

**KEY INFORMATION**

Ward Maryfield

**Proposal**

Proposed development of 174 flats including the conversion of a B Listed Mill and demolition of some listed structures on site

**Address**

Wallace Craigie Works  
2 Broughty Ferry Road  
Dundee

**Applicant**

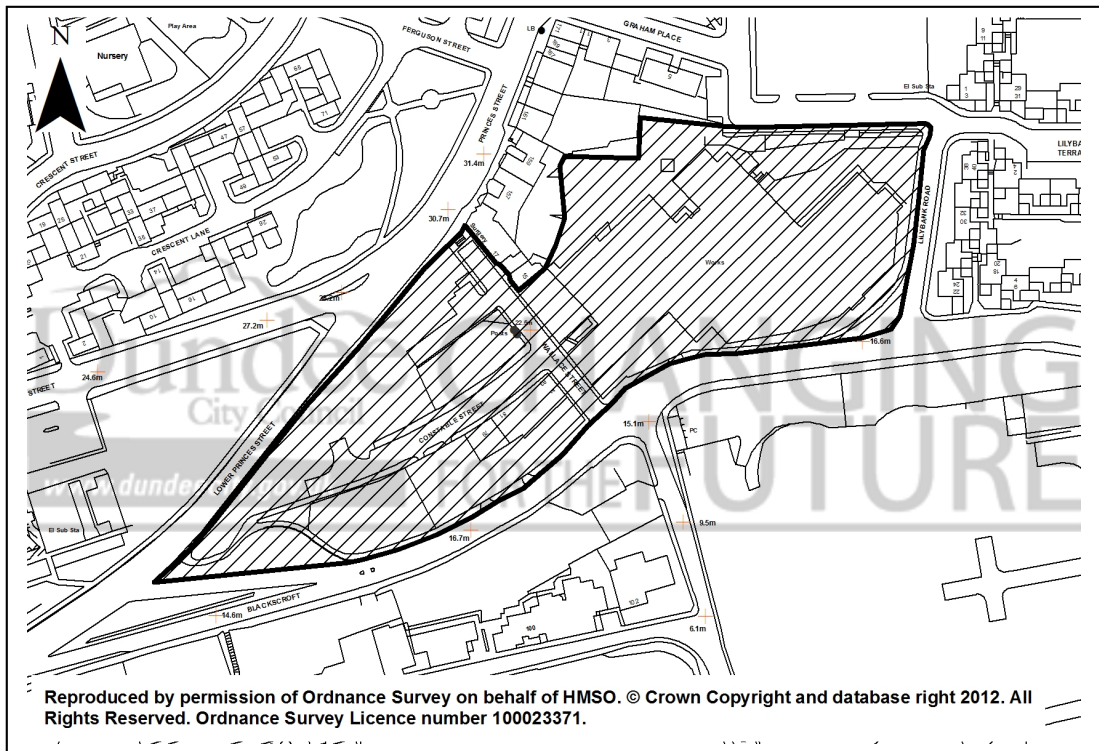
Craigie Estates Ltd  
Mid Craigie Trading Estate  
Mid Craigie Road  
Dundee DD4 7RH

**Agent**

The Voight Partnership Ltd  
Studio 1  
Erskine Business & Design  
Centre  
Commerce Street  
Arbroath D11 1WB

Registered 14 June 2012

Case Officer Paul Macari



# Proposed Housing Development at Former Wallace Craigie Works

The Proposed development of 174 flats including the Conversion of a B-Listed Mill and demolition of some listed structures on site is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

**RECOMMENDATION**

The proposals satisfy the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. Accordingly, the application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- This application seeks planning permission for the development of 174 flats at Wallace Craigie Works, Wallace Street, Dundee.
- Policy 2 (Shaping Better Quality Places) of the TAYplan Strategic Development Plan is relevant to the proposed development.
- Policies 3, 4, 55, 56, 59, 60, 62, 75, 80, 81 and 82 of the Dundee Local Plan Review 2005 are relevant to the proposed development.
- 2 letters of objection have been received from neighbouring residents concerned about loss of privacy and loss of view.
- The proposals satisfy the requirements of the Development Plan.
- The concerns of the objectors are not supported.

## DESCRIPTION OF PROPOSAL

This application seeks planning permission for the development of 174 flats at Wallace Craigie Works, Wallace Street, Dundee.

The proposal includes the conversion and alterations to the B listed Halley's Mill building, demolition of the eastern extension to Halley's Mill, the demolition of the listed mill office building on the western side of Wallace Street, the erection of 6 blocks of new build flats and the formation of access roads, parking areas and landscaped garden grounds.

