

KEY INFORMATION

Ward Taybridges

Proposal

Demolition of existing retail unit & erection of residential development with associated car parking, landscaping & access

Address

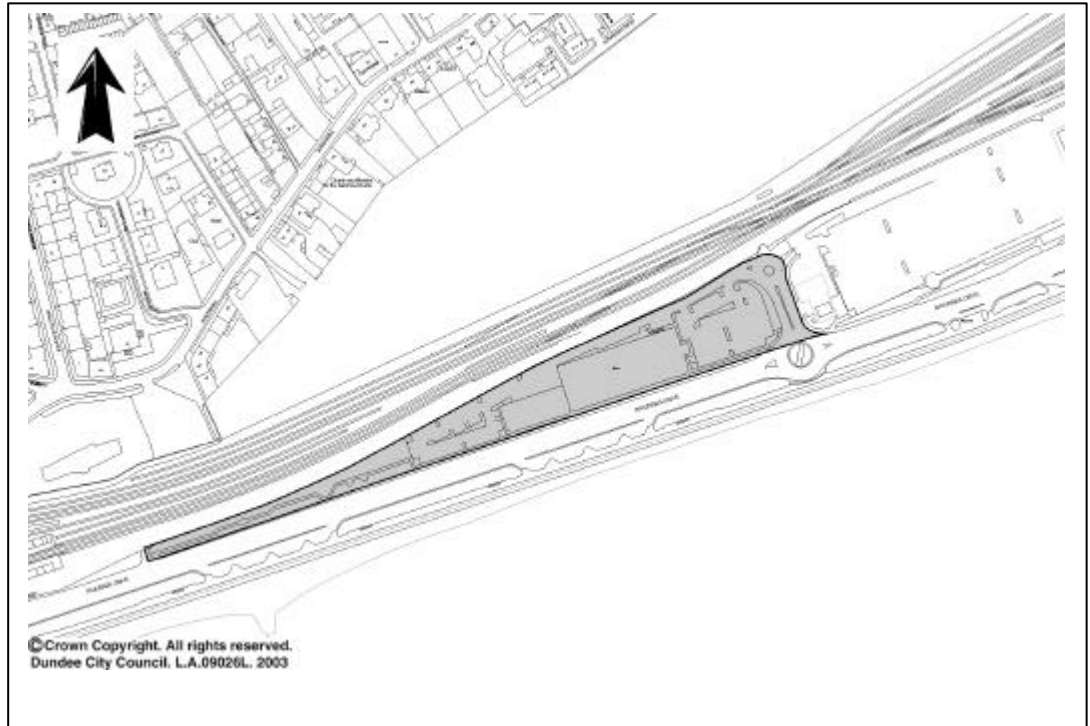
Former Homebase Store
Riverside Drive
DUNDEE

Applicant

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EDINBURGH
EH4 2LW

Agent

Montagu Evans
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Proposed Housing Development on Former Homebase Site in Riverside Drive

The erection of a residential development is **RECOMMENDED FOR APPROVAL**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be contrary to the Housing policies of the development plan. A Planning Support Statement and a Design Statement have been submitted in support of the proposals.

The development will re-use a brownfield site and will provide a high quality flatted development on a gateway site leading into the city centre from the west. The development is recommended for **APPROVAL** with conditions

SUMMARY OF REPORT

- Planning permission is sought for the demolition of a vacant DIY store and the erection of 201 flats and penthouses with associated car parking and landscaping works. The site is located on the north side of Riverside Drive to the west side of the city centre.
- The area is identified as an area of 'No Change' in the Dundee Local Plan 1998. The proposal raises issues under Policy H10 of the Plan that offers guidance of the Design of New Housing within the city and is considered to be contrary to the development plan. The proposal also raises similar issues under the relevant development policies of the Finalised Dundee Local Plan Review.
- The proposal has been the subject of 8 objections relating to a variety of issues including inappropriate land use, design, traffic movements, flooding and location.
- Although the proposed development is contrary to the policies of the development plan and Finalised Local Plan Review, it is considered that the development will result in the re-use of a brownfield site with high quality residential accommodation that is appropriate in scale, mass, layout and appearance on this prominent and important river frontage gateway site.

