

KEY INFORMATION

Ward Broughty Ferry

Proposal

Convert 3 existing buildings on the site and erect 1 house to create a total of 4 dwellings – 3 cottages and 1 townhouse

Address

168 Long Lane
Broughty Ferry
Dundee DD5 2EF

Applicant

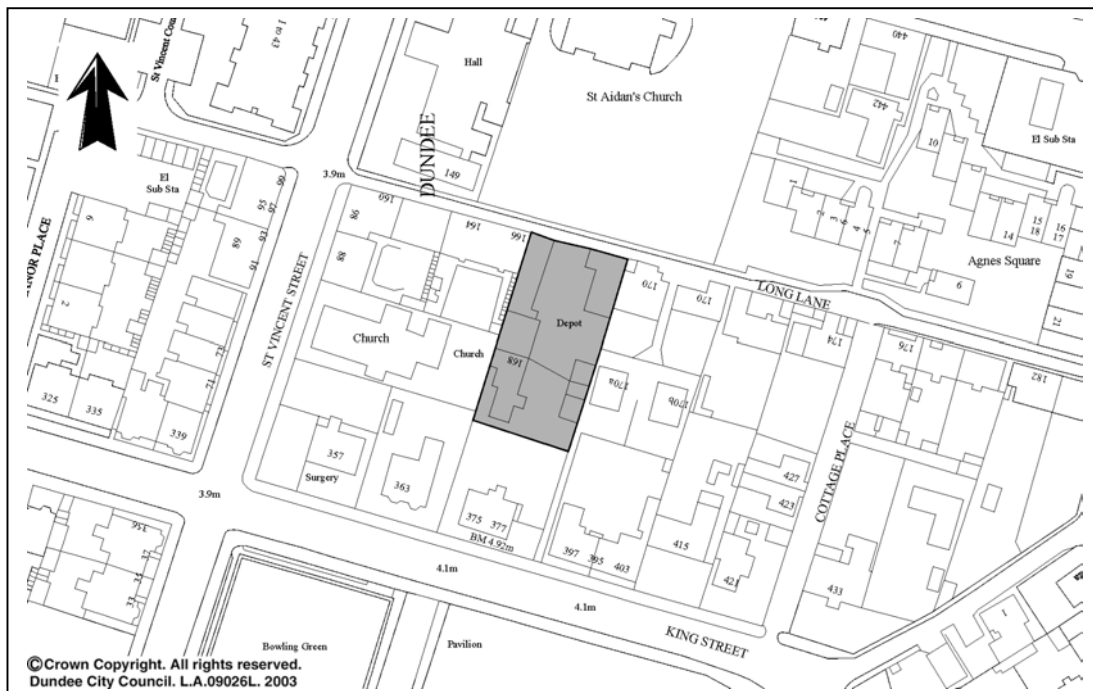
Paul Barnet
Barnet Properties
Riverside Road
Dundee
DD2 1US

Agent

Pask & Pask
Architects
18 High Street
Newport on Tay
N E Fife
DD6 8AD

Registered 4 Aug 2003

Case Officer C Walker



The conversion of 3 existing buildings on the site and the erection of 1 house is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development provides an attractive residential environment and is in accordance with the stated exceptions to the housing standards policies in the adopted and Finalised Draft Local Plans. The application is therefore recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought to provide 4 dwellings on the site through the conversion of 3 existing buildings and the erection of a new house on the site of an existing building.
- In the adopted Local Plan the site is allocated as falling within the existing residential area where Policy H1 seeks to protect residential amenity. Policy H10 sets out guidelines for new housing development.
- In the Finalised Dundee Local Plan Review the site is allocated as a brownfield housing site under H38.
- Statutory neighbour notification was carried out and the proposal was advertised as potentially contravening H10 of the adopted Local Plan. No public comment was received.
- It is considered that the proposed development is on a difficult site where a very imaginative proposal of quality is put forward and is therefore justified as an exception to Policy H10 of the adopted Local Plan and Policy 4 of the Finalised Plan. It is further considered that a very attractive residential environment will be provided by the proposed development.

DESCRIPTION OF PROPOSAL

Planning permission is sought to provide 4 dwellings on the site through the conversion of 3 existing buildings and the erection of a new house on the site of an existing building. The houses will comprise a 2 storey town house with 3 bedrooms, two cottages with 2 bedrooms and a third cottage with 3 bedrooms. It is proposed to provide 3 garages on the site as well as 4 parking spaces. Garden areas will be provided for each house ranging in size from 50 to 115 sq. metres. The proposed development is on a very tight mews style site and standard privacy distances and screened private gardens are not achievable (although these gardens will be private from the public road).

It is proposed to improve the existing access from Long Lane and retain a setted courtyard for parking and circulation. The proposed finishing materials for the new house are cement render and slate and timber boarding and glazing for extensions to the existing cottages.

SITE DESCRIPTION

The site was a former Council cleansing depot and comprises 5 buildings around a central setted courtyard. The buildings include a 2 storey stone and slate coach house style building, 2 cottages in stone and slate (the walls on one of them have been rendered), a brick built garage style building between the 2 cottages and a brick and slate storage building. The combination of the stone and slate buildings and the setted courtyard create an attractive historic atmosphere at the site.

