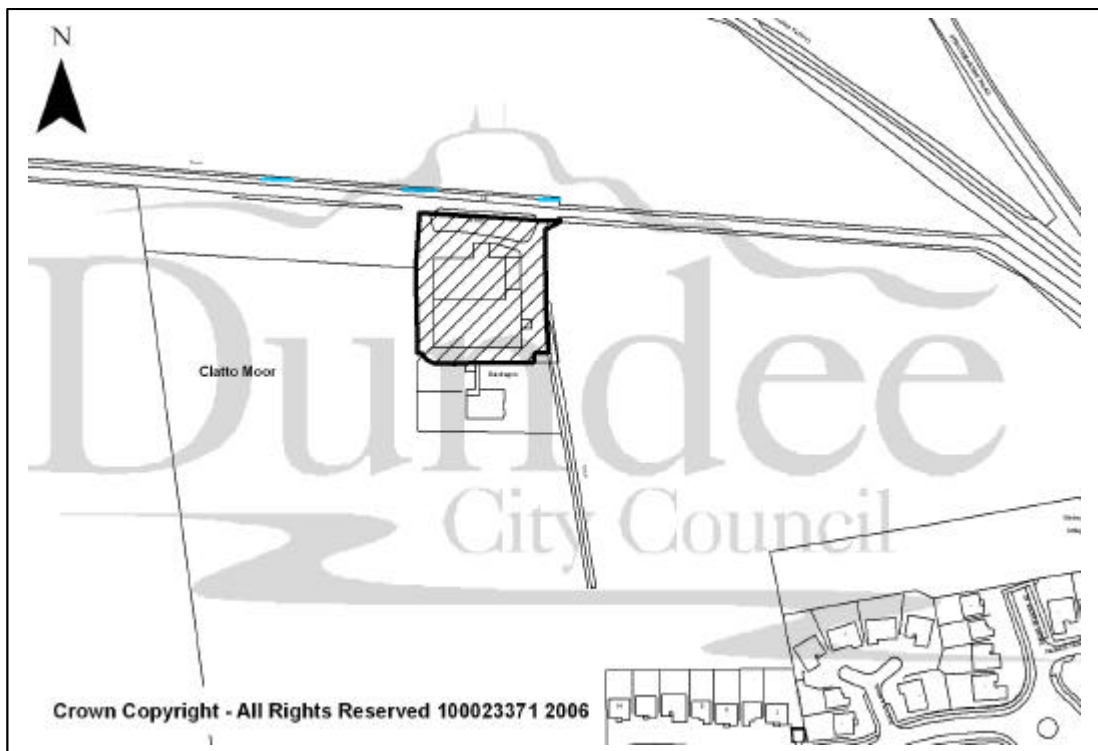


KEY INFORMATION**Ward** Brackens**Proposal**

Outline consent for erection of four dwelling houses

AddressLand North of Baldragon
North West of Stratmartine
Road
Dundee**Applicant**Mr G Scott
Couil Aluinn
Manse Road
Pitlochry
PH16 5EP**Agent**Bell Ingram Design
Durn Isla Road
Perth
PH2 7HF**Registered** 6 Dec 2006**Case Officer** Eve Jones

Housing Consent Sought for Edge of City Site

The outline consent for erection of four dwelling houses is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The outline application complies with two of the relevant policies in the Dundee Local Plan 2005 and material considerations support redevelopment of this brownfield site. The objection is not supported and the application is Recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Outline planning permission is sought for the erection of 4 detached, one and a half storey dwelling houses with access road. Access will be taken from the new residential development currently under construction to the east. Layout details are submitted as reserved matters as part of the application. The proposed layout is an attractive grouping around a shared access.
- The site is currently occupied by vacant and semi-derelict farm buildings on the south side of the unmade track which forms the boundary between Dundee City and Angus Council to the west of Stratmartine Road. New housing development is under construction on land to the west, south and east. The site is on an exposed ridge visible from both north and south.
- The development complies with Policy 3 - Housing Investment Focus Area and Policy 4 - Design of New Housing of the Dundee Local Plan 2005. It does not comply with Policy 74 - Development in Open Countryside but the site will shortly have housing on three sides and is a semi-derelict site with no countryside value.
- One objection was received from an adjoining resident on grounds of access and traffic safety. The development has an acceptable access on to an adopted road and the objection is not supported.

