

KEY INFORMATION

Ward North East

Proposal

Erection of 30 residential units, including 5 non mainstream flats with one associated carer's residence

Address

Land North of Kirkconnel Terrace/South of Summerfield Avenue
Dundee

Applicant

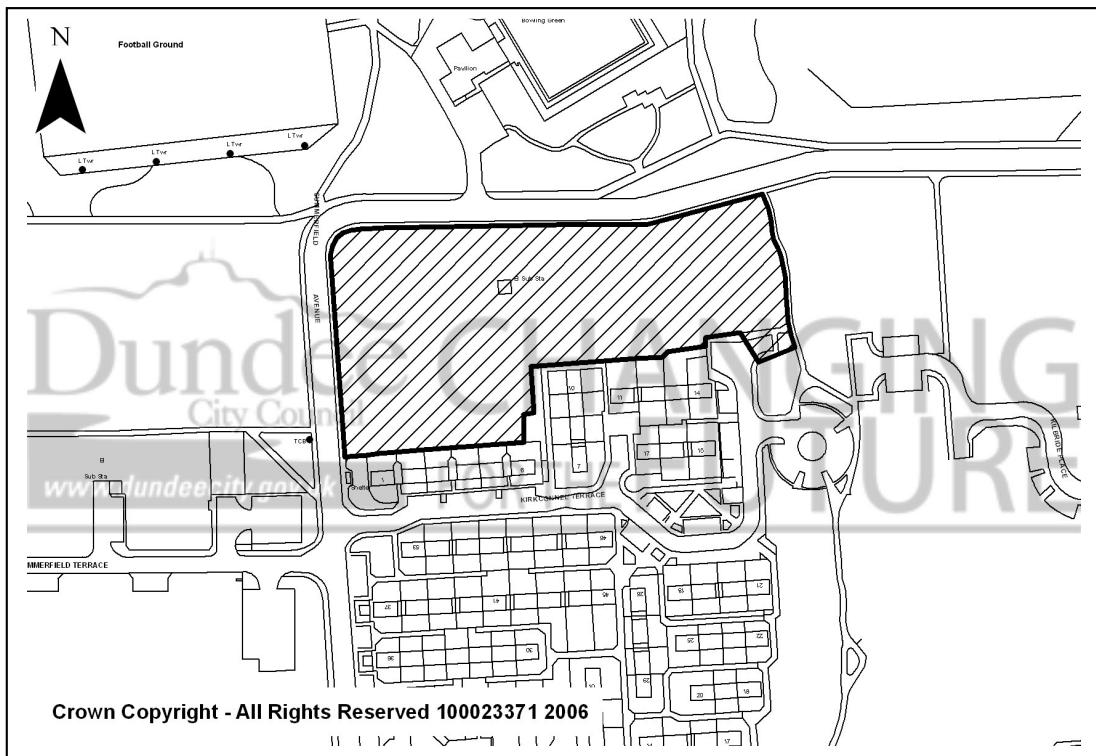
Home in Scotland
27 Albert Square
Dundee
DD1 1DJ

Agent

Home Architects
2 Gosforth Park Way
Gosforth Business Park
Newcastle-Upon-Tyne
NE12 8ET

Registered 6 Mar 2009

Case Officer Paul Macari



Housing Development Proposed at Summerfield Avenue

The erection of thirty residential units is **RECOMMENDED FOR APPROVAL** subject to conditions.
Report by Director of Planning and Transportation

RECOMMENDATION

It is concluded from the foregoing that the proposal complies with the provisions of Policy 10 and Policy 55 but contravenes Policy 4 of the Dundee Local Plan Review 2005. However, as detailed above there are significant material considerations that justify support of the proposals contrary to the provisions of the Development Plan. It is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- This application seeks full planning permission for the erection of 23 houses, 2 flats, 5 non-mainstream flats and an associated Carer's residence at Summerfield Avenue, Dundee.
- Policy 4 (Design of New Housing), Policy 10 (Non-Mainstream Housing) and Policy 55 (Urban Design) of the Dundee Local Plan Review 2005 are relevant to the outcome of this planning application.
- No letters of objection have been received.
- No adverse comments from Consultees have been received.
- The proposals comply with Policy 10 and Policy 55 of the Dundee Local Plan Review 2005.
- There are material considerations that merit support of the proposals contrary to the requirements of the Development Plan.

DESCRIPTION OF PROPOSAL

This application seeks full planning permission for the erection of 23 houses, 2 flats, 5 non-mainstream flats and an associated Carer's residence at Summerfield Avenue, Dundee. The site was formerly occupied by Local Authority housing and has since been cleared and landscaped. The site is now zoned in the Dundee Local Plan Review 2005 as Brownfield Housing Development site H54.

