

KEY INFORMATION**Ward** West End**Proposal**

Change of use and elevational alterations to form dwelling houses and associated car parking spaces.

Address

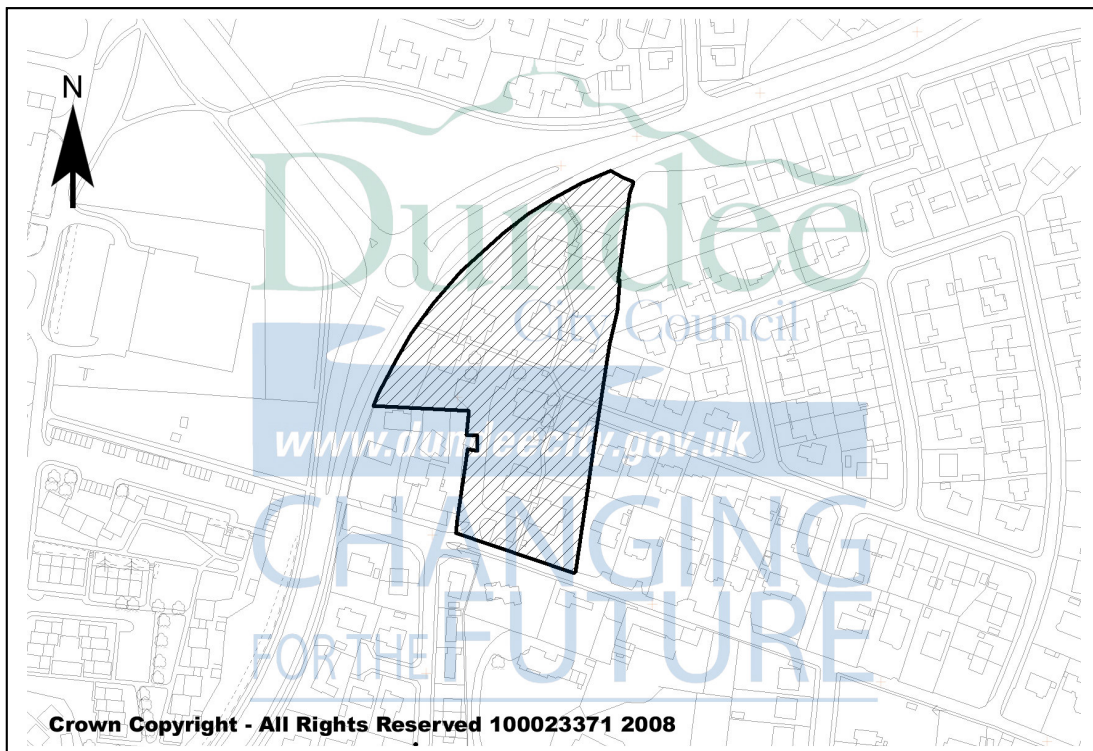
Wimberley Houses
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Dundee

Applicant

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Agent

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Registered 31 Oct 2008**Case Officer** D Gordon

Proposed Residential Development at Wimberley

The change of use and elevational alterations to form dwelling houses and associated car parking spaces is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation.

RECOMMENDATION

It is concluded that the proposals are contrary to the requirements of Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005. However, there are significant material considerations of sufficient weight to justify the support of the development contrary to the provisions of the Plan. The application is recommended for **APPROVAL** subject to conditions. It is further recommended that the use of the new dwellings be subject to a legal agreement preventing their future use as HMO.