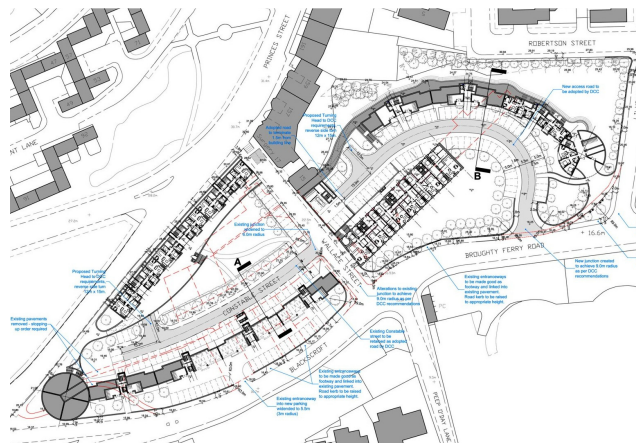
The proposed development will be split into 2 phases. Phase 1 will comprise of the redevelopment of the eastern sector of the site. Phase 1 will involve the redevelopment of Halley's Mill and the erection of 3 blocks of flats located to the north west (Block E), north (Block B) and east (Block D) of the B listed mill building. A total of 99 flats will be built by Phase 1 of the proposed development.

Phase 2 of the proposed development will comprise of the redevelopment of the western sector of the site. Phase 2 will involve the erection of 3 blocks of flats. Block F will be located along the northern boundary of the western sector of the application site and will front on to Princes Street. Block G will be located along the southern boundary of the western sector of the site with Block H adjoining the western elevation of Block G. A total of 75 flats will be built by Phase 2 of the proposed development.

The new build elements of the proposed development will be of a contemporary design and finish.

New vehicle access roads and parking areas will be created off Blackscroft to serve Blocks A, B, D, E, and G. New access, parking and turning facilities will be created off Wallace Street to the north of Block G and south of Block F to serve Blocks F and H. A new parking court will also be created on the western side of Wallace Street. To facilitate the formation of new vehicles accesses on to Blackscroft and to accommodate the

level of traffic generated by the proposed development the proposals will also involve alterations to the streets surrounding the application site.



Landscaped garden areas will be created to the south of Block A, north of Block B and between Blocks F and G. Walls will be built along the southern boundary of the western sector of the application. The existing boundary walls enclosing the eastern sector of the application site will be altered and repaired as part of the proposed development.



As the number of dwelling units proposed exceeds 50 the proposals fall within the meaning of a Major Planning Application as defined by Regulation 2(1) of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Accordingly the applicant was required to undertake statutory pre-application consultation with the local community. This is evidenced in the Pre-application Consultation Report

submitted as part of this application. The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 also stipulate that major planning applications must be accompanied by a Design and Access Statement, the applicant has complied with this requirement.

The proposal reinforces the core land use and environmental strategies of the Development Plan and the viability of Dundee as a regional centre. In this respect the application complies with the Development Plan and the procedures for applications considered to be significantly contrary to the Development Plan do not apply.

In accordance with the Council's Scheme of Delegation, all Major Planning Applications must be reported to the Council's Development Management Committee.

## SITE DESCRIPTION

The application site is located between Princes Street, Blackscroft, Lilybank Street and Broughty Ferry Road. The site is split centrally by Wallace Street which has a north to south orientation. The site slopes steeply from north to south with exposed rock outcrops located to the north and east of the B listed mill building located in the eastern sector of the site.

The existing mill building in the eastern sector of the site is stone built with a pitched roof finished in natural slate. There are extensions to the north and eastern elevations of the B listed mill building. The most significant

extension adjoins the eastern elevation of the building. This extension is stone built with a pitched roof finished in slate to match the main mill building.

The area to the front of the B listed mill building in the eastern sector of the application site is surfaced in hard standing/ crushed down-takings. The eastern sector of the site is bound to the east, west and south by a stone built boundary wall. There is an

existing vehicle access in the southern boundary wall of the eastern sector of the application site.

The western sector of the application site comprises of a partially demolished former mill office building that is also B listed. There is an area of hard standing to the north and south of this building. The hard standing to the north of the building forms part of Constable Street and is accessed from Wallace Street.

The remainder of the site is sewn in grass.

All of the existing buildings on site are in a derelict condition with their condition deteriorating significantly.

---

## **POLICY BACKGROUND**

---

### **TAYplan Strategic Development Plan 2012**

The following policies are of relevance:

Policy 2: Shaping Better Quality Places.

### **Dundee Local Plan 2005**

The following policies are of relevance:

Policy 3: Housing Investment Focus Areas.

Policy 4: Design of New Housing.

Policy 55: Urban Design.

Policy 56: Public Art.

Policy 59: Alternative Uses for Listed Buildings.

Policy 60: Alterations to Listed Buildings.

Policy 62: Demolition of Listed Buildings and Buildings in Conservation Areas.

Policy 75: Sustainable Drainage Systems.

Policy 80: Waste Management Facilities.

Policy 81: Pedestrians.

Policy 82: Cycling Facilities.

### **Scottish Planning Policies, Planning Advice Notes and Circulars**

The following are of relevance:

## **Scottish Planning Policy 2010**

The Scottish Historic Environment Policy 2009.

Designing Streets - A Policy Statement 2009.

Designing Places - A Policy Statement 2001.

