

# Demolition of an existing house & the erection of a replacement house

## KEY INFORMATION

**Ward** West End

**Address**

35 Carseview Gardens

**Applicant**

Mr Owen Dyer  
35 Carseview Gardens

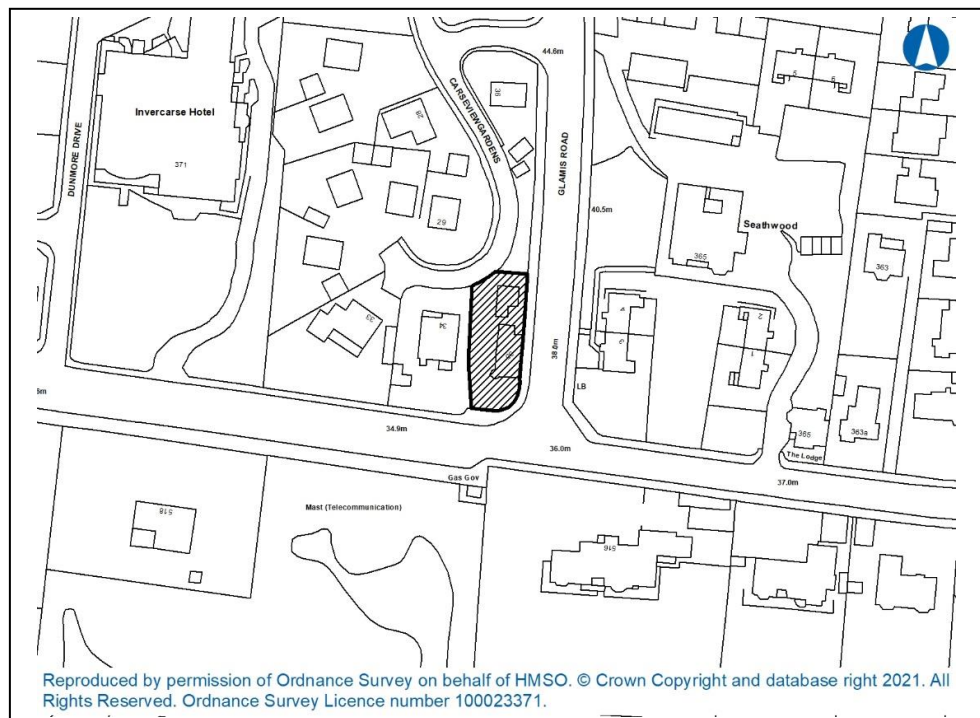
**Agent**

Mark Walker Architect

**Registered** 4 Feb 2021

**Report by Head of Planning  
& Economic Development**

**Contact:** Claire Myles



## SUMMARY OF REPORT

- Planning permission is sought for the demolition of an existing single storey house with accommodation in the attic and the erection of a replacement two storey house. As part of the proposal an existing opening in a stone boundary wall for vehicular access is to be infilled.
- The application is in accordance with the Development Plan.
- The statutory neighbour notification process was undertaken and the application advertised in the local press. 15 letters of objection and no letters of support have been received.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as six or more valid written objections have been received and the recommendation is for approval.
- More details can be found at: <http://idoxwam.dundee.gov.uk/idoxpa-web/simpleSearchResults.do?action=firstPage>

## RECOMMENDATION

The proposal is in accordance with the Development Plan. There are no material considerations of sufficient weight to justify refusal of planning permission. It is therefore recommended that planning permission be **APPROVED** subject to conditions.

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## 1 DESCRIPTION OF PROPOSAL

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- 1.1 The application proposes demolishing an existing single storey house with accommodation in the attic and replacing it with a modern two storey 4-bedroom house. The proposed contemporary open plan house is a bespoke linear design orientated north-south and designed with a step down in the mid-north section to break the roofline.
- 1.2 The proposed house is to be finished in natural stone at the lower level with the rear section finished in smooth white render. The upper level is to be finished in grey vertical cladding with a slate roof and rooflights and windows are grey aluminium-clad. On the north and south elevations full length windows are proposed at the upper level and patio doors on the lower level to access the south facing garden and a proposed patio area to the north.
- 1.3 An existing opening in a stone boundary wall providing vehicular access to a garage (demolished) from Glamis Road (east) is to be infilled as part of the proposed development. An existing vehicular access is to be used from Carseview Gardens (north) and 3 parking spaces are proposed in the curtilage of the new house.
- 1.4 The applicant has submitted the following in support of the application:
  - Planning and Design Statement; and
  - Structural Engineer Statement.

