

# Erection of 25 Private Houses

## KEY INFORMATION

**Ward** North East

### Address

Land at Aberlady Crescent  
Dundee

### Applicant

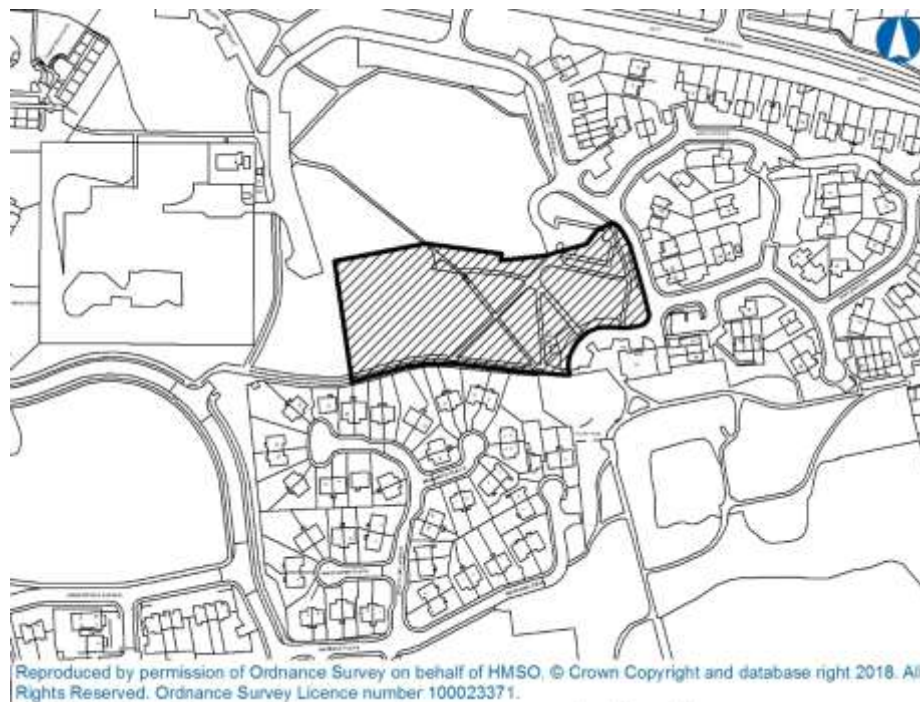
Discovery Homes Ltd  
26 Bruce Gardens  
Dunfermline KY11 8HG

### Agent

Jonathan Reeve - The Voigt  
Partnership Limited, Studio 1,  
Erskine House, Commerce  
Street, Arbroath, DD11 1WB

**Registered** 8 Jan 2019

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



## SUMMARY OF REPORT

- The application is for 25 private houses and associated infrastructure.
- The application site forms Phase 2 of a four phase development of an allocated housing site in Whitfield (H16).
- Under the Council's Scheme of Delegation the application is presented to the Planning Committee for determination at the discretion of the Head of Planning and Economic Development as the application is linked to an application for enabling works (18/00827/FULL) which has received more than six objections.
- The application is in accordance with the Local Development Plan.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/simpleSearchResults.do?action=firstPage>.

## RECOMMENDATION

The proposed erection of 25 new houses is recommended for **APPROVAL** subject to conditions.

# 1 DESCRIPTION OF PROPOSAL

1.1 The application is for 25 private houses and associated infrastructure which forms Phase 2 of a four phase housing development.



