

Proposed Housing Developments

KEY INFORMATION

Ward East End

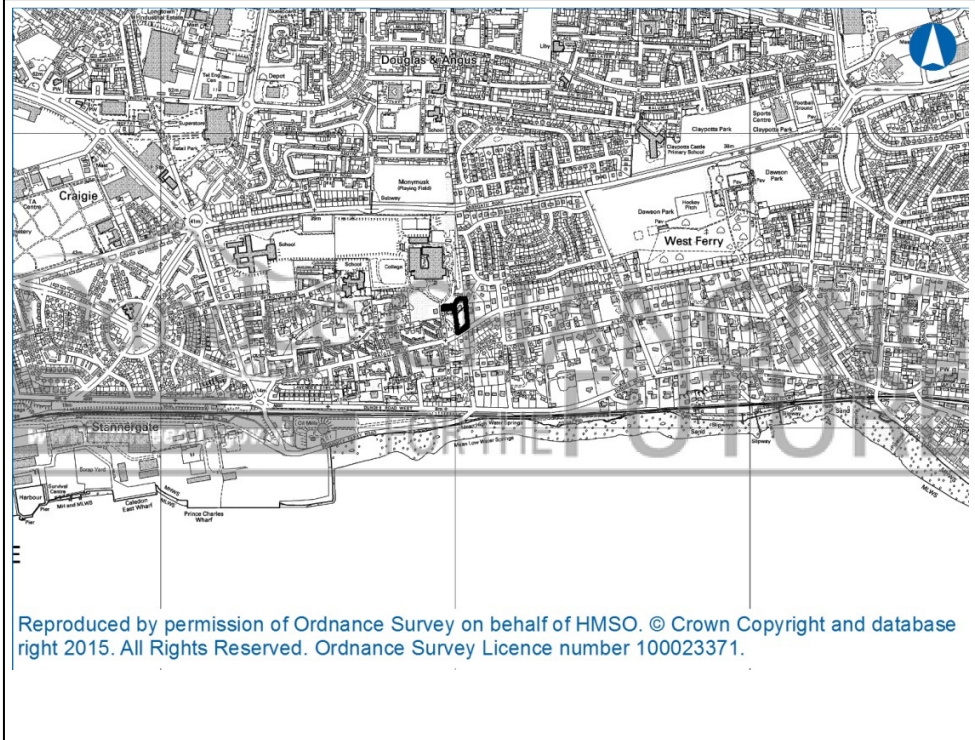
Address
Redholme, Gardyne Road
Dundee

Applicant
Gardyne Developments
c/o Arktx
187 Strathmartine Road
Dundee DD3 8BL

Agent
Fraser Middleton
Arktx
187 Strathmartine Road
Dundee DD3 8BL

Registered 9 July 2014

Case Officer Beverley Knox



SUMMARY OF REPORT

- In total 3 letters of objection were received in relation to the proposals and one letter of support.
- Policies 9 (Design of New Housing), 7 (High Quality Design) and 29 (Low and Zero Carbon Tech in New Development) of the Dundee Local Development Plan are relevant to the determination of the application.
- The Community Council and 3 neighbours have objected, the principal concern being overdevelopment and design issues. One letter of support has also been received.
- The proposed development is considered to be satisfactory and will bring a dilapidated site back into attractive use.
- The application proposes the erection of 7 dwellings on the site of a former college building.

RECOMMENDATION

The proposal complies with the requirements of the Development Plan with the exception of the requirements of Policy 9 whereby there is a small shortfall in parking for 4 of the proposed dwellings. It is concluded that there are material considerations of sufficient strength to justify approving this application. The application is therefore recommended for **APPROVAL** subject to conditions.

