

KEY INFORMATION

Ward Barnhill

Proposal

Erection of new houses

Address

Land to South of
46 Collingwood Street
Broughty Ferry
Dundee

Applicant

Mr and Mrs K Reilly
5 South Balmossie Street
Broughty Ferry
Dundee

Agent

G D Architectural Services
101 Brook Street
Monifieth

Registered 27 Dec 2002

Case Officer G S Reid



Proposed New House next to Collingwood Street

Erection of new house is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed new house is considered to be in accordance with the policies of the Development Plan.

The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a new house on land to the South of 46 Collingwood Street, Broughty Ferry, Dundee.
- The proposal raises issues for consideration in terms of the Housing Policies of the Dundee Local Plan 1998 and Policy 4 Design of New Housing of the Finalised Dundee Local Plan Review.
- Two letters of objection were received to the proposed development from neighbours. The main issues related to the adverse affect on the amenity of residents due to overlooking and overshadowing, the height of the house and the over development of the site. In response to objectors' concerns the applicant reduced the height of the house.
- The application was deferred by the Development Quality Committee at its meeting on the 24 February 2003 to see whether the remaining objections could be resolved. The applicant has made further changes and progress has been made in reducing the concerns of one neighbour the other objector has not changed their position.
- * It is considered that the proposed new house is in accordance with Housing Policy H10 of the Dundee Local Plan 1998 and Policy 4 of the Finalised Dundee Local Plan Review. It is considered that the concerns raised by objectors are not of sufficient weight to warrant refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a new house on land to the south of 46 Collingwood Street, Broughty Ferry, Dundee.

The house is to be detached and two storeys in height with 5 bedrooms and a feature conservatory to the south elevation. The main garden area is to the south of the house and is in excess of 600 sq. metres. The finishing materials are to be an off-white roughcast to the walls and reddish/brown concrete roof tiles.

Access to the house is to be taken from the existing access from Collingwood Street. Three off-street car-parking spaces are to be provided to serve the house.

SITE DESCRIPTION

The application site is located to the south of Collingwood Street and is to the west of South Balmossie Street. The site extends to approximately 0.143 hectares and slopes down gently from north to south. The site is currently part of the garden ground belonging to No.5 South Balmossie Street. Access to the site is taken from an existing driveway in Collingwood Street. To the north, east and west of the site are residential properties. To the south of the site is the main Dundee to Aberdeen railway line.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies are of relevance:

Housing Policy H10 is of relevance and sets out the guidelines for the design and layout of new housing.

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 4 Design of New Housing is of relevance and sets out the guidelines

for the design and layout of new housing.

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

There are no non-statutory Council policies relevant to the determination of this application

LOCAL AGENDA 21

Local Agenda Key Theme 15 is of relevance to the consideration of the application and seeks to ensure that diversity and local distinctiveness are valued and protected. It is considered that given the location and design of the proposed house the aims of Key Theme 15 are achieved.



SITE HISTORY

Planning Application 99/24088/D: Outline planning permission for the erection of a new house in garden ground to the south of Collingwood Street. Approved subject to conditions 19 September 1999.

PUBLIC PARTICIPATION

The applicants carried out the statutory notification of neighbours and four letters of objection were received to the application. The main grounds of objection were that:

- 1 The proposed house would result in the overlooking of surrounding properties.

- 2 The proposed development would overshadow properties to the west with the loss of daylight to habitable rooms.
- 3 Given the height of 9 metres to the ridge the scale and mass will result in a building dominating the immediate residential area and the adjacent house to the detriment to local amenity.

As a result of the objections received the applicants reduced the height of the house by 1.6 metres. Neighbours were re-notified of the change to the height on the 28 January 2003. As a result of one of the objectors withdrew their letter of objection.

Copies of the letters of objection are available in the Members' Lounges and are addressed in the Observations section of this report.

CONSULTATIONS

No adverse comments were received from any of the statutory consultees.

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.

The Development Plan

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

Planning permission, in outline, was granted for a single house in the garden ground at land to the south of Collingwood Street (99/24088/D refers). The current application is for full planning permission for the erection of a new house on the same site.