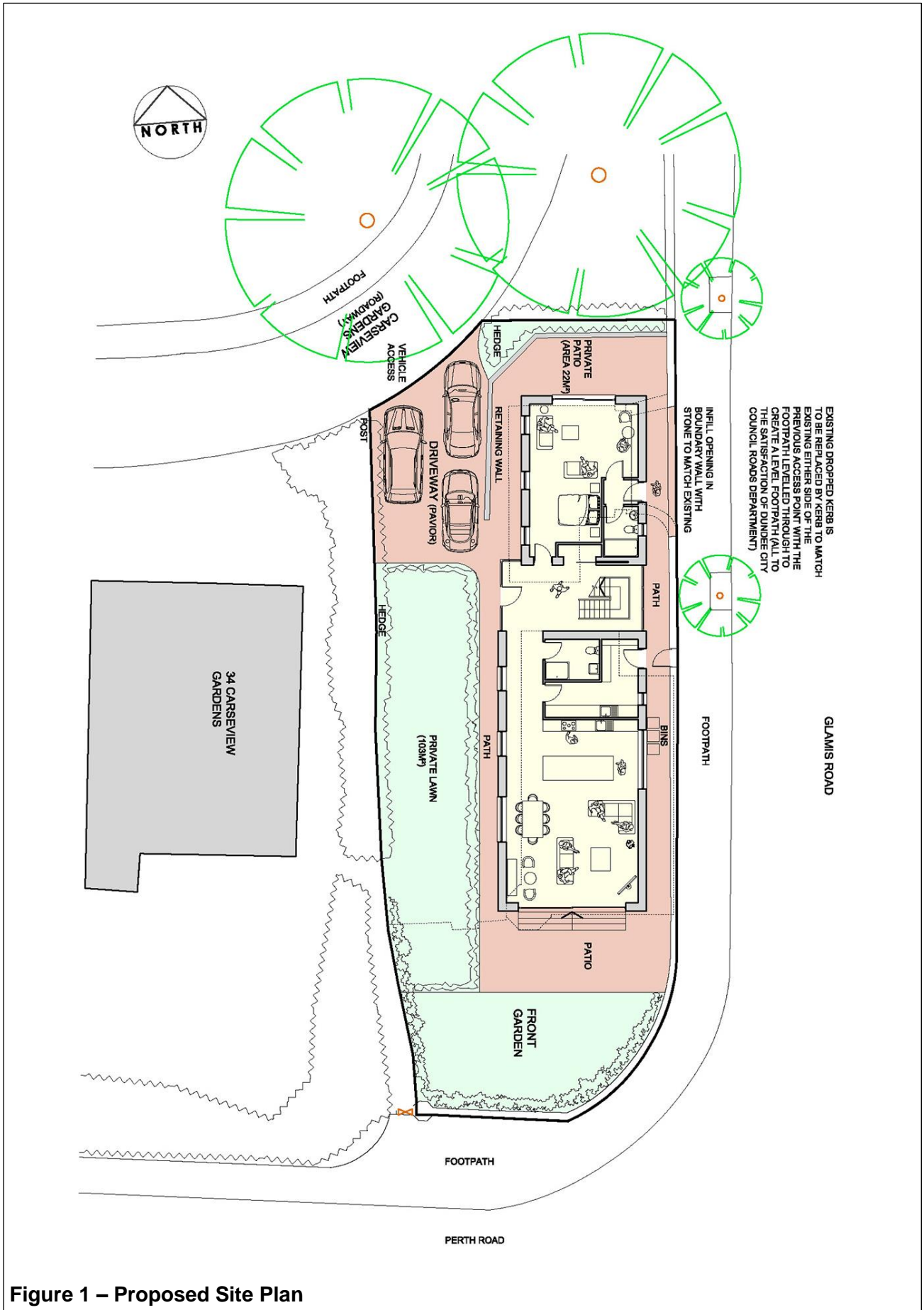


Figure 1 – Proposed Site Plan

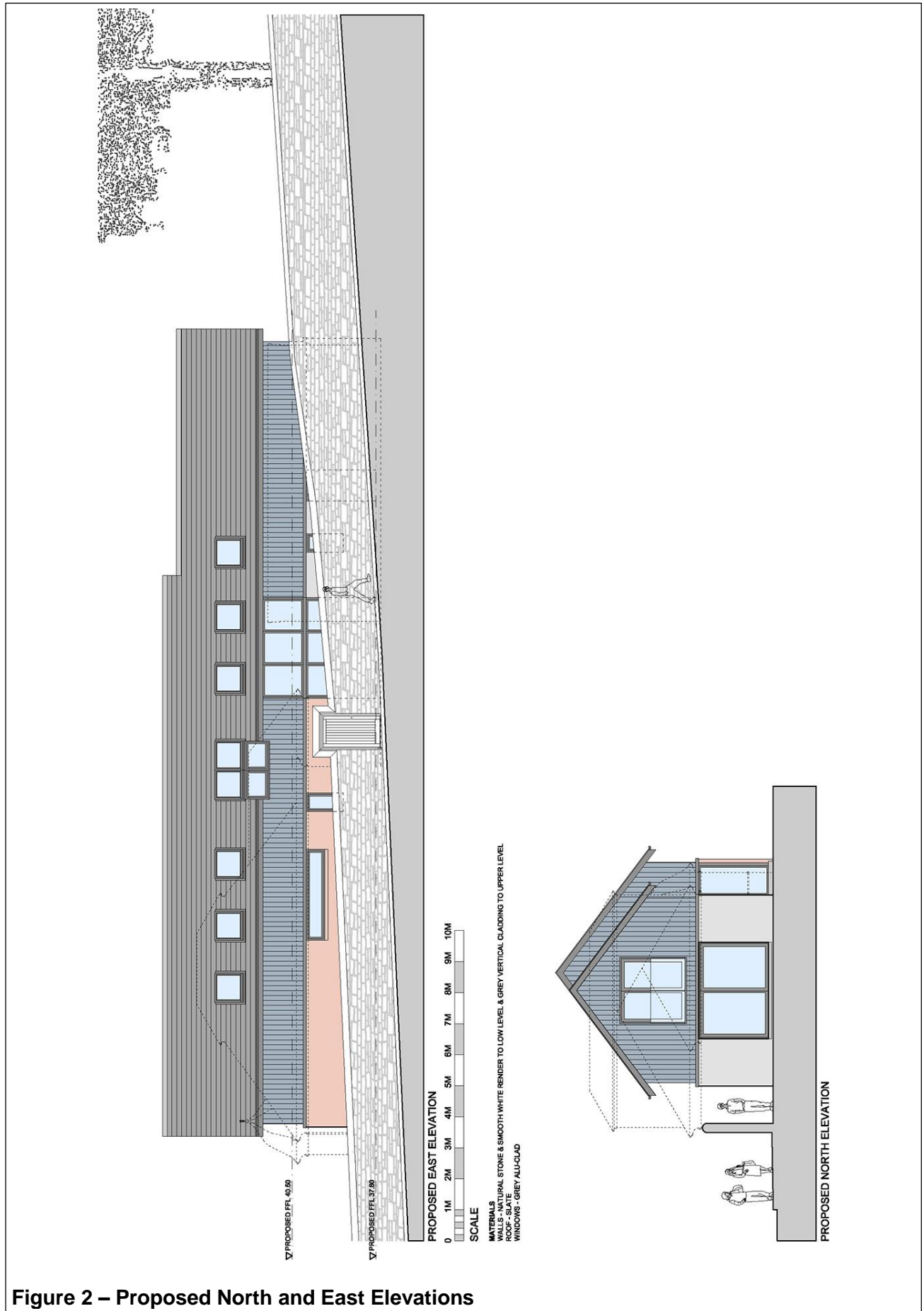


Figure 2 – Proposed North and East Elevations



Figure 3 – Proposed South and West Elevations



Figure 4 – Proposed 3D Sketches

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## 2 SITE DESCRIPTION

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- 2.1 The application site contains a red sandstone and slate roof house with some interesting architectural details including a feature conical projection on the south-west corner of the principal elevation (south) and a centrally located circular window.
- 2.2 The house has been extended and accommodation provided in the attic with side dormer extensions, finished in slate, located centrally on the roof of the original house and projecting in a box style design above the original ridge. A flat roofed garage and annex was added to the north of the property with access to the garage taken from Glamis Road (east).
- 2.3 The main vehicular access is to the north from Carseview Gardens, a residential street.
- 2.4 The house is located on a visually prominent corner site on the west side of the junction of Glamis Road and Perth Road and was formerly the gate house associated with a large historic villa, Glamis House, now demolished. It has a south facing garden and is bounded by a stone wall to the east and south of the house with the east elevation of the house hard against this boundary. The stone wall is the north-west boundary of the West End Suburbs Conservation Area; the site is not within the Conservation Area.
- 2.5 The surrounding area is largely residential with a mix of modern houses and historic properties with some listed buildings. To the immediate east of the application site is Glamis Road with residential properties located on its east side; to the south is Perth Road and to the north and west of the site is a residential development. Further to the west is the Invercarse Hotel and the University of Dundee Botanic Garden is located on the south side of Perth Road.



Figure 5 – Site Photo



Figure 6 – Site Photo





Figure 7 – Site Photo

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### 3 POLICY BACKGROUND

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3.1 The following plans and policies are considered to be of direct relevance:

**TAYPlan 2016-2036**

The application raises no issues of relevance.

**DUNDEE LOCAL DEVELOPMENT PLAN 2019**

Policy 1: High Quality Design and Placemaking

Policy 10: Design of New Housing

Policy 39: Environmental Protection

Policy 48: Low and Zero Carbon Technology in New Development

Policy 51: Development in Conservation Areas

Policy 54: Safe and Sustainable Transport

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

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### 4 SITE HISTORY

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4.1 Planning permission for alterations and extension to dwelling house and infill opening on stone boundary wall 18/00663/FULL was approved subject to conditions in November 2018.

