

**KEY INFORMATION**

**Ward** Barnhill

**Proposal**

Erection of 2 No detached dwelling houses

**Address**

Land to North of Dalhousie Road and East of Abercromby Street  
Dundee  
DD5 2QY

**Applicant**

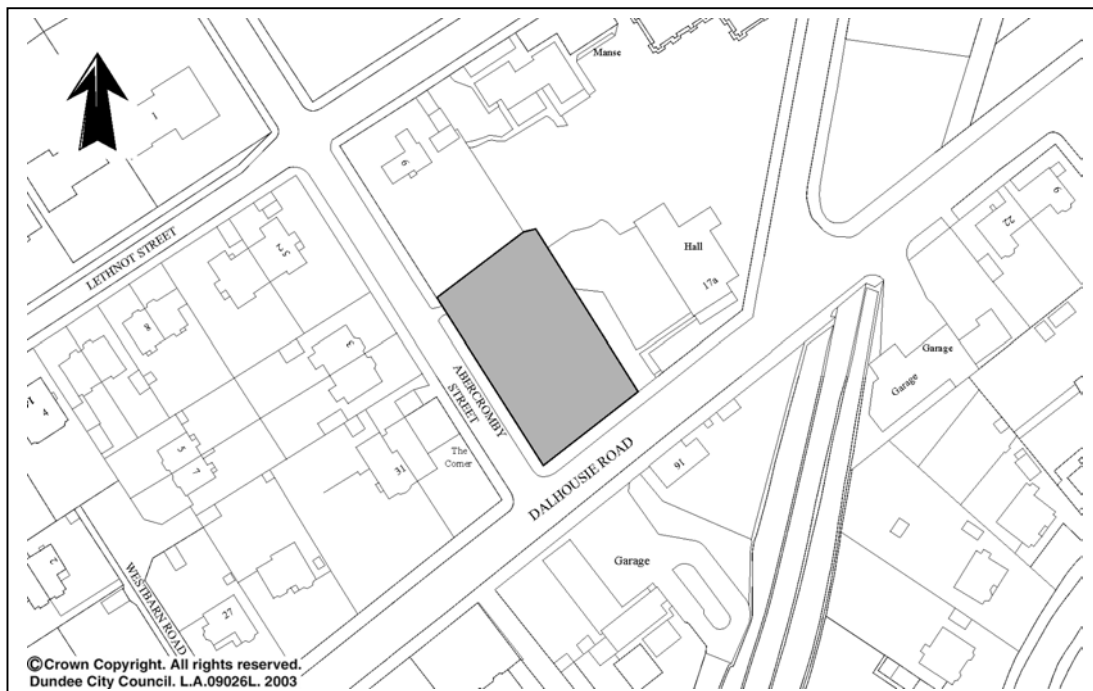
Barnhill St Margarets Parish Church  
Invermark Terrace  
Barnhill  
Dundee  
DD5 2QU

**Agent**

Wellwood Leslie Architects  
Fort Street House  
Broughty Ferry  
DUNDEE DD5 2AB

**Registered** 25 Sept 2003

**Case Officer** C Walker



The Erection of two detached dwelling houses is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development provides large, well-designed houses on generous plots and complies with the policies in the adopted Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. The application is therefore recommended for **APPROVAL** with conditions.

**SUMMARY OF REPORT**

- Planning permission is sought to erect 2 large detached villas of attractive design set in generous plots on the site.
- The site comprises some 0.18 hectares of ground and is the western part of the grounds of St Margaret's Church and hall
- A letter of objection was received from the occupier of a nearby house concerned about the principle of developing this site for housing and the loss of an existing area of open space.
- The proposal complies with the policies of the adopted and Finalised Local Plans. The site is not allocated as an area of open space. The proposed development is for low-density housing and retains the attractive landscaped character of the area. In addition the remainder of the church grounds will be maintained as open space. It is therefore considered that the open character of the area will be maintained.

## DESCRIPTION OF PROPOSAL

Planning permission is sought to erect 2 large detached villas on the site. The houses are identical in design, have integral double garages and 5 bedroom at the upper level. The design of the proposed houses seeks to replicate features of houses in the surrounding area and finishing materials proposed are artificial stone, wet dash harl and slate.

