

KEY INFORMATION

Ward Riverside

Proposal

Change of use from housing for the elderly to 16 bedsits, 6 No 1 bed units and 2 No bed units

Address

Farington House
1 Farington Street
DUNDEE

Applicant

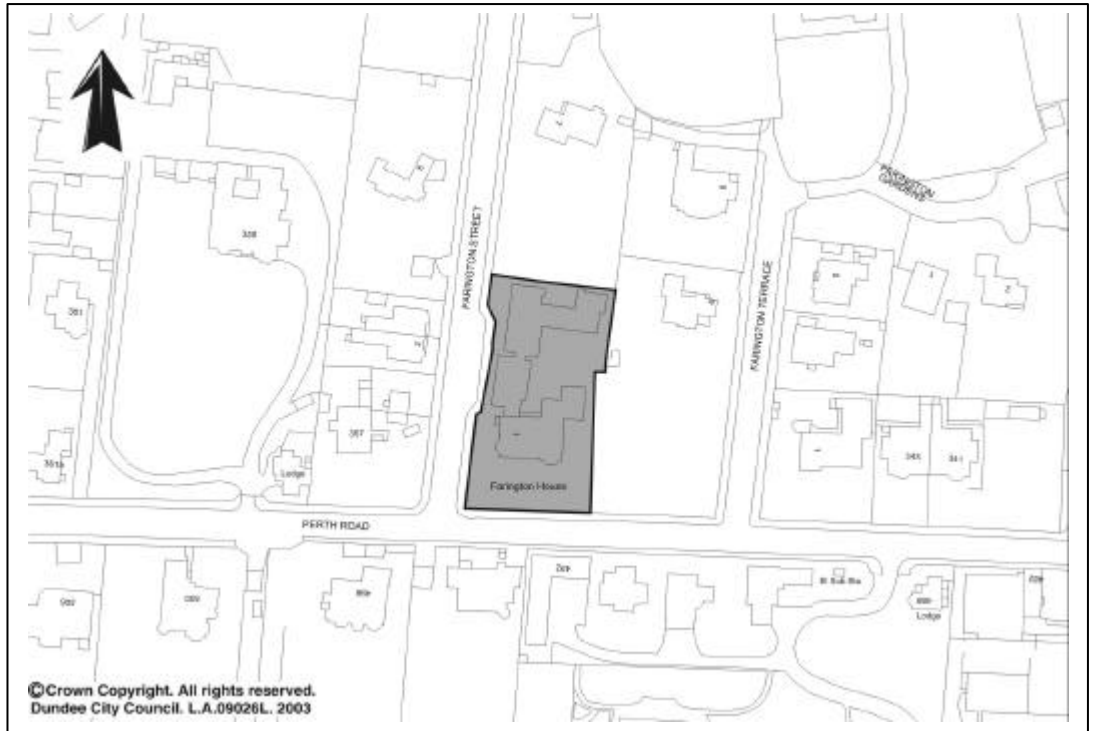
Farington House Properties Ltd
Suite 1/2 Copland House
130 Edmiston Drive
Glasgow
G51 2YX

Agent

Davidson Property Services
49 Yeaman Street
Carnoustie
DD7 7AW

Registered 10 Mar 2006

Case Officer S Cooper



Bed Sit Use proposed for Former Care Home

The Change of use from housing for the elderly to 16 bedsits, 6 No 1 bed units and 2 No 2 bed units is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposed change of use is contrary to the provisions of Policies 1 and 4 of the Dundee Local Plan Review 2005. There are no material considerations that would justify the approval of this application. Accordingly it is recommended that the application be **REFUSED**.

SUMMARY OF REPORT

- The proposal is for the change of use of a former care home for the elderly to 24 individual, self contained flats.
- The mix of the flats would be 16 No. bedsits, 6 No single bedroomed flats, and 2 No 2 bedroomed flats.
- The proposal raises issues in terms of Policies 1 and 4 of the Dundee Local Plan Review 2005.
- A total of 17 letter of objection have been received to this application.
- It is considered that the proposed development is contrary to the provisions of Policies 1 and 4 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify the approval of this application.

DESCRIPTION OF PROPOSAL

Planning permission is retrospectively sought for the change of use of a former residential home for the elderly to 24 individual residential units at Farington House, 1 Farington Street, Dundee. The mix of units would comprise 16 bedsits, 6 no. 1 bedroom units and 2 No 2 bedroom units. Each unit would have its own kitchen and shower room/toilet facilities. The 1 bed and 2 bed flats would also have a separate living room. There would be no provision for on site car parking. The applicant indicates that there are 10 car parking spaces available to the property in a parking bay at the side of the street.

SITE DESCRIPTION

The application relates to Farington House, 1 Farington Street, Dundee. The building is a detached 2 storey red sandstone building that has been extended to the rear (north). The building is located on the corner of Farington Street and Perth Road, in a predominantly residential area. The site is bounded by residential properties to the north and east, with Perth Road to the south and Farington Street to the west.