- 4.2 Planning application 20/00363/FULL for Demolition of Existing Dwelling & Erection of New Dwelling was withdrawn.

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## 5 PUBLIC PARTICIPATION

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- 5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.
- 5.2 15 objections have been received raising the following valid material grounds:
- loss of red sandstone lodge house of architectural and historic significance;
  - New build inappropriate, an eyesore and out of keeping with surrounding area;
  - loss of light, overlooking, detrimental impact on residential amenity;
  - former lodge house remains viable as a dwelling and has character and should not be demolished;
  - poor quality design, unsuitable large building for site and the 'industrial unit' rebuild is totally out of character with surrounding area/buildings;
  - commercial use/opportunity of property as B&B, multiple occupancy, subdivision to flats/2 houses - not a family home;
  - negative impact on nearby Conservation Area; and
  - impact on parking in residential area.
- 5.3 Concerns were also raised in relation to loss of view and construction noise and dust. However, these are not valid material planning considerations.
- 5.4 The valid grounds of representation are taken into account in the material considerations section of this report.

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## 6 CONSULTATIONS

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- 6.1 **Head of Community Safety and Protection** – has been consulted and commented on the following:
- Noise** – an air source heat pump is proposed and in order to protect residential amenity a noise condition is recommended should planning permission be granted.
- Contamination** – given the age of the building an advisory note is recommended should planning permission be granted to ensure vigilance during the demolition works as asbestos may be present and may have made its way into the ground.
- 6.2 **Head of Sustainable Transport and Roads** - confirms that there are no issues with the parking or access, subject to there being no alterations to the existing access from Carseview Gardens. As a vehicular access is to be removed, a condition is recommended to ensure the footpath on Glamis Road is reinstated to Council specifications and an advisory note is

attached to any planning permission granted to advise that a minor footway works application is required for the works.

## 7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended provides that an application for planning permission (other than for a national development) shall be determined in accordance with the Development Plan unless material considerations indicate otherwise.**

### THE DEVELOPMENT PLAN

The provisions of the Development Plan relevant to the determination of this application are specified in the Policy Background section above.

#### TAYPLAN 2016 – 2036

- 7.2 **The application raises no issues of relevance.**

#### DUNDEE LOCAL DEVELOPMENT PLAN 2019

- 7.3 **Policy 1: High Quality Design and Placemaking** - all development proposals should follow a design-led approach to sustainable, high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change mitigation and adaptation. The design and siting of development should respect the character and amenity of the place, create a sense of community and identity, enhance connectivity and incorporate creative approaches to urban design, landscaping and green infrastructure, appropriate to the local context and the scale and nature of the development. New development will be required to meet the 6 qualities of successful place in accordance with the guidance provided in Appendix 1.
- 7.4 A Planning and Design Statement has been submitted which addresses Appendix 1 and the design approach taken. It states that this proposal follows an earlier application (18/00663/FULL) and an associated non-material variation which saw approval of a scheme for significant alterations and extension to the existing house resulting in a very similar development on site to that currently proposed. However, on the advice of a structural engineer, the proposed replacement house is the only feasible and sustainable option as there are difficulties with the existing structure of the house which limits further renovation and alteration. A letter from Millard's Consulting Engineers has been submitted to support this.
- 7.5 The Planning and Design Statement highlights that the design objectives were to create a replacement house which maximises the potential of the plot while respecting the scale and nature of the previously consented scheme and the character and amenity of the surrounding area. The scheme provides a unified design which respects the mixed character of the surrounding area. The layout and design seek to capitalise on the shape of the site and the orientation of the buildings currently on site, resulting in a long linear building orientated north-south. To reduce the bulk of the new home, a step-down has been introduced to the more northerly third of the house, breaking the roofline helping to reduce its visual impact.
- 7.6 It states the design provides a high quality, simple, sleek and modern family home, with an uncluttered appearance, which combines more traditional features of modern design confirmed through the use of a simple pallet of materials. It notes that the proposal has been

altered to provide a more traditional aesthetic in line with comments from Planning and representations received during the application process. The changes include - roof materials changed from zinc to natural slate; first floor walls changed from zinc to vertical cladding; a reduction in first floor glazing to the west elevation; and the first-floor overhang to the south has been removed. The design offers the opportunity to replace an existing house with a house which replicates the scale and nature of the previously consented scheme providing a modern and sustainable family home fit for the 21st century.

