

# Erection of 2 Houses

## KEY INFORMATION

**Ward** North East

### Address

Phase 3  
Mill O'Mains  
Dundee

### Applicant

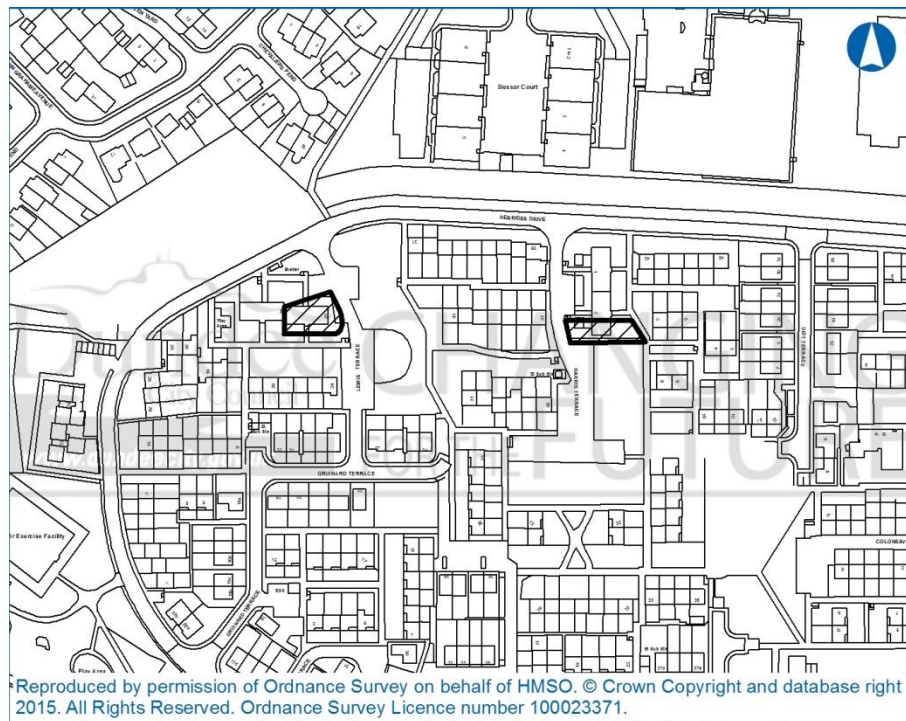
Mr Malcolm McBride  
Home Scotland Home Group  
27 Albert Square  
Dundee DD1 1DJ

### Agent

Sandy Morrison  
HTA Design  
LLP21 Slater's Steps  
Holyrood Road  
Edinburgh EH8 8PB

**Registered** 14 Oct 2015

**Case Officer** Paul Macari



## SUMMARY OF REPORT

- This application seeks planning permission to erect 2 houses on Site 1 Plot 12 and Site 2 Plot 7 of Phase 3 of the Mill O'Mains Community Regeneration.
- The proposals engage Policies 7, 9 and 29 of the Dundee Local Development Plan and the Mill O'Mains Community Regeneration Masterplan.
- Two letters of objection have been received raising concerns that the proposed house on Site 1 Plot 12 is too big for the plot and will adversely impact on the appearance of the Lewis Terrace streetscape.
- The concerns of the objector are not supported.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=NUD4KEGC0AX00>.

## RECOMMENDATION

The proposal fails to satisfy the requirements of the Development Plan. The concerns of the objectors are not supported. The proposal satisfies the aspirations of the Mill O'Mains Community Regeneration Masterplan and there are material considerations that justify approval of planning permission. Therefore, this application is recommended for **APPROVAL** subject to conditions.

