

Housing Development

KEY INFORMATION

Ward Coldside

Address

Land to north of Ann Street and West of Hillbank Road and South of Alexander Street, Dundee

Applicant

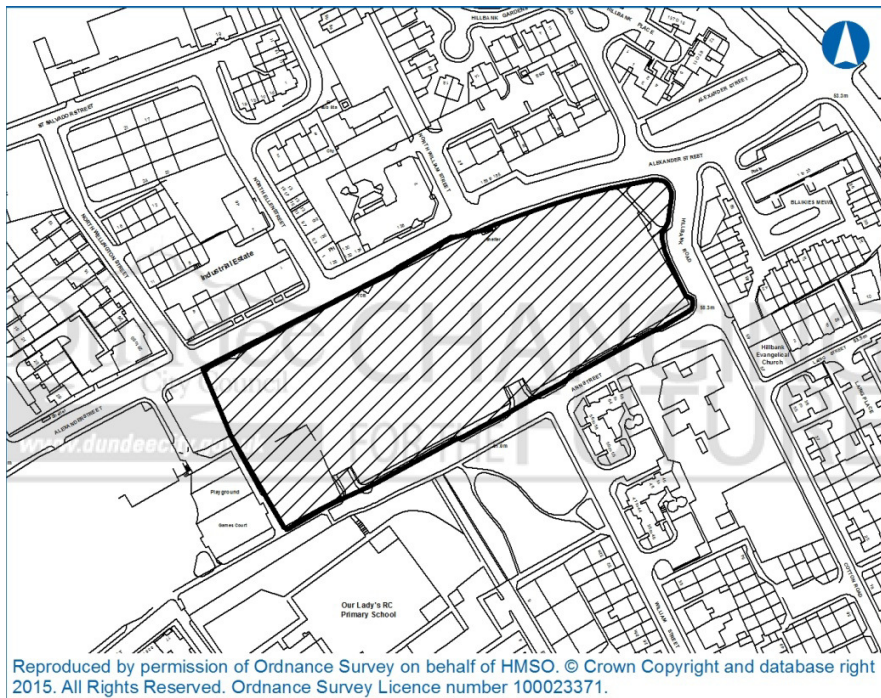
Dundee CC In Partnership With Hillcrest HA, 1 Explorer Road, Dundee Technology Park, Dundee, DD2 1EG

Agent

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15 Camperdown Street
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Registered 14 July 2015

Case Officer Beverley Knox



SUMMARY OF REPORT

- The proposed residential development is located on the eastern part of H39, an allocated brownfield housing site and the proposals are for a total of 35 houses (mixture of 30 semi-detached and 5 detached units) and 46 flatted units. The proposed housing takes various forms to respond to the needs of the identified user groups and the site characteristics.
- The proposals fail to fully comply with Policy 9 due to the fact that 6 flats are proposed with only 1 bedroom and the percentage of houses that do not have 3 bedrooms and are less than 100m² does not meet the minimum 65% requirement across the site.
- There are material considerations to support the provision of the one bedroomed flats, contrary to the requirements of the DLDP 2014.
- No objections have been received.
- As the application is a Major Planning Application, it must be reported to the Council's Development Management Committee.

RECOMMENDATION

The application does not fully comply with Policy 9 of the Dundee Local Development Plan 2014. However, the material considerations are sufficiently strong to justify approval of planning permission. Therefore, the application is recommended for APPROVAL subject to conditions.

