

KEY INFORMATION

Ward East End

Proposal

Proposed development of new care home for the elderly

Address

Redholme
Gardyne Road
Dundee

Applicant

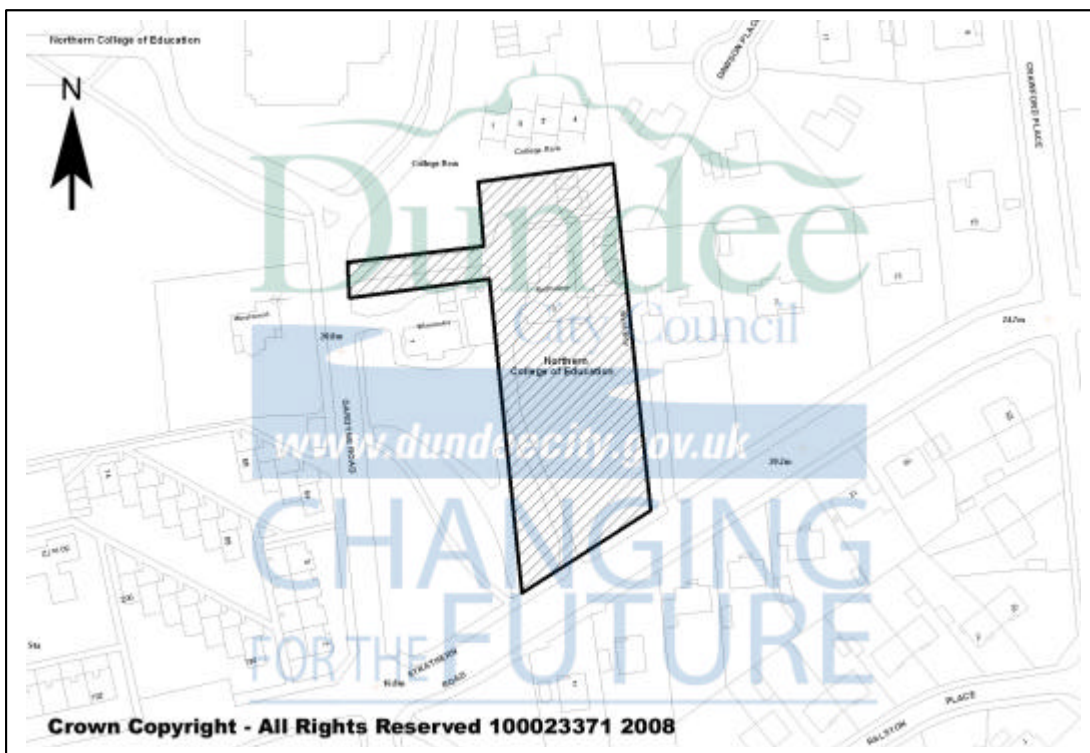
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Registered 6 Nov 2008

Case Officer C Walker



New Nursing Home Proposed at Redholme

A proposed development of a new care home for the elderly is **RECOMMENDED FOR REFUSAL**.
Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development contravenes Policies 1, 10, 15 and 55 of the adopted Local Plan in terms of the overdevelopment of the plot, the excessive scale and massing of the building, the appearance of the side elevations and the overlooking of neighbouring properties. The application is therefore recommended for **REFUSAL**.

SUMMARY OF REPORT

- Planning permission is sought to demolish the existing building known as Redholme and replace it with a 60 bed nursing home almost three and a half times its footprint.
- Policies 1, 10, 15, 28 and 55 of the Local Plan are relevant to the determination of this application.
- A neighbour has written in support of the development and the Community Council has objected.
- Although the principle of developing the site for a care home is satisfactory, the proposed building is of excessive scale and massing, represents an overdevelopment of the plot and has an adverse impact on neighbours contrary to Policies 1, 10, 15 and 55 of the Local Plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought to demolish the existing building known as Redholme and replace it with a 60 bed nursing home. The proposed new building has a footprint of some 860m² (excluding a projecting terrace of some 57m²). This is over three times the footprint of Redholme, and takes the building line forward by some 10 metres (or some 12 metres if the projecting terrace is included). 4 levels of accommodation are provided, although the basement level is mainly beneath existing ground level and the top floor is provided within the roofspace. The applicants state that the roof height is no higher than that of the house at 5 Strathern Road to the east of the site. The proposed building extends to a length of some 43 metres (including the terrace) and a width of some 26.5 metres.

