

**KEY INFORMATION**

**Ward** East End

**Proposal**

Erection of houses and formation of driveway

**Address**

Garden ground to the east of 15 Strips of Craigie Road Dundee

**Applicant**

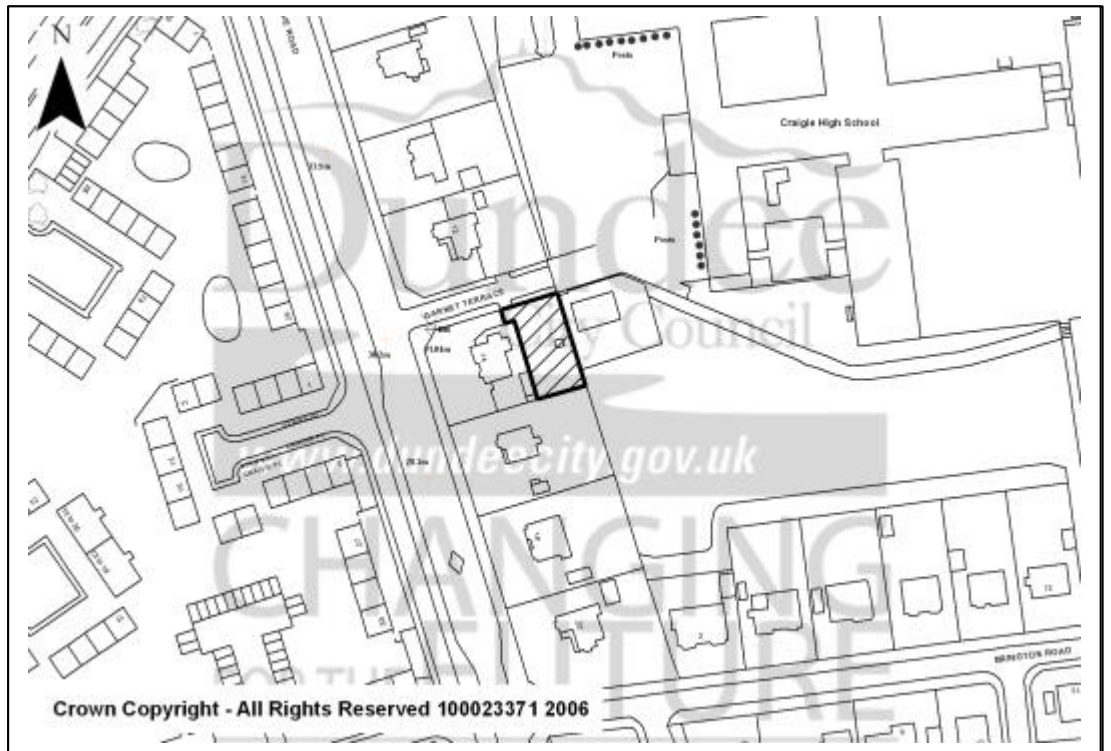
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**Registered** 3 Oct 2007

**Case Officer** Paul Macari



## New House Proposed in Strips of Craigie Road

The erection of a house and formation of driveway is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development is considered contrary to Policies 1,4 and 15 of the Dundee Local Plan Review 2005. There are no material considerations to justify laying aside the Development Plan to grant planning permission and the application is therefore recommended for **REFUSAL**.

**SUMMARY OF REPORT**

- Outline planning permission is sought for the erection of a house and formation of a driveway in the rear garden ground of 14 Strips of Craigie Road.
- One letter of objection has been received with the concerns raised upheld in the assessment of this application.
- The proposed development is considered contrary to Policy 1 Vibrant and Sustainable Communities, Policy 4 Design of New Housing and Policy 15 Development in Garden Ground of the Dundee Local Plan Review 2005.

## DESCRIPTION OF PROPOSAL

Outline planning permission is sought to erect a dwelling in the rear garden ground of 14 Strips of Craigie Road. The existing vehicle access and driveway of Garnet Terrace shall serve the proposed dwelling with a new access and driveway of Strips of Craigie Road proposed for the existing dwelling.

## SITE DESCRIPTION

The application site is located on the eastern side of Strips of Craigie Road on the southern corner of the junction with Garnet Terrace. The application site incorporates all of the rear garden ground of the existing 2 storey detached dwelling occupying the site at present. The existing dwelling was originally served by front, rear and side gardens. The existing property is enclosed by 1.2m high stone and brick built walls. The site is bound to the north and south by dwellings of equal proportions. To the east the site is bound by a 1.5 storey detached dwelling. However this building is included in the curtilage of the adjoining secondary school.

The existing dwelling has a hipped roof finished in natural slate white painted roughcast walls and red painted brick base course. The existing dwelling has been extended through a flat roof white PVCU framed porch.

