

Erection of 8 Houses and Associated Works 24/00703/FULL

KEY INFORMATION

Ward Lochee

Address

Former Community Centre
Angus Street
Dundee

Applicant

Abertay Housing Association

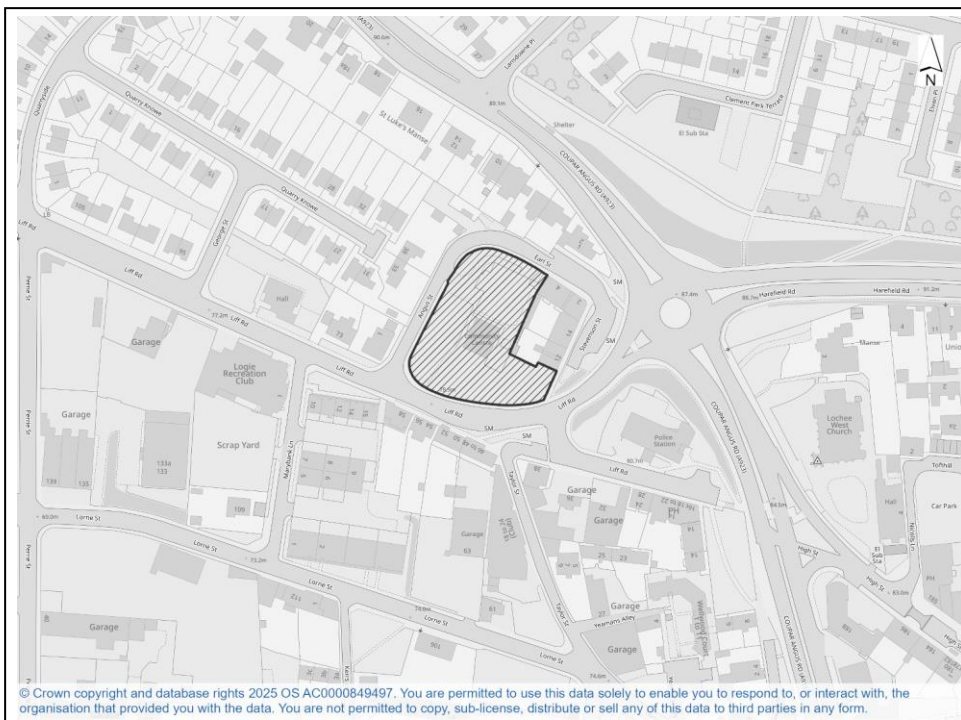
Agent

Donald Mackenzie
Wellwood Leslie Architects

Registered: 4 Nov 2024

**Report by Head of Planning
& Economic Development**

Contact: Edward Bean



© Crown copyright and database rights 2025 OS AC0000849497. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

SUMMARY OF REPORT

- Planning Permission is sought for a residential development of eight houses, with associated landscaping, and other associated works.
- The application site is 0.32 hectares of land to the north of Liff Road, and comprises the site of the former Angus Street community Centre, which has now been demolished.
- The applicant has submitted detailed plans including site layouts, elevations and section drawings along with supporting information including a design statement, landscaping plans and drainage strategy.
- The application is in accordance with the requirements of the Development Plan.
- The statutory neighbour notification process was undertaken. In total, 11 letters of objection were received. The letters of objection raise concerns with loss of parking, impact on road safety and privacy, and loss of greenspace and habitat.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as six or more valid written objections have been received and the recommendation is for approval.
- More details can be found at;
<https://idoxwam.dundeeccity.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=SIYWWZGCMUO00>

RECOMMENDATION

The proposal is fully in accordance with the Development Plan. There are no material considerations of sufficient weight to justify refusal of planning permission. It is therefore recommended that planning permission be APPROVED subject to conditions.

1 DESCRIPTION OF PROPOSAL

- 1.1 Planning permission is sought for the erection of eight semi-detached two storey dwellinghouses on the site of the former Angus Street community Centre, north of Liff Road.
- 1.2 The proposed houses each have front and rear gardens and off-street parking. The houses have three bedrooms, and there are two house types, with four of each house type. Finishes include dry dash render with sections of stone cladding to external walls, interlocking slate roof tiles, and grey UPVC windows and grey composite doors.
- 1.3 Front gardens include areas of lawn and hardstanding, and rear gardens are defined by timber fencing. All houses front onto Angus Street. Two off street car parking spaces are proposed per property. Areas for waste and recycling bins would be provided within the rear garden ground of each house. It is proposed to heat the dwellings with air source heat pumps.
- 1.4 An area of ground outwith the curtilage of the houses (running behind the rear garden ground of the properties and facing on to Liff Road) would be retained as open space due to the presence of foul water drainage infrastructure. A number of new trees would be planted within this portion of the site.
- 1.5 The houses have been designed to meet affordable housing requirements and will cater to a range of residents.
- 1.6 The applicant has submitted the following in support of the application:
 - Planning statement
 - Surface water proposals;
 - Foul drainage proposals:
 - Ecological survey;



Figure 1 – Proposed Site Layout





Figure 3 – Proposed Landscaping

2 SITE DESCRIPTION

- 2.1 The application site is 0.32 hectares of land to the north of Liff Road, and comprises the site of the former Angus Street community Centre, which has now been demolished.
- 2.2 The site is roughly “L” shaped, and is an area of brownfield land that contains areas of open grass, scrub and hardstanding, with trees of various quality and age dispersed throughout. The southern boundary is formed by Liff Road, the west by Angus Street, and the north by Earl Street. The east boundary is formed by the rear garden ground of flatted properties on Earl Street and Stevenson Street. The site slopes gently upwards from south to north, with a more steeply banked area in the northern portion of the site.
- 2.3 The application site is not allocated for any particular use, and is located within a Suburban area as per the Dundee Local Development Plan 2019.