Figure 1 – Revised Proposed Site Plan

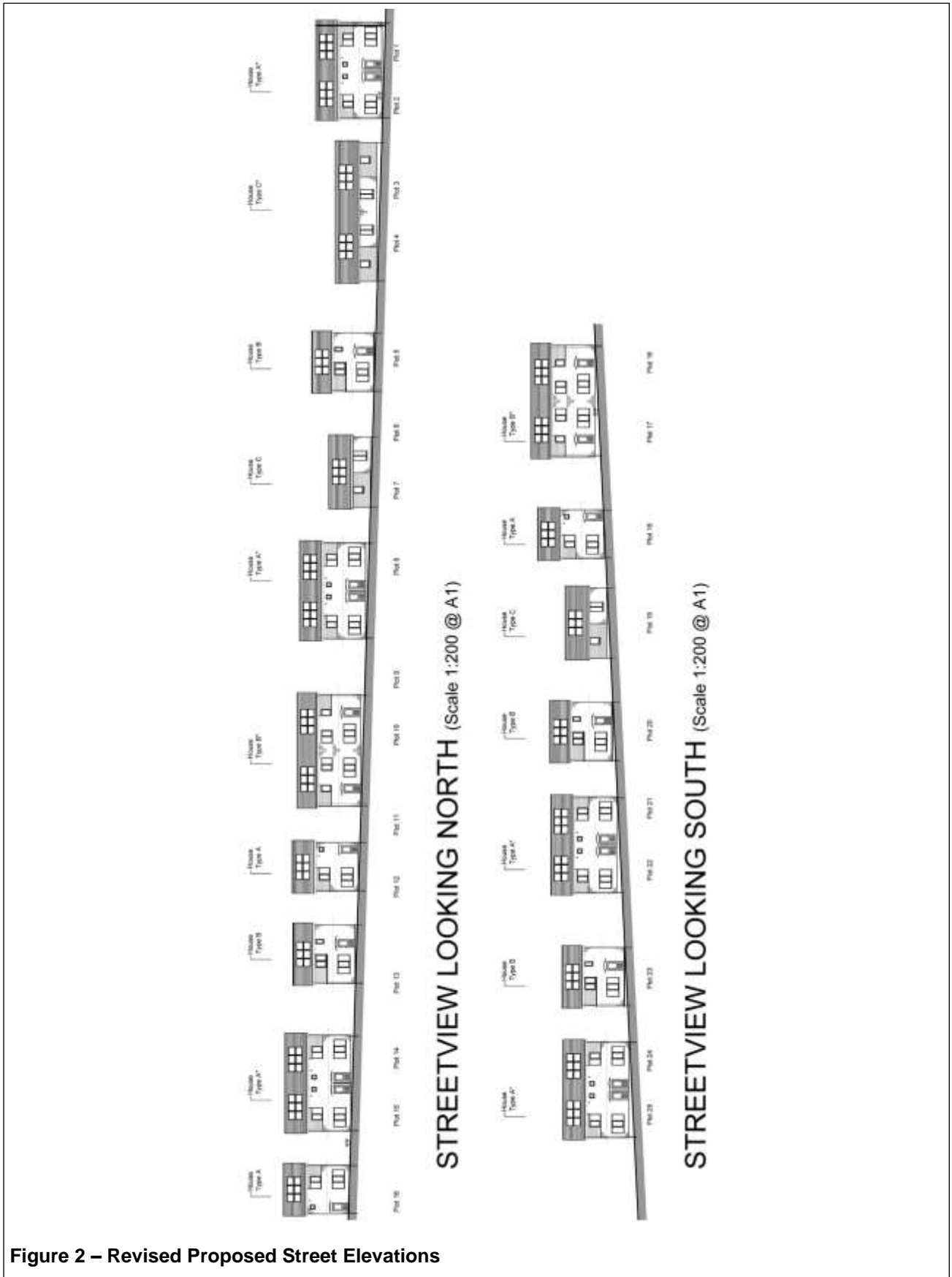


Figure 2 – Revised Proposed Street Elevations



Figure 3 – Revised Proposed 2 Storey Detached House – House Type B

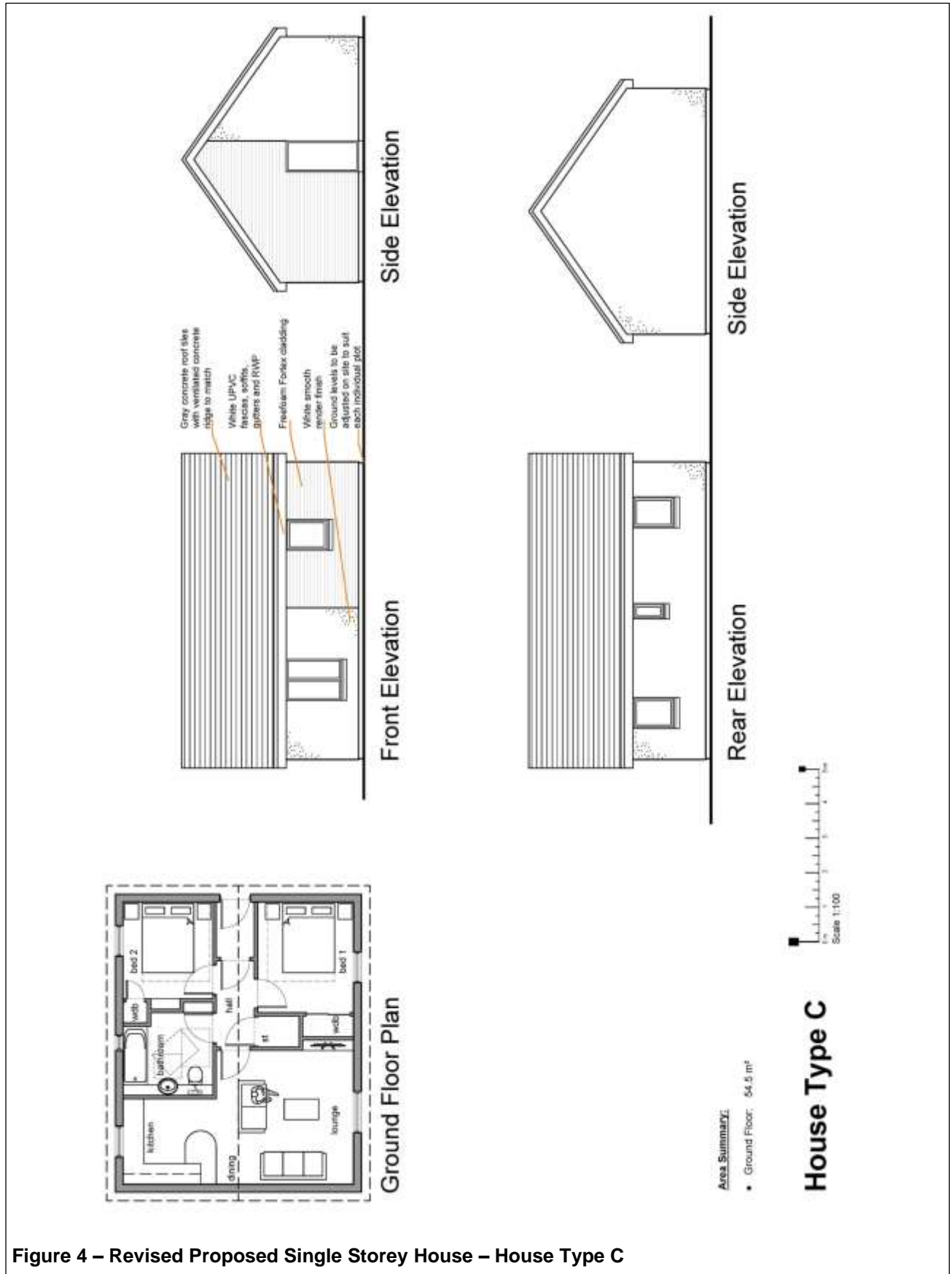


Figure 4 – Revised Proposed Single Storey House – House Type C

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## 2 SITE DESCRIPTION

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- 2.1 The application site is a vacant brownfield site on the site of the former Greenfield Primary School and local authority flatted blocks which have been demolished.
- 2.2 The site is bounded by Aberlady Crescent to the north and east and forms part of an allocated housing site in the Local Development Plan (H16 – Site 1, Whitfield).
- 2.3 A Site Planning Brief – Aberlady Crescent, Whitfield was published in 2009.
- 2.4 To the north of the site is Berwick Drive and to the south, east and west is housing.
- 2.5 The site has an undulating topography and is landscaped with a mix of grass, trees and shrubs.



Figure 5 – Aerial Photo of Site

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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 2016-2036**

Policy 1: Location Priorities  
 Policy 2: Shaping Better Quality Places  
 Policy 4: Homes

#### **DUNDEE LOCAL DEVELOPMENT PLAN 2014**

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 40: Waste Management Requirements for Development  
 Policy 42: Sustainable Drainage Systems  
 Policy 45: Land Contamination  
 Policy 47: Environmental Protection  
 Policy 55: Accessibility of New Developments

#### **PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN 2**

Policy 1: High Quality Design and Placemaking  
 Policy 2: Public Art Contribution  
 Policy 9: Housing Land Release  
 Policy 10: Design of New Housing  
 Policy 28: Protecting and Enhancing the Dundee Green Network  
 Policy 29: Outdoor Access and the Dundee Green Network  
 Policy 35: Trees and Urban Woodland  
 Policy 37: Sustainable Drainage Systems  
 Policy 39: Environmental Protection  
 Policy 41: Land Contamination  
 Policy 44: Waste Management Requirements for Development  
 Policy 46: Delivery of Heat Networks  
 Policy 48: Low and Zero Carbon Technology in New Development  
 Policy 54: Safe and Sustainable Transport

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