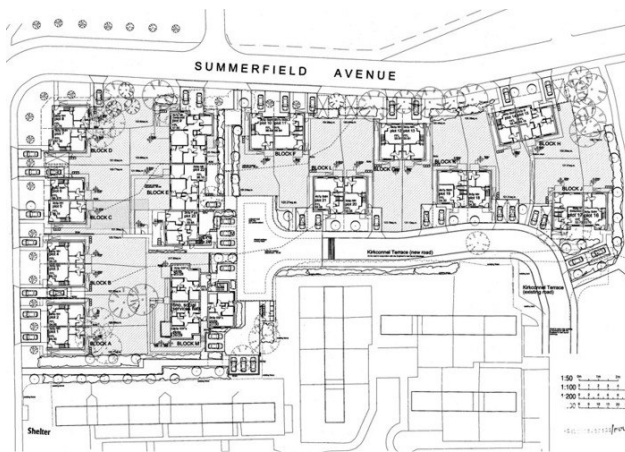
The application site shall be accessed from Summerfield Avenue via Kirkconnel Terrace. The proposed access road shall provide a turning head suitable for HGV's. The proposed access road shall be bound by public footpaths on either side. Given the location of the application site in relation to Summerfield Avenue and Kirkconnel Terrace, the houses shall be arranged to front both Summerfield Avenue and the proposed access road.

The proposed houses will take the form of single storey terraced, 2 storey terraced and 2 storey semi-detached dwellings of contemporary pitched roof design. The 5 non-mainstream flats and Carers residence will be situated together in a 2 storey building. This facility will be used for non-mainstream residential purposes with the Carers residence providing 24 hour accommodation for support staff.

Each of the 23 houses and 2 flats will be served by 2 in curtilage car parking spaces with 11 of the units having provision for a garage. The houses shall be served by both front and rear garden grounds. The private rear gardens of the proposed houses will range in size from 120m² to 130m². The 2 flats will be served by 60m² of garden ground. The non-mainstream flatted facility will provide 7 in curtilage parking spaces as well as 217m² of private garden ground.

Although the applicants have specified that the buildings shall be finished in concrete roof tiles, facing brick and render elevations with timber framed windows and doors, this matter will be determined by the Council by way of planning condition.

Existing pedestrian access through and around the application site will be maintained.



SITE DESCRIPTION

The application site is situated on the north western corner of Summerfield Avenue. The site was formerly occupied by Kilkerran Terrace which was a Local Authority housing development between Summerfield Avenue and Kirkconnel Terrace.



The application site is grassed with trees recently planted around the perimeter. The site bound by Summerfield Avenue to the north and west. An area of open space bounds the site to the east while the rear gardens of properties on Kirkconnel Terrace bounds the site to the south.

The site slopes from north to south.

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 3A: Housing Proposals - sites identified in Appendix 2 and 3 are reserved for housing and should not be developed for other uses. The Council will ensure the maintenance of a 5 year effective land supply at all times, to be monitored through the annual Housing Land Audit Process.

Policy 4: Design of New Housing - the design and layout of all new housing in the city should be of a high quality. New development will be required to conform to the Design Standards contained in Appendix 1 of the Local Plan and should also have regard to the principles of the City Council's Urban Design Guide.

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.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

SPP3 - Planning for Housing - this sets out The Scottish Government's policy on the identification of housing requirements, the provision of land for housing and the delivery of homes through the planning system. The criteria of SPP3 is incorporated into the Criteria of the Dundee Local Plan Review 2005 and the Dundee and Angus Structure Plan 2001- 2016.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

The Whitfield Design Framework - the application site is zoned for housing in the Whitfield Design Framework.

SUSTAINABILITY ISSUES

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

SITE HISTORY

There is no planning history of relevance to the outcome of this application.

PUBLIC PARTICIPATION

The applicant has followed the statutory neighbour notification procedure. This application was also advertised in the Dundee Evening Telegraph as being contrary to the provisions of Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005.

No letters of objection or representation have been received.

CONSULTATIONS

No adverse comments have been received 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.

In terms of Policy 4, the overall aim is to promote high quality new housing. The means of achieving high quality housing are set out in Appendix 1 of the Dundee Local Plan Review 2005. Therefore the main criteria to consider are the design of the buildings, the provision of car parking, garden space and privacy, and the residential amenity of both new and the existing dwellings around the site.



