

KEY INFORMATION**Ward** Broughty Ferry**Proposal**

Demolition of existing house and garage and erection of new house and garage

Address6B Reres Road
Broughty Ferry
Dundee
DD5 2AQ**Applicant**G L Residential
161 Princess Street
Dundee
DD5 2QA**Agent**KDM Architects
15 Camperdown Street
Broughty Ferry
Dundee
DD5 3AA**Registered** 31 Mar 2004**Case Officer** Julie Finlay

Retrospective Consent sought for New House in Reres Road

The demolition of and existing house and the erection of a new house is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with the relevant policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. There are no material considerations that would justify refusal in these circumstances. Therefore, the application is recommended for **APPROVAL subject to conditions**.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a new house and garage at 6B Reres Road, Broughty Ferry, Dundee.
- The application raises issues for consideration in terms of Policies H10 and BE11 of the Dundee Local Plan 1998 and Policies 4 and 61 of the Finalised Dundee Local Plan Review.
- Three letters of objection were received from adjacent neighbours stating concerns about the adverse effect on trees within a conservation area, adverse effect on residential amenity due to overlooking, overshadowing and loss of light and contrary to Local Plan, Structure Plan and National Planning Policies.
- Planning permission was previously granted on 13th February 2004 for extensive alterations including a new roof and an extension to the original house at 6B Reres Road. Difficulties were encountered when construction work commenced on site, which entailed demolishing the outer walls of the house for safety purposes. This application is exactly the same as the previous one apart from total demolition being included this time.
- It is considered that the proposed house complies with the development plan policies and therefore the application is recommended for approval subject to conditions.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a new 1.5 storey house and garage at 6B Reres Road, Broughty Ferry, Dundee. The proposed finishing materials are white roughcast walls with stone features, tiled roof and white painted timber doors and windows. It is also proposed to widen the access onto Reres Road which involves removal of a small section of stone boundary wall.

SITE DESCRIPTION

The application site is located on the south side of Reres Road and the house, which has already been built, is set within a relatively large site, which slopes southwards from Reres Road. The previous house was relatively modern, 1.5 storeys high with white harled walls, brick render, some timber panelling and a tiled roof. There is a fairly large garden at the back with mature trees along the boundaries. A high stone wall runs along the north boundary and there are remains of some outhouses attached to the wall (in the north east corner). There is a dormer on the south elevation with timber panelled front. A flat roof, detached garage was located on the west elevation but this has since been removed and a new garage built.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

H10: Design of New Housing.

BE4: Development in Garden Ground.

BE11: Development in Conservation Areas.

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 4: Design of New Housing.

Policy 15: Development in Garden Ground.

Policy 61: Development in Conservation Areas

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.



Non Statutory Statements of Council Policy

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

LOCAL AGENDA 21

Local Agenda Key Theme 15 is relevant to the consideration of the application and seeks to ensure that diversity and local distinctiveness are valued and protected. It is considered that the redevelopment of a house at this location satisfies these aims.

SITE HISTORY

Planning permission was previously granted on 13th February 2004 for extensive alterations and an extension to the original house at 6B Reres Road. The proposed plans show the same house as this application. There is an associated conservation consent application for demolition of the original house and this has been referred to Historic Scotland.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and three letters of

objection were received stating concerns about:

- 1 Adverse effect on trees within a Conservation Area;
- 2 Adverse effect on residential amenity due to overlooking, overshadowing and loss of light;
- 3 Contrary to Local Plan, Structure Plan and National Planning Policies.

The application was advertised on 6 April 2004 as development affecting the setting of a Conservation Area.

CONSULTATIONS

No adverse comments were received 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 application is similar to an application which was previously granted for extensive alterations and an extension to a house at 6B Reres Road. This application only differs as it includes demolition and complete rebuild. The resulting house design will be the same as that which was previously granted consent. A copy of a letter from structural engineers was submitted indicating the poor quality and stability of the walls of the house and recommending removal of the walls.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

Policy H10 sets out guidelines for new housing development. The site falls within the suburban area as defined under this policy. A private useable garden ground is required for houses in this area. There is an extensive garden area to the south side of the house and

this complies with the requirement for 120sqm garden ground provision. In addition, the house has 4 bedrooms and complies with all other requirements of Policy H10.

Policy BE4 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. The proposal includes demolition of an existing house and the footprint of the new house will be the same with an extension on the south elevation. It is considered that this complies with Policy BE4 as an existing situation is not altered to any great degree. Retention of trees and landscaping form an integral part of this Policy. A condition will be attached to ensure that any proposed tree works are closely monitored.

Policy BE11 states that development in Conservation Areas should complement and enhance the character of the surrounding area. As previously indicated the proposal replaces a house which was on the same footprint and this proposal includes an extension on the south elevation. The proposal also includes widening the entrance by removing a small section of stone boundary wall. The works will be carried out in a sensitive manner and blend in with the existing stone wall and this is considered appropriate in a conservation area. It is considered that this will not adversely affect the character and appearance of the conservation area.

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:

Finalised Dundee Local Plan Review

Policy 4 is similar to Policy H10 of the Adopted Plan and sets minimum garden sizes, which is complied with in this instance together with all other requirements as discussed above.

Policy 15 of the Finalised Dundee Local Plan Review is concerned with garden ground development and is similar to Policy BE4 of the Adopted Plan. For the same reasons the proposal is considered to be in accordance with this Policy.

Policy 61 sets out the requirements for development within Conservation Areas. As there was previously a house on the site it is considered there will be no impact on the character and appearance of the conservation area and the development is considered acceptable.

Objections

The main points of objection are as follows:

- 1 Adverse effect on trees within conservation areas;
- 2 Adverse effect on residential amenity due to overlooking, overshadowing and loss of light;
- 3 Contrary to Local Plan, Structure Plan and National Planning Policies.

The application indicates that no trees will be removed from the site, however there are concerns about tree works which have been carried out including lopping, cutting back and failure to protect existing trees along the boundary during construction work. A condition will be attached to deal with this issue.

The proposed house is on the same footprint as the previous house apart from an extension on the south elevation. It is considered that this extension is far enough away from neighbouring properties to the east to prevent overlooking. Due to the orientation it is not considered that there will be a significant degree of overshadowing or loss of light to merit refusal of the application. In addition, planning permission has already been granted for an extension and alterations to the house and no objections were submitted by neighbours.

As previously discussed the proposal complies with the policies in the Adopted Plan and Finalised Dundee Local Plan Review. It is not considered that there are any Structure Plan or National Planning Policies of relevance to the determination of the application.

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 previous house was of a relatively modern design with a harled finish, some brick render and a tiled roof. The proposed house design uses similar materials and was previously granted permission. It is considered an acceptable design and use of materials for this location.

CONCLUSION

It is considered that the proposal complies with the Adopted and Finalised Local Plan Review Policies and there are no material considerations that would justify refusal of the application in these circumstances. Therefore the application is recommended for APPROVAL subject to conditions.

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 Details of finishes to the boundary wall, where altered, 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.
- 3 None of the existing trees within the site shall be felled, topped, lopped or otherwise interfered with without the prior written consent of this Authority.
- 4 The ground surrounding the existing trees should be appropriately decompacted and reinstated in accordance with a plan which has been approved in writing by the Council prior to the completion and occupation of the house.

Reasons

- 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 protect those trees and hedging which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
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