

Erection of Purpose Built Student Accommodation, South Ward Road

KEY INFORMATION

Ward Maryfield

Address
19-21 South Ward Road
Dundee
DD1 1PU

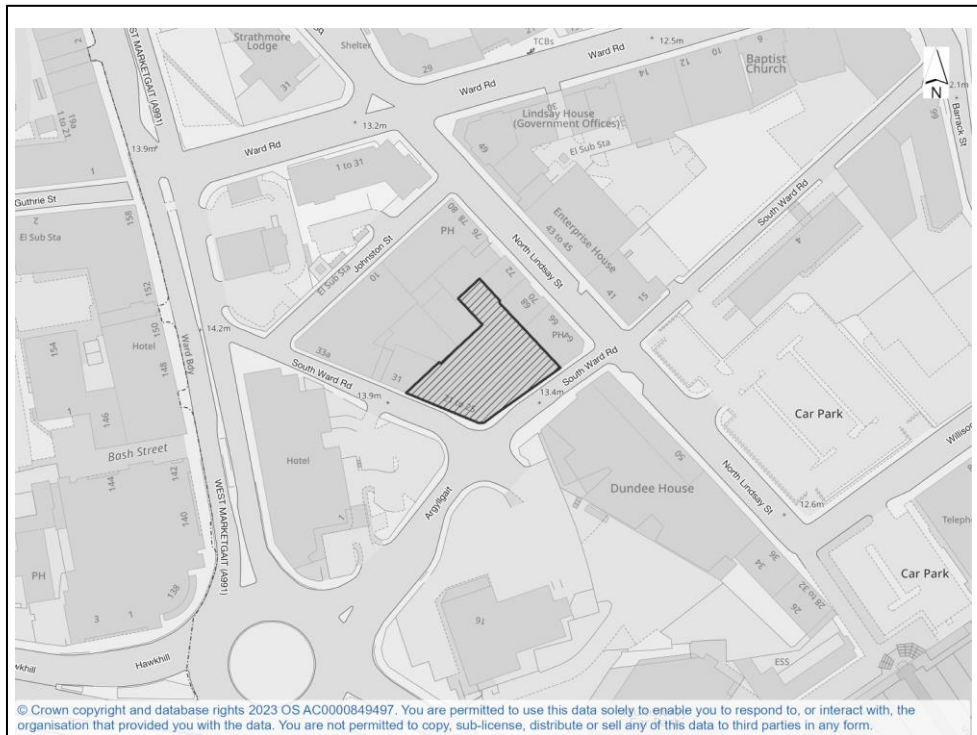
Applicant
Newtide Investment Limited

Agent
Scott Hobbs Planning
24A Stafford Street
Edinburgh
EH3 7BD

Registered 31 May 2023

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

Contact: Craig Swankie



SUMMARY OF REPORT

- Planning permission is sought for the erection of purpose-built student accommodation, comprising 215 bedrooms with associated amenity space, landscaping and access.
- The application accords with the requirements of the Development Plan.
- In total, three letters were received objecting to the proposal. The letters of objection raise concerns with noise from adjacent premises and renewable energy provision. One neutral representation was received.
- Supporting information including a Student Accommodation Demand Assessment, Design and Access Statement and Noise Impact Assessment have been provided with the application.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as it is 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.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=summary&keyVal=RV26PTGCK6600>

RECOMMENDATION

The proposal complies 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.

1 DESCRIPTION OF PROPOSAL

- 1.1 Planning permission is sought for the erection of purpose-built student accommodation (PBSA) together with associated access, amenity spaces and infrastructure. The proposal would provide 215 student beds comprising a mix of studio apartments and cluster apartments (4 and 5 bed apartments each sharing a lounge/kitchen/diner). As part of the development, internal amenity spaces are to be provided for residents, including a gym and lounge areas. To the rear (north) of the proposed building external amenity space is to be proposed.
- 1.2 The proposed building is within the south of an existing block of buildings between South Ward Road and North Lindsay Street. The proposed building, which would be up to nine-storeys in height, has been designed to provide an active frontage, with the main entrance and reception towards the south-west elevation onto South Ward Road. To the front (south-west) elevations, finishes primarily comprise of darker brick at ground and first floor level with lighter brick to upper floors and areas of glazing. To the rear (north) elevation, render is proposed. The form of the building reflects the shape of the application site, with frontage which extends along South Ward Road. The rear elevation and external amenity space have been formed to integrate with the layout of development immediately to the north of the site. The building will be 2.1 metres higher than the tower element of the Category B listed buildings to the north of the site at 80 North Lindsay Street. The design includes recessed elements to the north and east elevations, with the building rising towards the centre of the site.
- 1.3 Within the ground floor, a range of uses are proposed. Towards the front of the building, the main entrance along with resident amenity spaces are proposed, and towards the east of the ground floor a gym is proposed. Within the north-west of the ground floor, a service area with plant room, substation and bin store is to be formed with access onto South Ward Road. To the rear of the building an external amenity space is to be formed with enclosed cycle storage area beyond. The cycle store will have capacity for 98 cycles within covered shelters. The upper floors contain a mix of single bedroom studios and cluster rooms with four to five bedrooms. The single bedroom studios include bedroom, bathroom and cooking facilities. The clustered rooms include ensuite bedrooms with study space and a communal kitchen and dining area. The proposal provides a total of 215 bedrooms, comprising 105 single studios, 10 four-bedroom clusters and 14 five-bedroom clusters.
- 1.4 The external amenity space within the north of the site provides an enclosed, accessible outdoor space of 246m² for residents of the development. The cycle storage area is proposed to the north of the building, with access onto South Ward Road and North Lindsay Street. The cycle store would accommodate up to 98 cycles, with a further 8 cycle parking spaces proposed at the main entrance.
- 1.5 The applicant has submitted the following in support of the application:
- Pre-Application Consultation Report;
 - Planning Statement;
 - Drainage Impact Assessment;
 - Preliminary Site Investigation,
 - Sustainability Report;
 - Transport Statement;
 - Student Accommodation Demand and Supply Report;
 - Noise Impact Assessment; and
 - Odour Assessment

