

Broughty Ferry Community Council

Minutes of meeting held at Broughty Ferry Library on 10th January 2018

1. Community Councillors Present:

Adele McGrath (Chair); Joan Chalmers (Minute Secretary);
John Watson (Planning Secretary); Stan Nutt (Licensing Secretary);
David Easson (Treasurer); Carolyn Forrester; Charlie Delaney;

In Attendance: Natalie Mackland (DCC Communities Officer)

Ex Officio: Bailie Derek Scott; Cllr Craig Duncan

Members of the Public Present: J C Forrester; Doug McLaren;

Apologies: Hugh Begg; Isobel McLean; Fiona M Potton; Cllr Kevin Cordell;
Cllr Philip Scott;

2. Minutes of the last meeting of the Community Council

These were agreed to be a true record
Proposed by: John Watson
Seconded by: Stan Nutt

3. Matters arising from the approved Minutes:

Nothing which won't be covered elsewhere

4. Chair's Report

I would like to start by welcoming you all back this year and I hope you had a lovely Christmas and New Year. We had a full meeting in December, so my report is shorter than usual.

At next meeting, we will possibly have a presentation from someone re Suicide Awareness. Natalie advised that the presentation would be made by a representative of the Samaritans and it would be good to include the Traders as well as the CC as they may observe people in need of help during the course of the working day.

The engineers may be looking to attend to present an update re flood defence works.

We prefer not to have more than one presentation and as the 30 day notice is unlikely to be issued until at least the end of this month, we still have time to bring this matter to our February meeting and move the Samaritans item to March.

Natalie confirmed that Grove Academy has been unsuccessful in attracting a candidate for the position of Family Involvement Worker. Consequently, there is a sum of money available which must be spent with the Ferry Ward by March 31st of approximately £8000. Can you consider any possible leads as a matter of urgency? Further discussions led to Broughty Ferry in Bloom being identified as a possible recipient of some funds and Stan Nutt will liaise with Natalie.

5. Police Report

None

6. Secretary's Report

Joan advised that Broughty Ferry in Bloom and Grove Academy are holding an event on Holocaust Memorial Day, January 27th, at 11.30am in Windmill Gardens. This is intended to commemorate all those who have been the victims of conflicts past and present. All members are invited.

Broughty Ferry in Bloom are to hold a Snowdrop-In Coffee Morning at Barnhill Community Centre, Campfield Square, 10am-12noon on Saturday 24th February. The cost of this will be £3.00, children free admission.

The Newsletter from Dundee CAN had been received and members are welcome to see the hard copy, an email copy having previously been circulated. Dates for the Money Matters Information Sessions were also circulated.

Broughty Ferry Library are hosting an event on Wednesday 24th January, 7-9pm to launch their 90th birthday celebrations and to showcase the information on the Library expansion plans.

RSVP broughty.extension@leisureandculturedundee.com by 19th January, or call 01382 436919

Further to the discussion in previous months regarding Licensing, an email had been received from Lisa Archibald which confirmed that there have been no recent applications received for the Ferry Ward and that she has added the contacts we requested so that, in future, we should receive applications by email.

Ross Logan, who attended last month's meeting, introduced himself after the meeting and advised that he is the new Deputy Editor of the Evening Telegraph. He is keen to help by getting involved in the community (once he has settled in) and by helping to publicise events as well as issues raised.

7. Treasurer's Report

A copy of the current financial position had been circulated via email to Community Councillors, confirming no change and a total in the bank of £1,288.88. Payment of postage will be held over until a further amount for paper and ink is claimed for to avoid several cheques for small amounts being issued.

Scotways have advised details of a small grants scheme which may be of interest to us if there are any projects adjacent to the National Cycleway.

8. Planning Report

**17/00927/FULL. Replacement of existing single storey extension utilizing same footprint as ground floor extension.
23 Elie Avenue, Broughty Ferry, Dundee**

This address was brought to the attention of Broughty Ferry Community Council in August of 2016 relating to complaints received regarding the build-up of building materials and waste within its driveway and the congesting of the adjacent street by the parking of vehicles used in the building trade.

The matter was reported to the local elected representatives and resulted in an Enforcement Officer visiting the premises and writing to the owners to advise that the materials should be removed from the site if they were in connection with a business. This was done and the site monitored. Recently however, building materials, vehicles and occasional waste have appeared and disappeared at and from the address.

A number of internet sites declare that a company, DM Slating and Roofing, operate out of this address.

Broughty Ferry Community Council can find no record of Dundee City Council issuing a Notice to allow a building contractor to operate from this address. It believes that the 'Deed of Conditions by Bett Brothers Limited', Bett Brothers being referred to as 'the superiors' in the deed, is common to all properties constructed by Bett Brothers in the area from 1967 on.

Clause (FOURTH) of the deed clearly states, *The said dwelling house shall be used as a private dwelling house only and for no other purpose whatever and shall never in any way be sub-divided or occupied by more than one family at a time and no additional buildings of any description shall be erected on the feu without the written consent of the superiors ----- it is hereby expressly prohibited from carrying on, in or on the feu, without the written consent of the superiors, any trade, business or profession and that whether or not such trade, business or profession might be deemed in ordinary circumstances to be incidental or natural to the ordinary residential use said dwelling house and notwithstanding any rule of law to the contrary and declaring that said prohibition against using the feu for trade, business or professional purposes shall apply whether or not parties other than the feuars shall have a contractual right to use the said house for, or in connection with, or arising out of, such trade, business or professional uses ---*

In due course Dundee City Council or its predecessor became the 'the superiors' within the deed with the ability to enforce its content.