DESCRIPTION OF PROPOSAL

The planning application under consideration seeks permission to demolish an existing vacant DIY store and erect a flatted development that will include 201 apartments, 209 off street car parking spaces and associated landscaping. The development will comprise a mixture of 2 and 3 bedroom units and will accommodate 8 penthouse apartments.

The development will be in the form of 3 linear blocks running along the frontage of Riverside Drive. A fourth block located on the east corner of the site will front, in part, onto Riverside Drive with the majority of the building facing east towards the city centre. The proposed blocks will range in height (to 8 storeys) with the highest blocks located on the eastern corner. The submitted design details indicate that there will be no residential properties located on ground floors of the proposed development. This area will be utilised for associated storage and re-cycling facilities, stairwells and lifts, car parking with small areas of open space located in the gaps between the flatted blocks. These ground floor facilities will be screened by a combination of decorative metal screens and gates in addition to a 2metre high beech hedge running along the frontage of Riverside Drive.

The proposed south facing residential units will accommodate balconies. The applicants have not, to date, finalised the proposed finishing materials for the development although it is anticipated that the main materials will be selected from a palette that includes facing brick, smooth render, cladding panels and aluminium standing seam roof.

Access into the site is to be taken from the existing service road and access point located to the east side. Associated off street car parking (209 spaces) is to be provided both, as indicated above, beneath the first floor of the new flats and on the north section of the site fronting onto the railway.

SITE DESCRIPTION

The site forms a flat, elongated area of land that tapers towards its western boundary. It currently accommodates

a vacant DIY store that has been vacant for a number of years. This building is single storey in height and is finished in blockwork walls and a green profiled sheet roof. Access into the site is achieved from a service road that combines to serve a petrol filling station and retail food store located to the east. Off street car parking is currently located to the east and west sides of the vacant building.

The site is bounded by Riverside Drive to the south and to the north by the railway. The site tapers to the west where the road meets the railway. This narrow section on the west side of the site has recently been the subject of landscape improvements. To the north side of the site is the emerging Digital Media Park that has outline planning permission for Class 4 business, commercial and residential uses, landscaping and open space.



POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The following policies are of relevance:

Housing Policy 2: Dundee and South Angus Housing Market Area. In Dundee brownfield development is targeted to create popular, mixed tenure communities in certain areas including the City Centre. The development of houses rather than flats is favoured.

Environmental Resources Policy 6: Design and Urban Renewal. This policy requires, amongst other things, that new developments make a positive contribution to the identity, character

and quality of the built and historic environment.

Dundee Local Plan 1998

The following policies are of relevance:

Policy S30. In areas identified as Policy S30 it is not anticipated that any change to the existing primary uses will take place during the Plan period.

Policy H10. The design and layout of any new housing will generally conform to the guidelines set out in the Plan. Architecture and scale of buildings must respect surroundings, and new development should address surrounding streets and most buildings should front onto streets. Within larger development sites, 75% of the units should be houses and 25% may be flats. Private garden ground should be provided at a 50 sq.m. per dwelling and 10 sq. m for flats although this may be reduced with the provision of private balconies. Car parking should be 100% provision with 30% visitor provision where street parking is a problem.

Policy BE1 - The Council will expect the highest standards of composition and design in all new development 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 any contamination and the appropriate remedial works to render the site fit for the use proposed.

Policy ENV5 - Any development within Wildlife Corridors must make suitable provision for nature conservation taking account of the scale and type of development and characteristics of the Wildlife Corridor.

Dundee Urban Nature Conservation Subject Local Plan 1995

The following policies are of relevance:

Policy WC01. The terms of this policy are accurately reflected in Dundee Local Plan Policy ENV5 above.

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 1: Vibrant and Sustainable Communities. The Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New developments should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell.

Policy 2: Housing Land Release. Proposals for housing land release additional to the Finalised Local Plan allocations will be acceptable where

* housing development is in accordance with all other policies in the Local Plan; and

* will make a positive contribution to quality and choice of housing available in the local area; and

* it satisfies all of the housing standards contained within the Plan or those in any site planning brief approved by the Council; and

* it will improve tenure mix in areas where there is limited choice.

