

KEY INFORMATION

Ward Coldside

Proposal

Demolition of Snooker Club and erection of eight Town Houses with associated Car Parking and Landscaping

Address

Tivoli
20 Bonnybank Road
Dundee

Applicant

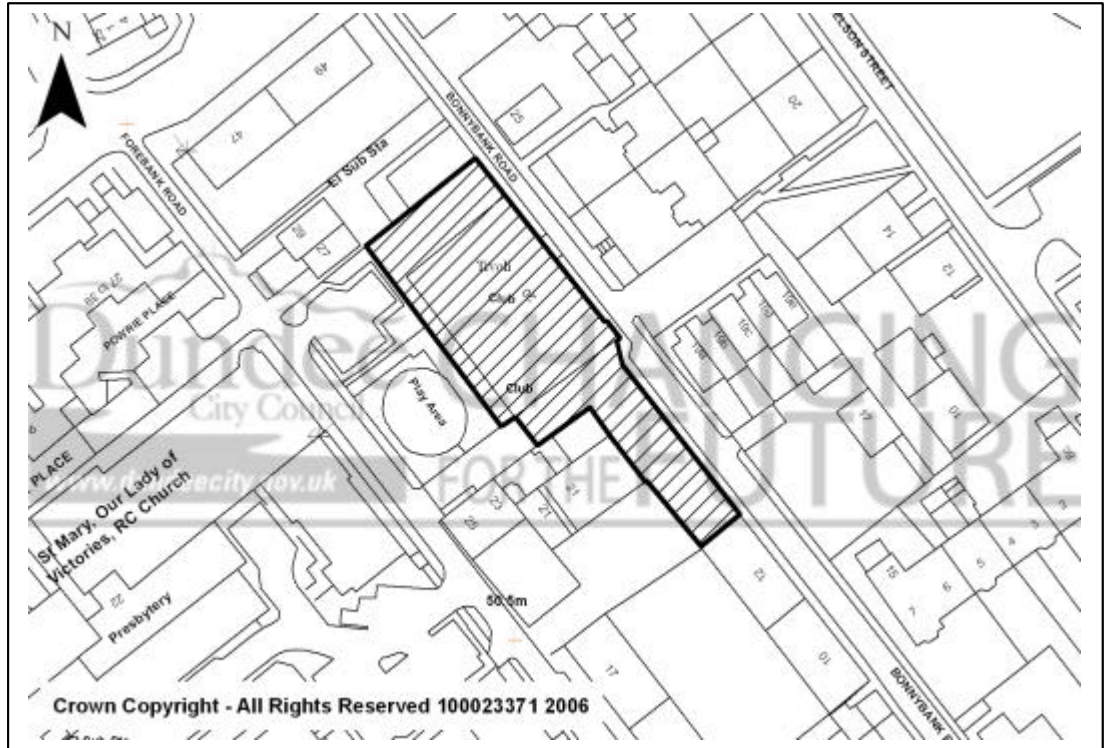
Mr J Carroll
Tivoli
20 Bonnybank Road
Dundee
DD1 2PJ

Agent

ARKTX Chartered Architects
187 Strathmartine Road
Dundee
DD3 8BL

Registered 8 Jan 2009

Case Officer P Macari



Proposed Housing Development at Bonnybank Road

The demolition of a Snooker Club and erection of eight Town Houses is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation.

RECOMMENDATION

The proposed development is contrary to the requirements of Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005. However, there are material considerations that justify a departure to the Development Plan. Accordingly it is recommended that planning permission is granted subject to conditions.

SUMMARY OF REPORT

- This application seeks full planning permission for the demolition of the existing Tivoli Snooker Club and the erection of eight townhouses in its place at 20 Bonnybank Road, Dundee
- Policy 4 (Design of New Housing) and Policy 55 (Urban Design) of the Dundee Local Plan Review 2005 are relevant as is the Hilltown Physical Regeneration Framework - January 2008 to the outcome of this planning application.
- The applicant has followed the statutory neighbour notification procedure. This application has also been advertised as development contravening Policy 4 (Design of New Houses) of the Dundee Local Plan Review 2005. No letters of objection have been received.
- Although the proposals are contrary to the requirements of Policy 4, there are material considerations supportive of a departure to the Development Plan and in favour of the grant of planning permission.

