

**KEY INFORMATION**

**Ward** Strathmartine

**Proposal**

Erection of 4 townhouses and demolition of existing garage/workshop and replacement

**Address**

2 Staffa Place  
Dundee  
DD2 3SX

**Applicant**

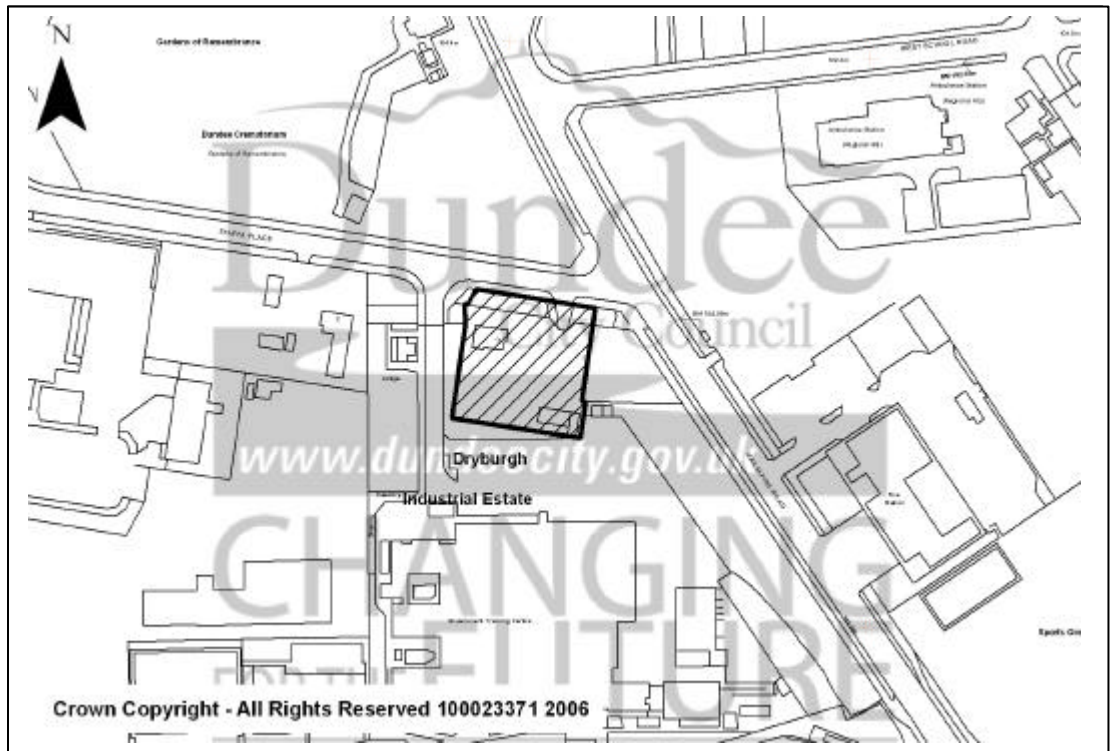
Ward Building Services Ltd  
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Business Centre  
Mid Craigie Road  
Dundee DD4 7RH

**Agent**

Peter Inglis Architects  
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Dundee  
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**Registered** 17 May 2007

**Case Officer** B Knox



## Proposed New House in Garden Ground at Staffa Place

The erection of four townhouses and demolition of existing garage/workshop is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development does not comply with Policies 1, 4, 15 and 24 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify the approval of the application. The application is therefore recommended for **REFUSAL**.

**SUMMARY OF REPORT**

- Planning permission is sought for the development of 4 townhouses within an area of existing garden ground.
- One letter of objection was received from a nearby occupier of commercial premises.
- The proposal raises issues in terms of Policies 1, 15, 24 and 4 of the Dundee Local Plan Review 2005. It is considered that the proposal does not comply with the relevant policies and there are no material considerations that would justify the approval of the application contrary to the provisions of the Development Plan.

**DESCRIPTION OF PROPOSAL**

The application proposes the erection of 4 townhouses which would take shared access from Staffa Place and the erection of a garage/workshop to replace an existing garage/workshop on site. Each townhouse would be provided with one parking space to the front and with 147.5m<sup>2</sup> of rear garden space. Internally, each dwelling would have three bedrooms.

**SITE DESCRIPTION**

The site is located within the garden ground of an existing dwelling which is situated on the corner of Staffa Place and Macalpine Road. It is located at the edge of a busy traffic junction which is controlled by traffic lights. To the south east of the site running the length of Macalpine Road is a tree belt, comprised of mature trees which are protected by a Tree Preservation Order. There is a yard and parking area of a former industrial building to the south of the site which has been subdivided into separate units and is now in use as mixed commercial including the Claverhouse Group and Handy Taxis. The crematorium lies to the north of the site on the opposite side of Staffa Place.

