

City Chambers
DUNDEE
DD1 3BY

17th April, 2026

Dear Colleague

You are requested to attend a MEETING of the **PLANNING COMMITTEE** to be held remotely on Monday, 27th April, 2026 at 5.00 pm.

Members of the Press or Public wishing to join the meeting should contact Committee Services on telephone (01382) 434818 by Friday 24th April, 2026.

Yours faithfully

GREGORY COLGAN

Chief Executive

AGENDA OF BUSINESS

1 DECLARATION OF INTEREST

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which would reasonably be regarded as so significant that they are likely to prejudice your discussion or decision-making.

2 DEPUTATIONS

- (a) 25/00589/S42 – SECTION 42 APPLICATION TO EXTEND THE TIME PERIOD FOR IMPLEMENTING PLANNING PERMISSION 24/00101/S42 FOR THE ERECTION OF PURPOSE-BUILT STUDENT ACCOMMODATION BY 18 MONTHS – SITE OF JUMPIN JAKS, SOUTH WARD ROAD, DUNDEE - FOR MORTON PROPERTIES (DUNDEE) LIMITED C/O GRAHAM & SIBBALD

Request has been made for a deputation to address the Committee in support of the abovementioned application which is recommended for refusal.

- (b) 25/00696/ADV – ADVERTISEMENT OF THE FOLLOWING TYPES: TOTEM – LAND SOUTH OF RIVERSIDE AVENUE – FOR MCDONALD'S RESTAURANTS LTD C/O AGENT

Requests have been made for a deputation to address the Committee relative to objections to and in support of the abovementioned application which is recommended for approval.

- (c) 26/00070/ADV – ADVERTISEMENT OF THE FOLLOWING TYPE: FASCIA SIGNS – 65 PERTH ROAD, DUNDEE – FOR MR KOSRAT AWDL

Request has been made for a deputation to address the Committee relative to objections to the abovementioned application which is recommended for approval.

3 PLANNING APPLICATIONS

(Copy attached).

Planning Applications

Reports by Head of Planning & Economic Development to the Planning Committee

Item No	Case No/Ward	Location	Page
1	25/00589/S42 W05-Maryfield	Jumpin Jaks, South Ward Road, Dundee	1
2	25/00696/ADV W03-West End	Land South Of Riverside Avenue, Dundee	16
3	26/00070/ADV W03-West End	65 Perth Road, Dundee, DD1 4HY	27

Members may be aware that in making any determination under Planning Legislation, it shall be made in accordance with The Development Plan, unless material planning considerations indicate otherwise. NB: Background papers relating to these reports comprise letters of objection, correspondence with the applicants and/or their agents, comments from consultees and the Development Plan and other policy documents referred to.

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Section 42 Application to Extend the Time Period for Implementing Planning Permission 24/00101/S42 for the Erection of Purpose-Built Student Accommodation by 18 Months

KEY INFORMATION

Ward Maryfield

Address

Site Of Jumpin Jaks
South Ward Road
Dundee

Applicant

Morton Properties
(Dundee) Limited
c/o Graham & Sibbald

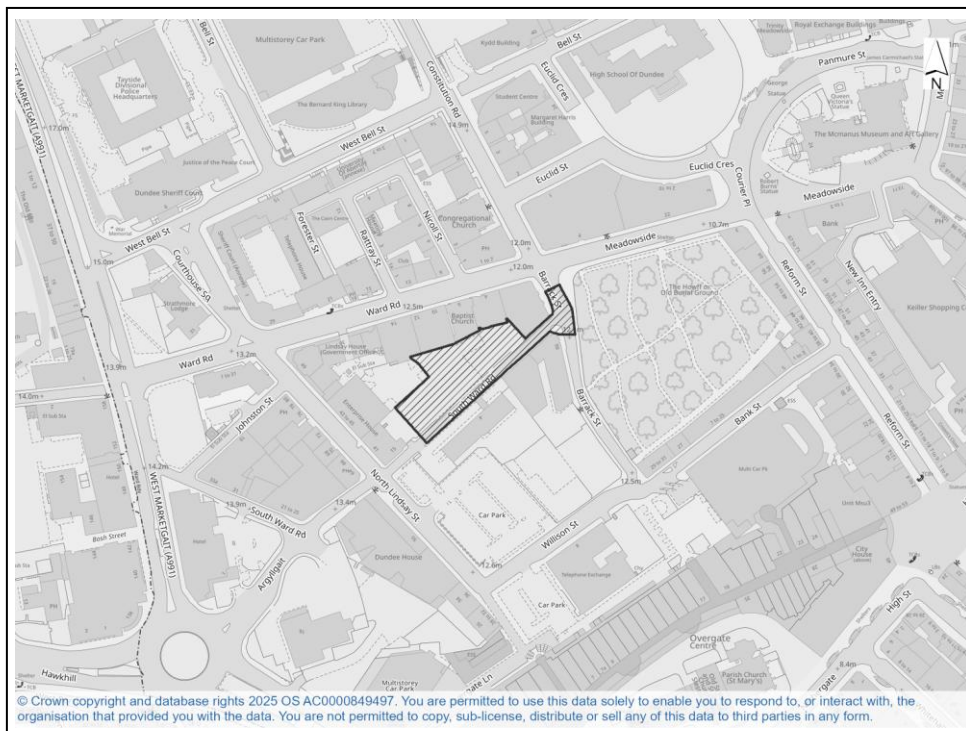
Agent

Zander Planning Ltd

Validated 24 Oct 2025

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

Contact: Craig Swankie



SUMMARY OF REPORT

- This is an application under Section 42 of The Town and Country Planning (Scotland) Act 1997 to vary Condition 1 of planning permission 24/00101/S42 to allow a further 18 months for the erection of purpose-built student accommodation to commence.
- There is an existing planning permission for the development, and the planning authority can only consider the matter of the conditions subject to which planning permission was granted.
- The extant planning permission expired on 15 November 2025 and development was not commenced. The planning agent submitted this application prior to the expiry of the existing planning permission, seeking further time in which to commence development. The developer was not lawfully able to commence development within the required timescale as the planning conditions have not been fully discharged. While the developer has progressed discharging some conditions, the applicant states that the development has been delayed due to factors including ground contamination and economic conditions. Further time is requested to discharge the outstanding conditions.
- The statutory neighbour notification process was undertaken. Two letters of objection were received.
- As this application relates to a condition attached to a Major planning application, it requires to be determined by the Planning Committee.
- More details can be found at: [25/00589/S42 | Erection of purpose built student accommodation together with access, landscaping and engineering/infrastructure works \(Section 42 application to vary condition 1 of 24/00101/S42 to extend the duration of the planning permission by 18 months.\) | Site Of Jumpin Jaks South Ward Road Dundee.](#)

RECOMMENDATION

The application under Section 42 of The Town and Country Planning (Scotland) Act 1997 to vary Condition 1 of planning permission 24/00101/S42 fails to comply with the Development Plan. There are no material considerations of sufficient weight to justify approval of the application. It is therefore recommended that planning permission be **REFUSED**.

1 DESCRIPTION OF PROPOSAL

- 1.1 Planning permission 22/00493/FULM for the erection of purpose-built student accommodation together with access, landscaping and engineering/infrastructure works was approved in November 2022. This planning permission was approved subject to conditions, including condition 1 which required development to begin within 18 months. As development had not commenced within 18 months, the applicant submitted planning application 24/00101/S42 which sought to amend condition 1 and extend the planning permission for a further period of 18 months. This application was approved at Planning Committee in April 2024 and extended the planning permission for student accommodation up to 15 November 2025.
- 1.2 Condition 1 of that planning permission states: "*The development hereby permitted shall be commenced no later than 15 November 2025.*" The reason for the condition is "*To ensure the timeous commencement of development and in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997.*"
- 1.3 Since planning permission for application 24/00101/S42 was granted on 18 April 2024, no development has commenced. The applicant was previously working to address the planning conditions. However, ground investigations identified potential hydrocarbon contamination within the site. Until this is addressed, planning condition 2 of 24/00101/S42 cannot be discharged and the planning permission cannot be implemented. The applicant has engaged with Dundee City Council and SEPA to agree a solution. However, these matters have not been concluded to date. In addition, the applicant states that increasing construction and materials costs, and the general economic climate have further impacted on delivery timescales. To allow further time for these elements to be concluded and development commenced, the applicant is seeking an amendment of condition 1 to allow a further 18 months for development to commence. It is proposed to amend the condition to read:
- "The development hereby permitted shall be commenced no later than 15 May 2027."*
- 1.4 This is the only change proposed to the planning permission. The development would be the same in all other respects as approved under 24/00101/S42.



