

**KEY INFORMATION**

**Ward** Claverhouse

**Proposal**

Erection of a 30,000 seater football stadium with associated coach, car parking, landscaping, revised access arrangements, ancillary office space and hospitality suites for each club, associated community use and a Class 4 business development

**Address**

Caird Park West  
Kingsway  
Dundee

**Applicant**

Scottish Enterprise Tayside  
45 North Lindsay Street  
Dundee  
DD1 1HT

**Agent**

Keppie Planning Ltd  
160 West Regent Street  
Glasgow  
G2 4RL

**Registered** 26 Nov 2001

**Case Officer** Iain Ross



## Proposed New Football Stadium at Caird Park West

The erection of a football stadium with associated coach, car parking, landscaping, revised access arrangements, and associated uses is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation.

**RECOMMENDATION**

Although potentially contrary to the development plan it is considered that the applicants have satisfactorily demonstrated that a range of environmental issues can be adequately mitigated.

Accordingly, the application is recommended for approval subject to a range of conditions.

**SUMMARY OF REPORT**

- The site is allocated for open space purposes in the adopted Dundee Local Plan 1998 and is traversed by a wildlife corridor within the adopted Dundee Urban Nature Conservation Subject Local Plan 1995.
- The applicants have submitted Planning Policy, Environmental and Traffic Statements in support of their application and it was advertised on a number of occasions. A wide range of statutory and non statutory consultations were undertaken and a considerable number of letters of objection to the proposals from the public were received. In summary, the issues raised by objectors related to parking and access; the loss of existing recreational areas at Caird Park; the possible availability of more appropriate sites elsewhere in the City; and the potential residential amenity issues likely to arise as a result of this proposal on this particular site.
- The submitted supporting information and the points raised by consultees and the general public have been assessed and the conclusions are outlined in detail within the report.
- Although the proposal potentially contravenes the development plan it is considered that these policy requirements are capable of being satisfactorily overcome through the replacement of facilities elsewhere and the comprehensive compensatory landscaping of the proposal site. The applicants have demonstrated that the proposal site has advantages over alternative sites assessed against essential criteria and that the site is capable of being adequately accessed and that car parking levels are appropriate.

## DESCRIPTION OF PROPOSAL

Outline planning permission is sought for the erection of a 30,000 seater football stadium with associated coach, car parking, landscaping, revised access arrangements, ancillary office space and hospitality suites for each club, associated community use and a Class 4 business development at Caird Park West, Dundee.

Although the application is in outline only, to achieve an 'in principle' agreement to the scope and nature of the land uses involved, a package of indicative drawings was submitted with the application. These give an indication of the access/egress arrangements in diagrammatic form together with an illustration of the likely layout of the stadium, parking areas, landscaping and other open spaces. However, the Council formally required the applicants to provide details of the access arrangements to the site as matters to be determined as part of the outline application.

The Environmental and Traffic Impact Statements received subsequently have indicated amendments to the original layout drawings. The diagrammatic layout plans were subsequently revised as a result of the submission of these new detailed access arrangements. Sectional and floorplan drawings of the stadium itself and a North to South sectional drawing across the site were also submitted. All drawings except the "red edge" block plan and the plans relating to the proposed road junction designs are illustrative only and form no formal part of the application.

The detail of the proposed land uses are as follows:

- a 30,000 seater football stadium: This is the principal element of the proposals and relates to a joint project by Dundee FC, Dundee United FC, Dundee City Council and Scottish Enterprise Tayside, working in partnership, to develop outline proposals in support of the joint Euro 2008 Football Championship Finals bid by the Scottish and Irish Football Associations. The stadium will revert to a seating capacity of 20,000 seats both prior to and after the Championships, when the stadium will be used jointly by

Dundee's two professional football clubs. The surplus seating will then be removed from the east and west stands. The submitted diagrams indicate that the stadium will be set in a traffic free concourse with a minimum clear width of 10 metres. The stadium itself is indicated as measuring 200 metres by 170 metres with a height at its maximum of 22 metres. Uses for the arena other than football do not form part of this proposal.

- b Associated coach and car parking: The application form indicates that 1,300 car parking spaces, plus 50 disabled spaces and 100 coach parking spaces are to be provided.
- c Landscaping: Although dedicated tree protection and landscaping plans were not submitted with this outline application, the issue of landscaping is dealt with comprehensively in the submitted Environmental Impact Statement (See below). This indicates that measures are to be taken to retain the existing mature planting along the southern boundary of the site adjacent the Kingsway and to provide replacement and additional structural planting along the boundaries of the site.
- d Access arrangements: Although the application is in outline only, the Council exercised its powers under the Article 4(3) of the Town & Country Planning (Scotland) Procedure Order 1992 (as amended) to require the applicants to provide access details as part of the application. These details were formally submitted to the Council on 11 April 2002 and show that traffic for all elements of the development will access/egress from the Old Glamis Road/Gilburn Road junction and also (on match days) from a proposed new junction (left turn in and left turn out movements only) on to Old Glamis Road. An emergency sliplane access to the Kingsway for emergency service vehicles only on match days is also proposed. The existing Kingsway/Old Glamis Road junction is also proposed to be realigned with the provision of an

adjacent pedestrian underpass. The applicants have indicated that, in addition, the site will be served by a pedestrian overbridge linking Graham Street with the application site at its south eastern corner. This was notified to neighbours by the applicants on 12 April 2002 on the basis of an amended application boundary. The principle of the pedestrian management arrangements have been supported by an independent pedestrian safety audit and separate independent pedestrian safety risk assessment.

- e Ancillary office space and hospitality accommodation associated with the football clubs: Supplementary details supplied by the applicants indicates that the two constituent football clubs will occupy 960sq m of office space to be operational from the opening of the stadium and to include club administration, ticket sales and club shops, located at ground floor in the SE and SW corners of the stadium. Both of these club administration units will have direct access to joint hospitality suites/corporate boxes etc. in the main (south) stand on alternate match days. The proposed floorspace of these latter facilities plus players' and officials' accommodation will amount to 2,800sq.m.
- f Class 4 Business Uses: Supplementary details supplied by the applicants indicates that the floorspace to be used for private business office uses (excluding club and press related/community use facilities and hospitality areas) will be as follows:

	Pre 2008 (sq m)	Post 2008 (sq m)
SW Corner	2,040	-
SE Corner	2,040	-
West Stand		2,440
East Stand		2,440
NW Corner		2,040
NE Corner		2,040
TOTAL	4,080	8,960

- g Associated community uses: As originally submitted the description of the development

included "sports/leisure facilities". This has been subsequently amended to "associated community uses". The plans accompanying the Environmental Statement indicate that this floorspace will amount to 2000 sq.m. and be located in the first floor of the North stand and be available post 2008. No precise details were formally provided with the application concerning the nature and operational characteristics of this particular use at this outline stage.

## Supporting Information

In support of their application the applicants submitted a Transport Statement (TA) on 8 February 2002 which was later revised (4 March 2002). Also, in accordance with the provisions of the Environmental Impact (Scotland) Regulations 1999, a formal Environmental Statement (ES) was requested and this was submitted in 6 February 2002. A Planning Policy Statement, complementary to the EIA, has also been provided by the applicants.

## SITE DESCRIPTION

The application site extends to an area of approximately 20 hectares (with approximately 16 hectares of this representing the Caird Park element) and is bounded on the south by the curtilages of properties on the south side of the Kingsway, east of the Old Glamis Road junction and extending as far as Graham Street; on the west by Dundee College, the Dick McTaggart Sports Centre, the private residential properties at 61 and 63 Old Glamis Road; on the north by the Gelly Burn and Caird Park Golf Course beyond; and on the east by a public footpath and Caird Park Golf Course.