Scottish Planning Policy states that the strategic development plan should identify the housing land requirements for city regions and local development plans should allocate land on a range of sites which is effective or capable of becoming effective up to year 10 from the predicted date of adoption. This report will demonstrate that these requirements have been met by the TAYplan and the Dundee Local Development Plan.

#### **NON STATUTORY STATEMENTS OF COUNCIL POLICY**

Site Planning Brief - Aberlady Crescent, Whitfield (2009)  
 The Whitfield Planning Framework (2018)  
 Whitfield Sustainable Urban Drainage Systems (2016)  
 Whitfield Green Infrastructure (2016)  
 The Dundee Green Network (2016)

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 15/00257/FULL - erection of 26 Houses - approved subject to conditions.
- 4.2 18/01005/FULL - amendment to house types and garden ground to the previously approved planning application reference no 15/00257/FULL – approved subject to conditions.
- 4.3 18/00827/FULL – proposed works to enable services, drainage, SUDS and infrastructure – pending consideration.

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## 5 PUBLIC PARTICIPATION

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- 5.1 The Council has carried out the statutory neighbour notification procedure detailed in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
- 5.2 No letters of objection or representations were received from members of the public.

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## 6 CONSULTATIONS

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- 6.1 **Scottish Water** – comments received highlighting that Scottish Water assets within the application site boundary. The agent has confirmed that positive dialogue is ongoing with Scottish Water to best resolve the matter highlighted.

- 6.2 **The Head of Community Safety and Protection** – was consulted on the following matters:

**Noise** – it is noted that an electricity sub-station is located adjacent to the application site. In order to protect residential amenity it is recommended that a noise condition is attached to any planning permission granted to ensure that noise levels within the residential properties meet the required standards.

**Contamination** – an updated Risk and Investigation Study is proposed following the initial ground investigation works and the reporting received to date for this. It is recommended that a condition is attached to any planning permission granted to ensure that this updated study is submitted to the Council and if necessary a Remediation Study is submitted for written approval by the Council prior to the commencement of development.

