

KEY INFORMATION

Ward Baxter Park

Proposal
Erection of dwellinghouse in garden ground

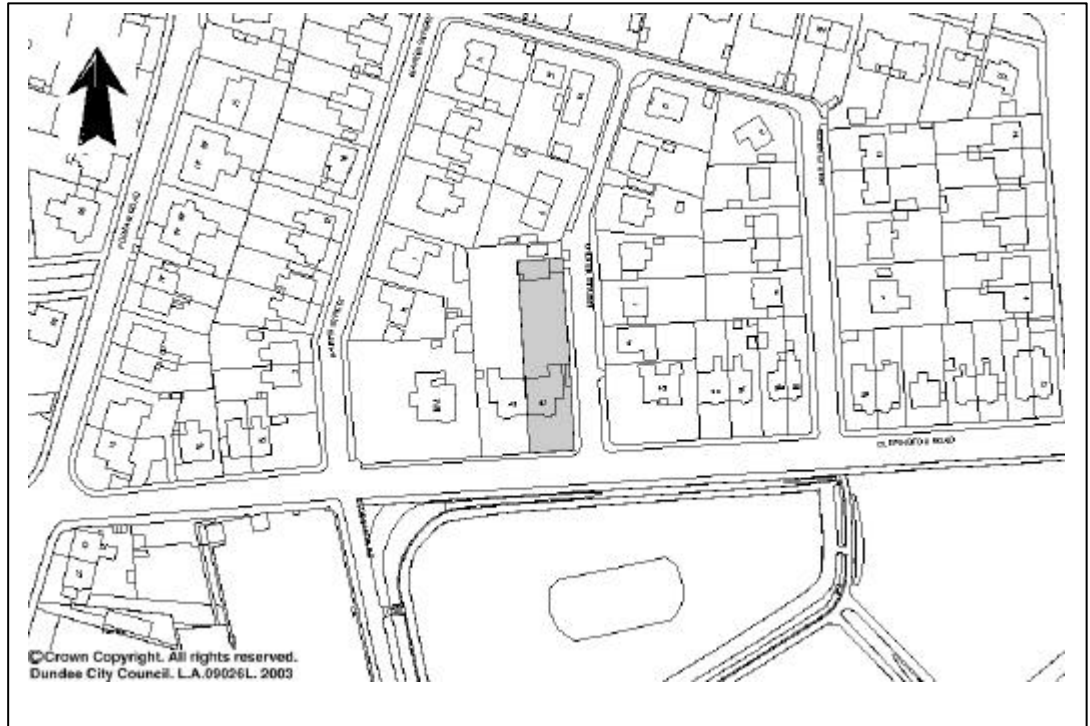
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Registered 8 July 2005

Case Officer G S Reid



Proposed New House in Garden Ground at Clepington Road

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

RECOMMENDATION

It is considered that the proposed development is in accordance with the provisions 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 dwellinghouse within the garden ground at 47 Clepington Road, Dundee. The proposal involves the demolition of the existing garage/outhouse and the erection of the new house over the footprint of the removed buildings.
- The proposal raises issues for consideration in terms of the Policy 4 (Appendix 1) and Policy 15 of the Dundee Local Plan Review 2005.
- A single objection was received to the proposed development raising concerns regarding overshadowing, loss of privacy and the adverse visual impact the house would have on the surrounding area.
- It is considered that the proposed development is in accordance with Policy 4 and Policy 15 of the Dundee Local Plan Review 2005. There are no material considerations that would justify refusal of the application in this instance.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a new dwelling house within the garden ground of the house at 47 Clepington Road.

The proposal involves the demolition and removal of an existing garage/outhouse and the erection of the new house on the footprint of the removed buildings.

The proposed house is to be finished in a white smooth render to the walls, natural slate to the roof and hardwood windows and doors.

Off-street parking for four cars is proposed for the new house with parking for the existing house proposed to the south of the proposed dwelling.

The proposed house will have approximately 126 sq metres of garden ground and the existing house will have approximately 230 sq. metres of garden ground.

A new opening in the boundary wall is proposed to accommodate the new parking area for the existing house. The applicant also proposes to fill in an existing opening in the boundary wall.

The proposal involves a slight increase in the footprint of the garage/outhouse and increasing the building height by 1.3 metres to 5.9 metres.

The house has been designed as a single aspect house with a contemporary influence in the architecture.

SITE DESCRIPTION

The application site is located on the north side of Clepington Road and is a 2 storey semi-detached house with stone finish and slate roof. There is a 1.8m high wall along Milner Street. There is garden ground to the front and rear of the house. A large garage/outhouse and parking area is located to the north of the main house. This is accessed from Milner Street and there are black iron gates at the entrance. There is a 1.2m high block wall along the rear boundary of the back garden. The majority of houses along Milner Street are single or 1.5 storey and detached traditional style bungalows.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

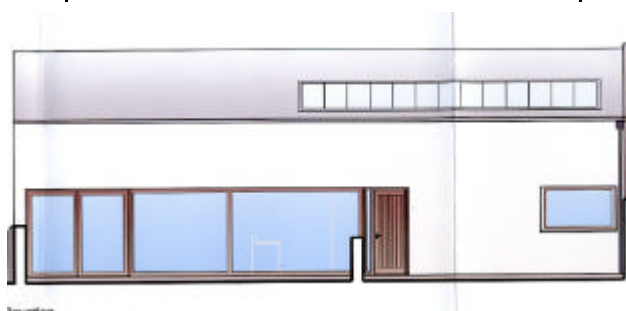
Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 4: Design of New Housing.