The site is presently occupied by holes 4, 5, 6 and 11 of the golf course and two rugby pitches. The topography of the site is gently sloping from south to north with artificial mounding within the golf course element. A pronounced wooded embankment exists along the site's interface with the Kingsway with the remainder of the ground falling by 5 metres evenly over

the site to the Gelly Burn to the north. Mixed, even aged structure woodland planting forms island belts within the golf course element. Mature parkland trees interspersed with mixed structure woodland and shrubs form the southern boundary at the Kingsway. An old field boundary within the site is defined by a row of mature parkland trees and the northern boundary of the Gelly Burn is similarly defined.

## POLICY BACKGROUND

### National Planning Policy

The following National Planning Policy Guidelines and Planning Advice Notes are directly relevant to the determination of the application:



NPPG 11 "Sport, Physical Recreation and Open Space": Relevant where sporting and leisure developments are proposed and where there is the potential for existing playing fields to be lost as a consequence of development.

NPPG 17 and PAN 57 "Transport and Planning ": Promotes an integrated approach to land use, economic development, transport and the environment.

NPPG 14 "Natural Heritage" and PAN 60 "Planning for Natural Heritage": Draws attention to the protection and enhancement of the natural heritage.

NPPG 2 "Business and Industry" (and as proposed to be revised 2002): Sets the Government's policy in respect of planning for business developments.

NPPG 7 "Planning and Flooding" and PAN 61. "Planning and Sustainable Urban Drainage Systems": Relates to developments where there are potential flooding and other drainage issues and promotes best practice solutions.

PAN 56 "Planning and Noise": Promotes the prevention and limitation of the adverse effects of noise without prejudicing investment in enterprise, development and transport.

NPPG 8 "Town Centres and Retailing": Requires the application of sequential testing to major retail and commercial developments.

### The Tayside Structure Plan 1993 (Approved by the Secretary of State 1997)

Strategy 2: General policy relating to the promotion of economic development in Dundee.

Employment Land Policies 1-3: Concerns the maintenance of an adequate supply of land and choice of location for employment purposes.

Tourism Recreation and Sport Policies 1,7 and 8: Supports and encourages the provision of a variety of sporting and leisure facilities.

### The Finalised Dundee and Angus Structure Plan

#### (Submitted to Scottish Ministers February 2002)

Employment Policy 6 of the plan is of direct relevance to the determination of this application as it supports the provision of a football stadium in Dundee in the context of the Euro 2008 bid. The plan states that the location of the stadium should have regard to the impact on surrounding uses, as well as traffic impact. The site should be highly accessible, or capable of becoming highly accessible, by public transport. Encouragement will be given to the provision within the stadium of multi-purpose community facilities for sport and physical recreation.

The following policies are also of relevance:

Employment Policies 1,2 & 3:  
Employment Land Supply and Site  
Identification

Employment Policy 5: Leisure and  
Tourism

Town Centres and Retailing Policy 5:  
Leisure and Commercial Uses

Transport Policy 3: Sustainable  
Transport

Transport Policy 4: Development  
Location

Environmental Resources Policy 2:  
The Wider Natural Environment

## Dundee Local Plan (1998)

Employment Uses (EU13, EU26):  
Policies relevant to the provision of  
business and office development.

Public Open Space (OS1):  
Presumption in favour of the retention  
of major areas of open space.

The Natural Environment (ENV1,  
ENV4, ENV5, ENV12 & ENV13):  
Relates to the maintenance and  
improvement of the quality of the  
natural environment; the potential  
impact of developments on designated  
wildlife sites and wildlife corridors;  
and the protection of existing trees and  
the provision of new tree planting.

Leisure and Tourism (LT7, LT11):  
Criteria for the location of major  
leisure developments; and the  
provision of adequate sport and  
recreation facilities.

## Urban Nature Conservation Subject Local Plan (1995)

Policies SP1, WC01, WC02: Policies  
relating to wildlife corridors and sites  
of importance to wildlife.

## LOCAL AGENDA 21

The application raises issues under the  
following Key Planning for  
Sustainability Themes:

Key Theme 3: The diversity of nature  
is valued and protected.

Key Theme 7: Access to facilities,  
services, goods and people are not  
achieved at the expense of the  
environment and are accessible to all.

Key Theme 12: Opportunities for  
culture, leisure and recreation are  
readily available to all.

Key Theme 13: Places, spaces and  
objects combine meaning with beauty  
and utility.

## SITE HISTORY

There is no planning history directly  
relevant to this site or this application.

## PUBLIC PARTICIPATION

The applicant undertook the statutory  
notification of neighbours extending  
the minimum requirements to include  
other households in the vicinity of the  
development. Neighbours were again  
notified as a requirement of the  
Environmental Impact Assessment  
procedures and on a further two  
occasions when the applicants  
submitted the detail of the proposed  
designs for the accesses to the site.

The application was advertised as a  
potential "Bad Neighbour"  
development on 4 December 2001 and  
again on 11 December 2001 and 11  
January 2002 as departures or potential  
departures from the development plan  
(Dundee Local Plan Policies OS1,  
ENV4, ENV5, EU26; and the Urban  
Nature Conservation Subject Local  
Plan 1995 Policies SP1, WC01 and  
WC02).

The formally submitted Environmental  
Statement (ES) was advertised in the  
Dundee Courier and Advertiser on 6  
February 2002 and in the Edinburgh  
Gazette on 15 February 2002 in terms  
of Regulation 13 of The  
Environmental Impact Assessment  
(Scotland) Regulations 1999 allowing  
28 days for objections and  
representations to be made.

The proposals have been widely  
reported in the local press over the  
lifetime of the application. The  
applicants indicate that their dedicated  
Website received approximately 3000  
visits from all over the world  
commenting on the proposals. 940  
responses to the questions posed on  
their Home Page were received with  
on average 70% of respondents  
considering that a new stadium would  
be beneficial to Dundee and would  
increase the City's profile.

The applicants held a public exhibition  
of the proposals on Wednesday 6  
February 2002 2-4pm and 6-8pm at  
Dundee College, Old Glamis Road.  
Approximately 150 members of the  
public attended.

As a result of this process, and up to  
the time of preparing this report, the  
Council has received 143 individual

letters of objection. The majority of  
these objections were received shortly  
after the receipt of the application and  
few were a direct result of the  
publication of the ES. In addition, a  
letter of objection with a petition  
containing 191 signatures was received  
from the Magdalene Area Tenants and  
Residents Association. Included in  
the letters of objections were  
objections from the Mill O' Mains  
Residents Association, The Dundee  
Federation of Tenants Associations,  
Douglas and Caird Park Golf Clubs  
and the "Save the Caird" Group via  
their planning consultants. Dundee  
College has indicated that it has no  
objection to the proposals provided  
any future proposals which the College  
may have to rationalise its access  
arrangements will not be prejudiced.

The main grounds of public objection,  
which are valid in planning terms,  
relate to the following concerns:

- a Likely increases in traffic  
generated on to the Kingsway  
and local road network, and the  
potential insufficiency of the  
road infrastructure for vehicles  
and pedestrians;
- b Proposed junction arrangements  
and potential access difficulties  
to individual properties;
- c Insufficiency of planned off  
street car parking and the  
potential for on street car parking  
in surrounding residential areas  
particularly on match days;
- d The possibility that there are  
more appropriate sites available;
- e Potential loss of open space;
- f Potential disturbance to Caird  
Park Golf Course;
- g Potential loss of trees and  
wildlife;
- h Potential visual impact of the  
proposal;
- i Possible problems of pedestrian  
movement and safety and  
associated amenity issues  
particularly noise, litter and anti  
social behaviour.

Some respondents raised the issue of  
property devaluation and loss of view  
which are not matters which can be  
held as material in the determining of  
the application. Many respondents  
objected also on the grounds of legal

issues relating to the gifting of Caird Park to the citizens of Dundee as a public park. This is an issue which is being separately considered by the Council and is not a material planning consideration in respect of the determination of this application.

