

KEY INFORMATION

Ward Longhaugh

Proposal

Erection of care home and children's day nursery with associated car parking and gardens

Address

Land to the Northwest of
Pitkerro Road
Dundee
DD4 8HD

Applicant

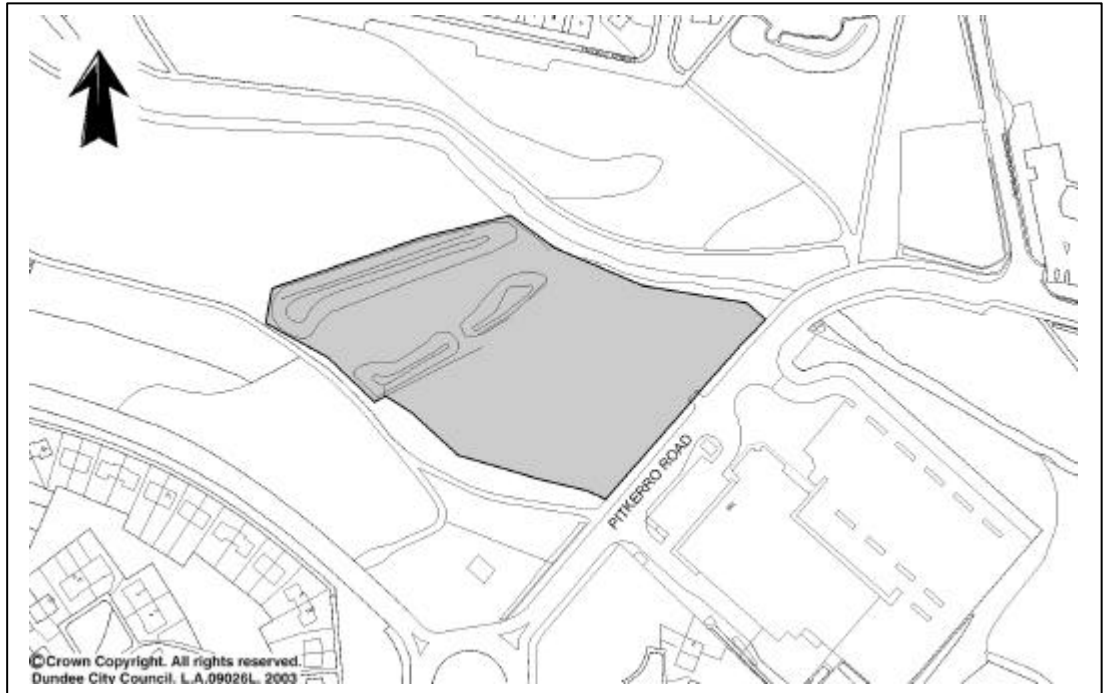
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Case Officer J Finlay



Proposed Care Home and Nursery in Pitkerro Road

The Erection of a care home & children's day nursery is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development of a care home and children's nursery on land at Pitkerro Road is considered to be acceptable in terms of the policies and proposals of the development plan.

There are no material considerations that would justify refusal of the application.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a care home and children's day nursery with associated parking and gardens on land to the north west of Pitkerro Road.
- The site is located adjacent to the Dighty and so the environmental policies of the Dundee Local Plan 1998 and Urban Nature Conservation Subject Local Plan 1995 are of relevance. The proposed development also raises issues for consideration under the Housing; Social, Community and Education Facilities; Open Space and Movement Policies and Proposals of the Dundee Local Plan 1998.
- No objections were received to the proposed development.
- It is considered that the proposal complies with the Housing; Natural Environment; Social, Community and Education Facilities, Open Space and Movement Policies and Proposals of the Dundee Local Plan 1998, the policies of the Urban Nature Conservation Subject Local Plan 1995 and the Finalised Dundee Local Plan Review.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the development of a 60 bed care home and children's day nursery for 50 children with associated parking and gardens on a former mill dam site on the north west side of Pitkerro Road. The finishing materials for the buildings are orange/blue multi facing brick, white render, blue rendered panels, slate grey roof tiles on projecting bays, old English orange tiled roofs and wide coloured window margins (on the nursery only).

An existing access from Pitkerro Road is used for the site and the road extends in a north west direction and ends in a roundabout in front of the proposed care home. 18 parking spaces are provided for the care home and 7 spaces and 3 dropping off spaces for the nursery.

