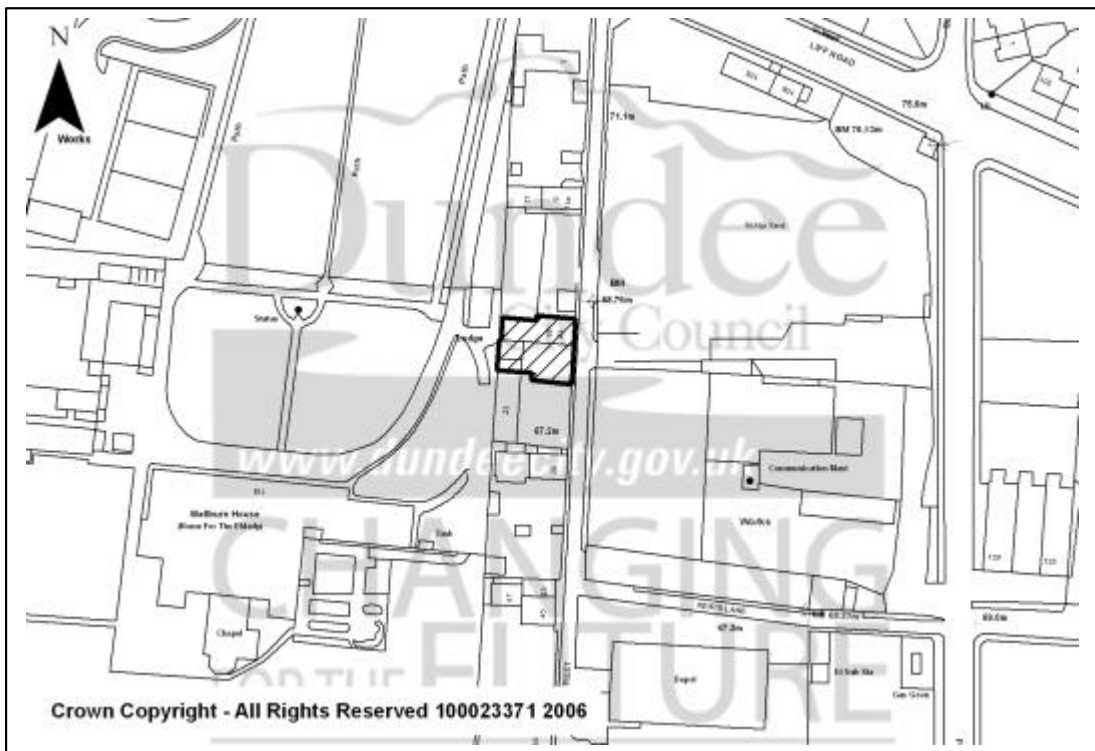


KEY INFORMATION**Ward** Lochee**Proposal**

Erection of a detached two storey house

Address21 Gray Street
Dundee
DD2 2QU**Applicant**Taybank Properties Ltd
c/o James Paul Associates
4 Brook Street
Broughty Ferry
Dundee
DD5 1DP**Agent**James Paul Associates
4 Brook Street
Broughty Ferry
Dundee
DD5 1DP**Registered** 11 Jan 2008**Case Officer** E Jones

New House Proposed in Gray Street

The erection of a detached two storey house is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation.

RECOMMENDATION

The proposal is for the erection of a new family house to replace a small workshop complex which lies between existing housing. It complies with Policy 4 of the Dundee Local Plan Review and the single objection is not supported. It is recommended that planning permission be granted with conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a two storey detached dwelling house. It will have 4 bedrooms, 2 en-suite, a double garage and private rear garden ground of 120 square metres. The proposed materials are dry dash white render with masonry and timber style detailing and a slate roof.
- The site lies on the west side of Gray Street which is a narrow road running downhill from Liff Road to South Road. The east side of the road is identified for industrial uses behind the high boundary walls. On the west side of Gray Street which is not allocated for industry, the properties are all residential, other than this site which appears to have been in use as vehicle related workshops.
- Dundee Local Plan 2005 Policy 4 - Design of New Housing is relevant and the proposal complies with the policy.
- One objection was received from neighbours on the grounds of height causing overshadowing and overlooking; loss of privacy and materials. The objectors house is 29 metres away and the proposed house will not adversely affect their residential amenity.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a two storey detached dwelling house. It will have 4 bedrooms, 2 en-suite, a double garage and private rear garden ground of 120m². The proposed materials are dry dash white render with masonry and timber style detailing and a slate roof. The front garden is proposed to be enclosed by a masonry wall 1.5 metres high with set back gates to the garage.

SITE DESCRIPTION

The site lies on the west side of Gray Street which is a narrow road running downhill from Liff Road to South Road. There are industrial yards on the east side of the road behind high stone walls. Other than this site, the properties on the west side of Gray Street are all residential.