# 1 DESCRIPTION OF PROPOSAL

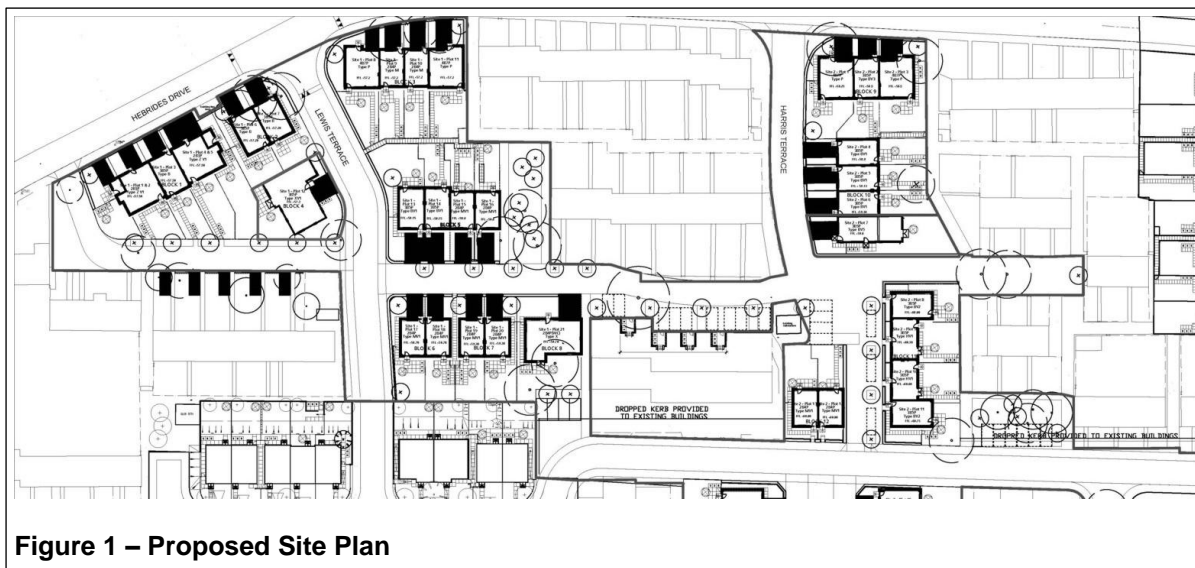


Figure 1 – Proposed Site Plan

- 1.1 This application seeks planning permission to erect 2 houses on Site 1 Plot 12 and Site 2 Plot 7 of Phase 3 of the Mill O'Mains Community Regeneration.
- 1.2 The proposals involve replacing a two storey detached three bedroom house on Site 1 Plot 12 with a single storey three bedroom house. Plot 12 will be served by one off street parking space as well as 60m<sup>2</sup> of private useable garden ground. The side and rear gardens of Plot 12 will be enclosed by 1.8m high timber fencing. The proposed house will be finished in facing brick, Stenl cladding and concrete interlocking roof tiles.