- 7.7 In response to the supporting information in the Planning and Design Statement - the applicant was granted planning permission for extensive alterations to the existing house which involved remodelling the upper level of the house and extending it to create a modern family home. The approved development is similar in design to the new application and it is regrettable that the building cannot be saved as key architectural features such as the feature conical projection on the south-west elevation were to be retained as part of the approved scheme.
- 7.8 The proposed new house is a contemporary bespoke design which is sympathetic to the site topography and the elongated nature of this prominent corner site. The design has evolved during the application process and the applicant has taken account of the comments and representations received. The introduction of a step down and break in the roofline helps to soften the linear design and massing of the new build. This is complemented by a more sensitive blend of contemporary and traditional finishes and the location and design of the window openings has been revised to respect neighbouring residential amenity.
- 7.9 In order to ensure the finishing materials are of a high-quality, conditions are recommended, should planning permission be granted, to request that full details and samples of all finishing materials including the stone boundary wall are submitted to the Council for written approval.
- 7.10 This is a visually prominent site on a main transport route and the proposed development introduces a modern design as part of an attractive evolving urban landscape which respects the old and new build character of the surrounding area. The proposed development will contribute positively to the quality of the surrounding built and natural environment, in line with Policy 1.
- 7.11 **The proposal is in accordance with Policy 1, subject to condition.**
- 7.12 **Policy 10: Design of New Housing** - the design and layout of new housing developments in Dundee should be of a high quality and contribute to creating places that respect and enhance the distinct character and identity of the different parts of the city. All new housing developments should meet the six qualities of successful place, as set out in Policy 1 and should provide a balanced choice and type of housing. All new housing developments will be required to conform to the guidance on the Design of New Housing set out in Appendix 4. All new housing developments will need to ensure that the design and layout respects and enhances the character of adjoining properties and the surrounding area and does not have a detrimental impact on residential amenity and parking.
- 7.13 The proposal is required to meet the following Suburban Standards set out in Appendix 4:
- 7.14 **House Type** - houses should have 3 or more bedrooms or a minimum gross internal floor area of 100m<sup>2</sup>.
- 7.15 **Response** – the proposal is for a 4 bedroom house in line with this standard.
- 7.16 **Car Parking** - all car parking should be located within the curtilage of each house. Private houses with 4 or more bedrooms should have at least 3 spaces.

- 7.17 **Response** – 3 parking spaces are proposed in the curtilage of the 4 bedroom house in line with this standard.
- 7.18 **Cycle Provision** - one secure, covered space must be provided unless a suitable garage or other secure area is provided within the curtilage of the house.
- 7.19 **Response** – the Design Statement refers to cycle storage being provided however it is not shown on the proposed plans. A condition is therefore recommended, should planning permission be granted, to ensure further detail on the design and location of the cycle storage is submitted for written approval by the Council. This standard is met, subject to condition.
- 7.20 **Amenity/Garden Ground** - Brownfield sites will provide an average private useable garden ground of 140m<sup>2</sup> per house with a minimum garden size of 120m<sup>2</sup>.
- 7.21 **Response** – the application site has private amenity ground in excess of 190m<sup>2</sup> with the main area being a garden to the south and west and a patio area proposed to the north. This standard is met.
- 7.22 **Privacy** - a minimum of 18 metres between the facing windows of habitable rooms.
- 7.23 **Response** – the existing window to window distance from the application site to the neighbouring house to the west is 11 metres. The proposed new house is to be positioned on the existing footprint and the window openings have been sensitively designed with skylights at the upper level to respect the amenity of the neighbouring property. Existing site levels and planting on the western boundary offers screening between the houses. The new house will not exacerbate the existing situation.
- 7.24 **General Requirements** - provision for waste and recycling should be provided in accordance with the Council's waste management strategy.
- 7.25 **Response** – waste storage is shown on the Site Plan. This standard is met.
- 7.26 **Parking Areas** - should include provision for electric car charging points.
- 7.27 **Response** – no provision is shown on the proposed plans for the new house and no reference is made to this requirement in the Design Statement. A condition is recommended, should planning permission be granted, to ensure an electric car charging point is provided for in line with this standard.
- 7.28 The proposed development meets the 6 qualities of successful place, as set out in Policy 1. The design and layout of the new house respects and enhances the character of adjoining properties and the surrounding area and will not have a detrimental impact on residential amenity and parking. The proposed development will contribute positively to the quality of the surrounding built and natural environment.
- 7.29 **The proposal is in accordance with Policy 10, subject to conditions.**
- 7.30 **Policy 39: Environmental Protection** – All new development or an extension to an existing development that would generate noise, vibration, emissions to air, dust or light pollution will be required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance on the surrounding area.
- 7.31 The applicant has advised in writing that an air source heat pump is to be installed for the new house. The Head of Community Safety and Protection recommends a noise condition is

attached to any planning permission granted to protect residential amenity from any significant noise from the operation of this system.