The proposed houses are set in generous plots with private garden areas in excess of 350 sq. metres. The plans indicate that no trees require to be felled to accommodate the development with the 2 new accesses from Abercromby Street taken through gaps in the trees.

## SITE DESCRIPTION

The site comprises some 0.18 hectares of ground and is the western part of the grounds of St Margaret's Church and hall. It is bounded to the west by Abercromby Street and to the south by Dalhousie Road. To the north is a detached one and a half storey house at the junction of Abercromby Street and Invermark Terrace. To the east and north east are St Margaret's church, church hall and manse.

The surrounding area is residential in character with substantial houses on large plots. The church grounds are attractively landscaped with mature trees and hedges. On the application site these trees and hedges are on the northern, western and southern boundaries.

## 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:

Policy H1 promotes development in existing residential areas where they do not adversely affect the

environmental quality enjoyed by local residents.

Policy H4 sets out standards for infill development.

Policy H10 sets out standards for new housing development.

Policies BE1 and BE3 encourage high standards of design and appropriate and imaginative finishing materials.

Policy BE4 relates to development within garden ground areas.

### Dundee Urban Nature Conservation Subject Local Plan 1995

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



### Finalised Dundee Local Plan Review

Policy 4 and Appendix 1 set out Design Standards for new housing.

Policy 15 sets out guidelines for garden ground development.

Policy 55 promotes good design standards.

### Scottish Planning Policies, Planning Advice Notes and Circulars

The Governments Policy on Architecture 2001 and Designing Places 2001 emphasise the importance of design in the planning process. PAN67 Housing Quality is also of relevance.

### Non Statutory Statements of Council Policy

The Council's Urban Design Guide is of relevance.

## LOCAL AGENDA 21

The proposed development of this site served by existing facilities is considered to be sustainable.

## SITE HISTORY

There is no relevant history of planning applications at this site.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and a letter of objection was received from the occupier of a nearby house (copy available for inspection in the Members Lounges). The objector is concerned about the principle of developing this site for housing. He considers that there are a vast amount of new houses being built on the eastern outskirts of the city and that existing areas of open space such as this, which is an asset to the church and the wider neighbourhood, should be retained.

These concerns are considered in the Observations Section of this Report.

## CONSULTATIONS

No adverse comment on the development was received from Statutory Consultees. The Councils Forestry Officer wishes to ensure that the trees on the site are properly protected during construction and that their future protection is maintained with the imposition of a TPO.

## OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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.

The proposed houses are on very generous plots and so do not adversely impact on the amenities of any neighbouring property. The design and layout of the development are considered satisfactory in terms of the requirements of Policy H4. In these circumstances it is considered that the development complies with Policies H1 and H4 of the adopted Local Plan.

In terms of Policy H10, the proposed houses are generously sized and in large plots and meet all the requirements on house and garden size, privacy and parking. It is considered that the design of the proposed houses is satisfactory and meets the aspirations set out in Policy H10 of the Local Plan.

Policies BE1 and BE3 also deal with design quality. Policy BE1 refers in particular to the requirement for development to be carefully integrated into its surroundings as regards scale, form, siting, alignment, materials and landscaping. It refers to the need for infill development to respect, amongst other matters, established building spacing. Policy BE3 encourages the use of appropriate and imaginative finishing materials. It is considered that the layout of the proposed development and the finishing materials proposed are very much in keeping with the houses in the surrounding area, that the development respects the prevailing densities in the area and that it satisfies the requirements of Policy BE1 of the Local Plan.

Policy BE4 relates to garden ground development. The preamble to this policy states that the unique character of these areas is typified by villas set in large garden grounds with mature planting. The position here is slightly different in that there are no existing buildings on the site. Most of the requirements of Policy BE4 do not therefore apply. Policy BE4(A) states that proposals must be of high quality design and use appropriate materials. It is considered that the design of the development, with particular regard to its layout and form, complies with Policy BE4 of the Local Plan. In

addition the existing landscaped setting of the site is being maintained with no trees to be felled to accommodate the development.

