

Formation of Car Park to Serve Student Housing

KEY INFORMATION

Ward West End

Address

19-21 Douglas Street
Dundee DD1 5AJ

Applicant

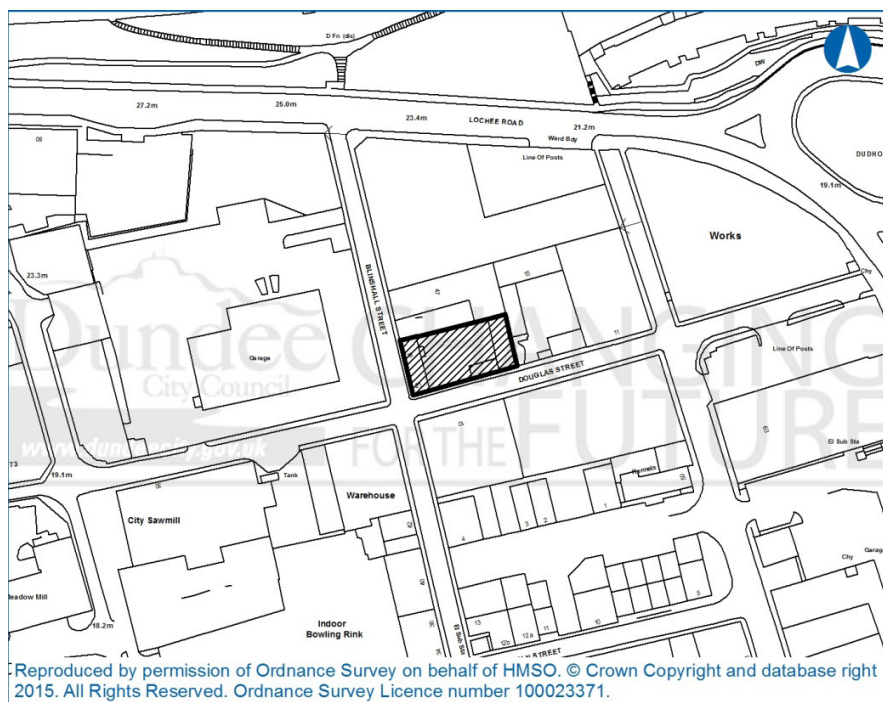
Mr Lee Chadwick
West One Properties 2
1 Blinshall Street
Dundee DD1 5DS

Agent

Peter Gunning
Archid Architects Ltd
22 Riverside Road
Wormit DD6 8LS

Registered 25 Sep 2015

Case Officer S Dorward



SUMMARY OF REPORT

- Planning permission is sought to vary Conditions 1 and 6 of planning permission 13/00337/FULL to remove restrictions on the use of the car park approved under planning permission 13/00337/FULL.
- Policies 3, 50 and 57 of the Adopted Dundee Local Development Plan (2014) are relevant to the determination of the application.
- The statutory neighbour notification procedure was undertaken, no comments have been received.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee at the request of an Elected Member of the Council.
- More details can be found at <http://idoxwam.dundeeecity.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=Nv4PCXGCIVS00>.

RECOMMENDATION

The application does not comply with Policy 3 of the Adopted Dundee Local Development Plan (2014) or the Central Dundee Car Parking Strategy (2007). There are no material considerations that would warrant the approval of planning permission. Therefore, it is recommended that planning permission is refused.

