

KEY INFORMATION

Ward North East

Proposal

Erection of 17 houses,
access road and landscaping

Address

Land to the North of Pitkerro
Road and East of
Longhaugh Road, Dundee

Applicant

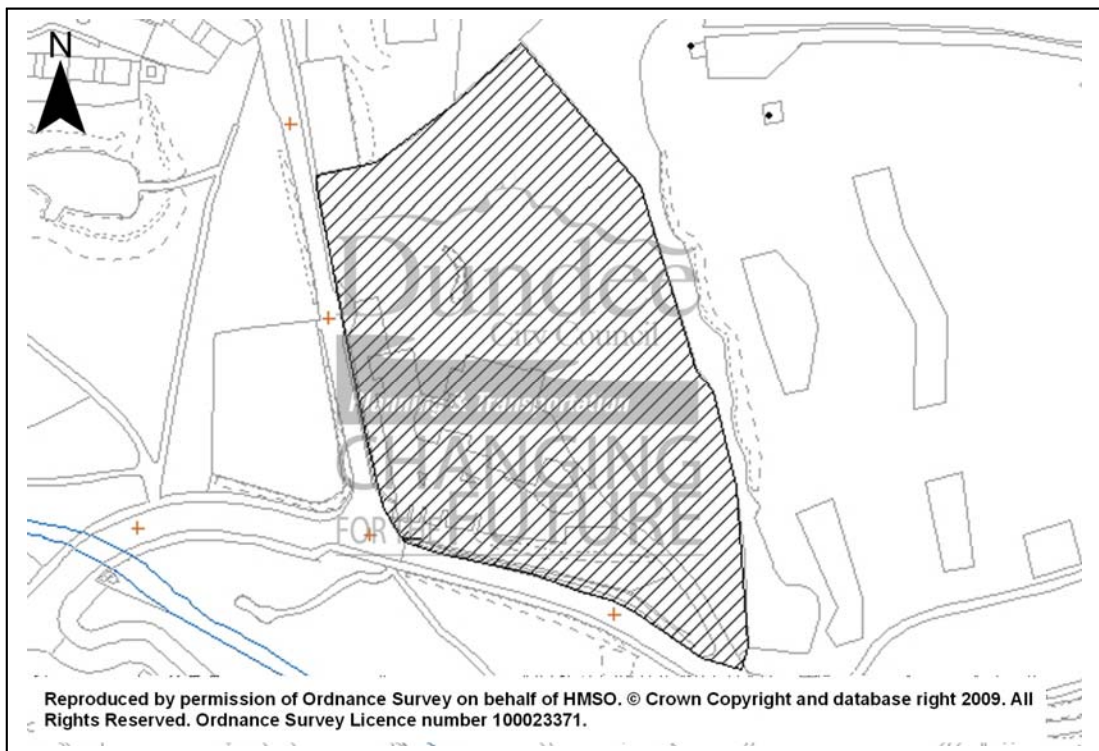
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Agent

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Registered 24 April 2009

Case Officer C Walker



Proposed Housing Development at Longhaugh Road

The erection of 17 houses is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The proposal complies with the Dundee Local Plan Review 2005. The extent of tree felling is justified taking into account the retention of most of the woodland areas and the augmentation of the landscape cover with significant additional new planting. The application is recommended for **APPROVAL**.

SUMMARY OF REPORT

- The approval of reserved matters of a previous outline permission is sought for a residential development of 17 houses on land to the north of Pitkerro Road and east of Longhaugh Road.
- The proposal previously came before the Development Quality Committee in August 2009 and was since modified to reduce the number of units.
- No letters of objection were received to the proposal.
- The proposal now complies with the Development Plan and the removal of a large number of trees in the lower part of the site (protected by a TPO) is justified by the retention of the trees of significant amenity value and the carrying out of extensive new planting to enhance the existing woodland cover.

DESCRIPTION OF PROPOSAL

The proposals seek the approval of reserved matters based on outline planning permission 06/00007/OUT which was granted on 25 May 2006.

This proposal is for the erection of 17 houses on the former Longhaugh Hotel site to the north of Pitkerro Road and east of Longhaugh Road. This application previously appeared on the agenda for the August Development Quality Committee with a recommendation of refusal due to concerns about garden ground, parking and loss of protected trees. The Committee deferred the application to allow further discussion between the Council and the applicants to see if a mutually acceptable compromise could be achieved.

