

Housing Development Proposed at Ormiston Crescent

KEY INFORMATION

Ward North East

Address

37-52, 53-64 and 65-76
Ormiston Crescent, Dundee

Applicant

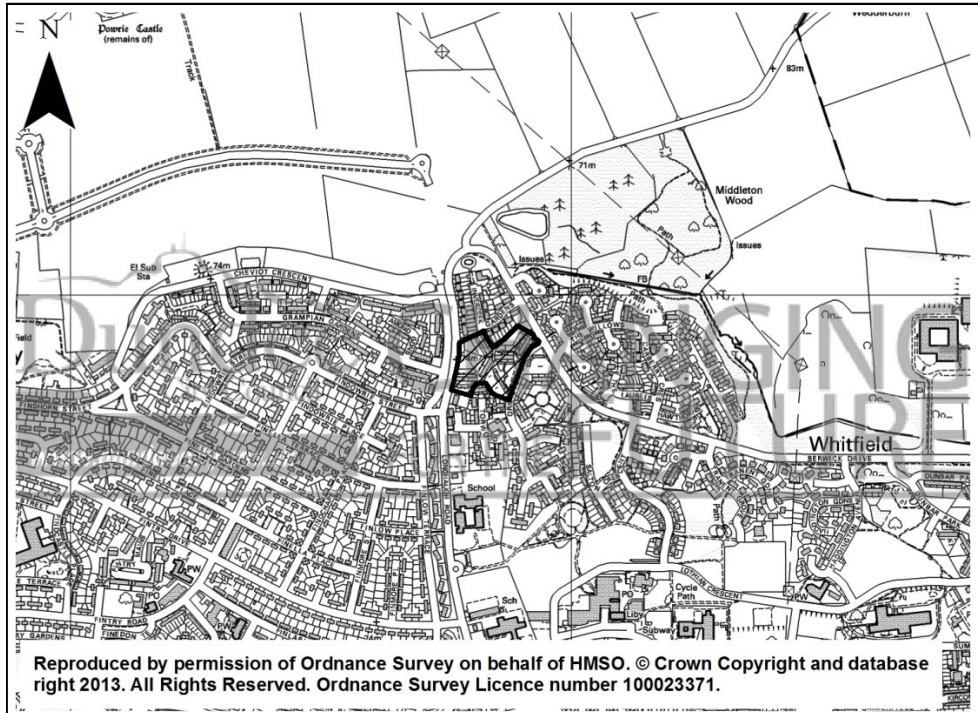
Angus Housing Association
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Arbroath DD11 1DP

Agent

KDM Architects
15 Camperdown Street
Broughty Ferry
Dundee DD5 3AA

Registered 12 Sep 2013

Case Officer Paul Macari



SUMMARY OF REPORT

- This application seeks planning permission for the demolition of 3 blocks of flats and the erection of 24 houses, 8 flats, the formation of an access road, parking, associated landscaping and the installation of a substation.
- No letters of objection or representation have been received.
- The proposal is contrary to the requirements of the Development Plan.
- There are material considerations that justify approval of planning permission.
- More details can be found at: <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MT7Z1DGC06600>.

RECOMMENDATION

The proposal is contrary to the requirements of the Development Plan. There are material considerations that justify approval of planning permission contrary to the Development Plan. Therefore, the application is recommended for APPROVAL subject to conditions.

1 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for the demolition of 3 blocks of flats and the erection of 24 houses, 8 flats, the formation of an access road, parking, associated landscaping and the installation of a new substation.

1.2 Twenty three of the proposed houses will be two storeys (8 semi-detached, 12 terraced and one detached). The remaining house will be a detached single storey wheelchair accessible house. The proposed flats will be contained within 2 two storey buildings of a similar design as the proposed two storey houses.



Figure 1 – Proposed Site Layout

1.3 Access to the site will be formed by extending the access road to Inveresk Gardens. The proposed access road will serve Plots 1 to 24 as well as providing access and parking for the existing flats within Brodick Walk and Cassidy Walk. Plots 25 to 32 will be accessed from Ormiston Crescent.