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

Policy 55: Urban Design. For all new developments the emphasis will be on design quality and the Council will require the use of Design Statements for planning applications for new buildings on significant sites. All development will, in its design and layout, be expected to contribute to an

environment that is safe and accessible to all.

Policy 79: Contaminated Land. The terms of this policy are reflected in Dundee Local Plan Policy BE30 above.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy 3 - Planning for Housing 2003. This Policy seeks to promote residential developments in suitable locations. It also seeks to ensure that housing land requirements are met in full and promotes good quality design in residential developments.

National Planning Policy Guideline 17 - Transport and Planning 1999. This NPPG promotes the integration of land use planning with transportation. It promotes sustainable development and seeks to ensure that development is well located in terms of public transport and pedestrian and cycle areas.

Scottish Planning Policy 17 - Planning for Transport Consultative Draft 2004. This draft builds upon the requirements of NPPG 17 above in the promotion of sustainable development in appropriate locations.

Planning Advice Note 38 - Housing Land. Revised 2003. This PAN advises of opportunities for the provision of new housing that can arise unexpectedly. Such opportunities are often referred to as 'windfall sites' and involve the redevelopment of previously developed sites.

Planning Advice Note 56 (Planning and Noise). This PAN offers advice on a number of noise related matters. This includes how noise issues should be handled in dealing with applications for development, specific guidance on nonsensitive development, ways of mitigating the adverse impact of noise and guidance on the use of planning conditions relating to noise.

Planning Advice Note 67 - Housing Quality 2003. This seeks to promote high quality design in new housing developments. This PAN supports the preparation of design statements in conjunction with planning applications.

Designing Places - A Policy Statement for Scotland 2001. This statement from the Scottish Executive sets out their aspirations on the design and the role of the planning system for delivering these aims. It promotes the need for high quality design of buildings and layout for proposed developments.

Non-Statutory Statements of Council Policy

The following policy statements are of relevance:

The Planning and Transportation Committee approved a development brief for this site on 27 January 2003. This brief identifies the site as a development opportunity and provides guidance in respect of possible alternative uses that would be appropriate and provides advice on the size, layout, massing and height of any new buildings.

Dundee - The Urban Design Guide.

LOCAL AGENDA 21

The proposal will result in the redevelopment of a brownfield site and is therefore sustainable with the successful improvement of this important site the distinctive character of the Waterfront and city centre will be enhanced and assist in addressing a key theme of Dundee 21 "Places, spaces and object combine meaning and beauty with utility".

SITE HISTORY

The site is a component part of the former Waterfront Development that was borne out of enterprise zone developments in the 1980's. The former Sainsbury Homebase DIY and previously Texas DIY developments that closed a number of years ago occupy the site. The building is the subject of a Section 75 Agreement that restricts the range of goods that can be sold. This restriction was imposed, in conjunction with the original planning consent granted for the development, in order to prevent its conversion to other more sensitive retail uses that could adversely impact on the shopping role of the city centre and the district centres. The justification for the restriction continues to remain valid and relevant and this Council has consistently declined to agree to such a relaxation. The present building on the

site was designed as a typical DIY outlet and remains unaltered.

PUBLIC PARTICIPATION

The applicants have carried out the statutory neighbour notification procedure. In addition, the application has been advertised in the local press as development contrary to Policy H10 (Design of New Housing) of the Dundee Local Plan 1998. In addition, the proposal was advertised under Section 34 of the Act as a bad neighbour development (building in excess of 20 metres in height).

The above has resulted in the submission of 8 objections to the proposal. The main issues raised by the objectors relate to:

- * the general scale, mass and design of the flats, particularly the north elevation, is inappropriate in this location
- * the proposal will result in a detrimental impact on road traffic safety
- * the site may be liable to flooding
- * the development is inappropriate in such close proximity to Riverside Drive due to an adverse impact on the health of the future occupants of the residential units
- * the proposals are contrary to local plan policies.

Comments on the above issues raised are offered in 'Observations' below. Copies of the objections are available for inspection in the Members Lounges.

