

KEY INFORMATION

Ward Coldside

Proposal

Change of use from store to dwelling with elevational alterations

Address

Lock Up
60 Mains Road
Dundee

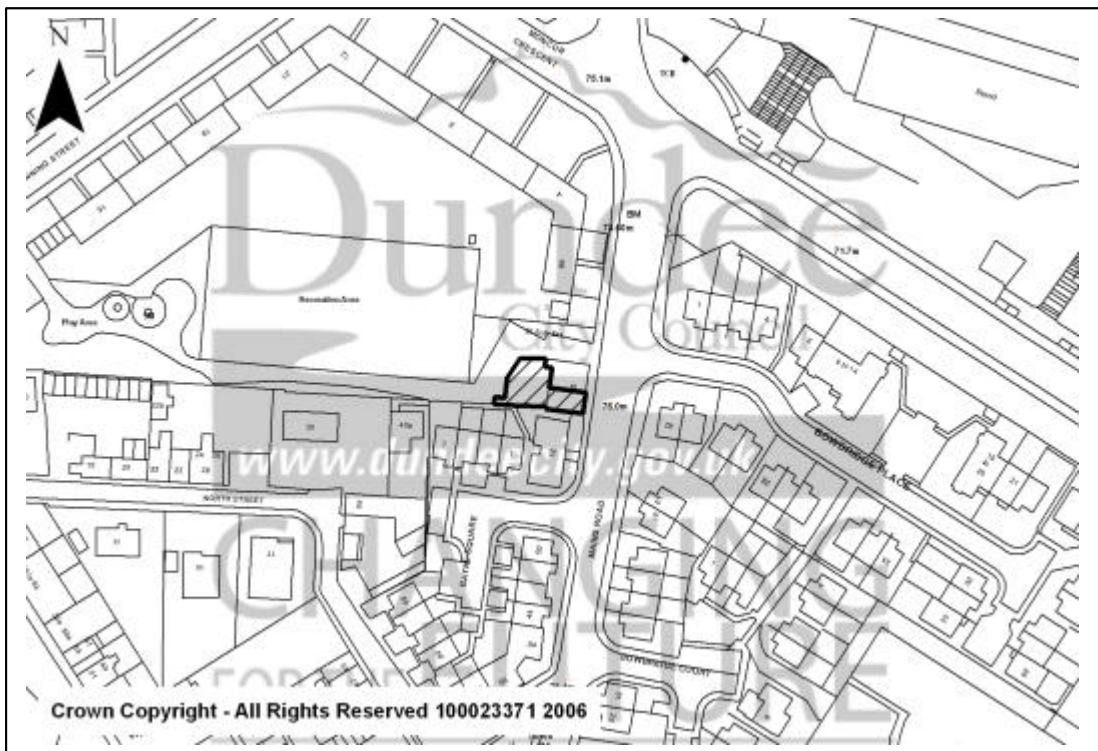
Applicant

Donald Soutar
The Old Village Hall
Grange Crossing
Errol
PH2 7SZ

Agent

Registered 3 July 2007

Case Officer S Johnson



Conversion of Store to House Proposed

The change of use from store to dwelling with elevational alterations is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to contravene Policy 4 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 change of use from a store to a one bedroom flat with elevational alterations at 60 Mains Road, Dundee.
- No letters of objection were received in relation to this proposal.
- Policies 1 and 4 of the Dundee Local Plan Review 2005 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 4 of the Dundee Local Plan Review 2005. 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 a vacant store to a one bedroom flat on the ground floor of a tenement building at 60 Mains Road, Dundee. The gross floor area of the flat is 50m². There is a shared amenity and bin storage area to the rear.

There is a shared secure entrance to the flats at the front of the building.

It is proposed to block up the existing double garage doors and replace with a sash and case-type window and entrance door to the proposed flat on the front elevation. Two new windows are also proposed on the rear elevation, where there is an existing brick infill section.

SITE DESCRIPTION

The application site is located on the west side of Mains Road. It is the ground floor left flat within a four storey stone-built tenement building. The ground floor premises are currently a vacant store, which was used by a cleaning services business. There is a double set of timber doors and a sign above which is now blank having previously advertised the last business use. There is a secure entry door from the front of the building, which leads to a mutual stairwell and access to the rear garden and drying area, which is also used to store bins. The area is bound by a high stone wall around the north and west boundaries and a timber fence along the south. The majority of windows in the building are white painted timber sash and case. There are flats and semi-detached residential dwellings on the opposite side of Mains Road and to the north and south of the application site.