SUMMARY OF REPORT

- Permission is sought to convert 9 blocks of former student accommodation units to 36 private dwelling houses. The houses will each have 3 bedrooms, bathroom, kitchen and living/dining room. The proposal also involves external alterations to the buildings, an increase in off street car parking to 79 spaces, improvements to the vehicular access on Glamis Drive and closing off Hillside Terrace at its west end. The development details are similar in appearance and character to a previous application for the conversion of these units to houses that was refused permission by the Committee in October 2008.
- The statutory neighbour notification procedure has been undertaken by the applicants in addition to the proposals being advertised in the local press as development contrary to Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005.
- Forty five objections (including the West End Community Council) to the proposals have been received. These objections raise matters relating to, amongst other things, development plan policies, traffic movement issues and the impact on the surrounding area.
- Sixty four individual letters of support of the application have been received from local residents. These letters welcome the significant improvements that have been made to the scheme.
- It is concluded that the proposals, by virtue of garden ground and off street car parking provision, fail to fully comply with the relevant Local Plan policies. However, it is considered that in this instance there are material considerations of such a weight that would justify support of the application contrary to the provisions of the development plan.
- It is recommended that the use of the new dwellings be subject to a legal agreement under Section 75 of the Act in order to prevent their future use as houses in multiple occupation.

DESCRIPTION OF PROPOSAL

The proposal under consideration seeks permission to refurbish and modernise existing vacant residential units to provide 36 family houses. The existing units (former student accommodation), are constructed in 9 clusters with 4 residential units per block. Currently each unit consists of 6 bedrooms with associated living space. The internal layout is to be rationalised to provide 3 x bedrooms, lounge/dining room, kitchen and bathroom facilities.

External alterations to the buildings are also proposed and include:-

- Replacement of the flat roofs with new pitched roofs.
- Alterations to window dimensions and installation of new doors.
- Provision of coloured external smooth render.

The existing footpath network within the site is to be retained and adjusted to provide privacy for the occupiers of the new units. Private garden ground and patio areas are to be provided for each new dwelling although the site is to remain predominantly open plan in nature.

The existing access into the site from Hillside Terrace on the east is to be closed off by the erection of a 2 metre high stone faced boundary wall with stone coping. A new 2 metre high wooden fence will then run from this wall to the north and south boundaries of 17 and 24 Hillside Terrace respectively. This enclosure will be further enhanced by the dense planting of trees and shrubs on its west side. New timber fencing is also proposed for the southern section of the west boundary of the site.

The access leading off Glamis Terrace is to be altered in order to improve visibility and road traffic and pedestrian safety. The existing off-street car parking spaces currently located within the site (41 in total) are to be re-surfaced with pavements and increased in number to provide a total of 79 spaces.

The proposals indicate that 10 trees are to be removed from the site. Twenty new trees are to be planted throughout the site as part of the submitted development proposals.

The Members may recall that a similar planning application to convert the former student accommodation on this site to 36 dwelling houses was refused



permission by the Committee on 20 October 2008. The main differences between the previous application and this current scheme are detailed in the 'Observations' section of this report below.



SITE DESCRIPTION

The site of this application measures approximately 1.32 hectares in area and is bounded to the west by Ninewells Avenue. To the east are the residential properties of Hillside Drive, Hillside Road and Hillside Terrace. The south side of the site is bounded by Glamis Drive beyond which lie further residential properties.

The site slopes generally in a north to south direction. It currently accommodates 9 residential blocks of student flats each with 4 residential units per block. Each building is

2 storeys in height with flat roofs. The buildings are currently vacant and visually in a poor condition by virtue of flaking render, graffiti and certain degree of vandalism.

The site is accessed from Hillside Terrace to the east and Glamis Drive to the south. These access points lead to off street car parking spaces for the units (41 in total). A number of footpaths run through the site that link Glamis Drive and Hillside Terrace with Ninewells Avenue to the west.

The site enjoys a mature landscape setting with a significant tree belt located on the western boundary of the site. The site is the subject of a confirmed Tree Preservation Order.

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:

The Plan identifies the site as being a Suburban Brownfield Housing Site (Appendix 2 H40 refers).

Policy 3A: Housing Proposals - sites identified in Appendices 2 and 3 are reserved for housing and should not be developed for other uses. The Council will ensure the maintenance of a five year effective land supply at all times, to be monitored through the annual Housing Land Audit Process.

