

KEY INFORMATION

Ward North End

Proposal

Construction of new road linking Summerfield Avenue and Lothian Crescent

Address

Land between Lothian Crescent and Summerfield Avenue
Dundee

Applicant

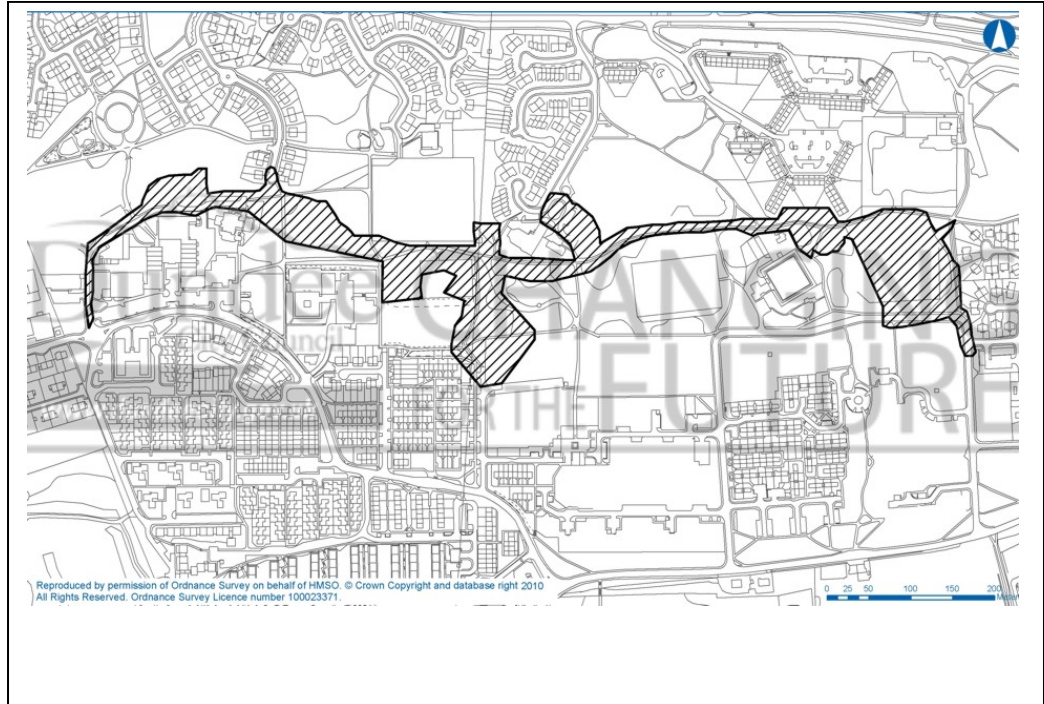
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Registered 5 March 2010

Case Officer Paul Macari



New Link Road Proposed in Whitfield Regeneration Project

The construction of a new road linking Summerfield Avenue and Lothian Crescent is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

SUMMARY OF REPORT

- This application seeks planning permission for the construction of a new road linking Summerfield Avenue and Lothian Crescent.
- Policy 1 (Vibrant and Sustainable Communities), Policy 3A (Housing Proposals), Policy 55 (Urban Design), Policy 66B (Protection of Other Open Space), Policy 72 (Trees and Urban Woodland), Policy 75 (Sustainable Drainage Systems), Policy 81 (Pedestrians) and Policy 82 (Cycling Facilities) of the Dundee Local Plan Review 2005 are relevant to the outcome of this planning application.
- The Whitfield Planning Framework is a material consideration in the assessment of the proposals.
- 4 letters of objection have been received from neighbouring residents concerned about noise disturbance, pollution, infringement of privacy, loss of a safe cycle path, creation of a rat run, impact upon residential environment, loss of open space and loss of mature trees.
- The proposals accord with the provisions of the Development Plan and are a key component of the Whitfield Planning Framework.
- The concerns of objectors are not supported.

RECOMMENDATION

The proposals accord with the requirements of the adopted Local Plan. The concerns of the Objectors are not supported. It is therefore recommended that the application is **APPROVED** subject to conditions.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the construction of a new road linking Summerfield Avenue and Lothian Crescent.

The proposed road will be located in place of the existing Whitfield Cycle Route which runs from Lothian Crescent to Summerfield Avenue and will provide vehicular access to Haddington Crescent, Salton Crescent and Whitfield Loan. The proposed road will also significantly enhance the existing public footpath network in the surrounding area as well as create the opportunity for a developer's link at Aberlady Crescent.