## **Non Statutory Statements of Council Policy**

The following policy statements are of relevance:

Breaches in Boundary Walls.

---

## **SUSTAINABILITY ISSUES**

---

There are no specific sustainability policy implications arising from this application.

---

## **SITE HISTORY**

---

Planning application ref: 06/00313/FUL sought planning permission for the demolition of buildings, alterations to existing buildings and the erection of 15 townhouses and 131 flats. This application was approved by the Development Management Committee on 26 March 2007 subject to conditions and the completion of a Section 75 planning obligation restricting the use of the proposed development as houses of multiple occupation.

The Section 75 planning obligation has not been signed and as such planning permission ref: 06/00313/FUL has not been issued.

Listed building application ref: 06/00314/LBC sought listed building consent for the demolition, conversion and alterations to listed buildings at Wallace Craigie Works. This application was approved subject to conditions by the Development Management Committee on 26 March 2007 and formally cleared by Historic Scotland on 14 May 2007.

Proposal of Application notice ref: 11/00740/PAN was submitted in preparation for the submission of the application which is the subject of this report. The PAN notice outlined the nature and form of the proposed development as well as the method of pre-application and public consultation. The findings of the pre-application and public consultation

exercise are addressed in the assessment of the pre-application consultation report in the Other Material Considerations section of this report.

The current application that is the subject of this report is accompanied by listed building consent application ref: 12/00369/LBC. This application seeks listed building consent for the conversion of the B listed mill building into 24 flats and the demolition of 2 listed structures on site.

---

## **PUBLIC PARTICIPATION**

---

The statutory Neighbour Notification procedure was carried out by the Council. This application was also advertised in the Dundee Evening Telegraph.

2 letters of objection have been received from neighbouring residents. The valid concerns raised include loss of privacy.

The invalid concerns raised relate to loss of view.

Members will already have access to the letters of objection and the issues raised are considered in the Observations section below.

---

## **CONSULTATIONS**

---

The Head of Environmental Protection has confirmed that any issues of noise disturbance from passing traffic can be overcome through the implementation of the recommended noise attenuation measures detailed in the applicant's Noise Impact Assessment dated 27 August 2012. This matter will be controlled by conditions should the Committee be minded approve planning permission.

The Head of Environmental Protection has reviewed the submitted Phase 1 Site Investigation report and has confirmed that concerns relating to site contamination can be addressed by planning conditions should the Committee be minded to approve planning permission.

The Council's Forestry Officer has requested that the landscaping proposals are controlled by condition should the Committee be minded to approve planning permission.

The Council's Waste Management Division has confirmed that the refuse storage proposals are acceptable apart from those relating to Block F.

However, the location of the refuse storage facilities serving Block F can be controlled by condition should the Committee be minded to approve planning permission.

The Health and Safety Executive has confirmed that they have no objections to the proposed development.

Historic Scotland has confirmed through pre-application discussions that the special character of the B listed mill office building and the extension to the eastern elevation of Halley's Mill has diminished significantly due to the demolition works approved by listed building consent ref: 06/00314/LBC. Of most concern is the proposed increase in the ridge height of Halley's Mill and the formation of a 5th floor within the building. However, Historic Scotland acknowledges that these works have been successful in the conversion of other listed mill buildings in the City.

## **OBSERVATIONS**

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance the development plan unless other material considerations indicate otherwise.

### **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 application under consideration seeks planning permission for the development of 174 flats at Wallace Craigie Works, Wallace Street, Dundee.

### **TAYplan Strategic Development Plan 2012 - 2032**

The newly approved Strategic Development Plan is focused on delivering sustainable economic growth for the area through shaping better quality places and responding to climate change, as set out in the vision. The policies and proposals contained within the Plan set out the spatial strategy over the next 20 years of where development should and should not go and how new development should be achieved.

As specified above the Policies relevant to the assessment of this application are:

Policy 2 (Shaping Better Quality Places) - this policy requires new development to be fit for place, supporting more sustainable ways of life for people and businesses. The relevant sections of this Policy are:

Policy 2C requires the integration of transport and land use to reduce the need to travel and improve accessibility by foot, cycle and public transport; make best use of existing infrastructure to achieve a walkable environment combining different land uses with green space; and, support land use and transport development by transport assessments/appraisals and travel plans where appropriate, including necessary on and off site infrastructure.

The Transport Assessment submitted in support of the proposed development demonstrates that the application site is located in close proximity to Dundee City Centre with both the bus station and train station being within walking distance of the proposed flats. In addition the application site is adjacent to 2 main bus routes through the City with 47 buses stopping in each direction per hour between the application site, the city centre and various onward destinations.

The Transport Assessment examines pedestrian and cycle routes between the site and surrounding facilities identifying where improvements to footway widths can be incorporated into the project design, along both sides of Wallace Street and along the north side of Blackcroft, where necessary. The improvements to public footways highlighted by the Transport Assessment are reflected in the proposed site layout plan and will form part of the Road Construction Consent application should the Committee be minded to grant planning permission.