Houses

The proposed houses would be a mixture of single storey and 2 storeys in height. The houses would be of a simple architectural form and style that would complement the existing housing in the area. External finishing materials of render, facing brick and concrete roof tiles would also be in keeping with the character of the area.

The layout of the proposed development is such that the houses provide a frontage onto both Summerfield Avenue and Kirkconnel Terrace. A distance of at least 18

metres is achieved between facing windows of new and existing houses, which complies with the provisions of Appendix 1 in terms of privacy. This layout respects the pattern of development in the surrounding area in terms of a cul-de-sac style development. However, of particular value is the creation of a streetscape where houses fronting both Summerfield Avenue and Kirkconnel Terrace will have a front garden with pedestrian access and vehicle access with rear garden grounds remaining private. Some of the houses will benefit from additional parking areas to the rear where such properties are bound by both Summerfield Avenue and Kirkconnel Terrace. Given the distance between the proposed houses and the existing houses in the area, it is considered that the proposed development would not be detrimental to the residential amenity of existing properties by way of overshadowing.

The Design Standards contained within Appendix 1 require that at least 75% of houses should have 3 or more bedrooms or a minimum gross internal floor area of some 100m². Exactly 75% of the 23 houses proposed have 3 or more bedrooms. Accordingly it is considered that the proposed housing units are not contrary to Policy 4 in terms of house type.

Each of the proposed houses will benefit from 2 in curtilage parking space. Of the 23 houses proposed, 11 houses would have sufficient space to allow the erection of a garage at some point in the future. It therefore follows that the proposed development complies with the car parking requirements of Policy 4.

In terms of garden ground and amenity space, all houses would have a minimum of 120m² private useable garden space.

The proposed development would improve the tenure choice of housing in the area. The proposed development by virtue of layout, design, house-type and parking requirements is considered to meet the criteria of Appendix 1 and therefore comply with the provisions of Policy 4 of the Dundee Local Plan Review 2005.

Flats

The 2 mainstream flats proposed (located in Block E) will have 2 bedrooms, a bathroom, dining kitchen and lounge. The flats will benefit from 3 car parking spaces and separate garden grounds measuring 28m² each. The 2 flats are contrary to the requirements of Appendix 1 of Policy 4. This is because flats are only permitted in suburban locations where the proposals involve the conversion of a building of merit where conversion to houses is not suitable. The proposals do not involve the conversion of a building of merit. However, there are material considerations that justify support of the proposals contrary to the requirements of Policy 4.

Although the proposed non-mainstream flats and carer's residence are for supported accommodation, this building has been designed to provide 6 flatted units that would comply with the requirements of Appendix 1 should their use require to change. Each of the 5 flats and carer's residence will provide sufficient space for 2 bedrooms as well as secure indoor storage facilities for bicycles. The 5 flats and carer's residence are served by 7 parking spaces and 217m² of garden ground. Sufficient space exists within the curtilage of the proposed building to create additional car parking facilities if necessary.

As the proposals as submitted are for the erection of 5 non-mainstream flats and a carer's residence, the proposals are not considered to be mainstream residential but rather non-mainstream residential units. As such Policy 10 (Non-mainstream Residential Uses) of the Dundee Local Plan Review 2005 is relevant to the outcome of this planning application.

Non-mainstream housing can have specific requirements. As well as perhaps the need for proximity to a range of services and facilities' such developments may require housing of a specific form. Because of these particular requirements the Council recognises that it is often neither possible nor appropriate that non-mainstream housing developments satisfy the Local Plan's housing design standards in respect of the mix between flats and houses, numbers of bedrooms and parking provision. Notwithstanding this, it remains important that appropriate levels of parking and

amenity space are provided. From the assessment of the proposed non-mainstream flats against the criteria of Appendix 1, the proposals are considered to meet the policy requirements of a mainstream flatted development. In terms of Policy 10, the flats and support office by virtue of design, layout, location, scale and massing are considered to add to the high quality residential environment that will be created through the proposed development. There are a range of local services within close proximity of the application site as well as public transport links to the city centre and other parts of Dundee. There are no other non-mainstream residential facilities nearby with the predominant land use in the surrounding area being mainstream residential. The non-mainstream flats will benefit from 217m² of usable private amenity space and the site shall be located adjacent to a large area of public open space on the western side of Summerfield Avenue. The proposed facility will also benefit from generous car parking facilities to accommodate residents, staff and visitors. The proposals are considered to comply with the requirements of Policy 10 of the Dundee Local Plan Review 2005.

