

# Erection of Dwellinghouse

## KEY INFORMATION

**Ward** East End

### Address

Land to the East of  
61 Gotterstone Drive  
Dundee  
DD5 1QX

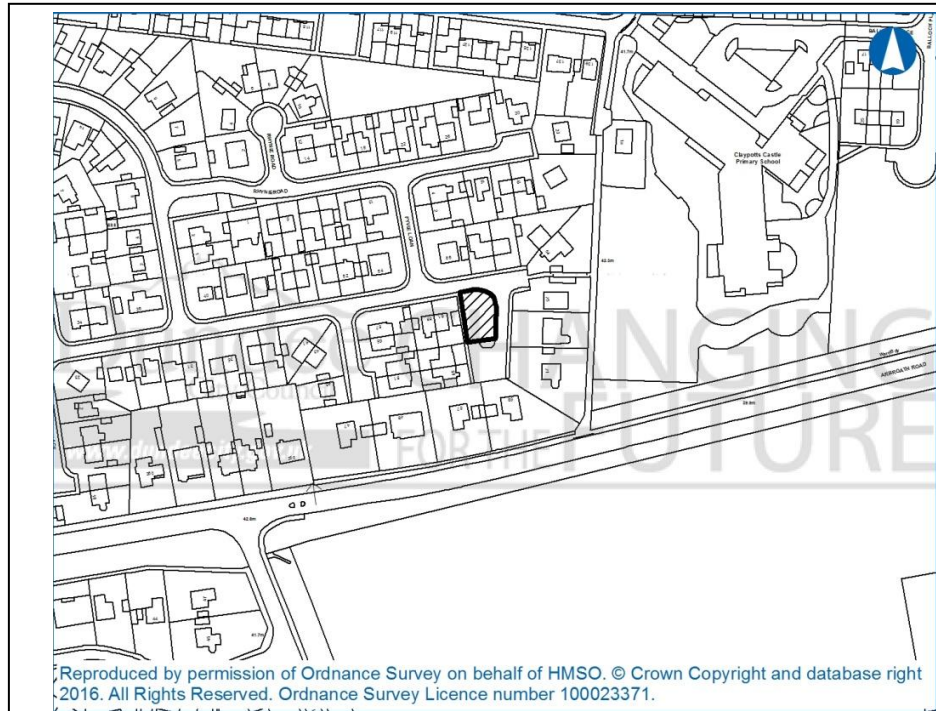
### Applicant

Mr John Brady  
61 Gotterstone Drive  
Dundee  
DD5 1QX

### Agent

**Registered** 1 March 2016

**Case Officer** Craig Swankie



## SUMMARY OF REPORT

- Planning permission in principle is sought for the erection of a detached dwelling. No other details are proposed at this time; therefore it is the principle of a single dwelling house on this site that is being considered as part of this planning application.
- Policy 9 of the Dundee Local Development Plan (2014) is relevant to the determination of the application.
- The statutory neighbour notification procedure was undertaken; 9 letters of objection have been received from neighbouring residents, raising issues with regard to visual amenity, residential amenity and road safety.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee at the request of a local member and as 9 valid written objections have been received within the specified timescale.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=O3CNQJGCLHS00>.

## RECOMMENDATION

The proposal satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission in principle. It is therefore recommended that the application is **APPROVED** subject to conditions.

## 1 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks planning permission in principle for the erection of a dwelling house. Matters relating to the siting, landscaping and design shall be the subject of a further application but the applicant's agent has provided indicative block plans to show what could be achieved on site. The block plans show a detached dwelling positioned to maintain the building line on the south side of Gotterstone Drive with front and rear garden ground, driveway and boundary fence.
- 1.2 In accordance with the Council's scheme of delegation, this application is to be determined by the Development Management Committee. This is because a local member has requested that the application be reported to the Committee and because 9 valid letters of objection have been received and the application is recommended for approval.