## CONSULTATIONS

The following external agencies and Council Departments have been consulted in respect of the application and their responses are summarised below :

Scottish Executive (as Trunk Road authority): The Scottish Executive - Road Network Management and Maintenance Division has indicated its support in principle to the development subject to a number of conditions.

Scottish Executive Development Department (in respect of the content of the ES) : No substantive comments have been received.

Historic Scotland : No objection.

Scottish Natural Heritage (natural heritage issues) : No objection. SNH confirms that small scale and relatively temporary habitat loss envisaged is unlikely to have a serious long term impact on the City's red squirrel population. However a census of the local red squirrel population would be a sensible requirement at the detailed stage.

Scottish Environmental Protection Agency (drainage): Following detailed discussions with the applicant's consultants and the Council, SEPA have no objection provided any permission is conditional on the submission of acceptable Sustainable Urban Drainage Systems.

Scottish Water (drainage) : At the time of writing the report, no formal consultation response had been received.

Health and Safety Executive (major hazardous sites or pipelines) : No objection

**Sportscotland** (promotion of sport and leisure; potential for loss of playingfields) : No objection is offered. However representations are made regarding the provision of replacement sporting facilities and community facilities.

Association of Dundee Community Councils : At the time of writing the report, no formal consultation response had been received.

Director of Environmental and Consumer protection (noise and air quality) : The Director considers that having assessed the ES and considered the implications of the proposed junction arrangements that the proposals will have little or no impact on the existing ambient levels of both noise and air quality and therefore no adverse comments are offered.

Director of Leisure and Arts (open space, landscaping and natural heritage issues) : The proposals are supported on the basis that appropriate conditions are applied concerning; the extent and detailing of replacement planting and its phasing; the introduction of mature planting into car parking areas; the retention of the existing planting along the southern boundary; and the provision of wildlife survey information;. The Council is committed to the replacement of the rugby pitches and the provision of changing facilities in line with the comments of **Sportscotland** and in consultation with the rugby clubs. The Council is also committed to undertake the relocation of the affected golf holes within the Caird Park complex in consultation with users and with the minimum of possible disruption to golfing activities.

## OBSERVATIONS

Section 25 of the Town and Country planning (Scotland) Act 1997 requires that the application be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise. Development plan considerations and other material considerations are now dealt with in turn.

### The Development Plan

The development plan in this case is comprises the approved Tayside Structure Plan 1993, the adopted Dundee Local Plan 1998 and the adopted Urban Nature Conservation Subject Local Plan 1995.

### Tayside Structure Plan (Approved 1997)

The approved Tayside Structure Plan (1993) does not make reference to the

specific promotion of a major sports stadium in Dundee. However, many of its policies make reference to the promotion and development of sporting and recreational facilities in Tayside. (Tourism, Recreation and Sport (TRS) Policy 8 is most relevant). More indirectly, TRS Policy 1 suggests methods by which the regional tourism industry will be encouraged.

In terms of the proposals for business development, the Structure Plan makes specific references to the Technology Park, Balgarthno and to the promotion of Dundee's Western Gateway for business development (Employment Land Policies 2, 3 and Para 4.15). It also gives priority to maintaining and improving the availability of high amenity sites for business and related uses, and a minimum effective 5 year supply of marketable land for business development. However, there is no specific reference to precluding business development opportunities outwith the areas specifically promoted. As such the business development aspects of the proposal must be placed in the context of their relatively limited scale and phasing (largely post 2008) and in the context of the economic development advantages this would bring to the City. The proposals as a whole may be viewed as supportive of Structure Plan Aim 2(2ii).

Environment Policies 1 and 2 emphasise that proposed development should have regard to opportunities for maintaining and improving environmental quality and areas of landscape and nature conservation significance. The use of an Environmental Assessment in such instances is advocated. This proposal is accompanied by a formal Environmental Statement which addresses these issues.

Accordingly, it is considered that the proposals are not contrary to the policies, either collectively or individually, of the Tayside Structure Plan 1993.

### Dundee Local Plan 1998

The application site is allocated under Policy OS1 which declares a general presumption in favour of retaining major areas of green space identified on the Proposals Map and other areas of open space of recreational, amenity

or nature conservation value to their surroundings, including areas associated with schools and the application was therefore advertised as a potential departure from this policy.

Policy OS1 does however identify factors which should be considered in deciding whether alternative uses are acceptable. These are:

- 1 The amount and distribution of alternative areas of green space in the vicinity.
- 2 The importance of the site to the visual amenity of the area.
- 3 The nature conservation value of the site.

The proposal does not conform to this policy's general presumption in favour of the retention of open space and it therefore falls to be tested against the above factors. Firstly, the surrounding area is blessed with ample alternative areas of green space and the existing recreational facilities are to be replaced elsewhere. The Caird Park complex extends to 111 hectares with the proposed stadium site amounting to 14.4% of this area (approximately 16 hectares). Secondly, the visual amenity of the area will be protected via a comprehensive landscape solution which integrates the development into the landscape and mitigates against the visual impact. Thirdly, with regard to nature conservation, although the development will result in the loss of some wildlife habitat, this can be offset by habitat creation and enhancement both within the site and the overall context of the whole park area.

In conclusion, the proposal is therefore considered to be an acceptable alternative use within the terms of Policy OS1 and does not therefore breach the local plan requirements.

Policy ENV4 contains a hierarchy of protection from development of Wildlife Sites in categories A, B, C, and D. The application site is not covered by any such classification and the proposed development does not directly impact on any categorised site. The Den O'Mains Category A wildlife site is remote from the boundary of the application site and is unlikely to be adversely impacted on by the proposals. Therefore, it is considered that the proposal is in compliance with Policy ENV 4.

Policy ENV5 seeks to ensure that development within defined wildlife corridors makes suitable provision for nature conservation and does not adversely affect the viability or continuity of wildlife corridors. The application site is part of such a corridor running from the south west to the north east of Caird Park. Given that the development will include significant new habitat creation for wildlife in a manner which will ensure the continuity of the identified wildlife corridor, it is considered that the application complies with the requirements of Policy ENV5.

In terms of Policy ENV3, the implications of the Urban Nature Conservation subject Local Plan 1995 are considered later in this report.

In relation to the sport and leisure aspects of the proposal, no specific policies or proposals of the plan relate to a development of this nature or scale although the general thrust of the plan's strategy is supportive. Policy LT7 (Major Leisure and Recreational Developments) seeks to direct major leisure development in the first instance to specifically allocated sites. New or expanded leisure developments are to be assessed thereafter in accordance with their relationship to the City Centre and district centres and then according to a set of explicit criteria. Given the scale and uniqueness of the proposal against the appropriateness and availability of the identified locations and the application of the locational criteria, it is considered that the proposal does not contravene this Policy.

In terms of business (Class 4 office) development, the Local Plan outlines a strategy for the development of specific locations (Technology Park, Ninewells Medi-Park, Balgarthno, Western Gateway, Caird Ashton Technopole) as well as setting the context for such developments in the City Centre and district centres. Exceptions to the policies in support of this strategy are provided for in Policy EU26. Although the application does not specifically accord to the criteria and, therefore does not comply with Policy EU26, the Local Plan does not necessarily preclude the identification of additional opportunities for business development. Furthermore, any contravention of Policy EU26 should be assessed against a number of other

relevant material considerations which strongly outweigh this policy requirement.

## Urban Nature Conservation Subject Local Plan 1995

As mentioned above the application site is located within an identified Wildlife Corridor where any proposed development must make suitable provision for nature conservation taking account of the scale and nature of the development and the wildlife characteristics of the corridor. Given that the development will include significant new habitat creation for wildlife in a manner which will ensure the continuity of the identified wildlife corridor, it is considered that the application complies with the Subject Local Plan policies WC01 and WC02. The Den O'Mains Category A wildlife site is remote from the boundary of the application site and is unlikely to be adversely impacted on by the proposals. Therefore, it is considered that the proposal is in compliance with Policy SP1.

