

# Part Demolition and Redevelopment of Anton House

## KEY INFORMATION

**Ward** The Ferry

### Address

Anton House  
5 Forthill Road  
Broughty Ferry

### Applicant

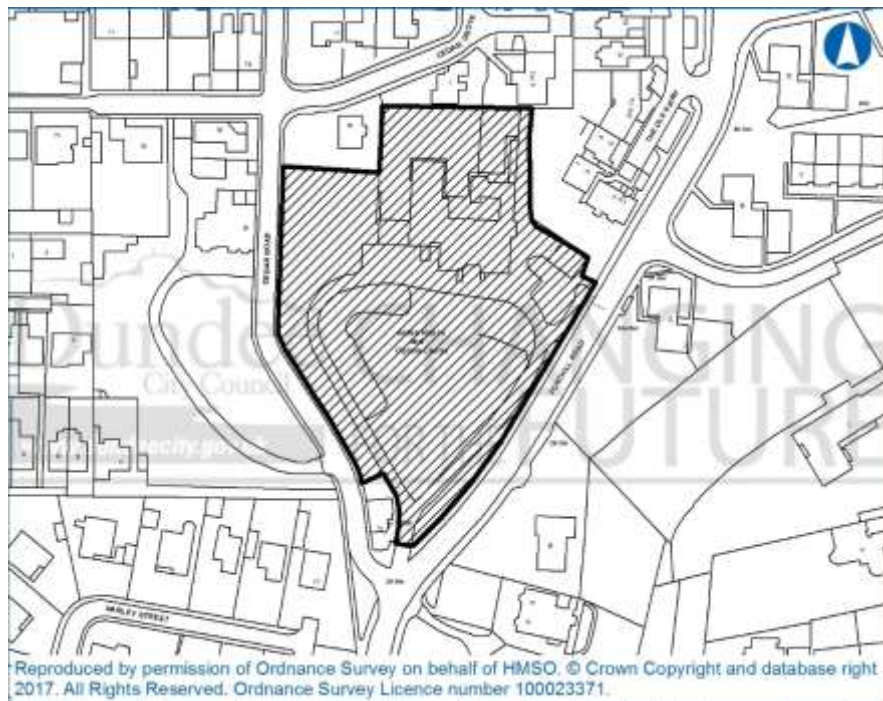
Mr Alan Bell  
Spring Gardens Barn  
17 Kettering Road  
Burton Latimer  
Northants NN15 5LP

### Agent

Philip Campbell  
1 John's Place  
Edinburgh EH6 7EL

**Registered** 28 March 2017

**Case Officer** Claire Myles



## SUMMARY OF REPORT

- Anton House is a 19th century stone villa situated on an elevated site within mature landscaped grounds and stone boundary wall.
- The property has changed use and been extended over the years to the side (west) and rear (north). The property's last use was the Anton Ogilvie Centre, an adult resource service, operated by Capability Scotland. The property is currently vacant.
- The proposal is for the part demolition, change of use and redevelopment of Anton House to form a contemporary residential development consisting of 19 two bedroom flats and 3 three bedroom houses. Associated car parking, landscaping and a new vehicular access are also proposed.
- The proposal site is within the Forthill Conservation Area.
- The application is being referred to the Development Management Committee due to the number of objections received.
- More details can be found at: <http://idoxwam.dundee.gov.uk/idoxpa-web/simpleSearchResults.do?action=firstPage>.

## RECOMMENDATION

The application satisfies the requirements of the Adopted Dundee Local Development Plan 2014. There are no material considerations that would justify the refusal of this application. The application is therefore recommended for APPROVAL subject to conditions.

# 1 DESCRIPTION OF PROPOSAL



Figure 1 – Proposed Site Plan

- 1.1 The proposal is for the part demolition, change of use and redevelopment of Anton House to form a contemporary residential development consisting of 19 two bedroom flats and 3 three bedroom houses.
- 1.2 The proposal involves enlarging the roof of Anton House to create an additional upper storey and the creation of a four storey contemporary extension to the side (west) and rear (north) of the original house to form 19 two bedroom flats.
- 1.3 In addition to the redevelopment of Anton House, 3 contemporary designed three bedroom houses are proposed in the garden grounds to the rear (north) with associated in curtilage parking and garden ground.
- 1.4 The proposal includes the creation of a total of 35 associated car parking spaces, a new vehicular access and landscaping.