The site area is 1.31 hectares. The ground floor area of the care home is 1606sqm and first floor is 1432sqm and the nursery floorspace is 641sqm. Outdoor play space is provided to the north and south elevations of the nursery. There will be 15 members of staff at the nursery and 60 staff members over 3 shifts at the care home. Landscaping will form an integral part of the development but details have not been provided.

SITE DESCRIPTION

The application site is located on the north west side of Pitkerro Road and to the north of the junction with Happyhillock Road. The site extends to approximately 1.31 hectares. Part of the site was previously occupied by the Pitkerro Training Centre. The buildings have been cleared from the site. The remainder of the site is open space and was formerly used as a Mill Dam. To the north, west and south of the site are areas of open space. To the east of the site is the Longhaugh Neighbourhood Centre. There is a high wall along the side of the Dighty to the north end of the site. There is an existing access at the south end of the boundary wall along Pitkerro Road.

POLICY BACKGROUND

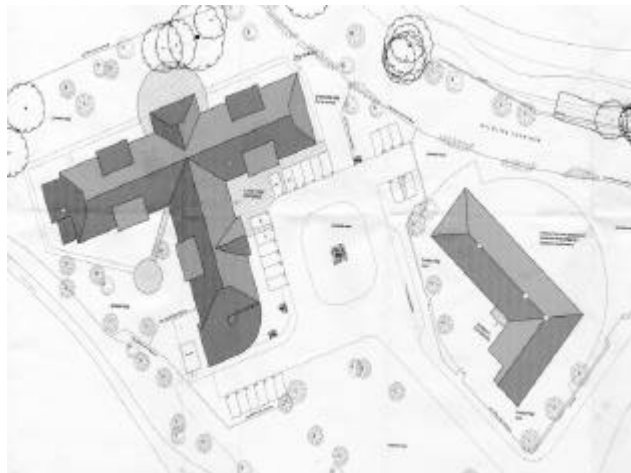
Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

H1: Existing Residential Area - This policy seeks to ensure that developments do not have an adverse impact on the environmental quality



enjoyed by local residents.

H12: Residential Homes and Nursing Homes - these should be in detached buildings and have adequate parking and garden ground.

OS1: Existing Open Space - This policy sets out a presumption in favour of retaining major areas of open space identified on the proposals map.

SCE4: Day Nurseries and Private Nursery Schools - criteria have been set for the provision of nurseries including an adequate provision of outdoor play space and parking.

ENV4: Site Protection - Part of the application site lies within a Category A Wildlife Site, which relates to the Dighty Water. This policy seeks to protect these areas from developments likely to have an adverse effect on them.

ENV5: Wildlife Corridors - The proposals fall within a Wildlife Corridor and suitable provision must be made for nature conservation, taking account of the scale and type of

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development and characteristics of the wildlife corridor.

MP9: Longhaugh Road - this seeks to realign and regrade Longhaugh Road between Pitkerro and Findowrie Street.

Dundee Urban Nature Conservation Subject Local Plan 1995

The following policies are of relevance:

SP1: Site Protection Policy - this seeks to protect sites from adverse effects of development and is similar to Policy ENV4.

WC01: Wildlife Corridor Policy - this seeks to make suitable provision for nature conservation and is similar to Policy ENV5. The wildlife corridor extends 15m back from the Dighty Burn. It will be fenced off and remain undisturbed for the duration of the works and thereafter.

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 10: Non mainstream residential uses will be supported where a good quality residential environment will be provided, the site is accessible, sufficient car parking and amenity space are provided and the design reflects the scale, massing and materials of adjacent buildings. The proposal complies with this Policy as follows:

- a) The proposals will provide a good quality residential environment for residents and does not impact adversely on the amenity of neighbours as they are located at a considerable distance to the north.
- b) The site is well located to give access to a range of local services and facilities and is accessible by public transport.
- c) The proposals will not lead to an excessive concentration of non-mainstream residential uses to the detriment of the character of the area.
- d) Sufficient car parking is provided relative to the needs of the occupants, visitors and staff.

e) Generous amenity space has been provided in various private locations around the building.

f) There are no adjacent buildings apart from the proposed children's nursery. The proposed design reflects the scale, massing and materials of a general context.

Therefore the proposal complies with this Policy.

