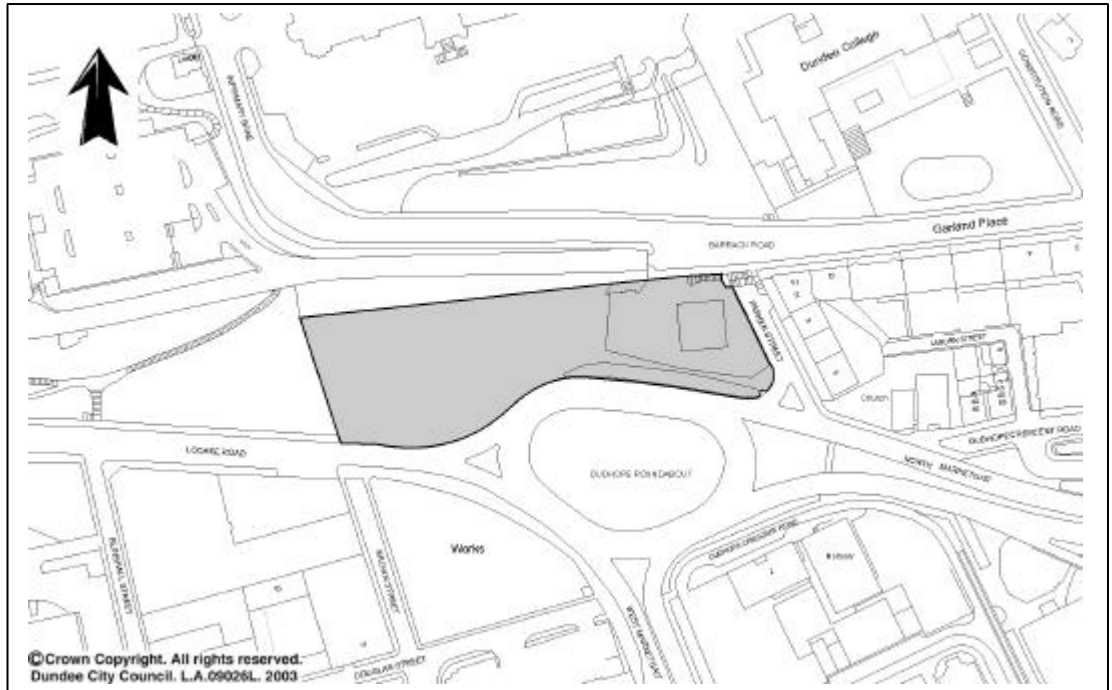


**KEY INFORMATION****Ward** Law**Proposal**

Erection of student residences

**Address**Land to west of Parker Street  
Dundee DD1 5RJ**Applicant**University of Abertay  
Dundee  
Estates and Campus  
Services  
University of Abertay  
Bell Street  
Dundee DD1 1HG**Agent**Hurd Rolland Partnership  
13 Manor Place  
Edinburgh**Registered** 22 Sep 2004**Case Officer** D Gordon

# Proposed Student Residences Development at Parker Street

The erection of student residences is **RECOMMENDED FOR APPROVAL** subject to conditions.  
Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposal is seen as an appropriate contemporary design solution to the development of this prominent site for new residences and as a positive contribution to establishing a recognised campus area for the University.

The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of new student residences on a site located to the north of West Marketgait and to the east of Parker Street. Associated car parking, cycle parking, landscaping, refuse and recycling facilities are also proposed. The new building will accommodate 493 student study bedrooms (87 flats) along with a communal laundry, reception and administration areas.
- The proposal was advertised in the local press as being potentially contrary to the Dundee Local Plan, as a bad neighbour development (Section 34) and as affecting the setting of a listed building. Eight letters of objection and two letters of representation have been received. The objections cover a variety of issues including the impact of the new development on the local natural and built environment, free flow of traffic and the appropriateness of finishing materials.
- It is considered that the proposal is acceptable in terms of design, siting, car parking and landscaping. The contemporary appearance of the proposed building is appropriate for this prominent site and the new residences will make a positive contribution to establishing a recognised campus area for the University.
- The proposals are considered to be in accordance with the development plan policies for the area and there are no material considerations, including the issues raised by the objectors, which would justify refusal of the application contrary to these policies.