POLICY BACKGROUND

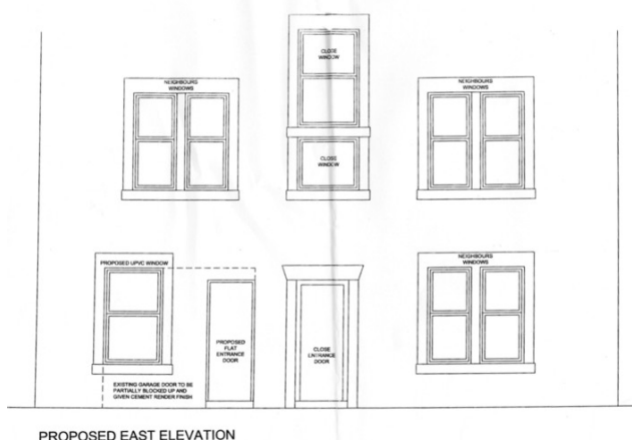
Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 2005

The following policies are of relevance:

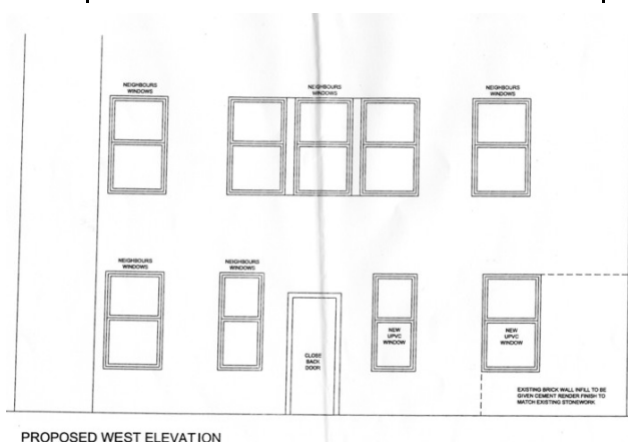
Policy 1: Vibrant And Sustainable Communities - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing



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.

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.

Where conversion of a listed building or other building worthy of retention is proposed, there may be limited flexibility in applying parking and garden ground requirements where compliance is impractical. The development of flats through conversions of buildings of merit may also be acceptable where conversion to flats is the only appropriate action.

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

A previous planning application (Planning Reference 07/00362/COU) for the development of a one bedroom flat was withdrawn prior to a decision being made.

PUBLIC PARTICIPATION

The application was advertised as contrary to Policy 4 of the Dundee Local Plan Review 2005 on 25 July 2007 as the development is proposing a one bedroom unit with a gross floorspace of less than 60sqm. Statutory neighbour notification was carried out and no letters of objections were received.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has advised that due to the history of the site it is not considered that this site presents more than a low risk in terms of contamination. If Members are minded to grant consent a note for guidance relating to this issue would be attached to the decision notice.

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 a flatted property at this location is appropriate as the existing premises have been derelict for some time. There is no demand for a commercial use in this location.

Policy 1 seeks to protect the amenity of neighbouring residents from unacceptable developments. There is a four storey flatted block to the south of the site and to the east on the opposite side of Mains Road is a residential development consisting of two storey terraces and semi-detached dwellings. Due to the nature of the surrounding land uses it is considered that this proposal for a new flat is acceptable. It is considered due to the location of neighbouring windows that the development will not lead to any

unacceptable overshadowing or overlooking to the neighbouring properties. It is considered that the proposal complies with Policy 1.

Policy 4 sets out the standards for the design of new housing at this inner city location. Appendix 1 to Policy 4 states that flats will be permitted where the site has been identified in a site planning brief and site specific circumstances demand a flatted solution. It is considered that due to the nature of the site, a flatted development would be the most appropriate development for this site.

Appendix 1 requires flats should have a minimum gross floor space of 60m². This proposal provides approximately 50m². It is not possible to provide a larger floor area as the site is located within a tenement building. The principle of developing housing at this location is appropriate given the nature of the surrounding land uses.

As this is an inner city location the parking standards as stated in Appendix 1 of the Dundee Local Plan Review 2005 for private flats should be 130%. This may be reduced depending on the provision of on-street parking. As this is a tenement block there is no parking provision within the curtilage of the site. There is on-street parking only. As this is a wide street and not a main route the introduction of an additional flat will not cause any significant on street parking issues at this location. In addition, the site is within an inner city area with close proximity to the Hilltown District Centre where public transport is readily available.