The above figures are based on revised plans submitted by the applicants some 6 weeks after the application was initially submitted. These revised plans reduce the footprint of the building by approximately 70m² (some 7.5%) and introduce high level windows on the stairwell on the east elevation of the building. The applicants have asked that these plans be substituted for the original plans submitted. This request has been acceded to, taking into account the minor nature of the changes and the fact that neighbours will not be prejudiced by them.

The principal southern elevation overlooks the landscaped gardens and is attractively designed as a traditional arts and crafts building. The side elevations are more utilitarian in design, principally due to their length and the fact that windows have mainly been inserted where there are windows on Redholme, to avoid excessive overlooking of adjoining properties. The result is that there are large sections of blank wall particularly on the eastern elevation. The north elevation is attractively designed and has the appearance of a 2 storey structure.

The proposed access arrangements are as existing, with vehicular access from Gardyne Road and it is proposed to

reopen a pedestrian access from Strathern Road. 11 parking spaces will be provided in areas of hard standing to the rear of the site. The landscaped garden ground to the south of Redholme is unaffected by the proposed development and is proposed to be retained as a garden area.

The applicants have submitted a supporting statement with their proposals in which they state that the



proposed development will provide a high standard of care in an ideal location on a secluded site which can take a building of the scale proposed. They refer to its proximity to Dundee College campus which can provide recreational opportunities for residents and educational opportunities for both



staff and students. They point out the demand for this type of facility in Dundee and the importance of providing care homes in existing communities rather than in peripheral locations.

They justify the demolition of the existing building on the basis that it is unsuitable for conversion to a care home, is unlisted and much altered and is unsustainable in terms of energy efficiency. They state that the proposed arts and crafts design is attractive, non institutional and in keeping with neighbouring houses, whilst providing good internal facilities. They state that the scale of the building avoids overlooking, does not result in an increase in overshadowing (drawings to illustrate

this are provided), maintains a ridge height similar to the house to the east, does not affect trees and the screening from trees means that there is no clear view of the building from any location. They state that the development will be energy efficient in terms of SPP6 and PAN 84.

In terms of the Local Plan they state that for reasons set out above the development complies with Policies 1, 10, 15, 28 and 55. They state with particular reference to Policy 15(b) that the original footprint of Redholme has already had its foot print exceeded by one and a half times and in terms of 15(c) that less than 40% of the site will be covered by buildings and hard standings.

SITE DESCRIPTION

The site comprises Redholme and its garden ground, extending to some 0.44 hectares in extent.

Although it has been substantially modified over time, it is still an imposing and attractive building. The south elevation is of particular interest with its red harled walls, astragaled windows, castellated bay and slated roof. It overlooks a pleasant garden and area of woodland to the south.

The building was last used as a student residence and was part of the campus of the former Northern College. The building has been vacant for some time. It is accessed from a private drive off Gardyne Road and there is a parking area and garages to the north of the building.

There are substantial detached villas to the east and west of the site, a terrace of 4 modern houses to the north and a modern housing estate to the north east. Further to the north and north west is the Gardyne Road campus operated by Dundee College.

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 site is in an existing housing area and Policy 1 seeks to protect residential amenity.

Policy 10 sets out standards for Non Mainstream Residential Uses including residential care homes.

The site is within an area where Policy 15 on garden ground development is applicable.

The site, along with the adjoining Dundee College campus is covered by Policy 28 of the Local plan which relates to Higher Education Development.

Finally Policy 55 encourages good design quality.

Scottish Planning Policies, Planning Advice Notes and Circulars

SPP6 and PAN 84 promote sustainable development.

Non Statutory Statements of Council Policy

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

SUSTAINABILITY ISSUES

The proposed development raises issues in terms of sustainability which are addressed in the Observations Section of this Report.

SITE HISTORY

Applications for a development of 3 houses and subsequently for 1 house in the garden ground to the south of Redholme were withdrawn prior to being determined by the Council in December 2005 and August 2006 - applications 05/00886/OUT and 06/00496/FUL refer.

More recently in October 2007 planning permission for a block of 12 flats on the site was refused permission - application 07/00727/FUL refers. That building was 3 storeys high and less than half the footprint of the care home building currently proposed. The reasons for refusal included reference to the poor design of the

proposed building, overlooking of neighbouring gardens, excessive footprint and demolition of Redholme contrary to garden ground policies.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposed



development was advertised as contravening Policies 10 and 15 of the adopted Local Plan.