Figure 1 – Site Viewed from the North



Figure 2 – Site Viewed from The East

## 2 SITE DESCRIPTION

- 2.1 The application site is located on the south side of Gotterstone Drive. The site is presently a 380m<sup>2</sup> area of grassland containing a lamp post, mail box and waste bin. The site is level and open in nature with a public road bounding the site to the north, east and south. To the west of the site is a public footpath with residential property beyond.
- 2.2 The wider area is residential in character, with a mixture of one and two storey properties on Gotterstone Drive, Fyvie Loan and Rhynie Road. Claypotts Primary School is 110 metres to the east of the site and Arbroath Road is 60 metres to the south.



Figure 3 – Site Viewed from The South

## 3 POLICY BACKGROUND

- 3.1 The following plans and policies are considered to be of direct relevance:

### DUNDEE LOCAL DEVELOPMENT PLAN

Policy 9 – Design of New Housing

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

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## 4 SITE HISTORY

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- 4.1 There is no planning history at this site.

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## 5 PUBLIC PARTICIPATION

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- 5.1 The statutory neighbour notification procedure has been undertaken. Nine letters of objection have been received raising concerns with regard to overlooking, road safety, land ownership and impact on residential amenity.
- 5.2 Members will already have access to the letters of objection and the issues raised are considered in the Observations section below.

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## 6 CONSULTATIONS

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- 6.1 No consultations were received.

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## 7 DETERMINING ISSUES

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- 7.1 **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.

### DUNDEE LOCAL DEVELOPMENT PLAN

- 7.2 **Policy 9: Design of New Housing** – requires the formation of new residential accommodation to ensure that the design and layout would respect and enhance the character of adjoining properties and the surrounding area. It also seeks that there would be no detrimental impact upon parking. Within the terms of Policy 9, all new housing developments are also required to conform to the guidance set out in Appendix 3 of the Adopted Local Plan.
- 7.3 As this is an application for planning permission in principle, full plans have not been submitted. The application is simply to establish the use of the site for residential use; therefore the block plans indicate only a potential layout and there are no details for the design of the house, its external appearance or finishing materials, road access or boundary treatment. However, the proposed site layout demonstrates the site is of a sufficient size to accommodate a dwelling, driveway, and front and rear garden ground.

- 7.4 The site plan demonstrates a dwelling with a floor area of 65m<sup>2</sup> can be located to the centre of the site whilst providing garden ground and driveway.
- 7.5 Appendix 3 stipulates that houses in suburban locations will be required to benefit from no less than three bedrooms or an internal floor area of 100m<sup>2</sup>. A one and a half storey dwelling could provide a floor area of over 100m<sup>2</sup> or 3 bedrooms. A dwelling of one and a half storeys in height would be in keeping with the character of the area and adjacent property 61 Gotterstone Drive, which has a footprint of 50m<sup>2</sup>.
- 7.6 The proposals show a 3.5 metre wide driveway along the west boundary of the site, which can provide in curtilage parking. Whilst the number of parking spaces is not specified as part of this application for permission in principle, there is sufficient space within the site to provide parking for either one vehicle should the proposed dwelling have up to 2 bedrooms or two vehicles should the proposed dwelling contain 3 bedrooms as required by Appendix 3. Any future application will be required to provide a 2 metre wide section of public footpath on Gotterstone Drive. Details of the footpath and access onto Gotterstone Drive would be assessed as part of a further planning application. The addition of the footpath would allow the lamppost, bin and mail box on site to remain.
- 7.7 There is sufficient separation between the site and existing dwellings to ensure no overlooking or privacy concerns. In terms of the distance between facing windows of habitable rooms, the nearest houses are those immediately to the north of the application site. The proposed site layout maintains the building line on Gotterstone Drive, in this position the nearest facing window to a habitable room of a neighbouring property is 24 metres from 56 and 58 Gotterstone Drive.
- 7.8 There is space within the site to provide in excess of 160m<sup>2</sup> of garden ground, with the proposed site plan showing 185m<sup>2</sup> of garden ground. Appendix 3 requires houses in suburban locations to benefit from no less than 120m<sup>2</sup> of private garden ground, only garden ground to the side and rear of the property would be considered private. As part of any future application the applicant would need to provide 120m<sup>2</sup> of private garden ground, there is sufficient space within the site to provide this. Full details of the proposed garden layout and boundary treatment would be assessed as part of a further application.
- 7.9 Such a development would be in accordance with the criteria in Policy 9 and Appendix 3.
- 7.10 **It is concluded from the foregoing that the proposal can meet the requirements of the Development Plan.**

