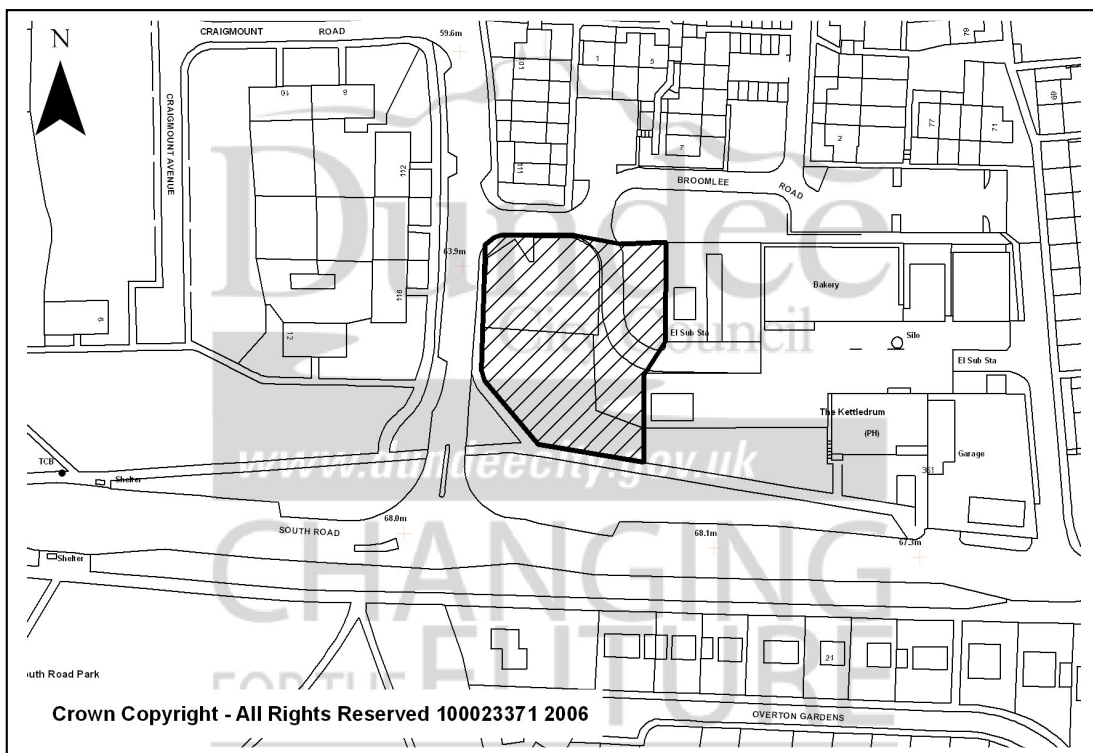


**KEY INFORMATION**

Ward Lochee

**Proposal**

Erection of 48 Bed Nursing Home

**Address**113 Buttars Loan  
Dundee  
DD2 4UN**Applicant**Roseangle Healthcare Trust  
10 Dudhope Terrace  
Dundee**Agent**Peter Inglis Architects  
Unit 3  
Prospect 111  
Gemini Crescent  
Dundee  
DD2 1SW**Registered** 21 Aug 2007**Case Officer** Eve Jones

# Proposal for Nursing Home in Buttars Loan

The erection of a nursing home is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

**RECOMMENDATION**

It is concluded that the proposal complies with the requirements of the relevant policies in the Dundee Local Plan Review 2005. The building will make a positive contribution to the street scene. It is therefore recommended that the applications is **APPROVED** with conditions.

**SUMMARY OF REPORT**

- Permission is sought for the erection of a two and three storey, 48 bed nursing home. The design and materials are modern with two levels of terraces on the south west corner. Communal garden is provided to the west of the building in addition to the terraces. Road access will be from Buttars Loan and 12 parking spaces are provided.
- The site lies on the north of South Road, east of its junction with Buttars Loan.
- Dundee Local Plan 2005. Policy 1 - Vibrant and Sustainable Communities and Policy 10 - Non-Mainstream Residential Uses are relevant.
- There were no objections. The application is referred to the Committee as the floor area of development proposed exceeds the limit for the Council's Scheme of Delegation.
- This is an acceptable development in this location, close to residential areas but in a fairly busy location with good public transport links. The development will not adversely affect local residents. The site has a separate access and sufficient parking spaces.
- It is considered that the proposal complies with both Policy 1 and Policy 10.

