

KEY INFORMATION**Ward** Tay Bridges**Proposal**

Erection of 71 flats for student accommodation, car parking, two retail units & associated infrastructure works.

Address

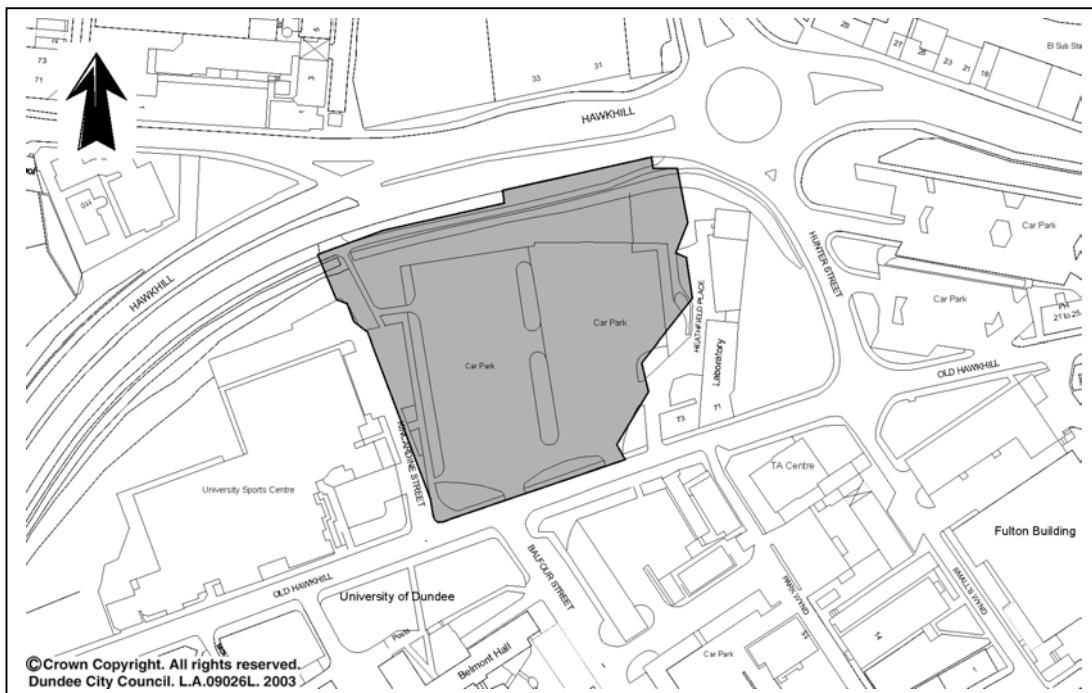
Land West of Heathfield Place & North of Old Hawkhill
Dundee DD1 5EU

Applicant

University of Dundee
Nethergate
Dundee
DD1 4HN

Agent

Jones Lang Lasalle (Craig Wallace)
Lismore House
127 George Street
EDINBURGH EH2 4JN

Registered 27 April 2004**Case Officer** D Gordon

Student House Development Proposed in Old Hawkhill

The Erection of 71 flats for student accommodation, car parking, two retail units & associated infrastructure works is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The development is considered as a positive contribution to the redevelopment of the University's campus area and one that will complement and enhance the development proposals already approved for this area. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of 71 student flats (426 study bedrooms), 200 decked car parking spaces (to replace the 180 existing spaces to be lost), 2 retail units and 64 associated secure and covered cycle spaces.
- The proposal was advertised in the local press as a 'bad neighbour' development (the building is over 20 metres in height), and as being potentially contrary to Policy S20 of the Dundee Local Plan (New out of Centre Shopping). The site is contained within the University Conservation Area. No objections to the proposals have been received.
- It is considered that the proposed development is acceptable in terms of design, siting, massing and scale. In addition, the levels of proposed car parking and cycle provision are also acceptable. The appearance of the new buildings will improve and enhance the visual quality of the local area and will make a positive contribution to the continuing development of the campus area.
- There are no development plan policies or material considerations that would justify the refusal of this application.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves the erection of 426 student study bedrooms (71 flats) on an existing surface car parking site located on the south side of Hawkhill By-pass. This will take the form of 3 x four storey blocks of accommodation arranged around a central landscaped courtyard. This courtyard will contain 64 secure and covered cycle spaces and covered bin store facilities.