- 6.3 **The Head of Environmental Management** – was consulted on the tree survey and landscape plans submitted. It was noted that on the wider allocated housing site, of the 254 trees surveyed, 159 are to be felled with 60 new trees to be planted. The location and species selected for the new planting is suitable however further new planting of trees is recommended in front gardens or the rear gardens of the proposed housing if this is not possible. It is recommended that a condition is attached to any planning permission granted to request that an updated landscape plan showing more tree planting in garden ground together with a maintenance plan for the new planting are submitted for the Council's written approval prior to the commencement of development. Also tree protection measures for the trees to be retained have not been provided and it is recommended that this is also conditioned.

- 6.4 **Police Scotland – Local Designing Out Crime Officer** – was consulted on the proposed design and layout in line with the published Site Planning Brief that recommends that this be undertaken. To ensure a high quality and safe environment, it is proposed to locate the back gardens of the proposed new housing against the back gardens of the existing housing on Silverlink Avenue/Badenoch Place and in so doing remove an existing footpath/cycleway. The



local Designing Out Crime Officer has confirmed that this approach is acceptable to avoid a gathering point or “rat run” between residents back gardens.

## 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.

### TAYPLAN STRATEGIC DEVELOPMENT PLAN 2016-2036

- 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.
- 7.5 The proposal has demonstrated that it complies with the above; the site is allocated in the current Local Development plan for housing (H16); waste management is considered and the proposals meet the required policy statements.
- 7.6 **The proposal therefore satisfies Policy 2 of the Adopted Strategic TAYplan.**
- 7.7 **Policy 4: Homes** - requires Local Development Plans to identify appropriate land to be allocated for housing to ensure a generous supply of effective housing sites. This includes provision of a mixture of sites to ensure an effective supply of housing which meet the needs of the region.
- 7.8 The site is allocated in the current Local Development Plan for housing (H16).

### DUNDEE LOCAL DEVELOPMENT PLAN 2014

- 7.9 **Policy 7: High Quality Design** - this policy requires all development to contribute positively to the quality of the surrounding built and natural environment and to respect the character and amenity of the place. The policy adopts a design criteria approach which requires development proposals to consider and respect site topography and any supporting important landmarks, views or skylines; contribute to a sense of identity; complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours; existing buildings structures and natural features that contribute to the local townscape should be retained and sensitively integrated into the proposals.

- 7.10 A Design Statement has been submitted which outlines the approach for developing the application site and the wider site. The proposal is for Phase 2 of a four phase housing development and consists of 25 private houses offering a mix of single storey and two storey semi-detached and detached properties fronting a new road linking to Aberlady Crescent to the east of the application site. The range of house types proposed offers a varied and interesting street elevation. In curtilage parking is provided and planting and landscaping is proposed within front gardens. The layout has been sensitively considered to retain an existing link to local shops located to the south-east of the site at Duns Crescent.
- 7.11 A simple and attractive range of finishing materials is proposed to reflect the contemporary style of the development and includes solar panels, timber cladding and a smooth render finish. In the interests of visual amenity and to ensure a high quality finish, it is recommended that a condition is attached to any planning permission granted to request that samples of the finishing materials and the boundary treatment for the proposed houses are submitted to the Council for written approval prior to the commencement of work on site.
- 7.12 The landscape proposals for the site are designed to address the visual context, add colour and contribute to the interest and appearance of the development with a single tree to be planted in the front garden of 16 of the 25 houses proposed. A landscape buffer is to be retained adjacent to the existing footpath link to local shops on Duns Crescent which will provide an attractive natural setting at the entrance to the new housing from Aberlady Crescent and define the boundaries to public areas.
- 7.13 The Head of Environmental Management was consulted on the submitted tree survey and landscape proposals. In order to ensure an appropriate level of planting given the tree removal proposed across the site, it is recommended that conditions are attached to any planning permission granted to secure further new tree planting in front garden ground and where this cannot be achieved in the rear garden ground of the proposed housing.
- 7.14 An existing off road footpath/cycle route is located to the south of the application site which is north of the rear gardens of housing at Silverlink Avenue/Badenoch Place. To ensure a high quality and safe environment, it is proposed to locate the back gardens of the proposed new housing against the back gardens of the existing housing on Silverlink Avenue/Badenoch Place. In so doing the existing footpath/cycleway will be relocated. The Council has consulted with Police Scotland's local Designing Out Crime Officer regarding the proposed design and layout and it has been confirmed that this is a positive and sensitive approach to avoid a gathering point or "rat run" between residents back gardens. An alternative route is proposed on a widened footpath/cyclepath to be created as part of the Phase 2 proposal which will be overlooked by housing. A link section proposed to/from Lothian Crescent will be off road.
- 7.15 In respect of public art, this policy requires all development proposal with construction costs of £1 million or over to allocate at least 1% of construction costs for the inclusion of art projects in a publicly accessible/visible place within the development. A scheme for the provision of public art has been agreed with the Council as part of the wider development of the site and in order to secure this it is recommended that this is controlled by condition in accordance with Policy 7.
- 7.16 The proposed private residential development offers a range of house types to contribute positively to the wider regeneration of the area. The mixture of house types have been arranged to form an attractive and active street frontage to a new access road. The new footpaths and roads will ensure the new housing is well connected with the surrounding area.
- 7.17 **With the inclusion of conditions the proposal satisfies Policy 7.**

