

# Housing Development

## KEY INFORMATION

**Ward** West End

**Address**

Parkview  
309 Blackness Road  
Dundee

**Applicant**

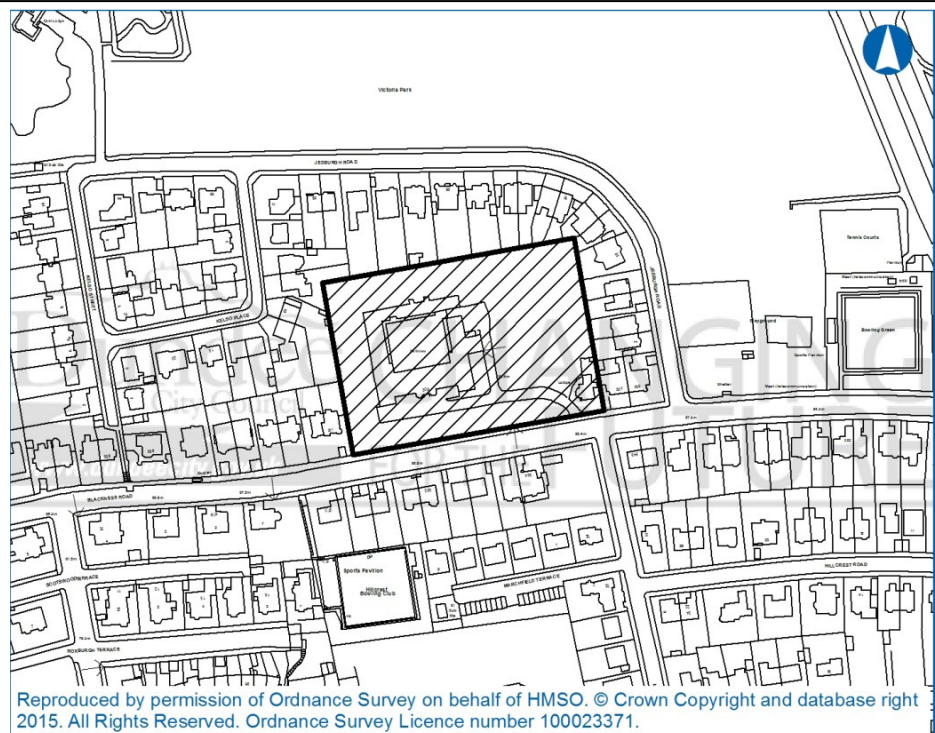
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**Agent**