Figure 4 – View of Application Site Facing North



Figure 5 – View of Application Site Facing North East



Figure 6 – View of Application Site Facing South East



Figure 7 – View of Application Site Facing South

3 POLICY BACKGROUND

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

NATIONAL PLANNING FRAMEWORK 4 (NPF)

Policy 1: Tackling The Climate and Nature Crises
Policy 2: Climate Mitigation and Adaptation
Policy 3: Biodiversity
Policy 6: Forestry, Woodland and Trees
Policy 9: Brownfield, Vacant and Derelict Land And Empty Buildings
Policy 12: Zero Waste
Policy 13: Sustainable Transport
Policy 14: Design, Quality and Place
Policy 15: Local Living and 20 Minute Neighbourhoods
Policy 16: Quality Homes
Policy 19: Heat and Cooling
Policy 22: Flood Risk and Water Management
Policy 23: Health And Safety

DUNDEE LOCAL DEVELOPMENT PLAN 2019 (LDP)

Policy 1: High Quality Design and Placemaking
Policy 2: Public Art Contribution
Policy 9: Housing Land Release
Policy 10: Design of New Housing
Policy 35: Trees and Urban Woodland
Policy 37: Sustainable Drainage Systems
Policy 39: Environmental Protection
Policy 41: Land Contamination
Policy 44: Waste Manage Requirements For Development
Policy 48: Low Zero Carbon Technology
Policy 54: Safe Sustainable Transport
Policy 56: Parking

- 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 recent planning application history relevant to the determination of this current application.

5 PUBLIC PARTICIPATION

- 5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.
- 5.2 Ten letters of objection were received raising the following valid material grounds:
- loss of grassland habitat and trees without adequate compensatory planting;

- impact on protected species;
- the houses do not use renewables as primary heating sources;
- loss of parking;
- lack of sufficient parking for proposed houses;
- loss of safe pavement space;
- loss of turning space for large vehicles;
- impact on access for emergency vehicles;
- impact on road safety;
- impact on existing disabled access on west side of Angus Street;
- loss of green space;
- loss of privacy from overlooking;
- loss of daylight/sunlight; and
- nearby houses missed from neighbour notification process.

6 CONSULTATIONS

6.1 **Head of Environment** commented on the following matters:

Greenspace - the Council's Greenspace Officer has reviewed an ecological survey of the existing site as well as a replacement planting specification which shows the retention and protection of an existing tree, as well as the planting of a number of new hedges, trees, plants, shrubs and areas of wildflower. A number of measures to enhance biodiversity have also been included on the site, such as habitat boxes, hedgehog domes, bat boxes and nest boxes. The Greenspace Officer does not object to the proposals, and conditions have been included to secure the aforementioned mitigation planting and biodiversity measures, ensuring the biodiversity of the wider site is improved and enhanced over the medium to long term.

6.2 **Head of Sustainable Transport and Roads** – has no objections subject to recommended planning conditions.

6.3 **Scottish Water** – has no objections. Confirms that there is currently capacity within the Clatto Water Treatment Works and Hatton Waste Water Treatment Works.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended provides that an application for planning permission shall be determined in accordance with the Development Plan unless material considerations indicate otherwise.**

THE DEVELOPMENT PLAN

The development plan consists of the National Planning Framework 4 (NPF4) and the Dundee Local Development Plan 2019 (LDP). The policies relevant to the determination of this application are specified in the Policy Background section above.

PRINCIPLE OF DEVELOPMENT

- 7.2 **NPF4 Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings** - provides a presumption in favour of developing such sites. Part a) states that development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- 7.3 The reuse of the site for housing would be a sustainable use of the site. As assessed under Policies 3 and 6 which follow, the biodiversity value has been considered through a mitigation planting plan submitted in support of the application. While areas of the site have naturalised, the proposed development would result in an overall net gain in biodiversity enhancement over the medium to long term.
- 7.3 **The proposal complies with Policy 9a of NPF4.**
- 7.4 **LDP Policy 9: Housing Land Release** - states that housing land release on brownfield sites, in addition to the allocations set out in Appendix 3, may be acceptable where it can be demonstrated that it will improve the tenure mix in an area where existing choice is limited and would make a positive contribution to the regeneration objectives of the area.
- 7.5 The site is brownfield land, having previously been in use as a community centre. The addition of houses to this site would contribute to the tenure mix within the City through the provision of affordable housing, designed to cater to a range of residents in line with the requirements of Abertay Housing Association.
- 7.6 **The proposal is in accordance with Policy 9 of the of the Dundee LDP.**
- 7.7 **NPF4 Policy 15a: Local Living and 20 minute Neighbourhoods** - states development proposals will contribute to local living including, where relevant, 20-minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
- i sustainable modes of transport including local public transport and safe, high-quality walking, wheeling and cycling networks;
 - ii employment;
 - iii shopping;
 - iv health and social care facilities;