- 7.18 **Policy 8: Housing Land Release** – this policy states that priority will be given to the development of the allocated brownfield and the greenfield sites.
- 7.19 The site has been allocated as a brownfield housing site in the Local Development Plan with an indicative capacity of 75 units (Site 1, Whitfield – H16). The indicative capacity was reviewed in the Proposed Local Development Plan 2 and remains at 75 units (H32).
- 7.20 The application for 25 private houses is for Phase 2 of a four phase development of the allocated site. Phase 1 of the site was approved for 26 houses in 2015.
- 7.21 **The proposal satisfies Policy 8.**
- 7.22 **Policy 9: Design of New Housing** – this policy requires the design and layout of new housing developments to be of a high quality and contribute to creating places that build on and enhance the distinct character and identity of the different parts of the city. All new housing development will require to conform to the guidance on the Design of New Housing set out in Appendix 3.
- 7.23 The application is for 25 private houses. The proposal is required to meet the following “Suburban” Housing Standards set out in Appendix 3.

Appendix 3 Standards for Houses

- 7.24 House Type - in general 75% of houses should have 3 or more bedrooms or a minimum gross internal floor area of 100m<sup>2</sup>.
- 7.25 Car Parking - all tenures should have at least 1 space within the curtilage of each house. Private houses with 3 bedrooms should have at least 2 spaces and private houses with 4 or more bedrooms should have at least 3 spaces.
- 7.26 Amenity/Garden Ground - brownfield sites will provide an average private useable garden ground of 140m<sup>2</sup> per house with a minimum garden size of 120m<sup>2</sup>. The provision for mid-terrace houses may be relaxed.
- 7.27 Privacy – a minimum of 18 metres between the facing windows of habitable rooms.
- 7.28 General Requirements - all proposed developments will be required to make appropriate provision for waste and recycling in accordance with Dundee City Council’s waste strategy.

In respect of the above standards for houses:

- 7.29 House Type - 21 houses are 3 bedroom and 4 are 2 bedroom. 84% of the houses are 3 bedroom and this therefore meets the standard required.
- 7.30 Car Parking – this is a private housing development. In line with this standard in curtilage parking for 2 cars has been provided for all the new houses.
- 7.31 Amenity/Garden Ground – a mix of semi-detached and detached houses are proposed. The proposed rear gardens range from 120m<sup>2</sup> – 185m<sup>2</sup> which meets the minimum garden size required of 120m<sup>2</sup>. The average is 140m<sup>2</sup> across the site in line with this standard.
- 7.32 Privacy – there are no privacy issues with the proposed development with the 18m distance having been achieved between the proposed new housing and the existing housing to the south of the application site.

- 7.33 General – provision has been made for waste and recycling in accordance with the Council's waste strategy.
- 7.34 A high quality design and layout is proposed which will contribute positively to the regeneration of the area.
- 7.35 **The proposal satisfies Policy 9 and Appendix 3.**
- 7.36 **Policy 29: Low and Zero Carbon Technology in New Development** – this policy requires proposals for all new buildings to comply with the carbon emissions reduction standard set by Scottish Building Standards (2007). This is to be met through the installation and operation of zero-carbon generating technologies. A statement is required to be submitted demonstrating compliance with this requirement. The change of use or conversion of buildings is exempt from this.
- 7.37 The submitted drawings show solar panels on the roofs of all 25 houses. In line with this policy, a statement is required to be submitted demonstrating compliance and it is recommended that a standard condition is attached to any planning permission granted to request this.
- 7.38 **With the inclusion of a condition the proposal satisfies Policy 29.**
- 7.39 **Policy 38: Trees and Urban Woodland** - this supports the establishment and enhancement of woodland, tree belts and corridors. New development should contribute to the expansion of tree planting and woodland development where appropriate and 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 landscaping scheme which includes a supporting justification and sufficient map based material to document existing planting within the application site as well as new planting and maintenance arrangements.
- 7.40 A tree survey and landscape plans were submitted for the wider allocated housing site and the Head of Environmental Management was consulted on this matter. It was noted that of the 254 trees surveyed, 159 are to be felled with 60 new trees to be planted. The location and species selected for the new planting is suitable however further new planting of trees is recommended in front gardens or the rear gardens of the proposed housing if this is not possible.
- 7.41 Trees are proposed in the front gardens of 16 of the 25 dwellings proposed. A landscape buffer is to be retained adjacent to the existing footpath link to local shops on Duns Crescent which will provide an attractive natural setting at the entrance to the new housing from Aberlady Crescent and define the boundaries to public areas.
- 7.42 It is recommended that a condition is attached to any planning permission granted to request that an updated landscape plan showing more tree planting in garden ground including front and rear gardens together with a maintenance plan for the new planting are submitted for the Council's written approval prior to the commencement of development. Also tree protection measures for the trees to be retained have not been provided and it is recommended that this is also conditioned.
- 7.43 **With the inclusion of conditions the proposal satisfies Policy 38.**
- 7.44 **Policy 40: Waste Management Requirements for Development** - development proposals should demonstrate that they adequately address the Council's waste strategy to reduce, collect, sort, recycle and reuse waste.