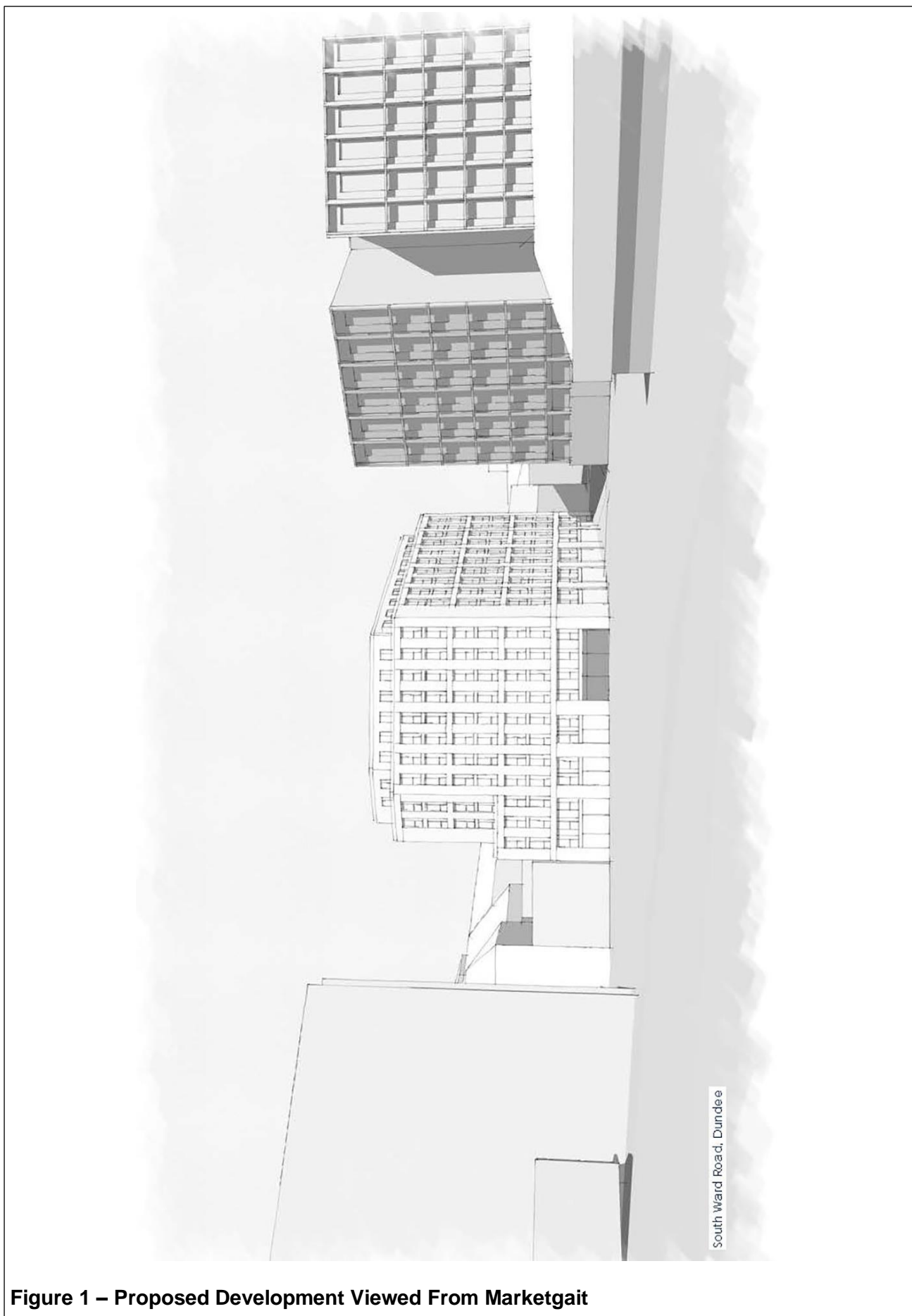




Figure 2 – Proposed South West Elevation



Figure 3 – Proposed South East Elevation

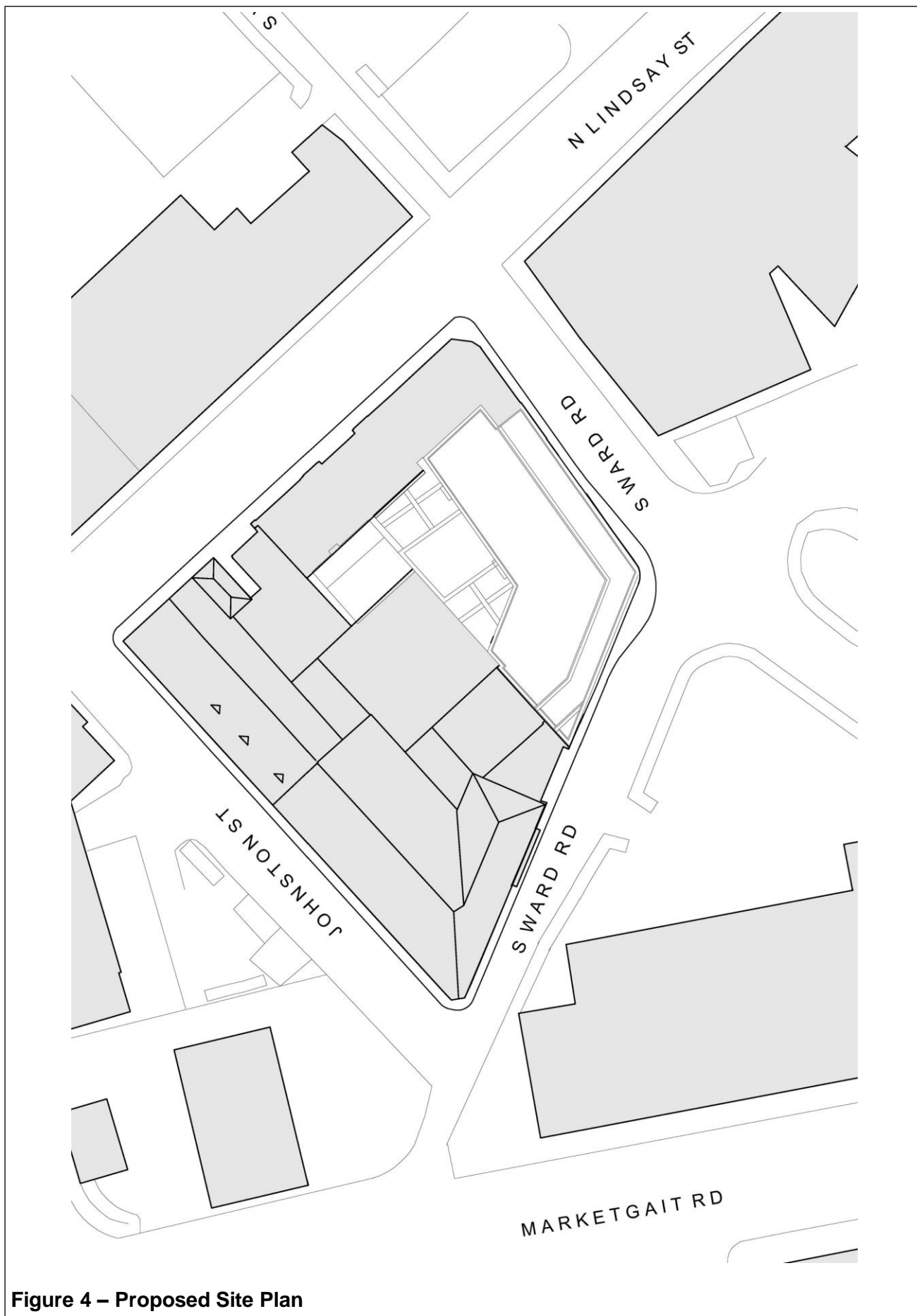


Figure 4 – Proposed Site Plan

2 SITE DESCRIPTION

- 2.1 The application site is located on the north side of South Ward Road. The site which contains a vacant nightclub premises is 0.11 hectares and level in nature. There are buildings adjoining the site to the north and east.
- 2.2 The existing nightclub building which is finished in white paint with pitched roof fronts onto South Ward Road. The main walls of the building are equivalent in height to two storeys. As the building was a night club it contains a largely open main floor area with amenities. The site can be accessed via South Ward Road, which provides connections to surrounding roads and footways.
- 2.3 The surrounding buildings contain various uses including office, healthcare services and leisure. The site is also close to the city centre shops and services including Overgate Shopping Centre, Dundee House, and High Street/Murraygate. The site is bound by the Central Conservation Area, with a range of heritage buildings within the vicinity including Category B and Category C listed buildings immediately adjacent to the site. The surrounding area contains a range of building types within the city centre, including modern offices and traditional stone-built buildings.



Figure 5 – View of Site From South Ward Road



Figure 6 – View of Site From South Ward Road

3 POLICY BACKGROUND

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

NATIONAL PLANNING FRAMEWORK 4

Policy 1: Tackling the Climate and Nature Crises

Policy 3a: Biodiversity

Policy 4f: Natural Places

Policy 7c, d, o: Historical Assets and Places

Policy 9a, c: Brownfield, Vacant And Derelict Land and Empty Buildings

Policy 12a: Zero Waste

Policy 13b, e: Sustainable Transport

Policy 14b: Design, quality and place

Policy 15a: Local Living and 20-minute Neighbourhoods

Policy 16c: Quality Homes

Policy 22c: Flood Risk and Water Management

Policy 23d, e: Health and safety

Policy 27e: City, Town, Local and Commercial Centres

DUNDEE LOCAL DEVELOPMENT PLAN 2019

Policy 1: High Quality Design and Placemaking

Policy 2: Public Art Contribution

Policy 15: Student Accommodation

Policy 21: Town Centres First Principle

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 49: Listed Buildings

Policy 51: Development in Conservation Areas

Policy 52: Scheduled Monuments and Archaeological Sites

Policy 54: Safe and Sustainable Transport

Policy 56: Parking

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

4 SITE HISTORY

4.1 Proposal of application notice 22/00387/PAN for the demolition of existing building and erection of purpose-built student accommodation was submitted in May 2022.

4.2 Planning application 22/00681/FULM for the proposed demolition of an existing building and erection of purpose-built student accommodation with ancillary amenity space, associated landscaping and cycle parking was withdrawn in March 2023.

5 PUBLIC PARTICIPATION

- 5.1 A Pre-application Community 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. Namely that the applicant hosted a website and an online consultation event in accordance with the regulations in place at the time.
- 5.2 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.
- 5.3 In total three letters of objection were received, raising the following material considerations:
- the proposed development would be close to surrounding commercial premises including night clubs/music venues and public houses. These uses generate noise which could impact on residents of the development. There are significant concerns such complaints would lead to restrictions on existing venues; and
 - the submitted plans refer to the provision of renewable technologies and amenity spaces. However, there are limited details provided with the application. The development therefore fails to demonstrate suitable renewable technologies and resident amenity spaces will be provided.
- 5.4 One neutral letter of representation was received. The letter confirms there is no objection to the principle of student accommodation within the city centre. However, as the site is close to night clubs which generate noise from music and patrons, adequate noise mitigation measures will need to be confirmed to ensure there is no impact on established businesses in the surrounding area. There are also some concerns raised that any works or street closures during demolition and construction works would impact on surrounding businesses.
- 5.5 The valid grounds of representation are taken into account in the material considerations section of this report.

6 CONSULTATIONS

- 6.1 **Archaeological Consultant** – has reviewed the submitted Desk-based Assessment and Heritage Statement, and concludes it is unlikely the site will contain any significant archaeological deposits. No further investigations or planning conditions are recommended.
- 6.2 **The Head of Community Safety and Protection** - has no objection to the application, but has commented on the following matters:
- Contaminated Land** – a preliminary site investigation has been submitted and reviewed. Conditions are recommended should planning permission be granted.
- Odour** – the site is close to premises which prepare, cook and sell food including public houses and takeaways. The applicant has provided an odour assessment which identifies mitigation measures are required at some rooms within the development including mechanical ventilation. It is recommended the implementation of mitigation measures is controlled by conditions.
- Noise** – the applicant has submitted a noise impact assessment (NIA) in support of the application. The NIA identifies mitigation measures will be required to achieve target internal

noise levels. Should planning permission be granted, it is recommended the implementation of mitigation measures as outlined in the NIA are provided prior to occupation. Further conditions are also recommended in relation to control of noise levels from plant equipment and a sub-station.

6.3 **Scottish Water** - has no objection to the proposal.

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 National Planning Framework 4 relevant to the determination of this application are specified in the Policy Background section above.

NATIONAL PLANNING FRAMEWORK 4

Policy 1: Tackling the Climate and Nature Crises - states when considering all development proposals, significant weight will be given to the global climate and nature crises.

7.2 Through the assessment of this planning application consideration has been given to the global climate and nature crises. The assessment of the proposal against policies relating to biodiversity, transport, waste, air quality, flooding and drainage considers the local level effects of development, which can collectively with other developments have an impact on the global climate and nature crises.

7.3 The proposal includes the demolition of an existing night club premises and erection of a multi storey residential building within a brownfield city centre site. The building which presently occupies the site is not of a high quality and of no architectural or historic merit. The proposed development would support the provision of a modern residential accommodation within a highly accessible city centre site. The proposed building will include insulation and low carbon technologies to current building standards. The location of the site is appropriate for the proposed development, with links to surrounding road and footpath networks which support the use of active travel. The site is within walking distance of higher education institutions, shops and services minimising the need to travel by car.

7.4 The proposal would support the provision of a footfall generating use within a brownfield city centre site. The development would be constructed to modern building standard requirements and is in a highly accessible location.

