

**KEY INFORMATION**

Ward Balgay

**Proposal**

Outline consent for housing development

**Address**

4 Ancrum Road  
DUNDEE  
DD2 2HZ

**Applicant**

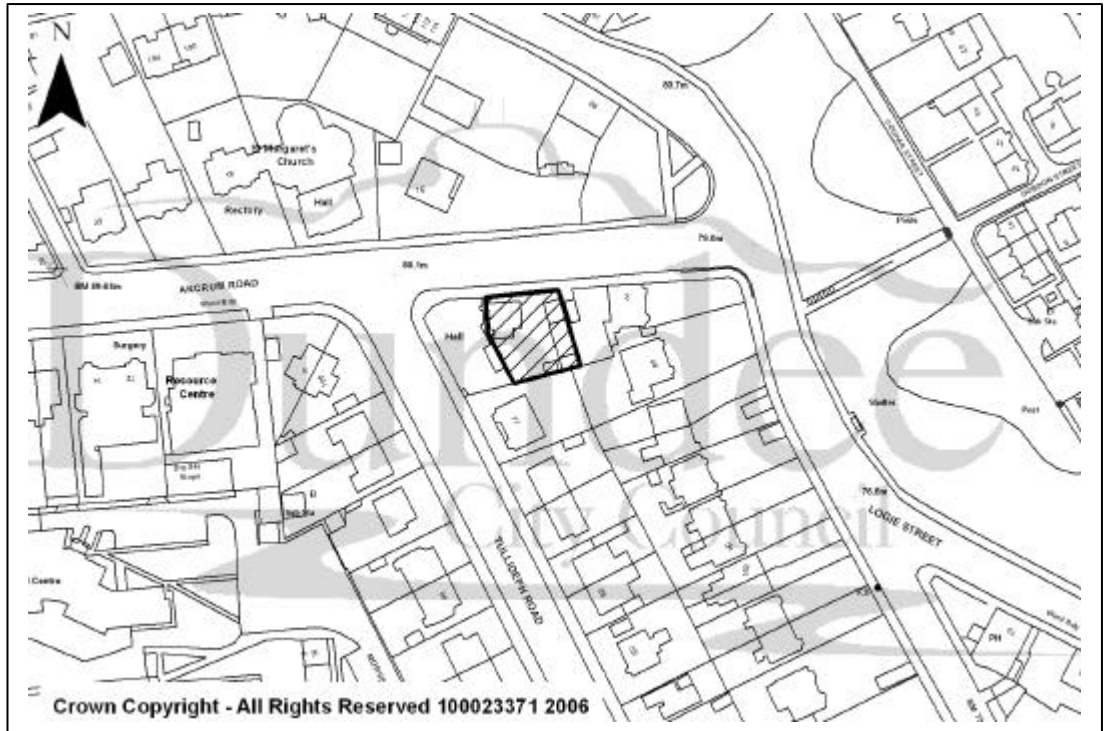
Charles Kean  
Herons Lane  
Lochee  
DUNDEE  
DD2 3EW

**Agent**

P H Rennie  
48 Meadowside  
DUNDEE  
DD1 1EF

Registered 25 Aug 2006

Case Officer D Gordon



## Proposed Housing Use in Ancrum Road

An outline consent for housing development is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposal the subject of this outline planning application is considered, in principle, to be in accordance with the relevant land-use policies of the Dundee Local Plan Review 2005. The development for residential purposes of this industrial site could make a positive contribution to the appearance of the site and the setting of the surrounding area. Recommended for **APPROVAL** subject to conditions

**SUMMARY OF REPORT**

- Outline permission is sought for the development of an industrial yard located on the south side of Ancrum Road for residential purposes. No formal details have been submitted although indicative drawings of the position of houses, layout, access, car parking and garden ground provision accompany the application.
- The site is not allocated for any specific purpose in the Dundee Local Plan Review 2005.
- The application has been the subject of an objection from an adjoining resident to both the original submission and a subsequent amendment to the proposals. The main issues raised by the objector relate to privacy, daylight, traffic matters and the use of the site for housing.
- It is considered that the proposed development, in principle, is in accordance with the relevant land-use policies of the Dundee Local Plan Review 2005 and is capable of accommodating two units. There are no material considerations, including the issues raised by the objector, which would justify setting aside the adopted policies and refusing the outline application.

## DESCRIPTION OF PROPOSAL

The application seeks outline permission for the erection of 2 houses on a site located on the south side of Ancrum Road. The applicants have submitted an indicative layout for the site that provides for a pair of semi-detached houses with access from Ancrum Road. Off-street car parking and turning facilities are proposed within the curtilage of the buildings and private garden ground is to be located on the south side of the houses.

## SITE DESCRIPTION

The site, an industrial yard, is located on the south side of Ancrum Road and to the east of Tullideph Road. Access into the site is taken from Ancrum Road.

The surrounding area accommodates residential properties to the north, south and east. To the west is a Hall.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

### Dundee Local Plan Review 2005

The following policies are of relevance:

#### **Policy 1: Vibrant and Sustainable Communities**

The City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

#### **Policy 4: Design of New Housing**

The design and layout of all new housing in Dundee should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards

contained in Appendix 1 of this Local Plan unless:

- a the City Council, through either site allocation in the Local Plan or site planning briefs, considers it appropriate to vary the standards to reflect the constraints or opportunities offered by the development of a particular site; or
- b the proposal is within an established low density residential area, in which case the density of the new development should reflect this and more generous external space standards will be required.

New housing development should also have regard to the principles of the City Council's Urban Design Guide.



