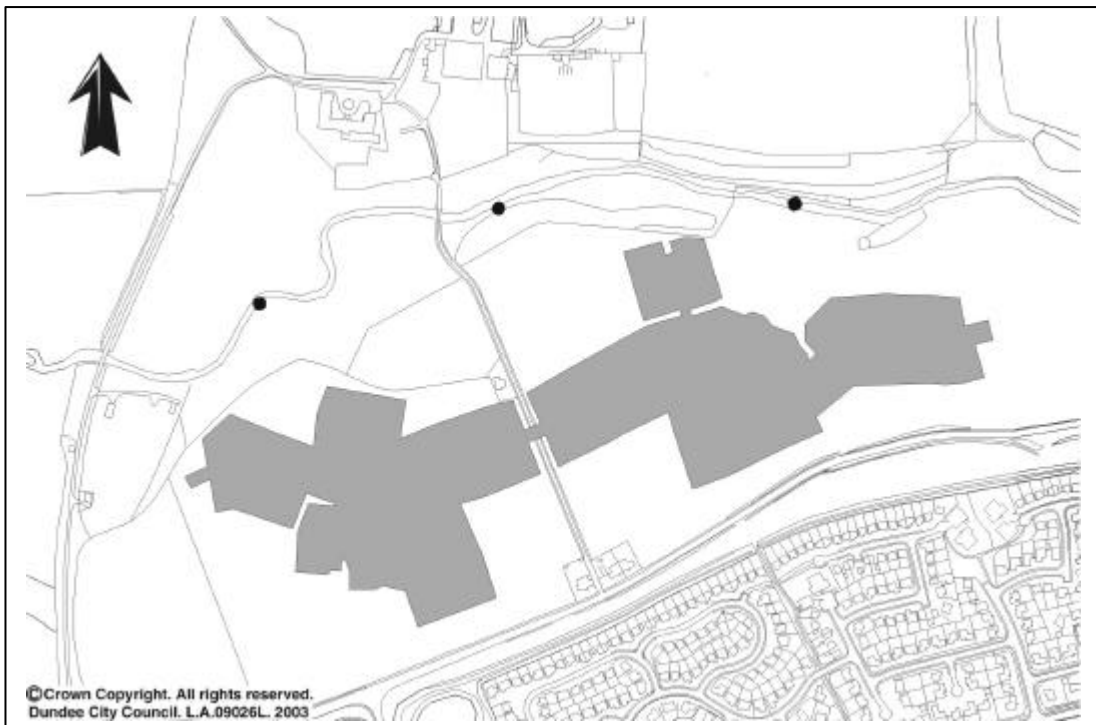


KEY INFORMATION**Ward** Balgillo**Proposal**

Reserved matters for 146 houses (plots 1-85 and 90-105)

Address

Land North of A92 East of Linlathen Lane West of Balmossie Bridge Arbroath Road Dundee

ApplicantMiller Homes Ltd
Miller House
2 Lochside View
Edinburgh Park
Edinburgh H12 9DH**Agent**EMA Architecture and Design Ltd, The Stables
38 Balleyfield Road
Edinburgh EH15 1NA**Registered** 24 Nov 2005**Case Officer** C Walker

Details of Housing Development Brought Forward

The reserved matters for 146 houses (plots 1-85 and 90-105) is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development complies with the adopted Plan and is of a form, design and layout that reinforce the village concept envisaged in the Local Plan. The proposal is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The approval of reserved matters (in connection with outline planning permission 03/00650/OUT) is sought for a development of 146 houses on the site.
- In the adopted Local Plan the site is allocated as a greenfield housing site for a maximum of 150 houses under Proposal H71 and the layout approved for the outline application reflects these principles.
- The details now proposed fully comply with these principles and the village housing standards set out in the Local Plan.
- A letter of objection was received, stating concerns about the impact of the development on the amenity of the occupiers of an existing farm cottage adjoining the site. These concerns essentially relate to the fact that what is presently an isolated cottage surrounded by farmland will soon become part of a larger housing development, which already has outline planning permission. The details set out in the current application for the approval of reserved matters does not alter this situation in any respect.