7.5 **The proposal is in accordance with Policy 1.**

7.6 **Policy 3a: Biodiversity** - states development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:

- i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
 - ii. wherever feasible, nature-based solutions have been integrated and made best use of;
 - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
 - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and
 - v. local community benefits of the biodiversity and/or nature networks have been considered.
- 7.7 The site is presently occupied by an existing building with no planting, greenspaces or measures to support biodiversity. The site is within a city centre location surrounded by multi storey buildings with limited opportunities for nature. The proposed development would provide an opportunity to implement biodiversity enhancements into this city centre site.
- 7.8 The proposal includes the provision of outdoor amenity space where there is scope for planting and measures to support biodiversity such as wildflowers and native tree species. Within the building, including around the roof, there is scope to incorporate features such as bat and bird boxes.
- 7.9 The proposal includes outdoor amenity space towards the centre of the site. However, detailed landscaping proposals have not been provided. It is recommended the provision of full details of landscaping within the site, including plant species and measures to support biodiversity are controlled by condition. A bat survey submitted with the application identifies opportunities for biodiversity enhancement within the proposed building. The survey is considered in detail under Policy 4f below. It is recommended the provision of measures to support bat roosting within the development as identified within the bat survey are controlled by condition in the interest of supporting protected species.
- 7.10 The existing building within the site does not contribute to biodiversity and is of no ecological value. There is scope for the proposed new build development to contribute positively to and enhance biodiversity in this city centre location. Subject to conditions requiring full details of measures to enhance biodiversity being submitted to and agreed with the Council, the proposal would enhance biodiversity within the site.
- 7.11 **Subject to conditions, the proposal is in accordance with Policy 3a of NPF4.**
- 7.12 **Policy 4f: Natural Places** - states proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

- 7.13 The applicant has submitted a Bat Survey which concludes that following survey of the interior and exterior of the building, there was no evidence that bats are using the building for roosting. The report concludes that there is no risk to bats should demolition of the building progress as part of the proposed development, and there is no requirement for further surveying. The report recommends measures which can provide on-site enhancements to biodiversity as part of the proposed development including the installation of features that bats could use to roost in such as bat boxes and gaps within the exterior of the building that bats could enter in order to shelter. It is recommended the provision of measures to support bat roosting within the development are controlled by condition in the interest of supporting protected species.
- 7.14 **Subject to a planning condition, the proposals are in accordance with Policy 4f of NPF4.**
- 7.15 **Policy 7c: Historical Assets and Places** - states development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.
- 7.16 The proposed building has been designed with a stepped form to the north-west elevation, reducing the height and massing of areas of the building which are located towards the Category B Listed 29-31 South Ward Road and 80 North Lindsay Street. The form of the building reduces the impact of the proposals on neighbouring buildings and ensures there is no significant impact on the character or setting of the listed building. There are further listed buildings to the south and east of the site including Dundee House. The height, scale and form of the proposed building has been considered, with further stepped and recessed elements to upper floors on the south elevation to minimise the impact of the proposal on surrounding listed building. The proposed building is of a finish and massing which reflects the character of buildings within the surrounding area and wider city centre.
- 7.17 The listed building immediately to the north of the site is between 18 metres and 26.8 metres in height, with the proposed student accommodation being between 13.2 metres and 29 metres in height. The upper floors of the proposed building would sit between 10 metres and 13 metres away from Category B listed buildings to the north and south of the site.
- 7.18 The form and scale of the building has been considered to reduce the physical impacts of the development on surrounding listed buildings, and to ensure there is no significant impact on the setting of the buildings. Principal views of the listed buildings from North Lindsay Street and Johnston Street would not be impacted, and the character and fabric of the buildings would be retained as existing. The proposed development is considered to be of an acceptable scale for this city centre location and would be in keeping with the varied height of buildings on Ward Road and North Lindsay Street. The proposed development would preserve the character and special architectural and historic interest of the setting of the listed buildings surrounding the site.
- 7.19 **The proposal is in accordance with Policy 7c.**
- 7.20 **Policy 7d: Historical Assets and Places** - states development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
- i architectural and historic character of the area;
 - ii existing density, built form and layout; and

- iii context and siting, quality of design and suitable materials.
- 7.21 The application site is not located within a conservation area. However, the site is bound by the Central Conservation Area.
- 7.22 Conservation areas provide opportunities to introduce good quality modern design and bring together old and new to create an attractive evolving urban landscape. The proposed development is of a high-quality design and would be appropriate to this prominent site which is presently a vacant night club premises. The proposal reflects the scale and massing of modern buildings in the surrounding area and is to the enhancement of the character of South Ward Road and the Conservation Area.
- 7.23 In this instance, the proposed student accommodation development would have no detrimental impact upon the historic character of the Central Conservation Area.
- 7.24 **The proposal is in accordance with Policy 7d.**
- 7.25 **Policy 7o: Historical Assets and Places** - states non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.
- 7.26 The applicant has submitted a desk based archaeological study and heritage statement with the application. These reports suggests that the application site stands on ground that originally formed part of Windmill Hill which was quarried away in 1820s. Consequently, the ground surface on site today is not a natural ground level.
- 7.27 The submitted reports have been reviewed and accepted by the Council's Archaeological Consultant. It is noted any archaeology on site can only date to the period after the 1830s. As the site is well mapped from this period onwards, excavation would not provide any further information from what is already know about the site during the 19th and 20th centuries. It is therefore considered the site is unlikely to contain any significant archaeological deposits, and there is no justification for any further investigations. The approval of planning permission and redevelopment of the site would have no impact on features of archaeological interest.
- 7.28 **The proposal is in accordance with Policy 7o.**
- 7.29 **Policy 9a: Brownfield, Vacant and Derelict Land and Empty Buildings** – states development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- 7.30 The proposal seeks to demolish a vacant building within the city centre and erect a multi storey development of purpose-built student accommodation. The proposal would support the long-term use and occupation of a city centre site with a use which generates footfall and provides residential accommodation within a highly accessible location. The existing building does not contribute positively to the character or appearance of the surrounding area. The provision of a modern building of high-quality design would contribute positively to the character of South Ward Road and wider city centre area.
- 7.31 The existing site does not provide any positive contributions to biodiversity. The redevelopment of the site provides opportunities to incorporate planting and measures to

support wildlife, such as bird or bat boxes, which will enhance the biodiversity value of this city centre site. Overall, the proposed development would be in a highly accessible, brownfield site supporting the re-use of vacant land and contributing to the vitality and vibrancy of the city centre.

7.32 **The proposal is in accordance with Policy 9a.**

7.33 **Policy 9c: Brownfield, Vacant and Derelict Land and Empty Buildings** – states where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.

7.34 A Preliminary Site Investigation has been submitted as part of the application. The Head of Community Safety and Protection has reviewed the report and notes subject to further monitoring gas protection measures are likely to be required, and possibly vapour protection. There is also evidence of lead and asbestos being present within the site. Further investigation and risk assessment is required following demolition of the existing structure.

7.35 Planning conditions are recommended in relation to the completion of further investigations and provision of a remediation strategy to ensure any contamination within the site is addressed prior to any construction works. Subject to the recommended conditions to ensure any required remediation works are completed, the proposals will ensure any risks are addressed.

7.36 **The proposal is in accordance with Policy 9c, subject to conditions.**

7.37 **Policy 12a: Zero Waste** - states development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.

7.38 As required by this policy, there is sufficient provision for waste reduction and waste separation within the proposed bin storage area within the ground floor of the development. The proposal would support waste separation, recycling and reduction in line with the waste hierarchy.

7.39 **The proposal is in accordance with Policy 12a.**

7.40 **Policy 13b: Sustainable Transport** - states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- i provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- ii will be accessible by public transport, ideally supporting the use of existing services;
- iii integrate transport modes;
- iv provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;

- vii have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
 - viii adequately mitigate any impact on local public access routes.
- 7.41 **Criterion i** – the development proposal includes direct connections to existing footpaths and streets which would provide safe and convenient access to local facilities in the city centre and surrounding area. Staff and residents would have access to secure bicycle storage.
- 7.42 **Criteria ii and iii** – bus stops within 400 metres of the site on Hawkhill, Marketgait and Courthouse Square are served by frequent services to the City Centre, Ninewells, Craigowl and Kirkton. City centre bus services enable integrated journeys through Dundee Railway Station and Dundee Bus Station.
- 7.43 **Criteria iv** – the proposed development would not include any on-site parking provision or electric vehicle charging infrastructure. As the site is within the city centre, the provision of no dedicated parking is acceptable. The development includes cycle storage and is served by the surrounding footpath network which provides access to a range of sustainable transport options. There are electric vehicle charging spaces within the wider city centre area in safe and convenient locations which would be accessible to staff and residents of the development.
- 7.44 **Criterion v** - the applicant proposes to create a secure cycle storage area with space for 98 cycles. It is proposed to provide shelters above the storage area. However, full details have not been confirmed. A further eight cycle spaces are to be provided within covered locations at the main entrance of the building. The provision of 106 spaces exceeds Dundee City Council Streets Ahead guidance for student accommodation, which requires a minimum of 28 spaces to be provided for a development of this size. In the interest of supporting sustainable transport, it is recommended that full details of the proposed cycle storage and associated shelters are submitted for prior approval, and thereafter cycle storage is installed and made available to staff and residents prior to first occupation of the development.
- 7.45 **Criterion vi** – the proposal would utilise existing footpaths on South Ward Road, with direct access on surrounding streets. The existing footpaths and road crossing ensure that safe and adequate provision is made for walking, cycling and road vehicles including delivery and refuse vehicles. No alterations are proposed to public roads surrounding the site.
- 7.46 **Criterion vii** – Pedestrian access locations are towards the front of the site with connections onto South Ward Road. The access would be level in nature ensuring the development is accessible to all users/residents.
- 7.47 **Criterion viii** – the proposals include direct pedestrian access onto surrounding public footpaths. No vehicle accesses are proposed. The development would have no impact on public access routes.
- 7.48 **The proposal is in accordance with Policy 13b, subject to a condition.**
- 7.49 **Policy 13e: Sustainable Transport** - states development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.
- 7.50 The proposal does not include provision for resident or visitor parking. Student accommodation does not generate a significant parking demand, with car ownership lower than mainstream residential accommodation. The site is in an accessible location, within

walking distance of the universities and shops and services within the city centre. Residents would have access to a range of transport options including walking and cycling. The proposed development would be accessible to residents of all abilities and there would be no barriers to access by disabled people.

