

# Proposed Housing Development at Former Wallace Craigie Works

## KEY INFORMATION

**Ward** Maryfield

### Address

Wallace Craigie Works  
2 Broughty Ferry Road  
Dundee

### Applicant

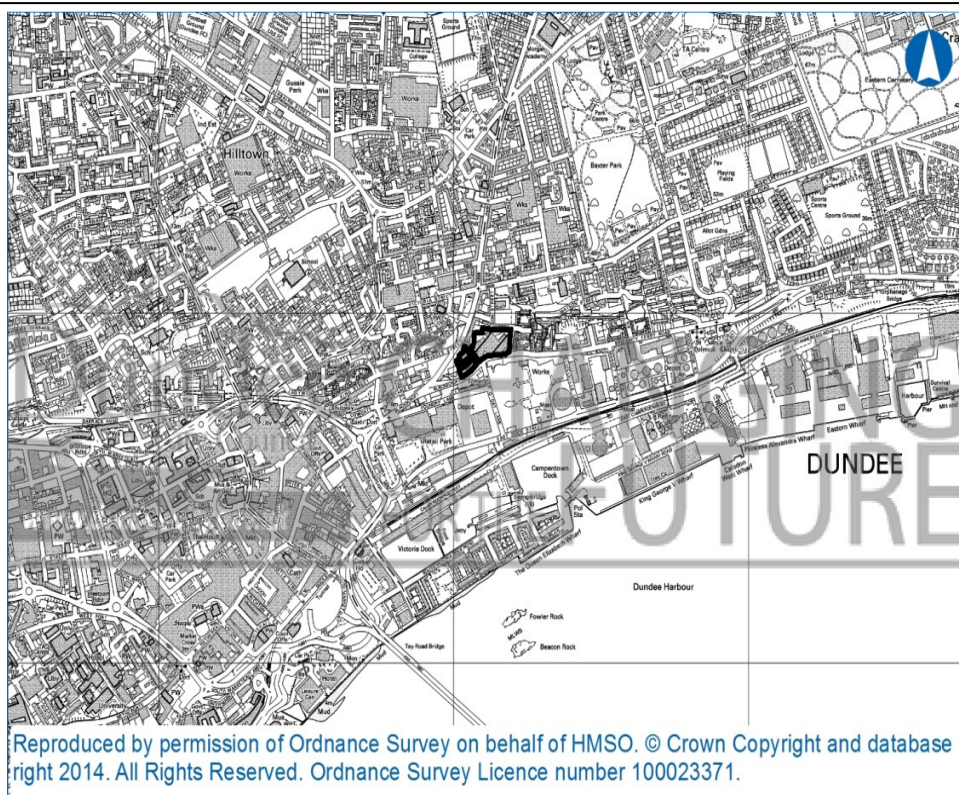
Craigie Estates Ltd  
Mid Craigie Trading Estate  
Mid Craigie Road  
Dundee DD5 7RH

### Agent

Mr Jonathan Reeve  
Voight Partnership Ltd  
Studio 1 Erskine House  
Commerce Street  
Arbroath DD11 1WB

**Registered** 31 Oct 2014

**Case Officer** Paul Macari



## SUMMARY OF REPORT

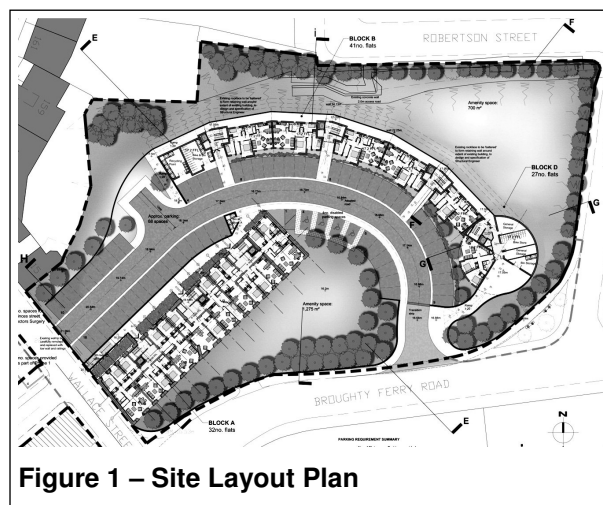
- This application seeks planning permission for the development of 100 flats at Wallace Craigie Works, 2 Broughty Ferry Road, Dundee.
- The proposal engages a variety of TAYplan Strategic Development Plan and Local Development Plan policies.
- One letter of objection has been received raising concerns relating to scale and density of development, impact on amenity and disturbance.
- The concerns of the objector are not supported.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MD2CHHGC05Q00>.

## RECOMMENDATION

The proposal is contrary to the requirements of the Development Plan. There are material considerations that justify approval of planning permission. Therefore, the application is recommended for APPROVAL subject to conditions.