DESCRIPTION OF PROPOSAL

The approval of all the reserved matters (in connection with outline planning permission 03/00650/OUT) is sought for a development of 146 houses on the site. All the proposed houses are two storey units, have a minimum of 4 bedrooms and have either single or double garages. The proposed vehicular access is taken from a new road currently under construction to the west of the site, some 275 metres north west of the roundabout on the A92 at Balgillo Road East. A secondary emergency access onto an existing road serving 4 farm cottages is also proposed in a separate planning application (05/01013/FUL) to be found elsewhere in this Agenda. As with the outline application, provision is made for public transport with bus lay bys on the A92 and for pedestrians and cyclists with 2 proposed controlled crossings, 1 either side of the roundabout on the A92.

There is a separate application to be found elsewhere in this Agenda for 4 houses to the east of the site (05/01011/FUL), taking the number for the whole village up to 150 houses in accordance with the Local Plan allocation.

The proposed layout is in the form of a village with 2 areas of open space surrounded by houses at the eastern and western ends linked by a spine road. The development comprises large detached houses on generous plots but with a denser terraced form of development fronting onto the village greens. In almost every case these houses back on to open countryside.

Proposed finishing materials for the houses are walls of wet dash harl and natural stone is used on the terraced houses and on other houses at key locations on the site. The proposed roofing material is artificial slate. Roadside boundaries are formed in stone and beech hedging with post and wire fencing to rear elevations.

The development fully complies with the village housing standards in the Local Plan, including house sizes, parking and garaging, garden sizes and privacy distances.

Substantial planting is indicated all around the settlement, providing containment and screening it from the

A92 and neighbouring cottages. The existing north south access track from the A92 to the Dighty, crossing over the Category A listed bridge, will be retained for pedestrian and cyclist use (with a small section open to vehicular traffic serving an existing cottage. The site will be drained by a sustainable system of drainage with a large wetland pond to be formed to the north of the houses.

SITE DESCRIPTION

The site comprises some 11 hectares of land on the north side of the A92 Arbroath Road. This ground sits centrally in 2 large fields divided by a farm road and bounded to the south by the Arbroath Road, to the east, north and north east by the Dighty valley and to the west by a new road currently being constructed from the A92 to the Councils economic development site at Linlathen. Modern housing developments on the south side of the A92 are partially screened by landscaped bunds.



There are 4 former farm cottages close to the site, 3 beside the A92 and 1 on the farm track half way between the A92 and the Dighty. The land is relatively flat to the west but more undulating to the east with high points overlooking the A92. There are no trees within the application site but there are areas of woodland along the Dighty Valley and to the north and north west of the site.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

As the principle of developing this site for housing has already been established by the granting of outline planning permission (ref 03/00650/OUT), there are no Structure Plan policies of relevance to the

determination of this planning application.

Dundee Local Plan Review 2005

In the adopted Local Plan the site is allocated as a greenfield housing site for a maximum of 150 houses under Proposal H71. The text and drawings attached to the proposal give clear guidance as to the form and design of the proposed development, and the layout approved for the outline application reflects these principles.

Policy 4 and Appendix 1 set out standards for the design and layout of this development.

Scottish Planning Policies, Planning Advice Notes and Circulars

PAN67: Housing Quality

Planning Advice Note 67 explains how "Designing Places" should be applied to new housing. It identifies the qualities found in successful places and provides examples of successful development in order to promote good design.

Non Statutory Statements of Council Policy

The Council's Urban Design Guide is of relevance.

LOCAL AGENDA 21

Key theme 13 states that places, spaces and objects should combine meaning and beauty with utility. In this case, for reasons expanded upon in the Observations and Design sections of this Report, it is considered that the proposed development fulfils the requirements of this theme.

SITE HISTORY

Outline planning permission was granted for the erection of 147 houses on this site in November 2005 following the conclusion of a Section 75 Agreement which covered a number of issues including a contribution towards the provision of education and the restoration of the listed pedestrian bridge over the Dighty.

Planning permission was granted in July 2005 for a new access road from the roundabout on the A92 at Balgillo

to the Councils economic development site at Linlathen - application 05/00065/FUL refers. Construction of this road has commenced and the road is now surfaced as far as the proposed access to the development currently proposed.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and 2 letters were received from the occupiers of cottages adjacent to the site, 1 objecting to the proposals and 1 making representations.

The concerns of the objector include the height of houses and trees in front of his house and fears of loss of daylight and privacy; traffic, parking and road safety issues close to his house; noise and dog fouling problems adjacent to his house; traffic problems with access to the A92 and deterioration in his quality of life. Many of these concerns relate to the principle of development which has already been established by the granting of outline planning permission.

