

KEY INFORMATION

Ward Fairmuir

Proposal

Demolition of garages & erection of semi-detached houses

Address

Land to North of 10 Cardross Street
Dundee

Applicant

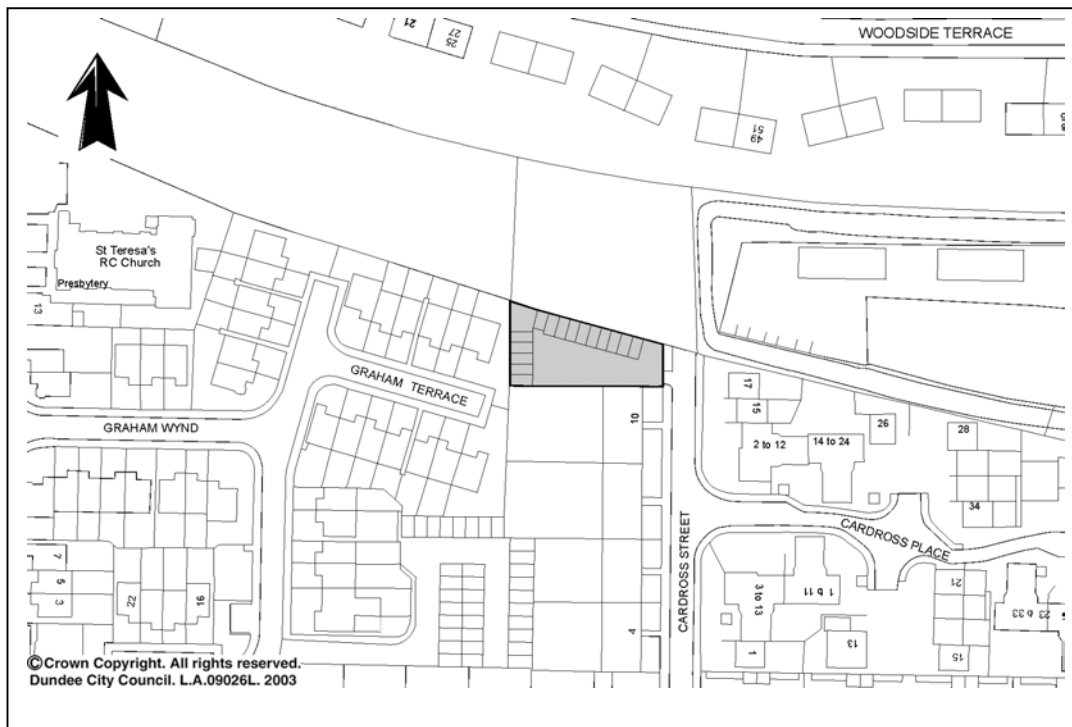
Kirsty Mulligan
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Agent

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DUNDEE
DD3 6QQ

Registered 8 Sept 2004

Case Officer J Finlay



The erection of 2 semi-detached houses is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with Policies H1 and H10 of the Dundee Local Plan 1998 and Policies, 1, 4 and 55 of the Finalised Dundee Local Plan Review. There are no material considerations that would justify approval of the application in these circumstances. Therefore the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of two semi-detached houses on land to the north of 10 Cardross Street, Dundee.
- The application was advertised as contrary to Policy H10 of the Dundee Local Plan 1998 due to the lack of garden ground, parking and over development of the site. However the applicant submitted amended plans which ensure compliance with policy.
- Two letters of objection were submitted that raise issues regarding loss of parking and turning area, loss of privacy and overlooking.
- The application complies with Policy H10 of the Dundee Local Plan 1998 and Policy 4 of the Finalised Dundee Local Plan Review. It is considered that the objections do not carry sufficient weight to merit refusal of the application. Therefore the application is recommended for **APPROVAL** subject to conditions.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of two houses on land to the north of 10 Cardross Street. The proposed houses are two storey and semi-detached with three bedrooms in each. The proposed finishing materials are rendered blockwork with facing brick features and tiled roof. Three car parking spaces are provided in total for the two houses. The rear private garden areas are each over 50 sq m.

