

**KEY INFORMATION**

**Ward** Balgillo

**Proposal**  
Demolition of cottage and  
erection of dwelling

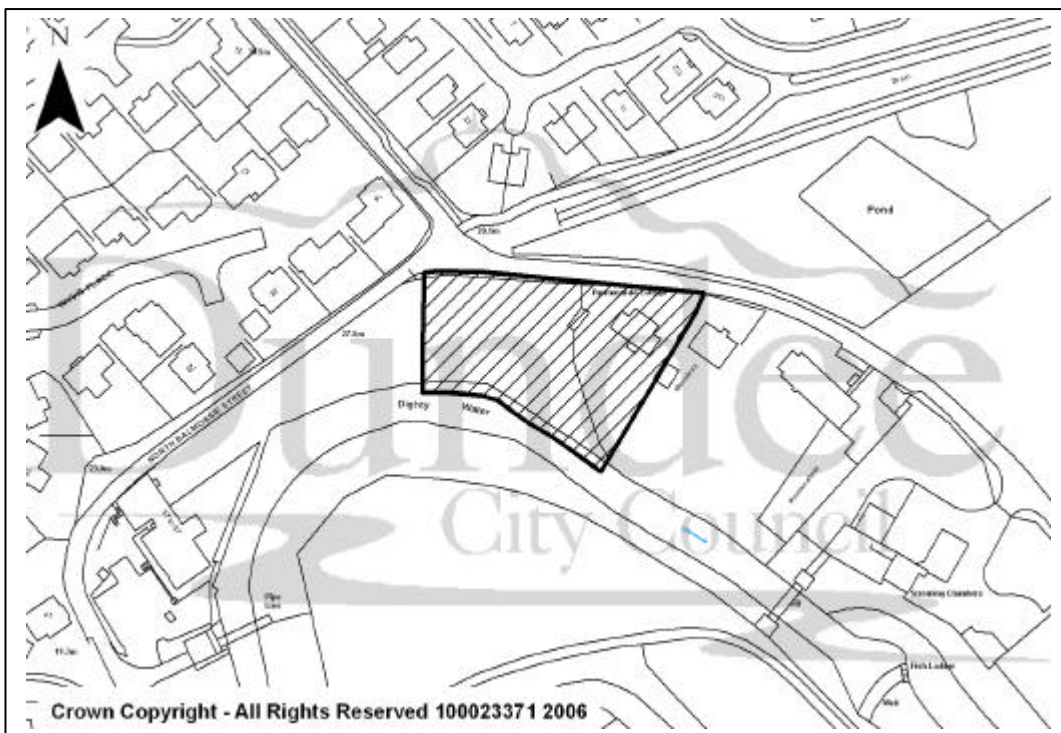
**Address**  
Panmurefield Cottage  
Panmurefield Road  
BROUGHTY FERRY

**Applicant**  
Dilan Developments Ltd  
The Farmhouse  
Ballingall by Kinross  
KY12 0RH

**Agent**  
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Spalding House  
90-92 Queen Street  
Broughty Ferry  
DUNDEE DD5 1AJ

**Registered** 21 Dec 2006

**Case Officer** J Young



## Proposal for New House in Panmurefield Road

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

**RECOMMENDATION**

The proposal complies with Policies 4, 70 and 72 of the Dundee Local Plan Review 2005. There are no material considerations that would justify refusal of the application. Accordingly the application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a 2 storey house on land at Panmurefield Cottage, Panmurefield Road.
- Policies 4, 70 and 72 of the Dundee Local Plan Review 2005 are relevant to the determination of the application.
- No letters of objection were received.
- It is considered that the proposal complies with the relevant policies in the Dundee Local Plan Review 2005 and there are no material considerations to justify refusal of the application.

**DESCRIPTION OF PROPOSAL**

Planning permission is sought for the erection of a 2 storey house on land at Panmurefield Cottage, Panmurefield Road, Broughty Ferry, Dundee. The site area is 0.235 hectares. The house has 4 bedrooms and an integral double garage. The proposed finishing materials are white roughcast render, slate roof, white timber windows and doors, white roughcast boundary walls and timber fences.

The application includes the removal of some trees from the site and a tree survey has been submitted. An ecological report and details from the applicant indicating how the wildlife corridor will be protected have also been submitted. One of the submitted plans indicates the construction area, which will be fenced off.

