

**KEY INFORMATION****Ward** Camperdown**Proposal**

Erection of swimming pool, home cinema, double garage, granny flat and front porch

**Address**

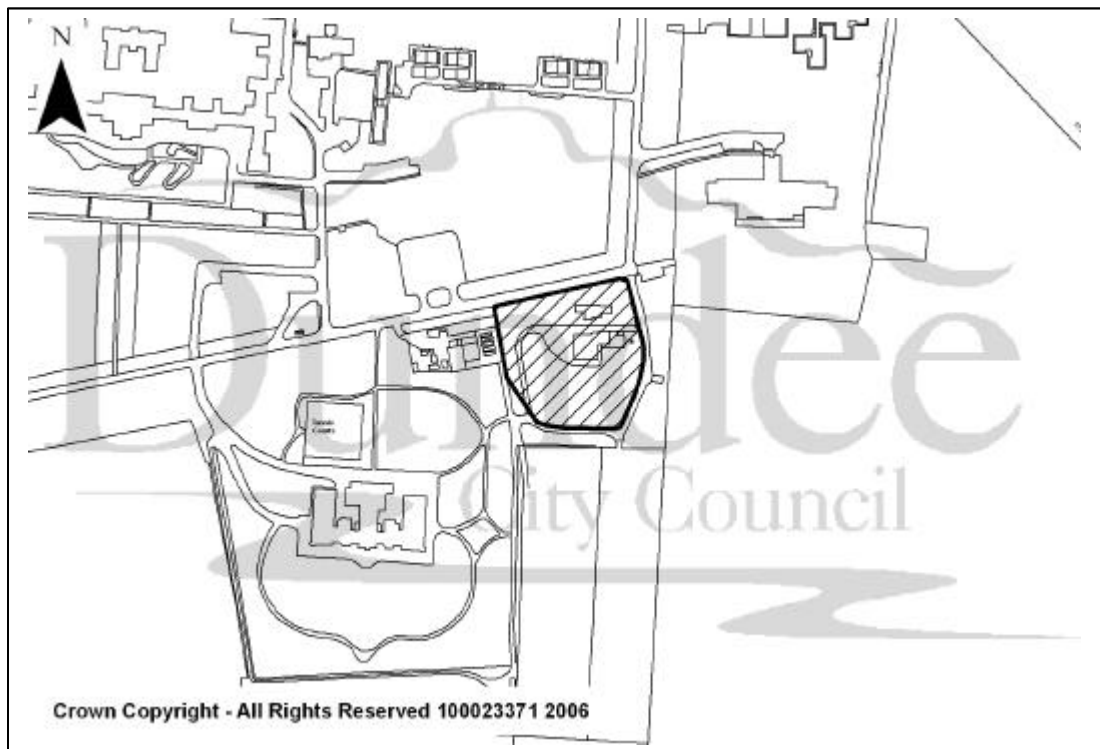
Liff House  
West Green Park  
Royal Dundee Liff Hospital  
Dundee

**Applicant**

Mr & Mrs J Marr  
Liff House  
West Green Park  
Dundee  
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**Agent**

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**Registered** 26 May 2007**Case Officer** Eva Jones

## Proposed Extension to House in West Green Park

The erection of a swimming pool, home cinema, double garage, granny flat and front porch is **RECOMMENDED FOR APPROVAL**. Report by Director of Planning and Transportation

**RECOMMENDATION**

It is concluded that by reason of the design and materials, the proposed extension and associated development complies with Policies 14 and 60 of the Dundee Local Plan Review 2005 and there are no material considerations which would support the refusal of the application. The proposed Section 75 agreement is required to justify the approval of a one bedroom flat. The application is therefore recommended for **APPROVAL**.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of an extension to a dwelling comprising a swimming pool, home cinema, fitness room, double garage and self contained granny flat. A new front porch, fencing and electric gates are also included. The extension is designed to have the appearance of converted ancillary buildings forming a courtyard to the north of the house. The materials are stone and slate.
- Liff House is a large traditional stone and slate property in a large secluded wooded plot in the West Green Park development (the former Liff Hospital). The building is Listed Category C(s) and the trees are protected by a Tree Preservation Order.
- Dundee Local Plan 2005 The development complies with: Policy 14 Alteration and Extensions to Houses and Policy 60 Alterations to Listed Buildings.
- The approval of Committee is sought to the conclusion of a Section 75 legal agreement between the City Council and the applicant to restrict the occupation of the flat to a member of the family or prevent its sale or let separately.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of an extension to a dwelling comprising a swimming pool, home cinema, fitness room, double garage and self contained granny flat. A new front porch, fencing and electric gates are also included. The extension is designed to have the appearance of converted ancillary buildings forming a courtyard to the north of the house. The materials are stone and slate. The approval of Committee is sought to the conclusion of a Section 75 legal agreement between the City Council and the applicant to restrict the occupation of the flat to a member of the family or prevent its sale or let separately.