Policy 19: Private Day Nurseries - In general proposals that provide more than 50 full time places will not be supported, nor will sites on major or heavily trafficked roads be considered suitable. The proposal complies with the criteria specified in this Policy.

Policy 70: Semi-Natural Greenspaces of Local Nature Conservation Importance - There will be a presumption against development within wildlife corridors. This Policy is similar to Policies ENV4 and 5 of the adopted Local Plan. The proposal complies with Policy for the same reasons.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

NPPG 7: Planning and Flooding

Non Statutory Statements of Council Policy

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

LOCAL AGENDA 21

Key Theme 7 is of relevance and seeks to ensure that access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all. Key Theme 13 is also of relevance and seeks to ensure that places, spaces and objects combine meaning and beauty with utility. It is considered that the proposal complies with these aims.

SITE HISTORY

The applicants carried out statutory neighbour notification and no objections were received. The application was advertised as potentially contravening Policies OS1, ENV5, SCE4 and H12 of the Dundee

Local Plan 1998 and Policy WC01 of the Dundee Nature Conservation Subject Local Plan 1995 on 20th September 2004.

PUBLIC PARTICIPATION

The Councils' Forestry Officer requires a full detailed landscaping scheme to be submitted for determination prior to any development commencing on site. The preference would be for submission of these details before planning permission is granted. However the applicant has indicated that a landscape architect will not be employed until planning permission has been granted. Therefore the details will be submitted at a later stage.

Due to the previous use of the site as a mill dam, a full site investigation is required to ensure there is no potential contamination for the various user groups on the site. The Head of Environmental Health and Trading Standards requires these details prior to development commencing on site.

The City Engineer, Scottish Water and SEPA have been involved in discussions regarding flooding impact and drainage of the site and they are all satisfied with the proposals

CONSULTATIONS

The Councils' Forestry Officer requires a full detailed landscaping scheme to be submitted for determination prior to any development commencing on site. The preference would be for submission of these details before planning permission is granted. However the applicant has indicated that a landscape architect will not be employed until planning permission has been granted. Therefore the details will be submitted at a later stage.

Due to the previous use of the site as a mill dam, a full site investigation is required to ensure there is no potential contamination for the various user groups on the site. The Head of Environmental Health and Trading Standards requires these details prior to development commencing on site.

The City Engineer, Scottish Water and SEPA have been involved in discussions regarding flooding impact and drainage of the site and they are all satisfied with the proposals.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- whether the proposals are consistent with the provisions of the development plan; and if not
- whether an exception to the provisions of the development plan is justified by other material considerations.

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

Policy H1 seeks to protect the residential amenity of neighbouring residents. The development is far enough away from residents so they will not be affected.

Policy H12 provides criteria to be met within the development of residential homes and nursing homes. A detached care home is being provided, with wheelchair access throughout the building and landscape areas via paving and seating areas. 18 parking spaces are provided and approximately 38sqm per bedspace of garden area, which is in a sunny position and separate from car parking areas. This all complies with the Policy. A laundry is provided, but no outdoor drying facilities. There are no windows facing each other and so privacy is respected. There are no other care homes within 500m of the site. The site is in an accessible location, close to bus routes and set in attractive parkland surroundings, which all comply with the terms of the policy.

Policy SCE4 provides criteria for children's nurseries and the proposal complies with this policy for the following reasons:

- The site and adjacent parkland is within a generally residential area.
- A safe outdoor play area has been provided with 1350sqm in total, which amounts to 27sqm per child. The play area will be adequately fenced and not heavily overshadowed by the single storey nursery building with a low pitched roof.
- Off street car parking has been provided with 7 spaces for 15 staff

members and 3 drop off spaces at the front of the building.

d) The nursery will be located some distance from heavily trafficked roads and the proposed approach roads are 5.5m wide.

e) Sound insulation is not considered necessary at this location as houses are some considerable distance to the north.

f) The nursery will be entirely on the ground floor level and includes ramped access for wheelchairs and pushchairs.

Therefore, it is concluded that the proposal complies with this Policy.

Policy OS1 allocates part of the site as open space. There will be a 15m strip remaining along the banks of the Dighty and this will be fenced off and remain undisturbed for the duration of the works and thereafter. The applicant provided calculations indicating that the care home footprint occupies only 12% of the site and the nursery footprint occupies only 5% of the whole site. The remaining areas will be landscaped in an appropriate manner for this setting.