1 DESCRIPTION OF PROPOSAL

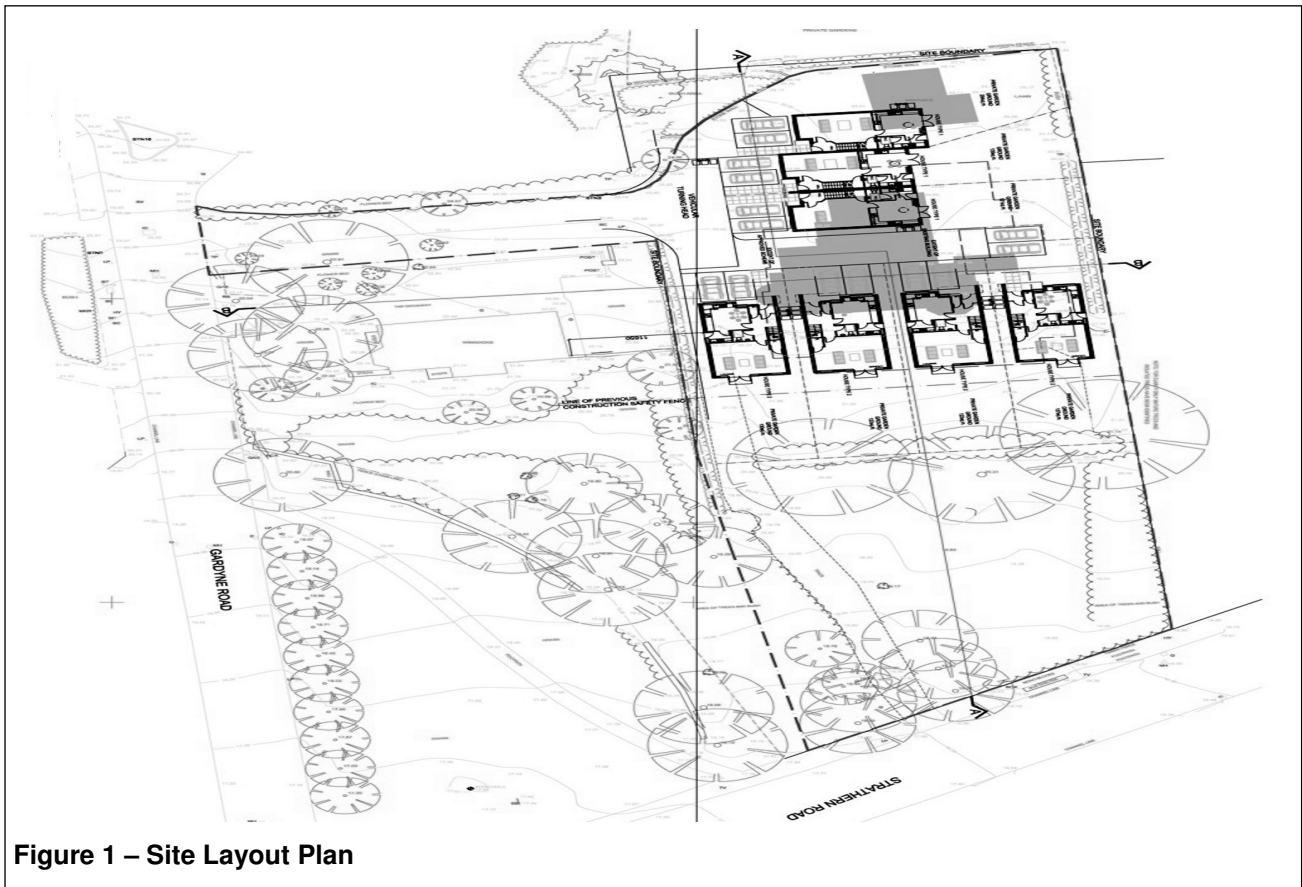


Figure 1 – Site Layout Plan

- 1.1 The application proposes the erection of 7 dwellings on the site of a former college building. There are two different house types found within the site. One of these is a form of terrace type housing whereby two of the dwellings are fully attached and the third dwelling is partly attached. These units would provide a large kitchen/utility area, living area, three bedrooms (one with ensuite facilities), bathroom and a separate storage area. The other style would take the form of detached dwellings provided a similar layout of accommodation but with an added fourth bedroom.
- 1.2 Each of the units would also be provided with outdoor space, measuring from 121m² to 264m², depending upon the individual plot position.
- 1.3 The buildings are to be positioned in two areas of the site. Three of the attached style properties will be located in the northern section of the site and orientated in an east-west facing direction. The remaining four units will be located further south and orientated in a north-south facing direction.
- 1.4 The buildings are to be finished concrete interlocking roof tiles in slate grey with ivory wet dash render and feature stone panels to be Carluke pitch faced reconstituted stone in random rubble pattern. There are also to be feature “timber” effect panels to be Eternit Cedral panels. The windows are to be timber framed double glazed.

