

KEY INFORMATION

Ward Hilltown

Proposal
Erection of 5 townhouses
with integral garages

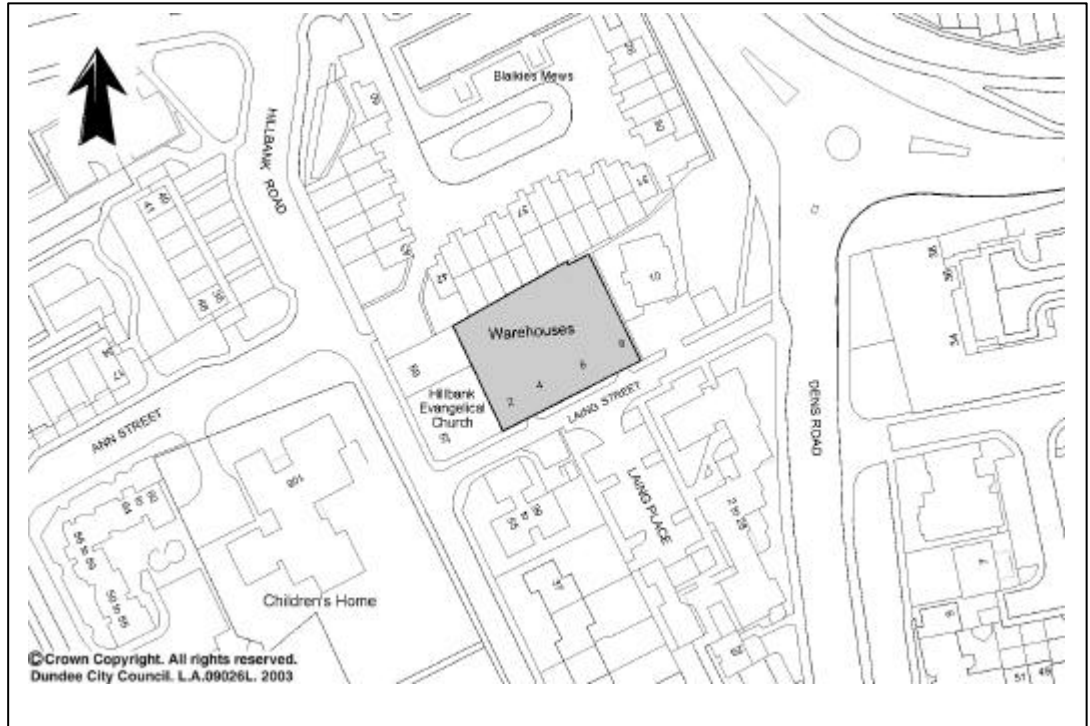
Address
2-8 Laing Street
Dundee
DD3 7BW

Applicant
T & S Rashid
224 Broughty Ferry Road
Dundee

Agent
George Johnston
Riverview Buildings
138 Nethergate
Dundee DD1 4ED

Registered 18 Nov 2004

Case Officer G S Reid



Proposed Townhouse Development in Laing Street

The Erection of 5 townhouses with integral garages is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be in accordance with the policies of the development plan.

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

SUMMARY OF REPORT

- Planning permission is sought for the erection of 5 townhouses with integral garages at 2-8 Laing Street, Dundee.
- The proposed development raises issues for consideration in terms of the Housing Policies of the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review.
- Two letters of objection were received from residents to the north of the site raising concerns regarding overshadowing, overlooking, loss of privacy, traffic, access and parking problems, overdevelopment, noise pollution problems and that it was contrary to the local planning strategy
- It is considered that the proposed development is in accordance with the Housing Policies of the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. There are no material considerations that would justify a departure from the provisions of the development plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of 5 townhouses with integral garages at 2-8 Laing Street, Dundee.

The houses are to face onto Laing Street with garden ground to the north. Access to the houses is to be taken from Laing Street.

The existing boundary wall to the north of the site is to be retained.

SITE DESCRIPTION

The application site is located to the north of Laing Street and to east of the junction with Cotton Road. The application site was formerly occupied by commercial buildings. These were cleared from the site in 2004. To the north of the site are residential properties in Blaikies Mews, to the east is a flatted residential block, to the south are residential properties in Laing Place and to the west is Hillbank Evangelical 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

The following policies are of relevance:

Housing Policy H1 Existing Residential Areas.

Housing Policy H10 Design of 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.

Policy 4 Design of New Housing.

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 15 is relevant and seeks to ensure that diversity and local distinctiveness are valued and protected. The proposed residential development achieves the aims of this Key Theme.