Figure 1 – Proposed Site Plan

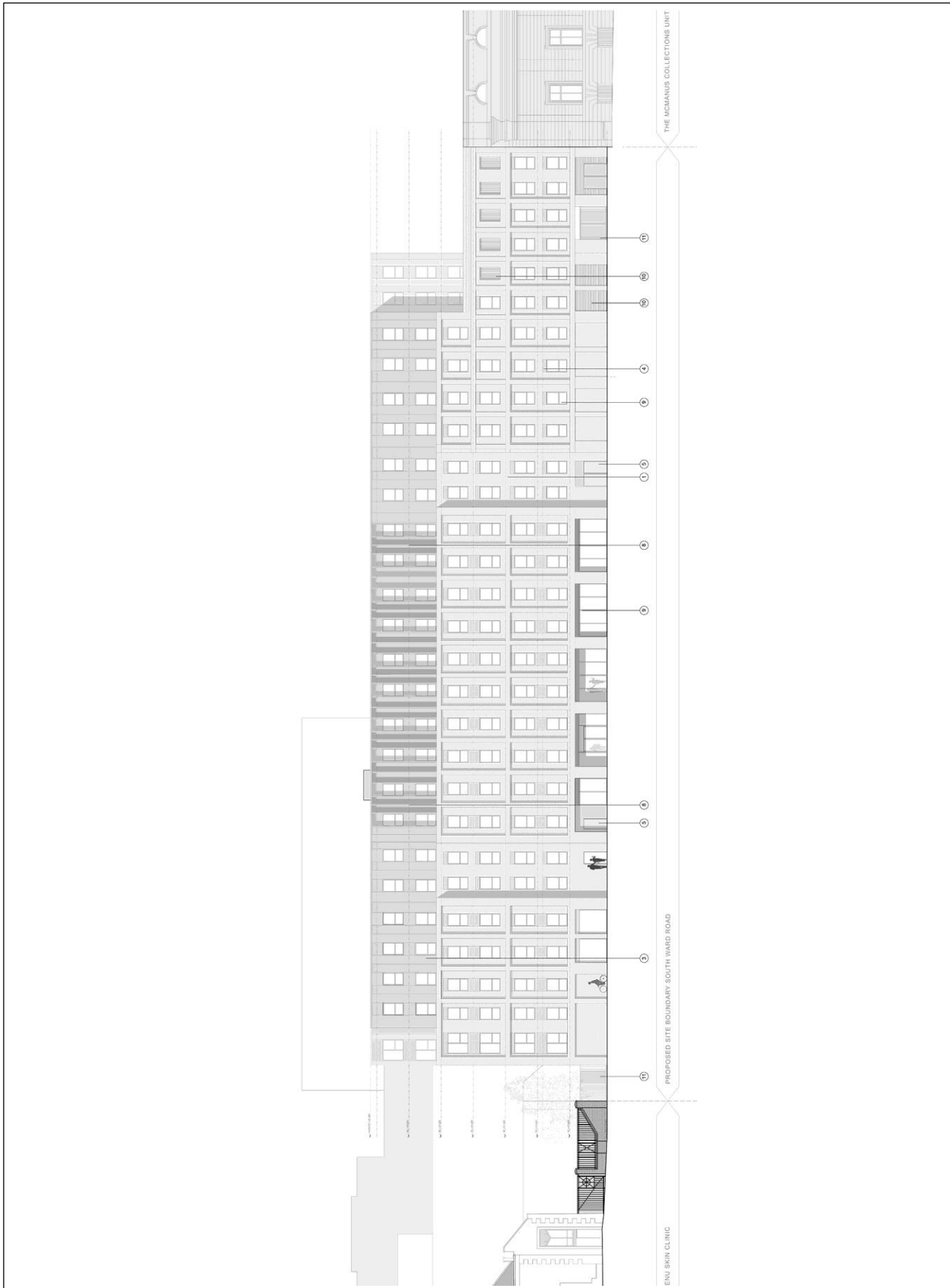


Figure 2 – Proposed Elevations

2 SITE DESCRIPTION

- 2.1 The application site is located on the north side of South Ward Road. The site is 0.22 hectares and level in nature, with buildings to the north, east and west boundaries.
- 2.2 The site previously contained a substantial stone-built mill building which operated as warehouses and a nightclub for several years before the building was demolished in 2014. The “saw tooth” roof form of that building comprised high roof gables along the north and south of the building. The main walls of the building were equivalent in height to 2-3 modern storeys.
- 2.3 The site was cleared following the demolition in 2014 and it is presently surfaced in gravel and hardstanding and is bounded by a temporary fence and a short section of the warehouse walls. The site can be accessed via the one-way South Ward Road, which provides connections to surrounding roads and footways.
- 2.4 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 contained within 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 4: View of Site From South Ward Road



Figure 3: View of Site from South Ward Road

3 POLICY BACKGROUND

3.1 The following plans and policies are of direct relevance to this application under Section 42 of the Act:

NATIONAL PLANNING FRAMEWORK 4 (NPF4)

Policy 16c: Quality Homes

DUNDEE LOCAL DEVELOPMENT PLAN 2019 (LDP)

Policy 15: Student Accommodation

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

4 SITE HISTORY

4.1 Proposal of Application Notice 22/00303/PAN for the erection of student accommodation together with access, parking, landscaping and engineering/infrastructure works was submitted in May 2022.

4.2 Planning application 22/00493/FULM for the erection of purpose-built student accommodation together with access, landscaping and engineers/infrastructure works was approved subject to conditions in November 2022.

4.3 Planning application 24/00101/S42 for the variation of condition 1 of planning permission 22/00493/FULM to extend the period for implementation of planning permission to 15 November 2025 was approved subject to conditions in April 2024.

5 PUBLIC PARTICIPATION

5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.

5.2 Two letters of objection were received, raising the following matters:

- The applicant has failed to progress works within the approved timescales. The continuing delay without demonstrable progress undermines the planning process.
- The site is presently a blight on the local landscape. The existing planning permission should be allowed to lapse so that a development which is deliverable can be progressed on site.
- There are concerns with over concentration of PBSA in this part of the city with five PBSA developments approved within 250 metres of the application site. This over concentration will create an excess of studio flats within the city centre, impacting on choice, creating noise disturbance, increased transient population, and does not address demand for housing or affordable accommodation.
- The level of demand has reduced as student numbers reduce, particularly at University of Dundee. There is therefore no demand for further PBSA within the city, with potential for oversupply if this development is progressed.

- 5.3 The valid grounds of representation are taken into account in the material considerations section of this report.

6 CONSULTATIONS

- 6.1 No consultation comments were received.

7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended provides that an application for planning permission 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.

Principle of Development

- 7.2 **NPF4 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.
- 7.3 **LDP 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.
- 7.4 The preamble to LDP Policy 15 states that 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 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
- 7.5 The applicant submitted a Student Demand Assessment in support of application 22/00493/FULM which related to academic years up to 2020/21. The report provided analysis of the student population and student accommodation within the city at that time. The study considered that the full-time student population within the city had grown in recent years. With regard to unmet demand, the submitted report identified there to be 3,463 full time students who required purpose-built accommodation but were unable to access it in the city. Through analysis of supply in relation to the growing student population at the time, the report

demonstrated there to be sufficient demand for the proposed 242-bedroom development to provide new build, accessible purpose-built student accommodation within the city.

- 7.6 At the time of determination of 22/00493/FULM, three other planning applications for purpose-built student accommodation were under consideration. Proposal of Application Notices had also been submitted for other purpose-built student accommodation developments within the city. To ensure there is not an oversupply of student accommodation, in alignment with the intent of LDP Policy 15, and to encourage the early implementation of planning permission the normal time limit for implementation of the planning permission was reduced from three years to 18 months.
- 7.7 As set out in Appendix 1, six PBSA developments have been completed within the city since 2020, providing 560 student bed spaces. Development is progressing at Telephone House which will provide a further 422 bed spaces. In addition, planning permission has been granted for eight PBSA developments, including this development, which have not yet commenced construction. This has created a pipeline of 1,644 bed spaces. There are currently no other planning applications pending consideration for purpose-built student accommodation.
- 7.8 In support of this application to extend the planning permission by a further 18 months, the applicant has provided a statement which provides an assessment of PBSA within the city updated to February 2025. The statement references a need and demand assessment which notes that the student population reduced by 9.9% in the 2024 term. However, the applicant's statement considers even with this reduction, there remains a potential unmet demand of up to 5,866 beds.
- 7.9 With six PBSA developments being completed since 2020, and a development currently under construction, the available bedspaces has been significantly increased in recent years. Excluding this development, there are seven PBSA developments with planning permission which would introduce a further 1,402 rooms if constructed. There is therefore a significant pipeline of developments with planning permission to accommodate student bed spaces at a time when there is a downturn in the student population in the city.
- 7.10 The proposed development would introduce a further 242 bedspaces to the pipeline of 1,402 approved bedspaces. Student numbers within the city reduced in the academic year 2023/2024, and while figures have not been published for 2024/25, initial data indicates a further reduction. As there is a significant pipeline of developments with planning permission, introducing a further 242 bedspaces would not address any identifiable demand. While the applicant's supporting information states a potential unmet demand of 5,866 bedspaces, this is based on estimates which would only be relevant if student numbers were continuing to increase in Dundee in line with trends presented in previous planning submissions. However, there has been a reduction in the student population, and many of the existing PBSA developments in the city are not fully occupied this academic year. This indicates a decline in the need and demand for PBSA in Dundee.
- 7.11 The proposed development has not commenced within the required time, and there is a significant number of pipeline bedspaces. There is therefore potential for an oversupply. While the amendment of condition 1 would provide the developer with additional time to address the outstanding conditions, there has been no progress on these matters in the last 18 months. Further time may therefore not address this. With regard to encouraging the early implementation of the permission, the applicant has had three years to commence works but has not concluded the planning conditions or made a start on site. With a significant pipeline of PBSA, there is no longer an identifiable need or demand for the proposal. The requirements of criterion 1 of LDP Policy 15 have therefore not been demonstrated.