The Transport Assessment examines the impact that the proposed development will have on the existing road infrastructure in terms of vehicle movements and on site parking facilities. The Transport Assessment demonstrates that even during peak hours the proposed development will generate a minimal number of new vehicle trips on the road network surrounding the application site.

In terms of car parking the Transport Assessment has taken account of the location of the application site in

relation to existing bus routes through the City and its proximity to Dundee Bus Station and Train Station. Given that the city centre is within walking distance of the proposed flats the Transport Assessment has concluded in accordance with the requirements of the Council's transportation development guidelines "Streets Ahead" that the provision of 100% parking is sufficient to serve the proposed development.

The proposals satisfy the requirements of Policy 2C.

Policy 2F requires the arrangement, layout, design, density and mix of development and its connections to be the result of understanding, incorporating and enhancing the present natural and historic assets, the multiple roles of infrastructure and networks and local design context. The requirements of Policy 2F can be achieved through development that meets the requirements of the Scottish Government's Designing Places and Designing Streets policy documents. These policy documents are considered in the Other Material Considerations section of this report.

### **Dundee Local Plan Review 2005**

Policy 3: Housing Investment Focus Area - this policy is supportive of proposals that invest in housing and related social and physical infrastructure in the Housing Investment Focus Area identified by the Local Plan.

The application site is situated within the Baxter Park and Stobswell Housing Investment Focus Area. The preamble to Policy 3 states that in order to provide greater choice for existing residents of the Baxter Park and Stobswell Housing Investment Focus Area proposals should build on the established character and attributes of the traditional Victorian neighbourhoods in the area, adjacent to the City Centre, that will be suited to the demands of the 21st century.

The proposals involve the clearance of redundant buildings on site which detract from the visual amenity of the Princes Street and Blackcroft streetscapes and the surrounding area. The redevelopment of the application site will involve the restoration and conversion of the retained B listed Halley's Mill building in the eastern sector of the site and the erection of 5 blocks of flats. Although the proposal



will involve the erection of 174 flatted units, there is variety in the scale, massing and design of the 6 buildings on site. The form and size of the flats proposed will provide greater housing choice for existing residents and attract newcomers to the Baxter Park and Stobswell area. The proposals are therefore compliant with the aspirations of Policy 3.

Policy 4: Design of New Housing - it is the aim of Policy 4 to ensure that new houses benefit from a high level of amenity while the level of environmental quality afforded to surrounding properties is maintained or enhanced by residential development.

Policy 4 requires proposals for the erection of new housing to comply with the requirements of Appendix 1 of the adopted Local Plan unless the application site is located within an established low density area or a site planning brief varies the standards for development. Policy 4 requires proposals involving the erection of housing in established low density residential areas to reflect this and be afforded generous external space standards.

The application site is located in an inner-city area of Dundee on the boundary with the City Centre. The application site is bound to the north and east by a dense residential area where the predominant house type is flats. In this instance the proposals will be expected to satisfy the requirements of Appendix 1 of the adopted Local Plan. Policy 4 states that where proposals involve the conversion of listed buildings or buildings of architectural merit there will be flexibility in the application of car parking and garden ground standards of Appendix 1.

Appendix 1 stipulates that flats will only be permitted if identified in a site planning brief, site specific circumstances demand a flatted solution or conversion of an existing building is proposed and houses are impractical.

The site is not identified in a site planning brief. However, the proposals do involve the conversion of a B listed building and there are site specific circumstances relating to the surrounding built form (predominantly flats), the topography and the allocation by the adopted Local Plan of the area including the application site as a Housing Investment Focus Area

which demonstrate that the erection of flats on the application site is an acceptable form of development in this instance.

Appendix 1 dictates that flats within Inner-city areas of Dundee should have a floor area of no less than 60m<sup>2</sup>. None of the proposed flats will have a floor area less than 60m<sup>2</sup>.

Appendix 1 states that generally private flats should have 130% parking provision. However, this provision may be increased or decreased in light of on street and off street parking provision nearby. In addition proposals should include secure bike storage facilities.

The proposed development will be served by 174 in-curtilage car parking spaces which equates to 100% car parking provision. It is considered that there will be a sufficient level of available car parking facilities (East Whale Lane multi-storey car park) outwith but close to the application site. In addition the need for dependence on the private car as a mode of transport will be significantly reduced due to the location of the site adjacent to 2 main bus routes through the City (which are served by 47 buses per hour) and the proximity of the site within walking distance of the City Centre. Therefore in this instance 100% car parking provision is considered to be sufficient to serve the proposed development.

Appendix 1 requires flats to be served by private communal garden areas of 100m<sup>2</sup> or 10m<sup>2</sup> per flat whichever is the greater. In addition flats should be served by communal drying areas.

