

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

Change of use from residential home to form 5 flats and erection of townhouse in garden to North.

Address

7 Claypotts road
Broughty Ferry
Dundee
DD5 1BX

Applicant

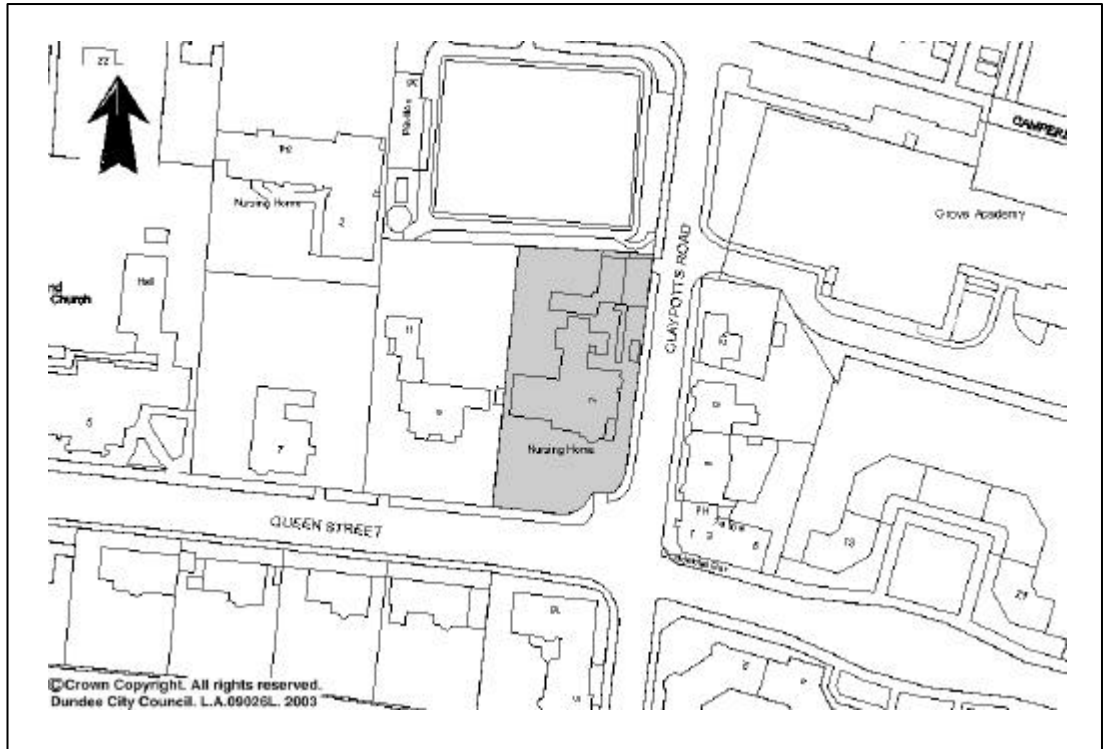
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Agent

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Registered 16 March
2005

Case Officer C Walker



Conversion of former Nursing Home to residential use in Claypotts Road

A Change of Use from a residential home to form 5 flats and erection of a town house is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS.** Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with the policies of the Adopted and Finalised Local Plans and will enhance the appearance of the Grove Conservation Area. It is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought to change the use of and extend the former Duneaves Nursing Home at the junction of Claypotts Road and West Queen Street to 5 large apartments and to build a new house in the garden ground to the rear in an area currently occupied by a house and garage.
- Housing, Built Environment and Conservation Area policies in both the adopted and Finalised Local Plans are of relevance as is the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Grove Conservation Area.
- Broughty Ferry Community Council wrote in support of the proposal.
- The proposed development complies with the policies of the Adopted and Finalised Local Plans and will enhance the appearance of the Grove Conservation Area.

DESCRIPTION OF PROPOSAL

Planning permission is sought to change the use of and extend the former Duneaves Nursing Home to 5 apartments and to build a new house in the garden ground to the rear in an area currently occupied by a house and garage.

The extension to Duneaves does not change its footprint but rather involves the replacement of an existing 2 storey mansard roof extension to the west of the building with a 3 storey extension where the top floor is accommodated within the roof space.

The proposed 5 apartments all have generous space standards (3 have 3 bedrooms and 2 have 2 bedrooms), with rooms which were formerly subdivided being reintegrated. Three of the apartments have their own private entrance. The main entrance dwelling uses the existing vehicular access at the junction of Claypotts Road and West Queen Street and has a private garden of some 175 sq metres. Vehicular access to all the other dwellings, including the new house, is taken from a new entrance on Claypotts Road leading to a parking area of 7 spaces. The other 2 ground floor apartments have private gardens of 50 and 75 sq metres and the remaining 2 apartments have communal garden ground of some 200 sq metres.

The proposed new house is a 3 bedroom villa with a private garden area of some 120 sq metres and a private parking space. An existing house and garage would be demolished to provide space for this new house.

SITE DESCRIPTION

The site comprises the former Duneaves Nursing Home and its grounds at the junction of Claypotts Road and West Queen Street. The main house is a substantial stone and slate villa with attractive interiors and although unlisted it occupies a focal point in the Grove Conservation Area. The original house has been enlarged to the rear in a 2 storey wet dash harled extension and to the west in a 2 storey mansard roof extension.

