

Dundee Western Villages

KEY INFORMATION

Ward Lochee

Address

Land to the West of Dykes of
Gray Road, Dundee

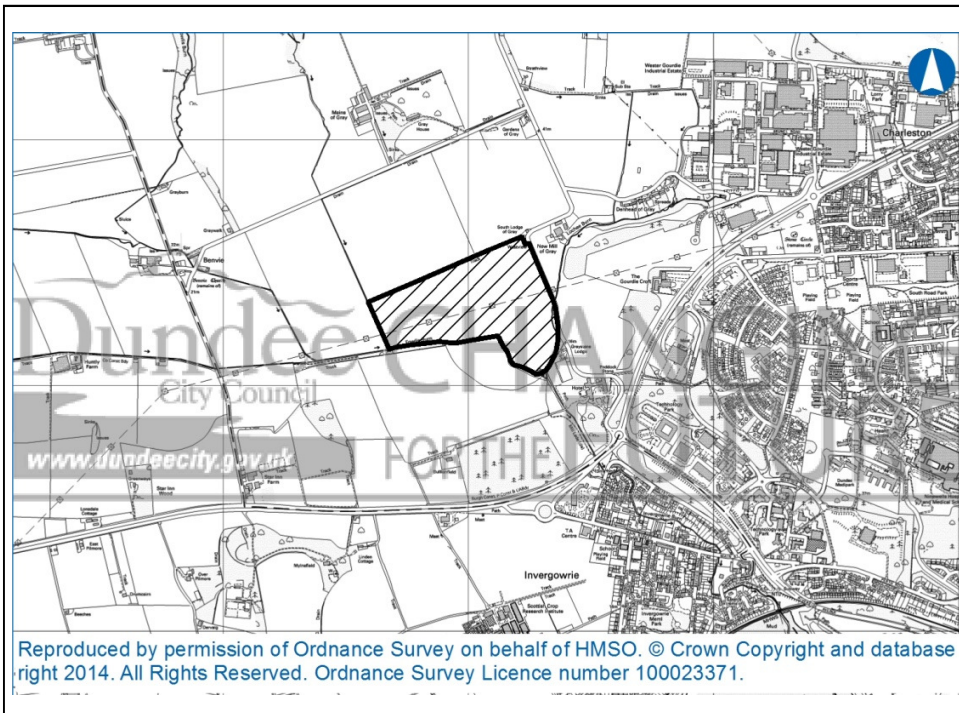
Applicant

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Springfield Properties Plc
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Agent

Registered 3 April 2014

Case Officer B Knox



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SUMMARY OF REPORT

- The proposal complies with the requirements of Policy 9 of the Dundee Local Development Plan 2014 with the exception of 3 properties that are unable to provide the minimum garden ground required and that a small number of flats are proposed. The proposed development is contrary to Policy 32 as part of the site relates to an Open Countryside designation within the Dundee Local Development Plan 2014.
- There have been objections from 11 surrounding residents and 1 letter of support. A number of the objectors have also made reference to aspects of the proposal which they support in principle. The concerns raised relate to, amongst other things, transportation, education, drainage and flooding and concerns regarding the provision of community facilities.
- The principle of the development of a village in this area is long established through previous Development Plan allocations and planning permissions and the proposals, in conjunction with another application elsewhere on this agenda, will deliver a high quality housing choice with appropriate community facilities. Various works are proposed to alleviate the concerns of the objectors including the provision of upgrades to the existing Swallow roundabout and the provision of a range of community facilities including a sports pitch and play area. Further facilities are proposed as part of an additional planning application relating to land to the north (14/00514/FULM elsewhere on this agenda).

RECOMMENDATION

The principle of the development of a village in this area is long established and the proposals, in conjunction with another application elsewhere on this agenda, will deliver a high quality housing choice with appropriate community facilities. The proposals do not fully comply with the Dundee Local Development Plan 2014 and there are material considerations to justify approval of the application. The application is therefore recommended for APPROVAL subject to conditions. A legal agreement relating to the provision of associated infrastructure and education will be required to be concluded prior to the issuing of a decision.

1 DESCRIPTION OF PROPOSAL



Figure 1 – Amended Site Layout

- 1.1 This application seeks planning permission for the development of 230 dwellings as part of the creation of a village. Also included as part of this application is the associated infrastructure works, provision of a play space, games pitch, landscaping areas and the formation of a village green.
- 1.2 The proposed dwellings are largely in the north of the site with the majority of open space provision in the southern portion of the site. There will be two access roads into the site from the existing Dykes of Gray Road. The layout of the site allows for a bus stop to be provided at the village green area should this be required.
- 1.3 There is a mixture of house type being proposed within this site and these can be described as follows:
 - 28 no lower/upper villa style flats;
 - 4 no 2 bed semi detached dwellings;
 - 32 no 3 bed semi detached dwellings;
 - 38 no 3 bed detached/semi detached dwellings;
 - 8 no 3 bed detached dwellings;
 - 106 no 4 bed detached dwellings; and
 - 14 no 5 bed detached dwellings.

- 1.4 The applicants have provided a detailed schedule of materials proposed for the dwellings. This includes the use of natural slate in key locations and a high quality slate effect tile in other areas which allows for the colour to be varied. The wall finishes include a mixture of wet dash render, smooth render, timber cladding and reconstituted stone.
- 1.5 The layout proposes a variety of different street types to allow traffic speeds to be regulated and which will inform the landscaping styles and types used at different points throughout the development. As part of this, there will be linking streets, local streets, lanes and courtyards.



Figure 2 – 3D Model



Figure 3 – Elevations

- 1.6 Whilst this application must be considered on its own merit, it is important to be aware that there is an accompanying planning application elsewhere on this agenda (14/00514/FULM refers) which is proposed to link to this site and provide additional commercial facilities.
- 1.7 As the area of the application site exceeds 2 hectares and the number of dwelling units proposed exceeds 50 the proposals fall within the meaning of a Major Planning Application as defined by Regulation 2(1) of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2013. Accordingly, the applicant was required to undertake statutory pre-application consultation with the local community. As part of this, the applicants held a public event.
- 1.8 This process is evidenced in the Pre-application Consultation Report submitted as part of this application. In addition to the pre-application consultation report, the applicant has also submitted a range of detailed supporting information including Design and Access Statement, Transport Statement, Contaminated Land Risk Assessment, Drainage Information including, Landscape and Visual Assessment, Ecology Report and Archaeological information.
- 1.9 Although this report concludes that the development departs from the Development Plan in some respects the level of departure is not related to the achievement of any of the core objectives of any element of the Development Plan and the approval of the application would not in any way compromise the achievement of the Development Plans objectives or its other policies or proposals. For these reasons the application is not considered to be significantly contrary to the Development Plan and therefore does not require to be referred to the Scottish Government or be the subject of a pre determination hearing.

2 SITE DESCRIPTION

- 2.1 The application site is located on the western edge of the city, north of the Kingsway in a countryside location. The site is in the vicinity of the former Liff Hospital residential development. The site is bounded to the east by Dykes of Gray Road, to the south by the

Fowlis Burn and the Liff Burn to the west. There is a farm track running along the north of the site and an existing residential property to the north east corner of the site. The existing site is open farm land and there is an electricity pylon line that runs east-west across the site.