## DESCRIPTION OF PROPOSAL

Permission is sought for the erection of a 48 bed nursing home. The building will be L shaped, two storey at the south and three storey to the north because of the sloping site.

The design is modern with pitched, asymmetrical and curved roofs; masonry block, white render and timber detailed walls with two levels of terraces on the south west corner. Communal garden is provided to the west of the building in addition to the terraces.

Road access will be from Buttars Loan and Broomlee Road and 12 parking spaces are provided for staff and visitors.

The application has been amended from the original proposal for a 50 bed nursing home with 6 close care flats.

## SITE DESCRIPTION

The site lies on the north of South Road east of its junction with Buttars Loan. The site is higher on the south side, dips sharply down to the north with a more gradual slope adjacent to Buttars Loan. There are flats to the west, houses to the north, an electricity substation to the north east and a commercial bakery to the east. The footpath to the south is separated from South Road by an area of open grass.

South Road is a busy local distributor road and Buttars Loan provides access to Charleston housing area and takes traffic from the Kingsway. Public transport passes the site.

## 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 1 - Vibrant and Sustainable Communities.

Policy 10 - Non-Mainstream Residential Uses.

## 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

The following sustainability policy implication(s) arise from this application :

The proposal provides a nursing home within the community, on a brownfield site and the development will contribute to the regeneration of the area all in accordance with

Sustainability Policy 5 - Built Environment.

## SITE HISTORY

The is no relevant planning history.

## PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and was also advertised in the local press as a development potentially contrary to Policy 10 Non-Mainstream Residential Uses. There were no objections.

## CONSULTATIONS

The Head of Environmental Health and Trading Standards accepts the submitted Noise Impact Assessment and requests the compliance with the conclusions. This can be the subject of appropriate conditions.

## 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 1: Vibrant And Sustainable Communities - "The City Council will promote vibrant communities,

encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell."

The proposal for the erection of a 48 bed nursing home is an acceptable development in this location close to residential areas but in a fairly busy location with good public transport links. The development will not adversely affect local residents. The site has a separate access and sufficient parking spaces.

Subject to compliance with Policy 10, it is considered that the proposal meets Policy 1.

Policy 10: Non-Mainstream Residential Uses - "Proposals for the development of non-mainstream residential uses will be supported where:

- a a good quality residential environment will be created for residents and the proposal does not impact adversely on the amenity of neighbours by virtue of design, overshadowing, overlooking and parking; and
- b the site is well located to give access to a range of local services and facilities and is accessible by public transport; and
- c it will not lead to an excessive concentration of non-mainstream residential uses to the detriment of the character of the particular area; and
- d appropriate car parking provision is made relative to the needs of occupants, visitors and any support staff. In determining appropriate provision the availability of public transport and proximity of local services and facilities will be considered; and
- e appropriate amenity space is provided in a sheltered, private location that is sunny for most of the day; and
- f the design reflects the scale, massing and materials of adjacent buildings."

The proposed development meets criteria a, b, c, and d.

e - the amenity space proposed is on the west side of the building and will be sunny from midday onwards. However the amenity space is bounded on the west and south by the footway to Buttars Loan and is not completely private. However it is a better location than on the east side of the site, away from the road, as that would be

shadowed by the building in the afternoon and evening. On balance therefore it is considered that subject to acceptable boundary treatment, the amenity space is acceptable. It is noted that there are also terraces on the upper levels of the south west corner of the building. Due to the slope of the site, the accommodation will be at first and second floor level at the northern part of the site and the ground floor will be enclosed open space to the garden. This will be available for additional covered amenity use by residents and its retention can be the subject of an appropriate condition.

f - there are flats on the west side of Buttars Loan but few other buildings to which this development can relate. The design and scale are appropriate to this open prominent site on South Road.

