

KEY INFORMATION

Ward Longhaugh

Proposal

Erection of 38 one and two storey houses and provision of new play area
Re- submission

Address

Land To North And South
Grampian Gardens,
Dundee

Applicant

Abertay Housing Association
Ltd,
147 Fintry Drive,
Fintry,
Dundee DD4 9HE

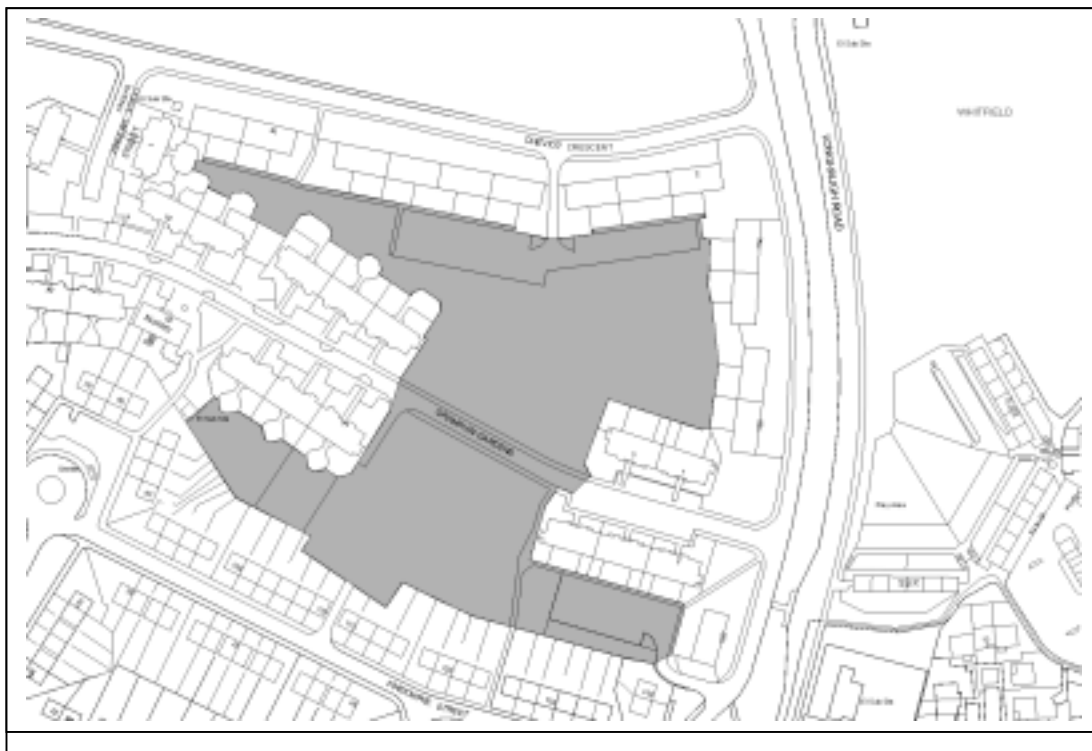
Agent

Kerr Duncan McAllister
15 Camperdown Street
Broughty Ferry
Dundee DD5 3AA

Registered

25 February 2002

Case Officer Julie Finlay



New Housing Development Proposed at Grampian Gardens

Erection of 38 one and two storey houses and provision of new play area
Re- submission is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by
Director of Planning and Transportation

RECOMMENDATION

The proposal is located on a brownfield site to the north and south of Grampian Gardens, Fintry and offers houses for rent by Abertay Housing Association. The layout and design of the proposed development are acceptable and meet the requirements of Policies H1 and H10 (as revised). Therefore the application is recommended for APPROVAL subject to conditions