1.4 The new sub-station will be located adjacent to the proposed parking facilities to the north west of Cassidy Walk.

1.5 A detailed ground investigation report, a letter of acceptance from Scottish Water for the proposed drainage design and a Noise Impact Assessment have been submitted in support of the proposed development.

1.6 In accordance with the Council's Scheme of Delegation this application requires to be reported to the Development Management Committee as the Council is owner of the application site.



Figure 2 – Longhaugh Road Looking South



Figure 3 – Ormiston Crescent Looking East

2 SITE DESCRIPTION

2.1 The application site is bound by Longhaugh Road to the west, Inveresk Gardens to the north, Ormiston Crescent to the south east and Berwick Drive to the east. There are 5 four storey blocks of flats located on the application site at present as well as 14 lock-up garages. Three blocks of flats and the lock-up garages will be demolished to make way for the proposed housing development that is the subject of this application.

2.2 The application site is surrounded by different types of housing including 2 storey semi-detached newly built properties, 4 storey flatted blocks and 2 storey flatted blocks. There is also an electricity sub-station situated to the south west of the application site.



Figure 4 – Longhaugh Road Looking North

3 POLICY BACKGROUND

3.1 The following plans and policies are considered to be of direct relevance:

TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032

There are no Tayplan policies relevant to the proposed development.

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 7: High Quality Design

Policy 9: Design of New Housing

Policy 29: Low and Zero Carbon Technology in New Development

Policy 38: Trees and Urban Woodland

Policy 42: Sustainable Drainage Systems

Policy 45: Land Contamination

Policy 47: Environmental Protection

SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS

There are no policies relevant to the proposed development.

NON STATUTORY STATEMENTS OF COUNCIL POLICY

Whitfield Planning Framework.

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

4.1 Planning application 13/00314/FULL sought planning permission for the erection of 21 houses and 4 flats on the application site. This application was to be reported to the

Council's Development Management Committee with a positive recommendation but was withdrawn by the applicant on 6 August 2013.

5 PUBLIC PARTICIPATION

- 5.1 The Council has followed the statutory neighbouring notification procedure and the application was advertised in the Dundee Evening Telegraph.
- 5.2 No letters of objection or representation have been received.

6 CONSULTATIONS

- 6.1 **The Head of Environmental Protection** – has requested that the issue of site contamination and noise from the adjacent electricity sub-station and road traffic is addressed using conditions.
- 6.2 **The Forestry Officer** – has requested that tree protection during demolition and construction works as well as the landscaping of the site is controlled by conditions.
- 6.3 **SEPA** - have no objections to the proposed development.

7 DETERMINING ISSUES

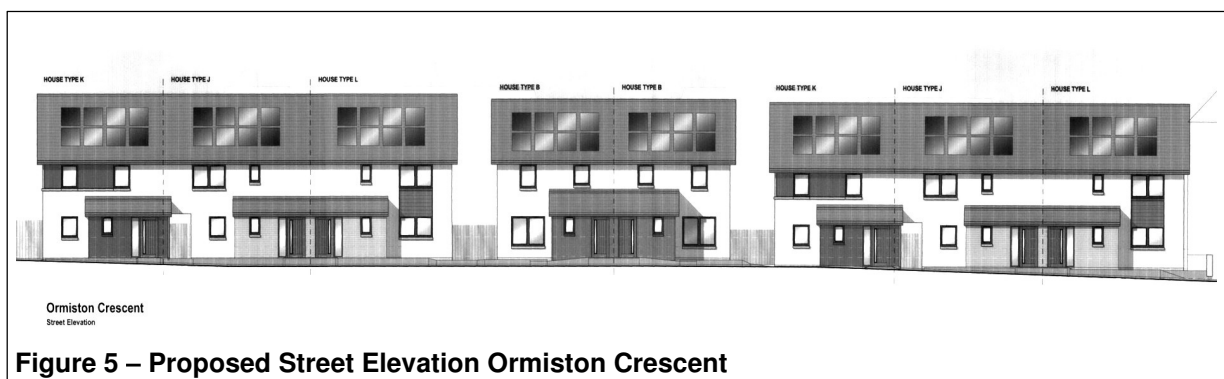


Figure 5 – Proposed Street Elevation Ormiston Crescent

- 7.1 **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.

