

**KEY INFORMATION**

Ward Riverside

**Proposal**

Subdivision of East Wing into 2 flats

**Address**

Duncarse House  
381 Perth Road  
Dundee  
DD2 1PR

**Applicant**

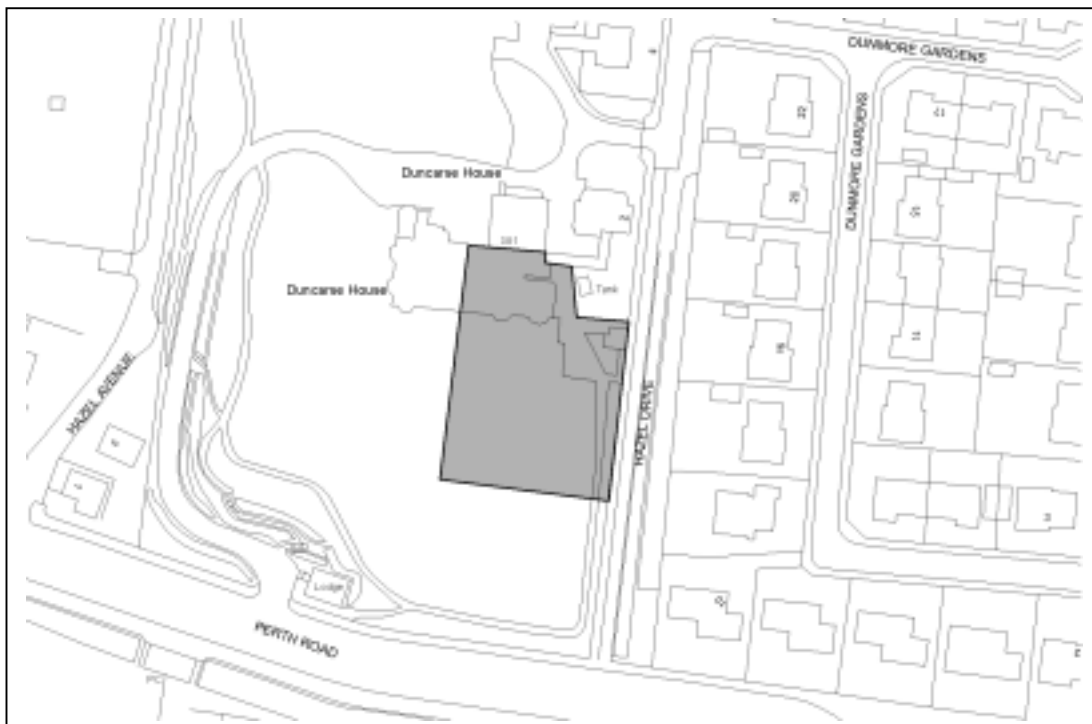
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Registered 10 April 2002

Case Officer D Gordon



## Proposed Subdivision of Part of Duncarse House

The subdivision of the East Wing into 2 flats is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

**RECOMMENDATION**

**The proposal is contrary to Policies H2 and BE17 of the Plan due to the accommodation proposed and the impact of the works on listed building. The development would create an undesirable precedent for further sub-divisions within Duncarse House. The proposal is contrary to the Interim Review of Policy H10 by the introduction of new flats within the suburban area. The proposal is recommended for REFUSAL**

**SUMMARY OF REPORT**

- Planning permission is sought to sub-divide the east wing of Duncarse House into 2 flats. The accommodation to be provided is kitchen, living room, bathroom and 3 bedrooms at ground floor level with kitchen, living room, bathroom and 4 bedrooms at first and attic levels. The building is a Category B listed building.
- A letter of objection to the proposals has been submitted which relates to the impact the alterations will have on the listed building
- The proposal is considered to be contrary to Policies H2, BE17 and the Interim Review of Policy H10 of the Dundee Local Plan 1998 by virtue of the level of accommodation to be provided by the new ground floor flat, the adverse impact the development will have on the character of the listed building and the provision of additional flats in the suburban area of the City.

## DESCRIPTION OF PROPOSAL

The proposal involves the sub-division of the East Wing of Duncarse House into 2 flats. The property is two storeys in height (with attic) and currently accommodates kitchen, lounge, sun lounge, bathrooms and 6/7 bedrooms. It is proposed to split the house horizontally by creating a flat at ground floor level that will provide a kitchen, living room, bathroom and 3 bedrooms. At first floor and attic level it is intended to create a flat which will accommodate a kitchen, living room, bathroom and 4 bedrooms.

