

# Erection of 100 Houses with Associated Infrastructure

## KEY INFORMATION

**Ward:** The Ferry

**Address**

Linlathen Village  
Linlathen Road  
Broughty Ferry  
Dundee

**Applicant**

Kirkwood Homes Limited  
Sauchen, Inverurie

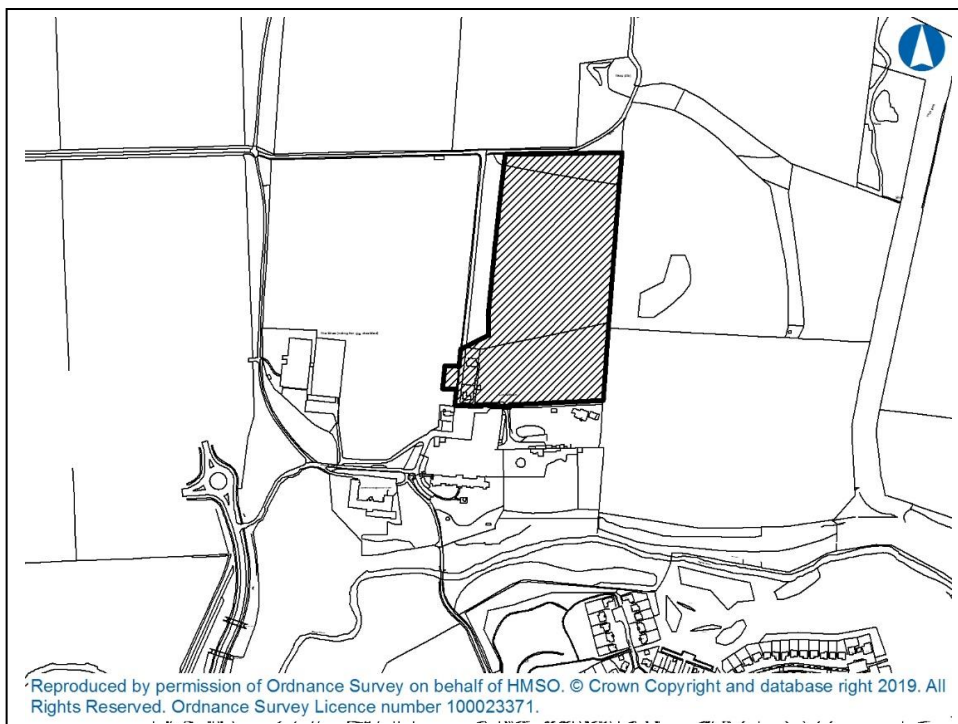
**Agent**

Emac Planning

**Registered:** 23 October 2019

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

**Contact:** Craig Swankie



## SUMMARY OF REPORT

- Planning permission is sought for a residential development of 100 houses. The proposal relates to a second phase of residential development at Linlathen Village.
- The application site forms part of allocated housing site H46. The site presently contains agricultural land, woodland and two houses.
- The application is in accordance with the Development Plan.
- The statutory neighbour notification process was undertaken and the application advertised in the local press. One letter of objection was received from Dundee Civic Trust.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as it is classed as a major development as identified in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=PZ7TO4GCN3000>

## RECOMMENDATION

The proposal is in accordance with the Development Plan. There are no material considerations of sufficient weight to justify refusal of planning permission. It is therefore recommended that planning permission be **APPROVED** subject to conditions and a Section 75 Planning Obligation.

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## 1 DESCRIPTION OF PROPOSAL

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- 1.1 Permission is sought for a residential development of 100no units. A mix of detached and semi-detached properties are proposed. Landscaping, open space and footpath links would be formed within the development to connect the site within the surrounding area including Linlathen Road, the Core Path Network and a residential development to the west which is currently under construction.
- 1.2 All dwelling houses are proposed to be one and a half or two storeys high with pitched roofs. There would be a range of three, four and five bed dwelling houses in the form of detached and semi-detached properties. There are 12 different house types proposed which would be finished with grey concrete roof tiles, Nordic white dry dash render and sections of larch cladding. Front entrance and garage doors are to be finished in white and rainwater goods in black or white UPVC. All in curtilage parking areas are to be finished in a dark grey or light brown mono block.
- 1.3 The proposal includes the formation of a main access road taken from Linlathen Road which provides access to the 100 proposed dwellings and the residential development to the west which is currently under construction. It is also proposed to form pedestrian footpaths which provide connections to the west of the site, linking the proposals with existing footpaths including the core path network and Linlathen Road.
- 1.4 Within the centre of the site an area of open space is proposed. The open space has been designed to integrate into the site layout, being accessible and overlooked by the proposed dwellings. Within the north of the site an existing group of trees is to be retained. Landscaping is proposed to be incorporated into the overall layout, which includes the planting of street trees and hedging. The proposed drainage layout would not provide SUDS within the site, with surface water being conveyed to a SUDS system which was previously approved to the south of the site under planning permission 18/00115/FULM. The previously approved SUDS provision is designed to accommodate the proposed dwellings.
- 1.5 The applicant has submitted the following in support of the application:
- Planning Supporting Statement;
  - Design and Access Statement
  - Pre-Application Consultation Report;
  - Contaminated Land Site Investigation;
  - Transport Statement;
  - Energy Statement; and
  - Drainage Statement.



Figure 1 – Proposed Site Plan



Figure 2 – Proposed Street Elevations

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## 2 SITE DESCRIPTION

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- 2.1 The 5.8 hectare site is located in the east of the City. The site comprises a large, rectangular area of gently sloping agricultural land measuring 340 metres in length by 215 metres at its widest point. Within the north of the site an area of woodland is to remain. This area of woodland is the subject of Tree Preservation Orders. The site is primarily bound to the north, south and west by rural access roads and to the east by agricultural land. To the site's south west corner are two dwelling houses which are to be demolished. Beyond the existing houses to the south west is an existing narrow tarmac road which runs onto Linlathen Road, providing access to an existing nursing home and The Braes horse riding facility. The proposed development would be accessed by a new access road which is to be constructed as part of the residential development to the west of the site. The surrounding area is rural in character with land to the north and east allocated as Open Countryside within the Dundee Local Development Plan 2019.



