

KEY INFORMATION

Ward The Ferry

Proposal

Proposed new build detached dwellinghouse set within the grounds of Craig Gowan house including part demolition and rebuilding of west boundary wall

Address

Craig Gowan
42 Camphill Road
Broughty Ferry

Applicant

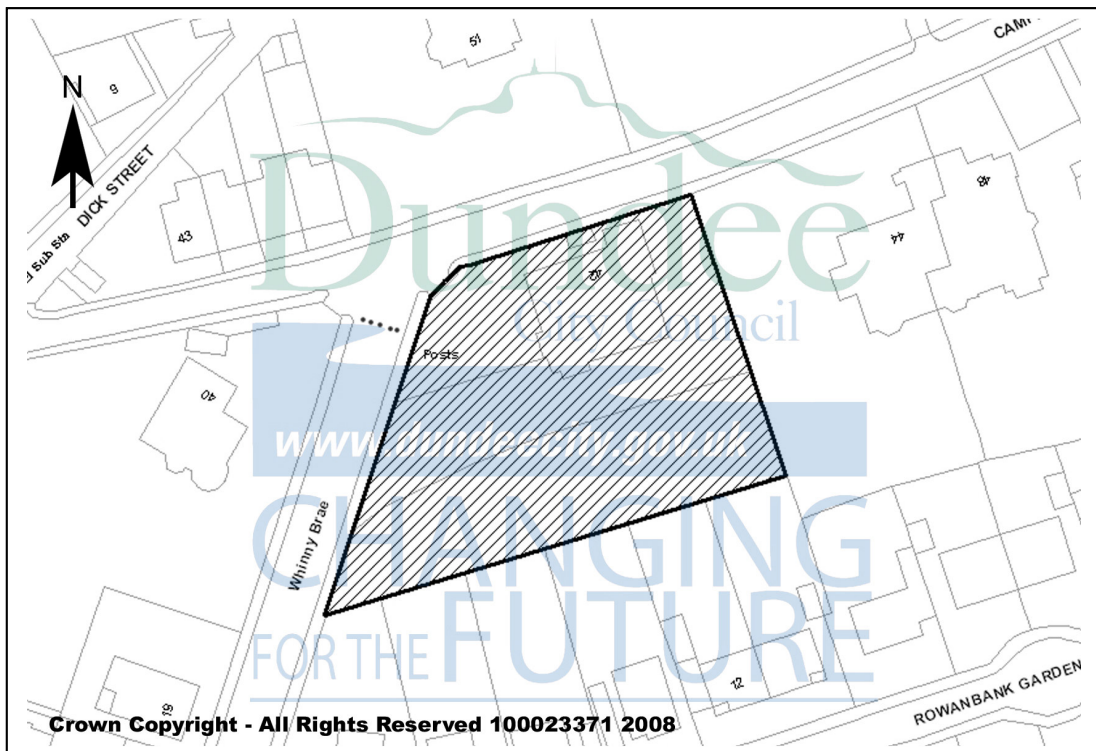
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Agent

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Registered 18 April 2008

Case Officer C Walker



New House in Grounds of Listed Building

The proposed new build detached dwellinghouses set within the grounds of Craig Gowan house including part demolition and rebuilding of west boundary wall is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The development will have a positive impact on the listed building with the rebuilding of the boundary wall at Whinny Brae and that there will not be an adverse impact on the setting of the listed building because of the discreet siting and high quality design of the proposed house. The application is recommended for **APPROVAL** subject to conditions and the call in right of Historic Scotland.

SUMMARY OF REPORT

- Listed building consent is sought to alter the western boundary wall on Whinny Brae and to erect a new house in the garden ground to the south west of the Category B listed building known as "Craig Gowan".
- The statutory duty in Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Policies 55 and 60 of the adopted Local Plan are relevant to the determination of this application.
- A letter of objection was received from the Community Council who are concerned about the design, size and siting of the house and its impact on the listed building.
- The development will have a positive impact on the listed building with the rebuilding of the boundary wall at Whinny Brae and there will not be an adverse impact on the setting of the listed building because of the discreet siting and high quality design of the proposed house.

