

KEY INFORMATION

Ward Whitfield

Proposal

Erection of 7 two storey executive houses and new access road.

Address

Golf Course
Ballumbie Road
Dundee

Applicant

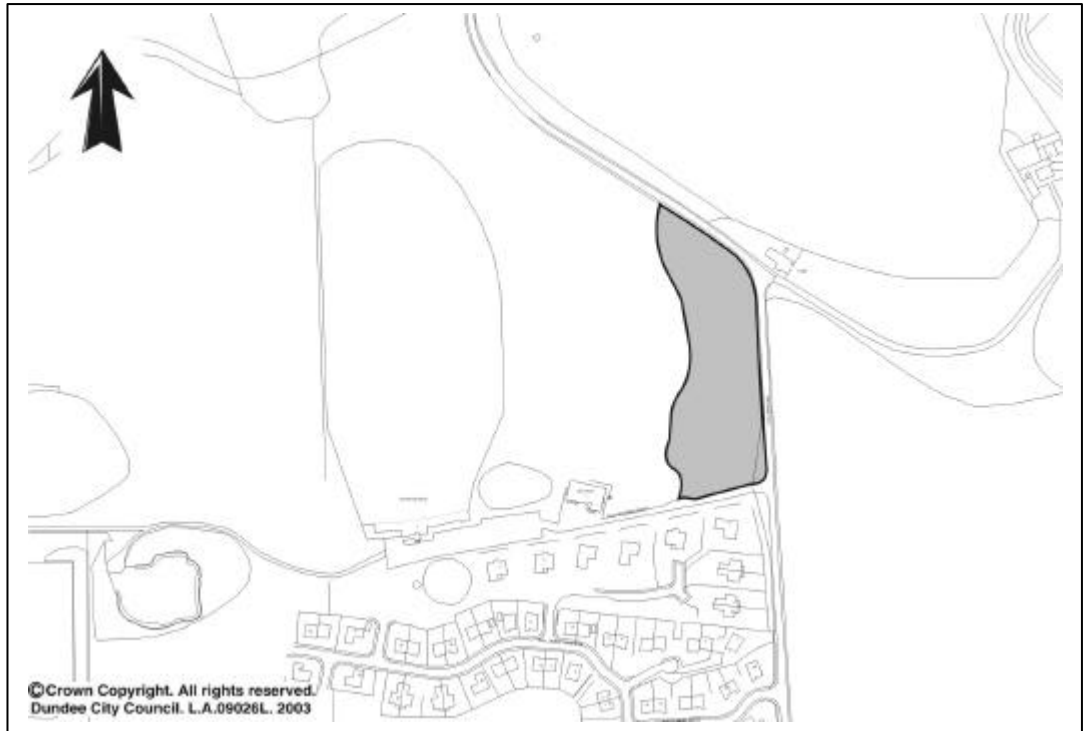
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Agent

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Registered 11 Jan 2006

Case Officer C Walker



Housing Development with View of Golf Course, Ballumbie Road

The Erection of 7 two storey executive houses and new access road is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development represents an acceptable minor breach of the housing allocations in the Development Plan

Therefore the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought to construct 7 large detached houses on the site adjacent to Ballumbie Road. The site will be formed by the redevelopment of the 18th hole of the golf course.
- The proposal does not comply with Policies 2 (Housing Land Releases) and 74 (Development in Open Countryside) of the Local Plan.
- 3 letters of objection were received from residents of the housing development to the south, 1 of which was signed by the occupants of 3 other houses. The concerns raised relate to contravention of the Development Plan, lack of justification for more houses, the adequacy of Ballumbie Road and detriment to residential amenity.
- It is considered that given the small scale of the development, the enclosed nature of the site, the quality of the proposal and the fact that approval will release funds for investment in the golf club provide a justification for approving the development contrary to the provisions of the plan.
- Provision can be made for the establishment of suitable pedestrian linkages prior to the occupation of any of the proposed houses.

DESCRIPTION OF PROPOSAL

Planning permission is sought to construct 7 large detached houses on the site adjacent to Ballumbie Road. The proposed houses would be served by a private access road off Old Quarry Road running parallel to Ballumbie Road. The principal elevation of the houses faces west towards new water features and a realigned 18th hole and extensive landscaping would be provided on all boundaries and within the site.

The proposed houses are 2 storey 4 and 5 bedroom units with double garages. They are of traditional design and employ finishing materials of natural stone, render and slate. This traditional style is carried through to the boundaries on the new access road which are proposed to be formed in dry stone.

The applicants have submitted a letter in support of their proposals. It states that although the proposed development runs counter to the Structure Plan strategy of promoting brownfield sites and focussing greenfield releases to the west of the city, it suggests that the scale of the proposed development is unlikely to be of strategic interest and that if approved the development will permit substantial investment in the golf course and driving range all in line with structure plan policies promoting leisure and tourism.