## Other Material Considerations

From an analysis of the application, the supporting material supplied by the applicant (including the Transport Assessment and Environmental Statement), the responses to statutory consultations and the nature of objections and representations made by the public, it is considered that the material planning considerations relevant to this application are:

- 1 Whether the proposals are consistent with the Finalised Dundee and Angus Structure Plan 2002?
- 2 Whether the proposals comply with national planning policies?
- 3 Whether the applicants have satisfactorily demonstrated that the proposal site has advantages over other sites compared in planning and environmental terms?
- 4 Whether the site is capable of being adequately and safely accessed/egressed by vehicles, cyclists and pedestrians?
- 5 Whether the proposed development is capable of being served adequately and safely by public transport?

- 6 Whether sufficient car and coach parking is capable of being provided within the application site?
- 7 Whether all the elements of the proposed development are capable of being accommodated within the site in a manner which would lead to a development which is operationally and environmentally satisfactory?
- 8 Whether the terms of the ES are sufficiently robust to mitigate identified environmental concerns in terms of landscape and ecological impacts, noise, air quality and construction phase impacts?
- 9 Whether the site can be adequately drained?
- 10 Whether the amenity of nearby residents is likely to be compromised to such a degree that the application should be refused on those grounds?

### Dundee and Angus Structure Plan 2001-2016 (submitted to Scottish Ministers February 2002)

Employment Policy 6 of the finalised plan is of direct relevance to the determination of this application :

#### **EMPLOYMENT POLICY 6 : NEW DUNDEE FOOTBALL STADIUM**

*The development of a new football stadium within the urban area of Dundee is supported in principle as part of Scotland's bid to host the European Championship finals in 2008. The location of this stadium should have regard to the impact on surrounding uses as well as traffic impact. The site should be highly accessible, or capable of becoming highly accessible by public transport. Encouragement will be given to the provision within the stadium of multi-purpose community facilities for sport and physical recreation.*

Paragraph 3.23 of the plan indicates that the development of a new stadium will bring "significant" economic benefits to the city and "will be expected to have further benefits in attracting additional investment, both public and private to improve other

facilities within the city such as public transport infrastructure".

The plan goes on to indicate that the location of the proposed stadium should conform to the guidelines set out in NPPG11 Sport, Physical Recreation and Open Space (1996) and in particular the material considerations of safety, public order, transport and the possible benefits of multiple use. These issues are dealt with throughout this report, but specific reference is made to considerations in relation to NPPG11.

The following policies are also material to the determination of this application:

Employment Policies 1,2 & 3:  
Employment Land Supply and Site Identification

Employment Policy 5: Leisure and Tourism

Town Centres and Retailing Policy 5:  
Leisure and Commercial Uses

Transport Policy 3: Sustainable Transport

Transport Policy 4: Development Location

Environmental Resources Policy 2:  
The Wider Natural Environment

Again the matters raised in these policies are addressed throughout this report. The submitted ES, and TA also refer to these issues and it is considered that subject to appropriate conditions being applied it is considered that the proposal is fully consistent with the provisions of the draft structure plan.

### National Planning Policies

NPPG 11 "Sport, Physical Recreation and Open Space" : This statement of Government policy indicates that there should be a presumption against the redevelopment of playingfields or sports pitches, public or private except where there are "strategic considerations" or where there is a demonstrable excess provision of open space in the wider area or where there is no loss of amenity and where alternative provision of equal community benefit and accessibility is to be made available. Policy references to stadia developments is included.

The Council on 19 November 2001 (Report 703-2001 to the Leisure Services Committee refers) agreed that officers be remitted to identify

replacement rugby pitches elsewhere in the city. As a result of these investigations, which included consultations with relevant bodies, the applicants submitted an addendum to the Environmental Statement proposing two replacement rugby pitches. These are proposed to be located at Summerfield Avenue/Whitfield Loan West and Summerfield Avenue North. The Council on 18 March 2002 (Report 207-2002 to the Leisure Services Committee refers) approved the proposed location of the substitute rugby pitches to the sites indicated.

In addition, a proposal for the redesign of Caird Park Golf Course has been submitted by the applicants following consultations undertaken by the Council with relevant bodies. This will involve the remodelling of existing holes and the bringing into use again of former golf holes at the north west corner of the Park.

These specific proposals, and the proposals for the stadium development as a whole, are considered to discharge the requirements of NPPG11. Sportscotland has been consulted on these proposals and on the application as a whole and is in support provided conditions are applied to cover the phasing of the availability of the replacement facilities, the quality of the new rugby pitches and the standard of changing facilities.

It is therefore considered that the proposals are fully compliant with NPPG 11.

The issues raised in NPPG 17 and PAN 57 "Transport and Planning" concerning sustainable transport planning have been addressed in the revised TA and it is considered that subject to the proposed conditions including the preparation and submission of a Green Transport Plan the terms of Government policy have been fully discharged.

The terms of NPPG 14 and PAN 60 "Natural Heritage" relate to the environmental and ecological impacts of the proposals which have been dealt with comprehensively in the Environmental Statement. Conditions will be required in any approval to ensure that measures are undertaken to deliver the mitigating measures outlined in the Environmental Statement. In this way the terms of NPPG 14 can be respected. SNH



have been formally consulted and their comments outlined above. SNH have no objection to the proposals. Various environmental issues are dealt with later in this report. Again, the proposals can therefore fully comply with Government policy.

NPPG2 "Business and Industry" (as proposed to be revised 2002) emphasises the need for the planning system to be positive, flexible and responsive to the needs of business and supports the provision of business parks. In doing so planning authorities are encouraged to pay attention to the environmental effects of proposals and on the implications for travel demands. As outlined above, although the application site is not specifically identified as a site for business development, the Class 4 business use elements are considered to be of a scale which are not likely to have adverse implications for strategic planning policy. The phasing of much of the business floorspace post 2008 supports this view. The environmental and transport implications are covered elsewhere in this report and within the ES and TA and as a result the proposals can fully comply with Government policy.

NPPG7 and PAN 61 (Flooding and Drainage): These issues have been considered in the ES and following discussions with the applicants' engineering consultants and SEPA, the Council is satisfied, subject to an appropriate condition, that the site can be adequately drained on site using best practice SUDS measures in order to meet Government policy.

PAN 56 "Planning and Noise": The ES considers the issues raised in the PAN in detail and it is considered that any adverse noise impacts can be mitigated adequately to comply with Government policy.

NPPG 8 "Town Centres and Retailing": Although the retailing element of the proposals are not specified in floorspace terms it is understood that they will be minimal and solely related to the promotional activities of the managing clubs and therefore ancillary to the principal use of the site as a football stadium. No retailing policies are therefore contravened. The NPPG advocates a sequential approach to the development of major commercial leisure projects which need to be

accessible to large numbers of people. A key factor in support of the proposals is the need for easy access to the principal road network and the scale and nature of the proposals do not lend themselves to be located in or adjacent to the city centre or in or adjacent to district centres. The ES and TA have dealt with issues of environment and transport and these are considered elsewhere in this report. It is therefore considered that the terms of NPPG 8 have been discharged and the application complies with Government policy.

## Alternative Sites

The scoping of the Environmental Assessment in accordance with Part II of Schedule 4 of the Regulations required that the applicants examine alternative sites to demonstrate that the site selected was the best when tested across a range of environmental considerations. The submitted Policy Statement and the ES focussed on a comparative analysis of the following six sites:

Site A: Swallow (Kingsway West)

Site B: Camperdown West

Site C: Camperdown East

Site D: Caird Park West (the application site)

Site E: Caird Park East

Site F Claverhouse

The relative advantages and disadvantages of each was compared in terms of the following criteria:

- 1 Availability
- 2 Planning Status
- 3 Transport/access/parking
- 4 Accessibility
- 5 Services, drainage and ground conditions

A matrix scoring methodology was employed to provide for further statistical comparison across a range of 15 environmental factors (ES Para 3.7.4).

