

KEY INFORMATION

Ward Maryfield

Proposal

Development of Derelict
Clinic to Form 8 Apartments
with 11 Parking Spaces

Address

3 Kembra Street
Dundee
DD4 6PG

Applicant

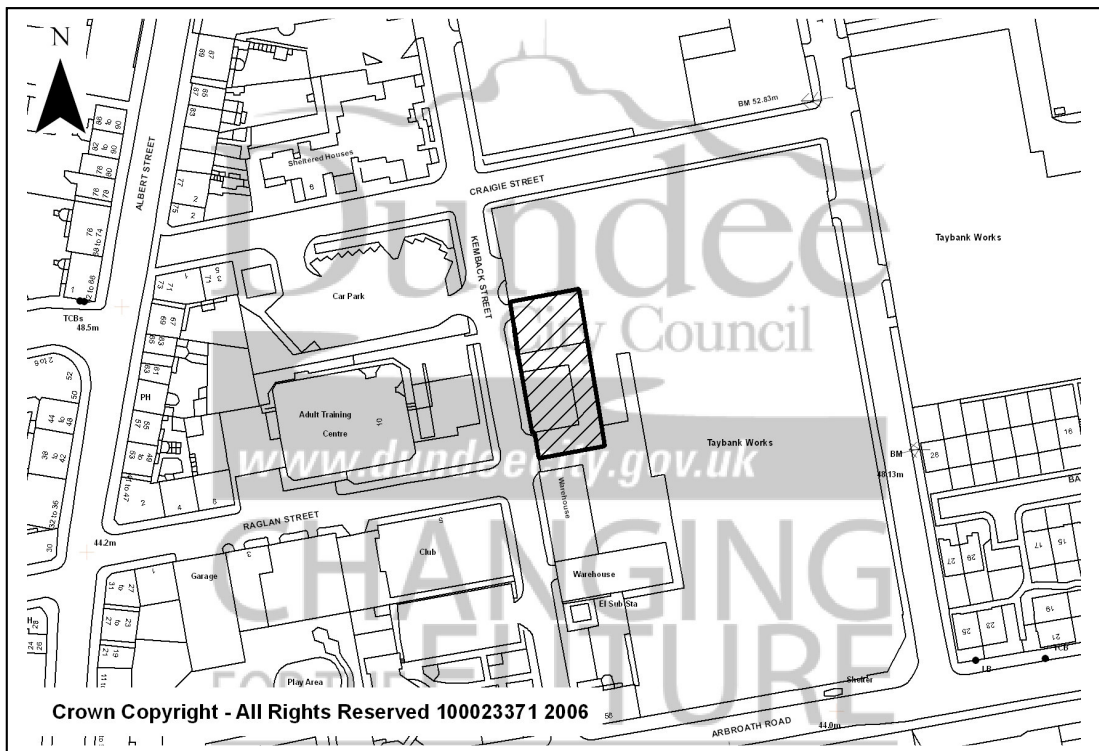
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Agent

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Registered 23 Aug 2007

Case Officer S Johnson



Proposal for New Apartments in Kembra Street

The development of eight apartments is **RECOMMENDED FOR APPROVAL** subject to conditions.
Report by Director of Planning and Transportation

RECOMMENDATION

This proposal will result in a positive contribution to the continued regeneration of the Stobswell area and provides a high quality, modern flatted development. The application is recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought for the development of the derelict clinic to form eight apartments with 11 parking spaces at 3 Kembra Street, Dundee.
- One letter of objection was received on the grounds of traffic, parking and access problems; legal rights of ownership and right of passage and the proposal is using land which is communal land between the Fairbridge building at 1B Kembra Street and the new proposed building.
- Policies 1, 3 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 complies with Policies 1, 3 and 4 of the Dundee Local Plan Review 2005. The views of the objector are not supported. There are no material considerations that would justify the refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought to develop the derelict clinic to form 8 apartments with 11 parking spaces at 3 Kemback Street, Dundee.

The site is currently a derelict orthopaedic and rheumatic clinic. The site area is approximately 0.11 gross hectares. It is proposed to convert the existing derelict building to provide eight 2 bedroom flats with the two uppermost flats being located within a new attic dormer extension.

Pedestrian and vehicle access is taken from Kemback Street with 11 parking spaces being provided to the north of the site. Amenity space is provided around the site to the north and south with some landscaping to the east.

It is proposed that the existing red brickwork will be made good where required and that the attic extension will be finished in a light grey cladding system. The roof system will be 'Kalzip' or similar approved standing seam roof system which will be light grey in colour. The windows and doors will be high performance dark grey timber double glazed units.

SITE DESCRIPTION

The application site is located on the east side of Kemback Street. It is a large stand alone three storey red brick derelict building. Building work is ongoing to the north and east of the site to provide residential development. To the west of the site is an adult resource centre and a car park. To the south is a youth support centre. There is restrictive parking along the majority of Kemback 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 1: Vibrant And Sustainable Communities - the City Council will

Dundee City Council Development Quality Committee

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 3: Housing Investment Focus Areas - the City Council will



encourage investment in housing and related social and physical infrastructure in the Housing Investment Focus Areas identified on the Proposals Map, working in partnership with Communities Scotland and the private sector. More detailed development frameworks, masterplans and action plans for each of the focus areas will be brought forward as appropriate by the Council and will form supplementary guidance to this Local Plan.