Two retail units of approximately 1100 sq. m. are to be provided on the east side of the building. This will comprise of a single storey unit of approx. 300 sq.m. and a two storey unit of approx. 800 sq.m. The applicants advise that it is envisaged that these retail units will be used for academic related uses such as the University bookshop which is acknowledged to require new and increased floorspace. The scheme will also provide administrative and central services for the residences.

Due to the sloping nature of the site, a total of 200 car parking spaces are to be provided on 2 levels below the north side of this new accommodation ie facing onto Hawkhill. It is intended that this will replace the 180 spaces that exist on the site at present. Access into and egress from this car park is proposed from Hawkhill. Pedestrian access egress from the car park is also proposed for the east side of the building. Service vehicle access into the central courtyard is to be taken from Old Hawkhill to the north. A temporary site access is proposed for the west side of the site from Hawkhill and Kincardine Street.

The proposed finishing materials to be used are aluminium standing seam roof, facing brick, dressed re-constituted stone, aluminium curtain walling, through colour external render and various rainscreen cladding (terracotta, unfinished hardwood and slate)

The proposal also involves significant landscape works along the four boundaries of the site and the internal courtyard of the residencies.

SITE DESCRIPTION

The site is located on the northern boundary of the Dundee University Campus area and is bounded by Hawkhill By-pass to the north, Old Hawkhill to the south and Kincardine Street to the west. The east is bounded by existing educational buildings that front onto Hunter Street.

The site is 0.9 hectares in size and currently accommodates a surface car park that provides approximately 180 unmarked spaces. The site slopes from south to north and west to east, and is raised in relation to the level of Hawkhill to the north.

The surrounding area to the east, west and south accommodates a variety of educational buildings including the University Sports Centre, Belmont Halls and the proposed new Computing Building. To the north,



there exists a combination of business, commercial and industrial land uses.

The site is located within the University Conservation Area.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies are of relevance:

Policy EU19 - The Council will encourage appropriate business and research developments and supporting uses associated with Higher Educational Institutions in "campus" locations as identified on the Proposals Map.

Policy H10 - This offers design guidelines for new build housing. The guidelines cover such issues as amenity space / garden area provision, parking and urban design.

Policy H13 - The Council will reserve appropriate sites for residences for students / research workers of Higher Education establishments having regard to other policies of the Plan

Policy BE1 - The Council will expect the highest standards of composition and design in all new developments and its careful integration with its surroundings as regards scale, form, siting, alignment, materials and landscaping.

Policy BE11 - Within conservation areas all development proposals will be expected to complement and enhance the character of the surrounding area.

Policy BE30 - When considering development proposals involving sites where the presence of contamination is suspected, the Council will require developers to submit details of investigations to assess the nature and extent of contamination and notify the authority of the remediation measures proposed to render the site fit for the use proposed.

Policy ENV12 - Development proposals must have regard for existing healthy mature trees, the survival and retention of which should be accommodated throughout the construction period and in the proposed layout of the buildings.

Policy ENV13 - Where appropriate, proposals for new development should include details of proposed tree planting and landscape treatments.

Policy S20 - New out of centre shopping floorspace other than that permitted adjacent to the city centre, district centres and local centres in Policy S6 and S11 will not be acceptable unless certain criteria can be met.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 4 - Design of New Housing. The design and layout of all new housing in the city should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards contained within the Plan.