- 1.5 There is a related planning application reference 17/00159/CON for the demolition of the later extensions to Anton House on the side (west) and rear (north) and a garage located in the grounds to the east.

---

## 2 SITE DESCRIPTION

---

- 2.1 Anton House is a 19th century stone villa situated on an elevated site within mature landscaped grounds and stone boundary wall.
- 2.2 Formerly a private dwelling house, the property has changed its use and been extended over the years to the side (west) and rear (north). The property's last use was the Anton Ogilvie Centre, an adult resource service, operated by Capability Scotland. The property is currently vacant.
- 2.3 Anton House is situated within a prominent site to the north of the junction of Cedar Road and Forthill Road. The site falls north to south, with a difference in level of approximately 10 metres across the site.



Figure 2 – Anton House – Front Elevation



Figure 3 – Anton House – Rear Elevation

- 2.4 The existing main vehicular access is located to the south of Anton House at the junction of Cedar Road and Forthill Road. To the west of this access is a private dwelling house, Lodge House, which does not form part of the proposed development.
- 2.5 The surrounding area is mainly residential. To the immediate north of the site is residential, to the west is Cedar Road, to the east is Forthill Road and to the south is residential.
- 2.6 The proposal site is located within the Forthill Conservation Area.

---

## 3 POLICY BACKGROUND

---

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

**DUNDEE LOCAL DEVELOPMENT PLAN**

Policy 7: High Quality Design

Policy 9: Design of New Housing

Policy 11: Formation of New Residential Accommodation

Policy 12: Development of Garden ground for New Housing

Policy 29: Low and Zero Carbon Technology in New Development  
Policy 38: Trees and Urban Woodland  
Policy 42: Sustainable Drainage Systems  
Policy 45: Land Contamination  
Policy 50: Development in Conservation Areas

Breaches In Boundary Walls: Policy and Guidance for Dundee's Listed Buildings and Conservation Areas

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

---

## 4 SITE HISTORY

---

- 4.1 93/18297/D – an application to enlarge a window opening was approved on 5 August 1993.
- 4.2 98/23487/D – an application to extend the existing car park was approved on 19 December 1998.
- 4.3 15/00919/FULL - WITHDRAWN. Demolition of existing building and erection of a new build 29 residential apartment building, complete with associated car parking, landscaping and new access road.
- 4.4 15/00920/CON - WITHDRAWN. Complete Demolition in a Conservation Area.
- 4.5 16/00788/FULL - WITHDRAWN. Redevelopment of Anton House to form 29 residential apartments, including partial demolition of part of Anton House, development of new build extensions and standalone annex building, with associated car parking, access road and landscaping.
- 4.6 16/00869/CON - WITHDRAWN. Substantial Demolition in a Conservation Area.
- 4.7 17/00159/CON – substantial demolition in a Conservation Area – Pending Consideration.

---

## 5 PUBLIC PARTICIPATION

---

- 5.1 The application was the subject of statutory neighbour notification and eleven letters were received. This included one letter of support, three letters of representation and seven letters of objection.
- 5.2 The letters of objection raised issues in relation to design, drainage, loss of light, overlooking, privacy, noise, impact on the conservation area, tree management and parking.
- 5.3 The letters of representation related to issues with drainage and design.

---

## 6 CONSULTATIONS

---

- 6.1 **Scottish Water** – Scottish Water has no objection to the proposed development.
- 6.2 **Community Safety and Protection** – the Head of Community Safety and Protection has requested that in respect of contamination a condition is attached to any consent granted to

ensure that before any unit is occupied the recommendations of the submitted Site Investigation Report, Version 2, dated June 2016, are fully implemented.

- 6.3 **Neighbourhood Services** – the Head of Environment has requested that prior to the commencement of development, an up to date scheme of landscaping is submitted to the Council for written approval and for this to include full details and justification for any trees to be removed; full details of trees to be retained and protected during the redevelopment of the site and full details of any new planting and landscaping proposed.
- 6.4 **Broughty Ferry Community Council** – a letter of support was received for the proposed development.

## 7 DETERMINING ISSUES

- 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.

