

# Construction of Education and Community Facilities with Associated Parking, Landscaping, External Sports Pitches, Footpaths and Infrastructure

## KEY INFORMATION

**Ward** North East

**Address**

Site of St Saviours High School, Drumgeith Road, Dundee

**Applicant**

Dundee City Council

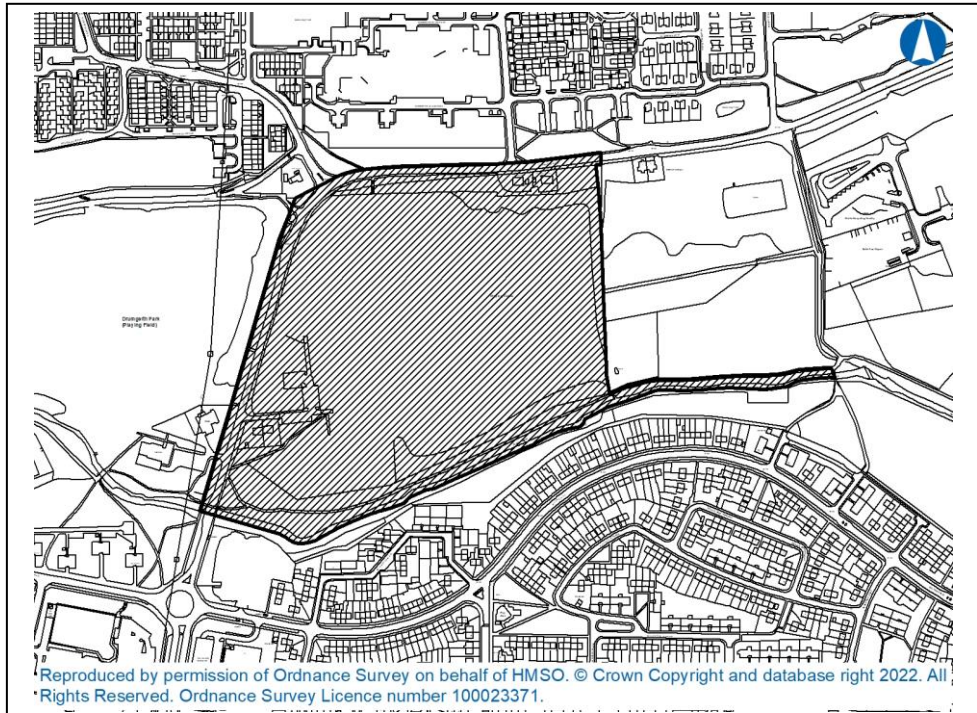
**Agent**

Joanne Hemmings - Holmes Miller

**Registered** 16 May 2022

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

**Contact:** Craig Swankie



## SUMMARY OF REPORT

- Planning permission is sought for the construction of an education and community facilities building with associated parking, landscaping, external sports pitches, footpaths and infrastructure at a 14.38ha area site. The education facility would incorporate the school rolls of Braeview Academy and Craigie High School, providing a new education campus for an anticipated 1,879 pupils.
- The proposed education and community facilities building would be located towards the north west corner of the site, with a 137 space staff and visitor car park to the south. The proposals include associated external sports infrastructure, including 2 floodlit pitches to the north, floodlit sports courts to the south west and a grass track and field area to the south. The proposal also includes associated footpaths and roads, drainage provision and landscaping.
- The application is in accordance with the Development Plan.
- The statutory neighbour notification process was undertaken and the application advertised in the local press. Three valid letters of representation have been received. Two of these objected to the proposals raising concerns over impact on wildlife and increase in traffic. A letter of support raised concerns with the design, the site being in an area at risk of flooding, impacts on traffic, inadequate drainage and the loss of trees.
- 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: <https://idoxwam.dundeeccity.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=RBYRLKGCJCK00>

## 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.

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## 1 DESCRIPTION OF PROPOSAL

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- 1.1 The application is for the construction of education and community facilities with associated parking, landscaping, external sports pitches, footpaths and associated infrastructure. The proposed education and community facilities building would be located towards the north west corner of the site, with a 137 space car park for staff and visitor car park to the south. 8 accessible parking bays would also be provided forward of the west elevation of the building and a further 8 staff car parking spaces would also be provided immediately south of the building. Enclosed bicycle stores for 160 cycles would be formed north west of the track and field area. A vehicle drop-off and collection bay would be formed within the campus at the east of the car parking area and a new bus stop would be formed on the east side of Drumgeith Road between the vehicle entrance and the campus entrance plaza access at the north west corner.
- 1.2 The flat-roof education and community facilities building would provide a total floor area of 19,535m<sup>2</sup>. The building would range from one to three-storeys and would be an offset H-plan, with a projecting south and west wings. The three-storey teaching block would form the north section of the building and would be 13.7m height. The two-storey sports and community block would form the central and south sections of the building and would be 10.1m height. The stepped 1-2 storey Additional Support Needs (ASN) block would project to the east of the building and would vary in height from 5.4m to 10.1m. A simple palette of finishing materials is proposed including buff/grey/sand colour mix facing brickwork, off-white/light- grey colour precast or GRC panels to feature areas, light bronze colour aluminium cladding for window frames, flashings, and horizontal fins and a dark grey colour bitumen for the flat roof covering.
- 1.3 The entrance plaza to the building and wider site would be formed off Drumgeith Road towards the north west corner of the site, with the main vehicle access point being taken from Drumgeith Road around 80m south. Other works within the 14.38ha area site would include the formation of an informal footpath connecting the Green Circular and Drumgeith Road, the replacement of existing steps to provide access to Drumgeith Road, the erection of a sprinkler tank and pump house with 3m high timber enclosure, the erection of a 3m height enclosure for air source heat pumps, the erection of a 3m height bin store and recycling enclosures, the formation of an area for future development for community growing space, the formation of a new stepped access from Drumgeith Road/Whitfield Drive to the north of school, the siting of sports equipment containers and the erection of other external plant and substation enclosures.
- 1.4 The outdoor sports facilities would include the formation of a floodlit, sand-dressed football and hockey pitch east of the ASN block of the building, a floodlit 3G artificial surface rugby and football pitch to the north east corner of the site and a grass track and field area to the south of the site.
- 1.5 Vehicle access would be taken from a new T-junction to be formed with Drumgeith Road, around 166m south of the junction where Drumgeith Road meets Whitfield Drive. Traffic at the junction would be controlled by traffic lights. The existing site vehicle access would be maintained to serve the two houses to the south but would be cut off from the body of the wider site in order to serve those houses as a private driveway only. Vehicle and pedestrian access would be segregated through the use of other pedestrian accesses throughout the site, including the main pedestrian access to be formed to the north west and links with Drumgeith Road further north and the footpath with the Dighty Water that bounds the south of the site.
- 1.6 New tree planting and landscaping is proposed within the site, with new tree planting areas identified towards the north, east and west boundaries of the site and being interspersed

among the development. There is existing established planting on all boundaries of the site, particularly at the south boundary where the site runs adjacent to the Dighty Water Wildlife Corridor. Supporting information indicates the majority of this existing landscaping would be retained on the periphery of the site. Eight trees within the site would require to be removed to allow for the proposed development. A mix of security fencing and close boarded fencing are proposed for boundary treatments within and around the site, which would be reinforced by the retained landscaping and new tree planting areas. Feature paving and flagstones would be used for the ground surface for circulation areas around the site, such as the main entrance plaza to the north west.