7.32 **The proposal is in accordance with Policy 39, subject to conditions.**

7.33 **Policy 48: Low and Zero Carbon Technology in New Development** - proposals for all new buildings will be required to demonstrate that a proportion of the carbon emissions reduction standard set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technologies. The relevant Building Standards and percentage contribution required is set out in supplementary guidance. The supplementary guidance will be kept under review to ensure the proportion of the carbon emissions reduction standard to be met by these technologies will increase over time. A statement will be required to be submitted with an application for planning permission to demonstrate compliance with this requirement.

7.34 A statement to demonstrate compliance with Policy 48 has not been submitted. It is recommended that should planning permission be granted the submission of the statement for written approval by the Council be secured by planning condition.

7.35 **The proposal is in accordance with Policy 48, subject to condition.**

7.36 **Policy 51: 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 that contribute to the character and appearance of the conservation area.

7.37 The stone boundary wall on the eastern and southern boundary of the application site is the north-west boundary of the West End Suburbs Conservation Area. The house and its curtilage are not in the conservation area. As part of the proposed development, an opening in the stone boundary wall is to be infilled following the demolition of a garage. The proposed plans show that stone to match the existing wall will be used and it is recommended that, should planning permission be granted, further detail of the materials and a method statement for the works are submitted for written approval by the Council prior to the commencement of works to ensure a high-quality finish to the wall forming the boundary of the conservation area.

7.38 This is a visually prominent site on a main transport route and the proposed development introduces modern design as part of an attractive evolving urban landscape which respects the old and new build character of the surrounding area.

7.39 The proposal will contribute positively to the character and appearance of the conservation area.

7.40 **The proposal is in accordance with Policy 51, subject to condition.**

7.41 **Policy 54: Safe and Sustainable Transport** - all development proposals\* that generate travel should be designed to be well served by all modes of transport. In particular the sustainable modes of walking, cycling and public transport should be afforded priority and provide for easy access to local amenities, education facilities and other services.

Development proposals will be required to:

- 1 1 minimise the need to travel by private car;
- 2 provide facilities on-site (and/or off-site through developer contributions or by direct delivery) for walking, cycling and public transport networks, including road/junction

improvements and cycle parking. Developments without high quality, safe and convenient links to adjacent walking and cycling networks will not be supported;

- 3 incorporate measures to permit access to public transport networks within a walking distance of no more than 400 metres from all parts of the development;
- 4 have no detrimental effect on the capacity or safe functioning of the existing road or rail networks;
- 5 ensure that safe and adequate provision is made for road freight and waste access, loading and unloading;
- 6 comply with the National Roads Development Guide and any local variations within Dundee City Council's roads design standards; and
- 7 be supported by a travel plan to mitigate transport impacts and improve the accessibility of developments where the Council considers that the development will generate significant travel.

Walking and cycling routes should be fully useable prior to the first occupation of a new development.

\*this includes the re-use of existing buildings.

- 7.42 In response to the above criteria, the proposal is for a replacement house which is located on the core path network and is within easy walking distance of the public transport network with bus stops located on Perth Road and Glamis Road within 400m of the site. As outlined in the report, a condition is recommended, should planning permission be granted, to ensure that cycle storage is provided for as part of the development.
- 7.43 The Head of Sustainable Transport and Roads has confirmed that there are no issues with the parking or access, subject to there being no alterations to the existing access from Carseview Gardens. As a vehicular access is to be removed, a condition is recommended to ensure the footpath on Glamis Road is reinstated to Council specifications and an advisory note is attached to any planning permission granted to advise that a minor footway works application is required for the works.
- 7.44 The proposed development is well served by all modes of transport and will not have a detrimental effect on the capacity or safe functioning of the existing road network.
- 7.45 **The proposal is in accordance with Policy 54, subject to conditions.**
- 7.46 **It is concluded that the proposal is in accordance with the Development Plan.**

## STATUTORY DUTIES

### Planning (Listed Buildings and Conservation Areas) Scotland Act 1997 as amended

- 7.47 Section 64(1) of the Planning (Listed Buildings and Conservation Areas) Scotland Act 1997 as amended states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.48 It is considered, for the reasons set out above, that Section 64 would be satisfied by the approval of this proposal.