- 7.2 **Policy 7: High Quality Design** - this policy requires all development to contribute positively to the quality of the surrounding built and natural environment and to respect the character and amenity of the place. The policy adopts a design criteria approach which requires development proposals to consider and respect site topography and any supporting important landmarks, views or skylines; contribute to a sense of identity; complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours; existing buildings structures and natural features that contribute to the local townscape should be retained and sensitively integrated into the proposals.
- 7.3 Anton House is located within a prominent site in the Forthill Conservation Area. The original historic building has been adapted for non-residential uses over the years and the proposal includes the removal of later extensions to the original building to the side (west) and rear (north) which are of poor architectural quality and condition and a rolled steel structural frame mounted garage set onto a reinforced concrete floor slab which is located to the east of Anton House. There is a related application, reference 17/00159/CON, for the demolition of the later extensions to Anton House.
- 7.4 The proposal involves enlarging the roof of the two storey Anton House to create an additional upper storey. This has been sensitively designed to respect the existing roof pitch and would be a positive addition to the historic building. Internal and external features of architectural and historic interest are to be retained and sensitively restored as part of the development including bay windows, feature stain glass window on the east elevation, slate roof, stone features and entrance portico.
- 7.5 The proposed four storey contemporary extension to the side (west) and rear (north) of the original house is set back to respect the front (south) elevation of the historic house. Overall the proposed contemporary extension is of a height, scale and massing that respects and complements the original historic property. The location of the extension to the side (west) and rear (north) allows it to remain largely unseen from the immediate surrounding roads and streets due to the landscaped setting and characteristic stone boundary wall. Quality modern

materials are proposed for the contemporary extension which will complement the historic building, add visual interest and contribute positively to the site and the surrounding conservation area.

- 7.6 The 3 three bedroom houses proposed in the garden ground to the rear (north) of Anton House are two storey in height and of a contemporary flat roof design. The proposed houses are positioned and designed to respect the building line of the existing residential properties to the north of the site and avoid any potential overshadowing or overlooking issues. Boundary planting has been proposed around the site to maintain the overall sense of mature landscaping and to provide additional privacy screening where required between the proposal site and the existing neighbouring properties to the north.
- 7.7 The proposed site plan shows the sensitive integration of natural features into the development. The Head of Environment has been consulted and has requested that prior to the commencement of development, an up to date scheme of landscaping is prepared by the applicant and submitted to the Council for approval.



**Figure 4 – Proposed Flats and Houses - Elevations**

- 7.8 In the interests of visual amenity, should members be minded to grant planning permission, it is recommended that a condition is attached to any consent granted to request a full and detailed scheme of landscaping.
- 7.9 This high quality contemporary development has been designed to complement the sensitive restoration of the vacant historic building. The proposed development will bring a vacant historic building back into residential use and provide a mix of high quality modern residential units to complement and enhance the surrounding area. Overall, the proposed development will add visual interest through a sympathetic blend of old and new architectural styles and quality contemporary materials to create an attractive addition to an evolving urban landscape.

- 7.10 In the interests of visual amenity, should members be minded to grant planning permission, it is recommended that a condition is attached to any consent granted to request full details of the materials and finishes of the proposed residential development.
- 7.11 **The proposal satisfies Policy 7.**
- 7.12 **Policy 9: Design of New Housing** - the design and layout of new housing developments in Dundee should be of a high quality and contribute to creating places that build on and enhance the distinct character and identity of the different parts of the City.
- 7.13 All new housing development will require to conform to the guidance on the Design of New Housing set out in Appendix 3.
- 7.14 Small scale housing development for less than 5 units and the formation of new residential accommodation through the conversion of existing residential accommodation or change of use will need to ensure that the design and layout respects and enhances the character of adjoining properties and the surrounding area and does not have a detrimental impact on parking.
- 7.15 The proposed residential units are required to conform to the suburban standards set out in Appendix 3 for house type, car parking, cycle provision, amenity/garden ground and privacy.
- 7.16 **Appendix 3: Suburban Standards** - Appendix 3 states that flats may be acceptable through the conversion of buildings of merit where conversion to houses is not suitable or achievable. Flats should have generous internal space standards and two or more bedrooms or a minimum gross internal floor area of 100m<sup>2</sup>. The applicant has submitted supporting information to show that the proposed change of use and extension of Anton House to flats is sympathetic to the character of the historic house and landscaped grounds and will complement the mix and type of dwellings in the surrounding residential area. The proposed conversion will form 19 two bedroom flats with a range of floor spaces to meet the suburban standards. The proposed 3 bedroom houses are in line with suburban standards.
- 7.17 Appendix 3 requires a minimum of 150% car parking to be provided with at least one space dedicated to each flat and for private houses with three bedrooms at least two spaces are required. A total of 35 car parking spaces are proposed for the development with 19 allocated to the proposed flats and two in curtilage spaces are allocated for each of the proposed houses in line with suburban standards. The additional 10 spaces will be allocated for visitors and 2 electric car charging points are proposed in the car parking area to the east side of Anton House.
- 7.18 Cycle provision is to be provided for the flats in two secure outbuildings located to the north and east of the apartment building. This is in line with the suburban standards for flats set out in Appendix 3.
- 7.19 In the interests of visual amenity, should members be minded to grant planning permission, it is recommended that a condition is attached to any consent granted to request full details of the materials and finishes of the proposed bike stores.
- 7.20 In respect of amenity/garden ground, the proposed houses meet the minimum standard of 120m<sup>2</sup> of garden ground required for each house. Anton House is set within mature landscaped grounds and it is proposed that the flats share this quality living environment in line with suburban standards. In addition some flats have been designed with a small area of usable external balcony space. Appendix 3 requires a separate drying area to be provided for flats however the supporting design statement outlines that each flat will be fitted with a washer/dryer in lieu of this.