- v childcare, schools and lifelong learning opportunities;
 - vi playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
 - vii publicly accessible toilets; and
 - viii affordable and accessible housing options, ability to age in place and housing diversity.
- 7.8 The site is in an accessible location, within walking distance of a range of shops, services and amenities at Lochee District Centre. The site is connected to the surrounding area by existing footpaths, and is within 20 minutes walking distance of facilities including primary and secondary schools, public open space, and places of employment.
- 7.9 The site is connected by public footpaths to open spaces within the wider area, including Thomson Park.
- 7.10 Overall, the proposed development is well connected to surrounding facilities and services by existing footpaths and roads. The site is located within an area where residents would have access to a wide range of services, supporting the provision of 20-minute neighbourhoods.
- 7.11 **The proposal is in accordance with Policy 15a of NPF4.**
- 7.12 **NPF4 Policy 16c: Quality Homes** - states that development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, including affordable homes, will be supported.
- 7.13 The supporting statement advises that the development has been designed to meet affordable housing requirements, and will cater to a range of residents including families, and the elderly in line with the requirements of Abertay Housing Association.
- 7.14 **The proposal is in accordance with Policy 16c of NPF4.**
- 7.15 **NPF4 Policy 16e: Quality Homes** - states that development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
- i a higher contribution is justified by evidence of need, or
 - ii a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.
- The contribution is to be provided in accordance with local policy or guidance.
- 7.16 All dwellings are affordable housing. In any case, the approach to the delivery of affordable housing in Dundee City has been achieved by the Council working in partnership with Registered Social Landlords and the Scottish Government to deliver housing through the allocation of grant funding (the Affordable Housing Supply Programme). The approach taken has therefore allowed for the successful delivery of affordable housing in the City whilst at the same time supporting the viability of private housing development. There is no requirement within the DCC Local Development Plan 2019 or Developer Contributions Supplementary Guidance for affordable housing contribution.

7.17 **The proposal is in accordance with Policy 16e of NPF4.**

7.18 **NPF4 Policy 16f: Quality Homes** – states that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:

- i the proposal is supported by an agreed timescale for build-out; and
- ii the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
- iii and either:
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
 - the proposal is consistent with policy on rural homes; or
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or
 - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

7.19 In relation to point i), the site is identified for committed funding in the Strategic Housing Investment Plan 2025-2030. The applicant advises that it would be their intention to start on site April 2025 and would be a 24 month build, finishing March/April 2027.

7.20 In relation to point ii), the site is not allocated in the Dundee Local Development Plan for any particular use, and is located within a Suburban area. Nevertheless, the site is within 180 metres of Lochee District Centre, and thus residents would have access to a wide range of services, supporting the provision of 20-minute neighbourhoods.

7.21 In relation to point iii) the proposal is for a small scale development (eight dwellings) on an existing brownfield site within an existing settlement boundary.

7.22 **The proposal is in accordance with Policy 16f of NPF4.**

Design

7.23 **NPF4 Policy 14: Design, Quality and Place** - states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals will be supported where they are consistent with the six qualities of successful places.

7.24 **LDP Policy 1: High Quality Design and Placemaking** - states that all development proposals should follow a design-led approach to sustainable, high quality placemaking. The design and siting of development should respect the character and amenity of the place, create a sense of community and identity, enhance connectivity and incorporate creative approaches to urban design, landscaping and green infrastructure, appropriate to the local context and the scale and nature of the development. New development will be required to meet the six qualities of successful place in accordance with the guidance provided in Appendix 1.

- 7.25 Although the site is not an allocated housing site within the Dundee Local Development Plan 2019 and therefore does not have an indicative development capacity, the number of units being proposed through this current application is considered acceptable and would not be an overdevelopment of the site.
- 7.26 The surrounding built form is of mixed materials and volumes, with tenements, houses and villas finished with a mixture of brick, render as well as red and grey sandstone. Roofs of these surrounding buildings are predominantly finished in slate but also include interlocking tiles.
- 7.27 The proposal comprises eight semi-detached dwellings, each including front and rear gardens and off street parking. The houses each have three bedrooms, and there are two house types, with four of each house type. The proposed dwellinghouses would be of a typical modern design, with finishing materials and overall design aesthetic consistent throughout. Finishes include dry dash render with sections of stone cladding to external walls, interlocking slate roof tiles, and grey UPVC windows and grey composite doors.
- 7.28 This simple palette of materials is considered to be appropriate to this site, and would assimilate well with the existing buildings in the surrounding area. The combination of materials on the front and side elevations of the dwellings adds visual interest to the housing development.
- 7.29 A visualisation of what the development would look like in the context of its surroundings has been submitted. With a wide variety of building styles in the area, it is considered that the external appearance of the buildings proposed is appropriate for the area, with the general form, massing, house types and layout of the proposed units appropriate to the site's location. The orientation of buildings in relation to Angus Street encourages passive surveillance. The proposed site layout includes an undeveloped area of land to the east side of the site. Access is required to be preserved to this area of land as it will form a service track for a sewer pipe connection from the proposed houses to Liff Road.
- 7.30 Boundary treatments include the erection of 1.8 metre high timber fences between rear gardens, providing defensible boundaries and defining the public and private spaces.
- 7.31 The proposed site plan shows the planting of additional trees along the north boundary of the application site, as well as along the east services track and in the south east corner of the site. Conditions are attached to include mitigation for any tree loss, together with further biodiversity enhancement measures. This planting will create an attractive environment for residents, as well as contributing to the streetscape when viewed from Liff Road. The development relates well with the existing built form surrounding the site and would result in an improvement to the quality of the built environment in this location, whilst meeting the six qualities of place.
- 7.32 As discussed below in relation to LDP Policy 10, the proposals would not result in any loss of privacy due to harmful overlooking. Furthermore, the proposals would be a sufficient distance away from neighbouring properties that a harmful loss of sunlight or daylight would not occur.
- 7.33 The proposal is of a design and form which has no detrimental impact on the character or amenity of the locality.
- 7.34 **The proposal is in accordance with Policy 14 of NPF4, and Policy 1 of the Dundee LDP.**
- 7.35 **LDP Policy 10: Design of New Housing** - requires new housing development to be of a high quality and contribute to creating places that enhance the character and identity of different parts of the city. All new housing development should follow a design led approach and

contribute positively to the surrounding environment, to meet the six qualities of successful place, as set out in Policy 1. Within the terms of Policy 10, all new housing development is required to conform to the Design of New Housing guidance set out in Appendix 4 of the Adopted Local Development Plan, to ensure that the surrounding area is respected and enhanced, and that there is no detrimental impact on residential amenity and parking