2 SITE DESCRIPTION

- 2.1 The site comprises Redholme, a former Dundee College property and its associated grounds. Although it has been substantially modified over time, Redholme is still an imposing building. The south elevation was once of particular interest with red harled walls and slated roof but the building is in a poor state of repair. It overlooks a pleasant garden and area of woodland to the south.
- 2.2 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. Its current footprint is some 277m² and there are 3 buildings within the curtilage to the north and east of the building occupying a cumulative footprint of some 104m². Redholme is currently accessed from a private drive off Gardyne Road and there is a parking area and garages to the north of the

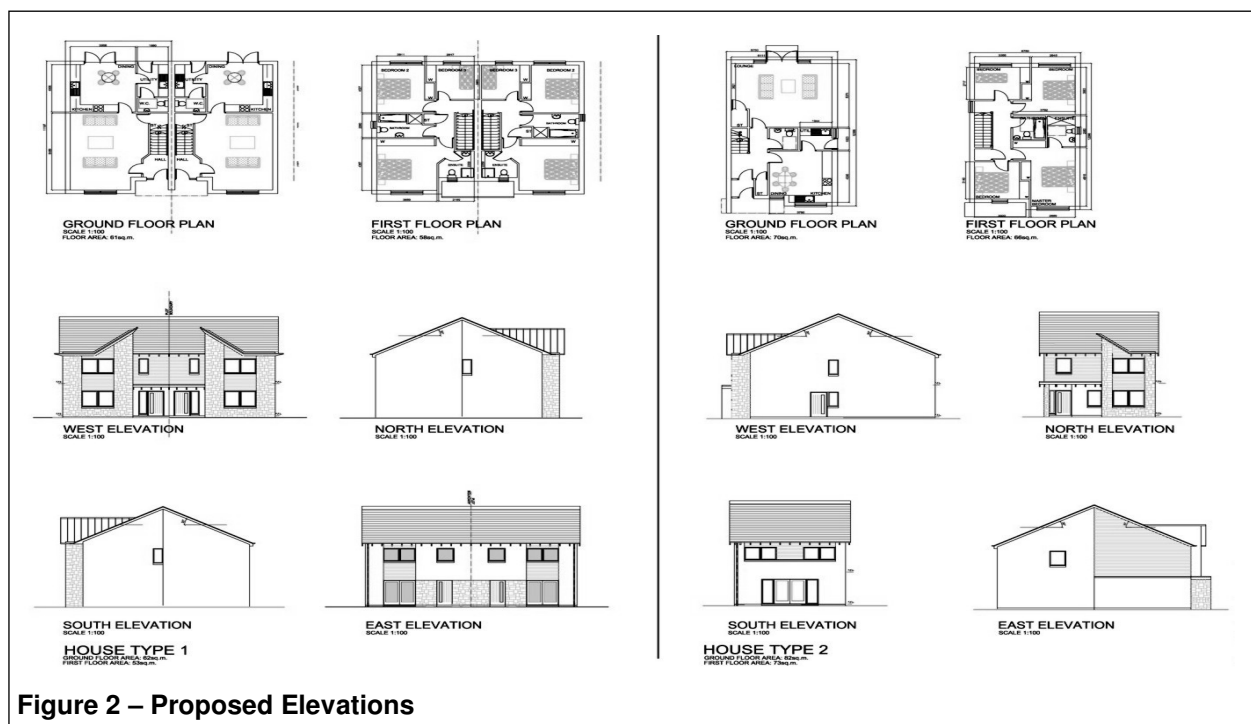


Figure 2 – Proposed Elevations

building. The remains of a former vehicular access to Strathern Road to the south are clearly visible within the site although this access has not been used for many years.

- 2.3 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.

3 POLICY BACKGROUND

- 3.1 The following plans and policies are considered to be of direct relevance:

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 9: Design of New Housing

Policy 7: High Quality Design

Policy 29: Low and Zero Carbon Tech in New Development

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

- 4.1 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.
- 4.2 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 approximately two thirds of 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.
- 4.3 In January 2009 planning permission for a care home on the site was refused permission - application 08/00799/FUL refers.
- 4.4 A further application for a care home was approved later in 2009 (09/00092/FUL).