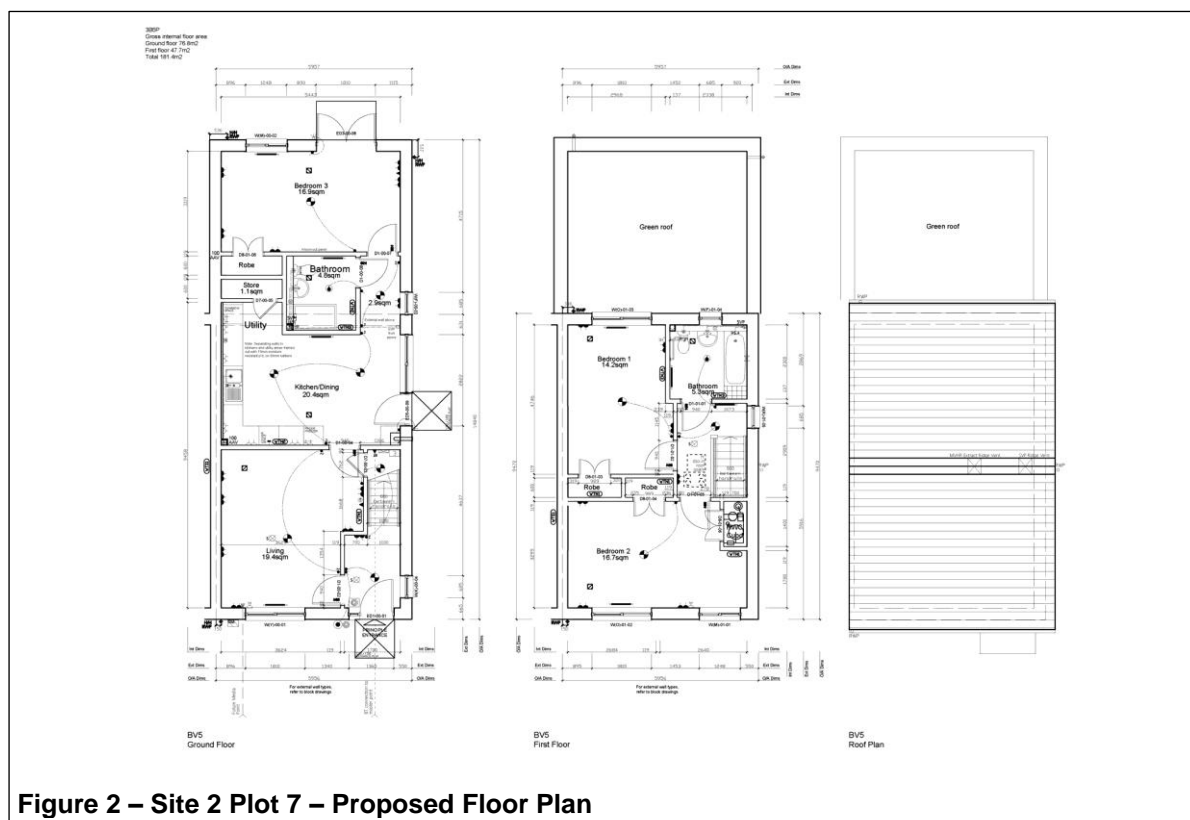
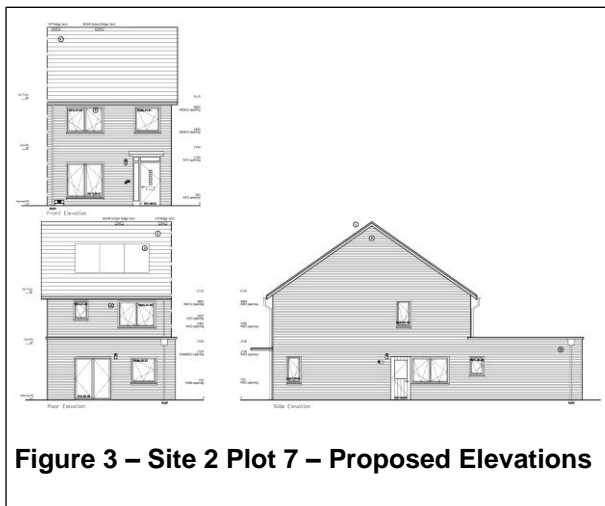


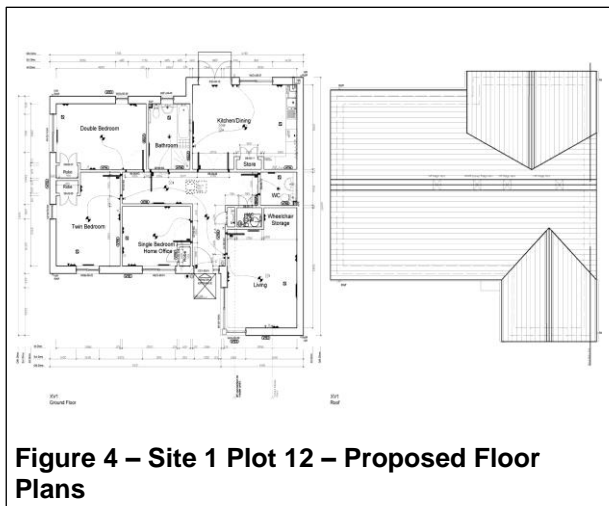
Figure 2 – Site 2 Plot 7 – Proposed Floor Plan

