

**KEY INFORMATION**

Ward Lochee

**Proposal**

Housing re-mix to existing development to erect 10 dwellings to North of Tayview Drive, Dundee comprising 5 house types

**Address**

11-24 Tayview Drive  
Liff  
Dundee

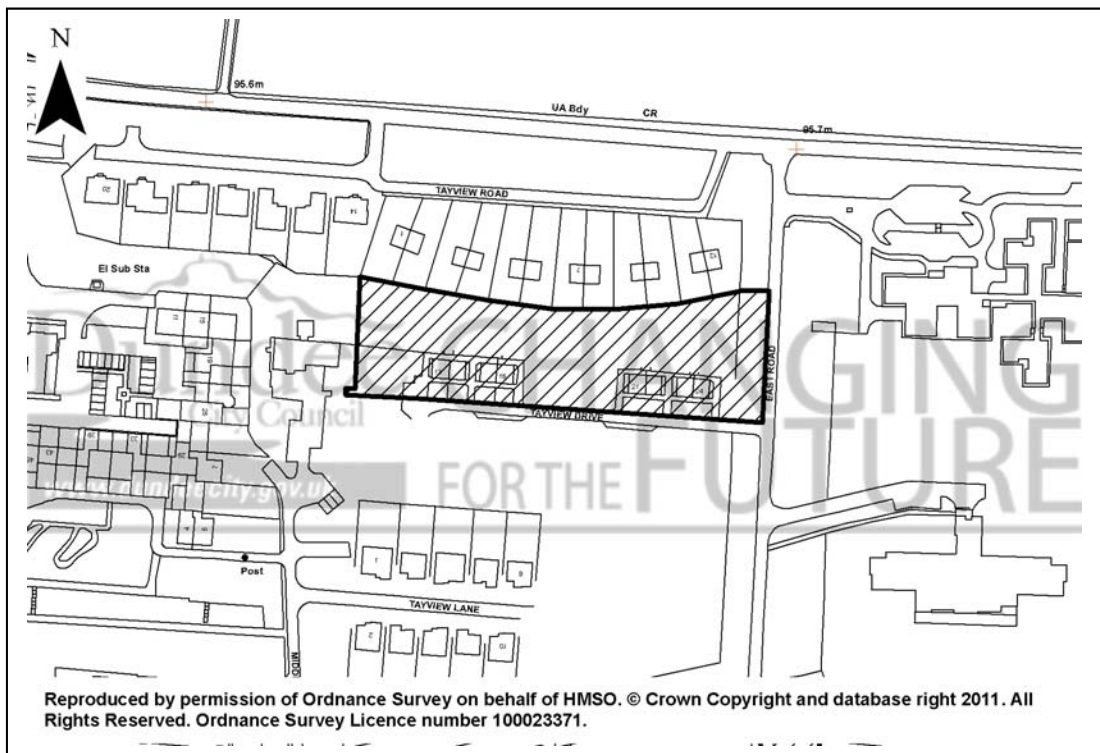
**Applicant**

Cala Homes East Ltd  
Anderson House  
25 Abercrombie Court  
Prospect Road  
Westhills  
Aberdeenshire  
AB32 6FE

**Agent**

Registered 20 June 2011

Case Officer Eve Young



## Amended Housing Layout at Liff Hospital Site

The housing re-mix to the existing development to erect 10 dwellings to North of Tayview Drive, Dundee comprising 5 house types is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

**RECOMMENDATION**

The proposals comply with the relevant policies in the Dundee Local Plan Review 2005 and there are no material considerations which would support a contrary recommendation. The application is recommended for **APPROVAL** subject to conditions and to a Section 75 planning obligation.