A letter was received from the owner

considered in the Observations Section of this Report.

CONSULTATIONS

Broughty Ferry Community Council object to the proposed development stating that this is an overdevelopment of the site with a footprint substantially exceeding that of the original house by more than one and a half times, and that new development and hard standings may take up more than 40% of the total site area. They state that the height of the development, which is greater than the original mansion, causes amenity concerns regarding the scope for overlooking the adjoining houses and gardens. Finally, they state that the reuse of an attractive building which is still in reasonable condition would be a more sustainable/less energy wasting option.

Members will already have had access to this letter and the points raised are considered in the Observations Section of this Report.

OBSERVATIONS

Statutory Requirements

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 is a general policy protecting residential amenity and requires new development to be in accordance with other policies in the Plan. In this case the proposed development of a large care home on the site raises issues in terms of contravention of other policies of the Plan (see in particular the assessment against Policies 10 and 15 of the Local Plan below). In



of the house to the west of the site who supports the development, believing it to be a vast improvement on the previous flatted proposal. He considers that the plans successfully address his previous concerns about overlooking and overshadowing, are more in keeping with the area and that the continued vacancy of Redholme is a problem for neighbours in terms of vandalism and noise.

Members will already have had access to this letter and the points raised are

addition issues arise in terms of the impact of the design and layout of the development on the amenities enjoyed by neighbours which are considered under Policy 10 below.

Policy 10 states that proposals for the development of non-mainstream residential uses (such as care homes) will be supported where:

- a a good quality residential environment will be created for residents and the proposal does not impact adversely on the amenity of neighbours by virtue of design, overshadowing, overlooking and parking; and
- b the site is well located to give access to a range of local services and facilities and is accessible by public transport; and
- c it will not lead to an excessive concentration of non-mainstream residential uses to the detriment of the character of the particular area; and
- d appropriate car parking provision is made relative to the needs of occupants, visitors and any support staff. In determining appropriate provision the availability of public transport and proximity of local services and facilities will be considered; and
- e appropriate amenity space is provided in a sheltered, private location that is sunny for most of the day; and
- f the design reflects the scale, massing and materials of adjacent buildings.

In terms of subsection (a) it is considered that a good quality residential environment will be created for residents. It is also considered that this is a good site for a residential care home and that the requirements of subsections (b), (c), (d) and (e) of the Policy are also met. However it is considered that the scale of the proposed development is excessive and that this has adverse impacts on the amenities of neighbours by reason of overlooking and that the design does not reflect the scale and massing of adjacent buildings, contrary to subsections (a) and (f) of Policy 10. Although every effort has been made to minimise overlooking by concentrating new side elevation windows in locations where there are

existing windows, the large additional number of windows coupled with the increased height of the new building will have an increased impact. More significantly, by advancing the building line forward by some 10 metres, the houses to the east and west will be faced with extensive areas of high blank wall. The visual impact of these parts of the building will not be attractive.

The proposed new building will be over three times the footprint of Redholme and will contain 4 levels of accommodation and can in no way be considered to reflect the scale and massing of adjacent buildings.

Policy 15 relates to garden ground development. The preamble to this policy states that its aim is to protect the architectural appearance and landscape features of low density parts of the city.

Sub-section (a) of the policy requires the design of new development to be appropriate for its surroundings. Redholme is an attractive building set in mature landscaped grounds. Although the building is not listed or situated in a conservation area, proposals to demolish this building would only be acceptable if the replacement building was of an equal design quality.

It is considered that a valiant attempt has been made design a building that is as sympathetic as possible to its surroundings but it has not been possible to overcome the substantial constraints imposed on the design by the sheer scale and massing of the building and the restriction on where windows can be placed due to issues of overlooking. Thus whilst the north and south elevations are reasonably attractive the side elevations, which are 43 metres long, contain extensive areas of blank walling. In addition the substantial scale and massing of the proposed building jars with that of the adjoining dwellings, even with the screening provided by existing trees and hedges.

In terms of Policy 15(b) the total footprint of new buildings will greatly exceed one and half times the footprint of the original house. The proposed new building has a footprint of some 860 sq. metres (excluding a projecting terrace of some 57 sq. metres). This is almost three and a quarter times the footprint of Redholme.

