

# Proposed Erection of Residential Units

## KEY INFORMATION

**Ward** North East

### Address

Land to East of Finavon Street, Dundee

### Applicant

Abertay Housing Association  
147 Fintry Drive  
Dundee  
DD4 9HE

### Agent

Steve Iannarelli  
68-70 George Street  
Edinburgh  
EH2 2LR

**Registered** 3 June 2016

**Case Officer** S Dorward



## SUMMARY OF REPORT

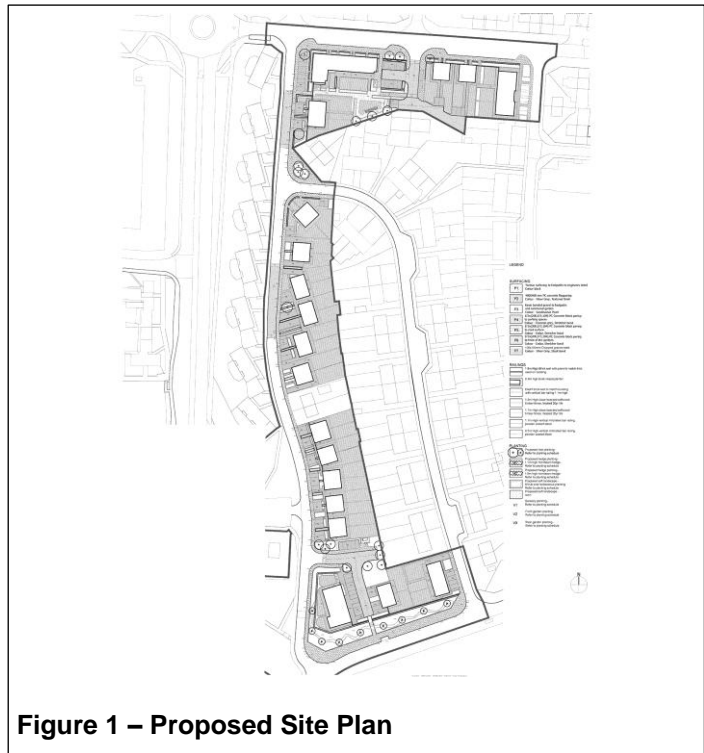
- Planning permission is sought for the erection of up to 56 residential units comprising 34 houses and 22 flats, 13 of which would be accessible/supported living flatted units, with associated car parking, access, open space and drainage infrastructure.
- The statutory neighbour notification procedure was undertaken, five letters of representation have been received. The application was then re-neighbour notified when amended plans were received, one further letter of representation was received to supplement previous comments.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee as it constitutes a major development.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=O82ZD6GCMKP00>.

## RECOMMENDATION

The application complies with Policies 1, 2 and 5 of the Adopted Strategic Development TAYplan Policies 7, 8, 29, 36, 38, 42, 45 and 55 of the Adopted Dundee Local Development Plan and also with Scottish Planning Policy PAN 33, PAN 67 and PAN 74. The proposals are contrary to the terms of Policy 9 of the Dundee Local Development Plan, a justification for the supported living units has been submitted which provides evidence that the proposed units would meet a housing need. The application is therefore recommended for **APPROVAL** subject to conditions.

# 1 DESCRIPTION OF PROPOSAL

1.1 Planning permission was originally sought for the erection of 60 residential units comprising 30 houses and 30 flats, 15 of which would be accessible/supported living flatted units, with associated car parking, access, open space and drainage infrastructure. All the proposed residential units would be for social rent and owned and managed by Abertay Housing Association. Plans have now been amended to seek permission for 56 units, to comprise 34 houses and 22 flats, 13 of which would be accessible/supported living units.



