

KEY INFORMATION

Ward North East

Proposal

Construction of new 3 stream primary school

Address

Land northwest of
Summerfield Avenue,
Dundee

Applicant

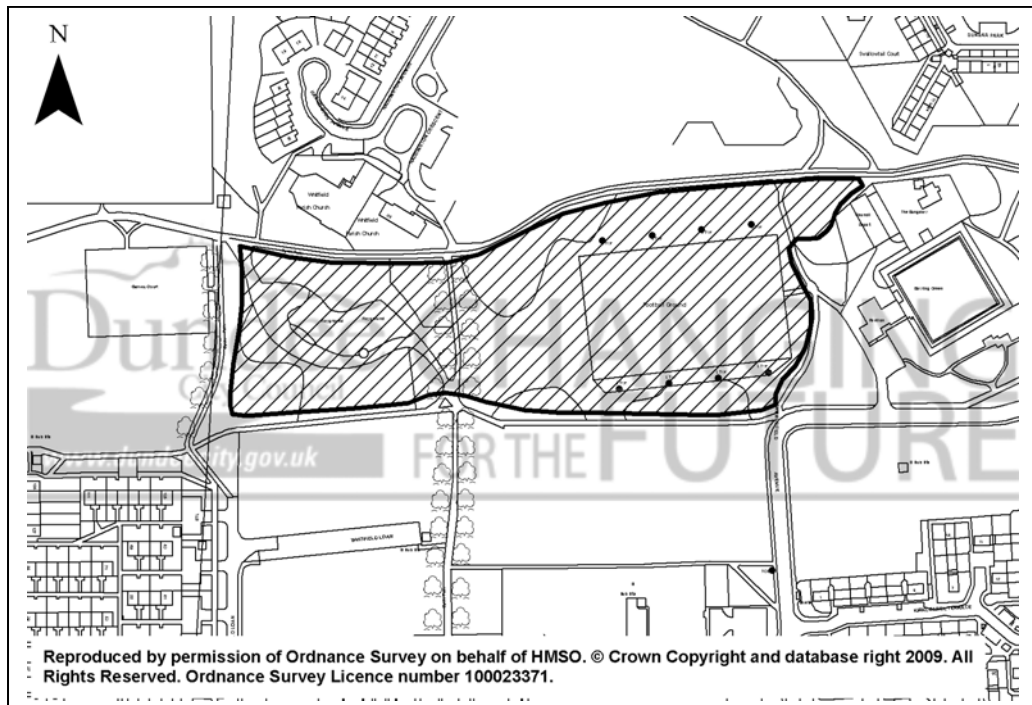
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Registered 14 Dec 2009

Case Officer Paul Macari



New Whitfield Primary School Proposed in Summerfield Avenue

The construction of a new primary school is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The proposals comply with all aspects of the Development Plan apart from Policy 3A (Housing Land Supply) of the adopted Local Plan. However, there are material planning considerations that justify support of the proposals contrary to the requirements of the Development Plan. Accordingly, the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- This application seeks planning permission for the erection of a 3 Stream Primary School on Land Northwest of Summerfield Avenue, Dundee.
- Policy 1 (Vibrant and Sustainable Communities), Policy 3A (Housing Proposals), Policy 55 (Urban Design), Policy 56 (Public Art), Policy 66A (Protection of Playing Fields and Sports Pitches) and Policy 72 (Trees and Urban Woodland) of the Dundee Local Plan Review 2005 are relevant to the outcome of this planning application.
- One letter of objection has been received from a neighbouring resident concerned about the loss of trees, loss of pedestrian access, increase in traffic and loss of trees contributing to global warming, loss of cycle path and pollution from the proposed car parking facilities.
- No adverse comments have been received from Consultees.
- The concerns of the Objector are not supported.
- The proposals comply with all aspects of the Development Plan apart from Policy 3A (Housing Land Supply) of the adopted Local Plan. However, there are material considerations that justify support of the proposals contrary to the requirements of Policy 3A.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the erection of a 3 stream primary school on land to the Northwest of Summerfield Avenue, Dundee.

The proposed school will replace the existing Whitfield Primary School, Newfields Primary School and Whitfield Community Early Years Centre.

The school building will be of a contemporary design with modern finishing materials. The building will have a floor area of 5,460m² and will comprise 21 classrooms, 80 place nursery and early years facilities, dining/ assembly hall, production kitchen, gym hall, administration area and associated office accommodation, a staff room and an Integrated Children's Unit (ICU). It is estimated that the school, nursery and integrated Children's Unit will be attended by approx 700 pupils/ children on a daily basis.

