

**KEY INFORMATION**

**Ward** Broughty Ferry

**Proposal**

Outline consent for erection of single storey bungalow with integrated garage

**Address**

91 Queen Street  
Broughty Ferry  
Dundee  
DD5 1AF

**Applicant**

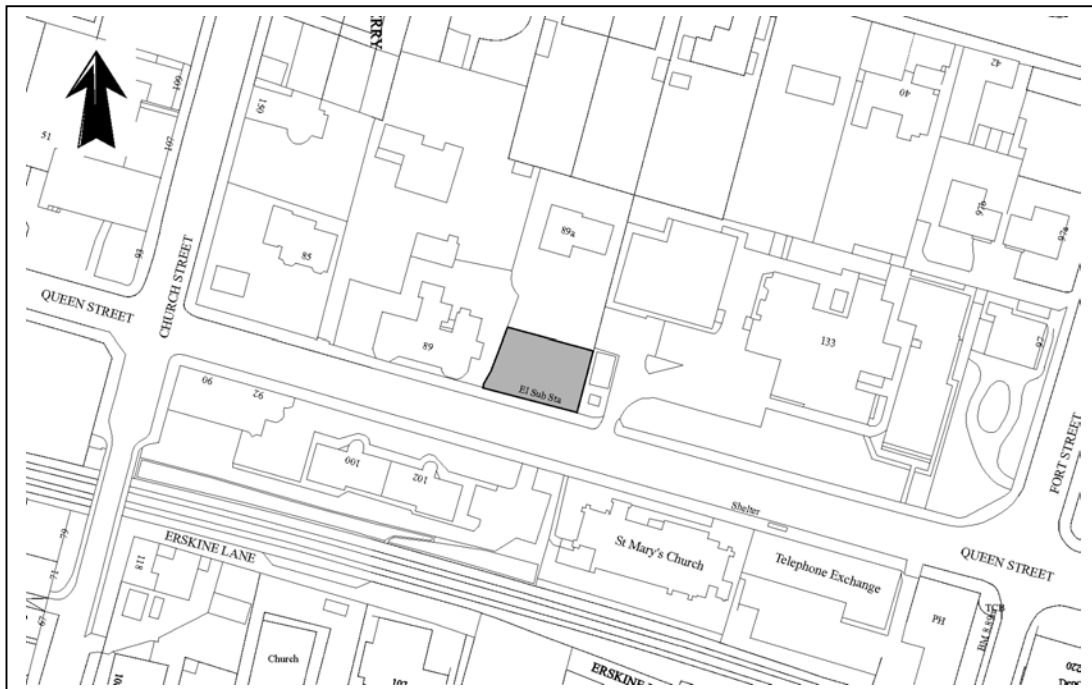
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DD5 1AF

**Agent**

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**Registered** 23 May 2003

**Case Officer** C Walker



An outline consent for the erection of a single storey bungalow with integrated garage is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development would, by reason of its layout and inappropriate choice of finishing materials and lack of details submitted, detract from the setting of the Grove Conservation Area and the adjacent listed building at Brae Cottage and contravene the adopted and Finalised Local Plans. The proposal is therefore recommended for **REFUSAL**.

**SUMMARY OF REPORT**

- Outline planning permission is sought to erect a house on the site. No details of the proposed house have been submitted other than an indication on the application form that it is to be a bungalow with attached garage, with finishing materials of brick, roughcast and tiles.
- The site comprises some 330 sq metres of garden ground to the south of the applicants house at 89a Queen Street and to the east of the nursing home at Brae Cottage which is also owned by the applicant.
- The site lies within the Grove Conservation Area and Brae Cottage is a Category C listed building.
- Broughty Ferry Community Council has objected to the proposal to build a bungalow next to a listed building and in a conservation area. They have stated that there is insufficient information to assess whether the proposal complies with policies on design and garden ground and that the finishing materials proposed are unlikely to be suitable.
- The proposed development would, by reason of its layout and inappropriate choice of finishing materials and lack of details submitted, detract from the setting of the Grove Conservation Area and the adjacent listed building at Brae Cottage and contravene the adopted and Finalised Local Plans and Government Guidance on the assessment of development affecting listed buildings and conservation areas.

## DESCRIPTION OF PROPOSAL

Outline planning permission is sought to erect a house on the site. No details of the proposed house have been submitted other than an indication on the application form that it is to be a bungalow with attached garage, with finishing materials of brick, roughcast and tiles.