**Figure 3 – Site Viewed From South**



**Figure 4 – Site Viewed From North West**



**Figure 5 – Photo of Tree Group Within the North of the 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 2016-2036**

Policy 1: Location Priorities

Policy 2: Shaping Better Quality Places

Policy 4: Homes

**DUNDEE LOCAL DEVELOPMENT PLAN 2019**

Policy 1: High Quality Design and Placemaking

Policy 2: Public Art Contribution

Policy 9: Housing Land Release

Policy 10: Design of New Housing

Policy 20: Funding of On and Off Site Infrastructure Provision

Policy 28: Protecting and Enhancing the Dundee Green Network

Policy 30: Green Infrastructure Maintenance

Policy 31: Development within the Open Countryside

Policy 34: Protected Species

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 52: Scheduled Monuments and Archaeological Sites

Policy 54: Safe and Sustainable Transport

Policy 56: Parking

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 Planning application 16/00392/FULM for the erection of 150 houses with associated infrastructure, open space and landscaping was refused by Planning Committee in December 2016. This decision was appealed by the applicant to the DPEA. The DPEA dismissed the appeal and upheld the decision to refuse planning permission in April 2017.

4.2 A Proposal of Application Notice 17/00843/PAN for residential development was received on October 2017.

4.3 Subsequently planning application 18/00115/FULM for the erection of 150 houses with associated infrastructure, open space and landscaping was refused by Planning Committee in June 2018. This decision was appealed by the applicant to the DPEA. The DPEA dismissed the appeal and granted planning permission in June 2019.

4.4 A Proposal of Application Notice 19/00288/PAN for residential development was received in April 2019.

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## 5 PUBLIC PARTICIPATION

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- 5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.
- 5.2 1 objection has been received from Dundee Civic Trust raising the following valid material grounds:
- Proposed dwellings would be isolated from services, resulting in residents being car dependent;
  - The proposals would increase pressure on local roads and services including GPs, schools and leisure facilities.
  - There are concerns with proposals for future development at Linlathen including significant residential development.
- 5.3 These valid grounds of representation are taken into account in the material considerations section of this report.

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## 6 CONSULTATIONS

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- 6.1 **Archaeological Consultant** – has no objection but comments that there is a chance of the proposed development impacting on buried archaeological deposits. Accordingly, it is recommended that should permission be granted a condition is attached requiring archaeological works be undertaken and associated reporting submitted.
- 6.2 **The Head of Community Safety and Protection** – has no objection and has commented on the following matters:
- Contaminated Land – recommends planning conditions are attached should permission be granted in relation to the undertaking of further site investigations and the provision of a remediation strategy if required.
  - Noise – has no objection
  - Environment – recommends a planning condition is attached should permission be granted in relation to the provision and implementation of an Invasive Non Native Species Management Plan.
- 6.3 **The Head of Neighbourhood Services** – has no objection and has commented on the following matters:
- Greenspace – it is recommended that planning conditions are attached should permission be granted in relation to the provision of detailed landscaping proposals and the implementation of tree protection measures and construction mitigation measures as outlined within the submitted Tree Survey and Ecology reports.
  - Waste – the standard wheeled bin provision will apply to all house types.
- 6.4 **Scottish Water** – has no objection to the application.
- 6.5 **SEPA** – has no objection to the application.



## 7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended 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 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 proposed residential development is located within an allocated housing site within the east of the city. The development would integrate into a residential development to the west of the site which is presently under construction.
- 7.4 **The proposal would satisfy Policy 1.**
- 7.5 **Policy 2: Shaping Better Quality Places** - seeks to deliver better quality and distinctive places through the arrangement, layout, design, density and mix of developments in the local design contexts with consideration for development to achieve lifetime communities, are accessible, resilient and resource efficient.
- 7.6 The proposal has demonstrated that it complies with the above; the site is allocated in the current Local Development plan for housing, is well located to offer choice for greenfield housing locations in Dundee, waste management is considered and the proposal includes areas of open space and landscaping which would contribute to the wider green network within the area.
- 7.7 **The proposal would therefore satisfy Policy 2.**
- 7.8 **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 meets the needs of the region.
- 7.9 The proposed development would contribute to the mix of greenfield housing within the city through the provision of family homes. The provision of 3, 4 and 5 bedroom detached and semi-detached homes for the private market would meet the needs and aspirations of the city. The proposed development would also support the region in providing a target of 75% of new homes for the private market.
- 7.10 **The proposal would therefore satisfy Policy 4.**

**DUNDEE LOCAL DEVELOPMENT PLAN 2019**

- 7.11 **Policy 1: High Quality Design and Placemaking** – all development proposals should follow a design-led approach to sustainable, high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change mitigation and adaptation. The design and siting of development should respect the character and amenity of the place, create a sense of community and identity, enhance connectivity and incorporate creative approaches to urban design, landscaping and green infrastructure, appropriate to the local context and the scale and nature of the development. New development will be required to meet the six qualities of successful place in accordance with the guidance provided in Appendix 1.
- 7.12 The proposal is for 100 detached and semi-detached houses with 3, 4 and 5 bedrooms. There are proposed to be 12 different house types finished in materials including white render, timber cladding and concrete roof tiles. The proposed finishes and house types contribute positively towards the quality and identity of the development. The proposed driveways are to be surfaced in block paving with a dark grey or light brown colour finish. As well as timber boundary fencing within the site, it is proposed to use feature stone boundary walls with fencing above, hedging, trees and shrubs. The provision of high quality soft and hard landscaping will ensure the new development provides a high quality streetscape which is in keeping with the rural character of the surrounding area. The use of street trees is welcome to soften the streetscape and enhance the green network within the site.
- 7.13 With regard to Appendix 1, this states that the scale, nature and location of the development will determine the extent to which the six qualities are appropriate to the assessment process. Appendix 1 is assessed as follows:

Distinctive - a Design and Access Statement together with elevation drawings and details of proposed finish materials have been provided with the application. The statement and drawings demonstrate that the proposed one and a half and two storey houses will provide variation and contribute positively to developing a rural character within the proposed development. It is proposed to provide a variety of trees and hedging within the site which would incorporate new landscaping within the development. The majority of dwellings front onto the main access roads which are to be finished in tarmac with sections of block paving to define shared streets. Access will be taken from Linlathen Road to the west. Along the access road into the development and at locations within the site it is proposed to provide feature walls with fencing above and street trees. Dwellings are to be orientated into the site and front onto access roads to provide a welcoming entrance to the development. New footpaths will be created to provide access through the site and link the development to the surrounding area. Green infrastructure is to be provided and enhanced as part of the proposal. The design and layout seeks to include areas of focus around open space and provides opportunities for enhancing biodiversity.