The proposed flats will be served by 2,451m<sup>2</sup> of private communal garden ground. This figure relates only to the areas of useable garden ground as defined by the adopted Local Plan and does not include the sloping area of the site to the north of Block B. Some of the proposed flats will also benefit from sizeable private balconies. Although there are no designated drying areas serving each of the flatted blocks the amount of communal garden ground proposed far exceeds the requirements of Appendix 1. The provision of drying areas shall therefore be controlled by condition should the Committee be minded to grant planning permission.

Appendix 1 stipulates that there should be no less than 18m between windows

serving habitable rooms of neighbouring properties. None of the proposed flats shall have windows that are within 18m of habitable rooms serving existing properties bounding the application site or the other flats to be erected on the application site. Appendix 1 also states that windows serving the living rooms of flats should not unacceptably overlook the private garden grounds of neighbouring houses. Given the perimeter block street pattern of Lilybank Road and Robertson Street in combination with the topography of the area surrounding the application site the private garden grounds of neighbouring properties will not be significantly overlooked by the proposed development.

The proposals satisfy the requirements of Appendix 1.

In accordance with the requirements of Policy 4 and in addition to satisfying the guidance contained within Appendix 1, the proposed development should also have regard to the Council's Urban Design Guide. The Dundee Urban Design Guide requires new buildings, extensions and infill developments to be well designed, flexible and outwardly expressive as to their purpose. An agenda of imaginative and innovative contemporary architecture is sought to discourage 'off-the-peg' design and debased versions of historical styles.

The application site is in a very run down and derelict condition. The existing buildings on site are in a very sensitive condition where their continuous exposure, erosion and consequential dilapidation impacts significantly on visual amenity. It is considered that the remainder of the mill office building on the western sector of the site is no longer capable of retention such is the extent of the structural damage through mistreatment, partial demolition works and exposure. Halley's Mill in the eastern sector of the site, although dilapidated is of significant architectural merit and is being retained as the centrepiece of the proposed development.

The works to the retained mill building will maintain the architectural form and finish of the building while the contemporary design of the new build flats will draw from the topography and context of the application site in relation to other examples of modern design surrounding the application site.

It is therefore evident that the proposed development has regard to the requirements of the Council's Urban Design Guide.

The proposals are of a high quality design and therefore satisfy the requirements of Policy 4 (Design of New Housing).

Policy 55: Urban Design - Policy 55 is supportive of the creation of new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. In addition Policy 55 requires all development to respect the setting of listed buildings.

The design statement demonstrates that the proposed buildings sit comfortably on the site without dominating the setting of the B listed mill building. The interchanging projections and roof configurations of the proposed buildings break-up the overall massing of the structures. This allows the landscape to flow between the various building elements to further reduce the scale of the development. This is further aided by the topography of the site.

The layout of the proposed development allows for vehicle access to the site from Blackscroft and Broughty Ferry Road while the site will be completely permeable through the creation of public footpaths from Princes Street to Blackscroft, Wallace Street, Broughty Ferry Road and Lilybank Road.

The areas of garden ground serving the proposed development shall be landscaped. These areas of landscaping will break up the massing of the proposed buildings enhancing the visual amenity of development. The landscaping and maintenance of garden grounds shall be controlled by condition should the Committee be minded to grant planning permission.

The Design and Access statement demonstrates clearly that the requirements of PAN 78 (Inclusive Design) and The British Standards Design of Buildings and Approaches to Meet the Needs of Disabled People (BS 8300:2009) have been incorporated into the design and layout of the proposed development.

In light of the above, the proposal is considered to be consistent with the aims of Policy 55.

Policy 56: Public Art - requires all developments with a construction cost of £1,000,000 to contribute 1% of these costs to the provision of public art.

The applicant is agreeable to the incorporation of public art into the proposed development. This matter will be controlled by conditions should the Committee be minded to grant planning permission.

Policy 59: Alternative Uses for Listed Buildings - Policy 59 is supportive of suitable alternative uses for listed buildings where this is necessary to secure their future. Any adaptation of the fabric must be undertaken carefully and sensitively and have minimum impact on the architectural and historic interest, character and setting of the building.

The proposals involve the redevelopment and restoration of the B listed Halley's Mill building on the eastern sector of the application site through the demolition of the existing extension to the eastern elevation of the building, the raising of the wall heads to create a 5th floor and conversion to flats. Given the open plan design of the mill floors and dilapidated appearance of the listed building the proposals will significantly enhance the appearance of the building while restoring and preserving the remaining features of historic and architectural merit.

To facilitate the re-use of the B listed building it is proposed to raise the wall heads through the introduction of a glazed wall to provide a 5th level of accommodation. The proposals will involve the retention and re-use of the timber roof trusses. Although the structural cast iron columns supporting the upper floors of the building will be encased within the new partition walls separating rooms and flats, they will be retained in situ.

The interior of the B listed mill building no longer contains any features of architectural or significant historic merit due to long periods of vacancy and historical uses that were not sympathetic to the form of the building. However, the alterations to the exterior of the building seek to restore as far as possible the historic appearance of the B listed building

while also facilitating the re-use of the building for housing.

