

KEY INFORMATION

Ward Claverhouse

Proposal
Erection of one house

Address
42 Emmock Woods Drive
Dundee
DD4 9FD

Applicant
Baldragon Homes
Barns of Claverhouse Road
Dundee
DD4 9DJ

Agent
Hiddleston & Fiest
7 South Tay Street
Dundee
DD1 1NU

Registered 30 Mar 2004

Case Officer G Reid



Proposed New House in Emmock Woods

The erection of a house is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be in accordance with the policies of the development plan.

The application is recommended for **APPROVAL** subject to conditions

SUMMARY OF REPORT

- Planning permission is sought for the erection of a two storey house at Emmock Woods Drive, Dundee.
- The application raises issues for consideration in terms of the Housing Policies of the Dundee Local Plan 1998 and Policy 4 of the Finalised Dundee Local Plan Review.
- A single letter of objection was received from a neighbour to the north of the site on the grounds that the proposal would result in significant overshadowing, overlooking and reduced access.
- The application is considered to be in accordance with the Housing Policies of the Dundee Local Plan 1998 and Policy 4 of the Finalised Dundee Local Plan Review. In addition, it is considered that the concern raised by the objector would not warrant refusal of the application.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a two storey dwellinghouse at land to north of Emmock Woods Drive, Dundee.

The proposal is to be a detached, two storey house with single garage. The house is to have 4-bedrooms with living room, dining room, kitchen, utility room and study. The house is of a design to match those houses in Phase 2B by Baldragon Homes to the east. There is in excess of 160 sq.metres of garden ground.

The applicant has amended the application to relocate a first floor window from the north elevation to the west elevation in response to concerns of overlooking raised by the neighbour to the north

SITE DESCRIPTION

The application site is located to the north of Emmock Woods Drive. The application site is currently occupied by two derelict single storey cottages, the roofs of which have been stripped and the windows blocked up. There are three other cottages in the group one of which is occupied. To the west of the site is a group of garages belonging to the flats to the south. To the east of the site are residential properties. To the north are the remaining cottages and the open countryside beyond.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

Housing Policy H10 sets out the guidelines for the design and layout of new housing.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

Finalised Dundee Local Plan Review Policy 4 Design of New Housing (Appendix 1) sets out the guidelines for the design of new housing.

Scottish Planning Policies, Planning Advice Notes and Circulars

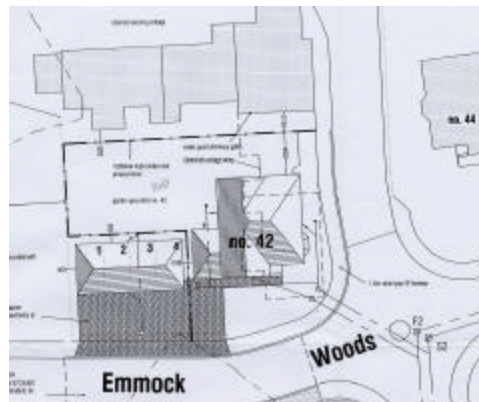
There are no statements of Government policy relevant to the determination of this application.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application

LOCAL AGENDA 21

Key Theme 13 is of relevance and seeks to ensure that places, spaces and



objects combine meaning and beauty with utility. It is considered that the proposal meets the aims of this Key Theme.

SITE HISTORY

There is no site history of relevance to the consideration of this application.

PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and a single letter of objection was received from a neighbour to the north. The main concerns were that the proposed development would result in the significant overshadowing and overlooking of their property and the

reduction of vehicular access to the rear.

A copy of the letter of objection is available in the Members Lounges and the concerns raised are addressed in the "Observations" section of this report.

CONSULTATIONS

No adverse comments were received from any of the statutory 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.

As indicated in the "Details of Proposals" section above the applicant has amended the proposal to relocate a first floor window in response to concerns raised by the objector.

Housing Policy H10 and the associated guidelines set out the criteria for the design and layout of new housing. The guidelines cover house type/mix, amenity space/garden area, outdoor drying facilities, privacy, parking and garaging and layout/urban design.

The proposal is for the erection of a two storey, 4-bedroom, detached house with single garage at Emmock Woods Drive. There is in excess of 160 sq. metres of private garden ground. The house type to be used is similar to those used in previous phases by Baldragon Homes at Emmock Woods Drive. The relocation of the first floor window, as outlined above, addresses concerns regarding the loss of privacy. It is considered that the proposed house meets all the criteria for the design of new housing as set out by the guidelines referred to Housing Policy H10

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:

Finalised Dundee Local Plan Review Policy 4 Design of New Housing (Appendix 1) sets out the guidelines for the design of new housing. The guidelines cover house type, car/cycle parking, amenity/garden space and privacy. The details of the proposed house are set out above and it is considered that the proposal satisfies the guidelines contained in Appendix 1 of the Finalised Dundee Local Plan Review.

A single letter of objection was received from a neighbour to the north. The main concerns were that the proposed development would result in the significant overshadowing and overlooking of their property and the reduction of vehicular access. The objectors property is to the north west of the proposed house. The new house is to be two storey in height and will replace an existing single storey cottage. The proposed house will extend 3 metres further to the west. While the new house will increase the level of overshadowing over and above that which exists at present this will occur in the morning and early afternoon given the location of the new house relative to the existing house. In addition, the proposal will remove two existing cottages opening up the area between the proposed house and the cottages which, are to be left. It is considered that given the location of the proposed house relative to the objectors house the increase in overshadowing would not be so significant as to warrant refusal of the application.

In terms of overlooking the applicant has removed the first floor window from the north elevation. This window has been relocated to the west elevation of the house. As a result of this it is considered that there will be no significant overlooking of the objectors property.

The objector has also raised concerns regarding the reduction of vehicular access to the rear of their property. The objector currently passes over the application site to park their car to the rear of the house. If the proposal is built there would be no access for vehicles to the rear of the objectors house. The application site is entirely within the ownership of the applicant.

There is no formal driveway or parking space to the rear of the objectors house and it would appear that the arrangement currently used is informal. It is considered that the reduction in vehicular access to the rear of the objectors house would not warrant refusal of the application.

It is concluded from the foregoing that there are no material considerations that would justify a departure to the provisions of the development plan and it is therefore recommended that planning permission be granted with conditions.

Design

The house type to be used is similar to those used in previous phases by Baldragon Homes at Emmock Woods Drive. The design is considered to be acceptable and will result in the removal of derelict cottages

CONCLUSION

It is considered that the proposed development is in accordance with the Housing Policies of the Dundee Local Plan 1998 and Policy 4 of the Finalised Dundee Local Plan Review. In addition, it is considered that the concerns raised by objectors would not warrant refusal of the application.

RECOMMENDATION

It is recommended that planning permission 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 That the proposed footway around the south and east sides of the house shall be completed prior to the occupation of the house.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of pedestrian and traffic safety.