Safe and Pleasant – vehicular access to the site is to be taken from Linlathen Road to the west. The majority of driveways will be provided to the front houses. In two instances parking provision will be to the rear of the rear garden ground. However, the proposal allows the associated dwellings to provide a high quality frontage onto the main street where the two dwellings are in a prominent location. New footpaths will be created to provide access through the site and link the development to the adjoining residential development to the west. There are to be useable areas of greenspace within the centre of the site and woodland within the north of the site is to be retained. The greenspace is overlooked by the proposed dwellings which will provide natural surveillance due to the orientation of houses and the retained woodland provides a backdrop to the development when viewed from the south. The provision of open space within the site and landscaping ensures the development is vibrant and

attractive. The use of a range of 12 house types and boundary materials together with the layout of the site to provide frontages onto main roads and open spaces ensures the development will be attractive and contribute to the local streetscape.

Easy to Move Around and Beyond – new footpaths have been sensitively integrated into the proposed site layout to connect to the adjoining residential development which provides links to the Core Path Network and Linlathen Road to the west. Connections to existing roads and footpaths provide links to bus stops and active travel routes on Arbroath Road and Balgillo Road to the south of the site.

Welcoming – it is proposed to provide a range of boundary treatments including stone walls, timber fences and hedging to form features along the sites main access road. Within the development houses are to front onto roads and landscaping is proposed to provide a welcoming entrance and high quality streetscape creating a sense of identity to the development. The footpaths within the site will be open in nature with landscaping and are overlooked by the new houses, offering natural surveillance and a safe and welcoming environment. The proposal positively promotes wayfinding and a sense of orientation.

Adaptable – the proposed houses will be a positive addition to the mix of houses in the area. Open space is to be provided within the development which incorporates connections to existing path networks.

Resource Efficient – a Sustainability Statement has been submitted. This outlines that carbon reductions and emissions are achieved by improving the thermal performance of the building fabric. Solar PV panels are specified for all of the proposed houses and energy efficient materials are to be used in construction. Waste and recycling will accord with the Council's Waste Management Strategy. Green infrastructure is to be provided as part of the proposals and connections to existing public roads and core path network will be retained and enhanced.

- 7.14 **The proposal meets the requirements of Appendix 1 and is in accordance with Policy 1.**
- 7.15 The proposed residential development of a range of types and sizes will make a positive contribution to the east of the city. The design and layout has been sensitively considered to respect the character and amenity of the surrounding area and the proposal will have green infrastructure.
- 7.16 **The proposal is in accordance with Policy 1.**
- 7.17 **Policy 2: Public Art Contribution** – all developments in Dundee with construction costs of £1 million or over will be required to allocate at least 1% of construction costs for the inclusion of art projects in a publicly accessible/visible place or places within the development.
- 7.18 The proposal is a major application for 100 units. The applicant considers an art project can be provided, however no proposals are made within the application. The provision of full details of public art provision within the development and its implementation will be required. It is recommended that the provision of public art within the development is secured by condition.
- 7.19 **The proposal is in accordance with Policy 2, subject to a condition.**
- 7.20 **Policy 9: Housing Land Release** – priority will be given to the development of the allocated brownfield and greenfield sites. Housing land release on brownfield sites, in addition to the allocations set out in Appendix 3, may be acceptable where it can be demonstrated that it will improve the tenure mix in an area where existing choice is limited and would make a positive contribution to the regeneration objectives of the area.

- 7.21 The site forms part of the H46 allocation of the Dundee Local Development Plan 2019. Appendix 3 states that the site has an indicative capacity of 250 houses. The current application seeks planning permission for 100 houses, but only on part of the allocated site. The remainder of the site (approximately two thirds) is currently being developed as part of an approved development of 150 houses. The combined number of dwellings proposed within H46 would therefore be within the indicative capacity of 250 units.
- 7.22 The current application demonstrates that 100 units could be developed on the site in a manner that would not have any detrimental impact on the quality of the overall development. The proposed development would contribute to the range of dwellings within the east of the city through the provision of 3 to 5 bedroom houses for the private market. The proposed houses will support the availability of new build private housing in the local area and the provision of a range of family homes. The proposed site layout, and links to surrounding footpaths and proximity of amenities including a supermarket ensure the proposed development will be accessible and, provide a high quality residential amenity. The proposed development would have no impact on the delivery of new housing within allocated housing sites around the city.
- 7.23 Overall, the proposed development would contribute positively to the local housing mix through the development of an allocated housing site.
- 7.24 **The proposal is in accordance with Policy 9.**
- 7.25 **Policy 10: Design of New Housing** – the design and layout of new housing developments in Dundee should be of a high quality and contribute to creating places that respect and enhance the distinct character and identity of the different parts of the city. All new housing developments should meet the six qualities of successful place, as set out in Policy 1 and should provide a balanced choice and type of housing. All new housing developments will be required to conform to the guidance on the Design of New Housing set out in Appendix 4. All new housing developments will need to ensure that the design and layout respects and enhances the character of adjoining properties and the surrounding area and does not have a detrimental impact on residential amenity and parking.
- 7.26 The proposal is required to meet the suburban standards for houses set out in Appendix 4 which requires the following:
- 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>.
- Response** – the 100no houses proposed include 39no 3 bedroom, 56no 4 bedroom and 5no 5 bedroom houses. As such 100% of houses would have 3 or more bedrooms and therefore the proposal meets the standards.
- Car Parking** – all car parking should be located within the curtilage of each house. All tenures should have at least 1 space. Private houses with 3 bedrooms should have at least 2 spaces. Private houses with 4 or more bedrooms should have at least 3 spaces.
- Response** – each house would provide in curtilage parking, with 80 of the houses also having integrated garages. The majority of in curtilage parking would be to the front or side of the houses. The level of in curtilage parking provision at each plot meets the requirements of Appendix 4.
- Cycle Provision** - one secure, covered space per house must be provided unless a suitable garage or other secure area is provided within the curtilage of the house.