CONSULTATIONS

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

The Director of Environmental Health and Trading Standards has, due to the previous use of the site (part of goods yard) requested further information on the potential contamination of the site. In response, the applicants have prepared a Ground Investigation Report. It is intended to attach a relevant condition relating to contamination and remediation works to any planning permission granted

The Director has further advised that, due to the close proximity of the proposed new residential units and to

the traffic on Riverside Drive to the south, the trains on the railway to the north and overhead aircraft, a Noise Impact Assessment would require to be submitted for consideration. Following submission of the required details the Director has indicated that the final report from the applicant's noise consultants satisfies the requirements of Planning Advice Note 56 (Planning and Noise).

The Director of Economic Development has advised that, in the interests of air traffic safety, medium intensity red aircraft warning lamps should be installed on the top of the taller blocks of development at the east end of the site.

The West End Community Council have advised that that they do not object to the use of the land for residential purposes. However, they are opposed to the design solution and consider that the details submitted contravene the relevant local plan policies for this area. The West End Community have been included as one of the above 8 objections to the application.

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 Dundee and Angus Structure Plan 2001- 2016

The Scottish Ministers approved the Structure Plan with modifications in October 2002. This plan seeks, amongst other things, to promote sustainable development, in particular it seeks to promote Dundee's role as a strong regional centre and major Scottish city. The Plan also seeks to halt and reverse the city's population decline by way of integrated economic and environmental strategies and a

housing led approach. The strategy supports the regeneration of city centre, inner city and outer area brownfield sites for quality housing choices.

Housing Policy 2 requires that brownfield sites within the city be targeted for the creation of mixed tenure development. This policy favours houses rather than flats and consequently, the flatted proposal is not considered to be in accordance with the requirements of this policy. The applicants, in response to this matter, have indicated that the subject site is considered to be an important site that requires a development form of a certain scale to create a gateway development into the city centre area. They argue that the scale of the building is not considered suitable for traditional housing, however the inclusion of 3 bedroom apartments will offer the opportunity to families who may normally seek houses over flats.

Environmental Resources Policy 6 (Design and Urban Renewal) advises that new developments will be required to make a positive contribution to the identity, character and quality of the built and historic environment. The proposed development will create a strong gateway to the city and as the proposal contributes to urban renewal and involves the re-use of a brownfield site, the principle of this policy is not contravened by the proposal under consideration.

Dundee Local Plan 1998

The site is identified as being located in close proximity to the city centre boundary and in an area covered by Policy S30 (Areas of No Change). This Policy states that in areas identified as Policy S30, it is not anticipated that any change to the existing primary uses will take place during the Plan period. A Section 75 Agreement that restricts the range of goods that can be sold from the premises covers the site. This restriction, put in place to protect the shopping role of the city centre and District Centres, has been consistently upheld by the Council despite a number approaches to relax this requirement. The building has remained vacant for a number of years and it is clear that it is undesirable to have such an important gateway site sitting un-used and declining in appearance. Policy S30 does not presume against the redevelopment of

the site for alternative uses and consequently, it is considered that the principle of the use of the site for residential purposes does not contravene the terms of this policy.

Policy H10 of the Plan offers advice on appropriate design and layout of any new housing developments within the city. The site is considered to be within the inner city area and consequently the policy requires that the development of larger housing sites (over 20 units) should comprise of 75% houses. The proposal clearly contravenes this policy requirement with the residential provision being 100% flats. The applicants, in their Planning Support Statement, have advised that, while they recognise and appreciate the policy requirements for new houses within the inner city, the Plan does seek to provide for the development of the right type of housing in the right location at the right time. The proposal is for high quality housing on an un-used site that would become an important gateway into the city and as such requires a significant presence and scale. The provision of a low-rise development of predominantly townhouses would not be appropriate in terms of urban design for this riverfront site. The proposal for 201 apartments and penthouses will not only offer greater choice of living opportunities to the residents of the city, but will become a landmark development, regenerating this area of the city and bringing life back to the waterfront.

With regard to the provision of amenity space associated with the proposed new units, Policy H10 requires that an average size of private garden areas of at least 10 sq.m. / flat should be provided. This requirement can be reduced if private balconies are to be provided. The submitted details indicate that only a very small amount of open space is to be provided in association with the proposed development. However, the units will be provided with private, usable balconies the majority of which will face south or southwest to take advantage of the stunning views offered by the waterfront location. It is considered that these external terrace areas, that will be capable of accommodating seating, will be more extensively used in this instance than any ground level garden provision located on the north side of the buildings.

