

KEY INFORMATION

Ward Whitfield

Proposal

Erection of 9 dwelling houses

Address

Ballumbie Estate (Phase 7A)
Berwick Drive
Dundee

Applicant

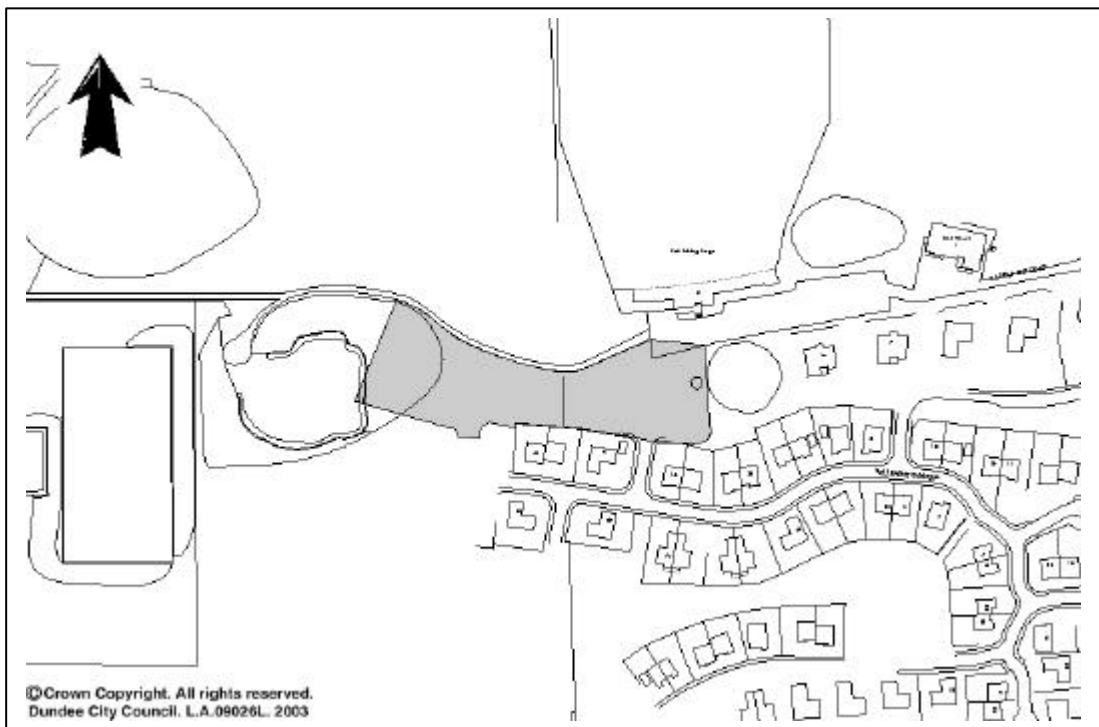
D J Laing Homes Ltd
Laing House
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Carnoustie
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Agent

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Architects Studio
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Arbroath
DD11 1AW

Registered 20 April 2005

Case Officer C Walker



Further Phase of Housing Proposed at Ballumbie Estate

The erection of 9 dwelling houses is **RECOMMENDED FOR APPROVAL** subject to conditions.
Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with Local Plan policy and will not result in any unacceptable impact on the residential amenities enjoyed by adjoining occupiers. It is therefore recommended for **APPROVAL**.

SUMMARY OF REPORT

- Planning permission is sought to erect 9 houses on the site as a continuation of the DJ Laing housing development at Ballumbie.
- Policy H10 of the adopted Local Plan and Policy 4 of the Finalised Local Plan set out standards for new housing developments.
- Letters of objection were received from the occupiers of 2 recently completed houses to the south east of the site who are concerned that their properties will be overlooked and overshadowed by the proposed houses which will be on higher ground, that they will suffer noise and parking problems and that existing drainage problems will be exacerbated.
- The proposed development fully complies with the Development Plan standards on new housing developments and will not adversely impact on the amenities of neighbours.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect 9 houses on the site as a continuation of the DJ Laing housing development at Ballumbie. The proposed houses types are those used elsewhere in this development and include 8 semi detached houses and 1 detached house. The detached house has 4 bedrooms and the semi detached houses have 3 bedrooms. Proposed finishing materials are roughcast walls with reconstituted stone features and concrete roof tiles. The layout of the houses is in a linear pattern to the north of existing houses and overlooking the Ballumbie Golf Course.

SITE DESCRIPTION

The site comprises some 0.6 ha of ground at the northern end of the DJ Laing housing development at Ballumbie. The ground at this location is quite elevated, with views to the north over the Ballumbie golf course and driving range. To the immediate east and west are 2 small woodland areas and to the south are recently completed houses. Braeview Academy lies further to the west.



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 site is allocated for housing under Proposal HS52 of the adopted Dundee Local Plan 1998. Policy H10 of the Plan sets out standards for new housing developments.

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 site is allocated as part of an existing housing area and Policy 1 seeks to protect residential amenity.