**Response** – out of the 100 dwellings, 20 do not have a garage and will be required to provide a secure covered cycle storage area. The applicant has provided a site plan detailing the proposed location of secure cycle storage where properties without a garage are proposed together with details of a timber bicycle storage unit. The proposed units would provide suitable external cycle storage as required by Appendix 4.

**Amenity/Garden Ground** – greenfield sites will provide an average private useable garden ground of 160m<sup>2</sup> per house with a minimum garden size of 120m<sup>2</sup>. The provision for mid terrace houses may be relaxed

**Response** – the application site is greenfield land. The average private useable garden ground of the development is 171m<sup>2</sup> and all of the proposed gardens meet the minimum 120m<sup>2</sup> requirement.

**Privacy** - a minimum of 18 metres between the facing windows of habitable rooms.

**Response** – there would be at least 18 metres between the windows of habitable rooms of the proposed housing and the existing housing.

**General Requirement** - provision for waste and recycling should be provided in accordance with the Council's waste management strategy.

**Response** – the site plan shows that every property will have a designated bin storage area within the rear curtilage. Access from the rear curtilage to the street will be available. Provision can be achieved in accordance with the Council's Waste Management Strategy.

**General Requirement** – parking areas should provide provision for electric car charging points.

**Response** – the applicant has confirmed that all proposed houses will have provision for electric car chargers either within the integrated garages or externally at dwellings without garages. It is recommended that a planning condition is used to agree details of the charging infrastructure and to ensure that these are installed.

7.27 **The proposal is in accordance with Policy 10 and the Appendix 4 standards subject to a condition.**

7.28 **Policy 20: Funding of On and Off Site Infrastructure Provision** - states that the City Council, where necessary and appropriate, will seek to secure developer contributions towards the cost of infrastructure provision both on and off the site.

The principles that guide the requirement for contributions and the preparation of the Developer Contributions Supplementary Guidance are:

- 1 fair and proportionate developer contributions for all developments on sites allocated in either the Dundee Local Development Plan or in terms of windfall development;
- 2 developer contributions will be sought where a need for new or improved services, facilities or infrastructure has been demonstrated that relates directly to the requirements or impacts of a proposed development;
- 3 flexibility in approach to ensure that development can be brought forward in varied economic circumstances while ensuring that the development has no net detriment; and

- 4 facilitate informed decision making by those involved in the development process, allowing potential financial implications to be factored into development appraisals prior to commercial decisions and actions being undertaken.
- 7.29 The Developer Contributions Supplementary Guidance (SG) states that housing development in this location will be required to make a financial contribution towards enhancing primary school provision. Accordingly, it is recommended that Members secure the required financial contributions via a Planning Obligation in accordance with the SG for the 100 dwellings if minded to approve the application.
  - 7.30 The proposed residential development at Linlathen necessitates junction improvements at Claypotts. These improvements have previously been secured through the Planning Obligation associated with application 18/00115/FULM for 150 houses at Linlathen. The secured works to Claypotts are sufficient to accommodate 250 new dwellings at allocated housing site H46. No further contributions are therefore required for infrastructure improvements as part of the present application.
  - 7.31 The SG also requires connections for cycling and walking routes to the wider Dundee core path network and green infrastructure. The applicant has illustrated this on the proposed site layout and conditions are proposed to secure the detail the links.
  - 7.32 **The proposal is in accordance with Policy 20, subject to a planning obligation.**
  - 7.33 **Policy 28: Protecting and Enhancing the Dundee Green Network** – development proposals shall protect and enhance the Dundee Green Network by ensuring that development will not lead to the fragmentation of the existing network of green infrastructure. New development should contribute to the Dundee Green Network where appropriate and as determined by the Council, through the integration of green infrastructure in masterplans or development frameworks and the creation and/or improvement of green infrastructure within development sites or in the local area.
  - 7.34 The proposed layout provides open space towards the centre of the site and connections to existing path networks to the north and west. The proposed footpaths ensure the development connects to the surrounding area, including core path network which runs to the south and west of the site. The connections onto the core path network and surrounding roads ensures the development integrates with the surrounding area, to the enhancement of connectivity and local green infrastructure.
  - 7.35 **The proposal is in accordance with Policy 28.**
  - 7.36 **Policy 30: Green Infrastructure Maintenance** – the Council will apply planning conditions or Section 75 obligations to planning permissions to make suitable provision for the long-term maintenance of green infrastructure (including open space and landscaping associated with Sustainable Drainage Systems) in new housing developments, based on the following options:
    - 1 green infrastructure will be adopted by the Council, subject to appropriate agreements with the developer over the landscaping scheme and annual maintenance, including payment of a commuted sum to cover annual maintenance costs; or
    - 2 a developer may lay out the green infrastructure, transfer the land to a suitable third party, and either:
      - i pay a commuted sum to cover maintenance costs; or
      - ii hand over the maintenance costs to residents of the new development.

This latter option should be clearly set out in the sale agreement so residents agree to effectively share the cost of maintaining green infrastructure on an annual basis.

