

DESCRIPTION OF PROPOSAL

Planning permission is sought for change of use from workshop and store to 3 flats at 1 Buchanan Street, Dundee. The floorspace for the flats extends over 3 levels. Each flat will have 3 bedrooms and they all have integral garages. Two dormers with balconies of over 4sqm are proposed on the north elevation and two small balconies on the west elevation. The existing stone and slate will be cleaned and repaired and new timber windows and doors inserted.

SITE DESCRIPTION

The application site is located on the south side of Buchanan Street and east side of Ogilvie Street. The building is a traditional 2 storey stone-built former industrial building with timber windows and numerous rooflights. There are door openings on 3 levels on the west elevation and evidence of a pulley system, which would have been used for industrial purposes. A garage is located immediately to the east on Buchanan Street and there is a car sales business immediately to the south on Ogilvie Street. There are 4 storey tenement flats on the opposite side of Buchanan Street and flats on the opposite side of Ogilvie Street.



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 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 m.p.h. or less. New housing should have regard to opportunities to maximise energy efficiency and promote sustainable waste management.

Policy 26: General Economic Development Areas - in areas designated as General Economic Development Areas, proposals for Class 4, 5 and 6 developments will be supported. Other uses of a wider industrial nature such as car showrooms, wholesaling, taxi offices and scrap yards may be permitted provided:

- a there is no detrimental impact on neighbouring uses and local residential amenity, and
- b there is no unacceptable traffic impact; and
- c the scale of development is appropriate to the size and location of the site.

Class 1 retail will not be permitted unless in accordance with other policies in the Local Plan.

Residential development is generally not supported within General Economic Development Areas unless a satisfactory standard of residential amenity can be achieved; housing will not adversely impact on the ongoing operation of adjacent industrial areas; and evidence demonstrates that the site is no longer suitable for economic development purposes.

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

The proposal includes the re-use of a former traditional stone built building which is considered sustainable. An internal bin store is provided with the development. There are no specific sustainability policy implications arising from this application.

SITE HISTORY

There is no site history of direct relevance to the application site.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and no letters of objection were received.

The application was advertised as a departure to Policy 4 of the Dundee Local Plan Review 2005 on 22nd January 2007.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has indicated that a full noise impact assessment (NIA) is required to identify the impact of noise on the application property from all noise sources and the mitigation measures required to protect the amenity of future occupants. There are adjacent commercial uses and a nearby public house, which all have

the potential to impact on residents' amenity.

The Head of Environmental Health and Trading Standards has indicated that the site is at risk from potential contamination and a detailed Phase 1 site investigation is required prior to the determination of the application, if the application is recommended for approval.

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 is for 3 flats within a former workshop and store on the corner of Buchanan Street and Ogilvie Street. The flats are 3 storeys in height and have integral garages on the ground level with access directly onto Buchanan Street.

In terms of Policy 4, the overall aim is to promote high quality new housing. The means of achieving this high standard is set out in the associated design standards. The main criteria to consider are the design and layout of the houses, car parking provision, garden space and privacy, and the residential amenity of future and existing residents.

The three proposed flats are within an existing 3 storey building and they all have 3 bedrooms. Flats are generally only permitted in certain circumstances and it is for the applicant to justify any proposal for flats. Conversion of an existing building may be permitted and a minimum gross internal floor area of 60sqm should be provided with each unit. The flats all exceed the 60sqm requirement, however the applicant has not submitted a justification for a flatted development at this location. One garage is provided with each flat and the Policy specifies that 130% parking should be provided. It is

considered that there would be space available on street for one additional car parking space. There are no gardens or amenity space provided with the development, apart from small balconies. Two balconies on the north elevation have only 4sqm of useable space and two on the west elevation are not considered useable as they are very small scale. This does not comply with the requirement in Policy 4 as flats should have 10sqm of private communal garden space per flat.

The existing stonework and slate will be cleaned and repaired and new timber doors and windows installed, which are considered acceptable in design terms. It is concluded that although the proposal complies with some elements of Policy 4, the main principle of flats has not been justified by the applicant and the development fails to provide sufficient amenity space for future occupants.

Policy 26: General Economic Development Areas states that residential use is generally not supported unless a satisfactory standard of residential amenity can be achieved; housing will not adversely impact on the ongoing operation of adjacent industrial areas; and evidence demonstrates that the site is no longer suitable for economic development purposes. The applicant has failed to provide any supporting information to prove that the residential use can operate satisfactorily in this small industrial area. The Head of Environmental Health and Trading Standards has concerns regarding the potential noise disturbance for future occupants from surrounding industrial uses and a nearby public house. It is concluded that the proposal is contrary to Policy 26.

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

Other Material Considerations

No objections were received and there are no other material considerations to be taken into account.

It is concluded from the foregoing that there are no material considerations which would justify the grant of planning permission contrary to the provisions of the development plan.

Design

The design of the proposed conversion to residential use is considered acceptable. The proposal does not comply with the requirements as specified in Policy 4 of the Local Plan.

CONCLUSION

The proposal does not comply with Policies 4 and 26 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify approval of the application.

RECOMMENDATION

It is recommended that consent be REFUSED for the following reasons:

Reasons

- 1 The proposal is contrary to Policy 26 of the Dundee Local Plan 2005 because it involves a residential development in an area allocated for economic development uses in circumstances where a satisfactory standard of residential amenity cannot be provided, where there would be conflicts with existing business uses and where there is no evidence that the site is unsuitable for economic development purposes. There are no material considerations that would justify approval of the application contrary to the provisions of the Development Plan
- 2 The proposed development is contrary to Policy 4 of the Dundee Local Plan Review 2005 as no garden ground is provided with the flats as set out in Appendix 1 of that policy. There are no material considerations that would justify approval of the application contrary to the provisions of the Development Plan.