## DESCRIPTION OF PROPOSAL

The proposal under consideration involves the removal of an existing former office building and the erection of 493 student study bedrooms (87 flats) on a sloping site located at the north end of West Marketgait. The building takes the form of a unified block that orientates in an east to west direction across the site. The structure will vary in height from the 3-storey amenity block on the east side of the site to 10 storeys towards the west. The new building will accommodate a curved, sweeping roof. The proposed finishing materials will combine a palette of natural aluminium/steel profile cladding, aluminium curtain walling, rainscreen terracotta natural red and sand coloured tile cladding and a membrane roof finish system (colour mid-grey).

Access into the site is to be taken from Parker Street to the east. An internal access road will run along the north side of the site ie to the rear of the building. A total of 17 associated off street car parking spaces are to be provided in addition to 37 cycle racks. Communal refuse and recycling covered stores are provided on the north side of the site and will contain 12 no. standard paladin size bins.

The proposed development will result in the loss of trees within the site. A landscape scheme has been submitted to compensate for the loss of existing vegetation. This includes, amongst other things, the planting of native species. Rowan and Scots Pine are to be provided to the south of the building, silver birch and dwarf birch to the north and east and the southern and western frontages are to be screened with a dense 3m deep sloping bank of gorse, fronted by a 1m deep band of blueberry.

The new building will provide for approximately 493 en-suite student bedrooms arranged in cluster flats of 5 or 7 rooms, containing communal kitchen / living rooms. The residences will also include a communal laundry, reception and administration areas.

## SITE DESCRIPTION

The site is located in a prominent location adjacent to the ring road to the north of the roundabout at the head of

West Marketgait. Access into the site is currently from Parker Street in the east that defines the eastern edge of the development site. The site takes the form of a steeply sloping strip of open space running east to west. It is bounded to the north by a 9 metre high stone retaining wall, a stone stair and dense mature planting. To the west there is the mixed use and former industrial area of Blackness that accommodates a wide range of buildings of varying scales, heights and designs. The tenemental flats of Parker Street are located on the east side of the application site. To the south, across the junction, there are poor quality 1970's office block developments.

The site lies at a significant gateway to the city centre from the north west (Lochee Road) and commands a prominent and prestigious location when viewed from West Marketgait to the south. The former DRI Main Hospital Building is evident above the tree line that exists on the north side of the site.



The Blackness Conservation Area is located to the south of the application site.

## 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:

Proposal HS1 (Parker Street) - The east section of the site is identified as an all flatted opportunity next to the ring road requiring a bold, imaginative

design. The site is to be reserved for students/academic accommodation.

Policy EU19 - The eastern section of the application site is located within an area where 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 / garden area provision, parking and urban design.

Policy 13 - The Council will reserve appropriate sites for residences for students / research workers of Higher Education establishments having regard to other policies in 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 BE3 - The Council will encourage the appropriate and imaginative use of materials, where they are in harmony with the character of the surrounding area, especially within conservation areas and on main approaches to the city.

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 MV10 - Notwithstanding the terms of the Tayside Structure Plan, until the land use policy review of the

north east and north west arterial corridors is finalised, planning permission will not be granted for development or redevelopment within "landtake" areas equivalent to those shown on the inner city local plan review proposals map.

Proposal MP7 - Pending the outcome of investigations into alternative traffic management measures which maximise use of existing roadspace, the Council proposes to enhance the role of public transport and provide opportunities for walking and cycling along the north east and north west arterial and other strategic routes as appropriate.

### 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:

Proposal H04 (Parker Street). The east side of the site is allocated for residential purposes with student housing being an acceptable option.

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 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 will 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 Institutions.

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 55: Urban Design. For all new developments the emphasis will be on design quality and the Council will seek the creation of public places and points of interest that incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. The Council will require the use of Design Statements for planning applications for new buildings.

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:

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 Design Guide. This sets out objectives that are to be pursued in the design of new buildings and spaces within the City.

## Development Briefs

The Council's Planning and Transportation Committee approved a Brief for the development of the eastern section of the site now under consideration on 27th January 2003. The Council's Planning and Transportation Committee approved an extension to the boundaries of the development site, to incorporate additional land to the west, on 1st December 2003.

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## LOCAL AGENDA 21

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The development of the eastern section of the site 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 Agenda 21. The development of the west side of the site will involve the removal of existing open space and vegetation.

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## SITE HISTORY

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04/00332/FUL - Erection of Student Residences - Application Withdrawn 18/08/2004.

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## PUBLIC PARTICIPATION

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The applicants have undertaken the statutory neighbour notification procedure. In addition, the development was required to be advertised in the local press under Section 34 of the Act as the building exceeds 20 metres in height. The proposal was also advertised as being potentially contrary to Policy H10 of

the Dundee Local Plan 1998 and also as development affecting the setting of a listed building.