- 1.3 It is proposed to replace a two storey end terraced house on Site 2 Plot 7 with a similar two storey house. However, unlike the other houses in the terrace the proposed house will have a single storey extension to the rear to provide a third bedroom and WC on the ground floor. Plot 7 will be served by one off street car parking space and 118m<sup>2</sup> of private garden ground. The side and rear gardens of Plot 7 will be enclosed by 1.8m high timber fencing. The proposed house will be finished in facing brick with concrete interlocking roof tiles.
- 1.4 Both of the proposed houses will be fitted with solar panels.
- 1.5 The purpose of this application is to address an identified deficiency in accessible housing within Mill O'Mains.
- 1.6 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



**Figure 3 – Site 2 Plot 7 – Proposed Elevations**



**Figure 4 – Site 1 Plot 12 – Proposed Floor Plans**

- 2.1 Phase 3 of the regeneration of Mill O'Mains covers four sites at Lewis Terrace, Harris Terrace, Hebrides Drive and Lismore Terrace. The houses forming Phase 3 are located on the former sites of eleven, three and four storey flatted blocks and nine cottages. These buildings have since been cleared and many of the new houses forming Phase 3 have begun to be built.
- 2.2 Surrounding Site 1 Plot 12 there are a mixture of new and existing two storey terraced and semi-detached houses. Similarly surrounding Site 2 Plot 7 are two storey terraced houses.
- 2.3 The houses surrounding both sites are mixture of the original Mill O'Mains housing and new housing built as part of Phases 1 and 2. The houses are finished in grey and buff roughcast, facing brick and timber cladding with pitched roofs finished in red and grey concrete roof tiles.

### 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

Policy 29: Low and Zero Carbon Technology in New Development

#### **NON STATUTORY STATEMENTS OF COUNCIL POLICY**

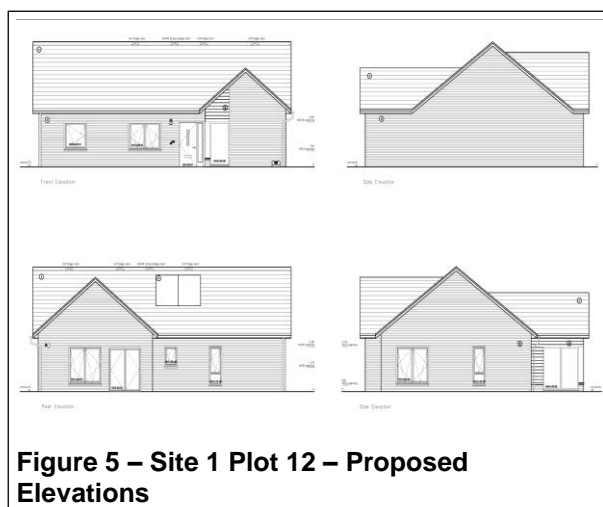
Mill O'Mains Community Regeneration Masterplan

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 Planning application ref: 09/00425/FUL formed Phase 1 of the approved Masterplan and was granted planning permission by the Development Management Committee in January 2010 for the erection of 64 houses as well as various drainage/infrastructure works to facilitate future phases of development.

4.2 Upon receiving planning permission the Applicant re-examined the approved housing mix. From discussions between the Council and Applicant it became apparent that there was reduced demand for large 4 bedroom dwelling units but a high demand for 3 bedroom dwelling units within the local community. Planning application ref: 10/00284/FULL sought permission to revise the house types approved by planning application ref: 09/00425/FUL and erect an additional house to meet the housing demands of the local community. This application was approved by the Development Management Committee in June 2010.



**Figure 5 – Site 1 Plot 12 – Proposed Elevations**

4.3 Planning application ref: 11/00553/FULL sought planning permission for the erection of 2 dwellinghouses on Plots 13 and 15, Site 3, Phase 1 Barra Terrace. This application was approved by the Council's Development Management Committee on 21 November 2011.