DESCRIPTION OF PROPOSAL

Listed building consent is sought to completely rebuild the western boundary wall on Whinny Brae and to erect a new house in the garden ground to the south west of "Craig Gowan", just over a metre inside the reconstructed boundary wall and directly abutting the retaining wall enclosing the parking area to the north.

The proposed house is on 2 levels, taking advantage of the sloping site. The entrance level sits mainly on the area of level ground on the south side of the high retaining wall where greenhouses were formerly situated. It extends to some 215m² and includes 2 large bedrooms, a study and the upper level of a lounge/dining area. The lower level extends to some 195m² and contains the main living area including a large lounge/dining area, a kitchen and 2 further bedrooms.

Level areas of garden ground are proposed in the form of a roof garden of some 35m² to the east of the house and a garden area of some 130m² to the south of the house. The remainder of the garden comprises steeply sloping ground.

It is proposed to provide pedestrian access to the house through an existing gap in the stone boundary wall at Whinny Brae. Vehicular access is proposed using the existing gateway on Camphill Road and 3 parking spaces are allocated for the proposed house (6 further spaces are allocated for the 3 proposed apartments to be achieved through the conversion of "Craig Gowan").

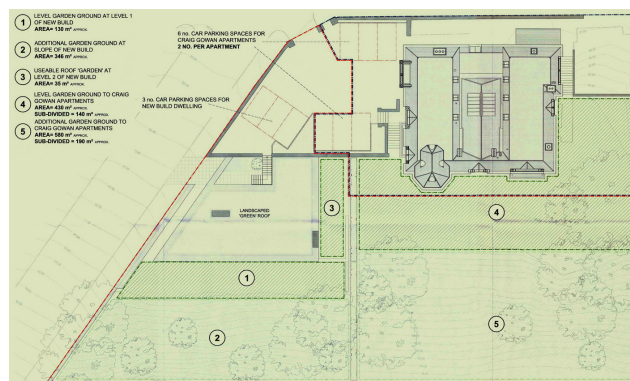
The design of the proposed house is contemporary with extensive glazing on the south elevation, walls of white render and flat roofs covered in grass.

Extensive works are proposed to the garden area to excavate ground to form the lower level of the house and the level area of garden to the south of the house. This will impact on the existing trees on the site which have been protected by a provisional Tree Preservation Order.

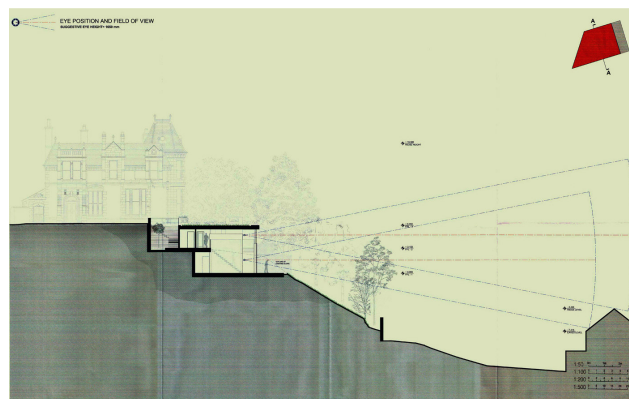
The applicants have submitted a Tree Report and survey. This notes that of the 34 trees on the site there are 5



significant trees which should be retained and protected. It states that the other trees in the woodland area do not make a significant individual contribution, and suggests that they be felled, partly because some are dead



(the site has been badly affected by Dutch Elm disease) or have a limited life span and partly to make room for replanting. The replanting proposals submitted make provision for 16 new trees on the site (heavy standards and



semi mature) as well as extensive shrub and hedge planting, the latter intended principally to screen the development from houses at Rowanbank Gardens.

The applicants have submitted a Planning Statement in support of their proposals. In it they describe the proposed development and refer to extensive consultations with the Planning and Transportation Department, pointing out modifications to their previous proposals in order to comply with the Development Plan. The state that the proposed house is of the highest quality in terms of its design and finishing materials and will be sited in a very discreet location, submerged into the ground so that its roofline will be lower than the existing stone retaining wall. They conclude that there will be no adverse impact on the setting of the listed building.