DESCRIPTION OF PROPOSAL

This application seeks full planning permission for the demolition of the existing Tivoli Snooker Club and the erection of eight townhouses in its place at 20 Bonnybank Road, Dundee.

The eight townhouses proposed are to be arranged into two terraces of four houses with a communal access path to the rear gardens on the end terraced houses between. Each of the houses will benefit from front and rear gardens. The end terraced houses are to have external access to the rear gardens while the mid-terraced houses will have internal access to the rear gardens through the ground floor integral garage. The front gardens of each house will be enclosed by a 1m high red facing brick wall with black painted steel gates.

Each townhouse will comprise of an integral garage, cloakroom and utility room on the ground floor with a dining kitchen and lounge with a balcony on the first floor and three bedrooms and a bathroom on the second floor. To reduce the need for outdoor storage facilities such as garden sheds, external access to the space under the stairs will be provided with bin storage facilities provided within the garage space.

Each house will benefit from no less than 54.5m² of usable garden ground with three of the eight houses having garden grounds measuring 75m². As well as usable gardens, each of the proposed townhouses shall have access to a small private balcony with a western aspect.

As well as an integral garage each of the proposed houses will also have a remote car parking space located to the south of the houses. These spaces shall be managed through collapsing bollards.

In addition the applicant proposes to create four public parking bays in the south eastern corner of the application site to alleviate on-street parking pressure.

SITE DESCRIPTION

The application site comprises a large stone built snooker hall located on the western side of Bonnybank Road. The

building has previously been extended and the north, south and western elevations have been built from red engineering brick.

The site has an area of open space to the north and south. To the north of the application site there is a stone built electricity sub-station. To the south west of the site are three storey



flats with a northern aspect. To the west the site is bound by a park with views of an ornate stone built church on Forebank Road. On the eastern side of Bonnybank Road there are three storey flats as well as a junction serving a small housing development. Between the application site and Ann Street, Bonnybank Road becomes very narrow.



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

The application site is enclosed by a 1.8m high stone built wall to the south and west. Bonnybank Road slopes from north to south.

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 4: Design of New Housing - the design and layout of all new housing in Dundee should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards contained in Appendix 1 of this Local Plan unless:

- a the City Council, through either site allocation in the Local Plan or site planning briefs, considers it appropriate to vary the standards to reflect the constraints or opportunities offered by the development of a particular site; or
- b the proposal is within an established low density residential area, in which case the density of the new development should reflect this and more generous external space standards will be required.

New housing development should also have regard to the principles of the City Council's Urban Design Guide.

In addition, new housing development should meet "Secured by Design"

standards. New residential streets should be designed to promote low vehicle speeds of 20 mph or less. New housing should have regard to opportunities to maximise energy efficiency and promote sustainable waste management.

Where conversion of a listed building or other building worthy of retention is proposed, there may be limited flexibility in applying parking and garden ground requirements where compliance is impractical. The development of flats through conversions of buildings of merit may also be acceptable where conversion to flats is the only appropriate action.

Policy 55: Urban Design - for all new developments the emphasis will be on design quality and the City Council will seek 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. All development should respect the setting of listed buildings.

The City Council require the use of Design Statements for planning applications or listed building applications for new buildings or extensions to existing buildings on significant sites.

All development will, in its design and layout, be expected to contribute to an environment which is safe and accessible to all.

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

The following policy statements are of relevance:

The Hilltown Physical Regeneration Framework - January 2008.

SUSTAINABILITY ISSUES

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

SITE HISTORY

Planning application 08/00749/FUL sought full planning permission for the demolition of the former cinema building and erection of eight townhouses. Concern was raised by the Council as well as members of the public that Bonnybank Road was too narrow and heavily congested to support additional residential development. This application was withdrawn to allow the concerns of the Council and members of the public to be addressed.

