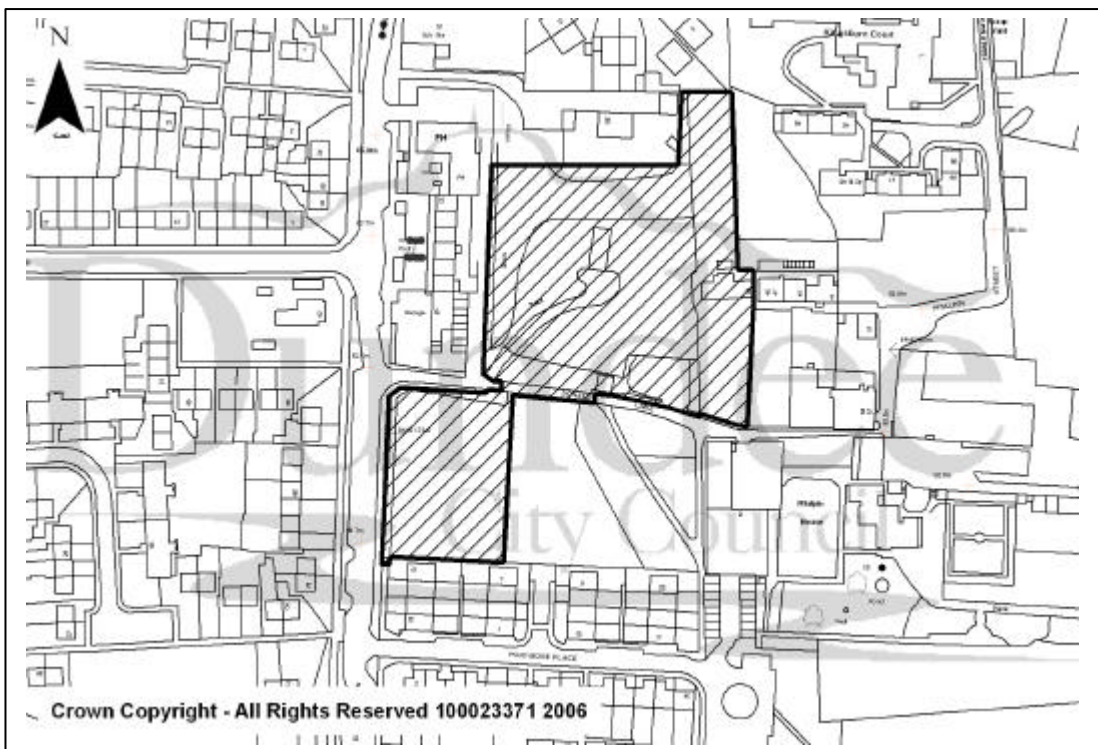


KEY INFORMATION**Ward** Lochee West**Proposal**

Erection of 36 Dwelling Houses

AddressLand to North and South of Donalds Lane
Dundee**Applicant**H & H Properties Ltd
71 Blackness Road
Dundee
DD1 5PD**Agent**KDM Architects
15 Camperdown Street
Broughty Ferry
Dundee
DD5 3AA**Registered** 6 July 2006**Case Officer** D Gordon

Details of Housing Development in Lochee Submitted for Consideration

The erection of 36 dwellings is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed scheme will result in a quality residential development on 2 vacant sites located in the suburban area of the city. The proposals are viewed as an important step in the regeneration of this local area. The application is recommended for approval subject to conditions.

SUMMARY OF REPORT

- The proposal seeks permission for the approval of Reserved Matters for the erection of 36 houses on 2 sites located on the east side of Butters Loan and on the north and south sides of Donalds Lane. Reserved Matters relate only to siting, design and appearance of buildings and to access and landscaping.
- The site is allocated as a Brownfield Housing Site in the Dundee Local Plan Review 2005 (Proposal 43 refers). The site has been granted outline planning permission for residential purposes (February 2006). The site is also the subject of a Site Planning Brief that was approved by the Council in 2004.
- It is considered that the details submitted for consideration are appropriate for the area and are in line with the relevant land use policies of the Development Plan. No objections to the proposals have been received from surrounding occupiers.
- There are no material considerations that would justify the refusal of the application contrary to the Development Plan policies.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves the erection of 36 dwelling houses on two sites located on the east side of Buttars Loan and to the north and south of Donalds Lane. The members are reminded that this application is for the approval of Reserved Matters only with the principle of the use of the site for residential purposes being established by the approval of a Site Planning Brief (2004) and the approval of an outline planning application for such a development (February 2006). Reserved Matters relate only to siting, design or external appearance of any building to which the application relates, the means of access to such a building and the landscaping of the site.

