

KEY INFORMATION

Ward West End

Proposal

Redevelopment to provide 7 flats with internal and external alterations

Address

11, 12 & 13 Springfield
Dundee
DD1 4JE

Applicant

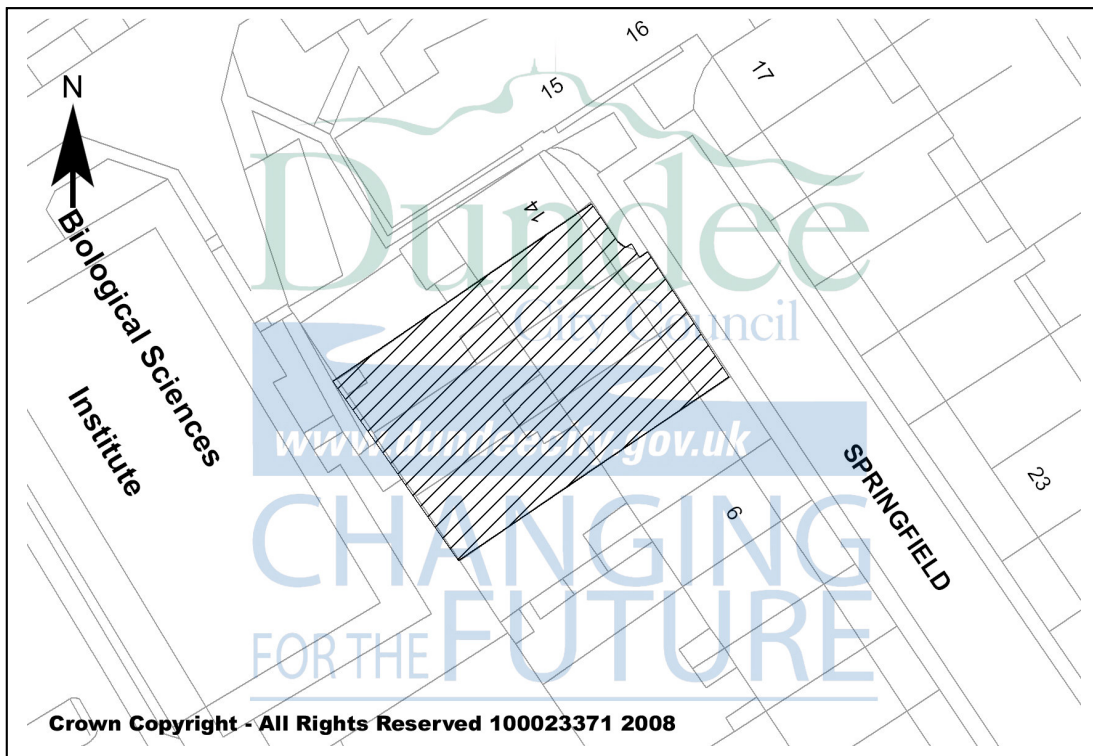
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Registered 5 March 2008

Case Officer Eve Jones



Proposed Conversion to Flats in Springfield

A redevelopment to provide 7 flats is **RECOMMENDED FOR APPROVAL** subject to conditions.
Report by Director of Planning and Transportation

RECOMMENDATION

The proposed conversion of these A Listed buildings to flats is supported by the flexibility of the relevant policies in the Dundee Local Plan Review 2005 and by National Planning Guidance. Subject to a Section 75 to prevent HMO use, the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the change of use of 3 existing terraced houses, formerly in use as student accommodation, to form 7 flats with external alterations. There will be 5 x 2 bedroom flat and 2 x 3 bedroom flats, 3 with gardens. There is no parking possible in this location. Internally, the fine plasterwork will be retained and repaired. Externally, features will be repaired or replaced including railings along the front boundary walls.
- Dundee Local Plan 2005 The following policies are of relevance: Policy 12 - Sub-Division of Houses; Policy 4 - Design of New Housing; Policy 60 - Alterations to Listed Buildings; Policy 61 - Development in Conservation Areas.
- There were no adverse comments from consultees and no objections from the public.
- These houses form part of the largest group of Category A Listed Buildings in the City within a street which would benefit from restoration. It is concluded that the proposal complies with the policies in the Dundee Local Plan Review 2005 and with National Planning Guidance as the retention and reuse of the Listed Buildings supports a degree of flexibility in the application of the relevant criteria for flats, parking and garden ground.
- In order to ensure that the units are not let for multiple occupancy, it is considered appropriate that a Section 75 agreement is sought with the applicant.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the change of use of three existing terraced houses, to form 7 flats with internal and external alterations.

Nos 11 and 12 will each have a 3 bedroom flat utilising the ground floor and the partial basement with a 2 bedroom flat on the upper floor. No 13, which is larger with a full length basement, will have a 2 bedroom flat on each of the 3 floors of the building. The 3 bedroom flats will have 100 - 120m² of floorspace and access to the private gardens to the rear. The basement flat of No 13 will also have a private garden. One 2 bedroom flat has 50m² of floorspace, the remaining four have 68 or 80m². Four of the flats will have separate private accesses.