5 PUBLIC PARTICIPATION

- 5.1 The Statutory Neighbour Notification was carried out and the application was advertised in the local press.
- 5.2 In total 3 letters of objection were received in relation to the proposals and one letter of support. The valid concerns raised relate to the following issues:
- 1 overdevelopment of the site/too many dwellings proposed
 - 2 added traffic on Gardyne Road, access would be better from Strathern Road
 - 3 overlooking - including nearby rear garden areas
 - 4 removal of trees in area with none being replaced
 - 5 displacement of wildlife
 - 6 the proposals are not in keeping with arts and crafts style houses in the area;
 - 7 infringement of building line;
 - 8 obstruction of light to adjacent property; and
 - 9 poor design.
- 5.3 The comments in support raise the following:
- 1 the property has lain empty or boarded up for some time and is a magnet for anti social behaviour and vandalism; and

- 2 The property is beyond economic repair and to see it replaced with new dwellings is a welcome addition and meets the needs of housing within the area.
- 5.4 Members will have had access to the letters and the issues raised are considered in the Observations section below.

6 CONSULTATIONS

- 6.1 **Broughty Ferry Community Council** – The Community Council consider that the application is inadequate in terms of the overall quality of design. They consider that there are alternative designs within the city that would be more suited to the application site. They also note the following:
- 1 the south part of the site contains attractive trees subject to a Tree Preservation Order and a tree survey should be provided;
 - 2 there is no provision for SUDS; and
 - 3 what role the tree covered part of the site has in the final development as the individual gardens do not include this area. The boundary treatment to this area requires to be of high quality.
- 6.2 These points will be considered in the Observations section below.
- 6.3 **Environment Department (Forestry Officer)** – the Council's Forestry Officer has confirmed that he has no objections to the proposed tree works as described in the report.
- 6.4 He notes that there are some small inaccuracies detailed in the report regarding tree species and that there is no replacement planting proposed. On this basis, it is recommended that there is planting of at least one new tree in the front garden area.
- 6.5 Notwithstanding the above, it is considered that the report is concise and correct and can be used to condition the tree protection areas. Appropriate conditions can be attached to any grant of planning permission to ensure appropriate tree protection and replanting in line with the content of the report.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.**

THE DEVELOPMENT PLAN

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

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.2 **Policy 7: High Quality Design** - this policy advises that the design and siting of development should respect the character and amenity of the place and should create and

improve links within the site and into the surrounding area and beyond the site. The Policy goes on to advise that all proposals should meet a range of design criteria.

- 7.3 Included in this range of criteria is the fact that the design should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.
- 7.4 The buildings are to be finished concrete interlocking roof tiles in slate grey with ivory wet dash render and feature stone panels to be Carluke pitch faced reconstituted stone in random rubble pattern. There are also to be feature 'timber' effect panels to be Eternit Cedral panels. The windows are to be timber framed double glazed.
- 7.5 It is considered that the type and palette of materials is of high quality and would be to the enhancement of the development, in particular the use of wet dash is welcomed. A condition can be imposed on a grant of planning permission to require the submission of samples of all finishing materials for the approval of the Planning Authority prior to the commencement of works. The agreement of these details would ensure a high quality selection of materials, in keeping with the general character and appearance of the existing and adjacent properties.
- 7.6 The Policy goes on to advise that all buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport and designed with future adaptability in mind.
- 7.7 It is considered that the layout of the proposed development respects the street layout and creates an acceptable streetscene through the positioning of buildings.
- 7.8 **Taking the above into consideration, it is concluded that the application is in accordance with Policy 7.**
- 7.9 Policy 9: Design of New Housing and Appendix 3 Design of New Housing - due to the location of the site the suburban standards in Appendix 3 of the Dundee Local Development Plan 2014 are to be applied.
- 7.10 Promoting the development of well designed, good quality housing in sustainable locations is a key objective of the Local Development Plan. The design and layout of new housing developments in the city should be of a high quality and contribute to the creating places that build on and enhance the character found in different parts of the city. As part of this, all new housing developments require to conform to the guidance on the Design of New Housing contained within the Local Development Plan.
- 7.11 In relation to house type, the guidance states that in general 75% of houses should have 3 or more bedrooms or a minimum gross internal floor area of 100m². In this instance all of the houses have 3 or more bedrooms and therefore the proposals meet this requirement.
- 7.12 In terms of car parking the standards seek that all tenures have at least 1 space within the curtilage of each house and that private houses with 3 or more bedrooms should have at least 2 spaces and for houses with 4 or more bedrooms, there should be at least 3 spaces. In this instance. All properties provide two car parking spaces within a front driveway area. The four properties to the south of the site are 4 bedroomed and therefore fall short of the requirement for 3 spaces.
- 7.13 In relation to privacy standards, there should be a minimum of 18 metres between the facing windows of habitable rooms. Due to the position of the proposed windows, there are no issues in this regard.