DESCRIPTION OF PROPOSAL

Outline planning permission is sought for the erection of 4 detached one and a half storey dwelling houses with access road. Access will be taken from the new residential development currently under construction to the east and will join an existing adopted road. The siting of the dwellings, their type, the means of access and the provision of a landscape barrier to the north are all submitted as reserved matters as part of the application.

SITE DESCRIPTION

The site is currently occupied by vacant and semi-derelict farm buildings on the south side of the unmade track which forms the boundary between Dundee City and Angus Council to the west of Strathmartine Road. The track provides access to Baldragon Woods. Baldragon Farmhouse lies immediately to the south of the site beyond which is new housing development under construction on land to the west, south and east. The site is on an exposed ridge visible from both north and south.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 2005

The following policies are of relevance:

Policy 74 - Development in Open Countryside.

Policy 3 - Housing Investment Focus Area.

Policy 4 - Design of New Housing.

Scottish Planning Policies, Planning Advice Notes and Circulars

Non Statutory Statements of Council Policy.

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

SUSTAINABILITY ISSUES

The following sustainability policy implication arise from this application: 5 - Built Environment.

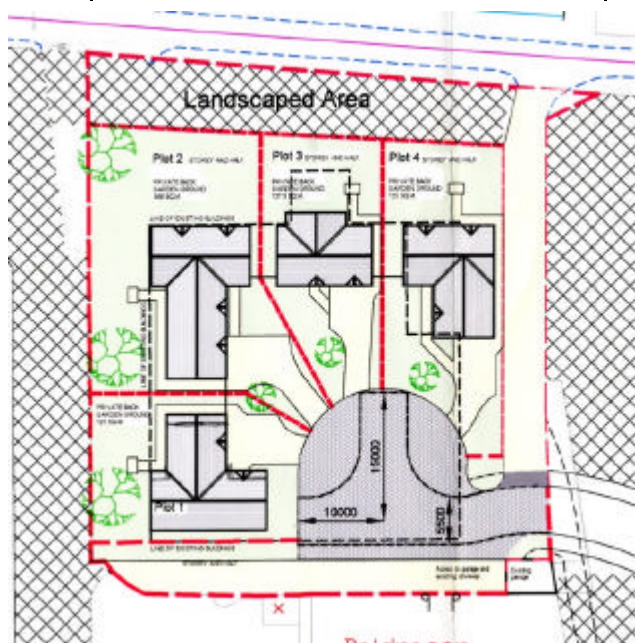
The issue is discussed in greater detail below.

SITE HISTORY

There is no relevant planning history.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and was also advertised as a development contrary to the Development Plan. One objection was received from an adjoining resident on grounds of access and traffic safety in addition to legal matters which are not valid planning grounds.



The agent has submitted reasoned justification for the development.

Both documents are available in Members Lounges and the issues are considered in the Observations below.

CONSULTATIONS

Scottish Water does not object to the application but notes that a totally separate drainage system will be required to deal with surface water.

There were no adverse comments from consultees.

OBSERVATIONS

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

- whether the proposals are consistent with the provisions of the development plan; and if not
- 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.

Policy 74: New Development In The Open Countryside - "Within the areas designated as Open Countryside on the Proposals Map there will be a presumption against all new development unless:

- the proposed development is located within an existing building group (see definition 1); or
- the proposed development involves the restoration of an existing building worthy of retention (see definition 2); or
- the proposed development is supported by an agricultural justification."

The site lies within Open Countryside as defined on the proposals map of the Dundee Local Plan. The boundary of the open countryside runs along the track to the north but diverts to the south to enclose these buildings. Their function at the centre of their associated farm land has been disrupted by the allocation of the land to the south of the track for residential development and its subsequent development. The buildings are now redundant and in poor condition.