The proposed development is considered to be sympathetic to the character and form of the B listed building and presents a secure solution to safeguarding the contribution of the B listed building to the history and visual amenity of the City. The proposals therefore satisfy the requirements of Policy 59.

Policy 60: Alterations to Listed Buildings - Policy 60 (Alterations to Listed Buildings) is supportive of proposals that enhance or preserve the architectural or historic character of listed buildings.

In satisfying the requirements of Policy 59 it has been demonstrated that the proposals will preserve the historic character of the B listed Halley's Mill building. The proposals therefore satisfy the requirements of Policy 60 of the adopted Local Plan.

Policy 62: Demolition of Listed Buildings and Buildings in Conservation Areas - Policy 62 (Demolition of Listed buildings and Buildings in Conservation Areas) is supportive of proposals involving the demolition of listed buildings where it can be demonstrated that the building is no longer suitable for repair or retention and that a suitable scheme for the redevelopment of the cleared site is proposed.

A detailed conservation plan which details the structure and condition of the B listed mill office building in the western sector of the site and the main B listed mill building (Halley's Mill) and its extension in the eastern sector of the site has been submitted in support of the proposed development. The report highlights the extent of the repair works required to restore the existing buildings on site and the economic viability of repair. The conservation plan demonstrates that it is no longer economically viable to retain the B listed mill office building in the western sector of the site without significantly compromising the historic character of the building. This is because previous demolition works and exposure have left the building structurally unsafe.

The conservation plan demonstrates that there are significant concerns relating to the structural stability of the eastern extension to the B listed mill building (Halley's Mill) on the eastern

sector of the application site. This is mainly because the extension has been without a roof for many years now with significant water ingress and exposure causing corrosion. The extension to the eastern elevation of Halley's Mill is erected on exposed rock which outcrops to the north and east of the building. The rock outcrops occupy a substantial proportion of the ground floor of the mill extension. The conservation plan demonstrates that although the extension is not of significant architectural merit the costs involved in restoring and repairing the mill extension and also converting the building into habitable accommodation would not be economically viable.

The applicant proposes to remove the existing B listed mill office building to facilitate the redevelopment of the western sector of the application site with 4 blocks of flats. The removal of the dilapidated mill office building will allow for the sensitive positioning of the replacement buildings on the application site so that the prominence and architectural significance of the retained Halley's Mill building on the eastern sector of the site can be realised.

To allow for the successful redevelopment of the main mill building on the eastern sector of the site and to provide access and parking facilities the proposals involve the removal of the mill extension and the erection of 3 new blocks of flats to the north and east of Halley's Mill.

The proposals are considered to satisfy the requirements of Policy 62 of the adopted Local Plan.

Policy 75: Sustainable Urban Drainage - Policy 75 requires development proposals to be accompanied by a Sustainable Drainage scheme at the time of submitting a planning application. Although Policy 75 also requires the drainage proposals to be accompanied by a drainage impact assessment this matter is on-going and the applicant is presently in discussions with the Council's Infrastructure Engineers. The drainage strategy submitted to the Council demonstrates that the site can be drained using sustainable drainage techniques. However, the details of the drainage system still require to be designed. Therefore this matter will be controlled by condition should the Committee be minded to grant planning permission.

Policy 80: Waste Management - Policy 80 is supportive of proposals for new housing where on-site provision to accommodate recycling facilities has been accounted for. The Council's Waste Management Division are satisfied by the refuse storage and collection arrangements proposed. However, there is concern that the storage and collection arrangements for Block E are not safe given the sloping nature of the site.

Policy 81: Pedestrians - Policy 81 is supportive of proposals that consider ease and safety of pedestrian access as a priority over all other modes.

Policy 82: Cycling Facilities - this policy is supportive of the provision of cycle paths and cycle parking facilities in new developments.

The proposals involve level access to each of the proposed buildings on site with cycle parking facilities located adjacent to each building. The provision of footpaths through the application site and the upgrading of footpaths adjacent to the application site will be suitable for use by cyclists as well as pedestrians.

The proposals therefore satisfy the requirements of Policies 81 and 82.

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

## **Statutory Duty**

### **Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997**

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 they possess. For the reasons given above, it is considered that the proposals will not adversely affect the historic appearance of the B listed Halley's Mill building. Therefore, should the Committee be minded to grant planning permission the statutory duty will be discharged.

## **Other Material Considerations**

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

### **A - The Scottish Historic Environment Policy 2008**

The application site is host to the former Wallace Craigie Works, 2 former mill buildings which have been afforded statutory B listing by Historic Scotland. As such, any development to the building will require to be considered under the guidance of the Scottish Historic Environment Policy 2008 which sets out Scottish Ministers policies for the historic environment.

