

KEY INFORMATION

Ward West End

Proposal

Outline permission for erection of 3 dwellings

Address

5 Arnhall Gardens
Dundee
DD2 1PH

Applicant

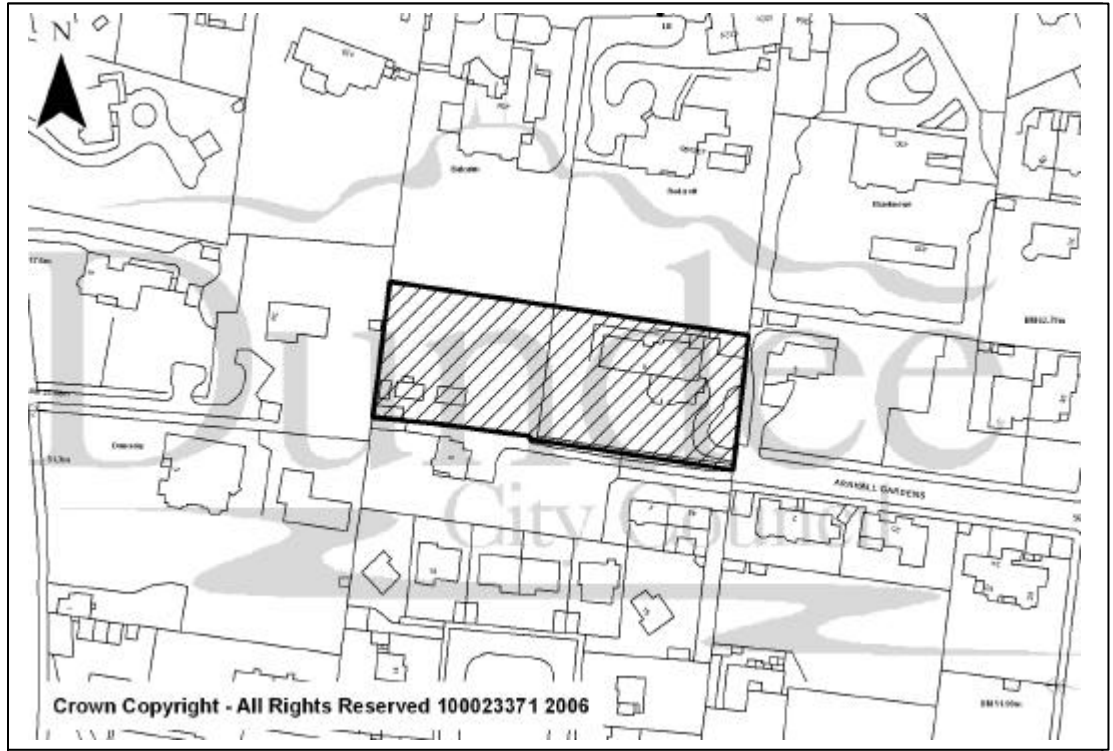
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Registered 7 Nov 2006

Case Officer D Gordon



Three New Houses Proposed in Arnhall Gardens

Outline permission for the erection of 3 dwellings is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The site offers the opportunity for high quality houses in a desirable area of the city. The development is, in principle, in accordance with the relevant land use policies of the Dundee Local Plan Review 2005. The outline application is recommended for approval with conditions.

SUMMARY OF REPORT

- Outline planning permission is sought for the erection of 3 new houses on a site located to the west of Arnhall Gardens. The proposal will involve the removal of the existing single storey house located on the east side of the site.
- No formal details have been submitted although indicative drawings of the house design, layout and access accompany the application.
- The site is not allocated for any specific purpose in the Dundee Local Plan Review 2005. The property is located in the West End Suburbs Conservation Area.
- Six letters of objection to the proposals have been received. The main issues raised relate to the adverse impact the proposals will have on the natural and built environments of the area and the residential amenities of the adjacent occupiers.
- It is considered that the proposal is in accordance with the relevant land use policies of the development plan. There are no material considerations, including the views of the objectors, which would justify the refusal of the application contrary to these policies.
- A further assessment of the development of the site requires to be undertaken at the time of the consideration of any future applications for detailed permission or 'reserved matters'.

DESCRIPTION OF PROPOSAL

Outline planning permission is sought to demolish an existing house and develop the site and garden ground for residential purposes. The applicants have submitted an indicative layout for the site that proposes the provision of three, one and a half storey, detached dwelling houses with double garages and curtilage garden ground.

Access into the site is proposed from Arnhall Gardens to the east.

A report on an application for Conservation Consent to demolish the existing house can be found elsewhere in this agenda.

SITE DESCRIPTION

The site is located within the western sector of the city, to the west of Arnhall Gardens, to the south of Blackness Road and to the east of Glamis Drive.

The site currently accommodates a single storey dwelling that is finished in white roughcast walls and slate pitched roof. The house sits on the east side of the site with a significant area of garden ground being located to the west side of the building. The garden slopes in a north to south direction and is extensively overgrown. The garden contains a number of mature trees.

The surrounding area is predominantly residential in character. The properties to the north (Balcairn, Redcroft and Breaknove) are category B & C listed buildings. Duncraig to the west is a category B listed building.