## SITE DESCRIPTION

Liff House is a large traditional stone and slate property in a large secluded wooded plot in the West Green Park development (the former Liff Hospital). The dwelling is on an open site within its boundary of screening trees with access from the main drive through the site. The former hospital site is currently under redevelopment for residential use with conversion of the retained, Listed buildings and construction of new dwelling on selected sites within the landscaped grounds. The building is Listed Category C(s) and the trees are protected by a Tree Preservation Order.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 2005

The following policies are of relevance:

Policy 14 Alteration and Extensions to Houses.

Policy 60 Alterations to Listed Buildings.

## 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.

## SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.



## SITE HISTORY

The partner Listed building application, 06/00530/LBC, is elsewhere on this agenda.

## PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and was also advertised as a development potentially affecting the Setting of a Listed building. There were no objections.

## CONSULTATIONS

The Forestry Officer sought conditions on works to trees in accordance with BS 5837:2005.

## 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

## 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 14: Alterations And Extensions To Houses. Proposals to alter or extend existing dwellinghouses will be only be permitted where:

- there is no adverse impact on the appearance of prominent elevations of the house;
- there is no significant loss of sunlight, daylight or privacy to the occupants of neighbouring properties;
- more than 50% of the original useable garden area will be retained; and
- the design and materials respect the character of the existing building.

The design and materials are such that the building has the appearance of a courtyard of ancillary buildings such as a coach house or stables and it is considered that there is no adverse impact on the appearance of prominent elevations of the house and the character is respected.

There is new housing proposed across the access road to the north and provided there is no noise impact from any plant associated with the pool, there will be no loss of amenity to future residents. This can be the subject of an appropriate condition.

It is considered that the proposal complies with Policy 14.

Policy 60: Alterations To Listed Buildings. The alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest.

The City Council will provide specific supplementary guidance on the following: window and door alterations, advertisements, shopfronts, roller shutters, treatments to masonry and painting and use of materials.

As noted above, the design and materials respect the character of the house and replicate the appearance of a courtyard which would be characteristic of such a dwelling. It is considered that the proposal complies with Policy 60.

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

## Other Material Considerations

Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.

Section 59 of the Act requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the planning authority shall have special regard to the desirability of preserving the building or its setting. It is considered for the reasons noted above that the proposal is acceptable.

## Section 75

The proposal is for an extension which is largely self contained and is linked to the original house by a corridor. The proposed flat is in excess of 70 square metres in floor area and is a generous one bedroom unit. It is self contained with its own access.

The Masterplan for the former hospital site identified the retention of Liff House as a single dwelling in a large plot in order to provide a quality of housing which is seldom available in the City. The applicant has agreed that this flat will only be occupied by a member of the family.

The approval of Committee is sought to the conclusion of such an agreement prior to the issue of the planning permission.

It is concluded from the foregoing that the material considerations justify the grant of planning permission in accordance with the provisions of the development plan.

## Design

The design and materials have been considered elsewhere in the report.

## CONCLUSION

It is concluded that by reason of the design and materials, the proposed extension and associated development complies with the policies in the

Development Plan and there are no material considerations which would support the refusal of the application. The proposed Section 75 agreement is required to justify the approval of a one bedroom flat which will be required to be retained as part of the main house and occupied by a member of the family owning Liff House.

## RECOMMENDATION

### Recommendation 1

This planning permission shall not be issued unless and until an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 between the Council and all parties with appropriate interests in the land has been recorded. This agreement will relate to the occupation of the flat by a member of the family living in Liff House and the prohibition on the future let or sale of the flat separate from Liff House.

### Recommendation 2

It is recommended that consent 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 Full details of the proposed new windows and doors shall be submitted to the City Council for approval prior to the commencement of renovation work and if approved, the works shall be carried out only in accordance with such approved details.
- 4 Full details of the position and form of all proposed ducts, flues and vents shall be submitted prior to the commencement of development and if approved, the development shall be carried out only in accordance with such approved details.
- 5 Noise from all mechanical and electrical equipment associated with the development shall not

exceed NR35, as measured 1metre from the facade of any adjacent residential property.

- 6 All works which may affect the trees shall be carried out in accordance with BS: 5837:2005.
- 7 The council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council Planning Authority. The scheme shall include a full timetable for the reclamation measures proposed. Upon completion, verification that reclamation has been undertaken in accordance with, and to the standard specified in, the agreed reclamation scheme shall be provided by the applicant or his agent.

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 3 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.
- 4 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 5 In the interests of the amenities of the occupiers of nearby properties.
- 6 To protect the trees which are the subject of Tree Preservation Order 06: 2003.
- 7 In the interests of the amenities of the occupants of the residential accommodation