

KEY INFORMATION

Ward Balgowan

Proposal

Erection of house in garden ground

Address

Land South of 21 Baldovan Road, Dundee

Applicant

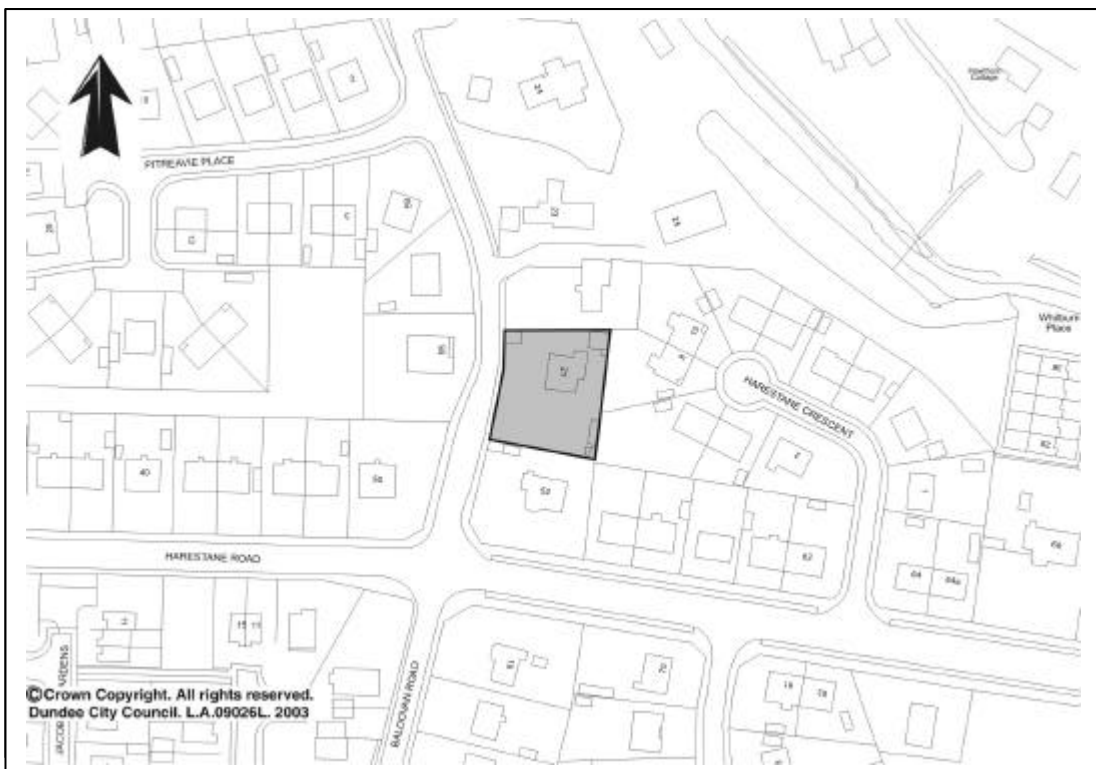
Mr and Mrs Hansen
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Agent

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Registered 27 Mar 2006

Case Officer S Cooper



New House Proposed in Baldovan Road

The erection of a house in garden ground is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

It is considered that the proposed development accords with the provisions of Policies 4 and 15 of the Dundee Local Plan Review 2005. The views of the objectors are not supported and there are no material considerations that would justify the refusal of this application. Accordingly, it is recommended that the application be **APPROVED**.

SUMMARY OF REPORT

- The proposal is for the erection of a single storey house in the garden ground of 21 Baldovan Road, Dundee.
- The proposal raises issues for consideration against Policies 4 and 15 of the Dundee Local Plan Review 2005.
- 2 letters of objection were received to this proposal.
- It is considered that the proposed house would be of a size, scale and form appropriate for its proposed location. The views of the objectors are not supported.
- It is considered that the proposal accords with the relevant provisions of the development plan and that there are no material considerations that would justify refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a detached, single storey house in the garden ground of 21 Baldovan Road, Dundee. The proposed house would be built in the garden ground to the south of the applicant's house.

The proposed house would have a hipped roof and would be some 5.8 metres in height. The proposed house would accommodate 2 bedrooms, a bathroom, a living room, a kitchen and an entrance vestibule and hall.

There would be a bay window in the front elevation of the house. The roofslopes would be clad with red concrete roof tiles and the external walls would have a white dry dash rendered finish.

Vehicular access to the proposed new house would be taken from Baldovan Road at the southern end of the west boundary. All of the existing trees on the south boundary and the mature shrubs at the south western corner of the site would be retained. A minimum rear garden area of 122m² would be provided for the proposed new house and 124m² retained for the existing house.

SITE DESCRIPTION

The application site is the garden ground of an existing detached single storey house at 21 Baldovan Road, Dundee. It is located within a predominantly residential area. The applicant's house is of a modest size and scale and is set within its own garden grounds.

The existing house and its grounds measures some 1110 square metres, of which the application site totals some 420 square meters.

There are a number of mature and semi-mature trees on the site, particularly on the south boundary. There are also a number of mature shrubs and trees on the west boundary, adjacent to Baldovan Road.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee City Council Development Quality Committee

Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 4 Design of New Housing is of relevance and sets out the guidelines for the design and layout of new housing.

Policy 15 Development in Garden Ground: this policy sets out the criteria for the consideration of developments in garden ground and highlights that the scope for acceptable new development in garden ground is limited.

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.



WEST ELEVATION

LOCAL AGENDA 21

Local Agenda Key Theme 15 is of relevance to the consideration of the application and seeks to ensure that diversity and local distinctiveness are valued and protected. It is considered that the proposal complies with the aims of Key Theme 15.

