

# Construction of Dwellinghouse

## KEY INFORMATION

**Ward** East End

**Address**

Land East of 61 Gotterstone Drive, Dundee

**Applicant**

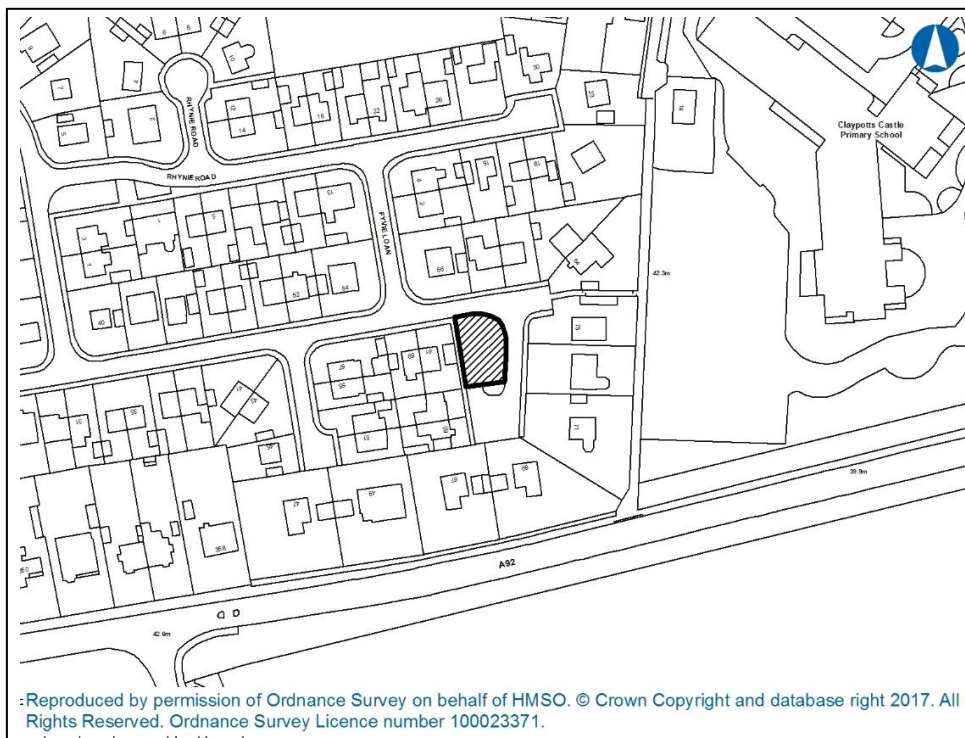
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**Registered** 21 Nov 2018

**Report by** Executive Director  
of City Development



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## SUMMARY OF REPORT

- This application seeks approval of matters specified in conditions of 16/00244/PPPL which granted planning permission in principle for the erection of a one and a half storey detached house on land to the east of 61 Gotterstone Drive.
- Application 16/00244/PPPL was refused by Development Management Committee in May 2016. This decision was appealed by the applicant to the DPEA. The DPEA overturned the decision to refuse planning permission and granted consent subject to conditions in November 2016.
- The statutory neighbour notification procedure was undertaken. Objections have been received from 9 neighbours of the application site. Concerns have been raised in relation to the proposal's impact on residential amenity and the loss of greenspace.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee as nine objections have been received.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=OZRBNOGCHWY00>.

## RECOMMENDATION

The proposal satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. Therefore, the application is recommended for APPROVAL subject to conditions.

# 1 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks approval of the matters detailed in the conditions in respect of 16/00244/PPPL which granted planning permission in principle for the erection of a one and a half storey detached house on land to the east of 61 Gotterstone Drive.
- 1.2 The proposal is for a one and a half storey house finished in a grey stone coloured render with concrete roof tiles and timber windows. The proposed 3 bedroom house includes living accommodation in the roof space served by dormer windows and roof lights. To the north of the house are two in curtilage parking spaces and an area of hardstanding. To the south is private garden ground of 155m<sup>2</sup>. The site is to be bound by a timber fence of between 1 metre and 1.8 metres in height.



Figure 1 – Site Plan



Figure 2 – Elevations

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## 2 SITE DESCRIPTION

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- 2.1 The application site is located on the south side of Gotterstone Drive. The site is presently a 380m<sup>2</sup> area of grassland containing a lamp post, mail box and waste bin. The site is level and open in nature with a public road bounding the site to the north, east and south. To the west of the site is a public footpath with residential property beyond.
- 2.2 The surrounding area is residential in character, with a mixture of one and two storey properties on Gotterstone Drive, Fyvie Loan and Rhyne Road. Claypotts Primary School is 110 metres to the east of the site and Arbroath Road is 60 metres to the south.



