

KEY INFORMATION

Ward East End

Proposal

Erection of 3 single storey houses with private road access

Address

Land to rear of 90-96 Balunie Avenue
Dundee

Applicant

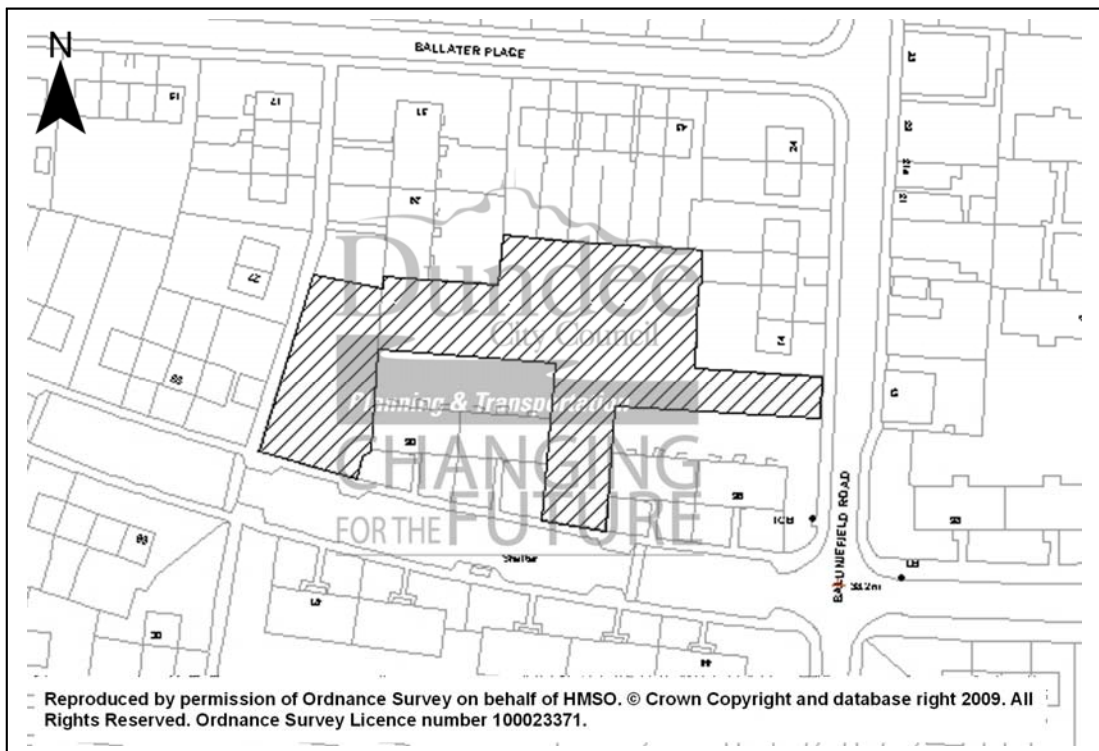
Dundee City Council
Housing Department
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Agent

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Registered 22 Dec 2009

Case Officer Eve Jones



Proposed New Council Housing in Balunie Avenue

The erection of 3 single storey houses with private road access is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The proposal complies with the provisions of the Dundee Local Plan Review 2005. The objection is not supported and the benefits of the new adapted housing to the new tenants and the provision of some additional parking spaces both support the application. The application is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of 3 detached single storey houses with a private access drive on land off Balunie Avenue. The houses will be 2 bedroom, wheelchair adapted houses with off street parking with car ports. Private garden ground of at least 135m² will be enclosed by 1.8 metre high fences. 3 additional off street parking spaces will also be provided.
- The site is an area of open space between existing blocks of flats and houses on Balunie Avenue. Ballater Place and Baluniefield Road. The site is flat open grass with a belt of conifer trees along the northern boundary.
- Dundee Local Plan 2005 Policy 4: Design of New Housing applies and the proposal complies with the policy.
- One objection was received on grounds of overshadowing and increased noise. The houses are single storey and lie to the west of the objector's house. There will be very little overshadowing of the objector's property. There are no doors facing the objector and the drive and car port is on the opposite side of the house. There is unlikely to be any significant noise affecting neighbours. It is concluded that the objection is not supported.
- Justification has been submitted which advises that to date, 64 households on the Housing waiting list require fully adapted wheelchair housing as their existing homes are totally unsuited to their needs.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of 3 detached single storey houses with a private access drive on land off Balunie Avenue in Dundee. The houses will be 2 bedroom, wheelchair adapted houses with off street parking with car ports. Two of the units have an additional parking space. All will have private garden ground of at least 135m² and the gardens will be enclosed by 1.8 metre high fences. The private access road will access Balunie Avenue and there will be 3 visitor parking spaces to serve the 3 houses and an additional 3 spaces to compensate for the loss of on street parking for local residents on Balunie Avenue. Two areas of open space will remain to the east and the south of the site and these will be landscaped.

The development originally included a pedestrian link to the east towards the shops on Baluniefield Avenue. This has now been deleted from the plans following a meeting with local residents.

SITE DESCRIPTION

The site is an area of open space between existing blocks of flats and houses. It is bounded on the west by a public footpath between Balunie Avenue and Ballater Place, to the north by flats and houses on Ballater Place, to the east by houses on Baluniefield Road and to the south by flats on Balunie Avenue. The site abuts Balunie Avenue at two points and the access will be formed between the two blocks of flats. To the east, a narrow strip of the site projects to meet Baluniefield Road.