# 1 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the development of 100 flats at Wallace Craigie Works, Wallace Street, Dundee.
- 1.2 The proposed development involves the redevelopment of Halley's Mill including the demolition of the eastern extension and the erection of 2 blocks of flats located to the north (Block B) and east (Block D) of the B listed mill building to form 42 two bedroom flats, 55 three bedroom flats and 3 four bedroom flats. The proposal will also involve the formation of access roads, parking areas and landscaped garden grounds.
- 1.3 The new build elements of the proposed development will be of a contemporary design and finish.
- 1.4 A new vehicle access and parking areas will be created off Broughty Ferry Road to serve Blocks A, B and D. To facilitate the formation of the new vehicle access on to Broughty Ferry Road and to accommodate the level of traffic generated by the proposed development the proposals will also involve alterations to the streets surrounding the application site.
- 1.5 Landscaped garden areas will be created to the south of Block A and north of Block B. The existing boundary walls enclosing the eastern sector of the application site will be altered and repaired as part of the proposed development.
- 1.6 As the number of dwelling units proposed exceeds 50 the proposals fall within the meaning of a Major Planning Application as defined by Regulation 2(1) of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Accordingly the applicant was required to undertake statutory pre-application consultation with the local community. This is evidenced in the Pre-application Consultation Report submitted as part of this application. The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 also stipulate that major planning applications must be accompanied by a Design and Access Statement, the applicant has complied with this requirement.
- 1.7 In support of the proposed development the applicant has also submitted a Road Safety Audit, Bat Report, Transport Assessment, Surface Water Drainage Report, a Geo-Environmental Report and a Conservation Plan.
- 1.8 The proposal reinforces the core land use and environmental strategies of the Development Plan and the viability of Dundee as a regional centre. In this respect the application complies with the Development Plan and the procedures for applications considered to be significantly contrary to the Development Plan do not apply.
- 1.9 In accordance with the Council's Scheme of Delegation, all Major Planning Applications must be reported to the Council's Development Management Committee.



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## 2 SITE DESCRIPTION

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- 2.1 The application site is located between Princes Street, Lilybank Road and Broughty Ferry Road. The site slopes steeply from north to south with exposed rock outcrops located to the north and east of the B listed mill building.
- 2.2 The existing mill building is stone built with a pitched roof finished in natural slate. There are extensions to the north and eastern elevations of the B listed mill building. The extension adjoining the eastern elevation of the mill building is stone built with a pitched roof finished in slate to match the main mill building.
- 2.3 The area to the front of the B listed mill building is surfaced in hard standing/ crushed down-takings. The site is bound to the east, west and south by a stone built boundary wall. There is an existing vehicle access in the southern boundary wall of the application site.



**Figure 2 – Junction Between Lilybank Road and Broughty Ferry Road Looking West**



**Figure 3 – View East from Blackscroft**

- 2.4 To the west of the application site is a partially demolished former mill office building that is also B listed. There is an area of hard standing to the north and south of this building. The hard standing to the north of the building forms part of Constable Street and is accessed from Wallace Street.
- 2.5 All of the existing buildings on site are in a derelict condition with their condition deteriorating significantly.

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## 3 POLICY BACKGROUND

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- 3.1 The following plans and policies are considered to be of direct relevance:

**TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032**

Policy 2: Shaping Better Quality Places

**DUNDEE LOCAL DEVELOPMENT PLAN**

Policy 7: High Quality Design

Policy 8: Housing Land Release

Policy 9: Design of New Housing

Policy 29: Low and Zero Carbon Technology in New Development

Policy 35: Protected Species

Policy 40: Waste Management Requirements for Development  
Policy 42: Sustainable Drainage Systems  
Policy 45: Land Contamination  
Policy 47: Environmental Protection  
Policy 48: Listed Buildings  
Policy 49: Demolition of Listed Buildings and Buildings in Conservation Areas  
Policy 54: Active Travel  
Policy 55: Accessibility of New Developments

### **SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS**

The Scottish Historic Environment Policy 2009  
Scottish Planning Policy 2014  
Designing Streets - A Policy Statement 2009  
Designing Places - A Policy Statement 2001

### **NON STATUTORY STATEMENTS OF COUNCIL POLICY**

Breaches in Boundary Walls

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

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## **4 SITE HISTORY**

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- 4.1 Proposal of Application Notice ref: 11/00740/PAN was submitted in preparation for the submission of the planning application ref: 12/00371/FULM and the current application. The PAN notice outlines the nature and form of the proposed development as well as the method of pre-application and public consultation.
- 4.2 Planning application ref: 12/00371/FULM sought planning permission for the development of 174 flats at the Former Wallace Craigie Works, Broughty Ferry Road, Dundee. This application was approved subject to conditions on 23 October 2012.
- 4.3 Listed building application ref: 12/00369/LBC sought consent for the demolition and alterations to the B listed mill buildings at the Former Wallace Craigie Works. This application was approved subject to conditions on 14 November 2012.
- 4.4 Planning application ref: 13/00271/FULM sought consent to vary Conditions 1 to 10 of application ref: 12/00371/FULM to allow for the implementation of a phased development. This application was approved by the Development Management Committee subject to 8 additional conditions on 15 August 2013.

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## **5 PUBLIC PARTICIPATION**

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- 5.1 The statutory Neighbour Notification procedure was carried out by the Council. This application was also advertised in the Dundee Evening Telegraph.
- 5.2 One letter of objection has been received from a neighbouring resident. The valid concerns raised include the scale and density of development, disturbance and loss of amenity. The invalid concerns raised relate to loss of view.
- 5.3 Members will already have access to the letters of objection and the issues raised are considered in the Observations section below.

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## 6 CONSULTATIONS

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- 6.1 **Environment Department** – The Head of Environmental Protection has requested that concerns relating to site contamination are addressed by condition should planning permission be granted. Similarly to address concerns relating to noise disturbance from passing traffic the implementation of the recommendations of the document Noise Impact Assessment: Proposed Dwellings Adjacent to Princes Street and Blackscroft, Dundee by the Charlton Smith Partnership dated 27 August 2012 should be controlled by condition should planning permission be granted.
- 6.2 **Health and Safety Executive** – no objection.
- 6.3 **SEPA** – no objection.
- 6.4 **Scottish Water** – the applicant has submitted a letter from Scottish Water confirming that there is sufficient capacity within the Scottish Water Drainage Network to treat and attenuate surface water run-off generated by the proposed development.