- 7.51 The proposal would include 106 cycle spaces, comprising 98 secure cycle parking spaces and a further eight cycle parking spaces within a publicly accessible location. The provision of 106 spaces exceeds Dundee City Council's road standards which require a minimum of 28 spaces. It is recommended that a condition be attached to any permission granted requiring full details of the secure and covered cycle storage to be provided, and the provision installed prior to first occupation.
- 7.52 As considered under Policy 13b, due to the site's city centre location, the provision of no onsite parking is acceptable as there is public parking available within the surrounding area to support the proposed development.
- 7.53 **The proposal is in accordance with Policy 13e, subject to a condition.**
- 7.54 **Policy 14b: Design, Quality and Place** - states development proposals will be supported where they are consistent with the six qualities of successful places: Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable
- 7.55 With regard to the character and amenity of South Ward Road and surrounding buildings, the scale, massing and design of the proposed development is such that the proposal will integrate into the existing streetscape. The height, form and finish materials of the proposed building has been carefully considered to respect the category B listed buildings to the north and south of the site. Towards the centre of the proposed building, upper floors are to be recessed to reduce the overall massing of the building whilst providing a high-quality frontage.
- 7.56 The building is of a large scale being up to nine storeys in height. The building's form has been reduced during extensive pre-application discussions in order to positively address the visual and physical impact of the development. The building would be of a scale which is appropriate to the city centre, with large and multi storey buildings within the surrounding area including Dundee House to the south and the Hampton Hotel to the west.
- 7.57 The proposed building would extend between up to 18.2 metres above buildings to the east of the site, and 11.3 metres to buildings to the north of the site. The inclusion of stepped elements and a recessed upper floor reduces the overall massing of the proposed building and provides separation between the development and neighbouring listed buildings. Whilst the building is taller than the listed building to the north, it is an acceptable scale which reflects the general height of buildings within the city centre. Views of the listed building from surrounding streets would not be significantly affected, and the development would be of a similar scale to multi storey buildings to the south and west.
- 7.58 The impact of the proposal on the existing buildings has been considered within the submitted Design and Access Statement and supporting information. The building would result in overshadowing and alter the outlook from buildings around the site. However, at surrounding buildings, overshadowing at lower floor levels would not be significantly greater than it is at present. There would be overshadowing impacting upper floors of buildings to the north during the middle of the day. However, there is sufficient separation between the existing and proposed building to ensure there is no significant loss of natural light. The proposed building is of a height and form which is appropriate to this city centre location, with compact urban development in the surrounding area. Through the provision of high-quality materials and external amenity space, the development would contribute positively to the character and visual amenity of the site and surrounding area.

- 7.59 The proposal would result in a distinctive development which respects the existing building lines and street pattern. The provision of an external amenity area towards the rear elevation of the building at ground floor level would provide visual interest and useable amenity space for residents. The location of the amenity space would not result in any overlooking of private amenity spaces within the surrounding area.
- 7.60 The provision of high-quality materials within the development which is in a prominent location on South Ward Road is essential to ensure the proposals contribute positively to the local streetscape and maintain the character of neighbouring listed buildings. The applicant has proposed materials including brick and render which are acceptable and would create a development which maintains the character and quality of development in the local area. Given the prominence of the building, proximity to listed buildings and the importance of materials on this particular development, full details and samples of the proposed finish materials, including brick, render and glazing will be controlled by condition to ensure finishes are of a high quality and create a development which maintains the character and quality of development in the local area.
- 7.61 The proposed ground floor would contain the main entrance, reception area and access to the upper floors. To ensure an active street frontage is provided, the main entrance will be from South Ward Road, with further spaces including a gym and amenity area with glazing to be provided on this front elevation. Towards the rear of the building external amenity space and cycle storage areas are proposed. Within the north of the building the servicing, bin storage and plant rooms are proposed in accessible locations.
- 7.62 Safe pedestrian access is provided from the surrounding streets and there is provision of public transport in the surrounding area with bus stops on West Marketgait, Courthouse Square, Hawkhill and across the city centre. Dundee railway station is 600 metres to the south of the site. The proposal would therefore support ease of movement and the use of sustainable transport.
- 7.63 The site which is presently occupied by a vacant nightclub. The building would be demolished and site cleared ahead of the proposed building being constructed. The building has been vacant for several years and does not contribute to the character or amenity of surrounding listed buildings or the wider city centre area. The site is in a central location and its redevelopment would contribute positively to the overall character and appearance of the local area. The proposed building would reflect the established building line on South Ward Road. The stepped nature of the upper floors and recessed upper level reduces the physical impact of the building on surrounding premises. The proposed student accommodation is of a scale and form which would create a feature building whilst integrating with the height and form of surrounding buildings. There is sufficient separation provided between the proposed building and neighbouring listed buildings to the north and south of the site to ensure there would be no significant impact on the character or setting of these listed buildings. As discussed above, the provision of high-quality materials will ensure the building complements neighbouring listed buildings, and the overall design and form of the development ensures it would contribute positively to the local streetscape.
- 7.64 Within the site, drainage provision would be provided by surface water storage cells, which is then discharged at a controlled rate to existing drainage infrastructure on South Ward Road. The provision of an underground drainage system is acceptable in this city centre location, where the site is of a small scale and bound by existing development. The applicant has provided plans and a surface water management plan which demonstrate that an acceptable solution could be provided.
- 7.65 Overall, the proposed development will provide a well-connected, high quality modern development of purpose-built student accommodation within a brownfield city centre location.

Residents will be within walking distance of a range of shops, services and higher education institutions and the site is served by a range of sustainable transport options. The development would contribute positively to the character and appearance of South Ward Road and the surrounding area.

7.66 For the reasons considered above, the proposal is consistent with the six qualities of successful places. The development will be distinctive and well connected, and contribute positively to the appearance of this highly visible city centre site.

7.67 **The proposal is in accordance with Policy 14, subject to a condition.**

7.68 **Policy 15a: Local Living and 20-minute neighbourhoods** - states development proposals will contribute to local living including, where relevant, 20-minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

- sustainable modes of transport including local public transport and safe, high-quality walking, wheeling and cycling networks;
- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- publicly accessible toilets; and
- affordable and accessible housing options, ability to age in place and housing diversity.

7.69 The proposal is for the erection of purpose-built student accommodation with 215 bedrooms. The site is in a highly accessible city centre location, within walking distance of a range of shops, services and amenities. The site is connected to the surrounding area by existing footpaths, and within 20 minutes walking distance of facilities including higher education institutions, public open space, places of employment and health and social care facilities.

7.70 The site is connected by public footpaths to open spaces within the wider area, including Dudhope Park and Slessor Gardens. There are playgrounds and sports facilities within the local area.

7.71 The proposal would provide accommodation for students studying in the city, contributing to the availability of student accommodation within the city. The proposal would contribute to the range and availability of purpose-built student accommodation in the city and help meet demand.

7.72 Overall, the proposed development is well connected to surrounding facilities and services by existing footpaths and roads. The site is within the city centre where residents would have access to a wide range of services, supporting the provision of 20-minute neighbourhoods.

7.73 **The proposal is in accordance with Policy 15a.**

- 7.74 **Policy 16c: Quality Homes** - states development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include homes for people undertaking further and higher education.
- 7.75 At present, student accommodation within the city comprises University halls of residence, other private halls of residence, rented accommodation/HMO and at home/living with parent accommodation. The proposed development would support the provision of a range and type of student accommodation within the city centre.
- 7.76 The applicant has submitted supporting information to demonstrate that there is demand for the proposed 215 bedroom development of student accommodation, and that the proposals will complement and improve the existing offer.
- 7.77 The proposed development would result in the redevelopment of a vacant nightclub which does not contribute to the character or appearance of the local streetscape or surrounding Central Conservation Area. The proposal would integrate with the character and appearance of modern multi storey development within this part of the city, whilst ensuring students are provided with appropriate high-quality amenities and facilities including kitchens, lounges and a gym.
- 7.78 In relation to gaps in provision, the proposed development with 215 bedrooms is of a scale which would contribute to the level and availability of student accommodation within the city. The development is located within an accessible location in the city centre, close to higher education institutions. The proposal would contribute positively to the type and range of student accommodation within the city, and enhance the existing supply.
- 7.79 **The proposal is in accordance with Policy 16c.**
- 7.80 **Policy 22c: Flood Risk and Water Management** states development proposals will:
- i not increase the risk of surface water flooding to others, or itself be at risk;
 - ii manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer; and
 - iii seek to minimise the area of impermeable surface and accessibility and is designed to be multi-functional and well-integrated into the overall proposals.
- 7.81 The site which is presently occupied by an existing building which is not identified as being of any risk of flooding by SEPA. The proposed development which would occupy the site would not alter or increase the flood risk at the site or within the surrounding area.
- 7.82 The existing building benefits from drainage infrastructure which discharges into the existing public network. As the site is within a dense urban area there is limited potential for green infrastructure to be provided. A Drainage Impact Assessment and associated supporting information, including proposed drainage plans and calculations, have been submitted. The assessment includes proposals for on-site storage of surface water towards the rear of the proposed building, with discharge at a controlled rate into the existing public network on South Ward Road. The controlled discharge of surface water from on-site storage will restrict flows into the public network during rain events, reducing the risk of flooding compared to the existing situation. It has been demonstrated that an acceptable drainage solution for this city centre site can be achieved. Conditions are recommended to ensure full details of the

drainage system are agreed with Dundee City Council and thereafter implemented on site in the interest of flood protection.

7.83 **The proposal is in accordance with Policy 22c, subject to conditions.**

7.84 **Policy 23d: Health and Safety** - states development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.

7.85 The entire city is an Air Quality Management Area (AQMA) for nitrogen dioxide and pollutant particulate matter. An Air Quality Assessment (AQA) has been prepared due to the nature of the development proposed and its location within the city centre.

7.86 Within the AQA, the applicant proposes an electric heating system will serve the building, comprising under floor heating or panel radiators. An electric system would negate any need for on-site combustion heating systems such as gas boilers. In principle, this would be acceptable. However, full details of the heating strategy have not yet been confirmed. Until a heating strategy is finalised, there remains scope for centralised plant equipment to be installed as part of heating and hot water systems. The Head of Community Safety and Protection has requested the submission of full details of the heating system and any associated flues be controlled by condition. Subject to details being agreed which confirm an electrical system is to be provided, or any combustion applications will include flues which terminate at an appropriate height, the development would have no detrimental impact on air quality.

7.87 Within the ground floor of the building, a standby back-up generator is proposed. The diesel generator would provide power for life safety systems such as sprinklers and smoke vents in an event such as a power cut and will only operate during monthly testing or in case of emergency. The applicant has stated the standby generator will not generate any significant emissions, will include a flue which terminates at least 1 metre above roof level, and annual testing will not exceed 18 hours of operation. This is acceptable in principle, subject to a planning condition which requires full details of the generator to be submitted for review and approval as recommended by the Head of Community Safety and Protection.

7.88 **The proposal is in accordance with Policy 23d, subject to conditions.**

7.89 **Policy 23e: Health and Safety** - states development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

7.90 The proposed student accommodation would provide 215 bedrooms across the upper floors of the development. The site is within the city centre, close to sources of noise including surrounding commercial premises which generate noise from patrons, music and fixed plant and equipment which may impact upon residential amenity.

7.91 The applicant has submitted a Noise Impact Assessment (NIA). The NIA identifies a requirement to provide mitigation measures including closed window attenuation and acoustically rated glazing to ensure target noise levels are achieved and residents are afforded an acceptable level of amenity.

