

KEY INFORMATION

Ward Strathmartine

Proposal

Housing Development
comprising 71 Units

Address

Land to north of Balgowan
Avenue and west of Old
Glamis Road, Dundee

Applicant

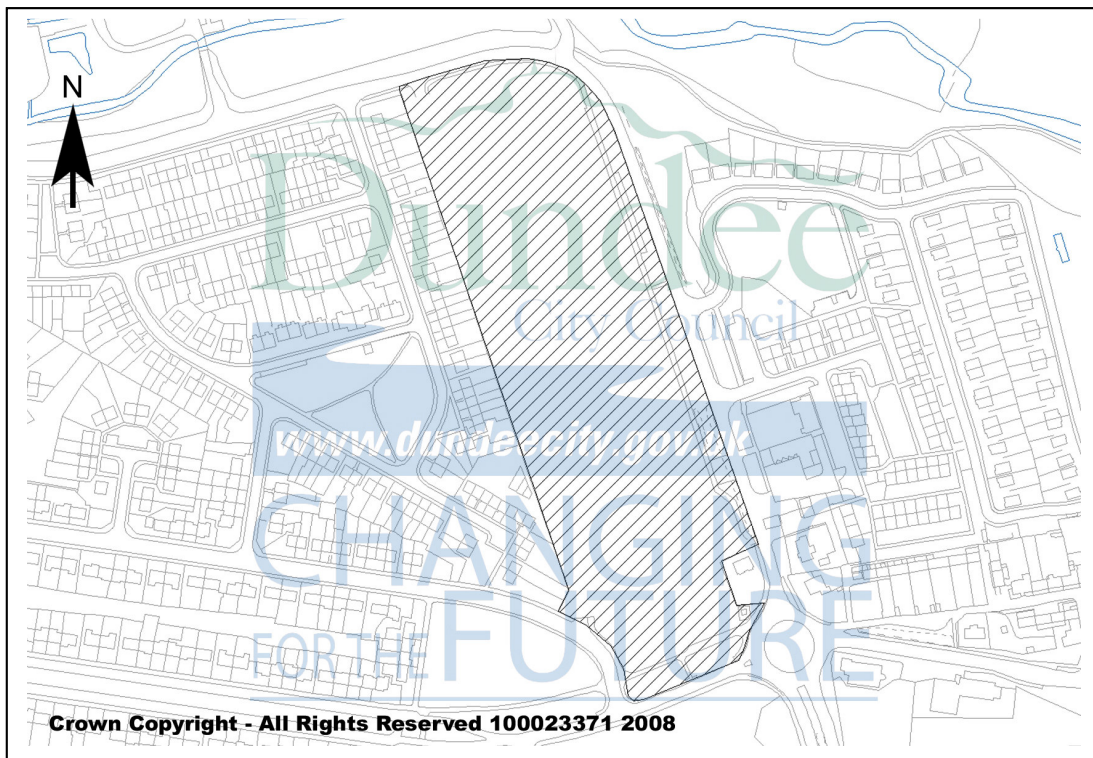
Baldragon Homes Ltd
Barns of Claverhouse Road
Dundee
DD4 9DJ

Agent

Hiddleston and Fiest
1 Laurel Bank
Dundee
DD3 6JS

Registered 29 Jan2008

Case Officer B Knox



New Residential Development Proposed at Balgowan Avenue

The development of 71 houses is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation.

RECOMMENDATION

The application complies with Policies 4, 55 and 75 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify a decision contrary to this.

The application is recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- The application proposes the erection of 71 houses. Fifty one of these will be three bedroom dwellings and a further twenty will be four bedroom houses.
- One letter of objection has been received raising concerns that the development will result in overlooking and the invasion of privacy.
- It is concluded from the above that the application complies with Policies 4, 55 and 75 of the Dundee Local Plan Review 2005 and there are no material considerations, including the views of the objector, that would justify a decision contrary to this.

DESCRIPTION OF PROPOSAL

The application proposes the erection of 71 houses. Fifty one of these will be three bedroom dwellings and a further twenty will be four bedroom houses. The site was formally occupied by a low rise development which has been demolished and the site landscaped. The site is identified in the Dundee Local Plan Review for housing.

Access to the site would be taken from Helmsdale Avenue and also from Harestane Road. There will also be a pedestrian link from Old Glamis Road. Homes are proposed to face onto Old Glamis Road with further homes within the site. Access points will be created from Harestane Road and from Helmsdale Avenue to facilitate the further dwellings within the site. A hard landscaped 'piazza' area is to be formed in the central area of the site to break up the area as a potential through route and create a communal central focus.