The dwellings are generally cottages of one or one and a half storeys at right angles to the street with gated yards/gardens enclosed by high walls. However the adjacent house to the south is a large two storey property, set back on the west boundary, parallel to the street with its garden all to the front, enclosed by a high wall.

The site is occupied by old stone and slate building, also at right angles to street with a corrugated iron garage facing on to an open yard enclosed by a high wall and gate. It appears to have been in use as vehicle related workshops.

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.

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 following sustainability policy implications arises from this application:



PROPOSED EAST ELEVATION

The proposal meets Policy 5 Built Environment as the redevelopment of the workshops will enhance the local environment by providing a family house and removing the potential for continued commercial use of the site to adversely affect surrounding neighbours.

SITE HISTORY

There is no relevant planning history.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from neighbours on the grounds of height causing overshadowing and overlooking; loss of privacy from balcony; materials out of character with area and access to neighbours property. Copies of the objection are available in Members' lounges and the grounds will be considered in the Observations below.

CONSULTATIONS

The Head of Environmental Health and Trading Standards recommends that a precautionary condition be imposed in respect of the potential for the discovery of contaminated land on this former workshop site. There were no adverse comments from other consultees.

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.

The site lies on the west side of Gray Street which forms the dividing line between unallocated land and the industrial area around Kirk Street/Perrie Street. This site is not allocated for industry and the west side of Gray Street is all residential other than this site which was formerly in use for vehicle related workshops.

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 20 m.p.h. or less. New housing should have regard to opportunities to maximise energy efficiency and promote sustainable waste management."

The proposed development meets the requirements of Appendix 1. The design and materials do not replicate the existing traditional dwellings on the west side of Gray Street which are partly hidden behind high stone walls. The building has been positioned on the site to prevent overlooking to and from the adjoining house to the south. The use of high walls to enclose the site would restrict visibility for drivers exiting the garage and overshadow the front windows of the house. The front wall is proposed to be 1.5 metres which will recreate a sense of enclosure to the site. The house will have a slate roof and the use of white render with stone and timber detailing is quite traditional. It is considered that the erection of a new house in this location will not have a detrimental impact on the appearance of the area.

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:

Objection

One objection was received from neighbours on the grounds of height causing overshadowing and overlooking, loss of privacy from balcony, materials out of character with area and access to neighbours property.

The house will be of similar height to the two storey house on the adjoining site to the south. It will lie 29 metres to the south of the objectors' property and will not overshadow the dwelling. As the windows are only on the east and west elevations, there will be no

overlooking of the objectors' dwelling. Following receipt of the objection, the proposed balcony on the rear of the property, which may have allowed some overlooking of the adjoining garden, has been removed and replaced by patio doors with protective rail, similar to the other bedrooms on the upper floor. The materials have been assessed above and considered to be acceptable. There was a drafting error which showed a gap in the boundary wall which has been amended in revised drawings.

For these reasons, the objection is not supported.

It is concluded from the foregoing that insufficient weight can be accorded to the material consideration such as to justify the refusal of planning permission contrary to the provisions of the development plan.

Design

The design has been considered in the Observations above.

CONCLUSION

The proposal is for the erection of a new family house to replace a small workshop complex which lies between existing housing. It will remove the potential for the site to continue in industrial/commercial uses which could be detrimental to neighbours. It is therefore recommended that planning permission be granted with conditions.

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 The council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council Planning Authority. The scheme shall include a full timetable for the remediation measures proposed.

- 3 If any contamination is discovered and Condition 2 is invoked, verification shall be provided by the applicant or his agent, on completion, that remediation has been undertaken in accordance with, and to the standard specified in the agreed remediation scheme.'
- 4 The garage hereby approved shall be fitted or re-fitted with a roller type garage door.
- 5 Details of the proposed vehicle access must be agreed prior to any works on site and the access must be formed and constructed to Dundee City Council specifications.
- 6 Any existing accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications. Details of these alterations must be agreed prior to any works on site.
- 7 The front garden wall shall be constructed in natural stone, reclaimed from the buildings on site or from an alternative source, as agreed in writing with the City Council. For the avoidance of doubt, the wall shall not be constructed in Fyfe stone masonry block as detailed in the approved plans.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of the amenities of the future occupants of the residential accommodation.
- 3 In the interests of the amenities of the future occupants of the residential accommodation.
- 4 In order to prevent interference with the free flow of traffic and pedestrians on the adjoining highway(s).
- 5 To ensure the provision of a satisfactory access to serve the development in the interest of road safety
- 6 In the interests of highway safety and the amenities of the occupiers of nearby properties

- 7 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area where natural stone walls are a characteristic of adjacent properties.