- 7.21 In respect of privacy, in line with suburban standards, a minimum of 18m has been maintained between overlooking windows of the existing Anton House and the houses to the rear. Windows have been carefully positioned to be looking away from adjacent building windows. The design of the upper floor balconies has also been carefully considered to maintain this separation distance between properties and suitable screening employed to prevent overlooking of adjacent flats. Boundary planting has been proposed around the site to maintain the overall sense of mature landscaping and to provide additional privacy screening where required between the proposal site and the existing neighbouring properties to the north.
- 7.22 In line with Appendix 3, waste management provision will be provided in accordance with Dundee City Council's waste strategy.
- 7.23 The proposed formation of residential accommodation through the change of use and sensitive conversion and extension of Anton House is of a high quality which respects the character and identity of the surrounding area.
- 7.24 **The proposal satisfies Policy 9 and Appendix 3.**
- 7.25 **Policy 11: Formation of New Residential Accommodation** - the creation of new residential accommodation through the development of existing roof/basement space or the subdivision of existing residential accommodation or change of use will be supported where:
- 1 the requirements for the design of new small scale housing (Policy 9 and Appendix 3) are met;
  - 2 all new dwellings created will have a quality surrounding environment with main living areas being located on a principal elevation;
  - 3 it will not have a detrimental effect on the environmental quality enjoyed by existing residents by virtue of the loss of amenity/garden ground, the loss of both off/on street parking provision and increased traffic movements; and
  - 4 the change of use is consistent with all other policies of the Plan.

In respect of Policy 11, the proposal is assessed against the 4 criteria as follows:

- 7.26 As outlined above the policy meets the requirements of Policy 9 and Appendix 3.
- 7.27 The proposed conversion and extension is sympathetic to the existing layout and position of the historic building. Overall the fusion of old and new development is of a high quality with most of the flats to benefit from a dual aspect. Only one flat is restricted to a north facing single aspect design. The proposed development offers a range of floor spaces with some flats designed with a small area of usable external balcony space. All flats will have access to substantial mature landscaped grounds.
- 7.28 The proposed development will not result in any substantial loss of amenity garden ground. The main grounds to the south of the building are substantial and to be retained in communal use for residents of the new development with access maintained for the surrounding community. Sufficient car parking is proposed within the grounds of Anton House to meet the requirements of Policy 9 and Appendix 3. Discussion during the application process highlighted an issue with the potential safety of the existing main vehicular access with the expected increase in vehicular movement from the proposed development due to its location on a busy junction to the south of Anton House. Accordingly, a new vehicular access is proposed to the east of Anton House from Forthill Road. The design of this new vehicular



access has been sensitively considered with regards to both road and pedestrian safety and the new opening required in the existing historic stone boundary wall.