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**Registered** 8 Sep 2015

**Case Officer** Paul Macari



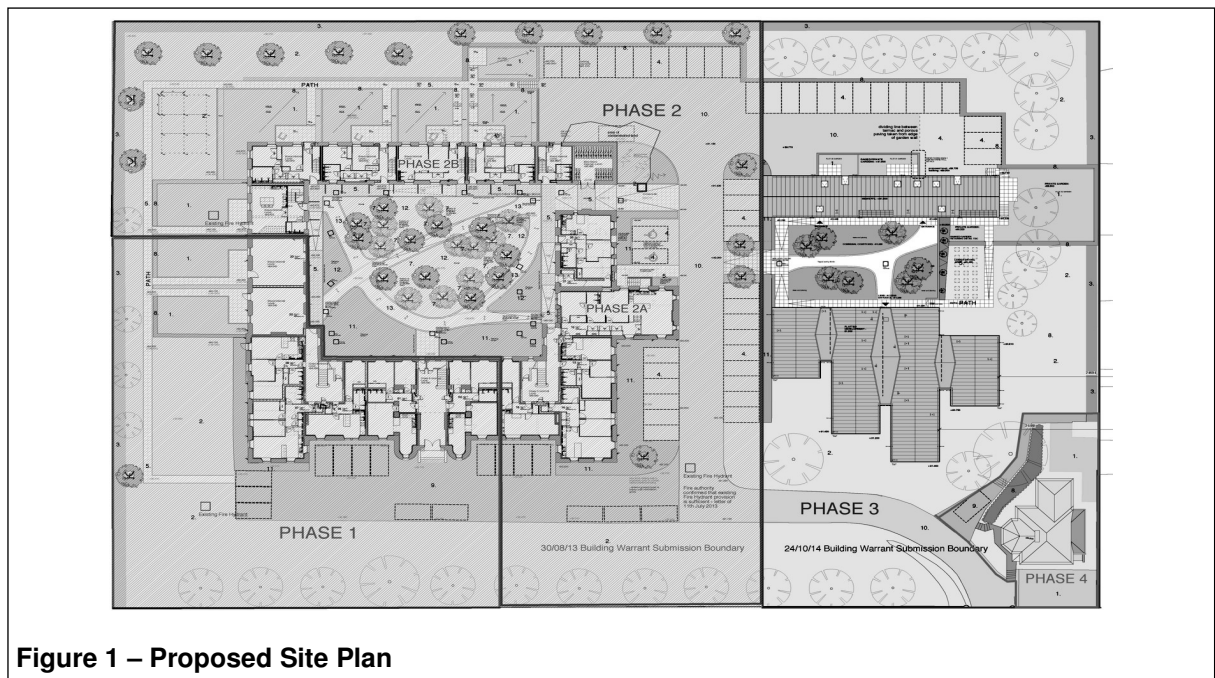
## SUMMARY OF REPORT

- Full planning permission is being sought for Phase 3 of the housing development at Parkview that was previously consented by planning application ref: 13/00086/FULL and 15/00146/FULL.
- The main changes to the proposed development relate to the omission of the timber screens over the east facing windows of the 3 storey flatted building.
- Policies 7 and 9 of the Dundee Local Development Plan are relevant to the proposed development.
- 8 letters of objection have been received from neighbouring residents concerned about overlooking and impact on privacy.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=NU753TGCIL00>.

## RECOMMENDATION

The proposal satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. It is therefore recommended that the application is **APPROVED** subject to conditions.

## 1 DESCRIPTION OF PROPOSAL



**Figure 1 – Proposed Site Plan**

- 1.1 Full planning permission is being sought for Phase 3 of the housing development at Parkview which was previously consented by planning applications 13/00086/FULL and 15/00146/FULL.
- 1.2 The general form and layout will remain very similar to the scheme approved by planning applications ref: 13/00086/FULL and 15/00146/FULL with the only change being the omission of the timber screens over the east facing windows of the 3 storey flatted building. In order to comply with the Buildings(Scotland) Act 2005 the windows on the east elevation are required to be cleaned from the inside. This would not be possible if the screens were in situ.
- 1.3 The east facing windows of the flats contained within the three storey building serve bedrooms, kitchens and dining areas.
- 1.4 In accordance with the Council's Scheme of Delegation this application is being reported to the Development Management Committee at the request of an elected member.

## 2 SITE DESCRIPTION

- 2.1 This application relates to Phase 3 of the residential development which is presently under construction at the former school at Parkview on Blackness Road. Planning consent was granted in 2013 for the redevelopment of the listed main school building and its associated grounds.

## 3 POLICY BACKGROUND

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

**DUNDEE LOCAL DEVELOPMENT PLAN**

Policy 7: High Quality Design

Policy 9: Design of New Housing

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

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## 4 SITE HISTORY

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- 4.1 The following applications are of relevance:
- 13/00086/FULL - redevelopment of former school and lodge and additional new development to provide 45 residential units - approved May 2013; and
  - 15/00146/FULL - Phase 3 mews block (Plots 31, 32 and 33) - approved April 2015.

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## 5 PUBLIC PARTICIPATION

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- 5.1 8 letters of objection have been received from neighbouring residents. The concerns raised relate to overlooking and impact on privacy generated by the omission of the timber screens over the east facing windows of the 3 storey flatted building currently under construction and overshadowing.
- 5.2 Members will already have access to the letters of objection and the issues raised are considered in the Observations section below.