7.92 The Head of Community Safety and Protection has reviewed the NIA and has no objection to the proposal, subject to planning conditions requiring the mitigation measures identified in the

report are implemented in the interest of protecting the amenity of residents. Further conditions are recommended in relation to noise associated with mechanical and electrical plant and a proposed substation and standby generator within the site.

- 7.93 Subject to the provision of mitigation measures and noise controls as identified within the NIA, the proposed development would ensure residents are provided with a satisfactory level of residential amenity and that there is no disturbance on premises within the surrounding area.
- 7.94 **The proposal is in accordance with Policy 23e, subject to conditions.**
- 7.95 **Policy 27e:** states development proposals for residential development within city/town centres will be supported, including: i new build residential development.
- 7.96 The proposed development of purpose built student accommodation would introduce a residential development with 215 bedrooms to this city centre site.
- 7.97 The provision of student accommodation within the city centre supports the principles of local living and sustainable travel, and encourages town centre living as required by Policy 27e.
- 7.98 **The proposal is in accordance with Policy 27e.**

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- 7.99 **Policy 1: High Quality Design and Placemaking** – all development proposals should follow a design-led approach to sustainable, high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change mitigation and adaptation. The design and siting of development should respect the character and amenity of the place, create a sense of community and identity, enhance connectivity and incorporate creative approaches to urban design, landscaping and green infrastructure, appropriate to the local context and the scale and nature of the development. New development will be required to meet the six qualities of successful place in accordance with the guidance provided in Appendix 1.
- 7.100 With regard to the character and amenity of South Ward Road and surrounding buildings, the scale, massing and design of the proposed development is such that the proposal will integrate into the existing streetscape. The height and form of the proposed building has been carefully considered to respect the category B listed buildings to the north and south of the site. Towards the centre of the proposed building, upper floors are to be recessed to reduce the overall massing of the building whilst providing a high-quality frontage.
- 7.101 The building is of a large scale being up to nine storeys in height, however as discussed earlier in this report the building's form has been considered to reduce the impact of the development. The building would be of a scale which is appropriate to the city centre, with many large and multi storey buildings within the surrounding area including multi storey offices and student accommodation to the north and east of the site, and Dundee House to the south of the site.
- 7.102 The west element of the proposed building would be in keeping with the ridge height of the category B listed building to the north of the site, before rising to nine storeys towards the centre of the building. The building is taller than the listed buildings to the north of the site but is lower in height than Dundee House. This is an acceptable scale which reflects the general height of buildings within the city centre.
- 7.103 The impact of the proposal on the existing buildings has been considered within the submitted Design and Access Statement and supporting information. The building would result in

overshadowing and alter the outlook from buildings around the site. However, at surrounding buildings, overshadowing associated with the proposed development would not be significantly greater than it is with a building currently occupying the site. At upper floor levels where new overshadowing would occur, there are no residential uses or occupiers which would be significantly impacted by the proposed development. The proposed development would include landscaping and high-quality finish materials, contributing positively to the character and visual amenity of the site and surrounding area.

- 7.104 The proposal would result in a distinctive development which respects the existing building lines and street pattern. The provision of an external amenity area towards the rear elevation of the building at ground floor level would provide visual interest and useable amenity space for residents. The location of the amenity space would not result in any overlooking of private amenity spaces within the surrounding area.
- 7.105 The provision of high-quality materials within the development which is in a prominent location on South Ward Road is essential to ensure the proposals contribute positively to the local streetscape and maintain the character of neighbouring listed buildings. The applicant has proposed materials including brick and render which are acceptable and would create a development which maintains the character and quality of development in the local area. Given the prominence of the building, proximity to listed buildings and the importance of materials on this development, full details and samples of the proposed finish materials, including buff brick, render and cladding will be controlled by condition. This is to ensure that finishes are of a high quality and create a development that maintains the character and quality of the local area.
- 7.106 The proposed ground floor would contain the main entrance, reception area and access to the upper floors. To ensure an active street frontage is provided, the main entrance will be from South Ward Road, with further spaces including amenity uses for residents such as a gym and meeting areas. Towards the rear of the building open space is proposed, and within the west servicing areas and plant rooms are proposed in accessible locations.
- 7.107 Safe pedestrian access is available from the surrounding streets and there is good access to public transport in the surrounding area with bus stops on Meadowside, Courthouse Square, Nethergate and Hawkhill and across the city centre. Dundee railway station is 600 metres to the south of the site. The proposal would therefore support ease of movement and the use of sustainable transport.
- 7.108 The site is presently occupied by a modern building which operated as a nightclub. The building is vacant and does not contribute to the character of the city centre or neighbouring listed buildings. The demolition of the existing building, which is not of a high-quality design, would support the regeneration of this part of the city centre. The application site is in a central location and its redevelopment would contribute to the overall character and appearance of the local area. The proposed building is of a scale and form which reflects the established building line on South Ward Road and the stepped nature of the upper floors and recessed upper level minimise the physical impact of the building on surrounding premises. The proposed student accommodation is of a scale and form which would integrate with surrounding buildings and maintain the historic form of South Ward Road with buildings fronting directly onto footways. As discussed above, high quality materials are proposed, and the building would be of a form and finish which contributes positively to the local streetscape. The proposed building is of a height and form which respects category B listed buildings to the north and south of the site. There is separation provided between the proposed building and listed buildings, to ensure there would be no significant detrimental impact on the character or setting of these buildings.

7.109 With regard to Appendix 1, this states that the scale, nature and location of the development will determine the extent to which the six qualities are appropriate to the assessment process. Appendix 1 is assessed as follows:

Distinctive - a Design and Access Statement has been submitted which addresses the design, access and development concepts of the proposed student accommodation. The building would be nine storeys in height with stepped element to the north-west elevation. The building would be finished in a range of modern materials, with materials and colours to reflect buildings within the surrounding area. The variety and form of finish materials will contribute positively to and add interest to the development. It is proposed to provide an enclosed courtyard within the north of the site which will incorporate hard and soft landscaping. The proposal responds positively and sensitively to the character of the area and maintains the established density of development in this city centre location.

Safe and Pleasant – the site is bound to the south by South Ward Road, with existing developments to the north and east. The proposals would connect to the existing road and path network linking the development to the surrounding area. There are to be areas of amenity space within the north of the site and there are pedestrian links to the surrounding open spaces including Dudhope Park and Slessor Gardens. The proposed amenity spaces within the site would benefit from natural surveillance due to the location of windows on the proposed development. The proposal will create a vibrant and attractive place.

Easy to Move Around and Beyond – the proposed development would connect to existing footways to the south along South Ward Road, ensuring sensitive integration into the surrounding footpath network. This also ensures the site is well connected to public transport links within the surrounding area, including bus stops on Meadowside, Courthouse Square, Nethergate and Hawkhill which are all within walking distance. Access for residents, staff and visitors is to be taken from South Ward Road. The proposal considers place and responds positively and sensitively to the needs of people.

Welcoming – the proposal would provide a prominent frontage onto South Ward Road, with main entrance and reception spaces towards the principal elevation ensuring an active frontage. The proposals would utilise existing footpaths around the site providing connections to the surrounding city centre area and university campuses. The proposal positively promotes wayfinding and a sense of orientation.

Adaptable – The proposed development would occupy the site of a vacant building, and result in a positive addition to the mix of development within this part of the city centre which includes a range of multi storey buildings containing offices, retail and commercial uses.

Resource Efficient – a Sustainability Report and Planning Statement have been submitted. The proposal has been designed to include energy efficient materials which minimise heat loss and there is scope to provide sustainable heating infrastructure.

7.110 **The proposal meets the requirements of Appendix 1.**

7.111 The proposed development of student accommodation provides a facility which would contribute to the range of types and size of development within the city centre. The design and layout of the building has been sensitively considered to ensure the building is of a height and massing which integrates with the scale of surrounding buildings and respects listed buildings within the surrounding area. The proposed building has been designed to provide a visually attractive development with a high-quality finish which will contribute positively to the character and appearance of the surrounding area. The site layout has been sensitively considered to ensure a high-quality frontage is provided onto South Ward Road, and that the

character and setting of the local streetscape is protected. The proposal will be well connected and have green infrastructure.

7.112 **The proposal is in accordance with Policy 1.**

7.113 **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.

7.114 The proposed student accommodation will require to provide public art as part of the development. Details of the public art have not been confirmed as part of this application. Therefore, it is recommended that full details of public art provision, and its completion as part of the development be secured by condition.

7.115 **The proposal is in accordance with Policy 2, subject to a condition.**

7.116 **Policy 15: Student Accommodation** - states student accommodation will only be supported where:

- 1 it can be suitably demonstrated that a demand exists within the particular area for the level and type of student accommodation proposed;
- 2 it is within convenient walking distance of the higher education institution to which a need exists and is well connected to local services and facilities; and
- 3 the design and layout of the proposed development is of a high quality and provides an appropriate level of amenity space, car parking provision, refuse/recycling storage space and secure bike storage facilities.

Following development of new and replacement purpose-built student accommodation over the past ten years, it is considered unlikely that there will be the need over the short to medium term for any significant additions to the existing supply. To ensure that there is not an oversupply of this type of accommodation, proposals will need to demonstrate that there is a need in the area for the accommodation proposed.

7.117 The applicant has submitted a Student Demand and Supply Report in support of the application. The report provides analysis of the existing student population and student accommodation within the city.

7.118 The study considers that the full-time student population within the city has grown in recent years to over 17,930 in 2021/2022. Whilst there has been growth in the city's student population, resulting in increased demand for purpose-built student accommodation, this demand is not being met with no new build development under construction. At present, student accommodation within the city comprises University halls of residence, other private halls of residence, rented accommodation/HMO and at home/living with parent accommodation.

7.119 The submitted report considers much of the student accommodation in the city is dated and there is limited supply of studio style accommodation, which is increasingly a preferred choice for students post Covid 19. The applicant notes there is a continuing rise in the number of international students attending the universities in Dundee, and that students from both EU and non-EU countries prefer studio accommodation located close to university campuses.

7.120 In addition to a lack of new of purpose-built student accommodation, many traditional flats typically rented to students have been taken out of the letting market. This is partly due to a

number of landlords of traditional flatted accommodation taking advantage of recently high house prices and selling their properties to owner occupiers. This has resulted in less rental stock available to full-time students in Dundee.