- 7.29 In the interests of visual amenity and restoring the appearance of the stone boundary wall, should members be minded to grant planning permission, it is recommended that a condition is attached to any consent granted to request that prior to the commencement of development details of finishing materials and a method statement for the new vehicular access to be created is submitted to the Council for written approval.
- 7.30 The proposed development will not have a detrimental effect on the environmental quality enjoyed by existing residents.
- 7.31 The change of use is consistent with all other policies of the Plan.
- 7.32 **The proposal satisfies Policy 11.**
- 7.33 **Policy 12: Development of garden ground for New Housing** - the development of garden ground for new houses will be supported where the proposal meets the following criteria:
- 1 the proposed new house/s meet/s the requirements for the design of new small scale housing (Policy 9 and Appendix 3);
  - 2 no new building is proposed in front of the principal elevation of the existing house;
  - 3 both the curtilage of the existing house and the proposed house maintain the prevailing density of the surrounding area;
  - 4 that the useable private garden ground of the existing house is maintained to a level in keeping with the scale of the house and that of similar houses in the surrounding area;
  - 5 that sufficient off street car parking is maintained/provided with the existing house in accordance with its size;
  - 6 the development will not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking; and
  - 7 the development is consistent with all other policies of the Plan.

In respect of Policy 12, the proposal is assessed against the seven criteria as follows:

- 7.34 The proposed 3 houses to the rear (north) of Anton House meet the requirements for the design of new small scale housing (Policy 9 and Appendix 3).
- 7.35 The proposed development has been sensitively designed to respect the existing historical building and no new building is proposed in front of the principal elevation.
- 7.36 The surrounding area is a mix of densities and house types. The proposed development respects the historical setting of Anton House and the neighbouring properties to the north.
- 7.37 The proposed development of 3 houses has been sensitively located in an area of garden ground to the rear (north) of Anton House to minimise any impact on the character and setting of the 19th century stone villa. The associated garden grounds meet the suburban standards set out in Policy 9 and Appendix 3 and are of a similar scale to other houses in the area. The main private garden ground of the existing house has been incorporated into the design of the proposed development for use as communal garden ground/amenity space. It has been

designed to be maintained to a level in keeping with the scale of the house and that of similar houses in the surrounding area.

- 7.38 The proposed level of parking provision within the boundary of the site meets the requirements of policy 9 and Appendix 3.
- 7.39 The proposed development has been sensitively designed and will not have a detrimental effect on neighbouring properties in terms of physical impact, overshadowing or overlooking. In line with Policy 9 Appendix 3 suburban standards, a minimum of 18m has been maintained between overlooking windows of the proposed development and the houses to the rear. Windows have been carefully positioned to be looking away from adjacent building windows. The design of the upper floor balconies has also been carefully considered to maintain this separation distance between properties and suitable screening employed to prevent overlooking of adjacent apartments. Boundary planting has been proposed around the site to maintain the overall sense of mature landscaping and to provide additional privacy screening where required between the proposed site and the existing neighbouring properties to the north.
- 7.40 The development is consistent with all other policies of the Plan.
- 7.41 **The proposal satisfies Policy 12.**
- 7.42 **Policy 29: Low and Zero Carbon Technology in New Development** - proposals for all new buildings will be required to demonstrate that at least 10% of the carbon emissions reduction standard set by Scottish Building Standards (2007) will be met through the installation and operation of zero-carbon generating technologies. This percentage will increase to 15% from the beginning of 2016 and will be reviewed in 2018.
- 7.43 A statement will be required to be submitted demonstrating compliance with this requirement.
- 7.44 This policy is relevant for the proposed 3 three bedroom houses. In the interests of reducing carbon emissions associated with the proposed 3 houses, should members be minded to grant planning permission, it is recommended that a condition is attached to any consent granted to request a sustainability statement.
- 7.45 **The proposal satisfies Policy 29 subject to a condition being attached.**

- 7.46 **Policy 38: Trees and Urban Woodland** - the Council will support the establishment and enhancement of woodland, tree belts and corridors. New development should contribute to the expansion of tree planting and woodland development where appropriate and must ensure the survival of existing healthy mature trees through sensitive site layout both during and after construction. Where appropriate, development proposals must be accompanied by a tree planting and landscaping scheme which includes a supporting justification and sufficient map based material to document existing planting within the application site as well as new planting and maintenance arrangements.



