

KEY INFORMATION

Ward The Ferry

Proposal

Proposed conversion of existing dwelling house into 2 dwellinghouses

Address

92A Monifieth Road
Broughty Ferry
Dundee

Applicant

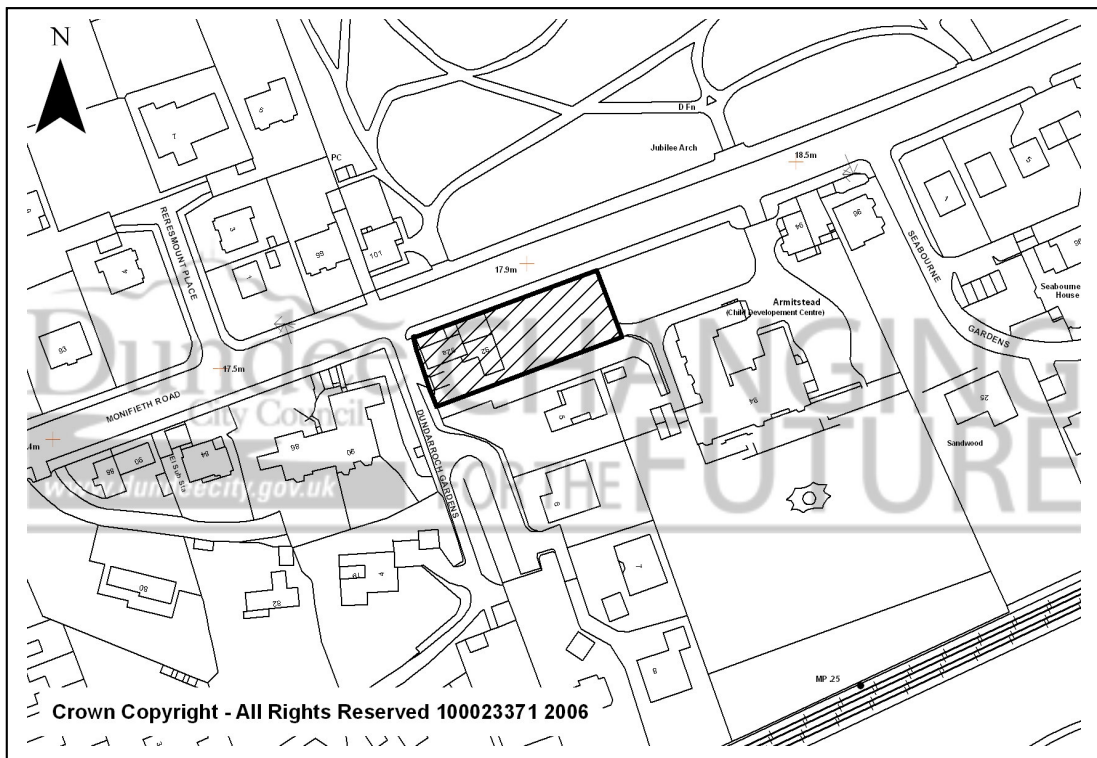
McPherson Properties Ltd
White Barn
92A Monifieth Road
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Dundee
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Agent

John D Crawford Ltd
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Montrose
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Registered 24 Feb 2009

Case Officer Paul Macari



Proposed Sub-division of a house in Monifieth Road

The proposed conversion of an existing dwellinghouse into two dwellinghouses is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies the provisions of Policy 4 (Design of New Houses), Policy 12 (Sub-division of Houses) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005. The concerns of the objector are not supported. There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold planning permission. Therefore, the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- This application seeks planning permission for the sub-division of an existing house to form 2 detached houses at 92A Monifieth Road, Broughty Ferry.
- Policy 4 (Design of New Houses), Policy 12 (Sub-division of Houses) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005 are relevant to the outcome of this application..
- One letter of objection has been received from a neighbouring resident concerned about overlooking, overshadowing and loss of view.
- The proposals comply with the requirements of Policy 4 (Design of New Houses), Policy 12 (Sub-division of Houses) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005.
- The concerns of the objector are not supported.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the sub-division of an existing house to form 2 detached 2 storey houses at 92A Monifieth Road, Broughty Ferry.