Objections and representations to the proposed development have been received from:

- 2 residents of Parker Street
- 6 residents living within the city
- 1 letter of representation from a local architectural firm
- 1 letter of representation from Dundee Civic Trust.

The main areas of concern that have been raised by the objectors relate to:

- 1 The adverse impact that the proposal will have on the natural and built environment.
- 2 The proposal is contrary to the development plan policies for the area
- 3 The development will adversely impact on the free flow of traffic
- 4 The proposed height of the development will result in the overshadowing of adjacent properties located to the east (Parker Street).
- 5 The proposal will result in an increase in noise in the local area.
- 6 The development will have an adverse impact on the setting of the former DRI building to the north.
- 7 The use of inappropriate finishing materials.

The Dundee Civic Trust has offered comments of the proposed finishing materials.

## CONSULTATIONS

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

The Head of Environmental Health and Trading Standards has advised that, due to the nature and location of the application site, the following submissions will be required:

- 1 A Noise Impact Assessment. This has been submitted and has been assessed. The terms of the Assessment cover such matters the existing noise levels due to road traffic, the Noise Exposure

Category into which the development falls, traffic noise mitigation measures and final internal noise levels. The terms of the Assessment are considered acceptable and should protect the amenity of the residents of the new accommodation. It is considered that a condition should be attached to any permission granted that requires the applicants to implement the terms of the acoustic consultants report in full.

- 2 Air Quality Assessment. Due to the location of the proposed new residences to the adjacent roadway, the development meets the criteria for assessment with regard to air quality. Information on this matter has been requested from the applicants.
- 3 Site Investigation on Potential Contamination. As the site is located in the periphery of previous uses that may have resulted in potential contamination of the site, a Site Investigation Report has been requested.

## 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 a result of Abertay University reviewing its Estates Strategy, a key element being the requirement to provide new and improved residence accommodation, predominantly for the undergraduate and overseas students. The University (which has a total of 5,600 students) has currently 750 bed spaces available through a range of owned and leased premises. They have now prepared a residential property strategy that seeks

to retain approximately 150 bed spaces and to dispose of, or terminate the leases of the remainder. This is proposed with a view to providing a new purpose built facility of 500 bed spaces to meet future requirements. The University are keen to concentrate on the core of the campus in and around the Bell Street area. In accordance with this aim, the search for appropriate sites for new residences has focused on an area within 15 minutes walking distance from this area. The University have now settled on the proposal site as being appropriate for their requirements. The University is currently undertaking a number of projects to enhance this Campus Area environment including the development of the new library facility and the new Student Centre.

The proposal under consideration involves the erection of 493 student flats (87 flats). The accommodation will be arranged in clusters flats of 5 or 7 rooms, containing communal kitchen / living room. The residences will also include a communal laundry, reception and administration area. Access into the site will remain from Parker Street to the east with a total of 17 off street car parking spaces being provided on the north side of the building ie to the rear. In addition, 37 associated cycle racks are also to be provided for the use of by the occupants of the residences. Communal refuse and recycling covered stores are to be provided on the north side of the building.

With regard to design, the prominence of the site dictates that the new residences will be a "landmark" building, whether desired or not. The applicants' agents have submitted a design statement in support of the application that outlines the broad approach taken to ensure that the new building will sit comfortably within the context of the site and its environs. The architects have advised that since the issue of the original brief, a re-examination of the programme has allowed alternative construction methods to be considered as part of a major Value Engineering exercise. This has led to a revision of the requirements, extent of the scheme, provision of spaces, space standards and specification.

The applicants advise that the solution to the development of the site draws on 3 ideas. The first, which sets the basic

plan form, the idea of the tenement, where circulation cores punctuate blocks of dual aspect accommodation. The second, which informs massing and scale, is the distinctive identity of the building as a unified block, drawn together by the elegant curved sweep of the roofline. The third informs the articulation of the facades and represents "a complex narrative on the randomness and unpredictability of the contemporary cityscape". The resultant height of the new residences is derived from the requirement for any new structure not to be higher than the adjacent tenements to the east (Parker Street). This is the case for the eastern third of the site. The development of the remainder of the scheme represents the balance of the accommodation and results in a steady stepping up from 6 floors above the upper "plateau" to 10 floors. On the lower ground floor of the building there are two flats that are single sided. The resultant solution presents a tall building in relative terms for the city.

