

KEY INFORMATION

Ward Fairmuir

Proposal

Two 3-storey Townhouses and integral garages

Address

193 Clepington Road
Dundee
DD3 7TA

Applicant

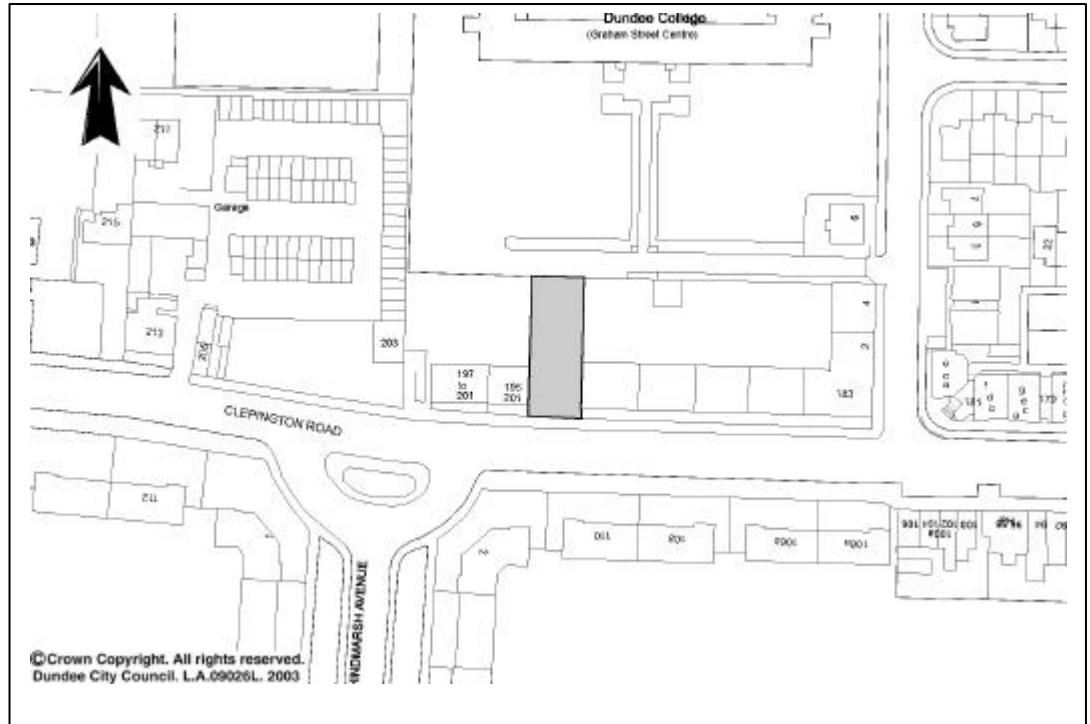
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Agent

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Registered 21 December
2004

Case Officer J Finlay



Townhouse Development Proposed in Clepington Road

The Development of Two Townhouses is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with Policies H1 and H10 of the Dundee Local Plan 1998 and Policies 2, 4 and 55 of the Finalised Dundee Local Plan Review. There are no material considerations that would justify the refusal of planning permission. The application is therefore recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of two 3 storey townhouses on a gap site at 193 Clepington Road.
- Policy H10 of the Dundee Local Plan 1998 is relevant to the determination of the application.
- Three letters of objection were received from adjoining neighbours who are concerned about overshadowing, loss of privacy and the layout of the houses. The applicant submitted amended plans to address the concerns but the objection letters were not withdrawn.
- The application complies with Policy H10 of the Dundee Local Plan 1998 and Policy 4 of the Finalised Dundee Local Plan Review. It is considered that the objections do not carry sufficient weight to merit refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for two 3 storey townhouses at 193 Clepington Road, Dundee. There will be a pend at ground level to provide access to the rear where there are two parking spaces with each house, a turning area and private garden space. The houses will have a roughcast finish, timber panel detailing on projecting bays and concrete tiled roof.

SITE DESCRIPTION

The application site is located on the north side of Clepington Road and to the north east of Hindmarsh Avenue. The site is 12m wide and 33m long from the heel line of the footway. The site was originally occupied by a bakery, which has since been demolished and the site has been derelict for a number of years with some high boundary walls remaining. There are 2 storey flats to the west and 4 storey tenement flats to the east. Dundee College buildings are located to the north. There is parking available along both sides of Clepington Road, except at access roads, bus stops and immediately in front of the site.

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:

H1: Existing Residential Areas seeks to ensure that the development does not adversely affect the environmental quality enjoyed by local residents.

H10: Design of New Housing provides guidelines for design and layout of any new housing.