SITE HISTORY

A previous planning application (ref: 05/00793/FUL) was submitted in September 2005. That application was withdrawn following concerns raised including the size of the proposed

house, inadequate provision of garden ground and loss of trees. The applicant's agent has since undertaken negotiations with the Council in order to address those issues.

PUBLIC PARTICIPATION

The applicant has carried out the statutory Neighbour Notification procedures. 2 letters of objection have been received.

The grounds of objection relate to:

- not in keeping with the density of housing in the area;
- loss of trees;
- overdevelopment of the plot;
- loss of garden ground; and
- traffic implications.

It is intended to comment on these matters in the "Observations" section of this report. Copies of the letters are available for inspection in the Members' Lounges.

CONSULTATIONS

No adverse comments were received from consultees.

The Council's Forestry Officer advises that a method statement and plan as per BS5837 regarding the retention and preservation of trees should be submitted prior to the commencement of any works. This matter can be controlled through a condition on the grant of planning permission.

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 4 sets out the criteria for the design and layout of new housing. It requires the design and layout of all new housing to be of a high standard. As a basis for achieving this, new developments must comply with the design standards contained within Appendix 1. Part B of Policy 4 states that within established low density residential areas the density of new development should reflect this and generous external space standards will be required.

The housing density in the area is mixed. On Baldovan Road itself there are mainly detached houses with fairly large garden grounds. However, on surrounding streets there are semi-detached houses with smaller gardens. As such it is considered that the proposal is not within an established low density residential area and therefore is not contrary to this particular requirement of Policy 4.

Appendix 1 of the Dundee Local Plan Review 2005 sets out further guidance for the design of new housing.

The proposed house would have two bedrooms and a gross internal floor area of just under 100m². Given the circumstances of the restrictive nature of the site, with a number of mature trees to the north, it is considered that the proposal would not be contrary to the provisions of Policy 4 in terms of the house type and size.

In terms of car parking provision, Appendix 1 states that all developments should have 1 space within the curtilage of each house. For private houses with 3 or more bedrooms, at least 2 parking spaces should be provided. There are 2 car parking spaces available to the existing house. It is proposed that a further 2 spaces would be provided for the new house. Accordingly it is considered that the proposal accords with the requirements of Policy 4 in terms of car parking provision.

The Design Standards require that a minimum of 120m² of useable private amenity space is afforded to both properties. The drawings indicate that rear garden areas of 122m² and 124m² would be provided to the proposed and existing houses respectively. There is further amenity space for both properties to the front. As such it is considered that the proposal accords with Policy 4 in terms of provision of amenity space and therefore is not

considered to be an overdevelopment of the plot.

There would be no directly facing windows within 18 metres of each other and therefore it is considered that the proposal accords with the privacy requirements of Policy 4.

It is therefore considered that the proposal accords with the provisions of Policy 4 of the Dundee Local Plan Review 2005.

Policy 15 sets out the criteria for new development in garden ground. The criteria relate to design, footprint of new buildings, densities, impact on trees and on the character and appearance of the existing building.

The proposed house would be some 5.8 metres in height and would have a floor area of just less than 100m². It would have a rectangular footprint with a bay window at the front. The hipped roof would be clad with red tiles and the external walls would have a white, dry dash rendered finish. It is considered that the proposed house, by virtue of its size and scale, its positioning and proportions and its design, layout and finishing materials, reflects the character and appearance of the existing house at number 21.

The proposed house would not project beyond the front building line of the existing house. The footprint of the proposed house would not exceed one and a half times the footprint of the original main house. The final proportion of ground covered by buildings and hardstandings would not exceed 40% of the original house and garden and at least 60% would remain cultivatable garden ground.

Accordingly it is considered that the proposal accords with parts A, B, C, D, E and F of Policy 15 of the Dundee Local Plan Review 2005.

The proposed development would comply with the Council's non-statutory guidance on Breaches in Boundary Walls. It is considered that adequate mature landscaping exists within the application site. Conditions can be placed on the grant of planning permission regarding the retention and preservation of trees on the site. Accordingly it is considered that the proposal accords with the provisions of parts G, H and I of Policy 15 of the Dundee Local Plan Review 2005.

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 the views of the objectors.

With regard to the grounds of objection relating to overdevelopment of the plot, loss of garden ground and loss of trees, these issues have been covered above. It is found that these grounds of objection are not supported.

It is considered that the proposal would not give rise to any road safety concerns and that this ground of objection therefore is not supported.

It is concluded from the foregoing that there are no material considerations that would justify the refusal of this application. Therefore it is recommended that planning permission be granted.

Design

It is considered that the design of the proposed house is of an acceptable standard. By virtue of its size, scale, architectural form and its finishing materials, and its positioning and proportions, it is considered that the proposed house would not be detrimental to the character and appearance of the existing house or that of the area. The existing trees on the south boundary and planting to the west would be retained and would provide a mature landscaped setting for the development.

CONCLUSION

It is considered that the proposed development accords with the provisions of Policies 4 and 15 of the Dundee Local Plan Review 2005. The views of the objectors are not supported and there are no material considerations that would justify the refusal of this application. Accordingly it is recommended that planning permission be GRANTED 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 Samples of the finishing materials proposed to be used 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 Prior to the commencement of any works on the site a method statement and plan as per BS5837 regarding the retention and preservation of trees during development works shall be submitted for the approval of the Planning Authority.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure a satisfactory standard of appearance of the development.
- 3 In order to ensure the retention of important trees in the interests of the character and appearance of the area.