

**KEY INFORMATION**

**Ward** Claverhouse

**Proposal**

Resubmission - Formation of surface water retention basin

**Address**

Site 5  
William Fitzgerald Way  
Dundee

**Applicant**

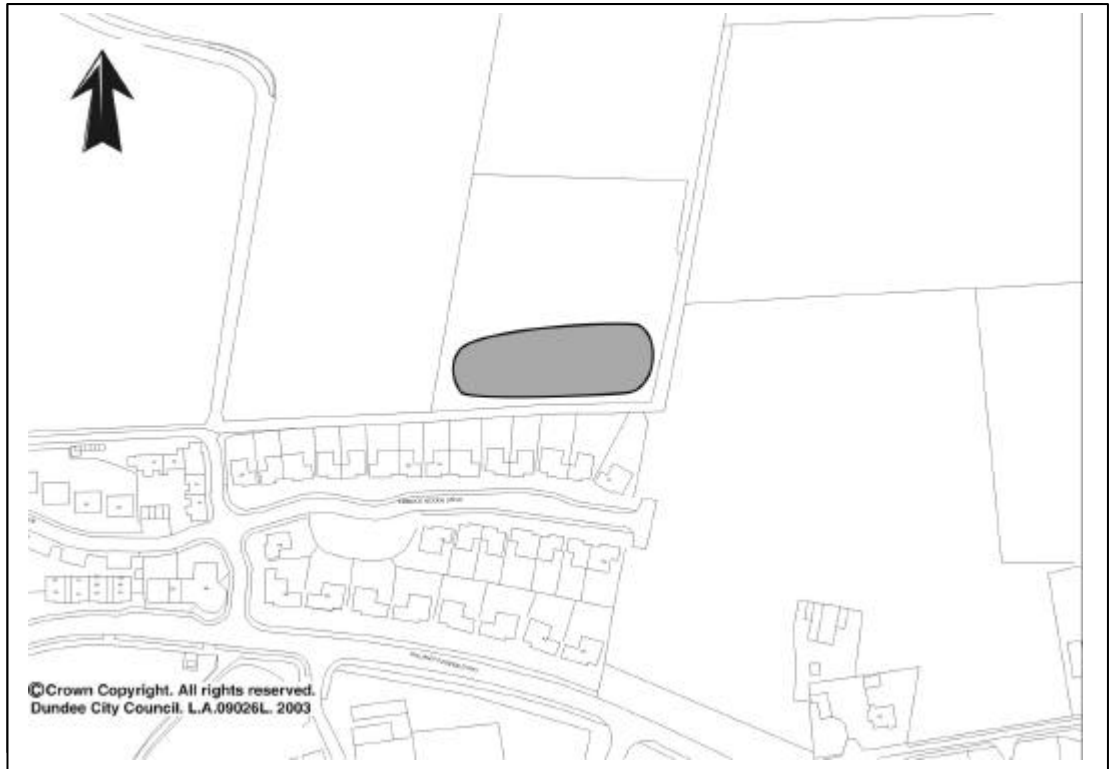
Baldragon Homes Ltd  
Barns of Claverhouse Road  
Dundee  
DD4 9DJ

**Agent**

Hiddleston & Fiest  
1 Laurel Bank  
Dundee  
DD3 6JA

**Registered** 5 June 2006

**Case Officer** J Young



## Amended Proposal for SUDS Facility in William Fitzgerald Way

A surface water retention basin is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

**RECOMMENDATION**

It is considered that the proposal complies with Policy 1 of the Dundee Local Plan Review 2005 and the views of the objector are not supported. Accordingly, the application is recommended for **APPROVAL**.

**SUMMARY OF REPORT**

- Planning permission is sought for the formation of a surface water retention basin on land to the north of houses at Emmock Woods Drive.
- Policy 1 of the Dundee Local Plan Review 2005 is of relevance to the determination of the application.
- One letter of objection was received from a resident to the south of the proposal site. The main issues of concern are safety particularly children.
- It is considered that the proposal is acceptable and will not present a safety risk for children as the system will be shallow and water will soak away.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the formation of a surface water retention basin on land to the north of Emmock Woods Drive. The basin is approximately 80m long and 30m wide, although it is slightly narrower at the west end. It has a grassed embankment at 1 in 4 maximum gradient, stone floor and a weir. The basin will provide drainage for site 5 of the housing development in this area, which is located to the east.

## SITE DESCRIPTION

The proposal site is located on agricultural land to the north of houses at Emmock Woods Drive. There is an access path along the south of the site for the agricultural land. There are 1.8m high timber fences along the rear of the residential properties to the south.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 2005

The following policies are of relevance:

#### POLICY 1: VIBRANT AND SUSTAINABLE COMMUNITIES

The City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

### 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

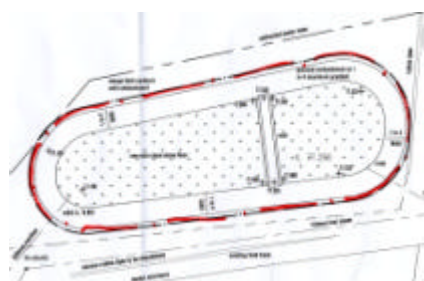
There are no non statutory Council policies relevant to the determination of this application.

## LOCAL AGENDA 21

The provision of a surface water retention basin is a sustainable method of drainage and therefore the proposal complies with the aims of the Council's Local Agenda 21.

## SITE HISTORY

A previous application (ref: 06/00100/FUL) for a surface water basin at this same location was withdrawn by the applicant in response to objections received.



## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and one letter of objection was received from a resident to the south on the grounds of safety.

Copies of the objection letter are available for viewing in the Members' Lounges.

## CONSULTATIONS

No adverse comments were received from consultees.

## OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations.

### The Development Plan

The provisions of the development plan relevant to the determination of

this application are specified in the Policy background section above.

Policy 1 of the Dundee Local Plan Review 2005 seeks to minimise the effect of any new development on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell. It is considered that the amenity of surrounding residents will not be adversely affected by the proposal. The nearest residential properties are separated from the site by their own timber fences along rear boundaries and there is also an access track adjacent to the field. It is considered that the proposal complies with Policy 1.

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:

### Objections

One letter of objection was received from a resident to the south of the site, who is concerned about safety of children due to the close proximity of the proposed surface water retention basin to residential properties. The basin will be very shallow and water will soak away rather than remain on the site. A condition will be attached to ensure that the applicant erects a fence around the site. Therefore it is concluded that there will not be a safety issue.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

## Design

The design of the basin is considered acceptable.

## CONCLUSION

The proposal complies with Policy 1 of the Dundee Local Plan Review 2005 and the objection is not supported in these circumstances. Therefore the application is recommended for Approval.

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## RECOMMENDATION

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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 Details of a boundary treatment around the proposed surface water detention basin shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
- 3 Details of a management plan for the future maintenance of the surface water retention basin shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To protect the safety of children and others and for visual amenity purposes.
- 3 To ensure the drainage basin is adequately maintained in the interests of the visual amenity of the area.