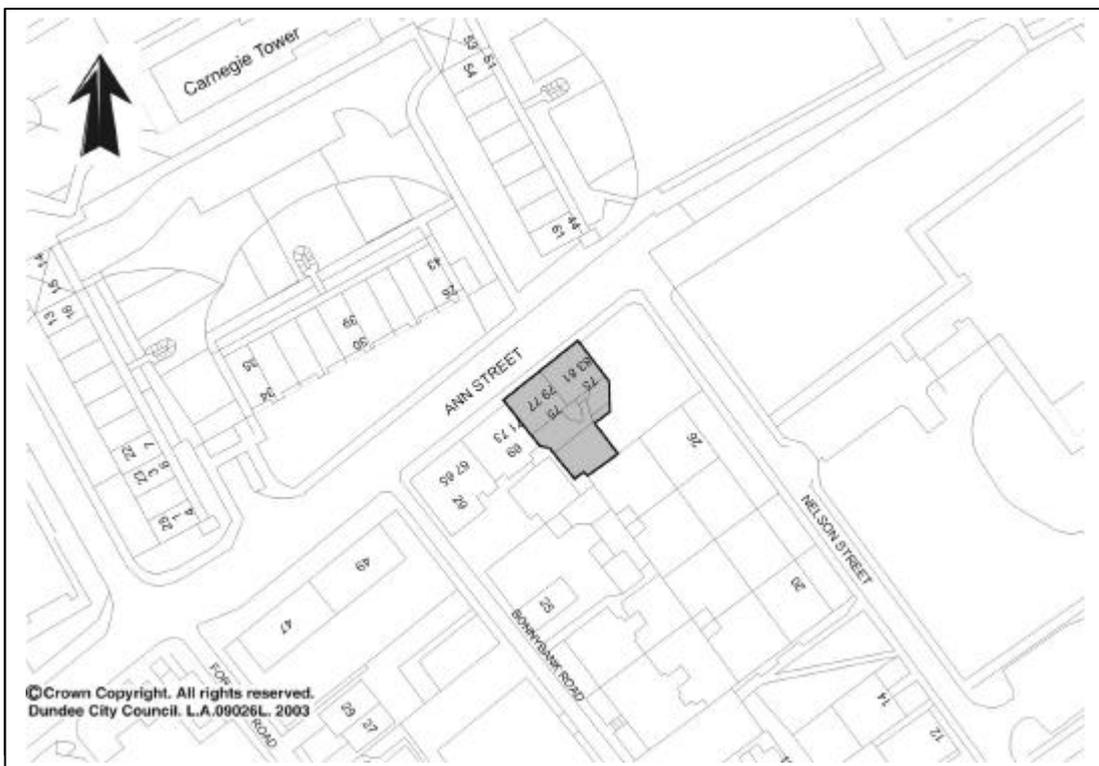


**KEY INFORMATION**

Ward Hilltown

**Proposal**

Proposed conversion of shop units into 3 flats

**Address**77-79 & 81-83 Ann Street  
Dundee  
DD3 7TF**Applicant**Mrs K Lackie  
9B Carlton Terrace  
Edinburgh**Agent**The Lindsay Gray/Alan  
Beaton Partnership  
7 Ward Road  
Dundee  
DD1 1LP**Registered** 17 July 2006**Case Officer** S Johnson

# Proposed Residential Conversion in Ann Street

The proposed conversion of shop units into 3 flats is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development is considered to contravene Policy 13 of the Dundee Local Plan Review 2005. It is considered that material considerations provide sufficient weight to warrant approval of the application. Therefore the application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the conversion of two vacant shop units into three two bedroom flats at 77-79 and 81-83 Ann Street, Dundee.
- No letters of objection were received in relation to this proposal.
- Policies 4 and 13 of the Dundee Local Plan Review are relevant to the determination of the application as these policies set guidelines to be met for residential developments.
- It is considered that the proposal does not comply with Policy 13 of the Dundee Local Plan Review. However, it is considered the material considerations provide sufficient weight to warrant approval of this application contrary to the provisions of the development plan.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the conversion of two vacant shop units to three two bed flats. It is proposed to convert the basement and ground floor levels from two shop units into three flats. The basement will be converted to provide one two bedroom flat with the ground floor providing two flats with two bedrooms each. The largest gross floor area of one of the flats would be 61sq.m (excluding stairs and corridors).

The main entrance to all the flats in the block is to the west of the proposed site.

## SITE DESCRIPTION

The application site is located on the south side of Ann Street. It is a four storey building. The ground floor is currently two vacant shop units. On the three storeys above are residential flatted developments. The adjacent property to the west is a four storey tenement block where the ground floor also has vacant shop units. To the rear of the property is a small courtyard area. There is a change in ground levels between the front elevation and the rear elevation of the building. This is a residential area where the majority of properties are flatted developments with on-street parking.

## 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:

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 require to conform to the Design Standards contained within Appendix 1 of the Local Plan. For the purposes of the Design Standards this site is located within the Inner City. Flats will only be permitted where the site has been identified in a site planning brief, site specific circumstances demand a flatted

solution or conversion of an existing building is proposed and houses are impractical. Flats should have a minimum gross floor internal floor area of 60sqm.

Policy 13 Roofspace and Basement Development seeks to control this type of development. The space should previously have been used for living accommodation or if this is not the case then the redevelopment will provide the required supporting services such as off-street parking and improved amenity space.