1.7 The applicant has submitted the following in support of the application:

- Pre-application Consultation Report
- Transport Assessment
- Design & Access Statement Part 1 (Overview)
- Design & Access Statement Part 2 (Site Strategy)
- Design & Access Statement Part 3 (Design Solution)
- Preliminary Environmental Risk Assessment Report – Parts 1-7
- Drainage Strategy Report
- Flood Risk Assessment
- Tree Survey
- Tree Protection & Felling Plan
- Noise Survey & Assessment
- Kitchen Odour Statement
- Kitchen Odour Control - Cleaning & Maintenance Regime
- Preliminary Ecology Assessment
- Ecology Assessment - Part 2

1.8 All supporting information can be viewed at: <https://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=RBYRLKGCJCK00>

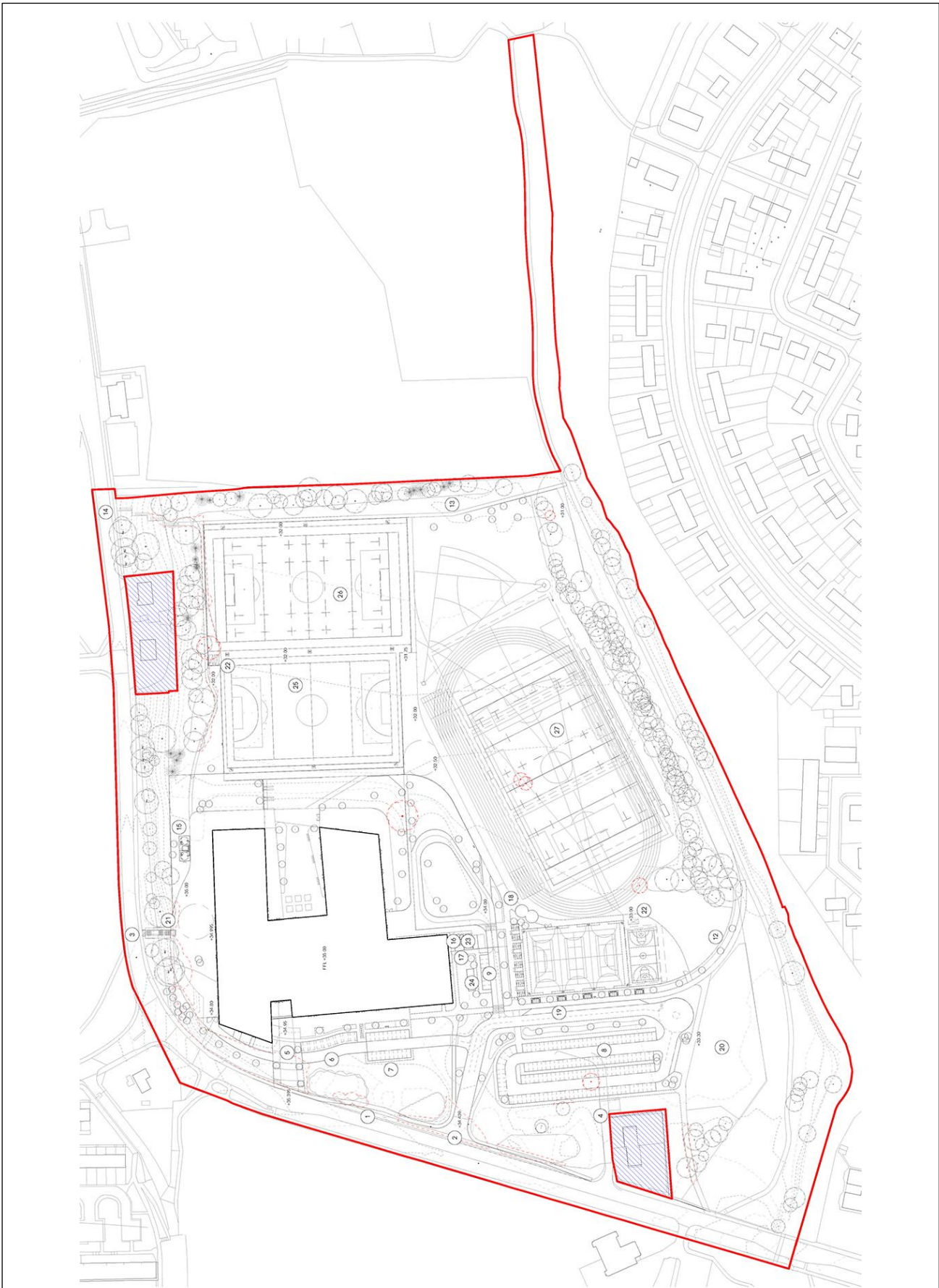


Figure 1 – Proposed Site Plan



Figure 2 – Isometric View - Southwest



Figure 3 – Floor Plans (Ground and First Floor)

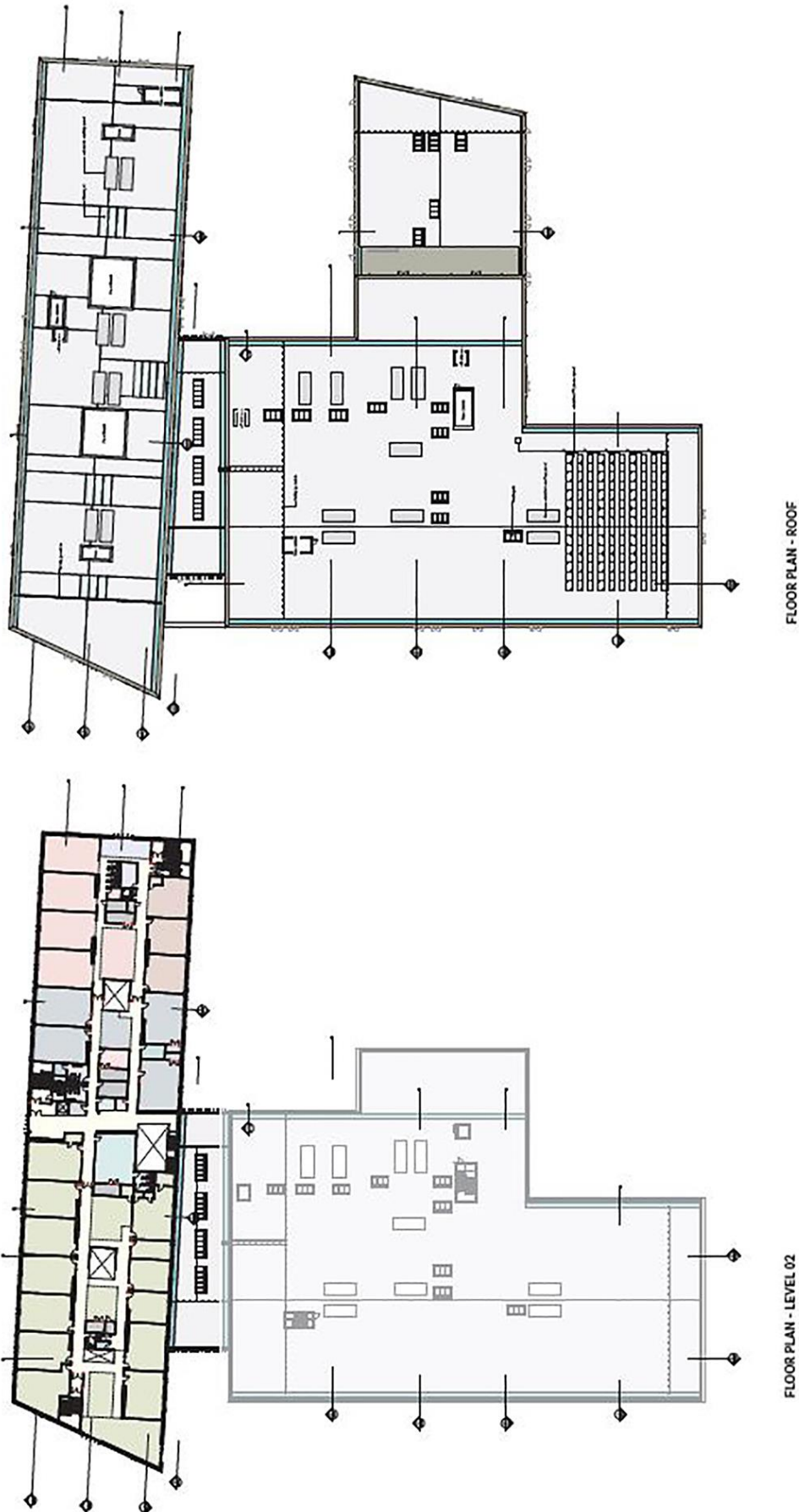


Figure 4 - Floor Plans (Second Floor and Roof)