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

- 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.

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.

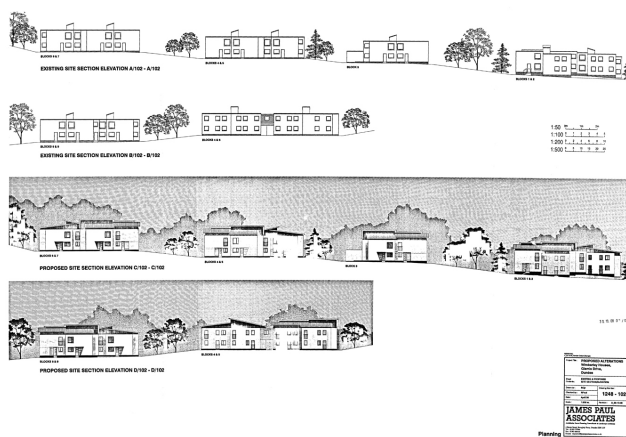
Policy 72: Trees And Urban Woodland - new developments must have regard to existing healthy mature trees, the survival and retention of which will be strongly encouraged through sensitive site layouts and both during and after construction. Where appropriate, development proposals must be accompanied 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.

SUSTAINABILITY ISSUES

The following sustainability policy implication arises from this application:

The proposals involve the re-use and improvement of existing residential accommodation on a brownfield site located within the city. This issue is discussed in greater detail below.

SITE HISTORY

A planning application for the conversion of the existing units into dwelling houses was refused planning permission on 20 October 2008 (application 08/00540/COU refers).

PUBLIC PARTICIPATION

The applicants have undertaken the statutory neighbour notification procedure. In addition, the proposals were advertised in the local press as 'Development Contrary to the Local Plan' (Policy 4) in the local press on 17 November 2008.

The development has attracted 45 individual objections from surrounding occupiers. In addition, a letter of objection has also been received from the West End Community Council. The main relevant issues raised by the objectors relate to:-

- The proposals are contrary to the relevant policies of the Local Plan by virtue of size and appearance of the buildings, the inadequate garden ground provision and the remote car parking arrangements.
- The development will have an adverse impact on the surrounding area by virtue of the appearance and the quality of the houses proposed.
- The proposed increase in traffic will have an adverse impact on the road traffic and pedestrian safety in the surrounding area, particularly with regard to the free movement of service and emergency vehicles, an increased level of on-street/illegal parking in the local area and the lack of pavement provision on the south side of the site.

- d Inappropriate arrangements for refuse collection.
- e Access into the site should be from Ninewells Avenue.
- f Concern over drainage arrangements for the site.

In addition to their objections to the proposed development, the West End Community Council have suggested potential amendments to the scheme that may reduce its impact in the area including the sub-division of the existing blocks into 2 units creating a total of 18 new dwellings instead of the 36 new units proposed.

The proposed development has also attracted a total of 64 individual letters of support. The terms of these letters advise of support for the amendments to the scheme by virtue of the significant improvements to traffic and access arrangements, the closing off the west end of Hillside Terrace and the use of more appropriate colours on the external walls of the buildings.

Members will already have had access to the above letters and it is intended to comment on the various issues raised in the 'Observations' and 'Material Considerations' sections of this report below.

CONSULTATIONS

There have been no adverse comments received from any of the statutory consultees.

OBSERVATIONS

Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997 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 members may recall that a planning application to convert the former student accommodation on this site to 36 dwelling houses was refused permission on 20 October 2008 on the grounds that the development failed to provide adequate private ground and off street parking and that the proposals would increase demand for on street car parking on neighbouring streets to the detriment of the environmental qualities of the local residents and traffic and pedestrian safety.