Policy 9 - Student Housing. Sites identified on the Proposals Map are considered appropriate for the development of student housing. In addition, student housing proposals on sites within 15 minutes walking distance of the Universities will be supported where this is in accordance with other Local Plan policies. A Section 75 Legal Agreement will be required to restrict occupancy to students. Given the prominent location of many sites close to the City's universities, it is important that development proposals are of a very high quality design. As a general rule car parking should be provided at a ratio of 25% of bedspaces although this may be reduced in highly accessible central locations. Secure cycle storage facilities should be included in all proposals.

Policy 28 - Higher Education Development. The Council support further education development generally and particularly in association with relevant business and research expansion. In order to ensure compatibility with the Local Plan, "Campus Development Plans" will require to be produced in liaison with the Council for the development of these Institutes.

Policy 29 - Major Institution Masterplans. The Council supports the development of appropriately detailed Masterplans to provide a strategic context for the consideration of individual development proposals within sites indicated on the Proposals Map. It is expected that these Masterplans would be approved by the Council and would form a material consideration in the determination of planning applications.

Policy 45 - Location of New Retail Developments. The City Centre and District Centres will be the locations of first choice for new or expanded retail developments not already identified in the Local Plan. Retail development outwith these areas will be accepted provided certain criteria can be met.

Policy 55 - For all new developments the emphasis will be on design quality and the City Council will seek the

creation of public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. The City Council will require the use of Design Statements for planning applications for new buildings.

Policy 61 - Development in Conservation Areas - Within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features that contribute to the character and appearance including unlisted buildings, trees and landscape features.

Policy 72 - Trees and Urban Woodland. New developments must have regard to existing healthy mature trees, the survival and retention of which will be strongly encouraged through sensitive site layouts both during and after construction. Where appropriate, development proposals must be accompanied by a tree planting and landscape scheme that includes a supporting justification and sufficient map based material to document existing planting within the application site as well as new planting and maintenance arrangements.

Policy 79 - Contaminated Land. When considering development proposals involving sites where the presence of contamination is suspected, the Council will require the applicants to submit the results of an investigation that assesses the nature and extent of contamination and the proposed remediation measures to render the site fit for the use proposed.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Policy Guideline 18 - Planning and the Historic Environment.

Planning Advice Note 67 - Housing Quality

Designing Places - A Policy Statement for Scotland.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Dundee - The Urban Design Guide. This sets out objectives that are to be pursued in the design of new buildings and spaces within the city.

Also of relevance is the Dundee University Campus Plan that has been approved by the Council and which is now a material consideration in the determination of planning applications.

LOCAL AGENDA 21

The development will result in the redevelopment of a brownfield inner city site and is therefore considered to be sustainable and consequently consistent with the aims of Local Agenda 21

SITE HISTORY

There is no recent history of planning applications that are of direct relevance to the application under consideration.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants. The development has also been advertised in the local press as Bad Neighbour Development as the building is over 20 metres in height. In addition, the proposal was also advertised in the local press as being potentially contrary to Policy S20 (Out of Centre Shopping) of the Dundee Local Plan 1998. No objections to the proposals have been received from members of the public.

CONSULTATIONS

The relevant Council Departments and outside bodies have been consulted with regard to the proposals. The following comments have been received.

The Councils Head of Environmental Health and Trading Standards has advised that, following the submission by the applicants of supporting statements, certain remedial works will have to be carried out on a small amount of contamination located within the site in order to ensure that the site is fit for the use proposed. It is suggested that an appropriate condition be attached to any permission granted. In addition, it is further considered that a Noise Impact Assessment (NIA) is required in terms of the impact the adjacent road noise may have on the future occupiers of the new building.

This NIA is currently being prepared by the applicants although it is intended to attach an appropriate condition to any consent granted.

The Architectural Heritage Society of Scotland have offered comments on the development relating to landscaping, permeability within the site and the design of the development.

The Dundee Civic Trust has commented that the new student accommodation, together with the other recently approved University student housing schemes at Seabraes and Belmont, is of a commendably high standard of design and sets an excellent example for other projects to follow.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider.

