

KEY INFORMATION

Ward Lochee

Proposal

Change of house type and levels at Plots 17-22 (Inclusive)

Address

Land to North and South of Donalds Lane
Dundee

Applicant

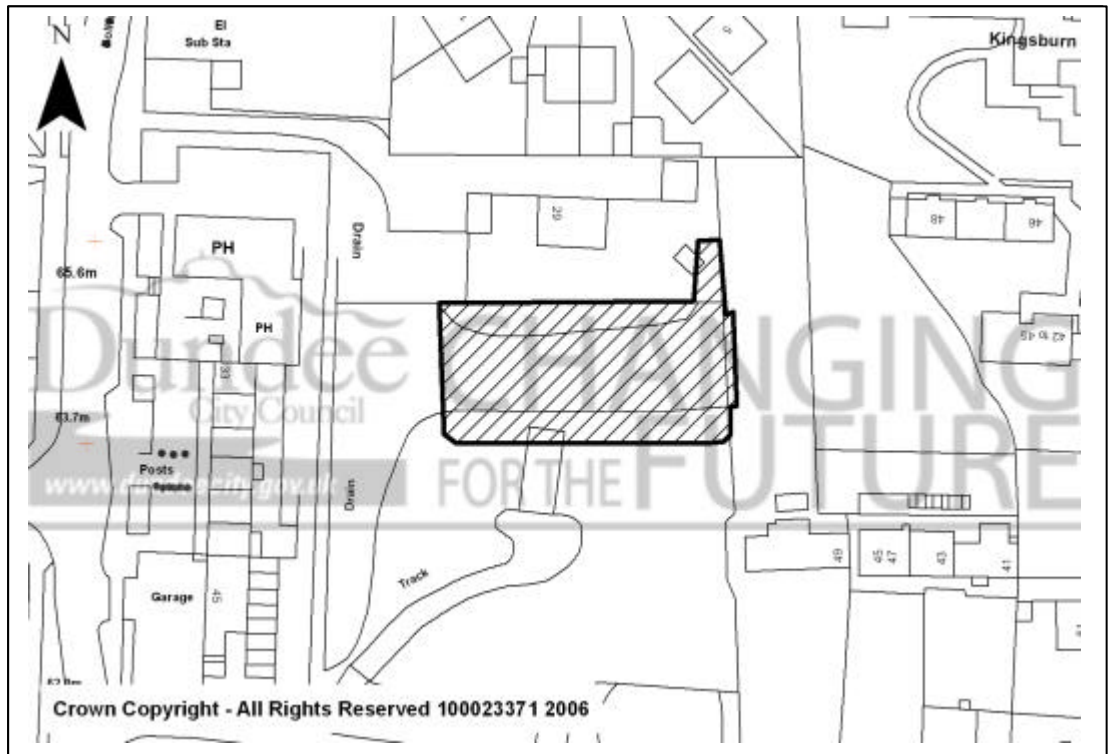
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Change of House Type Proposed at Donald's Lane

The change of house type and levels at Plots 17-22 (inclusive) is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

It is concluded that the application is contrary to the terms of Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005. There are considered to be material considerations of sufficient weight that would justify setting aside the terms of Policy 4 and offering support for the proposals. Therefore, the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The proposal seeks permission to change the house types on six plots of a previously approved residential development site located on the north side of Donalds Lane. The proposal also involves alterations to the ground levels and an increase in the heights of houses.
- The site is allocated as a Brownfield Housing Site in the Dundee Local Plan Review 2005. The site has also been granted outline permission for new housing (2006) and detailed permission for the erection of 36 dwellings (2007). The site is also the subject of a Site Planning Brief that was approved by the Council in 2004.
- No objections to the proposals have been received.
- It is concluded that the development does not fully comply with the garden ground requirements of Policy 4 of the Local Plan. However, there are considered to be other material considerations that are of sufficient weight to justify the setting aside the terms of this policy and grant planning permission for the proposed changes.

DESCRIPTION OF PROPOSAL

The application seeks permission to change the house types on six plots on the north side of a housing development site located to the north of Donalds Lane. The proposals also seek permission to alter the ground levels of these plots.

The site forms part of a larger development site that was granted consent for the erection of 36 houses on 24 April 2007. Part of this approval authorised the following:

- 1 Erection of 4 x two storey, semi-detached, three bedroom houses on Plots 17, 18, 19 & 20. These properties each accommodated 200% off street car parking and proposed an average of 123.5m² of private garden ground per dwelling.
- 2 Erection of 2 x three storey, semi-detached, three bedroom houses on Plots 21 and 22. Each property had 200% off street car parking and an average of 140m² private garden ground per house.