Externally the school will benefit from 3500m² of play ground space, an orchard with an area of 635m², an outdoor playing field with an area of 3150m² which is the equivalent of a 7-a-side football pitch and a staff/ parent car park to the north of the school building with a capacity for 75 car parking spaces. A service yard and car parking area will be located to the west of the school building. The car parking area off the service yard will be used mainly by staff working in the ICU department within the school.

Vehicular access to the primary school will be taken from the proposed spine road which is integral to the regeneration of Whitfield as identified in the Whitfield Planning Framework. Although no planning application has been submitted for the proposed spine road, the design of the road has been finalised with the submission of a formal application imminent. It is proposed to form two access roads from the proposed spine road into the proposed school. One access road will be located to the east of the application site and will provide vehicular access to the staff and parent car parking area to the north of the school building. The other access road will be located midway along the northern boundary of the application site and will provide access to the service yard and car

parking area associated with the ICU department within the school. A loop road around the school building surfaced in grasscrete will link the two access roads to provide access for emergency services vehicles.



Pedestrian access to the site will be taken from existing public footpaths bounding the site and running through the site from the north, south, east and west. New footpaths will be created with DDA compliant gradients to ensure that the school and associated facilities are accessible to all.



The school will be enclosed by a 2.0m high welded mesh security fence. Within the application site 1.2m high steel railings will separate play ground space from the access roads and car parking areas. The grassed playing field will be separated from the school and its playgrounds by a 2.0 high fence to promote independent community use out with school hours.

The proposals will involve the removal of existing areas of tree planting along the northern boundary of the application site. The proposals will also involve extensive replanting and landscaping along the northern, eastern, western and southern boundaries of the application site totalling an area of 4490m².

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2009 stipulates that major planning applications should be accompanied by a Design and Access Statement and

Pre-application consultation Report. The applicant has complied with this requirement and in addition has submitted a transport statement in support of the proposals.

As the area of the application site exceeds 2 hectares and the floor area of the school building is greater than 5000m² the proposals fall within the meaning of a Major Planning Application as defined by Regulation 2(1) of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Accordingly the applicant was required to undertake statutory pre-application consultation with the local community and incorporate the findings into the proposed development. This is evidenced in the Pre-application Consultation Report submitted as part of this application. In accordance with the Mandatory Scheme of Delegation approved by Scottish Ministers, all Major Planning Applications must be reported to the Council's Development Quality Committee.

SITE DESCRIPTION

The application site is located on land to the northwest of Summerfield Avenue between the Whitfield Cycle Path to the north and the public footpath linking Summerfield Avenue and Whitfield Rise to the south.

The site encompasses a blaes sports pitch and a children's play park. The existing boundaries to the site are heavily wooded. The blaes sports pitch is surrounded by 8 floodlights.

The site slopes steeply from north to south. The site is zoned as an area of open space and as brownfield housing site H62 in the Dundee Local Plan Review 2005.

The site is traversed and surrounded by footpaths linking Drumgeith Road, Kirkconnel Terrace and Summerfield Avenue with Whitfield Rise, Haddington Crescent and Dunbar Park.

To the east of the application site is a modified and recently extended 2 storey detached dwelling as well as a bowling green and associated pavilion. To the north and south of the application site there are areas of open

space. To the northwest is Haddington Crescent and a modern church building. To the west the site is bound by the play grounds of the existing Whitfield Primary School.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 2005

The following policies are of relevance:

Policy 1 (Vibrant and Sustainable Communities) of the adopted Local Plan is supportive of proposals that seek to maintain or enhance the level of environmental quality afforded to neighbouring properties by virtue of design, layout, parking and traffic movement issues, noise disturbance and smell.

Policy 3A (Housing proposals) stipulates that sites identified in Appendix 2 and 3 of the Local Plan are reserved for housing and should not be developed for any other uses. This is because the Council are responsible for maintaining a 5 year effective housing land supply at all times which is monitored through the annual housing land audit process.

Policy 55 (Urban Design) is supportive of proposals that seek to create new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. The City Council require the use of Design Statements for planning applications for new buildings on significant sites whereby all developments will, in its design and layout, be expected to contribute to an environment which is safe and accessible to all.

Policy 56 (Public Art) requires all developments with a construction costs of £ 1, 000, 000 to contribute 1% of these costs to the provision of public art.

Policy 66A (Protection of Playing Fields and Sports Pitches) stipulates that all sports pitches and playing fields should be retained unless the Council is satisfied that that they are no longer required for their original purpose and there is a clear long term

excess of pitches, playing fields and public open space in the wider area, having regard to the site's recreational and amenity value plus the needs of future generations.