7.36 With regard to Appendix 4 of the adopted Local Development Plan, the following standards are required for houses within Suburban areas:

- House Type - 75% of houses require to have three or more bedrooms or a minimum gross internal floor area of 100sqm.
- Car Parking - all car parking should be located within the curtilage of each house. All tenures should have at least 1 space. Private houses with three bedrooms should have at least two spaces. Private houses with four or more bedrooms should have at least three spaces.
- Cycle Provision - one secure, covered space per house must be provided unless a suitable garage or other secure area is provided within the curtilage of the house.
- Amenity/Garden Ground - Brownfield Sites will provide an average private useable garden ground of 140sqm per house with a minimum garden size of 120sqm.
- Privacy - a minimum of 18 metres between the facing windows of habitable rooms.
- General Requirements - provision for waste and recycling should be made in accordance with the Council's waste management strategy, parking areas should include provision for electric charging points.

7.37 **In respect of the above standards:**

- House Type - each dwelling has three bedrooms.
- Car Parking - all car parking should be located within the curtilage of each house, with each three bedroom plot having two car parking spaces.
- Cycle Provision - no reference is made to the provision of secure cycle storage. A condition has been included which requires the submission of details of secure cycle storage to be submitted to the Planning Authority prior to occupation.
- Amenity/Garden Ground - all plots achieve the minimum required garden size of 120sqm.
- Privacy - a minimum of 18 metres is maintained between neighbouring property windows and the windows of the application site.
- General Requirements - provision for waste and recycling storage is made within the curtilage of each property. No reference is made to the provision of EV charging points. However, the driveways of the proposed dwellings are capable of their installation if required through the Building (Scotland) Regulations.

Furthermore, the proposals would be a sufficient distance away from neighbouring properties that a harmful loss of sunlight or daylight would not occur.

7.38 **The proposal is in accordance with Policy 10 of the of the Dundee LDP, subject to condition.**

Climate change

- 7.39 **NPF4 Policy 1: Tackling the Climate and Nature Crises** - states when considering all development proposals, significant weight will be given to the global climate and nature crises.
- 7.40 Through the assessment of this planning application consideration has been given to the global climate and nature crises. The assessment of the proposal against policies relating to biodiversity, transport, waste, flooding and drainage considers the local level effects of development, which can collectively with other developments have an impact on the global climate and nature crises. In addition, as discussed below, the proposed houses accommodate low carbon technologies and would have no significant impact on the global climate and nature crises. The development would satisfy the policy requirements
- 7.41 **The proposal is in accordance with Policy 1 of the NPF4.**
- 7.42 **NPF4 Policy 2: Climate Mitigation and Adaptation Crises** – states that:
- a development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible; and
 - b development proposals will be sited and designed to adapt to current and future risks from climate change.
- 7.43 **LDP Policy 48: Low and Zero Carbon Technology in New Development** - proposals for all new buildings will be required to demonstrate that a proportion of the carbon emissions reduction standard set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technologies. A statement will be required to be submitted with an application for planning permission to demonstrate compliance with this requirement.
- 7.44 The applicant has submitted a planning statement which considers the energy efficiency of the proposed houses. The statement advises that sustainability has been considered from the outset to incorporate environmentally positive practices, such as orientation to benefit from solar gain, and using energy-efficient, recycled, or recyclable materials. The proposal also includes the use of renewable energy sources in the form of solar PV panels on the roof of each dwelling.
- 7.45 Furthermore, the statement advises that the construction will comply with current building regulations, featuring high levels of insulation, efficient heating systems, and LED lighting to significantly reduce energy consumption, lower carbon emissions, and support long-term sustainability. According to the statement, custom-designed house types have been developed to maximise energy efficiency and minimise carbon dioxide emissions by reducing energy demand through superior building fabric performance.
- 7.46 Implementation of the above would allow the development to achieve compliance with building regulations, providing a significant improvement over the regulations through the installation and operation of low and zero carbon generating technologies.
- 7.47 In respect of part b) of NPF4 Policy 2, the site is not shown to be at risk of surface water flooding. Therefore, based upon the low degree of risk of flooding and the fact that the proposals are supported by a proposed SUDS system, it is considered that the proposals are able to adapt to current and future risks from climate change.
- 7.48 **The proposal is in accordance with NPF4 Policy 2 and LDP Policy 48.**

