 14 February 2008.

07/00829/LBC - Alterations to Vacant Mill and Annexe to form 18 Residential Units - Application found elsewhere in this agenda with a recommendation for Approval.

PUBLIC PARTICIPATION

The applicants undertook the statutory neighbour notification procedure at the time of the submission of the planning application. In addition, the proposal was advertised in the local press as 'Development Potentially Contrary to Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005. Following amendments to the proposed scheme, the neighbouring properties were re-notified of the development proposals on 14th February 2008.

At the time of writing, no objections have been received.

CONSULTATIONS

There have been no adverse comments received from any of the statutory consultees.

The Council's Forestry Officer has offered comments relating to the retention, protection and removal of any trees within the development site.

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 proposal under consideration involves the erection of 11 new dwellings, the conversion of an existing Mill building into 16 flats and the use of a Mill annexe building as two houses. Associated roadworks, off street car parking and garden ground/drying space provision also form part of the application. A breakdown of the various elements of the scheme is detailed in the 'Description of Proposal' section of this report above.

Policy 1 (Vibrant and Sustainable Communities) of the adopted Local Plan seeks to minimise the affect of developments on the environmental quality of residents by virtue of design, layout, parking and traffic movement issues, noise and smell. The principle of the use of the Mill and the adjacent land for residential purposes has already been established by the grant of outline permission for such a use in this area in February 2006. The acceptability of this use is also confirmed by the approved Planning Brief for the site. Taking into account the nature, layout and design of the scheme and the proximity of the neighbouring properties, it is considered that the proposals will not adversely impact on the environmental qualities of the local area. The specific issues relating to the design of the new units, car parking and garden ground provision are discussed in full in Policies 4, 59 and 60 of the Local plan below. There are no issues relating to noise or smell arising from this application. It is considered that the application raises no issues under Policy 1 of the Plan.

Policy 4 (Design of New Housing) requires that the design and layout of all new houses within the city should be of a high quality. Appendix 1 of the Plan states, amongst other things, that new flats within the suburban city area will only be permitted if identified in a site planning brief, site circumstances demand a flatted solution or conversion of an existing building is proposed and houses are impracticable. New flats should have generous internal space standards and 2 or more bedrooms. In addition flats should have 150% associated off street parking (this may be increased or decreased in light of site specific circumstances), and provide useable private garden areas within the curtilage of the properties with each case being treated on its own merits. New dwelling houses should have a minimum of 120m² of garden ground and 200% curtilage car parking.

With regard to the submitted conversion works to the Mill, the development proposes the provision of 15 x 2, 3 & 4 bedroom flats. The internal floor areas of these proposed units are considered to be in accordance with the requirements of Policy 4. Also proposed is a 1 x one bedroom flat in the south west corner of the building and the Local Plan presumes against such provision within the suburban area of the city. While the provision of this small unit is not ideal, it has resulted through difficulties with the restrictions caused by the existing structural membrane of the building. However, the agents have advised that there may be potential to increase the size of this unit once a full dimensional survey of the south west corner of the building has been undertaken. This survey, to date, has not been carried out due to the dangerous state of this section of the Mill. With regard to the proposed car parking and garden ground provision for the new flats, these are consistent with the requirements of the Local Plan.

With regard to the conversion of the adjacent annexe building into 2 houses, it is considered that the proposed internal floor areas of the units are compliant with Policy 4. However, due to the restrictive nature of the site, the required private garden ground provision falls below the required standard. The use of the building for one house has been discussed and

discharged due to size and scale of the property.

Each of the new build houses accommodates a minimum of 120m² of garden ground and 2 off street car parking spaces. This is considered to comply with the requirements of Policy 4.

It is concluded from the above that the submitted development is not in full accordance with the requirements of Policy 4 of the Plan.

Policy 55 (Urban Design). This Policy requires that for all new developments within the city the emphasis will be on design quality. In addition, all development will, in its design and layout, be expected to contribute to an environment that is safe and accessible to all. It is considered that the quality of the conversion works together with the design and layout of the new houses combine to produce a scheme which will further enhance the regeneration of Pitalpin Village. In addition, the development will serve to significantly improve the appearance, setting, character and accessibility of an area that currently accommodates an unattractive and unwelcoming environment.

Policy 59 (Alternative Uses for Listed Buildings). The use of the Mill building and the annexe located to the south west for new residential units is considered to be in accordance with the aspirations of this Policy.

Policy 60 (Alterations to Listed Buildings) states that alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. The proposal under consideration involves the conversion, with alterations, of the former Pitalpin Mill into 16 flats and the annexe building into 2 houses. The treatment of the main elevations of the building and the internal sub-division of the Mill are fully detailed in the "Description of Proposal" Section of this report above.