Policy 72 (Trees and Urban Woodland) is supportive of proposals that seek to retain healthy mature trees and supplement existing areas of woodland with new planting throughout the City.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of national policy or guidance relevant.



Non Statutory Statements of Council Policy

The following policy statements are of relevance:

The Whitfield Planning Framework - The Whitfield Planning Framework outlines the Local Community's and the Council's vision for a regenerated Whitfield. The framework identifies sites suitable for housing, open space, commercial development and infrastructure. The Whitfield Planning Framework also identifies the application site as a site suitable for a new school.

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

There is no planning history of relevance to the outcome of this application.

PUBLIC PARTICIPATION

The applicant has demonstrated through the submitted Pre-application Consultation Report that the requirements of Section 7 Paragraph 2(B) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 have been met. The applicants have consulted with members of the local community, parents and carers of all pupils in attendance at Newfields and Whitfield Primary Schools as well as local community group The Whitfield Development Group. The consultation events took place in a series of public exhibitions held in Whitfield Community Centre and Newfields Primary School between 24

and 26 September 2009. The events were publicised through an advert in the Evening Telegraph on Thursday 17 September with letters sent home to the parents/carers of pupils in attendance at Newfields and Whitfield Primary School. The events were attended by 150 people. No adverse comments or suggestions were received from

participants with the only questions asked relating to the timescale for development.

In addition to the consultation events organised and administered by the applicant, the Council has also followed the statutory neighbour notification procedures stipulated by Regulation 18 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2009.

This application was advertised in the Dundee Evening Telegraph as Development Contravening Policy 3A (Housing Land Supply) and Policy 66A (Protection of Playing Fields and Sports Pitches) of the Dundee Local Plan Review 2005.

One letter of objection has been received from a neighbouring resident concerned about:

- loss of pedestrian access from Summerfield Avenue to the Whitfield Cycle Route;
- loss of cycle route;
- pollution from the proposed car park serving the school;

- loss of trees; and
- loss of trees leading to Global Warming.

Members will already have had access to these letters/correspondence and the points raised are considered in the Observations Section of this Report.

CONSULTATIONS

The Head of Environmental Health and Trading Standards is satisfied that following the submission of detailed noise impact assessments and ground investigation reports that any concerns of noise disturbance or contamination can be addressed by condition should the Committee be mindful to grant planning permission.

Scottish Water has confirmed that they have no objections to the proposed development. However, prior to any work starting on site the applicant will be required to submit a Development Impact Assessment form to allow Scottish Water to assess the impact of the school on the existing infrastructure. This requirement has already been brought to the attention of the applicant.

The Council's Landscape and Design Team has made several suggestions to better the proposals in terms of biodiversity. These concerns can be addressed by conditions should the Committee be minded to grant planning permission.

Sport Scotland and Dundee Access Group have no objections to the proposed development. The Whitfield Development Group was formally consulted but did not respond.

The applicant has submitted copies of emails received from SNH confirming that the proposals would not impact upon the local bat population due to the existing form of the application site. Therefore a bat survey did not require to be carried out.

OBSERVATIONS

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.

It is the aim of Policy 1 (Vibrant and Sustainable Communities) to support development which aims to enhance

the range of services and facilities close to and within housing areas. While the provision of such facilities can be considered positive development only proposals that seek to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell will be supported.

The proposed 3 stream primary school will replace the existing Newfields and Whitfield Primary Schools and Whitfield Community Early Years Centre with a purpose built contemporary school building. Internally the school has been designed to provide pupils with modern learning, dining and welfare facilities as well as a spacious gym hall, dance studio and assembly hall. Externally the proposed school will benefit from a new 7-a-side sports pitch (3,150m²) and 3,500m² of playground space which includes a 635m² orchard.

The school building has been designed to minimise the impact upon the surrounding built form and this is reflected in the low profiled roof design of the 2 storey building. There is a heavy emphasis on replacement and additional planting to reinforce the boundaries of the application site as well as shield the school building and playgrounds and sports pitch from neighbouring houses and areas of open space which have been zoned for housing in the Whitfield Planning Framework.

To the north of the application site the Whitfield Planning Framework has identified the existing area of open space as the site for a new central core comprising of commercial and community welfare facilities such as a library, medical centre and chemist. Given the level difference between the application site and the site of the proposed central core (4m), the layout of the school has been designed to provide safe pedestrian and vehicle access. The main entrance to the school, the topography of the area of ground to the north of the school building and the landscaping plan along the northern boundary have been designed to minimise the impact of the staff and visitor car park on the appearance of the school when viewed from the central core and spine road. The spine road is also proposed by the Whitfield Planning Framework for which the submission of a planning application is imminent.