The proposed road will be 1.3km in length and 6.1m wide with 2.5m wide footpaths on the north side of the road and 2m wide footpaths on the south side. A 2m wide grass verge will be situated between the road carriageway and footpaths. Within the grass verge on the south side of the road there will be a swale which will provide attenuation for excess run off from the road surface and footpath. The footpaths have been designed with additional width to accommodate bicycles, pedestrians and wheelchair users simultaneously.

The proposed road will serve as an extension to existing bus routes to provide public transport to the new Whitfield Primary School approved by planning application ref: 09/00786/FULM and to the urban plaza proposed by the Whitfield Planning Framework. In addition the proposed road will provide access and infrastructure to sites H55, H61 and H62 identified by Appendix 2 of the Dundee Local Plan Review 2005 which will facilitate housing development in these locations. The road will also provide access and infrastructure to development sites identified by the Whitfield Planning Framework.

The proposals will involve the removal of a substantial amount of trees that were planted on either side of the existing Whitfield Cycle Path. However, the proposals also involve replacement planting and the creation

of tree lined boulevards along sections of the new road.

The proposals fall within the meaning of a "Local" planning application as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. This is because the length of the proposed road does not exceed 8km.



This application requires to be reported to the Council's Development Quality Committee as the Council (City Development) is the applicant.

SITE DESCRIPTION

The application site comprises the existing Whitfield Cycle Path which runs between Summerfield Avenue



and Lothian Crescent. The existing cycle path is 2m wide and is surrounded by areas of open space. The cycle path was created during regeneration initiatives during the 1980's. The cycle path is tree lined

and provides pedestrian access to the surrounding cul-de-sacs between Summerfield Avenue and Lothian Crescent.

The cycle path is overlooked by two storey houses and 5 storey flatted blocks to the north. To the south the land slopes away and existing areas of open space and housing are at a lower level than the cycle path.

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) of the adopted Local Plan is supportive of proposals that seek to maintain or enhance the level of environmental quality afforded to neighbouring properties by virtue of design, layout, parking and traffic movement issues, noise disturbance and smell.

Policy 3A (Housing proposals) stipulates that sites identified in Appendix 2 and 3 of the Local Plan are reserved for housing and should not be developed for any other uses. This is because the Council are responsible for maintaining a 5 year effective housing land supply at all times which is monitored through the annual housing land audit process.

Policy 55(Urban Design) is supportive of proposals that seek to create new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. The City Council require the use of Design Statements for planning applications for new buildings on significant sites whereby all

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

Policy 66B (Protection of Other Open Space) is supportive of proposals to

develop areas of open space which comply with the broad principles of Policy 66A of the adopted Local Plan, or, where the proposals are consistent with a park master plan, strategy or programme approved by the Council to improve the management of open space.

Policy 72 (Trees and Urban Woodland) promotes development proposals that have regard for existing healthy mature trees where their retention should be encouraged through sensitive design. Where appropriate, development proposals should be accompanied by a tree planting and landscaping scheme that justifies the removal of existing trees on site and specifies replacement planting.

Policy 75 (Sustainable Drainage Systems) stipulates that all significant 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.

Policy 81 (Pedestrians) is supportive of proposals that consider ease and safety of pedestrian access as a priority over all modes.

Policy 82 (Cycling Facilities) is supportive of proposals that include provision for on road or off road facilities for cyclists.

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

The following policy statements are of relevance:

The Whitfield Planning Framework - The Whitfield Planning Framework outlines the Local Community's and the Council's vision for a regenerated Whitfield. The Framework identifies sites suitable for housing, open space, commercial development and infrastructure. The Whitfield Planning Framework also identifies the proposed road as the main vehicle in delivering the regeneration of Whitfield.



SUSTAINABILITY ISSUES

The following sustainability policy implications arise from this application:

The proposals will improve connectivity through Whitfield linking Summerfield Avenue and Lothian Crescent with surrounding streets. The road has been designed to accommodate both cars and buses. This will enhance public transport links to other parts of Dundee. The footpath on the northern side of the proposed road will be 2.5m wide to accommodate cyclists, pedestrians and wheelchair users simultaneously. Bus routes and stops have yet to be agreed with the service providers but it is anticipated that stops will focus on the proposed new community links with health, communities, leisure, commercial and educational facilities.