1 DESCRIPTION OF PROPOSAL

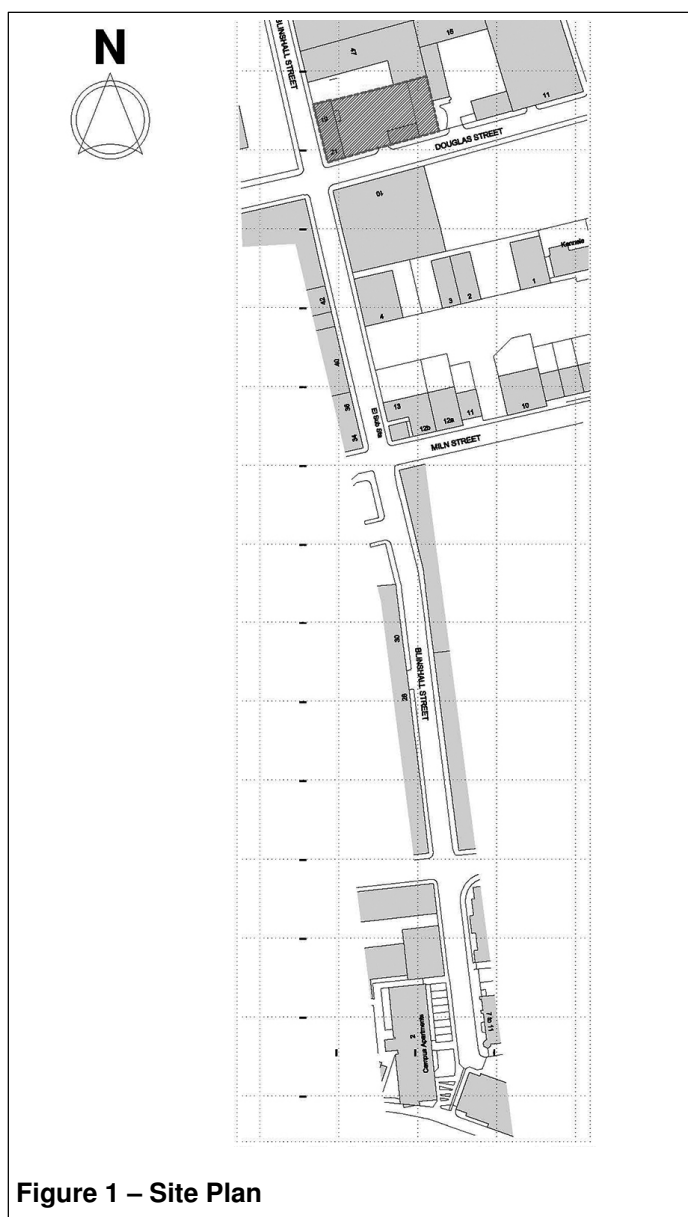
1.1 Planning permission is sought to vary the terms of Conditions 1 and 6 of planning permission 13/00337/FULL which allowed the demolition of a vacant building and change of use to a car park. Conditions 1 and 6 of the planning permission restrict the use of the car park to employees and patrons of approved businesses adjacent to the car park at 10 Douglas Street and 47 Blinshall Street, by means of a vehicle barrier and a permit system; planning permission is now sought to vary these restrictions.

1.2 Condition 1 of planning permission 13/00337/FULL states: "Prior to the commencement of development on site, full details for the vehicle barrier shall be submitted to the Council for approval in writing. For the avoidance of doubt, the barrier shall operate so as to restrict use of the car park to those employees and callers to the businesses listed in approved document 'Business Info Drawing No 6' only. The barrier shall thereafter be operated in full accordance with the agreed details."

1.3 Condition 6 of planning permission 13/00337/FULL states: "Prior to the commencement of development on site, full details for a permit system shall be submitted to and approved in writing by the Council. For the avoidance of doubt, the spaces will be solely for the use by employees and visitors to the businesses at the addressed on 'Business Info document Drawing No 6' hereby approved and at no times shall be utilised by members of the public."

1.4 It is now proposed to vary the conditions to allow the residents of Campus Apartments at 2 Blinshall Street to use the car park; the use would be restricted to the residents at Campus Apartments, with a barrier and permit system in operation as per the original conditions, the student accommodation is located 300 metres from the car park.

1.5 In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee at the request of an Elected Member of the Council.



2 SITE DESCRIPTION

- 2.1 The application site is located in Inner City Dundee within Blackness General Economic Development Area and Conservation Area as per the Adopted Dundee Local Development Plan (2014). The site is currently occupied by a disused building which is constructed of a mixture of stone and white painted brick with roller shutter doors and a corrugated iron roof, collapsed to the rear. The site is bound by high white painted stone walls; internally the site is overgrown waste ground.



Figure 2 – Site Photo

3 POLICY BACKGROUND

- 3.1 The following plans and policies are considered to be of direct relevance:

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 3: General Economic Development Areas

Policy 50: Development In Conservation Areas

Policy 57: Car Parking

SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS

Scottish Planning Policy (2014)

Scottish Historic Environment Policy (2011)

NON STATUTORY STATEMENTS OF COUNCIL POLICY

Central Dundee Car Parking Strategy (2007)

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

- 4.1 Relevant planning history of the site includes planning permission 13/00337/FULL, permitted in October 2013 with conditions for a change of use to a car park, involving the partial demolition of an existing building and boundary wall.

5 PUBLIC PARTICIPATION

- 5.1 No letters of representation have been received.

6 CONSULTATIONS

- 6.1 No consultation responses have been received.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless 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.