- 7.12 The location and design of the proposed development would remain as previously approved. Accordingly, the requirements of criteria 2 and 3 of LDP Policy 15 would be met.
- 7.13 In this case, it is considered that allowing a further extension of time for implementation of the planning permission would not address any identified need or demand for such provision and would result in an oversupply of the type of accommodation proposed.
- 7.14 **The proposal fails to accord with NPF4 Policy 16c and LDP Policy 15.**
- 7.15 **It is concluded that the proposal fails to accord with the Development Plan.**

MATERIAL CONSIDERATIONS

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

A – SCOTTISH GOVERNMENT CIRCULAR 4/1998

- 7.17 Circular 4/1998 provides guidance on the use of conditions in granting planning permission and stipulates that while the power to impose planning conditions is very wide, it needs to be exercised in a manner which is fair, reasonable and practicable. The Circular demonstrates that conditions that are fair, reasonable and practicable will satisfy the following 6 tests:
- necessary;
 - relevant to planning;
 - relevant to the development to be permitted;
 - enforceable;
 - precise; and
 - reasonable in all other respects.
- 7.18 Condition 01 of planning permission 24/00101/S42 states: "*The development hereby permitted shall be commenced no later than 15 November 2025.*"
- 7.19 The time in which development could be commenced was controlled by condition to ensure a timeous implementation of the planning permission. When planning application 22/00493/FULM was approved, there were three planning applications for PBSA under consideration. The Council had also received Proposal of Application Notices for further purpose-built student accommodation developments within the city. To ensure there would not be an oversupply of PBSA, and that sites would not be sitting vacant for several years until developers can attract funding, the normal time limit for implementation of a planning permission was reduced from 3 years to 18 months. This was to allow a reasonable period of time for pre-commencement planning conditions to be agreed and to encourage timely development.
- 7.20 Following the approval of 22/00493/FULM, initial works on site identified a ground contamination issue which has impacted on the progress of this development. Investigations into the source of the contamination were being progressed but were not concluded prior to 22/00493/FULM expiring. Planning application 24/00101/S42 was submitted seeking a further 18 months for development to commence. With investigations into the ground contamination ongoing and no significant increase in the number of approved PBSA developments at that

time, the extension of planning permission for a further 18 months was approved by the Planning Committee.

- 7.21 That second 18-month period has now lapsed, and in that time there has been no further contaminated land investigations or reporting submitted to the Council. The developer has also not addressed any further planning conditions nor confirmed a date in which development will commence.
- 7.22 As outlined in Appendix 1, since the approval of 24/00101/S42 planning permission has been granted for a further three PBSA developments in the city, and developments on Brown Street, Douglas Street and West Marketgait have been completed. As set out within the policy assessment above, over the same period the student population in the city has reduced. The reducing student population and increase in available PBSA within the city has addressed the immediate demand for accommodation.
- 7.23 The proposal to vary condition 1 of planning permission 24/00101/S42 by a further 18 months would extend planning permission 22/00493/FULM to a period of four and a half years. The development, which has already been extended by 18 months, has not progressed on site and a number of PBSA developments have opened. A further extension of time to allow development to commence would result in an oversupply of PBSA and would not address the requirement for timeous implementation of planning permission.
- 7.24 Based on the supporting information provided by the applicant, current student population within the city and, taking into account the existing and pipeline of student accommodation, the provision of a further 18 months to commence development would not be reasonable.
- 7.25 The condition sought to ensure the timeous implementation of the planning permission to address demand for PBSA. There has been no progress on site in the last three years, and no planning conditions discharged in the last 18 months. As above, there have been a number of PBSA developments approved in the city, and demand for student accommodation is reducing. The amendment of the condition would not therefore be reasonable. In this instance, the proposals fail to adhere to the requirements of Circular 4/1998.

C – CITY CENTRE STRATEGIC INVESTMENT PLAN

- 7.26 The City Centre Strategic Investment Plan sets out a long-term strategic 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 by encouraging the development of a range of accommodation to meet the demands of a diverse range of households.
- 7.27 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 long-standing vacant site in the city centre.
- 7.28 The redevelopment of the vacant site and provision of student accommodation would support the target of doubling the residential population in the city centre and the returning to use of an unused site. However, other forms of residential development would also achieve this.
- 7.29 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. The proposed development would contribute positively to the variety and form of development within the city centre and support the creation of diverse communities. However, other forms of mainstream residential

development on the site could better achieve this outcome and avoid an over-supply of PBSA in and around the city centre.

- 7.30 Strategic Outcome 3 seeks to attract a range of centrally located services and facilities to support city centre living. The proposed development of student accommodation would support the vitality and viability of shops and services within the city centre. The development is located within walking distance of a range of facilities and is aligned with the 20-minute neighbourhood approach.
- 7.31 Overall, the proposed development would generally align 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. However, this could also be achieved with other forms of residential accommodation. The CCSIP is not a material consideration of sufficient weight to support PBSA on the site.

D – REPRESENTATIONS

- 7.32 In total two letters of objection were received, raising the following concerns.
- 7.33 **Objection** - the applicant has failed to progress works within the approved timescales. The continuing delay without demonstrable progress undermines the planning process.
- 7.34 **Response** – the applicant has provided a supporting statement which provides justification for the request to extend the period in which development can commence. This includes factors related to ground contamination and economic conditions.

As considered within the above policy assessment, the student population has declined in 2024, and there are several PBSA schemes constructed and with planning permission. There has been no progress to address the outstanding planning conditions or commencing development. The proposed extension of the planning permission for another 18 months is therefore not considered to be acceptable.

- 7.35 **Objection** - the site is presently a blight on the local landscape; the existing planning permission should be allowed to lapse so that a development which is deliverable can be progressed on site.
- 7.36 **Response** – this planning application was submitted prior to the existing planning permission lapsing on 15 November 2025. Should this planning permission be approved, it would result in the site being subject of a planning permission until 15 May 2027. However, if refused the site would not be subject to any live planning permission. The determination of this planning application does not preclude the submission of a planning application for an alternative development within the site.
- 7.37 **Objection** - there are concerns with over concentration of PBSA in this part of the city, with five PBSA developments approved within 250 metres of the application site. This over concentration will create an excess of studio flats within the city centre, impacting on choice, creating noise disturbance, increased transient population, and does not address demand for housing or affordable accommodation.
- 7.38 **Response** – the objector references five planning permissions for PBSA within 250 metres of the site. While there are extant planning permissions for five developments, only two are currently being progressed at West Marketgait (24/00204/S42) and Telephone House (23/00684/FULL). The remaining three at Lindsay House (25/00186/FULL), Willison House (24/00415/FULM) and Liquid Nightclub (24/00712/S42) have not been implemented to date.

While these developments are within proximity of each other, this part of the city centre is positioned between both higher education institutions. This minimises the distances students must travel to education facilities, provides access to a range of amenities within the city centre and supports use of sustainable transport options. The provision of PBSA bed spaces in the city centre would have no impact on the existing range or choice of housing options in the city centre. Through the provision of purpose-built student bedspaces, existing housing that is currently occupied by students could return to the market enhancing housing options for other households.

- 7.39 **Objection** - the level of demand has reduced as student numbers reduce, particularly at University of Dundee. There is therefore no demand for further PBSA within the city, with potential for oversupply if this development is progressed.
- 7.40 **Response** – following steady growth in the student population in recent years, numbers have reduced by 9.9% in the 2024 academic year. There are a number of PBSA developments within the city which are currently operating or under construction, and there are further developments with planning permission as noted under Appendix 1. This provides both currently available PBSA and future PBSA to meet demand over the coming academic years. Should this 242 bedspace development be approved, in addition to existing PBSA provision and developments which have planning permission, there is potential for overcapacity should student numbers continue to reduce.
- 7.41 There are matters raised in the letters of representation which would justify the refusal of planning permission.
- 7.42 **It is concluded that there are no material considerations that would justify approval of planning permission contrary to the provisions of the development plan.**

8 CONCLUSION

- 8.1 The application under Section 42 of The Town and Country Planning (Scotland) Act 1997 to vary condition 1 of planning permission 24/00101/S42 fails to comply with the Development Plan. There are no material considerations of sufficient weight that would justify approval of planning permission.