Policy 4 sets out design standards for 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 development of this site adjacent to the existing built up area is considered to be sustainable.

SITE HISTORY

Outline planning permission for the western end of the DJ Laing housing development was granted in March 2002 - application ref no 01/30427/OUT refers. That application indicated 5 large housing plots on the site of the current application.

Planning permission for the phase to the immediate south west of the current application site was granted in March 2005 - application 05/00008/FUL refers.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and letters of objection were received from the occupiers of 2 recently completed houses to the south east of the site (copies available for inspection in the Members Lounges). The objectors are concerned that their properties will be overlooked and overshadowed by the proposed houses which will be on higher ground, that they will suffer noise and parking problems and that existing drainage problems will be exacerbated. They

state that a lesser number of single storey houses would be more appropriate, noting that 5 houses were indicated on previous plans.

These views are fully considered in the Observations section of this Report.

CONSULTATIONS

The Councils Forestry Officer has requested details of the landscaping of the site. The Head of Environmental Health and Trading Standards has noted that there is an old quarry to the west of the site and that it may have been infilled with contaminated material. It is therefore recommended that a planning condition be attached to any consent to investigate this matter.

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 H10 sets out standards for new housing development including house type and size, garden ground provision, privacy, parking, layout and design. The proposed development meets all the physically measurable standards set out in Policy H10 and it is further considered that the design and layout of the proposed development are satisfactory.

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:

- The Finalised Dundee Local Plan Review

Policy 1, which relates to existing housing areas, seeks to protect residential amenity but is principally focussed on the

introduction of new non residential uses into housing areas.

Policy 4, relating to the design of new housing, is quite similar to Policy H10 of the adopted Local Plan. It is considered that the proposed development complies with these standards.

b The views of the Objectors

The objectors are concerned that their properties will be overlooked and overshadowed by the proposed houses which will be on higher ground, that they will suffer noise and parking problems and that existing drainage problems will be exacerbated. They state that a lesser number of single storey houses would be more appropriate, noting that 5 houses were indicated on previous plans.

Both objectors houses are not directly to the south of the application site but rather lie further to the south east so at the nearest point they would be some 43 metres distant to the nearest part of any house on the site to them (the closest window to window distance is 51 metres). At such a distance any issues with regard to overlooking, overshadowing or noise would not be significant, even taking into account the fact that the nearest houses would be approximately 2.5 metres higher than the objectors houses.

Existing and proposed houses further to the west of the objectors' houses will be closer to the houses on the application site and the level difference will be greater. However even at this location there will be a minimum window to window distance of 20 metres in all cases.

It is further considered that the traffic levels generated by the proposed 9 houses would not be so significant as to be detrimental to residential amenity or safety. Finally there have been problems with water ingress to the rear of the objectors' houses and the developers have recently provided drainage to prevent this happening. However there is nothing in the nature of the current application that would

give rise to any increase in these problems. This is because the development of the site will involve the proper drainage of hard surfaces and the provision of free draining material to form the garden ground of the proposed houses.

c Other Matters

The Councils Forestry Officer seeks details of the landscaping of the site and this matter can be made the subject of a planning condition. The issue of potential contamination can also be dealt with by a condition.

Although the original outline planning permission indicated 5 large plots at this location, the site has been extended by the realignment of the access track to the north of the site. Other changes have been made to the original outline application to remove 2 houses that would otherwise have caused amenity problems. Since the currently proposed layout is fully compliant with the standards for new housing development in both the Adopted and Finalised Local Plans it is considered that merely because of the fact that numbers will increase at this location does not justify the refusal of planning permission.

The proposed development is very close to Braeview Academy. The outline application for this development indicated that a direct footpath link between the site and the school would be provided. It is considered that the construction of a footpath link would provide a much shorter and safer route to school for residents of this housing development and a planning condition is proposed to ensure that it is provided now.

It is concluded from the foregoing that insufficient weight can be accorded to the views of the objectors such as to justify the refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

Design

The design and layout of the development is satisfactory and

follows previously established principles set out on this site.

CONCLUSION

The proposed development complies with Local Plan policy and will not result in any unacceptable impact on the residential amenities enjoyed by adjoining occupiers.

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 landscaping of the application site including the screening of the houses from the existing and proposed houses to the south and the integration of the houses into the landscape by screening at the northern site boundary and the timescales for carrying out the planting and the future maintenance of the planting 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. 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.
- 3 Details of proposals for the protection of the existing trees to the east and west of the application site and the replanting of new trees in these areas including the timescales for the carrying out of this planting 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.
- 4 Details of the provision of a footpath link between the remainder of this housing development to the west of the application site and Braeview

Academy 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 and in particular the footpath link shall be completed to the boundary with the school premises prior to the occupation of any of the houses in the application site.

- 5 Details of the dry stone wall boundary to the north of the site 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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 3 To protect those landscape features which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
- 4 To ensure the provision of a safe pedestrian access to the school at an early date.
- 5 To ensure a satisfactory standard of appearance of the development.