The development involves the provision of a mixture of detached and semi-detached houses that will range in size (3 or more bedrooms). The proposed finishing materials are to be white or cream roughcast walls, grey or red roof tiles and natural slate to low level porch roofs. Feature walls to the front of houses is to be random reconstituted stone, garden fences are to be close boarded timber and parking areas are to be concrete setts to match the feature walling.

Each new dwelling accommodates private rear garden ground exceeding 120m². A total of 76 parking spaces are to be provided within the site. Access into the northern section of the site is taken from Donalds Lane. Access to the houses on the site to the south of Donalds Lane is taken mainly from Buttars Loan.

SITE DESCRIPTION

The site forms the northern and western sections of a larger development site that was previously granted outline planning permission for residential purposes. The site currently under consideration is located to the east of the commercial properties on Buttars Loan and to the north and south of Donald's Lane. The site to the north slopes in a north to south direction and formerly accommodated industrial uses. The site to the south is vacant, reasonably flat with a number of trees in evidence.

The surrounding area accommodates a variety of uses including residential to the north and south, commercial to the west on the Buttars Loan frontage and industrial to the east.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan Review 2005

The following policies are of relevance:

Proposal 43: The site is identified as a suburban brownfield housing development site.



Policy 1: Vibrant and Sustainable Communities. The Council will promote vibrant communities, encouraging the development of a range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 4: Design of New Housing. The design and layout of all new housing in Dundee should be of a high quality. As a basis for achieving this, new developments will be required to conform to the Design Standards contained in Appendix 1 of the Dundee Local Plan Review 2005 unless:

- 1 the Council, through either site allocation in the Local Plan or site planning briefs considers it appropriate to vary the standards to reflect the constraints or opportunities offered by the

development of a particular site or

- 2 the proposal is within an established area low density residential area, in which case the density of the new development should reflect this and more generous external space standards will be required.

Policy 55: Urban Design. For all new developments the emphasis will be on design quality. In addition, all development will, in its design and layout, be expected to contribute to an environment that is safe and accessible to all.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy 3: Planning for Housing (2003). SPP3 reflects the key planning policies in Scottish Planning Policy 1: The Planning System, addressing them in relation to new housing. The measures are intended to promote a more attractive and sustainable living environment as part of the wider investment in new housing.

Planning Advice Note 67: Housing Quality 2003. This seeks to promote high quality design in new housing developments. This Note supports the preparation of design statements in conjunction with planning applications and the need for successful residential developments not to be limited by road standards or to benefits of Home Zones.

Designing Places: A Policy Statement for Scotland. This Statement from the Scottish Executive sets out their aspirations on the design and the role of the planning system for delivering these aims. It promotes the need for high quality design of buildings and layout for proposed developments and in particular it highlights the advantages of the Masterplan process.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Dundee - The Urban Design Guide.

Site Planning Brief for Pitalpin Village
- Approved 2004.

SUSTAINABILITY ISSUES

The development of this brownfield site for residential purposes, together with the larger comprehensive redevelopment of the area located to the south and east, is consistent with the Sustainability policies of this Council.

SITE HISTORY

05/00782/OUT - Outline Permission for Housing - Approved 27 February 2006. The application currently under consideration is located on the northern and western sections of this larger development site that was approved for the erection of 71 houses and 6 flats.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants' agents. No objections to the proposals have been received from members of the public.