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## 6 CONSULTATIONS

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- 6.1 No consultation responses have been received.

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## 7 DETERMINING ISSUES

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- 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.**

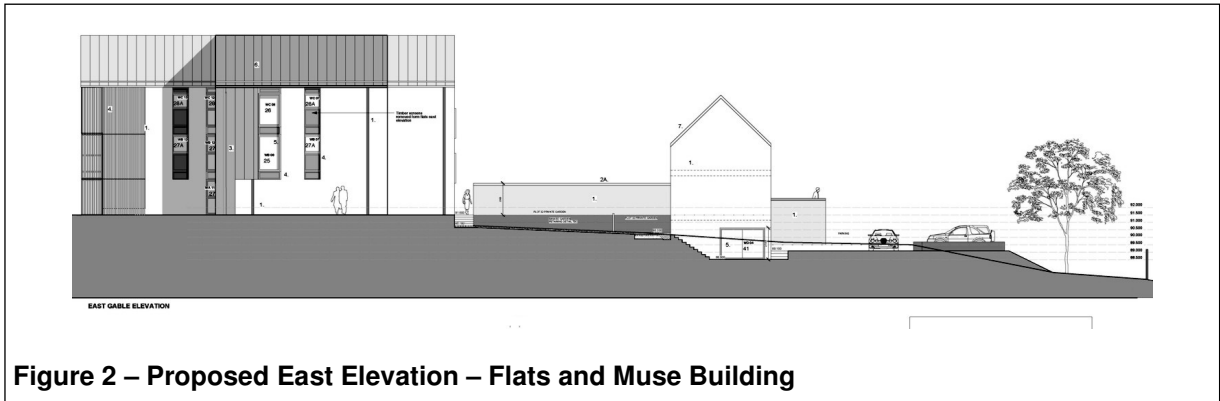
### THE DEVELOPMENT PLAN

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

The principle of residential development has already been established through the granting of the 2013 consent. It is therefore considered that the only main issue to consider in the assessment of this application relates to the detailed design of the proposed amended plans and any potential issues in relation to neighbouring amenity. As such Policy 7 “High Quality Design” and Policy 9 “Design of New Housing” are the most relevant policies of the Local Development Plan.

- 7.2 **Policy 7: High Quality Design** – is supportive of development that contributes positively to the quality of the surrounding built and natural environment. 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 beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.



**Figure 2 – Proposed East Elevation – Flats and Muse Building**

- 7.3 The omission of the timber screens over the east facing windows of the 3 storey building under construction will still retain the same form and scale of the approved development and will not dilute the quality of design or finish.
- 7.4 The revised proposals may impact on the amenity of neighbouring properties by virtue of the overlooking of private garden grounds. However, as discussed in the assessment of the proposals against Policy 9 below this matter can be overcome through conditions requiring the offending windows to be obscurely glazed.
- 7.5 **The proposals satisfies the requirements of Policy 7.**



**Figure 3 – Proposed Floor Plans – Flats**

- 7.6 **Policy 9: Design of New Housing** – requires the design and layout of new housing developments in Dundee to be of a high quality and contribute to creating places that build on and enhance the distinct character and identity of the different parts of the city. All new housing developments are also required to conform to the guidance on the Design of New Housing set out in Appendix 3 of the Dundee Local Development Plan.
- 7.7 As outlined in the assessment of Policy 7, it is concluded that the proposed revisions shall not diminish the high quality design of the development.