## MATERIAL CONSIDERATIONS

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

### A - SUPPORTING INFORMATION

- 7.50 The applicant's agent has confirmed that at the time that application 18/00663/FULL was lodged and approved no detailed investigations or costings had been undertaken, it was assumed, wrongly, that the existing structure, which dates back to the 19<sup>th</sup> century, could support the proposed level of works. On receipt of the planning permission and the associated non-material variation in July 2019, the required detailed engineering investigations were undertaken in preparation of submitting the Building Warrant. After careful inspection of the property, Millard Consulting in a letter dated 13<sup>th</sup> April 2020, confirmed that in their professional opinion the proposed alterations and extensions to be unfeasible, confirming that the existing structure was not suitable for the approved works. In addition, works to demolish the garage in 2019 further confirmed problems with the make-up of the ground.
- 7.51 As part of the application process, the structural engineers report was requested. No engineers report has been submitted, only correspondence from Millard Engineers dated 13 April 2020 (submitted with the planning application) and 16 March 2021 (submitted following the request for further information).
- 7.52 Millard Engineers stated in correspondence dated 16 March 2021, "*There are no internal load bearing walls to allow spans to be broken up. As far as we can ascertain, there are insufficient foundations to allow us to span beams onto the walls. We therefore require new structural walls on new foundations to allow the proposed redevelopment. We also confirm that the existing walls require to be underpinned as the depths are not sufficient to meet the current standards. The foundations should be at least 450mm below ground level and into the natural sand and gravel bearing material.*" The agent advised that the approved works (18/00663/FULL) would require significant and hugely costly underpinning.
- 7.53 Further, an independent review was submitted on the costs of the consented scheme and the new build which the agent has asked be kept confidential. This shows a 31% difference between the costs of each option with a replacement house the preferred option. In addition, an independent sustainability review was submitted and this included the option to 'do nothing' to the former gate house built circa 1880. It confirms that the proposed replacement house would result in an 80.52% reduction in carbon dioxide emissions. The 'do nothing' option would lead to the property being classed as 'sub-standard'. Therefore, in sustainability terms the proposed replacement house is the preferred option.
- 7.54 The agent notes that it is clear from the submitted evidence provided by professional advisors that the proposed replacement house provides the only technically viable and financially viable option. The proposal will result in a high quality and sustainable family home.
- 7.55 The supporting information has been reviewed by Dundee City Council engineers and the conclusion of the professional advisors is accepted. As noted previously in the report, it is regrettable that the former gate house is to be demolished, however, it has been demonstrated that a replacement house is the only technical and financially viable option.

### B – REPRESENTATIONS

- 7.56 15 objections have been received raising the following valid material grounds:
- loss of red sandstone lodge house of architectural and historic significance;



- new build inappropriate, an eyesore and out of keeping with surrounding area;
- loss of light, overlooking, detrimental impact on residential amenity;
- former lodge house remains viable as a dwelling and has character and should not be demolished;
- poor quality design, unsuitable large building for site and the 'industrial unit' rebuild is totally out of character with surrounding area/buildings;
- commercial use/opportunity of property as B&B, multiple occupancy, subdivision to flats/2 houses - not a family home;
- negative impact on nearby Conservation Area; and
- impact on parking in residential area.

7.57 The grounds of objection are considered and assessed as follows:

7.58 **Objection** - former gate house of character and architectural and historic significance should not be demolished as it remains a viable dwelling.

7.59 **Response** – as noted in the report and the representations, the red sandstone dwelling was built in the 19<sup>th</sup> century as a gate house to Glamis House which was demolished several decades ago as part of the development of a residential area. The property has interesting architectural features and detailing and has been extended over the years with a unique box dormer roof which adds to its quirkiness. The property is not listed and is not located within the adjacent conservation area which are important designations and measures for maintaining the city's heritage and distinctive identity. It is regrettable that the dwelling is to be demolished. Through the application process it has been demonstrated that a replacement house is the only technical and viable option. A high quality, low carbon and resource efficient modern family house is proposed as an appropriate response to the site.

7.60 **Objection** - poor quality 'industrial' style design, inappropriate and unsuitable large building for the site and out of keeping with the surrounding area.

7.61 **Response** - the proposed house is a contemporary bespoke design which is sympathetic to the site topography and the elongated nature of this prominent corner site. The design has evolved during the application process and the applicant has taken account of the comments and representations received during this process. The changes include - roof materials changed from zinc to natural slate; first floor walls changed from zinc to vertical cladding; reduction in first floor glazing to west elevation and the first-floor overhang to the south has been removed. The introduction of a step down and break in the roofline helps to soften the linear design and massing of the new build. This is complemented by a more sensitive blend of contemporary and traditional finishes. This is a visually prominent site on a main transport route and the proposed development introduces a modern design as part of an attractive evolving urban landscape which respects the old and new build character of the surrounding area.

7.62 **Objection** - negative impact on nearby Conservation Area.

7.63 **Response** - the stone boundary wall on the eastern and southern boundary of the application site is the north-west boundary of the West End Suburbs Conservation Area. The house and its curtilage are not in the conservation area. As part of the proposed development, an opening in the stone boundary wall is to be infilled using stone to match the existing wall which respects

the character of the Conservation Area. The proposed development introduces contemporary design into an attractive evolving urban landscape which respects the old and new build character of the surrounding area. The proposal will contribute positively to the character and appearance of the Conservation Area.

7.64 **Objection** - detrimental impact on parking and the amenity of neighbouring residents by virtue of loss of light, privacy and overlooking.