The site is contained within the West End Suburbs Conservation Area.

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

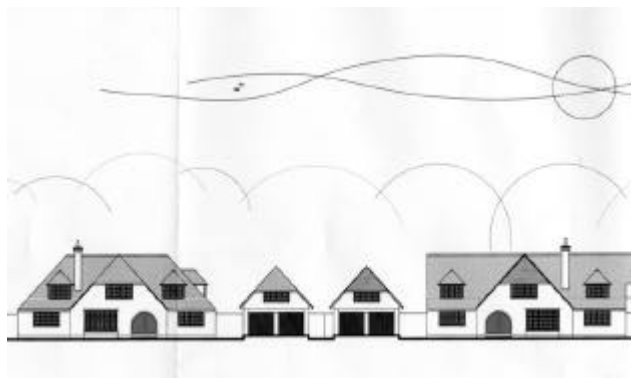
The following policies are of relevance:

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 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 m.p.h. or less. New housing should have regard to opportunities to maximise energy efficiency and promote sustainable waste management.

Policy 15: Development In Garden Ground - developments in garden ground will be required to satisfy the following criteria. Planning

applications must contain sufficient detail to enable their consideration under each point:

- a the proposal is of high quality design and uses materials appropriate to its surroundings; and
- b the total footprint of new buildings does not exceed one and a half times the footprint of the original main house unless there has already been development within the garden ground exceeding this limit and where further development would not detrimentally affect the appearance and character as now exists; and
- c notwithstanding the above, the final proportion of ground covered by buildings, hard-standings, garages etc. must not amount to more than 40% of the original house and garden (*) with at least 60% cultivatable garden ground; and
- d prevailing densities in the area are respected; and
- e no new building is proposed in front of the main elevation of the original house; extensions exceeding 20% of the volume of the original building will only be acceptable if designed in such a way as to appear independent and linked discreetly to the original house; and
- f prominent frontages and elevations of architectural character on the original house will remain largely intact; and
- g the proposal conforms to the Council's non-statutory guidance on Breaches in Boundary Walls; and
- h a full tree survey is submitted along with the planning application to enable a comprehensive landscape assessment to be undertaken. Ultimately, the need to retain existing trees and landscape features may override the above criteria; and
- i where development is permitted, new tree planting and landscaping will be required

which should reflect, and where appropriate enhance, the character and stature of that already existing.

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.

Policy 62: Demolition Of Listed Buildings And Buildings In Conservation Areas - applications for the demolition of a listed building or building that is worthy of retention in a Conservation Area must be fully supported by reports on the condition and marketing history of the building along with a feasibility study which explores the viability of retaining the building in active use.

Where the demolition of buildings is permitted, applications must be supported by acceptable proposals for the redevelopment or treatment of the cleared site.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Policy Guideline 18 - Planning and the Historic Environment.

This document provides statements of Government policy in relation to the historic environment with a view to its protection, conservation and enhancement. This NPPG deals primarily with, amongst other things, conservation and listed buildings. Primary reference is made in this document to the Memorandum mentioned below.

Memorandum of Guidance on Listed Buildings and Conservation Areas 1998

This document by Historic Scotland offers Local Authorities and developers best practice advice in

dealing with developments which may have an impact on or affect listed buildings or conservation areas.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application.

SUSTAINABILITY ISSUES

There are no specific sustainability implications arising from this outline planning application.

SITE HISTORY

Outline permission for the erection of one dwelling house in the garden ground located to the west of the existing house was granted permission by the Council, subject to certain conditions, on 24th September 2001 (01/25218/D refers). This permission has now expired.

A report on an application for Conservation Consent to demolish the existing house on the site can be found elsewhere in this agenda (06/01041/CON refers).

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants. The application has attracted six objections from local residents. The main issues raised by the objectors relate to:

- 1 the potential impact on the services located below the private roadway located to the south side of the site
- 2 the impact of the proposed development on the built environment of the surrounding area
- 3 the impact of the proposals on the conservation area status of the area
- 4 the impact of the proposals on the residential amenities of the surrounding occupiers (overlooking/reduction in privacy)
- 5 the impact of the proposals on the natural environment (removal of trees and disturbing wildlife)

- 6 the impact of the proposals on the setting of adjacent listed buildings.

Copies of these letters are available in the Members Lounges and comments are offered on the various matters raised in the 'Observations' Section of this report below.

CONSULTATIONS

There are no adverse comments from statutory consultees or other bodies.

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.

Outline planning permission is sought for the demolition of an existing dwelling house and the erection of 3 houses on the cleared site. The applicants have submitted indicative details of the layout and house design that may be appropriate for the site. This involves the provision of 3, one and a half storey detached houses with associated double garages and curtilage garden ground.

The proposed use of the site for residential purposes is considered to be acceptable as the site currently accommodates such a use and the surrounding land-use is predominantly residential in character. In this respect, the proposal raises no issues in respect of Policy 1 (Vibrant and Sustainable Communities) of the Plan.