The proposals currently under consideration are similar in character to those that were refused permission in October 2008. However, the main differences between the two schemes are considered to be:-

- 1 The existing vehicle/pedestrian access from Hillside Terrace will be closed off by means of a new 2 metre high wall and associated landscaping. New timber fencing is also to be provided along sections of east and west boundaries of the site.
- 2 The existing junction on Glamis Road is to remain as the main vehicular access into the site and is to be improved accordingly.
- 3 The off street parking at the west end of Hillside Terrace is to be maintained and accessed via a new internal road running south towards the Glamis Road access.
- 4 Car parking provision has been increased by 7 spaces
- 5 All off street spaces (apart from seven spaces) will be specifically allocated to house owner/occupier. Each parking space will have a private retractable bollard.
- 6 Ten trees are to be removed and replaced by 20 new trees
- 7 The external render colours are to be more muted to reflect natural earth tones.

With regard to the current proposals, the following policy considerations are of relevance.

Policy 3A: Housing Proposals -this Policy requires that identified housing sites are reserved for housing purposes. The site is identified as a brownfield housing site on the Proposal Map of the Dundee Local Plan Review 2005. In this respect, it is concluded that the use of this site for private residential

purposes is consistent with the aims of Policy 3A.

Policy 4: Design of New Housing - this policy requires that all new housing developments within the city should be of a high quality. As a basis for this, new development will be required to conform to the Design Standards contained in Appendix 1 of the Plan.

The proposal involves the conversion of 9 blocks of vacant student flats to 36 private dwelling houses. These new houses will each accommodate 3 bedrooms, lounge/dining room, bathroom and kitchen. External alterations are proposed to improve the appearance of the buildings including the provision of pitched roofs, alterations to windows and doors and the introduction of coloured external render.

Within the suburban area of the city, the Plan requires that 75% of new houses should have 3 or more bedrooms or a minimum gross internal floor area of 100m². The proposed houses do not achieve the minimum floor area required although each unit provides 3 bedrooms in compliance with the Plan. It is considered that this aspect of the development is consistent with the requirements of Policy 4.

All new private housing with 3 or more bedrooms should have at least 2 off-street car parking spaces within the curtilage of the building. In addition, 50% of all houses should have a garage or a space for one. The development proposes to utilise and extend the existing off street car parking spaces within the site. These spaces are generally located remote from the existing buildings, particularly those located on the north side of the site. While the scheme proposes 200% off street parking and 7 visitor spaces, it is considered that the upgrading of the existing spaces and the provision of the additional spaces proposed are inconsistent with the full requirements of Policy 4.

Policy 4 requires that on brownfield sites within the suburban area, a minimum private garden ground area of 120m² should be provided for all houses. In addition, within private developments, 40% of houses should have a minimum of 160m² of useable garden ground. Due to the nature of the development the applicants have advised that while a minimal amount of enclosed private garden ground and

patio areas are to be provided within the immediate curtilage of each dwelling, the site will not be subdivided into large enclosed private garden areas in order to retain the open mature landscape setting of the site. The applicants have advised that it will be written into every Title Deed that all property owners will have a joint responsibility in the maintenance of all soft and hard landscaping located within the "mutual" garden ground areas of the site. However, it is concluded that the proposals fail to comply with the requirements of Policy 4.

Within new housing developments, there should be 18 metres between facing windows of habitable rooms. This requirement is met by the submitted proposals.

Policy 72: Trees and Urban Woodland - this policy requires that new developments must have regard to existing healthy trees, the retention of which will be strongly encouraged through sensitive site layouts and both during and after construction. The proposals involve the removal of 10 trees from the site. These trees of minor importance within the terms of the Tree Preservation Order are considered to play only a relatively ancillary role in the attractive landscape setting of the site. The applicants have advised, through the terms of their submitted Tree Survey report, that 6 of the identified trees require removal due to their poor condition. The applicants also advise that 20 new trees are proposed to replace those to be removed. It is considered that the proposals do not conflict with the terms of Policy 72.