**SUMMARY OF REPORT**

- Planning consent is sought for the erection of 10 detached houses on part of an existing new build housing site in the grounds of the former Liff Hospital. Part of the site has planning permission for the erection of 4 new detached houses between the existing 8 semi detached houses. These 8 houses are to be demolished and the site will be developed for a new mix of 10 houses with 5 different house types.
- The smaller units have 4 bedrooms, a study and a single garage whilst the largest have 5 bedrooms, a study and a double garage. All will be finished to match the existing Cala houses in smooth buff render with reconstituted slate roofs and white UPVC windows.
- The site is 0.76 hectares on the north side of the existing road in the centre of the larger former hospital grounds (approx 20 ha). The original listed buildings have been converted to residential use and new houses have been constructed in selected sites within the estate. No trees protected by the Tree Preservation Order are affected by this development.
- Dundee Local Plan Review 2005 - Policy 4: Design of New Housing and Policy 20: Funding of On and Off site Infrastructure Provision apply.
- The application was notified to 36 surrounding neighbours and was also advertised in the local press to notify owners of adjacent land. There were no responses from the public.
- The removal of the older houses and their replacement by a new mix of 10 detached houses in the same style as the remainder of the street will significantly improve the appearance of this part of the development.

## DESCRIPTION OF PROPOSAL

Planning consent is sought for the erection of 10 detached houses on part of an existing new build housing site in the grounds of the former Liff Hospital which has been partly redeveloped for residential use. Currently, part of the site has planning permission for the erection of 4 new detached houses between the existing 8 semi detached houses which formed part of the hospital complex. The 8 semi detached houses are to be demolished and the site will be developed for a new mix of 10 houses ie a net reduction of 2 units.

Five different house types are proposed providing between 156 and 234 square metres of floor space. The smaller units have 4 bedrooms, a study and a single garage whilst the largest have 5 bedrooms, a study and a double garage. All will be finished to match the existing Cala houses in smooth buff render with reconstituted slate roofs and white UPVC windows.

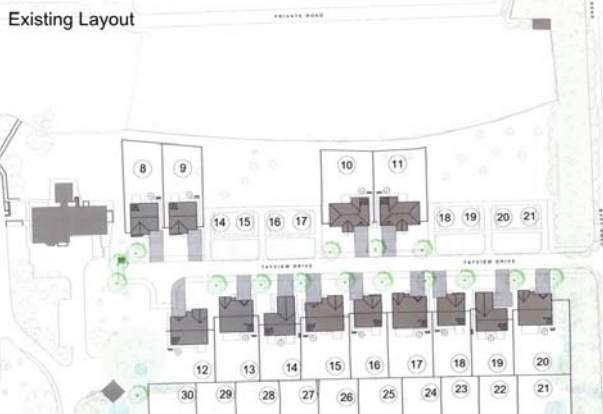
## SITE DESCRIPTION

The site is 0.76 hectares on the north side of the existing road in the centre of the larger former hospital grounds (approximately 20 ha). The grounds slope gently from north to south. The internal road and footpath network is private.

The mature trees form a high quality parkland setting for the buildings and the tree belts, which surround the site, screen it from long distance views. The trees in the grounds are the subject of Tree Preservation Order. The original listed buildings have been converted to residential use and new houses have been constructed in selected sites within the estate.

The Trust Offices which lie to the west of the site have remained in office use but have planning permission and Listed Building consent for residential use. To the north of the application site there is a row of private houses, fronting on to a private road with their rear gardens facing southwards over this site. To the south lie new houses recently constructed by this developer.

No trees protected by the Tree Preservation Order are affected by this development.



## POLICY BACKGROUND

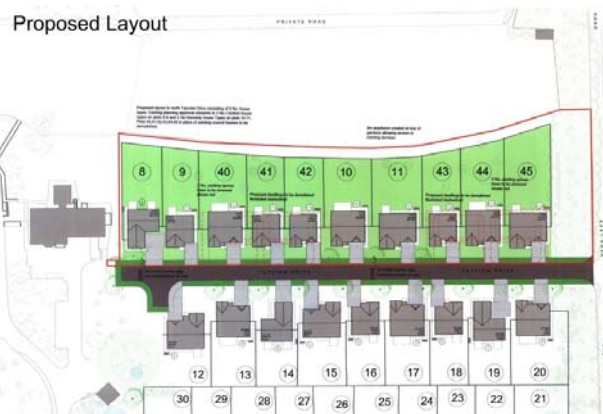
### Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

### Dundee Local Plan Review 2005

The following policies are of relevance:

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.

In addition, new housing development should meet "Secured by Design" standards. New residential streets should be designed to promote low vehicle speeds of 20 m.p.h. or less. New housing should have regard to opportunities to maximise energy efficiency and

promote sustainable waste management."