Figure 5 – Landscape Plan





Figure 6 - Visuals of the Entrance Plaza

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## 2 SITE DESCRIPTION

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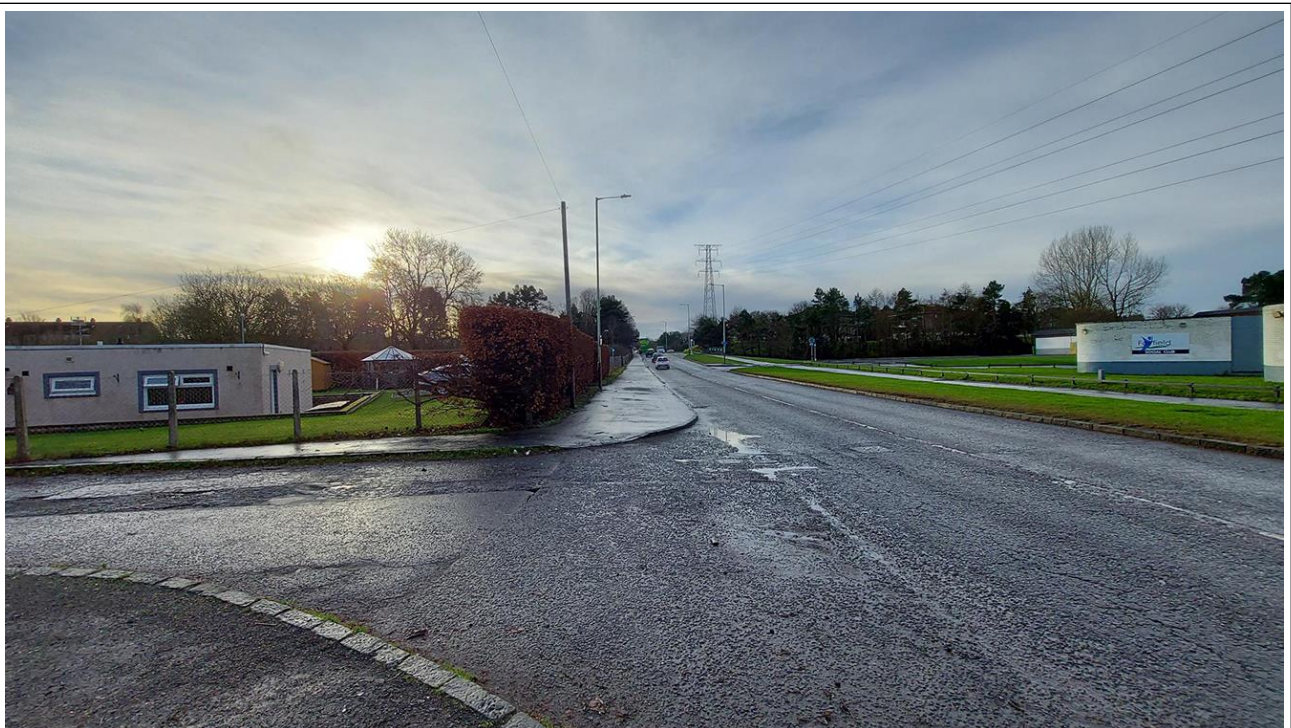
- 2.1 The 14.38 hectares application site comprises the site of the demolished St Saviours High School campus, which occupied the west side of the site. The site currently contains playing pitches to the north east, with the balance of the site providing informal recreational areas. The site slopes to the north, with a notable raised step to the north of the area of the former school at the north west corner. The site then slopes up steeply to Drumgeith Road at the north. An area at the west of the site provides an informal car park area that takes access from Drumgeith Road, past two houses at the west edge of the site (80 and 82 Drumgeith Road). There are also two houses (78 Drumgeith Road and Greenfield Cottage) located within the tree belt bounding the north east corner of the site. Pedestrian access can be taken to the site from a number of locations, including openings in the west boundary enclosure with Drumgeith Road, stepped accesses with Drumgeith Road to the north and connections to the path with the Dighty Water that spans the south boundary of the site. The site is not readily accessible through the east boundary due to the established tree lines and woodland strips.
- 2.2 The site is directly bound by the public footway of Drumgeith Road at the west and north, the Dighty Water and footpath at the south and an adjacent parcel of open land at the east. Beyond these immediate neighbouring land uses, the site is bound by residential housing to the north and south, playing fields and community use buildings at the west and the vacant parcel of land and industrial uses to the east. As discussed above, four residential houses cut into the site boundary at the north and east. These houses do not form part of the application site.
- 2.3 The site is defined by long-established tree belts and woodland areas at the south, east and much of the north boundary. The site is more open at the west and north boundaries with Drumgeith Road, where tree planting is more sporadic and there is a mix of boundary enclosures, including low height fencing, that (in conjunction with the change in ground levels to the north) delineate the site from the public road and footway. There are a number of isolated trees interspersed in the central body of the site, however, the majority site consists grassland cut to differing lengths to allow for either sports or recreation functions.



**Figure 7 – View of Proposed Building Location Towards North West**



**Figure 8 – Drumgeith Road and Whitfield Drive Junction Looking South**



**Figure 9 – Current Site Entrance and Drumgeith Road Looking South**

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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**

There are no relevant TAYPlan policies

### **DUNDEE LOCAL DEVELOPMENT PLAN 2019**

Policy 1: High Quality Design and Placemaking

Policy 2: Public Art Contribution

Policy 18: Community Facilities

Policy 28: Protecting and Enhancing the Dundee Green Network

Policy 29: Outdoor Access and the Dundee Green Network

Policy 33: Local Nature Conservation Designations

Policy 34: Protected Species

Policy 35: Trees and Urban Woodland

Policy 36: Flood Risk Management

Policy 37: Sustainable Drainage Systems

Policy 39: Environmental Protection

Policy 40: Air Quality

Policy 41: Land Contamination

Policy 44: Waste Management Requirements for Development

Policy 46: Delivery of Heat Networks

Policy 48: Low and Zero Carbon Technology in New Development

Policy 54: Safe and Sustainable Transport

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 Proposal of Application Notice 21/00923/PAN for “Construction of education and community facilities with associated parking, landscaping, external sports pitches, footpaths and infrastructure” was submitted to Dundee City Council in December 2021.
- 4.2 Environmental Impact Assessment (EIA) Screening request ref. 22/00006/EIASC for “Construction of Education and Community Facilities with Associated Parking, Landscaping, External Sports Pitches, Footpaths and Infrastructure” was undertaken by the planning authority and it was determined EIA was not required on 14 June 2022.

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## 5 PUBLIC PARTICIPATION

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- 5.1 A Pre-application Consultation Report has been submitted with this Major planning application. This sets out what has been done during the pre-application phase to comply with the statutory requirements for pre-application consultation with the public. It outlines the physical events that were held and the online presentation that was available for public review and the comments received prior to submitting the application.

- 5.2 The statutory neighbour notification process was undertaken and the application advertised in the local press. Three valid letters of representation have been received. Two of these objected to the proposals raising concerns over impact on wildlife and increase in traffic. A letter of support raised concerns with the design, the site being in an area at risk of flooding, impacts on traffic, inadequate drainage and the loss of trees.
- 5.3 The matters raised within the representations are taken into account in the material considerations section of this report.

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## 6 CONSULTATIONS

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- 6.1 **Head of Community Safety and Protection** – was consulted on the following matters:
- a **Contamination** – reviewed the submitted contaminated land supporting information and offered no objection, subject to the attachment of a planning condition regulating the provision and implementation of the Investigation and Risk Assessment proposed in the submitted Stage 1 Desk Study and, if necessary; a remediation scheme to deal with any contamination at the site.
  - b **Noise** – reviewed the submitted noise survey and assessment and offered no objection subject to the attachment of planning conditions regulating the provision and approval of a revised Noise Impact Assessment with specific plant/machinery and mitigation design details.
  - c **Odour** – reviewed the submitted odour control information and offered no objection subject to the attachment of planning conditions regulating the provision and approval of updated design and maintenance details for kitchen plant and equipment.
  - d **Light** – reviewed the submitted floodlight design information and offered no objection subject to a planning condition regulating the provision and approval of full details for floodlighting across the site.
  - e **Air Quality** – has no objection to the proposed development.
- 6.2 **Head of Environment** – supportive of the level of replacement planting shown and is satisfied that the ecological surveys carried out are sufficient. Offered no objection subject to the general recommendations from the Ecology Assessment being followed and suggested additional biodiversity recommendations.
- 6.3 **Scottish Water** – offered no objection to the proposed development and indicates there is capacity in the waste water network to serve the proposed development. However, the developer will need to submit a Pre-Development Enquiry (PDE) Form to Scottish Water to establish if water supply capacity is available.
- 6.4 **SEPA** – reviewed the submitted Flood Risk Assessment and drainage information and offered no objection to the proposed development.
- 6.5 **Sportscotland** – offered no objection subject to the attachment of a planning condition and advisory note guidance regarding the standard of sports pitch construction and related matters.
- 6.6 **SSEN Transmission** – reviewed the proposed development in terms of its existing infrastructure in the area, including the 132Kv overhead transmission line that lies to the west

of the site outside the application boundary, and offered no objection subject to the recommendation of engagement with SSEN from the developer.

- 6.7 **Police Scotland** – offered no objection to the proposed development subject to there being scope for boundary treatments at the development to be periodically reviewed in conjunction with Police Scotland, in the interests of safety and crime prevention.
- 6.8 **Highlands & Islands Airports Ltd** - indicated its calculations show that the proposed development would not infringe the safeguarding criteria for Dundee Airport and offered no objection, subject to the attachment of a planning condition regulating that any crane use is notified to HIAL and any flood lighting is designed to not dazzle or distract aircraft.