## **OTHER MATERIAL CONSIDERATIONS**

- 7.11 The following considerations will be relevant in relation to any new dwelling on this particular site and will therefore be the subject of conditions to the grant of planning permission in principle:

### **A - HEIGHT**

- 7.12 The surrounding area is comprised of one and two storey dwellings. As the site is immediately east of a single storey property at 61 Gotterstone Drive and the site is relatively open in nature the design and amenity of neighbouring residential occupiers would be maintained if a similar sized property is erected on the site. A single storey property would respect the surrounding area and could provide sufficient floor space with upper level accommodation in the roof and a small dormer window or similar. A condition will therefore be applied to this grant of permission to ensure that the overall height of a new dwelling on site takes account of these requirements.

**B - DESIGN**

- 7.13 The style, finish and materials of a new dwelling are anticipated to be in keeping with the existing nearby dwellings and such details will form part of the submission of an application for matters specified in conditions.

**C – OPEN SPACE**

- 7.14 The site presently provides an area of open space within the cul-de-sac. The applicant has confirmed the land is privately owned and whilst the grassland forms an area which is accessible to local residents at present, the land owner could have historically sought planning permission to erect fencing or any other development at the site. The loss of this green space would not have a detrimental impact on the character of the area and Dawson Park which is located 80 metres to the south of the site provides local residents with a large area of open green space.

**D - IMPACT UPON NEIGHBOURING OCCUPIERS**

- 7.15 Although the proposals would result in the loss of an area of open space, a dwelling of similar design and scale to the surrounding area would be acceptable. Conditions are proposed in relation to the height, design and layout of the proposed development to ensure that the resulting house does not adversely impact on the amenity of neighbouring properties by virtue of overlooking, overshadowing and vehicle movement and parking pressures

**E – VIEWS OF OBJECTORS**

- 7.16 Nine letters of objection have been received from neighbouring residents raising concerns about:
- 1 A dwellinghouse at this site raises overlooking and privacy concerns.
  - 2 The proposals would lead to a noise nuisance.
  - 3 Loss of open space at the site would be detrimental to the cul-de-sac and wider landscape.
  - 4 The proposals raise concerns related to parking provision and road safety.

**RESPONSE**

- 1 As this application is for permission in principle the overlooking impact of a dwellinghouse cannot be considered in detail. However, the proposed siting of a dwellinghouse in the centre of the site provides a minimum of 24 metres separation between the front elevation of the proposed dwelling and neighbouring properties. To further minimise the impact of a dwelling on privacy a condition is recommended restricting the proposed property to one storey with dormers/rooflights.
- 2 Noise generated from construction work is temporary and is controlled by environmental legislation implemented by the Council's Neighbourhood Services Department. The principle of a dwellinghouse on the site is acceptable and would not lead to any noise levels beyond those associated with a residential area.
- 3 It is acknowledged the site presently provides an area of open space within the cul-de-sac. As the site is presently vacant with the exception of a lamp post, mail storage box and bin within the site boundary the green space is not considered to be of

a high value to the cul-de-sac. The site is not designated as Open Space or Green Network in the Dundee Local Development Plan. A condition is recommended requiring a 2m wide footpath/verge to be create around the site. This will allow the mail box, lamppost and bin to be retained. The erection of a dwellinghouse on the site would be in keeping with the residential character of the wider area and could be accommodated on site without adversely impacting on the local landscape.