**SITE DESCRIPTION**

The application site is located on the south side of Panmurefield Road. There is an existing single storey cottage and detached garage on the site. The Dighty runs along the south boundary of the site and there is a small woodland at the west end of the site. The site is accessed by a private road to the north. A single storey detached house is located to the east and a listed tenement building has been converted and redeveloped into two houses further along the road to the east. There is modern two storey housing to the north and north west.

**POLICY BACKGROUND**

**Dundee and Angus Structure Plan 2001-2016**

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

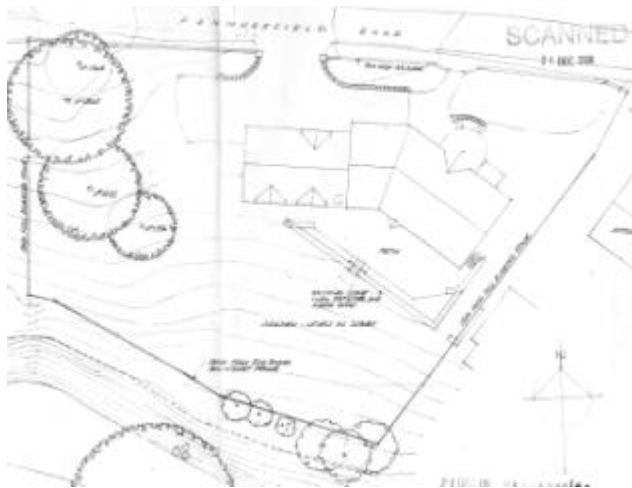
**Dundee Local Plan 2005**

The following policies are of relevance:

**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 maximise energy efficiency and promote sustainable waste management.

**Policy 66b: Protection of Other Open Space**

There will be a presumption against the development or redevelopment of all other open space within the Local Plan area unless:

- a the broad principles of criteria listed in Policy 66A are satisfied; or
- b the proposals are consistent with a park masterplan, strategy or programme approved by the Council to improve the management of open space."

**Policy 70: Semi-Natural Greenspaces Of Local Nature Conservation Importance**

Development proposals must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local

Nature Reserves. Any development proposals affecting these sites must be accompanied by an ecological or similar assessment that details the likely impacts of the proposal on the conservation interests of the designation, along with proposed mitigation measures.

Development proposals that improve the conservation and educational value of Community Wildlife Sites shown on the Proposals Map will be generally supported. The conservation status of Community Wildlife Sites

will be monitored and reviewed accordingly as improvements are implemented. Development proposals affecting Community Wildlife Sites will be resisted where their conservation and educational value have been significantly improved.

There will be a presumption against the development of semi-natural greenspaces within Wildlife Corridors shown on the Proposals Map, to minimise physical barriers to continuity, safeguard ecological integrity and promote biodiversity conservation. The Council will promote sympathetic maintenance of

Wildlife Corridors to improve their nature conservation, community and educational value.

### **Policy 72: Trees and Urban Woodland**

New developments must have regard to existing healthy mature trees, the survival and retention of which will be strongly encouraged through sensitive site layouts and both during and after construction. Where appropriate, development proposals must be accompanied by a tree planting and landscaping scheme which includes a supporting justification and sufficient map based material to document existing planting within the application site, as well as new planting and maintenance arrangements. The Council will promote Tree Preservation Orders to protect individual trees or entire planting schemes where expedient to do so.

The Council and its partners will pilot local urban woodland projects within suburban communities to provide sustainable land use treatment for vacant or underused land. Temporary urban woodland projects will be based on a 'minimum cost, rapid impact, site recovery' approach with interpretative signage, so not to preclude future development. Public access will be discouraged within these areas. In addition, peripheral vacant sites with little or no development value will be targeted by the Council and its partners for permanent urban woodland schemes.

The Council will also support advance planting on key development sites, enhanced tree planting within Greater Camperdown Country Park and the City Parks, as well as the creation of new community forests on the urban fringe in conjunction with neighbouring authorities.

### **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.

- 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 a 2 storey house on land at Panmurefield Cottage, Panmurefield Road, Broughty Ferry. The house will have 4 bedrooms and an integral double garage. The existing house and garage will be demolished.

Policy 4 specifies the criteria to be met by new housing development in suburban areas. This includes the requirement for three bedrooms, a minimum of 160sqm of garden ground, 18m between facing habitable rooms, one parking space, a garage or space for one and each development must form interesting, safe spaces with interesting architecture giving a unique sense of place. The house has four bedrooms, over 160sqm of garden ground and a double garage. On the basis of the details provided, the proposal complies with the criteria in Policy 4.