The proposed houses will take the form of one and a half and two storey properties. The design of the house is intended to reflect a 'Scandic' influence with low pitch roofs and use of cladding to portray a timber frame tradition common in Scotland while utilising modern sustainable materials and construction methods to achieve a high level of environmental efficiency. The walls shall be finished in stucco render with weatherboarding, the colour and finish of which shall be agreed with the Planning Authority prior to the commencement of development on site. It is proposed that the roof shall be finished in concrete roof tiles and the colour of this will also require to be agreed prior to the commencement of development on site to ensure the colour and type is appropriate for the surrounding area.

Each of the dwellings shall be served with in curtilage parking and shall be served by both front and rear garden grounds. The private rear gardens will range in size from 12m² to over 300m².

The proposed drainage for the site shall utilise SUDS principals with a detention pond to the south end of the site incorporating tree and shrub

planting to soften the appearance as an attractive green space.

SITE DESCRIPTION

The application site is situated to the west of Old Glamis Road and the south of Harestane Road and takes the form of a green landscaped area. The site is allocated in the Dundee Local Plan Review 2005 for housing. The site is



fairly flat and measures approximately 4.2 hectares.

The site is laid out in grass but was formally occupied by housing which has since been demolished.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies direct of relevance.



Dundee Local Plan 2005

The following policies are of relevance:

Policy 4: Design Of New Housing - the design and layout of all new housing in Dundee should be of a high quality. As a basis for achieving this, new development will be required to

conform to the Design Standards contained in Appendix 1 of this Local Plan unless:

- a the City Council, through either site allocation in the Local Plan or site planning briefs, considers it appropriate to vary the standards to reflect the constraints or opportunities offered by the development of a particular site; or
- b the proposal is within an established low density residential area, in which case the density of the new development should reflect this and more generous external space standards will be required.

New housing development should also have regard to the principles of the City Council's Urban Design Guide.

In addition, new housing development should meet "Secured by Design" standards. New residential streets should be designed to promote low vehicle speeds of 20 mph or less. New housing should have regard to opportunities to maximise energy efficiency and promote sustainable waste management.

Where conversion of a listed building or other building worthy of retention is proposed, there may be limited flexibility in applying parking and garden ground requirements where compliance is impractical. The development of flats through conversions of buildings of merit may also be acceptable where conversion to flats is the only appropriate action.

Policy 55: Urban Design - for all new developments the emphasis will be on design quality and the City Council will seek the creation of new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. All development should respect the setting of listed buildings.

The City Council require the use of Design Statements for planning applications or listed building applications for new buildings or extensions to existing buildings on significant sites.

All development will, in its design and layout, be expected to contribute to an environment which is safe and accessible to all.

Policy 75: Sustainable Drainage Systems - all appropriate development proposals must be accompanied by a Sustainable Drainage scheme at the time of submitting a planning application. This must be supplemented by a Drainage Impact Assessment that shows the impact of a 1 in 200-year rainstorm event. SUDS schemes should be designed accordingly so that if this event occurs, flooding will not be higher than 300mm below floor level. In addition, proposals will be encouraged to adopt an ecological approach to surface water management and exploit opportunities for habitat creation or enhancement by forming wetlands or ponds, for example.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

SPP3: Planning for Housing - SPP3 sets out the Scottish Government's policy on the identification of housing requirements, the provision of land for housing and the delivery of homes through the planning system.

Non Statutory Statements of Council Policy

In May 2003, the Council's Planning and Transportation Committee agreed that the Trottick Site Planning Brief be approved as supplementary planning guidance to the Finalised Draft Dundee Local Plan 2002. The Council's Development Quality Committee agreed that the Brief be a material consideration in the determination of planning applications for the site.

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

The site was occupied by low rise housing many years ago. These were

demolished and the site was laid out in grass.

PUBLIC PARTICIPATION

The applicant carried out the Statutory Neighbour Notification procedure at the time of submission of the application. One letter of objection has been received raising the following concern:

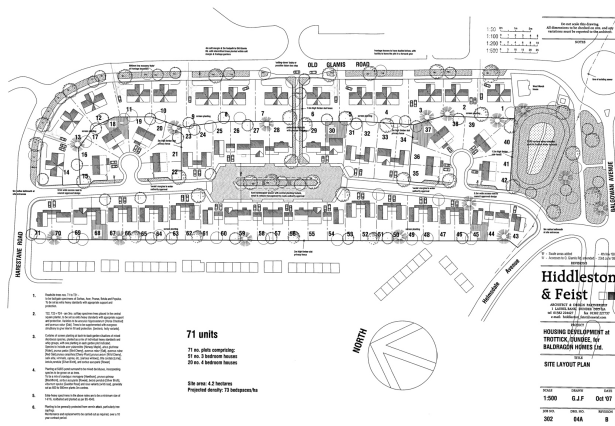
The development will result in overlooking and the invasion of privacy as the new build gardens are



back to back with the objector's rear garden area.