In terms of the Local Plan it states that the development will make a positive contribution to the quality of housing available in the local area providing high quality low density housing, will easily comply with the housing standards set by Policy 4 and will be a very appropriate form of development in terms of Policy 74 New Development in the Open Countryside due to its design and landscaping proposals.

In response to a letter from the Council about access to the site the applicants have indicated a willingness to provide a footpath and street lighting to link in with existing infrastructure further to the south on Ballumbie Road.

SITE DESCRIPTION

The site comprises some 1.1 ha of land on the west side of Ballumbie Road and north of Old Quarry Road. This land is within Ballumbie Golf Course, with its western end forming part of the 18th hole. The site slopes downwards from south to north and



contains no significant trees or shrubs. The site is enclosed by a dry stone wall to Ballumbie Road to the east and north. To the south is the D J Laing housing development at Ballumbie and further to the west is the Ballumbie Golf Course club house and driving range. To the east, on the opposite side of Ballumbie Road, is open land. Further to the north is a gate lodge and land which is currently being developed for housing (this land is within Angus Council area).

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The Guiding Principles of the Structure Plan promote sustainable development including the integration of land use and transport and giving priority to previously developed sites.

The settlement strategy for Dundee in the Structure Plan is to establish a focus for additional land release for housing and employment development to the west of the city, to support the regeneration of brownfield sites and to control the amount of greenfield land for housing development in other sectors of the city.

Part of the Structure Plan's integrated approach towards population loss from Dundee, seeks further improvement to the quality and locational choice of housing development sites in the Dundee and South Angus housing market area. Housing Policy 1 requires Local Plans to allocate land to meet the housing land allowances identified in Schedule 1 in accordance with the Structure Plan strategy.

Housing Policy 2 states that proposals for major development on greenfield sites will not be permitted where this would seriously prejudice implementation of the Dundee Western Gateway development. A maximum figure of 390 greenfield additions to the housing land

supply at June 2001 is stipulated for the period from 2001 to 2011.

Transport Policy 4 seeks to ensure that development takes place in the most accessible locations and has safe, convenient and attractive facilities for pedestrian, cycle and public transport access.

Dundee Local Plan Review 2005

In this plan the site is allocated as open countryside and Policy 74 contains a presumption against unallocated development in this area.

Policy 2 Housing Land Release states that additional greenfield land release will only be supported where allocated greenfield sites are agreed not to be effective and where the scale and location of development is in accordance with the development strategy of the Structure Plan.

Paragraph 9.4 of the Plan adds that the Council will require to be satisfied that progress is being made on the implementation of the Western Gateway before consenting to additional greenfield development elsewhere.

Policy 4 Design of New Housing and Appendix 1 set out standards for the design and layout of Village developments. Policy 5 Open Space provision sets out open space requirements for new housing developments.

Policy 20 states that developer contributions towards the cost of infrastructure provision both on and off site will be sought where necessary and appropriate. Policy 55 encourages good design. Policy 75 requires that all "development proposals must be accompanied by a Sustainable Drainage Scheme".

With respect to accessibility and transportation matters, Policies 81, 82 and 83 seek to promote ease of access by pedestrians, cyclists and public transport users and to enhance facilities and infrastructure for these sustainable modes of travel. With regard to roads matters, the Plan seeks to reduce the dominance of the private car and promote the use of alternative modes.

Scottish Planning Policies, Planning Advice Notes and Circulars

SPP3 Land for Housing and SPP17 Planning for Transport are of relevance to the determination of this application, but the principles set out in these documents are carried through the Structure Plan and Local Plan and a separate assessment of the application in the context of these documents is not required.

Non Statutory Statements of Council Policy

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

LOCAL AGENDA 21

The Council's Local Agenda 21 policies promote the protection of the environment. It is considered that the use of appropriate finishing materials and the provision of extensive landscaping will help to ensure that the development is appropriately sited within the surrounding landscape.

SITE HISTORY

There is no relevant history of planning applications relating to this site.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was advertised as contravening the Development Plan.

3 letters of objection were received from residents of the housing development to the south, 1 of which was signed by the occupants of 3 other houses (copies available for inspection in the Members Lounge). The concerns raised relate to contravention of the Development Plan, lack of justification for more houses (reference is made to the ongoing D J Laing housing development and new housing at Ballumbie Castle), the adequacy of Ballumbie Road in terms of lack of footways, lighting, its narrowness and condition and finally the height of the houses and proximity of windows to existing houses.

The points raised in these letters are fully considered in the Observations section of this report.

CONSULTATIONS

Angus Council were consulted and had no objections to the proposed development on the basis that it raises no issues of strategic significance.