SITE HISTORY

There is no planning history of relevance to the proposed development. However, it should be noted that planning application ref: 09/00786/FULM which sought planning permission for the erection of a 3 stream primary school accessed from the proposed road that is the subject of this application was granted

planning permission by the Development Quality Committee at the committee meeting on 15 March 2010.

PUBLIC PARTICIPATION

The Council has followed the statutory neighbour notification procedures stipulated by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2009.

4 letters of objection have been received from neighbouring residents (1 of which claims to represent Dunbar Park Owner Occupiers) concerned about:

- Noise disturbance;
- Loss of privacy;
- Pollution;
- Loss of a safe cycle path;
- Loss of mature trees;
- Impact upon residential environment;

- Creation of a rat run; and
- Loss of open space.

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

CONSULTATIONS

No adverse comments have been 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 (Vibrant and Sustainable Communities) is supportive of

proposals that will provide an appropriate range of services and facilities close to and within housing areas. However, only those proposals that 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 will be supported.

The proposed road although located in close proximity to the rear gardens of existing housing on both the northern and southern sides of the existing cycle path will not have an unacceptable impact upon the level of environmental quality afforded to residents by virtue of noise or smell disturbance, design/layout and parking and traffic movements.

With regard to design and layout, the proposed road will encroach into existing areas of landscaping and will involve the removal of a substantial amount of trees. However, it should be noted that the existing cycle path which provides pedestrian access is not overlooked from neighbouring houses due to the density of the existing tree belts. The cycle path is considered to be dark and dangerous by pedestrians and is unpopular with neighbouring residents. In areas the cycle path is not well lit and is remote from nearby houses. The proposed road by virtue of design and layout will enhance connectivity between the existing housing areas served by the Whitfield Cycle Path through providing vehicle, cycle and pedestrian access between many of the adjoining streets and Lothian Crescent and Summerfield Avenue. In addition the proposed road will be lit through street lighting columns on both sides of the road. In place of the large number of trees being removed, tree lined landscaped boulevards will be created along stretches of the road to provide neighbouring houses with an element of privacy as well as to enhance the appearance and environmental quality of Whitfield. Additional tree planting is proposed as part of the Open Space Strategy presently being developed with the Whitfield Development Group.

The proposals will involve the creation of 2.5m wide footpath on the north side of the road and 2m wide footpaths on the south side to provide facilities for pedestrians and cyclists. In addition the road carriageway itself will be traffic calmed in the form of speed tables through the central core,

at road junctions and at pedestrian crossing points. This will enhance the level of pedestrian and cyclist safety afforded to users of the proposed road. The formation of traffic calming features such as speed tables will reduce the speeds at which vehicles can travel and will therefore prevent the use of the proposed road and adjoining roads as "rat runs".

In terms of noise and smell disturbance, the Head of Environmental Health and Trading Standards has not raised any concerns of noise disturbance or air quality. In this respect traffic using the proposed road is not considered to generate significant amounts of noise disturbance or pollution that would have an adverse affect on the existing level of environmental quality afforded to neighbouring properties. The affects of any noise disturbance that is generated by traffic using the proposed road will be partially absorbed by trees planted along either of its sides.

The proposed road is not considered to impact upon the level of environmental quality afforded to neighbouring properties. The proposals therefore comply with the requirements of Policy 1.

Policy 3A(Housing Land Supply) stipulates that the sites identified in Appendix 2 and 3 of the Dundee Local Plan Review 2005 will be safeguarded for housing only. This is because the Council are required to maintain a 5 year effective housing land supply at all times which is monitored through the annual housing land audit process. The proposed road will be located on part of housing sites H55 Kilbride Place, H62 Whitfield Rise/ Summerfield and H61 Salton Crescent/ Lothian Crescent as detailed in Appendix 2 of the adopted Local Plan. The proposed road will provide the necessary infrastructure to facilitate safe and sustainable access to these housing sites. In addition the proposed road will also facilitate the creation of inclusive and interactive streetscapes through the provision of 2-2.5m wide footpaths, tree planting as well as public transport facilities. In this respect the proposals are considered to promote residential development on sites H55, H61 and H62 through the provision of access and infrastructure which would have otherwise require to be provided by developers during construction of these sites. The proposals do not compromise the

usability of the housing sites for residential purposes and will not impact upon the 5 year housing land supply maintained by the Council. Therefore, the proposed development is considered to comply with the requirements of Policy 3A.

