

**KEY INFORMATION****Ward** West End**Proposal**

Demolition of existing buildings and erection of eight flats and associated garages/car spaces

**Address**

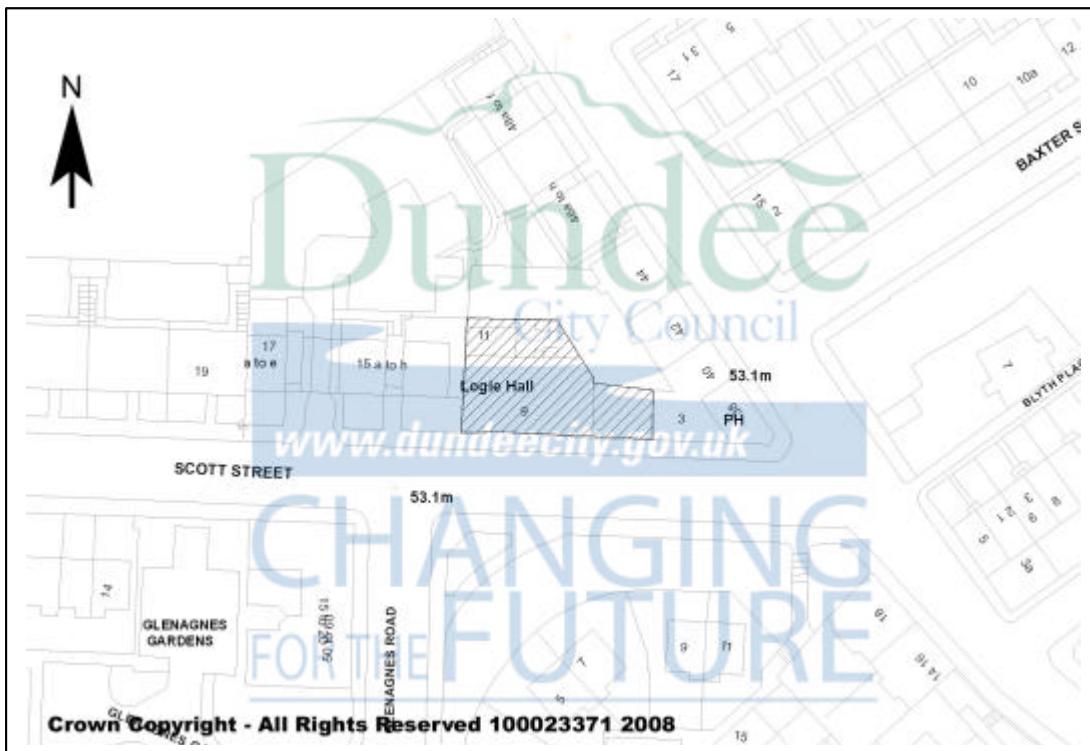
9-11 Scott Street  
Dundee  
DD2 2AH

**Applicant**

Park Properties (Dundee)  
Ltd  
Belsize House  
Belsize Road  
Broughty Ferry  
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**Agent**

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**Registered** 31 July 2008**Case Officer** F Jones

## Development of Flats Proposed for Scott Street

The demolition of existing buildings and erection of 8 flats and associated garages/car spaces is **RECOMMENDED FOR approval subject to conditions**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development complies with Policy 1 and the criteria in Appendix 1 to Policy 4 of the Dundee Local Plan Review 2005 other than provision of private garden ground. The material considerations of the balconies supports the development. It is therefore recommended the application be **APPROVED** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a 3 storey block of 8 flats with ground floor garages and parking. The development proposes 7 flats of 2 bedrooms/3 persons and 1 x 3 bedroom/5 person flat. All flats have usable, south facing balconies. There are 4 garages and a further 8 parking spaces with a bin store, cycle store and secure drying area on the ground floor. The design is modern with extensive glazing on the south elevation.
- The site lies on the north side of Scott Street and is currently occupied by a former children's play centre comprising a single storey, stone, former church hall and a modern, 2 storey, blue rendered extension.
- The surrounding area is residential with traditional 4 storey stone tenement to the east and north, more recent 4 storey flats to the west and two storey housing to the south.
- Dundee Local Plan Review 2005 - Policy 1: Vibrant and Sustainable Communities and Policy 4: Design of New Housing apply. The proposal does not comply with Policy 4 in terms of the provision of private garden ground.
- It is considered that given the material considerations of the usability of the balconies, their southern aspect and open outlook and the disadvantages of locating private garden to the rear, the proposal is acceptable in this particular instance as the development meets all the other criteria.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a 3 storey block of 8 flats with ground floor garages and parking. The development proposes 7 x 2 bedrooms/3 persons flats and 1 x 3 bedroom/5 person flat. The 2 bed flats have floor areas of between 75 and 94m<sup>2</sup> and the 3 bed flat has 128m<sup>2</sup>.