SUMMARY OF REPORT

- Planning permission is sought for the erection of 38 one and two storey houses and provision of new play area on land to the north and south of Grampian Gardens, Dundee. The housing will be a mixture of two, three and four bedrooms
- Three letters of objection were received from neighbouring residents stating concerns about effect on residential amenity due to overlooking, overshadowing and noise; impact on natural environment and effect on trees
- Policy H10 and revised H10 guidelines are relevant to the determination of the planning application. The revised guidelines require a minimum garden size of 120 sq metres and 75% of houses to have three bedrooms or more
- This application is a resubmission as the original application included 16 flats, which was contrary to Local Plan Policy. The plans were amended on a few occasions as an attempt to submit an acceptable development mix and layout.
- The layout is considered to be acceptable in terms of Policy H10 guidelines. Furthermore, it is considered that Policy H1 is complied with by virtue of design and layout. Therefore the application is recommended for APPROVAL subject to conditions

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of 38 one and two storey dwellings on land to the north and south of Grampian Gardens, Fintry, Dundee. The area of the site is 1.682 hectares.

The proposed housing mix is as follows:

5 apt 6 person	7%
4 apt 5 person	25%
4 apt 4 person	40%
3 apt 4 person	17.5%
3 apt 3 person	5%

74 car parking spaces are proposed within the development and 58 of these will be in curtilage. In addition, four visitor parking spaces have been provided within the development.

The materials proposed are grey and red interlocking roof tiles and coloured roughcast render. Samples of the finishing materials are to be provided for approval prior to construction of this phase commencing on site. The boundary enclosures around the garden areas will be a mixture of 1.8m and 0.7m high timber fences. The proposal includes a play area in the north west corner of the site with an area of approximately 600sqm.

SITE DESCRIPTION

The application site is located on vacant grassy land which is relatively flat on the north and south sides of Grampian Gardens. The site is bound by 2 storey tenement flats on the south, 3 storey relatively modern flats along Grampian Gardens, to the west and east and older 3 storey tenement flats to the north. There is a redundant car park in the south east corner of the site which is surrounded by 3 storey tenement flats with 1.5m high timber fences along the boundary of the back gardens. The flats to the south of the site are 2 storey high and have long back gardens ranging from approximately 16m to 20m in length. There are various self-seeded trees within the site. There is a traffic calming system in place along Grampian Gardens from the entrance off Longhaugh Road until Cheviot Crescent to the west.

POLICY BACKGROUND

National Planning Policy Guideline 3: Land for Housing.

NPPG3 states that full and effective use should be made of previously developed sites within existing built up areas, including redevelopment and conversions, to meet as much of the demand for new housing as possible. It further advises that priority should be given to re-using derelict and vacant land, or empty housing, in preference to greenfield sites, provided a satisfactory residential environment can be created. The guideline also says that planning authorities may properly take account of the need for affordable housing when formulating their development plan policies.

Tayside Structure Plan 1993.

Policy 6 in the Structure Plan says that priority will be given to bringing forward brownfield sites in the peripheral estates and the central area of Dundee.



Dundee Local Plan 1998

H1: Within areas where residential use predominates, developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues; noise or smell; and where they are in accordance with the policies and proposals contained elsewhere within the Local Plan.

H10 (as revised): The design and layout of any new housing will generally conform to the guidelines. There will be a general presumption against the development of flats in suburban areas unless the site is allocated for this type of development in the Dundee Local Plan. Other criteria includes the requirement that 75% of houses should have three or more bedrooms and the garden ground should be a minimum of 120 sq

metres. At least one parking space within the curtilage should be provided per dwelling. Proposals which do not satisfy revised guidelines will only be supported where exceptional site specific conditions mean compliance cannot be achieved and where proposed development will make a positive contribution to quality and choice of housing available in the city

LOCAL AGENDA 21

The proposal is for the redevelopment of a derelict site and therefore can be classified as sustainable and Key Theme 8 applies which aims to ensure that health is protected by creating safe, clean, pleasant environments. Key Theme 13 also applies which states that places, spaces and objects combine meaning and beauty with utility and in this case redevelopment develops this theme.

SITE HISTORY

The applicants originally submitted an application, without pre-application discussion in June 2001, for the development of 30 houses and 16 flats at the same location. They were advised that the proportion of flats proposed was contrary to policy H10 guidelines in the Local Plan. At the same time the guidelines were being revised, which sought to omit new flats from developments in suburban areas. By the time amended plans had been submitted, the revised guidelines had been approved at Committee as a material consideration. The revised application complies with the revised guidelines.