1 DESCRIPTION OF PROPOSAL

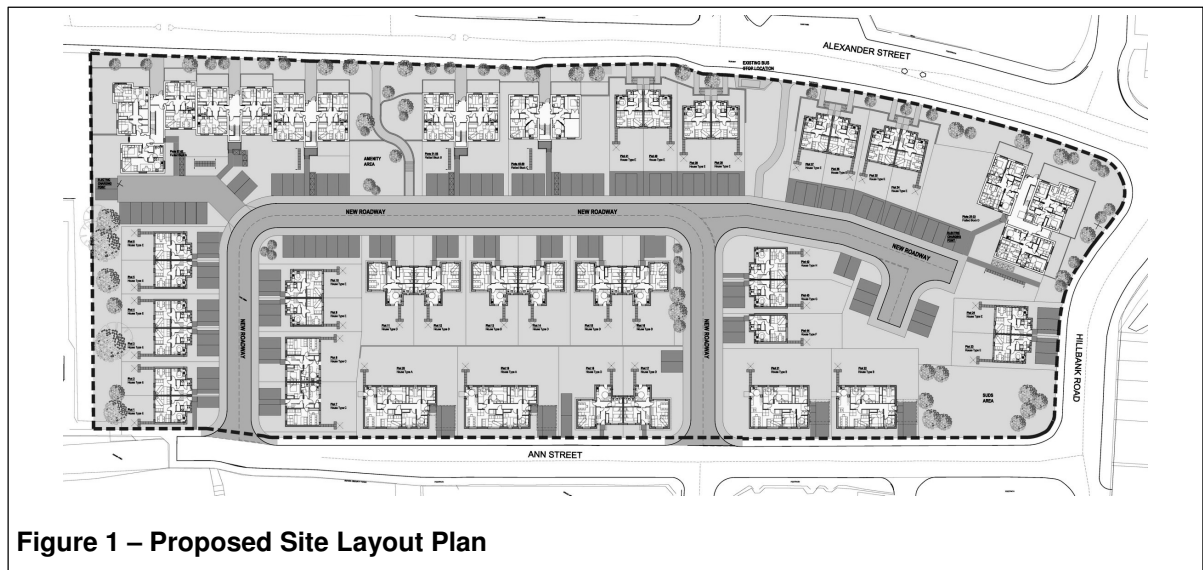


Figure 1 – Proposed Site Layout Plan

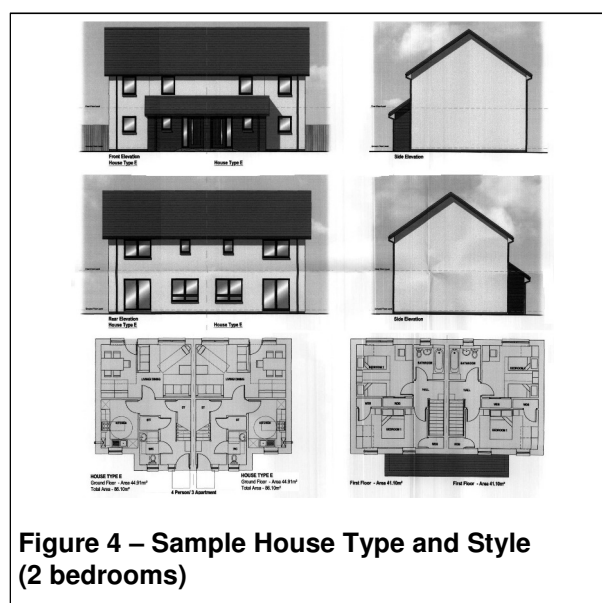
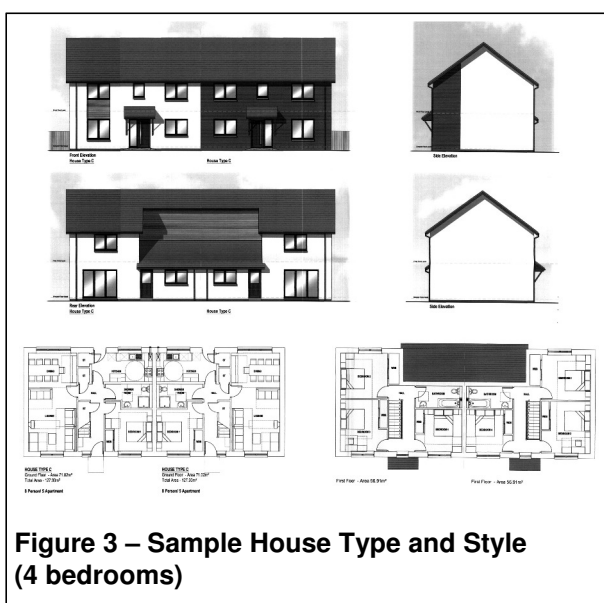
- 1.1 The proposed residential development is located on the eastern part of H39, an allocated brownfield housing site in the Dundee Local Development Plan. The proposals are for the development of 35 houses (30 semi-detached and 5 detached) and 41 flatted units.
- 1.2 The proposed housing takes various forms to respond to the needs of the identified user groups and site characteristics. The client requirement was to provide a mix of housing on the site ranging from one bedroom/two person flats up to four bedroom/eight person houses. There was also a need to provide detached family homes which are wheelchair adapted. The development therefore includes single storey bungalow style dwellings mainly located at the south of the site with all of the accommodation at one level and two storey dwellings with various numbers of bedrooms, including both detached and semi detached properties.