- 7.49 **NPF4 Policy 19f: Heat and Cooling** - states that development proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.
- 7.50 The planning statement submitted with the application advises that the site layout has been carefully considered to maximise solar gain where possible through orientation the buildings. Furthermore, all dwellings have been designed to comply with, and surpass, current building regulations, demonstrating low CO2 emissions and high energy efficiency.
- 7.51 **The proposal is in accordance with NPF4 Policy 19f.**
- 7.52 **NPF4 Policy 12a: Zero Waste** - states development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.
- 7.53 **LDP Policy 12c: Zero Waste** - states development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed.
- 7.54 **LDP Policy 44: Waste Management Requirements for Development** - development proposals should demonstrate that they adequately address the Scottish Government's Zero Waste Policy and that sufficient provisions are made to maximise opportunities for waste reduction and waste separation at source and enable the separate collection of recyclable material as outlined in the Waste (Scotland) Regulations 2012.
- 7.55 The proposals do not include any new access roads, instead utilising Angus Street for vehicular access. As such, the development will allow for safe access by refuse, emergency and large delivery vehicles. The bins for the proposed dwellings are stored in the rear garden in a dedicated storage area and will be presented on Angus Street on collection days.
- 7.56 There is sufficient provision for waste reduction and waste separation within the development, enabling waste reduction and recycling in line with the waste hierarchy.
- 7.57 **The proposal is in accordance with NPF4 Policies 12a and 12c, and LDP Policy 44.**

Public Art

- 7.58 **LDP Policy 2: Public Art Contribution** – all developments in Dundee with construction costs of £1 million or over will be required to allocate at least 1% of construction costs for the inclusion of art projects in a publicly accessible/visible place or places within the development.
- 7.59 The proposals will require to provide public art as part of the development. Details of the public art have not been confirmed as part of this application. Therefore, it is recommended that full details of public art provision, and its completion as part of the development be secured by condition.
- 7.60 **The proposal is in accordance with LDP Policy 2 subject to a condition.**

Biodiversity

- 7.61 **NPF4 Policy 3c: Biodiversity** - requires that development proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

- 7.62 The application site is currently vacant and comprises an area of rough grassland and tall vegetation with approximately 50 mature sycamore trees located on the west side of the site.
- 7.63 The applicant has submitted an ecological survey which details that the proposed development will result in the loss of the grassland habitat, tall ruderal vegetation and a large number of the trees on the site. Whilst there would be an impact on biodiversity as a result of the removal of the trees and vegetation, the ecological survey advises that new planting of native species will enable the mitigation of the loss of the existing habitat, as well as provide further enhancement of the site in order to result in a net gain in biodiversity. The ecological report recommended that landscaping incorporates a diverse range of trees, shrubs, hedgerows and wildflowers to mitigate against the habitat loss and enhance biodiversity for the longer-term.
- 7.64 The submitted site landscaping plan shows the retention and protection of an existing tree, as well as the planting of a number of new hedges, trees, plants, shrubs and areas of wildflower, in line with the recommendations of the ecological survey. A number of measures to further enhance biodiversity have also been included on the site, such as habitat boxes, hedgehog domes, bat boxes and nest boxes.
- 7.65 The Head of Environment has reviewed the proposed landscaping plan and does not object to the proposals. The proposal would have no detrimental impact on any protected species, and the aforementioned range of diverse mitigation planting and biodiversity measures will be secured via a planning condition to ensure the biodiversity of the wider site is improved and enhanced over the medium to long term.
- 7.66 **The proposal is in accordance with Policy 3c of the National Planning Framework 4, subject to conditions.**

Trees

- 7.67 **Policy 6b: Forestry, woodland and trees** - states that development proposals will not be supported where they will result in adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy.
- 7.68 **Dundee LDP Policy 35: Trees and Urban Woodland** - states that the Council will support the establishment and enhancement of woodland, tree belts and corridors. New development must ensure the survival of woodland, hedgerows and individual trees, especially healthy mature trees, of nature conservation or landscape value through sensitive site layout both during and after construction, unless removal has been approved in advance by the council. Where appropriate, development proposals must be accompanied by maintenance arrangements and justification for the removal of any trees or hedgerows.
- 7.69 It is proposed to fell the majority of the trees on the site to facilitate the development of the proposed houses. The trees that are proposed to be removed are not Identified for protection in Dundee City Councils Strategic Forest Plan, nor are they protected by any Tree Preservation Orders (TPO).
- 7.70 The applicant has submitted an ecological assessment and compensatory planting plan which The Head of Environment has reviewed. Whilst the replacement planting would take a number of years to become established, it would be an improvement upon biodiversity value of the existing trees to be removed by virtue of the replacement ratio and the variety of the species proposed.

- 7.71 Conditions are therefore attached to include mitigation planting, its maintenance, and protection for any retained trees during construction. It is considered that the tree cover on the site will be enhanced as a result.
- 7.72 **The proposal is in accordance with Policy 6b of NPF4 and Policy 35 of the Dundee LDP, subject to conditions.**

Noise

- 7.73 **NPF4 Policy 23e: Health and Safety** - states development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.
- 7.74 **LDP Policy 39: Environmental Protection** - states that all new development or an extension to an existing development that would generate noise, vibration, odour, emissions to air, dust or light pollution will be required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance on the surrounding area. New development or an extension to an existing development close to existing sources of noise, vibration, odour, emissions to air, dust or light pollution will need to demonstrate that it can achieve a satisfactory level of amenity without impacting on the viability of existing businesses or uses.
- 7.75 It is proposed to heat the dwellings with air source heat pumps which have the potential to introduce additional noise sources onto the site. As such, a condition has been included to ensure that noise levels from the air source heat pumps remain acceptable at nearby sensitive receptors. With this condition, the amenity of nearby residential properties can be protected.
- 7.76 The applicant has submitted a Noise Impact Assessment which identifies that several mitigation measures are necessary to achieve a suitable level of residential amenity within the proposed dwellings. The requirement to implement these measures has been included as a condition should planning permission be granted.
- 7.77 **The proposal is in accordance with Policy 23e of NPF4 and Policy 39 of the Dundee LDP, subject to the inclusion of conditions.**

Contaminated Land

- 7.78 **NPF4 Policy 9c: Brownfield, vacant and derelict land and empty buildings** - states where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- 7.79 **LDP Policy 41: Land Contamination** - states that development of potentially contaminated or statutorily identified contaminated land will be considered where 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.
- 7.80 At present, the applicant has not submitted a site investigation. However, due to the potential presence of PAHs (Polycyclic aromatic hydrocarbons) on the application site, it is recommended that planning conditions should be included if planning permission be granted. These relate to the completion and submission of a Preliminary Risk Assessment for contaminated land and, if required, an Intrusive Investigation and a scheme to deal with contamination at the site. Furthermore, a second condition will require the submission of a remediation strategy to deal with contamination risks at the site, prior to development starting,

followed by the implementation of the remediation strategy and the provision of verification reports to ensure any contamination identified within the site is addressed prior to occupation.