Policy 55 (Urban Design) states that for all new developments the emphasis will be on design quality, and will in its design and layout, be expected to contribute to an environment that is safe and accessible to all. As stated above it is considered that the layout of the proposed development respects the street layout and creates a pleasant and visually striking streetscene through the positioning of buildings fronting on to Summerfield Avenue and Kirkconnel Terrace. The finishing materials although modern will not detract from the appearance of surrounding dwellings.

Although a great mix of house types is proposed, the different house types will provide accommodation for a variety of householders with the scale and design of the buildings providing features of architectural merit in the new streets being created.

It is therefore considered that the proposal complies with Policy 55 of the Dundee Local Plan Review 2005.

A design and access statement has been submitted as part of the current application. The statement

demonstrates how the proposed development will blend with the existing residential identity of Kirkconnel Terrace.

It is concluded from the foregoing that the proposal complies with the provisions of Policy 10 and Policy 55 but contravenes Policy 4 of the Dundee Local Plan Review 2005. However, as detailed above there are significant material considerations that justify support of the proposals contrary to the provisions of the Development Plan.

Other Material Considerations

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

a Design and Access Statement

A design and access statement has been submitted as part of the current application. The statement demonstrates how the proposed development will blend with the existing residential identity of Kirkconnel Terrace.

b Material considerations that justify support of the proposals contrary to the requirements of Policy 4

Although the house types proposed falls foul of the requirements of Appendix 1 of Policy 4 of the Dundee Local Plan Review 2005 due to the provision of flats in a suburban location, there are substantial benefits that arise from mixed house type developments. Firstly the mixture in house type ranging from 3 bedroom houses to 2 bedroom supported living flats provides a basis for inclusive communities. This is further demonstrated through the maintenance of pedestrian access through the site which links the proposed development to the existing Local Authority housing on Kirkconnel Terrace. The range in house types not only provides a basis for a mixed community but also provides an innovative and sustainable street pattern on both Summerfield Avenue and Kirkconnel Terrace.

One of the reasons the Local Authority housing that formerly occupied the application site was demolished was that the repetitive house types were unsuitable for modern families. As the buildings were unoccupied they

became surplus to requirements. The proposed housing mix seeks to address this issue by providing a range of sustainable accommodation that meets the needs of modern families. This is demonstrated by the inclusion of 2 mainstream flats within a suburban location.

It is concluded from the foregoing that sufficient weight can be accorded to the material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted subject to conditions.

Design

It is considered that the overall layout, and the scale, form, appearance and finishing materials of the housing, together would create a residential development of a satisfactory standard.

CONCLUSION

It is concluded from the foregoing that the proposal complies with the provisions of Policy 10 and Policy 55 but contravenes Policy 4 of the Dundee Local Plan Review 2005. However, as detailed above there are significant material considerations that justify support of the proposals contrary to the provisions of the Development Plan. It is therefore recommended that planning permission is granted subject to 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 BEFORE WORK STARTS ON SITE, samples of the proposed finishing materials shall be submitted to this Planning Authority for written approval and thereafter shall be applied in accordance with approved details. For the avoidance of doubt, the samples submitted should include roughcast, timber cladding, roof tile, rainwater goods and stained timber.
- 3 Full details of landscaping, including tree removal, measures

to protect trees to be retained on the site and proposed new planting 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.

- 4 The proposed non-mainstream/supported living flats and carer's residence shall not be used for any purpose other than a purpose within Class 8 - Residential Institutions of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended or re-enacted.
- 5 Before any unit is occupied the contaminated land remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to this Planning Authority for written approval.
- 6 BEFORE WORK STARTS ON SITE, details of a new footway ex adverso the site on Summerfield Avenue and between Summerfield Avenue and Kirkconnel Terrace shall be submitted to this Planning Authority for written approval and thereafter provided in accordance with the approved details. For the avoidance of doubt the proposed footway should be constructed to an adoptable standard and this should be reflected on the details submitted.
- 7 BEFORE WORK STARTS ON SITE, details of a recycling and refuse storage facility to serve the proposed 5 non-mainstream flats and office located in the south eastern corner of the application site shall be submitted to this Planning Authority for written approval.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interest of safeguarding visual amenity of the existing streetscape.

- 3 In the interest of safeguarding environmental quality.
- 4 In the interest of maintaining control over the use of the non-mainstream flats and carers residence.
- 5 In the interests of identifying and treating contamination to provide land that is suitable for residential occupation.
- 6 In the interests of pedestrian and road safety.
- 7 In the interests of providing a secure recycling and refuse storage facility and in the interests of safeguarding environmental quality.