Figure 2 – Example of Flat Elevations

- 1.3 The flatted units take the form of four blocks. The flats will be a mixture of three and four storeys and some units will be provided with small balconies to the living areas. There are a number of flats which have been designed to accommodate wheelchair users and these are to be located on the ground floor level of “Block D”. The flats will provide areas for bin storage, outdoor amenity space and specific locations for outdoor drying. In addition, there shall be electric car charging points provided adjacent to the flatted blocks.

- 1.4 Within one of the blocks, there shall be a staff flat which will contain office areas, kitchen, shower facilities and sleep space.
- 1.5 Solar panels are to be provided on roofs of all houses and flats within the development to make optimal use of the solar gain available on the site.
- 1.6 The units are to be finished in a variety of materials and this shall include grey framed windows, blue/grey facing brickwork walls, off white render walls, feature concrete rendered areas, stained wall cladding/linings and grey roof tiles.
- 1.7 A SUDS area is to be located in the south east corner of the site which is the lowest point in terms of the levels. An underground cellular storage system is being used for this purpose.
- 1.8 As the application is for development in excess of 50 houses, the proposals fall within the meaning of a Major Planning Application as defined by Regulation 2(1) of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Accordingly, the applicant was required to undertake statutory pre-application consultation with the local community. A Pre-application Consultation Report is submitted as part of this application. In addition the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 also stipulate that major planning applications should be accompanied by a Design and Access Statement. The applicant has complied with this requirement. In accordance with the Scheme of Delegation, all Major Planning Applications must be reported to the Council's Development Management Committee.



2 SITE DESCRIPTION

- 2.1 The application site is located on Alexander Street and forms part of a large site where housing has been demolished and cleared over the last few years. The site is bounded to the east by Hillbank Road, to the south by Ann Street and the land to the west is the remaining area of the overall Maxwelltown multisite which has been cleared.
- 2.2 The site falls from north to south and this is noticeably steeper at the west of the site than the east end.
- 2.3 The surrounding area is generally residential in character. There is a mixture of both traditional and more modern flats located to the north side of Alexander Street and there are

some shops at ground floor level. Further west, there are small industrial units which take access from North Ellen Street and North Wellington Street. There is a primary school to the south of the site and a small area of open space beyond which there are further residential properties. There is a small church in close proximity to the south situated on Cotton Road.

- 2.4 There are a number of street trees along Alexander Street and these contribute towards the overall appearance of the area in a positive manner.

3 POLICY BACKGROUND

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

TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032

Policy 5: Housing

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 7: High Quality Design

Policy 8: Housing Land Release

Policy 9: Design of New Housing

Policy 29: Low and Zero Carbon Technology in New Development

Policy 40: Waste Management Requirements for Development

Policy 55: Accessibility of New Developments

SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS

Scottish Planning Policy: the 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.

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

4 SITE HISTORY

- 4.1 The site was previously occupied by a mixture of low rise flats and 4 large multi storey blocks. In 2004 Dundee City Council declared these properties in the Maxwelltown area of the Hilltown as surplus. They have since been demolished and the site cleared to make way for further regeneration and the provision of housing on this site.

5 PUBLIC PARTICIPATION

- 5.1 Pre-application - as noted above, public consultation forms part of the statutory requirements for the submission of a Major application. The applicants submitted a Pre-application Consultation (PAC) Report as part of the planning application and this fulfils the statutory requirements. The submitted PAC report notes the following:

- the applicants held a public event on 30 April 2015 in the Maxwell Centre, Carnegie Street which is in close proximity to the application site;
 - the exhibition featured plans and images of the proposed development;
 - the event was attended by approximately 50 parties who came to view the proposals; and
 - there were a number of positive comments regarding the proposals including the mix of housing, re-use of a derelict site and questions regarding the housing mix. The main concerns raised related to concerns there are no play facilities and concerns about the removal of laybys and its impact upon the nearby Church who utilise this area for parking.
- 5.2 The legislation does not specify the content of the PAC Report beyond ensuring that it is in compliance with the minimum statutory requirements. However, the submitted PAC Report notes how the concerns have been taken forward and recognised by the applicant in formulating the final proposals.
- 5.3 The Council has carried out the statutory neighbour notification procedure detailed in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. This application was also advertised in the Dundee Evening Telegraph as a departure to the Development Plan.
- 5.4 No objections were received.