As the proposal involves the erection of a new house Policy H10 of the Dundee Local Plan 1998 is relevant. This Policy sets out the design guidelines for new build and conversions and includes house

type/mix, amenity space/garden area, outdoor drying area, privacy, parking/garaging and layout/urban design. The proposed development will involve the creation of a single dwelling house with five bedrooms, three off-street car-parking spaces and garden ground in excess of 600 sq. metres.

The proposed house meets all of the criteria contained within the guidelines for new houses set out in Housing Policy H10.

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 Does the proposal accord with Policy 4 Design of New Housing of the Finalised Dundee Local Plan Review.

Policy 4 of the Finalised Dundee Local Plan Review sets out the standards for the design and layout on new housing. The standards cover house type, car/cycle parking, amenity/garden ground and privacy. As indicated above the proposal is for a two-storey detached house with five bedrooms, three off-street parking spaces and garden ground in excess of 600sq metres. The proposed house meets all of the criteria contained within the guidelines for new houses. The proposal is therefore in accordance with Policy 4 of the Finalised Dundee Local Plan Review.

It is considered that the proposed new house is in accordance with the policies of the Finalised Dundee Local Plan Review.

- b The concerns raised in the letters of objection from surrounding neighbours.

Letters of objection were received from two neighbours in the surrounding area. The main concerns raised are considered as follows:

- 1 "The proposed house would result in the overlooking of surrounding properties". The house to the west is a newly built property in what was garden ground of 44 Collingwood Street. The proposed house is to be built on the same building line to the

south. Therefore the only overlooking that would occur would be over the garden area of the property to the west and not any windows. This garden area is already overlooked by the house to the west. Although there are windows in the west elevation of the proposed house these are high level windows at ground floor to the kitchen and will not result in overlooking. It is considered that the overlooking that would occur is not sufficient to warrant refusal of the application.

- 2 "The proposed development would overshadow properties to the west with the loss of daylight to habitable rooms". The proposed house would be higher than the existing house to the west. However, the new house maintains the building line to the south. Therefore the only overshadowing that would occur would be in the morning. There would be no overshadowing for the rest of the day given the position of the houses to each other. There are windows in the east side of the adjacent house to the west. As these windows are at ground floor any development on the land to the east would affect them. It is considered that the affect on these windows would not be sufficient to warrant refusal of the application.
- 3 "Given the height of 9 metres to the ridge the scale and mass will result in a building dominating the immediate residential area and the adjacent house to the detriment to local amenity". The applicants as a result of objections have reduced the height of the house by 1.6 metres. This has reduced the overall scale and mass of the house. The area is characterised by a mixture of house types with some single storey, one and a half storey and two storey houses. There is already a two-storey house at 42a Collingwood Street, which is on the same building line as the proposed house. It is therefore considered that given the reduction in the height of the house it would not result in an over-dominant feature in the area.

The Development Quality Committee resolved to defer consideration of the application at its meeting on the 24 February 2003. This was to establish whether the two remaining objections could be resolved. As a result the neighbour immediately to the west has indicated that while most of their concerns have been resolved the issue of overshadowing remains. They suggested that the roof of the proposed house be hipped on the west elevation. In response to this the applicants have added a hip to the top part of the roof. While not a full hip the change goes some way to addressing the objectors concern while maintaining the important elements of the new house. The remaining objector who, does not bound onto the site, has not changed their position.

It is also concluded from the foregoing that insufficient weight can be accorded to the concerns raised in the letters of objection to justify the refusal of planning permission contrary to the provisions of the development plan.

Design

The house has been designed to maintain the building line to the south. All the main rooms have been located to the south to benefit from the sunny perspective and views across the Tay. The materials and design of the house are considered to be acceptable for the location proposed.

CONCLUSION

Taking into account all of the above it is recommended that planning permission be granted with conditions.

RECOMMENDATION

It is recommended that planning permission 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 That samples of all finishing materials shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out using only the approved samples

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure a satisfactory visual appearance of the proposed house.