The issues raised will be discussed in detail in the Observations Section of the Report below.

Members will already have had access to this letter and the points raised are considered in the Observations Section of this Report.



CONSULTATIONS

The Council's Environmental Health and Trading Standards Department have raised that the application site may be potentially contaminated. Should planning permission be granted this matter can be addressed by a condition.

OBSERVATIONS

Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997 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.

The application proposes the erection of 71 dwellings on land to the west of Old Glamis Road and east of the existing dwellings on Newton Road. The land is allocated in the Dundee

Local Plan Review 2005 for housing and was formally occupied by a low rise development. This has been demolished and the site is grassed at present.

Homes are proposed to face onto Old Glamis Road and further homes within the site. Access points will be created from Harestane Road and from Helmsdale Avenue to facilitate the further dwellings within the site. A hard landscaped 'piazza' area is to be formed in the central area of the site to break up the area as a potential through route and create a communal central focus.

The proposed houses will take the form of one and a half and two storey properties. The design of the house is intended to reflect a 'Scandic' influence with low pitch roofs and use of cladding to portray a timber frame tradition common in Scotland while utilising modern sustainable materials and construction methods to achieve a high level of environmental efficiency. The appearance of the proposed materials is to be agreed by the Council under the terms of a planning condition.

In terms of Policy 4, the overall aim is to promote high quality new housing. The means of achieving high quality

housing are set out in Appendix 1 of the Dundee Local Plan Review 2005. Therefore the main criteria to consider are the design of the houses, the provision of car parking, garden space and privacy, and the residential amenity of both new and the existing houses around the site.

The proposed houses would be a mixture of single storey and two storeys in height. The houses would be of a simple architectural form and style that would complement the existing housing in the area. External finishing materials of render and concrete roof tiles with shiplap boarding would also be in keeping with the character of the area.

The layout of the proposed development is such that the detached dwellings shall present a frontage to Old Glamis Road with driveways which allow vehicles to leave the plot in a forward gear. The housing fronting this area is set well back from the roadside, behind a wide soft margin, footpath and front gardens. It is proposed to have a small masonry 'dyke' at the boundary to this frontage also. It is considered that this substantial space will ensure the houses are unimposing from Old Glamis Road and address the adjacent tree belt and countryside beyond.

The interior housing fronting the newly created through road and square would be two storey. Given the distance between the proposed houses and the existing houses to the west, it is considered that the proposed development would not be detrimental to the residential amenity of existing properties by way of overshadowing or unacceptable levels of overlooking.

The design provides 30% four bedroom houses and 70% three bedroom units. The Design Standards contained within Appendix 1 require that at least 75% of houses should have three or more bedrooms or a minimum gross internal floor area of some 100m². Accordingly it is considered that the proposal complies with Policy 4 in terms of house type.

In terms of garden ground and amenity space, all units would have a minimum of 120m² private useable garden space. Some of the detached dwellings will have private garden grounds well in excess of this level.

The proposed development would improve the tenure choice of housing

in the area. The proposed development by virtue of layout, design, house-type and parking requirements is considered to meet the criteria of Appendix 1 and therefore comply with the provisions of Policy 4 of the Dundee Local Plan Review 2005.

Policy 55 (Urban Design) states that for all new developments the emphasis will be on design quality, and will in its design and layout, be expected to contribute to an environment that is safe and accessible to all. As stated above, it is considered that the layout of the proposed development respects the street layout of surrounding streets. Furthermore, the houses will present an active street frontage. The finishing materials are consistent with the character of the area.

It is therefore considered that the proposal complies with Policy 55 of the Dundee Local Plan Review 2005.

Policy 75 of the Dundee Local Plan Review requires proposals for new housing developments to be accompanied by sustainable drainage schemes. It is proposed to locate the SUDS basin at the low end of the site in keeping with the topography of the area which gives rise to the opportunity for a green area in this area of the site. The proposals are considered to demonstrate that surface water disposal will be controlled. The proposals therefore comply with the requirements of Policy 75.

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:

A Site Planning Brief - in May 2003, the Council's Planning and Transportation Committee agreed that the Trottick Site Planning Brief be approved as supplementary planning guidance to the Finalised Draft Dundee Local Plan 2002. The Council's Development Quality Committee agreed that the Brief be a material consideration in the determination of planning applications for the site.