## 7 DETERMINING ISSUES

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.**

### THE DEVELOPMENT PLAN

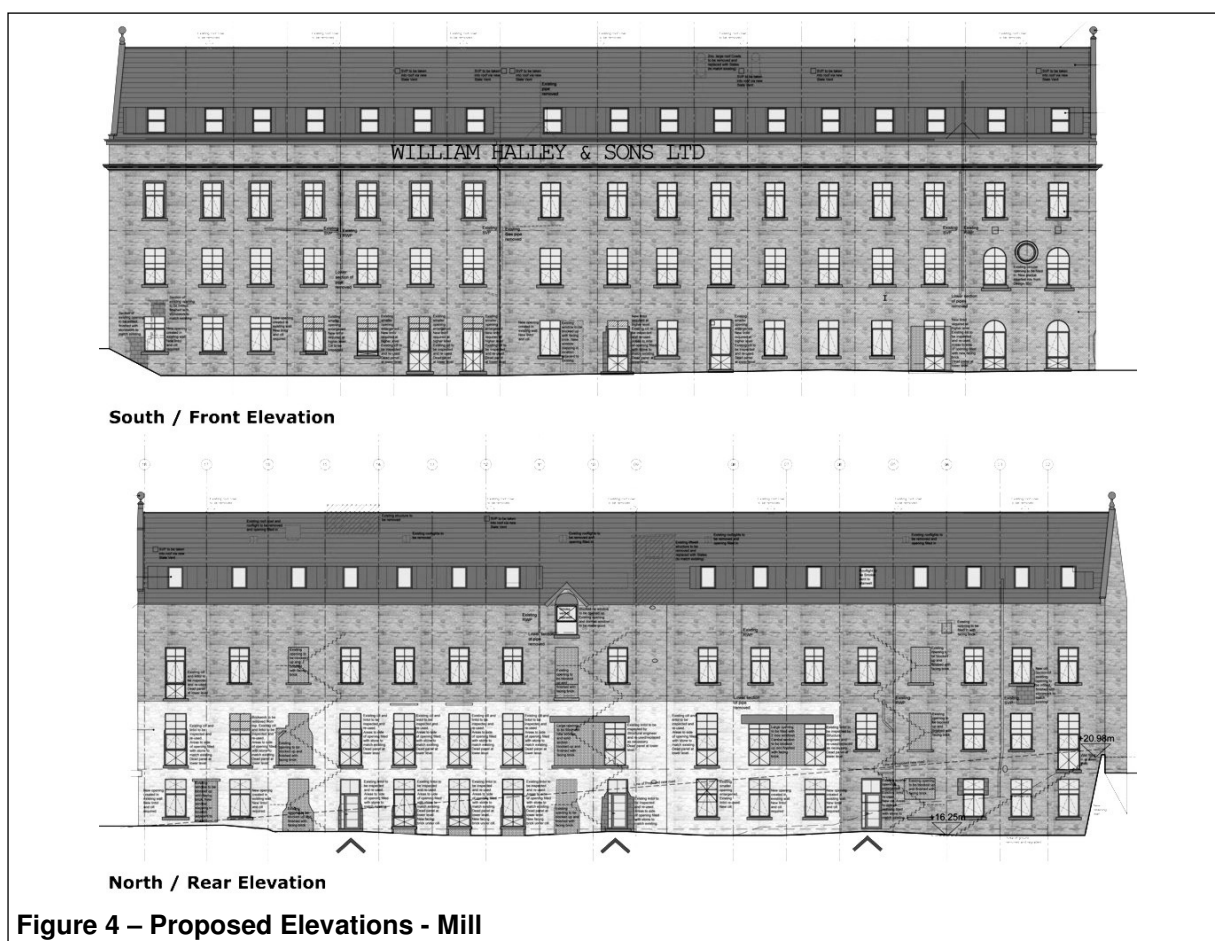
The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

### TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032

- 7.2 **Policy 2: Better Quality Places** – requires new development to be fit for place, supporting more sustainable ways of life for people and businesses. The relevant sections of this Policy are as follows.
- 7.3 Policy 2C requires the integration of transport and land use to reduce the need to travel and improve accessibility by foot, cycle and public transport; make best use of existing infrastructure to achieve a walkable environment combining different land uses with green space and support land use and transport development by transport assessments/appraisals and travel plans where appropriate, including necessary on and off site infrastructure.
- 7.4 The Transport Assessment submitted in support of the proposed development demonstrates that the application site is located in close proximity to Dundee City Centre with both the bus station and train station being within walking distance of the proposed flats. In addition the application site is located in close proximity to 2 main bus routes through the City with 47 buses stopping in each direction per hour between the application site, the city centre and various onward destinations.
- 7.5 The Transport Assessment examines pedestrian and cycle routes between the site and surrounding facilities identifying where improvements to footway widths can be incorporated into the project design, along both sides of Wallace Street and along the north side of Blackscroft, where necessary. The improvements to public footways highlighted by the Transport Assessment are reflected in the proposed site layout plan and will form part of the

Road Construction Consent application should the Committee be minded to grant planning permission.

- 7.6 The Transport Assessment examines the impact that the proposed development will have on the existing road infrastructure in terms of vehicle movements and on site parking facilities. The Transport Assessment demonstrates that even during peak hours the proposed development will generate a minimal number of new vehicle trips on the road network surrounding the application site.
- 7.7 In terms of car parking the Transport Assessment has taken account of the location of the application site in relation to existing bus routes through the City and its proximity to Dundee Bus Station and Train Station. Given that the city centre is within walking distance of the proposed flats the Transport Assessment has concluded that the provision of 72% parking is sufficient to serve the proposed development in this instance.