PUBLIC PARTICIPATION

The application was advertised as contrary to Policy H10 on 8th March 2002 and readvertised on 15th March 2002 due to a typing error on the first advertisement. Statutory neighbour notification was carried out and three letters of objection were received from residents at Findowrie Street stating concerns about effect on residential amenity due to overlooking, overshadowing and noise; impact on natural environment and effect on trees. A letter of objection had originally been submitted by Fintry

North Residents Association, but this has since been withdrawn after consultation with Abertay Housing Association. An open day was held on 26th February 2002 at 20 Grampian Gardens to display the new plans and give the residents of Grampian Gardens and the surrounding area an opportunity to view the full set of plans and provide comments. The open day was organised by Abertay Housing Association Ltd and the applicants' agents were present to answer any queries. The local councillor was also in attendance for part of the day.

CONSULTATIONS

Various Council Departments and outside bodies have been consulted regarding details of the planning application. The Director of Leisure and Arts required a proper detailed planting plan for the development. This has now been received and is acceptable by Leisure and Arts.

SEPA (Scottish Environment Protection Agency) submitted a letter stating that they have no further comment to make as the developer proposes to use the public sewer for foul drainage. They advise that NOSWA are consulted to ensure that such a connection is available.

OBSERVATIONS

The determining issues for the Committee in this instance are whether the development details are in accordance with the policies and proposals in the Dundee Local Plan 1998 and in particular Policy H10; and whether there are any material considerations that would justify refusal of the application.

Background

The proposal is for the development of 38 one and two storey houses on a brownfield site to the north and south of Grampian Gardens, Fintry and the applicant is Abertay Housing Association. The development is phase 1 of a future 5 phase development by the housing association within Fintry in the next few years. Funding is provided by Communities Scotland and is conditional upon planning permission being granted for the development. There were flats on the site some years ago and these were demolished. The

houses will be for rent only from Abertay Housing Association and there will be no right to buy.

Previous application

As stated above an application was made in June 2001 for 30 houses and 16 flats on the same site. There was no pre-application discussion and the agent was advised that it was contrary to Policy H10 guidelines due to the percentage of flats proposed for the site. Amendments were made to reduce the number of flats but within this period H10 guidelines were revised as a material consideration and contain a presumption against flats in suburban areas. For this reason a new application was submitted on 25th February 2002 for the development of 38 houses on the site.

Compliance with Local Plan Policies

There is a presumption against flatted development in the revised H10 guidelines of the Local Plan (which are a material consideration). No flats are included as part of the development. The guidelines require 75% of houses to have 3 bedrooms or more and a minimum of 120sqm of garden ground. 72% of the houses have 3 bedrooms or more. All gardens are over 120 sq metres and the average garden size is 144sqm, with plot 30 having 230sqm provision. Where gardens wrap around a side elevation of a house, sufficient landscaping has been proposed to provide a degree of privacy. This is the case at plots 5, 11, and 32. The proposal appears to meet the other requirements of the guidelines of Policy H10 before revision. This includes the requirement for at least one car parking space per dwelling and at least 50% providing space for a garage. 74 car parking spaces have been provided within the development and 58 of these are in curtilage. 18m should be provided between windows of habitable rooms and this has been taken into consideration in the design and layout of the development.

Amended layout plans were submitted by the agent at various stages following negotiations in response to meeting the H10 guidelines and the proposal is considered to be acceptable in terms of Policy H10 guidelines

Policy H1 of the Local Plan states that developments will be permitted within existing residential areas where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell. The amenity enjoyed by local residents has been taken into consideration in the design process. Some objections were raised by neighbouring residents and their points of concern will be discussed in the following section.