Externally, the single storey kitchen extensions to the rear will be altered and extended or repaired with new slate roofs and external alterations including new folding patio doors. The original traditional timber sash and case windows will be refurbished and their original glazing pattern restored. Traditional doors will be reinstated and the railings on the low front garden walls will also be restored to match the originals. Roofs and balustrades will be repaired and restored.

Internally, the fine plaster work and stained glass will be retained and repaired where necessary.

SITE DESCRIPTION

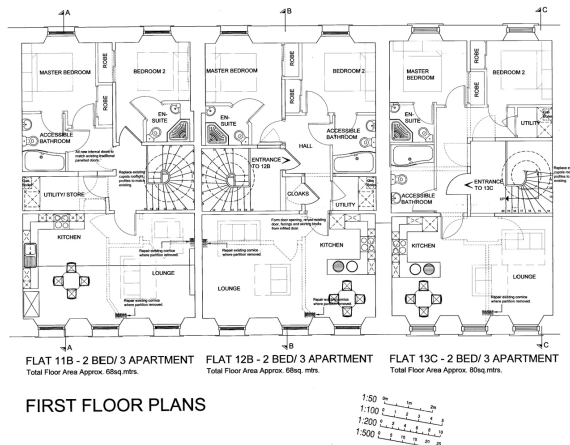
The properties are 3 large, 2 storey and basement terraced townhouse at the north west corner of a neo-classical terraced street which slopes up steeply from the north side of Perth Road. All of the properties in Springfield are Listed Category A and were built between 1830 and 1846. The site lies very close to the University of Dundee.

The houses are paired with portico supported by columns forming the main accesses. There is a balustrade at the upper level providing a further design feature which contributes to the unified design of the street. There are fine views southwards towards the Tay.

Dundee City Council Development Quality Committee

There is no rear access and no off street parking.

The properties have some well detailed plasterwork, stained glass and each has a circular cupola above the staircase in need of repair. All have suffered from some unsympathetic alterations and sub-division of rooms. They were previously operated by the University as student accommodation. All have approximately 100m² of private garden ground to the rear (west). The original railings have long been removed from the front elevations.



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 12 - Sub-Division of Houses.
- Policy 4 - Design of New Housing.

Policy 60 - Alterations to Listed Buildings.

Policy 61 - Development in Conservation Areas.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

The Memorandum of Guidance on Listed Buildings and Conservation Areas.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Houses in Multiple Occupation.

SUSTAINABILITY ISSUES

The following sustainability policy implication(s) arise from this application :

Policy 5 Built Environment

The issue is discussed in greater detail below.

SITE HISTORY

08/00173/LBC - The partner Listed Building application in respect of the proposed redevelopment and alterations to the Listed buildings is considered elsewhere on this agenda.

PUBLIC PARTICIPATION

The application was the subject of Statutory Neighbour Notification and was also advertised as a development contrary to the Development Plan. There were no objections.

CONSULTATIONS

There were no adverse comments from consultees.

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

18 August 2008

- 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.

Policy 12: Sub-Division Of Houses - "The sub-division of houses will only be permitted if all of the following criteria are met:

- a each unit has a minimum of 5 habitable rooms, 2 parking spaces within the curtilage and useable garden ground of 120m² or 50m² if within the inner city; and
- b the proposal does not involve an extension, through either conversion of non-residential accommodation or new build, of more than 30% of the existing floorspace; and
- c all units should have a pleasant aspect and surrounding residential environment with main living areas being located to the front of the house

The above criteria may be applied flexibly where this is necessary to preserve the architectural integrity of a listed building."

The submitted proposals are for 7 flats, 2 x 3 bedroom and 5 x 2 bedroom. There is no off street parking. 3 of the flats have garden ground of 95 to 105m² in this Inner City location. All have living rooms to the front elevation and have a pleasant living environment.

It is considered that the flexibility allowed in the policy to protect a listed building should be applied for the following reasons.

The two larger flats, in Nos 11 and 12, comply with the policy other than the provision of parking which cannot be achieved in this street. Due to the configuration of the buildings, the upper floors can only form very attractive 2 bedroom flats in order to maintain the proportions of the rooms and the retention of the large front facing lounges. The house at No 13 is larger, with a basement which extends the full width and depth of the house. Due to the slope of the ground, the basement has its own entrance door

from Springfield and opens out on to the garden at the rear. Combining the basement and ground floor, as has been done at Nos 11 and 12, would result in a very large flat and it was considered that this building could accommodate one flat on each level to provide a range of choice of size within the whole development. The ground floor flat within these 3 is the smallest due to the large amount of floorspace occupied by the entrance foyer and the different configuration of the stairs.

In addition, the applicant proposes to repair and renovate the roofs and balustrades; reinstate the original glazing; replace the original style of railings along the front elevations and restore damaged plasterworks within the buildings. This is a high level of investment in the redevelopment of these buildings which could set a standard for the redevelopment of other houses within Springfield.