As a result of these discussions 4 houses were deleted from the layout (reduced from 21 to 17) and the proposals for garden ground and parking and tree protection were enhanced. The houses include 1 detached dwelling and 16 semi-detached units. Four of the semi-detached units are 2.5 storey townhouses and all the other houses are 2 storey. All the houses have three bedrooms. The proposed materials are facing brick and render walls and concrete tiled roofs. 1.8m high timber fences are proposed around the boundaries of the rear gardens of the houses.

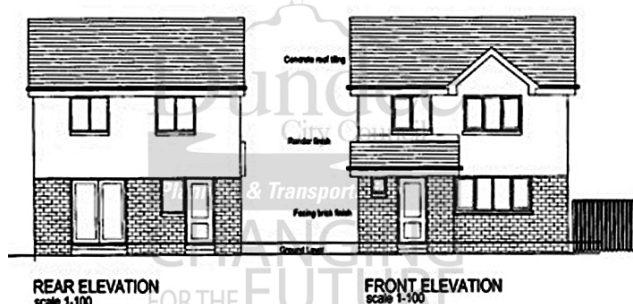
The town houses each have a garage and a parking space and all the other houses have 2 parking spaces as well as space for a garage. The site is accessed from Longhaugh Road and four houses are accessed from Pitkerro Road.

The rear gardens are all in excess of 120m² and some of the gardens are well in excess of this figure, some of them ranging from 300-535m². Many of these garden areas are fairly steep due to the slope of the ground and affected by overshadowing by retained trees but are sufficiently large to ensure that adequate useable garden ground will remain.

The northern and western part of the site (50% of the total area) will not be developed as it is heavily wooded, steeply sloping and the trees are protected by a Tree Preservation Order. The trees will be maintained

and managed by the developer, as part of a required tree management plan for the site.

The applicant submitted a visual tree assessment by Arboretum Internationale which assessed the trees within the proposed site for the housing development only and not those on the slope to the north and east. A total of 52 trees were assessed and only 5 are indicated as being retained within the area proposed for development. A desktop study report regarding potential contamination of the site was also submitted.



The applicant submitted a supporting statement with the application which describes the site as "overgrown, increasingly unsightly and attracts undesirables" and describes the TPO covering the site as vulnerable as "many of the trees have been affected by vandalism, notably fire, and the site's previous owners clearly had little



interest in either the ongoing maintenance or the health and safety issues arising from tree damage." It goes on to say that:

"The site's present owners have, at considerable cost, acted responsibly and timeously when dealing with tree related health and safety issues, working closely with the Council's tree officer in making the site safe."

As part of the development the applicant proposes that the slope of the

site would remain undeveloped, and would instead be planted with approximately 1200 whips, reinforcing the ridge as a green area in the city. The TPO would be further enhanced by the planting of extra-heavy standard trees in between two areas of the lower part of the site, giving some additional depth to the mature tree cover that will be retained.

The applicant proposes that the area outwith the housing site, the wooded ridge, is taken over for maintenance by an organisation such as the Woodland Trust, ensuring its long term survival as a green part of the city, and ensuring that public access is maintained.

In terms of the house types, the applicant states that they will create a balanced development which will provide family housing on a site which has lain vacant for some years, within a setting which will enhance this corner site visually. The four houses proposed fronting onto Pitkerro Road would provide some additional security, by means of overlooking, to the path that runs through the parkland opposite. A footpath is proposed to connect the development to this established area of local parkland and to the local facilities beyond.

Preliminary drainage proposals have been submitted which indicate that Sustainable Urban Drainage will be provided with a detention basin being formed in the south western corner of the site. A preliminary flooding appraisal indicates that the site, including the detention basin, should not flood in a 1:200 event.

SITE DESCRIPTION

The application site is located on the east side of Longhaugh Road and north side of Pitkerro Road. It is the site of a former hotel. The majority of the site is heavily wooded and slopes steeply north and eastwards and backs onto a former quarry. The trees on the site are protected by a Tree Preservation Order. The lower part of the site is more level and there are signs that trees have recently been removed as part of the management of the wooded area. There is a low stone wall along the west boundary of the site. There is currently a barrier on

Pitkerro Road to stop through traffic. The former Longhaugh Quarry is immediately adjacent to the east. A narrow footpath runs along Longhaugh Road from south to north. There is a public footpath to the south which leads to a former shopping centre at Pitkerro Road. There is a vacant grassy site, with mature trees along the boundary on the opposite side of Longhaugh Road. A telephone exchange building is located to the north and a telecommunications mast to the north east.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan Review 2005

Policy 4: Design of New Housing - this policy sets out requirements for the design and layout of all new housing, which should be of a high quality. As a basis for achieving this, new development at this location will be required to conform to the Design Standards for suburban housing contained in Appendix 1 of the Plan.

