

Proposed Housing Development at Sinclair Street

KEY INFORMATION

Ward Lochee

Address

Land to South of 1 Sinclair Street and West of Sinclair Street, Dundee

Applicant

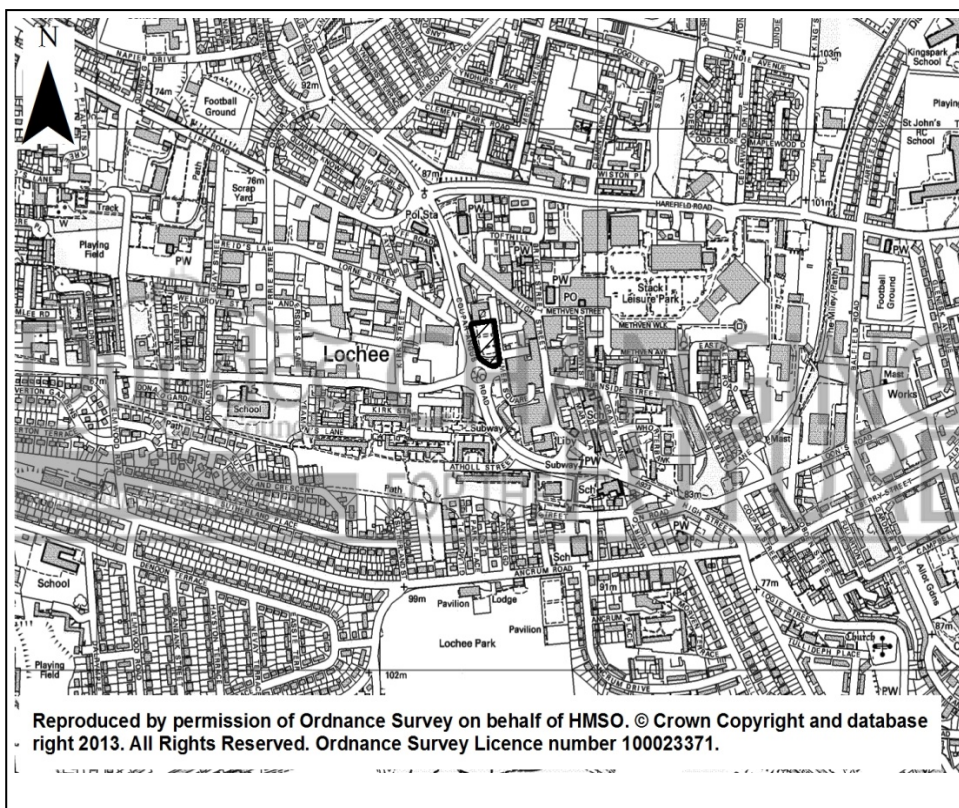
Muirfield Contracts/Hillcrest HA
Strathnaver
1 George Buckman Drive
Camperdown Industrial Park
Dundee DD2 3SP

Agent

KDM Architects
15 Camperdown Street
Broughty Ferry
Dundee DD5 3AA

Registered 15 Oct 2013

Case Officer Eve Young



SUMMARY OF REPORT

- Planning permission is sought for the erection of 32 new build flats including 28 x 2 bedrooms and 4 one bedroom flats, all of which will have a car parking space. One property will be wheelchair adapted.
- The site is identified in the Dundee Local Development Plan, the Lochee Physical Regeneration Framework and the Redevelopment Plan for Highgate Area, as a site for new housing. The details of the development comply with the Development Plan.
- The development has been designed to locate the majority of the bedrooms on the east side of the building and specific glazing will be installed to address any noise from traffic.
- New tree planting and fencing will enhance the amenities and security of residents.
- The application is referred to Committee for a decision as the site is owned by the City Council.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MUIA21GC04Q00>.

RECOMMENDATION

The application complies with the Dundee Local Development Plan 2014. The Lochee Physical Regeneration Framework and the Redevelopment Plan for Highgate Area both support the development of housing close to the District Centre of Lochee. There are no material considerations which would support refusal of the application. It is therefore recommended for APPROVAL subject to conditions.