## SITE DESCRIPTION

The site comprises some 330 sq. metres of garden ground to the south of the applicants house at 89a Queen Street and to the east of the nursing home at Brae Cottage which is also owned by the applicant. This garden area is attractively landscaped and bounded to the east and south by high stone walls. To the west is the mutual driveway to the nursing home and the applicant's house. To the north is the applicants 2 storey house which overlooks the site.

The site lies within the Grove Conservation Area and Brae Cottage is a Category C listed building. The former limb fitting centre site to the east is currently being redeveloped for housing. To the south is a modern 2 storey flatted development of traditional appearance and to the south east is the Category B listed St Mary's Church.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 1998

Policy H1 seeks to ensure that new development protects the residential amenities enjoyed by adjoining occupiers and Policy H4 sets out requirements for infill development.

Policy H10 sets out the guidelines for the design and layout of new housing.

Policy BE1 encourages high standards of design and Policy BE3 advocates appropriate and imaginative finishing materials.

Policy BE4 relating to development in Garden Ground sets out the criteria for the consideration of proposals within grounds of existing houses and seeks

to resist overdevelopment of these areas within the City.

Policy BE11 on development in conservation areas advises that within conservation areas all development proposals will be expected to complement and enhance the character of the surrounding area.

### Dundee Urban Nature Conservation Subject Local Plan 1995

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

### Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 1 Vibrant and Sustainable Communities protects the environmental quality enjoyed by local residents.



Policy 4 Design of New Housing is of relevance and sets out the guidelines for the design and layout of new housing.

Policy 15 Development in Garden Ground: this policy sets out the criteria for the consideration of developments in garden ground and highlights that the scope for acceptable new development in garden ground is limited.

Policy 55 Urban Design: this policy promotes good design standards.

Policy 61 Development in Conservation Areas: all development proposals will be expected to preserve or enhance the character of the surrounding areas.

## Scottish Planning Policies, Planning Advice Notes and Circulars

The Governments Policy on Architecture 2001 and Designing Places 2001 re emphasise the importance of design in the planning process. PAN67 Housing Quality is also of relevance.

## Non Statutory Statements of Council Policy

The Council's Urban Design Guide is of relevance.

## LOCAL AGENDA 21

The Council's Local Agenda 21 policies seek to value and protect diversity and local distinctiveness. It is considered that given the location and design of the proposed house the aims of Key Theme 15 are not achieved.

## SITE HISTORY

There is an extensive history of planning applications relating to the conversion of Brae Cottage to a nursing home in 1989 and various subsequent alterations and extensions to that building. Some of those applications included the current application site within the curtilage of the nursing home. Planning permission was granted for the applicant's house in 1990.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was advertised as affecting the setting of the conservation area and the adjoining listed building at Brae Cottage. No public comment was received.

## CONSULTATIONS

Broughty Ferry Community Council has objected to the proposal to build a bungalow next to a listed building and in a conservation area. They have stated that there is insufficient information to assess whether the proposal complies with policies on design and garden ground and that the finishing materials proposed are unlikely to be suitable.

## 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.

The assessment of this proposal in the context of some of the provisions of these policies is difficult given the complete lack of details of the proposed house. Given the policy concerns with regard to the principle of the proposal no further details were requested.

In terms of Policies H1 and H4, the lack of details makes it difficult to assess the impact of the proposal on the amenities of neighbours. However, irrespective of the scale or design of the proposed house, there will be a significant impact on the applicant's house to the north and the nursing home to the west. In terms of Policy H4 it is considered that the appearance of the surrounding area will be adversely affected and the materials to be used will be alien to the surrounding area.

In terms of Policy H10, this site is just outwith the Central Broughty Ferry area and the standards for suburban development apply. If the proposed house is small it is unlikely to meet the size criteria in H10 and if it is large it may not satisfy the requirement for 120 sq. metres of private garden ground.

Policy BE1 encourages high standards of design and Policy BE3 advocates appropriate and imaginative finishing materials. The design of the proposed house is unclear but the materials to be used are inappropriate.

Policy BE4 of the Dundee Local Plan 1998 seeks to ensure that certain areas throughout the City whose unique character is provided by villas set in large garden grounds with mature

planting is maintained. Pressure from development has threatened to remove the character of these areas through over-development and the loss of trees. In order to protect the architectural appearance and landscaped features of such areas Policy BE4 sets out a range of criteria in which to consider applications.

In this case the proposal fails to meet the initial requirement that applications be sufficiently detailed to enable their assessment under this policy. BE4(A) requires the proposal to be of a high quality design and use materials appropriate to its surroundings. Although the design is unclear the stated finishing materials are unacceptable for this location. BE4(I) and BE4(J) require a full tree survey and landscaping details to be provided but in fact nothing has been submitted. There may be non compliance with other sections of this policy but without details of the proposed this cannot be stated with certainty.