- 7.121 Following a combination of factors as above, there is considered to be a shortage of purpose-built student accommodation. As such, the submitted report considers there to be a clear need for the delivery, in the short and medium term, of purpose-built student accommodation to rectify the under provision facing Dundee. The proposed development would deliver purpose-built student accommodation to address short to medium-term supply issues. The site is accessible to both university campuses and benefits from ready access to the wider services and amenities available in the city centre.
- 7.122 The proposals will include the demolition of a vacant building within the city centre, and redevelopment of a highly visible brownfield site. With regard to unmet demand, the submitted report considers there to be up to 14,570 students who require accommodation within the city. Existing PBSA accommodation and pipeline developments would provide 5,026 bed spaces, The Report suggests that there is a potential unmet demand pool of 9,544 students.
- 7.123 The applicant's report considers there to be sufficient demand for the proposed 215-bedroom development to provide new build, accessible purpose-built student accommodation within the city. The report highlights that the city's student population is growing, and that this has resulted in a demand being created for student accommodation as proposed.
- 7.124 The submitted assessment provides a detailed analysis of the existing accommodation and growth in the city's student population in recent years, highlighting that there is an increasing number of students within the city who may require purpose-built student accommodation. Officers are in regular dialogue with the city's educational institutions and are aware that there is a current unmet demand for student accommodation of all types and rental levels and that the universities are forecasting growth in student numbers, particularly from overseas. From those discussions it is acknowledged that there is a large pool of potential unmet demand in the city however it is unlikely that this demand is solely for purpose built studio type accommodation.
- 7.125 In this case, it is considered that allowing this scale of development will not result in an oversupply of the type of accommodation proposed.
- 7.126 To ensure the development does not change into mainstream residential accommodation without full assessment, and to retain control over the use of the proposed purpose-built student accommodation it is recommended that a condition is attached to control the duration of occupancy of the accommodation.
- 7.127 The site is within walking distance of higher education institutes, with University of Abertay Campus 220 metres to the north of the site and University of Dundee Campus 280 metres to the south-west of the site. The site is connected to each Campus by existing public footpaths.
- 7.128 As the proposed student accommodation is located within the city centre, residents would have access to a range of shops and services within walking distance of the development. The site is also within walking distance of bus stops on surrounding roads including Marketgait, Courthouse Square and Hawkhill which provide access to services across the city.
- 7.129 The design of the proposed development is assessed under Policy 14 of NPF4 and Policy 1 of the Local Development Plan. It is considered the development is of a high-quality design and layout which provide residents with an acceptable standard of residential amenity and access to open spaces and surrounding services as part of the proposed development. The

level of amenity space, cycle parking and refuse/recycling storage space are appropriate for the number of bedrooms proposed.

- 7.130 Eight planning applications for purpose-built student accommodation have been approved since April 2021 creating a live pipeline of 1,398 beds. There are three other live planning applications for up to 617 student beds and the Council has received Proposal of Application Notices for 1,324 further purpose-built student beds across three other sites. This creates a potential pipeline of between 3,000 and 4,000 beds.
- 7.131 The current proposal is for a development of student accommodation within the city centre which would create a 215-bedroom development. Should planning permission be granted for purpose-built student accommodation on this site, and at other sites, there is potential for these competing developments to stall for several years until developers can attract funding. This could lead to long-term vacant sites continuing to remain vacant and undeveloped. To avoid this situation, and to encourage the early implementation of planning permission it is proposed to reduce the normal time limit for implementation of a planning permission from 3 years to 18 months. This allows a reasonable period for pre-commencement planning conditions to be agreed and should encourage timely development. This approach was taken when planning permission was granted for other PBSA schemes within the city in recent years.
- 7.132 With regard to supply, as considered above the present application has demonstrated there is demand for the type and scale of purpose-built student accommodation proposed. Whilst there is a sizeable pipeline of approved beds and potential for further planning applications to be submitted, allowing this current proposal is not considered to result in oversupply. Any further applications will, in accordance with Policy 15, require to demonstrate that there is demand for the level and type of accommodation proposed, and will be considered on their own merits. Officers will also continue to meet with the institutions to discuss the forecast growth in student numbers and the demand for accommodation.
- 7.133 **The proposal is in accordance with Policy 15, subject to a condition.**
- 7.134 **Policy 21: Town Centres First Principle** - states all new or expanded uses that will generate significant footfall should be located in the City Centre or a District Centre.
- 7.135 The proposal comprises a development of purpose-built student accommodation with associated amenities. The development, with 215 student bedrooms, would generate footfall. The proposed development would help support the role and function of the city centre.
- 7.136 The site is in an accessible location, is subject to passing pedestrian and vehicular traffic and would be well connected to the surrounding area. The proposal would return to use a site which is currently vacant, contributing positively to the vibrancy and vitality of the city centre.
- 7.137 **The proposal is in accordance with Policy 21.**
- 7.138 **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.

- 7.139 A Drainage Impact Assessment and associated supporting information, including proposed drainage plans and calculations, have been submitted. The assessment includes proposals for on-site storage of surface water within the site towards the rear of the proposed building, with discharge at a controlled rate into the existing public network on South Ward Road. The provision of an underground surface water storage system is acceptable in this city centre location, where the size of the site and proximity of neighbouring development significantly reduces the scope for green infrastructure to be provided. The applicant has demonstrated that an acceptable drainage solution can be achieved for this city centre site. Conditions are attached to ensure full details of the drainage system are agreed and implemented accordingly.
- 7.140 **The proposal is in accordance with Policy 37, subject to conditions.**
- 7.141 **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 close 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.
- 7.142 As considered under Policy 23e of National Planning Framework 4, the site is within the city centre, close to sources of noise including surrounding commercial premises which generate noise from patrons, music and fixed plant and equipment which may impact upon residential amenity.
- 7.143 The applicant has submitted a Noise Impact Assessment (NIA) which identifies a requirement to provide mitigation measures including acoustically rated glazing to ensure target noise levels are achieved and residents are afforded an acceptable level of amenity.
- 7.144 The Head of Community Safety and Protection has reviewed the NIA and has no objection to the proposal, subject to planning conditions requiring the mitigation measures identified in the report are implemented in the interest of protecting the amenity of residents. Further conditions are recommended in relation to noise associated with mechanical and electrical plant and a proposed substation within the site.
- 7.145 Subject to the provision of mitigation measures and noise controls as identified within the NIA, the proposed development would ensure residents are provided with a satisfactory level of residential amenity and that there is no disturbance on premises within the surrounding area.
- 7.146 **The proposal is in accordance with Policy 39, subject to conditions.**
- 7.147 **Policy 40: Air Quality** - states 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.
- 7.148 The entire City is an Air Quality Management Area (AQMA) for nitrogen dioxide and pollutant particulate matter. An Air Quality Assessment (AQA) has been prepared due to the nature of the development proposed and its location within the city centre.
- 7.149 As considered under Policy 23d of NPF4, the applicant has submitted an Air Quality Assessment which has been reviewed by the Head of Community Safety and Protection.

- 7.150 The proposal is to heat the building with an electric system, comprising under floor heating or panel radiators. In principle, this would be acceptable. The Head of Community Safety and Protection has requested the submission of full details of the heating system and any associated flues be controlled by condition to ensure that any such system discharges at an appropriate height.
- 7.151 With regard to the proposed standby diesel generator, The Head of Community Safety and Protection has no objection, subject to a planning condition which requires full details of the generator and flue are submitted to the council for approval prior to construction works to ensure any system has no detrimental impact on air quality.
- 7.152 **The proposal is in accordance with Policy 40, subject to conditions.**
- 7.153 **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.
- 7.154 The submitted Preliminary Site Investigation has been reviewed by The Head of Community Safety and Protection. The report notes, subject to further monitoring, gas protection measures are likely to be required, and possibly vapour protection. There is also evidence of lead and asbestos being present within the site. Further investigation and risk assessment are required following demolition of the existing structure.
- 7.155 Planning conditions are recommended in relation to the completion of further investigations and provision of a remediation strategy to ensure any contamination within the site is addressed prior to any construction works. Subject to the recommended conditions to ensure any required remediation works are completed, the proposals will ensure any risks are addressed.
- 7.156 **The proposal is in accordance with Policy 41, subject to conditions.**
- 7.157 **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 be prepared and used during the construction of major developments.
- 7.158 A bin storage area is provided within the ground floor of the proposed development, with access onto South Ward Road. Refuse vehicles can safely collect waste from the site on South Ward Road. The proposed bin storage area and associated access demonstrates that this site can accommodate sufficient space for waste separation and the collection of recyclables. It is recommended that the provision of a site waste management plan and its implementation during construction works be controlled by condition.
- 7.159 **The proposal is in accordance with Policy 44, subject to a condition.**
- 7.160 **Policy 46: Delivery of Heat Networks** - requires new development to consider the feasibility of meeting their heat demand through heat networks. A statement is required to be submitted

with applications that are Major planning applications or are within locations identified within the Scotland's Heat Map or the City's heat network strategies as close to significant heat supply source or a planned heat network. Development layouts should be designed to be capable of connecting to a heat network or heat source and areas for pipe runs within the development should be safeguarded to enable future connectivity.

- 7.161 Given the time frame for the development and occupation of the proposed development it is not possible/viable for the development to be linked to any emerging heat network within the city centre. Notwithstanding this, the type of development proposed in a city centre location would be suitable for connection to a heat network in future should such infrastructure be progressed.
- 7.162 Consideration has been given to potential for the development to connect into any future offsite heat network should infrastructure be progressed.
- 7.163 **The proposal is in accordance with Policy 46.**
- 7.164 **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.
- 7.165 A Planning Statement and Sustainability Report have been submitted with the application. These outline that the proposal has been designed to include energy efficiency measures to reduce heat loss and energy consumption within the building. The proposed use of sustainable plant equipment and energy efficiency technologies such as LED lighting, air leak reduction and natural ventilation are discussed in the document. The applicant considers various technologies and materials which would ensure the development is energy efficient. At this stage full details of the low carbon technologies which will be included within the development are not confirmed, it is not therefore possible for the applicant to provide a detailed Energy Statement and details of specific equipment.
- 7.166 There is scope for heating and energy production to be provided by sustainable and renewable sources such as heat pumps and roof top solar panels. The provision of a detailed energy statement which demonstrates compliance with the required standards can be controlled by condition.
- 7.167 **Subject to a condition, the proposal would be in accordance with Policy 48.**
- 7.168 **Policy 49: Listed Buildings** - states development proposals in close proximity to or within the curtilage of a listed building should have regard to the preservation or enhancement of the setting of the listed building.
- 7.169 The proposed development is located to the south elevation of 80 North Lindsay Street and 29-31 South Ward Road which is a Category B listed building.
- 7.170 The proposed building has been designed to minimise any impact on the listed building to the north, with a stepped form to the upper floors and recessed elements to retain the setting of the listed building, including tower element at the junction between North Lindsay Street and Johnston Street. The proposed building respects the building line of South Wad Road and would have no detrimental impact on the character or fabric of the listed building. There are further category B listed buildings in the surrounding area, including Dundee House to the south of the site and 43-45 North Lindsay Street to the east. The height, scale and form of the proposed building has been considered, with stepped and recessed elements on upper

floors to minimise the impact of the development on the setting of surrounding listed building. The proposed building is of a finish and massing which reflects the character of buildings within the surrounding area and wider city centre.