## 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

Key theme 13 is relevant to the determination of the application and states that places, spaces, and objects should combine meaning and beauty with utility. This proposed development is in line with these considerations.

## SITE HISTORY

A previous application (Planning Application Reference 06/00358/COU) for four flats was withdrawn before the application was determined.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out. No objections were received to this proposal. The proposal was also advertised as an application contrary to Policy 13 Roofspace and Basement Development of the Dundee Local Plan Review 2005.

## CONSULTATIONS

No adverse comments were received from statutory consultees or other bodies.

## 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 principle of developing housing at this location is appropriate as the existing shop units have been derelict for some time. There is no demand for a commercial use in this location. This proposed change of use is in line with the regeneration of the Hilltown area.

Policy 4 sets out the standards for the design of new housing at this inner city location. The proposed development conflicts with the presumption against flats. However, Appendix 1 to Policy 4 states that flats will be permitted where site specific circumstances demand a flatted solution. Flats should have a minimum gross floor space of 60sq.m. This proposal fulfils this requirement as the largest floor area would be 61sq. m with the other two flats both having floor areas of 60sq.m. each.

As this is an inner city location, the parking standards as stated in

Appendix 1 of the Dundee Local Plan Review, for private flats should be 130%. This may be reduced depending on the provision of on-street parking. Secure indoor storage for bikes is also to be provided. Although on-site parking is not available at this location it is considered that as Ann Street is a wide street and is not a main route the introduction of three flats will not cause any significant on street parking issues at this location. There currently are no parking issues on this street. The applicant has provided photographic evidence (Pre-Application discussions) which shows there is adequate space for parking. The applicant also states that the proposed regeneration of the area will provide off-street parking as well as existing on street parking. In addition, the applicant has stated they are willing to provide dedicated parking bays in front of the building which would be angled at 90 degrees to the pavement with hard landscaping and trees dividing up the bays. Although the applicant has indicated willingness to provide parking bays this is not being pursued as there are no significant on-street parking issues at this location and due to the fact that this is a small scale development.

The applicant has also made provision for a bike store to the south of the flats within a designated area in the communal amenity area.

In relation to the provision of useable amenity/garden space, private communal areas either 100sq m or 10 sq m per flat whichever is greater should be provided. Drying areas should be provided in addition to this provision. The plans indicate that an area of 123 sqm. will be provided. This equates to more than 10sq.m. per flat which is the required minimum (in Policy 4 Appendix 1) for each flat. The basement flat will have a private area measuring approximately 12.5sq.m. The flats above also have balcony areas which provide additional private areas adding a further 28sq.m. to the overall total. The plans also include a separate drying area of approximately 36.6sqm.

The design of the development complements the existing residential properties on the upper floors and provides a uniform finish to the street. On the rear elevation, the basement flat windows are to be located on the south elevation which will overlook the

designated private amenity space for this specific flat.

In terms of Policy 13 Roofspace and Basement Development criteria (a), there is evidence in the form of fireplaces and full size windows to suggest that both units were previously used for living accommodation.

This proposal was advertised as a departure from the Local Plan as being contrary to Policy 13 Roofspace and Basement Development in terms of criteria (b) relating to the provision of off-street parking. However, it is considered that the provision of three flats at this location will not create any significant issues in terms of on-street parking. In addition, the applicant has stated they are willing to provide dedicated parking bays on Ann Street. As the majority of flats in the area do not have dedicated parking, it is considered that the provision of dedicated parking bays is not necessary in this case.

It is considered that in this case as there is no demand for retail/commercial units at this location and as this is a residential area, then residential development is the most appropriate type of development. Due to the location of the proposed units on the ground and basement floor levels, flatted developments are the only possible realistic solution to bringing back these units to a viable use.

It is concluded from the foregoing that although the proposal does not comply with the provisions of the development plan, there is a strong justification for approving this development.

### Other Material Considerations

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

Applicant justification: the applicant has stated that this building has been the target for serious fire and vandalism in the past. There is no demand for retail units at this location. And developing these two units will be in line with the recent restoration and upgrading of the upper areas of this building. An additional 3 flats would not put any additional pressure on the block amenity as it complies fully with Appendix 1 Design of New Housing except for on site parking. Ann Street present and future provides more than adequate parking for 3 flats.

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

the material considerations such as to justify granting planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

### Design

It is proposed to repaint the exterior of the upper areas of the building in a county cream colour. A new coloured render finish in a darker colour, (mushroom) will be applied to the lower area. A smooth cement margin will be repeated around the windows and a new base course will complete the new treatment. The feature stonework will be finished in fawn. Two false windows will be installed on the north elevation to provide a uniform finish to the street. On the south elevation a new access platform will be installed which will complement the existing platforms on the upper levels. It is considered that the design of the proposed development, including the finishing materials is acceptable to the character and appearance of the existing upper levels of this block and that of the area.

### CONCLUSION

It is considered the proposed residential use will not place additional pressure on the existing on-street parking facilities. Although this proposal is contrary to Policy 13, in terms of parking provision, as there are no significant on-street parking issues at this location and due to the fact that this is a small scale development, parking provision is not seen as an issue at this location. It is also considered that sufficient weight can be given to the material considerations to justify granting planning permission contrary to the development plan.

### RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following condition:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.

### Reason

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