PUBLIC PARTICIPATION

The applicant has followed the statutory neighbour notification procedure stipulated in the Town and Country Planning (General Development Procedure) (Scotland) Order 1992. This application was also

advertised in the Dundee Evening Telegraph as development contravening Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005. No letters of objection have been received.

CONSULTATIONS

No adverse comments have been received 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
- 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 4 of the Dundee Local Plan Review 2005 seeks to ensure that the design of all new housing should be of a high quality. It is appropriate that the City Council sets general standards to which new development must achieve, these quantitative standards are set out in Appendix 1. It is recognised that where site specific circumstances permit, it is not always suitable to meet the criteria of Appendix 1.

As well as satisfying the needs and aspirations of prospective occupiers, new housing should make a positive contribution to the urban environment. Compliance with the quantitative

standards of Appendix 1 alone is not a guarantee of quality in new housing developments. The Dundee Urban Design Guide compliments the Local Plan's quantitative standards and sets out the Council's urban design principles as a framework within which a qualitative assessment of development proposals can be made.

In accordance with Appendix 1, each of the proposed houses will benefit from 3 bedrooms as well as 150m² of internal floor area. While each house will benefit from no less than 50m² of private usable garden ground, given the location of the application site in an inner city area three of the proposed houses will benefit from 75m² or more of private garden ground.

With respect to parking provision, Appendix 1 stipulates that houses in inner city areas must provide one in-curtilage car parking space with 40% of houses having a garage or space for one. In addition where on-street parking is a problem, 30% visitor parking spaces should be provided. Each of the proposed houses has one in-curtilage car parking space in the form of an integral garage. In addition eight allocated car parking spaces will be located in the southern sector of the application site as well as four public spaces. The proposed development is therefore contrary to the requirements of Appendix 1 of Policy 4.

Policy 55 advises that for all new developments the emphasis will be on design quality whereby a quality environment is dependent on the inter-relationship between the built form and use, architectural style, streetscape spaces, places and movement patterns.

The proposed development seeks to enhance the appearance of the Bonnybank Road streetscape through alleviating traffic congestion and on street parking pressures by widening the existing road and providing four public car parking spaces. Further, through the use of modern contemporary design the proposals will enhance the appearance of the existing built form without overdeveloping the application site or surrounding streetscape. This is demonstrated by the site layout whereby the proposed houses front onto Bonnybank Road, mirroring the flatted development adjacent to the application site with each townhouse having an individual

and different style frontage so as not to appear as one building.

The proposals are therefore considered to comply with the requirements of Policy 55 (Urban Design) of the Dundee Local Plan Review 2005.

It is concluded from the foregoing that the proposals do not comply with the provisions of the development plan.

Other Material Considerations

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

(a) Material Considerations to Justify a Departure to Policy 4 (Design of New Housing).

Planning application 08/00749/FUL sought full planning permission for the demolition of the former cinema building and erection of eight townhouses. Concern was raised by the Council as well as members of the public that Bonnybank Road was too narrow and heavily congested to support additional residential development. Taking these issues into account, the applicant has sought to enhance the environmental quality and appearance of the Bonnybank Road streetscape through alleviating traffic congestion and on street parking pressures by widening the existing road and providing four public car parking spaces as well as creating a modern and contemporary development of eight townhouses.

Although the proposed development will not benefit from the required 140% in-curtilage parking requirements, each house will benefit from an integral garage as well as an additional remote car parking space. Therefore each house will benefit from two car parking spaces that takes the level of parking afforded to the proposed development to 200%. Given that the existing properties on Bonnybank Road do not benefit from any off-street parking facilities, the provision of four public parking bays in the south eastern corner of the application site as well as the widening of Bonnybank Road will greatly reduce the current level of traffic congestion caused by the cumulative impact of intense on-street parking pressures on a narrow two way street.

It is concluded from the foregoing that sufficient weight can be accorded to 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 granted with conditions.

(b) The Hilltown Physical Regeneration Framework - January 2008

The draft physical regeneration framework outlines the key issues currently affecting the Hilltown and suggests the possible actions to reshape the built environment and create an attractive residential area.