The Caird Park West site emerged from this analysis as the preferred site. Having reviewed the details of the applicants analysis, it is considered that there are sufficient disadvantages associated with the alternative sites considered to justify the selection of this site as the preferred location for the development.

In order to further test the Caird Park West site's suitability, a further 19 sites around the periphery of Dundee were compared in more general terms. The advantages and disadvantages of redeveloping the existing stadia in situ, was also compared and ruled out for the reasons specified in the ES. This exercise was undertaken to assess the suitability/availability of a range of other sites on the periphery of the City to test the proposition that there may be other more environmentally suitable sites which meet the applicants' minimal site selection criteria. No suitable alternative sites emerged.

From an examination of this detailed analysis it is accepted that from all the options considered no site was devoid of disadvantages and that the selected site provided the best prospect for the delivery of a satisfactory scheme when mitigation measures were actioned.

## Access and Traffic Movement, Pedestrian Movement, Car and Coach Parking, Public Transport and Cycling

The applicants have indicated that satisfactory accessibility to and from the principal road network is an essential factor influencing locational choice. Accordingly, the Council formally requested that detailed access proposals be submitted and considered as part of the outline application.

Given the nature of the proposals the applicants prepared and submitted a Transport Assessment (TA) (revised in March and April 2002) which considered:

- National policy requirements
- An analysis of existing and predicted traffic flows, their potential distribution and impact on the existing road network and principal junctions.
- Car parking and servicing needs
- Pedestrian arrangements, cycling and public transport facilities.

The technical assessments were based on a maximum anticipated crowd of 13,500 spectators as opposed to the pre and post Euro 2008 theoretical maximum capacity of 20,000 although for the calculation of car and coach parking needs the requirements of a projected 20,000 capacity crowd has



been assumed. The consultants have assumed that special traffic and pedestrian control measures will be introduced specifically for the Championships. The potential impact of the business elements of the proposal were separately scoped and assessed. It was concluded that these could be accommodated within the measures proposed for the site's principal use as a football stadium.

Each transport issue is considered below.

#### Vehicular Access

The TA (as revised) concludes, following consultations with the City Council, the Scottish Executive and Tayside Police, that in addition to the principal access for all uses from the Old Glamis Road/Gilburn Road junction (requiring minor modification), a second access/egress (for use on match days only) would be required. It is proposed that this should be in the form of an additional access/egress, with left turning movements only, off Old Glamis Road. In addition the applicants have indicated that an additional egress slip lane for emergency use by the emergency services on match days will be required on to the eastbound carriageway of the Kingsway. (It should be noted that the additional fifth leg access to the site from the Kingsway/Old Glamis Road junction shown diagrammatically in the ES has now been deleted as a proposal).

The Kingsway/Old Glamis Road junction will require to be realigned to allow for the safe and convenient movement of traffic on match days and to accommodate safe movement of pedestrians. Old Glamis Road (North), in the vicinity of the bus stops, is to be widened.

The consultants also indicate the need for minor kerb realignments at the Kingsway/Strathmartine Road and Kingsway/Forfar Road junctions.

The TA has been assessed by the Council and the Scottish Executive as trunk roads authority and both are satisfied, subject to the refinement of detail, that the proposed vehicular access arrangements are satisfactory for the development proposed.

In response to Dundee College's comments it is confirmed that the

proposals should not conflict with the College's aspirations.

#### Pedestrian Movement

The TA considers that it will be necessary to construct a 6 metre wide pedestrian underpass under the Kingsway to the east of the realigned junction. This would operate solely on match days to accommodate spectators wishing to arrive at and leave the stadium via Old Glamis Road (South). In addition it is proposed that a 5 metre wide pedestrian overbridge to the Kingsway will be necessary linking the south east of the application site with Graham Street. The location, routing and dimensions of the structure have been identified and its design would be the subject of a subsequent planning application.

In addition, off site crossing facilities will be required on Old Glamis Road for use by pedestrians using public transport.

Separate independent Pedestrian Audits and Safety Risk Assessments have been prepared by the applicants for consideration by the Council and Scottish Executive. These have identified that the main pedestrian access routes to the stadium are sufficient for the predicted volume of pedestrian traffic, on the basis of the revised proposals which now include an additional pedestrian bridge over the Kingsway.

It is recognised, however, that in order to have enough capacity for the likely increased demands during the Euro 2008 Championships, special event management measures are likely to be necessary for the three match occasions involved.

These risk assessments have also identified a number of detailed requirements which should be addressed during the detailed design of the pedestrian facilities associated with the development.

#### Car and Coach Parking

The indicative plans submitted with the application indicate 1300 car parking spaces within the stadium complex plus 100 coach parking spaces and 50 disabled spaces. This has been based on a rate of 1 space per 15 seats for 20,000 seat stadium and is in accordance with the Draft National Planning and Policy Guideline 17 Addendum on maximum parking

standards for particular types of major development published for consultation by the Scottish Executive in February 2002. This confirmed previously stated parking levels in the first submitted TA. The business element of the proposal would require a maximum of 700 spaces (5 spaces per 100 sq. m. based on 14,000sq. m. business space). Given that the usage of spaces for each function will be at different times, it is considered that for the identified attendances, parking levels are adequate.

It may transpire that additional contingency provision will be temporarily required for the duration of the Championships if spectator levels exceed the above capacity criteria.

It is further considered that the Council will need to introduce special waiting restrictions in the surrounding streets on certain match days to prevent on street parking by supporters in the interests of local residential amenity.

#### Public Transport, Cyclists and Sustainability Issues

Whilst the TA reviews existing public transport facilities no recommendations are made for enhancements to existing services either during Euro 2008, on match days or in relation to the business aspects of the development. The revised TA suggests that shuttle bus services should be introduced at peak periods of spectator demand. However it is considered that specific public transport improvements should be made a condition of any permission granted.

Although the TA mentions that the Green Circular Cycle Route passes along the Dighty Valley some distance from the proposal site to the north, no specific proposals are made to provide additional or enhance existing facilities. No proposals are made for the accommodation of cyclists arriving/leaving the stadium complex from the south nor for cycle parking or other facilities within the site. It is therefore considered that specific cycle facilities are made conditions of any permission granted.

In the circumstances it is considered that appropriate conditions should be applied to any planning permission requiring comprehensive details of facilities for public transport and

cyclists both on site and off site to be submitted to the Council for approval prior to the first use of any of the elements of the development.

## Environmental Assessment of the Proposals

Prior to submission, the applicants and the Council agreed that the application should be accompanied by an Environmental Statement (ES) as required by the Environmental Impact Assessment (Scotland) Regulations 1999 as the proposals were likely to have significant environmental effects. Following receipt of the ES, the Regulations have been followed in respect of consultation and public participation (see details above).

The issues raised in the ES and the mitigation measures proposed are material considerations in determining the planning application.

The issues considered in the Statement were scoped in consultation with the Council and relevant external agencies as follows:

- 1 Examination of Alternative Sites
- 2 Planning policy and land use awareness
- 3 Landscape and visual effects (including potential for light pollution)
- 4 Environmental implications of transport impacts
- 5 Ecological impacts
- 6 Air quality and construction phase environmental impacts
- 7 Noise Impacts
- 8 Drainage

Planning policy, alternative sites and transport issues have been dealt with elsewhere in this report. The remaining potential environmental impacts have been dealt with comprehensively and in detail in the ES and are summarised below with reference to proposed mitigation measures where possible environmental effects have been identified.

### Landscape/Visual Impacts

A detailed landscape assessment of the application site and its surroundings has been undertaken by the applicants (Paras 4.1-4.9.3 of the ES).