- 7.81 **The proposal complies with Policy 9c of NPF4 and Policy 41 of the Dundee LDP subject to the inclusion of conditions.**

Drainage

- 7.82 **NPF4 Policy 22c: Flood Risk and Water Management** - states development proposals will: not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer; and seek to minimise the area of impermeable surface.
- 7.83 **LDP Policy 37: Sustainable Drainage Systems** - states that surface water discharging to the water environment from new development must be treated by a Sustainable Drainage System (SuDS) except for single houses or where discharge is to coastal waters. SuDS should be designed so that the water level during a 1:200-year rainstorm event plus allowances for climate change and future urban expansion is at least 600mm below finished floor levels. This incorporates an allowance for the effect of climate change. In addition, proposals will be encouraged to adopt an ecological approach to surface water management, ensure an appropriate level of treatment and exploit opportunities for the system to form an integral part of the Dundee Green Network through habitat creation or enhancement through measures such as the formulation of wetlands or ponds. Proposals should have no detrimental impact on the ecological quality of the water environment.
- 7.84 The area in which the development is located is not identified as being at risk of surface water flooding and drainage information has been provided through the application process. There is scope for surface water to be properly managed within the site and full details regarding the proposed drainage of the development can be controlled through conditions.
- 7.85 In terms of connection to water, Scottish Water does not object to the proposals.
- 7.86 **The proposal is in accordance with Policy 22c of NPF4 and Policy 37 of the Dundee LDP, subject to condition.**

Sustainable Transport and Parking

- 7.87 **NPF4 Policy 13b: Sustainable Transport** - states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:
- i provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
 - ii will be accessible by public transport, ideally supporting the use of existing services;
 - iii integrate transport modes;
 - iv provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;

- v supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii adequately mitigate any impact on local public access routes.

7.88 **LDP Policy 54: Safe and Sustainable Transport-** states all development proposals that generate travel should be designed to be well served by all modes of transport. In particular, the sustainable modes of walking, cycling and public transport should be afforded priority and provide for easy access to local amenities, education facilities and other services.

7.89 Development proposals will be required to:

- 1 minimise the need to travel by private car;
- 2 provide facilities on-site (and/or off-site through developer contributions or by direct delivery) for walking, cycling and public transport networks, including road/junction improvements and cycle parking. Developments without high quality, safe and convenient links to adjacent walking and cycling networks will not be supported;
- 3 incorporate measures to permit access to public transport networks within a walking distance of no more than 400 metres from all parts of the development;
- 4 have no detrimental effect on the capacity or safe functioning of the existing road or rail networks;
- 5 ensure that safe and adequate provision is made for road freight and waste access, loading and unloading;
- 6 comply with the National Roads Development Guide and any local variations within Dundee City Council's roads design standards; and
- 7 be supported by a travel plan to mitigate transport impacts and improve the accessibility of developments where the Council considers that the development will generate significant travel.

7.90 The site is in an accessible location, and is within 180 metres of Lochee District Centre, and thus is within walking distance of a range of shops, services and amenities. The site is connected to the surrounding area by existing footpaths, and within 20 minutes walking distance of facilities including primary and secondary schools, public open space, and places of employment. A condition has been included which requires the submission of details of secure cycle storage in line with LDP Appendix 4 standards.

7.91 The site is located in close proximity to Coupar Angus Road and Harefield Road, which is on a bus route to and from the city centre, with services to Ninewells, Myrekirk, Broughty Ferry etc. As such, there are good public transport links and Lochee High Street is accessible on foot. The proposal would therefore be accessible and would not generate a significant travel requirement. The applicant has proposed in curtilage parking in line with LDP Appendix 4 standards. The application has been considered by the Council's Head of Sustainable

Transport and Roads, who is content that the proposed development would not result in any parking pressure or otherwise have a detrimental effect on the capacity or safe functioning of the existing road network.

- 7.92 Overall, the proposal would have no detrimental effect on the capacity or safe functioning of the existing road or rail networks.
- 7.93 **The proposal is in accordance with Policy 13b of NPF4 and Policy 54 of the Dundee LDP.**
- 7.94 **Dundee LDP Policy 56: Parking:** - states that all new developments shall be required to comply with Dundee City Council's adopted guidance on road standards; with the national maximum parking standards; and the national minimum disabled parking standards.
- 7.95 No reference is made to the provision of EV charging points. However, the driveways of the three proposed dwellings are capable of their installation if required through Building Standards. A condition has been included which requires the submission of details of secure cycle storage in line with LDP Appendix 4 standards to be submitted to the Planning Authority prior to occupation.
- 7.96 The Head of Sustainable Transport and Roads has reviewed the parking provision for the proposed development and is satisfied with the level of provision.
- 7.97 **The proposal complies with Policy 56 of the Dundee LDP subject to the aforementioned conditions.**
- 7.98 **It is concluded that the proposal is in accordance with the Development Plan.**