CONSULTATIONS

The relevant Council Departments and outside bodies have been consulted with regard to the proposals. The following comments have been received:

The Head of Environmental Health and Trading Standards has advised that the content of the acoustic consultant report is acceptable and it is considered that existing noise will not detract from the residential amenity of the new houses. In addition, it is advised that there may be remedial works required (due to the history of the site) and that all required decontamination measures should be undertaken and completed prior to occupation of the site. It is intended to attach a condition to any permission granted that will cover this matter.

The Council's Forestry Officer has requested that conditions relating to tree retention, protection and replanting are attached to any permission granted.

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 proposal under consideration is a Reserved Matters application for the erection of 36 houses on 2 vacant sites located on the east side of Butters Loan and on the north and south sides of Donalds Lane. These sites form part of a larger development site that stretches eastwards towards Pitalpin Street and Stewarts Lane. Reserved Matters refer only to the siting, design/appearance of the buildings, access and landscaping and it is these issues that are currently under consideration.

The Members are reminded that the principle of the development of the site for residential purposes has already been established by the approval of a Site Planning Brief in 2004 and the granting of outline planning permission for housing in 2006. The site is also allocated as a Brownfield Housing Site (Proposal 43 - Pitalpin Mill) in the Dundee Local Plan Review 2005.

It is considered that the layout of the scheme is in line with the Masterplan that accompanied the outline planning application that was supported by the Council in 2004. While this Masterplan is not 'cast in stone', the principles established by its framework have been taken forward by the architects and incorporated into the scheme. The siting of the dwellings within the site is considered to be appropriate and, importantly, successfully address the frontage onto Donalds Lane which will be an important visual route leading through the site towards the former Mill buildings, and further residential development, to the east. The new houses all accommodate rear garden

areas that comply with the requirements of Policy 4 (Design of New Housing) of the Dundee Local Plan Review 2005.

With regard to the design and appearance of the new buildings, these are considered to be appropriate for the area. The dwellings each will accommodate 3 or more bedrooms. The use of appropriate finishing materials proposed will result in a cohesive development that will be distinctive but will not detract from the setting of the surrounding area. This is considered to be in accordance with Policy 4 and Policy 55 (Urban Design) of the Local Plan.

With regard to access, this matter has been the subject of discussions with this Council and the arrangements submitted for determination, including parking provision for the new houses, are considered to be acceptable.

No landscape details have been submitted for consideration at this stage. It is intended to attach a condition to any permission granted requiring the submission of landscape details prior to the commencement of any development works.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

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

Site Planning Brief (approved 2004). The submitted details conform to the principles set out in the Brief.

It is concluded from the foregoing that insufficient weight can be accorded to any material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

It is considered that the overall layout, appearance, finishing materials and access arrangements will all combine to create a residential development of a high design standard that will achieve the goals set out in the approved Site Planning Brief for the area.

CONCLUSION

The Reserved Matters application under consideration embodies the principles set out in the approved Planning Brief for the site. The development is welcomed as a positive step in the regeneration of this vacant and semi-derelict area. The submitted details will ensure that the site will be developed in a manner that reflects the Council's aspirations for a quality development in this local area.

RECOMMENDATION

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

- 1 The development to which this permission relates shall begin within 2 years of the date of this approval or 5 years from the date of the approval of the original outline permission, 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 That development of the site shall not begin until a scheme that identifies all the trees that are to be retained, details of their proposed protection (in accordance BS5837,2005) and details of the proposed replacement of all the trees to be removed from the site, has been submitted to and approved in writing by the planning authority. For the avoidance of doubt, all trees to be retained shall be fenced off, as agreed, prior to the commencement of any works.
- 4 Development shall not begin until a scheme to deal with contamination on 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:
 - a the nature, extent and type(s) of contamination on the site;
 - b measures to treat/remove contamination to ensure that

the site is fit for the use proposed;

- c measures to deal with contamination during construction works; and
- d condition of the site on completion of decontamination measures.

Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

- 5 Development shall not begin until details of a scheme for landscape works have been submitted to and approved in writing by the planning authority.

Reasons

- 1 To comply with Section 59 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 protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development
- 4 In order to ensure that the site is fit for the use proposed.
- 5 To ensure a satisfactory standard of appearance of the development.