- 7.37 Within the site there will be areas adopted by the Council including sections of road and footpaths. Other areas of landscaping are proposed to be privately maintained by a factor. In order to secure this it is recommended that a condition is attached to any planning permission granted.
- 7.38 **The proposal is in accordance with Policy 30 subject to a condition to secure the long term maintenance of the green infrastructure.**
- 7.39 **Policy 31: Development within the Open Countryside** – states there will be a presumption against all new development unless:
- 1 the proposed development consists of no more than one additional building in a group of up to seven buildings or by two additional buildings in a larger group; or
  - 2 the proposed development involves the restoration of an existing stone building of architectural merit and that has four walls surviving to wall head height; or
  - 3 the proposed development is supported by an agricultural justification; or
  - 4 the proposed development is consistent with a masterplan, strategy or programme approved by the Council.
- 7.40 A section of the south west corner of the application site is contained within the Open Countryside area. The 180m<sup>2</sup> area of designated open countryside presently contains two dwelling houses. The houses would be demolished and replaced with two new build dwellings as part of the wider residential development.
- 7.41 As a result, the proposal would not result in additional dwellings within the existing building group at Linlathen Farm. No agricultural land or open space would be lost from the designated Open Countryside provision.
- 7.42 **The proposal is in accordance with Policy 31.**
- 7.43 **Policy 34: Protected Species** - states development proposals which are likely to have a significant effect on a European protected species will not be supported unless:
- 1 there is no satisfactory alternative; and
  - 2 the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature or which have beneficial consequences of primary importance for the environment.
- 7.44 Development proposals which would be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range will not be supported.
- 7.45 Development proposals that would be likely to have an adverse effect on a species protected under the Wildlife and Countryside Act 1981 (as amended) will not be supported unless the development is required for preserving public health or public safety. For development affecting a species of bird protected under the 1981 Act there must also be no other satisfactory solution.

- 7.46 An Ecological Assessment was submitted with the application. The habitats within the areas to be developed include grassland and semi improved neutral grassland which is not of significant local value. The woodland to the north which provides a habitat for wildlife is to be retained. The Ecological Assessment recommends that further surveys for badger setts and bats be carried out prior to the commencement of any works within the site. It is recommended the provision of the additional surveys be controlled by condition to ensure mitigation measures can be implemented where required. As the woodland to the north of the site is to be retained, no further surveys are required in this area.
- 7.47 The Ecological Assessment outlines areas where the development can contribute to the enhancement of local ecology, including the provision of native trees and boxes for bats and birds. The applicant has stated they would be agreeable to such provision, however full details require to be agreed with the Council. It is recommended the type and location of new trees within the development and bird/bat boxes within the retained woodland are agreed by condition.
- 7.48 Furthermore, the Ecological Assessment identified Himalayan Balsam, an invasive non-native species on and around the site and recommends that an eradication programme be undertaken. It is recommended the implementation of an invasive non-native species management and eradication plan be controlled by condition.
- 7.49 **The proposal is in accordance with Policy 34 subject to conditions.**
- 7.50 **Policy 35: Trees and Urban Woodland** - supports the establishment and enhancement of woodland, tree belts and corridors and states that new development must ensure the survival of healthy mature trees through sensitive site layout. Where appropriate, proposals must be accompanied by a tree planting and landscaping scheme which includes supporting justification and sufficient map based material to document existing planting within the site as well as new planting and maintenance arrangements.
- 7.51 There are a number of Tree Preservation Orders (TPO) within and around the site. The site is contained within TPO 06/13 with tree group W7 to the immediate north of the proposed dwellings. Tree group W7 contains a mix of 80 trees including Ash, Sycamore and Beech. A Tree Survey was submitted with the application and the report confirms all trees within tree group W7 are to be retained and tree protection measures implemented during construction. No other trees/tree groups within the surrounding area are impacted by the proposals. To ensure there is no impact on the trees within group W7 during construction it is recommended that Members condition these matters should they be minded to approve the application.
- 7.52 **The proposal is in accordance with Policy 35 subject to conditions.**
- 7.53 **Policy 37: Sustainable Drainage Systems** - surface water discharging to the water environment from new development must be treated by a Sustainable Drainage System (SuDS) except for single houses or where discharge is to coastal waters. SuDS should be designed so that the water level during a 1:200 year rainstorm event plus allowances for climate change and future urban expansion is at least 600mm below finished floor levels. This incorporates an allowance for the effect of climate change. 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 the system to form an integral part of the Dundee Green Network through habitat creation or enhancement through measures such as the formulation of wetlands or ponds. Proposals should have no detrimental impact on the ecological quality of the water environment.
- 7.54 The proposed drainage provision comprises pipes and swales within the application site and access roads which are to convey water to a SUDS are to the south east of the site. The



SUDS area to be utilised by the development was previously approved as part of application 18/00115/FULM and relates to drainage provision which is designed to accommodate surface water from the previously approved development of 150 houses, and the proposed development of 100 houses.

- 7.55 The proposed drainage layout and the use of the previously approved SUDS provision is acceptable in principle. As with application 18/00115/FULM, it is recommended that conditions are attached should planning permission be granted to ensure detailed drainage information including construction SUDS, SUDS maintenance and evidence of Scottish Water approval are submitted.
- 7.56 **The proposal is in accordance with Policy 37, subject to conditions.**
- 7.57 **Policy 39: Environmental Protection** – states all new development or an extension to an existing development that would generate noise, vibration, odour, emissions to air, dust or light pollution will be required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance on the surrounding area. New development or an extension to an existing development in close proximity to existing sources of noise, vibration, odour, emissions to air, dust 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.
- 7.58 Due to the site's rural location, sited away from main roads and surrounded primarily by agricultural and residential land uses the proposals do not raise any matters in relation to air quality, odour or noise.
- 7.59 The Head of Community Safety and Protection has requested that a management plan for Intrusive Non Native Species such as Giant Hogweed is submitted for approval and thereafter the eradication programme implemented. It is recommended this is controlled by condition.
- 7.60 **The proposal is in accordance with Policy 39 subject to a condition.**
- 7.61 **Policy 41: Land Contamination** - development of potentially contaminated or statutorily identified contaminated land will be considered where:
- 1 a site investigation is submitted establishing the nature and extent of contamination; and
  - 2 the Council is satisfied that remediation measures proposed for the development, adequately address contamination risks to all receptors, such that the land demonstrably does not meet the statutory definition of contaminated land and is suitable for the planned use.
- 7.62 A Contaminated Land Report has been submitted. The Contaminated Land Report identifies no significant risk of contamination with the site primarily surfaced in top soil with sand/gravel below. However, further exploratory works and sampling will be required prior to the commencement of works on site. It is reasonable to apply planning conditions to ensure that further site investigations are carried out and if required remediation proposals approved before any development can commence.
- 7.63 **The proposal is in accordance with Policy 41, subject to conditions.**
- 7.64 **Policy 44: Waste Management Requirements for Development** - development proposals should demonstrate that they adequately address the Scottish Government's Zero Waste Policy and that sufficient provisions are made to maximise opportunities for waste reduction and waste separation at source and enable the separate collection of recyclable material as

outlined in the Waste (Scotland) Regulations 2012. The policy also requires site waste management plans to be prepared and used during the construction of major developments.