## 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 There are no relevant TAYPlan policies.

#### DUNDEE LOCAL DEVELOPMENT PLAN 2019

- 7.3 **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 6 qualities of successful place in accordance with the guidance provided in Appendix 1.
- 7.4 The proposed development is for the erection of an education and community use facility on the site of a former school. The proposal would re-use previously developed land in order to provide education and community facilities including a school (anticipated to provide education for almost 1,900 pupils), an additional support needs (ASN) facility and community and leisure facilities.
- 7.5 The design and material palette of the building is simple and the form and massing, whilst large and up to three-storeys at the north block, would react and integrate well into the landscape due to the sloping landform and elevated relationship of Drumgeith Road with the north boundary of the site. It is also noted the building would occupy a raised area north of the site of the previous 1970's design school building, which was demolished in 2010/2011.

Therefore, there is an established and recent context of built development at this area of the site and an historic precedent of the site providing an educational and community use function.

- 7.6 The proposed development would also provide for outdoor floodlit sports pitches, sports courts and a track and field area forming the north east and south boundaries of the site, respectively. There would also be enhanced landscaping and new tree planting, particularly to the north west boundary of the site where the built development would be most prominent, and new links established to the path with the Dighty Water to the south. A new vehicle access serving a 137-space car park would be formed from Drumgeith Road to the west and new and enhanced pedestrian and multi-modal access points would be provided around the site perimeter, including an entrance plaza towards the north west corner and taking access from Drumgeith Road. Landscaping, hard surfaces and boundary enclosures have been chosen to react well with the context of the building and the wider site.
- 7.7 In respect of Appendix 1, the applicant's supporting documents (Design and Access Statements parts 1-3) demonstrate compliance with the six qualities of successful place. The Design and Access Statement considers the development, which is located within a sloping site, is of a scale and form which is appropriate within the wider landscape. The layout of the site and position of the building, sports pitches, landscaping and access locations aims to create a Community Campus environment that has positive impact on the motivation, behaviour and aspirations of young people, providing ideal conditions for learners to learn and teachers to teach. The layout of the site and form of the proposed building responds positively to the site's topography and ensures new building can integrate within the existing area through a cohesive and well considered design approach. The proposal would result in the provision of education and community facilities within a previously developed site in Dundee where there is an historic context for this type of use being provided. The proposal provides an opportunity to provide modern educational facilities within the Drumgeith area of Dundee, whilst also aligning community infrastructure, recreation, social and wellbeing functions.
- 7.8 **The proposal is in accordance with Policy 1.**
- 7.9 **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.
- 7.10 The estimated cost of the development exceeds £1million and, accordingly, a planning condition is attached regulating the provision and implementation of a scheme of public art at the site.
- 7.11 **The proposal is in accordance with Policy 2, subject to condition.**
- 7.12 **Policy 18: Community Facilities** - proposals for new community facilities should be in locations convenient to the community they serve and readily accessible, particularly by public transport, pedestrians and cyclists. Joint developments with other agencies providing diverse but integrated community facilities will be encouraged. Where land or buildings formerly in community use become surplus to current or anticipated future requirements, alternative uses or developments which are compatible with adjoining uses and any remaining community uses, will be supported. Large sites or sites in sensitive locations will be subject to a planning brief or masterplan.
- 7.13 The proposed development is for the erection of education and community facilities at a site of previously-developed land in Dundee that is the site of a former school and has an historic context of providing education and community uses. The development is conveniently located for the school catchment areas of the two schools it would replace and to the community it would serve and is readily accessible by public transport, pedestrians and cyclists.



- 7.14 **The proposal is in accordance with Policy 18.**
- 7.15 **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.
- 7.16 The south of the site is bound by the open space of the Dighty - Whitfield route. The proposal involves the re-use of previously-developed land to provide education and community use facilities and has been sensitively designed to locate the majority of the built development to the north of the site, away from the more established woodland and tree belts that bound the south of the site and form the open space. The proposed site layout includes footpath connections to adjacent of the Dighty Water to the south of the site, and the proposed development is reasonably anticipated to contribute to the Dundee Green Network in a positive manner.
- 7.17 Landscaping is proposed within the site, with areas of planting including additional tree planting would be provided. The development will maintain and enhance the site's established connections to the Dundee Green Network.
- 7.18 **The proposal is in accordance with Policy 28.**
- 7.19 **Policy 29: Outdoor Access and the Dundee Green Network** - the Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the Core Path network and routes identified in the Dundee Cycling Strategy which support the development of the Dundee Green Network. When considering development proposals, the Council will:
- 1 safeguard the line of any existing or proposed outdoor access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed;
  - 2 seek to secure any additional outdoor access opportunities which may be achievable as a result of the development; and
  - 3 where an outdoor access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development.
- 7.20 The site is adjacent north of the Green Circular Core Path. The proposed development has been designed such that the core path would not be impacted by built development. Indeed, it is anticipated that the new links from the site to the core path would allow for the enhancement of the adjacent section of the core path network. A planning condition is attached requiring a scheme for the open retention of the core path and, if necessary, any diversionary works required to maintain access for users during the construction period.
- 7.21 **The proposal is in accordance with Policy 29, subject to condition.**

7.22 **Policy 33: Local Nature Conservation Designations** - development which could have a significant effect on the conservation interests associated with Local Nature Reserves, Locally Important Nature Conservation Sites or Wildlife Corridors will only be permitted where:

- 1 an ecological or similar assessment has been carried out which details the likely impacts of the proposal on the conservation interests of the designation;
- 2 any negative impacts identified are contained within the site and can be mitigated without affecting the integrity of the designated area; and
- 3 it has been demonstrated that there are no other suitable sites that could accommodate the development.

7.23 The south east area of the site is within the Dighty (Finlathen - Baldovie) Wildlife Corridor, which is local level nature conservation designation. A two-part Ecological Assessment was submitted in support of the application and has recommended necessary mitigation measures for protected species, birds, other wildlife and plants, fauna, woodland and trees at the site. It is noted that the development locates the majority of the built development in the previously developed land to the north of the site, which is recreational grassland of limited biodiversity value, and has sufficient separation distance from the wildlife corridor to the south and east. Stand-off between the development and biodiversity assets of the site is recommended mitigation on the Assessment. The Ecological Assessment has been reviewed and ratified by the council's Environment Team and the impacts of development on the wildlife corridor are not anticipated to be significant or unacceptable, subject to the attachment of a planning condition regulating the implementation of the recommended mitigation measures identified in the Assessments.

7.24 **The proposal is in accordance with Policy 33, subject to condition.**

7.25 **Policy 34: Protected Species** - 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.

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. 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.

7.26 An Ecological Appraisal was submitted with the application. The Appraisal includes details of survey work undertaken for protected species including bats, badgers, otters, voles and amphibians and indicates the land is largely limited in biodiversity terms and, in terms of habitats, is not of high ecological value. In terms of bats, which are a European Protected Species, it indicates the value of the site to bats is relatively limited and mainly relating to forage and commuting along the burn corridor and wooded edges. A number of mitigation recommendations, including the erection of bat boxes and the provision of a bat plan are provided in the Assessment and a planning condition is attached requiring the implementation of the recommended mitigation in terms of protected species. The Ecological Assessments

were again ratified by the council's Environment Team, which offered no objection to the proposed development, subject to the recommendations of the Ecological Assessments being fully implemented. The development is not likely to have a significant effect on a European Protected Species, subject to the stated condition.

7.27 **The proposal complies with Policy 34, subject to condition.**

7.28 **Policy 35: Trees and Urban Woodland** – the Council will support the establishment and enhancement of woodland, tree belts and corridors. New development must ensure the survival of woodland, hedgerows and individual trees, especially healthy mature trees, of nature conservation or landscape value through sensitive site layout both during and after construction, unless removal has been approved in advance by the Council. Where appropriate, development proposals must be accompanied by maintenance arrangements and justification for the removal of any trees or hedgerows.

7.29 There are trees at all boundaries of the site, including areas of established wooded areas and tree belts at the south, east and north boundaries. There are also a number of single and small collections of trees scattered through the body of the site and six of these trees, including a mature European Ash located broadly central within the recreational grass, would need to be removed in order to allow for the proposed development.

7.30 A Tree Survey, Tree Protection and Felling Plan and landscaping plans were submitted in support of the application. The proposed landscaping includes new tree planting at areas on the site boundaries and throughout the site, with trees being located at the edge of circulation routes in order to provide a range of attractive tree-lined routes through the site and connecting to the surrounding area. The new tree planting would also enhance the boundaries of the site by making them more robust over time, and this has been focussed towards the north and east boundaries of the site, where the built development would be most prominent, in order to integrate the development into the landscape and the surrounding area. Eight trees, including the mature Ash, are indicated to require to be felled to allow for the development and it is realistic to anticipate further tree works and removal may be required as development is undertaken. However, the compensatory value of the proposed landscaping, including new tree planting, is considered to outweigh the loss of the existing trees and, given the scale of the development, this is not considered to be significant or unacceptable. The submitted information on trees and landscaping has been reviewed and ratified by the council's Environment Team and it offers no objection to the application.