- 7.8 In regards to Appendix 3, flats within inner city areas are required to have a minimum of 2 bedrooms or gross internal floor area of 60m<sup>2</sup>, 130% parking provision, secure indoor storage for bikes, useable communal garden ground with an area of 10m<sup>2</sup> per flat or 100m<sup>2</sup> whichever is the greater and a minimum of 18m between facing windows of habitable rooms. In addition Appendix 3 requires that living room windows and balconies should not unacceptably overlook private gardens of houses. Appendix 3 allows for the provision of communal garden ground to be reduced if balconies that are useable and attractive in terms of size and outlook are provided.
- 7.9 The proposed flats within the mews block and 3 storey building will each have 2 bedrooms and access to sizeable private balconies, terraces or areas of enclosed private garden ground as well as generous landscaped communal gardens. Overall the new housing units across Phases 1, 2, 2A, 2B and 3 will benefit from 151% car parking provision.
- 7.10 In terms of overlooking none of the proposed flats will have windows serving habitable rooms that are within 18m of facing windows of neighbouring properties. The buildings under construction are positioned no less than 24m from neighbouring houses to the east of the site on Jedburgh Road. There is a distance of 14m between the buildings comprising of Phases 2A and 3 of the development. However, none of these buildings have windows that are directly facing. The Dundee Local Development Plan defines a habitable room as being all rooms within a dwelling excluding kitchens and bathrooms.
- 7.11 In terms of the overlooking of private gardens of neighbouring houses the ground floor flats within the proposed development will not unacceptably overlook neighbouring properties given the provision of a 2m high fence along the eastern boundary of the site. In terms of the proposed upper floor flats, only windows serving kitchens and living/dining areas of Flats 40 and 44 will be positioned within 18m of the eastern boundary of the application site. The living room windows and balconies of these flats will have a southern outlook. However, given that the combined living room and dining areas of Flats 40 and 44 will generate the potential for overlooking of private gardens the obscure glazing of the windows numbered WB08 and WC08 will be controlled by condition. The kitchen areas of these rooms are not considered to be habitable in accordance with the definition of a habitable room within the Local Development Plan and as such their associated windows do not generate issues of overlooking.
- 7.12 In this instance the proposed development can be controlled by condition to satisfy the requirements of Appendix 3 of the Adopted Local Development Plan.
- 7.13 **The proposals satisfies the requirements of Policy 9.**
- 7.14 **It is concluded from the foregoing that the proposal complies with the provisions of the Development Plan.**

## **OTHER MATERIAL CONSIDERATIONS**

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

### **A - VIEWS OF OBJECTORS**

- 7.15 8 letters of objection have been received from neighbouring residents concerned about the proposal's impact on privacy and overlooking of neighbouring properties and overshadowing.
- 7.16 In terms of overlooking these concerns have been addressed in the assessment of the proposal against the adopted Local Development Plan above where it has been concluded

that Windows WB08 and WC08 will be obscurely glazed to address the objectors concerns. This is because these are the only two windows within the proposed development that serve habitable rooms and overlook neighbouring private gardens to the detriment of amenity. The obscure glazing of these windows will address concerns of overlooking and can be controlled by condition should Members be minded to grant planning permission.

- 7.17 With regard to concerns relating to overshadowing, the position, ground level and height of the buildings on the application site has not changed since planning permission was first granted for the redevelopment of Parkview. In the assessment of planning application ref: 13/00086/FULL Members was satisfied that the proposed development would not adversely impact on the amenity of neighbouring properties by virtue of overshadowing. The current application does not seek to alter the location, ground level or height of the buildings currently under construction but rather allow for the removal of the timber screens over the east facing windows of the 3 storey building. The purpose of this application is to allow for compliance with the Buildings (Scotland) Act 2005. In this instance the concerns of the objectors relating to overshadowing are not supported.
- 7.18 The concerns of the objectors relating to overlooking and loss of privacy are supported.
- 7.19 **It is concluded from the foregoing that the material considerations support the approval of planning permission.**

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## **8 CONCLUSION**

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- 8.1 The proposal satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. Therefore, it is recommended that planning permission is granted subject to conditions.

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## **9 RECOMMENDATION**

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- 9.1 It is recommended that consent be GRANTED subject to the following condition:
- 1 Window openings WB08 and WC08 serving the kitchen, living and dining areas of Flats 40 and 44 of the three storey building hereby approved shall be obscurely glazed and maintained as such in perpetuity.

### **REASONS**

- 1 In the interest of safeguarding privacy.