SITE DESCRIPTION

The application site is located on the west side and at the end of Cardross Street. A 1.8m high block wall and gate are located along the front boundary of the site. There are currently approximately 15 lock-up garages on the site. There are tenement flats to the south and the gable wall is located on the south boundary. Two 2 storey semi-detached houses and flats are located on the opposite side of Cardross Street.

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 Areas seeks to ensure that the development does not adversely affect the environmental quality enjoyed by local residents.

H10: Design of New Housing provides guidelines for design and layout of any new housing.

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 seeks to minimise any

effect on the environmental quality enjoyed by local residents.

Policy 4: Design of New Housing provides guidelines for the design and layout of new housing.

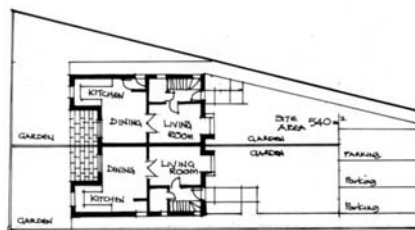
Policy 55: Urban Design seeks to ensure high quality design in new developments.

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

Key theme 13 is relevant which states that places, spaces and objects should combine meaning and beauty with utility.

SITE HISTORY

There is no site history of direct relevance to the application site.

PUBLIC PARTICIPATION

Two letters of objection were received from neighbouring residents to the south stating concerns about loss of parking, turning area, privacy and overlooking

CONSULTATIONS

No objections were received from statutory consultees.

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 Development Plan

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

Policy H1 states that development will be permitted where it does not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell. There are sufficient parking spaces provided within the curtilage of each dwelling. The design of the dwellings, which are located at the end of a cul-de-sac with similar style dwellings, is considered acceptable. The houses are located to the north of the tenement flats and so any overshadowing or loss of light will be minimal. There will be obscure glass on the upper level windows on the south elevation and so there will be no overlooking into the rear garden to the south.

Policy H10 requires at least 50sqm of private garden ground for each house. Each house provides in excess of 50sqm private garden ground.

With regards to parking, Policy H10 specifies that 100% parking within curtilage is provided and 40% should have a garage or space for one. Visitor space of 30% will be needed where on street parking is a problem. There are three car parking spaces provided for the two houses. Therefore the proposal complies with the parking requirement of Policy H10.

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 1 seeks to minimise the effect on the environmental quality enjoyed by local residents. It is considered that

the proposal complies with this policy for the reasons discussed under Policy H1 of the Dundee Local Plan 1998 above.

Policy 4 specifies that a minimum private useable garden ground of 50sqm should be provided and 30% should have more than 75sqm. As discussed above under Policy H10 of the Dundee Local Plan 1998, each house provides more than 50sqm of private, garden ground and therefore the proposal complies with this policy.

Policy 55 seeks to ensure that the development is of high quality design. The proposals are of standard domestic construction details and of an architectural style composed of hipped roof, timber clad bay windows and porch projections. The proposed houses are considered an acceptable design at this inner city location and there are similar style dwellings in the locality.

Objections

Two letters of objection were received from adjoining residents in the tenement building to the south. Their main grounds of objection relate to overlooking, parking and turning problems and loss of privacy.

The proposed houses are set back 14m from the front building line of the tenement building to the south. There are windows on the south elevation of one of the houses which will have obscure glass and therefore will not overlook the private rear garden ground to the south. The potential parking problems have been discussed under Policy H10 above and it is considered that they comply with the Policy.

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.

Design

The design of the houses has been discussed under Policy 55 of the Finalised Dundee Local Plan Review. The design is considered appropriate in this inner city context.

CONCLUSION

It is considered that the proposed development of two 2 storey houses on land to the north of 10 Cardross Street complies with Policies H1 and H10 of the Dundee Local Plan 1998 and Policies 1, 4 and 55 of the Finalised Dundee Local Plan Review and there are no material considerations that outweigh the development plan in these circumstances. Accordingly 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 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 the windows to be formed on the upper level of the south wall of the proposed southmost dwelling shall only be glazed or re-glazed with obscure glass

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 In the interests of the amenities of the occupiers of nearby properties.