The building was previously in use for sheltered accommodation for the elderly. However, it has come to the Council's attention that the property has since been in use as privately rented self contained residential units.

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 1: Vibrant and Sustainable Communities.

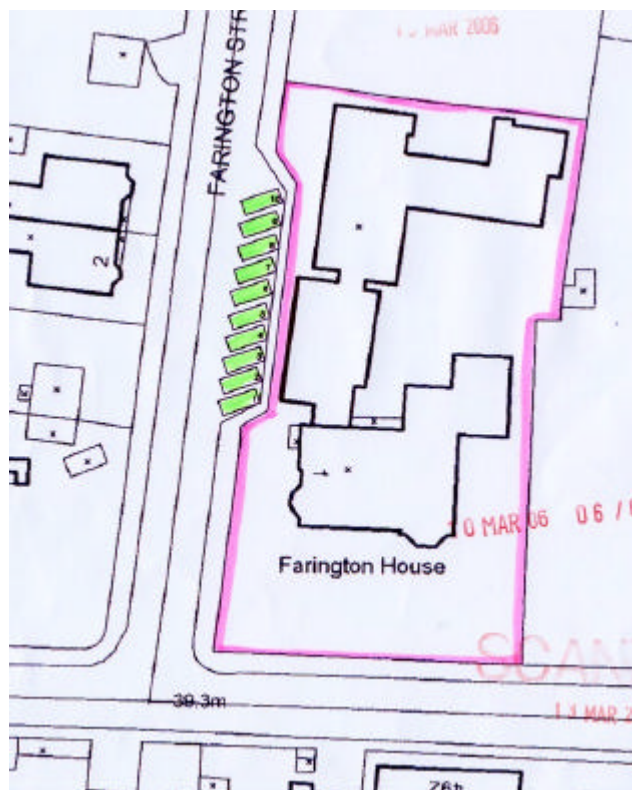
The City Council will promote vibrant communities, encouraging the development of an appropriate range

of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 4: Design of new housing

The design and layout of all new housing in Dundee should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards contained in Appendix 1 of the Local Plan. For the purposes of the Design Standards the application site is located within the 'Suburban Area'.

Flats may be acceptable through conversions of buildings of merit



where conversion to houses is not suitable or achievable. Flats should have generous internal space standards and 2 or more bedrooms. A minimum of 150% car parking should be provided with at least 1 space dedicated to each flat. Secure indoor storage for bikes to be provided. In terms of amenity space, each proposal must provide a high quality living environment with attractive outdoor space for occupants. This space may

be private communal garden or private garden for each flat.

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.

LOCAL AGENDA 21

Key Theme 7 requires that access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all.

Given the proposal's adverse impact on the environmental quality enjoyed by local residents, it is considered that the proposal does not comply with this Key Theme.

SITE HISTORY

The unauthorised works which have been carried out and the use of the premises for residential use have been the subject of Enforcement action which has resulted in this planning application. No further Enforcement action will be taken until this application is determined.

PUBLIC PARTICIPATION

The applicant has carried out the Statutory Neighbour Notification procedures. The application has also been advertised in the Dundee Courier and Advertiser as a departure from Policy 4 of the Dundee Local Plan Review 2005. A total of 19 objections were received.

The grounds of objection are summarised below:

Inadequate provision for car parking;

Detrimental impact on road safety;

Noise and pollution form additional traffic;

High density nature of accommodation contrary to character of surrounding area;

Detrimental to the character and appearance of the conservation area;

Devaluation of existing properties in the area; and

Operation of the property as a House in Multiple Occupation.

It is intended to comment on these matters in the 'Observations' section of this report. Copies of these letters are available for inspection in the Members Lounges.

CONSULTATIONS

No adverse comments were received from any consultees on this application.

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.

Promoting good quality new housing is a key objective of the adopted Dundee Local Plan Review 2005. New housing should offer flexibility in use and be capable of adapting to changing needs of households over time. Accordingly generous internal and external standards are required.

Dundee currently has a high proportion of small flats. In order to expand on the range of housing available in the City the Dundee Local Plan Review 2005 has established a policy framework that encourages the development of houses rather than flats.

Accordingly, Policy 4 is generally not supportive of flatted developments. In suburban areas flats may be acceptable through conversions of buildings of



merit where conversion to houses is not suitable or achievable. In support of the application, the applicant has submitted a statement to support the change of use to individual residential units.

The applicant states that a number of factors, including reduced subsidies, increased level of staffing and reduced uptake of accommodation meant a number of units for the elderly were lying vacant. This in turn led to the running of the property becoming unviable economically. Subsequently the property was offered for let as individual self contained units.

It is considered that the building is suitable for conversion for the residential use. However, the Design Standards referred to in Policy 4 of the Dundee Local Plan Review 2005 require that flats have generous internal space standards and 2 or more bedrooms.

