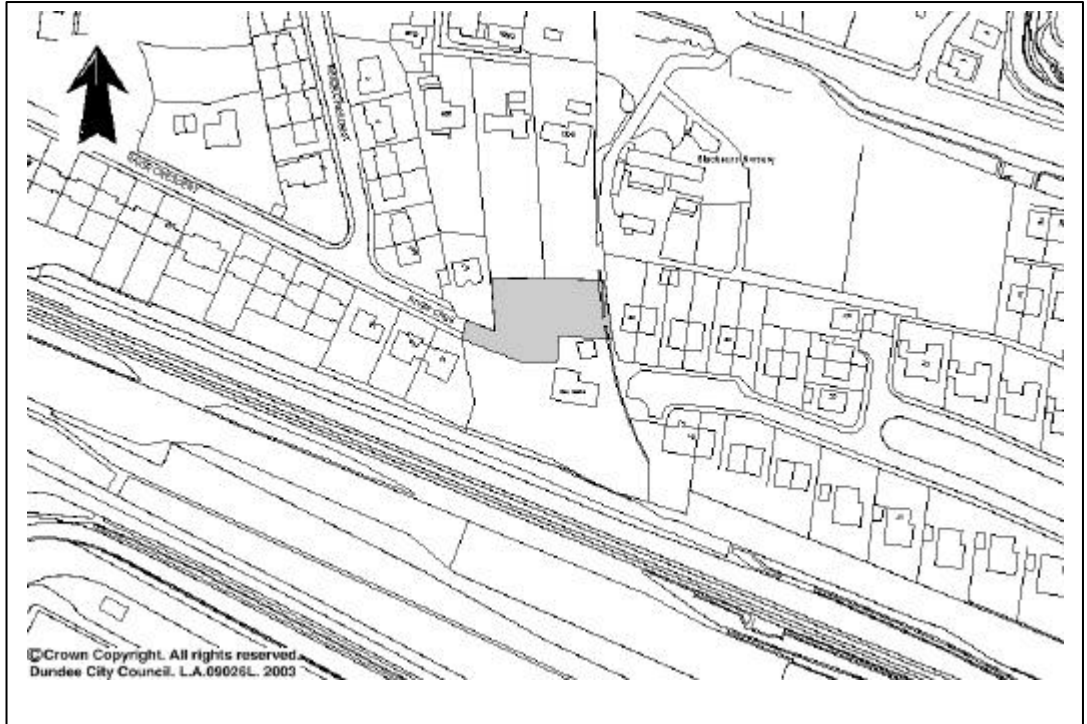


**KEY INFORMATION****Ward** Riverside**Proposal**  
Erection of dwelling house**Address**  
Land North of Burnside  
River Crescent  
DUNDEE  
DD2 1UJ**Applicant**  
Mr & Mrs D W Smith  
Burnside  
River Crescent  
Dundee  
DD2 1UJ**Agent**  
Peter Inglis Architects  
30 South Tay Street  
Dundee  
DD1 1PD**Registered** 23 March  
2005**Case Officer** Eve Jones

# Proposed New House in River Crescent

The erection of a dwelling house is **RECOMMENDED FOR APPROVAL**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development complies with the relevant policies in the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review 2003. The two objections cannot be supported. Accordingly the application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a single dwelling in the garden ground of an existing property. The new house will be one and a half storey, with four bedrooms, a large lounge/dining/kitchen and an integral double garage. The upper rooms have traditional type dormer windows and there are two balconies on the south elevation. It has a large garden in excess of 300 square metres. The materials proposed are cream dry dash with a red tiled roof.
- The existing house, to the south east of the plot, retains a large garden. Both properties will share a private drive. The application site is flat and screened by a high conifer hedge on the west boundary. The surrounding properties are detached and semi-detached houses.
- The proposal complies with the relevant policies H4 and H10 of the Dundee Local Plan 1998 and Policies 4 and 15 of the Finalised Dundee Local Plan Review 2003.
- Two objections were received from adjoining neighbours on grounds of loss of privacy, development forward of building line, access and road safety and overshadowing. The architect made small adjustments to the design and layout of the proposal to seek to address these issues as they affect the adjoining neighbour to the west. The neighbour was advised of the revised plans but has declined to comment or withdraw the objection.
- Due to the position of the proposed house in relation to the neighbouring houses and the screening effect of the hedge, it is considered that there will be no loss of privacy, impact on access and road safety or overshadowing of sufficient strength to support refusal of the application. It is not considered that there is an established building line in this location.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a single house in the garden ground of an existing property. The new house will be one and a half storey, with four bedrooms, a large lounge/dining/kitchen and a double garage. It has dormer windows with two balconies on the south elevation. It has a large garden in excess of 300 square metres. The materials proposed are cream dry dash with a red tiled roof.

## SITE DESCRIPTION

The proposed house lies to the north west of the original house which is in a large plot and retains in excess of 1500 square metres of private garden. The site is flat garden ground and has a high, thick conifer hedge on its western boundary and along both sides of the private drive which will be shared by the two houses. The drive leads off a cul-de-sac at the end of River Crescent, a development of detached and semi-detached houses. The house immediately to the west of the application site is a later development built in the garden ground of a house fronting Perth Road. The two properties to the north of the application site also front Perth Road and have extensive rear gardens 40- 50 metres long sloping down to the application site. The houses to the east form part of a later development also of detached and semi-detached houses.

## 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:

Policy H4 Protection of Amenity.

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 15 Development in Garden Ground.

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

The proposal complies with Key Theme 1 "Resources are used efficiently and waste is minimised" as the development is within the built up area and uses part of a very large garden.