The site is characterised by the presence of mature trees along South of Craigie Road and southern boundaries.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

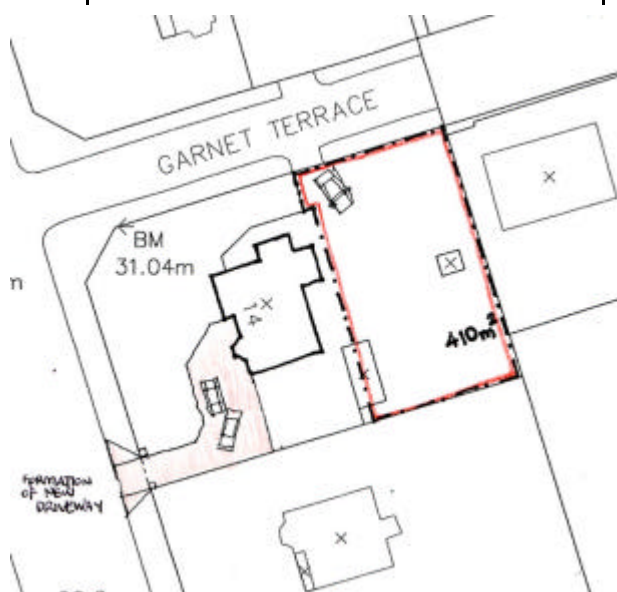
### Dundee Local Plan Review 2005

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:



- 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
- 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 20mph or less. New housing should have regard to opportunities to maximise 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 15: Development In Garden Ground - developments in garden ground will be required to satisfy the following criteria. Planning applications must contain sufficient detail to enable their consideration under each point:

- the proposal is of high quality design and uses materials appropriate to its surroundings; and
- the total footprint of new buildings does not exceed one and a half times the footprint of the original main house unless there has already been development within the garden ground exceeding this limit and where further development would not detrimentally affect the appearance and character as now exists; and
- notwithstanding the above, the final proportion of ground covered by buildings, hard-standings, garages etc must not amount to more than 40% of the original house and garden (\*) with at least 60% cultivatable garden ground; and
- prevailing densities in the area are respected; and
- no new building is proposed in front of the main elevation of the original house; extensions exceeding 20% of the volume of the original building will only be acceptable if designed in such a way as to appear independent and linked discreetly to the original house; and
- prominent frontages and elevations of architectural character on the original house will remain largely intact; and
- the proposal conforms to the Council's non-statutory guidance

- on Breaches in Boundary Walls ; and
- h a full tree survey is submitted along with the planning application to enable a comprehensive landscape assessment to be undertaken. Ultimately, the need to retain existing trees and landscape features may override the above criteria; and
- i where development is permitted, new tree planting and landscaping will be required which should reflect, and where appropriate enhance, the character and stature of that already existing.

### 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

There are no specific sustainability implications arising from this application.

### SITE HISTORY

There is no relevant planning history for this site.

### PUBLIC PARTICIPATION

The applicants carried out the statutory neighbour notification procedure at the time of the submission of this application. A letter of objection has been received. The main issues raised relate to:

- 1 A property sited in this location will not respect the prevailing densities of the area;
- 2 Road safety;
- 3 Would cause the loss of a mature trees;
- 4 The development would cause a loss of privacy and give rise to overlooking;

- 5 Noise disturbance; and
- 6 Loss of value.

Loss of value, noise disturbance and loss of privacy/ overlooking do not constitute material planning considerations at outline level. However, noise disturbance and loss of privacy/ overlooking will form the basis of material considerations should the current application gain permission and a subsequent application for approval of reserved matters is submitted.

Copies of the objections are available for inspection in the Members' Lounges and the issues are discussed 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.

Policy 1 states the any new development should seek to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

The existing dwelling and those surrounding are afforded a suburban environment through low density development where dwellings are sited in plots with an average development ratio of 1:7 with rear private garden grounds in excess of 350m<sup>2</sup>. The environment is further enhanced by the presence of mature trees and shrubbery. The formation of a residential housing plot in the rear garden ground of 14 Strips of Craigie Road and the formation of a new

access would involve the loss of all rear private garden ground afforded to the existing dwelling as well as many mature trees lining the southern and western boundaries of 14 Strips of Craigie Road. Should outline planning permission be granted the existing dwelling would be situated in a revised plot with a development ratio of no more than 1:4. The formation of a building plot in the rear garden ground will therefore have a significantly negative impact upon the level of amenity afforded to the existing dwelling as well as the character and setting of neighbouring properties through overdevelopment.

In addition to this, it is considered that whilst the proposed driveway in isolation may not require planning permission the proposed access, parking and turning area within the revised garden ground of the existing dwelling does not appear to provide the space required to allow both car parking and a turning facility.

In view of the above points, it is considered that the proposal fails to comply with Policy 1.