9 RECOMMENDATION

- 9.1 It is recommended that planning permission be REFUSED for the following reason:
- 1 **Reason** – the proposed development of student accommodation would not address any identifiable gap in provision. The applicant has failed to demonstrate that need and demand exists for the proposal, and approval of the application could result in an oversupply of the type of accommodation proposed. The proposal fails to accord with NPF4 Policy 16c and LDP Policy 15. There are no material considerations of sufficient weight to justify approval of planning permission, contrary to the requirements of the Development Plan.

APPENDIX 1

Site No	Status	Application Ref	Address	Date Approved	No Of Beds	Expiry Date	Progress
1	Complete	20/00729/FULM	63 Brown Street	20/04/2021	163	20/04/2024	Phase 1 Complete (163 rooms of 361 approved)
2	Approved	20/00679/FULM	Garage, West Marketgait	20/04/2020	179		Discharging conditions - NID Submitted.
3	Approved	23/00403/FULL	Former Dundee College 30 Constitution Road	27/09/2023	414		Discharged conditions. Demolition Works Commenced.
4	Complete	21/00478/FULL	56 Brown Street	19/11/2021	147		Complete
5	Complete	22/00205/FULL	Dundee West Mineral Yard North Car Park Greenmarket, Dundee	21/06/2022	55		Complete
6	Approved	22/00493/FULM	Site Of Jumpin Jaks South Ward Road	15/11/2022	242	15/11/2025	Discharging conditions Extended time
7	Complete	22/00725/FULL	16-18 Constitution Terrace	24/10/2022	20		Complete
8	Approved	24/00415/FULM	Willison House 56 Barrack Street	10/12/2024	367	10/06/2026	No activity
9	Pre-app	PREAPP/021/2024	West Ward Works 19 Guthrie Street		680		No activity
10	PAN (Historic)	20/00236/PAN	Locarno Works Brown Street		300		No activity
11	PAN (Historic)	17/00453/PAN	Queen Victoria Works 203 Brook Street		500		No activity
12	Approved	23/00311/FULM	South Ward Road	13/12/2023	215	13/12/2026	Extended time
13	Complete	23/00397/FULL	Caledonian House	27/03/2024	77		Complete
14	Under construction	23/00684/FULL	Telephone House 21 Ward Road	19/02/2024	422	19/08/2025	Under construction
15	Complete	23/00519/FULL	10 Douglas Street	13/02/2024	98		Complete
16	Approved	24/00760/FULL	St Margarets Home	28/03/2025	36	28/03/2028	No activity

Site No	Status	Application Ref	Address	Date Approved	No Of Beds	Expiry Date	Progress
17	Approved	24/00733/FULL	St Andrews Lane	09/06/2025	23	09/06/2028	No activity
18	PAN	24/00790/PAN	Keillor Centre				No activity
19	Approved	25/00186/FULL	Lindsay House 30 Ward Road		168		Phase 1 Complete (163 rooms of 361 approved)
20	PREAPP	PREAPP/014/2025	Queen Victoria Works 203 Brook Street, Dundee	23/07/2025	325	23/07/2028	
21	Complete	20/00729/FULM	10 Douglas Street		163		

Advertisement Of The Following Types: Totem

KEY INFORMATION

Ward West End

Address

Land South of Riverside Avenue

Applicant

McDonald's Restaurants Ltd
c/o Agent

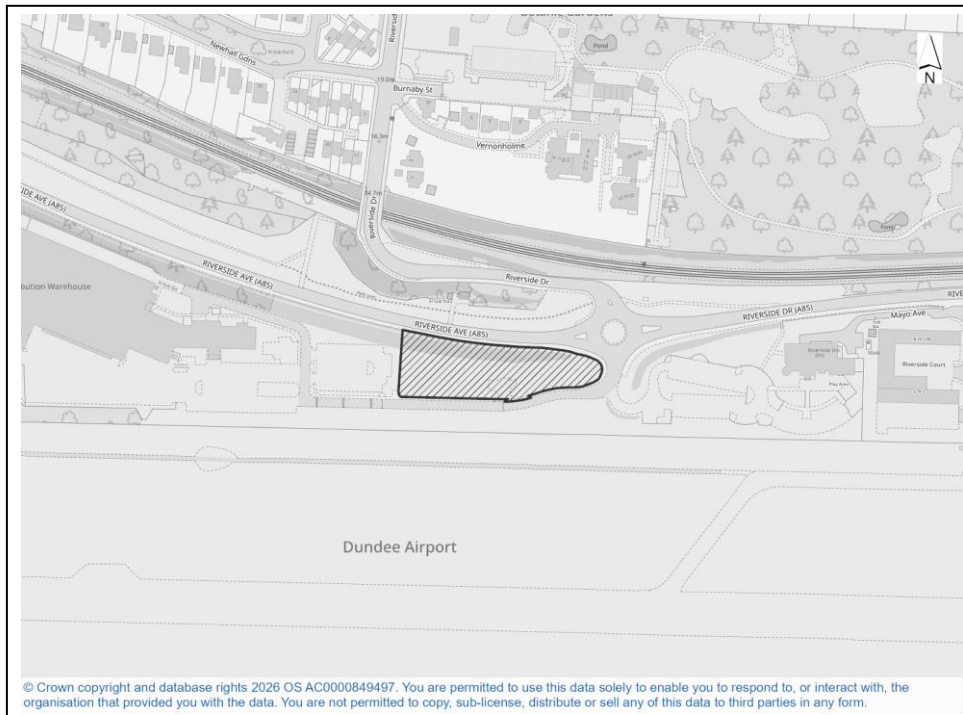
Agent

Lichfields

Validated: 30 Dec 2025

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

Contact: Sharon Dorward



SUMMARY OF REPORT

- The application seeks Advertisement Consent for the installation of an advertising totem at land adjacent to Riverside Drive.
- The application satisfies the requirements of Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and is in accordance with the Development Plan.
- There is no statutory neighbour notification process for Advertisement Consent applications.
- Two letters of objection have been received, including an objection from West End Community Council.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as a valid written objection has been received from a statutory consultee and the recommendation is for approval.
- More details can be found at [25/00696/ADV | Advertisement of the following types: totem | Land South Of Riverside Avenue Dundee.](#)

RECOMMENDATION

The application seeks the approval of Advertisement Consent. The proposal would satisfy the requirements of Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. There are no material considerations of sufficient weight to justify refusal of the application. It is therefore recommended that advertisement consent be **APPROVED** subject to conditions.

1 DESCRIPTION OF PROPOSAL

- 1.1 Advertisement Consent is sought for the installation of a totem sign pole for the approved McDonald's drive-through restaurant development on Riverside Avenue. The totem would be positioned within the McDonalds's site adjacent to Riverside Avenue at the junction with Loverose Way.
- 1.2 The totem pole would be 3.5 metres in height from ground level and 1.75 metres wide. The depth of the totem would be 0.28m, including the pole and sign panels. The signage would comprise four rectangular panels positioned centrally on a dark grey composite aluminium pole, with a steel base painted in dark grey. The panels would each extend to 1.07 metres in width and to vary in size from 1.75m wide x 0.475 - 1.1 metres tall with a 50mm gap between each panel. The panels would be finished in dark green and timber coloured composite aluminium, with cut-out and backlit logos. Illumination would be static with a maximum brightness of 200cd/m². The "golden arch" would be depicted within the green panel at the top of the totem as backlit yellow polycarbonate. A timber coloured panel would depict an "open 24 hours" logo beneath this and a lower green panel would contain a directional logo to the drive-through unit. No text or logo is proposed for the lower timber coloured panel.
- 1.3 The applicant has submitted the following in support of the application:
- Supporting Statement; and
 - Visual Impression/Site Section.