Policy 66B requires the protection of open space areas and refers to criteria in policy 66A, which refers to playing fields and sports pitches. It is considered that this is not relevant to the proposal in question. Garden ground for the proposed house will be provided adjacent to the Dighty area and there will be a large undeveloped strip remaining immediately adjacent to the Dighty. It is considered that the proposal complies with Policy 66B.

Policy 70 states that development proposal must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation. Any development proposals must be accompanied by an ecological or similar assessment. The applicant has submitted a tree survey report which addresses the condition of the trees and recommends the removal of some trees. An ecological report has been submitted and describes the ecology of the site at present, which is mainly a domestic grassed garden with some shrubs and trees. Any habitat of ecological value is located close to the Dighty and will not be affected by the proposed development. The rear

## **SUSTAINABILITY ISSUES**

This application raises issues in relation to the natural environment and these matters are discussed in detail below.

### **SITE HISTORY**

A previous application for two houses on the same site was withdrawn by the applicant on 14.12.06 as it was unlikely to be recommended for approval.

### **PUBLIC PARTICIPATION**

The application was advertised as a potential departure to Policy 70: Semi-Natural Greenspaces of Local Nature Conservation Importance on 22 January 2007.

Statutory neighbour notification was carried out and no letters of objection were received.

### **CONSULTATIONS**

The Council's Forestry Officer has no major objections to the application but requires conditions to be attached to address some details regarding proposed tree removal and replacement planting. There is no detail regarding the protection of the retained trees on the site as per BS 5837:2005. Trees 1331, 1333, 1358 and 1359 do not need to be removed for development and should be retained. The total number of trees to be removed should be reduced as it is not deemed necessary to remove the number requested. A tree protection plan as per BS 5837:2005 should be submitted for approval prior to works commencing on site. Detailed planting works to include woodland and garden replacement planting should be submitted. Details are also required for the future maintenance of the woodland to the west.

Scottish Natural Heritage were consulted as part of the consultation process for the previous application and had no objections to the proposal.

### **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

garden of the proposed house will be fenced 7m from the foot of the bank of the Dighty and a temporary fence will be erected immediately to the south of the proposed house, to contain the construction site and ensure that no debris falls into the Dighty or onto any habitat of ecological value. There is a drop of approximately 5m from the top to bottom of the Dighty bank. It is considered that the ecological and nature conservation value of this part of the Dighty will not be adversely affected by the proposal as any habitats of ecological value are at least 5m lower than the development site.

Policy 72 seeks to protect existing healthy mature trees, not only for their visual amenity value but also for their wider environmental significance. The applicant has submitted a tree survey report outlining their justification for removal of a number of the trees. The tree survey report has been assessed and some amendments have been suggested by the Council's Forestry Officer. Conditions will be imposed to ensure that the number of trees to be removed is amended and also that details of replacement planting are submitted prior to development commencing on site. It is considered that the proposal complies with Policy 72.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

### Other Material Considerations

There are no other material considerations to be taken into account.

It is therefore recommended that planning permission be granted with conditions.

### Design

The proposed house uses fairly traditional materials, which is considered appropriate for this location. With the inclusion of a small wood to the west and other trees within the site, the development and wider environment will be enhanced.

### CONCLUSION

The proposal complies with the relevant policies in the Development Plan and there are no material considerations to justify refusal of the application.

### RECOMMENDATION

It is recommended that consent 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 proposed finishing materials and boundary treatments 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 notwithstanding the provisions of Class 1 of Part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, or any subsequent re-enactment thereof, no extensions to the proposed dwelling are to be built without the prior consent of the Local Planning Authority
- 4 Full details of tree removal, retention, protection and replacement planting (which should include woodland and garden replacement planting) all as per BS5837:2005 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
- 5 Full details of a tree management plan for the woodland to the west 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 that the proposed development has a satisfactory external appearance in the

interests of the visual amenities of the area.

- 3 that due to the restricted application site and its relationship to the adjoining Site of Importance for Nature Conservation it is considered important to ensure that no additional development is carried out without the prior written permission of the City Council
- 4 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 5 To ensure that the trees within the woodland are adequately protected and managed in the long term, for the benefit of the nature conservation value of the site.