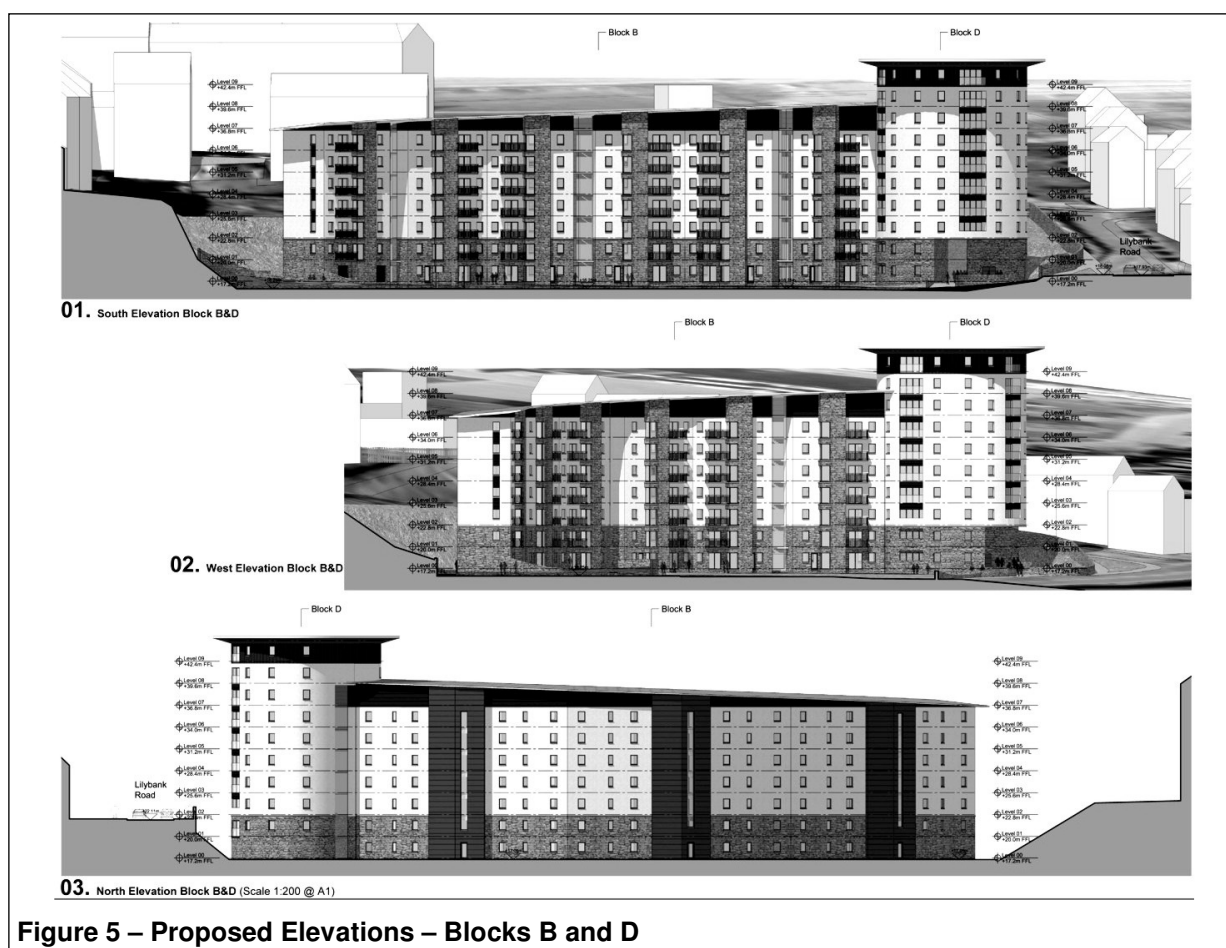


- 7.8 Policy 2F requires the arrangement, layout, design, density and mix of development and its connections to be the result of understanding, incorporating and enhancing the present natural and historic assets, the multiple roles of infrastructure and networks and local design context. The requirements of Policy 2F can be achieved through development that meets the requirements of the Scottish Government's Designing Places and Designing Streets policy documents. These policy documents are considered in the Other Material Considerations section of this report.
- 7.9 **The proposal satisfies the requirements of Policy 2.**



## DUNDEE LOCAL DEVELOPMENT PLAN

- 7.10 **Policy 7: High Quality Design** – requires proposals to contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change, mitigation and adaption. Policy 7 also requires development proposals with a build cost in excess of £1 million to allocate at least 1% of construction costs for the provision of public art projects in a publicly accessible/ visible place within the development.
- 7.11 The design statement demonstrates that the proposed buildings sit comfortably on the site without dominating the setting of the B listed mill building or impacting on neighbouring properties by virtue of overshadowing or overbearing impact. The interchanging projections and roof configurations of the proposed buildings break-up the overall massing of the structures. This allows the landscape to flow between the various building elements to further reduce the scale of the development which in turn is further aided by the topography of the site.



- 7.12 The contemporary design of the proposed buildings and their sensitive positioning, scale, massing and finish will enhance the setting of the B listed mill building. Should planning permission be granted the finish of the buildings will be controlled by condition to ensure that the quality of the development is not diminished by the use of inappropriate finishing materials.
- 7.13 The layout of the proposed development allows for vehicle access to the site from Broughty Ferry Road while the site will be completely permeable through the creation of public footpaths from Princes Street to Wallace Street, Broughty Ferry Road and Lilybank Road.