Vehicular access to the school will be taken from the new spine road to be built to the north of the application site. The main reasons for this are to provide DDA compliant pedestrian footpath access along the vehicular access roads from the north as well as provide safe access to the site. Access to the application site could have been achieved by extending and upgrading the existing access road to Whitfield Bowling Club from Summerfield Avenue. However, this would have significantly increased the flow of traffic on Summerfield Avenue as well as disrupted access to the existing house to the east of the application site and the bowling club. Further, the topography of this stretch of land is significantly steeper than the 1:20 and 1:16 gradient of the access roads into the site from the proposed spine road to the north and would have a detrimental impact upon the level of safety afforded to pedestrians using this route as well as the level of accessibility of the application site from the south.

The layout and design of the proposed access roads and car parking areas will not give rise to issues of traffic congestion. However, to avoid instances of on-street parking in surrounding streets by people visiting or working at the school a condition requiring the submission of transport plan to reduce the dependence on the private car as the sole method of transport will be incorporated into the grant of planning permission should the Committee be minded to approve this application.

The existing pedestrian access routes along the southern boundary of the application site will be maintained and further links to the existing footpath network will be added as part of the school proposals.

The school facilities (dance studio, gym hall and outdoor sports pitch) will be available for community use outwith school hours. Access to these areas will be separated from the main school building through internal doors and externally the play grounds, car park and orchard will be separated from areas available for use by the local community by fencing and gates. During school hours, the purpose of the fencing and gates is to separate children and vehicular traffic as well as to ensure that the children are safe and secure while outside the school building. The fencing is of a scale and

design that is sympathetic to the landscaping and design of the proposed school.

The Head of Environmental Health and Trading Standards has confirmed that no significant issues of noise disturbance should occur. However, to ensure that any instances of noise disturbance are minimal a condition restricting mechanical and electronic plant noise will be incorporated into the grant of planning permission should the Committee be minded to approve this application.

By virtue of design, scale, massing, finishing materials and landscaping the proposed school will not have a significant impact upon the level of environmental quality afforded to neighbouring properties. The proposals are therefore considered to comply with the requirements of Policy 1 of the adopted Local Plan.

Policy 3A(Housing Land Supply) stipulates that the sites identified in Appendix 2 and 3 of the Dundee Local Plan Review 2005 will be safeguarded for housing only. This is because the Council are required to maintain a 5 year effective housing land supply at all times which is monitored through the annual housing land audit process. The application site is located on housing site H62 as identified by Appendix 2 of the adopted Local Plan. As such the proposed development is contrary to the requirements of Policy 3A. However, the Whitfield Planning Framework which is a material planning consideration has identified the application site as being the location for a new school with alternative sites in Whitfield being zoned for housing. Therefore, it is considered that there are material considerations that justify support of the proposals contrary to the requirements of Policy 3A.

Policy 55 (Urban Design) stipulates that all development proposals in their design and layout will be expected to contribute to an environment which is safe and accessible to all.

The Design and Access Statement submitted in support of the planning application advises that the 4 key drivers in developing the design and layout of the proposed school were:

- the long narrow nature of the site running from east to west;

- the steep slopes along the northern and southern boundaries of the site;
- the general topography of the site between the north and south slopes which lie on two plateaux; and
- pedestrian and vehicle access to the site and the school building, including the specific needs of disabled persons.

In exploring the options for locating the new school building on the site, the long and narrow shape of the site and the significant gradients on both its north and south sides dictated that the building would require to be orientated east to west on the site. The building has been designed with the main entrance, pedestrian links and vehicular access facing north to create a relationship with the proposed central core outlined in the Whitfield Planning Framework and to separate public areas of the school from those occupied by the children.

The school building has been located centrally in the eastern sector of the site for a variety of reasons including to utilise the benefits of natural sunlight / daylight, to respect the need for pupil privacy and to separate the car parking area from the main playgrounds. Due to the topography of the application site the building was also positioned as far east as possible to create a flat area of land for the proposed sports pitch to the west of the site and to provide sufficient space to allow for the creation of access roads with DDA compliant gradients.

The main car parking area to the north of the application site has been built into the northern slope with the remainder of the slope landscaped to lessen the impact of the car park on the visual amenity of the main entrance to the school. The main car parking area to the north of the school building has been extended along the frontage of the building to provide disabled parking bays. It is proposed to retain the existing wooded area to the south of the site to provide privacy and to stabilise the steeply sloping southern boundary to the site.