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 20mph 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: 07/00525/FUL) for the development of the derelict clinic to form 8 apartments was withdrawn prior to determination.

PUBLIC PARTICIPATION

Statutory neighbour notification was undertaken and one letter of objection was received. The grounds of objection are:

This proposal will result in traffic, parking and access problems.

This proposal will result in future problems and legal rights of ownership and right of passage.

The proposal is using land which is communal land between the Fairbridge building at 1B Kemback Street and the new proposed building.

Copies of the objection letter are available in the Member's Lounge and the issues are discussed in the "Observations" section below.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has indicated as a result of the submission of a Preliminary Risk Assessment that a site investigation and risk assessment require to be carried out prior to development taking place. This can be covered by condition if Members are minded to grant consent.

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.

Policy 1 seeks to protect the amenity of neighbouring residents from unacceptable developments. To the west of the site is an adult resource centre and a car park. To the south is a youth support centre. Building work is on-going to the north and east of the site to provide residential development. It is considered that due to the location of neighbouring windows that the new development will not lead to any unacceptable overshadowing or overlooking to the neighbouring properties. It is considered that the proposal will complement the surrounding land uses particularly the new residential development. It is considered that the proposal complies with Policy 1.

In terms of Policy 3 Housing Investment Focus Areas. The site is located within the Stobswell/Baxter Park Housing Investment Focus Area. The vision for this area is to build on the established character and attributes of this traditional Victorian neighbourhood, adjacent to the City Centre that will be suited to the demands of the 21st Century. New housing development in this area will complement investment in the Albert Street District Centre, road improvements and traffic management, the restoration of Baxter Park and the rebuilding of Morgan Academy. It is considered that this development is in line with the aims of this policy.

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, flatted development would be the most appropriate development for this site.

Appendix 1 requires flats should have a minimum gross floor space of 60sqm. This proposal fulfils this requirement as the smallest floor area will be approximately 78.5sqm. 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. This proposal will provide 11 spaces for eight flats with adequate turning space for vehicles to manoeuvre within the site. Vehicle access and egress will be taken from Kemback Street. The site is within an inner city area with close proximity to the Albert Street District Centre where public transport is readily available. It is considered that this proposal will not create any unacceptable traffic problems.

In terms of provision for bicycles, it is proposed that a secure shelter with four racks allowing eight bicycles to be accommodated will be provided to the east of the site.

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. In terms of amenity space, it is proposed that there will be approximately 110sqm provided around the building with an additional 40sqm for a drying area to the south east of the site. A bin store for three large communal bins including a recycling bin will also be provided.

It is proposed to develop the existing three storey derelict clinic and to provide an attic dormer extension on the upper floor. Each floor will accommodate two flats. The existing main entrance on the west elevation (front) will be blocked up and the new entrance will be located to the rear of the building on the east elevation. Parisian style balconies will be evident on the west elevation of the new upper floor and also on the large central picture window located on the second floor. Three Parisian style balconies will also be located on the three new upper windows on the east elevation of the proposed attic extension.

It is proposed that the existing red brickwork will be made good where required and that the attic extension will be finished in a light grey cladding system. The roof system will be 'Kalzip' or similar approved standing seam roof system which will be light grey in colour. The windows and doors will be high performance dark grey timber double glazed units.

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.

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:

One letter of objection was received in respect of this application. The main issues relating to traffic, parking and access problems have been discussed in the development plan section where it was considered that this proposal will not lead to any unacceptable traffic situations. The other issues are considered below:

The objector has stated that this proposal will result in future problems and legal rights of ownership and right of passage. This is not a relevant planning matter but relates to legal issues and consequently can not be considered when assessing this application.

The objector has also stated that the proposal is using land which is communal land between the Fairbridge building at 1B Kemback Street and the new proposed building. This is not a relevant planning matter but relates to legal issues and consequently can not be considered when assessing this application.

It is concluded from the foregoing that there are no material considerations such as to justify the refusal 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 develop the existing three storey derelict clinic and to provide an attic dormer extension on the upper floor. Each floor will accommodate two flats. The existing main entrance on the west elevation (front) will be blocked up and the new entrance will be located to the rear of the building on the east elevation. Parisian style balconies will be evident on the west elevation of the upper floor and on the large central picture window located on the second floor. Three Parisian style balconies will also be located on the three new upper

windows on the east elevation of the proposed attic extension.

It is proposed that the existing red brickwork will be made good where required and that the attic extension will be finished in a light grey cladding system. The roof system will be 'Kalzip' or similar approved standing seam roof system which will be light grey in colour. The windows and doors will be high performance dark grey timber double glazed units.

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

The proposal represents an additional opportunity to further the regeneration of the Stobswell area. The application complies with the development plan. Therefore, the application is recommended for APPROVAL.

RECOMMENDATION

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 samples of the finishing materials proposed to be used and details of the bicycle shelter and bin store 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 Within six months of the first use of the development, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved by the City Council. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.
- 4 Development shall not begin until the investigation and risk assessment proposed in the

submitted Environmental Site Assessment, Phase 1 Desk Study are completed and a scheme to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:

- a the nature, extent and type(s) of contamination on the site.
- b measures to treat/remove contamination to ensure the site is fit for the use proposed.
- c measures to deal with contamination during construction works.
- d condition of the site on completion of decontamination measures.

Before any unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 4 To ensure the site is suitable for the future occupants of the residential properties.