The site is on the south side of Long Lane between St Vincent Street and New Road. This section of Long Lane is narrow (approximately 2.5 metres at the application site). On the north side of the road is St Aidans church and graveyard. To the west is a 3 storey tenement building on Long Lane and the rear of the Baptist church (Category C listed building) on St Vincent Street. To the east is a cottage on Long Lane and behind that 2 modern one and a half storey houses. To the south is the rear of a substantial stone and slate villa (Category C listed building) on King Street

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:

The site is allocated as falling within the existing residential area where Policy H1 seeks to protect residential amenity.

Policy H10 sets out guidelines for new housing development.



Dundee Urban Nature Conservation Subject Local Plan 1995

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

Finalised Dundee Local Plan Review

The following policies are of relevance:

The site is allocated as a brownfield housing site under H38.

Policy 4 and Appendix 1 set out Design Standards for 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

The proposed development reuses existing buildings and is considered to be sustainable and in line with the Councils Agenda 21 policies.

SITE HISTORY

A planning application was received in April 2003 for the provision of 5 houses on this site. That application was very similar to the current proposals except that it was proposed to provide 2 flats as opposed to a house through the conversion of the coach house (application 03/00243/FUL refers). The applicants were informed that there were concerns about overdevelopment of the site and the application was withdrawn in June 2003.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was advertised as potentially contravening H10 of the adopted Local Plan. No public comment was received.

CONSULTATIONS

The Director of Environmental and Consumer Protection has pointed out that the former uses of the site suggest that there may be a contamination issue and that investigations should be carried out.

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 comprise Policy H10 specified in the Policy background section above. The site falls within Central Broughty Ferry where Policy H10 seeks private gardens of 50 sq. metres and 18 metres between habitable rooms (the proposed development complies with the house size, type and parking requirements of Policy H10). Policy H10 goes on to state that exceptions to the standards will be considered for difficult sites where a very imaginative proposal of quality is put forward.

In this case the privacy and private garden ground standards cannot be met. However in general the principal lounge areas are positioned to avoid overlooking and each dwelling will have a reasonable amount of garden ground which although not private from within the mews development, will be very private in terms of public roads. The failure to meet H10 standards is due to the existing layout of the site and the positioning of the buildings. It is considered that the proposed development is on a difficult site where a very imaginative proposal of quality is put forward and is therefore justified as an exception to Policy H10. It is further considered that a very attractive residential environment will be provided by the proposed development.

It is concluded from the foregoing that the proposal comes within the exceptions to Policy H10 and therefore complies with the provisions of the development plan.

Other Material Considerations

The other material consideration to be taken into account is the Finalised Dundee Local Plan Review. In that plan the site is allocated as a brownfield housing site under H38. Policy 4 and Appendix 1 set out Design Standards for new housing. These are almost identical to the Policy H10 standards in the adopted Local Plan, the only difference being that the requirement for 50 sq. metres of private garden ground is increased by requiring 30% of houses to have more than 75 sq. metres of private garden. Policy 4 also contains an exception where the conversion of a

building worthy of retention is proposed.

It is considered that this policy framework is so similar to that of the adopted Local Plan that the failure of the development to meet private garden ground and amenity distances can similarly be seen as a justifiable exception to the policy and therefore that the proposed development is in compliance with the policy.

The design of the proposed development is considered in the Design Section below and the development will not adversely impact on the residential amenities enjoyed by adjoining occupiers.

The concerns about potential contamination have been relayed to the applicants who state that they have carried out ground condition surveys which have revealed no serious difficulties. This matter can be dealt with by a planning condition.

It is concluded from the foregoing that the material considerations all weigh in favour of the proposed development. It is therefore recommended that planning permission be granted with conditions.

Design

The proposed development is based principally on the conversion of existing buildings of character. The retention of these buildings and the setted courtyard provide an attractive setting for this housing development. The new dwelling, the garages and the extensions to the existing cottage buildings are attractively handled and use appropriate finishing materials.

CONCLUSION

The proposed development provides an attractive residential environment and is in accordance with the stated exceptions to the housing standards policies in the adopted and Finalised Draft Local Plans.

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 samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples
- 3 details of any proposed boundary enclosures shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details
- 4 Prior to the commencement of development a landscaping scheme shall be submitted for the written approval of the Council. This scheme shall include a timescale for its implementation and the development shall only be carried out in accordance with the approved scheme. 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.
- 5 details of all proposed windows including velux windows and rooflights shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details
- 6 details of the proposed balcony on the townhouse including the method of protecting the privacy of the occupiers of the adjoining dwellings to the east shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details
- 7 details of any vents or extracts through the roofs of the proposed houses shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details

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| 8 | details of the proposed entrance gates shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details | 9 | To ensure that any potential contamination within the site is adequately dealt with. |
| 9 | Prior to the commencement of development a report on contamination within the site and measures to deal with contamination (if present) shall be submitted for the written approval of the Council. The development shall only be carried out in full accordance with the approved scheme. | | |

Reason

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| 1 | To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 |
| 2 | to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area. |
| 3 | to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area. |
| 4 | to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area |
| 5 | to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area. |
| 6 | to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area and to protect the privacy of adjoining occupiers. |
| 7 | to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area. |
| 8 | to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area. |