7.31 **The proposal is in accordance with Policy 35.**

7.32 **Policy 36: Flood Risk Management** – states within Medium to High Risk Areas: There is a general presumption against a) development on previously undeveloped land and b) development of essential civil infrastructure, in high risk areas based on a 0.5% or greater annual probability of flooding (equivalent to a 1 in 200 year flood or greater) plus an additional allowance of 600mm. Other development may be acceptable where: 1) sufficient flood defences already exist, or a Flood Protection Scheme or flood defence, designed and constructed to a standard of 0.5% annual probability plus climate change allowance, will be in place prior to occupation of the proposed development; 2) those flood defences will be maintained for the lifetime of the development and will not increase the probability of flooding elsewhere; 3) the extent of development potentially affected by flooding is protected through the use of appropriate water resistant materials and construction; and 4) the finalised scheme does not result in a land use which is more vulnerable to flooding.

7.33 A flood risk assessment will be required for any development within the medium to high risk category.

- 7.34 A Flood Risk Assessment (FRA) has been submitted which surveys all sources of flood risk (ie rivers, surface water, sewers, groundwater and artificial sources). The closest watercourse to the site is the Dighty Water which is located along the southern boundary of the site.
- 7.35 With regard to fluvial (watercourse) flooding the FRA notes that although parts of the site lie within the 1:200 year flood extent the school building and synthetic sports pitches are out with this flood extent.
- 7.36 The FRA indicates that in its current undeveloped state the site could be subject to pluvial (rain related) flooding in the low, medium and high likelihood events. The flooding areas shown on the SEPA flood map correlate with the overall low points within the undeveloped field. The Assessment indicates that, through the development of the site, any local surface water flooding issues would be improved. An accompanying Drainage Strategy Report (DSR) discusses the relevant SuDS options for the site to mitigate against any potential pluvial flood risk. The Assessment concludes that, in compliance with Dundee City Council Flood Risk Requirements, the development will be designed to ensure that it is not at risk of flooding from a 1 in 200 plus 30% climate change and an allowance for 10% urban creep.
- 7.37 SEPA reviewed the submitted FRA and DSR and indicated that a new school on the site of the former St Saviours school represents a like-for-like development as per SEPA's Land Use Vulnerability guidance. Although part of the site is clearly within the functional floodplain of the Dighty Water, this area has been designated for sports pitches in the development design. The footprint of the new school is at less risk than the former school, ie it is set back further to the north from the Dighty Water than the previous building which identifies the key flood risk to the site is from surface water runoff entering the site from land to the north.
- 7.38 Through the provision of surface water drainage infrastructure within the site, the runoff from the site and wider catchment to the north-west will be attenuated, and then discharged to a surface water sewer on Jack Martin Way. In that regard, the new school building would be at less flood risk than the former. However, the footprint of the new school is also located on an area of higher ground (confirmed by the topographic survey provided in support of the application) which appears to have been raised in the past to create a footpath/recreation area. It is therefore likely to be safely above the floodplain at this elevation. Therefore, even although it is a like-for-like application, the new school would be at less (or no) flood risk compared to the former school, which is an improved situation that SEPA welcomes. SEPA offered no objection to the proposed development.
- 7.39 In summary, the proposed development would not be at risk from flooding, and subject to appropriate drainage infrastructure as assessed under Policy 37, would not increase the risk of flooding in the surrounding area.
- 7.40 **The proposal is in accordance with Policy 36.**
- 7.41 **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.

- 7.42 The applicant has submitted a Drainage Strategy Report (DSR) which indicates foul sewage from the development would be conveyed to the existing public sewerage network. Surface water run-off from areas of new external hardstanding, roof, car parking and sports pitches would incorporate SUDS measures to treat and attenuate the surface water run-off to the agreed discharge limit with attenuation features tested for 1: 200 year rainfall events with an additional uplift of 30% for climate change resilience and 10% urban creep.
- 7.43 The submitted drainage information has been reviewed by SEPA and the council's Infrastructure Team, and is acceptable, subject to conditions requiring detailed designs to be approved. Scottish Water has confirmed there is capacity for wastewater from the development, which would discharge to the public network.
- 7.44 **The proposal is in accordance with Policy 37, subject to conditions.**
- 7.45 **Policy 39: Environmental Protection** – 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.
- 7.46 The applicant has submitted a Noise Survey and Assessment which contains an environmental noise survey conducted on the proposed site and in the vicinity of the nearby residential premises, the production of a 3D computer noise model of the site, an external noise intrusion assessment, an assessment of noise levels in external teaching areas/pitches, a sports pitches noise assessment and building services plant noise egress assessment. The Assessment makes a number of recommendations in terms of noise mitigation measures that should be incorporated as part of the development, including all of the air handling units being fitted with atmospheric side attenuators to both the supply inlet and the extract outlet of the units and the location of the air source heat pumps in a rooftop compound formed by a plant screen.
- 7.47 The Head of Community Safety and Protection has reviewed the Noise Survey and Assessment and raised concerns that the submitted report does not provide a defined decision on the type and number of heating plant and machinery to be installed and will need to be reviewed to validate the findings based on this detail and also enable specific mitigation measures to be detailed for compliance with the noise level criteria. Planning conditions are recommended requiring a revised NIA to be prepared once the heating plant and machinery has been selected and that any necessary noise mitigation measures are provided.
- 7.48 Further to the provision of an amended NIA, conditions are recommended to restrict noise levels from electric and mechanical plant to ensure an acceptable level of residential amenity is achieved.
- 7.49 In terms of odour control from kitchens, the Head of Community Safety and Protection has reviewed supporting information submitted in this regard and indicated further detail on the detail of the specific filtration system to be installed and maintenance regime are required for written approval. Planning conditions to regulate these matters are recommended below.
- 7.50 In terms of submitted information on floodlighting for the outdoor pitches and sports courts, the Head of Community Safety and Protection has indicated that the plans do not clarify alterations made to lower the lux levels of light spill to neighbouring properties. As floodlighting can be designed to minimise light spill a planning condition is proposed to be attached requiring full details of the floodlighting within the site for written approval by the planning

authority, in order to ensure the residential amenity of neighbouring property is safeguarded from the introduction of floodlighting.

7.51 **The proposal is in accordance with Policy 39, subject to conditions.**

7.52 **Policy 40: Air Quality** - there is a general presumption against development proposals that could significantly increase air pollution or introduce people into areas of elevated pollution concentrations unless mitigation measures are adopted to reduce the impact to levels acceptable to the Council.

7.53 The Head of Community Safety and Protection has noted that the heating for the proposed development would be entirely electric. Therefore, an air quality assessment is not required.

7.54 **The proposal is in accordance with Policy 40, subject to conditions.**

7.55 **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.

7.56 A Preliminary Environmental Risk Assessment Report was undertaken and submitted with the application. The report covers the most recent use of the site as a school and more historically as a bleaching field, manor house and dovecot. The report identifies that the site is considered to be at moderate risk of contamination with a moderate risk to or from the proposed development. The site is at low risk of being affected by elevated levels of radon gas and no radon protection measures are required within the site area. A number of recommendations in regard to contaminated land, including geotechnical testing regime of the underlying deposits the site to assist in foundation, roadways and drainage design, is recommended.

7.57 The Head of Community Safety and Protection reviewed the submitted contaminated land supporting information and offered no objection, subject to the attachment of planning conditions regulating the provision and implementation of the Investigation and Risk Assessment proposed in the submitted Stage 1 Desk Study and, if necessary; a remediation scheme to deal with any contamination at the site.

7.58 **The proposal is in accordance with Policy 41, subject to conditions.**

7.59 **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.

7.60 A Site Waste Management Plan was submitted in support of the application and provides details on responsibilities, waste minimisation, waste management options, duty of care, training/communication, actual versus forecast waste and an ongoing review of implementation. The Site Waste Management Plan will require to be updated and completed during the construction, completion and operational phases and a planning condition is attached requiring ongoing review and implementation of the management plan.