Broughty Ferry Community Council take the opportunity, through becoming aware of this planning application, to bring to the attention of the planning department that the owner(s) of 23 Elie Avenue, Broughty Ferry, Dundee, may be behaving in a manner contrary to Dundee City Council's planning regulations by operating a trade or business from this address without approval.

Betts Almond dwellings in the Barnhill area have been altered from time to time with the addition of dormer accommodation both to the front and rear of the properties. Single story extensions too have been popular additions to the rear of these house types.

The proposed design of the two-story extension to the rear of the house moves beyond that of the other extensions approved to Betts Almond in that it is a two-storey extension and not a single storey with a dormer extension such as that approved in recent times at No. 35 Elie Avenue. It would alter the style of the dwelling and the harmony of the area.

This should be regarded as a **Letter of Representation**.

**17/00963/FULL – 231 King Street, Broughty Ferry, Dundee.
Demolition of existing café unit and erecting mixed use development comprising commercial
restaurant unit with 7 flatted properties above.**

This site is within the *Broughty Ferry Conservation Area (2014)*.



The top photograph is of the site, while the bottom one shows the building at the junction of Gray Street and King Street with part of the green existing café visible to the left of the main building, both were taken on New Year's Eve 2017. When looking at the west gable of the building it could be assumed that at some time in the past it extended to the west engulfing the site where the green café now stands. In the Dundee City Council Photopolis site on the internet the following photograph can be found of the building, which was likely taken around the late 1800s.



This provides evidence that there was a small building to the west of the main one in King Street, which bears little resemblance to the café structure there today, so it is unlikely that the main building

ever extended further west. I hereby acknowledge Photopolis as the copyright holder of the photograph, which I use for educational purposes.



It is important to have in mind that while the site under consideration is within a conservation area that fact should not hinder high quality development. Further to the east in King Street the development pictured above has been constructed in recent times and allows a somewhat pragmatic approach to planning applications in the vicinity to be taken.

Brunton Design, the Chartered Architects who have submitted the application on behalf of the developer, received a pre-application report from Beverly Knox of the planning department on the 4th of October 2017 and the application has been made having regard to that report. Traditional thinking at first sight of the elevations of the proposed development results in a resounding **no way!!**

Then the pragmatist steps in. If the design criteria had been that the development had to fit in absolutely with the building immediately to the east of the site, great difficulties would have arisen in order to satisfy the Local Development Plan (LDP), in particular where that plan insists on low and zero carbon technology in new development.

An examination of the Design Statement attached to the application provides comfort that the policies contained within the 2014 LDP relating to such a development as that proposed have been taken into consideration during the design process. There is little doubt that the proposal introduces a unique, new architectural style and departs from tradition, just as the flatted development in Beach Crescent did fourteen years ago. The proposed exterior finish of smooth white render to the ground floor and treated vertical larch cladding from the first to third floor is a complete departure from that of the buildings around. However, what it does do is to add a vibrant, modern feel that is much needed to liven this drab site. The following shows the elevations contained in the proposal.



Broughty Ferry Community Council wish to encourage innovative, sustainable development within its area, development that adds a new dimension to the diverse architectural styles that already exist.

This should be considered as a **Letter of Support** for planning application **17/00963/FULL**

John J Watson
 Planning Secretary
 10th January 2018

Discussions followed and it was agreed by all that the Planning Secretary should submit the Letters as shown in these Minutes.

No appeal can or will be made in the matter of the monopole in Strathern Road.

Adele has received an email from the developers of the site at Linlathen advising of a further open day at Panmuirfield Church on 15th January, 3-7pm. Members may attend as individuals if they so wish.

9. Licensing Report

No applications received.

10. Matters raised by Community Councillors

None

11. Contributions from Elected Members (ex officio members)

Baillie Scott: David Easson had previously raised concerns about several junctions as well as the problems with traffic at Forthill PS. Having spoken to officers, it is hoped that many of the problems will be addressed as and when budgets allow. Developer contributions will go some way towards alleviating the situation.

Neil Gellatly is to follow up on the problems of parking at West Queen Street with the large vans and the Euro bin.

Dropped kerbs are to be made in the Linlathen/Clearwater Park areas which were missed when the original homes were completed.

Residents had raised concerns about icy roads and pavements, especially problematic in Queen Street car park. These areas will be looked at.

Another accident has occurred on Claypotts Road and this area will be monitored to see if a solution can be found.

The problems of rough sleepers in Broughty Ferry has been raised and the Lettings Manager has advised that there is accommodation available for all, not only in hostels but with other options too. The service operates all year round, 24/7.

Cllr Duncan: The site visit took place at Forthill PS in mid-December and it is hoped that changes will be made in due course with a 'safe corridor' operating from Forthill to Grove Academy and to Eastern Primary. The next meeting will be in February and it is hoped that proposals will be brought forward then.

Flooding is a problem on the 'Cherry Tree Walk' in Dawson Park. And the drainage is being looked at to see what can be done to alleviate this.

A dropped kerb is being installed in Ceres Crescent.

A site visit was made to the collapsed wall at Ellislea Road and it is hoped a way forward will follow on from this.

12. Matters raised by members of the public (previously intimated)

None.

13. AOCB

John Watson reminded us that the Linlathen site was the subject of a previous planning application that was refused, went to appeal and the Reporter upheld the Development Committee's decision. Broughty Ferry Community Council's approach to any new planning application for this site will need to be made with care since the new Dundee City Council Local Development Plan 2 is likely to be adopted early in 2019.

David Easson queried whether the comments that the site would not be developed prior to the Western Gateway still stood.

It was explained that the current position related to the Local Development Plan 2014 which would be overtaken by the adoption of the new plan in due course.

The meeting closed at 8.00pm

The next meeting will be on Tuesday 6th February at 7pm in Broughty Ferry Library.

JC