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.2 **Policy 3: General Economic Development Areas** - of the Dundee Local Development Plan advises that within General Economic Development Areas, proposals for Class 4, 5 and 6 developments would be supported and that other uses of a wider industrial nature such as a car showroom, wholesaling and scrap yards may be permitted with provisions; other uses within these areas will not be supported.
- 7.3 In this regard, the previous planning permission for change of use to a car park was considered to be acceptable as the car parking spaces were confirmed to be specifically for use by employees and visitors to adjacent businesses and the planning permission was conditioned as such. By varying these conditions to allow a use for the student flats some 300 metres away, the car park would no longer serve the economic development area and would not therefore satisfy the terms of Policy 3.
- 7.4 **The proposal contravenes Policy 3.**
- 7.5 **Policy 50: Development In Conservation Areas** - expects that all development proposals will preserve or enhance the character of the surrounding area, retaining all features that contribute to the character and appearance of the conservation area.
- 7.6 The existing structure is beyond repair and the retention of part of the walls would ensure that the character and appearance of the conservation area would be preserved thereby complying with the terms of Policy 50, however this is not the main determining factor in this case.
- 7.7 **The proposal satisfies Policy 50.**
- 7.8 **Policy 57: Car Parking** - of the Adopted Local Development Plan requires that all new development or alterations to existing developments within the City Centre area will be required to comply with the Central Dundee Parking Strategy. The current 2007 parking strategy promotes a reduction in the need to travel, alternative modes of transport and a restraint on the use of the private car within the Central Area of Dundee. New developments outside the City Centre are required to comply with Dundee City Council's adopted guidance on road standards (Streets Ahead).
- 7.9 The application site is located immediately outside the City Centre boundary (as identified within the Adopted Dundee Local Development Plan, 2014) and within Blackness Economic Development Area. Should members be minded to approve planning permission the layout of the car park can be controlled by condition to satisfy the Council's adopted road standards (Streets Ahead).
- 7.10 **Through the use of planning conditions the terms of Policy 57 can be satisfied.**

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

STATUTORY DUTY

- 7.12 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.13 For the reasons set out above, the proposed works would comply with national planning guidance with regard to development affecting a conservation area, the proposals would preserve the Conservation Area and the statutory duty set out in Section 64 of the Act would therefore be satisfied.

OTHER MATERIAL CONSIDERATIONS

- 7.14 The other material considerations to be taken into account are as follows:
- 7.15 Scottish Planning Policy (2014) and Scottish Historic Environment Policy (2011) should be taken into account when determining applications for planning permission for development which may affect the historic environment. The SPP considers that the designation of a conservation area provides the basis for the positive management of an area. A proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. Scottish Historic Environment Policy acknowledges that the protection of the historic environment is not about preventing change but seeking to ensure that where change is proposed, it is appropriate, carefully considered and if appropriate, reversible.
- 7.16 In this case, the change of use proposed would have a positive effect upon the character and appearance of the area as the existing building is dilapidated, the proposal would cause no harm as it would seek the retention of the majority of the existing boundary walls. It is therefore concluded that the proposed works comply with national planning guidance with regard to development within a conservation area.
- 7.17 **The proposal complies with national planning guidance with regard to development within a conservation area.**
- 7.18 The Central Dundee Car Parking Strategy (2007) contributes towards a sustainable transport system that restrains the inappropriate use of the private car and complements the need to encourage alternative modes of transport. Although not within the boundary of the designated City Centre the application site is located in close proximity to the City Centre and is very accessible.
- 7.19 The Central Dundee Car Parking Strategy aims to restrict non-residential parking and supports a modal shift towards more sustainable modes of transport. Planning application ref: 13/00337/FULL was therefore supported on the basis that the parking spaces were fully attributed to the adjacent businesses which had demonstrated a need for the spaces. In this instance, the proposed variation to planning application ref: 13/00337/FULL would not resolve the existing parking issues in the area, but would exacerbate existing on street parking issues by preventing the business uses surrounding the application site from parking in the car park.

- 7.20 The Campus Apartments are located outside Blackness General Economic Development Area with the proposed car park located within the General Economic Development Area. The Campus Apartments were given planning permission on the basis that the level of parking provided was sufficient for the amount of student bed spaces created. The location of the Campus Apartments was predicated on its location in close proximity to the city centre, higher and further education institutions and the main public transport routes through the city. This would restrain the use of the private car as the main mode of transport for students within the city. The proposed variation to planning permission 13/00337/FULL would allow for the creation of a remote car park to serve Campus Apartments promoting the use of the private car as a main mode of transport. This would undermine the aims and objectives of the Central Dundee Parking Strategy 2007 exacerbating the existing issues of traffic congestion and parking pressure within central Dundee. In addition, this would increase the volume of traffic in central Dundee. Therefore the proposed variation of planning application ref: 13/00337/FULL would be contrary to the Dundee City Council Car Parking Strategy (2007).
- 7.21 **It is concluded from the foregoing that the material considerations support the approval of planning permission in terms of the historic environment but support refusal in terms of Dundee's current car parking strategy.**

8 CONCLUSION

- 8.1 The proposal fails to satisfy the requirements of the Development Plan. There are no material considerations that would justify approval of planning permission. Therefore, it is recommended that this application be refused.

9 RECOMMENDATION

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

REASONS

- 1 The proposal fails to comply with Policy 3 of the Adopted Dundee Local Development Plan (2014), the variation of Conditions 1 and 6 would render the proposal an inappropriate use within a General Economic Development Area. There are no material considerations that would justify the approval of planning permission.
- 2 The proposal does not comply with the Central Dundee Car Parking Strategy (2007) as the use of the proposed car park to serve Campus Apartments Student Housing would exacerbate existing on street parking pressures and promote the use of the private car within Central Dundee. There are no other material considerations that would justify approval of planning permission contrary to the Central Dundee Car Parking Strategy 2007.