

**KEY INFORMATION**

**Ward** Tay Bridges

**Proposal**

4 storey office building with associated car parking, hard and soft landscaping

**Address**

Former Railyard Site  
Greenmarket  
Dundee  
DD1 1HT

**Applicant**

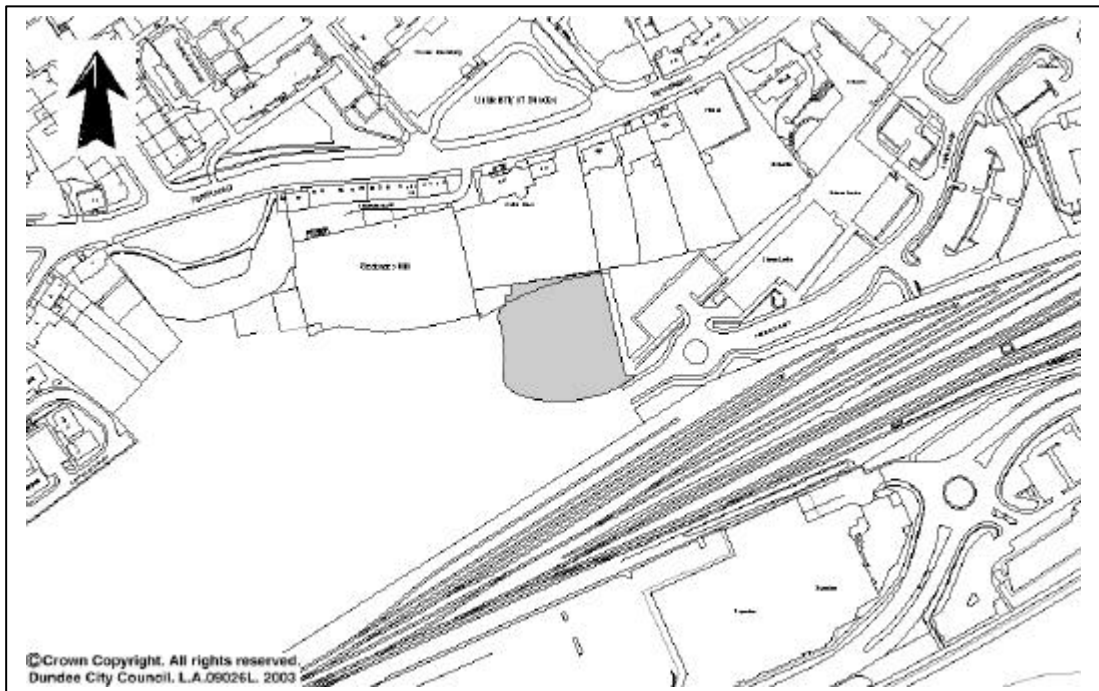
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45 North Lindsay Street  
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**Agent**

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**Registered** 16 Mar 2005

**Case Officer** D Gordon



# Proposed New Office Development in Digital Media Park

An office building with associated car parking, hard and soft landscaping is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development is considered to be in accordance with the policies and requirements of the Development Plan. The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a four storey Class 4 office development on a site located on the northern boundary of the emerging Digital Media Park.
- The proposed development will accommodate a floor area of 25,000ft². and will be finished in a palette of materials that will reflect the vision and aspirations for the new Park. Off street car parking, 66 spaces, is to be located on the north side of the development.
- Two letters of objection to the proposals have been submitted on the grounds of the design quality of the new structure, car parking provision and road traffic safety.
- The proposals are considered to be in accordance with the policies of the development plan and the requirements of the approved Masterplan for the Park.
- There are no material considerations, including the terms of the submitted objections, which would justify the refusal of this application. Consequently, the development is recommended for approval with conditions.

## DESCRIPTION OF PROPOSAL

The proposal under consideration involves the erection of a 4 storey office block (Class 4) on a site located on the north side of the new Digital Media Park. The building will accommodate a net floorspace of 25,000ft<sup>2</sup>.

The building will be 2 separate buildings linked by central core area that incorporates the entrances to the property. The proposed finishing materials are terracotta rain screen cladding, flat metal cladding, render, facing brick and curtain walling.

Access into the site is taken from the west with a total of 66 off-street car parking spaces being provided on the north side of the new building.

Amendments to the design and layout of the proposed office block have been undertaken during the processing of the application.