- 2.2 There are further existing residential properties to the south of the site. Greystane Lodge is a Category C Listed Building and further to the south is the walled garden of the former Greystane House which now forms part of the grounds for the Hilton Hotel.

3 POLICY BACKGROUND

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

TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032

TAYplan Policy 4: Strategic Development Areas

TAYplan Policy 5: Housing

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 7: High Quality Design

Policy 8: Housing Land Release

Policy 9: Design of New Housing

Policy 19: Funding of On and Off Site Infrastructure Provision

Policy 29: Low and Zero Carbon Tech in New Development

Policy 32: Development within the Open Countryside

Policy 38: Trees and Urban Woodland

Policy 40: Waste Management Requirements for Developments

Policy 42: Sustainable Urban Drainage Systems

Policy 45: Land Contamination

Policy 55: Accessibility of New Developments

SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS

The Policy states that the strategic development plan should identify the housing land requirements for city regions and local development plans should allocate land on a range of sites which is effective or capable of becoming effective up to year 10 from the predicted date of adoption.

- 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 have been previous applications relating to the creation of village development in the area. The applications were approved by Committee and the issuing of the planning permissions were subject to the concluding of legal agreements, mainly in respect of infrastructure issues. These did not progress.
- 4.2 03/00618/FUL - 270 houses, 60 bed nursing home and associated access and infrastructure.
- 4.3 07/00036/FUL - 230 houses, associated access and infrastructure.

5 PUBLIC PARTICIPATION

- 5.1 The Council has carried out the statutory neighbour notification procedure. This application was also advertised in the Dundee Evening Telegraph as a departure to the Development Plan.
- 5.2 In response 11 letters of objection and 1 letter of support were received. Some objectors, whilst noting their objection to the proposals noted a number of improvements that they considered would be welcomed.
- 5.3 The valid comments that have been received in relation to objecting to the proposals relate to the following issues.

Transportation and Access Issues

- 5.4 Significant increase in traffic on a road which cannot handle the additional cars.
- 5.5 Existing congestion issues at the Swallow roundabout would need to be addressed.
- 5.6 The road will have a vast increase in the number of vehicles using the south section of Dykes of Gray Road the ability for both pedestrians and vehicles to safely exit Balgray House and Greystane Lodge is currently very difficult because there are blind spots both to the left and the right of the pillars.
- 5.7 The vast increase in the number of vehicles using Dykes of Gray Road and exiting using the Swallow roundabout would be greatly increased thus having obvious implications to the ease of flow of traffic both prior to and on the roundabout.
- 5.8 The footpaths of Dykes of Gray Road do not extend down to the Swallow roundabout and with more traffic on the road this is a highway safety issue for pedestrians that are forced onto the road because of the lack of footpaths and surrounding trees and bushes.
- 5.9 The proposed road serving the development and the position of units is not where they were first proposed.
- 5.10 No clear assessment of traffic impacts further up the Dykes of Gray Road, notably the corner where most children cross the road to access Liff Primary School.
- 5.11 The development should provide good public transport routes and footpaths as part of the development.
- 5.12 Uncertainty regarding the 270 unit requirement within the Transport Statement and where this has been derived from.

Flooding and Drainage Issues

- 5.13 Possible flooding issues: the burn struggles to cope and will overflow in the gardens of both Balgray House and Graystone Lodge if water is diverted into the burn from the new development; increased risk of flooding and pollution both of which would have a detrimental effect to the wildlife and the current properties land.
- 5.14 There is a drainage issue with the proposed land and additional buildings and transport will not help this problem.
- 5.15 General concerns with flooding.

Trees and Wildlife Issues

- 5.16 It is difficult to see how the existing trees within the boundary wall of the existing properties will be retained and protected when the root system and spread of these trees will surely be disturbed during the construction of the properties to the adjacent of the boundary wall. This is contrary to the fact that the trees are in a tree conservation area and are therefore protected.
- 5.17 There is an abundance of wildlife in this location; The proposed development of the houses particularly those adjacent to the burn will force the animals out of their natural habitat.
- 5.18 The construction of properties so close to surrounding by flood planes is a potential flood hazard.

Impact Upon Surrounding Area

- 5.19 The development will negatively impact on the setting of Greystane Lodge which is a listed building which is contrary to the aims and guidance provided in the SHEP (Scottish Historic Environment Policy).
- 5.20 Due to the close proximity to Balgray House and Graystone Lodge, there will be a negative effect on privacy and loss of amenity.
- 5.21 Proposed properties are two storeys with pitched roofs directly overlooking both existing properties and their surrounding gardens and this will have a definite overbearing impact on the garden and amenity space of the existing properties.
- 5.22 Due to the close proximity of the development to the common boundary wall there will be a significant increase in noise pollution resulting from both the new properties residents, visitors, football pitch, play areas and the vast increase in traffic using Dykes of Gray Road.
- 5.23 The adjoining properties are listed in a conservation area.
- 5.24 The football pitch is likely to be a nuisance and should be in the mid point of the overall development area.
- 5.25 Light pollution is also a concern; currently there are no street lights and no other properties in close proximity to both the Lodge House and Balgray House. The night's sky is clearly visible and if the proposed development goes ahead there will be street lighting, garden lighting in the properties and this will have a detrimental effect on the current properties.

Visual Impact

- 5.26 The visual impact of the development being built on land that is currently farm land and part of the green belt.
- 5.27 Due to the close proximity to the common boundary wall the new development will have an obvious visual impact to both Balgray House and Graystones Lodge since there will be an unacceptably high density/overdevelopment of the site, which is out of scale and character with the existing area and will result in the loss of the open aspect of the current properties.
- 5.28 Concerns over design, visual appearance and finishing materials.
- 5.29 Early assurances indicated that "Green corridors" would divide each of the individual developments. No such provision is shown on the plan.

Education Concerns

- 5.30 The lack of school amenities in Dundee within a safe walking distance (dual carriageway) will mean that children and parents alike will be forced to use the road or attempt to use the footpaths available and cross a dangerous road which is an obvious safety concern.
- 5.31 General concerns regarding lack of suitable educational provision within walking distance.

Community Facilities

- 5.32 Lack of community facilities to support this development.
- 5.33 A development of this scale requires more facilities such as a shop or community facilities to help integrate the new village with the existing smaller village.
- 5.34 Impact upon healthcare providers in the area.

Other Issues

- 5.35 The development will lead to increased crime in the area.
- 5.36 Diversion from the Local Plan allocation and the potential impact this may have on the style of development and precedent for future development.
- 5.37 One respondent suggested that if the development is supported, suspensive conditions should be attached to the decision notice requiring the applicant to submit a construction method statement and site working hours to minimize the nuisance to the neighbouring properties and current vehicles using Dykes of Gray Road which will be affected by construction vehicles.
- 5.38 Impact upon the already poor broadband provision in the area.