Policy 55: Urban Design - this policy places an emphasis on good design quality.

Policy 72: Trees And Urban Woodland - new developments must have regard to existing healthy mature trees, the survival and retention of which will be strongly encouraged through sensitive site layouts and 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. The Council will promote Tree Preservation Orders to protect individual trees or entire planting schemes where expedient to do so.

SUSTAINABILITY ISSUES

The development of this site is considered to be sustainable as it involves the redevelopment of a brownfield site.



SITE HISTORY

Outline planning permission was granted for residential development of the site on 25 May 2006 (ref: 06/00007/OUT). A number of conditions were attached regarding potential contamination of the site, drainage/flooding issues, trees and a condition to ensure that the site is not developed with flats.



Planning application 07/00683/FUL for 23 houses on the site was withdrawn on 18 January 2008. The application was withdrawn following recommendations by the case officer that the application could not be supported.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and no letters of objection were received.

CONSULTATIONS

The Head of Environmental Health and Trading Standards has considered the preliminary risk assessment for the site and recommends that a condition be attached to cover contamination risk should Members be minded to approve the application.

The Councils Forestry Officer agrees in general with the findings of the tree assessment by Arboretum Internationale. He accepts that the development will lead to the loss of trees but considers that this would be preferable to the alternative of lack of maintenance and continued vandalism of trees. He recommends that conditions are included to protect the 5 trees to be retained close to houses and to ensure that appropriate new planting is carried out.

The eastern extremity of the site falls within the outer consultation zone for the Midmill Gas Holder and the Health and Safety Executive do not advise against the grant of planning permission on safety grounds.

OBSERVATIONS

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.

This site is allocated as a suburban site and is brownfield as there was formerly a hotel on the site. Policy 4 sets out standards for new housing developments.

All the houses have 3 bedrooms and so the criteria regarding house type is met. In terms of parking, all the houses provide at least 2 parking spaces and well over 50% have space for a garage as well so the proposal fully complies

with this requirement (the previous proposals for 21 houses failed to meet this requirement but the reduction in units has ensured compliance).

All gardens exceed 120m² and many are well in excess of this figure, therefore the garden ground requirements, in terms of physical size, are met. Where gardens are steep in nature or overshadowed by trees, much larger gardens have been proposed (through the reduction in units compared with the previous proposals for 21 houses). The retention of mature trees on the site will therefore be possible without causing unacceptable overshadowing and leaf litter for the future occupants. It is therefore concluded that the proposal complies with the garden ground requirement.

Finally, privacy distances of 18 metres minimum are respected.

Policy 55 promotes good design. It is considered that the design of the proposed development, which was the subject of considerable pre application discussion, is of a sufficiently high quality to satisfy the requirements of Policy 55.

Policy 72: Trees and Urban Woodland - this Policy seeks to ensure that new developments have regard to existing healthy mature trees, the survival and retention of which will be strongly encouraged through sensitive site layouts and both during and after construction.

Although the vast majority of trees on the part of the site proposed for development will be removed with only 5 being retained, all the trees on the remainder of the site will be retained. The tree report by Arboretum Internationale indicates that most of the trees require to be removed due to their health and physical condition as opposed to providing room for the development to take place. The plans have been amended to ensure that sufficient space will be provided around the 5 mature trees to be retained on the lower part of the site so that their future viability will not be affected.

As part of the development the applicant proposes that the slope of the site would remain undeveloped, and would instead be planted with approximately 1200 whips, reinforcing

the ridge as a green area in the city. In addition it is proposed to plant 30 extra-heavy standard trees in the lower part of the site, giving some additional depth to the mature tree cover that will be retained.

