

**KEY INFORMATION**

**Ward** East Port

**Proposal**

Erection of 5 storey, 93 bedroom hotel with recreational/leisure and retail units on ground floor

**Address**

Land to Southeast of Multi Storey Car Park  
Gellatly Street  
Dundee

**Applicant**

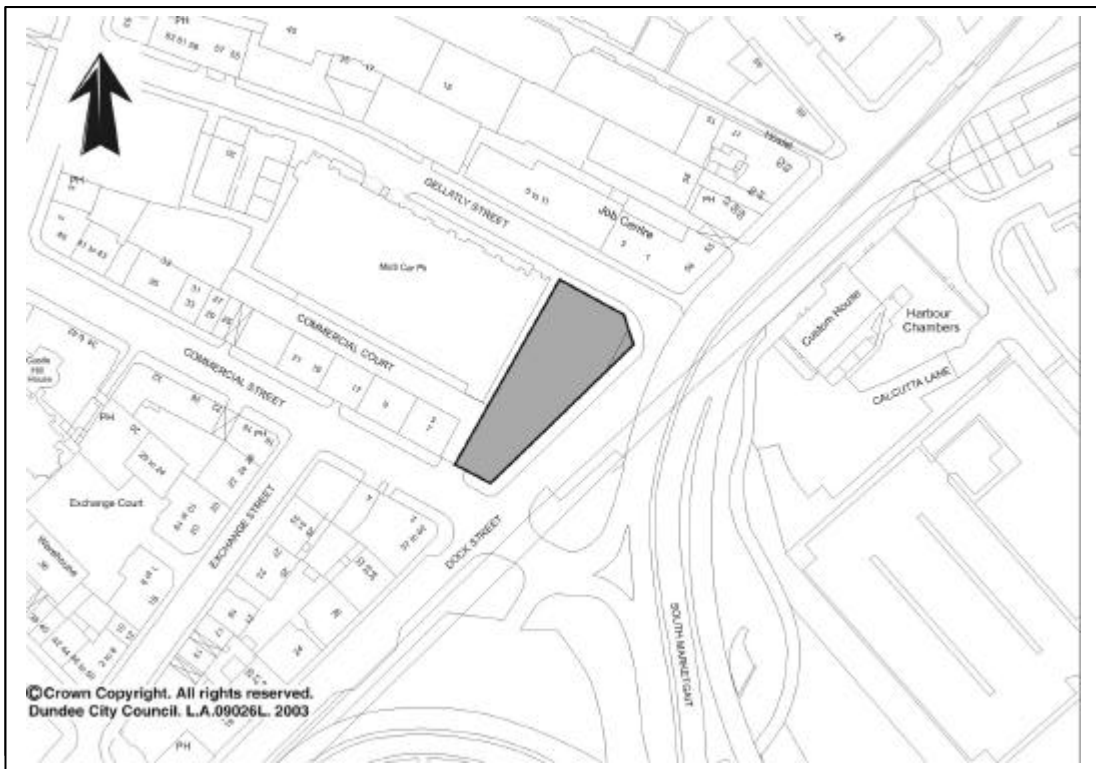
Saltire Leisure Ltd  
Mercantile Chambers  
53 Bothwell Street  
Glasgow G2 6TS

**Agent**

Young and Gault Chartered Architects  
28 Speirs Wharf  
Glasgow G4 9TG

**Registered** 9 May 2006

**Case Officer** C Walker



## Proposed Hotel in Gellatly Street

The erection of a hotel with retail units on the ground floor is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

**RECOMMENDATION**

This is a well designed building in a key conservation area location. The development is in conformity with the Development Plan and the concerns of an objector are not considered sufficient to justify a refusal of the development. The application is therefore recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought to erect a 5 storey hotel building on a site south of the Gellatly Street multi storey car park. The site occupies a prominent location and is in the Central Area Conservation Area.
- The building is of modern design with a feature entrance at the junction of Commercial Street and Dock Street.
- Policies in the adopted Local Plan support the provision of high quality visitor accommodation and conference facilities in and close to the City Centre, where they are consistent with the Central Waterfront Masterplan.
- A letter of objection was received from a neighbour who is concerned about a range of issues including traffic safety and congestion, loss of parking spaces, noise and light pollution and the design of the building.
- This is a well designed building in a key conservation area location. The development is in conformity with the Development Plan and the concerns of an objector are not considered sufficient to justify a refusal of the development.

## DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a 5 storey hotel building on the site with ground floor retail/commercial units, first floor bar/restaurant and meeting rooms and 93 bedrooms on the upper 3 levels.

