

**KEY INFORMATION**

Ward West End

**Proposal**

Demolish house and erect two detached two storey houses

**Address**

18 Rockefield Street  
Dundee  
DD2 1LD

**Applicant**

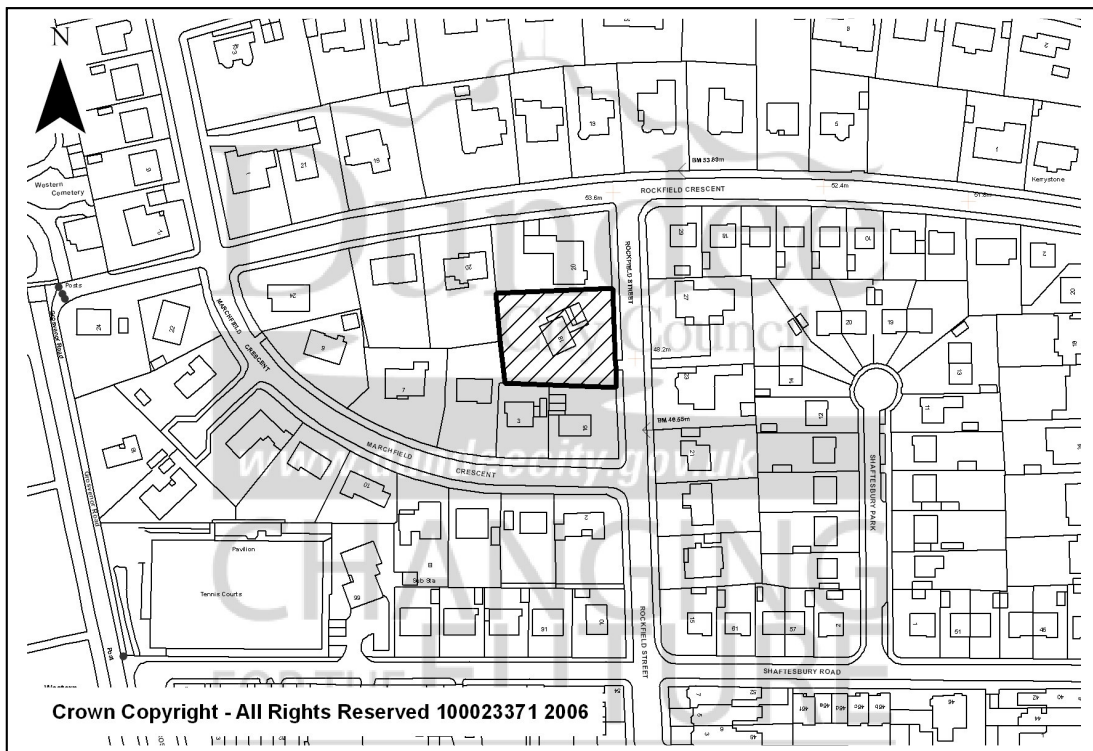
Solera Associates Ltd  
9 West Road  
Newport on Tay  
DD6 8HH

**Agent**

Andrew Black Design  
1 Ritchies Lane  
Dundee  
DD2 1ED

Registered 16 Nov 2007

Case Officer E Jones



## Housing Development Proposal in Rockefield Street

The demolition of a house and erection of two detached houses is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation.

**RECOMMENDATION**

The proposal complies with Policy 15 Development in Garden Ground and Policy 4 Design of New Housing in the Dundee Local Plan Review 2005. The objection from an adjoining neighbour is not supported. It is therefore recommended that planning permission be granted with conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of two detached two storey 4/5 bedroom houses which will replace an existing detached two storey house. The houses will have an integral garage and 2 parking spaces with gardens of 280 and 290 metres<sup>2</sup>. The surrounding area comprises mature residential properties.
- Dundee Local Plan 2005. The following policies are of relevance: Policy 15 Development in Garden Ground and Policy 4 Design of New Housing. The proposal complies with both policies.
- The application was the subject of statutory Neighbour Notification and one valid objection was received from an adjoining neighbour on grounds of design and layout, density and loss of trees and shrubs.
- This is not a Conservation Area and the design, whilst contemporary, is acceptable in this location. The proposals include the retention of five trees, new landscaping will be required and the density is considered to be comparable to the surrounding area. In conclusion, the objection is not supported.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of 2 detached two storey houses. The houses will have 4 bedrooms, 2 en-suite, a study/bedroom 5, lounge and kitchen/dining rooms with patio doors to the rear and an integral garage. Both will have 2 additional parking spaces and private garden grounds of 280 and 290 metres<sup>2</sup>.