- 7.171 The proposed building would sit between 10 metres and 13 metres from the Category B listed buildings to the north and south of the site. The form and scale of the building has been considered to reduce the physical impacts of the development on surrounding listed buildings and ensure there is no significant impact on the setting of the buildings. Principal views of the listed buildings from South Ward Road, Johnston Street and North Lindsay Street would not be significantly impacted, and the character and fabric of the buildings would be retained as existing. The proposed development is of an acceptable scale for this city centre location and would be in keeping with the varied height of buildings in the surrounding area. The proposed development would have no significant impact on the setting of listed buildings surrounding the site.
- 7.172 **The proposal is in accordance with Policy 49.**
- 7.173 **Policy 51: Development in Conservation Areas** states within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features that contribute to the character and appearance of the conservation area.
- 7.174 The proposal site is not located within a conservation area but is bound by the Central Conservation Area. Development within this site provides an opportunity to introduce good quality modern design, contributing to the character of the surrounding Conservation Area and bring together old and new to create an attractive urban landscape.
- 7.175 The proposed development is of a high-quality design and would be of a height and massing that is appropriate to this city centre site with multi storey buildings to the south and west. The development would ensure the long-term use of a site which is presently unoccupied, in a manner which contributes to the regeneration of the city centre and attracts footfall. The form and frontage of the building reflects the established building line along South Ward Road, and the building is of a height and finish which ensures it would integrate into the surrounding streetscape.
- 7.176 The front and side elevations of the proposed building are to be finished in brick, and rear elevation finished in render. The proposed materials would be modern in appearance, whilst reflecting the texture and colour of buildings within the surrounding area.
- 7.177 The proposal reflects the scale and massing of modern buildings in the surrounding area and would contribute positively to the character of South Ward Road and the Central Conservation Areas.
- 7.178 **The proposal is in accordance with Policy 51.**
- 7.179 **Policy 52: Scheduled Monuments and Archaeological Sites b) Archaeological Sites** - states where any proposal could affect a site of known archaeological importance or potential, the applicant will be required to provide an assessment of the archaeological value of the site and the likely impact of the proposal on the archaeological resource. Such an assessment will require a field evaluation to be carried out to the reasonable satisfaction of the Council, to determine:
- 1 the character and extent of the archaeological remains;
 - 2 the likely impact of the proposal on the features of archaeological interest; and

- 3 the ways in which the development proposal can be amended or designed in order to mitigate its impact on the archaeological remains.

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

7.180 The applicant has provided a desk based archaeological study and heritage statement with the application. These investigations suggests that the application site stands on ground that originally formed the northwards-facing slope of the Windmill Hill. The hill was quarried away in 1820s and consequently, the ground surface on site today is not a natural ground level.

7.181 The submitted reports have been reviewed and accepted by the Council's Archaeological Consultant. It is noted any archaeology on site can only date to the period after the 1830s. As the site is well mapped from this period onwards, excavation would not provide any further information from what is already know about the site during the 19th and 20th centuries. It is therefore considered the site is unlikely to contain any significant archaeological deposits, and there is no justification for any further investigations. The approval of planning permission and redevelopment of the site would have no impact on features of archaeological interest.

7.182 **The proposal is in accordance with Policy 52.**

7.183 **Policy 54: Safe and Sustainable Transport** - all development proposals that generate travel should be designed to be well served by all modes of transport. In particular, the sustainable modes of walking, cycling and public transport should be afforded priority and provide for easy access to local amenities, education facilities and other services.

7.184 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.

- 7.185 A Transport Statement and supporting statement have been submitted. The findings of the Transport Statement have been reviewed by Dundee City Council's Head of Sustainable Transport and Roads and are accepted.
- 7.186 In respect of the above Criteria 1-7:
- 1 The proposal would incorporate and be connected to the existing footpath network on South Ward Road and surrounding streets. Bus stops are located within 400m of the site on Meadowside, Courthouse Square, Hawkhill and Nethergate. Secure cycle storage is proposed to the rear of the building, and accessible cycle parking is proposed at the front entrance to the building. The proposal would be located within the city centre in an accessible location. The site is close to sustainable transport infrastructure and connections to surrounding footpaths which help to reduce the reliance on the private car.
 - 2 The proposed development will include connections to existing footpaths which provide safe and convenient connections to the wider footpath network within the city centre. Direct pedestrian access is provided onto South Ward Road and accessible cycle storage areas are to be provided at the main entrance. Residents of 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 or having footways contiguous to the carriageway. There are roads surrounding the site and pedestrianised streets within the city centre which are suitable for cycling. The site is linked by roads and paths to signed cycle routes including the Dundee Green Circular at Riverside Drive.
 - 3 The site is well served by public transport, with bus stops on Meadowside, Courthouse Square, Hawkhill and Marketgait within 400 metres of the application site. These stops are served by frequent local bus services to the City Centre, Ninewells, Craigowl and Kirkton and longer distance services to Perth, Arbroath and Aberdeen. Dundee railway station is 600 metres to the south of site. The station provides access to local and long-distance rail services and is equipped with bicycle lockers, short stay car park and taxi drop-off spaces.
 - 4 A Transport Statement has been submitted as part of the application and following review, the findings have been accepted. At peak times up to 270 trips would be made to the proposed student accommodation. Due to the site's location, all these trips can be made by sustainable transport options including public transport, cycling and on foot. As the proposed development is within walking distance of the two university campuses it is anticipated that none of the peak trips will be made by car. The provision of no on-site parking is consistent with developments in the surrounding area and would not impact upon the parking needs of the local area or existing public parking provision. There are multi storey public car parks in the surrounding area including at Bell Street and Overgate which are within walking distance of the site. Due to the central location of the proposed development, and proximity of shops, services and higher education facilities the proposed development would not generate a significant travel demand. The form and layout of the development ensures the proposal would have no detrimental effect on the capacity or safe functioning of the existing road or rail networks.
 - 5 On street parking is prohibited on South Ward Road immediately outside the application site. However, there is sufficient space for the loading and unloading of service vehicles, road freight and waste management vehicles. There is existing on street parking within the surrounding area which is accessible to residents and visitors to the site. Parking provision within the surrounding area is safe and accessible.

- 6 The proposal meets the Council's standards and conditions are recommended to ensure that details are submitted to and agreed by the Council as Planning and as Roads Authority.
- 7 The Transport Statement contains a summary of local public transport provision in support of the proposals, which demonstrate that the proposal would be accessible and would not generate a significant travel requirement. In support of the use of sustainable transport options, it is recommended the provision of a detailed Travel Plan to residents of the proposed development is controlled by condition.

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

7.188 **Policy 56: Parking** – states for developments within the city centre residential parking is permissible where this is in compliance with the standards indicated in Appendix 4. All new residential developments should include cycle parking facilities in accordance with Dundee City Council's adopted guidance on roads standards and the Appendix 4 design standards. Publicly accessible cycle parking should be provided at new commercial buildings or alternatively may be the subject of developer contributions for the provision of shared facilities in a nearby public location.

7.189 The proposal does not include provision for resident or visitor parking. As considered under Policy 54, due to the site's city centre location the provision of no onsite parking is acceptable as there is parking provision within the surrounding area to meet the needs of the proposed development.

7.190 The proposal includes 106 cycle spaces, comprising 98 secure internal cycle parking spaces and a further eight covered cycle parking spaces within a publicly accessible location. The provision of 106 spaces would exceed Dundee City Council's road standards which requires 28 spaces. It is recommended the installation of cycle storage prior to first occupation is controlled by condition to ensure appropriate secure and covered cycle storage is provided to residents.

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

7.192 **It is concluded that the proposal fully accords with the Development Plan.**

STATUTORY DUTY

7.193 **Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.**

7.194 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications that affect listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which they possess.

7.195 Section 64 of the Act requires that the Council have special regard to any buildings or other land in a conservation area and special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.

7.196 These matters have been considered in the assessment of the proposed development under policy 7 of NPF4 and policies 49 and 51 of the Dundee Local Development Plan 2019. It is concluded that the proposed development would have no significant impact on the character or setting of listed buildings within the surrounding area, including Category B listed Dundee House to the south of the site and 29-31 South Ward Road to the north of the site.

- 7.197 The proposed building is of a design and form which would have no significant impact on the historic character of the local streetscape and surrounding Central Conservation Area. The proposed building would replace an existing building which is of no architectural merit and is of a scale and form which reflects that of modern buildings to the south and west. The use of materials including rustic brick will ensure the building is of a character and appearance which is appropriate in this city centre location surrounded by historic buildings. The proposals would result in a development which is to the enhancement of the character and setting of the conservation area.
- 7.198 It is considered that the application discharges the statutory duties as set out above.