The proposed development enhances the appearance of the Bonnybank Road streetscape through the addition of contemporary design that promotes modern residential housing in an area that has become jaded through neglect and vandalism. The replacement of the former Tivoli cinema building and widening of the street as well as the provision of public parking spaces seeks to overcome the main issues of traffic congestion and on-street parking pressure. The widening of Bonnybank Road along with the provision of modern high quality housing seeks to inject vibrancy into the Bonnybank Road streetscape and surrounding community.

The proposed development of contemporary townhouses which back on to Forebank Road Pocket Park will safeguard the visual amenity of this community facility through the retention of the existing party brick boundary wall. Further, the proposed development will increase the amenity value of this area of open space through the removal of the former Tivoli Cinema building which currently has an overbearing impact upon the pocket park. The removal of the former Tivoli Cinema building will create views from Bonnybank Road and Anne Street of the visually striking B listed St Mary, Our Lady of Victories RC Church. This will enhance the outlook of many residential properties as well as the visual amenity of the surrounding area.

The proposed development is considered to comply with the aims and objectives of the Hilltown Physical Regeneration Framework.

(c) Dundee Urban Design Guide

The Dundee Urban Design Guide is supportive of new development that is well design, flexible and outwardly expressive as to their purpose. The

design of the proposed townhouses pays particular attention to the interface relationship between the existing street and buildings. This is demonstrated by the houses having a scale, design and massing similar to the properties on the eastern side of the street. In a similar vein the widening of Bonnybank Road to match the width of the street to the south of the application site is evidence that the proposals attempt to tackle the issues of traffic congestion that currently impacts upon the vibrancy and level of residential amenity afforded to Bonnybank Road. The proposals are therefore considered to comply with the guidance contained within the Dundee Urban Design Guide.

Design

The design and layout of the proposed development is considered to enhance the environmental quality of Bonnybank Road by helping to alleviate traffic congestion and on-street parking pressures as well as providing high quality contemporary design.

CONCLUSION

The proposed development is contrary to the requirements of Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005. However, there are material considerations that justify a departure to the Development Plan. Accordingly it is recommended that planning permission is granted subject to conditions.

RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 BEFORE WORK STARTS ON SITE, details including samples of the proposed finishing materials shall be submitted to the Council for written approval and thereafter should be applied in accordance with stamped approved plans.
- 3 Full details of landscaping, including tree removal, measures to protect trees to be retained on the site and proposed new

planting 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 BEFORE WORK STARTS ON SITE, details of a footway ex adverso the site shall be submitted to this Planning Authority for written approval and thereafter provided in accordance with the approved details.
- 5 Any existing accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications.
- 6 Development shall not begin until a Preliminary Risk Assessment is completed and, if required, an Intrusive Investigation and a scheme to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:
 - a assessment of the risks associated with contaminant sources, pathways and receptors specific to the proposed use of the site, and if necessary;
 - b a remediation Implementation Plan detailing measures to treat/remove contamination and mitigate risks to ensure the site is fit for the proposed use;
 - c measures to deal with contamination during construction works; and
 - d verification sampling, testing, certification and monitoring of the site to demonstrate suitability for the proposed use on completion of remediation measures.
- 7 Before any unit is occupied the measures to decontaminate the site, if necessary, shall be fully verified and approved in writing by the Planning Authority and thereafter implemented.
- 8 BEFORE WORK STARTS ON SITE, a scheme detailing the

management and dedication of the eight remote parking spaces to each of the eight proposed houses shall be submitted to this Planning Authority for written approval and thereafter shall be brought into use prior to the occupation of the first dwelling.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of safeguarding the environmental quality and visual appearance of Bonnybank Road.
- 3 In the interest of safeguarding environmental quality and increasing the level of amenity afforded to existing and future residents.
- 4 In the interest of road and pedestrian safety
- 5 In the interests of pedestrian and road safety.
- 6 In the interests of identifying contamination and providing land that is safe for residential occupation.
- 7 In the interests of identifying contamination and providing land that is suitable for residential occupation.
- 8 In the interests of safeguarding residential amenity and reducing traffic congestion on Bonnybank Road.