- 4 Full details of parking provision and site access would be submitted and assessed as part of a future planning application. The site is sufficient in size to provide in curtilage parking and access onto Gotterstone Drive as Dundee City Council Specifications. The proposal therefore does not raise any concerns in terms of road safety or impact on pedestrian safety. The requirement to provide a footpath along the edge of the site, adjacent to Gotterstone Drive will ensure vehicles have sufficient visibility when parking/manoeuvring within the cul-de-sac.
- 7.17 Objectors raised further concerns related to overshadowing and loss of light. These concerns cannot be addressed as part of the present application for planning permission in principle, but as outlined in the main body of this report there is sufficient site area and distance from neighbouring properties to provide a dwelling on the site which does not impact on the privacy of local residents.
- 7.18 Four objectors raise concerns in relation to the ownership of the application site which is presently maintained as open space. Whilst land ownership is not a material planning consideration, the applicant has provided a completed land ownership certificate demonstrating that they own the application site. Confirmation has been received from Registers of Scotland that the Council does not have an ownership interest in the site and this has been verified by the Council's Support Services Division. As the Council does not have an ownership interest in this land the maintenance responsibilities lie with the applicant.
- 7.19 The concerns of objectors are not supported
- 7.20 **It is considered that the above material considerations support approval of a dwelling on site and that the other matters justify the attaching of relevant conditions should the committee be minded to approve the application.**

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## 8 CONCLUSION

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- 8.1 The proposal satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission in principle. Therefore, it is recommended that planning permission be granted subject to conditions.

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## 9 RECOMMENDATION

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- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 Prior to the commencement of any development on site, the approval of the Council shall be obtained in writing for the following details: the siting of the building(s), the design of the building(s), the external appearance of the building(s), the means of access to the building(s), the landscaping of the site and the proposed boundary enclosures.

- 2 The siting and design of the dwellinghouse as required by Condition 1 shall comply with the following minimum standards:
  - a The dwelling shall have a minimum of 3 bedrooms or a gross internal floor area of 100m<sup>2</sup>.
  - b The dwelling shall have at least 2 parking spaces within the curtilage.
  - c The dwelling shall have a minimum of 120m<sup>2</sup> of private usable garden ground.
  - d The dwelling shall be no higher than single storey with accommodation in the roof space.
- 3 Details of the proposed vehicle access must be agreed prior to any works on site and the access must be formed and constructed as a Type A junction to Dundee City Council standards and specifications.
- 4 A 2 metre wide footway or verge must be provided to Dundee City Council specifications ex adverso the site. Details of the footway or verge must be agreed prior to any works on site. Any proposed boundary treatment must be to the rear of the footway or verge as the footway or verge will form part of the public road.
- 5 Any relocation of the street lighting column must be discussed and agreed with Dundee City Council Street Lighting Partnership and the column must be relocated to the agreed location. Costs associated with the relocation shall be met by the developer.
- 6 Any proposed gates must open into the drive and not over the public footway.
- 7 The hard surface within the curtilage should be made of porous materials or provision should be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.
- 8 That notwithstanding the terms of this planning permission in principle, the site layout indicated on Drawing 03 - Block Plan dated February 2016 is not approved.

## REASONS

- 1 In order to ensure the design and layout will provide high standards of residential development and protect the amenities of neighbouring properties.
- 2 In order to ensure the design and layout will provide high standards of residential development and protect the amenities of neighbouring properties.
- 3 In the interests of vehicle and pedestrian safety.
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- 6 In the interests of vehicle and pedestrian safety.
- 7 To ensure that surface water from within the curtilage of the site does not drain to the adjacent adopted road.

- 8 For clarification purposes and for the avoidance of any possible misunderstanding as these matters will be considered through the submission of a further application or applications for matters specified in conditions.