They suggest that the development complies with Local Plan policy and that issues of landscaping have been appropriately addressed with extensive new planting of semi mature trees proposed.

SITE DESCRIPTION

The site comprises an area of garden ground some 2,875m² in extent, and forms most of the existing garden ground of "Craig Gowan", a substantial two storey and basement stone built villa on the south side of Camphill Road just east of its junction with Whinny Brae. "Craig Gowan" is a Category B listed building dating from 1878.

The site includes the western part of the existing parking area to the west of the house, a level area of lawn extending some 11 metres to the south of the house and then a steeply sloping wooded bank adjoining the rear gardens of modern houses at Rowanbank Gardens. There are a large number of trees on the site, principally in the sloping ground to the south. Lean to greenhouses extending to some 135m² once sat immediately to the south of the retaining wall where it is now proposed to erect a house.

The boundary to Whinny Brae to the west is formed by a stone wall in a poor state of repair and there is an existing gap in this wall. Whinny Brae is very steep and is closed to vehicular traffic by bollards. On the opposite side of Whinny Brae is a substantial listed villa known as "Woodknowe".

The site is surrounded on all sides by housing and the application site along with more traditional housing to the east lies within the Reres Hill Conservation Area. Immediately to the west of the site is the Forthill Conservation 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

Policy 55 Urban Design promotes good design and seeks to ensure that development respects the setting of listed buildings.

Policy 60 Alterations to Listed Buildings requires such alterations to have regard to the preservation or enhancement of the listed building.

Scottish Planning Policies, Planning Advice Notes and Circulars

NPPG 18 Planning and the Historic Environment sets out the framework for dealing with planning applications affecting listed buildings and conservation areas.

Non Statutory Statements of Council Policy

The Council approved non statutory policies entitled "Breaches in Boundary Walls" in December 2000.

SUSTAINABILITY ISSUES

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

SITE HISTORY

Planning permission to build a new house on this site was refused on 2 occasions and appeals were dismissed in 1993 and 1997. The reasons for refusal included concerns over inadequate parking provision and using Whinny Brae as an access to the site. In the course of the appeals Historic Scotland suggested that it might be possible to accommodate a dwelling on the site with a size and scale similar

to the lean to glass house formerly on the site.

Applications for planning permission and listed building consent to convert "Craig Gowan" into 3 flats were approved in December 2007 - applications ref nos 07/00640/COU and 07/00666/LBC refers.

More recently applications for planning permission and listed building consent to erect a much larger house on this site with 3 levels and direct vehicular access from Whinny Brae were withdrawn by the applicants in March 2008 - applications ref nos 07/01063/FUL and 07/01072/LBC refers.

There is an accompanying application for planning permission for this development, the Report on which appears elsewhere on this Agenda - application ref no 08/00294/FUL refers.

PUBLIC PARTICIPATION

The proposal was advertised as a listed building application and as affecting the conservation area.

No public response was received within the statutory time periods.

CONSULTATIONS

Broughty Ferry Community Council objected to the proposed development stating that it is too large and sits in front of "Craig Gowan" and will therefore detract from its setting, that its design is unattractive and does not complement the listed building or the conservation area, that a house of this size should be provided with a garage, that its footprint exceeds one and a half times that of "Craig Gowan", that prevailing densities will not be respected, that the existing opening in the wall at Whinny Brae should be infilled in stone and that too many protected trees will be affected.

Historic Scotland was consulted informally on this development prior to the submission of the application and has commented positively on the reduction in the size of the house (compared with the previous proposals).

OBSERVATIONS

In accordance with the provisions of Section 14 of the Planning (Listed Buildings and Conservation Areas)

(Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

In this case the primary issues for consideration are the proposals to rebuild the boundary wall at Whinny Brae and the impact of the proposed new house on "Craig Gowan".

It is considered that the rebuilding of the stone boundary wall at Whinny Brae will significantly enhance the appearance of the listed building. This wall has not been well maintained and is in a generally dilapidated condition. Unattractive brick repairs have been carried out over the years and the existing opening is makeshift. The applicants have indicated that they will rebuild the wall to its former height in natural stone.