- 7.14 The areas of garden ground serving the proposed development shall be landscaped. These areas of landscaping will break up the massing of the proposed buildings enhancing the visual amenity of development. The landscaping and maintenance of garden grounds shall be controlled by condition should the Committee be minded to grant planning permission.
- 7.15 The Design and Access statement demonstrates that the requirements of PAN 78 (Inclusive Design) and The British Standards Design of Buildings and Approaches to Meet the Needs of Disabled People (BS 8300:2009) have been incorporated into the design and layout of the proposed development.
- 7.16 The applicant is agreeable to the incorporation of public art into the proposed development. This matter will be controlled by conditions should the Committee be minded to grant planning permission.
- 7.17 **The proposal satisfies the requirements of Policy 7.**
- 7.18 **Policy 8: Housing Land Release** – is supportive of housing land release in addition to the allocations set out in Appendix 2 of the Local Development Plan, where it can be demonstrated that the new development will improve the tenure mix in an area where existing choice is limited and would make a positive contribution to the regeneration objectives of the area.
- 7.19 The redevelopment of the application site will involve the restoration and conversion of the Category B listed Halley's Mill building and the erection of two blocks of flats. Although the proposal will involve the erection of 100 flatted units, there is variety in the scale, massing and design of the 3 buildings on site. The form and size of the flats proposed will provide greater housing choice for existing residents and attract newcomers to the Baxter Park and Stobswell area. The proposals are therefore compliant with the aspirations of Policy 8.
- 7.20 **The proposal satisfies the requirements of Policy 8.**
- 7.21 **Policy 9: Design of New Housing** – requires housing developments to be of a high quality design that contributes to creating places that build on and enhance the distinct character and identity of the different parts of the city. All new housing developments are also required to conform to the requirements of Appendix 3.
- 7.22 In terms of design the requirements of Policy 9 have been satisfied through the assessment of the proposals against the criteria of Policy 7.
- 7.23 Appendix 3 stipulates that the provision of flats in inner city areas of Dundee will only be supported if identified in a site planning brief, site specific circumstances demand a flatted solution or the proposal involves the conversion of a building of merit where conversion to houses is not suitable or achievable. Where the principle of flats in inner city areas of the city can be established Appendix 3 requires such flats to benefit from 2 or more bedrooms or a minimum gross internal floor area of 60m<sup>2</sup>. In addition private flats in inner city areas should be afforded 130% off street parking, secure indoor bike storage, useable private communal garden areas of a minimum of 100m<sup>2</sup> or 10m<sup>2</sup> per flat whichever is greater, a separate drying area and a minimum of 18m between the facing windows of habitable rooms of neighbouring houses. Appendix 3 also states that electric car charging facilities should be incorporated into the layout of communal parking areas.
- 7.24 The site is not identified in a site planning brief. However, the proposals do involve the conversion of a B listed building and there are site specific circumstances relating to the surrounding built form (predominantly flats), the steeply sloping topography of the application



site and the approval of previous flatted developments on this site. It can therefore be demonstrated that the erection of flats in this location is an acceptable form of development.

- 7.25 Block A (Halley's Mill) will be converted to form 32 units, Blocks B will comprise of 41 units and Block D will comprise of 27 units. Overall the proposed development will comprise of 42 two bedroom flats, 55 three bedroom flats and 3 four bedroom flats.
- 7.26 The proposed flats will be served by 1,500m<sup>2</sup> of private communal garden ground. This figure relates only to the areas of useable garden ground and does not include the sloping area of the site to the north of Block B. Although no details of a drying area are outlined on the proposed site layout plan there is adequate garden ground serving the proposed development to provide such facilities. This matter will be controlled by condition should planning permission be approved.
- 7.27 Secure bicycle storage areas will be located the ground floors of Blocks B and D.
- 7.28 The proposed buildings will be located no less than 18m from existing buildings.
- 7.29 As the proposed flats will be served by 72% off street parking only the proposal fails to satisfy the requirements of Appendix 3 in terms of car parking provision. However, should planning permission be granted the applicant is agreeable to the provision of electric car charging points being incorporated into the layout of the communal car parking area.
- 7.30 **The proposed development does not satisfy the requirements of Appendix 3.**
- 7.31 **The proposal is contrary to Policy 9.**
- 7.32 **Policy 29: Low and Zero Carbon Technology in New Development** – requires proposals involving the erection of new buildings to demonstrate that at least 10% of the carbon emissions reduction standards set by the Scottish Building Standards (2007) will be met through the installation of zero-carbon generating technologies. Although no information relating to the inclusion of zero-carbon technologies within the design of the new flats has been submitted as part of this application this matter can be controlled by condition.
- 7.33 **The proposal satisfies the requirements of Policy 29.**
- 7.34 **Policy 35: Protected Species** – is not supportive of development proposals that are likely to have a significant effect on a European protected species unless:
- a there is no satisfactory alternative; and
  - b the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest.
- 7.35 The bat survey submitted in support of the proposed development demonstrates that there are no existing roosts within the application site and that the site is not located within a bat commuting route. While bats have been spotted on the site this has been for foraging purposes only. The bat survey confirms that as there are no bat roosts or commuting routes close to the application the proposal will have no adverse impact on local bat populations in Dundee. The proposal therefore accords with the aspirations of Policy 35.
- 7.36 **The proposal satisfies the requirements of Policy 35.**