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:

1 Supporting Statements by Applicants

The applicants have submitted a Planning Support Statement, a Design Statement and a Sustainable Development Profile to accompany their application.

With regard to land-use policies, the applicants argue that the use of the site for residential purposes is in full

accordance with National Policy and Guidance and with the relevant policies of both the Structure Plan and Local Plan Review. It is conceded that this use is considered to be appropriate and this is confirmed by the identification of the site as a brownfield housing site in the Dundee Local Plan Review 2005 (H40 refers).

With regard to the failure of the development proposals to comply with the garden ground and off street car parking requirements of Policy 4 (Design of New Housing) the applicants state that the Local Plan recognises that particular sites may not lend themselves to certain types of development and consequently, compliance with the terms of Appendix 1 of the Plan may not be practical. They further argue that the retention of the car parking spaces in the existing locations and the lack of definition of large areas of enclosed private garden ground attached to each new house will maintain the attractiveness of the open plan aspect of the site and the mature landscape setting of the area. The applicants also contend that the re-use of the units will further safeguard the trees that are currently protected within the site.

With regard to the retention of the existing houses and their use as modern dwellings, the applicants advise that the existing buildings have been inspected by a qualified Structural Engineer who has stated that the buildings are sound in both structure and construction. As a result, the applicants consider that it is logical to retain these existing structures and adapt them to modern living standards. They argue that this type of development would be very much in line with the sustainable policies which are encouraged and actively supported by the City Council. The applicants consider that the proposals specifically meet the following sustainable development objectives:

- a minimising carbon dioxide production from all aspects of construction
- b maximises the efficient use of land and buildings in relation to infrastructure requirements and carbon emissions
- c minimises waste and maximises recycling during construction.

The applicants also consider that the proposals maximise the effective use

of the land and buildings to contribute to a high quality re-use of buildings and materials on a brownfield site and reduces the large amount of energy used in the preparation and transportation of construction materials.

2 Views of the Objectors

- a The proposals are contrary to Policy 4 (Design of New Housing) of the Local Plan.

This matter has been discussed in the 'Development Plan' section of the report above and it was concluded that the development does not fully comply with the required private garden ground and off street car parking provision as detailed in Appendix 1.

- b The appearance and quality of the development will have an adverse impact on the surrounding area.

It is considered that the proposed alterations to the existing buildings (provision of pitched roofs etc), significantly improve the dated and institutional appearance of the former student flats. The designs of the new units are considered to be acceptable in this location and will ensure the retention and protection of the mature landscape setting currently evident on the site.

c Traffic Movement Issues

The proposals involve, amongst other things, closing off to vehicular and pedestrian traffic, the west end of Hillside Terrace by a provision of a 2 metre high boundary wall with associated landscaping. This would result in the site being accessed solely from Glamis Drive to the south. The applicants have submitted a Transport Statement in support of the proposed development.

The existing access on Glamis Drive was to be closed and a new access formed approximately 10 metres to the east. However, following discussions with the agents on the safety and the use of the new access by emergency and service vehicles, it was concluded that the use of the exiting access (with appropriate improvements) would be more acceptable from traffic safety viewpoint. The plans were subsequently amended to reflect this conclusion. Re-notification of the neighbouring properties of this change was not undertaken as it was considered that the amendment did not prejudice the views already expressed

by both the objectors to and supporters of the development.

An assessment of the local road network to service this particular development site has been carried out and it has been found to be capable of coping with the potential increase in vehicle numbers and traffic movements generated by the new houses.

The issue of the development potentially increasing on street car parking problems in the local area can only be fully assessed following the use of the site for the residential units proposed. However, it is considered at this time that, by virtue of the increase in the vehicles using the site, the proposed development will not have a significant impact on on-street parking in the area.

d Inappropriate Refuse Collection Arrangements.