The existing dwelling on site is a single storey bungalow. The site is currently enclosed by a small timber fence but is otherwise open to view from the roadside. The area to the east of the existing dwelling where the proposed houses would be located forms part of the garden ground for the existing dwelling but seems to be used primarily as a car turning area.

**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 - the design and layout of all new

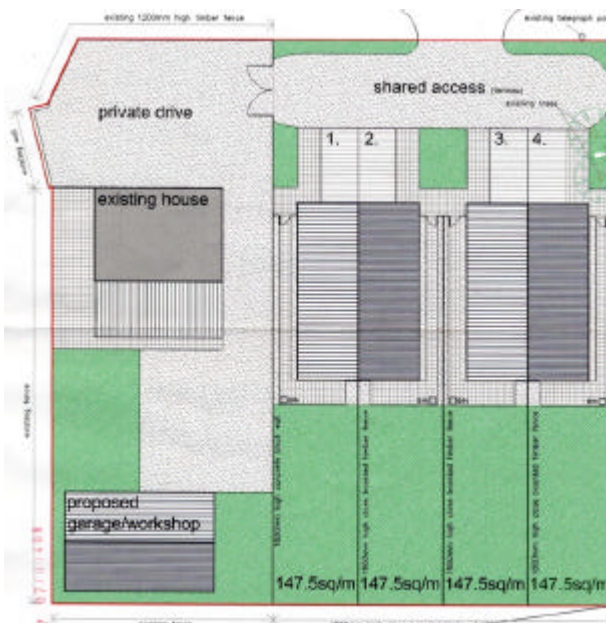
housing in Dundee should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards contained in Appendix 1 of this Local Plan unless:

- a the City Council, through either site allocation in the Local Plan or site planning briefs, considers it appropriate to vary the standards to reflect the constraints or opportunities offered by the development of a particular site; or
- b the proposal is within an established low density



residential area, in which case the density of the new development should reflect this and more generous external space standards will be required.

New housing development should also have regard to the principles of the City Council's Urban Design Guide.



In addition, new housing development should meet "Secured by Design" standards. New residential streets should be designed to promote low vehicle speeds of 20 m.p.h. or less. New housing should have regard to opportunities to maximise energy efficiency and promote sustainable waste management.

Where conversion of a listed building or other building worthy of retention is proposed, there may be limited flexibility in applying parking and garden ground requirements where compliance is impractical. The development of flats through conversions of buildings of merit may also be acceptable where conversion to flats is the only appropriate action.

Policy 15: Development In Garden Ground - developments in garden ground will be required to satisfy the following criteria. Planning applications must contain sufficient detail to enable their consideration under each point:

- a the proposal is of high quality design and uses materials appropriate to its surroundings; and
- b the total footprint of new buildings does not exceed one and a half times the footprint of the original main house unless there has already been development within the garden ground exceeding this limit and where further development would not detrimentally affect the appearance and character as now exists; and
- c notwithstanding the above, the final proportion of ground covered by buildings, hard-standings, garages etc. must not amount to more than 40% of the original house and garden (\*) with at least 60% cultivatable garden ground; and
- d prevailing densities in the area are respected; and
- e no new building is proposed in front of the main elevation of the original house;

extensions exceeding 20% of the volume of the original building will only be acceptable if designed in such a way as to appear independent and linked discreetly to the original house; and

- f prominent frontages and elevations of architectural character on the original house will remain largely intact; and
- g the proposal conforms to the Council's non-statutory guidance on Breaches in Boundary Walls; and
- h a full tree survey is submitted along with the planning application to enable a comprehensive landscape assessment to be undertaken. Ultimately, the need to retain existing trees and landscape features may override the above criteria; and
- i where development is permitted, new tree planting and landscaping will be required which should reflect, and where appropriate enhance, the character and stature of that already existing.

Policy 24: Principal Economic Development Areas - Principal Economic Development Areas are of City-wide significance and as such will be safeguarded for industrial and business use. Uses outwith Classes 4 "Business", 5 "General Industry" and 6 "Storage and Distribution" will be resisted. Exceptions where defined in Policy 27 (Ancillary Services within Economic Development Areas), will only be considered favourably where it can be demonstrated that the development will enhance the attractiveness of the area for further industrial and business investment.

### 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

An application for an extension to the south elevation of the existing dwelling was approved in 2006 but does not have direct relevance to the determination of the current application.

## PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from a nearby occupier. The objection raises concerns that the increase in residential use on the site would result in occupiers of the properties objecting to the industrial traffic using nearby facilities and resulting in conflict.

One letter of support was received which pointed out that the area should be classed as residential.

Copies of the letters are available for inspection in the Member's Lounges and the issues are discussed below

## CONSULTATIONS

The Head of Environmental Health and Trading Standards has indicated that site investigation is required to ensure that there is no risk to human health from potential contamination which may have resulted from previous uses. The applicants have not provided this information to date.