### SITE HISTORY

There is no relevant planning history. The agent sought pre-application advice in 2001.

### PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and two objections were received on grounds of loss of privacy, forward of

building line, access and road safety and overshadowing. These will be considered in the Observations below. Following the receipt of objections, the architect has reduced the size of the dormers on the north elevation and moved them eastwards by 300 mm; the whole house has been moved eastwards by 600mm; and has been rotated by 5 degrees to increase the angle between the proposed house and the nearest objectors house to the north west. These changes sought to address the points made by the objectors in the adjacent house to the west and they were given the opportunity to consider the revised plans. However there have been no further comments and the objection has not been withdrawn.

## CONSULTATIONS

There were no adverse comments from 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.

Policy H4 Protection of Amenity. Infill developments should not affect the appearance of the original house and the surrounding area. Permission is unlikely to be granted where the siting and design significantly affects the degree of sunlight, daylight and/or privacy enjoyed by the occupants of adjoining property, where materials, style and form are alien to the existing building and where more than 50% of the original garden ground would be lost and off street parking reduced.

Sunlight/daylight: the proposed house lies to the north west of the existing house and to the south east of the house of one objector. There will only be a limited degree of shadowing from

early morning sun affecting the objectors front garden. The existing high conifer hedge will be retained. The other objectors house to the north is more than 50 metres away and the proposed house will not overshadow it. There will be very limited overshadowing of the southern part of the objectors large garden. It is concluded that the development will not result in significant loss of sunlight or daylight to the objector's houses or gardens.

**Privacy.** The objector to the west objects and states that the upper bedroom windows of the proposed house will look directly into their master bedroom. The application site is to the side of the objectors house but sits forward of it and is angled away from it. The dormer windows on the upper floor are flat fronted, not bay windows so there is very little opportunity for persons inside the room to be able to see the windows of the adjacent house due to the very oblique angle of view. There are no windows on the side elevation of the upper floor and only a WC window on the ground floor, screened by the conifer hedge. It is considered that there will be no loss of privacy sufficient to justify refusal of the application. The objector to the north also cites loss of privacy but their house is approximately 50 metres away, at a higher level, and this distance is sufficient to protect in terms of the relevant policy.

**Materials/style/form.** The design and materials are acceptable. One objection is on grounds that the house does not conform with the building line of the existing houses in River Crescent. As noted in the site description, River Crescent ends at the objectors house and the application site is accessed off a private drive screened by a high conifer hedge. The site does not form a visual part of the River Crescent development and there is no established building line on the north side of the road as there is on the south side. It is considered that the proposal complies with this requirement of the policy.

**Garden and Parking.** The original house still retains much more than half of its garden and there is no loss of off street parking.

It is considered that the proposed house complies with all elements of the policy.

**Policy H10 Design of New Housing.** New housing should conform to the guidelines and the architecture and scale of the building must respect the surroundings. The proposal complies with the Guidelines in respect of number of rooms, parking, amenity space and layout. The proposal complies with Policy H10.

It is concluded from the foregoing that the proposal complies with all relevant policies in 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 Design of New Housing.** Policy 4 states that developments within an established low density area should reflect this and more generous external space standards will be required. The proposal complies with the guidelines in Appendix 1 as required by Policy 4 and also provides a garden in excess of 300 square metres when the requirement is a minimum of 120 square metres. The proposal complies with the policy.

**Policy 15 Development in Garden Ground.** Developments are required to satisfy the following criteria:

- a The proposal should be of high quality design and use materials appropriate to its surroundings.
- b The total footprint of new buildings should not exceed one and a half times the footprint of the original house.
- c The final proportion of ground covered by buildings, garages and hardstandings must not amount to more than 40% of the original house and garden with at least 60% remaining as garden ground.
- d Prevailing densities in the area should be respected.
- e No new building in front of main elevation of original house
- f, g and h do not apply to this application.
- i new tree planting and landscaping will be required, this can be the subject of conditions.

The proposal complies with these criteria and with the policy.

The proposed development complies with the policies of the Finalised Dundee Local Plan Review.

## Objections:

Two objections were received on grounds of loss of privacy, forward of building line, access and road and overshadowing. In respect of access and road safety, the existing house has a private drive which the proposed house will share. Traffic volumes created by one additional house are not considered to be significant. The driveway is narrow and screened by hedges and there may be an opportunity to install traffic calming to ensure that vehicles are travelling slowly when they emerge from the driveway on to the residential street. The other issues have been addressed above and the objections cannot be supported.

It is concluded that the material considerations of the Finalised Dundee Local Plan support the application.

## Design

The house has been designed to minimize its impact by the provision of accommodation in the roof space and the use of dormer windows gives it a traditional appearance.

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## CONCLUSION

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It is concluded from the foregoing that insufficient weight can be accorded to the objections 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.

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## RECOMMENDATION

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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 The development shall be completed in accordance with the finishing materials detailed on the approved plans unless agreed in writing with the City Council.

- 3 The existing hedge on the west and south boundaries shall be retained as indicated on the approved plans and shall not be cut down, grubbed out, topped, lopped, uprooted or root pruned without the written consent of the City Council. Any part of the hedge plants without such consent or dying or being severely damaged or diseased shall be replaced with plants of such size and species as may be directed by the City Council to a standard approved by the City Council.
- 4 within six months of the first use of the building, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved by the City Council. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.
- 5 Prior to the occupation of the dwelling hereby approved, traffic calming measures shall be installed in the private drive, east of its junction with River Crescent.

## 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 that hedging which is of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development
- 4 to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 5 In the interests of traffic and pedestrian safety.