

KEY INFORMATION

Ward Maryfield

Proposal

Residential Development of the Seaman's Mission into 12 Flats

Address

Unicorn House
62 Dock Street
Dundee

Applicant

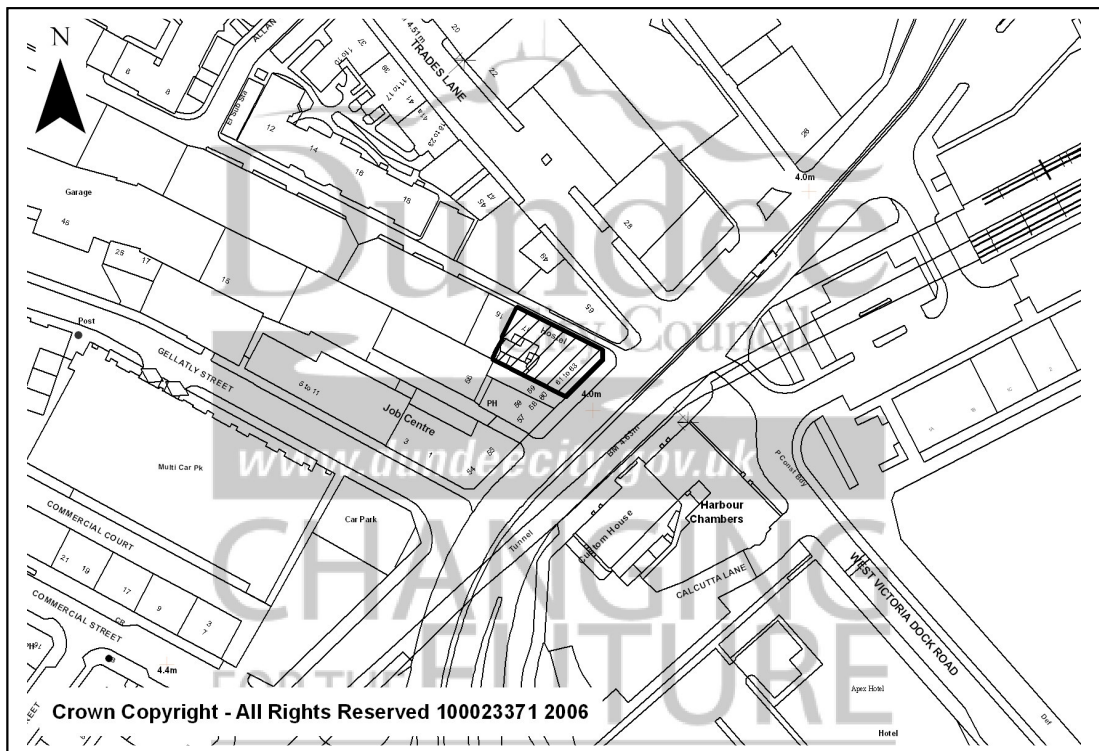
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Registered 16 July 2007

Case Officer C Walker



Residential Conversion of Former Seaman's Mission

The residential development of the Seaman's Mission into twelve flats is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with the policies of the Development Plan and will enhance the appearance of the listed building and of the surrounding area. The application is recommended for **APPROVAL** subject to the conclusion of a Section 75 Agreement.

SUMMARY OF REPORT

- Planning permission is sought to convert the upper storeys of the Category B listed former Seamen's Mission into 12 flats, each with 2 bedrooms.
- This proposal is related to a previous application to convert the upper levels of this building to 8 flats, the restoration of the former Seamen's Chapel and the erection of 30 new flats on Candle Lane – application 05/00285/FUL refers. The Development Quality Committee was minded to approve that application at its Committee meeting in October 2005 subject to the conclusion of a Section 75 Agreement (the Agreement has not yet been concluded).
- Policies 4, 60 and 61 of the Local Plan are relevant to the determination of this application. No public response to the proposal was received.
- The proposal complies with the provisions of the development plan and the statutory duty to preserve the listed building and the conservation area. A Section 75 should be concluded to ensure the restoration of the listed buildings, the provision of car parking and restriction of HMO's.

DESCRIPTION OF PROPOSAL

Planning permission is sought to convert the upper storeys of the Category B listed former Seamen's Mission into 12 flats. The conversion involves the retention of the ground floor offices and the provision of 12 flats on the upper levels, each of which will have 2 bedrooms. The details of the proposed conversion indicate no significant alterations to the building either internally or externally. It is, however, proposed to replace the windows on the building with new sash and case windows.