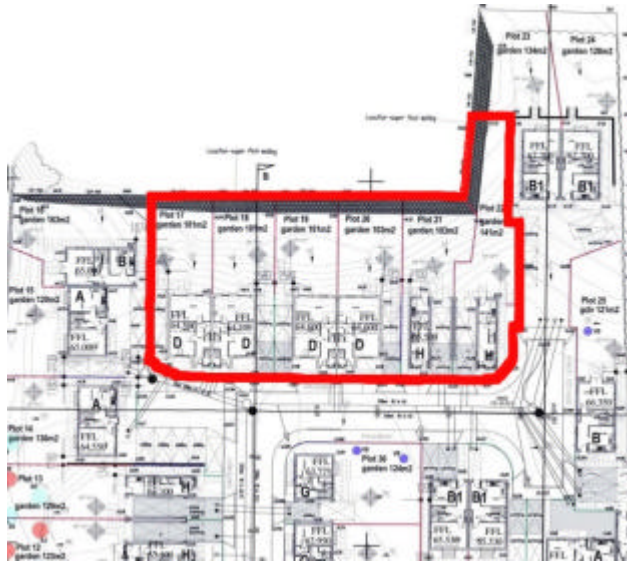
With regard to Plots 17, 18, 19 & 20 the current application proposes to provide the same accommodation ie two storey, three bedroom semi-detached properties that have 200% off street car parking. The main differences from the approved plans are:

- a that the private garden ground provision is reduced to an average of 101m² house;
- b that the ridge heights of the houses have been heightened by approximately 0.4 metres due to a raised ground levels; and
- c the external appearance of the dwellings has been amended.

With regard to Plots 2 and 22, the same accommodation is to be provided ie three storey, three bedroom semi-detached houses with 200% off street car parking. The main differences from the approved plans are:

- a that the private garden ground provision is reduced to an average 122m²/dwelling;

- b that the ridge height of the houses has been heightened by approximately 0.35 metres; and
- c that the external appearance has been amended.



SITE DESCRIPTION

The site forms the northern section of a larger development site that was previously granted planning permission for residential purposes in 2007. The site the subject of this application is located to the east of the commercial properties on Buttars Loan and to the north of Donald's Lane. The site slopes in a north to south direction and formerly accommodated industrial uses.



The surrounding area accommodates a variety of uses including residential to the north and east and commercial to the west on the Buttars Loan frontage.

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:

Proposal 43: The site is identified as a suburban brownfield housing development site.

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 developments will be required to conform to the Design Standards contained in Appendix 1 of the Dundee Local Plan Review 2005 unless:

- a the 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 area 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.

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

The following policy statement is of relevance.

Site Planning Brief for Pitalpin Village - Approved 2004.

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application. The development of this brownfield site for residential purposes, together with the larger comprehensive redevelopment of the area located to the south and east, is consistent with the Sustainability policies of this Council. A

remediation strategy for the site has been approved by this Council.

SITE HISTORY

05/00782/OUT - Outline Permission for Housing - Approved 27 March 2006.

06/00673/REM - Erection of 36 Dwelling Houses - Approved 24 February 2007.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants. In addition, the application has been advertised in the local press as 'Development Contrary to the Development Plan' (Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005).

No objections to the proposals have been submitted.

CONSULTATIONS

There have been no objections submitted by 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 are reminded that the principle of the development of the site for residential purposes has been established by the approval of a Site Planning Brief in 2004, the granting of outline planning permission for housing in 2006 and approval of a Reserved Matters application for 36 houses in April 2007. The site is also allocated as a Brownfield Housing Site

(Proposal 43 - Pitalpin Mill) in the Dundee Local Plan Review 2005.

Dundee Local Plan Review 2005

Policy 4 (Design of New Housing) - the proposal involves changing the house types on six plots located on the north side of the site. Full details of the proposed amendments are outlined in the 'Description of Proposal' section of this report above.

With regard to the proposed design and appearance of the new buildings, these are considered to be in keeping with the houses previously granted permission for this site. The dwellings each will accommodate 3 bedrooms and the use of appropriate finishing materials will result in a cohesive development that will be distinctive but will not detract from the setting of the surrounding area. In addition, 200% off street car parking is to be provided for each dwelling.

The proposed amendments to the house designs have been as a result of a potential change in the end user of these buildings (Housing Association) and a consequent requirement to increase the floor area provision. This has resulted in a reduction in the private garden area of Plots 17 - 21 to an average 101m²/dwelling which is below the 120m² required by Policy 4 of the Plan. Plot 22 retains a garden ground provision of 141m² which is in accordance with the terms of the Plan.

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

Other Material Considerations

With regard to the proposed increase in the ground level of the site, this has been as a result of the ground conditions of the site and the need to carry out decontamination works in accordance with an agreed remediation strategy. The ridge heights of each of the buildings will, as a result, be heightened by approximately 0.35 - 0.4 metres. However, it is considered that, due to the steeply sloping nature of the site, this will not have any significant impact on the setting of the area or the environmental qualities currently enjoyed by surrounding occupiers.

With regard to the reduction in the size of the rear garden areas of five of the six plots, the reason behind this change is outlined above in the discharge of the development plan policies above.

While the space provision falls below the required area, it has been calculated that, taking these reductions into account, the average rear garden size for the development site will be 124.2m²/dwelling.

In addition to the above, the proposed alterations to the land levels in this part of the development site has resulted in the rear gardens of the plots under consideration being significantly more useable as the previously approved levels dictated that the garden areas had to be terraced to compensate for the steep slopping nature of the site. In this respect, while the gardens may be smaller in size, they are considered to be more appropriate and acceptable in terms of useable outdoor space.

It is concluded from the foregoing that sufficient weight can be accorded to 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

It is considered that the layout, appearance and finishing materials will all combine to create a residential development of a design standard that will achieve the goals set out in the approved Site Planning Brief for the area.

CONCLUSION

The details of the planning application under consideration, while not fully complying with the requirements of the development plan, embodies the principles set out in the approved Planning Brief for the site. The development is viewed as an enabling step in the regeneration of this semi-derelict area with a quality development that reflects the Council's aspirations for Pitalpin.

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 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.

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.