To the rear of the grounds are a one and a half storey brick and slate dwelling and an attached garage and annex building. The site is enclosed by stone walls with vehicular access at the

junction of Claypotts Road and West Queen Street and to the garage at Claypotts Road.

To the north of the site are the Broughty Bowling Club premises, to the west is the Category B listed villa at 9 West Queen Street, to the east are dwellings and a public house on the opposite side of Claypotts Road and to the south are dwellings and the Hotel Broughty Ferry on the opposite side of West Queen 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

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

Built Environment Policy BE4 Development in Garden Ground: this policy 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.

The site is also within the Grove Conservation Area and Policy BE11 requires all development proposals 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 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.

The site is also within the Grove Conservation Area and Policy 61 requires all development proposals to preserve or enhance the character of the surrounding area.

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

The proposed development is sustainable insofar as it is in a central location close to services and facilities.

SITE HISTORY

There is no planning history of relevance.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposed development was advertised as affecting the Grove Conservation Area and as potentially contravening Policy

H10 of the adopted Local Plan. No public comment was received.

CONSULTATIONS

Broughty Ferry Community Council wrote in support of the proposal noting that the appearance of the original house is unchanged, the design of the western extension is an improvement on the current position and that the site will be "decluttered" through demolitions. However they add that the detailing of the finishes and the windows, the treatment of the boundary walls and the provision of garden ground for the development need to be closely examined.

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.

Furthermore in terms of Section 64 of the Planning (Listed Buildings and Conservation Areas) Act 1997 special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Grove Conservation Area.

The Development Plan

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

Housing Policy H10 is of relevance and sets out the guidelines for the design and layout of new housing. The site is within a suburban area for the purposes of this policy although it is directly adjacent to the boundary with central Broughty Ferry where more urban standards prevail. The Policy H10 guidelines contain a presumption against flats at this location and for this reason the proposal was advertised as potentially contravening Policy H10.

However the proposed development involves the retention and conversion of a substantial villa which makes a significant contribution to the character and visual amenity of the Grove Conservation Area. Both the internal

and external treatment of the building serve to enhance its appearance. Policy H10 contains an exception for visually important sites where a very imaginative proposal of quality is put forward. It is considered that this site falls within the exception to Policy H10. It is a corner site with a visually important and dominant building where the proposed conversion is sensitively carried out.

The proposed development complies with the other provisions of Policy H10 relating to unit size, parking and garden ground.

Policy BE4 Development on 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.

In this case the proposed development actually reduces the amount of buildings on the site through demolitions and the redevelopment proposals will lessen the density of building on the site. Although the area of hardstanding for the new entrance and parking area will be increased this is offset by the reduction in the area of hardstanding to the front of the building and through demolitions to the rear of the building. The proposed new access on Claypotts Road is the minimum required to provide safe access to the site given that increased usage of the existing access at the junction of Claypotts Road and West Queen Street would result in traffic safety issues.

The site is also within the Grove Conservation Area and Policy BELL requires all development proposals to complement and enhance the character of the surrounding area. In this case the removal of an unattractive western extension to the building and a garage and outbuildings to the rear of the site and their replacement with a more attractive extension and new dwelling will serve to enhance 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.

The Statutory duty set out in Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

This requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. This matter has already been considered in the assessment of the proposed development against Policy BE11 of the adopted Local Plan and it has been concluded that the proposed development meets the requirements of Section 64 of the Act.

Other Material Considerations

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

The Finalised Dundee Local Plan Review

Policy 4 on the Design of New Housing, Policy 15 on Development in Garden Ground and Policy 61 on development in conservation areas are very similar to the wording of Policies H10, BE4 and BE11 of the adopted Local Plan. The only significant difference is that Policy 15 on Garden Ground development includes an additional requirement that prevailing densities in the area are respected. In this case the density of development on the site will be reduced. It is therefore considered that the proposed development complies with the policies of the Finalised Local Plan for the same reasons that it complies with the policies of the adopted Local Plan.

The Views of the Community Council.

The Community Council is supportive of the proposed development. Their particular concerns about the amount of garden ground have been addressed in the assessment of the development against Policy H10 of the adopted Local Plan and their comments on windows, finishes and the boundary wall can be addressed through planning conditions.

It is concluded from the foregoing that the material considerations weigh in favour of the proposal and that planning permission should be granted in accordance with the Development Plan.

Design

The removal of an unattractive western extension to the building and a garage and outbuildings to the rear of the site and their replacement with a more attractive extension and new dwelling will serve to enhance the character and appearance of the conservation area.

CONCLUSION

The proposed development complies with the policies of the adopted and finalised Local Plans and will enhance the appearance of the Grove Conservation Area.

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 formation of the new vehicular entrance, including gates and gate piers and the blocking off of the existing opening at the north east corner of the site in stone 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 Samples of the finishing materials proposed to be used, including the window details and the formation of areas of hardstanding shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.
- 4 Details of the method of subdivision of the garden ground, which shall be designed to minimise any intrusion into the visual appearance of Duneaves 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 in order to safeguard the visual amenity of the Conservation Area
- 3 in order to safeguard the visual amenity of the Conservation Area
- 4 in order to safeguard the visual amenity of the Conservation Area