The proposals will involve a minimal amount of internal alterations although at ground floor level, the sub-division of the sun lounge into 2 bedrooms will involve the erection of partition walls and the formation of a new hallway.

Access to the flats will be taken from the existing access road located to the east of the building. Four car-parking spaces are also to be located to the east of the property and the garden ground immediately to the south is to be sub-divided into both private and communal use.

## SITE DESCRIPTION

The site is located on the north side of Perth Road approximately 150 metres to the east of Hazel Avenue. Duncarse House is a very large 'jute baron' mansion in parkland grounds and garden on south-sloping land. It is a Category B listed building that stands some 75 metres back from the Perth Road. Planning and listed building consents were granted in 1994 for the conversion of the east, west and north wings of Duncarse House into self-contained dwellings. Permissions have also been granted for the conversion of the stable block into flats, for new houses in the kitchen garden to the north and for a new detached dwelling to the north west. These permissions have now been implemented. The main access to Duncarse House is taken from the private access road that runs along the west side of the property. The east wing is served by a new access road which is taken directly off the Perth Road and which runs in a north to south direction along the east side of the application site.

The surrounding area is predominantly residential in character.

## POLICY BACKGROUND

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

This NPPG sets out the Government's planning policies in relation to the historic environment, including listed buildings, with a view to its protection, conservation and enhancement.



### Tayside Structure Plan 1993

Environment Policy 13 - Development affecting listed buildings and their setting should have full regard to the need to retain important architectural features or historical interest and, where possible, secure improvements to the built environment.

### Dundee Local Plan 1998

Policy 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 in the Plan.

Policy H2 - In delineated areas development in garden ground will only be permitted if certain rigorous criteria contained in Policy BE4 can be met and sub-division of houses will only be permissible if the resultant houses/flats have a minimum of 5 habitable rooms, garden ground and parking space for 2 cars per unit.

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Policy H4 - Alterations and extensions to houses will normally be approved provided that the appearance of the house and surrounding area is not adversely affected.

Policy H10 - The design and layout of any new housing will generally conform to the guidelines set out in the Plan. Architecture and scale of buildings must respect the surroundings. An Interim Review of Policy H10 was approved in August/September 2001. This Review recognises the need to change the policy approach towards new housing developments in the City. Within the suburban area there is now general presumption against the development of flats unless the site is allocated for this type of development in the Local Plan.

Policy BE4 - New developments within areas identified BE4 will be required to meet a list of criteria relating to inter alia design, size, garden ground provision, boundary enclosures and landscaping.

Policy BE17 - The alteration of a listed building, or building in a conservation area will only be acceptable where the proposals have regard to the restoration or enhancement of its architectural and its historic character.

### Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 (Historic Scotland)

Offers best practice advice on developments affecting inter alia listed buildings and conservation areas.

## LOCAL AGENDA 21

The proposals involve the further sub-division of a listed building which will have an adverse affect on its architectural character and integrity. This is not in accordance with the aspirations of Local Agenda 21.

## SITE HISTORY

Duncarse House and its environs has been the subject of a considerable amount of planning applications for development in recent years. The most relevant to the current application are considered to be:

D19156 - Change of Use of Educational Building to 3 Houses and Conversion of Annex to 1 House - Approved 17/10/94

D19613 - Access for East Wing of Duncarse House - Approved on appeal 19/10/95

## PUBLIC PARTICIPATION

The statutory neighbour notification procedure was undertaken by the applicants. A letter of objection to the proposals has been received. The main issues raised by the objector relate to the proposed sub-division of the conservatory, the intensification of residential use within the building and the proposed sub-division of the garden ground to the south.

A copy of this letter can be viewed in the Members' Lounges. Comments on the issues raised can be viewed in 'Observations' below.

## CONSULTATIONS

The relevant Council Departments and outside bodies have been consulted and no adverse comments have been received.

## OBSERVATIONS

The determining issues for the Committee in this instance are whether the application details are in accordance with the policies and proposals of the development plan and if not, are there any material considerations that would justify the setting aside of these policies and granting permission for the development.