Where it will not impact on the existing landscape setting, the applicants propose to enlarge the existing bin stores located throughout the site. A new bin store facility is also to be constructed which would allow for a 'local recycling centre' to be located within the central section of the site.

e Access into the site should be from Ninewells Avenue.

This matter has been raised previously by the local residents. Due to several reasons, including a difference in ground levels and the potential impact of such an access on protected trees, this is not considered to be a preferred option for this site at this time.

f Drainage Arrangements for the Site.

The applicants have submitted drainage details for the site that include introduction of porous car parking surfaces, provision of swales around the perimeter landscaped areas, the use of water butts (for future irrigation of mutual landscaped areas) in strategic locations throughout the site. It is anticipated that the proposals will not result in any increased flooding in the area.

3 Views of Supporters of the Proposals

The supporters of the proposals all welcome the improvements that have been made to the scheme, including

the 'closing off' of the west end of Hillside Terrace.

4 Houses in Multiple Occupation

Concerns have previously been expressed by the Committee about the conversion of residential properties in the certain areas within the city including the west end and in areas close to Ninewells Hospital to HMO's with resulting impacts on residential amenity. In November 2006 the Planning and Transportation Committee approved supplementary planning policy guidance for controlling HMO's within the city. This guidance was reviewed in February 2008. This guidance states that the occupation of dwellings in new residential developments by 3 or more unrelated people will be prevented through the use of Section 75 Agreements.

It is therefore considered that it would be appropriate in this case, by virtue of the size of the houses and their proximity to Ninewells Hospital, to restrict changes of the use of the houses to HMO's. Such a restriction by means of a Section 75 Agreement has been discussed and agreed with the applicant's and their acceptance of it has been obtained.

With regard to the issues above, as stated in the previous planning application for the conversion of these units to houses, the layout and form of development would not generally be supported if the application were to be for a new build proposal.

However, in examining the details of this current application, it is considered that the various external alterations proposed to the units will significantly improve the appearance and setting of the buildings in the local area. The proposed internal conversion works will result in the provision of good family size houses and the retention of the buildings on the site will ensure minimal disruption to the existing protected trees and the mature landscape setting of the site. Off street car parking spaces (200% provision plus visitor parking) while not located within the curtilage of the houses will be within easy walking distance of most new dwellings. The applicants have identified the possible allocation of the various spaces to the households within the site.

The applicants consider that they now offer improvements to the

development, particularly by the closing off of Hillside Terrace on its west side. Following a meeting between a number of local residents and the agents, it is understood that the residents of Hillside Terrace expressed concern regarding workers and visitors to Ninewells Hospital parking on Hillside Terrace and the surrounding roads and then walking through the application site to gain access to Ninewells Hospital, thus avoiding the parking charges levied by the Hospital. The provision of a stone faced boundary wall, along with enhanced landscaping, along the west end of Hillside Terrace should ensure that there will be no vehicular or pedestrian access through the site. This solution would appear to have found some favour with surrounding occupiers with a total of 64 individual letters of support of the current proposals being submitted.

As this access has been open to the public for a number of years, any proposal to stop public access requires the access to be formally 'stopped up'. The developer has been advised of this requirement and will pursue a Stopping Order through this Council. This Order will require to be in place prior to any works to permanently close the access.

It is further considered that the applicants have put forward a robust argument in terms of sustainability for the re-use of these buildings. It has been confirmed that the units are sound in both structure and construction and that there are no compelling or overriding reasons for the demolition and removal of these units from the site.

Taking all relevant matters into account, it is considered that the proposals put forward for consideration will offer the future occupants of the buildings quality accommodation in a quality environment. It is concluded that while the proposals do not comply with the requirements of Policy 4 of the Local Plan, on balance, the proposals should be offered support in this instance.

It is concluded from the foregoing that sufficient weight can be accorded to any of the 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 granted with conditions.