The applicants have also advised, through the terms of their Design Report, that the building has been designed in response to the key views of the site. Approaching the site from the south it appears as a stop vista with the tower feature of the former DRI being evident above the sweep of the roof. The DRI is substantially hidden for much of the year by the dense foliage to its south and so the design approach has been to restrict the height of the development to below this tree line for as much of the approach along Marketgait as possible. The approach from the east has a more subtle stop vista being formed by the elongated mass of the block. This acts as a corner landmark, defining the boundary of the city centre and the inner city areas. Approaching down Lochee Road, the first impression of the scheme is the sculptured west façade. Two principle views from the north exist. Firstly looking down Barrack Street, the height of the scheme relative to Barrack Street is low, being only 2 storeys above the height of the pavement wall. This is screened by dense vegetation for most of the year. The other vista is that looking down from the visitor entrance of Dudhope Castle. Again, topography and trees mask the relative height of the scheme.

With regard to the use of materials the Design Report advises that the basic

material of the building is the simplest and most economic in terms of residential buildings. Power coated aluminium "wave form" cladding is proposed for the walls. Two profiles are proposed with a chunky half round profile expressing cores and common rooms, and a 'micro profile' to room areas. The areas of metal cladding are broken up with vertical trims. Accommodation bays to the south are rendered in two colours of Terracotta panels. These are the same colours as the two sandstones traditionally associated with Dundee. Common room towers clad in "chunky" aluminium horizontal cladding punctuate these accommodation bays.

With regard to the provision of Public Art, this will be applied to two areas of the scheme. The Stair Towers are to be colour lit red, orange, yellow, green, blue and violet. A feature fence (of a design to be agreed) is proposed along the south side of the scheme.

In terms of the relevance of the proposed scheme to the development plan policies for the area, the following observations are offered:-

Proposal HS1 - The east section of the site is identified as an all flatted opportunity next to the ring road requiring a bold, imaginative design. The site is to be reserved for students/academic accommodation. In this respect the use of the east side of the site for new residences is in accordance with the requirements of the development plan. The Members are reminded that at a meeting of the Council's Planning and Transportation Committee on 01.12.2003 it was agreed that, after further consideration of the site boundaries of this proposed site for student flats, these be extended to take in the area of land immediately to the west that presently has no land use allocation. Consequently, it is considered that the use of both the east and west sections of the application site for student residences has been accepted by the Council.

Policy EU19 - The eastern section of the application site is located within an area where the Council will encourage appropriate business and research developments and supporting uses associated with Higher Educational Institutions in "campus" locations. In this respect the proposed use of the site for student residences is in accordance with this policy. The western section of the application site has no specific

land use allocation in the Local Plan. However, in light of the terms of Proposal HS1 above, it is considered that the use of this area of the site is not contrary to the terms of Policy EU19.

Policy H13 - The Council will reserve appropriate sites for residences for students/research workers of Higher Education establishments having regard to other policies in the Plan. It is considered that the comments offered in Policy EU19 are also relevant to this policy and the same conclusions are offered.

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. In this respect, the context and design appraisal of the scheme has been detailed by the agents in the Design Report submitted to accompany the planning application. This advises of the approach that has been taken by the applicants to ensure that, given the various constraints of the site, the proposed new building will provide a quality landmark building on a prominent site in a prominent location. It is considered that the structured approach undertaken in the Design Report has resulted in the successful development of a restrictive site with a quality piece of contemporary architecture appropriate for its prominence within the local area. The scale of the building is suited its city centre/inner city location and is appropriate within the context of its woodland backdrop when viewed from the south. The appearance of the residences has also been carefully considered from the other major approaches to the site and these are each considered to be appropriate. The form, siting and alignment are dictated to a considerable degree by the restrictive nature of the site and its environs and also by the requirement to achieve viability for such an ambitious scheme. The materials are contemporary and appropriate to the both the design and the function of the building. The applicants have also submitted detailed landscape plans for the site. This includes the planting of native and ecologically sensitive species throughout the site. Trees, including rowan, Scots Pine, silver birch and dwarf birch are proposed to the north

and east of the site. Gorse and Blaeberry are also proposed. In light of the above comments, the proposal is considered to be in accordance with the terms of Policy BE1.

Policy BE3. The Council will encourage the appropriate and imaginative use of materials, where they are in harmony with the character of the surrounding area, especially within conservation areas and on main approaches to the city. It is considered that the requirements of this policy have been discharged in the comments offered in Policy BE1 above and the same conclusions are offered.