- 7.65 The proposed site plan shows that provision for bin storage is made in the rear curtilage of the plots and an access path is available to the street. The Head of Neighbourhood Services has commented that the standard wheeled bin provision applies to all house types. It has been demonstrated that this can be accommodated and there is sufficient space for waste separation and the separate collection of recyclables available. Planning conditions will be used to ensure that a site waste management plan is prepared and implemented during construction.
- 7.66 **The proposal is in accordance with Policy 44 subject to conditions requiring a site waste management plan.**
- 7.67 **Policy 46: Delivery of Heat Networks** - requires new development to consider the feasibility of meeting their heat demand through heat networks. A statement is required to be submitted with applications that are Major planning applications or are within locations identified within the Scotland's heat map or the City's heat strategy as close to significant heat supply or a planned heat network. Development layouts should be designed to be capable of connecting to a heat network or heat source and areas for pipe runs within the development should be safeguarded to enable future connectivity.
- 7.68 An Energy Statement and supporting information has been submitted with the application. The statement demonstrates that a search of the local heat map confirmed that there are no heat supplies or suitable connections within the surrounding area, with the nearest being Baldovie, 1 mile to the west of the application site. The applicant considers a connection to a heat network would not be appropriate or viable for the proposed density of residential development and anticipated timescales for development. Other energy solutions are therefore proposed including gas boilers and solar panels. The site will have connections to surrounding streets and the applicant has provided details of potential pipeline routes within footpaths and verges should any future connections to a heat network be proposed.
- 7.69 **The proposal is in accordance with Policy 46.**
- 7.70 **Policy 48: Low and Zero Carbon Technology in New Development** - proposals for all new buildings will be required to demonstrate that a proportion of the carbon emissions reduction standard set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technologies. A statement will be required to be submitted with an application for planning permission to demonstrate compliance with this requirement.
- 7.71 A Sustainability Statement has been submitted. This outlines that carbon reductions and emissions are achieved by improving the thermal performance of the building fabric and that all plots would be fitted with solar PV panels.
- 7.72 **The proposal is in accordance with Policy 48.**
- 7.73 **Policy 52: Scheduled Monuments and Archaeological Sites b) Archaeological Sites** - states where any proposal could affect a site of known archaeological importance or potential, the applicant will be required to provide an assessment of the archaeological value of the site and the likely impact of the proposal on the archaeological resource. Such an assessment will require a field evaluation to be carried out to the reasonable satisfaction of the Council, to determine:
- 1 the character and extent of the archaeological remains;

- 2 the likely impact of the proposal on the features of archaeological interest; and
- 3 the ways in which the development proposal can be amended or designed in order to mitigate its impact on the archaeological remains.

Where the development is considered to be acceptable and it is not possible to preserve the archaeological resource in situ, the developer will be required to make arrangements for an archaeological investigation. Planning conditions will be used and agreements sought to secure these arrangements.

7.74 The application site consists of agricultural land, formerly part of the 19th century landscaping of Linlathen House. Previous programmes of archaeological research and fieldwork in advance of development across allocated housing site H46 has indicated the potential for unrecorded archaeological sites, monuments and deposits to exist on site.

7.75 There is therefore good reason to believe that archaeological deposits will exist on site. The applicant has as part of earlier phases of development to the west of the present application site submitted a written scheme of investigations.

7.76 To identify and recorded any archaeological deposits within the present application site, a written scheme of investigation requires to be prepared and implemented prior to any works on site. An archaeological condition is recommended to ensure that the applicant undertakes a suitable programme of archaeological investigation prior to any development.

7.77 **The proposal is in accordance with Policy 54 subject to a condition.**

7.78 **Policy 54: Safe and Sustainable Transport** - 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 provide for easy access to local amenities, education facilities and other services.

7.79 Development proposals will be required to:

- 1 minimise the need to travel by private car;
- 2 provide facilities on-site (and/or off-site through developer contributions or by direct delivery) for walking, cycling and public transport networks, including road/junction improvements and cycle parking. Developments without high quality, safe and convenient links to adjacent walking and cycling networks will not be supported;
- 3 incorporate measures to permit access to public transport networks within a walking distance of no more than 400 metres from all parts of the development;
- 4 have no detrimental effect on the capacity or safe functioning of the existing road or rail networks;
- 5 ensure that safe and adequate provision is made for road freight and waste access, loading and unloading;
- 6 comply with the National Roads Development Guide and any local variations within Dundee City Council's roads design standards; and
- 7 be supported by a travel plan to mitigate transport impacts and improve the accessibility of developments where the Council considers that the development will generate significant travel.

Walking and cycling routes should be fully useable prior to the first occupation of a new development (\*this includes the re-use of existing buildings).