## SITE DESCRIPTION

The site is located on the northern boundary of the emerging Digital Media Park (former railyards area). The site is flat and currently undeveloped. To the east are a car park and the Sensation Building, to the west is the new Vision Building and associated car parking (former Seabraes Mill building), to the north are the elongated rear garden areas of the Perth Road frontage properties and to the south is the new Media Park access road and vacant development ground.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

### Dundee Local Plan 1998

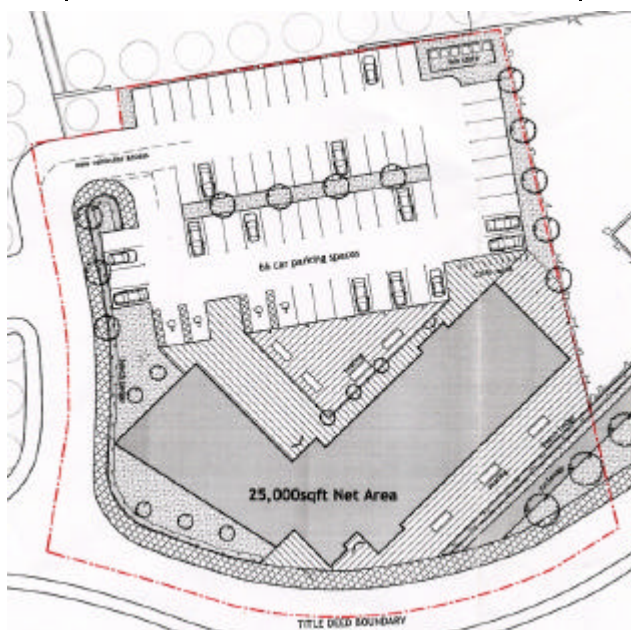
The following policies are of relevance:

Policy EU11 - The Railyards. The Council will encourage the development of industry/business/leisure opportunities in accordance with a planning brief prepared for the site.

Policy EU19 - Part of the northern section of the site is located within an area where the local authority will encourage appropriate business and research developments and supporting uses associated with Higher Educational Institutions in campus locations.

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

Policy BE1 - The Council will



encourage the highest standards of composition and design and its careful integration with its surroundings as regards scale, form, siting, alignment, materials and landscaping.

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.

### Dundee Urban Nature Conservation Subject Local Plan 1995

The following policy is of relevance:

Policy WC01 - The site is contained within a Wildlife Corridor. The terms of this policy are reflected in Dundee Local Plan policy ENV5 above.

## Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 23: Digital Media Park. The Council will support the principle of a digital media park with an appropriate mixture of student and mainstream housing and open space on the former railyards site. All development proposals for this site must have full regard to opportunities for maintaining and improving the quality of the built environment.

Policy 70: Semi-Natural Greenspaces of Local Nature Conservation Importance. Development proposals must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local Nature Reserves. Any development proposals affecting these sites must be accompanied by an ecological or similar assessment that details the likely impacts of these proposals on the conservation interests of the designation.

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 certain details relating to site investigations and remediation measures.

## Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy 2: Economic Development

National Planning Policy Guideline 17: Transport and Planning

Planning Advice Note 57: Planning and Transportation.

This PAN and the above NPPG 17 offer guidance of Maximum Parking Standards for new developments.

## Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Dundee - The Urban Design Guide.

The former Railyards area has been the subject of Development Briefs for both the East and West sectors of the site. These Briefs have been superseded by the approval of a Masterplan for this area.

## LOCAL AGENDA 21

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

## SITE HISTORY

The site has been the subject of several applications for development in recent years. The most relevant in this instance are:

- 1 02/00753/FUL - Elevational Alterations and Extension to Seabraes Mill including the formation of an associated car park - Approved 02/12/2002.
- 2 03/00759/OUT - Outline permission and Masterplan to create Digital Media Park to include Class 4 business, commercial, residential and open space uses - Approved 26.01.2004.
- 3 04/00502/FUL - Construction of Infrastructure including access road, footpath, cycleway and landscaping - Approved 02/09/2004.

## PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants on 2 x separate occasions ie:

- 1 for the original submission details; and
- 2 for the proposed amendments that developed during the processing of the application.

Two objections to the proposed development have been received from an adjacent occupier and from Dundee Civic Trust. The terms of the objections relate to:

- 1 The quality of the design of the proposed building
- 2 The impact that the location of the new building will have on road traffic safety

- 3 The level of car parking associated with the proposal is inappropriate.
- 4 It is intended to comment on the above issues in 'Observations' below. Copies of the letters are available for inspection in the Members Lounges.

## CONSULTATIONS

The Council's Head of Environmental Health and Trading Standards advised that appropriate conditions relating to contamination matters should be attached to any permission granted.

## 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 proposal under consideration involves the erection of a 4 storey Class 4 office building within the emerging digital media park that is located on the former railyards land to the west of the city centre. The principle of the use of the land for Class 4 business purposes has been established through the terms of Policy EU11 of the Dundee Local Plan that encourages industrial / business and leisure uses on this site and the approval of outline planning application 03/00759/OUT for the creation of a digital media park in this area. In this respect it is considered that the use is in accordance with the provisions of Policy EU11. Similarly, it is also considered that the terms of Policy EU 19 (developments related to Higher Educational Institutions) are not contravened by this development.