Policy BE11 advises that within conservation areas all development proposals will be expected to complement and enhance the character of the surrounding area. The character of the Grove Conservation Area is typified by large villas set in extensive landscaped garden ground. Brae Cottage, being an older house built in 1800, has a different style to its neighbours and is built close to the road. The 2 new houses within the former grounds of Brae Cottage are of modern design and were erected prior to the designation of the conservation area. They do not add to the character or appearance of the area.

It is considered that the erection of a house on this site, irrespective of its design, would disrupt the established pattern of low density development in the area. What is known is that the choice of finishing materials suggests that no attempt is being made to integrate the proposed development with the character or appearance of the conservation area. In these circumstances it is considered that the proposed development would detract from the character and appearance of the conservation area and therefore contravene Policy BE11 of the Plan.

It is concluded from the foregoing that the proposal does not comply with Policies H4, BE3, BE4 and BE11 of the development plan.

## Other Material Considerations

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

- a The Finalised Dundee Local Plan 2003.
- b The statutory duties under Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Government Guidance on these matters contained in NPPG18 and the Memorandum of Guidance on Listed Buildings and Conservation Areas.
- c Government Guidance on architecture and design.
- d The Dundee Urban Design Guide 2001.
- e The views of Broughty Ferry Community Council.

The policies of the Finalised Dundee Local Plan 2003 are broadly similar to those in the adopted Local Plan. Policy 15 is the equivalent of Policy BE4 of the adopted Local Plan and the proposed development contravenes this policy for the same reasons. In addition Policy 15(d) states that prevailing densities in the area should be respected and this subsection is also contravened.

Policy 55 promotes good design standards and Policy 61 states that within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding areas. It is considered that the proposed development contravenes Policy 61 for the same reasons as it contravenes Policy BE11 of the adopted Local Plan.

Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 require the Council to pay special regard to the desirability of preserving the setting of listed buildings and preserving or enhancing the character or appearance of a conservation area. It is an issue of the assessment of the development in the context of the conservation area has already been considered under Policy BE11 of the adopted Local Plan. In terms of the setting of the listed building, it is considered that taking into account the proximity of the proposed development to the listed

building at Brae Cottage and the choice of finishing materials, that there would be a detrimental affect on the setting of the listed building contrary to Section 59 of the Act.

In addition to the above, Government guidance in NPPG18 and the Memorandum of Guidance states that it is not normally appropriate to accept outline planning applications without details for sites that affect the setting of listed buildings and conservation areas.

Government advice on design in the "Policy on Architecture" 2001 and "Designing Places" 2001 together with PAN67 "Housing Quality" re emphasise the importance of design in the planning process. In this case there are no details of the design of the proposed house but the proposed finishing materials are inappropriate for this location.

The Dundee Urban Design Guide 2001 also emphasises the importance of good design. It states that it is important to build on local character and it discourages "off the peg design". It is considered that the form of the proposed development and the proposed finishing materials fail to meet the aspirations of the Urban Design Guide.

Broughty Ferry Community Council has objected to the proposal to build a bungalow next to a listed building and in a conservation area. They have stated that there is insufficient information to assess whether the proposal complies with policies on design and garden ground and that the finishing materials proposed are unlikely to be suitable. The views of the Community Council are fully supported.

It is concluded from the foregoing that the material considerations all weigh against the granting of planning permission for this proposal. It is therefore recommended that planning permission be refused.

## **Design**

Although no details of the design of the proposed house have been submitted, the nature of the proposed development on this small plot in the Grove Conservation Area adjacent to the listed building at Brae Cottage and the choice of finishing materials suggest that the proposed development

would not successfully integrate itself within the conservation area.

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## **CONCLUSION**

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The lack of details submitted makes it difficult to assess the proposed development in the context of the Grove Conservation Area and the adjacent listed building at Brae Cottage contrary to the policies of the adopted and Finalised Local Plans and Government Guidance.

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## **RECOMMENDATION**

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

### **Reasons**

- 1 The proposed development, by reason of the lack of details submitted contravenes Policy BE11 of the adopted Dundee Local Plan 1998 and Government Guidance on the Historic Environment as contained in NPPG18 and the Memorandum of Guidance on Listed Buildings and Conservation Areas.
- 2 The proposed development, by reason of the departure from the prevailing pattern of development and the inappropriate choice of finishing materials would have an adverse impact on the Grove Conservation Area and the setting of the listed building at Brae Cottage and contravenes Policies BE3, BE4(A) and BE11 of the adopted Dundee Local Plan 1998 and Polices 15 and 61 of the Finalised Dundee Local Plan Review.