**Figure 5 – Anton House Landscaped Grounds**

- 7.47 The site is set within mature landscaped grounds. A detailed report on the existing trees has been submitted and a number of trees are proposed to be removed. The proposed site plan shows the integration of mature landscaping within the proposed development. Further justification is required for the proposed trees to be removed together with a tree protection plan and a detailed replanting or landscape plan.
- 7.48 The Head of Environment has been consulted and has requested that prior to the commencement of development, an up to date scheme of landscaping is prepared by the applicant and submitted to the Council for written approval. This should include full details and justification for any trees to be removed; full details of trees to be retained and protected during redevelopment of the site and full details of any new planting and landscaping proposed.
- 7.49 In the interests of visual amenity, should members be minded to grant planning permission, it is recommended that a condition is attached to any consent granted to request a full and detailed scheme of landscaping.
- 7.50 **The proposal satisfies Policy 38 subject to a condition being attached.**

- 7.51 **Policy 42: Sustainable Drainage Systems** - surface water from new development must be treated by a Sustainable Urban Drainage System (SUDS) except for single houses or where discharge is to coastal waters. SUDS should be designed so that in a 1 in 200 year rainstorm event, flooding will not be higher than 300 mm below floor level. In addition, proposals will be encouraged to adopt an ecological approach to surface water management, ensure an appropriate level of treatment and exploit opportunities for habitat creation or enhancement through measures such as the formulation of wetlands or ponds.
- 7.52 A Flood Risk Assessment and Drainage Strategy Report has been submitted with the application. Reference to the SEPA flood map indicates that the site and surrounding areas are not at risk of pluvial flooding or fluvial flooding. However, close to the existing southern entrance to Anton House a number of flooding incidents have been recorded on Cedar Road which have been attributed to 'out of sewer flooding' relating to gradient changes to the existing combined sewer in Cedar Road. This is out with the proposal site.
- 7.53 The proposed development incorporates the creation of a deep surface water soakaway within the curtilage of the proposal site. The proposed soakaway has been designed for a 1 in 200 year event plus climate change and urban expansion allowances, and the calculations show that while the soakaway fills halfway during this event, it has sufficient capacity to contain the design flow until it percolates away, without over-topping and contributing to flooding elsewhere. The proposed use of a soakaway to collect all surface water from the proposed development will not impact the existing combined sewer network and based on professional advice, should free up capacity within the network.
- 7.54 **The proposal satisfies Policy 42.**
- 7.55 **Policy 45: Land Contamination**
- a Development of potentially contaminated brownfield or statutorily identified contaminated land will be considered where:
    - 1 a site investigation is submitted establishing the nature and extent of contamination; and
    - 2 the Council is satisfied that remediation measures proposed for the development, adequately address contamination risks to all receptors, such that the land demonstrably does not meet the statutory definition of contaminated land and is suitable for the planned use.
  - b An alternative use to that identified in the Local Development Plan will be considered where the above criteria are satisfied and:
    - 1 an economic appraisal establishes that the site cannot be economically developed for the allocated use due to the level or type of contamination; and
    - 2 the proposed use meets the requirements of other relevant policies of the Local Development Plan.
- 7.56 A Site Investigation Report has been submitted by the applicant. The Head of Community Safety and Protection has been consulted and has recommended that before any unit is occupied the recommendations of the submitted Site Investigation Report are fully implemented and that the Council is immediately notified in writing if any ground contamination is found during redevelopment works.

- 7.57 In the interests of ensuring the site is suitable for residential development, should members be minded to grant planning permission, it is recommended that a condition is attached to any consent granted to request that before any unit is occupied the recommendations of the submitted Site Investigation Report (Version 2 dated June 2016) are fully implemented and that the Council is immediately notified in writing if any ground contamination is found during redevelopment works and thereafter a scheme to deal with contamination is submitted to and agreed in writing by the Council.
- 7.58 **The proposal satisfies Policy 45.**
- 7.59 **Policy 50: Development in Conservation Areas** - within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features that contribute to the character and appearance of the conservation area.
- 7.60 The proposal site is located within the Forthill Conservation Area. The Conservation Area is located on a south facing slope and developed much of its unique character during the Victorian era. The Forthill Conservation Area is characterised by high boundaries consisting of high stone walls or lower walls supporting tall hedges. Screened behind the characteristic walls are relatively substantial Victorian villas set in generous garden ground. A further representative feature of the Conservation Area is the high level of urban greenery.
- 7.61 Anton House represents a number of key features of the Conservation Area. The design of the proposed development respects these features and through a fusion of old and new will bring this prominent site in the conservation area back into residential use and enhance the character and appearance of this evolving urban landscape.
- 7.62 **The proposal satisfies Policy 50.**
- 7.63 **It is concluded from the foregoing that the proposal complies with the provisions of the development plan.**

#### **STATUTORY DUTY**

- 7.64 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.65 For the reasons set out above the proposed development complies with national planning guidance with regard to development affecting a Conservation Area or the setting of a listed building.
- 7.66 The statutory duty set out in Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 would be discharged through the approval of planning permission.