- 7.14 The amenity/garden ground standards seek that on brownfield sites there should be an average private garden ground of 140m² per house with a minimum garden size of 120m². In this instance, there are a variety of garden sizes being proposed. The garden grounds across the proposed 7 houses proposed meet the 120 minimum requirement. The average useable garden ground size is in excess of the 140m² size required.
- 7.15 An Analysis of Shading Patterns was produced by the applicants following a request for receipt of this information. Although it is clear that the gardens will be affected to some degree by shading from the trees, the conclusions from the document indicate that the garden grounds provided will not be subject to any unreasonable degree of overshadowing or shading as a result of the mature trees which are to be retained. The size and quality of the private garden areas is therefore considered to be acceptable in this instance.
- 7.16 **The proposal therefore fails to satisfy all of the criteria in relation to Policy 9 due to the small shortfall in parking spaces for 4 of the properties.**
- 7.17 **Policy 29 Low and Zero Carbon Tech in New Development** - the policy requires that, for specified developments, carbon emissions will be reduced by defined percentages through the installation and operation of zero-carbon generating technologies. An appropriate condition will ensure that a Statement is submitted in accordance with the terms of Policy 29.
- 7.18 **Policy 35 - Protected Species** - the above Policy provides guidance on development proposals which may effect a European Protected Species. Due to the derelict condition of the building on site, the applicant was requested to provide a Bat Survey in order to determine the extent of any bats on site. The survey has concluded that:
- no roosting bats or roosts were identified in the buildings;
 - in view of the above, it was recommended that should work be undertaken affecting the building, a cautionary approach be taken whereby roofing material is moved by hand until it is established that there is no current use by bats;
 - bat boxes, suitable for accommodating any bats found should be installed on trees in the grounds; and
 - a bat method statement was proposed to apply to all work in all buildings on the site.
- 7.19 It is therefore the case that the buildings have no bats at this time and that appropriate conditions shall be applied in the event of approval to ensure the recommended measures are fully implemented.

OTHER MATERIAL CONSIDERATIONS

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

A - VIEWS OF COMMUNITY COUNCIL

- 7.20 The Community Council consider that the application is inadequate in terms of the overall quality of design. They consider that there are alternative designs within the city that would be more suited to the application site. They also note the following:
- 1 the south part of the site contains attractive trees subject to a Tree Preservation Order and a tree survey should be provided;
 - 2 there is no provision for SUDS; and

- 3 What role the tree covered part of the site has in the final development as the individual gardens do not include this area. The boundary treatment to this area requires to be of high quality.
- 7.21 The proposed design and finishes have been discussed in relation to Policy 7 of the LDP. It is concluded that the design put forward is entirely suitable for the area which contains a variety of building types and styles. The materials are crucial to the success of any scheme and although these have been broadly discussed, the details surrounding these shall be the subject of a planning condition should Members be minded to approve the application. Use of a high quality roofing material and wall finish will ensure the houses are attractive.
- 7.22 A tree survey and supporting information has been submitted by the application. As discussed in the Consultations section, the Council's Forestry Officer has confirmed there are no objections to the proposed tree works as described in the report. Appropriate conditions can be attached to any grant of planning permission to ensure appropriate tree protection and replanting in line with the content of the report.
- 7.23 The application proposes the use of porous surfaces within the site to deal with surface water and the general details regarding the drainage have been agreed with the City Engineers.
- 7.24 The applicants have confirmed that the area to the south of the site is to be retained for use as a communal space. The space will be maintained by a factor arrangement which will alleviate any pressures upon the nearby trees.
- 7.25 Therefore, in this instance the views of the Community Council are not supported.