The assessment found that given the nature of the existing parkland/golf course landscape the proposals would have a high visual impact. Existing woodland is proposed to be removed from the centre of the site and mitigation measures are proposed to compensate for this loss.

In summary, 17,400sq. m. of trees forming woodland belts between the existing 11<sup>th</sup> and 6<sup>th</sup> fairways and the 6<sup>th</sup> and 4<sup>th</sup>/5<sup>th</sup> fairways of the golf course will be removed whilst the tree belt to the north east of the 11<sup>th</sup> fairway is to be retained. The proposals shown diagrammatically also indicate the retention of existing structure planting along the southern (Kingsway) boundary together with the existing beech hedging and mature trees along the verges of the Kingsway. However selective removal of trees and shrubs along the southern boundary will be necessary as a result of the construction of the underpass, overbridge and emergency vehicles sliplane. This aspect can be covered under landscaping conditions.

To mitigate the losses outlined above, 23,200 sq. m. of indigenous mixed species woodland is proposed resulting in a net gain of 6,300 sq.m. The proposed woodland would be planted on a 15m. grid with feathered trees planted at approximately 8m centres. All woodland areas are to be enclosed by a perimeter mixed species hedge. The applicants indicate that the new woodland belts will achieve widths of 30m. to the western and eastern boundaries of the site and between 25m. and 15m. to the northern boundary although this will be restricted in places by an existing trunk sewer. The car and coach parking will require to be softened by new mounding and planting. It is considered that a proportion of the new planting will require to be semi-mature to ensure the early re-establishment of an appropriate transition zone for wildlife. A range of appropriate conditions should be applied if planning permission is granted to ensure that the above standard of replacement landscaping is implemented well in advance of construction work commencing.

Potential light pollution from the stadium itself is assessed to be potentially minimal due to modern "floodlighting" techniques and this together with the design and intensity

of car/coach parking lighting can be controlled by an appropriate condition should planning permission be granted.

### Ecological Impacts

The impact of the proposals on the existing ecology of the site and on the nearby Den O Mains Category 'A' Wildlife Sites was assessed by the consultants (Para. 6.1-61.0 of the ES) and found to be insignificant.

As mentioned above, there will be a loss of existing mature planting which supports the transition of wildlife as part of the designated wildlife corridor. However, substantial replacement planting is proposed and provided an appropriate mix and maturity of species is achieved this would be adequate in maintaining satisfactory wildlife transition and the enhancement of the wildlife corridor over time (see above).

The applicants have confirmed that the site is to a degree populated by red squirrels, a protected species under the Wildlife and Countryside Act 1981. Mitigating measures for the resettlement of the species in consultation with SNH may be necessary. An appropriate condition to this effect will be necessary should planning permission be granted.

A planting regime in the vicinity of the Gelly Burn and, in association with Sustainable Urban Drainage Systems measures, is appropriate to intensify wildlife habitats and minimal disturbance by public access.

In conclusion, although the loss of some mature woodland and amenity planting is unavoidable, replacement structure planting to a specified standard (extent, species and density) would ensure that the integrity of the wildlife corridor is maintained.

### Noise

The ES considers the potential noise impact of the development in terms of the requirements of best practice (PAN 56 "Planning and Noise" and SE Circular 10/1999 "Planning and Noise") in relation to the likely principal receptors of noise as follows:

### Traffic Noise

The study concludes that in terms of general weekday traffic generated by the proposal, this will impose a negligible increase in noise by

identified receptors when tested by the model employed against ambient traffic noise levels. This finding was equally considered to apply to noise generated by matchday traffic (ES Paragraph 8.4.3). The applicants have tested the likely impact of the junction design in noise terms and have confirmed these findings. The Director of Environmental and Consumer protection has been consulted and has no objection.

#### Crowd Noise and Public Address Systems

Levels of noise from crowds of supporters are difficult to predict with certainty and therefore difficult to mitigate. The proposed structure planting will assist. Similarly public address systems noise is difficult to quantify and mitigate against. However such systems are normally "targeted" and limited to public address announcements. In addition design features and the use of appropriate materials at the detailed design stage will assist in confining stadium generated noise. An appropriate condition will be applied.

#### Noise from construction activities

On a project of this scale noise resulting from construction activity is inevitable and until definitive design and construction methods have been identified at the detailed stage, specific mitigation measures cannot be identified. However the Director of Environmental and Consumer Protection advises that these aspects are best controlled and mitigated under separate environmental powers available to the Council.

#### Air Quality

The ES contains a comprehensive assessment of the likely air quality impacts from traffic emissions and emissions resulting from construction activities and plant.

The principal potential receptors will be those residential properties near the Kingsway/Old Glamis Road junction and on Old Glamis Road, Dundee College and Caird Park Golf Course.

The consultants predict minimal impact on air quality from traffic sources, both football generated and at other times. The conclusions of the ES have been assessed by the Director of Environmental and Consumer Protection who agrees that the

proposed development will have a minimal impact on air quality above existing acceptable levels.

Dust emissions resulting from construction activities is more likely to create amenity problems in such a sensitive environment and care will be required to minimise likely impacts. A range of mitigation measures are advocated as a suggested Code of Practice (ES Paragraph. 7.6.3). The Director of Environmental and Consumer Protection advises that these aspects are best controlled and mitigated under separate environmental powers available to the Council.

#### Services and Drainage

The ES outlines that utilities (gas, electricity, water and telecommunications) are readily accessible with only minor enhancement necessary. Services will require to be diverted as a result of the Kingsway/Old Glamis Road junction redesign. No evidence of ground contamination has been detected. Foul drainage will connect into the existing 750 mm diameter trunk sewer located to the north of the site. (South of Gelly Burn).

Surface water must be discharged to the Gelly Burn in such a way as to ensure that there is no net detriment to the flood sensitive catchment of the Dighty. The applicants indicate that in their view this can be achieved using Sustainable Urban Drainage System (SUDS) techniques including:

- Use of porous concrete blocks in parking bays
- Use of permeable surfaces for coach and HGV areas with anti pollution filters.
- The provision of a wet/dry detention basin on site.

Detailed discussions have taken place between the applicants consultants, the Council and SEPA and it has been concluded that the site is capable of being adequately drained using appropriate SUDS techniques and an appropriate condition, relating to the submission of detailed proposals, should be applied.

#### Waste Management

The issue of waste management is not specifically addressed in the ES. The proposals are of a nature and of such a

scale that there is potential for the generation of considerable quantities of waste much of which should be capable of recycling. With the balance being disposed of in accordance with best environmental management practice. A condition in relation to this issue is appropriate.

### Issues raised by Members of the Public

As outlined above the following are the main issues raised by the general public in objection letters and the submitted petition.

- 1 Likely increases in traffic generated on to the Kingsway and local road network, and the insufficiency of the road infrastructure for vehicles and pedestrians.

These issues have been considered within submitted and revised Transport Statements and the submissions have been analysed by the Council and the Scottish Executive and found to be satisfactory. Detailed comments on these issues are made elsewhere in this report.

- 2 Proposed junction arrangements and potential access difficulties to individual properties.

These issues have been considered within submitted and revised Transport Statements and the submissions have been analysed by the Council and the Scottish Executive and found to be satisfactory. Detailed comments on these issues are made elsewhere in this report. The submitted detailed plans of the junction arrangements confirms that all properties have been provided with proper vehicular accesses. A condition is appropriate in relation to ensuring that adequate vehicular access to the properties at 61 and 63 Old Glamis Road is provided.

Footways on Old Glamis Road (South) near its junction with the Kingsway are not to adoptable standard. It is recommended that they be brought up to adoptable standard when the nearby roadworks are implemented. It is recommended that a condition be applied accordingly.

- 3 Insufficiency of planned off street car parking and the potential for on street car parking

in surrounding residential areas particularly on match days.