In respect of the above criteria:

- 7.80 The proposal shows convenient footpath connections throughout the site and on to existing footways including the core path network and Linlathen Road. Whilst no public transport is currently available within the site, the site has been designed to accommodate buses should future demand indicate that a bus route would be viable. Good foot and cycle connections are available to the existing bus stops on Arbroath Road and Balgillo Road East, located 800 metres to the south of the site.
- 7.81 The proposed development is provided with high quality, safe and convenient links to adjacent walking and cycling networks. The site layout is to include traffic calming measures and street lighting to create routes which are safe and accessible for pedestrians and cyclists. Bicycle storage is to be provided within the curtilage of each dwelling and the proposed footpaths provide links to traffic free paths within the surrounding area.
- 7.82 Bus stops are located on Arbroath Road and Balgillo Road to the south of the site. The existing bus stops are in excess of 400 metres from the proposed development. However the applicant proposes direct connections to footpaths within the surrounding area which provide safe pedestrian links to these bus stops and surrounding amenities. As explained above the site has also been designed to incorporate public transport.
- 7.83 A Transport Statement has been submitted and its findings accepted. The proposed development will not have a detrimental effect on the capacity or safe functioning of the existing road network including Linlathen Road and Arbroath Road. The provision of upgrade works at Claypotts has been secured through a legal agreement associated with application 18/00115/FULM, these upgrade works have been designed to accommodate the previously approved and proposed residential developments totalling new build 250 units at Linlathen. The site layout has been formed to provide traffic calming and drawings have been provided which demonstrate suitable turning space and levels of visibility will be provided for cars and freight/waste management vehicles. It is recommended that planning conditions are attached to ensure the Council's roads design standards are complied with.
- 7.84 The Transport Statement includes a Travel Plan which details various proposals and opportunities for the site to be accessible by sustainable and active transport. The Travel Plan identifies pedestrian and cycle routes, bus services and amenities within the surrounding area which are accessible from the proposed development. It is recommended that a condition is used to ensure the developer implements the submit Travel Plan and promotes the use of sustainable forms of transport to occupiers of the development.
- 7.85 **The proposal is in accordance with Policy 54.**
- 7.86 **Policy 56: Parking – Developments Outwith the City Centre**

Vehicle Parking - all new developments shall be required to comply with Dundee City Council's adopted guidance on road standards; with the national maximum parking standards; and the national minimum disabled parking standards. Residential developments should include infrastructure to provide electric car charging points, either through electrical connections adjacent to private driveways, or through infrastructure for the installation of charging points within communal car parking areas.

Cycle Parking - all new developments should include cycle parking facilities in accordance with Dundee City Council's adopted guidance on roads standards and the Appendix 4 design standards.

- 7.87 As outlined previously the proposal meets the Appendix 4 parking standards for residential development in suburban areas, including the provision of electric charging points at each dwelling. It is recommended the provision of full details be controlled by condition.
- 7.88 As outlined previously the proposal meets the Appendix 4 standards for cycle storage. The applicant has proposed that where secure cycle storage is not provided in the form of a garage, the occupiers will be provided with an external timber bicycle storage unit.
- 7.89 **The proposal is in accordance with Policy 56, subject to conditions relating to the implementation of electric car charging infrastructure and cycle parking.**
- 7.90 **It is concluded that the proposal is in accordance with the Development Plan.**

### **MATERIAL CONSIDERATIONS**

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

#### **A – REPRESENTATIONS**

- 7.91 One objection has been received from Dundee Civic Trust raising the following valid material grounds:
- proposed dwellings would be isolated from services, resulting in residents being car dependent;
  - the proposals would increase pressure on local roads and services including GPs, schools and leisure facilities; and
  - there are concerns with proposals for future development at Linlathen including significant residential development.
- 7.92 The grounds of objection are considered and assessed as follows:

- **Proposed dwellings would be isolated from services, resulting in residents being car dependent.**

Response – the proposed development which relates to allocated housing site H46 has been designed to connect to existing footpaths and road networks. Whilst there are no services within the immediate vicinity of the site, links are provided to shops and services within the wider area. The applicant has submitted a travel plan which will provide residents with details active travel and public transport options in the local area, encouraging the use of sustainable transport options where possible.

- **The proposals would increase pressure on local roads and services including GPs, schools and leisure facilities.**

Response - It is acknowledged that particularly at peak times the A92/East Balgillo Road are busy. However, the submitted Transport Statement demonstrates the proposed development would not result in a significant increase in traffic or have a detrimental impact on road safety. Through a previous planning permission for 150 houses at Linlathen (reference 18/00115/FULM) works to enhance infrastructure at Claypotts were

agreed. A legal agreement is in place to ensure the applicant funds the widening of the junctions at Claypotts and Balgillo Road/Balgillo Road East which were identified as necessary to mitigate the impact of the additional traffic generated. The identified works have been designed to accommodate the previously approved development of 150 houses and the present proposals for 100 houses. Therefore, the previously agreed works remain applicable and will mitigate the impacts of the development of a total of 250 houses at Linlathen on the local road network.

With regards to GPs, whilst the provision of health facilities is an important aspect of a residential development, the capacity of local health care provision is not a matter for the applicant or Dundee City Council to address. It would be for the NHS to ensure there is sufficient GP provision for the local area.

In relation to schools, the Council's Supplementary Guidance on Developer Contributions notes that the site is in an area where the Primary School is close to capacity. It states that financial contributions towards enhancing primary school provision are required for any new housing development within this area. Accordingly, it is proposed to secure a contribution through a Planning Obligation.

- **Concern with proposals for future development at Linlathen including significant residential development.**

**Response** – it is noted the applicant has proposed further development within the surrounding area at a pre-application event with the local community. Any additional development is not for consideration as part of this planning application. The Council's position on development at Linlathen is outlined within the adopted Dundee Local Development Plan 2019 which allocates a housing site H46 with an indicative capacity of 250 houses. Agricultural land to the north and east of the site is designated as Open Countryside, where there is a presumption against any new development.

7.93 **The views of Dundee Civic Trust have been considered and are not of sufficient weight to justify refusal of the application.**

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## 8 CONCLUSION

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8.1 The application is in accordance with the Development Plan. There are no material considerations of sufficient weight that would justify refusal of planning permission. Therefore it is recommended that planning permission be granted subject to conditions and a Section 75 Planning Obligation.

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## 9 RECOMMENDATION

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### Recommendation 1

9.1 A legal agreement will require to be concluded prior to the issuing of planning permission to agree a contribution in relation to education. It is recommended that the applicant be allowed a period of 4 months to conclude and register the legal agreement.

### Recommendation 2

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

- 1 **Condition** - development shall not begin until further risk assessment is completed and, if necessary; a remediation scheme to deal with any contamination at the site has been

submitted to and approved in writing by the planning authority. The scheme 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;
- iv verification of the condition of the site on completion of decontamination measures.

Before any unit is occupied the remediation scheme 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 Council.