6 CONSULTATIONS

- 6.1 **The Environment Department: Contamination** - details of a preliminary risk assessment have been discussed with the Environment Department. This matter shall be the subject of a planning condition to fully agree these matters and the actions needed.
- 6.2 **City Engineers** – the Engineers note the intention to construct a SUDS underground cellular storage system but there are no drainage details provided.
- 6.3 The site is not in a flood risk area so a Flood Risk Assessment is not required.
- 6.4 Prior to the commencement of any works, conditions shall be required to be adhered to relating to the provision of detailed drainage information, including details of the future maintenance.

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.

DUNDEE LOCAL DEVELOPMENT PLAN

- 7.2 **Policy 8: Housing Land Release and Appendix 2** - the principle of housing has been established at the proposed development site as it has been allocated in the Dundee Local Development Plan 2014 as part of a larger brownfield housing site (ref: H39 Maxwelltown Multis) with an indicative capacity of 300 units.
- 7.3 Policy 8 Housing Land Release seeks to ensure that a 5 year supply of housing land is maintained over the Plan period. To achieve this, housing sites allocated in Appendix 2 are not to be developed for other uses. The proposed complies with this Policy. To ensure that sufficient land is allocated Appendix 2 provides capacities for each of the allocated sites. Whilst capacities for each site are provided, it is still incumbent on any proposed development to demonstrate that the design and layout is in accordance with Policy 9 (Appendix 3). As part of this process it is accepted that the number of units that can actually be accommodated may increase or decrease from that identified for each of the allocated sites.
- 7.4 **The proposals satisfy the requirements of Policy 8.**
- 7.5 **Policy 9: 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 build on and enhance the distinct character and identity of the different parts of the city.
- 7.6 The proposal has been assessed against Policy 9 and the Inner City Standards in Appendix 3. The proposed residential development is located on the eastern part of H39 brownfield housing site for a total of 35 houses (mixture of 30 semi-detached and 5 detached units) and 46 flatted units.
- 7.7 Each of the houses provides an area of private useable garden. The sizes range from 55m² to 200m². This is in accordance with the Policy requirements for a minimum of 50m² per dwelling.
- 7.8 In terms of the flats, the proposed site layout indicates areas of outdoor space as well as the location of the separate drying areas. This is comprised as follows:
- Block A - 261m²;
 - Block B - 108m²;
 - Block C - 164m²; and
 - Block D - 227m².
- 7.9 These areas meet the minimum Policy requirements of 100m² and in the cases of Blocks A and D, far exceed these requirements. There is also an additional area of amenity space within the development that will be available to all residents to use. The provision of amenity space is therefore considered to be generous and offers a high quality living environment.
- 7.10 There are certain aspects of the development that do not comply with the Inner City Appendix 3. There are 6 proposed flats out of the 46 that are 1 bedroom, and these are just below the required 60m² at around 55m².
- 7.11 In addition, the percentage of houses that do not have 3 bedrooms and are less than 100m² does not meet the minimum 65% requirement across the site. There are 20 semi detached 2 bedroomed units proposed. The remaining 15 units all provide 3 or more bedrooms.

Therefore the percentage of houses with only 2 bedrooms equates to 57% of the total number of houses across the site.

- 7.12 Two electric car charging points have been proposed. One to be located adjacent to the flats at the eastern end of the development and the other at the flats at the western end.
- 7.13 The proposed development has parking provision that exceeds the minimum requirements as generally the proposed dwellings provide 2 car parking spaces. The Plan seeks a minimum of 1 space within the curtilage of each dwelling.
- 7.14 The applicant has advised that cycle storage shall be provided for the flats and the details for this shall be agreed by planning condition.
- 7.15 The Local Development Plan requires that there should be a minimum of 18 metres between facing windows of habitable rooms. This minimum is met within the site.
- 7.16 The proposals fail to fully comply with Policy 9 due to the fact that 6 flats are proposed with only 1 bedroom and the percentage of houses that do not have 3 bedrooms and are less than 100m² does not meet the minimum 65% requirement across the site.
- 7.17 **Policy 7: High Quality Design** - as the site slopes from the north to the south, the majority of the new housing has been positioned to take advantage of the south facing aspect and the solar gains which will result from this.
- 7.18 The flats are to be located on the northern portion of the site and this helps to deal with the drop in levels from Alexander Street southwards. There are also a number of the two storey dwellings located along the northern section of the site. In order to deal with the change in levels, the front entrances of these dwellings will be located on Alexander Street.
- 7.19 It is considered that in this prominent location, presenting the rear of the dwellings to the main street frontage would have a detrimental impact upon the overall quality and success of the development. The priority in this location is to achieve a high quality development with an active frontage onto Alexander Street, displaying the development in the most positive way possible.
- 7.20 The proposed layout takes account of this and shall ensure that the street scape remains interesting with no requirement for unattractive boundary enclosures adjacent to the street. This form of development has the advantage that the gardens are south facing.
- 7.21 The proposed mixture of house type and architectural style adds visual interest to the development and will help the modern development integrate well into the surrounding area. The use of blues and greys in the colour palette will be in keeping with the area and build upon the attractive dwellings situated close by on Carnegie Street which also provide an attractive palette of colours and materials.
- 7.22 The use of street trees and landscaping throughout the development will help to integrate the development into the surrounding area continuing the enhancement of Alexander Street where these have been planted with recent developments.
- 7.23 Policy 7 also states that, "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." The provision of an art project as part of the proposals shall be the subject of a planning condition.