Figure 3 – Site Photo

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## 3 POLICY BACKGROUND

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

**ADOPTED DUNDEE LOCAL DEVELOPMENT PLAN 2014**

Policy 7: High Quality Design

Policy 9: Design of New Housing

**PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN**

Policy 1: High Quality Design and Placemaking

Policy 10: 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 Planning application 16/00244/PPPL for the erection of a dwelling house was refused by Development Management Committee in May 2016.
- 4.2 The decision to refuse planning permission was appealed by the applicant to the DPEA. DPEA allowed the appeal and granted planning permission in principle subject to conditions in November 2016.

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## 5 PUBLIC PARTICIPATION

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- 5.1 The statutory neighbour notification procedure has been undertaken.
- 5.2 Nine letters of objection have been received from neighbouring residents raising concerns about:
- the proposed dwellinghouse raises overlooking and overshadowing concerns;
  - loss of open space at the site would be detrimental to the cul-de-sac and wider landscape;
  - the proposal raises road safety concerns; and
  - the site is marked as Open Space on title deeds and has been maintained by Dundee City Council.
- 5.3 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.

- 7.2 The principle of the development of a house on this site has already been established through the approval of planning application 16/00244/PPPL by the DPEA. The application under consideration is for the detailed design and layout of the approved house.
- 7.3 The submitted plans are for a one and a half storey house with 3 bedrooms and an internal floor area of 123m<sup>2</sup>. The house includes a living/dining area, kitchen, bathroom and bedroom on the ground floor and two bedrooms and a bathroom within the roofspace. Two in curtilage parking spaces and an area of hardstanding are proposed to the north of the house, with 155m<sup>2</sup> of private garden ground proposed to the south. The site is to be enclosed by timber fencing of between 1.0 metre and 1.8 metres in height to maintain visibility on Gotterstone Drive and ensure rear garden ground is private in nature.
- 7.4 The proposed dwelling meets the requirements of Condition 1 and Condition 2 of 16/00244/PPPL. The proposal is also required to meet the requirement of the Adopted Dundee Local Development Plan 2014.

### ADOPTED DUNDEE LOCAL DEVELOPMENT PLAN 2014

- 7.5 **Policy 7: High Quality Design** - requires proposals to contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate to change, mitigation and adaption.
- 7.6 The Proposals should also:
- consider and respect site topography and any surrounding landmarks, views or skylines;
  - contribute to a sense of identity by developing a coherent structure of streets, spaces, and buildings that are accessible and respect the existing building lines;
  - have a design which should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours;
  - have existing buildings, streets and spaces which 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; and
  - have existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.
- 7.7 The applicant has provided a site layout and elevation drawings of the proposed dwelling and associated garden ground.
- 7.8 The proposed dwelling which is of a one and a half storey design serves to form a residential development which is in keeping with the scale, appearance and character of existing dwellings on Gotterstone Drive, such as 59-61 Gotterstone Drive immediately to the west of the site. The proposed dwelling is of an appropriate scale for the application site and maintains the established building line on the south side of Gotterstone Drive, ensuring a coherent street structure is maintained. The dwelling would be finished in mid-stone sandtex render with timber windows and a red pan tile roof. The proposed finishes ensure the dwelling is of a design which complements its surroundings.
- 7.9 The site layout includes a vehicle and pedestrian access to the north boundary onto Gotterstone Drive. The proposed access does not raise any road safety concerns and is to be constructed to Dundee City Council standards. A hardstanding is provided to the front of the proposed dwelling which provides a driveway and two in curtilage parking spaces. Private

garden ground is provided to the rear of the dwelling and would be bound by 1.8 metre timber fencing. The site layout and boundary treatments respect the established layout of residential development on Gotterstone Drive and would result in a development which integrates into the existing streetscape.

**7.10 The proposal satisfies Policy 7.**

**7.11 Policy 9: Design of New Housing** - states that the design and layout of all new housing in Dundee should be of high quality and contribute to creating places that build on and enhance the distinct character and identity of the city. In seeking to achieve this, the policy requires proposals to comply with the requirements of Appendix 3 of the Local Development Plan. The application site is within a suburban area of the city.

7.12 The proposed development would be of high quality for the reasons explained above in the context of Policy 7.

7.13 Appendix 3 requires 75% of the houses to have 3 or more bedrooms or a minimum of 100m<sup>2</sup> of gross internal floor area. The proposed house has 3 bedrooms and 123m<sup>2</sup> floor area meeting this requirement.

7.14 Regarding parking, a 3 bedroom house should have at least 2 in curtilage parking spaces. The proposed development meets this requirement.

7.15 The proposed house would have 155m<sup>2</sup> of private useable garden ground to the side and rear of the proposed dwelling. The proposed development meets this requirement.