This proposal is related to a previous application to convert the upper levels of this building to 8 flats, the restoration of the former Seamen's Chapel and the erection of 30 new flats on Candle Lane – application 05/00285/FUL refers. The Development Quality Committee was minded to approve that application at its Committee meeting in October 2005 subject to the conclusion of a Section 75 Agreement covering the phasing of development to ensure that the listed buildings were either converted to housing (Seamen's Mission) or arrangements made for restoration (Seamen's Chapel) prior to the commencement of development on the new build flats. The Section 75 Agreement also contained a requirement relating to the provision of a footway on Candle Lane as far as the Seagate and the prohibition of HMO's in any of the dwellings. That Section 75 Agreement has not yet been concluded. The applicant now wishes to increase the number of flats in the Seamen's Mission by 4 (1 at each level).

Members should note that there is an Agenda Item before this Committee in which the applicant seeks to vary the Section 75 Agreement proposed for application 05/00285/FUL. The effect of the proposed variation if approved would be to require the former Seamen's Mission to be converted prior to the occupation of any of the new build flats (as opposed to the commencement of development on the new build flats site).

A car parking area providing 24 spaces was proposed in that previous application to serve the entire

development (Seamen's Mission and new build flats).

A noise study was carried out for the previous development to assess the impact of traffic noise on Dock Street on the proposed flats and it indicates that using windows with trickle ventilators would provide satisfactory internal conditions.

SITE DESCRIPTION

The site comprises the Category B listed former Seamen's Mission, which is within the Central Area Conservation Area. This building (also known as the Sailors Home) is an impressive 5 storey stone building dating from 1881 and occupies a prominent position on the inner ring road at Dock Street. The ground floor was last used as offices and the upper floors as a hostel. It has been vacant for some time and its condition has deteriorated during this period.

Immediately to the north is the former Seamen's Chapel on Candle Lane, a building which is now derelict. Both buildings together represent a significant part of Dundee's maritime history.



Immediately to the south west of the former Sailors Home are 4 storey listed buildings on Dock Street with ground floor commercial uses and upper floor flats which terminate with the Job Centre at the junction of Dock Street and Gellatly Street. A pend under these buildings leads to a large warehouse building.

Candle Lane to the north east of the site is very narrow, with a pinch point of some 3.5 metres at its narrowest point close to Dock Street. On the opposite side of Candle Lane are 2 storey buildings at 65 Trades Lane

occupied by a ground floor plant hire business and upper floor flats and further along Candle Lane a modern 4 storey flatted building at 12-18 Candle Lane.

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 sets out standards for new housing development.

Policy 60 Alterations to Listed Buildings require proposals to have regard to the preservation or enhancement of its architectural or historic character.

Policy 61 Development in Conservation Areas requires development proposals to preserve or enhance the character of the surrounding area.

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

Supplementary Planning Policy Guidance to the Dundee Local Plan Review 2005 was introduced for Houses in Multiple Occupation in November 2006. Although no HMO's are proposed as part of the current application under Policy HM04, the Council will seek to restrict the occupation of new residential developments and substantial conversions by 3 or more unrelated people.

SUSTAINABILITY ISSUES

The proposed reuse of this building to provide flats in a central and accessible location is considered to be sustainable.

SITE HISTORY

Application 05/00285/FUL to convert this building to 8 flats along with a new build development to the north has been referred to in the Description of Proposal section of this Report above. There was also an accompanying application for listed building consent for that part of the development involving the conversion of the Category B listed former Seamen's Mission into 8 flats which was approved in March 2006-application 05/00282/LBC refers.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was advertised as affecting the listed building. No public response was received.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has commented that traffic noise on Dock Street will affect the development and that these issues should be covered by a planning condition.

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.

In principle, the conversion of this building to housing is in accordance with the adopted Local Plan and although there are few prescriptive standards for new housing under Policy 4, the proposed development provides 2 bedroom units and it is impossible to provide amenity space. Although no car parking is proposed within the curtilage of the site, this development will share the parking area of 24 spaces associated with the

adjoining new build housing. Secure cycle parking for the development has not been indicated but this matter has been discussed with the applicant and it is considered that there is space to provide this facility within the courtyard area. This matter can be the subject of a planning condition should Members be minded to approve the application. The final strand of the policy states "generally a minimum of 18 metres between the facing windows of habitable rooms" should be observed. This requirement for city centre properties differs from the mandatory requirement for dwellings in other locations, reflecting the fact that maintaining the existing built environment may require relaxations to the 18 metre standard. In this case, Candle Lane is very narrow (only 3.5 metres wide at its narrowest point) and as the buildings on the north east side are not set back, the redevelopment of this building cannot achieve the 18 metre standard. However the upper levels of this building were formerly in residential use as a hostel and this predates the conversion of 65 Dock Street to housing. It is considered that in these circumstances there will be no unacceptable infringement of privacy.