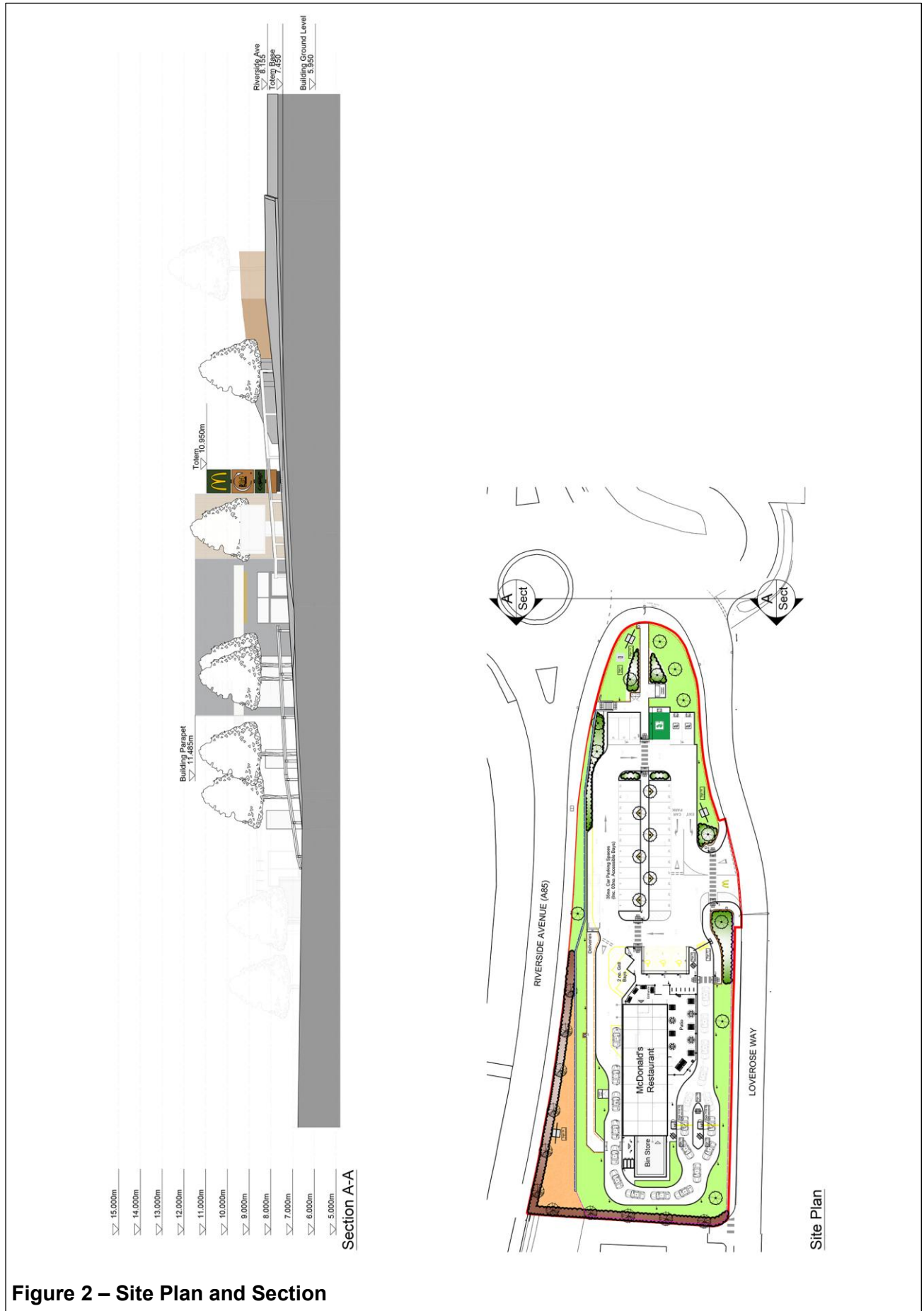


Figure 2 – Site Plan and Section

2 SITE DESCRIPTION

- 2.1 The application site is currently a vacant area of land located to the west of Dundee City Centre and to the south of Riverside Avenue.
- 2.2 The application site is set within the wider curtilage of the McDonald's restaurant site, which is located to the immediate west of the roundabout at the junction with Riverside Drive and Loverose Way; the totem would be positioned on the grassed verge towards the east of the wider site, in proximity to the roundabout.
- 2.3 The Green Circular core path network runs along the northern site boundary, the Riverside Ninewells link adjoins the Green Circular on Riverside Avenue. The Riverside Drive (West) wildlife corridor also runs directly to the north of the site on the northern side of Riverside Avenue and is also designated open space.
- 2.4 Surrounding land uses include the Amazon distribution warehouse and the Riverside Inn. Dundee Airport's runway is to the south of the application site and Perth Road to the north. Other surrounding land uses include Dundee University's Botanic Gardens and Riverside Nature Park.



Figure 3 – View From East



Figure 4 – View From North

3 POLICY BACKGROUND

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

NATIONAL PLANNING FRAMEWORK 4

Policy 14: Design, quality and place.

DUNDEE LOCAL DEVELOPMENT PLAN 2019

Policy 1: High Quality Design and Placemaking.

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

4 SITE HISTORY

4.1 Planning application 06/01086/FUL was approved in April 2007 for the erection of a 60 bed hotel with restaurant and car park.

4.2 Planning application 10/00332/FULL was refused in December 2010 for the erection of a 102 bed hotel with restaurant and parking and subsequently dismissed at Appeal.

4.3 Planning application 11/00552/FULL refused an extension of the 06/01086/FUL planning permission in November 2011.

4.4 Planning application 20/0031/FULL was refused in July 2020 for the development of two Class 3 restaurants as drive-through units and then allowed at Local Review in February 2021.

4.5 Planning application 24/00509/FULL for the erection of a drive-through restaurant, parking and associated infrastructure was withdrawn in October 2024.

4.6 Planning application (reference: 25/00268/FULL) for the erection of a drive-through unit (Class 3/Sui Generis), associated access, car parking, landscaping and infrastructure (amendment to 21/00830/FULL) was approved in November 2025.

4.7 Advertisement consent application (reference: 25/00695/ADV) is currently under consideration for the installation of fascia and canopy signage.

5 PUBLIC PARTICIPATION

5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.

5.2 One letter of objection has been received, raising the following valid material grounds:

- scale, visual amenity and clutter; and
- road and pedestrian safety.

5.3 The valid grounds of representation are taken into account in the material considerations section of this report.

6 CONSULTATIONS

- 6.1 **The Head of Sustainable Roads and Transport** - requested that illumination levels were decreased from 600cd/m² to a maximum of 200cd/m².
- 6.2 **Highland and Islands Airports Limited (HIAL)** - have no objection subject to a condition to ensure that an authorisation permit is obtained for the operation of cranes or other tall reaching construction equipment should they be required.
- 6.3 **West End Community Council** - has submitted an objection raising the following valid material grounds:
- impact from scale, design and illumination of totem on prominent ground; and
 - precedent for signage along Riverside Drive in conflict with Ambassador Route design guidelines.
- 6.4 The valid grounds of representation are taking into account in the material considerations section of this report.

7 DETERMINING ISSUES

- 7.1 Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 provides that the powers conferred by the regulations (i.e. the control of advertisements) are exercisable only in the interests of amenity and public safety.
- 7.2 In terms of amenity, planning authorities should determine the suitability of the use of the site in light of the "general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest" and in doing so may disregard any existing advertisements.
- 7.3 The application site relates to a small area of land within the wider site for the approved drive through restaurant. The plans have been amended to reduce the height of the proposed totem from 7m tall to 3.5 metres and would comprise four rectangular panels, two of which are internally lit. The panels would be finished in dark green and timber coloured composite aluminium. A "golden arch" M logo would be positioned within the highest panel. Illumination is proposed as back-lit LED lighting, which has been reduced from 600 to 200 candelas per sqm.
- 7.4 Riverside Avenue leading onto Riverside Drive is regarded as an "Ambassador Route" into Dundee City Centre, and it is important to preserve a sense of identity to this vista as one of the main approaches to the city. Given the undulation of the land, the totem would appear 0.46 metres lower than the restaurant building. In this context it would not be obtrusive within the street scene due to the design of the sign. The muted colours, height and panel shapes would have no significant impact when set against the backdrop of the restaurant building, once complete. There would be no significant light pollution or visual impact due to relatively low illumination levels proposed, subject to a condition which limits the candela unit, which will reduce the luminous intensity of the lit sections of the totem.
- 7.5 There would be no significant impact on the general characteristics of the locality, and the totem would have no impact on any feature of historic, architectural, cultural, or similar interest.

- 7.6 With respect to public safety, the safety of persons and road users and the obscuring of statutory signage are the main considerations.
- 7.7 The totem would be positioned on the grass verge within the curtilage of the approved drive-through site, and 1.5 metres from the edge of the core path. The position of the totem would not create any obstruction for pedestrians or users of the green circular network. The applicant has reduced the proposed level of illumination from 600cd/m² to 200cd/m² as requested by the Head of Sustainable Transportation and Roads and this will prevent risk of glare and driver distraction to road users. A condition is recommended to secure this in perpetuity. The proposal would not create any significant light nuisance or driver distraction. HIAL has no objections and confirm that the development would not infringe the safeguarding criteria and operation of Dundee Airport. HIAL recommended a condition which requires the applicant to secure a crane permit from HIAL prior to works commencing.
- 7.8 The totem would be positioned at an appropriate location and is of a scale and design which would have no detrimental impact on existing transport networks and no adverse impact on public safety at this site.
- 7.9 The proposals satisfy the requirements of Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

MATERIAL CONSIDERATIONS

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

A – DEVELOPMENT PLAN

NATIONAL PLANNING FRAMEWORK 4

- 7.11 **NPF4 Policy 14: Design, quality and place** - states development proposals will be designed to improve the quality of an area, regardless of scale.
- 7.12 The design, appearance and finish materials of the fascia signage has been addressed in the assessment of the proposals against the requirements of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The totem would not detract from the quality or appearance of the area.
- 7.13 **The proposal complies with NPF4 Policy 14.**

DUNDEE LOCAL DEVELOPMENT PLAN 2019

- 7.14 **LDP Policy 1: High Quality Design and Placemaking** - requires all development proposals to follow a design-led approach to sustainable and high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned with reference to climate change mitigation and adaptation. The design and siting of development should respect the character and amenity of the place, and create a sense of community and identity, enhancing connectivity, with creative approaches to urban design, landscaping and green infrastructure.
- 7.15 The design, appearance and finishing materials of the totem sign have been addressed in the assessment of the proposals against the requirements of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The proposed sign is appropriate as advertising for the approved drive-through restaurant building; the design and illumination would not detract from the appearance of the building or the wider thoroughfare. There would

be no adverse visual impact within the route towards and from Dundee Airport and Dundee City Centre.