**Figure 1 – Proposed Site Plan**

- 1.2 Three blocks of flatted units were originally proposed to the north of the site for supported living accommodation. Block A remains proposed to the north east corner of the site and would be developed as a physical disabilities block over 1.5 storeys, with 3 flats to the ground floor and 1 to the first floor, each with 1 bedroom. The block is proposed with a footprint of 290m<sup>2</sup>, and to a maximum height of 9 metres with a pitched roof; the roof ridgeline would be 1.3 metres lower for half of the building which would contain only attic space.
- 1.3 Block B was originally proposed to the north of the site over 2 storeys as a learning disabilities block, comprising four flats to each floor. It is now proposed to relocate Block B to the southern end of the site to become Block C, it would be developed as a 3 storey block to accommodate 9 units; 6 over two storeys to the ground and first floor and 3 to the second floor. Six flats are proposed with 3 bedrooms with one 4 bedroom flat and 2 with 2 bedrooms. The southern block is proposed with a footprint of 438m<sup>2</sup>, with a mono-pitch roof to a maximum height of 12.8 metres.
- 1.4 Block C to the north west of the site is now labelled Block B and would comprise 9 flats over 3 storeys. Three accessible flats are proposed to the ground floor, two with 2 bedrooms and a 1 bedroom flat. Six mainstream affordable flats would be created over the first and second floors, one with 4 bedrooms and five with 3 bedrooms. The block is proposed with a footprint of 440m<sup>2</sup> and to a maximum height of 13 metres, with a mono-pitch roof.
- 1.5 Block D was originally proposed to the south of the application site over 3 storeys to accommodate nine mainstream socially rented flats, this development has now been removed from the proposals.
- 1.6 External finishes for the flatted properties are proposed as light buff multi-tone facing brick, with dark grey concrete roof tiles. Windows and doors would be dark grey aluminium/timber composite with zinc cladding, rainwater goods are proposed in dark grey aluminium. Block B is proposed with four smooth buff swift boxes, built into the brick wall. All flats are proposed as self contained units as opposed to a residential institution, no internal communal areas are proposed.

- 1.7 The housing which would extend down the centre of the site is proposed as semi-detached, with two terraces of three units to the north and south. A further four semi-detached dwellinghouses are now proposed to the north of the site in place of the flatted block now relocated to the south. Three house types are proposed, all over 2 storeys with pitched roofs. A total of nine houses were originally proposed with 2 bedrooms, the remaining 21 would have 3 bedrooms. Plans are now amended to illustrate ten 2 bedroom and twenty four 3 bedroom dwellinghouses. External finishes are proposed as multi-tone buff brick, dark grey concrete roof tiles incorporating photovoltaic panels and dark grey aluminium timber/composite framed windows and doors. Rainwater goods and door canopies are proposed in dark grey aluminium and steel respectively.



**Figure 2 – Proposed Street Elevations**

- 1.8 Garden ground provision proposals remain broadly similar. For the supported flatted units to the north of the site, a range of 74-160m<sup>2</sup> of private garden ground is proposed for each individual accessible unit, with a total of 314m<sup>2</sup> of shared garden ground for the mainstream units. Garden ground amounting to 260m<sup>2</sup> is proposed for Block C located to the south of the site as shared space between the nine flats. Garden ground for housing is proposed as an average of 132m<sup>2</sup>, ranging between 85 and 184m<sup>2</sup> for each unit, all gardens would be over 120m<sup>2</sup> with the exception of the two mid-terrace units.
- 1.9 Shared off-street parking is proposed for the three flatted blocks, with a total of 21 spaces for residents, including 6 disabled parking bays, and 14 spaces for visitors. In-curtilage parking is proposed as one space for each 2 bedroom dwellinghouse and two spaces for each 3 bedroom dwellinghouse. The existing parking bays would be retained on Fintry Drive to the north of the site. Two bike stores are proposed to the north and south of the site. An amendment to the hammerhead design to the north of the site would accommodate an additional 4 on-street car parking spaces for visitors.
- 1.10 Tree protection and landscaping proposals have been submitted, including additional tree planting, shrubs and hedges within communal areas, with private gardens turfed. It is proposed to remove one tree from within the application site boundary. The site is not a flood risk site.
- 1.11 As the application site exceeds 2 hectares, and the proposed number of residential units is more than 50, the proposals constitute a major planning application as defined by Regulation 2(1) of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Accordingly, the applicant was required to undertake statutory pre-application consultation with the local community. A Proposal of Application Notice (PAN) was submitted in November, 2015 and a Pre-application Consultation Report has been submitted with the application. A Design and Access Statement, Planning Statement, Transport

Statement, Flood Risk Assessment, Drainage Strategy, Ground Investigation Report and Tree Survey have also been submitted with the application. Updated drainage and road design drawings have been submitted with the amended plans.