In addition, new housing development should meet "Secured by Design" standards. New residential streets should be designed to promote low vehicle speeds of 20 mph. or less. New housing should have regard to opportunities to maximize energy efficiency and promote sustainable waste management.

Where conversion of a listed building or other building worthy of retention is proposed, there may be limited flexibility in applying parking and garden ground requirements where compliance is impractical. The development of flats through conversions of buildings of merit may also be acceptable where conversion to flats is the only appropriate action.

#### **Policy 55: Urban Design**

For all new developments the emphasis will be on design quality and

the City Council will seek the creation of new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. All development should respect the setting of listed buildings.

The City Council require the use of Design Statements for planning applications or listed building applications for new buildings or extensions to existing buildings on significant sites.

All development will, in its design and layout, be expected to contribute to an environment which is safe and accessible to all.

#### **Policy 79: Contaminated Land**

When considering development proposals involving sites where the presence of contamination is suspected, the City Council will require applicants to:

- a submit the results of site investigations which assess the nature and extent of any contamination which may be present; and
- b where contamination is found to be present, notify the authority of the remediation measures proposed to render the site fit for its intended use including all receptors.

Appropriate conditions and/or legal agreements may be applied to ensure that such measures are implemented to the satisfaction of the Council.

Alternatives to the uses permitted by the Local Plan may be supported on contaminated sites in instances where evidence can be presented to establish that the severity of contamination is such that the site cannot be economically developed for its allocated use. In such instances the City Council will require to be satisfied that:

- clear evidence has been provided to establish the nature and extent of the contamination present;
- an economic appraisal has been provided which demonstrates that development based on the Local Plan allocation is not

economically feasible due to the remediation requirement;

- justification for the proposed alternative to the Local Plan allocation is supported by economic and market appraisals which include the assessment of other potential options; and
- the proposed alternative use can be justified in relation to other policies of the Local Plan.

## 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

## SUSTAINABILITY ISSUES

The proposal involves the development of a brownfield site resulting in the improvement and enhancement of this industrial site. The application raises no concerns, at this time, in relation to the Council's Sustainability policies.

## SITE HISTORY

There are no recent planning applications of direct relevance to the consideration of this outline proposal.

## PUBLIC PARTICIPATION

The applicants carried out the statutory neighbour notification procedure at the time of the original submission of this application. The neighbouring properties were further notified of an amendment to the proposals.

Letters of objection to both the original submission and the subsequent amendments have been received from a neighbouring resident. The main relevant issues raised by the objector relate to:

- 1 The adverse impact of the proposal on the adjacent property by virtue of noise and a reduction of privacy and daylight.
- 2 The adverse impact the proposals will have on adjacent trees

3 Inappropriate use of the site for residential purposes.

4 The proposals will result in further local parking problems

A copy of this objection can be viewed in the Members Lounges. It is intended to comment on the above matters in the 'Observations' Section of this report below.

## CONSULTATIONS

No adverse comments have been received from any of the 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 under consideration seeks outline permission for the erection of 2 no. houses on an industrial site located on the south side of Ancrum Road. The site is not allocated for any specific purpose in the Dundee Local Plan Review 2005 and consequently the use of the site for new housing is considered to be acceptable providing the proposals do not contravene other relevant policies of the development plan. Taking into account the predominantly residential character of the wider surrounding area, it is reasonable to consider that the principle of the use of the site for such purposes is consistent with the general aims of the Local Plan.

The applicants have advised, through the submission of indicative drawings, that a pair of semi-detached houses with associated off street car parking and the required amount of private garden ground can be accommodated within the site. In this respect, the proposals comply with the external space requirements of Policy 4 of the Local Plan Review.

With regard to Policy 79 (Contaminated Land), it is considered that, due to the history of the site, a condition should be attached to any outline permission granted that requires certain works, including any remediation measures, be undertaken prior to the commencement of certain works.

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:

With regard to the objection that has been submitted, it is considered that the issues that relate to noise, privacy, daylight, impact on adjacent trees and potential parking problems, while important to the adjacent occupier, should be discharged at the time of the determination of any detailed application for the development of the site.

With regard to the matter relating to the appropriate use of the site for residential purposes, this matter has been fully discussed and discharged in the preceding paragraphs above.

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 with conditions.

## Design

The proposal seeks outline permission to establish the principle of the use of the site under consideration for 2 houses with associated off street car parking and garden ground. The details of the houses will be submitted at a later date, should the Members be minded to approve this application, and the issues of design, scale, materials, access, parking and impact on adjacent occupiers will be discharged, if appropriate, at that time.

## CONCLUSION

The use of the site for residential purposes is considered to be in accordance with the relevant land use policies of the Dundee Local Plan Review 2005. The site is an industrial yard and it is considered that the use of

the site for housing would assist in the visual improvement in the area resulting in a positive contribution in the environmental qualities currently enjoyed by surrounding occupiers.

## RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:-

- 1 The approval of the City Council shall be obtained to the following reserved matters before any development is commenced viz: the siting of the building(s) the design of the building(s) the external appearance of the building(s) the means of access to the building(s) the landscaping of the site.
- 2 Application for approval of the matters referred to in condition (1) above must be made within 3 years of the date of this permission.
- 3 The development to which this permission relates shall begin within 5 years of the date of permission or 2 years of the final approval of the reserved matters, whichever is the later.
- 4 Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:
  - i the nature, extent and type(s) of contamination on the site
  - ii measures to treat/remove contamination to ensure that the site is fit for the use proposed
  - iii measures to deal with contamination during construction works
  - iv condition of the site on completion of decontamination measures

Before any residential unit is occupied, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

## Reasons

- 1 To reserve these matters for future consideration by the Council.
- 2 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 3 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 4 In order to ensure that the site is fit for the use proposed.