It is recognised that on certain match days, this may be a problem which could give residents living near the stadium cause for concern. Accordingly it is proposed that the Council use the powers available to it under the Roads(Scotland) Act to formally designate "residents only" parking areas in the streets affected to prevent parking by spectators.

4 More appropriate sites being available.

As outlined elsewhere in the report, the applicants undertook a comparative analysis of other sites against the locational requirements of the project. It is accepted that from all the options considered, no site was devoid of disadvantages and that the selected site provided the best prospect for the delivery of a satisfactory scheme when mitigating measures were actioned.

5 Loss of open space.

As outlined above, it is recognised that there will be a loss of open space presently used for open air recreation. However the Council has given a commitment with the support of **Sportscotland** to replace the rugby pitches and disturbed golf holes elsewhere as outlined in the report. In addition, it is proposed that the site be comprehensively re-landscaped.

6 Disturbance to Caird Park Golf Course.

The applicants, as part of the application submission, have indicated that it is proposed that the golf holes to be lost as a result of the development will be introduced elsewhere in the Caird Park complex within a remodelled Caird Park Golf Course. It is proposed that a suitable condition be applied to any planning permission to cover the phasing of the replacement facilities and it is recommended that the Council continues to work with golf course users on matters of detail, design and operation of the revised golf course.

7 Loss of trees and wildlife.

As outlined in the report the applicants propose to introduce compensatory structure landscaping and it is proposed that a condition be imposed requiring that a detailed wildlife survey should be undertaken in liaison

with SNH and proposals submitted for approval in relation to the re-establishment of displaced habitats particularly for protected species.

8 Visual impact of the proposal.

This planning application is in outline, in order that the acceptability of the principle of the land uses can be established. Subsequent applications will be necessary to discharge matters of layout and design. From the illustrative information submitted with this application it is considered that although the stadium building itself will be a dominant feature in the landscape the retention of the southern boundary landscaping and the proposed surrounding structure landscaping will afford a sufficient degree of mitigation.

9 Pedestrian movement and safety and associated amenity issues particularly noise, litter and anti social behaviour.

The transport assessment has been based on the assumption that considerable numbers of supporters will arrive and leave the complex on foot on match days with a high proportion seeking to head south towards the centre of Dundee mainly along Old Glamis Road and Graham Street. Independent audits of the likely impacts of these activities and the risks associated with such movements of people on foot have been undertaken by the applicants and submitted to the Council and the Scottish Executive as trunk road authority. Recommendations are made in the risk assessment report which should be taken on board by the appropriate authorities responsible for crowd control and traffic management both within the stadium complex and on adjacent public roads and footways. It is not appropriate for planning legislation to govern such matters by planning condition.

## Design

Although some indicative architectural detailing has been submitted with the application and within the ES, this application is in outline only and these details do not form part of the application. Subsequent reserved matters applications will be required to be submitted to the Council in respect of design and related matters of detail before any development on the site can begin.

## CONCLUSION

The application site is presently used for open air recreational use as part of the Caird Park complex and is occupied by part of Caird Park Golf Course and rugby pitches.

The site is allocated for open space purposes in the adopted Dundee Local Plan 1998 and is traversed by a wildlife corridor within the adopted Urban Nature Conservation Subject Local Plan 1995.

The applicants, in support of their application submitted Planning Policy, Environmental and Traffic Statements and the application was advertised and neighbour notified on a number of occasions. A wide range of statutory and non statutory consultations were undertaken and a considerable number of letters of objection to the proposals from the public were received. In summary, these related to aspects of parking and access; the loss of existing recreational areas at Caird Park; the potential availability of more appropriate sites elsewhere in the City; and the possible residential amenity issues likely to arise as a result of this proposal on this particular site.

The submitted supporting information and the points raised by consultees and the general public have been assessed and the conclusions are outlined in detail within the report.

Although the proposal raises policy issues in terms of the development plan, it is considered that these aspects are capable of being satisfactorily overcome through the replacement of these facilities elsewhere and the comprehensive compensatory landscaping of the proposal site. The applicants have demonstrated that the proposal site has advantages over alternative sites assessed against essential criteria and that the site is capable of being adequately accessed and that car parking levels are appropriate.

## RECOMMENDATION

The proposal, in outline, to erect a football stadium and ancillary developments at this location is likely to result in significant economic benefits for the City. It is considered that the applicants have satisfactorily demonstrated that a range of environmental issues can be

adequately mitigated and accordingly the application is recommended for approval subject to a range of conditions.

In terms of The Town and Country Planning (Notification of Applications)(Scotland) Direction 1997 if members are minded to grant outline planning permission, then the application requires to be referred to Scottish Ministers because the Council has an interest (financial or otherwise) in the site; and the proposed development does not accord with the development plan or has been the subject of a substantial body of objection.

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

- 1 Before development commences written approval from the Council must be obtained for the detail of the siting, design and external appearance of all buildings and structures including the proposed pedestrian overpass and pedestrian underpass and the landscaping of the site (collectively these are termed "reserved matters").
- 2 Plans and particulars of the reserved matters referred to in Condition 1 shall be submitted for consideration by the Council and no work shall begin until the written approval of the Council has been given.
- 3 Application for reserved matters shall be made to the Council within 3 years from the date of this permission.
- 4 The development hereby permitted shall commence within 5 years from the date of this permission, or within 2 years from the date of approval by the planning authority of the last of the reserved matters to be approved.
- 5 Prior to the first use of any of the elements of the development hereby permitted the Kingsway/Old Glamis Road junction shall have been redesigned and operational in accordance with the plan identified as Figure 1 received on 11 April 2002 and attached to this permission, subject to the detailing of the geometrical design being approved by the Scottish Executive as Trunk Roads Authority in consultation with the Council prior to the commencement of the development.
- 6 Prior to the first use of any of the land use elements of the development hereby permitted, the Old Glamis Road/Gilburn Road junction shall be operational, in accordance with plan identified as Figure 2 received on 11 April 2002 and attached to this permission.
- 7 Prior to the first use of any of the elements of the development hereby permitted kerb realignments, to designs that shall have been submitted to and approved by the Council in consultation with the Scottish Executive as Trunk Roads authority, shall be constructed at the Kingsway/Strathmartine Road and Kingsway/Forfar Road junctions.
- 8 Prior to the first use of any of the elements of the development hereby permitted a pedestrian underpass (in the location indicated on Plan DBA 01152/PL/04 dated 18 March 2002) and a pedestrian overbridge (in the location indicated on Plan DBA 01152/PL/05 dated 19 March 2002) shall have been installed and operational in accordance with a scheme which shall have been agreed, prior to the commencement of the development, by the Council in consultation with the Scottish Executive as Trunk Roads authority and in accordance with the recommendations contained in the 'Pedestrian Safety Risk Assessment' by Risk Management Consultants dated 5 April 2002.
- 9 Prior to the first use of the football stadium detailed arrangements for the management of the pedestrian underpass and overbridge on match and non match days shall be submitted to and approved, prior to the commencement of the development, by the Council in consultation with the Scottish Executive as Trunk Roads authority and if approved the underpass and overbridge shall be managed only in accordance with such details.
- 10 The stadium hereby permitted shall be used for football matches and for no other purpose without the prior approval of the Council.
- 11 The development hereby permitted shall incorporate 1300 car parking spaces, 50 disabled parking spaces and 100 coach parking spaces.
- 12 Details relating to the vehicular access to the residential properties at 61 and 63 Old Glamis Road, from Old Glamis Road and within the development site, shall be submitted to and approved by the Council prior to the development commencing and once approved the proposals shall be implemented only in accordance with such approved details.
- 13 Detailed proposals for the enhancement of public transport services and facilities shall be submitted to and approved by the Council and once approved implemented prior to the first use of any element of the development hereby approved.
- 14 Prior to the commencement on site of any element of the development hereby permitted, details relating to the provision of facilities for cyclists both within the application site and within the adjacent road network shall be submitted for approval by the Council and once approved shall be implemented, in accordance with such approved details, prior to the first use of any element of the development hereby approved.
- 15 The maximum amount of Class 4 Business development hereby permitted is 13,040 square metres, no more than 4080 square metres of which shall become operational prior to 1 July 2008.
- 16 A minimum of 2000 square feet of the business floorspace to be implemented after 1 July 2008 shall be devoted to community use in accordance with detailed proposals which shall have been