SITE HISTORY

Planning Application 03/00166/OUT: Erection of 6 townhouses at 2-8 Laing Street, Dundee. Withdrawn on the 23 May 2003.

PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and two letters of objection were received from residents to the north. The main grounds of concern were that the proposed development would:

- 1 result in the overshadowing, overlooking and loss of privacy of the properties in north.
- 2 result in traffic, access and parking problems.
- 3 result in noise pollution problems.
- 4 be contrary to the local planning strategy

5 result in the overdevelopment of the area

Copies of the letters of objection are available in the Members' Lounges and the concerns raised will be addressed in the "Observations" section of this Report.

CONSULTATIONS

The Head of Environmental Health and Trading Standards advised that he had no objection to the proposed development subject to a condition being attached to permission, if granted, requiring a phased site investigation to identify and address any contamination that may be present in the site.

No other adverse comments were received from any of the other statutory consultees.

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 proposal is for the erection of 5 townhouses. Housing Policy H10 of the Dundee Local Plan sets out the guidelines for the design and layout of new housing. The application site is located within the Inner City Area and as such the criteria for these areas apply. The guidelines set out criteria in terms of house/type mix, amenity space/garden area, outdoor drying facilities, privacy, parking/garaging and layout/design. The proposed development as submitted accords with all of the required criteria set out in the Housing Policy H10 Guidelines. The proposal therefore accords with Housing Policy H10.

The application site is located within an area where there is no specific allocation and as such Housing Policy H1 applies. This policy seeks to ensure that developments do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell. The proposal is acceptable in terms of Housing Policy H10 and therefore raises no issues regarding design and layout. In addition, adequate off-street parking has been provided to accommodate the development. Therefore this leaves only the issues of noise or smell. Given the proposal is for residential then there would be no issues of noise or smell raised. It is considered that the proposal is in accordance with Housing Policy H1.

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:

Policy 1 Vibrant and Sustainable Communities is relevant to the consideration of the application and sets out similar criteria to Housing Policy H1 of the 1998 Local Plan. For the reasons outlined above it is considered that the proposal accords with Policy 1 of the Finalised Local Plan.

Policy 4 Design of New Housing through Appendix 1 sets out the criteria for the Design of new Housing. The criteria covers House Type, Car/Cycle Parking, Amenity/Garden Space and Privacy. Given the location of the site the criteria for the Inner City Area applies. The proposal as submitted meets all of the requirements for the design of new houses set out in Appendix 1. The application is therefore in accordance with Policy 4 of the Finalised Plan.

Two letters of objection were received from neighbours to the north of the site. The main concerns raised are addressed in the following:

- 1 "result in the overshadowing, overlooking and loss of privacy of the properties in north." The proposal meets the criteria for new housing as set out in the development plan housing policies. These include criteria for

privacy and window to window distances. It is considered that the proposal would not result in adverse levels of overlooking and loss of privacy. In terms of overshadowing it is considered that given the distance between properties and the proposal no significant level of overshadowing would occur.

- 2 "result in traffic, access and parking problems". The proposal is for only 5 townhouses with each having an integral garage and one off-street parking space. It is considered that the proposal would not lead to traffic, access and parking problems
- 3 "result in noise pollution problems." The proposal is for a residential uses and as such it is considered that there would be no problems of noise pollution.
- 4 "be contrary to the local planning strategy." As indicated above it is considered that the proposal is in accordance with the provisions of the development plan.
- 5 "result in the overdevelopment of the area." The proposal accords with the policy guidelines set out in the development plan and emerging development plan for new housing for the inner city area. As such it is considered that the proposal would not result in the overdevelopment of the area

It is concluded from the foregoing that there are no material considerations that would justify a departure from the provisions of the development plan.

Design

The townhouses are of a good quality design being sympathetic to the buildings in the surrounding area.

CONCLUSION

It is considered that the proposed development is in accordance with the Housing Policies of the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. There are no material considerations that would justify a departure from the provisions of the development plan.

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 That a scheme for the investigation of contamination within the site and for its remediation and validation of remediation shall be submitted to the Council for approval prior to the commencement of development and if approved the development shall be carried out only in full accordance with such approved details.
- 3 Samples of all finishing materials shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out using only the approved finishing materials.
- 4 Details of the height and finishes to the existing boundary walls to the north, west and east of the site shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed 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 site is fully investigated for any potential contamination and that any contamination that is found is adequately dealt with prior to development
- 3 To ensure that the visual appearance of the proposed development is to an acceptable quality.
- 4 To ensure that there is no adverse affect from the overlooking of adjoining residential properties and in the interests of the visual amenity of the area.