- 1.12 Extensive pre-application consultation has taken place, and plans have been largely amended to take into account the views of the planning department, external consultees and the views of neighbours to the application site during the PAN process. Changes made to reflect comments received during the PAN phase, following pre-application advice and advice during determination of the application, include a reduction in the overall number of dwellings from 68 to 56, fewer single bedroom flats, an increase in the size of private gardens, design alterations to enable in-curtilage parking and to ensure parking standards are met, enhanced landscaping provision, and the relocation of the southern flatted block.
- 1.13 In accordance with the Council's Scheme of Delegation, all Major Planning Applications must be reported to the Council's Development Management Committee.

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## 2 SITE DESCRIPTION

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- 2.1 The application site is located to the north east of the city centre within suburban Dundee as per the Adopted Local Dundee Development Plan (2014); it is identified as a brownfield housing site (H68 Finavon Street) within the Adopted Local Development Plan. The site measures 3.14 hectares and extends along the eastern side of Finavon Street, extending between Fintry Drive to the north and Fintry Road to the south. Surrounding land uses are residential; adjacent properties are modern 2 and 3 storey properties built post war era. The site previously contained 54 modular residential units finished in concrete, of which one remains within the housing allocation site.
- 2.2 The site is characterised by three areas. The hammerhead area to the north is bound by Fintry Drive and existing on street parallel parking bays, the area is low level and has direct access to local facilities. The centre of the site is bound by the recently improved properties on Finavon Street and the rear garden ground of properties on Finavon Place. The land to the south of the site is a raised area of ground which is visually prominent and visible from the A90 road. Local facilities within walking distance of the application site include Fintry primary school and community centre, local shops and links to the public transport and core path networks.

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## 3 POLICY BACKGROUND

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

**TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032**

Policy 1: Location Priorities  
Policy 2: Shaping better quality places  
Policy 5: Housing

**DUNDEE LOCAL DEVELOPMENT PLAN**

Policy 7: High Quality Design  
Policy 8: Housing Land Release  
Policy 9: Design of New Housing  
Policy 29: Low and Zero Carbon Technology in New Development  
Policy 38: Trees and Urban Woodland  
Policy 42: Sustainable Drainage Systems

Policy 45: Land Contamination  
Policy 55: Accessibility of New Developments

## **SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS**

Scottish Planning Policy (2014)  
PAN 33: Development of Contaminated Land (2000)  
PAN 67: Housing Quality (2003)  
PAN 2/2010: Affordable Housing and Housing Land Audits

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

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## **4 SITE HISTORY**

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- 4.1 There is no relevant planning history.

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## **5 PUBLIC PARTICIPATION**

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- 5.1 Five letters of objection have been received to the proposals from four neighbours to the application site, raising concerns in terms of the scale, visual amenity, outlook and potential overlooking, in terms of the flatted units. The issue of on-street parking was also raised, as the area is used as an unofficial "park and ride" facility by commuters. Concerns have also been put forward with regard to ensuring that unrestricted emergency vehicle access is maintained on Finavon Street during construction, construction noise and traffic may be an issue, parking may become more of an issue on Finavon Street during construction and afterwards for residents of Finavon Street and patients at the Fintry Mill Medical Centre, the car park for which is located within the application site boundary. It was also advised that there is no capacity at present within the adjacent medical centre for new patients.

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## **6 CONSULTATIONS**

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- 6.1 **Transport Scotland** – do not advise against the granting of planning permission.
- 6.2 **SEPA** – have no objection to the planning application; it is advised that regulatory requirements and good practice advice can be found on their website. An informative is proposed to any planning permission granted.
- 6.3 **RSPB Scotland** – have recommended that the development proposals should support species of conservation concern within the area. RSPB holds records of possible breeding swifts at two sites within 1km of the application site and it is suggested that nest boxes could be included within the building design.
- 6.4 **The Head of Community Safety and Protection** – has recommended that conditions are appended to any planning permission granted to address the ground conditions identified within the contaminated land reports submitted with the application, which would not be suitable for garden ground.