Paragraphs 3.44 - 3.46 of the Scottish Historic Environment Policy are relevant to the proposed development. Paragraphs 3.44 and 3.46 state that demolition of an existing listed building, should be approved only when satisfied that one of a number of tests has been met. The tests are as follows:

- a the building is not of special interest; or
- b the building is incapable of repair; or
- c the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

### Office Building

The category B-listed office building in the western sector of the site has been the subject of substantial demolition works approved by previous listed building consents. The conservation plan submitted in support of the proposals demonstrates that the B listed office building in its current dilapidated condition has significant structural defects and is no longer recognisable when compared to the listing description of the statutory list.

The conservation plan demonstrates that the cost of repairing the B listed office building would be significant with the resulting building containing very little of the original structure, materials and form.

In its current form the building is no longer considered to be of a special interest. The conservation plan demonstrates that any repair works to the B listed office building would further impact on the historic character and appearance of the building.

#### Mill Extension

The conservation plan submitted in support of the proposed development demonstrates that the B listed extension to the eastern elevation of Halley's Mill has suffered significantly from water ingress and exposure due to the removal of the original roof covering. As a consequence there is significant evidence of structural corrosion.

The significant costs involved in repairing the structural defects, restoring the facade and converting the mill extension to flats would not be met by the sale of the resulting units. This is because there would only be 2 levels of accommodation available within the building as it has been built on exposed rock that takes up a large proportions of the ground floor and upper floors of the building.

In addition the mill extension has been significantly altered through the previous demolition of minor extensions and the creation of interventions in the facade of the building. The special interest of the extension is now limited to elements of the front (southern) elevation which in itself has also been significantly altered.

The demolition of the B listed office building and mill extension are essential to the delivery of the proposed redevelopment of the former Wallace Craigie Works. The removal of both buildings will facilitate the erection of 174 flats on the site which will bring significant investment into the Baxter Park and Stobswell Housing Investment Focus Area of Dundee and economic growth to the city given the number of housing units proposed.

Although the conservation plan demonstrates that the repair of the B listed office building and mill extension are not economically viable the demolition of these buildings forms part of a wider redevelopment proposal for the whole of the former Wallace Craigie Works mill complex. Therefore neither of the proposed buildings have been marketed.

Accordingly, the proposed demolition of the B listed mill office building and mill extension satisfy the criteria of Policy Tests a, b and c.

In satisfying the requirements of the Scottish Historic Environment Policy 2008, the applicant has put forward a balanced argument in favour of demolition of the existing B listed mill extension and office building.

### **B - The Scottish Planning Policy 2010**

The Scottish Planning Policy stipulates that the siting and design of new housing should take account of its setting, the surrounding landscape, topography, character, appearance, ecologies and the scope for using local materials. The aim should be to create places with a distinct character and identity, promoting a well integrated mix of land uses including well

designed homes of different types and tenures.

The aims of the Scottish Planning Policy are inherent in the requirements of the Development Plan. The proposed development has been assessed against the relevant criteria of the Development Plan and has been found to comply in full. The proposals therefore also satisfy the requirements of the Scottish Planning Policy 2010.

### **C - Other National Policy and Guidance**

Designing Streets - Policy Statement for Scotland 2009

Designing Streets discusses the issue of good street design. The conclusions drawn are that good street designs are highly dependent on context and may vary considerably in their nature and complexity from one circumstance to another. Designing Streets highlights that an approach which is underpinned by a consideration of the six qualities of successful places set out in Designing Places has clear benefits as a methodology to ensure that key issues are addressed.

Designing Places - A Policy Statement for Scotland 2001

Designing Places highlights that the most successful places, the ones that flourish socially and economically and tend to have certain qualities in common. First, they have a distinct identity. Second, their spaces are safe

and pleasant. Third, they are easy to move around, especially on foot. Fourth, visitors feel a sense of welcome, fifth they are adaptable to changing circumstances and finally, places that are successful in the long term, and which contribute to the wider quality of life, will prove to make good use of scarce resources. They are sustainable.

The 6 qualities listed by Designing Places have been incorporated into the requirements of the Council's Urban Design Guide and Policy 55 (Urban Design) of the adopted Local Plan. It has been concluded from the assessment of the proposed development against the requirements of the Development Plan above that the proposals satisfy the requirements of Policy 55 (Urban Design) and maintain the aspirations of the Council's Urban Design Guide. The proposals therefore adhere to the guidance contained within both Designing Streets and Designing Places.

### **D - Supporting Information**

The design statement, design and access statement and conservation plan submitted in support of the proposed development demonstrate that the proposed design solution will facilitate the total redevelopment of the former Wallace Craigie Works mill complex while restoring the appearance of the B listed Halley's Mill building and enhancing its setting. The supporting information also demonstrates that the development will provide new and innovative design that is accessible and that will significantly enhance the visual amenity and environmental quality of the application site surrounding are.

The Transport Assessment and Phase 1 Road Safety Audit and Drainage plans demonstrate that the proposed development can be drained using sustainable methods.

### **E - Non Statutory Statements of Council Policy**

Breaches in Boundary Walls - the Council's Breaches in Boundary Walls policy states proposals will not be supported where the wall is considered to contribute to the character of the listed building and where the proposed alteration would detract from its special interest.