- 7.61 **The proposal is in accordance with Policy 44, subject to a condition.**
- 7.62 **Policy 46: Delivery of Heat Networks** - requires new development to consider the feasibility of meeting their heat demand through heat networks. For major level developments, a statement will be required to be submitted with an application for planning permission to demonstrate that consideration has been given to the viability of creating or linking into a heat network.
- 7.63 The site is around 240m west of the Baldovie Industrial Estate, which forms the western edge of the Baldovie Heat Network Opportunity Cluster site, as identified in the development plan.
- 7.64 A District Heating Appraisal is provided as part of the Design and Access Statement submitted in support of the application. It measures the approximate distances to district heating networks and indicates that, based on the current proposal, it is not deemed economically feasible to connect to an existing district heating network. However, it indicates consideration has been given to potential capability to connect the development to heat networks in future and appropriate spatial allowances have been made at ground floor level to allow for the potential installation of heat interface equipment to allow a portion or all of the development's heat requirements to be delivered by heat network in future. A below ground route has been identified from the external site boundary to allow future installation of pipework to serve the development.
- 7.65 Based on the information in the submitted District Heating Appraisal, and the time frame for the development to be progressed, it is reasonable to conclude it is not possible/viable for the development to be linked to a heat network. Notwithstanding this, the development is of a scale and nature which would be suitable for connection to a heat network in future should such infrastructure be progressed and the applicant has undertaken a reasonable level of investigation into the viability of this and has identified potential future solutions. The proposal therefore has potential to connect into a heat network in future without any significant on-site works being required.
- 7.66 **The proposal is in accordance with Policy 46.**
- 7.67 **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.
- 7.68 The submitted Low Carbon Energy Strategy (part of the Design & Access Statement) indicates the development is being designed to meet Passivhaus certification, which meets an ambitious energy target through optimising building fabric and energy solutions. This includes the use of air source heat pumps for all electric space and water heating, efficient ventilation and high efficiency lighting. Targeted performance figures for energy efficiency measures and a low and zero carbon technology appraisal for the development are also provided as part of the Energy Statement.
- 7.69 The submitted Low Carbon Energy Strategy demonstrates that energy compliance with Scottish Building Standards can be achieved and potentially exceeded. It is also noted that the main teaching building, which forms the largest floorspace area of built development in the proposal, would be addressing the north/south and it is indicated in supporting information this has been designed to bring controllable solar gain to the spaces within.
- 7.70 **The proposal is in accordance with Policy 48.**

- 7.71 **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.

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.

- 7.72 In response to the criteria above:

- 7.73 Criteria 1 – the application site is within an area of the north west of Dundee that benefits from existing pedestrian facilities which are generally to a suitable standard. There are wide, lit footways are provided along both sides of the majority of roads in the area, supported by a number of footpaths. Drumgeith Road to both the north and west of the site, has a footway adjacent to its southbound carriageway and an intermittent footway /segregated shared use path adjacent to its northbound carriageway and street lighting along its entirety. The road links to Douglas Road to the south and Baldovie Road to the north with a number of junctions in between including Whitfield Drive, Summerfield Avenue and Ballumbie Road. In terms of cycling the site is also well placed for local provisions with a segregated “shared use” path running adjacent to the northbound carriageway of Drumgeith Road between Happyhillock Road and Whitfield Drive. The promoted ‘Dundee Green Circular Route’ is approximately 750m to the north of the site, adjacent to the banks of the Dighty Burn (Water) and Drumgeith Meadow. Sustrans National Cycle Route 1 is located 1.7km to the south of the site and runs along a dedicated cycle path adjacent to the Firth of Tay following an east west route to areas such as the City Centre, City Quay, West Ferry, Broughty Ferry and Monifieth. The site is well located for access to local bus services, with 4 bus stops (2 in each direction) present on Drumgeith Road. The site is within close proximity to sustainable transport infrastructure and connections to surrounding footpaths will reduce the reliance on the private car.



- 7.74 Criteria 2 – as discussed in relation to Criteria 1 above, the proposed development will include connections to existing footpaths and cycle paths which provide safe and convenient connections to the wider footpath and cycle path network and the surrounding residential areas. Staff and visitors to the proposed development would have access to bicycle storage areas within the site. Streets in the vicinity of the development are suitable for use by pedestrians: being lit and being pedestrianised.
- 7.75 Criteria 3 – the site is well located for access to local bus services, with 4 bus stops (2 in each direction) present on Drumgeith Road. These bus stops are all within a walking distance of no more than 400 metres from all parts of the development. The bus stops on Drumgeith Road are currently served by Services 10 and 17 operated by Xplore Dundee and combine to provide 8 buses per hour in each direction Monday - Friday.
- 7.76 Criteria 4 - a Transport Statement (TS) submitted as part of the application has been reviewed by The Head of Sustainable Transport and Roads. The Forecasted Trip Generation, Distribution and Assignment provided in the TS assesses the trip generation, distribution and assignment for both pupils and staff to the proposed campus, and indicates the traffic/pedestrian/multi-modal transport features of the site and the level of parking provision has been designed on this basis. It is also noted the development will see the closure of both Braeview Academy and Craigie High School once the campus becomes operational. The TS has been reviewed and ratified by the council's Sustainable Transport and Roads Service, which offered no objection subject to the attachment of planning conditions regulating the provision and implementation of further details traffic, pedestrian, parking and other transport related matters of the proposed development.
- 7.77 A vehicle drop-off and collection bay would be formed within the campus at the east of the car parking area and a new bus stop would be formed on the east side of Drumgeith Road between the vehicle entrance and the campus entrance plaza access at the north west corner. The TS also indicated that a pick-up/drop-off layby north of the school access and on the east side of Drumgeith Road should be provided, as this may reduce the level of cars entering the site at peak times, and this matter is regulated by a recommended condition.
- 7.78 The proposed development will not have any significant effect on the capacity or safe functioning of the existing local road network, subject to the recommended conditions. The proposed development is of a scale and form which the surrounding road network would have capacity to accommodate.
- 7.79 Criteria 5 – within the application site, spaces and circulation space are provided for the loading, unloading and turning of buses, fire appliances, delivery vehicles and service vehicles. The TS indicates that all servicing will take place within the campus curtilage. Swept path analyses have confirmed that the appropriate vehicles can manoeuvre safely within the site. The site layout and proposed access locations are designed to ensure that safe and adequate provision is made for road freight and waste access, loading and unloading.
- 7.80 Criteria 6 - The Head of Sustainable Transport and Roads has reviewed the detailed information submitted as part of the planning application process and offered no objection subject to the attachment of conditions regulating, among other things, the provision of further details on roads and footpath standards. The design and construction of new roads and footpaths will be approved separately through the Road Construction Consent process to ensure that they meet Council design standards and specification.
- 7.81 Criteria 7 – The proposals include the provision of cycle parking and connections to surrounding footpath networks. The Head of Sustainable Transport and Roads recommends a condition is attached to any planning permission granted to ensure that a Travel Plan is

agreed and thereafter implemented and reviewed. This requirement is met subject to a condition.

7.82 In summary, the submitted Transport Statement and accompanying supporting information has been reviewed by the Head of Sustainable Transport and Roads who is satisfied with its conclusions. Subject to conditions, the proposed development would have no significant impact on the local or trunk road network.

7.83 **The proposal is in accordance with Policy 54, subject to conditions.**

7.84 **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. All parking facilities at commercial developments should include the provision of charging stations for electric vehicles.

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.

7.85 The proposed parking provision is of a scale and form which is appropriate for the scale of development proposed. Plans are provided which identify the location of disabled bays and 22 electric vehicle charging points within the car park. Supporting information further indicates that infrastructure for future provision of electric vehicle charging infrastructure to 44 bays in total would be provided for later implementation. Planning conditions are recommended to ensure electric vehicle charging points are installed prior to occupation of the proposed development, and that details of the phased provision of electric vehicle charging points are agreed.

7.86 There are spaces within the proposed development where staff can change. With regard to cycle storage, the applicant proposes enclosed stores for up to 160 cycles within the site. Cycle parking would be located in enclosed stores to the south of the building and adjacent to the public footpath and track and field area. Notwithstanding the high volume of cycle storage provision, details on the design and functioning of the proposed enclosures are sparse and it is recommended the provision of full details of the form of the proposed cycle parking is controlled by condition.

7.87 **The proposal is in accordance with Policy 56, subject to conditions.**

7.88 **The proposal is in full accordance with the Local Development Plan.**

### **STATUTORY DUTIES**

7.89 Section 41B of the Town and Country Planning (Scotland) Act 1997 (as amended) requires the provision of specified toilet facilities within certain large developments, including a development that is subject of an application for planning permission for the construction of a building as a school, community centre, sports and leisure centre or similar public building.

7.90 Among other things, the facility required under Section 41B is an accessible public facility which has sufficient space, being not less than 12m<sup>2</sup>, to allow up to two carers to assist an adult to use the toilet and equipment including a height-adjustable changing bench of a size suitable for an adult and a tracking hoist able to cover the full floor area of the facility.