- 7.24 It is concluded that the proposal is well planned and develops the site in an appropriate manner. The use of an interesting colour palette, good quality materials and landscaping will further enhance the development.
- 7.25 **The proposals are in accordance with Policy 7.**
- 7.26 **Policy 29: Low and Zero Carbon Technology in New Development** - the policy requires that, for specified developments, carbon emissions will be reduced by defined percentages through the installation and operation of zero-carbon generating technologies. The proposal details that solar panels will be installed throughout the development and this will contribute towards the reduction in carbon emissions. An appropriate condition will ensure that a Statement is submitted in accordance with the terms of Policy 29.
- 7.27 **Policy 40: Waste Management** – the flatted blocks are to be provided with bin recess areas to deal with the waste. The design and details of these shall be agreed as part of a planning condition. In relation to the houses, they all have access to their rear gardens which will accommodate the required bin stores to meet the Council's waste strategy.
- 7.28 **The proposal satisfies the requirements of Policy 40.**
- 7.29 **Policy 42: Sustainable Urban Drainage Systems** – it is intended to construct a SUDS underground cellular storage system but there are no drainage details provided at this time. It is considered to be appropriate to agree various drainage matters by planning condition. This shall include conditions in relation to detailed surface water drainage/SUDS design including drawings, calculations, full modelling and simulation results to DCC for written approval along with signed DCC Design and Check Certificates.
- 7.30 **With this proviso, the proposal satisfies the requirements of Policy 42.**
- 7.31 **Policy 55: Accessibility of New Developments** - the site is located in an inner city location it is ideally located in close proximity to a range of services. There are a number of bus routes within in easy walking distance and cycle stores shall be provided as part of the proposals. The scale and nature of the development proposed is such that there are no concerns in relation an adverse impact upon the surrounding road network.
- 7.32 **The proposal satisfies the requirements of Policy 55.**

OTHER MATERIAL CONSIDERATIONS

A - HOUSING MIX AND TYPE

- 7.33 The applicant has provided information to demonstrate the reasons why the housing mix is as proposed. This includes the following:
- the proposal allows for the provision of affordable energy efficient social rented properties, built for both DCC and Hillcrest Housing Association;
 - flats are identified on parts of the site that, due to topographical reasons, demand a flatted solution rather than single dwellings. The proposed mix and type of units is designed to assist in meeting expressed needs of various households. This includes wheelchair adapted and supported living accommodation;
 - 62 units will be available for allocation to households from the general needs waiting list. 7 of this total will be one bedroomed; 42 (2 bedrooms); 10 (3 bedrooms) and 2 (4 bedrooms). This compares to a 75% expressed need for 1 or 2 bedrooms;

- In partnership with the Dundee Integrated Health and Social Care Partnership a small number of one bedroomed units and 2 bedroomed units have been incorporated. The two bedroomed units are incorporated to allow flexibility for providing one-to-one overnight care to individuals; and
- the proposals provide house sizes and types that match the expressed needs for both now and in the future whilst at the same time providing a range of units that suit the topography of the site and creates a long term sustainable housing place for residents and will aid and support the wider regeneration of the Hilltown area.

7.34 **Response:** the information provided to support the inclusion of 7 one bedroomed units is considered to be of significant weight. The total number of one bedroomed units is small and meets identified needs and justifies the floor areas (56m²) for these units short of the 60m² required by the Local Plan standards. In addition, the information provided regarding housing need supports the fact that the percentage of houses that do not have 3 bedrooms and are less than 100m² does not meet the minimum 65% requirement across the site as 57% of the dwellings contain 3 or more bedrooms with the remaining units providing 2 bedrooms.