1 DESCRIPTION OF PROPOSAL

- 1.1 Erection of 32 new build flats together with associated car parking facilities. The development is a terrace of 4 blocks, each 4 storeys high which steps down the slope and turns at the southern end of the site. There are 4 one bedroom flats at the corner of the development which have a floor area of 60m². One of the ground floor flats is a one bedroom, wheelchair accessible unit. The remaining flats are all two bedroom providing 66.4m² of floorspace.
- 1.2 Three parking areas providing one space for each flat are located on the east side of the development, accessed from Sinclair Street. There are three bin stores and four drying areas to the east of the flats.
- 1.3 The blocks all have secure private garden ground and the majority of the bedrooms are on the eastern side of the development to minimise the possible impact of noise from the road. Cycle storage will be provided within the building. A formal line of new trees on the west and south boundary is proposed, with additional landscaping, to enhance the appearance of the site.



2 SITE DESCRIPTION

- 2.1 The site comprises the car park west of Sinclair Street which is bounded by the Lochee By-pass on its west and south. The Council's Lochee Housing Office and car park lies to the north. The site slopes down from north to south and has a line of trees on the west boundary.
- 2.2 The site is close to the Lochee District Centre; to schools and local services and is well served by public transport.

3 POLICY BACKGROUND

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

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 9: Design of New Housing

Policy 29: Low and Zero Carbon Technology in New Development

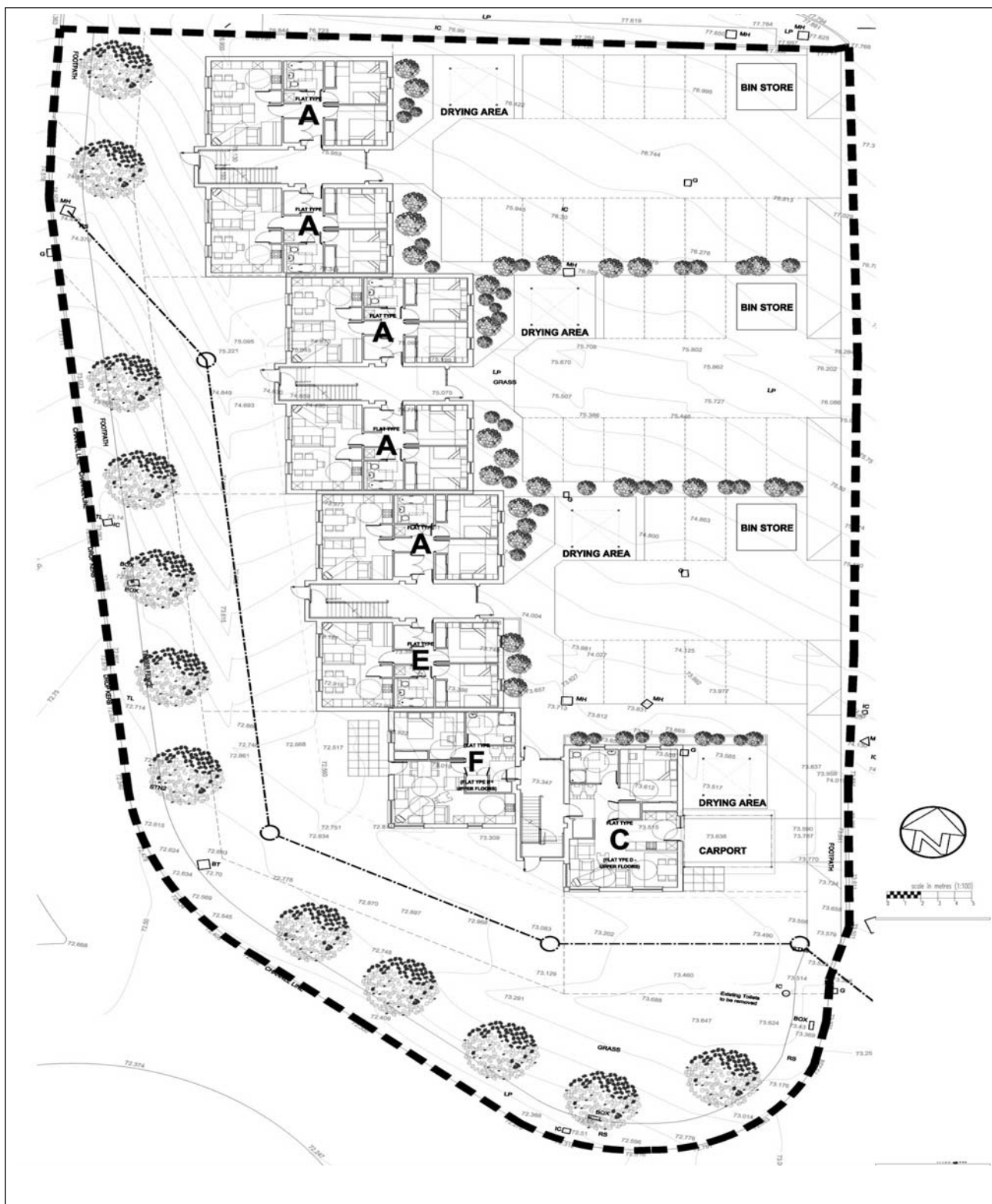
Policy 38: Trees and Urban Woodland

Policy 42: Sustainable Drainage Systems

Policy 45: Land Contamination

NON STATUTORY STATEMENTS OF COUNCIL POLICY

The Lochee Physical Regeneration Framework: approved in 2008 and identifies the site for residential use in the long term vision.