Policy BE 30 - When considering development proposals involving sites where the presence of contamination is suspected, the Council will require details of investigations to assess the nature and extent of the contamination and any remedial measures to be undertaken to ensure that the site is fit for the use proposed. The applicants have submitted a Site Investigation Report and it is the intention to attach a condition to any permission granted requiring appropriate remediation measures are undertaken prior to the first occupation of the site for the use proposed.

Policy ENV 12 & Policy ENV13 - Any development proposals must have regard for healthy mature trees and their protection during construction works. Where appropriate, proposals for new development should include details of proposed tree planting and landscape treatments. As outlined in the comments offered on Policy BE1 above, the applicants have submitted a landscape plan for the site. It is intended to attach a condition to any permission granted requiring the appropriate landscaping of the site in accordance with the details approved by the Council.

Policy H10 - This offers design guidelines for new build housing. These guidelines cover such issues as parking, amenity space, house mix and urban design. As indicated in Proposal HS1 above, the east section of the site is allocated for student flats in the Dundee Local Plan and the Council consider that the use of the remainder of the site to the west for new student residences is acceptable. The policy guidelines on house type / mix are set aside for the development of student residences due to the nature of the occupancy and the occupiers. With

regard traffic movement and parking, the applicants, by virtue of the proximity to the ring road, were requested to submit a Transport Assessment. This has been received by the Council and covers various issues such as the impact of the scheme on the local road network, pedestrian movements, parking levels and sustainable transport. This Assessment has been fully considered and found to be acceptable with regard to traffic flows and parking levels. It is considered necessary to provide a pedestrian crossing on North Marketgait (near Parker Street) and it is intended to attach a condition to any permission granted requiring the provision of this crossing, in an appropriate location, prior to the first occupation of the residence by students and/or staff. The applicants also advise that it is their intention to improve the existing lighting of the existing underpass. The issues relating to urban design matters and layout have been fully discussed and discharged above. With regard to refuse collection and recycling provision, the applicants have held discussions on this matter with this Council and have put forward proposals for the appropriate servicing of the residences. It is intended to attach a condition to any permission granted requiring details to be fully agreed with this Council prior to the first occupation of the residences. In light of this, it is considered that the proposal does not contravene Policy H10 of the Plan.

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 Proposal H04 (Parker Street), Policy 4 (Design of New Housing), Policy 28 (Higher Education Development), Policy 55 (Urban Design), Policy 72 (Trees and Urban Woodland), and Policy 79 (Contaminated Land) have been discussed and discharged above.

Policy 29 (Major Institution Masterplans). Abertay University do not have a formal Masterplan although discussions have been on-going with this Council on the creation of a campus area for the University that

will be centred around the Bell Street area.

Policy 9 (Student Housing). There is a requirement, amongst other things, to enter into a legal agreement (Section 75 Agreement) to restrict the occupancy of the building to students. The Members will recall that similar planning applications for the erection of student accommodation for Dundee University on sites at Seabreas, Belmont and Heathfield have recently been supported by the Council subject to a planning condition only restricting the occupancy of the flats. This condition required that the approved residences should 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. In addition, the temporary occupancy of the residences for conferences, holiday lets etc., should be limited to periods outwith the University of Dundee's semester / term dates. It is considered that this condition will offer sufficient comfort and control to ensure that the residences will be restricted to appropriate uses. In order to achieve parity between the major educational institutions within the city it is intended, as above, to set aside the requirement for a Section 75 Agreement in this instance and to attach a similar restrictive condition to any permission granted for this site. With regard to associated off street car parking within the site, a general rule of 25% provision should be achieved although this may be reduced in highly accessible central locations. The provision of off-street car parking has been covered by the submitted Transport Assessment and the provision of 17 spaces in this central location is considered to be acceptable in this instance. Associated cycle storage is provided to the north side of the new building (37 racks).

A Brief for the development of this site was approved by the Council in January 2003. This identified the east side of the application site being appropriate for housing with student housing remaining a viable option. The Brief requires a bold and imaginative design solution for any new development with the innovative use of either traditional or contemporary finishing materials being encouraged. The height of any new scheme would be dependant on the design of the development although

care should be taken not to compromise the open aspect of the residential properties of Parker Street or exceed the height of the Barrack Road tenements to the north. It is considered that the proposals submitted for consideration fulfil the aspirations of this approved development brief for the site.