Similarly, the Head of Environmental Health and Trading Standards indicated that a Noise Impact Assessment is required due to the proximity to a busy road junction and adjacent industrial premises. This information has not been provided to date.

## 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.

The area of the development proposal is designated as a principal economic development area which is an area of high importance in supporting economic activity of the city as a focus for employment. The policy states that Uses out with Classes 4 "Business", 5 "General Industry" and 6 "Storage and Distribution" will be resisted in these areas. Further to this it goes on to state that exceptions where defined in Policy 27 (Ancillary Services within Economic Development Areas), may be considered. However, this policy only makes allowances for ancillary services to meet the needs of employees and complement existing businesses in these areas. A residential development does not fall into either of these categories and therefore the principal of this use on site does not comply with Policies 24 and 27 of the Dundee Local Plan Review 2005.

Policy 1 (Vibrant and Sustainable Communities) is also relevant here and in particular traffic movement issues. While there is an access already in use for one house and a workshop/lockup area, it is considered that the potential increase in use of this access by developing four houses is not acceptable. The access is very close to the existing signal junction installation at the Staffa Place/Macalpine Road junction and is approximately 20 metres from Macalpine Road and almost immediately opposite the signal stop line on Staffa Place. The intensification of use of the access at this location is not considered to be acceptable on road safety grounds. The proposal therefore does not comply with Policy 1 in this respect.

Policy 15 for development in garden ground provides criteria that applications must comply with. The main issues for consideration under Policy 15 relate to the design and materials and the total footprint of the proposed new buildings. It is not considered that a three-storey townhouse is the most suitable form of development for this location. They would be located directly adjacent to a single storey bungalow, on a

prominent corner site. This form of development would not complement the surroundings in terms of scale and appearance and as such does not comply with part (a) of Policy 15.

The total footprint of the new buildings is approximately 274 metres squared. The total footprint of the existing house is approximately 74 metres squared. In this respect, the development does not comply with part (b) of the Dundee Local Plan Review 2005 as the total footprint of new buildings will exceed one and a half times the footprint of the original main house.

The proposal is considered to comply with remaining parts (c), (d), (e), (f), (g), (h) and (i) of Policy 15.

Policy 4 (Design of New Housing) sets out Design Standards as contained in Appendix 1 of the Dundee Local Plan Review which new developments are required to conform to.

The site lies within an area designated as suburban and the relevant standards apply in this respect. The first part of this states that within private developments 40% of houses should have more than 160 sq metres of useable garden ground. The houses are provided with approximately 112 sq metres of useable garden ground. This calculation does not take into account driveway or path areas. In this respect, the houses fail to meet the criteria regarding garden ground by more than 40 sq metres.

In addition to this, Appendix 1 also provides guidance on parking provisions within developments. In this area, private houses with 3 or more bedrooms should have at least 2 spaces. The houses have three bedrooms and therefore require 2 spaces each. They have only been provided with one and there is no opportunity for on street parking in this location. In this respect, the proposal clearly fails to comply with the parking levels required for this type of development.

In light of the above, it is considered that the proposal fails to comply with Policy 4 and the associated standards set out in Appendix 1 of the Dundee Local Plan Review.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan.

## Other Material Considerations

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

There are no material considerations to be taken into account.

It is therefore recommended that planning permission be refused.

## Design

It is not considered that a three-storey townhouse is the most suitable form of development for this location. They would be located directly adjacent to a single storey bungalow, on a prominent corner site. This form of development would not complement the surroundings in terms of scale and appearance.

## CONCLUSION

The proposal fails to comply with the relevant policies in the Development Plan and as such is recommended for REFUSAL.

## RECOMMENDATION

It is recommended that consent be REFUSED for the following reasons:

### Reasons

- 1 The proposal does not comply with Policy 24 of the Dundee Local Plan Review 2005 as a residential use does not fall into the permitted classes within a Principal Economic Development Area and there are no material considerations that would justify the approval of the application contrary to the provisions of the Development Plan.
- 2 The proposal does not comply with Policy 1 of the Dundee Local Plan Review 2005 as the increase in the use of the existing access is not acceptable on road safety grounds and there are no material considerations that would justify the approval of the application contrary to the provisions of the Development Plan.
- 3 The proposal does not comply with Policy 15 of the Dundee Local Plan Review 2005 as the form of development would not complement the surroundings in terms of scale and appearance and as such does not comply with

part (a) of the policy. The total footprint of the new houses would exceed one and a half times the footprint of the original main house and as such the proposal does not comply with part (b) of Policy 15 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify the approval of the application contrary to the provisions of the Development Plan.

- 4 The proposal does not provide the amount of private useable garden ground or parking spaces per dwelling as required by Policy 4 (Appendix 1) of the Dundee Local Plan Review 2005 and therefore fails to comply with this policy and there are no material considerations that would justify the approval of the application contrary to the provisions of the Development Plan.