Policy 60 requires proposals to have regard to the enhancement of listed buildings and Policy 61 requires development proposals to preserve or enhance the character of conservation area.

These policies are broadly similar in their aims, seeking to promote good design and protect the setting of listed buildings and conservation areas. In this case, the proposals involve the conversion of a listed building which also lies in the Central Area Conservation Area. The conversion of the listed building involves little change to its character and appearance, and by securing a new use for the upper floors, is likely to enhance its future preservation. Listed building consent has already been granted to convert the upper levels of the building to flats (05/00282/LBC) and the current proposals to increase the number of flats does not alter the impact on the listed building to any significant extent.

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:

1 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 it possesses.

This matter has already been considered in the assessment of the proposed development under Policy 60 of the adopted Local Plan and it was considered that the proposal would enhance the setting of the adjoining listed buildings.

2 (B) Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications in conservation areas to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

This matter has already been considered in the assessment of the proposed development under Policy 61 of the adopted Local Plan and it was considered that the proposal would enhance the character and appearance of the adjoining conservation area.

3 Houses in Multiple Occupancy

Policy HM04 of the Councils SPPG on Houses in Multiple Occupation seeks the conclusion of a Section 75 Agreement to restrict HMO's in new developments and substantial conversions. In this case a conversion to 12 units is involved and the Committee has already resolved to conclude a Section 75 Agreement restricting HMO's in the development of 8 flats in this building and a new build proposal of 30 flats (application 05/00285/FUL). It is considered that it would be appropriate to conclude a similar agreement for this development.

- 4 Comparison with Previous Proposals to Convert the Building and Relationship to the Candle Lane Development

The current application seeks to provide 4 additional flats in the building, with 1 extra unit at each level. In the previous proposals (Ref no 05/00285/FUL) 1 flat on each level was very large (4 bedrooms) whereas in the current proposals all flats have 2 bedrooms. It is considered that the current proposals provide a satisfactory standard of residential amenity and that the increased number of units does not represent overdevelopment of the site.

It is considered that this proposal is inextricably linked to the proposals to develop new flats on Candle Lane and to set in motion the restoration of the former Seamen's Chapel. Should Members be minded to approve the development it is suggested that a Section 75 Agreement be concluded to ensure that the new build development does not proceed until this building has been converted to 12 flats and that the former Seamen's Chapel is made wind and water tight and transferred to a restoring body at nil value. The Section 75 Agreement also needs to include the prohibition on HMO's. Finally the agreement should ensure that the parking area at the new build development is available also to occupants of the converted listed building.

It is concluded from the foregoing that the material considerations do not weigh against the proposed development. It is therefore recommended that planning permission be granted with conditions.

Design

The conversion of the listed building involves little change to its character and appearance. However the building is now in poor condition and its reuse will serve to enhance the appearance of the building and that of the wider area.

CONCLUSION

The proposed development complies with the policies of the Development Plan and will enhance the appearance of the listed building and of the surrounding area.

RECOMMENDATION

Recommendation 1

This planning permission shall not be issued unless and until:

- 1 an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 between the Council and parties with appropriate interests in the land has been recorded and
- 2 the agreement for application 05/00285/FUL has been recorded.

The agreement at (1) above will be conjoined with the agreement for application 05/00285/FUL and will relate to:

- 1 the phasing of the development and the restoration of the listed buildings which shall ensure that the listed Seamen's Mission shall be converted into flats prior to the occupation of any of the proposed 30 new build flats at Candle Lane and the listed former Seamen's Chapel is made wind and watertight and transferred at nil value to the Tayside Building Preservation Trust prior to the commencement of development of the proposed 30 new build flats at Candle Lane;
- 2 the provision of car parking at the new build development to be made available for occupants of the 12 flats in the converted Seamen's Mission building; and
- 3 the restriction of HMO's in the Proposed Development.

Recommendation 2

It is recommended that consent 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 No use shall be made of the pend off Dock Street to service the proposed development.
- 3 Details of the provision of covered secure cycle parking for the development either within the ground floor of the building or in the courtyard area to the rear

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 Details of a scheme of attenuation to ensure that noise from traffic does not adversely impact on the occupiers of the flats in the building 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.
- 5 Details of the proposed replacement windows, the new velux windows and any external vents or flues on the building 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.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of traffic safety.
- 3 In order to provide secure cycle parking for the development in accordance with Policy 4 of the adopted Dundee Local Plan Review 2005 and in the interests of residential amenity.
- 4 To protect the residential amenities of the occupiers of the proposed flats.
- 5 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.