The existing boundary wall enclosing the eastern sector of the application site has been the subject to several alterations with ad hoc repairs carried out when unauthorised breaches have occurred. The materials used in repairs have varied from engineering bricks to concrete, none of which have been sympathetic to the stone boundary wall or the adjacent listed buildings.

The proposals will involve the removal of the existing vehicle access, the lowering of the existing boundary wall and the creation of a new vehicle access on to Broughty Ferry Road. Given that the down takings will be used to make good the remainder of the wall with its form remaining largely in tact, the proposals are not considered to diminish the special interest of the boundary wall or adjacent listed buildings and as such the requirements of the Council's Breaches in Boundary Walls policy are satisfied.

### F - Views of Objectors

2 letters of objection have been received from neighbouring residents. The valid concerns raised relate to loss of privacy. However, in the assessment of the proposed development against the requirements of the Development Plan above, it has been concluded that the windows serving habitable rooms of the proposed flats will not be located within 18m of facing windows of neighbouring properties and will not overlook the private garden grounds of neighbouring houses. In this instance the proposals will not generate significant issues of overlooking. The concerns of the objectors are not supported.

There are no material considerations that would justify refusal of planning permission. It is therefore recommended that planning permission is granted subject to conditions.

### Design

The proposed development is of a high quality design that will preserve the character of the B listed Halley's Mill building while also enhancing its setting as well as the level of visual amenity and environmental quality in the surrounding area.

## CONCLUSION

The proposals satisfy the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. Accordingly planning permission is granted subject to conditions.

## RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:

- 1 Details of the proposed finishing materials including boundary treatments, rainwater goods and outdoor surfacing materials 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.
- 2 Prior to the commencement of development, a scheme of landscaping shall be submitted to and approved by the Council, and it shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with measures for their protection in the course of development in accordance with BS5837:2005. Full details of new planting and landscaping shall also be submitted to and approved by the planning authority prior to the commencement of development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 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. The applicant shall inform the Council in writing of the date on which the landscaping was carried out (or if carried out in phases, the date of completion of each phase) as soon as practicable following completion of the landscaping.
- 3 Full details of a maintenance plan for the existing and proposed trees and proposed areas of open space 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 Prior to the first occupation of the dwelling units hereby approved, any existing vehicle accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications.
- 5 Prior to the commencement of work on site, detailed drainage design drawings and calculations including modelling and simulation results for the proposed surface water drainage system shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the occupation of the first dwelling unit hereby approved. For the avoidance of doubt, all information submitted to the Council should comply with the adoptable standards of Scottish Water and SEPA and shall be in accordance with the SUDS Manual (CIRIA 697).
- 6 Prior to the commencement of work on site, details of the form and location of the proposed refuse storage facilities serving Block F of the proposed development hereby approved shall be submitted to the Council for written approval. Thereafter, the refuse storage facilities approved by this condition shall be in place prior to the occupation of the first flat in block F.
- 7 Prior to the occupation of first of the 174 flats hereby approved, the noise mitigation and attenuation measures recommended by the Noise Impact Assessment: Proposed Dwellings Adjacent to Princes Street and Blackcroft, Dundee by the Charlton Smith Partnership dated 27 August 2012 shall be implemented in full.
- 8 Development shall not begin until the investigation and risk assessment proposed in the submitted Stage I Desk Study are completed and a remediation strategy to deal with contamination risks at the site has been submitted to and approved in writing by the planning

- authority. The strategy shall contain proposals to deal with contamination to include:
- i the nature, extent and type(s) of contamination on the site;
  - ii measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
  - iii measures to deal with contamination during construction works; and
  - iv verification of the condition of the site on completion of decontamination measures.
- 9 Before any unit is occupied the remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved by the planning authority"
  - 10 Prior to the commencement of work on site, detail of proposed drying areas shall be submitted to the Council for written approval. Thereafter, the approved drying facilities shall be fully implemented prior to the first occupation of any of the proposed flats hereby approved.
  - 11 Prior to the commencement of work on site, details of a proposed public art scheme to be incorporated into the development hereby approved are to be submitted to the Council for written approval. Thereafter, the approved public art scheme shall be fully implemented prior to the first occupation of any of the flats hereby approved.

## Reasons

- 1 In the interests of visual amenity and safeguarding the special interest of the B listed Halley's Mill building.
- 2 To ensure that proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.

- 3 To ensure that the existing and proposed trees are adequately maintained, in the interest of the visual amenity value of the area:
- 4 In the interests of road safety.
- 5 In the interests of preventing instances of localised flooding from occurring.
- 6 In the interest of visual amenity and environmental quality.
- 7 In the interests of residential amenity and environmental quality.
- 8 In the interests of decontaminating the application site so that it is fit for purpose.
- 9 In the interests of ensuring that the application site is decontaminated and fit for purpose.
- 10 In the interest of residential amenity.
- 11 To safeguard the provision of public art in accordance with the requirements of Policy 56 of the adopted Local Plan.