The proposal is for 24 individual units. However, the breakdown of the units is such that only 2 of the units would have 2 bedrooms. 16 of the units would be bedsits, providing a bedroom/living room, a kitchen and a shower room. The single bedroomed units would have a separate living room as well as a kitchen and shower room.

It is therefore considered that the proposal would not provide an adequate amount of internal accommodation. Only 2 of the

proposed 24 units would provide 2 bedrooms, with 6 single bedroomed flats and 16 bedsits providing inadequate internal accommodation. It is therefore considered that the proposed development is contrary to the provisions of Policy 4 of the Dundee Local Plan Review 2005.

Furthermore, the proposal provides for only 10 on street car parking spaces. The requirement is for 150% parking provision with at least 1 space dedicated to each flat. The proposal therefore fails to comply with this requirement of the Design Standards and accordingly is considered to be contrary to the provisions of Policy 4 of the Dundee Local Plan Review 2005.

There is amenity space available to the south of the building and also in a small courtyard to the east. The amenity space to the south is open to public views from Perth Road and Farington Street. As such, this could not be considered to be private amenity space. The other area of amenity is in a small courtyard that is positioned between the original building and the later extension.

Policy 1 of the Dundee Local Plan Review 2005 seeks to protect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

The proposal involves internal alterations only and as such raises no issues in terms of design and layout. It is also considered that the proposal raises no issues in terms of noise or smell.

As stated above it is considered that the proposal makes insufficient provision for car parking spaces for the number of flats proposed. It is indicated that 10 on street spaces would be provided, with no space for car parking within the curtilage of the building. Consequently it is considered that the proposal would result in an increase in on street car parking in the area, detrimental to the amenity and environmental quality enjoyed by local residents. Accordingly it is considered that the proposed development is contrary to the provisions of Policy 1 of the Dundee Local Plan Review 2005.

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

Other Material Considerations

The other material considerations to be taken into account are the views of the objectors.

A total of 19 letters of objection have been received. The objectors raise a number of grounds of objection although the majority of them relate to car parking and traffic movement issues. These issues have been discussed in greater detail above. It is considered that the proposal fails to meet the relevant criteria of the local plan regarding car parking provision and would be detrimental to the environmental quality enjoyed by local residents by way of the adverse impact on car parking and traffic movement issues in the area. Accordingly the views of the objectors are supported.

The objectors are also concerned that the proposal is for high density living accommodation, which is out of keeping with the character of the area. This issue has been considered in the 'Observations' section above. It is considered that the proposal is for too many units with an inadequate standard of living accommodation. As such the proposal is considered to be contrary to the provisions of Policy 4 of the adopted Dundee Local Plan Review 2005, and therefore the views of the objectors are supported.

Objectors are concerned that if planning permission were to be granted for this application, it would result in a large number of 'wheelie bins' being left on the street on bin collection days, detrimental to the character and appearance of the conservation area. This issue is not a material consideration in the determination of this planning application. The other grounds of objection relating to the devaluation of existing residential properties in the area and the suitability of the applicant to operate an HMO licence are not material considerations in the determination of the application. The proposal is for individual self contained units and as such does not constitute an HMO in planning terms.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be refused with conditions.

The proposal is for individual self contained units and as such does not constitute an HMO in planning terms.

Design

The proposal involves only internal alterations to the building and as such raises no issues in terms of design. Notwithstanding, it is considered that the proposal is contrary to Policies 1 and 4 of the Dundee Local Plan Review 2005.

CONCLUSION

It is considered that the proposed change of use is contrary to the provisions of Policies 1 and 4 of the Dundee Local Plan Review 2005. There are no material considerations that would justify the refusal of this application. Accordingly it is recommended that planning permission be REFUSED.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reason(s):-

Reasons

- 1 The proposal includes the provision of a total of 22 single bedrooomed units. As such the proposal is considered to be contrary to the provisions of Policy 4 of the adopted Dundee Local Plan Review 2005 which requires a minimum of 2 bedrooms per unit. There are no material considerations that would justify the setting aside of this Policy and granting planning permission contrary to the provisions of the Development Plan.
- 2 The proposal provides for a maximum of 10 on street car parking spaces with none in the curtilage of the building. In this regard the proposal is contrary to the provisions of Policy 4 of the Dundee Local Plan Review 2005 which requires a minimum of 150% car parking with at least one space dedicated to each flat. There are no material considerations that would justify the setting aside of this Policy and granting planning permission contrary to the provisions of the Development Plan.

- 3 It is considered that the proposed development would be detrimental to the environmental quality enjoyed by existing residents by way of the adverse impact on car parking and traffic movement issues. In this regard the proposal is contrary to the provisions of Policy 1 of the Dundee Local Plan Review 2005. There are no material considerations that would justify setting aside this Policy and granting planning permission contrary to the provisions of the Development Plan.