

**KEY INFORMATION**

**Ward** Broughty Ferry

**Proposal**  
Erection of dwelling house  
within ground

**Address**  
Land To West of 8 Reres  
Road, Broughty Ferry

**Applicant**  
Mr I Lindsay  
8 Reres Road  
Broughty Ferry  
Dundee DD5 3AA

**Agent**  
KDM Architects  
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Dundee  
DD5 3AA

**Registered** 4 July 2005

**Case Officer** J Young



## Proposed House in Garden Ground at Reres Road

The erection of a dwelling house is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**.  
Report by Director of Planning and Transportation

**RECOMMENDATION**

It is considered that the proposal complies with Policies 4, 15 and 61 of the Dundee Local Plan Review 2005 as there is adequate useable garden ground, an existing access will be shared and there will be no loss of mature trees. The objections do not carry sufficient weight to merit refusal of the application in these circumstances. Therefore the application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a two storey detached house within the garden ground of 8 Reres Road, Broughty Ferry, Dundee.
- The proposed house raises issues for consideration in terms of Policies 4, 15 and 61 of the Dundee Local Plan Review 2005.
- Four letters of objections were received from neighbouring residents on the grounds of loss of residential amenity, potential loss of trees, adverse impact on Conservation Area and over development of the garden ground. Broughty Ferry Community Council object to the application on the grounds of insufficient useable garden ground provided with the proposed dwelling and removal of part of a stone wall within a Conservation Area.
- It is considered that the application complies with Policies 4, 15 and 61 of the Dundee Local Plan Review 2005 as there is sufficient garden ground and the development respects the character of the surrounding area.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a 2 storey dwelling within the garden ground of 8 Reres Road, Broughty Ferry. The house will be predominantly single storey with a basement level, which will make use of the slope of the garden. The proposed materials for the dwelling are bradstone basecourse, off white render and dark grey concrete roof tiles. The proposed dwelling has two bedrooms, including one with en-suite facilities and a dressing room at ground level and an integral garage (which will be accessed by a shared access off Reres Road). Two extra bedrooms and a shower room are provided in the basement. The two bedrooms will have south facing windows only. It is proposed to remove four ornamental trees.

## SITE DESCRIPTION

The application site is located on the south side of Reres Road and it is within Reres Hill Conservation Area. The site is within the garden ground and to the west of the original villa house (which has been subdivided) at 8 Reres Road. The original house at no.8 is a traditional 2 storey villa with stone finish and slate roof. There is a high stone wall (approximately 2m high but varies according to the slope of the ground) along the north boundary of the site. The garden ground slopes down from north to south. There are numerous trees along the boundaries of the garden and particularly mature trees along the south boundary. A modern 1.5 storey house is located to the west and it has a dry dash render and tiled roof.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 4: Design of New Housing - A minimum of 150sqm garden ground

should be provided and requirements for parking etc are also specified.

Policy 15: Development in Garden Ground - this policy specifies restrictions on the percentage of garden ground that can be used for new development and requires a high quality design and the use of materials appropriate to the surroundings.

Policy 61: Development in Conservation Areas - all development proposals will be expected to preserve or enhance the character of the surrounding area.

Policy 72: Trees and Urban Woodland - new developments must have regard to existing healthy mature trees.

## Scottish Planning Policies, Planning Advice Notes and Circulars

National Planning Policy Guideline 18: Planning and Historic Environment



## Non Statutory Statements of Council Policy

Dundee City Council's Non Statutory Guidance on Breaches in Boundary Walls is relevant to the determination of the application.

## LOCAL AGENDA 21

Key Theme 15 of Local Agenda 21 is of relevance to the determination of the application. It seeks to ensure that diversity and local distinctiveness are valued and protected. It is considered that given the location of the proposed house these aims are met.

## SITE HISTORY

There is no site history directly relevant to this particular site. However, planning permission was granted in 1993 for the development of a house within the garden ground and

to the west of 8 Reres Road. This house has been built.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and four letters of objection were received. The grounds of objection are the loss of residential amenity, potential loss of trees, adverse impact on Conservation Area, over development of the garden ground and removal of part of a stone wall within a Conservation Area.

The application was advertised as contrary to Policies 4 and 15 of the Dundee Local Plan Review 2005 on 8th August 2005.

Copies of the objection letters can be viewed in the Members' Lounges.

## CONSULTATIONS

An objection letter was received from Broughty Ferry Community Council on the grounds of adverse impact on Conservation Area, insufficient useable garden ground being provided and removal of part of a stone wall within a Conservation Area.

The Council's Forestry Officer recommends replacement planting for those trees to be removed.

## 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.

Also, in accordance with the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Council is required to have regard to preserving and enhancing the character or appearance of the conservation area.

The planning application submitted is for a 2 storey house to the west of and within the garden ground of 8 Reres Road. An existing vehicular access from Reres Road will be widened and shared by the proposed development.