Policy 15: Development in Garden Ground.

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 to the determination of the application and it seeks to ensure that places, spaces and objects combine meaning and beauty with utility. Key Theme 15 is also relevant and it seeks to ensure that diversity and local distinctiveness are valued and protected. It is considered that the proposal complies with these Key Themes.

SITE HISTORY

Planning application 04/00956/FUL: Erection of two storey dwelling house and domestic garage at 47 Clepington

Road, Dundee. Withdrawn 21 January 2005.

Planning Application 05/00206/FUL: Erection of dwelling house and domestic garage at 47 Clepington Road, Dundee. Refused 25 April 2005.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and a single letter of objection was received to the proposed development.

The main grounds of objection were that:

- 1 the proposed house would result in the overshadowing and loss of privacy to the house to the west.
- 2 The proposed house would be higher than houses in the area and have an adverse affect on the appearance of the area.

A copy of the letter of objection is available in the Members Lounges and the issues raised are addressed in the Observations section of the report.

CONSULTATIONS

No adverse comments were received from 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.

Dundee Local Plan Review 2005

The proposal is for the erection of a new dwelling house within the garden ground of the house at 47 Clepington Road.

The proposal involves the demolition and removal of an existing garage/outhouse and the erection of the new house on the footprint of the removed buildings.

Policy 4 Design of New Housing (Appendix 1) is of relevance and sets out the guidelines for the design and layout of new housing. The guidelines set out criteria under the headings of House Type, Car/Cycle Parking, Amenity/Garden Space and Privacy. The criteria for the suburban areas applies in this instance. The proposal includes 3 bedrooms and therefore accords with the criteria for house type. Four car parking spaces are included and meets the criteria for car and cycle parking. The criteria for amenity/garden ground seeks a minimum of 120 sq. metres. The proposal includes useable garden ground of 126 sq metres. In terms of privacy the proposal is well in excess of the 18 metres window to window distance. The proposal therefore accords with the guidelines for new housing within suburban areas.

In addition, Policy 4 advises that in areas of established low densities proposals should reflect this and more generous external space standards would be required. The area in question is of low density. The external space proposed with the house meets the requirements of Appendix 1 but is limited and would not reflect the provision in the general area. In addition, it would reduce the external space of the original house.

The proposal, however, is for the replacement of an existing garage/outhouse. The density of development within the area would not be altered although the nature of the use of the building would be affected. In addition, the design of the house is considered to be of a high quality.

It is considered that while the proposal does not reflect the existing densities of the surrounding area it provides the opportunity to create a one off quality house through the replacement of an existing garage and outhouse. It is considered that the proposal complies with this Policy.

Policy 15 is concerned with development in garden ground. The aim of this policy is to protect the architectural appearance and landscape features of low density parts of the City and a range of criteria are set out which must be satisfied by

development proposals. The preamble notes that in light of previous developments the scope for acceptable new development in garden ground is limited.

The proposal is for the replacement of an existing garage and outhouse and as such generally meets most of the criteria.

Criteria (A) seeks to ensure that proposal are of high quality design and use materials appropriate to the surroundings. The previous applications for a house in the garden ground at this location have been of average to poor quality in terms of their design. They have also provided inadequate useable garden ground. As a result they have not been supported. It is considered that the current proposal provides an opportunity to develop a unique high quality designed house within the area. The proposal also provides an adequate level of useable garden ground.

The proposal does raise issues in terms of criteria (d). Criteria (d) advises that the prevailing densities in the area should be respected. As outlined above it is considered that as the proposal is for the replacement of an existing building then it provides an opportunity to provide a one off house without having a significant affect on the density of the area.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

It is considered that the proposal is in conformity with Policy 15.

It is considered that the proposed development is in accordance with the provisions of the development plan.

Other Material Considerations

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

A single letter of objection was received to the application and the following addresses the grounds of objection.

- 1 "The proposed house would result in the overshadowing and loss of privacy to the house to the west." The proposal increases the height of the building by approximately 1.3 metres. It is considered that given the location of the property to the north east of the

objectors house it would not result in a significant level of overshadowing. In terms of privacy the only windows that could overlook are in the roof. These are windows to the two bedrooms. These windows do not directly overlook the objectors property and are over 30 metres from the windows in the objectors house. It is considered that there would be no significant loss of privacy.

- 2 "The proposed house would be higher than houses in the area and have an adverse affect on the appearance of the area." The proposal increases the height of the building by 1.3 metres to 5.9 metres in height. The building will not be higher than the main house and will be similar to other houses in the area. It is considered that it would not have an adverse affect on the appearance of the area.

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 approved.

Design

The proposed house is of a single aspect design and has contemporary influences in its architecture. The design also respects the materials in the area and particularly the streetscape. It is considered that the proposal is of a high quality design and will contribute to the character of the area.

CONCLUSION

It is considered that the proposed development is in accordance with Policy 4 and Policy 15 of the Dundee Local Plan Review 2005. There are no material considerations that would justify departing from the provisions development plan

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following condition(s):-

- 1 The development hereby permitted shall be commenced

within five years from the date of this permission

- 2 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 finishing materials.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, as amended, no additional window or other opening shall be formed in the roof to the south and no window or other opening formed in the roof to the north or the gables to the west and east without the prior approval of the Council.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that the visual appearance of the proposed development is to an acceptable quality.
- 3 To ensure that no additional window or other opening will be formed in the roof or gables of the application property thereby reducing the potential for the adverse overlooking of adjacent residences.