With regard to off street car parking provision, Policy H10 requires that all tenures should have 100% provision with visitor parking provision of 30% in areas where parking is a problem. The applicants propose to provide 209 off street spaces for the 201 flats proposed. This is in excess of the required 100% provision required by the Plan but does not meet the required visitor provision. However, the proposed level of car parking to be provided in association with the development is considered to be adequate given the location of the site near to the central area of the city.

Policies BE1 and BE3 of the Plan concern themselves with the standard of composition of design in all new development and its careful integration with its surroundings as regards scale, form, siting, alignment, materials and landscaping. In this respect, the applicants' agents have submitted a Design Statement in support of the application. The purpose of this Design Statement is to clearly explain and illustrate the design principles and design concept behind the planning application. It explains why the selected solution is the most appropriate for the specific site context, in terms of built form and the quality of spaces created in recognition of the importance of design in the determination of this planning application. The applicants have advised of the following with regard to their Design Statement:

* Layout - Fundamental to the site layout is the concept that the scheme should redefine the urban edge to the Waterfront and become a gateway to the town centre. The linear nature of the proposed development reflects the nature of the riverfront and the main 'boulevard' approach to the city centre. It also allows each apartment to address the riverfront maximizing views out over the river and this, in turn, offers the opportunity to model the Riverside Drive façade with large floor to ceiling glazed screens and balconies intersected with planes of masonry / render.

* Massing - The overall massing has changed throughout the design development stage. Originally it was intended to place the higher blocks at the west end, as a gateway statement, with blocks reducing in height to the east. However, it was considered more appropriate to have taller blocks at the east end where the majority of car

parking is located and this would also reflect the rising height restrictions of the approach to Dundee Airport. In terms of urban planning the massing of this proposal is appropriate to its setting. It is considered that 2, 3 or 4 storey houses would not be appropriate in this important urban gateway setting adjacent to a major 4 lane boulevard and the long linear sea wall that defines the south edge of Riverside Drive. To have significant presence and to form the gateway to the city centre, these blocks need to be at least 7 and 8 storeys high. Examples of such waterfront housing are evident in Glasgow, Edinburgh, Malmo, London and Manchester.

* Details of Materials - It is considered crucial to specify high quality materials that are appropriate to the site and its maritime location. It is also considered prudent to limit the palette of external materials in order to create unity and rhythm to this linear development and avoid complicated maintenance programmes in the future. At this point it is anticipated that the main materials will be selected from a palette that includes facing brick, render, high pressure laminated panels and aluminium standing seam roof sheeting.

* Landscape – Designed to intended to augment the principles of the Dundee City Council's Ambassador Design Guide, specifically in relation to the boundary treatments, the design proposals reinforce the linear nature of the site and urban blocks. The areas between the blocks are pedestrian links to the main public footpath running parallel to Riverside Drive. These links will be accessed through decorative metal gates that are integrated with a metal screen fence running along the length of the undercroft of the buildings. This screen should act not only as a physical barrier defining the private boundary but as a visual barrier keeping parked cars out of sight from Riverside Drive and forming a podium for the apartment blocks.

Policy BE30 of the Local Plan requires that 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 any contamination and appropriate remediation works to render the site fit for the use proposed.

The applicants have prepared a report on the ground conditions and it is intended to attach a condition to any permission granted requiring that the appropriate remediation measures are put in place prior to the occupation of any the residential units.

Policy ENV 5 of the Local Plan requires that any development within Wildlife Corridors must make suitable provision for nature conservation. It is considered that the associated landscape details put for forward determination will result in an improvement in the nature conservation provision within the site.

The terms of Policy WC01 of the Dundee Urban Nature Conservation Subject Local Plan 1995 are reflected in Policy ENV5 of the Dundee Local Plan above and the same conclusions are offered.

It is concluded from the foregoing that the proposal does not fully comply with the provisions of the development plan by virtue of the proposed mix of residential units within the site not being in accordance with Policy H10 of the Dundee Local Plan 1998.