The building is of modern design with a feature entrance at the junction of Commercial Street and Dock Street. The prominence of this corner is emphasized by the use of copper cladding on the stair tower, to produce a gateway entrance feature to Commercial Street. Extensive glazing is used on the street frontages to Commercial Street and Dock Street to create interest and liveliness. Terracotta cladding and curtain walling systems are utilised on the main elevations of the building.

The building has been designed to fit within both the existing streetscape and the proposed new road network under the Central Waterfront Master Plan when the road configuration will change at this location.

The building occupies most of the site with a service access under the building off Gellatly Street. A first floor access link is proposed to the Gellatly St multi storey car park to cater for visitors to the hotel.

## SITE DESCRIPTION

The site comprises some 0.12 ha of ground enclosed by Gellatly Street, Dock Street and Commercial Street with the Gellatly Street multi storey car park to the north west. It occupies a very prominent location adjacent to the ring road. It is used as a parking area and is enclosed on the Dock Street side by advertisement hoardings. The site lies in the City Centre Conservation Area and nearby buildings including those on both sides of Commercial Street, the north side of Dock Street, the Job Centre on Gellatly Street and the Custom House on the opposite side of the ring road are all listed.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

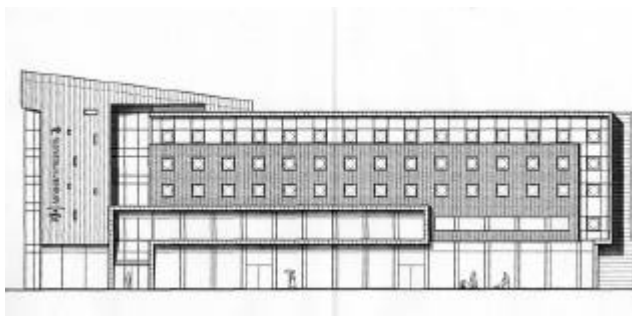
### Dundee Local Plan Review 2005

The following policies are of relevance:

The site is in the Central Waterfront Masterplan Area and Policy 16 states that the Council will support, in principle, development proposals which comply with the Masterplan.

Policy 30: Visitor Accommodation supports the provision of a range of high quality visitor accommodation and conference facilities in and close to the City Centre, where they are consistent with the Central Waterfront Masterplan.

The site is clearly within the city centre but just outwith the defined retailing areas. Policy 37 makes provision for food retailing outwith the defined areas in specified circumstances but remains silent on the issue of non food retailing. Policy 45: Location of New Retail Developments only restricts retail development outwith the city centre and district centres.



The site lies in the City Centre Conservation Area (which has been designated as "outstanding" by Historic Scotland) and Policy 61 requires all development proposals to preserve or enhance the character of the surrounding area. The site is also in an area of archaeological potential and Policy 65 requires development to take this into account.

### Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.

### Non Statutory Statements of Council Policy

In December 2001 the Council approved the Dundee Urban Design

Guide as a material consideration in the determination of future planning applications.

## LOCAL AGENDA 21

The proposed development is considered to be sustainable as it occupies a brownfield site in a central location.

## SITE HISTORY

In August 1998 outline planning permission was granted for a housing development on this site. Subsequently 2 applications for the approval of reserved matters for housing on this site were refused on design grounds (the second having been dismissed on appeal) and the housing consent has now lapsed.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the development was advertised as a "bad neighbour" development (due to its height) and as affecting the conservation area.

3 letters of objection were received, 1 from a neighbour who raises valid planning concerns about traffic safety and congestion (particularly dropping off and picking up of guests), loss of parking spaces, noise and light pollution, the design of the building, flooding, absence of cycle parking and the existing number of vacant retail units in the city centre.

The other 2 letters are of identical format and are from rival travel lodge businesses who are concerned about business competition. This is not a valid planning consideration and cannot be taken into account in the determination of this application.

Copies of these letters are available for inspection in the Members' Lounges and the valid issues are discussed in the "Observations" section below.

## CONSULTATIONS

The Head of Environmental Health and Trading Standards has asked that planning conditions be imposed on noise from ventilation equipment and hours of servicing to protect the amenities of residents on Commercial Street.

Architecture and Design Scotland were consulted on the design of the development but their response was not available at the time of writing this report.

## 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. Policies 16 and 30 of the adopted Dundee Local Plan Review 2005 are supportive of the provision of hotel accommodation at this location provided they are consistent with the Central Waterfront Masterplan.

In this case the proposed development is wholly consistent with the Masterplan. It is a very prominent site which will become even more prominent with the redevelopment of the area to the south of the site. Arrangements for the entrance to the proposed hotel and for access and servicing have taken into account the proposed new road network in the Masterplan and are consistent with the new arrangements.