It is concluded that whilst the proposed sub-division does not meet the criteria of Policy 12, the preservation of the architectural integrity of the Listed buildings does support a flexible application of these criteria. It is therefore considered that the development does comply with Policy 12.

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.

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."

These are large terraced houses on three floors with 6/7 bedrooms, bathrooms and a large kitchen and stores. They have limited demand as individual family houses and given their previous use by the University as student accommodation, may have lawful use as houses in multiple occupation for up to 10 people. As noted, this is an area where almost 20% of properties have HMO licenses.

Change of use to flats is acceptable in principle to support the restoration of the features of the Listed Building both internal and external.

Appendix 1 to Policy 4 sets criteria for flatted developments. The proposal meets the required size of unit other than the one ground floor flat where there is a large communal foyer to be retained. Garden ground does not meet the criteria as only 3 of the 7 flats have access to the rear gardens and there are no balconies. The garden ground to the front of the property is not considered to be acceptable private garden ground.

Parking cannot be provided. Springfield lies within walking distance of the University of Dundee and the City Centre. It is just off Perth Road which has regular public transport. It would be clear to any prospective resident that this is not a location where a car parking space within the street or nearby can be guaranteed. However it is a development which could provide a range of sizes and styles of high quality flats retaining traditional architectural features where a wide range of residents could enjoy the benefits of an inner city location close to many facilities.

Policy 4 provides flexibility in these matters where conversion of a listed building is proposed. It is concluded that the development merits the flexibility detailed in Policy 4 and is in compliance with it.

Policy 60: Alterations To Listed Buildings - "The alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest."

Policy 61: Development In Conservation Areas - "Within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future."

It is considered that the proposal complies with these two policies which seek to protect the character of Listed Buildings and Conservation Areas for the reasons noted above. The development will retain significant architectural details within the individual flats and restore or replace external features integral to the original character of Springfield.

It is concluded that the proposals comply with Policies 60 and 61.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan as the retention and reuse of the Listed Building supports a degree of flexibility in the application of the relevant policies.

Other Material Considerations

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

Non Statutory Statements of Council Policy

Houses in Multiple Occupation - the supplementary planning policy guidance was approved as a material consideration in the determination of planning applications in order to control the use of premises for multiple occupancy in certain areas of the City. This is an area of multiple letting close to the University campus. It is considered appropriate to secure a Section 75 agreement with the

applicant to ensure that these properties are not let for multiple occupation given the lack of parking and the lack of garden ground for four of the flats. The applicant is in agreement.

The proposal supports Sustainability Policy 5 - Built Environment, as it preserves and reuses a Listed Building which forms an important part of the Conservation Area.

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

Section 59 of the Act requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the planning authority shall have special regard to the desirability of preserving the building or its setting. It is considered, for the reasons set out above, that the approval of this proposed development will comply with this requirement.

It is also concluded from the foregoing that the statutory duty set out in Section 64 of the Act, to preserve or enhance the character or appearance of the Conservation Area would be satisfied by the approval of this proposal.

Memorandum of Guidance on Listed Buildings and Conservation Areas

States 2.15: New uses for old buildings may often be the key to their continued survival. It may be justifiable for planning authorities to relax control over use, zoning, density, plot ratio, daylighting, and other restrictions where this would enable an historic building or group of buildings to be given a new lease of life.

It is concluded from the foregoing that the material considerations are sufficient to support the grant of planning permission in accordance with the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The design benefits of the redevelopment proposals are detailed in the Policy observations above.

CONCLUSION

There are many multiple occupancy properties in Springfield and the University has recently sold a number of these properties. The street has suffered from a degree of neglect and unsympathetic alterations in the past and this is the first opportunity to support a redevelopment proposal which could regenerate these fine listed buildings.

It is concluded that the flexibility available in both Policy 12 and Policy 4 of the Dundee Local Plan Review 2005 is applicable in this particular case as the development will retain important architectural features of the buildings in the proposed conversion into 7 high quality flats. This will preserve and enhance the fabric and character of the buildings which form an integral part of the largest single concentration of A Listed Buildings in Dundee and contribute to the character and diversity of the University Conservation Area. In order to ensure that the units are not let for multiple occupancy, it is considered appropriate that a Section 75 agreement is sought with the applicant.

RECOMMENDATION

Recommendation 1

This planning permission shall not be issued unless and until an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 between the Council and all parties with appropriate interests in the land has been recorded. This agreement will relate to the prevention of use of any of the units for multiple occupancy.

Recommendation 2

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 Prior to the commencement of development, samples of the finishing materials proposed to be used shall be submitted to and approved by the Council and the development shall be carried out only in accordance with such approved samples.

- 3 Full details of the proposed new railings and any required repairs to the eastern boundary walls shall be submitted to and approved by the City Council prior to the commencement of the development and the walls and railings shall be completed in accordance with the approved details prior to the occupation of the first dwelling hereby approved.
- 4 Before the any of the residential units is first occupied the bin store areas indicated on the approved drawings shall be provided and thereafter kept available for use at all times.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 3 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 4 In the interests of the amenities of the future occupants of the residential accommodation.