Other Material Considerations

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

Finalised Dundee Local Plan Review

This Plan promotes sustainable development not only in terms of the environment but also the social and economic stability of the city. It recognises that successful cities must be dynamic and must respond positively and flexibly to emerging opportunities. The proposed development must be seen as such an opportunity for the redevelopment of this important gateway site. The Plan further recognises the important role that new housing has to play in the city. It seeks to provide for development of appropriate housing in the right locations. The proposed development is for high quality housing on a disused site that would become an important landmark building on the approach to the city from the west. As such the building will require presence and scale.

Policy 2 relates to the release of land for housing that is not allocated for residential development. It advises that the release of such land will be acceptable where the proposals:

* are in accordance with other local plan policies;

* will make a positive contribution to the quality and choice of housing in the local area;

* satisfy housing standards of the local plan: and

* will improve tenure mix where there is currently limited choice and contribute to wider regeneration objectives.

The proposed redevelopment of a brownfield site is consistent with other local plan policies. It will provide high quality inner city housing that will contribute to the housing choice available within the city. It is considered that there is a marketplace for generously sized, high quality apartments in this unique riverside setting that is not in conflict with the existing flatted residential stock currently located within the city. The proposals will regenerate an important site within the city resulting in the transformation of a vacant site into a high quality development. The Design Statement submitted by the applicants on the concept and philosophy of the proposals confirms that the development of the site for 7 and 8 storey high blocks of flats and penthouses requires to be of a scale, mass and presence proposed that successfully address its prominent river frontage setting. The erection of lower density housing eg 3 -4 storey townhouses, would not be appropriate in terms of scale or massing and would represent a lost opportunity to provide an appropriate re-use of the currently vacant site. The issue of the submitted details being in accordance with the housing standards of the Plan has been fully discussed and discharged in the comments on Policy H10 of the Dundee Local Plan above.

With regard to Policy 4: Design of New Housing, Policy 55: Urban Design and Policy 79: Contaminated Land, the terms of these have been raised and discussed in Dundee Local Plan Policies H10, BE1, BE3, BE30 and ENV5 above.

National Planning Policy Guidelines and Planning Advice Notes

With regard to the guidance and advice offered in the various NPPG's and PAN's, it is considered that the proposed development complies with the general requirements outlined in these documents.

Dundee City Council Development Brief

The Planning and Transportation Committee approved a Development Brief for part of the site currently under consideration on 27 January 2003. The brief confirms that the site has been vacant for a number of years and that the site has been marketed for retail use. In order for the property to operate, as a use other than DIY retail unit would require the Council to relax a Section 75 Agreement restricting the range of goods to be sold. The brief confirms that the Council has consistently declined such a relaxation in order to protect the importance of shopping to the city centre and district centres. It is for this reason that the redevelopment of the site is being promoted.

The brief advises that the site is considered to be a very important gateway for the city. As a result it advises that any proposed development will have to be of a high architectural standard that is well viewed from all directions. Possible development options for the site are considered as part of the brief with the possibility of retail development on the site dismissed due to the provisions of NPPG 8 - Town Centres and Retailing. The potential for employment generating uses is considered to be acceptable, however, the brief concludes that such a proposal would not make the best use of the sites strengths. Leisure uses are given as an example of a type of development that may be acceptable on the site. A hotel use is also considered to be potentially suitable. However, the brief notes that a budget hotel design will not be acceptable. Tourist related development and car showrooms are also cited as developments that may be suitable.

The brief clearly states that the uses considered are possible alternatives and that any proposal would be required to be fully justified. The brief does not identify a preferred use or presume against a residential development on the site. Consequently, such a residential use is not considered to be in contravention of the approved brief.

The brief also provides guidance in respect of the size of the development, the site layout, height and massing of any proposals and materials and detailing. It also provides an urban

design guide. It is considered that the Design Statement submitted by the applicants (as detailed in Policies BE1 and BE3 of the Dundee Local Plan above) is in accordance with the requirements and aspirations of this Development Brief.

Objections

In addition to the statutory neighbour notification carried out by the applicants, the proposal was advertised in the local press as a bad neighbour development (over 20 metres in height) and as being contrary to Policy H10 (Design of New Housing) of the Dundee Local Plan.