## SITE DESCRIPTION

This is a large plot currently occupied by a detached two storey house which is to be demolished. It has a mature garden. The site generally slopes down from north to south. The surrounding area comprises mature residential properties in large well established gardens. There is an existing vehicle access to the south and pedestrian access to the north.

## 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 15 Development in Garden Ground..

Policy 4 Design of New Housing

### 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

There is no relevant planning history.

## PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one valid objection was received from an adjoining neighbour on grounds of design and layout, density and loss of trees and shrubs. Copies of the letter are available in Members' lounges and



the issues raised will be considered in the Observations below.

## CONSULTATIONS

There were no adverse responses from consultees.

## 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 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."

This policy is applied to applications for development in the garden ground of existing houses. In this case, the house is to be demolished and replaced by 2 new houses. However it is considered that the policy is appropriate as it is designed to control the density of development within existing residential areas. It is considered that the submitted proposals comply with the requirements of Policy 15 as detailed above in respect of criteria a; b; c; d; h and i. The existing landscaping comprises commonly found garden trees and shrubs of which 5 trees are proposed to be retained. Criteria e and f apply where the original house is to remain and criteria g applies to Listed Buildings and Conservation Areas. In particular, it is considered that the density of the development is in keeping with the surrounding area although the rear garden ground significantly exceeds the minimum required in Policy 4 as detailed below. The design presents a contemporary version of a conventional two storey detached house using modern materials. This is an area of mixed styles, it is not a Conservation Area and it is considered that this pair of houses will represent an acceptable contemporary development within this residential area.

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."

The proposed development complies with Appendix 1 to Policy 4 in all respects. The minimum private garden ground for a brownfield development is 120 metres<sup>2</sup> however this development has rear private gardens of 280 and 290 metres<sup>2</sup>.

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:

### **Objection**

One valid objection was received from an adjoining neighbour on grounds of design and layout, density and loss of trees and shrubs.

The objector considers that the design is out of keeping with the area. The majority of the houses in the area are post war with only 3 houses pre dating 1945. This is not a Conservation Area and the design, whilst contemporary, is acceptable in this location. With regard to the loss of trees and shrubs, as this is not a Conservation Area, there is no protection for any of the landscaping. The proposals include the retention of 5 trees. As noted above, the density is considered to be comparable to the surrounding area and is acceptable. In conclusion, the objection is not supported.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan.

### **Design**

The design and materials have been considered in the Policy section above.

### **CONCLUSION**

The proposal complies with Policy 15 Development in Garden Ground and Policy 4 Design of New Housing in the Dundee Local Plan Review 2005. The objection from an adjoining neighbour is not supported. 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
- 3 The existing trees and shrubs, indicated on the approved plans to be retained, shall not be cut down, grubbed out topped, lopped, uprooted or root pruned without the written consent of the City Council. Any trees or shrubs removed without such consent or dying, or being severely damaged or diseased, shall be replaced with trees and shrubs of such size and species as may be directed by the City Council and to the standard as approved by the City Council.
- 4 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. The scheme shall include at least 4 standard trees, rootballed, of species to be agreed.
- 5 The landscaping scheme as detailed in condition 4 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.
- 6 Full details of the proposed boundary treatments shall be submitted for approval prior to

the commencement of the development and if approved, the boundaries shall be completed in accordance with the approved details prior to the first occupation of the dwellings hereby approved.

- 7 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. Prior to the erection of the fencing, the siting shall be agreed with the Forestry Officer. Relocation of any fencing to allow construction works to proceed shall be agreed with the Forestry 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.

standard of appearance of the development.

## 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 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.
- 4 In the interests of visual amenity and the appearance of the surroundings.
- 5 In the interests of visual amenity and the appearance of the surroundings.
- 6 To protect the amenities of the occupants/owners of nearby adjacent properties in the locality.
- 7 To protect those trees which are of significant amenity value to the area and will ensure an enhanced and satisfactory