All flats have south facing balconies. The 2 bed flats have between 9 and 10.3m<sup>2</sup> square metres and the 3 bed has 18.2m<sup>2</sup> square metres. There is no additional private amenity space.

There are 4 garages and a further 8 parking spaces with a bin store, cycle store and secure drying area on the ground floor.

The design is modern with extensive glazing on the south elevation and the proposed materials combine coloured renders and cedar lining with a natural slate roof above a black, reconstituted stone, ground floor.

## SITE DESCRIPTION

The site lies on the north side of Scott Street and is currently occupied by a former children's play centre. The play centre is in two distinctly different styles of building; a single storey, stone, former church hall with a steeply pitched slate roof and a modern, 2 storey, blue rendered extension.

The surrounding area is residential with traditional 4 storey stone tenements to the east and north, more recent 4 storey flats to the west and two storey housing to the south.

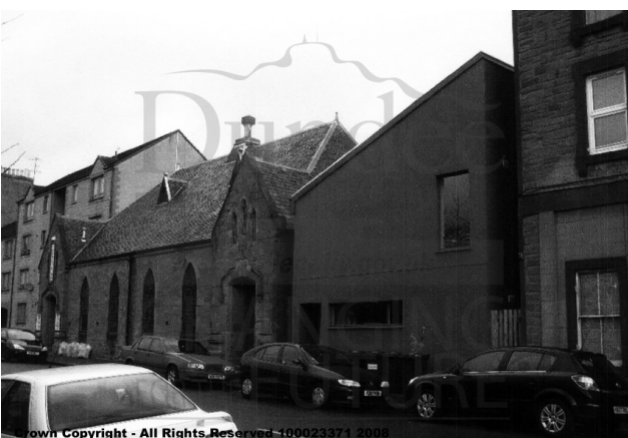
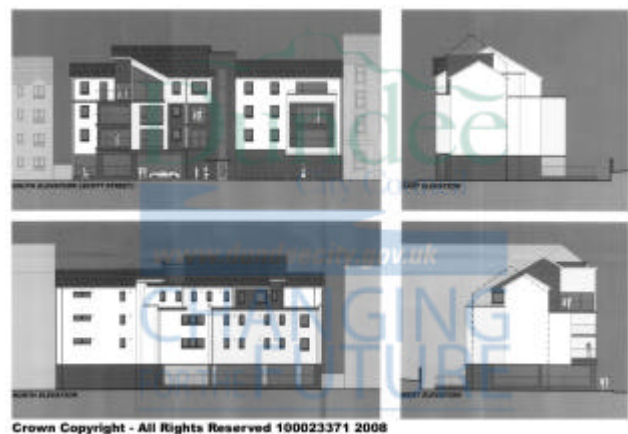
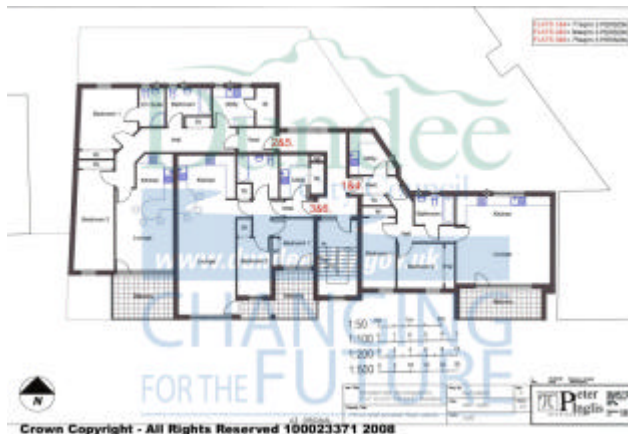
The site is west of the junction with City Road which is a busy local distributor road and close to Blackness Road which has bus services.

The site has a long frontage of 30 metres to Scott Street but varies in depth between 9 metres at the east end to 18 metres at the west end.

## 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 1: Vibrant and Sustainable Communities

Policy 4: Design of New Housing.