OBSERVATIONS

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

- a a whether the proposals are consistent with the provisions of the development plan; and if not
- b 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 and Angus Structure Plan 2001-2016

As referred to in the Policy background section above, the Structure Plan promotes a focus for additional land release for housing and employment development to the west of the city and seeks to control the amount of greenfield land for housing development in other sectors of the city.

This control is exercised through Housing Policy 2 which sets a maximum figure of 390 greenfield additions to the housing land supply in the north and east of the city for the period from 2001 to 2011. As this maximum figure has recently been fully allocated in the Dundee Local Plan Review, the development currently proposed exceeds the maximum figure. However given the scale of the proposed development and the fact that it is unlikely to be extended (since it is enclosed by roads on 3 sides and a golf course on the fourth), it is not really of strategic significance.

Transport Policy 4 seeks to ensure that development takes place in the most accessible locations and has safe, convenient and attractive facilities for pedestrian, cycle and public transport access.

In this case the application site is close to existing facilities but there is a gap in the footway connection and street lighting along Ballumbie Road. If Members are minded to approve the application, then provision can be made for the establishment of suitable pedestrian linkages prior to the occupation of any of the proposed houses. In these circumstances the development will be as sustainable as most other suburban developments on the fringe of the city.

Dundee Local Plan Review 2005

In this plan the site is allocated as open countryside and Policy 74 contains a presumption against unallocated development in this area. The proposed development contravenes this policy.

Policy 2 Housing Land Release states that additional greenfield land release will only be supported where allocated greenfield sites are agreed not to be effective and where the scale and location of development is in accordance with the development strategy of the Structure Plan. The proposed development contravenes this policy.

Paragraph 9.4 of the Plan adds that the Council will require to be satisfied that progress is being made on the implementation of the Western Gateway before consenting to additional greenfield development elsewhere. Work has recently commenced on the redevelopment of the former Liff Hospital; given that early sales at this location are going well, it is unlikely that a small development of 7 houses will significantly affect progress on the Western Gateway.

Policy 4 Design of New Housing and Appendix 1 set out standards for the design and layout of Village developments. Policy 5 Open Space provision sets out open space requirements for new housing developments. The proposed development is in full compliance with these standards.

Policy 20 states that developer contributions towards the cost of infrastructure provision both on and off site will be sought where necessary and appropriate. Policy 55 encourages good design. In this case the design of the proposed development is satisfactory and the developers have given a commitment to establish a footpath link and street lighting between the proposed development and existing infrastructure further to the south.

Policy 75 requires that all "development proposals must be accompanied by a Sustainable Drainage Scheme". It is proposed to use sustainable drainage at this location with the formation of ponds to the west of the site and this matter can be covered by planning condition should Members be minded to approve the application.

With respect to accessibility and transportation matters, Policies 81, 82 and 83 seek to promote ease of access by pedestrians, cyclists and public transport users and to enhance facilities and infrastructure for these sustainable modes of travel. With

regard to roads matters, the Plan seeks to reduce the dominance of the private car and promote the use of alternative modes. These matters have been considered in the context of Transport Policy 4 of the Structure Plan and are considered to be satisfactory.

It is concluded from the foregoing that the proposal does not comply with Policies 2 and 74 of the Local Plan.

Other Material Considerations

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

Supporting Information by the Applicants

The applicants state that although the proposed development runs counter to the Structure Plan strategy of promoting brownfield sites and focussing greenfield releases to the west of the city, they suggest that the scale of the proposed development is unlikely to be of strategic interest and that if approved the development will permit substantial investment in the golf course and driving range all in line with structure plan policies permitting leisure and tourism.

It is agreed that the proposed development is not of a scale that would have any material bearing on the strategy of the Structure Plan and the comments from Angus Council support this position.

In terms of the Local Plan the applicants state that the development will make a positive contribution to the quality of housing available in the local area providing high quality low density housing, will easily comply with the housing standards set by Policy 4 and will be a very appropriate form of development in terms of Policy 74 New Development in the Open Countryside due to its design and landscaping proposals.

It has already been concluded in this Report that the proposal does not comply with Policies 2 and 74 of the Local Plan. Policy 2 does accept additional housing land releases over and above sites allocated in the plan but subject to 4 criteria. It is considered that the proposed development clearly satisfies 2 of the criteria, namely it makes a positive contribution to quality and choice of housing in the area and it satisfies the Policy 4 standards. It fails to satisfy the requirement that it should be in accordance with all the other policies

of the plan (its assessment against Policy 74 will be considered below) and it is at best neutral in the requirement that it should improve tenure mix in an area where there is limited housing choice and should contribute to wider community regeneration objectives.