7.35 In this instance for the reasons set out by the applicant and in the response above, it is appropriate to allow for the provision of the one bedroomed flats and a smaller proportion of 3 bedroomed units than normally required, contrary to the requirements of the DLDP 2014.

B - HILLTOWN REGENERATION FRAMEWORK

7.36 The Physical Regeneration Framework set out aims for the Hilltown and focuses on opportunities to regenerate the area. As part of this, the demolition of the Maxwelltown high and low rise area was identified as creating an opportunity for new build housing. The key regeneration aims involve the creation of spaces and networks of an informed and lasting urban quality: a place where new buildings provide an instant relationship with the existing but progress on design and detail to create an attractive visual townscape; a place where people would want to live; a place where modern planning and architecture integrate into the surrounding built environment.

7.37 The redevelopment proposals put forward as part of the planning application are in accordance with the aims and aspirations of the above document.

C - TRAFFIC IMPACT

7.38 The generous parking within the proposed development as discussed in relation to Policy 9 is such that there will be no adverse impact upon the surrounding road network arising from the proposed development.

7.39 A Transport Assessment has been commissioned to consider traffic impacts upon the surrounding area as a result of the development of the western portion of the allocated H39 site. This will be the subject of a future planning application, to be reported to the Development Committee for decision.

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

8 CONCLUSION

- 8.1 The application does not fully comply with Policy 9 in the Dundee Local Development Plan 2014. However, the material considerations in support of the application are sufficiently strong to justify approval of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 Prior to the commencement of development, details of the public art provision for the development, in accordance with Policy 7 of the Dundee Local Development Plan 2014, shall be submitted to the planning authority for written approval and subsequent approval of detailed designs. For the avoidance of doubt, the public art provision shall be completed in accordance with such approved details within a specified period of time that has been agreed in writing with the planning authority.
 - 2 Prior to the commencement of development on site, full details for the location and design for bike and bin storage shall be submitted to the Council for approval in writing and thereafter implemented in full accordance with the agreed details.
 - 3 The landscaping of the site, including the timescale and provision for future maintenance shall be carried out only in full accordance with details to be submitted by the applicants and approved in writing by the Council prior to the commencement of development. This shall include full details for all boundary enclosures. In particular street trees shall be planted prior to the occupation of the houses within whose curtilage the trees are planted. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.
 - 4 Development shall not begin until detailed plans for the investigation and risk assessment proposed in the submitted Stage 1 Desk Study are submitted and approved by the Council. The investigation and risk assessment must be 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:
 - a the nature, extent and type(s) of contamination on the site;
 - b measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
 - c measures to deal with contamination during construction works; and
 - d verification of the condition of the site on completion of decontamination measures.
 - 5 A Sustainability Statement demonstrating the extent to which the new build elements of the development will meet the requirements of Policy 29 of the proposed Dundee Local Development Plan 2012 shall be submitted for the approval of the Council and the works shall be completed in accordance with the approved Statement

- 6 Prior to the commencement of any works detailed surface water drainage/SuDS design including drawings, calculations, full modelling and simulation results shall be submitted to the Council for written approval along with signed DCC Design and Check Certificates. The work shall thereafter be carried out in accordance with the agreed details.
- 7 Prior to the commencement of development, the developer shall provide the following information:
 - a the surface water system shall demonstrate that for a 1/200 year event (plus climate change) there is no flood risk to properties within or outwith the site; and
 - b the works shall be carried out in accordance with these details.
- 8 Prior to the commencement of development on site and to ensure that the designed SUDS system continues to operate at its optimum efficiency, the developer shall submit details of proposed inspection and maintenance, preferably carried out by an in perpetuity body. If such maintenance is to be carried out by Scottish Water, written confirmation of acceptance by Scottish water is required. The works shall be carried out in accordance with the agreed details.
- 9 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

REASONS

- 1 In order to provide for public art in the interests of visual amenity and the appearance of the site.
- 2 In order to meet the requirements of Policy 9 of the Dundee Local Development Plan 2014.
- 3 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 4 To ensure the site is fit for the purpose proposed.
- 5 In order to demonstrate that the new development will meet the required carbon emissions reduction standards in the interests of the environment.
- 6 To ensure an independent design check has been carried out and certified in line with Dundee City Council Certification of SUDS guidance.
- 7 To ensure adequate protection of the water environment from surface water run-off.
- 8 To ensure that future maintenance of the surface water drainage system/SUDS features is considered.
- 9 To ensure the site is fit for the purpose proposed.