Comments of Support

The following comments were received in support of the proposals.

- 5.39 The inclusion of a football pitch and open space is a positive addition.
- 5.40 Forward funding of the improvements to Swallow Roundabout are welcomed.
- 5.41 Provision of bus stop infrastructure and the provision of a new 2m wide footway down to Swallow Roundabout is a positive measure.
- 5.42 Dundee Civic Trust has recorded its support for the application on the basis that community and other facilities, public transport provision, arrangements for drainage and education, flooding and traffic impacts are the subject of detailed discussions with the developer.
- 5.43 Members will have had access to these letters and the issues raised are considered in the Observations section below.

6 CONSULTATIONS

- 6.1 **SEPA** – SEPA have been consulted in relation to the Development and following the submission of a range of information from the applicants, they have confirmed that they have

no objections to the proposals provided that the recommended conditions are applied to any grant of planning permission.

- 6.2 **Transport Scotland** – Transport Scotland have advised that a condition should be attached to any grant of planning permission to require that development shall not commence until an appropriate mechanism for the upgrading of the A90 Swallow Roundabout have been submitted to and agreed in writing by the Planning Authority in consultation with Transport Scotland.
- 6.3 A suitable condition shall be attached in this regard.
- 6.4 **BEAR** – no adverse comments have been received.
- 6.5 **Historic Scotland** – Historic Scotland have confirmed that they have no objections to the proposals. They have in their response made reference to their preference that the layout of the proposed housing should retain an open corridor through the site from north to south in line with House of Gray which would preserve at least a part of the important views out from the category A listed building and help to retain a sense of the wider setting. They also advise that such views could be reinforced by planting belts eg avenues of trees. They go on to provide other comments in relation to planting along the northern boundary but this relates to the planning application to the north (14/00514/FULM) and does not relate to this application.
- 6.6 These considerations have been reviewed by the applicant and the proposed layout of this application includes a large green wedge in line from the House of Gray as suggested above and this is considered to preserve the views from and to the House of Gray in a satisfactory manner. Full landscaping details will be agreed as part of the agreed of conditions.
- 6.7 **Scottish Water** – no adverse comments were received.
- 6.8 **Angus Council** – they have confirmed that they have no objections to the proposals.
- 6.9 **Perth and Kinross Council** – no adverse comments were received.
- 6.10 **The Environment Department** – Contamination: The Environment Department have advised that the information submitted is satisfactory and that appropriate conditions shall be required to be attached to any grant of permission.
- 6.11 Comments regarding the maintenance of grounds within the site and best positions for the play provision and pitches were provided.
- 6.12 **Archaeologist** - the quality and quantity of the archaeological remains have been tested by the applicant and are not such as to warrant their preservation in-situ. However, it is appropriate that the archaeological features and any associated material should be subject to a programme of archaeological mitigation to recovery information in the event of their loss. This position is fully compliant with Element (b) of Policy 51 Scheduled Ancient Monuments and Archaeological Sites of the Adopted Local Development Plan. An appropriate condition will therefore be attached to the grant of planning permission.

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.

TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032

- 7.2 **Policy 4** – allocates Dundee Western Gateway as a Strategic Development Area (including 750+ homes) with the intention that this will make a major contribution to the housing on offer within Dundee and will contribute to the economic success of the city. **The proposed development is therefore in accordance with Policy 4: Strategic Development Areas.**
- 7.3 **Policy 5** – requires Dundee City Council to allocate a sufficient amount of effective housing land for an annual average build rate of 610 units. This site within the Western Gateway Strategic Development Area is allocated within the Dundee Local Development Plan 2014 for housing and will contribute to meeting the average build rates set out in Policy 5. **The proposed development is in accordance with Policy 5.**

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.4 **Policy 8: Housing Land Release** – seeks to ensure that there is a 5 year effective supply of housing land maintained over the Plan Period. The housing strategy as set out in Policy 8 has been to give priority to brownfield land release within the existing urban area and to focus the limited greenfield land release at the Western Gateway Strategic Development Area.
- 7.5 The principle of development on this site for housing is established through its status in the DLDP 2014 as part of housing site HP02.
- 7.6 The proposed application boundary has altered from the HP02 boundary that is indicated in the DLDP 2014. This alteration to the boundary is a result of updated flooding information from Scottish Environment Protection Agency (SEPA) that highlighted part of the southern area was at risk of flooding and was no longer suitable for residential development. In order to avoid the area that was potentially at risk of flooding the proposed application boundary includes the northern part of HP02 as well as an area to the north of that designation.
- 7.7 The DLDP 2014 through Appendix 2 provides capacities for each of the housing sites to ensure that sufficient land is allocated. Whilst the capacities for each site are provided, it is still incumbent on any proposed development to demonstrate that the design and layout is in accordance with Policy 9 (Appendix 3). As part of this process it is accepted that the number of units that can actually be accommodated may increase or decrease from that identified for each of the allocated sites. The indicative capacity set out for the HP02 designation was 270 residential units. The current application site is slightly smaller in size than HP02 and 230 residential units have been proposed.
- 7.8 **It is considered that the proposed application supports the housing strategy in Policy 8 that focuses the release of greenfield land development to the Western Gateway.**
- 7.9 **Policy 32: Development Within The Open Countryside** – as stated previously in relation to Policy 8 the proposed application boundary has altered from the HP02 boundary that is indicated in the DLDP 2014. A consequence of the boundary being altered is that part of the proposed application site is now within an area allocated as Policy 32: Development Within the Open Countryside.

- 7.10 **The proposed residential development is contrary to this Policy due to the scale of the development proposed.**
- 7.11 **Policy 9 and Appendix 3: Design of New Housing** – the design and layout of new housing developments in Dundee should be of a high quality and contribute to creating places that build on and enhance the distinct character and identity of the different parts of the city. As part of this, Appendix 3 provides details regarding minimum requirements.
- 7.12 The range of house types provided on site includes a large variety including lower/upper villa style flats, 2 and 3 bedroom semi detached dwellings and 3, 4 and 5 bedroom detached dwellings. In this instance, there are four dwellings which will provide only 2 bedrooms. This meets the requirement of the Plan in relation to house type which states that 75% of houses should provide 3 or more bedrooms.
- 7.13 The Policy also advises that in suburban locations flats may be acceptable through conversions of buildings of merit where conversion to houses is not suitable or achievable or where identified in a site planning brief. These factors do not apply to this site and therefore the proposals for the upper/lower villa style flats (28 in total) do not accord with this requirement of the plan.
- 7.14 Appendix 3 states that houses should benefit from no less than 120m² of private useable garden ground with an average private useable garden ground of 160m² in new developments. The level of private garden ground afforded to the proposed houses provides an average of over 170m².
- 7.15 The Policy allows for a relaxation of the garden ground requirements in the cases of mid terraced properties and in this instance this relaxation is applicable to two mid terraced properties which are located around the small village green area which provide garden grounds of approximately 90m². This is in accordance with the above requirement.
- 7.16 However, there are three properties (one semi detached and two end terraced properties) that fail to meet the minimum garden ground requirements. These properties will provide garden sizes ranging from 83–88m². Although this is an extremely minor shortfall this means that the application will be unable to fully fulfil the requirements of Appendix 3 in this regard.
- 7.17 In addition, the flatted village style properties will be provided with a screened drying area for each block which will be separate from the amenity garden space.
- 7.18 The occupants of the upper and lower villa style flatted properties will have access to sufficient room within their amenity space to provide suitable bike storage.
- 7.19 In relation to the provision for bin storage, the site layout ensures that there is sufficient space within the curtilages of all dwellings for the provision of waste and recycling.
- 7.20 Furthermore, the applicant has provided details regarding the provision of an electric car charging facility within the site. This is a positive contribution towards the development and achieves the aspirations of Policy 9 in creating a high quality housing layout.
- 7.21 It is concluded that the proposals are generally of a high standard but the fact that 3 of the gardens fall short of the minimum private useable garden requirements and that a small number of flats are proposed means that the proposals **do not fully accord with Policy 9 of the Dundee Local Development Plan 2014.**