Redevelopment Plan for Highgate Area 2012: this report was approved by the City Development Committee on 23 January 2012 and identifies this site for residential use.

- 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 There is no site history directly relevant to this site.

5 PUBLIC PARTICIPATION

- 5.1 The application was notified to 4 adjoining landowners and was also advertised in the local press. No representations were received within the specified period.

6 CONSULTATIONS

- 6.1 **The Head of Environmental Protection** – has the following comments:

Noise

A Noise Impact Assessment (NIA) has been submitted in order to assess the potential for noise from traffic on the A923 Coupar Angus Road to the west of the site to adversely impact on future residents of these flats. Noise control measures are required for both the glazing and the ventilation measures in order to ensure sufficient attenuation of the noise. These matters can be the subject of appropriate conditions.

Ground Conditions

This is a brownfield site and there is the potential for off-site contamination from the former petrol filling station to the north. Site investigations have been carried out in order to demonstrate that the site is suitable for residential use and any required remediation should be the subject of appropriate conditions.



Waste Management

The agent has consulted Waste Management and agreed the appropriate scale of provision for the proposed development which can be the subject of appropriate conditions.

- 6.2 **Forestry Officer** – the existing trees along the western boundary have been surveyed and are of varying condition and quality. The development involves the relocation of a sewer which currently crosses the site diagonally resulting in the need to remove the trees. The plans indicate an avenue of new trees, of appropriate size and species, will be planted on the west and south elevations to compensate for the loss of the existing trees and to provide a more formal edge to the development. Thirteen existing young trees in the car park and within planters will be relocated to other sites and full details are required of the proposed new landscaping.