**Reason** – in the interests of enhancing the amenity and environmental quality of the development.

- 2 **Condition** - prior to the commencement of any works on site, a site waste management plan shall be submitted to and approved in writing by the Council. This shall contain details of how site waste will be controlled during the construction and operation of the development. Thereafter, the waste management plan approved by virtue of this condition shall be implemented in full within the development hereby approved.

**Reason** – in the interests of sustainable waste management.

- 3 **Condition** – 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, and signed Dundee City Council Design Compliance and Independent Check Certification, evidence of compliance with the Simple Index Approach as described in section 26.7.1 of the CIRIA SUDS Manual (C753), 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 the any housing unit within the development hereby approved.

**Reason** - in the interests of flood protection.

- 4 **Condition** – 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.

**Reason** – in the interests of flood prevention and visual amenity.

- 5 **Condition** – 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.

**Reason** – in the interest of flood prevention.

- 6 **Condition** – prior to the commencement of any work on site, maintenance responsibilities along with a maintenance schedule for all communal/shared areas, including the

woodland within the north of the site, shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out in perpetuity.

**Reason** - to ensure that the proposed development has a satisfactory external appearance in the interests of the environmental quality and visual amenities of the area.

- 7 **Condition** - prior to the commencement of work on site, details of 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** - to ensure that the character of the application site and the surrounding area is maintained.

- 8 **Condition** - Details of the proposed road, layout, signing, lining and visibility splays within the site shall be agreed prior to any works on site. The roads shall be formed and constructed in accordance with these details to Dundee City Council standards and specifications.

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

- 9 **Condition** - a 20mph zone order shall be promoted for all proposed roads within the site with appropriate signing, lining and traffic calming to support this provided to Dundee City Council specifications.

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

- 10 **Condition** - details of proposed traffic calming shall be agreed with Dundee City Council prior to any works on site.

**Reason** - to ensure the roads are designed to limit vehicle speeds to 20mph.

- 11 **Condition** – the approved Residential Travel Pack shall be issued to each residential dwelling prior to first occupation.

**Reason** - in the interests of promoting sustainable transport.

- 12 **Condition** - prior to occupation of the first dwelling, 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 of individual car parking, driveways or hardstanding area should be made of porous materials where appropriate and/or provision made to direct run off water from the hard surfaces to a system or 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. Written proof must be provided by the applicant as confirmation that all relevant parties are satisfied with the overall surface water drainage proposal.



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

- 15 **Condition** – prior to the occupation of each dwelling the boundary treatments, as detailed on drawing “Overall Boundary Treatment Plan” dated 2 October 2019, shall be constructed in accordance with the details hereby approved.

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

- 16 **Condition** – prior to commencement of development, details of the proposed electric vehicle charging provision shall be submitted to and approved in writing by the Council. The agreed provision shall be installed prior to the occupation of each dwelling.

**Reason** – in the interest of promoting the use of sustainable travel measures.

- 17 **Condition** – prior to the occupation of each dwelling the secure cycle storage units shall be provided in accordance with the details shown on drawing ‘Parking provision, cycle storage and car charging points’ Revision B dated 29<sup>th</sup> November 2019 and drawing number 011-32A dated November 2019.

**Reason** – in the interest of promoting the use of sustainable travel measures.

- 18 **Condition** - prior to any works on site, the further survey work as laid out in Section 4.2 the Preliminary Ecological Appraisal dated October 2019 by EnviroCentre Limited shall be carried out in full, and submitted to the Council for written approval. The recommendations of the further surveys undertaken in accordance with this condition shall be implemented in full prior to the commencement of any development on the site.

**Reason** - in order to ensure the site is developed with due regard to any species on site.

- 19 **Condition** – the recommended mitigation measures laid out in section 4.3 of within the Preliminary Ecological Appraisal dated October 2019 by EnviroCentre Limited shall be fully implemented as part of the development.

**Reason** - in order to ensure the site is developed with due regard to any species on site.

- 20 **Condition** – prior to the commencement of development hereby approved, full details of new planting and landscaping and an associated maintenance schedule, as well as a scheme for the timing of its implementation shall also be submitted to and approved by the planning authority prior to the commencement of development. An Arboricultural Consultant shall inspect all nursery stock and provide a report to the Council that it complies with the landscape plans hereby approved prior to it being planted. All tree planting to be carried out as per BS:8545:2014. 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.

- 21 **Condition** – prior to the commencement of any development, any site scraping or entry of construction traffic, tree protection fencing in accordance with BS5837:2012 shall be erected on site in the positions agreed within the landscape details to be agreed as Condition 21 under the supervision of the applicant’s arboricultural consultant and to the satisfaction of the City Council. Such fencing shall be retained in place throughout the

construction period and relocation of any fencing shall be agreed with the Forestry and Enforcement officers prior to any movement of the fencing.

**Reason** – to ensure protect trees are retained and that the character of the application site and the surrounding area is maintained.

- 22 **Condition** – prior to commencement of any development, an investigation to determine the likelihood of Invasive Non Native Species including Giant Hogweed and Himalayan Balsam on the site shall be undertaken. If present, a treatment plan for the management of the identified species on this site shall be devised. The treatment plan must detail the measures required for the control/eradication of the plant including the frequency of such treatment. Given the nature of such plants the treatment plan must apply for a period of at least 5 years. Thereafter, the site must adopt a maintenance plan should the plant continue to grow. The treatment plan must be implemented prior to the occupation of the houses by the residents.

**Reason** – in order to minimise the impact on Ecology and to ensure that Invasive Non Native Species are removed from the site.

- 23 **Condition** – prior to commencement of any development, the developer shall implement a programme of archaeological works in accordance with a detailed written scheme of investigation which has been submitted by the developer and approved in writing by this Planning Authority.

**Reason** – in order to safeguard the archaeological heritage of the site and to ensure that the developer resources the investigation, recording and rescue of archaeological remains on site prior to their destruction by development.

### **Informatives**

- 1 Any damage caused to the existing adopted footway or carriageway ex adverso the site as a result of development work must be made good by the applicant at their expense. Where damage is extensive resurfacing/reconstruction will be necessary. All related works must be to Dundee City Council standards and specifications.
- 2 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).