- 7.22 **Policy 7: High Quality Design** – the policy states that “all development must contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change, mitigation and adaptation. The design and siting of development should 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.”
- 7.23 The applicant has submitted a design statement which advises that the design proposals and layout for the village have been influenced by existing connections and avenues in the surrounding farming land and the desire to connect with nearby urban conurbations, infrastructure, local services and facilities as well as core paths and active transport routes.
- 7.24 The design statement advises that there are several elements within the design which can be divided into the following groups:
- 1 Open Spaces and Landscaping
- 7.25 Full details regarding the landscaping intentions have been provided by the applicant in their Landscape and Visual Assessment submitted in support of the application. This includes extensive planting of trees along the eastern boundary of the site along Dykes of Gray Road at the southern half of the road/site boundary.
- 7.26 Trees will also be planted along the southern boundary of the site to screen an existing property and maintain privacy. The existing band of trees to the north that form the line of Gray Walk will be improved by further bands of planting to create a generously treed area.
- 7.27 Each different type and scale of street is to be provided with differing landscaping styles and the Design Statement notes that a typical street will have pockets of soft landscaping, trees and grass to either one or both sides with the aim of softening the impact of the houses.
- 7.28 In addition, a large proportion of the site has been left undeveloped for use as leisure, recreation and amenity space. This includes a multipurpose sports pitch and a play park.
- 2 Connections
- 7.29 The Design Statement advises that one of Springfield’s key principles is the creation of a sense of identity and they consider that part of the way to achieve this is via a number of different street conditions associated with the road hierarchy through the variety of street widths, surfaces and landscaping.
- 7.30 Such measures contribute to the overall success of the design and result in the creation of a vibrant place.
- 3 Built elements
- 7.31 Across the development there will be a variety of materials and treatments to the housing areas and other buildings. In this regard, these differing treatments and palettes have been chosen to attempt to reinforce the creation of different ‘character’ areas. The materials have been chosen to be appropriate for their function and location. For example, there will be more robust finishes to the village core area as it is likely to be more heavily trafficked.
- 7.32 Springfield consider that each of the above elements come together in a cohesive way and is a well-considered and comprehensive approach in creating a high quality community .

- 7.33 In addition, the Policy advises that all developments with construction costs over £1 million will be required to allocate costs for the inclusion of art projects in a publicly accessible or visible place within the development. The applicants have provided a statement of intent in this regard and the full details of the art projects will be agreed by an appropriate planning condition.
- 7.34 Taking the content of the Design Statement and the above information into consideration, it is concluded that the proposed village is of a high standard and will provide variation and interest with the use of the above measures.
- 7.35 **It is considered that the application complies with Policy 7.**
- 7.36 **Policy 45: Land Contamination** – the policy requires that:
- 1 “a site investigation is submitted establishing the nature and extent of contamination; and
 - 2 the Council is satisfied that remediation measures proposed for the development, adequately address contamination risks to all receptors, such that the land demonstrably does not meet the statutory definition of contaminated land and is suitable for the planned use.”
- 7.37 Reports have been submitted and it is concluded that the development can address the issue of land contamination and these matters can be the subject of appropriate conditions.
- 7.38 **Subject to those conditions, it is concluded that the proposal satisfies Policy 45.**
- 7.39 **Policy 40: Waste Management** - the applicant has identified suitable locations within the site to provide communal bin storage facilities where appropriate. In addition, it is considered that the houses proposed as part of the village development will be capable of providing suitable and convenient access to bin storage within the private garden areas.
- 7.40 It is therefore considered that provision of the above this will fulfil the required bin stores to meet the Council's waste strategy.
- 7.41 **The proposal satisfies the requirements of Policy 40.**
- 7.42 **Policy 42: Sustainable Drainage Systems** - the applicant has provided details in relation to the proposed drainage strategy on site. The site has been laid out to accommodate SUDS provision. The range of submitted information has been reviewed and it is considered that the Flood Risk Assessment and associated drainage proposals are acceptable in principle provided that full details are submitted and agreed with the Council prior to the commencement of any work on site. Full details regarding a range of drainage and flooding information will be required to be agreed prior to the commencement of development on site.
- 7.43 **The proposal satisfies the requirements of Policy 42.**
- 7.44 **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. The submitted Design and Access Statement provides some information regarding the energy saving measures in the construction of the proposed flats.
- 7.45 Indeed, it is part of the applicant's approach to selling homes that provision of such technologies as solar panels will be available with the purchase of dwellings. The siting of

these will be controlled by planning condition and an appropriate condition will ensure that a statement is submitted in accordance with the terms of Policy 29.

7.46 **The proposal satisfies the requirements of Policy 29.**

7.47 **Policy 55: Accessibility of New Developments** – The Design and Access statement advises that new connections will be created with the surrounding area to allow for the provision of public transport within the site and to make sure that the village is walkable, safe and well integrated into the surrounding area. This will include the provision of footpaths, cycle ways and bridleways with the aim of creating as many links as possible. It is proposed to create a range of public routes to connect into the existing core path plan in the area.

7.48 The submitted Transport Statement discusses in detail a number of improvements and these are summarised as follows:

7.49 Pedestrian

- Pedestrian linkages from the site will be provided to tie-in with the existing pedestrian network and how these will tie in with the existing Core Path network.
- A new 2m wide footway will be provided on the eastern side of Dykes of Gray Road, from the point where the existing footway terminates to the Swallow roundabout on the A90(T) Kingsway. This footway will tie-in with the new pedestrian crossing point that will be incorporated as part of the future roundabout improvement works.

7.50 Cycle network

- Linkages from the site will be provided to tie-in with the existing cycle network and within the site itself a number of cycle routes are proposed providing access to and within Dykes of Gray. The applicants are currently investigating if the proposed new section of 2m wide footway can be extended in width to be a 3m wide shared cycleway/footway.

7.51 Public Transport Network

- It is proposed that new bus stops be provided within the site which will result in the vast majority of the residential units being within a 400m walk of a bus stop. Allowance has been made within the layouts for buses. The exact locations of the bus stops to serve the development will be discussed and agreed.
- Springfield will liaise with DCC public transport officers and local bus operators and discuss extending and rerouting services in order to serve Dykes of Gray based on the phasing and completion/occupation of residential units.