MATERIAL CONSIDERATIONS

A – REPRESENTATIONS

- 7.99 Ten letters of objection were received raising the following points:
- 7.100 **Objection** - the proposed SUDS basin is not suitable for the topography of the site.
- 7.101 **Response** - the proposed site layout has been revised so that a SUDS basin is no longer required.
- 7.102 **Objection** - loss of grassland habitat and trees without adequate compensatory planting.
- 7.103 **Response** - the loss of biodiversity and trees is considered above in the assessment against Policy 3 and 6 of the National Planning Framework 4, and Policy 35 of the Dundee LDP where it is detailed that mitigation planting and biodiversity measures will be secured via a planning condition to ensure that, over time, the biodiversity of the wider site is improved and enhanced.
- 7.104 **Objection** - impact on protected species.
- 7.105 **Response** - the potential impact on protected species is considered above in the assessment against Policy 3 of the National Planning Framework 4, where it is considered that the proposal would have no detrimental impact on any protected species. In addition, a number of measures to enhance biodiversity have also been included on the site, such as habitat boxes, hedgehog domes, bat boxes and nest boxes.
- 7.106 **Objection** - the houses do not use renewables as primary heating sources.

- 7.107 **Response** - it is proposed to heat the dwellings with air source heat pumps.
- 7.108 **Objection** - loss of parking.
- 7.109 **Response** - as detailed above in relation to assessment against Policy 13b of NPF4 and Policy 54 of the Dundee LDP, the application has been considered by the Council's Head of Sustainable Transport and Roads, who is content that the proposed development would not result in any parking pressure or otherwise have a detrimental effect on the capacity or safe functioning of the existing road network.
- 7.110 **Objection** - lack of sufficient parking for proposed houses.
- 7.111 **Response** - as detailed above in relation to assessment against Dundee LDP Policy 56: Parking, The Head of Sustainable Transport and Roads has reviewed the parking provision for the proposed development and is satisfied with the level of provision.
- 7.112 **Objection** - loss of safe pavement space.
- 7.113 **Response** – A pavement will be retained along the west side of Angus Street, therefore retaining safe pavement space.
- 7.114 **Objection** - loss of turning space for large vehicles.
- 7.115 **Response** – There is no requirement for a turning head within the site. As detailed above in relation to assessment against Policy 13b of NPF4 and Policy 54 of the Dundee LDP, the application has been considered by the Council's Head of Sustainable Transport and Roads, who is content that the proposed development would not have a detrimental effect on the capacity or safe functioning of the existing road network.
- 7.116 **Objection** - impact on access for emergency vehicles.
- 7.117 **Response** – There would be no impact on access for emergency vehicles. As detailed above in relation to assessment against Policy 13b of NPF4 and Policy 54 of the Dundee LDP, the application has been considered by the Council's Head of Sustainable Transport and Roads, who is content that the proposed development would not have a detrimental effect on the capacity or safe functioning of the existing road network.
- 7.118 **Objection** - impact on Council owned footpaths and roads.
- 7.119 **Response** - impact on Council owned footpaths and roads is not a material consideration in the determination of this application.
- 7.120 **Objection** - impact on road safety.
- 7.121 **Response** - as detailed above in relation to assessment against Policy 13b of NPF4 and Policy 54 of the Dundee LDP, the application has been considered by the Council's Head of Sustainable Transport and Roads, who is content that the proposed development would not have a detrimental effect on the capacity or safe functioning of the existing road network.
- 7.122 **Objection** - impact on existing disabled access on west side of Angus Street.
- 7.123 **Response** – There are no disabled bay markings opposite the site on Angus Street. as detailed above in relation to assessment against Policy 13b of NPF4 and Policy 54 of the Dundee LDP, the application has been considered by the Council's Head of Sustainable Transport and Roads, who is content that the proposed development would not result in any

parking pressure or otherwise have a detrimental effect on the capacity or safe functioning of the existing road network.

7.124 **Objection** - loss of green space.

7.125 **Response** - the application site is not allocated as open space or green infrastructure within the Dundee LDP.

7.126 **Objection** - potential for increase in litter nuisance.

7.127 **Response** - potential for increase in litter nuisance is not a material consideration in the determination of this application.

7.128 **Objection** - pressure on employment from new housing.

7.129 **Response** - pressure on employment from new housing is not a material consideration in the determination of this application.

7.130 **Objection** - loss of privacy from overlooking.

7.131 **Response** - the potential for loss of privacy is considered above in relation to assessment against Policy 10 of the Dundee LDP, where it is detailed that a minimum of 18 metres is maintained between neighbouring property windows and the windows of the application site, and therefore there would be no loss of privacy. Furthermore, a sufficient distance would be retained between windows of the application site and the garden ground of existing neighbouring properties.

7.132 **Objection** - loss of daylight/sunlight.

7.133 **Response** - the potential for loss of daylight/ sunlight is assessed above in relation to assessment against Policy 10 of the Dundee LDP, where considered it is a harmful loss of sunlight or daylight would not occur.

7.134 **Objection** - nearby houses missed from neighbour notification process.

7.135 **Response** - the statutory neighbour notification process has been completed.

7.136 The matters raised in the representation are not considered to be of sufficient weight to justify refusal of planning permission.

8 CONCLUSION

8.1 The application accords with National Planning Framework 4 and the Dundee Local Development Plan 2019. There are no material considerations of sufficient weight that would justify refusal of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

9.1 It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 **Condition** - the development hereby permitted shall be commenced within three years from the date of this permission.