The proposal involves the sub-division of an existing dwelling into 2 flats. The property is to be divided horizontally with the ground floor flat accommodation being kitchen, living room, bathroom and 3 bedrooms. The upper floor flat will provide a kitchen, living room, bathroom and 4 bedrooms.

The relevant Local Plan policy relating to developments of this nature in this area requires that the sub-division of houses will only be permissible if the resultant houses/flats have a minimum of 5 habitable rooms, garden ground and parking space for 2 cars per unit (Policy H2 refers). With regard to the provision of appropriate garden ground

and parking facilities, it is considered that the curtilage of the building can accommodate these requirements, with suitable conditions, without the proposals adversely impacting on the character or integrity of the listed building. It is also considered that the upper floor flat adheres to the accommodation standards required by the Plan.

However, with regard to the proposed ground floor alterations, the resultant flat would not achieve the minimum standard of 5 habitable rooms (a kitchen is not considered to be a habitable room). Further to this, the sun lounge located to the east, possibly a later extension to the main house, is designed for that purpose and has a strong public room image within the context of the building character. At the time of visiting the site, the sun lounge was bright and full of light. The room displayed considerable potential for improvement into a quality space that would enhance the character of the building. Its sub-division into 2 bedrooms appears contrived and this would certainly detract from the internal character and integrity of the property. In addition, there is also the potential to damage the attractive and decorative tiled floor of the sun lounge during any conversion works. In this respect the proposal is considered to contravene Policy H2 (Sub-division of Property) and Policy BE17 (Alterations to Listed Buildings) of the Dundee Local Plan 1998.

The Members will be aware that an Interim Review of Local Plan Policy H10 (Design Guidelines in Residential Areas - New Build and Conversion) was approved by this Council in 2001. The contents of the review are considered to be a material consideration in the determination of planning applications. The Review advises that there will be a general presumption against development of flats in suburban areas unless the site is allocated for this type of development in the Dundee Local Plan. While the site is located within an existing residential area, the application site is not allocated as a housing site. In this respect, the proposal is considered to be contrary to the Interim Review of Policy H10 of the Dundee Local Plan 1998. The applicants have not submitted any justification for the proposed sub-division.

Duncarse House was granted permission to sub-divide into 3 large dwelling house in 1994 and the east wing forms one of these dwellings. It is considered that, should the sub-division of this section of the building into 2 flats be successful, it would create an undesirable precedent for similar sub-divisions to take place within the remaining houses. This would be considered to be unacceptable, as it would potentially further erode the quality of the listed building.

With regard to the objection submitted to the proposals, it is considered that the issues raised by the objector have been fully discussed and discharged above.

## Design

The level of the majority of the alterations to be carried out within the building is minor in nature. However, the proposed sub-division of the sun lounge into 2 bedrooms will require the erection of partition walls and the formation of a new hall. These proposed alterations are considered to be detrimental to the character of the sun lounge and would prejudice its use as a quality space within the listed building.

## CONCLUSION

The proposed sub-division of the dwelling into 2 flats would be contrary to Policy H2, Policy BE17 and the Interim Review of Policy H10 of the Dundee Local Plan 1998 by virtue of the amount of accommodation to be provided and the impact the proposed alterations would have on the character of the listed building. The proposal would also create an undesirable precedent of the further sub-division of the existing dwellings contained within Duncarse House. There are no material considerations which would justify the setting aside of these policies and approving the proposed development.

## RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reasons:

- 1 The proposed development is contrary to Policy H2 of the Dundee Local Plan 1998 as the level of accommodation proposed

for the ground floor flat falls below the requirement for the provision of a minimum of 5 habitable rooms. There are no material considerations of sufficient weight to support the granting of consent contrary to that policy.

- 2 The proposed development would have an adverse impact on the character of a Category B listed building by virtue of inappropriate alterations to the existing sun lounge which is contrary to the requirements of Policy BE17 of the Dundee Local Plan 1998, Environment Policy 13 of the Tayside Structure Plan 1993 and the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998. There are no material considerations of sufficient weight to support the granting of consent contrary to those policies.
- 3 The proposed development is contrary to the Interim Review of Policy H10 of the Dundee Local Plan 1998 by virtue of the provision of additional flats within the suburban area of the City.
- 4 The proposal would create an undesirable precedent for the further sub-division of the other dwellings within Duncarse to the detriment of the character and integrity of the listed building by virtue of an intensification of a residential use and further undesirable alterations to the property.