Response to Objections

The objections received were from residents at 134 to 138 Findowrie Street and their points of concern are:

- 1 Overshadowing/overlooking
 - 2 Noise
 - 3 Impact on natural environment
 - 4 Effect on trees
- 1 The proposed development is some distance from the houses at Findowrie Street as they have long back gardens ranging from 18m to 20m in length with rear boundary fences over 1m in height. Given these distances and boundary treatments, it is not considered that overshadowing can occur to any significant degree. The original plans submitted included two additional houses in the south east corner. These have been removed from the proposal as it was considered that the garden ground would be overlooked by 3 storey flats and loss of privacy would occur for future occupants of these houses.
 - 2 The site originally housed blocks of flats and the proposal is to redevelop a derelict site. It is not considered that there will be a significant increase in noise levels in this established residential area.
 - 3 The proposal site is brownfield where demolition of flats took place some years ago and the area grassed over until funding was available for replacement housing.
 - 4 Any trees within gardens of neighbouring properties will not be affected by the development proposals. A landscaping plan is

included as part of the development.

Given the above, it is considered that no material considerations have arisen from objectors that would justify refusal of the application.

Play Area

The proposal includes a play area in the north west corner of the site with an area of approximately 600sqm. The south boundary of the play area is bound by 1.8m high timber fencing and the north boundary is bound by 1.5m metal fencing. The surrounding flats are 3 storey in height. The play area is designated for young children of toddler age. The details of the play area and its layout have been discussed by the agent with Tayside Police Architectural Liaison Officer. Comments are as follows:

- 1 The play area should be located in a central area which can get a maximum amount of surveillance from surrounding properties. This has been achieved
- 2 The fencing between the play park and any adjacent properties should be high enough to prevent trespass from occurring between the play park and the rear garden areas. The present fencing would satisfy this requirement
- 3 There is no requirement for the fencing to be of open nature to allow surveillance from the flats at ground level as there will be sufficient surveillance from the flats at first and second floor levels. The fencing is open on the north boundary but close timber fencing on the south boundary. The flats on the upper levels will overlook the proposed play area.
- 4 The play park should not be located adjacent to roadways where there is a danger from vehicular traffic. There are no nearby roads.
- 5 The play park should be well lit. This has been budgeted for in the costings for the entire development.
- 6 The paths leading into the play park should have bollards to reduce their width. This will prevent cars from being driven along them. This will be carried out as part of the development.

The proposal location of the play park therefore complies with these requirements. Conditions will be attached to ensure the play area is well lit and bollards installed along the paths into the play area to prevent cars being driven along them.

Other Issues

Meetings have been attended by engineers on behalf of the applicant to discuss drainage of the site. No details have been submitted to date but the agent is aware that a sustainable urban drainage system will be needed and may have an impact on the housing layout. Any such change may require the submission of an amended planning application. A condition will be attached to ensure that drainage details are provided before any development commences on site.

Design

The proposed housing layout is considered acceptable. The dwellings will be finished in a coloured roughcast render, facing brick, opaque stained timber and a mixture of grey and red concrete interlocking roof tiles, all to the approval of the planning authority.

The development has been designed in accordance with the aims set out in the "Sustainable Design Guide for Scotland" in terms of location, community, passive energy, conservation and use of existing infrastructure.

CONCLUSION

After considerable negotiations, it is considered that the proposal is in accordance with Policy H10 guidelines, the revised H10 guidelines and Policy H1 of the Dundee Local Plan 1998. Therefore the application is recommended for APPROVAL subject to conditions as outlined at the end of the report.

RECOMMENDATION

It is recommended that planning permission 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 samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.
- 3 no development shall take place until there has been submitted to and approved by the planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with measures for their protection in the course of development.
- 4 within six months of the first use of the premises, trees and shrubs shall be planted on the site in accordance with a scheme which has been approved with the City Council. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
- 5 details of the proposed surface water and foul drainage arrangements 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.
- 6 details of lighting for the proposed play area 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.
- 7 details of bollards for the paths leading into the play area 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.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997

- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area
- 3 to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 4 to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 5 To ensure that the proposed development can be drained in a satisfactory manner
- 6 For the safety and convenience of the users of the play area
- 7 To prevent unacceptable use of the play area and in the interest of safety of the young children.