

KEY INFORMATION

Ward Tay Bridges

Proposal
Change of use from
Garage/Workshop to office

Address
48 Thomson Street
Dundee
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Applicant
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Agent

Registered 4 Sept 2006

Case Officer E Jones



Proposed Office Use of Existing Premises in Thomson Street

A change of use from Garage/Workshop to office is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed change of use represents beneficial use of a traditional building with limited sensitive alterations which are complementary to its character. The proposals comply with policy and the 3 objections are not supported. Accordingly, the application is Recommended for APPROVAL subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the change of use of an existing garage building to an office (Class 2) providing professional services. There will be bike racks and parking for 1 car. A new slate roof is proposed but the height is unchanged. The doors will be replaced with modern double glazed windows with a timber entrance door.
- The site is currently occupied by a traditionally designed double garage of stone and brick construction with a hipped slate roof which lies on the east side of Thomson Street. The property is currently vacant but was previously in use as a car repairs and car sales business. It is surrounded by residential properties.
- The relevant policies in the Dundee Local Plan Review 2005 are Policy 1 - Vibrant and Sustainable Communities and Policy 61 - Development in Conservation Areas. There were three objections from adjoining neighbours. The objections are not supported.
- It is considered that given the previous commercial use, the proposed change of use complies with policy and is an acceptable use in this residential area. The development represents a sensitive and sympathetic conversion of a traditional building retaining its character and representing beneficial use of the site.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the change of use of an existing garage building to an office. The development comprises an office, meeting room, wc and small kitchen on the ground floor with an office on the upper floor. There will be a small external terrace with bike racks and parking for 1 car. A new slate roof is proposed but the height and profile of the roof is unchanged. The north wall will be reinforced and treated with white render. The sliding garage doors will be replaced with modern double glazed windows with a timber entrance door. The office will be a Class 2 office providing professional services.

SITE DESCRIPTION

The site is currently occupied by a traditionally designed double garage of stone and brick construction with a hipped slate roof. It has sliding timber doors and an open yard to the north. The site totals 97 square metres and lies on the east side of Thomson Street, 45 metres north of its junction with Magdalen Green. The property is currently vacant but was previously in use as a car repairs and car sales business. It was built originally as part of the adjoining Listed Building at 53 Magdalen Yard Road which has now been divided into flats. It is surrounded by residential properties. The garden grounds of No 53 lie to the south and east. There are terraced houses to the north and is a large nursing home to the west behind a high stone wall. Thomson Street links Perth Road with Magdalen Green and is a narrow two way street subject to heavy on street parking for much of its length.

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 1 Vibrant and Sustainable Communities

Policy 61 Development in Conservation Areas

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

The Memorandum of Guidance on Listed Buildings and Conservation Areas is of relevance.



Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application

SUSTAINABILITY ISSUES

The application raises no issues in relation to the Council's Sustainability Policies.

SITE HISTORY

04/00850/FUL - Erection of 3 storey house, application withdrawn 19/01/2005

04/00890/CON - Demolition of garage in Conservation Area, application withdrawn 25/01/2005.

PUBLIC PARTICIPATION

The application was the subject of statutory neighbour notification. Three objections were received from neighbours in the adjoining properties on the grounds of loss of privacy and residential amenity, impact on Listed Building and Conservation Area, traffic and parking, drainage/infrastructure problems. Copies of the objections are available in Members' lounges and the issues are considered in the Observations below.

CONSULTATIONS

There were no adverse comments from consultees.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act 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 proposed development is an office for an architects/interior designers company and as such would be unlikely to attract large numbers of customers to this location. This is not a use which relies upon attracting passing members of the public. In principle, the location of such a use within a predominantly residential area does satisfy the terms of Policy 1 provided the impact of the development is minimized and other policies are met.

The design is acceptable as it retains the character of the building, replacing only the heavy sliding timber doors with a simple modern glazed frontage. The new slate roof will replicate the form and height of the existing. The only rooflights are on the north side of the building, replicating the existing glazing provision. No new windows will be installed on either of the

elevations to the adjoining private garden ground. The windows on the east elevation, facing the adjacent private garden are existing at present.

Parking is provided off street for 1 vehicle and 4 cycles. Thomson Street experiences heavy on street parking associated with the University and with the lack of off street parking for existing residential properties. The site was last in use as a commercial car sales and repair business. The level of use of the site has been very low. However the site could be used by another operator, without the need for planning permission, and the impact on traffic and parking, noise and the existing environment could be considerably more than these proposals. It is considered that the proposed office has the potential to attract fewer cars than a car sales and repair business, generate less noise and have less impact on the environment. Accordingly it is considered that the parking provision is acceptable for this relatively small office development.

There should be no impact on neighbours by reason of noise or smell associated with the proposed use of the building.

It is considered that the proposal complies with Policy 1.

Policy 61: Development In Conservation Areas

Within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

As noted above, there are limited changes to the building, the formation of a new roof to replace the existing and the insertion of a new glazed frontage to replace the timber sliding garage doors. The stone facade will be retained. It is considered that the proposals represent a sensitive and sympathetic conversion of a traditional coachhouse building

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

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

Objections

The application was the subject of statutory neighbour notification. Three objections were received from neighbours in the adjoining properties on the following grounds:

- loss of privacy and residential amenity. There are no new windows proposed in the east or south elevations which would affect privacy. The replacement roof lights are on the north elevation. The building already has a lawful commercial use.
- impact on Conservation Area and setting of Listed Building. As noted above this is a sensitive conversion and will not have an adverse impact on either the setting of the adjacent Listed Building or the Conservation Area.
- traffic and parking. It is considered that the proposed use will not have a sufficiently adverse impact on the current situation such as to justify the refusal of the application.
- drainage/infrastructure problems. These issues are not explained by the objector and are matters for other agencies.

It is concluded that the objections are of insufficient weight to support the refusal of planning permission contrary to the terms of the Development Plan.

Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.

It is also concluded from the foregoing that the statutory duty set out in Section 64 of the Act, to preserve or enhance the character or appearance of the Conservation Area would be satisfied by the approval of this proposal to retain and re-use a traditional building in the Conservation Area.

Design

The design is sensitive to the character of the building and represents a modern insertion into a traditional structure.

CONCLUSION

The proposed development is in accordance with the provisions of the development plan and is supported by the strong material considerations of the policies of the Finalised Local Plan Review. The objections are not considered to be of sufficient strength to justify the refusal of planning permission contrary to these policies.

It is therefore recommended that planning permission be granted with conditions.

RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 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 the proposed office shall not be used for any purpose other than a purpose within Class 2 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1989 as amended or re-enacted.
- 4 before the first use of the office hereby approved, car parking and cycle racks indicated on the approved drawings shall be provided and thereafter kept available for use at all times

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 to ensure that, having regard to its location, the site is not used in an over-intensive manner and to protect the amenities of the occupiers of nearby properties.