Policy 4 sets out standards for new housing developments within the city. The applicants have submitted indicative plans that advise that the provisions of Policy 4, as they relate to house size, car parking, garden ground provision and window to window distances can be met by the development of the site for 3 detached houses.

One of the principle aims of Policy 15 (Development in Garden Ground) is to protect the architectural appearance and landscape features of low density parts of the city, particularly those areas characterised by villas set in large garden grounds with mature planting. It is understood from local residents that the site under consideration was annexed from the villas located to the north approximately 47 years ago in order to accommodate the erection of the dwelling house that currently occupies the application site. It is considered that the application site now forms a separate planning unit and no longer forms part of the curtilage of either of the villas (Redcroft and Balcairn) to the north. Consequently, the requirements of Policy 15 are not considered relevant in respect of these original houses in this instance.

The existing property located on the east side of the application site is a typical early 1960's detached, single storey suburban dwelling house which is of little architectural merit. Its removal from the site would not be prejudicial to the character or appearance of the surrounding conservation area, a view which is expressed in the report on the application for Conservation Area Consent to demolish the building which can be found elsewhere on this agenda. As the application does not involve the retention of the existing house, the proposal should therefore be viewed as the development of a brownfield site and as a result the standards required by Policy 15 are not considered relevant to this proposal.

Policy 61 of the Plan requires that all development proposals within conservation areas will be expected to preserve or enhance the character of the surrounding area. This will require, amongst other things, the retention of all features which contribute to the character and appearance of the area including trees and landscape features. The proposal is for outline permission and the application seeks only to establish the principle of the use of the site for the erection of 3 new houses. The detailed design of these houses, should outline permission be granted, will require to be the subject of further detailed or reserved matters applications and the impact of the proposals on the character and appearance of the conservation area will require to be

fully assessed at that time. However, it is considered, at this stage, that the site is of a size that can accommodate 3 detached houses of an appropriate design sufficient to comply with the requirements of the relevant development policies of the Dundee Local Plan Review 2005. The applicants have submitted an accompanying tree survey for the site and it is intended to attach conditions to any permission granted that safeguards and protects the important trees within the site.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

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

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that planning authorities have special regard to any buildings or other land in a conservation area and special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.

This matter has already been considered in the assessment of the proposed development under Policy 61 of the Dundee Local Plan Review 2005 and it was concluded that the proposal to develop the land for residential purposes was appropriate and that the impact of any such development would be fully assessed at the time of the consideration of any further applications for detailed planning permission or reserved matters for any new dwelling houses. Consequently, it is considered that the statutory duty set out in Section 64 of the Act is discharged.

Objections

With regard to the various issues that have been raised by the objectors relating to the impact of the proposals on (1) the built environment, (2) the conservation area, (3) the residential amenities, (4) the natural and (5) the setting of the adjacent listed buildings, while these matters are of critical importance to the local residents of the area, it is considered that these issues should be discharged at the time of the determination of any further application for the development of the site.

With regard to the issue that was raised relating to the safeguarding of existing services located under the private roadway located to the south side of the site, it is intended to attach a condition to any consent granted that requires temporary access to be formed on the north side of the access road for any future construction traffic using the site. This is consistent with a condition that was attached to the previous outline planning application for the development of the site for a new house that was granted by this Council in 2001.

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

Design

The proposal under consideration seeks to establish the principle of the provision of 3 new houses on a site that is located to the west of Arnhall Gardens. The details of the new houses will be submitted at a later stage and the issues of design, access, parking and impact on the local area and residents will be discharged, if appropriate, at that time.

CONCLUSION

The development of the site for residential purposes is considered to be in accordance with the relevant land use policies of the Dundee Local Plan Review 2005. The application is in outline only at present and the full impact of the proposal will be assessed at the stage of the submission of a full planning application or an application for the approval of 'reserved matters' of any of the new houses.

The application site offers a quality housing site without prejudice to the development pattern of the area.

RECOMMENDATION

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

- 1 The approval of the City Council shall be obtained to the following reserved matters before any development is commenced viz: the siting of the building(s) the

design of the building(s) the external appearance of the building(s) the means of access to the building(s) the landscaping of the site.

ensure a satisfactory standard of appearance of the development.

- 2 Application for approval of the matters referred to in condition (1) above must be made within 3 years of the date of this permission.
- 3 The development to which this permission relates shall begin within 5 years of the date of permission or 2 years of the final approval of the reserved matters, whichever is the later.
- 4 None of the existing trees or shrubs within the site hereby granted permission shall be topped, lopped, felled, removed or disturbed in any way without the prior written approval of the planning authority.
- 5 That no development works shall commence on the site until a temporary vehicular access along the north side of the existing access road that is located on the south side of the site, has been constructed in accordance with details which have been submitted to and approved in writing by the planning authority. For the avoidance of doubt, this temporary access shall be used at all times by all construction and associated traffic involved in the development of the site.

Reasons

- 1 To reserve these matters for future consideration by the Council.
- 2 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 3 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 4 To protect those landscape features which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
- 5 To protect existing services located in the immediate area and those landscape features which are of significant amenity value to the area and which would