The proposed dwelling will be built into the slope of the ground and two additional bedrooms will be provided at basement level. The materials proposed are an off white render, bradstone basecourse and dark grey concrete roof tiles. A condition will be attached to ensure that details of the finishing materials are submitted prior to development commencing on site, to ensure that they complement the original house at 8 Reres Road and are suitable for a Conservation Area.

## 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 4 of the Dundee Local Plan Review 2005 specifies the criteria to be met by new housing development in suburban areas. This includes the requirement for three bedrooms, a minimum of 150sqm of garden ground, 18m between facing habitable rooms, two parking spaces, a garage or space for one. On the basis of the details provided, the proposal complies with the criteria of Policy 4.

Policy 15 seeks to ensure that certain areas throughout the City whose unique character is provided by villas set in large garden grounds with mature planting is maintained. Pressure from development has threatened to remove the character of these areas through over-development and the loss of trees. In order to protect the architectural appearance and landscaped features of such areas, Policy 15 sets out a range of criteria to be met. Criteria (A) requires proposals to be of a high quality design and use materials appropriate to the surrounding area. The design of the house is acceptable and a condition will be attached to ensure that the most suitable materials for this setting are used. Criteria (B) and (C) restrict the percentage of garden ground that can be developed upon. The proposal does not exceed one and a half times the original footprint. The applicant has provided figures to demonstrate that only 17.9% of the original garden ground will be covered by buildings, garages and hardstandings. It is also considered that as the proposal is set within substantially large garden grounds the densities of the surrounding area are respected. Criteria (E) and (F) relating to the impact of development on front

elevations of the original house, are not relevant to the proposal. The original submission indicated that new access to be formed from Reres Road. This would involve breaching a high stone wall and did not comply with the Council's non-statutory guidance in Breaches in Boundary Walls. Therefore a revised plan was submitted to demonstrate that the existing access for 8 Reres Road will be widened and shared by the new proposed development. In terms of criteria (H) and (I), a full tree survey was submitted by the applicant and it indicates the removal of four small ornamental trees to allow the development to proceed. A condition will be attached to ensure that replacement planting takes place.

Given the above, it is considered that the proposal complies with the criteria outlined in Policy 15 of the Dundee Local Plan Review 2005.

The proposed development is located within the Reres Hill Conservation Area and as such Policy 61 applies. This Policy seeks to ensure that all developments preserve or enhance the character of the surrounding area. The current proposal is for a two-storey house on a sloping site to the west of 8 Reres Road. A modern 2 storey house is located to the west and this was built within part of the original garden ground. The materials used on this development are white harled walls, some timber panelling and slate-type tiles. Some traditional detailing has been incorporated into the development, together with modern elements. The proposed development will use similar materials and so it is considered that the proposal preserves the character of the surrounding area.

Policy 72 requires the retention of healthy and mature trees. Only four small ornamental trees will be removed and so the proposal complies with this policy.

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:

It is concluded from the foregoing that the statutory duty set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is discharged in this instance.

## Objections

### 1 Loss of residential amenity

The proposed development is located approximately 5m from the west boundary and there will be no windows overlooking the property to the west. The dwelling is over 12m from the south boundary and there are large mature trees along the south boundary, which will be retained. A condition will be applied to ensure that the trees are retained. Therefore there will be no overlooking or loss of privacy to the south.

### 2 Loss of trees

A tree survey was submitted by the applicant and indicates that four trees require removal within the site. These are small ornamental trees and a condition will be attached to ensure that replacement planting is carried out.

### 3 Adverse impact on Conservation Area

It has been discussed above how the proposal is designed and uses materials appropriate to its surroundings and so complies with Policy 61 regarding development within Conservation Areas.

### 4 Over development of the garden ground

The applicant provided details to demonstrate how the proposal complies with Policy 15 in terms of the percentage of garden ground used up by the proposed development. It has been concluded that the proposal complies with the Policy and therefore it is not considered that the garden will be over developed.

### 5 Removal of part of a stone wall within a Conservation Area

The original submitted plans indicated that a new access will be formed from Reres Road. However this aspect of the proposal has since been amended and it is proposed to widen and share an existing access. This is considered acceptable in a Conservation Area and the most appropriate solution for the site.

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 house appears acceptable and a condition will ensure that the most appropriate materials are used at this location.

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### CONCLUSION

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The proposed development complies with the relevant policies of the Dundee Local Plan Review 2005 and the objections do not carry sufficient weight to merit refusal of the application. Therefore the application is recommended for APPROVAL subject to conditions.

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### RECOMMENDATION

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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 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 take place until there has been submitted to and approved by the planning authority a scheme of landscaping, which shall include details of all trees to be retained (including those along the south boundary), together with measures for their protection in the course of development and replacement planting
- 4 details of the proposed widened access and how the wall will be finished at the opening 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 ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 4 To ensure that the appearance and character of the Conservation Area is protected