TAYPLAN STRATEGIC DEVELOPMENT PLAN

- 7.2 **Policy 7 – High Quality Design** – requires the design and siting of development to respect the character and amenity of the place and should create and improve links within the site and into the surrounding area beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.



Figure 6 – Proposed Street Elevation Longhagh Road

- 7.3 The proposed development comprises a mixture of house types that have been arranged to form active street frontages onto Longhagh Road, Ormiston Crescent and the new street created by the proposed access road from Inveresk Gardens. Existing pedestrian links have been maintained and strengthened by the proposed development. Existing pedestrian routes will be overlooked by windows serving habitable rooms of the proposed houses and flats. The pedestrian routes will also be widened to ensure good visibility from end to end.
- 7.4 Developments are also expected to contribute to an environment which is safe and accessible to all. To obtain funding from the Scottish Government social housing developments are required to satisfy the requirements of Secure by Design. Therefore, in addition to the purposeful positioning of the proposed housing in a perimeter block layout, the rear gardens serving the proposed houses and flats are enclosed by 1.8m high timber fencing.
- 7.5 The proposed development includes vehicle access to and the provision of dedicated parking for each of the flats contained within Cassidy Walk and Brodick Walk. The proposed parking arrangements for Brodick Walk and Cassidy Walk will be overlooked by the flats. In addition, the proposed access road is of a sufficient design and width to provide access to the site for HGV's and refuse lorries.



Figure 7 – Proposed New Street Elevation

- 7.6 **The proposal satisfies the requirements of Policy 7.**

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.7 **Policy 9 – Design of New Housing** – requires new housing to accord with Policy 9 and the associated guidance contained within Appendix 3 of the Local Development Plan. The site lies within a Suburban Area in respect of Appendix 3.
- 7.8 The development comprises a wide range of type and size of housing unit. In compliance with the requirements of Appendix 3 eighteen of the twenty four houses proposed (75%) will have 100m² of gross internal floor space and 3 bedrooms. The remaining 6 houses will have 2 bedrooms and a gross internal floor area of 85m². Each of the proposed houses will have approximately 120m² of private useable garden ground. However, the average private

usable garden size is less than 140m². There will be no less than 18m between facing windows of habitable rooms of the proposed houses and neighbouring properties and each house will benefit from one in curtilage parking space.