The site is clearly within the city centre but just outwith the defined retailing areas. Policy 37 makes provision for food retailing outwith the defined areas in specified circumstances but remains silent on the issue of non food retailing. Policy 45: Location of New Retail Developments only restricts retail development outwith the city centre and district centres. In this case, although the ground floor of the proposed building is indicated as recreational/leisure or retail units, it is anticipated that the most likely use of the ground floor of this development will be a restaurant use. Even if retailing was proposed, it is considered that taking into account the scale proposed, its direct proximity to the defined retailing area and its accessibility to parking and public

transport, it is considered that this would be acceptable and that there is not direct conflict with the retailing policies in the Plan.

Policy 61 requires all development proposals to preserve or enhance the character of the conservation area. In this case the character of the conservation area is compromised by the current state of the site which is an open parking area enclosed by advertising hoardings. In contrast the proposed development is a very well designed building which carefully considers its surroundings and its key conservation area location. The impressive treatment of the corner of the building with the creation of a strong entrance feature reflects the prominence of the listed building on the opposite side of Commercial Street. The choice of finishing materials and the respect paid to the existing urban grain by following the street lines all contribute to the quality of the scheme. It is considered that the development represents a significant enhancement of the conservation area at this location.

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:

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, requires planning authorities to pay special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

This matter has already been considered in the assessment of the proposed development under Policy 61 of the adopted Local Plan and it was considered that the proposal would enhance the character and appearance of the Central Area Conservation Area.

### The Views of the Objector

Concerns have been raised by a nearby resident about traffic safety and congestion (particularly dropping off and picking up of guests) and the loss of parking spaces. It is considered that adequate arrangements have been made for the servicing of this building. The service access is at the furthest point possible from existing road junctions and arrangements for dropping off and collecting guests are

on Dock Street and not Commercial Street. In addition a direct link is proposed at first floor level to the multi storey car park for use by guests.

Although surface parking spaces will be lost with the redevelopment of this site, most of these spaces were not available to members of the public and in any event there has been a continuing trend to replace surface parking in the city centre with multi storey car parks, leading to a more economical use of land with no diminution of parking spaces.

Concerns about noise and light pollution appear to relate mainly to cars using the proposed development. It must be accepted that the proposed development is located in the heart of the city adjacent to busy streets and a multi storey car park. Any issues with noise or light pollution will not be significant in this context. However in order to ensure that residential amenity is protected conditions can be imposed restricting noise from plant and machinery and limiting delivery hours.

The issue of the design of the building has already been considered in the assessment of the development against Policy 61 of the Local Plan and it was concluded that the design would result in a significant enhancement of the conservation area.

There is no evidence of flooding problems at this site.

There is no policy requirement for the provision of cycle parking for hotel developments although there is space in the service yard area for limited cycle parking and a condition requiring this provision could be imposed should Members be minded to approve the application,

Finally the concern about the existing number of vacant retail units in the city centre is understood, but it is anticipated that the most likely use of the ground floor of this development will be a restaurant use. The issue of retailing at this location has already been considered in the context of Policy 37 of the Local Plan and has been deemed to be acceptable.

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. It is therefore recommended that planning permission be granted in accordance

the provisions of the development plan.

## Design

The proposed development is a very well designed building which carefully considers its surroundings and its key conservation area location. The impressive treatment of the corner of the building with the creation of a strong entrance feature reflects the prominence of the listed building on the opposite side of Commercial Street. The choice of finishing materials and the respect paid to the existing urban grain by following the street lines all contribute to the quality of the scheme.

## CONCLUSION

This is a well designed building in a key conservation area location. The development is in conformity with the Development Plan and the concerns of an objector are not considered sufficient to justify a refusal of the development.

## 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 Noise from all mechanical and electrical plant shall not exceed NR35, as measured 1 metre from the facade of any residential property.
- 4 Deliveries shall be restricted to between 0700 and 2100 hours from Monday to Saturday and 0800 to 2100 hours on Sunday.
- 5 Details of the provision of secure cycle parking for the development 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.

- 6 Exact details of the finished floor level of the proposed development 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 No development shall take place within the site until a scheme of archaeological investigation (including a timetable) has been submitted to and approved in writing by the Council. This approved scheme shall be fully implemented as approved by the Council.
- 8 Development shall not begin until a scheme to deal with potential 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 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 the development is 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 protect the amenities of nearby residents.

- 4 To protect the amenities of nearby residents.
- 5 In order to make provision for cycling in the interests of sustainable transport.
- 6 To ensure that the proposed development is compatible with the new road levels following the redevelopment of the surrounding road network in accordance with the Central Waterfront Masterplan.
- 7 In order to examine, record, and salvage items related to archaeology and history.
- 8 In order to ensure that the site is fit for the use proposed.