- 7.91 The proposed development has been designed to be accessible, and it will have three compliant 'changing places' facilities in addition to several accessible WC's and changing rooms. Two of these facilities will be located in the ASN school and one of them will be located off the main atrium.
- 7.92 The council would be satisfactorily discharging its statutory duty under Section 41B in the grant of planning permission.

## **MATERIAL CONSIDERATIONS**

### **REPRESENTATIONS**

- 7.93 The statutory neighbour notification process was undertaken and the application advertised in the local press. Three valid letters of representation have been received. Two of these objected to the proposals raising concerns over impact on wildlife and increase in traffic. A letter of support raised concerns with the design, the site being in an area at risk of flooding, impacts on traffic, inadequate drainage and the loss of trees.
- 7.94 The matters raised in these representations are discussed as follows:

#### **The Impacts on Wildlife**

- 7.95 **Response:** an Ecological Assessment was submitted in support of the application and this has been independently reviewed and ratified by the council's Environment Service. The Assessment was undertaken by a qualified Ecologist and, among other things, assessed the impacts of the proposed development on wildlife within the site and the wider surrounding area. The Assessment also assessed the impacts on protected species. Subject to recommended mitigation measures – the implementation of which is regulated by planning condition - the impacts of the development on wildlife are not considered to be significant or unacceptable for a development of this scale and nature.

#### **Poor Design of the Development**

- 7.96 **Response:** the school would be located towards the north west corner of the site, with the main teaching building orientated on an east to west axis and it is indicated in supporting information this has been designed to bring controllable solar gain to the spaces within. The community entrance and foyer spaces bridge between the sports and community building are anticipated to create a recognizable entrance point, whilst allowing the building to step down in scale. The building further reduces at the south wing, where the ASN teaching spaces are located, taking the building to single storey, and forming a more intimate teaching zone. The three-sided campus would wrap around a central courtyard space, which is anticipated to form the centre of the new development. The view from the centre of the courtyard looking east would allow building users to view the sports pitches, and enjoy an elevated position above the playground spaces, whilst identifying the natural environment of the Dighty beyond. The building would be finished in a simple material palette and would read as a modern education/community/sports facility. It is also noted the building design refers to some of the more desirable design aspects of the former mid-century St Saviour's School that previously stood at the site, including the flat roof, rectilinear form, the use of horizontally proportioned windows and the muted colour palette. Whilst design is a subjective assessment, the proposal is not considered to introduce any features that are significantly at odds with the surrounding environment and it is anticipated the development will integrate well with the landscape context and that of the wider surrounding area.

### The Site Is in An Area at Risk of Flooding

- 7.97 **Response:** the built development of the proposed development has been sited at an elevated area to the north west of the site, that is outwith the areas identified on SEPA flood maps as being at high risk of flooding. A Flood Risk Assessment and Drainage Strategy Report were submitted in support of the application. This supporting information indicates the development will be designed to ensure that it is not at risk of flooding from a 1 in 200 plus 30% climate change and an allowance for 10% urban creep. The supporting information has been independently reviewed and ratified by SEPA and the council's Infrastructure Service and both have offered no objection to the development on grounds of flood risk, subject to the recommended planning conditions below.

### Impacts on Traffic

- 7.98 **Response:** the submitted Transport Statement provides traffic modelling based on the anticipated use of the proposed development and indicates it will not have any significant effect on the capacity or safe functioning of the existing local road network. The Transport Statement and other relevant supporting information on travel and transport matters has been reviewed by the Head of Sustainable Transport and Roads who is satisfied with its conclusions. Subject to conditions, the proposed development is anticipated to have no significant impact on the local or trunk road network. It is also noted that the site previously contained a school, which was demolished as recently as 2011, and this similar former use of the site would have generated a degree of traffic and activity in the surrounding area.

### Inadequate Drainage

- 7.99 **Response:** a Drainage Strategy Report (DSR) was submitted in support of the application which indicates foul sewerage from the development would be conveyed to the existing public sewerage network. Surface water run-off from areas of new external hardstanding, roof, car parking and sports pitches would incorporate SUDS measures to treat and attenuate the surface water run-off to the agreed discharge limit with attenuation features tested for 1: 200 year rainfall events with an additional uplift of 30% for climate change resilience and 10% urban creep. The submitted drainage information has been reviewed by SEPA and the council's Infrastructure Team, and is acceptable, Scottish Water has confirmed there is capacity for wastewater from the development, which would discharge to the public network.

### Loss of Trees

- 7.100 **Response:** a Tree Survey, Tree Protection and Felling Plan and landscaping plans were submitted in support of the application. The proposed landscaping includes new tree planting at areas on the site boundaries and throughout the site, with trees being located at the edge of circulation routes in order to provide a range of attractive tree-lined routes through the site and connecting to the surrounding area. The new tree planting would also enhance the boundaries of the site by making them more robust over time, and this has been focussed towards the north and east boundaries of the site, where the built development would be most prominent, in order to integrate the development into the landscape and the surrounding area. 8 trees, including the mature Ash, are indicated to require to be felled to allow for the development and it is realistic to anticipate further tree works and removal may be required as development is undertaken. However, the compensatory value of the proposed landscaping, including new tree planting, is considered to outweigh the loss of the existing trees and, given the scale of the development, this is not considered to be significant or unacceptable. The submitted information on trees and landscaping has been reviewed and ratified by the council's Environment Team and it offers no objection to the application.

- 7.101 The matters raised in the representation have been considered and addressed in the report.

7.102 It is concluded that there are no material considerations which would justify refusal of planning permission.

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## 8 CONCLUSION

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8.1 The application for the construction of education and community facilities with associated parking, landscaping, external sports pitches, footpaths and associated infrastructure 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.

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## 9 RECOMMENDATION

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

1 **Condition** – development shall not begin until further investigation and risk assessment are 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; and
- iv verification of the condition of the site on completion of decontamination measures.

**Reason** – in the interests of providing a site suitable for development and in accordance with Policy 41 of the Dundee Local Development Plan (2019).

2 **Condition** – prior to the first use of the education and community use facility hereby approved, 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 planning authority.

**Reason** – in the interests of providing a site suitable for development and in accordance with Policy 41 of the Dundee Local Development Plan (2019).

3 **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** - in the interests of enhancing the amenity and environmental quality of the development and in accordance with Policy 2 of the Dundee Local Development Plan (2019).

4 **Condition** - prior to the commencement of development, a revised version of the Landscape Plan drawing no. EECC-HML-ZZ-ZZ-DDR-A-000901 Revision P02 – Soft Landscaping Layout dated 13.05.2022, shall be submitted to and approved in writing by

the planning authority. In addition to the landscaping proposed in the current plan, provision should be made in the revised design for the sowing of wildflower grassland areas at the edges to the east and south of the site, the erection of additional bat boxes, ensuring any lighting is bat friendly and providing gaps in fencing for hedgehogs.

Thereafter, the approved planting and landscaping shall be provided at the site prior to the first use of the education and community facility hereby approved and shall be maintained for the lifetime of the development and 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** - in the interests of providing an attractive and pleasant environment and in accordance with Policy 1 of the Dundee Local Development Plan (2019).

- 5 **Condition** – Prior to the first use of the education and community facility hereby approved, the recommended mitigation measures laid out in section 7.0 of the Ecological Assessment dated July 2022 by JDC Ecology shall be fully implemented.

**Reason** - In order to ensure the development does not adversely impact on any protected species and in accordance with Policy 34 of the Dundee Local Development Plan (2019).

- 6 **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, 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 development hereby approved.

**Reason** - in the interests of sustainable drainage provision and flood protection and in accordance with Policy 36 and Policy 37 of the Dundee Local Development Plan (2019).

- 7 **Condition** – prior to the commencement of any construction works, 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 protection and in accordance with Policy 36 and Policy 37 of the Dundee Local Development Plan (2019).

- 8 **Condition** – prior to the commencement of any works on site, an updated Flood Risk Assessment and associated Dundee City Council Compliance and Independent Check Certification shall be prepared and submitted to the Council and where appropriate, SEPA for written approval. Any recommendations contained within the updated Flood Risk Assessment must be implemented thereafter prior to occupation of the development.

**Reason** - in the interests of flood protection and in accordance with Policy 36 and Policy 37 of the Dundee Local Development Plan (2019).