Policy 55 (Urban Design) requires all development in its design and layout to contribute to an environment which is safe and accessible to all. The design and layout of the proposed road will provide a clear separation between the road carriageway and pedestrian footpaths to prevent conflict between users of the road from occurring. The incorporation of traffic calming measures and raised surfacing at pedestrian crossing points will restrict the speed at which vehicles using the road can travel as well as enhance the level of safety afforded to pedestrians and cyclists. The layout of the proposed road will facilitate the creation of a pleasant suburban environment through the provision of tree lined boulevards. The proposals will also enhance the permeability of Whitfield through the resurfacing of existing public footpaths as well as the creation of new public footpaths between the streets adjoining and surrounding the application site. The layout and design of the proposed road meets the requirements of Policy 55 of the adopted Local Plan.

Policy 66B (Protection of Other Open Space) is supportive of proposals to develop areas of open space which comply with the broad principles of Policy 66A of the adopted Local Plan, or, where the proposals are consistent with a park master plan, strategy or programme approved by the Council to improve the management of open space. The proposed road will be located on the periphery of several areas of open space on Summerfield Avenue and to the west of Dunbar Park.

While part of the open space on Summerfield Avenue is used as a sports pitch, the area that the road will be located on is steeply sloping and has been densely planted with trees. The proposals will not impact upon the usability of this area of open space as a sports pitch but rather will make it more accessible through enhancing the pedestrian footpath network in the surrounding area. Further, the existing areas of open space surrounding the proposed road are largely unusable due to the topography of the area and the

lack of drainage infrastructure. The proposed swale along the western and southern side of the road will intercept run-off from the road itself as well as from land to the north. This will prevent areas of open space to the south of the road from becoming waterlogged after rainfall events.

The Whitfield Planning Framework has identified several areas of open space that are to be retained as well as several sports pitches that are to be enhanced as part of the regeneration of Whitfield. In addition several areas of redundant or poor quality open space have been identified for development. However, the loss of open space will be off set against the creation of new and the retention and enhancement of existing sports pitches and areas of open space identified by the Whitfield Planning Framework.

In this instance, the proposed road although partially located on areas of open space will enhance usability of such areas through enhancing the local pedestrian footpath network between Lothian Crescent and Summerfield Avenue. The road will also enhance the usability of existing areas of open space to the south through the provision of drainage infrastructure. The Whitfield Planning Framework identifies several new locations for the creation of sports pitches and areas of open space in Whitfield as well as zoning existing areas of redundant open space for development. The Whitfield Planning Framework ensures that any areas of open space given over to development such as the proposed road will be replenished through the creation of high quality sports pitches and recreational space. In this respect the proposals comply with the provisions of Policy 66B through satisfying the broad principles of Policy 66A.

Policy 72 (Trees and Urban Woodland) promotes development proposals that have regard for existing healthy mature trees where their retention should be encouraged through sensitive design. Development proposals should be accompanied by a tree planting and landscaping scheme that justifies the removal of existing trees on site and specifies replacement planting. The proposals seek to remove dense areas of tree planting that prevents surveillance of the existing cycle path and proposed road from neighbouring properties. The felled trees will be

replaced by specimen trees and shrubs that will form part of a landscaping scheme to be controlled by condition should the Committee be mindful to grant planning permission.

In accordance with the provisions of Policy 75(Sustainable Drainage Systems), it is proposed to create a swale along the southern side of the proposed road and along the western side of Whitfield Loan to provide treatment and attenuation for run-off from the proposed road and footpath. Should the amount of water being attenuated approach the maximum volume of the Swale, the excess will be piped through overflow outlets to the recently formed wet lands on the south side of Drumgeith Road. Calculations demonstrating that the swale will be able to attenuate run-off from the proposed road and footpath for a 1 in 200 year rainfall event have also been submitted which validates the design of the drainage proposals. However, to ensure that the swale is constructed in accordance with techniques advocated in the SUDS Manual (CIRIA 697) the design and capacity of the sustainable urban drainage system proposed will be controlled by condition should the Committee be mindful to grant planning permission.

The swale will be located in the landscape strip between the road carriageway and the public footpath. The swale will be sown in grass and will enhance the natural appearance of this drainage facility. Due to the creation of pedestrian and cyclist connections to the surrounding street network from the proposed road, the swales will be connected together through pipes.

