

KEY INFORMATION

Ward Claverhouse

Proposal
Erection of 95 detached houses

Address
Site 4
William Fitzgerald Way
Dundee
DD4 9DJ

Applicant
Baldragon Homes Ltd
Barns of Claverhouse Road
Dundee
DD4 9DJ

Agent
Hiddleston and Feist
7 South Tay Street
Dundee
DD1 1NU

Registered 6 June 2002

Case Officer Gordon Reid



Proposed Further Phase of Housing Development at Emmock Woods

The erection of 95 detached houses is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation.

RECOMMENDATION

The proposed housing development is considered to be of a good standard of design and is in accordance with the policies of the development plan.

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

SUMMARY OF REPORT

- This report considers a planning application for the erection of 95 houses and associated infrastructure at Site 4 Emmock Woods, William Fitzgerald Way, Dundee.
- The proposed development raises issues for consideration in terms of the Housing Policies and Proposals of the Dundee Local Plan 1998, Report 462-2001 Interim Review of Policy H10 Guidelines and the Planning Brief for Emmock Woods.
- 17 letters of objection were received to the proposed development raising concerns with regard to car parking, privacy, drainage, access and conservation.
- It is considered that the proposed development is in accordance with the Housing Policies and Proposals of the Dundee Local Plan 1998, the revised guidelines in Report 462-2001 Interim Review of Policy H10 Guidelines and the main themes in the Planning Brief for Emmock Woods. In addition, it is considered that the issues raised by objectors do not justify refusal of the application in this instance.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of 95 dwelling houses and associated infrastructure at Site 4 Emmock Woods, William Fitzgerald Way, Dundee.

The proposal includes 95 detached houses with 28 units having 3 bedrooms and 67 units having 4 bedrooms. The houses have either a single or double garage and all have at least one off street parking space. All of the houses have private garden ground in excess of 120 sq. metres.

Of the 95 houses 12 are large villas which are accessed via private driveways. These houses have large gardens ranging between 1300sq.m and 1500sq.m and include boundary walls and fences. All these houses have double garages and off-street parking provision.

The houses are to be of a style in keeping with the 'Arts and Crafts' theme of the surrounding housing in the previous phases at Emmock Woods. The finishing materials are to be tooled "Stucco" render in ochre colours to the walls with occasional elevation panels of reconstituted masonry. The roofs are to be clad with smooth flat concrete tile in "terra cotta".

Landscaping includes an avenue of trees along the main road in the northern part of the site. Other trees are to be located throughout the site. The proposals also include various boundary treatments including low hedging, reconstituted masonry walls with railings and timber fencing. The proposals include the formation of two ponds, which are part of the drainage scheme for the site. There is also to be a mixed deciduous tree margin bounding the perimeter of the site.

The applicant has also included proposals for improved car parking facilities on Mansion Drive.

SITE DESCRIPTION

The application site is located to the north of Mansion Drive and to the west of William Fitzgerald Way. The site is approximately 11.06 hectares in area and is currently undeveloped land. The site is bounded to the north by open farmland, to the south by

residential properties, to the west by open land and to the east by residential properties. The site is undulating in nature and slopes upward to the north.

POLICY BACKGROUND

There is no national policy of relevance in this instance.

Tayside Structure Plan 1993: Housing Policy 7 states that development will mainly be located in the western sector of the city in conjunction with the removal of infrastructure constraints. However additional greenfield allocations will be allowed in the north eastern and eastern sectors and more limited land release will be acceptable in the north west sector.

Dundee Local Plan 1998: The site is located within an area covered by Housing Proposal HS32 (Claverhouse) of the Local Plan. The proposal indicates that the area is to be developed primarily for private housing with houses being mostly detached or semi-detached with 3 or more bedrooms. Policy H10 of the local plan is also relevant and sets out the guidelines for new housing developments.



Report 462-2001: New Build Housing in Dundee-Interim Review of Policy H10 Guidelines is of relevance and sets out revised guidelines for new build housing. This Report was approved by the Planning and Transportation Committee on the 27 August 2001. For "suburban" developments the review sets out a general presumption against the developments of flats, that 75% of houses should have three or more bedrooms and that private garden ground should be a minimum of 120 square metres although some should be larger to provide choice.

The general planning brief for Emmock Woods was approved by the Planning and Transportation Committee in October 1996. The main elements of the planning brief which relate to the application site are that: house types must have a traditional appearance incorporating features such as wet dash or reconstituted stone walls, slate-like roofs, integral chimneys, barge boards and projecting rafters, interesting windows or door surrounds on some houses and reconstituted stone walls with railings along the main road boundaries.

LOCAL AGENDA 21

Key Themes 13 and 14 are relevant to the consideration of the application. These themes seek to ensure that places, spaces and objects combine meaning and beauty with utility and that settlements are 'human' in scale and form.

The proposal satisfies the Council's Agenda 21 policies by providing housing in an acceptable location and of an appropriate design, scale and form.

SITE HISTORY

DLA00550: Planning application for the main distributor roads for the new housing development linking with the new roundabout junction on Forfar Road was deemed to be granted by the Scottish Office Environment Department on 20 April 1995.