- 7.37 **Policy 40: Waste Management** – requires development proposals to demonstrate that they adequately address the Council's waste strategy to reduce, collect, sort, recycle and reuse waste.
- 7.38 The proposed flats have been afforded a sufficient level of bin/ refuse storage space to adequately address the Council's waste management strategy. The proposals satisfy the requirements of Policy 40.
- 7.39 **The proposal satisfies the requirements of Policy 40.**
- 7.40 **Policy 42: Sustainable Urban Drainage Systems** – requires surface water generated by new development to be treated by Sustainable Urban Drainage systems. The proposed SUDs will treat surface water adequately and has capacity to attenuate flood waters during a 1 in 200 year event.
- 7.41 The applicant has submitted sufficient information to demonstrate that surface water run-off from the proposed development can be treated and attenuated on site before being discharged into the Scottish Water drainage network. Confirmation of capacity within the Scottish Water drainage network to serve the proposed development has also been submitted as part of this application. Should planning permission be granted the maintenance of the proposed SUDs system shall be controlled by condition.
- 7.42 **The proposal satisfies the requirements of Policy 42.**
- 7.43 **Policy 45: Land Contamination** – requires proposals for the development of potentially contaminated brownfield land to be accompanied by a site investigation establishing the nature and extent of contamination and where the Council considers the remediation measures proposed to adequately address contamination risks to all receptors such that the land no longer meets the statutory definition of contaminated land.
- 7.44 The Head of Environmental Protection is satisfied that the content of the submitted contaminated land risk assessments will ensure that any contamination on site is remediated successfully. The remediation strategy and subsequent verification can therefore be addressed by condition.
- 7.45 **The proposal satisfies the requirements of Policy 45.**
- 7.46 **Policy 47: Environmental Protection** – requires new development in close proximity to existing sources of noise will need to demonstrate that that it can achieve a satisfactory level of amenity.
- 7.47 To minimise the impact of noise from passing traffic on the amenity of the proposed flats, the Head of Environmental Protection has requested that the implementation of the recommendations of the document Noise Impact Assessment: Proposed Dwellings Adjacent to Princess Street and Blackscroft, Dundee by the Charlton Smith Partnership dated 27 August 2012 are controlled by condition should planning permission be granted.
- 7.48 **The proposal satisfies the requirements of Policy 47.**
- 7.49 **Policy 48: Listed Buildings** – is supportive of proposals that seek to preserve or enhance listed buildings. Alternative uses for listed buildings will also be supported where this is necessary to secure the future of the building with any adaptation to the fabric of the building being of a nature that is sympathetic to the character of the building.

- 7.50 The proposals involve the redevelopment and restoration of the B listed Halley's Mill building through the demolition of the existing extension to the eastern elevation of the building and conversion to flats. Given the open plan design of the mill floors and dilapidated appearance of the listed building the proposals will significantly enhance the appearance of the building while restoring and preserving the remaining features of historic and architectural merit.
- 7.51 Although the structural cast iron columns supporting the upper floors of the building will be encased within the new partition walls separating rooms and flats, they will be retained in situ.
- 7.52 The interior of the B listed mill building no longer contains any features of architectural or significant historic merit due to long periods of vacancy and historical uses that were not sympathetic to the form of the building. The conversion of the building from a former jute mill to flats will ensure that the special interest of the building will be restored.
- 7.53 The replacement windows and doors and finish of the listed building shall be controlled by condition to ensure that the works to convert the building do not diminish what remains of its special interest.
- 7.54 **The proposal satisfies the requirements of Policy 48.**
- 7.55 **Policy 49: Demolition of Listed Buildings and Buildings in Conservation Areas** – requires applications for the demolition of a listed building or an unlisted building that is worthy of retention in a conservation area to be fully supported by reports on the condition and marketing history of the building along with a feasibility study which explores the viability of retaining the building in active use. Applications for demolition shall be required to be in accordance with Historic Scotland's Scottish Historic Environment Policy.
- 7.56 A detailed conservation plan which details the structure and condition of the B listed mill building (Halley's Mill) and its extension has been submitted in support of the proposed development. The report highlights the extent of the repair works required to restore the existing buildings on site and the economic viability of repair.
- 7.57 The conservation plan demonstrates that there are significant concerns relating to the structural stability of the eastern extension to the B listed mill building (Halley's Mill). This is mainly because the extension has been without a roof for many years now with significant water ingress and exposure causing corrosion. The extension to the eastern elevation of Halley's Mill is erected on exposed rock which outcrops to the north and east of the building. The rock outcrops occupy a substantial proportion of the ground floor of the mill extension. The conservation plan demonstrates that although the extension is not of significant architectural merit the costs involved in restoring and repairing the mill extension and also converting the building into habitable accommodation would not be economically viable.
- 7.58 **The proposal satisfies the requirements of Policy 49.**
- 7.59 **Policy 54: Active Travel** –
- 7.60 requires new development to be designed in order to:
- 1 minimise the need to travel by private car;
  - 2 improve access to services; and
  - 3 promote healthy lifestyles by encouraging active travel.

- 7.61 Policy 54 also requires all developments to make provision for walking and cycle access, including cycle parking and walking/ cycle routes and to a standard that affords it priority over motorised transport.
- 7.62 By virtue of the proximity of the application site to the city centre and Albert Street district centre, the bus and train stations, 2 main bus routes through the city and the provision of only 72% off street car parking the proposals satisfy the requirements of Policy 54 by promoting active travel and minimising dependence on the private car.
- 7.63 In addition the submitted Transport Assessment highlights that pedestrian routes surrounding the application site will be enhanced as a result of the proposed development.
- 7.64 **The proposal satisfies the requirements of Policy 54.**
- 7.65 **Policy 55: Accessibility of New Developments** – requires all developments that generate travel to be designed to be well served by all modes of transport.
- 7.66 The requirements of Policy 55 have been addressed in the assessment of the proposals against the requirements of Policy 55 above.
- 7.67 **The proposal satisfies the requirements of Policy 55.**
- 7.68 **It is concluded from the foregoing that the proposal does not comply with the provisions of the Development Plan.**

## **STATUTORY DUTY**

### **PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

- 7.69 Section 59 of the planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 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. For the reasons outlined above, the proposals will not adversely affect the historic appearance of the B listed Halley's Mill building. Therefore, should the Committee be minded to grant planning permission the statutory duty will be discharged.