The proposals comply with the provisions of Policy 75.

Policy 81 (Pedestrians) is supportive of proposals that consider ease and safety of pedestrian access as a priority over all modes. The Whitfield Cycle Path is accessible from the residential streets and cul-de-sacs located between Summerfield Avenue and Lothian Crescent. The proposed road will benefit from the existing connectivity serving the Whitfield Cycle Path. In addition the proposals will enhance the public footpath network through resurfacing existing footpaths and providing pedestrian crossing points in the form of raised carriageway surfaces. The proposed road will

facilitate the enhancement of public transport through Whitfield by the creation of a new thoroughfare connecting Lothian Crescent and Summerfield Avenue. The proposals are therefore considered to comply with the requirements of Policy 81 of the adopted Local Plan.

In terms of Policy 82 (Cycling Facilities) the proposed road will replace and upgrade the existing Whitfield Cycle path through the creation of footpaths that are 2-2.5m wide to accommodate both pedestrians and cyclists. In addition the existing public footpaths which adjoin the Whitfield Cycle Path from nearby cul-de-sacs and residential streets will be upgraded and re-surfaced. The proposals are therefore considered to comply with the requirements of Policy 82 of the adopted Local Plan.

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:

Views of Objectors

4 letters of objection have been received from neighbouring residents.

Concerns relating to noise disturbance, loss of open space, pollution, loss of a safe cycle path, loss of mature trees, impact upon residential environment and creation of a rat run have been assessed in the Observations section of this report. These concerns are not supported.

The perceived loss of privacy arising from increased numbers of pedestrians and the introduction of buses into the area is not considered to be significant. This is because where houses and flats are within 18m of the proposed road, new planting will provide screening to prevent any infringement of privacy from occurring.

The concerns of the Objectors are not supported.

Whitfield Planning Framework

After significant and in depth community involvement and consultation, the Whitfield Planning Framework was approved by the Council as a blueprint for the regeneration of Whitfield. The Whitfield Planning Framework

identifies the creation of a new road linking Lothian Crescent, Summerfield Avenue and neighbouring streets as the first stage in creating a connected, sustainable, vibrant and inclusive Whitfield. Should the Committee be mindful to grant planning permission for the proposed road, work will commence on the construction of a new 3 stream primary school to replace Whitfield Primary School and Newfield Primary School approved by planning application ref: 09/00786/FULM. Following the completion of the new school, the sites of the existing Whitfield and Newfields primary schools which have been zoned for housing can be marketed for private development. The Whitfield Development Framework proposes to create a new urban plaza midway along the new road adjacent to the proposed school that will accommodate a variety of community services such as local shops, a library, health centre and pharmacy. The housing sites identified in the adopted Local Plan and the Whitfield Development Framework which the proposed road will service will provide approximately 1000 new houses. The proposed road is therefore an integral part of the Council's plans for the economic and environmental regeneration of Whitfield.

It is concluded from the foregoing that the material considerations detailed above do not justify refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

Design

The proposed road will facilitate the regeneration of Whitfield through providing access to the recently approved Whitfield School, the proposed urban plaza and the many housing sites detailed in the adopted Local Plan and Whitfield Planning Framework. The design and layout of the proposed road will enhance the character of the surrounding area through the creation of tree lined boulevards and safe pedestrian footpaths and cycle routes between Lothian Crescent and Summerfield Avenue.

CONCLUSION

The proposals accord with the requirements of the adopted Local Plan. The concerns of the Objectors

are not supported. It is therefore recommended that planning permission is granted for the statutory time period and subject to conditions.

RECOMMENDATION

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

- 1 Full details of the proposed tree removal, retention, protection and replacement planting as per BS5837: 2005 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. The trees and shrubs to be retained shall not be cut down, grubbed out topped, lopped, uprooted or root pruned without the written consent of the Council. Any trees or shrubs removed without such consent or dying, or being severely damaged or diseased, shall be replaced with trees and shrubs of such size and species as may be directed by the Council and to the standard as approved by the Council.
- 2 Surface water from the proposed road shall be dealt with using Sustainable Urban Drainage System techniques as advocated in the SUDS Manual (CIRIA 697). 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.

Reasons

- 1 In the interests of safeguarding and enhancing the environmental quality of the areas surrounding the proposed road.
- 2 In the interests of ensuring that run-off from the road is both treated and attenuated to prevent

contamination of water sources and instances of localised flooding.