DLA00549: A planning application for an alternative option for the main distributor road routes linking the new

roundabout junction on Forfar Road with the existing Barns of Claverhouse Road was withdrawn on 3 May 1995 following the receipt of a high number of objections to this through route and given the decision on the alternative option.

Planning Application D22667 for the erection of 45 houses and 10 flats at site 1 Emmock Woods was granted permission on 26 June 1997.

Planning Application D23652 for the erection of 30 houses at Site 2 Emmock Woods was granted permission on 23 December 1998.

Planning Application D23972 for the erection of 51 houses at Site 2B Emmock Woods was granted permission on 29 June 1999.

Planning Application 01/30356/FUL for the erection of 15 houses at Site 3 Middleton Crescent was granted permission on 3 December 2001.

Planning Application 01/30459/FUL for the erection of 93 houses at Site 4 Emmock Woods was withdrawn by the applicant on 13 June 2002.

Planning Application 02/00318/FUL for the erection of 30 houses at Land at Emmock Woods Drive was received on 7 May 2002 and is considered in another Report on this Agenda.

PUBLIC PARTICIPATION

The applicant has carried out statutory notification of neighbours. 17 letters of objections were received to the proposed development. The main concerns raised were:

- 1 That the proposal would exacerbate existing drainage problems in the area.
- 2 That the proposed ponds would result in areas of open water resulting in concerns regarding safety of children and future maintenance.
- 3 That the proposed car parking spaces would result in the loss of trees at Mansion Drive which would be detrimental to the visual appearance of the area and also result in overlooking of the houses in Graham Court from the new housing.
- 4 That the proposed footpath link from Mansion Drive to the pond area would result issues of security, noise nuisance from youths and privacy to a nearby resident.
- 5 That the proposed development would result in concerns of traffic congestion on Mansion Drive due to vehicular access to the site.
- 6 That the proposed turning head at the north west part of the site would be detrimental to nature corridor.

Copies of the letters of objection are available in the Members' Lounges and the issues raised are addressed in the "Observations" section of this report.

CONSULTATIONS

No adverse comments were received from any of the statutory consultees.

OBSERVATIONS

The determining issues for the Committee in this instance are whether:

- 1 The proposed development is in accordance with the Housing Policies and Proposals of the Dundee Local Plan 1998.
- 2 The proposed development is in accordance with the revised guidelines contained within Report 462-2001:New Build Housing in Dundee-Interim Review of Policy H10 Guidelines.
- 3 The proposed development is in accordance with the Planning Brief for the Emmock Woods area.
- 4 The proposed development would be detrimental to the amenity of residents in the surrounding area.

The proposed development is located within a wider area allocated in the local plan as a new housing area. A new access to this area has already been constructed from a round about junction at Forfar Road. Planning permission has been granted for the first four phases of housing in this area. These sites are immediately to the east of the current application site. The current application site is the fourth phase of housing in this area.

The proposal complies with the land allocation set out in the adopted local plan and the more specific guidance contained in Housing Proposal HS32 in terms of providing a mixture of 3 or more bedroom detached and semi-detached houses. The issue of whether or not the proposals comply with the guidelines contained in policy H10 will be considered in the following paragraphs and is linked to the terms of the planning brief and the Interim Review of Policy H10 contained in Report 462-2001.

The proposals comply with the guidelines in policy H10 and Report 462-2001 Interim Review of Policy H10 Guidelines in that:

- 1 95 units are proposed, with all units being detached. 28 units have 3 bedrooms and 67 units have 4 bedrooms. There are no flats proposed within the development. The proposal satisfies the house type/mix set out in the guidelines.
- 2 The private useable garden sizes for the houses are all in excess of 120 square metres with the large villa houses having over 1300sq.metres. The development easily meets the criteria of useable garden ground of 120 square metres.
- 3 All the houses have garages and at least one parking space. On street parking will be available throughout the proposed development to cater for visitor parking. The parking provision meets the required standards.
- 4 The design of the houses is of an arts and crafts theme and is similar to the previous phases to the east. The design and layout of the houses are considered to be acceptable.

The design and layout of the site are considered to comply with the guidelines for new housing developments as set out in policy H10 and the Interim Review of Policy H10 Guidelines. In addition the proposals also accord with the aims of the general planning brief for the area.

The proposed development raised issues of concern to local residents. 17 letters of objection were received. The main issues raised are addressed in the following paragraphs.

- 1 That the proposal would exacerbate existing drainage problems in the area. It would appear that the site experiences some flooding during certain times of the year. Any existing flooding problems within the site will require to be addressed in the technical design for dealing with the drainage of the site. A condition is to be attached to permission to deal with the detailed drainage of the site.
- 2 That the proposed ponds would result in areas of open water resulting in concerns regarding safety of children and future maintenance. The two ponds

proposed form part of the sustainable urban drainage system (SUDS) for this site. The use of ponds as part of SUDS schemes have been incorporated in other housing area within the City. These have not resulted in problems in terms of child safety or maintenance.