The Brief identifies amongst other things, a number of key issues relating to the type and form of development for the site:

1 Form

The brief seeks significant landscape planting and the provision of large houses within a new context to address the adjacent tree belt and the countryside beyond. The layout proposed addresses the nearby countryside setting as the housing fronting this area is set well back from the roadside, behind a wide soft margin, footpath and front gardens. Furthermore, it is proposed to have a small masonry 'dyke' at the boundary to this frontage also. It is considered that this substantial space will ensure the houses are unimposing from Old Glamis Road and address the adjacent tree belt and countryside beyond.

2 Materials

The brief seeks materials which are of high quality using timber and innovative cladding systems to achieve a unique architectural aesthetic for the site. The proposed houses will take the form of one and a half and two storey properties. The design of the house is intended to reflect a 'Scandic' influence with low pitch roofs and use of cladding to portray a timber frame tradition common in Scotland while utilising modern sustainable materials and construction methods to achieve a high level of environmental efficiency. The appearance of the proposed materials is to be agreed by the Council under the terms of a planning condition but are considered to be in keeping with the terms of the brief.

3 Amenity/Garden Area

The brief seeks a minimum private useable garden ground of 120m² whilst 40% of the proposed dwellings should have at least 160m². In terms of garden ground and amenity space, all units would have a minimum of 120m² private useable garden space. Some of the detached dwellings will have private garden grounds well in excess of this level and the proposal is in keeping with the brief in this respect.

4 Landscape

The present landscape strip along the eastern edge of the site is to be retained with a formal tree planting in the area to create an informal avenue of trees. The layout proposed addresses the nearby countryside setting as the housing fronting this area is set well back from the roadside, behind a wide soft margin, footpath and front gardens. There will be planting in the margin to create the avenue of trees and full details will be agreed as part of a condition to be applied to any grant of permission.

Taking into consideration the above, it is considered that the proposals are in keeping with the spirit and standards of the approved brief.

Views of the objector - the development will result in overlooking and the invasion of privacy as the new build gardens are back to back with the objectors rear garden area.

As discussed above, the interior housing fronting the newly created through road and square would be two storey. The houses proposed closest to the objectors dwelling range from approximately 11m from the boundary to 15m away from the boundary. Given the distance between the proposed houses and the existing houses to the west, it is considered that the proposed development would not be detrimental to the residential amenity of existing properties by way of overshadowing or unacceptable levels of overlooking. The views of the objectors are therefore not supported in this instance.

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 contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

It is considered that the overall layout, and the scale, form, appearance and finishing materials of the housing, together would create a residential development of a satisfactory standard.

CONCLUSION

It is concluded from the above that the application complies with Policies 4, 55 and 75 of the Dundee Local Plan Review 2005 and there are no material considerations that would justify a decision contrary to this.

RECOMMENDATION

It is recommended that consent 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 BEFORE WORK STARTS ON SITE, samples of the proposed finishing materials shall be submitted to this Planning Authority for written approval and thereafter shall be applied in accordance with approved details. For the avoidance of doubt, the samples submitted should include cladding, roof tile, rainwater goods and stained timber.
- 3 Development shall not begin until a Preliminary Risk Assessment is completed and, if required, an Intrusive Investigation and a scheme to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:
 - i assessment of the risks associated with contaminant sources, pathways and receptors specific to the proposed use of the site, and, if necessary;
 - ii a remediation Implementation Plan detailing measures to treat/remove contamination and mitigate risks to ensure the site is fit for the proposed use;
 - iii measures to deal with contamination during construction works; and
 - iv verification sampling, testing, certification and monitoring of the site to demonstrate suitability for the proposed use on completion of remediation measures.

- 4 Before any unit is occupied the measures to decontaminate the site, if necessary, shall be fully verified and approved in writing by the Planning Authority and thereafter implemented.
- 5 Surface water from the site shall be dealt with using Sustainable Urban Drainage System techniques as advocated in the design manual for Scotland and Northern Ireland (CIRIA C521 2000). Full details of the methods to be employed, including where appropriate calculations, along with details of how these measures will be maintained, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site. Thereafter all works approved by virtue of this submission shall be carried out in full. For the avoidance of doubt, all information submitted to the Council should comply with the adoptable standards of Scottish Water and SEPA.
- 6 That notwithstanding the details shown on the approved plans, the details of all new boundary enclosures and all new tree planting shall be agreed, in writing, with the Planning Authority prior to the commencement of development on site. The works shall thereafter be carried out in full accordance with the agreed details.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interest of safeguarding visual amenity of the existing streetscape.
- 3 In the interests of identifying contamination and providing land that is safe for residential occupation.
- 4 In the interests of identifying contamination and providing land that is suitable for residential occupation.
- 5 To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.

- 6 In order to ensure the enclosures and trees are acceptable for the area and do not have a detrimental effect upon the visibility splays.