7.52 Road Network

- An improvement scheme to the Swallow roundabout will be undertaken by the applicant. This improvement scheme will involve the signalisation of the roundabout which will provide additional capacity to accommodate the extra vehicles associated with the residential developments and also provide a controlled pedestrian crossing point across the A90(T) Kingsway.

7.53 Increasing the number of residential properties in the area will increase the demands placed upon the Swallow roundabout. The submitted Transport information advises of the measures above to take account of the need to improve the existing situation and provide additional capacity. It is concluded that the provision of the range of above improvements to

the existing pedestrian, cycle, public transport and road networks will help to ensure that the development is designed to be well served by all modes of transport and meets the requirements of Policy 55 in this regard. Suitable conditions will be applied to any grant of planning permission to ensure that the above measures are implemented at the appropriate time.

7.54 **The proposal satisfies the requirements of Policy 55.**

7.55 **Policy 19: Funding of On and Off Site Infrastructure Provision** - substantial public and private investment in infrastructure provision has been put in place to remove constraints and facilitate the development of the housing sites at the Western Gateway. This has involved improvements to the surrounding road network and associated drainage infrastructure. In line with this Policy, the Council will seek to secure developer contributions towards to the cost of such infrastructure provision.

7.56 In relation to education provision, the existing catchment area schools have capacity at this time to accommodate the pupils generated by the proposed development. An appropriate developer contribution in relation to education shall be sought in order to allow for, when required, a new primary school to be provided to meet any future increase in demand from development in the area.

7.57 **The proposal satisfies the requirements of Policy 19.**

7.58 **Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997** - Section 59 of the planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications that affect listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which they possess.

7.59 The nearest Listed Buildings are located to the south of the site and are clearly defined by trees and vegetation. There is therefore a clear boundary between these buildings and the application site. It is considered that this visual separation ensures that the impact of building the proposed dwellings is restricted. In addition, the plans propose a small group of low density dwellings in this location, of which the closest of these will be situated over 40 metres away from the dwelling at Graystone Lodge.

7.60 **Therefore, the development will preserve the setting of the Listed Building and discharge the above statutory duties set out above.**

7.61 **It is concluded from the foregoing that the proposal complies with requirements of Policy 9 with the exception of three properties that are unable to provide the minimum garden ground required and that a small number of flats are proposed.**

OTHER MATERIAL CONSIDERATIONS

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

A - SUPPORTING STATEMENTS

7.63 The applicant has submitted a Design and Access Statement, as required by statutory legislation. Whilst some minor details within those reports have been superseded by more recent non material changes to the layout, the general principles behind these documents are acceptable as material considerations in support of the application. The key issues that have been discussed by the applicant in their submissions relate to the following:

a Justification For The Erection of Flats Within The Development (LDP Policy 9)

- 7.64 Springfield consider that the wider policy position advises that both the Strategic and Local Development Plan are intent on bringing housing development to the Western Gateway that will make a major contribution to the housing offer in the city.
- 7.65 They further suggest that the development of this scale with only standard housing would not provide a strategic response to the requirement for housing that is set out in the policy documents.
- 7.66 Further, Springfield advise that they are taking the view that development at Dykes of Gray should be an integrated community. As part of this approach, they advise that they have sought to ensure that the community has a range of opportunities to mix, through the provision of a range of facilities. As part of this they go on to say that "Communities function best when there is a mix of ages and lifestyles involved and this would not be achieved by a narrow range of housing. In order to create a sustainable community, a mix of housing types is needed."
- 7.67 Springfield advises that the introduction of flats offers alternative accommodation at a lower purchase price than conventional housing that appeals to a different social economic group and will also, due to size, appeal to downsizers and singles, young and old, as well as professional couples.
- 7.68 The document also makes reference to the housing mix across the development and that the inclusion of a variety of house types including upper/lower villas, terraced, semi detached and a wide range of sizes of detached properties, will ensure that there are properties for every stage of life. Upsizing and downsizing within one area is something that Springfield has set out to achieve.
- 7.69 Finally, the justification document makes reference to the design considerations and that they consider that sticking with a range of similar house types, could create an area of suburban sprawl with limited features and variety across the site.
- 7.70 The above points are considered to weigh in favour of supporting the erection of flats on site as part of delivering a vibrant community.

b Shortfall In Garden Grounds Affecting 3 Properties (Policy 9)

- 7.71 The applicants advise that they consider there to be design justification for the small number of varying garden sizes and that the vast amount of integrated and useable open amenity space within the development should compensate for these small deficits.

Response

- 7.72 The Council considers the above factors to be realistic taking into account the scale of the proposal and in general terms they are accepted. The inclusion of a variety of high quality house types will contribute towards the creation of a successful place. Therefore, the above supporting information provided by the applicant is considered to weigh in favour of the application.

B - LOSS OF GREENFIELD LAND

- 7.73 The alteration to the site boundary has resulted in the overall area of land that will be developed for housing being reduced by an area of around 13 hectares. Therefore, the total area to be developed will be less than the previous application and there be no net loss of

open countryside. It is considered that the proposed residential development would not undermine the aims of this Policy.

C - VIEWS OF OBJECTORS

a Transportation and Access Issues

Objection

- 7.74 Significant increase in traffic on a road which cannot handle the additional cars.
- 7.75 Existing congestion issues at the Swallow roundabout would need to be addressed.
- 7.76 The road will have a vast increase in the number of vehicles using the south section of Dykes of Gray Road the ability for both pedestrians and vehicles to safely exit Balgray House and Greystane Lodge is currently very difficult because there are blind spots both to the left and the right of the pillars.
- 7.77 The vast increase in the number of vehicles using Dykes of Gray Road and exiting using the Swallow roundabout would be greatly increased thus having obvious implications to the ease of flow of traffic both prior to and on the roundabout.
- 7.78 The footpaths of Dykes of Gray Road do not extend down to the Swallow roundabout and with more traffic on the road this is a highway safety issue for pedestrians that are forced onto the road because of the lack of footpaths and surrounding trees and bushes.
- 7.79 The development should provide good public transport routes and footpaths as part of the development.
- 7.80 No clear assessment of traffic impacts further up the Dykes of Gray Road, notably the corner where most children cross the road to access Liff Primary School.

Response

- 7.81 The supporting Transport Statement considers the existing transport facilities and how these will serve the proposed development sites, including the site of this planning application. The Statement also highlights the off site transport facilities being proposed and how these will enhance the existing infrastructure that connects the site with the wider transport network. The main conclusions from this document relate to the following:
- 7.82 A new footway will be provided along the east side of Dykes of Gray Road on the approach to the Swallow Roundabout to improve the connectivity between the sites and local facilities / employment areas for pedestrians. This will ensure a continuous pedestrian link to the development sites from the Kingsway.
- 7.83 New bus stops will be provided within the site and an allowance has also been made in the site layout design for buses to enter and pass through the village.
- 7.84 Springfield will liaise with DCC public transport officers and local bus operators and discuss extending and rerouting services in order to serve Dykes of Gray.
- 7.85 An improvement scheme at the Swallow roundabout to increase the capacity of the junction and to provide controlled pedestrian crossing facilities, through the provision of traffic signals, is to be provided.