It is concluded from the foregoing that the proposal complies with Policies H1, H4, H10, BE1, BE3 and BE4 of the adopted Local Plan.

## Other Material Considerations

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

- a The Finalised Dundee Local Plan Review.
- b Government Guidance on architecture and design.
- c The Dundee Urban Design Guide 2001.
- d The views of objector to this application.

The policies of the Finalised Dundee Local Plan Review are broadly similar to those in the adopted Local Plan. Housing Policy 4 sets out standards for the design of new housing. The preamble to the policy stresses the importance of making a positive contribution to the urban environment and the Policy itself makes reference to the Council's Urban Design Guide. It also states that in low density areas the density of new development should reflect this. The proposed development fully complies with the qualitative standards on house type, parking, garden space and privacy set out in Appendix 1.

Policy 15 relates to garden ground development and as with Policy BE4 of the adopted Local Plan contains a requirement that proposals are of high quality design and use materials appropriate to the surroundings. For the same reasons as with Policy BE4 it is considered that the proposed development complies with Housing Policy 15 of the Finalised Draft Plan.

Policy 55 states that for all new development the emphasis will be on design quality. The preamble to this policy refers to Government policy on design and the Council's Urban Design Guide. It is considered that the proposed development meets the requirements for good quality design in Policy 55 of the Finalised Local Plan.

Government advice on design in the "Policy on Architecture" 2001 and

"Designing Places" 2001 together with PAN67 "Housing Quality" emphasises the importance of design in the planning process.

The Dundee Urban Design Guide 2001 also emphasises the importance of good design. It is considered that layout and form of the proposed development meets the aspirations of the Urban Design Guide.

The concerns of the objector relate to the principle of developing the site for housing and the loss of open space. The site is not allocated as an area of open space in either the adopted or Finalised Draft Local Plans so it is not protected by any policies seeking to retain open space. However it is recognised that the open space around the church contributes to the visually amenity of the area principally because of the mature landscaped setting with trees and hedges. Any intensive development of the application site would tend to erode this character. However in this case the proposed development is for low density housing and retains the attractive landscaped character of the area. In addition the remainder of the church grounds will be maintained as open space (the footprint of the proposed replacement hall being broadly similar to the existing hall to be demolished). It is therefore considered that the open character of the area will be maintained.

Planning conditions can be imposed to ensure the protection of the trees on the site and a TPO can be promoted if that is considered necessary.

It is concluded from the foregoing that all the material considerations weigh in favour of the granting of planning permission other than the concerns of the objector and that these concerns are not sufficiently strong to overcome the presumption in favour of this development which fully complies with the Development Plan. It is therefore recommended that planning permission be granted with conditions.

## Design

The design of the proposed houses is totally appropriate for this area. The proposed layout replicates the low density housing in the area and the proposed finishing materials for the proposed houses are of the highest quality.

## **CONCLUSION**

The proposed development provides large, well-designed houses on generous plots and complies with the policies in the adopted Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review.

## **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 to be used, which shall be natural slate for the roof and reconstituted stone and wet dash harl for the walls, 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 the existing trees and shrubs, indicated on the approved plans to be retained, shall not be cut down, grubbed out topped, lopped, uprooted or root pruned without the written consent of the City Council. Any trees or shrubs removed without such consent or dying, or being severely damaged or diseased, shall be replaced with trees and shrubs of such size and species as may be directed by the City Council and to the standard as approved by the City Council.
- 4 Prior to the commencement of development, details of the protection of existing trees, hedges and shrubs to be retained shall be submitted for the written approval of the Council and the development shall only be carried out in accordance with such approved details. Particular attention shall be paid to the proposed vehicular access points at Abercromby Street, the route of construction vehicles, the location of any site compound and the protection of tree no 02354 close to the house on Plot 2. Details of any excavations close to trees and the make up of any driveways shall be provided.

Tree protection fencing shall be erected on the site before development commences and this fencing shall be to the written satisfaction of the Council and generally in accordance with BS5837. Once the fencing has been approved it shall be retained and thereafter maintained in place throughout the construction period.

- 5 Details of the proposed new 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.

## **Reasons**

- 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 protect those trees and hedging which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
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