- 7.9 Appendix 3 states that flats are acceptable within suburban areas of the City where identified in a site planning brief or where proposals involve the conversion of buildings or merit and houses are suitable or achievable.
- 7.10 Although the Whitfield Planning Framework allocates this site for housing there is no specific site planning brief for the application site which allows for the development of flats. In this instance the provision of flats on the application site is contrary to the guidance contained within Appendix 3.
- 7.11 Appendix 3 requires flats within suburban areas of Dundee to have generous internal space standards and 2 or more bedrooms or a gross internal floor area of 100m². Appendix 3 allows flatted developments to have flexibility in terms of the provision of garden ground and parking facilities in light of site specific circumstances.
- 7.12 The proposed cottage flats will be located within a building type of a similar scale, massing, design and finish to a pair of 2 storey semi-detached houses. Each building will contain 2 ground and 2 first floor flats. Each flat will benefit from a gross internal floor area of 81m², 2 bedrooms, one curtilage parking space and no less than 150m² of communal garden ground as well as an independent means of access. The level of curtilage car parking afforded to the proposed flats reflects the size of the flats (number of bedrooms) and is therefore considered to be acceptable in this instance.
- 7.13 The proposals fails to satisfy the requirements of Appendix 3 by virtue of the provision of flats and the failure to afford the houses with an average private useable garden ground of 140m².
- 7.14 The design and layout of the proposed development adheres to the design guidance contained within the Dundee Urban Design Guide. This is reflected in the creation of an active street frontage on Longhaugh Road similar to that created by the recent Inveresk Gardens housing development. In addition the variety of house types, their scale, massing and design is similar to building types surrounding the application site and will enhance visual amenity in the area while providing high quality residential accommodation. The finish of the proposed houses will be controlled by condition to ensure that the proposed development will blend with the surrounding built form.
- 7.15 **The proposal contravenes the requirements of Policy 9.**
- 7.16 **Policy 29 – Low and Zero Carbon Technology in New Development** – requires that, for specified developments, carbon emissions will be reduced by defined percentages through the installation and operation of zero-carbon generating technologies. Each of the proposed housing units will be served by photovoltaic cells which will generate electricity to reduce the fuel costs and carbon footprint of each of the proposed houses.
- 7.17 **The proposal satisfies the requirements of Policy 29.**
- 7.18 **Policy 38 – Trees and Urban Woodland** – requires new development to safeguard existing healthy mature trees through sensitive site layout both during and after construction
- 7.19 There is a prominent group of trees located in the north western corner of the application site. Although the applicant has not submitted a Tree Survey it is proposed to retain the trees and retain this area as open space. The Council's Forestry Officer has requested that

tree protection measures are controlled by conditions to ensure that the health of the trees is unaffected during construction of the proposed development.

- 7.20 The proposals include areas of landscaping to augment the existing tree cover throughout the site to enhance visual amenity. Should the Committee be minded to approve planning permission the landscaping of the application site will be controlled by conditions.
- 7.21 **The proposal satisfies the requirements of Policy 38.**
- 7.22 **Policy 42 – Sustainable Urban Drainage Systems** – requires all appropriate development proposals to be accompanied by a Sustainable Drainage scheme as part of the planning application. The surface water on the existing site is discharged to the combined sewers in Ormiston Crescent and Longhaugh Road. The applicant has submitted a letter from Scottish Water confirming that there is capacity within the existing drainage network to serve the proposed development. The applicant has also submitted a detailed drainage design along with calculations that demonstrate that the proposed development can be drained in a sustainable manner without generating instances of localised flooding. SEPA has also confirmed that the proposed drainage design is acceptable.
- 7.23 **The proposal satisfies the requirements of Policy 42.**
- 7.24 **Policy 45 – Contaminated Land** – is supportive of the remediation of sites affected by contamination as part of redevelopment proposals. The applicant has submitted a detailed site investigation report to the satisfaction of the Head of Environmental Protection. The remediation strategy proposed and its success will be controlled by condition to ensure that the site is suitable for habitation.
- 7.25 **The proposal satisfies the requirements of Policy 45.**
- 7.26 **Policy 47 – Environmental Protection** – is supportive of the remediation of sites affected by contamination as part of redevelopment proposals. The applicant has submitted a detailed site investigation report to the satisfaction of the Head of Environmental Protection. The remediation strategy proposed and its success will be controlled by condition to ensure that the site is suitable for habitation.
- 7.27 **The proposal satisfies the requirements of Policy 47.**

OTHER MATERIAL CONSIDERATIONS

The other material considerations to be taken into account are as follows:

A - WHITFIELD PLANNING FRAMEWORK

- 7.28 The Whitfield Planning Framework supports new build development providing the balance of provision is predominantly in favour of houses. The framework encourages increased connectivity and also looks for new development to maintain existing trees as well as to provide additional trees as illustrated in the framework.

B - QUALITY OF HOUSING PROPOSED

- 7.29 Although there is an abundance of flatted properties in Whitfield and the proposals involve the demolition of a substantial number of flatted properties the existing flatted housing stock is contained within 4 storey buildings that have been significantly altered and refurbished since their construction in the 1960's and 1970's. The resulting means of access,

unorthodox garden ground and lack of parking has meant that much of this form of housing is largely inaccessible, no longer suited to modern living and therefore vacant.