- 7.86 A Travel Plan Framework has been prepared that provides a methodology to be employed in the future full Travel Plan that will be developed and implemented prior to occupation of the development.
- 7.87 Conditions shall be attached to any grant of planning permission to ensure that the above measures are carried out and it is considered that this will alleviate a number of the above concerns as noted above.
- 7.88 The level of car parking is set in the Dundee Local Development Plan 2014 and is used to ensure that on street parking within a new development is not detrimental to the new streets. At this stage in a design/planning process it is not possible to get a bus company to agree any level of service to a new area. Therefore both the developer and the local authority have to ensure that there are facilities to cater for public transport within the new development site. Neither of these parties can say what the level of public transport service will be. However, in ensuring that the development can serve a bus service, there are new roads within the development that are being designed to allow buses to travel along them.
- 7.89 There is an extensive level of both footpaths and cycle paths proposed to link to existing facilities which aid the sustainability of the development.
- 7.90 The figures within the Transport Statement show that the majority of traffic generated by the development will leave and enter the site and head south towards the Kingsway meaning that there is a minimal impact on the Dykes of Gray Road/Liff Road junction so no improvements are required in this location. It may be the case that traffic at this junction may increase during the period of roadworks but this should be dealt with as part of any temporary road signing.
- 7.91 The distribution of traffic from the development site has taken into account the locations of schools and their catchments and while every effort has been made to ensure that these figures are accurate, the situation will be monitored with the existing road network being assessed to ensure all traffic can use the road network safely once the development is complete.
- 7.92 It is therefore considered that the applicants have taken extensive measures in order to alleviate the concerns of the existing nearby residents in relation to transportation and access issues and the views of the objectors are not supported in this regard.

Objection

- 7.93 Uncertainty regarding the 270 unit requirement within the Transport Statement and where this has been derived from

Response

- 7.94 Both previous planning applications (as per the site history section) and their submitted supporting information agreed a trigger point for a maximum number of dwellings that could be constructed without the provision of major infrastructure improvements. At that time this was agreed to be 270 units. The Transport Statement submitted with the current planning application indicates that Springfield's preference would be to provide these improvements prior to this point and any changes to this figure will be required to be fully agreed with the Council, in consultation with Transport Scotland.

Objection

- 7.95 The proposed road serving the development and the position of units is not where they were first proposed.

Response

- 7.96 It is unclear what road the objector is referring to in this regard. In the past, planning applications affecting this area took a different form with different layouts and road arrangements. The main access points serving this site have remained unchanged since the submission of the current application and have been taken into consideration in the assessment of the supporting Transport Statement.

b Flooding and Drainage Issues

Objection

- 7.97 Possible flooding issues: the burn struggles to cope and will overflow in the gardens of both Balgray House and Graystone Lodge if water is diverted into the burn from the new development; increased risk of flooding and pollution both of which would have a detrimental effect to the wildlife and the current properties land.
- 7.98 There is a drainage issue with the proposed land and additional buildings and transport will not help this problem
- 7.99 General Concerns With Flooding - the construction of properties so close to surrounding by flood planes is a potential flood hazard.

Response

- 7.100 A significant body of information has been submitted by the applicant in support of the proposals in respect of drainage and flooding issues. The information provided is acceptable in principle. A number of conditions will be attached to any grant of permission to agree details regarding the SUDS provision, maintenance regimes and the Flood Risk Assessment. This in accordance with the advice from SEPA.

c Trees and Wildlife Issues

Objection

- 7.101 It is difficult to see how the existing trees within the boundary wall of the existing properties will be retained and protected when the root system and spread of these trees will surely be disturbed during the construction of the properties to the adjacent of the boundary wall. This is contrary to the fact that the trees are in a tree conservation area and are therefore protected.

Response

- 7.102 The trees to the south of the site located within the grounds of the Hilton Hotel, Greystone Lodge and Balgray House are the subject of a Tree Preservation Order. The submitted Tree Report provides detailed information as to the impact upon the surrounding area. It includes several recommendations, one of which relates to the installation of tree protection fencing to the south of the site in order to avoid any significant detrimental impact upon the nearby trees.
- 7.103 The findings of the report are accepted and an appropriate condition will be attached to the planning permission to agree the full details.

Objection

- 7.104 There is an abundance of wildlife in this location; The proposed development of the houses particularly those adjacent to the burn will force the animals out of their natural habitat.

Response

- 7.105 An Ecology study has been carried out in relation to the site and there is no evidence of protected species that would preclude the granting of planning permission.

d Impact Upon Surrounding Area

Objection

- 7.106 The development will negatively impact on the setting of Greystane Lodge which is a listed building which is contrary to the aims and guidance provided in the SHEP (Scottish Historic Environment Policy).
- 7.107 The adjoining properties are listed in a conservation area

Response

- 7.108 The proposed development is located a sufficient distance away such as to ensure that there is no direct impact upon the character and setting of the nearby Listed Buildings. In addition, the tree line provides a visual barrier such as to offer protection to the character and setting of these buildings.

Objection

- 7.109 Due to the close proximity to Balgray House and Greystane Lodge, there will be a negative effect on privacy and loss of amenity
- 7.110 Proposed properties are two storeys with pitched roofs directly overlooking both existing properties and their surrounding gardens and this will have a definite overbearing impact on the garden and amenity space of the existing properties
- 7.111 Due to the close proximity of the development to the common boundary wall there will be a significant increase in noise pollution resulting from both the new properties residents, visitors, football pitch, play areas and the vast increase in traffic using Dykes of Gray Road.
- 7.112 The football pitch is likely to be a nuisance and should be in the mid point of the overall development area.
- 7.113 Light pollution is also a concern; currently there are no street lights and no other properties in close proximity to both the Lodge House and Balgray House. The night's sky is clearly visible and if the proposed development goes ahead there will be street lighting, garden lighting in the properties and this will have a detrimental effect on the current properties.
- 7.114 Due to the close proximity to the common boundary wall the new development will have an obvious visual impact to both Balgray House and Greystanes Lodge since there will be an unacceptably high density/overdevelopment of the site, which is out of scale and character with the existing area and will result in the loss of the open aspect of the current properties.

Response

7.115 The plans propose a small group of low density detached dwellings in the south east portion of the site. The nearest of the proposed dwellings will be situated over 40 metres away from the dwelling at Greystane Lodge. There is an existing tree line within the grounds of the existing properties which will provide screening in relation to both noise and privacy. In addition, the details submitted indicate provision for landscaping along the edges of the development and these will be agreed to ensure that the locations and species chosen provide the additional screening.