## 7 DETERMINING ISSUES

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.**

### THE DEVELOPMENT PLAN

The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

### ADOPTED TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012

- 7.2 **Policy 1: Location Priorities** - states that the principal settlements within the region have the potential to accommodate the majority of development in the region, and that the re-use of previously developed land and buildings should be priorities; Dundee's core area is identified as a Tier 1 principal settlement.
- 7.3 **The proposal therefore satisfies Policy 1 of the Adopted Strategic TAYplan.**
- 7.4 **Policy 2: Shaping Better Quality Places** - requires that climate change resilience and resource efficiency is built into the built environment, that new development is integrated with the existing community and transport links, that waste management solutions are incorporated into development proposals and that new designs and layouts take cognisance of Scottish Governments Designing Places and Designing Streets. The proposals have demonstrated that they comply with the above; the site is well located, waste management is considered and the proposals take heed of the required policy statements.
- 7.5 **The proposal would therefore satisfy Policy 2.**
- 7.6 **Policy 5: Housing** - requires that a minimum effective 5 year housing land supply is maintained throughout the region, it also seeks to ensure that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households. There should also be the flexibility for house building rates to exceed the annual provision.
- 7.7 **The proposal therefore satisfies Policy 5.**

### ADOPTED DUNDEE LOCAL DEVELOPMENT PLAN 2014

- 7.8 **Policy 7: High Quality Design** - requires that all development contributes positively to the quality of the surrounding built and natural environment. Design should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colour.
- 7.9 It is considered that the development would meet these criteria and respect the surroundings in terms of height, scale and finish; plans have been amended to take into account comments made in relation to design. The provision of the flatted blocks to the prominent corners of the site, particularly the south west, creates a gateway or 'marker' building to the development and defines the boundary of the site. The housing throughout the length of the site would respect that existing to either side, the variety of two and three storey houses and flats is commensurate with the surrounding built form. The external finishes proposed are of a suitable quality, a planning condition is proposed to any permission granted to request samples of finishes for further approval, as agreed by the applicant.

- 7.10 Policy 7 requires that all development in Dundee with construction costs of £1million or more will be required to allocate at least 1% of construction costs towards public art, however the Supplementary Guidance on Developer Contributions states that residential developments comprising wholly social rented properties are exempt from most developer contributions in order to support their viability.
- 7.11 **The proposal satisfies Policy 7.**
- 7.12 **Policy 8: Housing Land Release** - seeks to ensure that there is a five year effective supply of housing land maintained over the plan period. The principle of residential development on this site has been established through its status in the Dundee Local Development Plan (2014) Appendix 2 as brownfield housing site H68 Finavon Street, which has a capacity for 47 units. Appendix 2 provides capacities for each housing allocation site to ensure that sufficient land is allocated. While capacities for each site are provided, it is still incumbent on any proposed development to demonstrate that the design and layout is in accordance with the Local Development Plan policies. It is therefore accepted that the number of units that can actually be accommodated may increase or decrease from the identified given capacity.
- 7.13 **The proposal satisfies Policy 8.**
- 7.14 **Policy 9 Design of New Housing** - advises that the design and layout of new housing developments in Dundee should create places that enhance the identity of the different parts of the city. Within the terms of Policy 9, all new housing development is also required to conform to the guidance set out in Appendix 3 of the Adopted Local Development Plan. The proposed development would contribute to creating a place that would build upon the character of the surrounding area and would contribute towards creating more identity for the area. In terms of the suburban standards set by Appendix 3, it is required that 75% of houses should have 3 bedrooms or a minimum gross internal floor area of 100m<sup>2</sup>. In this case, 24 (70.5%) of the 34 houses proposed would have 3 bedrooms, the remainder are proposed with 2 bedrooms, while this is still less than the minimum requirement of 75%.
- 7.15 Suburban standards state that flats are only acceptable where they would be conversions or they are identified in a site planning brief. In this case the proposed flatted units are a departure from Policy 9 as the proposal is not a conversion and there is no site planning brief that permits flatted house types. A justification for the supported living units has been submitted which provides evidence that proposed units would meet a housing need.
- 7.16 Appendix 3 requires that all tenures should have at least 1 space within the curtilage of each house and that a minimum of 150% car parking should be provided for flats with at least one space dedicated to each flat. The proposals would fully comply with this requirement and exceed the car parking requirements for social housing within a suburban area; one space would be provided within the curtilage of each 2 bedroom house and 2 spaces within the curtilage of each 3 bedroom house. Secure cycle storage has been proposed within the development.
- 7.17 Garden ground requirements for housing on brownfield sites in suburban Dundee are for a minimum provision of 120m<sup>2</sup> and an average useable garden ground of 140m<sup>2</sup>; the provision for mid-terrace houses may be relaxed. For flats, space may be provided as private communal areas or a private garden for each flat, with separate drying areas. The flatted properties would comply with the garden ground requirements, garden ground for the proposed houses would fall slightly short of the minimum requirement with an average of 132m<sup>2</sup>; the two mid terrace plots fall short of the minimum 120m<sup>2</sup> at 85 and 100m<sup>2</sup>.