- 9 **Condition** – prior to the commencement of development, the following details shall be submitted to and approved in writing by the Council:
- i details of the proposed site access generally in accordance with Drawing No EECC-GOO-XX-XX- DR-C-0701 including required traffic regulation orders on Drumgeith Road must be agreed prior to any works on site. The access must be formed and constructed to Dundee City Council standards and specifications and road markings/signage provided in accordance with the traffic orders;
  - ii details of agreed alterations at existing bus stop locations, including lay-bys and shelters shall be agreed and be implemented on site prior to opening of the development;
  - iii details of footway widening to 3 metres of the eastern footway on Drumgeith Road shall be agreed. The footway must be provided to Dundee City Council specifications and must be agreed prior to any works on site;
  - iv details of the proposed pick-up/drop-off lay-by on the east side of Drumgeith Road;
  - v a Travel Plan must be in place and agreed with the Local Authority within one year of the development opening;
  - vi electric car charging points shall be provided at a location and number to be approved prior to opening of the development;
  - vii details of secure and covered cycle parking;
  - viii details of the proposed puffin crossing on Drumgeith Road east of Whitfield Drive;
  - ix details of the proposed pedestrian crossing on Drumgeith Road at Summerfield Avenue;
  - x details of the proposed improvements to the steps accessing the site from Drumgeith Road;
  - xi details of the proposed lighting improvements to Green Circular;
  - xii details of the proposed puffin crossings on Happyhillock Road and Balunie Drive; and
  - xiii a further Safer Routes to School Audit shall be carried out and the findings implemented.

Thereafter, the approved details shall be implemented in full prior to the first use of the education and community facility hereby approved.

**Reason** - in the interests of vehicle, cycle and pedestrian safety and in accordance with Policy 54 of the Dundee Local Development Plan (2019)

- 10 **Condition** – prior to the commencement of development 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.

**Reason** – in the interest of sustainable waste management and in accordance with Policy 44 of the Dundee Local Development Plan (2019).

- 11 **Condition** - prior to any works on site, details of the type and form of the secure and covered cycle parking shall be agreed. Thereafter, the cycle storage shall be provided prior to first use of the development.

**Reason** - in the interests of promoting sustainable travel measures and in accordance with Policy 44 and Policy 56 of the Dundee Local Development Plan (2019).

- 12 **Condition** - prior to the commencement of work on site, details of the proposed extraction and ventilation system discharging at a high level and a maintenance schedule for the proposed ventilation and extraction system shall be submitted to the Council for written approval. Thereafter, the approved extraction and ventilation system shall be installed prior to the kitchen becoming operational and maintained in accordance with the details approved by this condition. Thereafter, the kitchen extraction and ventilation system shall operate whenever food is being cooked within the application premises.

**Reason** - In the interests of protecting the residential amenity of the occupants of neighbouring property in accordance with Policy 39 and Policy 40 of the Dundee Local Development Plan (2019).

- 13 **Condition** - prior to the commencement of works on site, full details of the floodlighting within the site (including unit types, heights, operational use, spillage zones) shall be submitted to and approved in writing by Dundee City Council. The lighting scheme shall demonstrate that there will be no light spill greater than 5 lux at any residential window. Thereafter, the lighting scheme shall be installed as per the approved details.

**Reason** - in the interests of protecting the residential amenity of the occupants of neighbouring property in accordance with Policy 39 of the Dundee Local Development Plan (2019).

- 14 **Condition** - the approved floodlighting may be operational 0900 hours to 2100 hours Monday to Saturday with no use on Sunday.

**Reason** - in the interests of protecting the residential amenity of the occupants of neighbouring property in accordance with Policy 39 of the Dundee Local Development Plan (2019).

- 15 **Condition** - the total noise from mechanical and electrical plant/services shall not exceed NR45 during the day and shall not exceed NR35 during night-time, as measured 1 metre external to the facade of adjacent residential property.

For the avoidance of doubt night time shall be 2300 to 0700 hours.

**Reason** - in the interests of protecting the residential amenity of the occupants of neighbouring property in accordance with Policy 39 of the Dundee Local Development Plan (2019).

- 16 **Condition** - deliveries and servicing of the school/community facility including loading, unloading or lay-up, shall not take place between 2100 and 0700 hours.

**Reason** - in the interests of protecting the residential amenity of the occupants of neighbouring property in accordance with Policy 39 of the Dundee Local Development Plan (2019).



- 17 **Condition** - noise from the sports pitches hereby approved shall not exceed the external noise criteria of 50dB, LAeq, 1 hour in external amenity areas, such as gardens and patios of adjacent residential properties.

**Reason** - in the interests of protecting the residential amenity of the occupants of neighbouring property in accordance with Policy 39 of the Dundee Local Development Plan (2019).

- 18 **Condition** - prior to commencement of any works on site, a revised Noise Impact Assessment shall be submitted to the Council for written approval. The Noise Impact Assessment shall assess noise sources associated with the proposed development, and specifically plant, equipment and ventilation to determine the cumulative noise impact.

In undertaking the review, particular reference requires to be made to section 10 of the Noise Impact Assessment undertaken by Sandy Brown, Project Ref 22018-R01-C dated 18 July 2022.

Thereafter, full details of any noise mitigation measures recommended in the assessment shall be submitted to the Council for written approval. The approved mitigation measures will be implemented in full prior to first occupation of the development hereby approved.

**Reason** - in the interests of protecting the residential amenity of the occupants of neighbouring property in accordance with Policy 39 of the Dundee Local Development Plan (2019).

- 19 **Condition** – prior to commencement of any works on site, a scheme for the open retention of the Green Circular Core Path at the south of the site shall be submitted to the Council for written approval. This shall include, if necessary, details of any diversionary works required to maintain access for users during the construction period. Thereafter, the approved scheme shall be implemented prior to the commencement of any construction works at the site.

**Reason** – in order to ensure that, where an outdoor access route is to be temporarily disrupted, an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development is provided, in accordance with Policy 29 of the Dundee Local Development Plan (2019).

- 20 **Condition** – prior to the commencement of development, a scheme for the periodic review of the boundary enclosures for the proposed development (as shown on Access and Security Site Plan drawing no. EECC-HML-ZZ-ZZ-DDR-A-000110 Revision P01, dated 4 May 2022), shall be submitted to the Council for written approval, in conjunction with Police Scotland. Thereafter, the periodic reviews of the boundary enclosures at the development shall be undertaken in accordance with the scheme.

**Reason** – in the interest of security and crime prevention, in accordance with Policy 1 of the Dundee Local Development Plan (2019).

- 21 **Condition** – development hereby permitted shall be commenced within three years from the date of this permission.

**Reason** - to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

Informatives

- 1 A Road Construction Consent (RCC) application, found via the following link on the Dundee City Council website:

<http://www.dundeeccity.gov.uk/a2z/constructionconsent>

must be submitted to Dundee City Council as Roads Authority for work on any proposed roads or the adjacent public road or footway and consent for this must be obtained prior to the commencement of any works on new roads or the public road or footway. For further details please contact 01382 433341 or [developmentroads@dundeeccity.gov.uk](mailto:developmentroads@dundeeccity.gov.uk).

- 2 Any work carried out on site involving the removal of vegetation has the potential to disturb breeding birds and should be undertaken outwith the breeding season or after a breeding bird survey has been completed.
- 3 Dundee Airport would request that any crane use during construction is notified to [hialsafeguarding@traxinternational.co.uk](mailto:hialsafeguarding@traxinternational.co.uk) in order for aerodrome safeguarding to be conducted. In addition, if there are any floodlights to be installed at the site, flood lights for the sports pitches for example, Dundee Airport would request that any such lighting does not spill above the horizontal and provide dazzle or distraction to Aircraft on approach, departing or operating in the vicinity of Dundee Airport.
- 4 It is recommended that the Applicant refers to the relevant guidance and requirements put in place by the Health and Safety Executive in relation to clearance requirements for works adjacent to overhead electricity line. SEN refer the Applicant to the HSE guidance note: GS6 (4th Edition) "Avoiding danger from overhead powerlines." Moreover, for safety purposes, we recommend that the Applicant consults with their own electrical contractor, project manager and/or other relevant qualified personnel when considering delivery, construction, and operation risks. On delivery and construction, amongst risks to be identified by their own professional advisor, delivery of materials will need to be considered if passing under the transmission line on the access road and suitable precautions put in place when craning off materials. The applicant is responsible for their own Health and Safety requirements.
- 5 All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via their [Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals. Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.
- 6 Sports Scotland requests that the new full-size floodlit synthetic sand-dressed pitch (minimum 91.4 x 55m with 4m run-offs), full-size floodlit synthetic 3G floodlit pitch (minimum 95 x 60m with in-goal areas 6m and 5m run-offs) and full-size natural grass pitch (minimum 100x70m) shall be designed and constructed by a recognised (eg SAPCA\* registered) specialist pitch contractor(s), details of contractor(s) and pitch specification shall be submitted for the written approval of the planning authority prior to the commencement of development.

\*SAPCA is The Sports and Play Construction Association ([www.sapca.org.uk](http://www.sapca.org.uk)).