Dundee Urban Nature Conservation Subject Local Plan 1995

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

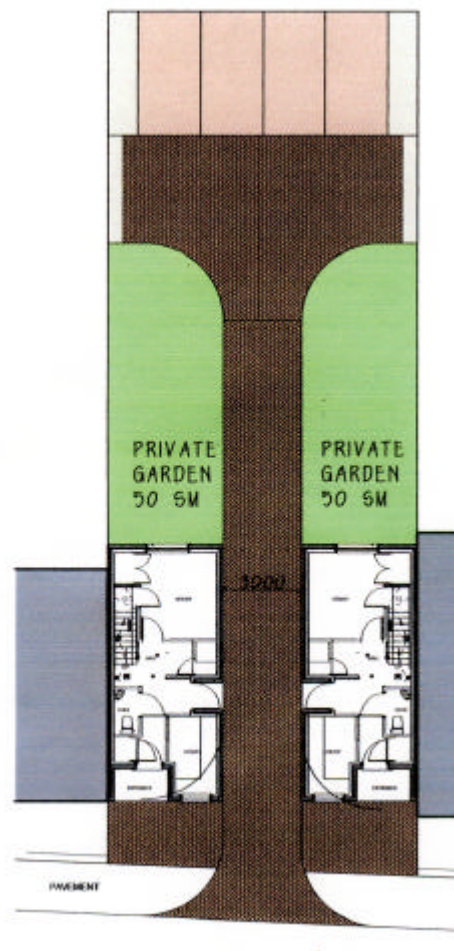
Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 1: Vibrant and Sustainable Communities seeks to minimise any effect on the environmental quality enjoyed by local residents.

Policy 4: Design of New Housing provides guidelines for the design and layout of new housing.

Policy 55: Urban Design seeks to ensure high quality design in new developments.



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

Key Theme 13 is relevant which states that places, spaces and objects should combine meaning and beauty with utility.

SITE HISTORY

There is no site history of direct relevance to the application site.

PUBLIC PARTICIPATION

Three letters of objection were received to the original submitted plans. The concerns relate to overshadowing, loss of privacy and layout of the houses. However the applicant has since amended the plans to address these concerns.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has asked that a site investigation report for potential contamination be prepared given the previous industrial use of the site.

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.

Policy H1 states that development will be permitted where it does not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell. There are sufficient parking spaces provided within the curtilage of

each dwelling. The design of the dwellings is considered acceptable. The houses are located in line with the adjacent buildings on either side and so there will be no overshadowing or loss of privacy issues.

Policy H10 requires at least 50sqm of private garden ground for each house and each house provides in excess of this requirement. With regards to parking, Policy H10 specifies that 100% parking within curtilage should be provided and 40% should have a garage or space for one. Visitor space of 30% will be needed where on street parking is a problem. There are two spaces provided with each house and this is considered sufficient.

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:

Finalised Dundee Local Plan Review

Policy 1 seeks to minimise the effect on the environmental quality enjoyed by local residents. It is considered that the proposal complies with this policy for the reasons discussed under Policy H1 of the Dundee Local Plan 1998 above.

Policy 4 specifies that a minimum private useable garden ground of 50sqm should be provided and 30% should have more than 75sqm. As discussed above under Policy H10 of the Dundee Local Plan 1998, each house provides more than 50sqm of private, garden ground and therefore the proposal complies with this Policy.

Policy 55 seeks to ensure that the development is of high quality design. The proposals are of standard domestic construction details and of an architectural style composed of roughcast walls, timber panel sections and concrete roof tiles. The design is considered appropriate at this inner city location.

Objections

Four objections were submitted to original plans which showed the proposed houses set back 8.5m from the footway to allow parking and turning at the front of the houses. The design of the houses was the same and

81sqm of garden ground provided with each house. The objections were regarding overshadowing, loss of privacy and poor design due to the existing building line not being repeated. The applicant submitted amended plans to address these concerns and the neighbours were consulted on them. The amendments brought the proposed houses into line with the adjacent flats to the east and west and parking provided at the rear. One letter was received to withdraw an objection. However there are three objection letters remaining, albeit they objected to the original plans. It is considered that the amended plans satisfactorily address any concerns from neighbours.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The design of the houses has been discussed under Policy 55 of the Finalised Dundee Local Plan Review. The design is considered appropriate at this inner city location.

CONCLUSION

It is considered that the development of two townhouses at 193 Clepington Road complies with Policies H1 and H10 of the Dundee Local Plan 1998 and Policies 1, 4 and 55 of the Finalised Dundee Local Plan Review and there are no material considerations that outweigh the development plan in these circumstances. Accordingly, the application is recommended for APPROVAL subject to 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 details of the proposed finishing materials and boundary treatments 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

- 3 No development shall commence on site until an investigation of potential contamination, under the terms of Planning Advice Note 33 - Development of Contaminated Land, has been carried out and the results have been submitted to and verified by the City Council
- 4 Any measures required to remediate the site as detailed in the report, required by condition 3, shall be fully implemented as detailed by that report and validated in writing for the approval of the City Council prior to the occupation of any of the buildings

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 In the interests of the amenities of future occupants of the residential accommodation
- 4 In the interests of the amenities of future occupants of the residential accommodation