The original farmhouse remains in its garden ground to the south but the site to the west and east will shortly be developed with new housing which is currently under construction. The farm buildings lack the character or quality of more traditional farmsteads and are not worthy of retention and conversion as defined by the policy. The development is not associated with

agricultural use. The location is defined in the local plan as Open Countryside and the proposed development would not comply with Policy 74.

Policy 3 Housing Investment Focus Areas - "The City Council will encourage investment in housing and related social and physical infrastructure in the Housing Investment Focus Areas identified on the Proposals Map, working in partnership with Communities Scotland and the private sector. More detailed development frameworks, masterplans and action plans for each of the focus areas will be brought forward as appropriate by the Council and will form supplementary guidance to this Local Plan."

The site lies within the Housing Investment Focus Area for North West/Caird which would support brownfield proposals.

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 development will be required to conform to the Design Standards contained in Appendix 1 of this Local Plan unless:

- a the City 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
- b the proposal is within an established 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.

New housing development should also have regard to the principles of the City Council's Urban Design Guide.

In addition, new housing development should meet "Secured by Design" standards. New residential streets should be designed to promote low vehicle speeds of 20 m.p.h. or less. New housing should have regard to opportunities to maximise energy efficiency and promote sustainable waste management."

This is an outline application but sufficient detail has been submitted in

order to assess the compliance with some elements of this policy. There are no details of the internal arrangements but the footprint of these detached, one and a half storey houses is sufficient to indicate that they will comply with the criteria of Appendix 1, they have sufficient amenity space and the access arrangements are acceptable. The indication is that the houses will have integral garages and if that is so, the parking provision is also acceptable. A landscape area to the north, to echo the landscaping belt being provided at the adjoining development will help to screen the houses in this prominent location provided it is planted in accordance with a detailed planting plan and managed by all adjoining residents. It is considered that the limited details submitted comply with Policy 4 and its associated Appendix 1.

It is concluded from the foregoing that the proposal does not comply with Policy 74 of the development plan.

Other Material Considerations

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

Open Countryside - the site will shortly be bounded by new housing development to the west and east and there is an existing house and garden to the south. This is a brownfield site, with housing on three sides, which does not make a positive contribution to the character or environment of the Open Countryside within which it is allocated. It is considered that the development of this semi-derelict site, for 4 houses, screened by a landscaping belt to replicate the adjoining development, will not represent a significant breach of the policy which seeks to protect open countryside.

Objection

The adjoining neighbour in the farmhouse to the south objects on the grounds of access and traffic safety.

Access to the site at present is via an unmade track and a vehicular access which serves both the redundant farm buildings and the farmhouse. The development proposes that access to the new housing will be taken from the new housing development under construction to the east. As such the new road will cross the existing driveway from the farmhouse to the track. The objector considers that

vehicles will then be able to take a short cut from the new Betts housing via the new access being formed and thence on to Strathmartine Road via the track. The track is unmade and rough and if drivers are tempted to take such a route, the objector can take action to prevent access if he has the legal right to do so. It is more likely that the objector will find the new access, via the new housing development, more acceptable than the existing unmade road. It is considered that the new access is acceptable in engineering terms. Other issues raised by the objector are legal matters not a matter for a planning application.

Sustainability Policy 5: Built Environment. This policy seeks to protect the City's built heritage and enhance local environments through ongoing regeneration. The redevelopment of this partly derelict farmstead will comply with the policy.

It is concluded from the foregoing that sufficient weight can be accorded to the material consideration of the lack of relevance of the Open Countryside policy to this particular site given the current development around it and its compliance with the other provisions of the development plan. The objection is not supported and is not considered to be sufficient to justify the refusal of planning permission

Design

This is an outline application which does not include the design of the houses. The proposed layout is an attractive grouping around a shared access.