4.4 Planning application ref: 11/00733/FULM formed Phase 2 of the approved Masterplan and was granted planning permission by the Development Management Committee on 19 March 2012. Phase 2 of the Masterplan involved the demolition of 9 flat/maisonette blocks and 7 lock-ups, the construction of 60 new houses and 10 flats and the formation of associated parking and boundary treatments.

4.5 Planning application ref: 13/00831/FULM formed Phase 3 of the approved Masterplan and was granted permission by the Development Management Committee on 17 February 2014. Phase 3 of the Masterplan involves the demolition of 11 flat maisonette blocks and

9 cottages, the erection of 62 new build houses, 8 flats, associated parking, landscaping and boundary treatments at Lewis Terrace, Harris Terrace, Hebrides Drive and Lismore Terrace.

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## 5 PUBLIC PARTICIPATION

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- 5.1 Two letters of objection have been received raising concerns that the proposed house on Site 1 Plot 12 is too big for the plot and will adversely impact on the appearance of the Lewis Terrace streetscape.
- 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 **Environmental** – the Head of Environmental Protection has recommended that should planning permission be granted the houses are not occupied until Conditions 3 and 4 of planning application ref: 13/00831/FULM are fully implemented. This matter can be controlled by condition.

## 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** – states that all development must contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change, mitigation and adaptation.
- 7.3 The proposed houses by virtue of scale, design, position within their plots and finishing materials will maintain the high quality residential environment created by Phases 1, 2 and 3 of the Mill O'Mains Community Regeneration. The houses will maintain the appearance of their respective streetscapes and will reinforce the established street pattern.
- 7.4 The houses have been designed to account for climate change, mitigation and adaptation through the inclusion of solar panels.
- 7.5 **The proposal satisfies Policy 7.**
- 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. Policy 9 requires all new housing developments to conform to the guidance on the Design of New Housing set out in Appendix 3 of the Local Development Plan.

- 7.7 As outlined in the assessment of Policy 7, the layout and design of the proposed development is of a high quality that will enhance the residential environment of the surrounding area.
- 7.8 Appendix 3 of the Dundee Local Development Plan requires 75% of new houses in suburban areas of Dundee to have 3 or more bedrooms or a minimum gross internal floor area of 100m<sup>2</sup>, 1 in curtilage parking spaces, private gardens of no less than 120m<sup>2</sup> and a minimum of 18m between the facing windows of habitable rooms.
- 7.9 The proposed houses will each have three bedrooms, an in curtilage parking space and no less than 18m between facing windows of habitable rooms. In terms of the provision of private garden ground the proposed houses will be afforded private garden grounds in accordance with the Mill O'Mains Community Regeneration Masterplan. However, these fall below the 120m<sup>2</sup> required by Appendix 3. In this instance the proposal fails to meet the requirements of Appendix 3 and is therefore contrary to Policy 9.
- 7.10 **The proposal contravenes Policy 9.**
- 7.11 **Policy 29 Low and Zero Carbon Technology in New Development** – this requires that, for specified developments, carbon emissions will be reduced by defined percentages through the installation and operation of zero-carbon generating technologies. Each of the proposed housing units will be served by solar panels which will generate electricity to reduce the fuel costs and carbon footprint of each of the proposed houses.
- 7.12 **The proposal satisfies the requirements of Policy 29.**
- 7.13 **It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.**