In relation to the provision of useable amenity/garden space, private communal areas either 100sqm or 10sqm per flat whichever is greater should be provided. Drying areas should be provided in addition to this provision. The applicant has stated in correspondence dated 8 August 2007 that "there is a large drying area to the rear of the property which consists of a grassed area bounded by a paved area. At present there are six metal drying green poles providing approximately 24 linear metres of available drying line". The applicant is proposing to install a further two drying green poles which will give an additional 12 linear metres of available drying line. The applicant has also submitted on the 8 August 2007 a layout of the amenity space located to the rear. The plans

indicate that an area of approximately 139.2m² will be provided. In addition, the applicant has stated that "a purpose built bin store is located to the rear of the property which has the capacity to accommodate 9 wheelie bins. At present 7 of these spaces are used by the existing flats...there is more than adequate capacity for 1 more bin."

It is proposed to partially block the existing garage door and provide a new entrance for the proposed flat with a new UPVC sash and case type window on the east elevation. Two new UPVC sash and case type windows will also be installed on the west elevation. The existing brick infill will be finished in cement render with a finish that will resemble the existing stonework. It is therefore considered that the proposed development, by virtue of its size, scale, architectural form and finishing materials, would not be detrimental to the character and appearance of the area.

The explanatory text to Policy 4 recognises that in certain circumstances compliance with Appendix 1 is not always practical and some flexibility will exist. It is considered physically impossible to add a new flat into this existing building that both responds to the townscape needs and to the requirements of the development plan.

It is considered that in this case as there is no demand for commercial units at this location and as this a residential area, then residential development is the most appropriate type of development.

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:

Commercial Viability

The applicant has provided two letters providing evidence that the site is no longer viable as a commercial unit. One of the letters is from a residential and property management company dated 27 June 2007 where it is stated that "the premises are unlettable". "This block is we believe 7 house units and 1 garage, clearly 8 units would make the block 'whole' and at the same

time present a pleasant aspect to the street scene".

The second letter dated 4 July 2007 is from a chartered surveyor where it is stated that "there would be minimal demand for the subjects in their present use. This is essentially a residential location and there is little demand for isolated offices/storage such as this. The size of the unit makes it non-viable for most commercial uses. There are seven other flats in this building and the subject unit would ideally be converted into a flat making this an entirely residential building".

Applicant Justification

The applicant has submitted the following supporting statement:

- 1 At present, the property is a disused store which forms part of a tenement of 8 properties (7 x 1 bed flats and the store). The advantages of converting this unit would be:
 - a It would tidy up the property and therefore offer a better living environment to existing flat occupiers.
 - b There is a existing amenity/garden space and bin storage provision to the rear of the property.
 - c The proposed design will complement the existing residential properties.
 - d Substantial amounts of money has been spent by Communities Scotland building affordable housing on the former Bowbridge Works and this proposal would be in keeping with the continuing regeneration of the area.
- 2 There is no viable future as a commercial property for these premises.
 - a The property has been advertised to let many times within the last 12months in The Dundee Courier and Advertiser. There have only been two enquiries. One was for motor vehicle repairs (which would cause disturbance to residents not to mention potential fire risk from fuel/welding gases etc). The other was for a

hot food takeaway which would cause disturbance to residents from associated smells/noise from customers.

- 3 Planning permission would not be granted for any of the proposed business uses mentioned above (2a).
- 4 This property is located within the inner city and its only future option is conversion to a flat.

It is concluded from the foregoing that sufficient weight can be accorded to the material considerations such as to justify the grant of 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 partially block the existing garage door and provide a new entrance for the proposed flat with a new UPVC sash and case type window on the east elevation. Two new UPVC sash and case type windows will also be installed on the west elevation. The existing brick infill will be finished in cement render with a finish that will resemble the existing stonework. The elevational treatments are considered acceptable in design terms. It is therefore considered that the proposed development, by virtue of its size, scale, architectural form and finishing materials, would not be detrimental to the character and appearance of the area.

CONCLUSION

This proposal is contrary to Policy 4 in terms of minimum floor area and parking provision, however, due to the fact that this is a one-off small scale development, and that the existing flats in the rest of the building are one bedroom and parking provision is not seen as an issue at this location therefore it is considered that the application be recommended for approval. 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 consent be GRANTED subject to the following conditions:

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 The finishing materials shall be either stone or block work not render. Details of the finishing materials shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved details.
- 3 Details of the position of the proposed window and door on the east elevation shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with these details.

Reasons

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of visual amenities of the area.
- 3 To ensure that the proposed development has a satisfactory external appearance in the interests of visual amenities of the area.