- 7.45 In terms of waste management each plot has a designated bin storage area.
- 7.46 **The proposal satisfies Policy 40.**
- 7.47 **Policy 42: Sustainable Urban Drainage** - surface water from new development must be treated by a Sustainable Urban Drainage System (SUDS) except for single houses or where discharge is to coastal waters. SUDS should be designed so that in a 1 in 200 year rainstorm event, flooding will not be higher than 300 mm below floor level. 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 habitat creation or enhancement through measures such as the formulation of wetlands or ponds.
- 7.48 A separate application has been submitted for proposed enabling works (18/00827/FULL) as part of the development of the allocated housing site (H16). This includes the creation of a new SUDS basin on the north-west boundary of the wider allocated housing site and one on the south-west boundary of the wider housing site to serve the proposed four phase housing development. Detailed discussion has taken place with Council Engineers to ensure a suitable, high quality, environmentally friendly design is developed and maintained to manage surface water across the whole site. Full details, drawings and relevant certificates for the drainage proposal have been received as part of the separate planning application (18/00827/FULL).
- 7.49 A suitable design for managing surface water from this proposal has therefore been submitted and agreed with Council Engineers and the requirement of this policy has therefore been met.
- 7.50 **The proposal satisfies Policy 42.**
- 7.51 **Policy 45: Land Contamination** - states that development of potentially contaminated land will be considered where a site investigation is submitted establishing the nature and extent of contamination and the Council is satisfied that remediation measures proposed adequately address the risks to all receptors.
- 7.52 The Head of Community Safety and Protection was consulted on the supporting information submitted with the application. An updated Risk and Investigation Study is proposed following the initial ground investigation works and the reporting received to date for this. It is recommended that a condition is attached to any planning permission granted to ensure that this updated study is submitted to the Council and if necessary a Remediation Study is submitted for written approval by the Council prior to the commencement of development.
- 7.53 **With the inclusion of conditions the proposal satisfies Policy 45.**
- 7.54 **Policy 47: Environmental Protection** – states all new development or an extension to an existing development that would generate noise, vibration or light pollution will be required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance on the surrounding area.
- 7.55 New development or an extension to an existing development in close proximity to existing sources of noise, vibration or light pollution will need to demonstrate that it can achieve a satisfactory level of amenity without impacting on viability of existing businesses or uses.
- 7.56 An electricity sub-station is located to the east of proposed housing located on the south side of the new road proposed as part of Phase 2. The Head of Community Safety and Protection was consulted and recommends that a standard noise condition is attached to any planning permission granted to ensure that, during night time, noise levels from the sub-station do not have a detrimental impact on residential amenity.

7.57 **With the inclusion of a condition the proposal satisfies Policy 47.**

7.58 **Policy 55: Accessibility of New Developments** - 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 allow walkable access to local amenities.

Development proposals will be required to:

- 1 incorporate facilities on-site (and/or off-site through developer contributions) for walking, cycling and public transport networks, including road/junction improvements and cycle parking. Developments without direct links to adjacent walking and cycling networks will not be supported; and developments without direct links to adjacent walking and cycling networks will not be supported; and
- 2 incorporate measures to permit access to public transport networks within a walking distance of no more than 400 metres from the centre of the development; and
- 3 have no detrimental effect on the capacity or functioning of the existing road or rail networks; and
- 4 ensure that safe and adequate provision is made for road freight and waste access, loading and unloading; and
- 5 comply with Dundee City Council's roads design standards Streets Ahead.

7.59 In respect of the above criteria:

- 1 The proposal site is located with direct links to the walking and cycling networks which are to be integrated into the site and new connections provided. The proposed new road will be a 20mph zone. As outlined previously, an existing off road footpath/cyclepath is to be relocated as part of the development. An alternative route is proposed on a widened footpath/cyclepath to be created as part of the Phase 2 development and a link section proposed to/from Lothian Crescent will be off road. The relocation will be phased to ensure that full and safe access is maintained during the construction phase. It is recommended that full details of the proposed new footpath/cyclepath are submitted to the Council for written approval prior to the commencement of development. With the inclusion of conditions the proposal meets this requirement;
- 2 The site is well connected to the public transport network with bus stops located at The Crescent to the west of the site and on Berwick Drive to the north. The proposal meets this requirement;
- 3 The roads/footways leading to the site have capacity to cater for the proposed development. The proposal will not have a detrimental effect on the capacity or functioning of the existing road or rail networks. It is recommended that a condition is attached to any planning permission granted to request full details of the proposed roads, footways and cycletrack including proposed road markings are submitted to the Council for written approval prior to the commencement of development and constructed to Dundee City Council standards and specifications. With the inclusion of a condition the proposal meets this requirement;
- 4 Safe and adequate provision has been made for road freight and waste access. The proposed roads and accesses have capacity to cater for the proposed development. The proposal meets this requirement; and

- 5 it is recommended that conditions are attached to any planning permission granted to ensure the Council's roads design standards are met.

7.60 **With the inclusion of conditions the proposal satisfies Policy 55.**

7.61 **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:

### **A - PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN 2**

7.62 The Proposed Dundee Local Development Plan 2 was approved by the Council on 21 August 2017. It sets out the spatial strategy that will guide future development up to 2029.