7.16 **The proposal complies with LDP Policy 1.**

7.17 **It is concluded that the proposal is in accordance with the Development Plan.**

B - SUPPORTING INFORMATION

7.18 The applicant has submitted a supporting statement which acknowledges that the application site is visible from Riverside Avenue and states that the site does not have any heritage designations, and that the proposal would not create clutter. The statement further considers that the site is within the context of other commercial development and that the proposed sign is therefore appropriate.

7.19 The site is adjacent to one of the main approaches into the city, and while there are existing buildings of an industrial form, these are set back from the road and generally screened from view. While a 7-metre-high totem would not have been appropriate and would have created an obtrusive feature along the route, the 3.5 metre totem in a muted design would not appear incongruous against the setting of the approved building and within the views along the Ambassador Route.

7.20 In respect of public safety, the applicant contends that there would be no adverse impact on pedestrians, cyclists or drivers. Appropriate consultations were undertaken and with the addition of conditions there would be no impact on road safety.

C - REPRESENTATIONS

7.21 Two objections have been received including one from West End Community Council raising the following valid material grounds:

- scale, visual amenity and clutter;
- road and pedestrian safety; and
- establishing precedent.

7.22 The grounds of objection are considered and assessed as follows:

Objection - scale, visual amenity and clutter.

Response - during the application process, the height of the proposed totem has been reduced from 7 metres to 3.5 metres, and brightness has been reduced from 600 to 200 candelas per m². The reduction in height and panel design of the totem with muted colours is acceptable for the location which sits adjacent to a road and against the backdrop of a drive through building. The proposal is for one totem sign and would not have a significant impact on amenity, or, by itself result in clutter.

Objection - road and pedestrian safety.

Response - the candelas per m² has been reduced from 600 to 200, thereby reducing the brightness of the signs to an acceptable degree that would not affect drivers. The totem would be positioned within the curtilage of the McDonald's site and would not be prominent; there would be no impact on pedestrian safety or users of the Green Circular cycle path.

Objection - establishing precedent.

Response - the current proposal has been reduced in scale and, as assessed above, is of an acceptable design associated with a particular business use. It would not therefore establish an unwanted precedent for future signage. Any future application would be assessed on its own merits.

- 7.23 The issues raised in the representations have been considered and addressed in the report and the grounds raised are not of sufficient weight to justify refusal of advertisement consent.
- 7.24 **It is concluded that there are no material considerations of sufficient weight in this case to justify refusal of Advertisement Consent.**

8 CONCLUSION

- 8.1 The proposed totem sign is in accordance with the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. There are no material considerations of sufficient weight that would justify refusal of advertisement consent. Therefore, it is recommended that advertisement consent is granted.

9 RECOMMENDATION

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

- 1 **Condition** – prior to the commencement of development, a crane permit must be obtained from HIAL for the installation of any crane or tall construction equipment which is to be utilised during the development works.

The British Standard Code of Practice for the safe use of cranes requires crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, “Cranes” (available at [CAST Advice Notes | UK Civil Aviation Authority](#)) and CAP1096.

Reason - to ensure that construction work and construction equipment on the site and any adjoining land does not breach the Obstacle Limitation Surface (OLS) or the Instrument Flight Procedures (IFPs) surrounding the Airport and endanger aircraft movements and the safe operation of the aerodrome.

- 2 **Condition** - the level of illumination of the approved signage shall not exceed 200 candelas per square metre (200 cd/m²) at any time. The signage shall be installed with a fixed output or dimmable lighting system to ensure compliance, and it shall thereafter be retained, operated and maintained as such for the lifetime of the development.

Reason - in the interest of road safety and to prevent excessive light pollution in the interest of visual amenity.

Advertisement Of The Following Type: Fascia Signs

KEY INFORMATION

Ward West End

Address

65 Perth Road
Dundee DD1 4HY

Applicant

Mr Kosrat Awdl
Quarrywood Road
Glasgow G21 3EZ

Agent

Zertek

Validated: 14 February 2026

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

Contact: Craig Swankie



SUMMARY OF REPORT

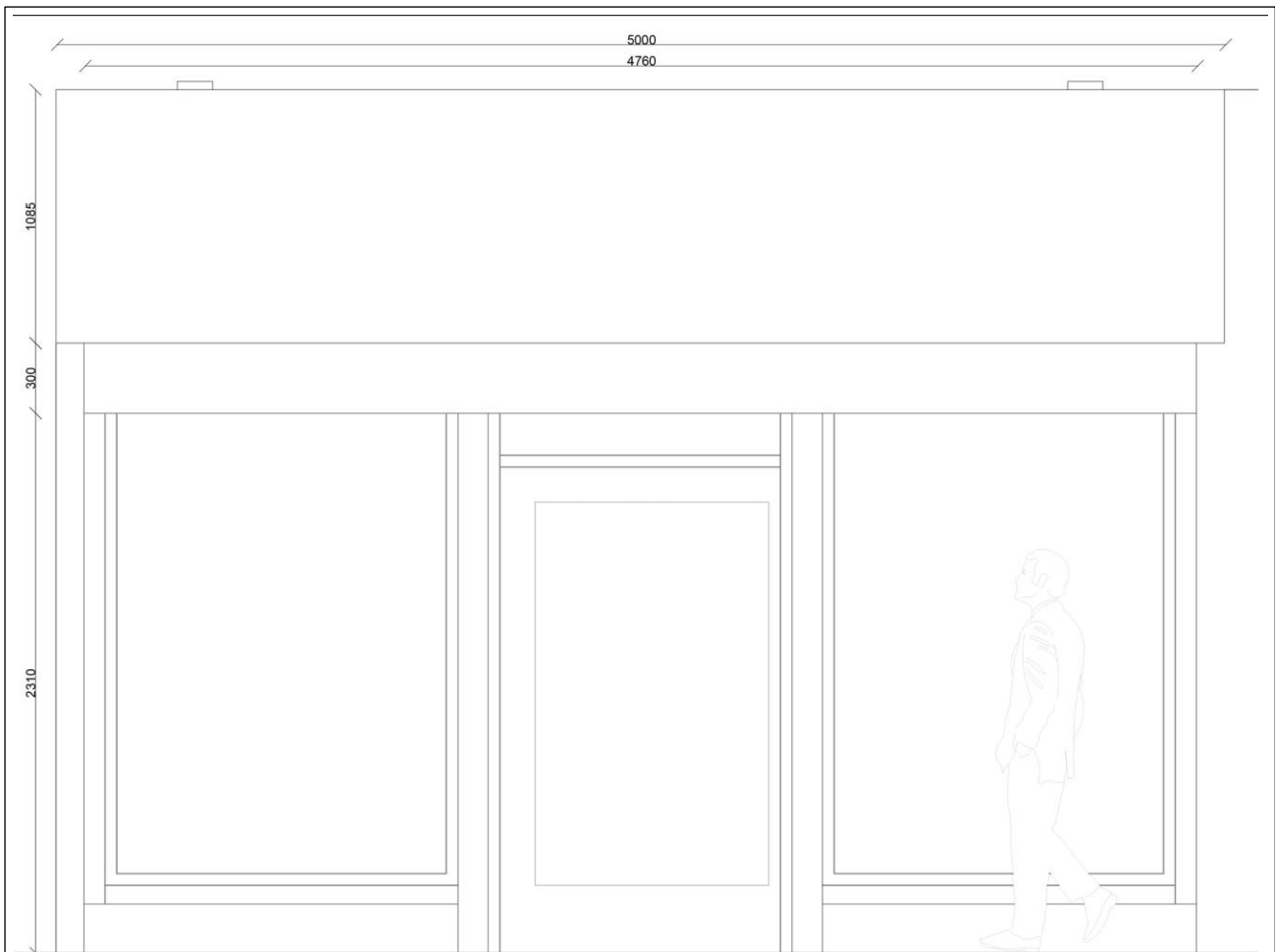
- The application seeks advertisement consent for the installation of two fascia signs at 65 Perth Road.
- The application satisfies the requirements of Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and is in accordance with the Development Plan.
- There is no statutory neighbour notification process for Advertisement Consent applications.
- One letter of objection has been received from West End Community Council.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as a valid written objection was received from a statutory consultee and the recommendation is for approval.
- More details can be found at [26/00070/ADV | Advertisement of the following types: fascia sign | 65 Perth Road Dundee DD1 4HY](#)

RECOMMENDATION

The application seeks the approval of Advertisement Consent. The proposal would satisfy the requirements of Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. There are no material considerations of sufficient weight to justify refusal of the application. It is therefore recommended that Advertisement Consent be APPROVED subject to conditions.