CONCLUSION

The proposed development partly complies with two of the relevant policies in the Dundee Local Plan Review 2005 and it is considered that the material considerations are sufficiently strong to support the application. The objection is not supported. It is therefore recommended that planning permission be granted with conditions.

RECOMMENDATION

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

- 1 The approval of the City Council shall be obtained to the following

- reserved matters before any development is commenced viz: the design of the buildings; the external appearance of the building and the landscaping of the site.
- 2 Details of the reserved matters as defined in Condition 1 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.
 - 3 Application for reserved matters shall be made to the City Council within 3 years from the date of this permission.
 - 4 The development to which this permission relates shall begin within 5 years of the date of permission or 2 years of the final approval of the reserved matters, whichever is the later.
 - 5 The houses hereby approved shall be a maximum of one and a half storeys in height as detailed on the approved plans.
 - 6 Prior to the commencement of development, full details of the proposed advanced tree planting in the landscaped area on the northern boundary of the site shall be submitted to the Council for approval and if approved, the works shall be carried out only in accordance with such approved details.
 - 7 The tree planting which is the subject of Condition 6 shall be carried out prior to the commencement of construction on this site as detailed in the submitted justification in support of the application. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years from the completion of the planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
 - 8 The landscaped area as detailed in the approved plans and planted in accordance with conditions 6 and 7 shall be fenced in accordance with BS 5837: 2005 and shall remain fenced during the period of construction. Any requirement to remove the fencing during construction shall

be agreed with the Council's Enforcement and Forestry Officers prior to the removal of the fences.

- 9 Prior to the commencement of development a comprehensive Site Investigation Report in accordance with PAN 33 Development of Contaminated Land shall be submitted to the City Council for approval. 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 the site is fit for the use proposed.
 - c measures to deal with contamination during construction works.
 - d the condition of the site on completion of the decontamination measures.

No construction work can commence until this report has been approved in writing.
- 10 Any required remediation measures identified in the Site Investigation Report required by condition 9 shall be carried out and the completion of the works shall be notified in writing to the City Council for verification. No dwellings can be occupied until the verification process has been completed in writing.
- 11 The design of the houses shall include waste disposal facilities in accordance with the standards required by the City Council when the reserved matters are submitted.
- 12 The stone boundary walls shall be retained and shall be repaired where required with stone retained from the farm buildings on the site which are to be demolished. Full details shall be submitted with the submission of the reserved matters in respect of the proposed development.
- 13 The landscaped area along the northern boundary of the site shall be owned collectively by the owners of the houses in plots 2, 3 and 4 and shall be managed

as a landscape screen and shall not be divided into separate, private garden grounds.

- 14 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.
- 15 Full details of the proposed SUDS for the drainage of surface water shall be submitted as part of the reserved matters and no construction can commence until the SUDS arrangements have been approved.
- 16 The design of the proposed houses shall include an integral garage to accommodate at least 1 car.

Reasons

- 1 To reserve these matters for future consideration by the Council
- 2 To ensure a satisfactory standard of development
- 3 To comply with Section 59 of the Town & Country Planning (Scotland) Act 1997.
- 4 To comply with Section 59 of the Town & Country Planning (Scotland) Act 1997.
- 5 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 6 The site is in an elevated position and adjoining residential development is also required to be screened by landscaping. The proposed landscaped area on the north of the site will replicate this screening and is required in the interests of the visual appearance of the area.
- 7 The site is in an elevated position and this screening is required in the interests of the visual appearance of the area.
- 8 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 9 In the interests of the amenities of the future occupants of the residential accommodation.

- 10 In the interests of the amenities of the future occupants of the residential accommodation.
- 11 In the interests of the amenities of the future occupants of the residential accommodation.
- 12 In the interests of the amenities of the future occupants of the residential accommodation.
- 13 The site is in an elevated position and this landscaped screening is required to be maintained in the interests of the visual appearance of the area.
- 14 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 15 To ensure a satisfactory standard of development.
- 16 To ensure adequate parking provision within the development in the interests of the amenities and highway safety.