### Objections

It is considered that the objections raised relating to the adverse impact on the local environment, the proposals being contrary to the Local Plan, the impact on the free flow of traffic, noise issues, detracting from the views of the DRI buildings and finishing materials have been discussed and discharged above.

With regard to the impact of the proposal on the sunlight/daylight of the residential properties in Parker Street, the applicants have carried out an evaluation of the potential effect of the proposals on these adjacent occupiers. They applied the "45 degree" projection rule to all ground floor window cills and confirmed that all the properties are within acceptable limits. In addition, the applicants also carried out an evaluation of the impact on the north elevation of the proposed new building. The applied "45 degree" projection rule to all the ground floor window cills and confirmed that all the rooms are within acceptable limits.

The Dundee Civic Trust has commented that they are pleased to see such ambitious proposals for this prominent and important site and strongly approves of the general massing and design of the new building. However, the Trust has raised concerns over the proposed metal cladding finishing and consider that the use of an alternative material would enhance the design of the building.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

### Design

The concept of the new residences on this site is considered acceptable. The siting, scale, from style and materials of the proposed building all combine to

provide a structure of a design quality that is appropriate in this central area/inner city setting.

### CONCLUSION

The objective of the proposals is to create high quality student residences to provide new accommodation for the purposes of Abertay University. The principle of the development has been established by the allocation of the east section of the site for housing / student residences and the approval of a development brief by the Council for such uses over the entire site. The development is seen as a positive contribution to the establishment of a recognised campus area for the University and one that will complement other development proposals being progressed by the University in the surrounding area ie new student centre and the completed library building.

### 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 Abertay, of other universities other than the University of Abertay and of other higher or further educational establishments. At any time outwith the University of Abertay's semester/term time dates, the accommodation shall be occupied only by business, conference or recreational visitors to the City of Dundee in association with business, educational, conference or tourist events and for no other purpose whatsoever.

- 4 All hard and soft landscaping works shall be carried out in accordance with a scheme approved in writing by the planning authority. Any trees or shrubs, including hedges on the site that, in the opinion of the planning authority, are dying, severely damaged or diseased within 5 years of planting shall be replaced by trees or shrubs of a similar specification to those originally planted.
- 5 Development shall not begin until all trees to be retained within the site have been protected by suitable fencing. Details of this fencing shall be submitted for the consideration of the planning authority and no work shall commence until written approval of the planning authority has been given
- 6 Development shall not begin until a scheme to deal with any contamination on the site has been submitted 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.
- 7 That the use hereby granted permission shall operate in full accordance with the terms and recommendations of the applicants' acoustic consultants' (Robin Mackenzie Partnership) Report No. G/3561/04, dated 4th October 2004. For the avoidance of doubt, all the required noise prevention measures shall be fully implemented prior to the

first occupation of the building hereby granted permission.

- 8 Development shall not begin until a scheme to deal with waste recycling has been submitted and approved in writing by the planning authority. The development shall not be brought into use until the measures have been put in place in full accordance with the approved scheme.
- 9 That development shall not commence until full details of the type and location of the pedestrian crossing required on North Marketgait are submitted to and approved in writing by the planning authority. The required crossing shall be constructed in full accordance with the approved details and shall be fully operational prior to the first use of the residences hereby granted permission.
- 10 That full details of public art provision for the development, including proposed fencing details, shall be submitted to the Council for approval prior to the completion of the development and if approved, the development shall be completed only in full accordance with such approved details.
- 11 That the development hereby granted permission shall be completed in accordance with the approved plans except where the details relate to the junction of the proposed roof with the external walls of the new residences where further details are to be submitted to and approved in writing with the planning authority. For the avoidance of doubt this submission shall include scaled cross sections of the proposed junction details.
- 12 Development shall not begin until a scheme to deal with any air quality issues has been submitted to and approved in writing by the planning authority. Before any of the residences are occupied the relevant recommendations contained in the Air Quality Assessment shall be fully implemented as approved by the planning authority

## Reasons

- 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 educational institutions only and that the use of the property outwith semester/term times is restricted to appropriate alternative times.
- 4 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 5 To protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development
- 6 In order to ensure that the site is fit for the use proposed
- 7 To protect the amenity of residents from traffic noise.
- 8 In the interests of sustainable development.
- 9 To ensure the safe crossing of an adjacent road.
- 10 In order to provide for public art in the interests of visual amenity.
- 11 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 12 To ensure that the amenities of future occupants are not prejudiced by a reduction in air quality by virtue of the close proximity of the residences to major roadways.