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above

The proposed development under consideration is one of a series of proposals being progressed as part of the Dundee Student Villages Project - a major outsourcing project that seeks to build, own and operate all of the University's student residence provision for the next 35 years. The principal aim of the project is to provide new and refurbished residences that are of a quality and standard that meets and exceeds standards in the higher education sector, and which will assist the University in attracting students and associated funding through the provision of appropriate support facilities. It is also intended to provide a guarantee of University provided accommodation for all undergraduate first year and post-graduate overseas students. This equates to approximately 1800 bedspaces. The University wishes to increase the proportion of self-catered and en-suite accommodation to satisfy student demand and for

vocational lettings. The University also wants to guarantee that suitable accommodation, of a comparable standard to other Universities, can be provided close to the University Campus. At present the University advise that their residence provision fails to meet these basic undertakings on a regular basis.

As part of the above Dundee Student Villages Project, planning permission was granted on 26 April 2004 for new accommodation on land to the south of Seabraes (192 study bedrooms) and on the site of the existing Belmont Halls (340 study bedrooms).

The proposal under consideration forms a further phase of the above Project. It is proposed that 426 student bedrooms (71 flats) shall be developed on the Heathfield site, including 200 car parking spaces, to replace the loss of the 180 spaces (approx) existing car parking spaces, together with 64 secure and covered cycle spaces. In addition, 1100 sq. m. of retail floorspace is proposed within the development, to be provided through two units (a two storey unit of 800sq. m. and a one storey unit of 300 sq. m.). It is envisaged by the University that the retail units could be used for academic related retail activities such as the University bookshop that is acknowledged to require new and increased floorspace.

With regard to the design of the new building, the architectural concept has been specifically designed to respond to the context of the approved University Campus Plan and other local influences. This includes the desire to see the Hawkhill By-pass achieve a more urban character, to produce more clearly defined pedestrian routes into and within the campus area and to relate the proposed development to existing and proposed new university developments within the local area. With this in mind, the concept proposes an urban form with wings of buildings defining the edges of surrounding streets and accommodation organised around a central courtyard. Edges are formed by 4-storey wings with a recessed entrance area at the junction of Old Hawkhill and Kincardine Street forming a visual 'stop' to Balfour Street. This directly relates to the future development of the Belmont site for new student accommodation that was granted permission on 26 April 2004. The general aim of 'hardening' the urban edge to the Hawkhill By-pass has been

achieved by a combination of a heavy wall to the car park entrance and a range of 4 storey buildings set reasonably close to this wall. The edge wall will be constructed of masonry elements and will be inclined slightly back from the vertical. Planting will be provided along the edge.

The student residences are essentially narrow walls of double faced accommodation in repetitive units. Architecturally, the buildings will be developed as a unified wall with the areas of visual interest being the entrance area, south east corner and the car park entrance and pedestrian exit. The northern wing of the building has been architecturally designed to relate with the courtyard garden and to contrast with the buildings around the street edges. This is achieved by the use of materials such as timber, glazed brick, glass and terracotta.

The principal external space will be the courtyard which acts as the circulation system for the proposed residences with entrance doors facing it in a collegiate manner. Circulation within the courtyard is designed around a series of streets and open paved spaces that interlink with lawns and raised planting beds. Undercover cycle parking and bin stores are gathered together to minimise their impact within the courtyard and the location of seating and lighting makes the most of outdoor space for the communal use of students. Service and emergency vehicle access to the courtyard is comprehensive and through use of durable surface finishes and the layout of the paved areas, this space is clearly defined as a pedestrian priority environment.

The palette of finishing materials to be used in the development will be contemporary in nature based on projecting metal roofs, wall finishes of masonry, smooth render, glazed brick, terracotta and glass with detailing of galvanised steel and timber. The idea of using recycled materials will be developed, particularly in the courtyard area.