Reason – to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 **Condition** - within three months of this grant of consent, a detailed surface water drainage/SUDS design including drawings, and where appropriate, calculations, full modelling, simulation results, Design Risk Assessment, signed Dundee City Council Design Compliance and Independent Check Certification, evidence of compliance with the Simple Index Approach as described in section 26.7.1 of the CIRIA SUDS Manual (C753), shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out within six months of this grant of consent.

Reason – to ensure the surface to ensure the surface water from the development is properly managed in the interests of flood protection.

- 3 **Condition** – No development shall commence until full details of maintenance responsibilities along with a maintenance schedule for the surface water drainage system/SUDS features shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out in perpetuity.

Reason – In the interests of flood prevention and visual amenity

- 4 **Condition** - no development shall take place on site until temporary protective fencing has been erected around any existing trees to be retained on the development site. This temporary protective fencing shall be 2.3 metres in height, erected prior to works commencing and kept in good condition throughout the works, all in accordance with Figure 2 of British Standard 5837:2005 "Trees in Relation to Construction".

All weather notices shall be erected on said fencing with words such as "construction exclusion zone – "Keep out" and the fencing shall remain on site and intact through to completion of the development.

Care must be taken when planning site operations to ensure that wide or tall loads, or plant with booms, jibs and counterweights can operate without coming into contact with any retained trees.

Material that will contaminate the soil, eg concrete/mortar mixing, diesel oil, paints, solvents and vehicular washings, shall not be discharged within 10 metres of any tree trunk. Allowance shall be made for the slope of the ground so that such damaging materials cannot run towards retained trees.

Reason – to ensure the retention and maintenance of any trees on the site which make an important contribution to the visual appearance of the area.

- 5 **Condition** – the landscaping scheme as shown on submitted drawing entitled 'Planting Plan' (including detailed biodiversity measures) shall be implemented prior to occupation of the houses. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.

Reason – to ensure the implementation and management of the approved scheme of landscaping which will help to integrate the proposed development into the local landscape, and to mitigate the biodiversity impact that development has on the site.

- 6 **Condition** – if any vegetation clearance takes place within the bird nesting season (March to August inclusive), then prior to any such works taking place, the developer shall be required to first gain the express written consent of the Council as Planning Authority. This shall require the developer to submit a walkover survey during the bird nesting season in question, undertaken by a suitably qualified ecologist.

Reason – in the interests of biodiversity and ecology.

- 7 **Condition** – prior to occupation, details of secure, covered cycle storage/parking shall be submitted for the written approval of the planning authority. Thereafter, the provision of the secure, covered cycle storage/parking shall be installed in accordance with the approved schedule.

Reason – in the interests of sustainable travel measures.

- 8 **Condition** – prior to any works on site details of the vehicle accesses must be agreed and the accesses must be formed and constructed to Dundee City Council standards and specifications.

Reason – In the interests of vehicle and pedestrian safety.

- 9 **Condition** – the hard surface within the curtilage of the dwellings should be made of porous materials or provision should be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the site.

Reason – to ensure that surface water from within the curtilage of the site does not drain to the adjacent adopted road.

- 10 **Condition** – development shall not begin until a Preliminary Risk Assessment for contaminated land is completed and, if required, an Intrusive Investigation and a scheme to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:

- i assessment of the risks associated with contaminant sources, pathways and receptors specific to the proposed use of the site, and if necessary;
- ii a remediation Implementation Plan detailing measures to treat/remove contamination and mitigate risks to ensure the site is fit for the proposed use;
- iii demonstration of the durability and expected life-span of the remediation;
- iv measures to deal with contamination during construction works; and
- v verification of the condition of the site on completion of decontamination measures.

Reason – in order to ensure that any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

- 11 **Condition** – before any unit is occupied the remediation scheme shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation scheme have been achieved shall be submitted to and approved by the planning authority.

Reason – in order to ensure that any potential contamination of the site is dealt with

appropriately in the interests of public and environmental safety.

- 12 **Condition** – the total noise from the air source heat pumps shall not exceed NR35 as measured externally to any façade of adjacent residential accommodation.

Reason – in the interests of surrounding residential amenity.

- 13 **Condition** – prior to the occupation of any of the dwellings, the noise mitigation measures identified within the Noise Impact Assessment by Sharps Redmore, “Report 1a, Proposed residential development, land at the junction of Angus Street and Liff Road, Dundee, Environmental Noise Assessment, dated 6th February 2025, project No 2422752” shall be implemented in full. For avoidance of doubt, this includes:

- 1 The minimum glazing performance requirements for window systems as outline in sections 4.6 to 4.9;
- 2 The minimum ventilator performance requirements as outlined in section 4.10; and
- 3 The installation of a solid boundary fence containing no gaps and being of a minimum height of 2.0 metres along the southern and eastern boundaries of properties on the site to protect the rear amenity areas of the dwellings from road traffic noise.

Reason – in the interests of residential amenity.

- 14 **Condition** – prior to commencement of any construction works, details of a scheme of public art to be provided within the development hereby approved shall be submitted to the Council for written approval. Thereafter, the approved scheme of public art shall be installed prior to the completion of the development hereby approved.

Reason – in the interests of enhancing the visual amenity and environmental quality of the development

Informative

A Minor Footway Works (MW) application (found via the following link on DCC website: <http://www.dundee.gov.uk/citydevelopment/vehicularaccess>) must be submitted to Dundee City Council as Roads Authority for work on the adjacent public road or footway and consent for this must be obtained prior to the commencement of any work on the public road or footway. For further details please contact 01382 433341 or developmentroads@dundee.gov.uk.