7.65 **Response** – in respect of parking, 3 spaces are proposed in the curtilage of the 4-bedroom house in line with Policy 10 and Appendix 4. The Head of Sustainable Transport and Roads confirms that the parking proposal is acceptable. In respect of loss of light, the application site is located at the junction of Perth Road and Glamis Road which rises steeply to the north with the nearest house to the north some 30m from the site. The proposed house is shown on the submitted drawings to be slightly higher than the existing house however it will be no higher than the immediate neighbouring house to the west. There is a level difference of 2m between the two properties at foundation and floor level as a result of the historic nature of the site and its relationship to the more modern houses in Carseview Gardens. The proposed new house would not have a significant detrimental impact on neighbouring properties in respect of loss of light.

7.66 The representations also raised the matter of loss of view in this context and loss of view is not a material consideration. In respect of privacy and overlooking, the design of the house has evolved through the application process and the applicant has considered the matters raised during this process. The proposed house has been sympathetically designed in respect of its window openings on the west elevation to ensure there is no detrimental impact on residential amenity. Further, boundary screening, existing site levels and the topography of the area help mitigate this matter further.

7.67 **Objection** - commercial use and opportunity.

7.68 **Response** – the application form, drawings and supporting documents refer to a new house and the applicant has confirmed that a 4-bedroom family house is proposed. The application has been assessed on this basis. Any variation from this to a commercial use or HMO property may require separate planning permission.

The issues raised in the representations have been considered and addressed in the report and the grounds raised are not of sufficient weight to justify refusal of planning permission.

7.69 **It is concluded that there are no material considerations of sufficient weight in this case to justify refusal of planning permission.**

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## 8 CONCLUSION

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8.1 The application to demolish an existing house and replace it with a new house is in accordance with the Development Plan. There are no material considerations of sufficient weight that would justify refusal of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

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## 9 RECOMMENDATION

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9.1 It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 **Condition** - prior to the commencement of work on site, full details and samples of the proposed finishing materials of the development hereby approved shall be submitted to the Council for written approval. Thereafter, the proposed development shall be finished in strict accordance with the details approved by this condition.

**Reason** – to ensure a high quality finish and in the interests of visual amenity.

- 2 **Condition** - prior to the commencement of work on site, details of the methods and materials to be used to repair the stone work and infill the opening in the stone boundary wall shall be submitted to the Council for written approval. Thereafter, the works to repair and restore the stone wall shall be carried out in accordance with the details approved by this condition.

**Reason** - in the interests of restoring the appearance of the stone boundary wall which is a feature of the Conservation Area.

- 3 **Condition** - the existing access that is no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications. Details of these alterations must be agreed prior to any works on site

**Reason** - in the interests of vehicle and pedestrian safety.

- 4 **Condition** - prior to the commencement of development, full details of the type and location of the air source heat pump, including details of any acoustic barriers, shall be submitted to the Council for written approval. Thereafter, the air source heat pump and any associated barriers shall be installed in full accordance with the agreed details.

**Reason** – in order to protect residential amenity.

- 5 **Condition** - the total noise from the mechanical and electrical plant/services shall not exceed NR35, as measured 1 metre external to the facade of adjacent residential property.

**Reason** – in order to protect residential amenity.

- 6 **Condition** - prior to commencement of development details of the secure cycle storage provision shall be submitted to and approved in writing by the Council. These details shall include:

- i details of the location of secure cycle storage; and
- ii details of the secure cycle storage facility.

The secure cycle storage facility shall be constructed in accordance with the approved details prior to the occupation of the house.

**Reason** - in the interests of promoting sustainable modes of travel.

- 7 **Condition** - a Sustainability Statement demonstrating the extent to which the new build elements of the development will meet the requirements of Policy 48 of the Dundee Local

Development Plan shall be submitted for the approval of the planning authority and the works shall be completed in accordance with the approved Statement.

**Reason** - in the interests of reducing carbon emissions associated with the proposed development.

Advisory Note

- 1 A Minor Footway Works (MW) application (found via the following link on DCC website: <http://www.dundee.gov.uk/citydevelopment/vehicularaccess>) must be submitted to Dundee City Council as Roads Authority for work on the adjacent public road or footway and consent for this must be obtained prior to the commencement of any work on the public road or footway. For further details please contact 01382 433341 or [developmentroads@dundee.gov.uk](mailto:developmentroads@dundee.gov.uk)
- 2 Considering the apparent age of the buildings to be demolished at the site, it is advised that vigilance be maintained during site development for any potential asbestos containing materials that may over time, or following demolition, have found their way into the ground at the site. The council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council Planning Authority. The scheme shall include a full timetable for the remediation measures proposed. Verification shall be provided by the applicant or his agent, on completion, that remediation has been undertaken in accordance with, and to the standard specified in, the agreed remediation scheme.