7 DETERMINING ISSUES

- 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

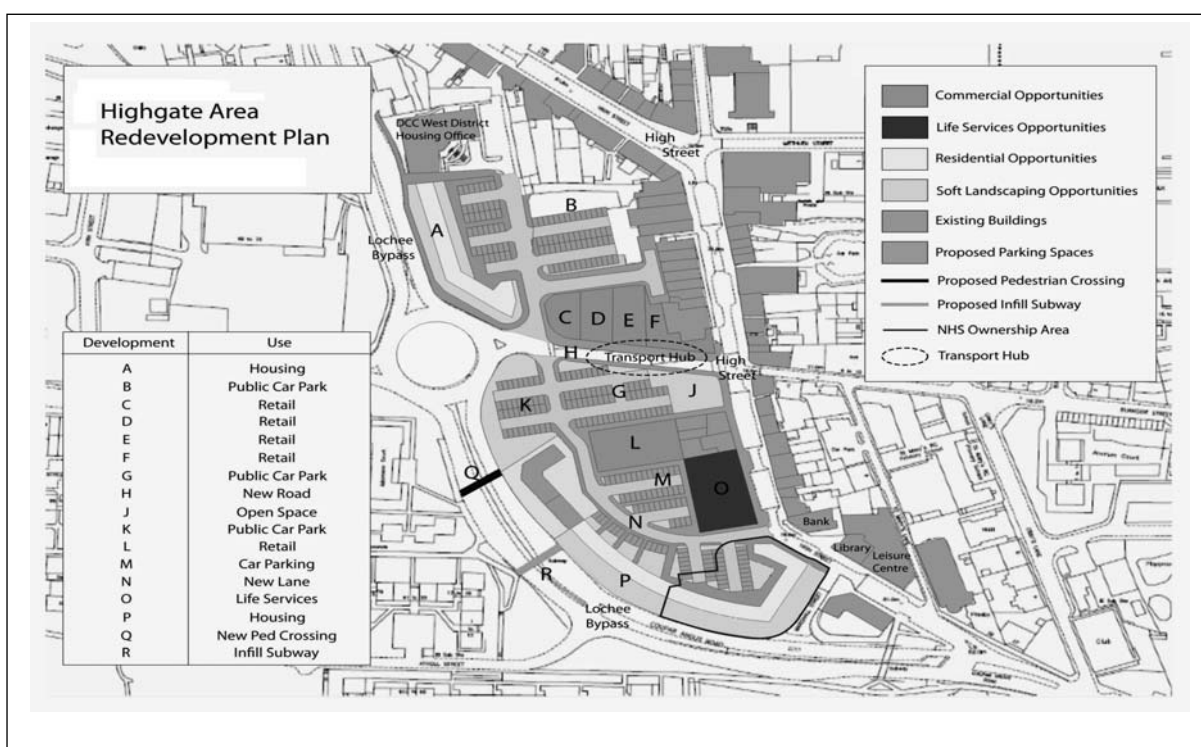
The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.2 The development site forms part of a larger area that has been identified for housing as site H63 Highgate Lochee. Policy 9 and the Inner City standards in Appendix 3 of the Plan apply and state that flats will be permitted if identified in a site planning brief.
- 7.3 The Lochee Physical Regeneration Framework was approved in 2008 as the foundation to secure commitments and resources to enable the long term regeneration of Lochee. This site was identified in the long term vision as a site for residential use with parking below the housing ie a flatted solution was envisaged on this particular site.
- 7.4 Redevelopment Plan for Highgate Area 2012. This report was approved by the City Development Committee on 23 January 2012 and identifies this site for residential use in the form of a flatted block. The proposed residential development is an important component of this Masterplan in providing high quality residential accommodation close to the District Shopping Centre area of Lochee High Street.
- 7.5 It is considered that these two approved documents are the equivalent of a site planning brief and support the development of flats on this site.
- 7.6 In respect of the standards detailed in Appendix 3, the development complies with the requirements for car parking, amenity space, drying areas and cycle storage. There are no privacy issues.
- 7.7 **Policy 29 – Low and Zero Carbon Technology in New Development** – the policy requires that, for specified developments, carbon emissions will be reduced by defined percentages through the installation and operation of zero-carbon generating technologies. An appropriate condition will ensure that a Statement is submitted in accordance with the terms of Policy 29.
- 7.8 **Policy 38 – Trees and Urban Woodland** – developments should ensure the survival of existing healthy mature trees both during and after construction and new landscaping should

be provided where appropriate. However, the agent has submitted information which demonstrates that essential new infrastructure to serve this development will require the removal of the trees on the western boundary. Trees within the car park which are in tree planters can be relocated. New landscaping is proposed to compensate for the loss of the trees. These matters can be the subject of appropriate conditions.

- 7.9 **Policy 42 – Sustainable Urban Drainage Systems** – the applicant advises that surface water drainage will be dealt with by connection to the public sewer. Confirmation of Scottish Water's agreement should be provided prior to the commencement of any development and can be the subject of an appropriate condition.
- 7.10 **Policy 45 – Land Contamination** – site investigations have been carried out in order to demonstrate that the site will be suitable for residential use and to identify any required remediation works on this brownfield site. This matter will be the subject of appropriate conditions.
- 7.11 **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:

- 7.12 **Loss of Car Park** - the approved Redevelopment Plan for Highgate Area 2012 illustrates a reconfiguration of car parking spaces to address the loss of car parking due to the redevelopment of this site. This results in a net increase from the current capacity, and in locations more directly accessible to the High Street. Car park B on the Masterplan was completed this financial year, and the construction contract for car parks at G and K, including completion of the new public realm infrastructure, is let and anticipated to complete in the early summer 2014. The sites released as part of the Masterplans that are not yet subject to development proposals will function as temporary car parking spaces. The

proposed car parking for the new flats will require to be managed, including signage as required, to ensure that the parking is private and for the use of residents only.