It is considered that the proposal complies with Policy 10 and therefore also complies fully with Policy 1.

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:

The application has been amended from the original proposal for the erection of a 50 bed nursing home and 6 close care flats. The flats were to have been located in the ground floor of the three storey northern block. There was insufficient space within the application site to accommodate the required parking levels for this increased level of accommodation and the flats were deleted from this application. This area of the building will remain vacant as part of this development. The agent has indicated that it will be used as covered space for ancillary amenity uses.

### SUDS

As surface water will most likely discharge to the Lochee Burn, the road and parking area surface water will require some degree of SUDS treatment before it leaves the site. However the consent of Scottish Water to the final arrangements will be required. It is considered that the site can accommodate SUDS provisions and details can be the subject of an appropriate condition.

It is concluded from the foregoing that there are no material considerations which would justify the refusal of planning permission contrary to the provisions of the development plan.

### Design

This is a modern design for this large building on a prominent corner site on South Road and Buttars Loan. The building has a corner feature with large windowed lounges and terraces on two levels on the south west elevation which will add interest to the street scene and will allow residents an overview on the activity around the building. A well designed boundary to the west and south will be required to provide both privacy and security to the building.

### CONCLUSION

It is concluded that the proposal complies with the requirements of the relevant policies in the Dundee Local Plan Review 2005 provided the privacy of the amenity space can be ensured. The nursing home will be well located in relation to the local community and benefit from good public transport links. The building will make a positive contribution to the street scene. The application is being referred to the Development Quality Committee for determination as the floor area of development proposed exceeds the limit for the Council's Scheme of Delegation for planning applications.

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

### RECOMMENDATION

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. For the avoidance of doubt, it is confirmed that white UPVC windows and white PVC

- rainwater goods are not acceptable.
- 3 Prior to the first use of the building hereby approved, the access road, turning area and footway shall be completed in accordance with Dundee City Council standards.
  - 4 Prior to the first use of the building hereby approved, the car parking areas shall be provided in accordance with the approved plans and shall remain for use of staff and visitors thereafter
  - 5 Full details of the proposed SUDS shall be submitted to the City Council for approval and if approved, the development shall be carried out only in accordance with such approved details. The details shall include confirmation that the submitted details have been approved by Scottish Water.
  - 6 Prior to the commencement of development, tree protection fencing in accordance with BS5837:2005 shall be erected on site to the satisfaction of the City Council and such fencing shall be retained in place throughout the construction period. Relocation of any fencing to allow construction works to proceed shall be agreed with the Forestry and Enforcement officers prior to any movement of the fencing. No excavations, site works or services shall be carried out within the protected tree area and no soil, waste or materials shall be deposited within the tree area in such a position as to be likely to cause damage to the trees by affecting their root structure.
  - 7 Prior to the commencement of development, a comprehensive landscaping scheme for hard and soft landscaping shall be submitted for approval and if approved, the works shall be carried out only in accordance with such approved details.
  - 8 The landscaping scheme as detailed in condition 07 shall be fully implemented in accordance with the approved details within 6 months of the completion of the development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 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.
- 9 The west and south boundary of the site shall comprise a wall with a fence. The details shall be submitted to the City Council for approval prior to the completion of the building and if approved, the works shall be carried out in accordance with such approved details prior to the first occupation of the building.
  - 10 The bin stores as detailed shall be provided prior to the first occupation of the building and shall be maintained in such use.
  - 11 The open ground floor area below the main accommodation wing shall be used for ancillary amenity uses unless otherwise agreed in writing by the City Council.

### 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 the provision of a satisfactory access to serve the development in the interest of road safety.
- 4 To ensure that adequate parking facilities are provided and maintained within the curtilage of the site in the interests of the free flow of traffic, highway safety and the amenities of the locality.
- 5 To ensure the satisfactory and proper development of the site.
- 6 To protect those landscape features which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
- 7 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 8 To ensure a satisfactory standard of appearance of the development

- in the interests of the visual amenities of the area.
- 9 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
  - 10 To ensure a satisfactory standard of development.
  - 11 To ensure a satisfactory provision of amenity space for use by residents.