It is considered that the design of the proposed dwelling is of a high standard. Although it is a large building, using the slope of the site ensures that its visual impact is reduced. The Council encourages good modern design and it is considered that the design and choice of finishing materials are appropriate for this location. It is further considered that the erection of the proposed house will not detrimentally affect the listed building or its setting.

There previously were buildings (glass houses/conservatory) attached to the retaining wall. Although they were much smaller than the current proposal, they were not as discreet (due to the new house being excavated into existing ground levels and the formation of grass roofs on the house). The setting back of the house just over 1 metre from the rebuilt boundary wall at Whinny Brae will also reduce its prominence although it is accepted that the new house will be visible from Whinny Brae, both through the 3.25 metre gap in the wall and because at its highest point part of the west elevation will sit some 2 metres above the wall. It is considered that in these circumstances there will not be a significant impact on views of the principal elevation of the house from Whinny Brae, and that any negative impact will be more than compensated for by the rebuilding of the stone boundary wall.

It is concluded that the development will have a positive impact with the

rebuilding of the boundary wall at Whinny Brae and that there will not be an adverse impact on the setting of the listed building because of the discreet siting and high quality design of the proposed house.

Other Material Considerations

(A) The Adopted Dundee Local Plan Review 2005 - Policy 55 Urban Design seeks to ensure that development respects the setting of listed buildings and Policy 60 requires alterations to a listed building to have regard to the preservation or enhancement of its architectural or historic character.

These matters have already been considered in the assessment of the proposed development against Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and it was considered that the proposal would have a positive impact with the rebuilding of the boundary wall at Whinny Brae and would not detract from the setting of the listed building.

B) The Concerns of Objectors and Consultees - the objections from the Community Council relevant to the determination of this listed building application are that the proposed house is too large and sits in front of "Craig Gowan" and will therefore detract from its setting, that its design is unattractive and does not complement the listed building or the conservation area and that the existing opening in the wall at Whinny Brae should be infilled in stone (the other concerns relate to planning issues which have been fully considered in the accompanying application for planning permission for this development, the Report on which appears elsewhere on this Agenda - application ref no 08/00294/FUL refers).

All the above concerns have been considered in the assessment of the proposed development against Section 14 of the Act and it has been concluded that the house well designed, that its size and siting are acceptable and sufficiently discreet to avoid any adverse impact on the setting of the listed building and that the rebuilding of the boundary wall at Whinny Brae will significantly enhance the appearance of the listed building.

Historic Scotland will have the opportunity to formally consider the

proposed development if and when the application is referred to them.

(C) The Applicants Statement in Support of their Proposals - the points raised in the applicants Planning Statement have been taken into account in the assessment of the development against Section 14 of the Act and are broadly supported.

It is concluded from the foregoing that the proposed development accords with the requirements of Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Design

The design of the proposed house is contemporary with extensive glazing on the south elevation, walls of white render and flat roofs covered in grass. The Council encourages good modern design and it is considered that the design and choice of finishing materials are entirely appropriate for this location. In addition it is considered that the rebuilding of the boundary wall at Whinny Brae and the discreet siting and high quality design of the proposed house will enhance the listed building and its setting.

CONCLUSION

It is concluded that the development will have a positive impact on the listed building with the rebuilding of the boundary wall at Whinny Brae and that there will not be an adverse impact on the setting of the listed building because of the discreet siting and high quality design of the proposed house.

RECOMMENDATION

Recommendation 1

This consent shall not be issued unless and until Historic Scotland has formally decided that the application will not be called in for determination by the Scottish Government.

Recommendation 2

It is recommended that consent be GRANTED subject to the following conditions:

- 1 The works must be begun not later than the expiration of 5 years beginning with the date of this consent.

- 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 Exact details of the rebuilding of the stone wall along Whinny Brae including drawings and a method statement, a sample panel of the wall and a timescale for the carrying out of the works shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 2 In order to safeguard the setting of the statutorily listed building.
- 3 In order to ensure that the character and appearance of the building as a building of architectural and/or historic interest is retained.