8 CONCLUSION

- 8.1 The proposal satisfies the requirements of the Development Plan and there are no material considerations of sufficient strength to justify refusal of the application contrary to the 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 development a remediation strategy to deal with any potential contamination at the site shall be submitted to and approved in writing by the planning authority. The strategy shall contain proposals to deal with contamination to include:
 - i the nature, extent and type(s) of contamination on the site;
 - ii measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
 - iii measures to deal with contamination during construction works; and
 - iv verification of the condition of the site on completion of decontamination measures.
 - 2 Prior to the commencement of construction, any required remediation measures approved in accordance with Condition 01 shall be carried out and the completion of the works shall be notified in writing to the City Council for verification. No dwelling shall be occupied until the remediation strategy has been approved in writing by the Planning Authority.
 - 3 Prior to the commencement of any construction, full details of the proposed drainage, in accordance with Sewers for Scotland 2, shall be submitted to the City Council and shall include confirmation that the means of disposal of the surface water is acceptable to Scottish Water.
 - 4 Prior to the commencement of any construction, a comprehensive landscaping scheme for hard and soft landscaping shall be submitted for approval and the works shall be carried out only in accordance with such approved details. The landscaping scheme shall be completed in accordance with the approved scheme in the first planting season after the occupation of the first dwelling hereby approved or by written agreement of the Planning Authority.
 - 5 Prior the commencement of any construction, full details of the proposed noise mitigation measures in respect of glazing and ventilation to the west and south facades shall be submitted to the Council for approval and the works shall be completed in accordance with the approved details prior to the first occupation of any dwelling. For the avoidance of doubt the mitigation measures shall be based upon the findings of the Noise Impact Assessment dated 8 November 2013 and submitted as part of this planning application. The noise mitigation measures implemented in accordance with

this condition shall be maintained in perpetuity or replaced by products of equal noise control properties.

- 6 Details of the finishing materials proposed to be used shall be submitted to the Council for approval and the development shall be carried out only in accordance with such approved details.
- 7 Before the any of the residential units is first occupied the car parking and manoeuvring areas indicated on the approved drawings shall be provided and thereafter kept available for use, by residents, at all times. The parking shall be managed to ensure that it remains private for the use of the residents only and if required, the applicant shall provide the necessary signage to that effect.
- 8 A footway, to adoptable standards, shall be provided on the west side of Sinclair Street and shall be completed prior to the first occupation of any of the residential units hereby approved.
- 9 Before any construction starts on site, details of the proposed drying areas and refuse bin enclosures shall be submitted for approval in writing by the Council; shall be implemented in accordance with the approved details prior to the first occupation of any unit and thereafter shall be permanently maintained.
- 10 Full details of the proposed boundary treatments shall be submitted for approval prior to the commencement of construction and the boundaries shall be completed in accordance with the approved details prior to the first occupation of the dwellings hereby approved. For the avoidance of doubt, the fencing around the amenity space shall be "Paladin" metal fencing or equivalent.
- 11 A Sustainability Statement demonstrating the extent to which the development will meet the requirements of Policy 29 of the proposed Dundee Local Development Plan 2012 shall be submitted for the approval of the Council and the works shall be completed in accordance with the approved Statement.
- 12 The car port at the south east corner of the development shall not be converted to a garage or enclosed in any way.
- 13 No new structures (including sheds) or boundary enclosures shall be erected in the area of ground between the development and Coupar Angus Road to the west and south of the flatted block, notwithstanding the provisions of Class 7 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended.

REASONS

- 1 In order to ensure that the site is suitable for the proposed residential use.
- 2 In order to ensure that the site is suitable for the proposed residential use.
- 3 In order to ensure that surface water is dealt with in an acceptable manner and to prevent water affecting the adjacent adopted highway.
- 4 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 5 In the interests of safeguarding residential amenity; to ensure a reasonable control of noise levels from traffic.

- 6 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 7 In the interests of the amenities of residents and to ensure that the parking provision is managed
- 8 In the interests of pedestrian safety.
- 9 In the interests of residential and visual amenity; to ensure that appropriate and acceptable facilities are provided.
- 10 In order to provide security for the amenity spaces for the future residents.
- 11 In order to demonstrate that the new development will meet the required carbon emissions reduction standards in the interests of the environment.
- 12 To ensure that a vehicle will be able to enter the car port without the need to stop on the road, close to the junction and in order to ensure the inter-visibility between driver and pedestrians, in the interests of pedestrian safety.
- 13 In the interests of the visual amenities of the area and in order to control the erection of fences or ancillary domestic buildings in the amenity areas as this development is in a prominent location relative to the Coupar Angus Road.