#### **OTHER MATERIAL CONSIDERATIONS**

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

##### **A - VIEWS OF OBJECTORS**

- 7.68 The seven letters of objection raised issues in relation to design, drainage, loss of light, overlooking, privacy, noise, impact on the conservation area, tree management and parking.

In respect of the issues raised by the objectors:

- 7.69 The proposed development has been sensitively designed to respect the existing historical building and the surrounding area. The modern style and design of the extension and new build houses adds interest and variety and will be a positive addition to complement the restoration of the vacant historic building.
- 7.70 The proposed creation of a soakaway within the curtilage of Anton House to collect all surface water from the proposed development will not impact the existing combined sewer network and based on professional advice, should free up capacity in the network.
- 7.71 The existing residential properties to the north are some 35 metres from the rear (north) elevation of the historic house. The natural topography of the area runs steeply north to south and is a key feature of the conservation area. The proposed development has been sensitively designed to respect the natural topography of the site, the setting of the historic property and the surrounding residential properties. Through supporting documents and plans the applicant has demonstrated that the proposed development will not have a detrimental effect on neighbouring properties in terms of physical impact, overshadowing or overlooking.
- 7.72 Boundary planting has been proposed around the site to maintain the overall sense of mature landscaping and to provide additional privacy screening where required between the proposal site and the existing neighbouring properties to the north.
- 7.73 Sufficient car parking is proposed within the site boundary to meet suburban standards. A total of 35 car parking spaces are proposed for the development with 19 allocated to the proposed flats and two in curtilage spaces are allocated for each of the proposed houses in line with suburban standards. The additional 10 spaces will be allocated for visitors with 2 electric car charging points proposed in the car parking area to the east side of Anton House.
- 7.74 During the application process an issue was raised with regard to the potential safety of the existing main vehicular access due to its location on a busy junction to the south of Anton House and the expected increase in vehicular movement from the proposed development. Accordingly, a new vehicular access is proposed to the east of Anton House from Forthill Road.
- 7.75 The design of the proposed development respects the character and setting of the conservation area. The proposal will bring a prominent vacant site in the conservation area back into residential use through a sympathetic blend of old and new architectural styles and materials and in so doing will add interest and enhance this attractive evolving urban landscape.
- 7.76 The concerns of the objectors have been considered and addressed in the report above and are not of sufficient weight to justify refusal of the application.

#### **B - LETTER OF SUPPORT**

- 7.77 Broughty Ferry Community Council support the proposal in order to preserve and enhance the Anton House site that falls within the Forthill Conservation Area.

#### **C – BREACHES IN BOUNDARY WALLS – POLICY AND GUIDANCE**

- 7.78 Discussion during the application process highlighted an issue with the potential safety of the existing main vehicular access due to its location on a busy junction to the south of Anton House. Accordingly, a new vehicular access is proposed to the east of Anton House from Forthill Road. The design of this new vehicular access has been sensitively considered with

regards to both road and pedestrian safety and the new opening required in the existing historic stone boundary wall.

- 7.79 The proposed new opening will not adversely affect the amenity or character of the conservation area and is in line with the Council's Policy and Guidance on Breaches in Boundary Walls.
- 7.80 In the interests of visual amenity and restoring the appearance of the stone boundary wall, should members be minded to grant planning permission, it is recommended that a condition is attached to any consent granted to request that prior to the commencement of development details of finishing materials and a method statement for the new vehicular access to be created is submitted to the Council for written approval.
- 7.81 **There are no material considerations that would justify the refusal of planning permission.**