In terms of Policy 15(c) the total coverage of the proposed development in terms of buildings, paths and hard standings is some 2,040 m² on an overall site of 4,385 m² giving a coverage level of 46.5%. This level of development is well in excess of that permitted by Policy 15. The applicants have attempted to reduce this figure by excluding areas of hardstanding to the west of the proposed building and the footpath leading from the building to Strathern Road from this calculation, and by including narrow slivers of ground along site boundaries. Based on these assumptions the applicants claim that the 40% figure is achieved. However it is considered that there is no justification for excluding areas of hardstanding from the overall calculation as suggested by the applicants.

In terms of Policy 15(d), it is considered that the density of development is well in excess of that prevailing in this area. Unlike neighbouring dwellings the proposed building occupies a considerable proportion of the application site.

In terms of Policy 15(f) the prominent frontage of the original house has architectural character and this will not remain intact. Whilst it would be acceptable to demolish this building provided its replacement was of equal quality, it has been concluded in the context of Policy 15(a) above that the design of the proposed nursing home is not of sufficient quality to justify the demolition of the existing building.

Policy 15(e) is not applicable. Although Policy 15(h) and (i) requires information on existing trees and on proposed new planting and this information has not been submitted, details on the existing trees have been submitted by others in connection with previous applications on this site and it is considered that the development will not compromise the health of the existing mature trees. The applicants Supporting Statement has indicated that the landscaped area to the south of the site will be developed as an amenity for residents.

Policy 28 relates to Higher Education Development and the application site falls within an allocated campus area. The aim of the policy is to support higher education development. Although the application site falls within a campus area and its last use was as student accommodation, in

practical terms it is peripheral to the campus and is now separated from it by a private dwelling house. It is considered that to permit the redevelopment of this site for a care home would not prejudice the development of the Gardyne Road campus for higher educational purposes.

Policy 55 promotes good design and for the reasons set out in the assessment of the proposed development against Policy 15(a) of the plan it is considered that the design of the proposed development is unsatisfactory.

It is concluded from the foregoing that the proposal does not comply with Policies 1, 10, 15 and 55 of the adopted Local Plan.

Other Material Considerations

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

(A) The Applicants Supporting Statement - the applicants make an eloquent case for the establishment of a care home on this site and all the points relating to the accessibility of the site, linkages to the college and demand for care homes are accepted. It is solely the excessive scale of the building that is a concern.

They justify the demolition of the existing building on the basis that it is unsuitable for conversion to a care home. They state that the existing building is unsustainable in terms of energy efficiency and that the new development will be energy efficient in terms of SPP6 and PAN 84. These matters will be considered under the Sustainability heading below.

They state that the proposed arts and crafts design is attractive, non institutional and in keeping with neighbouring houses. However for the reasons set out in the assessment of the development against the Local Plan above, it has been concluded that the scale and massing of the proposed building is not in keeping with the surrounding dwellings, the design of the side elevations is poor and overall the replacement of Redholme with this nursing home will not enhance the design quality of the surrounding area.

They state that the scale of the building avoids overlooking, does not result in an increase in overshadowing, maintains a ridge height similar to the

house to the east, does not affect trees and the screening from trees means that there is no clear view of the building from any location.

The assessment of the development against Policy 10 of the Local Plan above has concluded that there will be an increased level of overlooking but it is accepted that overshadowing will not be unacceptable. Although the height of the new building may be in line with that of the house sitting on higher ground to the east, this is not an accurate reflection of the position. The proposed building has a significantly larger footprint and is 4 storeys in height. It is also higher than Redholme.

It is accepted that the development does not affect trees and the screening from trees means that there is no clear view of the building from any location. However there are gaps in the screening and the new building will be more visible in winter time. It is still contended that extensive areas of the building will be visible from adjoining properties.

In terms of the Local Plan they state that the development complies with Policies 1, 10, 15, 28 and 55. They state with particular reference to Policy 15(b) that the original footprint of Redholme has already had its foot print exceeded by one and a half times and in terms of 15(c) that less than 40% of the site will be covered by buildings and hard standings.

This analysis is not accepted and it has been concluded that the development conflicts with Policies 1, 10, 15 and 55. It is incorrect to state that the footprint of Redholme has been extended by more than one and a half times since the house was built. Historic maps indicate that there have been no substantial extensions to the original house. In terms of 15(c) it has been concluded that the 40% rule has been exceeded by the proposed development.