## **OTHER MATERIAL CONSIDERATIONS**

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

### **A - MILL O'MAINS COMMUNITY REGENERATION MASTERPLAN**

- 7.14 An overall Masterplan for Mill O'Mains was produced after considerable consultation exercises with the local community and various bodies. It was formally approved by the Development Management Committee in July 2009. The Masterplan has 5 objectives:
- 1 Create New Houses on Streets - where possible, existing parking courts will be removed and new streets created through Mill O'Mains. The streets will be designed to keep traffic speeds low and will allow existing and new residents to get direct access to their front doors, and to park cars outside their homes.
  - 2 Create Good Quality Open Spaces - at present many open spaces on Mill O'Mains are left over after the demolition of buildings. As flats are being replaced with houses, there will be fewer public open spaces in the area, but the aim is to make them high quality, safe and well designed.
  - 3 Improve the Connections - At present it can be difficult to find your way around Mill O'Mains. An aim is to make it easier and safer to get around, with more well lit streets and fewer badly lit footpaths.
  - 4 Build Popular House Types - The "Semis" on Mill O'Mains are very popular and more houses like these will be built. They will be well insulated to keep heating costs down

and will have level access at the entrances to make it easier to get in and out, for residents and visitors.

5 Create a Positive Image - the proposals for Mill O'Mains are to improve the good bits and remove the less good. As well as changing it for the people who live there, the image of the area will be improved throughout the rest of the city.

7.15 Phase 3 of the Mill O'Mains Regeneration is compliant with the aims and aspirations of the approved Mill O'Mains Community Regeneration Masterplan.

7.16 It has been established in the assessment of the proposed development above that the houses do not comply with the Local Development Plan guidelines for the provision of private useable garden ground.

7.17 The garden grounds of the proposed houses are not out of proportion with the gardens of the existing or recently built houses on Lewis Terrace, Harris Terrace, Lismore Terrace and Hebrides Drive. The provision of private useable garden ground in compliance with the Local Development Plan guidelines would not allow for the creation and extension of new and existing streets whereby the boundaries between old and new would be very visible to the detriment of visual amenity and environmental quality. In addition it should be noted that the level of environmental quality and amenity afforded to the new build houses is significantly higher than the level of environmental quality and amenity afforded to the flatted properties that they are replacing. If the proposed houses had to satisfy the Local Development Plan guidelines for the provision of private useable garden ground this would reduce the number of houses that could be built consequently leading to the retention of the existing flatted blocks within Mill O'Mains which the Masterplan seeks to replace in order to enhance the quality of housing, level of amenity and environment afforded to the local community.

7.18 **The proposal complies with the principles of the Mill O'Mains Community Regeneration Masterplan.**

#### **B - VIEWS OF OBJECTORS**

7.19 Two letters of objection have been received raising concern that the proposed house on Site 1 Plot 12 is too big for the plot and will adversely impact on the appearance of the Lewis Terrace streetscape. The concerns of the objector have been addressed in the assessment of the proposal against the requirements of the Dundee Local Development Plan and the Mill O'Mains Community Regeneration Masterplan above. It has been concluded that the proposed houses by virtue of scale, massing, design and positioning within their plots will maintain the appearance of their respective streetscapes. Compliance with the Mill O'Mains Community Regeneration Masterplan demonstrates that in quantitative terms the houses are in keeping with the existing and recently approved housing and will therefore contribute to the high quality residential environment that has been created by Phases 1, 2 and 3.

7.20 **The concerns of the objectors are not supported.**

7.21 **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 fails to satisfy the requirements of the Development Plan. The concerns of the objectors are not supported. The proposal satisfies the aspirations of the Mill O'Mains

Community Regeneration Masterplan and there are material considerations that justify approval of planning permission. Therefore, it is recommended that this application be approved.

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## **9 RECOMMENDATION**

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9.1 It is recommended that consent be GRANTED subject to the following conditions:

- 1 Prior to the commencement of work on the houses hereby approved, Conditions 1 - 3 and 5 - 10 of planning application ref: 13/00831/FULM shall be discharged in full.
- 2 Prior to the first occupation of any of the houses hereby approved the remediation strategy approved by Condition 3 of planning application ref: 13/00831/FULM shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved by the planning authority.

### **REASONS**

- 1 In the interests of maintaining a high quality residential environment.
- 2 In the interests of ensuring that the application site is fit for purpose.