The letter of representation raises issues about the presence of septic tanks in a proposed woodland area and the use and condition of the access track leading northwards to the Dighty.

Copies of these letters are available for inspection in the Members Lounges and the points raised are considered in the Observations Section of this Report.

CONSULTATIONS

No comments were received from Statutory Consultees.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations

The Development Plan

The provisions of the development plan relevant to the determination of

this application are specified in the Policy background section above.

The layout of the development, which has already been approved when outline planning permission was granted, fully complies with Proposal H71 of the Dundee Local Plan Review. The form and layout of the development, including the disposition of the houses and the plot sizes, replicates the layout in the Plan. The "village" character is provided by the road layout which departs from a typical "engineered" suburban layout, the provision of village greens and the containment provided by existing and proposed woodland areas.

Policy 4 and Appendix 1 set out standards for the design and layout of this development. The proposal fully complies with the Village Standards in the Plan.

It is therefore concluded that the proposed development fully complies with the policies of the Finalised Dundee Local Plan Review.

Other Material Considerations

The concerns of the objector essentially relate to the fact that what is presently an isolated cottage surrounded by farmland will soon become part of a larger housing development. Indeed the objector raised similar objections to the application for outline planning permission which was approved having taken these objections into account.

The allocation of the village in the adopted Local Plan and the illustrative layout submitted with the application for outline planning permission both show housing close to the objector's house. The details set out in the current application for the approval of reserved matters does not alter this situation in any respect. The windows on the nearest house in the proposed development will be some 25 metres distant from windows on the objector's house, which is well in excess of the minimum 18 metres window to window distance stipulated in the adopted Local Plan. The proposed planting of trees is intended to screen the rear of the housing development, and the impact on the objector's house will not be significant given that the screen to the south (where the principal windows on the lodge face) will comprise a beech hedge. It is inevitable that the development, and

particularly the restoration of the listed pedestrian bridge across the Dighty, will lead to increase use of the path beside the objectors house, but this path is a public right of way and the change is character of the area surrounding the objectors house is an inevitable consequence of the local Plan allocation and the granting of outline permission for housing at this location.

The issue in the letter of representation about the presence of septic tanks in a proposed woodland area has been brought to the attention of the applicants. This is a private legal matter which needs to be resolved between the parties but an obvious solution would be to incorporate all the cottages into the public sewerage scheme for the new housing. The second issue is about the use and condition of the access track leading northwards to the Dighty. Proposals have been submitted to improve the track and to exclude vehicular traffic (apart from a very small section to gain access to a cottage).

It is concluded from the foregoing that insufficient weight can be accorded to the concerns of the objector to justify the refusal of planning permission. It is therefore recommended that planning permission be granted with conditions.

Design

The form and layout of the development, including the disposition of the houses and the plot sizes, replicates the "village" style layout set out in the adopted Local Plan. The "village" character is reinforced by the road layout which departs from a typical "engineered" suburban layout, the retention of the existing woodland areas, the provision of village greens and the substantial areas of new planting. The design of the houses, including the use of finishing materials of wet dash harl, artificial slate and limited use of natural stone as well as the boundary treatment of dry stone walls and beech hedging all add to the establishment of the village character.

CONCLUSION

The proposed development complies with the adopted Plan and is of a form, design and layout that reinforce the village concept envisaged in the Local Plan.

RECOMMENDATION

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

- 1 The development to which this permission relates shall begin within 5 years of the date of the granting of outline planning permission for this development (03/00650/OUT granted on 10/11/05) or 2 years of the final approval of the reserved matters, whichever is the later.
- 2 Samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.
- 3 Details of all boundary enclosures for the house plots, which shall comprise dry stone dykes and beech hedging to roadside boundaries, shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
- 4 Prior to the occupation of any of the dwellings hereby approved, the pedestrian crossing facilities on the A92 shall be constructed in accordance with details to be submitted to and approved in writing by the Council.
- 5 Details of the drainage of the site, which shall incorporate sustainable drainage principles, shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
- 6 An equipped play area shall be provided within the application site and details of this area shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area and to comply with the village concept set out in Proposal H71 of the Dundee Local Plan Review 2005.
- 4 In order to ensure safe access to the site for pedestrians and cyclists.
- 5 To ensure that the site is adequately drained, that the development does not lead to any increased risk of flooding of downstream properties and that the drainage features are of satisfactory design.
- 6 To ensure that adequate playing facilities are provided for residents of the proposed housing development.