Policy 20: Funding of On and Off Site Infrastructure Provision - "Within the context of Circular 12/1996 the City Council, where necessary and appropriate, will seek to secure developer contributions towards the cost of infrastructure provision both on and off site."

## 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

04/00622/FUL Planning permission was granted for the redevelopment of the former Royal Dundee Liff Hospital for residential use. There were companion listed building applications for the conversion of each of the Listed Buildings. The conversion of 3 of the listed buildings has been completed.

07/00823/FUL Planning permission for 47 new build plots was granted by the Development Quality Committee on 17 December 2007 subject to a Section 75 legal agreement. This involved the change of house types on two sites within the estate, no additional houses were involved.

09/00438/FUL Planning permission was granted for change of house types on 47 plots plus 7 additional houses, total 54 plots on two sites. This permission was granted to Cala, the current applicant, who have re-commenced construction on the central site.

## **PUBLIC PARTICIPATION**

The application was notified to 36 surrounding neighbours and was also advertised in the local press to notify owners of adjacent land. There were no responses from the public.

## **CONSULTATIONS**

There were no adverse comments 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 4 - Design of New Housing - Appendix 1 to Policy 4 details the standards to be met by new housing developments in the villages of the Western Gateway. The proposed revised house types exceed the minimum requirement in respect of the size of the houses, the parking and garaging provision, protection of privacy and the private usable garden ground.

It is considered that the proposals comply with the guidelines and therefore comply with Policy 4.

Policy 20 - Funding of On and Off Site Infrastructure Provision states that the City Council where necessary and appropriate will seek developer contributions towards infrastructure costs.

In this case, Council will seek, by means of a Planning Obligation, the payment of a specific, index linked sum per dwelling house completed towards education provision. This payment is the subject of a current legal agreement with this applicant on the existing planning permissions for development on these sites and will be the subject of future legal agreements with other housing developers in the Western Gateway.



It is considered that the proposal complies with Policy 20.

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:

### **Planning Obligations**

Members are advised of a recent change in the legislation relevant to legal agreements.

The Planning etc (Scotland) Act 2006 amended the 1997 Act by replacing the existing Section 75 with a revised Section 75 and added new sections which deal with Planning Obligations.

Any planning obligation concluded after February 1st 2011 is subject to the provisions of this revised legislation which provides the

opportunity whereby a person against whom a planning obligation is enforceable may apply to the planning authority to modify or discharge the terms of the agreement and establishes a subsequent right of appeal to the Scottish Ministers where the planning authority refuse the application or fail to determine it within a set time period of 2 months.

There are no material considerations which would justify refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be issued in terms of this report.

## **Design**

As noted above, the design and materials match the existing houses to the south which are currently being developed by this applicant. The removal of the 8 semi-detached houses and their replacement by 6 detached houses in the same style as the remainder of the street will significantly improve the appearance of this part of the development.

## **CONCLUSION**

Within the original hospital estate, there were 8 semi-detached houses which were retained and the new housing developments were to be built around them. This applicant is currently constructing large detached houses on this central site and has proposed the demolition of these older properties and their replacement by fewer new detached properties to match their on-going development. The previous total of 12 properties will be replaced by 10 properties of 5 different designs which will significantly improve the appearance of this part of the development. The proposals comply with the relevant policies in the Dundee Local Plan Review 2005 and there are no material considerations which would support a contrary recommendation.

## **RECOMMENDATION**

### **Recommendation 1**

This planning permission shall not be issued unless and until an obligation, under Section 75 of the Town and Country Planning (Scotland) Act 1997 as amended, between the Council and

all parties with appropriate interests in the land, has been recorded. This agreement will relate to developer contributions towards Education provision.

## **Recommendation 2**

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

- 1 The council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council Planning Authority. The scheme shall include a full timetable for the remediation measures proposed. Verification shall be provided by the applicant or his agent, on completion, that remediation has been undertaken in accordance with, and to the standard specified in the agreed remediation scheme.
- 2 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.
- 3 The landscaping scheme as detailed in Condition 2 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.

## **Reasons**

- 1 In the interests of the amenities of the future occupants of the residential accommodation.
- 2 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 3 To ensure a satisfactory standard of appearance of the development

in the interests of the visual amenities of the area.