A significant part of the applicant's case seems to be based on the fact that the site is well screened. It is accepted that existing screening will tend to diminish the scale of the proposed building and its impact on neighbours to such an extent that a well designed building that may exceed the standards set out in the Local Plan might be acceptable on this site. However the extent of overdevelopment in this case, running to three and a quarter times the

footprint of the existing building cannot be supported in this instance. Indeed the proposed development is over twice the footprint of the block of flats that was previously refused on the site (application 07/00727/FUL), one of the reasons for refusal being the excessive footprint of that building.

(B) Sustainability - the applicants justify the demolition of the existing building on the basis that it is unsuitable for conversion to a care home. However, it may be possible to convert and extend the building to provide a housing development and no evidence has been produced to suggest that the building is past its useful life. They state that the existing building is unsustainable in terms of energy efficiency and that the new development will be energy efficient in terms of SPP6 and PAN 84. It is accepted that with the recycling of existing materials and the use of modern energy efficient technology that the proposed demolition and rebuilding can contribute to a sustainable development on this site.

(C) The Neighbours Supporting Letter - the owner of the house to the west of the site supports the development, believing it to be a vast improvement on the previous flatted proposal. He considers that the plans successfully address his previous concerns, are more in keeping with the area and that about overlooking and overshadowing the continued vacancy of Redholme is a problem for neighbours in terms of vandalism and noise.

It is accepted that the current proposals in terms of design and overlooking are a significant improvement on the poor design put forward for a previous flatted development which was refused. However for reasons stated above, the proposed development is of unacceptable scale and massing and is not of a quality sufficient to justify the demolition of the existing building. Whilst the continued vacancy of the premises is a worry for the neighbour, and the Council would also like to see the site being put to an acceptable use, this concern is not of sufficient strength as to justify the approval of a development which conflicts significantly with the development plan.

(D) The Concerns of the Community Council - Broughty Ferry Community Council object to the proposed development stating that this is an

overdevelopment of the site with a footprint substantially exceeding that of the original house by more than one and a half times, and that new development and hard standings may take up more than 40% of the total site area. They state that the height of the development, which is greater than the original mansion, causes amenity concerns regarding the scope for overlooking the adjoining houses and gardens. Finally, they state that the reuse of an attractive building which is still in reasonable condition would be a more sustainable/less energy wasting option.

These matters have all been considered in the assessment of the development against the Local Plan and the concerns of the Community Council are supported in this instance.

It is concluded from the foregoing that there are no material considerations of sufficient weight that would justify setting aside the terms of the Development Plan. It is therefore recommended that planning permission be refused.

Design

The principal southern elevation overlooks the landscaped gardens and is attractively designed as a traditional arts and crafts building. The side elevations are more utilitarian in design, principally due to their length and the fact that windows have mainly been inserted where there are windows on Redholme, to avoid excessive overlooking of adjoining properties. The result is that there are large sections of blank wall particularly on the eastern elevation. The design has failed to overcome the substantial constraints imposed by the sheer scale and massing of the building and the restriction on where windows can be placed. In addition the scale and massing of the proposed building jars with that of the adjoining dwellings, even with the screening provided by existing trees and hedges.

CONCLUSION

The proposed development contravenes Policies 1, 10, 15 and 55 of the adopted Local Plan in terms of the overdevelopment of the plot, the excessive scale and massing of the building, the appearance of the side elevations and the overlooking of neighbouring properties.

RECOMMENDATION

It is recommended that consent be REFUSED for the following reason(s):

Reasons

- 1 The proposed development is of unsatisfactory design quality principally due to the excessive scale of the building compared with adjoining dwellings and the blandness of the extensive side elevations contrary to Policies 1, 10 (a) and (f), 15(a) and 55 of the adopted Dundee Local Plan Review 2005. There are no material considerations that would justify the approval of the application contrary to the provisions of the Development Plan.
- 2 The proposed development is of excessive scale and massing and represents an overdevelopment of the site contrary to Policies 10(f) and 15 (b), (c) and (d) of the adopted Dundee Local Plan Review 2005. There are no material considerations that would justify the approval of the application contrary to the provisions of the Development Plan.
- 3 The proposed development would result in unacceptable overlooking of the garden areas of adjoining dwellings due to the large number of additional windows coupled with the increased height of the new building. The proposed development is therefore contrary to Policies 1 and 10(a) of the adopted Dundee Local Plan Review 2005 and there are no material considerations that would justify the approval of the application contrary to the provisions of the Development Plan.