## 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.

## SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

## SITE HISTORY

Planning permission was granted for the erection of the 2 storey extension to the children's play centre on 13 December 2005 (05/00946/FUL).

## PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and no objections were received.

## CONSULTATIONS

There were no adverse comments from consultees.

## OBSERVATIONS

### Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997 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.

Policy 1: Vibrant and Sustainable Communities - "The City Council will promote vibrant communities, encouraging the development of an appropriate 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 affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell."

The site lies within a residential area and redevelopment of this commercial site for residential use is in accordance with Policy 1 as the development will not have an adverse affect on the environmental quality enjoyed by local residents.

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."

The proposed development has been assessed against the criteria in Appendix 1. The site lies within the Inner City where flats will only be allowed if identified in a site planning brief, site specific circumstances

demand a flatted solution or the proposal is for the conversion of an existing building where houses are impractical. This site is not a conversion and there is no site planning brief. The size and configuration of the site are such that houses which comply with the garden ground requirements of the Dundee Local Plan Review 2005 would not easily be accommodated. In addition, as the site is surrounded on 3 sides by 4 storey blocks of flats, the gardens of any such houses would be overlooked by all of the flats. In terms of the urban design requirements, the proposed three storey block will complement the scale of the existing 4 storey blocks on either side.

It is concluded that the principle of flats on this site is in accordance with the requirements of Appendix 1 for the reasons given.

The details of the flats were assessed against the requirements of Appendix 1 and it is considered that the proposals meet the criteria other than the provision of private garden ground. Appendix 1 states that "Private communal garden provision may be reduced if balconies that are usable and attractive in terms of size and outlook are provided." No private garden ground is provided and it is considered that the proposed development fails to comply fully with Policy 4.

The extensive glazing on the south elevation will enhance the energy efficiency of the flats and they have a well located bin store to provide waste management facilities. The design and the material types in general are acceptable and should be subject to the agreement of samples prior to the commencement of development. In order to address the potential for loss of privacy between the kitchen area of the eastmost flats and the existing flats on City Road, the kitchen window will be high level to minimize overlooking.

It is concluded from the foregoing that the proposal does not comply with the provisions of Policy 4 of the development plan in terms of the provision of private garden ground.

### Other Material Considerations

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

Policy 4/Appendix 1 criteria.

As noted above, the flats all have south facing balconies which have between 9 and 18m<sup>2</sup> of space and are accessed from the lounges. Due to the size and configuration of the site, any limited private garden which could be provided would be to the rear, ie the north of the building, and would be shaded by the building and overlooked by the other flats. A secure drying area has been provided in this location which does meet the requirements. It is considered that given the material considerations of the usability of the balconies, their southern aspect and open outlook and the disadvantages of locating private garden to the rear, the proposal is acceptable in this particular instance as the development meets all the other criteria.

It is concluded from the foregoing that sufficient weight can be accorded to the material consideration such as to justify the grant of planning permission contrary to the provisions of the development plan.

### Design

As noted above, a flatted block of this scale complements the adjacent existing flats and the modern design with its glazed elevations, balconies and materials mix will add interest to the street scene.

### CONCLUSION

The proposed development complies with the criteria in Appendix 1 to Policy 4 in all aspects other than the provision of private garden ground. It is considered that the material considerations of the nature and scale of the balconies provided and the disadvantages of the possible location any private garden ground supports the development in this particular case. It is therefore recommended that planning permission be granted with conditions.

### 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. For the avoidance of doubt the specific materials detailed in the plans are not approved and must be the subject of further discussion.

- 3 Refuse and recycling facilities shall be provided in accordance with details which have previously been agreed with the Waste Management Department. Such facilities shall be provided prior to the first occupation of any unit within the development hereby approved.
- 4 The proposed vehicle access must be formed and constructed to Dundee City Council specifications and details of the access must be submitted to the City Council for approval prior to any works on site. The access shall be completed in accordance with the approved details prior to the occupation of the first unit in the development hereby approved.
- 5 The footway ex adverso the site must be resurfaced to Dundee City Council specifications. Details of the footway must be submitted to the City Council for approval and the approved works must be completed prior to the occupation of the first unit in the development hereby approved.

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure a satisfactory standard of appearance of the development 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 To ensure the provision of a satisfactory access to serve the development in the interest of road safety.
- 5 In the interests of the amenities of the existing and future residents.