7.16 The proposed house would exceed the minimum window separation distance of 18m between habitable rooms.

**7.17 The proposal satisfies Policy 9 and Appendix 3.**

**7.18 It is concluded that plans submitted in respect of the matters detailed in the conditions in respect of 16/00244/PPPL comply with the relevant policies in the Dundee Local Development Plan 2014.**

### **OTHER MATERIAL CONSIDERATIONS**

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

#### **A - VIEWS OF OBJECTOR**

7.20 Nine letters of objection were received citing the following concerns:

- 1 the proposed dwellinghouse raises overlooking and overshadowing concerns;
- 2 loss of open space at the site would be detrimental to the cul-de-sac and wider landscape;
- 3 the proposal raises road safety concerns; and
- 4 the site is marked as Open Space on title deeds and has been maintained by Dundee City Council.

**7.21 Response**

- 1 The impact of the proposed dwelling is considered within the main body of this report. Due to the scale and position of the dwelling, and location of the site surrounded by a

public road and a footpath the proposals would have no overshadowing impact on properties within the surrounding area. Similarly, there are no windows of the proposed property that are within 18 metres of windows of neighbouring property. Bedroom windows within the roofspace are served by rooflights and a rear dormer window serves a bathroom.

- 2 The principle of the development of this site has already been established through the approval of planning application 16/00244/PPPL by the DPEA. The issue of the loss of open space has already been addressed. The proposed dwellinghouse has been designed so that it is sited towards the centre of the site and maintains the building line on the south side of Gotterstone Drive. The dwelling is of a scale and finish which maintains the character of residential development in the surrounding area. The level of garden ground, in curtilage parking and boundary treatments are as required by Policy 9: Appendix 3. It is considered that the proposal as designed would have no detrimental impact on the cul de sac or the wider area.
- 3 The proposed dwelling includes two in curtilage parking spaces and a driveway with access onto Gotterstone Drive. The formation of the access is controlled by condition to ensure it is constructed to Dundee City Council specifications. Sections of boundary fence towards the north of the site are to be no higher than 1 metre to ensure visibility is maintained. Therefore, the proposal does not raise any concerns in terms of creating congestion or having a detrimental impact on road/pedestrian safety.
- 4 Objectors raise concerns in relation to the ownership of the application site which was previously maintained as open space. Whilst land ownership is not a material planning consideration, the applicant has provided a completed land ownership certificate. The Council does not have an ownership interest in this land.

7.22 The concerns of the objector are not supported.

## **B - DUNDEE LOCAL DEVELOPMENT PLAN 2**

- 7.23 The Proposed Dundee Local Development Plan 2 was approved by the Council on 21 August 2017. It sets out the spatial strategy that will guide future development up to 2029.
- 7.24 The proposed Dundee Local Development Plan 2 will in time replace the Dundee Local Development Plan 2014. Approval of the Proposed Dundee Local Development Plan 2 represents the Planning Authority's settled view as to what the final adopted content of the Plan should be. Whilst the Dundee Local Development Plan 2014 (along with TAYplan) constitutes the statutory Development Plan, the Proposed Dundee Local Development Plan 2 has the status of a material planning consideration to be taken into account in the assessment of planning applications.
- 7.25 The provisions of the Proposed Dundee Local Development Plan 2 relevant to the determination of this application are specified in the Policy background section above. There are no material changes to these policies which would affect the outcome of the present planning application.
- 7.26 **Policy 1: High Quality Design and Placemaking** - this policy is similar to Policy 7 High Quality Design with the addition of six qualities which new developments are required to meet. It is considered this proposal complies with relevant additional qualities of Policy 1 of the Proposed Dundee Local Development Plan 2.
- 7.27 **Policy 10: Design of New Housing (Appendix 4 - Suburban Standards)** - this policy is similar to Policy 9 (Design of New Housing) Appendix 3, with the addition of a general



requirement for new dwellings in suburban areas to provide waste and recycling facilities in accordance with the Council's waste management strategy and parking areas which include provision for electric car charging points. The proposed dwelling includes a designated bin storage area and the in curtilage parking spaces would be capable of accommodating domestic electric car charging points.

7.28 The proposals meets the relevant requirements of the Proposed Dundee Local Development Plan 2.

7.29 **It is concluded from the foregoing that there are no material considerations of sufficient weight which would support refusal of planning permission.**

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## 8 CONCLUSION

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8.1 It is concluded that detailed plans for the design and layout of the new house submitted in respect of the matters detailed in the conditions of 16/00244/PPPL comply with the relevant policies in the Dundee Local Development Plan 2014. There are no material considerations that would justify refusal of the proposal in this instance. It is recommended that this application be approved 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 conditions:

1 **Condition** - details of the proposed vehicle access must be agreed prior to any works on site and the access must be formed and constructed as a Type A junction to Dundee City Council standards and specifications.

**Reason** - in the interests of vehicle and pedestrian safety and to enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

2 **Condition** - any proposed gates must open into the drive and not over the public footway.

**Reason** – in the interests of vehicle and pedestrian safety.

3 **Condition** - the hard surface within the curtilage should be made of porous materials or provision should be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house.

**Reason** - to ensure that surface water from within the curtilage of the site does not drain to the adjacent adopted road.