- 7.18 Appendix 3 of the Adopted Local Development Plan stipulates that a minimum of 18 metres between the facing windows of habitable rooms must be maintained; this would be achieved.
- 7.19 The proposal contravenes Policy 9 in terms of the provision of flatted units, proportion of houses with less than 3 bedrooms and garden ground provision.
- 7.20 **Policy 29: Low and Zero Carbon Technology in New Development** - requires that, for specified developments, carbon emissions will be reduced by defined percentages through the installation and operation of zero-carbon generating technologies.
- 7.21 An appropriate condition is proposed that would ensure that a Statement is submitted in accordance with the terms of Policy 29.
- 7.22 **With the addition of a planning condition, the proposal would comply with Policy 29.**
- 7.23 **Policy 38: Trees and Urban Woodland** - requires that new development must ensure the survival of existing healthy mature trees through sensitive site layout both during and after construction. Where appropriate, development proposals must be accompanied by a tree planting and landscape scheme.
- 7.24 The tree survey submitted with the application considers that the majority of trees are in moderate to moderate/poor condition; it is proposed to fell one tree within the application site, which is a silver birch with very extensive basal damage, and one tree is recommended for pruning. The tree survey includes a root protection plan for the remaining trees on the site and tree protection measures are given.
- 7.25 Conditions are recommended to any planning permission granted in order to ensure that tree protection measures are implemented.
- 7.26 **With the addition of appropriate planning conditions, the proposal would satisfy Policy 38.**
- 7.27 **Policy 42: Sustainable Drainage Systems** - states that surface water from new development must be treated by a Sustainable Urban Drainage System (SUDS), which should be designed so that in a 1 in 200 year rainstorm event, flooding will not be higher than 300mm below floor level. Proposals are encouraged to adopt an ecological approach.
- 7.28 Small parts of the application site lie within the medium likelihood flood extent of the SEPA flood map, and may therefore be at medium to high risk of flooding; the risk identified at the site is from surface water only. Planning conditions are proposed to ensure porous surfacing is used within curtilage areas, that a detailed surface water drainage/SUDS design, design risk assessment and check certificates are provided, to seek confirmation of Scottish Water approval for the proposed drainage system and to provide a flood risk assessment, for written approval. Appropriate conditions are proposed.
- 7.29 **The proposal would satisfy Policy 42 with the addition of appropriate planning conditions.**
- 7.30 **Policy 45: Land Contamination** - requires that development of potentially contaminated land will be considered where a site investigation has been submitted and establishes the nature and extent of the contamination, and where remediation is proposed that it would adequately address contamination risks and be suitable for the planned use.
- 7.31 The Head of Environmental Protection has reviewed the various contaminated land reports submitted with the application and notes that there is a recommendation for some remedial



measures as part of the development is within an area of ash contaminated soil. There also appears to be a lot of brick, china and pottery in shallow soils in other parts of the site which would not be suitable for garden ground. This could be addressed by appropriate remediation; it is recommended that contaminated land conditions are applied to any planning permission granted.

- 7.32 **The proposal would satisfy the terms of Policy 45 with the addition of appropriate planning conditions.**
- 7.33 **Policy 55: Accessibility of New Developments** - seeks that all development proposals which generate travel should be designed and well served by all modes of transport and development proposals are required to incorporate facilities for walking, cycling and public transport networks. Proposals should also comply with Dundee City Council's road standards.
- 7.34 A Transport Statement has been submitted with the application documents and the findings are accepted. Upon the submission of further information in relation to road standards and updated roads engineering drawings, it is recommended that conditions are attached to any planning permission granted to ensure that Dundee City Council standards and specifications are met.
- 7.35 **With the addition of conditions, the proposal would satisfy Policy 55.**
- 7.36 It is concluded from the foregoing that the proposal does not comply with the provisions of the Development Plan.