The site is flat open grass with a belt of conifer trees along the northern boundary. There is a telegraph pole on 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 4: Design Of New Housing - this policy sets out requirements for the design and layout of all new housing, which should be of a high quality. As a basis for achieving this, new development at this location will be required to conform to the Design Standards for suburban areas contained in Appendix 1 of the Plan.



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 issues arise from this application:

Built Environment - the development will enhance the local environment through on-going regeneration.

SITE HISTORY

There is no site history.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from an adjoining resident on grounds of overshadowing and increased noise.

Members will already have had access to this objection and the points raised are considered in the "Observations" Section of this Report below.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has considered the preliminary risk assessment for the site and recommends that a condition be attached to cover contamination risk should Members be minded to approve the application.

OBSERVATIONS

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.

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 4 and Appendix 1 of the Dundee Local Plan Review 2005 identify the criteria against which planning applications for new housing development should be assessed.

The site does not have a Planning Brief and its location is within the Suburban Area of the City in respect of Policy 4.

The development meets the criteria for house type, garden ground provision and parking and possible future garage provision. Drying areas and bin stores

are provided in all units and they have solar panels on the roof.

With regard to privacy, the distances from surrounding residential units vary. It is over 20 metres to the houses to the north and the flats to the south. The houses to the east are 13.5 metres away from the east gable of one of the houses which only contains the window to an en-suite which is likely to be obscure glass. There is no privacy issue in this case. The west most house is only 10.2 metres from the adjacent house on the west side of the footpath but it must be noted that the proposed house is single storey and the boundary at this point will be a 1.8 metre fence which will ensure privacy between the facing windows on the ground floor of the houses.

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

As noted above, one objection was received from an adjoining resident on grounds of overshadowing and increased noise. The houses are all single storey and lie 13.5 metres to the west of the objector's house. It is considered that there will be very little overshadowing of the objector's property and that will be restricted to part of the garden in the winter. This element of the objection is not supported.

The objection is also on the grounds of increased noise when the objector is in the garden. The proposed house has no doors facing the objector and the drive and car port is on the opposite side of the house. It is considered that the noise from residents in a domestic garden is unlikely to be sufficiently loud to result in loss of residential amenity sufficient to justify refusal of the application. This is a residential area where many gardens adjoin each other.

It is concluded that the objection is not supported.

Following receipt of the objection, a meeting was held with 3 local residents to discuss the proposed development. The objection lodged has been discharged above. At the meeting the

issue of the proposed footpath to Baluniefield Road was discussed and the residents expressed their concerns that it may encourage anti-social behaviour in an area which was not directly overlooked by the adjacent houses. The proposed path has been deleted from the layout and the area will be landscaped and fenced with a gate to allow access for maintenance.

Justification in support of the application has been submitted.

"At this time the Dundee City Council's Housing Department have 64 households on their waiting list, some of whom have been awaiting rehousing in excess of 24 months, who have been assessed as requiring fully adapted wheelchair housing as their existing homes are totally unsuited to their needs. These 3 units will provide much needed specially designed housing to match individual's needs and will allow families and professionals to provide an better combined package of care and support services to enable the individual/family to enjoy an improved quality of life. It is envisaged that occupiers of these 3 units will either be current residents of the Douglas area or its environs, or waiting list applicants who have support networks established within the Douglas area."

The site also includes 3 additional parking spaces to compensate for loss of parking spaces on Balunie Avenue. This will be a small net benefit to the local community.

It is concluded from the foregoing that insufficient weight can be accorded to the objection such as to justify the refusal of planning permission contrary to the provisions of the development plan. The benefit of the new adapted housing to the new tenants and the provision of some additional parking spaces both support the application.

Design

The layout, design and materials result in a small, attractive development of 3 houses which is designed to meet the needs of the residents.

CONCLUSION

The proposal complies with the provisions of the Dundee Local Plan Review 2005. The objection is not supported and the benefits of the new adapted housing to the new tenants and the provision of some additional parking spaces both support the

application. 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 3 years from the date of this permission.
- 2 Details 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 details.
- 3 No development shall commence until a comprehensive landscaping scheme for hard and soft landscaping is submitted for approval and if approved, the works shall be carried out only in accordance with such approved details.
- 4 The landscaping scheme as detailed in condition 03 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.
- 5 No development shall commence until the investigation and risk assessment proposed in the submitted Stage I Desk Study are completed and, if necessary, a remediation strategy to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The strategy shall contain proposals to deal with contamination to include:
 - a the nature, extent and types of contamination on the site;
 - b measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;

- c measures to deal with contamination during construction works; and
 - d verification of the condition of the site on completion of decontamination measures.
- 6 Before any unit is occupied the 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 and approved by the Council.
- 7 No development shall commence until details of the proposed vehicle access on to Balunie Avenue have been agreed and approved in writing by the Council. The access must be formed to Dundee City Council standards and specifications.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure a satisfactory standard of development.
- 3 In the interests of visual amenity and the appearance of the surroundings.
- 4 In the interests of visual amenity and the appearance of the surroundings.
- 5 In the interests of the amenities of the future occupants of the residential accommodation.
- 6 In the interests of the amenities of the future occupants of the residential accommodation.
- 7 In the interests of vehicular and pedestrian safety.