Policy 4 sets out the standards for the design of new housing at this suburban location. The housing design standards detailed in Appendix 1 to Policy 4 not only apply to new development, but also the existing property. The subdivision of the existing plot serving 14 Strips of Craigie Road would result in the complete loss of its wholly useable rear garden which is considered contrary to Policy 4. Principally this is because Appendix 1 requires that garden ground is both usable and private, which generally excludes garden ground to the front of the property or bordering streets and areas of hard standing including driveways and parking areas. Therefore the existing dwelling would be served by only 70sqm of usable garden ground 50sqm less than the minimum permitted by Appendix 1. Given the scale, design, massing and positioning of the existing dwelling, it is considered that rear garden ground is required to give the existing plot a balanced appearance rather than one that is overdeveloped through the erection of an additional dwelling and formation of extensive hard standing. Therefore the proposed development is considered contrary to Policy 4 of the Dundee Local Plan Review 2005.

Policy 15 requires that developments in garden ground satisfy a range of criteria. Such criteria not only apply to any new development, but also to the existing property.

In conjunction with criteria b and c of Policy 15, it is considered that the proposed residential housing plot cannot accommodate a dwelling, associated garden ground and parking area that respects the prevailing density of neighbouring properties. Therefore should the committee be mindful to grant outline planning permission for the erection of a dwelling on the site proposed, the resulting dwelling would be out of character to the surrounding streetscape and would introduce a density far higher than neighbouring properties. Indeed the existing dwelling would have a reduced development ratio of no more than 1:4 in comparison to neighbouring properties with dwellings of similar scales and designs as existing with a development ratio of 1:7.

In terms of criteria (h) of Policy 15, no tree survey was submitted with the application. Even though trees require to be felled to form the proposed access the application forms clearly certify that no trees on site are to be felled. Taking the above into account, the proposed development is not considered to meet the criteria of Policy 15 of the Dundee Local Plan Review 2005.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

## Other Material Considerations

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

### Objections

Concerns of the objectors relate to a loss of mature trees, traffic and parking issues and that a property sited in this location would detract from the suburban amenity of the area. These issues have already been assessed in terms of Policy 1 and 15 of the Dundee Local Plan Review 2005 in the Observations section above and the views of the Objectors are upheld.

Objections have also been received regarding loss of privacy/ over looking as well as noise disturbance. As the current application is in outline only and no elevational details have been

submitted such concerns would be addressed under an application for approval of reserved matters should outline planning permission be granted.

Finally, the objector raised concern about loss of property value caused by the erection of a dwelling in the garden ground of 14 Strips of Craigie Road. This is not considered to be a material objection and has not been taken into account in the assessment of this application.

It is concluded from the foregoing that there are no material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be refused.

## Design

This proposal seeks outline permission to establish the principle of the erection of a dwelling in the rear garden ground of 14 Strips of Craigie Road. Should the Members be minded to approve this application the issues of design, scale and materials would be discharged at the time of the submission of any full or reserved matters application.

## CONCLUSION

The principle of a dwelling on this site is considered to be contrary to Policy 1, Policy 4 and Policy 15 of the Dundee Local Plan Review 2005. The proposed development would lead to a loss of mature trees without justification, negate the existing dwelling of all private rear garden ground and significantly increase the density of residential development whilst lowering the plot development ratio of 14 Strips of Craigie Road. The cumulative effects of the proposed development outlined above will detrimentally impact upon the existing amenity afforded to 14 Strips of Craigie Road and neighbouring properties.

## RECOMMENDATION

It is recommended that consent be REFUSED for the following reasons:

### Reasons

- 1 The formation of a residential building plot in the rear garden ground of 14 Strips of Craigie

Road will result in the existing dwelling being served by no more than 70sqm of usable side garden ground. The proposed development will have a significant impact upon the level of environmental quality currently afforded to the existing dwelling to the detriment of amenity. The proposed development is therefore considered contrary to Appendix 1 of Policy 4 of the Dundee Local Plan. There are no other material considerations that would justify the grant of planning permission contrary to the provisions of the development plan.

- 2 The formation of a residential building plot in the rear garden grounds of 14 Strips of Craigie Road will significantly reduce the development ratio of the existing plot at 14 Strips of Craigie Road from 1:7 to 1:4. Consequently the proposed development will not respect prevailing building densities and will therefore significantly impact upon the surrounding residential streetscapes and level of amenity afforded to the existing and neighbouring properties. The proposed development is considered contrary to Policy 1, Policy 4 and Policy 15 of the Dundee Local Plan Review 2005. There are no material considerations that would justify the grant of planning permission contrary to the provisions of the development plan.
- 3 Although no tree survey has been submitted and the applicant has certified that no trees are to be felled on site, the formation of an access, driveway and parking area will result in the felling of mature trees located along the western and southern boundaries of 14 Strips of Craigie Road. Such felling of trees will significantly impact upon the environmental quality and suburban character of the existing dwelling and surrounding properties. The proposed development is considered contrary to Policy 1 and Policy 15 of the Dundee Local Plan Review 2005. There are no material considerations that would justify the grant of planning permission contrary to the provisions of the development plan.