The existing house comprises two separate stone built buildings joined by a flat roofed heavily glazed art deco style extension. There is also an extension to the eastern elevation of the east most stone built building. The applicant proposes to demolish the extension joining the 2 stone built buildings to form 2 separate buildings. To provide modern and spacious living accommodation the applicant proposes to erect a 2 storey extension to the northern elevation of the west most building (Dwelling 1) and a 2 storey extension to the eastern elevation of the east most building (Dwelling 2).

Dwelling 1 will comprise of a lounge, kitchen, utility room, dining room, bedroom and shower room on the ground floor with 2 bedrooms, a family bathroom and master suite on the first floor. Similarly Dwelling 2 will comprise lounge, dining room, kitchen and shower room on the ground floor with 2 bedrooms, a family bathroom, a bedroom with en-suite facilities and a master suite on the first floor. The master suite of each house will benefit from a first floor balcony with an area of 4.5m².

Pedestrian access to Dwelling 1 from Monifieth Road is to be taken from the existing access in the northern boundary wall. Vehicle access to the application site and to each of the proposed houses shall be taken from Dundarroch Gardens using the driveway serving the existing house.

Each of the proposed houses will be finished in materials matching the existing house with the roofs finished in natural blue slate and the walls finished in exposed stone and white painted wet-dash render.

SITE DESCRIPTION

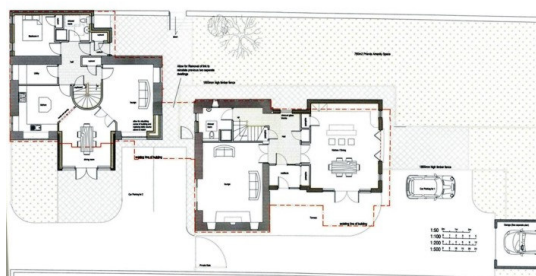
The application site is located on the southern side of Monifieth Road on the eastern corner of the junction with Dundarroch Gardens. The application site comprises a 2 storey detached dwelling with extensive eastern garden grounds. The site is enclosed by a 2m high stone built boundary wall to the

west, north and east. To the south the application site is bound by mature shrubbery. There is a considerable height difference between the application site and 1 Dundarroch



Gardens to the south. Therefore the southern boundary of the application site is reinforced by a 1.8m high retaining wall.

Vehicular access to the application site is taken from Dundarroch Gardens. There is a cobbled driveway that runs along the southern boundary of the application site and forms an entrance path to the existing house. Pedestrian access to the site from Monifieth Road is taken from a gate in the northern boundary wall.



The northern and eastern boundaries are tree lined.

The existing house is made up of 2 separate 2 storey stone built buildings joined by an art deco style flat roofed extension. A single storey hipped roof extension adjoins the eastern elevation of the east most stone built building. The existing building is finished in natural blue slate with white painted wet-dash rendered walls. There are elements of exposed stone on the front and rear elevations.

Before the buildings were joined they served as both stables and coach house to Armistead Mansion House.

The application site is situated within Reres Hill Conservation Area.

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 - 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 12: Sub-Division Of Houses - the sub-division of houses will only be permitted if all of the following criteria are met:

- a each unit has a minimum of 5 habitable rooms, 2 parking spaces within the curtilage and useable garden ground of 120m² or 50m² if within the inner city; and
- b the proposal does not involve an extension, through either conversion of non-residential accommodation or new build, of more than 30% of the existing floorspace; and
- c all units should have a pleasant aspect and surrounding residential environment with main living areas being located to the front of the house.

The above criteria may be applied flexibly where this is necessary to preserve the architectural integrity of a listed building.

Policy 61: Development In Conservation Areas - within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

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 non statutory Council policies are relevant to the determination of this application:

Breaches in Boundary Walls - Policy and Guidance for Dundee's Listed Buildings and Conservation Areas

Dundee Urban Design Guide.

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

Planning application ref: 07/01132/FUL sought planning permission for the sub-division of the existing dwelling to form 2 detached dwellings at 92A Monifieth Road, Broughty Ferry. The proposals were contrary to the provisions of Policy 4, Policy 12 and Policy 61 of the Dundee Local Plan Review 2005. This application was withdrawn before it could be reported to the Development Quality Committee for consideration.