7.63 The proposed Dundee Local Development Plan 2 will in time replace the Dundee Local Development Plan 2014. Approval of the Proposed Dundee Local Development Plan 2 represents the Planning Authority's settled view as to what the final adopted content of the Plan should be. Whilst the Dundee Local Development Plan 2014 (along with TAYplan) constitutes the statutory Development Plan, the Proposed Dundee Local Development Plan 2 has the status of a material planning consideration to be taken into account in the assessment of planning applications.

7.64 The provisions of the Proposed Dundee Local Development Plan 2 relevant to the determination of this application are specified in the Policy background section above.

The following policies are considered to be a material change.

7.65 **Policy 1: High Quality Design and Placemaking** - requires new development to meet Scottish Planning Policy's six qualities of successful place as outlined in Appendix 1 – Distinctive; Safe and Pleasant; Easy to Move Around and Beyond; Welcoming; Adaptable and Resource Efficient. The scale, nature and location of the development will determine the extent to which the qualities, as outlined in Appendix 1, are appropriate to the assessment process.

7.66 The proposed design and layout responds positively to the surrounding area and will provide a quality residential development. The proposed development connects well with surrounding streets and greenspace and the new green infrastructure proposed will enhance the surrounding area. In the interests of visual amenity and to ensure a high quality finish, it is recommended that a condition is attached to any planning permission granted to request that samples of the finishing materials for the proposed houses are submitted to the Council for written approval prior to the commencement of work on site. With the inclusion of conditions the proposal satisfies Policy 1.

7.67 **Policy 28: Protecting and Enhancing the Dundee Green Network** – requires development proposals to protect and enhance the Dundee Green Network by ensuring that development will not lead to fragmentation of the existing network of green infrastructure.

7.68 As outlined previously, it is recommended that conditions are attached to any planning permission granted to secure further new planting in garden ground to off-set the trees to be removed as part of the development of the wider allocated housing site. The proposed development has been sensitively designed to connect with surrounding streets and greenspace and the new green infrastructure proposed will enhance the surrounding area.

- 7.69 The proposed development will enhance the surrounding network of green infrastructure. With the inclusion of conditions the proposal satisfies Policy 28.
- 7.70 **Policy 29: Outdoor Access and the Dundee Green Network** - the Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the Core Path network and routes identified in the Dundee Cycling Strategy which support the development of the Dundee Green Network. When considering development proposals the Council will:
- 1 safeguard the line of any existing or proposed outdoor access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed;
  - 2 seek to secure any additional outdoor access opportunities which may be achievable as a result of the development; and
  - 3 where an outdoor access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development.
- 7.71 An existing off road footpath/cycleway is to be relocated in part within the boundary of the application site. This route is not part of the Core Path network however it is a “traffic free path” identified in the Dundee Cycling Strategy.
- 7.72 In consideration of the criteria above:
- 1 the existing route is located to the north of the rear gardens of housing at Silverlink Avenue/Badenoch Place with the boundary fencing for these houses running along the route of the footpath/cycleway. To ensure a high quality and safe environment, it is proposed to locate the back gardens of the proposed new housing against the back gardens of the existing housing on Silverlink Avenue/Badenoch Place and in so doing remove the footpath/cycleway. The Council has consulted with Police Scotland’s local Designing Out Crime Officer who has confirmed that this a suitable and sensitive approach to avoid a gathering point or “rat run” between residents back gardens. An alternative route is proposed with the creation of a widened footpath/cyclepath as part of the Phase 2 housing development (17/00975/FULL) which the new housing will overlook. A link section proposed to/from Lothian Crescent will be off road;
  - 2 the proposed development makes provision for walking and cycle access and will retain and create new links into the surrounding area; and
  - 3 the relocation of the existing footpath/cycleway will be phased to ensure that safe and secure access is maintained during the construction phases of the development.
- 7.73 **The proposal will safeguard and improve the network of outdoor access routes. The proposal satisfies Policy 29.**
- 7.74 **Policy 46: Delivery of Heat Networks** – proposals for new development should meet their heat demand through heat networks, by considering the feasibility to create or link into an existing energy centre and heat network or demonstrate the capability to progress towards this technology in the future. This applies for major planning applications or for proposals that are close to a significant heat supply source. This policy requires a statement to be submitted by the applicant to demonstrate that consideration has been given to the viability of creating or linking into a heat network.



- 7.75 This policy is relevant as the application site is close to a “heat network opportunity cluster” at Baldovie as highlighted in the Proposed Local Development Plan 2.
- 7.76 No statement has been submitted with the application. It is recommended that a condition is attached to any planning permission granted to request that this statement is submitted.
- 7.77 **With the inclusion of a condition the proposal satisfies Policy 46.**
- 7.78 **There are no other material changes. The proposal complies with the provisions of the Proposed Dundee Local Development Plan 2.**

#### **B - WHITFIELD PLANNING FRAMEWORK/SUDS GUIDANCE/WHITFIELD GREEN INFRASTRUCTURE**

- 7.79 Whitfield is the subject of a planned regeneration to build a new community around the framework of the original Whitfield by developing cleared sites within a comprehensive strategy. The Whitfield Planning Framework was approved by the Council as its vision for the regeneration of Whitfield.
- 7.80 There is the potential for the development of between 800 and 1,000 new dwellings providing a greater mix of house types and tenures in the area.
- 7.81 The Framework sets out the principles required for the sustainable regeneration of the area and is a material consideration in the determination of the planning applications within the area.
- 7.82 In addition to the Whitfield Planning Framework, further detail has been prepared in relation to SUDS and green infrastructure to ensure the provision of well-designed green infrastructure throughout Whitfield.
- 7.83 The proposed development is for Phase 2 of a four phase development of an allocated housing site (H16) with 25 private houses proposed which will contribute positively to the regeneration of the surrounding area. The proposal meets the principles set out in the Whitfield Planning Framework and associated guidance on SUDS and green infrastructure.