Eight objections to the proposals including the Dundee Civic Trust have been received with the main issues raised relating to:

- * the general scale, mass and design of the flats, particularly the north elevation
- * the detrimental impact of the development on road traffic safety
- * the site is liable to flooding
- * the development is inappropriate in close proximity to Riverside Drive in terms of health
- * the proposals are contrary to development plan policies.

It is considered that the matters raised relating to the design of the development have been fully discussed above. It is the case that the applicants were advised of the expressed concerns on the design of the new flats. In response, amendments to both the west and north elevations of the scheme were submitted by the applicants that significantly improved the appearance and the quality of the new buildings.

As part of the consideration of the application, a Transport Statement was requested in order that the impact of the flatted development on the surrounding road network could be fully assessed. This Transport Statement covers issues of vehicular access to the proposed development along with sustainable transport issues ie walking, cycling and public transport. The level of proposed car parking associated with the development is also addressed. The Statement has concluded that due to the location of the proposed development ie adjacent to the central

area, the area is well located for access by all sustainable transport modes. The level of increased vehicular traffic generated by the proposed development is low and in fact less than the potential traffic generated by a commercial development. The level of car parking provided with the proposed development is adequate given the location of the site near to the central area. The findings and the conclusions of the Transport Statement are considered to be acceptable and that the Statement demonstrates that the proposed development will not have a detrimental impact on the surrounding road network.

With regard to the issue of flooding, the ground floor of the new development is to be used for associated storage and car parking purposes with the new flats being located at first floor and above. Consequently, flooding is not considered to be an issue in this instance.

With regard to the matter of the proposal being contrary to development plan policies, this issue has been fully discussed and discharged above.

It is concluded from the foregoing that sufficient weight can be accorded to 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 importance of the design of any new building for this prominent gateway site is highlighted in the Councils approved Development Brief. This requirement has been recognised by the applicants through the submission of a Design Statement that details the philosophy and concept behind the proposed scheme. This Statement meets the key criteria set down in the brief in that the development maximises the potential of the site and creates a high quality entrance development. It also demonstrates that the scale, massing, appearance, possible materials and details are appropriate for the site and it's setting.

CONCLUSION

The proposed redevelopment of the site for residential purposes is considered to be appropriate. The proposal for a high quality and high-density development will maximise the potential of the site. It will result in a gateway building on a prominent site situated on the main route into the city from the west. The submitted Design Statement offers detailed support of the application in terms of the proposed scale, massing, appearance and layout of the development.

The proposed development is considered to be in accordance with national planning policy guidance and advice. Relevant material considerations also offer support of the application.

The redevelopment of the site will provide an appropriate use for this important urban site within the city. It will re-use a disused brownfield site in close proximity to the city centre and will provide a high quality standard of residential accommodation on this river frontage location.

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 3.The hard and soft landscaping of the site shall be carried out in accordance with the Landscape Layout set out in drawing 1397-01 by Ian White Associates. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted in terms of this condition.
- 4 Development shall not begin until a scheme to deal with waste recycling has been submitted to

and approved in writing by the Council. The development shall not be brought into use until the measures have been put in place in full accordance with the approved scheme.

- 5 Development shall not begin until a scheme to deal with 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 contamination to include:
 - a the nature, extent and type(s) of contamination on the site.
 - b measures to treat/remove contamination to ensure that the site is fit for the use proposed.
 - c measures to deal with contamination during construction works.
 - d condition of the site on completion of decontamination measures.

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

- 6 That details of the proposed decorative metal fencing and gates to be located within the site shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
- 7 That medium intensity red aircraft warning lights shall be installed on the top of the taller blocks on the east side of the site in a position and to a design that is to the satisfaction of the planning authority. For the avoidance of doubt, the lamps shall be installed prior to the first occupation of the units hereby granted permission.
- 8 The residential units hereby granted permission shall not be occupied until the measures in the approved noise prevention scheme submitted to accompany the planning application operate to the satisfaction of 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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 4 In the interests of sustainable development
- 5 In order to ensure that the site is fit for the use proposed
- 6 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 7 In the interests of air traffic safety
- 8 In order to protect local residents from road, rail and air traffic noise