---

## 8 CONCLUSION

---

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

---

## 9 RECOMMENDATION

---

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 **Condition** - prior to the commencement of work on site, details of the proposed finishing materials of the development hereby approved shall be submitted to the Council for written approval. Thereafter, the proposed development shall be finished in strict accordance with the details approved by this condition.  
**Reason** - in the interests of visual amenity.
  - 2 **Condition** - prior to the commencement of work on site, details of the methods and materials to be used to create a new vehicular access in the existing historic stone wall shall be submitted to the Council for written approval. Thereafter, the works to create a new opening shall be carried out in accordance with the details approved by this condition.  
**Reason** - in the interests of visual amenity.
  - 3 **Condition** - prior to the commencement of work on site, details of the proposed design and finishing materials for the proposed bike stores shall be submitted to the Council for written approval. Thereafter, the erection of the bike stores shall be carried out in strict accordance with the details approved by this condition  
**Reason** - in the interests of visual amenity.
  - 4 **Condition** - prior to the commencement of development, a scheme of landscaping shall be submitted to and approved by the Council, and it shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with measures for their protection in the course of development in accordance with BS5837:2012. Full details of new planting and landscaping and an associated

maintenance schedule shall also be submitted to and approved by the planning authority prior to the commencement of 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.

**Reason** - to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.

- 5 **Condition** - prior to the commencement of work on site, details of the proposed landscaping scheme including boundary enclosures and maintenance responsibilities for the attenuation basin shall be submitted to the Council for written approval. Thereafter, the attenuation basin will be landscaped, enclosed and maintained in accordance with the details approved by this condition.

**Reason** - in the interests of providing a safe and pleasant environment.

- 6 **Condition** - full details of a maintenance plan for the existing (and proposed) trees shall be submitted to the Council for approval before any development commences on site and if approved the development shall be carried out only in full accordance with such details.

**Reason** - to ensure that the character of the application site and the surrounding area is maintained.

- 7 **Condition** - prior to the commencement of any works on site, a detailed surface water drainage/SUDs design including drawings, calculations, full modelling, simulation results, design risk assessment and signed Dundee City Council Design and Check Certification shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the first occupation of any housing unit hereby approved.

**Reason** - in the interests of flood prevention.

- 8 **Condition** - prior to the commencement of any works on site, details of measures proposed to manage surface water run-off from the site during construction shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the first occupation of any part of the development hereby approved.

**Reason** - in the interests of flood prevention.

- 9 **Condition** - prior to the commencement of any works on site, maintenance responsibilities along with a maintenance schedule for the surface water drainage system/SUDs features shall be submitted to Dundee City Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out perpetuity.

**Reason** - in the interests of flood prevention and visual amenity.

- 10 **Condition** - prior to the commencement of any works on site, evidence of Scottish Water approval for the proposed drainage system for the development hereby approved shall be submitted to the Council for written approval.

**Reason** - in the interests of flood prevention.



- 11 **Condition** - the hard surface within the curtilage of the proposed houses/ development shall be made of porous materials or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the application site.

**Reason** in the interests of flood prevention.

- 12 **Condition** - details of the proposed vehicle access including proposed road markings must be agreed prior to any works on site and the access must be formed and constructed to Dundee City Council standards and specifications.

**Reason** - in the interests of vehicle and pedestrian safety.

- 13 **Condition** - the proposed gates must open into the driveway and not over the adjacent public footway.

**Reason** - in the interests of vehicle and pedestrian safety.

- 14 **Condition** - any existing accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications. Details of these alterations must be agreed prior to any works on site.

**Reason** - in the interests of vehicle and pedestrian safety.

- 15 **Condition** - electric car charging points shall be provided at a location and number to be approved prior to opening of the development.

**Reason** - in the interests of sustainable transport measures.

- 16 **Condition** - before any unit is occupied the recommendations of the submitted Site Investigation Report, Version 2 dated June 2016, shall be fully implemented. The Council shall be immediately notified in writing if any ground contamination is found during redevelopment works, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by the Council. 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 no remediation was required, or that remediation has been undertaken in accordance with, and to the standard specified in the agreed remediation scheme.

**Reason** - in the interests of providing a site suitable for residential development.

- 17 **Condition** - a Sustainability Statement demonstrating the extent to which the 3no new build houses of the development will meet the requirements of Policy 29 of the Dundee Local Development Plan shall be submitted for the approval of the planning authority and the works shall be completed in accordance with the approved Statement.

**Reason** - in the interests of reducing carbon emissions associated with the proposed development.