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:

Tree Preservation Order 2-1994 - the majority of the site, with the exception of the former footprint of the Longhaugh Hotel is protected under TPO 2-1994. The trees within the site are a mixture of conifers and deciduous woodland consisting mainly of Scots Pine, sycamore, elm, beech, ash and maple. The reason for the site's allocation as a TPO is to protect the woodland and the visual amenity of this part of Dundee.

Some tree removal within the site has already been agreed with the Council's Forestry Officer in order to attempt to manage the trees. A number of trees were vandalised and required removal. With this development, although a significant number of trees will be removed, the remaining trees of significant amenity value will be retained. In addition, significant new planting is proposed to enhance the existing woodland cover.



The Council's Forestry Officer considers that the level of tree loss is acceptable taking into account the replanting proposals and the fact that if the site is not developed the trees are likely to be exposed to continued vandalism.

Flood Risk and Drainage - given the close proximity of the site to the

Dightly, a preliminary flood risk assessment was provided and this indicates that the site should not flood in a 1:200 event. The applicant has indicated that foul drainage will be connected to the main public sewerage system and surface water will be connected to an appropriately designed SUDS system with a detention basin located at the south west corner of the site outwith the gardens of houses.

It is concluded from the foregoing that there are no material planning considerations which weigh against the proposed development and that the application for reserved matters should be approved in accordance with the Development Plan.

Design

The design of the houses is considered acceptable for this suburban site.

CONCLUSION

The proposal complies with the Dundee Local Plan Review 2005. The extent of tree felling is justified taking into account the retention of most of the woodland areas and the augmentation of the landscape cover with significant additional new planting.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within two years from the date of this permission.
- 2 No development shall commence until full details of the sustainable drainage of the site, which shall be in accordance with Sewers for Scotland 2, and which shall include a timetable for implementation and proposals for adoption by Scottish Water (or an alternative body acceptable to the Council), are submitted to the Council for written approval. The works shall be completed in full accordance with such approved details.
- 3 No development or other operations shall be commenced on this site until adequate steps in accordance with BS 5837:2005

have been taken to safeguard, against damage or injury during construction works, all trees on the site (and in particular trees 147, 148, 157, 175 and 177), or whose root structure may extend within the site, which are indicated for retention on the approved plans. No operations shall commence until the agreed protective measures have been inspected on site by the Council and their written consent has been obtained.

In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure and no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the trees by affecting their root structure.

- 4 No development shall commence until details of the arrangements for the maintenance of the woodland areas outwith the curtilages of the proposed houses have been submitted for the written approval of the Council. The development shall be carried out only in full accordance with such approved details.
- 5 The proposed new planting indicated in the Landscaping Plan Rev B received on 14/12/2009 shall be fully implemented on a phased basis which has been agreed in writing by the Council prior to the commencement of development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five 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.
- 6 No development shall commence until details of the proposed vehicle access have been agreed in writing by the Council. The access must be formed and constructed in accordance with the agreed Council standards and specifications.
- 7 No development shall commence until details of a footway generally of 2 metres minimum width (but of a lesser width in

exceptional circumstances in very limited areas if this is essential to ensure that retained trees are not adversely affected) ex adverso the site on Longhaugh Road and Pitkerro Road, including a timescale for implementation, have been agreed in writing by the Council. The development shall be carried out in full accordance with such approved details and any existing accesses that are no longer required as part of the proposed development must be made good as footway all to the Council's specifications.

- 8 No development shall commence until the investigation and risk assessment proposal in the submitted Stage 1 Desk Study are completed and, if necessary, a remediation strategy 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:
 - a the nature, extent and type(s) of contamination on the site;
 - b measures to treat/remove contamination to ensure the site is fit for the use proposed;
 - c measures to deal with contamination during construction works; and
 - d condition of the site on completion of decontamination measures.
- 9 Before any unit is occupied the remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved in writing by the Council.
- 10 Samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.
- 11 No development shall commence until details of all proposed

boundary enclosures are submitted to the Council for approval and the development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.
- 2 In order to ensure that the site is drained in a sustainable manner.
- 3 To protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development.
- 4 In order to make adequate provision for the future maintenance of these important areas of woodland in the interests of visual amenity and nature conservation.
- 5 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 6 In the interests of traffic and pedestrian safety.
- 7 To provide an adequate footway in the interests of pedestrian safety.
- 8 To ensure that the site is fit for the proposed use.
- 9 To ensure that the site is fit for the proposed use.
- 10 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 11 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.