Outline planning application ref: 07/01133/OUT sought outline planning permission for the erection of a dwelling in the area of garden ground to the east of the existing house. Given the requirements of Policy 15 (Development in Garden Ground) of the Dundee Local Plan Review 2005 the applicant was requested under Article 13 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 to submit full details including floor plans and elevations of the proposed house. This information was not provided and subsequently the application was withdrawn.

Planning application ref: 08/00876/FUL sought planning permission for the sub-division and extension of the existing dwelling to form 2 detached dwellings at 92A Monifieth Road, Broughty Ferry. The proposals were contrary to the provisions of Policy 4, Policy 12 and Policy 61 of the Dundee Local Plan Review 2005. This application was withdrawn before it could be reported to the Development Quality Committee for consideration.

PUBLIC PARTICIPATION

The applicant has carried out the statutory neighbour notification procedure as stipulated by the Town and Country Planning (General Development Procedure)(Scotland) Order 1992. This application was also advertised in the Dundee Evening Telegraph as development affecting a conservation area.

One letter of objection has been received from a neighbouring resident concerned about overlooking, overshadowing and loss of view as a result of the proposed development.

Members will already have had access to copies of the objection letter and the issues are discussed in the "Observations" section below.

CONSULTATIONS

The Council's Environmental Health and Trading Standards Department has raised concern that the application site may be affected by historic contamination. It is recommended that this matter be addressed by an informative should the Committee be mindful to grant planning permission.

No other adverse comments have been received.

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

In accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the Council is required to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above

As well as satisfying the needs and aspirations of prospective occupiers, new housing should make a positive contribution to the urban environment. It is therefore the purpose of Policy 4 and Appendix 1 to ensure that the design of new housing should be of a high quality. As a basis for achieving high quality design new housing is required to conform with the quantitative standards of Appendix 1 and the qualitative standards detailed in the Dundee Urban Design Guide.

Appendix 1 of policy 4 (Design of New Houses) requires new houses in suburban areas to have 3 or more bedrooms or alternatively a floor area of no less than 100m², 2 in-curtilage parking spaces and 150m² of usable garden ground. 50% of new houses in suburban areas should also have a garage or space for one. The proposals satisfy these criteria.

Appendix 1 also requires new houses to have a distance of 18m between facing windows of habitable rooms. The proposed south facing windows and balcony of Dwelling 2 will be only 16m from the north facing windows of 1 Dundarroch Gardens. However, given that the horizontal angle between the south facing windows of the proposed houses and the north facing windows of 1 Dundarroch Gardens is approximately 60° no significant breaches in privacy will occur between the 2 properties. Similarly the south facing first floor balcony of the west most house will concentrate views across the Tay Estuary to the Fife coast rather than down over the garden grounds of neighbouring properties.

With regard to Criteria (b) of Policy 4, proposals to build new houses in areas of low density development are required to respect the prevailing density of the surrounding built form. The average development density of properties bounding the application site is 1:4.5. The proposed houses have a plot ratio of 1:4 which indicates that the proposals are in keeping with the existing level of development surrounding the application site. The proposals therefore respect the prevailing density of development of the area surrounding the application site. The proposals are therefore comply with Policy 4 Criteria (b).

Large traditional dwellings make an important contribution to the choice of housing available in Dundee. The sub-division of large traditional housing can lead to loss of the availability of that particular style of housing stock. However, of greater concern is the potential impact sub-division of large houses can have on the surrounding area. It is therefore the aim of Policy 12 to promote the sub-division of larger properties where there will be minimal impact upon the surrounding environment.

The proposed development complies with Criteria (a) and (c) of Policy 12 in terms of garden ground provision,

floor space, number of rooms and car parking provision. With regard to Criteria (b), the proposed extensions to the sub-divided house do not take up more than 30% of the existing floor space of the un-divided house.

Policy 61 of the Dundee Local Plan Review 2005 is supportive of proposals that enhance or restore the appearance of Conservation Areas. The design of the proposed houses is considered to enhance the appearance of the site from Monifieth Road, the site layout complements the character and setting of the surrounding Reres Hill Conservation Area through the provision of large usable gardens in excess of the requirements of Appendix 1. The site layout further complements the surrounding conservation area through the retention of the trees lining the northern boundary of the site. Further, the proposals demonstrate a good blend of traditional and contemporary design whereby the original stone built buildings have been extended without impacting upon their character. The proposed development is therefore considered to safeguard and enhance the character of the Reres Hill Conservation Area.