1 DESCRIPTION OF PROPOSAL

- 1.1 Advertisement Consent is sought for the installation of two fascia signs.
- 1.2 The proposed signage comprises a 5.0 metre wide by 0.7-metre-high fascia above the shopfront which is to be finished in black. The shop name and logo are to be formed towards the centre of the fascia in 0.3-metre-high aluminium letters finished in green with a white surround. The shop name and logo are to be illuminated by concealed halo lighting behind each letter.
- 1.3 Above the entrance to the shop, and below the shopfront fascia a second sign is proposed. The sign comprises a black aluminium fascia noting products for sale. The lettering which is 0.1 metres high is finished in white.
- 1.4 The shop frontage is currently blank following the removal of an unauthorised box fascia. The current application submission includes amendments from the previously installed signage and includes a reduction in lettering height and removal of the box fascia.



Existing Shopfront Elevation



Existing Shopfront Photograph

Figure 1 – Shopfront as Existing

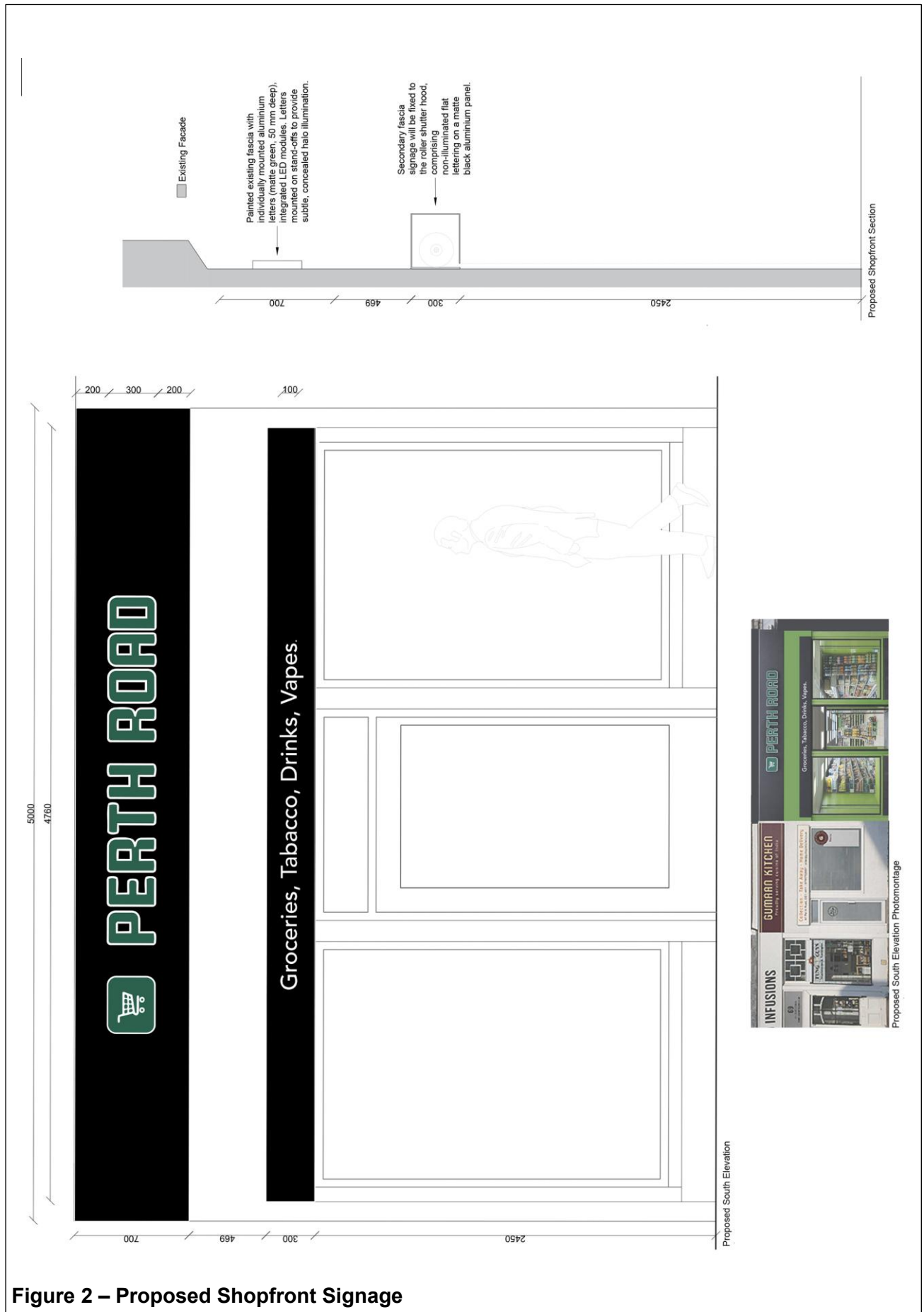


Figure 2 – Proposed Shopfront Signage

2 SITE DESCRIPTION

- 2.1 The application site relates to a local convenience store on the north side of Perth Road. The site is within the ground floor of a four-storey tenement building. The adjoining ground floor units contain commercial uses including a barber, hairdresser, local shops and a hot food takeaway. The upper floors of the building contains flats.
- 2.2 The surrounding area is characterised by a mixture of commercial and residential uses within the Perth Road District Centre.
- 2.3 The site is located within the West End Lanes Conservation Area.



Figure 3 – Previous Shopfront Signage, Now Removed



Figure 4 – Present Shopfront and Streetscape

3 POLICY BACKGROUND

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

NATIONAL PLANNING FRAMEWORK 4

Policy 7: Historic assets and places

Policy 14: Design, quality and place

DUNDEE LOCAL DEVELOPMENT PLAN 2019

Policy 1: High Quality Design/Placemaking

Policy 51: Development in Conservation Areas

3.2 **NON-STATUTORY STATEMENTS OF POLICY**

3.3 Historic Environment Scotland's Managing Change in the Historic Environment: Shopfronts & Signs (2010).

3.4 West End Lanes Conservation Area Appraisal.

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

4 SITE HISTORY

4.1 The following planning history is of relevance:

4.2 The addition of unauthorised fascia signage to the shopfront was subject of an enforcement investigation reference 24/00098/ADVERT. Planning committee approved direct action to remove the signage in January 2026, with the applicant subsequently removing the sign. The fascia of the shopfront does not presently contain any signage.

4.3 The immediately neighbouring commercial unit at 67 Perth Road also contained an unauthorised banner sign. Advertisement consent application 25/00663/ADV for fascia signage above the shopfront was approved on 23 February 2026.

5 PUBLIC PARTICIPATION

5.1 One objection has been received from West End Community Council.

6 CONSULTATIONS

6.1 **West End Community Council** – has submitted an objection raising the following valid material grounds:

- the material of the signage is not appropriate within the Conservation Area;
- the design of the signage is contrary to DCC West End Lanes Conservation Area Appraisal and Historic Environment Scotland guidance; and
- the provision of illuminated signage is excessive and not appropriate within the conservation area.

- 6.2 The letter of objection also raised concerns with the proportion and materials on the shopfront and the Tobacco Advertising and Promotion Act (enforced by Trading Standards). However, these are not matters which can be considered as part of this application for Advertisement Consent because Advertisement Consent cannot control the content of signage.
- 6.3 The valid grounds of representation are taken into account in the material considerations section of this report.