MATERIAL CONSIDERATIONS

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

A – REPRESENTATIONS

- 7.200 In total three letters were received objecting to the proposal. The objections raised the following valid material grounds:
- 7.201 The grounds of objection are considered and assessed as follows:
- i The proposed development would be close to surrounding commercial premises including night clubs/music venues and public houses. These uses generate noise which could impact on residents of the development. There are significant concerns such complaints would lead to restrictions on existing venues.
 - ii The submitted plans refer to the provision of renewable technologies and amenity spaces. However, there is limited details provided with the application. The development therefore fails to demonstrate suitable renewable technologies and resident amenity spaces will be provided.
- 7.202 The grounds of objection are considered and assessed as follows:
- 7.203 **Objection** – the proposed development would be close to surrounding commercial premises including night clubs/music venues and public houses. These uses generate noise which could impact on residents of the development. There are significant concerns such complaints would lead to restrictions on existing venues.
- 7.204 **Response** – a noise impact assessment (NIA) was submitted with the application, which considers noise from surrounding premises including night clubs. The NIA identifies a requirement for noise mitigation measures to be provided to ensure acceptable internal noise levels can be achieved. Subject to the provision of the mitigation measures, including acoustic glazing as part of the development, target internal noise levels would be achieved and residents would be afforded an acceptable level of residential amenity. The proposed mitigation measures and planning conditions controlling noise associated with plant equipment and a substation would also ensure the proposed development does not impact on neighbouring businesses including night clubs and public houses. The NIA demonstrates, subject to mitigation measures, the proposed student accommodation can achieve target internal noise levels with existing neighbouring businesses operating as normal. The development can therefore operate without any impact on the operation of existing businesses or venues in the surrounding area.
- 7.205 **Objection** – the submitted plans refer to the provision of renewable technologies and amenity spaces. However, there is limited details provided with the application. The development

therefore fails to demonstrate suitable renewable technologies and resident amenity spaces will be provided.

- 7.206 **Response** – the application includes a Sustainability Statement and plans which outline the potential for low carbon technologies such as solar panels to be included as part of the development, along with measures to minimise heat loss. The proposed new build development will require to meet current building standards with regard to the provision of low carbon technologies. At this stage full details of the proposed low carbon technologies have not been confirmed. The information provided with the application demonstrates there is scope for renewable technologies to be included as part of the development, and that a low carbon heating system along with thermal insulation will be included to minimise carbon emissions. Once details are confirmed through the building warrant process the applicant will be able to provide full details. It is recommended the provision of full details of the low carbon technologies proposed is controlled by condition.
- 7.207 With regard to amenity spaces, the ground floor of the development includes a range of internal and external areas. These include a gym, external courtyard and open space towards the front of the building. Whilst the proposed use of the main internal amenity space is not identified, the open area could include uses such as seating/study area and meeting spaces. The upper floor flats include living and dining areas where residents can meet. There is therefore, sufficient amenity space provided within the proposed development for the 215 residents. As the site is within the city centre, a range of services, amenities and public open spaces are within walking distance.
- 7.208 One neutral representation was received.
- 7.209 **Comments** - there is no objection to the principle of student accommodation within the city centre. However, as the site is close to night clubs which generate noise from music and patrons, adequate noise mitigation measures will need to be confirmed to ensure there is no impact on established businesses in the surrounding area. There are also some concerns raised that any works or street closures during demolition and construction works would impact on surrounding businesses.
- 7.210 **Response** – the submitted Noise Impact Assessment identifies a requirement for noise mitigation measures to be provided to ensure acceptable internal noise levels can be achieved. Subject to the provision of the mitigation measures, including acoustic glazing as part of the development, target internal noise levels would be achieved and residents would be afforded an acceptable level of residential amenity. The proposed mitigation measures and planning conditions controlling noise associated with plant equipment and a substation would also ensure the proposed development does not impact on neighbouring businesses including night clubs and public houses.
- 7.211 With regard to any impacts on surrounding premises from demolition/construction works and potential street closures, these are not a planning matter. Any construction works and associated road closures and noise would be temporary in nature. Any occupation/closure of public roads and footpaths around the site will need to be agreed with Dundee City Council and suitable alternative access arrangements provided to ensure there is no impact on access to surrounding premises.

B – CITY CENTRE STRATEGIC INVESTMENT PLAN

- 7.212 The City Centre Strategic Investment Plan seeks to prepare and guide the future vision for the city, setting out a long-term strategic investment plan for the next three decades, structured around five themes including city centre living. The plan seeks to double the residential

population living in and around the City Centre, ensuring a diverse range of people choose to live in the city.

- 7.213 Strategic Outcome 1 of the plan seeks to deliver high-quality residential development by promoting vacant and underused sites and buildings. The proposed development would meet this requirement, through the redevelopment of a brownfield site which presently contains a vacant building which is not of merit. The redevelopment of the site, and provision of high-quality purpose-built student accommodation for 215 students would support the target of doubling the residential population in the city centre and the returning to use of an unused site.
- 7.214 Strategic Outcome 2 seeks to provide a variety of residential types and tenures to meet the needs of different households and to create a diverse community. As considered under Policy 15 of the Local Development Plan, there is demand for purpose-built student accommodation within the city. The proposed development would contribute positively to the variety and form of development within the city centre and support the creation of diverse communities.
- 7.215 Strategic Outcome 3 seeks to attract a range of centrally located services and facilities to support city centre living. The proposed development would introduce a number of residents to the area, which would support the provision, vitality and viability of shops and services within the city centre. The development is located within walking distance of a range of facilities and supports the provision of 20-minute neighbourhoods.
- 7.216 Overall, the proposed development aligns with the themes and requirements of the City Centre Strategic Investment Plan through the provision of city centre residential accommodation, re-development of a brownfield site and by being within proximity of a range of shops and services.
- 7.217 **It is concluded that there are no material considerations of sufficient weight which would justify refusal of planning permission.**

8 CONCLUSION

- 8.1 The application for a development of purpose-built student accommodation accords with the Development Plan. It is recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

- 9.1 It is recommended that planning permission be GRANTED subject to the following conditions:
- 1 **Condition** - the development hereby permitted shall be commenced within 18 months of the date of this permission.

Reason - to ensure the timeous commencement of development and in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997.
 - 2 **Condition** - development shall not begin until the investigation and risk assessment proposed in the submitted Stage I Desk Study are completed and a remediation strategy to deal with contamination risks at the site has been submitted to and approved in writing by the Council. The strategy shall contain proposals to deal with contamination to include:
 - i the nature, extent and type(s) of contamination on the site;

- ii measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
- iii measures to deal with contamination during construction works; and
- iv verification of the condition of the site on completion of decontamination measures.

Reason – in order to ensure that any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

- 3 **Condition** – prior to first occupation, the remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved by the planning authority.

Reason - in order to ensure that any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

- 4 **Condition** - prior to the commencement of any construction works, 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 visual amenity and environmental quality of the development.

- 5 **Condition** - prior to the commencement of development, a scheme of features or measures to conserve, restore and enhance biodiversity, such as those measures set out in the NatureScot Developing with Nature guidance and Section 6 of document 07 – Bat Roost Survey dated May 2023, shall be submitted to and agreed in writing by the Council. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

Reason - to ensure that a satisfactory biodiversity enhancement scheme is proposed and implemented, mitigating the biodiversity impact that development has on the site.

- 6 **Condition** – prior to the commencement of development, a detailed hard and soft landscaping plan shall be submitted to the Council for written approval. Thereafter, landscaping shall be provided on site as the agreed details prior to first occupation of the development hereby approved. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.

Reason - to ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local streetscape in the interests of the visual amenity of the area.

- 7 **Condition** – prior to the commencement of any construction works, 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.

- 8 **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 visual amenity.

- 9 **Condition** - prior to first occupation the scheme of sound insulation detailed in Appendix 5 of the Noise Impact Assessment "Proposed Student Accommodation, South Ward Road, Dundee " (Project No: 5220 V6) dated 25th October 2023, shall be implemented in full. If the specified glazing/ventilation is not to be installed, a revised scheme of sound insulation shall be submitted to the Council for approval prior to construction and thereafter implemented in accordance with the approved scheme.

Reason – to ensure adequate noise mitigation measures are implemented in the interests of protecting surrounding land uses and residential amenity.

- 10 **Condition** - the total noise from the mechanical and electrical plant/services shall not exceed NR45, during daytime, and shall not exceed NR35 during night-time, as measured 1 metre external to the facade of adjacent residential property. Furthermore, it shall not exceed NR25 within any adjoining residential property. NR45 is applicable for the period 0700 to 2300 hours and NR35 and NR25 are applicable for 2300 to 0700 hours.

Reason - in the interests of protecting residential amenity.

- 11 **Condition** – the received noise from the electrical substation(s) shall not exceed NR30 as measured 1 metre external to the facade of adjacent residential property.

Reason - in the interests of protecting residential amenity.

- 12 **Condition** - prior to any construction works onsite, full details of the proposed means of providing heating (and/or additional standby/ emergency power) to the building, including details of any flues or extracts or similar related works shall be submitted to and approved in writing by the Local Planning Authority. An air quality assessment may also be needed depending on the size, location and fuel type of any combustion appliances

Reason – in the interest of air quality and protecting residential amenity.

- 13 **Condition** - prior to first occupation, the mitigation measures detailed in Section 6 of the Odour Risk Assessment dated 27th October 2023 entitled "Proposed Purpose-Built Student Accommodation, South Ward Road, Dundee" Version 2.1 (Project number 5220) prepared by ITP Energised, shall be implemented in full.

Reason - in the interest of air quality and protecting residential amenity.

- 14 **Condition** – full details of secure and covered cycle storage within the site shall be submitted to the Council for approval. Thereafter, the cycle storage shall be installed as the agreed details prior to first occupation of the development.

Reason – in the interest of ensuring that provision is made for sustainable transport measures.

- 15 **Condition** - a Travel Plan must be in place and agreed with the Council within one year of the development opening.

Reason - in the interest of ensuring that provision is made for sustainable transport measures.

- 16 **Condition** - the development hereby approved shall be used solely for the purposes of providing student accommodation and ancillary facilities associated with their needs, other than from 1 June to 31 August annually when it may be used as short term holiday accommodation, unless otherwise agreed in writing by the planning authority.

Reason - to retain control of use of the building.

- 17 **Condition** - prior to the commencement of development, a site waste management plan shall be submitted to and approved by the Council. The waste management plan shall contain details of how site waste will be controlled during construction and operation of the development.

Reason - in the interest of sustainable waste management.

- 18 **Condition** - prior to the commencement of work on site, full details and samples of all of the proposed finishing materials of the development hereby approved shall be submitted to the Council for written approval. For the avoidance of doubt, these shall include bricks, cladding, render, windows and doors. Thereafter, the proposed development shall be finished in strict accordance with the details approved by this condition.

Reason - in the interests of visual amenity and to ensure the character and setting of surrounding listed buildings is maintained.

- 19 **Condition** - a Sustainability Statement demonstrating the extent to which the new build elements of the development will meet the requirements of Policy 48 of the Dundee Local Development Plan shall be submitted for the approval of the planning authority and the works shall be completed in accordance with the approved Statement.

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