## **OTHER MATERIAL CONSIDERATIONS**

- 7.37 The other material considerations to be taken into account are as follows:
- a Scottish Planning Policy (2014) states that the planning system should support the achievement of the housing land requirement across all tenures and maintain at least a 5-year effective supply of effective housing land at all times. The provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places should be enabled, and there should also be a sharp focus on the delivery of allocated sites.
- The site is identified as brownfield housing site H68 Finavon Street within the Adopted Dundee Local Development Plan (2014).
- b PAN 33 Development of Contaminated Land (2000) stresses the need to ensure that land is made suitable for the proposed new use and that this is the responsibility of the Planning Authority. This should be done through a requirement on application to include suitable remediation measures and this can usually be controlled through the imposition of suitable conditions.
- In this case the proposed conditions would ensure that suitable remediation measures would be applied.
- c PAN 67 Housing Quality (2003) sets out how Designing Places (2001) should be applied to new housing, by ensuring that the design of new housing reflects a full understanding of its context, that the design of new housing reinforces local and Scottish identity, and that new housing is integrated into the movement and settlement patterns of the wider area.

The housing layout has been developed to respect the adjacent existing housing patterns, and would help to create more identify for the place, taking into account the principles of Designing Streets.

- d PAN 2/2010 Affordable Housing and Housing Land Audits states the Government's ambitions to increase housing supply across all tenures over the long term, increase the choice of housing available to those on low incomes, create housing developments of high environmental and design standards and ensure that social housing provides better value for public expenditure. Social rented housing is provided and managed locally by a Registered Social Landlord (RSL) such as a Housing Association, and regulated by the Scottish Housing Regulator. Occupancy conditions will not be necessary where a charitable RSL is responsible for the management of rented housing.

The level of social housing would be increased with the 100% allocation. Abertay Housing Association would be responsible for managing the housing and therefore no further means are required to ensure that the housing would be retained as affordable.

- e Justification for a departure from Policy 9 of the Adopted Local Development Plan (2014). The submitted proposed site layout takes into consideration points raised during pre-application discussions. The overall number of units on the proposed layout has reduced; the number of 3 bedroom units has been increased as has the level of private garden ground. The flatted blocks at the north and south of the site are a departure to the Adopted Dundee Local Development Plan; a justification for the supported living units has been submitted which provides evidence that the proposed units would meet a housing need. There have been considerable discussions with the Council's Housing and Social Work Divisions to confirm this identified need. Overall, the quality of the development has improved with the reduction in the number of units, the increase in the size of the proposed house types and the increase in garden ground size.

The proposed redevelopment would be a positive redevelopment for the area and would address specific local housing needs, justification has been provided for the proposed flats including the supported living accommodation. The provision of good quality social housing to meet the needs identified within the area, while not fully meeting Dundee Local Development Plan standards, is considered to be acceptable. In this instance, the particular circumstances are material planning considerations with sufficient weight to justify a departure from the standards of Appendix 3.

- f Views of objectors - Letters of objection have been received from 4 individuals to the proposals, raising concerns in terms of visual and residential amenity, and parking. These issues have been discussed earlier within this report; the plans meet Dundee City Council road standards and specifications, additional on-street parking has been incorporated to plans where possible. Concerns were also raised with regard to ensuring that unrestricted emergency vehicle access is maintained on Finavon Street during construction, construction noise and traffic, parking and capacity at the adjacent medical centre. Planning conditions are suggested which would alleviate unacceptable disturbance during construction; the current capacity of the nearby medical centre is not a planning consideration.

7.38 The concerns of the objectors are not supported.

7.39 **It is concluded from the foregoing that the material considerations support the approval of planning permission.**

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## 8 CONCLUSION

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- 8.1 The proposal fails to satisfy the requirements of the Development Plan. There are material considerations in addressing specific local housing needs that justify approval of planning permission. Therefore, it is recommended that this application be approved subject to conditions.