Design

The existing buildings are two storeys high, flat roofed properties that are finished in brick and roughcast. The design of the structures is dated, repetitive and uninspiring and as a consequence detracts from the quality of the appearance of the surrounding dwellings. Their current vacant status only serves to compound this problem.

It is considered that the proposals to alter the external appearance of the units, including the introduction of pitched roofs and amendments to the windows and doors, significantly improve both the character and appearance of the buildings. The applicants have proposed changes to the colours of the new external render and moved towards more earth tone colours. This, it is considered, results in the creation of a residential development that is of a standard and quality that is appropriate in this area of the city.

CONCLUSION

The applicants have offered improvements on the scheme that was previously refused permission by this Council. This includes the closing off of the west end of Hillside Terrace, a proposal which has received support of a number of local residents. It is concluded from the foregoing that the proposals comply with the provisions of Policy 1 and Policy 72 but contravene Policy 4 of the Dundee Local Plan Review 2005. However, as detailed above, there are considered to be material considerations that are of sufficient weight to justify support of the proposals contrary to the provisions of the development plan.

RECOMMENDATION

Recommendation 1

This planning permission shall not be issued unless and until an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 between the Council and parties with appropriate interests in the land has been recorded. This agreement will relate to the prohibition of any of the proposed dwellings becoming a house in multiple occupation.

Recommendation 2

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 samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.
- 3 Development shall not begin until full details of hard and soft landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - a existing landscape features and vegetation to be retained and, in the case of damage, restored
 - b soft and hard landscaping works.
 - c indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration.
 - d location of new trees, shrubs and grassed areas.
 - e schedule of plants to comprise species, plant sizes and proposed numbers/density.
 - f programme for completion and subsequent maintenance.

For the avoidance of doubt, any trees or shrubs which, in the opinion of the planning authority, are dying, severely damaged or diseased within 5 years of planting shall be replaced by trees or shrubs of a similar specification to those originally planted.

- 4 Development shall not begin until the trees to be retained within the site have been protected by suitable fencing. Details of this fencing shall be submitted for the consideration of the planning

authority and no work shall commence until written approval of the planning authority has been given.

- 5 That prior to the commencement of development full details of the proposed refuse management arrangements for the site, including details of improvements to the existing facilities, shall be submitted to and approved in writing by the planning authority
- 6 That prior to the commencement of development, full details of the proposed vehicular access arrangements onto Glamis Drive shall be submitted to and approved in writing by the planning authority and thereafter the improvements to the access shall be carried out only in full accordance with Dundee City Council specifications.
- 7 Prior to the first use of any of the buildings hereby granted permission, a footway shall be provided ex adverso the site on Glamis Drive. For the avoidance of doubt, the details of this footway shall be agreed in writing with the planning authority prior to the commencement of any development works
- 8 Any existing accesses that are no longer required as part of the proposed development shall be made good to the satisfaction of the planning authority. Details of these alterations shall be submitted to and approved in writing by the planning authority prior to the commencement of development works. For the avoidance of doubt, the proposed wall to be erected on the west end of Hillside Terrace shall be lawfully erected in accordance with a confirmed Stopping Up Order and in full accordance with approved details, prior to the commencement of development works.
- 9 Notwithstanding the provisions of Schedule 1, Part 2, Class 7 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1997 as amended, no walls, fences, gates or other means of enclosures, other than those specifically stated on the approved drawings, shall be erected on the site which is the subject of this application .

Construction of any means of enclosure cannot be carried out without planning permission being granted on an application made to the planning authority.

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 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 4 To protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development.
- 5 In the interests of sustainable development.
- 6 To enable drivers to enter and leave the site in a safe manner.
- 7 In the interests of the safe passage of pedestrians along the south side of the site.
- 8 In the interests of the safe vehicular entry and exit from the site and in the interests of pedestrian safety.
- 9 To safeguard the appearance and character of the open and mature landscape setting of the site in the interests of the environmental quality of the area.