#### **C - ABERLADY CRESCENT SITE PLANNING BRIEF (2009)**

- 7.84 The Site Planning Brief states that in this suburban location the site will be developed mostly with houses. Whilst the brief is not tenure specific, development of private housing on this site will help to secure a balanced mix of tenure through the estate. Having regard to site constraints such as the existing trees, the capacity of the site is likely to be approximately 60/70 units. The proximity of the countryside offers an opportunity for a high quality development. A network of pedestrian routes and appropriate road standards will be used throughout the site.
- 7.85 The Site Planning Brief highlights that Police Scotland must be consulted in order to achieve security by design consistent with other requirements in this brief.
- 7.86 The proposal is for 25 private houses which will provide a balanced mix of tenure as part of the regeneration of the wider area. As outlined previously, the Police Scotland Designing Out Crime Officer has been consulted on the design and layout of the proposal. The proposals meets the principles set out in the Site Planning Brief.
- 7.87 **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 satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

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## 9 RECOMMENDATION

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

- 1 **Condition** - prior to the commencement of work on site, details and samples of the proposed finishing materials for the development hereby approved shall be submitted to the Council for written approval. Thereafter, the proposed development shall be finished in strict accordance with the details approved by this condition.

**Reason** - in the interest of visual amenity.

- 2 **Condition** - prior to the commencement of work on site, details of the proposed boundary treatments and their location on the site shall be submitted to the Council for written approval. Thereafter, the erection of the boundary treatments shall be carried out in strict accordance with the details approved by this condition.

**Reason** - in the interests of privacy and visual amenity.

- 3 **Condition** - 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 amenity and environmental quality of the development.

- 4 **Condition** - a Sustainability Statement demonstrating the extent to which the new build elements of the development will meet the requirements of Policy 29 of the Dundee Local Development Plan shall be submitted for the approval of the planning authority and the works shall be completed in accordance with the approved Statement.

**Reason** - in the interests of reducing carbon emissions associated with the proposed development.

- 5 **Condition** - prior to the commencement of development, a full and detailed scheme of landscaping shall be submitted to and approved by the Council, and it shall include indications of all existing trees and hedgerows on this land, and details of any to be retained, together with measures for their protection in the course of development in accordance with BS5837:2012. Full details of new planting and landscaping and an associated maintenance schedule shall also be submitted to and approved by the planning authority prior to the commencement of development. This will include further planting within the garden ground of the housing hereby approved. 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 that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.

- 6 **Condition** - full details of a maintenance plan for the proposed trees shall be submitted to the Council for approval before any development commences on site and if approved the development shall be carried out only in full accordance with such details.

**Reason** - to ensure that the character of the application site and the surrounding area is maintained.

- 7 **Condition** - within the adjacent residential accommodation, during night-time, the received noise from the electrical substation(s) shall not exceed NR20 internally, with windows open for ventilation. For the avoidance of doubt night time shall be 2300 to 0700 hours.

**Reason** - to protect residential amenity.

- 8 **Condition** - development shall not begin until the updated investigation and risk assessment proposed in the submitted Stage I Desk Study are completed and, if necessary; a remediation strategy to deal with any 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.

**Reason** - in the interests of providing a site suitable for residential development.

- 9 **Condition** - 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.

**Reason** - in the interests of providing a site suitable for residential development.

- 10 **Condition** - details of the proposed roads, footways and cycletrack including proposed road markings must be agreed prior to any works on site must be formed and constructed to Dundee City Council standards and specifications.

**Reason** - in the interests of vehicle and pedestrian safety.

- 11 **Condition** - 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 must be agreed prior to any works on site.

**Reason** - in the interests of vehicle and pedestrian safety.

- 12 **Condition** - a Street Lighting system must be provided by the applicant to Dundee City Council standards and specifications.

**Reason** - in the interests of vehicle and pedestrian safety.

- 13 **Condition** - the hard surface within driveway curtilages 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.

- 14 **Condition** - the applicant must provide a disposal route for road surface water to the satisfaction of Dundee City Council which discharges to a system publicly maintained/maintainable by the relevant authority.

**Reason** - to ensure an appropriate and publicly maintainable system is provided.

- 15 **Condition** - a statement is required to be submitted to the Council for approval in writing to demonstrate that consideration has been given to the viability of creating or linking into a heat network.

**Reason** - in the interests of safeguarding a low energy development.

#### Informative

A Road Construction Consent (RCC) application (found via the following link on DCC website: <http://www.dundee.gov.uk/a2z/constructionconsent>) 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](mailto:developmentroads@dundee.gov.uk).