Policy 2 adds that additional greenfield sites will only be supported where allocated sites are not effective and where the scale and location is in accordance with the strategy of the Structure Plan. In this regard the allocated sites are effective so there is not case for additional provision in this regard although in this particular case the scale and location of the development is not considered to compromise the strategy of the Structure Plan.

The proposed development does not fall within the stated exceptions to Policy 74 Development in the Open Countryside (these relate to building groups, derelict buildings and agricultural justifications)so it also contravenes Policy 74.

Therefore the determining issue for this application relates to whether there are sufficient material considerations to justify an exception to Policies 2 and 74 of the adopted Local Plan. It is considered that this can be justified for the following reasons:

- 1 The proposal is for only 7 houses which represents a very minor amount of housing in excess of the current Development Plan allocations, and an amount that couldn't be considered as in any way compromising the strategy of the Structure Plan.
- 2 The approval of a housing development on the application site will not create a precedent for further major greenfield land release. Every planning application requires to be judged on its own merits but in addition at this location the site is constrained on 3 sides by roads and on the fourth by the golf course. It will not therefore lead to coalescence with adjoining development.
- 3 The proposed development fully complies with all of the other policies and quality standards of the Development Plan and will provide high quality housing in a traditional format. The use of

traditional materials and the extensive landscaping of the site will result in a qualitative improvement of the urban edge to the city.

- 4 The development could lead to additional investment in the golf course and driving range all in line with structure plan policies permitting leisure and tourism.

Views of the Objectors

The concerns of objectors relate to contravention of the Development Plan, lack of justification for more houses (reference is made to the ongoing D J Laing housing development and new housing at Ballumbie Castle), the adequacy of Ballumbie Road in terms of lack of footways, lighting, its narrowness and condition and finally the height of the houses and proximity of windows to existing houses.

The matters raised in connection with contravention of the Local Plan have already been considered above and it has been concluded that there are material considerations justifying the approval of the development in this instance.

The concern about a lack of justification for additional housing has to be seen in the context that this development is for 7 houses only. In addition it is for a type of housing which is much larger than the vast majority of units being constructed on the adjoining DJ Laing housing site to the south.

Concerns about the adequacy of Ballumbie Road are valid. It is a narrow country road enclosed by dry stone walls and there is a need to provide safe pedestrian access to the site. The provision of a continuous footway connection and street lighting are a pre requisite to development of this site (this matter has already been considered in the assessment of the development against Structure and Local Plan policies on transport) and should Members be minded to approve the application, then provision can be made for the establishment of suitable pedestrian linkages prior to the occupation of any of the proposed houses.

Finally one of the objectors is concerned about the height of the houses and proximity of windows to existing houses. In this case the closest any of the houses in the

proposed development to an existing house is some 50 metres, which is well in excess of the normal privacy distance of 18 metres recommended in the adopted Local Plan. In addition the proposed houses are similar in scale to standard 2 storey houses. It is therefore considered that the development will not have a detrimental impact on the amenities of neighbours.

It can be concluded from the foregoing that sufficient weight can be accorded to the material considerations set out as Points 1-4 above such as to justify the grant of planning permission contrary to the provisions of the development plan.

It is therefore recommended that planning permission be granted with conditions.

Design

The form and layout of the proposed development fully complies with the requirements and standards for village developments in the Local Plan. The use of traditional finishing materials and the extensive landscaping of the site with trees and shrubs help to integrate the development into the landscape and to provide an attractive edge to the city at this location.

CONCLUSION

The proposed development represents an acceptable minor breach of the housing allocation in the 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 Details of the provision of a footway between the existing footway further to the south on Ballumbie Road and the application site shall be submitted to the Council for approval before any development is commenced and if approved the footway shall be formed in full accordance with such approved details prior to the occupation of any of the proposed houses.

- 3 Details of the provision of street lighting along Ballumbie Road between the existing lighting further to the south on Ballumbie Road and the northern end of the application site shall be submitted to the Council for approval before any development is commenced and if approved the lighting shall be provided in full accordance with such approved details prior to the occupation of any of the proposed houses.

- 4 Samples of the finishing materials proposed to be used, which shall substitute wet dash harl as opposed to dry dash render 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.

- 5 Details of the timescales for the provision of the proposed landscaping scheme and the provisions for future maintenance shall be submitted to and approved by the City Council prior to the commencement of development and carried out only in accordance with such approved details. 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.

- 6 Details of the drainage of the site, which shall incorporate sustainable drainage principles, 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 In order to provide adequate pedestrian access to the site in the interests of pedestrian safety.

- 3 In order to provide adequate street lighting in the interests of pedestrian and traffic safety.
- 4 to ensure a satisfactory standard of appearance of the development
- 5 to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 6 To ensure that the site is adequately drained and that the development does not lead to any increased risk of flooding of downstream properties.