## **OTHER MATERIAL CONSIDERATIONS**

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

### **A – SCOTTISH HISTORIC ENVIRONMENT POLICY 2008**

- 7.70 The application site includes the former Wallace Craigie Works, a Category B listed building. As such, any development to the buildings will require to be considered under the guidance of the Scottish Historic Environment Policy 2008 which sets out Scottish Ministers policies for the historic environment.
- 7.71 Paragraphs 3.44 - 3.46 of the Scottish Historic Environment Policy are relevant to the proposed development. Paragraphs 3.44 and 3.46 state that demolition of an existing listed building, should be approved only when satisfied that one of a number of tests has been met. The tests are as follows:

- a the building is not of special interest; or
- b the building is incapable of repair; or
- c the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

7.72 Through the assessment of the proposal against Policy 49 of the Dundee Local Development Plan 2014 above it has been demonstrated that the proposed demolition of the B listed mill extension satisfy the criteria of Policy Tests a, b and c.

### **B – SCOTTISH PLANNING POLICY 2014**

7.73 The Scottish Planning Policy stipulates that the siting and design of new housing should take account of its setting, the surrounding landscape, topography, character, appearance, ecologies and the scope for using local materials. The aim should be to create places with a distinct character and identity, promoting a well integrated mix of land uses including well designed homes of different types and tenures.

7.74 The aims of the Scottish Planning Policy are inherent in the requirements of the Development Plan. The proposed development has been assessed against the relevant criteria of the Development Plan and has been found to comply in full. The proposals therefore also satisfy the requirements of the Scottish Planning Policy 2014

### **C – OTHER NATIONAL POLICY AND GUIDANCE**

7.75 **Designing Streets: Policy Statement for Scotland 2009** - Designing Streets discusses the issue of good street design. The conclusions drawn are that good street designs are highly dependent on context and may vary considerably in their nature and complexity from one circumstance to another. Designing Streets highlights that an approach which is underpinned by a consideration of the six qualities of successful places set out in Designing Places has clear benefits as a methodology to ensure that key issues are addressed.

7.76 **Designing Places: A Policy Statement for Scotland 2001** - Designing Places highlights that the most successful places, the ones that flourish socially and economically and tend to have certain qualities in common. First, they have a distinct identity. Second, their spaces are safe and pleasant. Third, they are easy to move around, especially on foot. Fourth, visitors feel a sense of welcome, fifth they are adaptable to changing circumstances and finally, places that are successful in the long term, and which contribute to the wider quality of life, will prove to make good use of scarce resources. They are sustainable.

7.77 The 6 qualities listed by Designing Places have been incorporated into the requirements of Policy 7 (High Quality Design) of the Local Development Plan. It has been concluded from the assessment of the proposals against the requirements of the Development Plan above that the requirements of Policy 7 are satisfied. The proposals therefore adhere to the guidance contained within both Designing Streets and Designing Places.

## **D – NON-STATUTORY STATEMENTS OF COUNCIL POLICY**

- 7.78 Breaches in Boundary Walls - the Council's Breaches in Boundary Walls policy states proposals will not be supported where the wall is considered to contribute to the character of the listed building and where the proposed alteration would detract from its special interest.
- 7.79 The existing boundary wall enclosing the eastern sector of the application site has been the subject to several alterations with ad hoc repairs carried out when unauthorised breaches have occurred. The materials used in repairs have varied from engineering bricks to concrete, none of which have been sympathetic to the stone boundary wall or the adjacent listed buildings.
- 7.80 The proposals will involve the removal of the existing vehicle access, the lowering of the existing boundary wall and the creation of a new vehicle access on to Broughty Ferry Road. Given that the down takings will be used to make good the remainder of the wall with its form remaining largely in tact, the proposals are not considered to diminish the special interest of the boundary wall or adjacent listed buildings and as such the requirements of the Council's Breaches in Boundary Walls policy are satisfied.

## **E – VIEW OF OBJECTORS**

- 7.81 One letter of objection has been received from a neighbouring resident. The valid concerns raised relate to scale and density of development, loss of amenity and disturbance. However, in the assessment of the proposed development against the requirements of the Development Plan above, it has been concluded that the proposed flats will not impact on the amenity of neighbouring properties by virtue of overlooking, overshadowing or physical impact. It should be noted that the proposals will enhance the amenity of neighbouring properties by bringing a site that is vacant, derelict, dangerous and a target for vandalism back into active use. In this instance the proposals will not adversely impact on the amenity of neighbouring properties and is considered to be of a scale and density that will not adversely impact on the surrounding area.
- 7.82 Although the proposal will bring additional people into the area surrounding the application site, the level of disturbance generated by the new housing development will be minimal given the existing level of disturbance prevalent in the area surrounding the application site generated by passing traffic and the proximity of the city centre and Albert Street district centre.
- 7.83 The concerns of the objectors are not supported.