B - VIEWS OF OBJECTORS

- 7.26 **Overdevelopment of the site/too many dwellings proposed** - the site extends to over 0.4 hectares and 7 dwellings are proposed. This is an appropriate density in a suburban area. It is noted in this regard that the actual house plots are laid out over only part of the site due to the large communal area to the south of the site. However, the surrounding area contains a variety of dwelling types and styles, including terraced properties of a small size.
- 7.27 The proposed dwellings by virtue of style and position in relation to the overall plot size is considered to be acceptable and a suitable level of development for this particular location.
- 7.28 **Added traffic on Gardyne Road, access would be better from Strathern Road** - the Dundee College building and several existing dwellings already take access from Gardyne Road and the erection of a small number of dwellings (7) is unlikely to generate a high volume of traffic. The impact upon the road is therefore not of a significant level such as to warrant refusal of the application. In addition, the use of the historic access into the site directly from Strathern Road is constrained by the mature trees in that part of the site and would not be appropriate in this instance.
- 7.29 **Overlooking - including nearby rear garden areas** - the properties in the southern portion of the site are orientated in a north - south direction and as a result of this; there are limited openings to the side elevations. The openings include a utility room window at ground floor level and an ensuite window at first floor level. Neither of these windows are considered to be likely to result in overlooking issues. The front and rear facing windows do not overlook any private areas.
- 7.30 In terms of the 3 dwellings in the northern portion of the site there is a bathroom window at first floor level in the side elevation of the dwelling situated furthest north. Due to the nature

of this window being a bathroom window, there are no concerns with this window in relation to overlooking issues.

- 7.31 In terms of the rear windows of these properties, they are located a minimum of 13 metres away from the east most boundary. In addition, existing planting along the boundary will help to mitigate any impact. A planning condition shall be attached to any grant of permission to agree details of boundary enclosures and the requirement for any additional planting.
- 7.32 **Removal of trees in area with none being replaced** - the submitted tree survey makes several recommendations including the following key points:
- 1 Implications on Construction - no specialist construction techniques are envisaged for the new buildings. Protective fencing and any temporary load bearing surfaces must be installed prior to commencement of demolition and be re-aligned as the project progresses; and
 - 2 Landscape Implications - there is no necessity to fell any trees to achieve this proposal although it is recommended that 4 trees and 1 Hedge be removed for other arboriculture and safety reasons.
- 7.33 The Survey goes on to suggest that the implementation of the proposed scheme presents a realistic opportunity for landscape improvement which may not occur without the catalyst of development and the allied application of landscape related planning conditions.
- 7.34 The survey also suggests that subject to achieving Planning Permission, a detailed arboriculture Method Statement and Tree Protection Plan will be required. This will include the following: fencing type, ground protection measures, "no dig" surfacing, access facilitation pruning specification, phasing and an extensive auditable monitoring schedule.
- 7.35 With appropriate conditions applied to any grant of planning permission to require submission of the above details as well as full planting details to be provided as part of a landscaping scheme, it is considered that the development proposals take account of the importance of trees on site. Re-planting proposals will be carefully considered as part of the above suggested condition in order to take account of all amenity issues. Therefore, the amenity of the area will be improved by virtue of the proposals.
- 7.36 **Displacement of wildlife** - the site has been surveyed for the presence of bats as fully discussed above. There are no other concerns with regard to Protected Species being present on site that would preclude the granting of planning permission.
- 7.37 **The proposals are not in keeping with arts and crafts style houses in the area/poor design** - the area is characterised by a wide variety of housing style ranging from detached villa buildings to modernist style housing. The design of the proposals has been discussed in relation to Policy 7 of the LDP where it is concluded that the proposals are of acceptable quality. Appropriate conditions will be required to agree the details in relation to the finishing materials. In any case, screening from trees means that there is no clear view of the building from any location.
- 7.38 **Infringement of building line** - as assessment of the area suggests that there is no clear building line which proposals for this site must follow and the presence of significant trees break up the views into each of the sites fronting onto Strathern Road. In addition, the previously approved nursing home on site was approved with a building line in an almost exact location in terms of the front (south) building line of the houses currently proposed.