7.116 Furthermore, the proposed pitch and play areas are located over 200 metres from the nearest dwellings to the south and therefore any noise generated as a result of their use is not considered to be significantly detrimental to the amenity of the existing residential occupiers. The use of any lighting associated with the pitch can be adequately controlled and agreed by means of a condition such as to ensure that the above mitigation factors are sufficient to ensure that the lighting does not have a significant detrimental impact upon the occupiers of the nearby dwellings.

e Visual Impact

Objection

7.117 The visual impact of the development being built on land that is currently farm land and part of the green belt.

Response

7.118 The issue of loss of countryside land has been discussed in relation to the Dundee Local Development Plan 2014. It is concluded that the proposed site has a total area to be developed less than the previous planning application and there will be no net loss of open countryside as a result of the current proposals. It is accepted that approval of the development will result in a significant visual change in the area and this has already been taken into account in the designation of the land in the Dundee Local Development Plan as a site for housing.

Objection

7.119 Concerns over design, visual appearance and finishing materials

Response

7.120 Full details regarding the proposed design and finishing materials for the dwellings have been submitted. As discussed, the materials are considered to be of high quality and of a suitable colour palette for this countryside location. The design of the individual buildings, spaces between streets and general landscaping style are considered to be of high quality and in keeping with the setting of the area.

Objection

7.121 Early assurances indicated that 'Green corridors' would divide each of the individual developments. No such provision is shown on the plan.

Response

7.122 The proposals indicate a large area of open space in the southern portion of the site to include meadow grass with informal paths, sports pitch, play area and woodland planting. In

addition, a green spine is to be formed leading from north to south. These measures result in an attractive site with generous access to open space and landscaping.

- 7.123 The Western Gateway concept was originally as a phased development comprising three villages. The village concept which was originally proposed continues to be identified in both the Dundee City Local Development Plan 2014 and the TAYplan Strategic Development Plan 2012.
- 7.124 The proposed application boundary has altered from the HP02 boundary that is indicated in the DLDP 2014 as a result of flooding information. In order to avoid the area potentially at risk of flooding, the proposed application boundary includes the northern part of HP02 as well as an area to the north of that designation.
- 7.125 As part of this approach, the design proposals and layout for the village integrates both current planning applications and has been influenced by existing connections and avenues in the surrounding farming land and the desire to connect with nearby urban conurbations, infrastructure, local services and facilities as well as core paths and active transport routes. This approach has been carefully considered and is concluded to offer a realistic approach to the delivery of the Western Gateway village concept.

f Education Concerns

Objection

- 7.126 The lack of school amenities in Dundee within a safe walking distance (dual carriageway) will mean that children and parents alike will be forced to use the road or attempt to use the footpaths available and cross a dangerous road which is an obvious safety concern.
- 7.127 General concerns regarding lack of suitable educational provision within walking distance.

Response

- 7.128 In relation to education provision, the existing catchment area schools of Ardler Primary School and Baldragon Academy have capacity at this time to accommodate the pupils generated by the proposed development. Transport arrangements to schools would be provided for by the Council.

g Community Facilities

Objection

- 7.129 Lack of community facilities to support this development.
- 7.130 A development of this scale requires more facilities such as a shop or community facilities to help integrate the new village with the existing smaller village.

Response

- 7.131 The application provides a range of facilities including a games pitch, play space and an extensive landscaping area. These facilities will enhance the living environment for the residents and offer attractive recreational space.
- 7.132 Although this application must be treated on its own merits, it is linked to application 14/00514/FULM (elsewhere on this agenda) for the land to north to include further residential development. Application 14/00514/FULM includes provision for a range of community

facilities including a shop, community hall and potential for a range of other uses including doctors, dentist, nursery and office space etc.

- 7.133 The current application is intended to be the subject of an appropriate phasing condition to agree the implementation of the various aspects of the development. This will be progressed accordingly to ensure that the various facilities are provided at the appropriate point in time.

Objection

- 7.134 Impact upon healthcare providers in the area.

Response

- 7.135 Such an impact is difficult to assess since the total population of future occupants of the development may not all generate a demand for healthcare in the area. For example, occupants may be relocating from a nearby area or may wish to retain a healthcare provider to ensure continuity of care. In any case, the proposals relate to fewer overall dwellings than the allocated site within the DLDP 2014.

Objection

- 7.136 Impact upon the already poor broadband provision in the area

Response

- 7.137 The development of this site relates to an allocation within both the previous and current Local Plan and therefore the principle of residential development on in this area is already established. It is possible that with the creation of a new residential development of this scale that the demand for broadband services will increase such as to stimulate an improvement in the service provision in this regard.

h Other Issues

Objection

- 7.138 The development will lead to increased crime in the area

Response

- 7.139 The design of the development follows well established principles of secure design with public areas being overlooked by windows of dwellings. The semi rural location of the site means that it is likely that the main people in the vicinity will be residents of the properties and their visitors. The fear of the potential for crime to increase in the area does not therefore bear significant weight such as to justify refusal of the application.

Objection

- 7.140 Diversion from the Local Plan allocation and the potential impact this may have on the style of development and precedent for future development.

Response

- 7.141 The style and design of the development has already been discussed and it is considered to offer a high quality development delivering an attractive and viable community with benefits for existing residents in the area with the provision of extensive community facilities.

Objection

- 7.142 If the development is supported, suspensive conditions should be attached to the decision notice requiring the applicant to submit a construction method statement and site working hours to minimize the nuisance to the neighbouring properties and current vehicles using Dykes of Gray Road which will be affected by construction vehicles.

Response

- 7.143 It is considered to be reasonable to attach a condition requiring the applicant to submit a method statement detailing matters such as location of site huts, haulage roads etc. It is considered that such methods will ensure that the development can be carried out with minimal impact upon nearby existing residents.
- 7.144 **It is concluded from the foregoing that the material considerations which weigh against the proposal are not of sufficient weight to suggest that the Development Plan should not be accorded the priority which the statute has given it.**

8 CONCLUSION

- 8.1 The proposal does not fully comply with the Development Plan as it relates to the development of open countryside and a small number of flats are proposed, 3 of the proposed dwellings would not be capable of providing the required amenity space sought by Policy 9 of the Dundee Local Development Plan 2014. It is also contrary to Policy 32 as it relates to the development of an area of open countryside. There are material considerations to justify the approval of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.
- 8.2 A legal agreement will be required to be concluded prior to the issuing of planning permission to agree a contribution in relation the infrastructure works carried out by the Council and in relation to education.

9 RECOMMENDATION

Recommendation 1

- 9.1 A legal agreement will be required to be concluded prior to the issuing of planning permission to agree a contribution in relation the infrastructure works carried out by the Council and in relation to education.

Recommendation 2

- 9.2 It is recommended that consent be GRANTED subject to conditions:
- 1 Prior to the commencement of development on site full details for the road surfacing materials shall be submitted to the Council for approval in writing and thereafter implemented in full accordance with the agreed details.
 - 2 Traffic calming measures will be required to be provided within the development and this shall be designed to ensure that the maximum road speeds are 20 mph.
 - 3 Prior to the commencement of development, details of the public art provision for the development, in accordance with Policy 7 of the Dundee Local Development Plan 2014,

shall be submitted to the planning authority for written approval and subsequent approval of detailed designs. For the avoidance of doubt, the public art provision shall be completed in accordance with such approved details within a specified period of time that has been agreed in writing with the planning authority.