- 3 That the proposed car parking spaces would result in the loss of trees at Mansion Drive which would be detrimental to the visual appearance of the area and result in overlooking of the houses in Graham Court from the new housing. The proposals involve the removal of some of the trees along Mansion Drive. The potential visual impact due to the loss of the existing trees will however be offset by the new trees to be planted within the tree margin. The window to window distance between the existing and new houses is to be over 45 metres. In terms of the guidelines in Housing Policy H10 a distance of 18 metres is sought. It is considered that the distance between the houses is more than adequate to ensure that any loss of privacy is minimal.
- 4 That the proposed footpath link from Mansion Drive to the pond area would result issues of security, noise nuisance from youths and privacy to a nearby resident. There is already an informal path/desire line from Mansion Drive to the tree margin at Dighty Vale. This has been formed by people crossing the field to gain access to the area at the Dighty Ponds. The proposed path would formalise this situation and control the point at which people will cross to gain access Dighty Vale. It is considered that to formalise the path would help to reduce the potential for problems of security, noise nuisance from youths and privacy to a nearby resident.
- 5 That the proposed development would result in concerns regarding vehicular access to the site from Mansion Drive. No vehicular access to the site from Mansion Drive is proposed and therefore there would be no

detrimental affect on the residents in Mansion Drive.

- 6 That the proposed turning head at the north west part of the site would be detrimental to nature corridor. The details of how the turning-head is to be formed and the impact on the trees will be the subject of a suspensive condition attached to any permission if granted. This will allow the nature interest to be fully taken into account.

Design

The proposed houses have been designed in a style in keeping with the previous phases to the east. All of the houses are of a substantial size with large gardens and in particular the 12 villa type properties. The layout has been designed to provide a focal point at the entrance to the site with the houses forming a crescent around the pond. The layout also includes hierarchy of roads including the main avenue to the north with the other roads being reduced to form a more intimate appearance. The houses include elements of 'arts and craft' design. The proposals are considered to be of a high quality of design.

Other Matters

Landscaping will form an important element of this scheme. There are two main elements to the landscaping. The first relates to the internal landscaping which is to include trees and hedges along the main roads and around the ponds. The second element is the tree margin that is to be planted around the boundary to the site. In order to secure a high quality of landscaping a condition should be attached to permission, if granted, to require the submission of detailed landscaping plans for both elements.

The application site discharges to the Dighty Burn at Trottick which, is a flood sensitive area as highlighted in the Council's Flood Prevention Report 2001. In order to prevent an increased risk of flooding as a result of this development surface water attenuation measures will be required to ensure that there is no increase in the level of run off from the site. To ensure that the quality of surface water discharge is acceptable a sustainable urban drainage system should be used. Therefore, it will be necessary to

impose a condition on any consent to ensure that the details of the proposed drainage arrangements are submitted to and approved by the Council prior to the development proceeding.

The applicant was requested as part of the proposals to improve the parking provision for adjacent residents in Mansion Drive. A layout for improved car parking was submitted along with the application. The specific details of the layout require further investigation and as such a condition is attached to allow for the full consideration of the proposed car parking improvements.

CONCLUSION

The application is considered to be in accordance with the Housing Policies and Proposals of the Dundee Local Plan 1998, the revised guidelines contained within Report 462-2001:New Build Housing in Dundee-Interim Review of Policy H10 Guidelines and the Planning Brief for the Emmock Woods Area. The proposal is considered to be acceptable and is recommended for approval.

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 a detailed landscaping scheme including, the timing of planting and maintenance shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 3 That a detailed landscaping scheme including a maintenance schedule for the proposed tree margin around the site shall be submitted to the Council for approval prior to the commencement of development and if approved the development shall be carried out only in full accordance with such approved details.
- 4 That samples of all finishing materials shall be submitted to

- the Council for approval prior to the commencement of development and if approved the development shall be carried out using only the approved sample materials.
- 5 Details of the proposed surface water and foul drainage arrangements shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
 - 6 Specific details of the proposed boundary treatments, including the walls, railings, fencing and hedging shall be submitted to the Council for approval prior to the commencement of development and if approved the development shall be carried out only in full accordance with such approved details.
 - 7 That a detailed design for the proposed improvements to the car parking on Mansion Drive be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
 - 8 That detailed drawings of the proposed turning-head including any trees affected shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
 - 9 That the detailed layout of the two ponds including fencing shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed development shall be carried out only in full accordance with such approved details.
- 2 To ensure that the landscaping of the proposed development is to a satisfactory standard.
 - 3 To ensure that the tree margin is planted and maintained to a satisfactory standard.
 - 4 To ensure that the appearance of the proposed development is of a satisfactory standard.
 - 5 To ensure that the proposed development can be drained in a satisfactory manner.
 - 6 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
 - 7 To ensure that the improvements are to a standard acceptable to the Council.
 - 8 To ensure that the proposed turning-head can be implemented without an unacceptable impact on the existing trees.
 - 9 To ensure an appropriate layout for the two ponds within the development.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.