- 7.30 The proposals involve demolition of 3 blocks of vacant and derelict flats, the erection of 24 houses and 8 cottage flats. In this instance and in direct comparison to the existing flatted housing stock in Whitfield the scale, massing, design and accessibility of the proposed flats will provide a higher quality of flatted accommodation that is currently unavailable within Whitfield. The proposed flats will therefore provide greater choice in the type of accommodation available in this part of the city as well as a greater level of amenity to those who occupy them.
- 7.31 Each of the proposed houses will be served by approximately 120m² of private useable garden ground. Although the average amount of private useable garden ground afforded to the proposed houses is less than 140m² the provision of 120m² of private useable garden ground for each of the proposed houses is similar to the existing housing on Inveresk Gardens and greater than the level of private useable garden ground afforded to other housing in the surrounding area. The proposed houses and their respective plots are of varying sizes (2 and 3 bedroom) and will therefore provide a greater level of choice than currently exists in Whitfield.
- 7.32 **It is concluded from the foregoing that the material considerations support the approval of planning permission.**

8 CONCLUSION

- 8.1 The proposal is contrary to the requirements of the Development Plan. There are material considerations that justify approval of planning permission contrary to the Development Plan. Therefore, it is recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 Prior to the commencement of work on site, details of the proposed finishing materials for the development hereby approved shall be submitted to the Council for written approval. Thereafter, the approved development shall be finished only in the materials approved by this condition.
 - 2 Prior to the commencement of development, a scheme of landscaping shall be submitted to and approved by the Council, and it shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with measures for their protection in the course of development in accordance with BS5837:2012. Full details of new planting, landscaping and maintenance shall also be submitted to and approved by the planning authority prior to the commencement of development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 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.
 - 3 Prior to the commencement of work on site, details of the proposed boundary treatments enclosing the housing units hereby approved shall be submitted to the

Council for written approval. Thereafter, the boundary treatments approved by this condition shall be erected prior to the first occupation of the houses hereby approved.

- 4 Development shall not begin on site until the investigation and risk assessment proposed in the submitted Stage I Desk Study are completed and a remediation strategy to deal with contamination risks at the site has been submitted to and approved in writing by the planning authority. The strategy shall contain 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 and does not contain any significant pollution linkages;
 - c measures to deal with contamination during construction works; and
 - d verification of the condition of the site on completion of decontamination measures.
- 5 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 by the planning authority.
- 6 Prior to the occupation of any of the dwelling units hereby approved, the noise mitigation measures recommended by the Noise Impact Assessment: Phase 7 - Residential Development at Ormiston Crescent, Dundee by The Charlton Smith Partnership dated 30 September 2013 shall be implemented in full.
- 7 Prior to the commencement of work on site, details of the form and location of an acoustic barrier between the electricity sub-station to the south of the application site and Plot 16 shall be submitted to the Council for written approval. Thereafter, the approved acoustic barrier shall be erected prior to the first occupation of any of the dwelling units approved by this planning permission.
- 8 Prior to the commencement of work on site, details of noise attenuation measures to be incorporated into the houses and flats hereby approved that shall ensure that noise from the electricity substation located to the south west of the application site does not exceed NR20 during night time and NR30 during day time when measured from within any of the housing units hereby approved shall be submitted to the Council for written approval. Thereafter, the noise attenuation measures approved by this condition shall be implemented in full prior to the first occupation of any of the housing units hereby approved. For the avoidance of doubt, night time hours are from 23.00 until 07.00.

REASONS

- 1 In the interests of visual amenity.
- 2 In the interests of visual amenity and environmental quality.
- 3 In the interests of visual amenity and the provision of secure private amenity space.
- 4 In the interests of decontaminating the application site so that it is fit for purpose.
- 5 In the interests of ensuring that the application site is decontaminated and fit for purpose.

- 6 In the interests of safeguarding residential amenity.
- 7 In the interest of safeguarding residential amenity.
- 8 In the interest of safeguarding residential amenity.