- 4 Any variations to the approved housing types to incorporate sun rooms (as shown on Drawing SR 01) or solar panels (specifications to be confirmed) shall be submitted to the Council for written approval prior to the installation/construction of such adaptations.
- 5 The landscaping of the site, including the timescale and provision for future maintenance shall be carried out only in full accordance with details to be submitted by the applicants and approved in writing by the Council prior to the commencement of development. In particular street trees in front gardens shall be planted prior to the occupation of the houses within whose curtilage the trees are planted. 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 The existing trees and shrubs, indicated on the approved plans to be retained, shall not be cut down, grubbed out topped, lopped, uprooted or root pruned without the written consent of the City Council. The protective fencing indicated on the approved plans shall be erected on site in consultation with the Council and its agreed location shall be confirmed in writing by the Council prior to the commencement of development, including site preparation and excavation works. 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 City Council and to the standard as approved by the City Council.
- 7 Development shall not commence until an appropriate mechanism for the upgrading of the A90 Swallow Roundabout, generally as illustrated on Arup Drawing 233958-00 Figure 1, has been submitted to and agreed in writing by the Planning Authority in consultation with Transport Scotland. The works shall thereafter be implemented in full accordance with the agreed details.
- 8 Prior to the commencement of development on site, full details including the timescales for implementation of the proposed improvements and findings set out in the approved Transport Statement (REP/001 Rev A 1 October 2014) shall be agreed in writing with the Council and thereafter implemented in full accordance with the agreed details.
- 9 Prior to the commencement of development, full details for the proposed games pitch shall be submitted to the Council for approval in writing and thereafter be implemented in full accordance with the agreed details.
- 10 The play area in the development shall be completed and ready for use prior to the occupation of any of the houses hereby approved. The play area shall be maintained for all time by the developers in accordance with a scheme of maintenance which has been submitted to and agreed in writing by the Council prior to the commencement of development. Full details of the play area shall be required to be agreed in writing with the Council prior to the commencement of development.
- 11 The recommendations laid out in the Ecological Appraisal (RSK Project No 855453) shall be fully implemented as part of the development. Any further investigations to be carried out as part of this shall be submitted to the Council for approval in writing prior to the commencement of development.

- 12 Prior to the commencement of any development, a construction method statement shall be submitted to the Council for approval in writing to include details of site huts and haulage roads used throughout the course of development. The development shall thereafter be implemented in accordance with the agreed details or otherwise agreed in writing.
- 13 Prior to the commencement of development further supporting information regarding the Contaminated Land Risk Assessment shall be submitted to the Council for written approval. For the avoidance of doubt this shall include details of a remediation strategy if required.
- 14 Prior to the commencement of development on site a detailed phasing plan shall be submitted to the Council for written approval. For the avoidance of doubt, this shall include full details for the construction of the village green, sports pitch, all play spaces and all footpaths not forming part of a Roads Construction Consent.
- 15 No development shall take place within the development area until the applicant has secured the implementation of a staged programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant, agreed by the local Archaeology Service and approved by the Planning Authority.
- 16 Prior to the commencement of any works on the development site, a Flood Risk Assessment shall be prepared in line with current guidance and submitted to Dundee City Council and SEPA for written approval. Any recommendations contained within the Flood Risk Assessment must be implemented thereafter prior to occupation of the development.
- 17 Prior to the commencement of any works on the development site a detailed surface water drainage/SUDS design including drawings, calculations, full modelling and simulation results shall be submitted to Dundee City Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the occupation of the development.
- 18 Prior to the commencement of any works on site, maintenance responsibilities along with a Maintenance Schedule for the surface water drainage system/SUDS features is to be submitted to Dundee City Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the occupation of the development.
- 19 Prior to commencement of any works on site A Design Risk Assessment must be submitted for written approval by Dundee City Council and must consider Health & Safety issues associated with construction, operation, maintenance and decommissioning of the surface water drainage system/SUDS features. Thereafter, all works approved by virtue of this condition shall be carried out prior to the occupation of the development.
- 20 Prior to commencement of any works on site a signed Dundee City Council Design and Check Certification shall be submitted by the Applicant confirming the design of the Drainage System is to current standards.
- 21 A maintenance regime for the new overspill flow path as shown on the plan Proposed Overspill Channel, drawing number 365398 - 004, dated 19 November 2014 shall be submitted and agreed in writing with the Planning Authority prior to the commencement

of development on site. The works shall thereafter be carried out in accordance with the agreed details.

- 22 Prior to the commencement of any works, a scheme for sustainable drainage (SUDS) surface water treatment shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control.
- 23 A Sustainability Statement demonstrating the extent to which the new build elements of 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.
- 24 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

REASONS

- 1 In order to ensure the materials are of an acceptable standard.
- 2 In order to ensure the development is acceptable in road safety terms.
- 3 In order to provide for public art in the interests of visual amenity and the appearance of the site
- 4 In order to allow for the provision of suitable alterations to the standard house type whilst ensuring there is no impact upon amenity.
- 5 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 6 To protect those landscape features which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
- 7 To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road network and to ensure that appropriate facilities are provided for pedestrians and cyclists to cross the trunk road.
- 8 To ensure that the improvements to the surrounding road network are carried out at the appropriate time.
- 9 In order to ensure that the pitch is of a suitable quality both visually and functionally.
- 10 In order to ensure a high standard of play space is available to use for occupants within the new dwellings.
- 11 In order to ensure the site is developed with due regard to any species on site.
- 12 In order to ensure that these are not detrimental to the amenity of the existing residents.
- 13 In order to ensure the site is fit for the purpose proposed.

- 14 In order to ensure that an acceptable level of facilities is provided.
- 15 In accordance with the requirements of Policy 51 of the Dundee Local Development Plan 2014.
- 16 To ensure that the proposed development is not located within a flood plain and will not have an adverse effect, nor influence the existing watercourse, Reservoir, SUDS or Coastal Water to the detriment of existing properties and infrastructure adjacent to and downstream of the proposed development.
- 17 To ensure there is no increase to the discharge of surface water and potential pollutants to the public sewer or where applicable a nearby watercourse, to the detriment of existing and proposed properties, infrastructure, and the water quality of any watercourse. To ensure that any proposed SUDS features have a satisfactory visual appearance.
- 18 To ensure that future maintenance of the surface water drainage system/SUDS features is considered.
- 19 To ensure that Health & Safety matters are considered during the design of the surface water drainage system and any warning/protection measures which are required are put in place.
- 20 To ensure an independent design check has been carried out and certified in line with Dundee City Council Certification of SUDS guidance.
- 21 In order to satisfy the requirements of SEPA.
- 22 To ensure adequate protection of the water environment from surface water run-off.
- 23 In order to demonstrate that the new development will meet the required carbon emissions reduction standards in the interests of the environment.
- 24 In order to ensure the site is fit for the purpose proposed.