- agreed with the Council in advance of the development commencing.
- 17 The planning permission hereby granted relates to a 20,000 seater stadium which shall be upgraded to a 30,000 seater stadium solely for the period of the Euro 2008 Football Championship Finals. Following the conclusion of the Championships the stadium shall permanently revert to a 20,000 seater stadium no later than 31 July 2009 in accordance with a scheme to be submitted to and approved by the Council, in consultation with the Scottish Executive as Trunk Roads Authority, prior to development commencing.
- 18 No part of the development shall become operational until a Green Transport Plan (GTP) has been submitted to and approved in writing by the Council in consultation with the Scottish Executive as Trunk Roads Authority. The GTP will identify measures to be provided to reduce employees and customers travelling to and from the site by private car and instead encourage them to travel by other modes. The plan will also identify the system of management, monitoring, review, reporting and duration of the plan.
- 19 Notwithstanding the provisions of Class 1 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 no retailing shall take place on the site other than that directly related to the administration and promotional activities of Dundee Football Club and Dundee United Football Club or in connection with specific football events during the Euro 2008 Football Championship Finals.
- 20 All matters relating to the management and discharge of foul, surface and roof water including the employment of Sustainable Drainage Techniques shall be agreed with the Council in consultation with SEPA and Scottish Water prior to the commencement of any development on the site.
- 21 The development hereby permitted shall not commence until the Council has received and approved detailed proposals for the design and location of all boundary enclosures.
- 22 The development hereby permitted shall not commence until there has been agreed with the Council a detailed landscaping scheme for the site to include details of those trees to be felled and retained, for the protection of trees to be retained and for the provision of new planting and once agreed the development shall be undertaken in accordance with such approved details.
- 23 The existing belt of mature planting along the southern boundary of the application site and along the Kingsway shall be retained in accordance with a scheme to be submitted to and approved by the Council prior to development commencing on site and once approved the development shall be undertaken only in accordance with such approved details.
- 24 In fulfilment of Condition 22 areas of semi mature structure landscaping, in accordance with a scheme to be agreed with the Council (specifying species, density, location and coverage), shall be planted within the application site at least six months prior to the development commencing.
- 25 The development hereby permitted shall not commence until the Council has received and approved in writing proposals for the forward maintenance of all areas proposed to be landscaped in accordance with this permission, including all boundary enclosures and any areas provided for surface water detention.
- 26 All parking areas shall be landscaped using semi mature species in accordance with a scheme which shall have been submitted to and approved by the Council prior to development commencing and once approved shall be carried out only in accordance with such approved details.
- 27 Access/egress arrangements for construction vehicles and other heavy plant and the off site routes for their movement shall be agreed with the Council in advance of construction work commencing.
- 28 Prior to development commencing the applicant shall undertake a wildlife species survey of the application site in consultation with the Council and SNH and any red squirrels and other species similarly protected under the Wildlife and Countryside Act 1981 shall be relocated prior to development commencing in accordance with a scheme which shall have been agreed with the Council in consultation with SNH.
- 29 Prior to the last use of the rugby pitches on the application site, two rugby pitches at Summerfield Avenue/Whitfield Loan West and Summerfield Avenue North respectively shall be provided and available for use to a standard which shall first have been agreed with the Council and sportscotland.
- 30 Prior to their last use as part of Caird Park Golf Course, the golf holes to be lost as a result of the development shall, within Caird Park, be replaced to a standard acceptable to the Council and be operational.
- 31 The use of the public address system within the stadium shall be used during football matches only or for the transmission of emergency messages at other times.
- 32 Stadium floodlighting and the lighting strategy for the parking areas shall be in accordance with a scheme to be submitted to and approved by the Council prior to development commencing and once approved the development shall be implemented solely in accordance with such details.
- 33 The football stadium element of the proposals shall not become operational until appropriate waiting restrictions on match days are introduced on relevant streets surrounding the application site.

- 34 The football stadium element of the proposals shall not become operational until appropriate temporary traffic management measures on match days are introduced on Old Glamis Road and other relevant streets surrounding the application site.
- 35 Prior to development commencing, details relating to the collection, recycling and the disposal of waste material shall be submitted to the Council for approval and once approved shall be implemented in accordance with such details.
- 36 Prior to the first use of any of the elements of the development hereby approved all unadopted footways on Old Glamis Road between its junction with Park Road and the Kingsway shall be made up to an adoptable standard in accordance with details which shall first have been agreed in writing with the Council.
- 37 A barrier of a type approved by the Planning Authority in consultation with the Scottish Executive as Trunk Roads Authority shall be provided and maintained by the developer along the boundary of the site with the Kingsway.

## Reasons

- 1 To reserve these matters for future consideration by the Council.
- 2 To comply with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997.
- 3 To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
- 4 To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
- 5 In the interests of highway safety.
- 6 In the interests of highway safety.
- 7 In the interests of traffic safety.
- 8 In the interests of pedestrian safety.
- 9 In the interests of pedestrian safety.

- 10 To ensure compliance with the permission hereby granted and the Transport Statement (March 2002) and the Environmental Statement (January 2002).
- 11 To ensure that adequate on site parking is provided in accordance with the provisions of the submitted Transport Statement (March 2002).
- 12 To ensure that vehicular access to these properties is provided in the interests of traffic safety.
- 13 In order that the development accords with the Council's sustainable transport objectives outlined in the Local Transport Strategy and to accord with the provisions of NPPG 17 "Transport and Planning".
- 14 In order that the development accords with the Council's sustainable transport objectives outlined in the Local Transport Strategy and to accord with the provisions of NPPG 17 "Transport and Planning".
- 15 In order to ensure that short term opportunities for business development elsewhere in the City are not prejudiced.
- 16 To comply with the terms of Employment Policy 6 of the Finalised Dundee & Angus Structure Plan (January 2002).
- 17 In order that the development complies with the terms of the Transport Statement (March 2002) and the Environmental Statement (January 2002).
- 18 To be consistent with the requirements of NPPG 17 "Transport and Planning".
- 19 To comply with the retailing policies of the development plan.
- 20 To ensure that the application site is drained in a satisfactory manner and to maintain and enhance the ecological importance of the site.
- 21 To ensure the satisfactory appearance of the development.
- 22 To ensure that the site is satisfactorily landscaped in the interests of the appearance of the development and to maintain an adequate wildlife corridor through the site.

- 23 To protect those trees of significant amenity value in the interests of the appearance of the development.
- 24 To ensure that the site is landscaped to a satisfactory standard and to ensure the maintenance and enhancement of the wildlife corridor.
- 25 To ensure that landscaped areas are adequately maintained.
- 26 To ensure the satisfactory appearance of the development.
- 27 To minimise the impact of construction works and in the interests of the amenity of local residents.
- 28 In the interests of wildlife conservation.
- 29 To comply with the provisions of NPPG 11 "Sport, Physical Recreation and Open Space" and to ensure that these sporting facilities are replaced.
- 30 To comply with the provisions of NPPG 11 "Sport, Physical Recreation and Open Space" and to ensure that these sporting facilities are replaced.
- 31 In the interests of residential amenity.
- 32 In the interests of residential amenity and energy conservation.
- 33 In the interests of the amenity of nearby residents.
- 34 In the interests of traffic safety.
- 35 To ensure that waste management is undertaken effectively in the interests of environmental protection.
- 36 In the interests of pedestrian safety.
- 37 In the interests of pedestrian safety.