The proposals comply with the provisions of Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Statutory Duty - the statutory duty set out in Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 is discharged in the assessment of the proposals against the criteria of the Development Plan. The proposals are considered to safeguard and enhance the character and appearance of the Reres Hill Conservation Area.

Other Material Considerations

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

Dundee Urban Design Guide - the Dundee Urban Design guide states, "new buildings and developments must present a design solution appropriate to the site and context and be constructed in materials consistent with the design approach adopted."

The design of the proposed houses is considered to enhance the appearance of the site from Monifieth Road, the site layout complements the character and setting of the surrounding Reres Hill Conservation Area through the provision of large usable gardens in excess of the requirements of Appendix 1. The site layout further complements the surrounding conservation area through the retention of the trees lining the northern boundary of the site. The design of the houses combine modern and traditional architecture whereby the houses provide modern living space while retaining and accentuating the original door and window openings of the stone built buildings. The modern extensions replicate the roof style and finish of the original buildings and present a modern design solution that is sympathetic to the original buildings. The proposals therefore comply with the guidelines detailed in the Dundee Urban Design Guide.

Views of the objector - the letter of objection has been received from a neighbouring resident concerned about overlooking, overshadowing and loss of view.

Issues of overlooking have been addressed in the Observations section of this report. The objectors concerns relating to this matter are not supported. This is because the south facing windows of Dwelling 2 and the north facing windows of 1 Dundarroch Gardens face each other at a horizontal angle of 60°. This prevents any significant issues of overlooking from occurring regardless of the distance between these windows being less than 18m. With regard to the 1st floor south facing balcony of Dwelling 2, the balcony is oriented to concentrate views across the Tay Estuary to the Fife coast rather than down over the garden grounds of neighbouring properties.

Concerns relating to the proposed garage serving Dwelling 2 overshadowing the north facing ground floor windows of 1 Dundarroch Gardens are not supported. This is because the proposed garage will not cast a shadow of sufficient significance to block daylight from the north facing windows of 1 Dundarroch Gardens.

Loss of view is not a material planning consideration and has not been taken into account in the assessment of the proposals against the relevant criteria of the Development Plan.

It is concluded from the foregoing that insufficient weight can be accorded to the material considerations such as to justify the refusal of planning permission contrary to the provisions of the Development Plan. It is therefore recommended that planning permission be granted.

Design

The design of the proposed houses is considered to enhance the appearance of the Monifieth Road streetscape. The appearance of the surrounding conservation area will be enhanced through the retention of the existing trees forming the northern boundary of the site along with the provision of large private garden grounds.

CONCLUSION

The proposed development complies the provisions of Policy 4 (Design of New Houses), Policy 12 (Sub-division of Houses) and Policy 61 (Development in Conservation Areas) of the Dundee Local Plan Review 2005. The concerns of the objector are not supported. There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold planning permission.

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 BEFORE WORK STARTS ON SITE, details including samples of the proposed finishing materials shall be submitted to the Council for written approval and thereafter applied in accordance with the stamped approved plans. For the avoidance of doubt, the details submitted should include rainwater goods, samples of external render and roofing materials as well as the colour and material finish of the proposed window frames, doors and gates.
- 3 BEFORE WORK STARTS ON SITE, details of the proposed balconies shall be submitted to

the Council for written approval and thereafter the balconies will be erected in accordance with the stamped approved plans. For the avoidance of doubt, the details should include sections to a scale of no less than 1:20 as well as the finish of the balconies.

- 4 The garden ground attributed to Building 1 will be maintained in perpetuity at 235m² as will the garden ground of 303m² attributed to Building 2.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of safeguarding the visual amenity of the original buildings and surrounding Reres Hill Conservation Area.
- 3 In the interests of safeguarding the visual amenity of Reres Hill Conservation Area.
- 4 In the interests of safeguarding the character and setting of the Reres Hill Conservation Area.