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## 9 RECOMMENDATION

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

### RECOMMENDATION

- 1 Before any works start on site, the developer shall establish a fixed datum point and shall submit a plan indicating the exact location and value of this datum point to the Planning Authority. The finished floor level(s) of the development relative to the fixed datum shall also be indicated on this plan. This agreed datum point shall be used for future reference as the development proceeds.
- 2 Before any works start on site, a sample of external finishing materials shall be submitted for the written approval of this Planning Authority.
- 3 Before any works start on site, a Sustainability Statement demonstrating the extent to which the development will meet the requirements of Policy 29 of the Adopted Dundee Local Development Plan (2014) shall be submitted for the approval of the Council and the works shall be completed in accordance with the approved Statement.
- 4 Before any works start on site, the developer shall submit, details and specifications of the protective measures necessary to safeguard the trees on the site during development operations, as per BS:5837. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the development operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.
- 5 Within six months of the first use of the development, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved by the City Council. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.
- 6 The hard surface within curtilages shall be made of porous materials or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilages of the application site.
- 7 Prior to the commencement of any works on site, a detailed surface water drainage/SUDS design including drawings, calculations, full modelling, simulation results, design risk assessment, signed Dundee City Council Design and Independent Check Certification, and where appropriate SEPA comments shall be submitted to the

Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the first occupation of any housing unit hereby approved.

- 8 Prior to the commencement of any works on site, 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.
- 9 Prior to the commencement of any works on site, evidence of Scottish Water approval for the proposed drainage system for the development hereby approved shall be submitted to the Council for written approval.
- 10 Prior to the commencement of any works on site, a Flood Risk Assessment shall be prepared and submitted to the Council and SEPA for written approval. Any recommendations contained within the Flood Risk Assessment must be implemented thereafter prior to occupation of the development.
- 11 Development shall not begin until the remediation strategy to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The strategy shall contain proposals to deal with contamination to include:
  - i the nature, extent and type(s) of contamination on the site;
  - ii measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
  - iii measures to deal with contamination during construction works; and
  - iv verification of the condition of the site on completion of decontamination measures.
- 12 Before any unit is occupied the remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved by the planning authority.
- 13 Details of the proposed road works including proposed road markings shall be submitted for the prior approval of Dundee City Council as planning authority prior to any works on site; the works must be formed and constructed to Dundee City Council standards and specifications.
- 14 Any existing accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications. Details of these alterations shall be agreed with the planning authority before any works start on site.
- 15 A Street Lighting system must be provided by the applicant to Dundee City Council standards and specifications, details shall be submitted for the prior approval of Dundee City Council as Planning Authority.
- 16 Electric car charging points shall be provided at a location and number to be approved by the Planning Authority prior to opening of the development.
- 17 The hard surface within the driveways shall be made of porous materials or provision shall 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.

- 18 Prior to the commencement of work on site, a scheme to mitigate the impact of construction noise and traffic shall be submitted to the Council for written approval. Thereafter, the approved measures shall be fully implemented throughout the construction of the residential development.

## REASONS

- 1 To enable the Planning Authority to establish that the development is commencing from the correct level based on an agreed fixed datum point.
- 2 In the interests of visual amenity; to ensure that the external finishing materials are appropriate to the character of the area.
- 3 In order to demonstrate that the new development will meet the required carbon emissions reduction standards in the interests of the environment.
- 4 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.
- 5 To protect those trees and hedging which are of significant amenity value to the area and which would ensure a satisfactory standard of appearance of the development.
- 6 In the interest of flood prevention.
- 7 In the interest of flood prevention.
- 8 In the interests of flood prevention and visual amenity.
- 9 In the interest of flood prevention.
- 10 In the interest of flood protection.
- 11 In the interests of providing a site suitable for residential development.
- 12 In the interests of providing a site suitable for residential development.
- 13 In the interests of vehicle and pedestrian safety.
- 14 In the interests of vehicle and pedestrian safety.
- 15 In the interests of vehicle and pedestrian safety.
- 16 In the interests of sustainable travel measures.
- 17 To ensure that surface water from within the curtilage of the site does not drain to the adjacent adopted road.
- 18 In the interests of safeguarding residential and environmental quality.