## **F – CAR PARKING PROVISION**

- 7.84 Seventy two off street parking space will be provided within the application site. However, there is a sufficient level of available car parking facilities (East Whale Lane multi-storey car park) outwith but close to the application site to accommodate the additional vehicles generated by the remaining twenty eight flats proposed. In addition the need for dependence on the private car as a mode of transport will be significantly reduced due to the location of the site adjacent to two main bus routes through the City (which are served by 47 buses per hour) and the proximity of the site to the City Centre, railway station and bus station. Therefore in this instance 72% car parking provision is sufficient to serve the proposed development.
- 7.85 It should be noted that if Phase 2 of the redevelopment of Wallace Craigie Works is completed each of the 175 flats comprising of Phases 1 and 2 would have a car parking

space within the development. However, it is recognised that this is a stand alone application and that it cannot be guaranteed that Phase 2 will proceed as previously approved. However, for the reasons stated above it is considered in any event that the level of parking proposed for this development is satisfactory.

### **G - PLANNING APPLICATION REF: 12/00371/FULM**

- 7.86 Planning application ref: 12/00371/FULM was granted planning permission for the erection of 174 flats on the site of the former Wallace Craigie Works mill complex. The development comprised of the erection of 174 flats, the formation of vehicle access roads, parking areas, landscaped gardens and the demolition of the listed mill office building on the western side of Wallace Street and the extension to the eastern elevation of Halley's Mill on the eastern side of Wallace Street. It was proposed to convert the retained B listed Halley's Mill building into 24 units and erect 3 blocks of flats containing 75 units on the eastern side of Wallace Street. On the western side of Wallace Street it was proposed to erect 3 blocks of flats containing 75 units.
- 7.87 The current proposal relates to the site to the east of Wallace Street. The main differences between the approved development on the application site and what is now being proposed relates to the omission of a block of flats containing 8 units which was to be located to the north west of Halley's Mill and would abut the eastern side of Wallace Street. The omission of this building and a reconfiguration of the flat sizes being proposed allows for a more sensitive treatment to the conversion of the B Listed Halley's Mill building into 32 units and an increase in the number of flats contained within Block D from 26 to 27 units.
- 7.88 **It is concluded from the foregoing that the material considerations support the approval of planning permission.**

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## **8 CONCLUSION**

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- 8.1 The proposal does not satisfy the requirements of the Development Plan in terms of the level of parking provision but there are material considerations that would justify approval of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

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## **9 RECOMMENDATION**

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- 9.1 It is recommended that consent be
- 1 Details of the proposed finishing materials including boundary treatments, rainwater goods and outdoor surfacing materials 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.
  - 2 Prior to the commencement of development, a scheme of landscaping shall be submitted to and approved by the Council, and it shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with measures for their protection in the course of development in accordance with BS5837:2012. Full details of new planting and landscaping shall also be submitted to and approved by the planning authority prior to the commencement of development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size



and species to those originally required to be planted in terms of this condition. The applicant shall inform the Council in writing of the date on which the landscaping was carried out (or if carried out in phases, the date of completion of each phase) as soon as practicable following completion of the landscaping.

- 3 Full details of a maintenance plan for the existing and proposed trees and proposed areas of open space 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 Prior to the first occupation of the dwelling units hereby approved, any existing vehicle accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications.
- 5 Prior to the commencement of work on site, a maintenance schedule and details of maintenance responsibilities for the proposed SUDs system shall be submitted to the Council for written approval. Thereafter, the proposed SUDs system shall be maintained in accordance with the details approved by this application.
- 6 Prior to the occupation of any of the flats hereby approved, the noise mitigation and attenuation measures recommended by the Noise Impact Assessment: Proposed Dwellings Adjacent to Princes Street and Blackscroft, Dundee by the Charlton Smith Partnership dated 27 August 2012 shall be implemented in full.
- 7 Development shall not begin until the investigation and risk assessment proposed in the submitted Stage I Desk Study are completed and a remediation strategy to deal with contamination risks at the site has been submitted to and approved in writing by the planning authority. The strategy shall contain proposals to deal with contamination to include:
  - i the nature, extent and type(s) of contamination on the site;
  - ii measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
  - iii measures to deal with contamination during construction works; and
  - iv verification of the condition of the site on completion of decontamination measures
- 8 Before any unit is occupied the remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved by the planning authority".
- 9 Prior to the commencement of work on site, detail of proposed drying areas shall be submitted to the Council for written approval. Thereafter, the approved drying facilities shall be fully implemented prior to the first occupation of any of the proposed flats hereby approved.
- 10 Prior to the commencement of work on site, details of a proposed public art scheme to be incorporated into the development hereby approved are to be submitted to the Council for written approval. Thereafter, the approved public art scheme shall be fully implemented prior to the first occupation of any of the flats hereby approved.

- 11 A Sustainability Statement demonstrating the extent to which the development will meet the requirements of Policy 29 of the Dundee Local Development Plan 2014 and making provision within the development for an electric car charging point shall be submitted for the approval of the Council and the works shall be completed in accordance with the approved Statement.

**REASONS**

- 1 In the interests of visual amenity and safeguarding the special interest of the B listed Halley's Mill building.
- 2 To ensure that proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that the existing and proposed trees are adequately maintained, in the interest of the visual amenity value of the area.
- 4 In the interests of road safety.
- 5 In the interests of preserving the efficiency and effectiveness of the proposed SUDs system.
- 6 In the interests of residential amenity and environmental quality.
- 7 In the interests of residential amenity and environmental quality.
- 8 In the interests of ensuring that the application site is decontaminated and fit for purpose.
- 9 In the interest of residential amenity.
- 10 To safeguard the provision of public art in accordance with the requirements of Policy 7 of the Local Development Plan.
- 11 In the interests of creating energy efficient housing.