The proposals have been developed over a number of months through the progression of designs in conjunction with representatives of Dundee Student Villages and this Council. It is considered that the scale, massing, materials and appearance of the new building are in general accordance with the design principles originally agreed for the development of the site. The

development will provide high quality buildings that will make a positive contribution to the environmental improvement of the surrounding conservation area. In this respect, the proposal is considered to be in accordance with Policies H10, BE1 and BE11 of the Dundee Local Plan.

With regard to transportation, the southern access to the site from Old Hawkhill is to be retained for service vehicle access. The underground decked parking, that will replace and add to the current provision of surface parking, shall be accessed from Hawkhill By-pass on the north boundary of the site. A Transport Assessment has been undertaken by the applicants agents to assess the potential effects of this proposal on the surrounding roads and junctions. The terms of this Transport Assessment have been considered by this Council and have been found to be acceptable. There is currently provision for 180 parking spaces at the Heathfield car park. It is proposed that approximately 200 spaces will be created below the proposed residences that shall replace the lost 180 spaces and provide for the 25% parking ratio required by Policy 9 of the Finalised Dundee Local Plan Review. It is anticipated that the University will own the car park and will significantly increase the cost of parking permits, within the Campus, in line with the Campus Plan, to encourage the use of other modes of transport to and from the Campus. These parking permits will be applied to the proposed parking at Heathfield. It is also anticipated that within the car park, some short stay parking will be allocated, in addition to the permit parking, with the potential for public use on weekends and week day evenings should there be demand. The operational aspects of the car park will require to be in full accordance with a Travel Plan to be produced by the University for the Campus area and it is intended to attach an appropriate condition to any planning permission granted to ensure the compliance of the development with the Councils Local Transport Strategy.

In terms of cycle provision, it is proposed that 64 secure and covered spaces are to be provided within the central courtyard of the development for the use of the students within the accommodation.

The proposal also involves the provision of 1100sq. m. of retail

floorspace within the east side of the building. This will take the form of a 2 storey unit of 800 sq. m. and a single storey unit of 300 sq.m. The applicants have advised that the areas will be used for purposes associated with the university and the students, eg possible new university bookshop. This retail provision is an option at this time with the intended floorspace area being suitable for study bedroom accommodation if required. Policy S20 of the Dundee Local Plan presumes against the provision of new retail floorspace that is not adjacent to the city centre, district centres or local centres unless certain criteria can be met. This includes the provision of new retail floorspace that would not prejudice the vitality and viability of existing shopping centres. In this instance it is considered that the use of the units for academic related purposes would not directly compete with the existing and established retail outlets in the city centre. The applicants have indicated that they would accept a condition attached to any permission granted that restricted the use of the outlets to academic related uses only. It is also considered that the provision of retail floorspace on the east side of the residences would improve and increase pedestrian movement along this side of the building and to the benefit of the vitality of the area.

The site has been identified as being potentially contaminated. This will require remedial measures to address the environmental issues of developing the site. It is intended to attach a condition to any permission granted requiring appropriate remediation works to be carried out prior to the first occupation of the new residences.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

Other Material Considerations

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

It is considered that the terms of Policy 4 (Design of New Housing), Policy 55 (Urban Design), Policy 61 (Development in Conservation Areas), Policy 45 (Location of New Retail Developments) and Policy 79 (Contaminated Land) have been discussed and discharged above.

In addition, it is also considered that the requirements of Policy 28 (Higher Education Development), Policy 29

(Major Institution Masterplans) are fully met by the proposed details the subject of this application.

With regard to Policy 9 (Student Housing), the applicants have been in discussion with this Council on the future occupancy of the new residences. It has now been agreed that the residences the subject of this application shall be occupied only by students of the University of Dundee, of other universities other than the University of Dundee and of other higher educational establishments. It has also been agreed that the temporary occupancy of the residences for conferences, holiday lets etc., shall be limited to periods outwith the University of Dundee's semester / term dates. In this respect, it is considered that the requirement for a Section 75 Agreement restricting the occupancy of the new residences to students only should be set aside in this instance and that the control over this agreed restriction be achieved through the use of appropriate planning conditions attached to any consent granted. This procedure has been adopted for the recently approved student accommodation developments for the University at Seabraes and Belmont.