The site is located within a Wildlife Corridor. In this respect, the proposal should be viewed in the wider context of the development of digital media park and associated uses. The

approved Masterplan for the Park identifies the creation / formation of significant areas of associated open space and landscaped areas. Works on the formation and planting of these 'green' areas are currently being undertaken on site. Accordingly, it is considered that the nature conservation of the Wildlife Corridor will be significantly enhanced and consequently, the requirements of Policy ENV5 are achieved.

Significant site investigation works have been carried out to determine the extent and nature of contamination contained within this former railyards area. Remediation works have already commenced on site. It is intended to attach an appropriate condition to any permission granted requiring that works are carried out in accordance with agreed and the approved Reclamation Framework and Strategies. In this respect, it is considered that Policy 30 (Contaminated Land) is satisfied.

With regard to the design of the new building, the applicants' agents have submitted a Design Statement in support of their planning application. It is considered that the site has a high profile location and that the new structure should be viewed as a 'gateway' building into the Digital Media Park in addition to being the pivotal point for the integration of the existing urban development with the phased media park development beyond. The orientation of the new building recognises the importance of extending the strong defining axis of the existing cycle and pedestrian routes located to the east. This will promote the strong urban edge to the site that is required through the terms and layout of the approved Masterplan for the area.

The development comprises 4 full storeys of offices divided into two separate buildings. A glazed viewing area and small roof terrace are incorporated at roof level to take advantage of the southern views across the river. The main core area between the two buildings incorporates an entrance to the building on the north and south elevations that recognises the two main points of arrival. The main entrance to the buildings is from the south and this comprises of a glazed corner element.

The use of the brick red terracotta rain screen on the southern block is

intended to maintain the urban nature of the development and to continue the impression of mass and solidity to the built edge. The western / northern block is to be clad in flat metal panels in order to create a lighter feel that responds to the new Vision building located to the west.

Externally, the design and layout of the proposed hard and soft landscaping surrounding the buildings act to strengthen the urban edge of the development and ensure that the axis of the pedestrian and cycle routes are both maintained and enhanced.

In light of the above, it is considered that the proposal is of a design quality that is suited to the gateway location within the Park and consequently, the application is considered to be in accordance with Policy BE1 (Design Quality).

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 23 (Digital Media Park), Policy 70 (Semi-Natural Greenspaces) and Policy 79 (Contaminated Land) are reflected in Dundee Local Plan Policies EU11, EU19, ENV 5, BE1 and BE30 above and the same conclusions are offered.

With regard to the submitted objections the following comments are offered:

- 1 Quality of Design. Dundee Civic Trust objected to the original drawings submitted for consideration and have advised that whilst the proposal would not be the poorest quality building in the Waterfront, it is bland in appearance, does not visually relate to its neighbours and does little to enhance the image and aspirations of the digital media park. It is the case that during the processing of the application, taking into account these expressed views; the design of the new building has been significantly improved. The Trust has been advised of these changes and, at the date of writing, has not offered any additional comments.

- 2 Impact of the proposal on traffic safety. It is considered that the siting and scale of the proposed new building will not adversely impact on the traffic safety of the adjacent media park road system.
- 3 Level of associated car parking. The proposed new buildings will accommodate 66 off street car parking spaces on the north side of the application site. This provision falls well short of the maximum number suggested for an office development of 25,000ft<sup>2</sup> floor area as specified in NPPG 17.

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

## Design

The proposal addresses the requirements highlighted within the approved Masterplan for the emerging Digital Media Park. The new structure reflects and extends the high profile and quality of design that has already been established in the local area through the Dundee Contemporary Arts building, Sensation and the new Vision building. The new building will establish a concept for this initial phase that should be adapted and utilised through the subsequent phases of the Media Park.

## CONCLUSION

The proposal represents an opportunity to establish a quality building that will provide a design benchmark for future phases of development within the Media Park.

## 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 Development shall not begin until details of a scheme of hard and soft landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - a location of new trees, shrubs, hedges and grassed areas;
  - b schedule of plants to comprise species, plant sizes and proposed numbers/density; and
  - c programme for completion and subsequent maintenance.

For the avoidance of doubt, all hard and soft landscaping works shall be carried out in full accordance with the scheme approved in writing by the authority. In addition, any trees or shrubs, including hedges on the site, which 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.

- 4 That investigations of potential contamination of the site and the required remediation works to render the site fit for the use proposed shall be carried out in full accordance with the guidelines contained within the following Scottish Enterprise Tayside/Fairhurst documents:
  - a Former Dundee Goods Yard Master Reclamation Framework;
  - b Former Dundee Goods Yard Infrastructure and Landscape Reclamation Strategy; and
  - c Former Dundee Goods Yard Commercial Reclamation Strategy.

Before any of the business units are occupied the measures to decontaminate the site 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 proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 4 To ensure that the site is fit for the use proposed.