- 7.39 **Obstruction of light to adjacent property** - the size, scale, massing and position of the proposed dwellings are such that there are no significant concerns in relation to this issue. The position of dwellings in the northern part of the site will be further away from the existing dwellings to the north than the existing outbuildings present on site.
- 7.40 The comments in support raise the following:
- 1 the property has lain empty or boarded up for some time and is a magnet for anti social behaviour and vandalism; and
 - 2 the property is beyond economic repair and to see it replaced with new dwellings is a welcome addition and meets the needs of housing within the area.
- 7.41 **Response** - the re-development of the site and removal of a property that has lain empty and boarded up for a considerable period of time is considered to be positive.

C - Policy 9 and Appendix 3 - Shortfall in Parking

- 7.42 The four dwellings proposed to the south of the site are 4 bedroomed properties and therefore are required by Policy 9 and Appendix 3 of the Local Development Plan to provide three car parking spaces each. Two car parking spaces are shown. In this instance this is considered to be acceptable because it is recognised that although the properties are to contain 4 bedrooms, they are clearly designed as a mid-market type property due to their overall floor areas and layout and as such the need for 3 car parking spaces for each property is less likely to be required.
- 7.43 In addition the development is close to a very busy public transport route which provides an alternative option to travelling by car to access a range of services and facilities.
- 7.44 In this instance, it is considered to be appropriate to offer flexibility in these requirements.
- 7.45 **It is concluded from the foregoing that the material considerations which weigh against the proposal are not of sufficient weight to suggest that planning permission should be refused. In addition there are strong material considerations to justify the small shortfall in parking provision in terms of the requirements of the Development Plan.**

8 CONCLUSION

- 8.1 The proposal fails to fully comply with the Development Plan. There are material considerations that would justify the approval of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

- 9.1 It is recommended that consent be
- 1 Prior to the commencement of any work on site, a detailed Arboricultural Method Statement and Tree Protection Plan will be required to be submitted to the Council for approval. This will include the following: fencing type, ground protection measures, “no dig” surfacing, access facilitation pruning specification, phasing and an extensive auditable monitoring schedule. The work shall thereafter be completed in full accordance with the agreed details.

- 2 The landscaping of the site, including the timescale and provision for future maintenance shall be carried out only in full accordance with details to be submitted by the applicants and approved in writing by the Council prior to the commencement of development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.
- 3 Prior to the commencement of development on site, full details for all finishing materials shall be required to be submitted to the Council for approval in writing. The works shall thereafter be carried out in complete accordance with the agreed details.
- 4 Prior to commencement of any works on site a detailed maintenance arrangement shall be submitted to the Council regarding the private road for agreement in writing.
- 5 The recommendations laid out in the submitted Bat Survey shall be fully implemented as part of the development. Any further investigations to be carried out as part of this shall be submitted to the Council for approval in writing prior to the commencement of development.
- 6 A Sustainability Statement demonstrating the extent to which the new build elements of the development will meet the requirements of Policy 29 of the proposed Dundee Local Development Plan 2012 shall be submitted for the approval of the Council and the works shall be completed in accordance with the approved Statement.
- 7 Prior to the commencement of development on site, full details for the boundary enclosures to all areas of the site shall be submitted to the Council for approval in writing. For the avoidance of doubt this shall include details for the north boundary. The works shall thereafter be carried out in complete accordance with the agreed details.

REASONS

- 1 In order to ensure the amenity of the site.
- 2 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 3 In order to ensure the materials are of an acceptable standard
- 4 To ensure that future maintenance of the access road (private) will not cause flooding issues in the future.
- 5 In order to ensure the site is developed with due regard to any species on site.
- 6 In order to demonstrate that the new development will meet the required carbon emission reduction standards in the interests of the environment.
- 7 In order to mitigate the potential for overlooking and to ensure a satisfactory standard of development.