The required car parking provision for the residences ie 25%, is met by the current proposals.

The proposed development will involve the removal of trees from the site. The applicants have discussed this issue with the Council's Forestry Officer and their landscape architect is currently preparing a landscape scheme that will replace the trees that are to be lost in addition to providing details of plant species, planting specifications and a maintenance plan for the scheme.

It is concluded from the foregoing that the material considerations all weigh in favour of the grant of planning permission. It is therefore recommended that planning permission granted with conditions.

Design

The proposed development is similar in general terms to that suggested in the University Campus Plan. The development of the site in the manner proposed will allow the repair of the urban edge along this section of the Hawkhill By-pass with qualitative architecture of an appropriate scale, mass and design. The scheme will also provide the opportunity to complete

the urban block on the street frontages within the campus area with appropriate facades to address the adjacent existing and proposed educational buildings.

CONCLUSION

The objective of the development proposals is to create high quality student residences to contribute to the Dundee Student Villages project that will provide new accommodation for the purposes of University of Dundee students for the next 35 years. The principle of a development of this nature has been established by the indicative built form as outlined in the Campus Plan. The proposal is also supported through the land use policies of the adopted and Finalised Review Local Plans.

The proposal is considered to make a positive contribution to the development of the University's campus area and one that will complement the series of development proposals already being progressed by the University in this area.

RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples
- 3 During the academic year the student accommodation shall be used and occupied only by students enrolled in and undertaking a course of full time study at the University of Dundee, of other universities other than the University of Dundee and of other higher or further educational establishments. At any time outwith the University of Dundee's semester / term time dates, the accommodation shall be occupied only by business, conference or recreational visitor to the City of Dundee in

association with business, educational, conference or tourist events and for no other purpose whatsoever.

- 4 Development shall not begin until details of a scheme for landscaping works have been submitted to and approved in writing by the planning authority. For the avoidance of doubt, details shall include:
 - a location of existing and new trees, shrubs, hedges and grassed areas
 - b existing and finished ground levels in relation to a fixed datum preferably ordance
 - c schedule of plants to comprise species, plant sizes and proposed numbers / density
 - d a programme for completion and subsequent maintenance
 - e existing landscape features and vegetation to be retained and, in the case of damage, restored
- 5 Development shall not begin until a scheme to deal with any contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with any contamination to include:
 - a the nature, extent and type(s) of contamination on the site
 - b measures to treat / remove any contamination to ensure the site is fit for the use proposed
 - c measures to deal with any contamination during construction works
 - d condition of the site on completion of decontamination measures.

Before the site is occupied, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

- 6 Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the use of the retail units hereby permitted shall be limited to goods that are solely related to

the academic functions and operations of the University of Dundee and for no other purpose without the written approval of the planning authority.

- 7 Internal noise levels within habitable apartments that overlook Old Hawkhill shall not exceed 45dB, LAEQ(16 hrs) during the day and 35dB, LAEQ(8hrs) during the night. For the avoidance of doubt, day-time shall be 0700 - 2300 hrs and night-time shall be 2300 - 0700hrs
- 8 Total noise from all electrical and mechanical services shall not exceed NR35, during night time, as measured 1m. external to the façade of the nearest residential accommodation.
- 9 That the operational aspects of the proposed new 200 space car park hereby granted permission shall be in full accordance with a Travel Plan produced on behalf of the University of Dundee and approved in writing by the planning authority.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that the use of the new residences is restricted to students of higher institutions only and that the use of the property outwith semester / term times is restricted to appropriate alternative uses.
- 4 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 5 In order to ensure that the site is fit for the use proposed.
- 6 In order to ensure that the viability and vitality of existing shopping centres are not prejudiced
- 7 To protect the amenity of residents from traffic noise

- 8 In order to protect the amenity of the residents from mechanical services noise
- 9 In order to comply with the Council's Local Transport Strategy