The existing Mill building is in an advanced state of disrepair and lies in a relatively ruinous state on the north side of Pitalpin House. The roof of the building is missing which has undoubtedly added to the poor condition of the structure. The proposals represent an exciting opportunity to convert the listed building back into a use that will

guarantee its presence in the local area for years to come. It is considered that the conversion works are being treated in a sensitive manner with the alterations to the principle facades being generally limited to existing openings in the building. Historic Scotland has been involved in informal discussions on the development proposals and has not, to date, offered any objections to the submitted details.

The proposed works to the building will provide new quality accommodation without prejudice to the appearance, character or indeed the integrity of the listed building. Consequently, the proposals are considered to be in accordance with the terms of Policy 60 of the Plan.

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

Other Material Considerations

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

A) Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

This requires planning authorities, in considering applications that affect listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which they possess.

This matter has already been considered in the assessment of the proposed development under Policies 59 and 60 of the Dundee Local Plan Review 2005 and it was concluded that the proposal would not detract from the appearance of the listed building. Consequently, it is considered that statutory duty set out in this Section of the Act is discharged.

B) The Memorandum of Guidance on Listed Buildings and Conservation Areas

This is of relevance and supports alternative uses for listed buildings to ensure their protection. As noted above, Historic Scotland have been involved in pre-application discussions and the partner Listed Building application will be referred to Historic Scotland for ratification should the application be approved.

C) Site Planning Brief (Approved 2004) for the development of Pitalpin Village

This recommends, amongst other things, the retention of the listed Mill building and its conversion to flatted accommodation. The Brief also supports the erection of new houses providing certain standards can be achieved in terms of design, appearance, garden ground and off street car parking can be met. It is considered that the proposed development is in line with the aspirations of the Brief.

With regard to the material considerations above, it is considered that the retention and the re-use of the listed buildings form important elements in the successful regeneration of the semi-derelict area. It is accepted that the proposals fail to fully comply with the development plan policies for the local area particularly with regard to the provision of a small single bedroom flat within the Mill building and the reduced private ground provision for the 2 houses in the converted annexe building to the Mill. These departures are a direct result of the inherent difficulties in altering and converting listed building to alternative uses without significant prejudice to the appearance, character and integrity of the listed building. However, it is also recognised that, taken in the context of the overall development of the site, these departures from the Plan are minor in nature and as a result do not significantly detract from the quality of the scheme which is considered to comply with the aspirations of the approved Planning Brief. Consequently, taking into account the various constraints that are evident on the site, it is considered that, on balance, the quality of the proposals put forward for consideration is sufficient to set aside full compliance with the development plan policies in this instance.

It is concluded from the foregoing that sufficient weight can be accorded to 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

It is considered that the overall layout, appearance, finishing materials of the

new build element of the proposal will combine to create a residential development of a high design standard that will achieve the goals set out in the approved Site Planning Brief for the area. It is further considered that the new houses will not significantly detract from the setting of the adjacent listed building.

The proposed alterations and conversion works to the former mill building have been handled sensitively and any interventions are restricted to those necessary to provide an attractive level of internal living accommodation.

CONCLUSION

The details of the planning application under consideration embody the principles set out in the approved Planning Brief for the site. The development is welcomed as a positive step in the regeneration of this vacant and semi-derelict area. The submitted details will ensure that the site will be developed in a manner that reflects the Council's aspirations for a quality development in this local area.

RECOMMENDATION

It is recommended that consent 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 That development of the site shall not begin until a plan that identifies all the trees that are located on the site has been submitted to the planning authority for consideration. A scheme that identifies all the trees to be retained, details of the proposed protection (in accordance BS5837,2005) and details of the proposed replacement of all the trees to be removed from the site, shall also be submitted to and approved in writing by the planning authority prior to the commencement of

works. For the avoidance of doubt, all trees to be retained shall be fenced off, as agreed, prior to the commencement of any works.

- 4 Development shall not begin until a scheme to deal with 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 contamination to include:

- a the nature, extent and type(s) of contamination on the site
- b measures to treat/remove contamination to ensure that the site is fit for the use proposed.
- c measures to deal with contamination during construction works
- d condition of the site on completion of decontamination measures.

Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

- 5 Development shall not begin until details of a scheme for landscape works, that shall include details of all boundary enclosures, have been submitted to and approved in writing by the planning authority.
- 6 That no development shall take place on the site until details of the required improvement works to Stewarts Lane that links the development site to Liff Road have been submitted to and approved in writing by the planning authority. For the avoidance of doubt, no residential unit shall be occupied until the required improvement works have been carried out to a standard that has been agreed in writing with the planning authority.

- 2 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 3 To protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development.
- 4 In order to ensure that the site is fit for the use proposed.
- 5 To ensure a satisfactory standard of appearance of the development.
- 6 To allow the development site a safe means of access to and egress from a public road in the interests of traffic safety.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.