7 DETERMINING ISSUES

- 7.1 Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 provides that the powers conferred by the regulations (ie the control of advertisements) are exercisable only in the interests of amenity and public safety.
- 7.2 In terms of amenity, planning authorities should determine the suitability of the use of the site in light of the "general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest" and in doing so may disregard any existing advertisements.
- 7.3 The application site relates to an existing commercial unit on Perth Road, within Perth Road District Centre. The frontage previously contained an unauthorised box fascia which was not in keeping with the traditional character of shop frontages along Perth Road. Following approval of Direct Action by the Planning Committee the signage was removed by the applicant from the building and the frontage is currently blank. The applicant has submitted proposals for signage that reflects the position, height and form of signage at neighbouring units. Large logos have been removed from the proposal, with only lettering and the company logo retained.
- 7.4 The signage as proposed is reflective the scale and form of signage present on neighbouring, traditional shop frontages along this section of Perth Road. The proposed painted fascia with individual lettering would therefore be of an appropriate form and quality. Similarly, the fascia sign above the windows is in keeping with the character of the frontage and main fascia sign above and aligns with that which has been approved on the neighbouring unit. The fasciae reflect the type and form of signage at similar commercial properties on Perth Road. Overall, the proposed signage would be of a design, form and size that would be in keeping with the general characteristics of the locality and represent an improvement over the previous signage.
- 7.5 The advert would be located within the West End Lanes Conservation Area. As explained above, the adverts would be above the shopfront. The proposed signage would be viewed within the same context as that which exists across the elevation of the tenemental building as a whole at present, being viewed in the context of a modern mixed use, urban environment and would not have any significant adverse impact on the character or appearance of the Conservation Area.
- 7.6 In terms of public safety, the main considerations are the safety of pedestrians and road users and the obscuring of statutory signage. The application site is on the north side of Perth Road. The proposed signage would have no impact on the existing footway or statutory signage. The illuminated sign would be positioned at an appropriate height and is of a scale which would have no detrimental impact on existing transport networks. There would therefore be no detrimental impact to existing transport networks and no adverse impact on public safety.
- 7.7 The proposals satisfy the requirements of Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

STATUTORY DUTIES

Planning (Listed Buildings and Conservation Areas) Scotland Act 1997 as amended

- 7.8 Section 64(1) of the Planning (Listed Buildings and Conservation Areas) Scotland Act 1997 as amended states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.9 These matters have been considered in the assessment of the proposed advertisement under the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. As stated above the fascia signage would have no detrimental impact on the character or appearance of West End Lanes Conservation Area.
- 7.10 It is considered that the approval of the proposals would discharge the above statutory duties.

MATERIAL CONSIDERATIONS

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

A – DEVELOPMENT PLAN

NATIONAL PLANNING FRAMEWORK 4

- 7.12 **NPF4 Policy 7d: Historic 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.
- 7.13 The application site is located within West End Lanes Conservation Area and relates to an established shop on this main shopping street. The design of the proposed signage is appropriate for the building, sitting within the existing shop frontage and reflecting the traditional form of signage at retail frontages along this section of Perth Road. The proposed signage is more appropriate to the frontage than the previous signage it replaces and reflects the variety of shop front designs and colours within Perth Road. The proposal does not have an adverse impact on the character of West End Lanes Conservation Area.
- 7.14 **The proposal is in accordance with NPF4 Policy 7d.**
- 7.15 **Policy 14: Design, Quality and Place** - states development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- 7.16 The design, appearance and finish materials of the fascia signage have been addressed in the assessment of the proposals against the requirements of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and Town and Country Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997. The signs are an improvement compared to signage previously within the shopfront and would not detract from the quality or appearance of the building or wider Perth Road streetscape.

7.17 **The proposal is in accordance with NPF4 Policy 14.**

DUNDEE LOCAL DEVELOPMENT PLAN 2019

7.18 **LDP Policy 1: High Quality Design and Placemaking** - requires all development proposals to follow a design-led approach to sustainable and high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned with reference to climate change mitigation and adaptation. The design and siting of development should respect the character and amenity of the place, and create a sense of community and identity, enhancing connectivity, with creative approaches to urban design, landscaping and green infrastructure.

7.19 As considered under NPF4 Policy 14, the signage is of an appropriate design and appearance, meeting the requirements of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

7.20 **The proposal is in accordance with LDP Policy 1.**

7.21 **LDP Policy 51: Development Within Conservation Areas** - requires that all development proposals preserve or enhance the character of the surrounding area and retain all features that contribute to the character and appearance of the conservation area.

7.22 As assessed under NPF4 Policy 7d, the proposed signs would have no detrimental impact on the character or appearance of the West End Lanes Conservation Area. The proposal demonstrates compliance with the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and would not detract from the quality or appearance of the building or wider Perth Road streetscape.

7.23 **The proposal is in accordance with LDP Policy 51.**

7.24 **It is concluded that the proposal is in accordance with the Development Plan.**

7.25 **B – WEST END LANES CONSERVATION AREA APPRAISAL AND HISTORIC ENVIRONMENT SCOTLANDS MANAGING CHANGE IN THE HISTORIC ENVIRONMENT: SHOPFRONTS AND SIGNS (2010)**

7.26 With regard to shop frontages, the West End Lanes Conservation Area Appraisal (WELCAA) acknowledges that there are a number of modern signs that are not in keeping with the character and appearance of the area and would benefit from being altered to further enhance the area. Historic Environment Scotland's Managing Change in the Historic Environment: Shopfronts & Signs (2010) states alterations to historic shopfronts to accommodate commercial needs such as security and signage or associated with a change of use can affect a building's visual amenity and character. Where historic shopfronts have been altered unsympathetically it may be possible to restore elements of the original or historic design on the basis of sound evidence.

7.27 The previous signage that has now been removed was detrimental to the character of the shop frontage and not in keeping with the traditional character of neighbouring shop frontages. The proposed fascia signage reflects the traditional form and proportions of signage at neighbouring units and respects the layout of frontages within this section of Perth Road.

7.28 The proposal aligns with the aims of WELCAA and Historic Environment Scotland's Managing Change in the Historic Environment: Shopfronts & Signs (2010).

C – REPRESENTATIONS

7.29 One objection has been received from West End Community Council raising the following valid material grounds:

- the proposed design and finish materials of the signage is contrary to DCC West End Lanes Conservation Area Appraisal and Historic Environment Scotland guidance; and
- the provision of illuminated signage is excessive and not appropriate within the conservation area.

7.30 The grounds of objection are considered and assessed as follows:

Objection - the proposed design and finish materials of the signage is contrary to DCC West End Lanes Conservation Area Appraisal (WELCAA) and Historic Environment Scotland guidance.

Response - WELCAA states ‘the current colour scheme is predominantly traditional dark colours such as red, green and blue with a range of sandy colours. The fascia signage is finished in black with white lettering and company logo. This is generally in keeping with the established darker colours of signage on Perth Road.

The signage formerly within the shopfront comprised a large, illuminated box fascia which did not contribute positively to the frontage. The proposed fascias comprise two narrow signs which reflect the traditional layout and form of signage on shopfronts within this part of Perth Road. This is significantly more appropriate to the site and is of a higher quality than the signage being replaced. With reference to Historic Environment for Scotland guidance, the proposed signage would not cut across any architectural details and sits comfortably within the established form of the entrance and surrounding façade. Whilst the proposal is not a traditional hand-painted sign, the fascia signage is not excessively deep and does not encroach upon the first floor.

7.31 Overall, the proposed signage is of an appropriate scale and form for this site and does not conflict with the guidance outlined in West End Lanes Conservation Area Appraisal or Historic Environment Scotland's Managing Change in the Historic Environment: Shopfronts & Signs (2010).

Objection - the provision of illuminated signage is excessive and not appropriate within the conservation area.

Response - WELCAA states “illuminated signs can have a major impact on the character of the Conservation Area. The preference is to have non-illuminated signage, however, if it can be demonstrated that a need for illumination exists, this shall be undertaken as discretely as possible.” WELCAA then goes on to say that where there is a need for illumination, planted lettering with concealed halo lighting is the preferred method.

Lettering within the upper fascia sign is to be illuminated, no specific need for illumination has been expressed, however, the existing sign has unsympathetic and non-traditional downlights. The new signage lighting is achieved through “halo” lighting on the rear of each individual letter. This ensures the illumination is restricted to part of the signage only, and that the full frontage is not illuminated. Overall, the provision of illuminated lettering upon a dark fascia would not conflict with the aims of the guidance within WELCAA. In addition, it is not unreasonable for a store which would operate in the evenings to be illuminated, inline with most of the signage in the Perth Road District Centre.

- 7.32 The issues raised in the representation have been considered and addressed in the report. There are no grounds raised which are of sufficient weight to justify refusal of advertisement consent.
- 7.33 **It is concluded that there are no material considerations of sufficient weight in this case to justify refusal of advertisement consent.**

8 CONCLUSION

- 8.1 The proposed signage is in accordance with the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and complies with the development plan. There are no material considerations of sufficient weight that would justify refusal of advertisement consent. Therefore, it is recommended that advertisement consent is granted.

9 RECOMMENDATION

- 9.1 It is recommended that the application be GRANTED subject to the following condition:
- 1 **Condition** – within 3 months of the date of this advertisement consent, the signage shall be installed as illustrated on drawing no PL-03D – Proposed South Elevation and Section Revision D dated 23 March 2026, to the satisfaction of the Planning Authority. The applicant shall notify the Planning Authority in writing when these works have been completed.
- Reason** – in the interest of protecting the character of the West End Lanes Conservation Area.