Proposal MP9 sets out the intention to realign and regrade the road between Pitkerro and Findowrie Street. While this proposal is included in the Local Plan it is now no longer intended to pursue this particular road scheme.

Policy ENV4 seeks to protect sites of importance for nature conservation. Part of the site is allocated as a category A site and there is a presumption against adverse development of these sites of city-wide importance. The proposed development is set back 20m from the Dighty and 16m from the north west boundary. Landscaping will form an integral part of the development. However the detail has to be worked up by a landscape architect. A condition will be attached to ensure that an appropriate landscaping scheme is submitted before development commences on site.

Policy ENV5 states that where any proposal falls within a Wildlife Corridor, suitable provision must be made for nature conservation, taking account of the scale and type of development and characteristics of the wildlife corridor. The development is located 20m from the Dighty and it is proposed to erect a fence within 16m. A condition will be attached to ensure

that details of the fence are submitted prior to development commencing on site.

Dundee Urban Nature Conservation Subject Local Plan 1995

Policy SP1 seeks to protect sites from adverse effects of development and is similar to Policy ENV4 and complies with this policy for similar reasons.

As the proposal is within a wildlife corridor Policy WC01 is applicable. Wildlife corridors are noted for their nature conservation value and are an important link between sites. Any reduction in the length and width of a green corridor potentially reduces its viability as a wildlife link and its nature conservation value. The Policy seeks to make suitable provision for nature conservation and is similar to Policy ENV5 and complies with this policy for similar reasons.

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 10 states that non mainstream residential uses will be supported where a good quality residential environment will be provided, the site is accessible, sufficient car parking and amenity space are provided and the design reflects the scale, massing and materials of adjacent buildings. It is considered that the proposal complies with this criteria.

Policy 19 and the associated Appendix 4 sets out criteria to be met in the development of private day nurseries including 9sqm of outdoor play space per child to be provided and one car parking space per three staff members. The proposal complies with this Policy.

Policy 70 allocates the site as a semi-natural greenspace of local nature conservation importance and states that there will be a presumption against development within wildlife corridors. Wildlife corridors have been identified to promote habitat continuity and support biodiversity conservation. As previously discussed, conditions requiring the submission of a landscaping scheme and boundary treatments will be attached to ensure

these are appropriate for this environmentally sensitive setting.

It is concluded from the foregoing that sufficient weight can be accorded to the material considerations such as to justify the approval of planning permission in accordance with the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The design of the buildings has been discussed with the applicant to great length in order to achieve the best possible development for this site within a natural environment setting. Glazing has been used liberally to achieve a high quality living environment for the user groups of the two buildings. The buildings have direct relationships with the landscape.

Each nursery room has been provided with direct access via double glazed doors to the safe outdoor play area and small windows with wide coloured margins have been added at varying heights relative to the age group/height of the children.

The care home provides strong visual relationships with the landscape by virtue of its siting and the use of large windows to each room. Direct physical relationships are restricted due to the type of resident and care provided. The main ground floor lounges are provided with glazed double doors to an area of garden that will be secure. The projecting bays are finished in a different brick to the main walls and have a lower pitched roof to create the appearance of "buildings within buildings" and promoting individuality for residents. The roof hip and louvre detail have been designed to create a pavilion appearance, which overlooks a parkland setting.

CONCLUSION

It is considered that the proposal complies with the relevant policies in the Dundee Local Plan 1998 and the Urban Nature Conservation Plan 1992. 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 the proposed finishing materials for the nursery and care home and boundary treatments 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 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 and proposed new landscaping within the development site.
- 4 No construction shall commence on site until an investigation of potential contamination, under the terms of Planning Advice Note 33 - Development of Contaminated Land, has been carried out and the results have been submitted to and verified by the City Council
- 5 Any measures required to remediate the site as detailed in the report, required by condition 4, shall be fully implemented as detailed by that report and validated in writing for the approval of the City Council prior to the occupation of any of the buildings
- 6 Details of the proposed boundary treatment around the outdoor play space for the children's nursery 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

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 ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 4 In the interests of the amenities of future occupants of the residential accommodation
- 5 In the interests of the amenities of future occupants of the residential accommodation
- 6 To ensure the safety of the children using the nursery is provided for within the proposed development