The west most access road, service yard and ICU parking area are located between the sports pitch and the western elevation of the school building. This is mainly to separate HGVs which service the school (refuse

collection/ deliveries of equipment) from the enhanced provision drop off point and teachers arriving at work. Further teachers and social workers working in the integrated children's unit (ICU) are mobile 24 hours a day with the resources available within the ICU required outwith the school day (weekends/holidays).

As there are no buildings of significance in the immediate vicinity of the application site to provide a context for the design of the school, the distinctiveness of the building is derived from the constraints of the application site. The shape and aspect of the site dictated a linear form for the building.

Due to the nature and size of the school population, the building had to be spread over two levels and entirely barrier free. Single storey solutions were investigated but deemed inappropriate due to the constraints of the site. Similarly layouts with both two and three main entrances to the building were examined. However, given the restrictions of the application site, the optimum solution from educational and operational perspectives was a model with two main entrances, one being the main school entrance and the other being designed primarily as a community entrance for use outwith school hours.

As a two storey building the development is considered to be neither over-dominant nor visually intrusive in respect of the surrounding open space. Principally this is because the site will be surrounded by woodland buffers with the low profile design of the school building contributing greatly to its inconspicuous presence.

It is considered that the two storey design of the school building is appropriate in this instance. The building sits comfortably on the site without dominating the setting of the surrounding area. The interchanging projections and roof configuration of the design breaks-up the overall massing of the structure and allows the landscape to flow between the various building elements to further reduce the scale of the development. This is aided by the topography of the site which ensures that only the first floor and roof will be visible from the north with the views of the building from the south obscured by the existing dense woodland buffer.

The Design and Access statement demonstrates clearly that the requirements of PAN 78 (Inclusive Design) and The British Standards Design of Buildings and Approaches to Meet the Needs of Disabled People (BS 8300:2009) have been incorporated into the design and layout of the proposed school. This is reflected in positive comments received from Dundee Access Group regarding the proposals.

In light of the above, the proposal is considered to be consistent with the aims of Policy 55.

In compliance with the requirements of Policy 56 (Public Art) the applicant has specified that a work of public art will be located within the school grounds or building. A local artist will be commissioned for the works with the design being influenced through consultations with the existing primary schools. While the proposals comply with the requirements of Policy 56, a condition securing the provision of public art will be incorporated into the grant of planning permission should the Committee be minded to approve this application.

Policy 66A (Protection of Playing Fields and Sports Pitches) stipulates that all sports pitches and playing fields should be retained unless the Council is satisfied that that they are no longer required for their original purpose and there is a clear long term excess of pitches, playing fields and public open space in the wider area, having regard to the site's recreational and amenity value plus the needs of future generations. Although the proposals involve the redevelopment of the existing blaes sports pitch and children's play park, the Whitfield Planning Framework has identified several existing sports pitches and areas of open space within close proximity (250m) of the application site which are to be retained and which are of greater amenity value than the existing facilities. The existing children's play park is considered to be unsafe and unsuitable for children due to the height of earth mounds surrounding it which makes surveillance from outwith the play park impossible. Similarly the existing blaes sports pitch is surrounded by mature trees and shrubbery which in combination with the topography of the site makes surveillance impossible from outwith the site. Examples of anti-social behaviour, drug abuse and

vandalism have been observed at both the children's play park and blaes sports pitch where the facilities have been destroyed and unauthorised fires have been lit. The main reason for this are considered to be due to location of the site which is remote from surrounding housing developments and the topography which obscures the site from surrounding vantage points and public footpaths. In this respect the existing facilities are largely disused with alternative areas of open space and sports pitches surrounding the application site heavily used due to their greater amenity value.

Criteria (a), (b) and (c) of Policy 66A stipulate that when the redevelopment of a playing field is proposed its removal should be offset by the provision of an alternative playing field or improved playing field in the local vicinity which is convenient for the current pitch users. The proposals indicate that a 7-a-side grass pitch (45m x 75m) is proposed within the school grounds. It is therefore considered that the proposed 7-a-side grass pitch would offer more playing potential than the current blaes pitch with the pitch available for use by the local community outwith school hours. The facilities proposed will also be monitored by CCTV and managed by the school caretaker. The proposals are considered to comply with the provisions of Policy 66A.

Policy 72 (Trees and Urban Woodland) - there exists on site substantial pockets of deciduous trees. In order to create the proposed vehicular access roads, regrade the steeply sloping northern boundary of the application site and erect the school building it is proposed to fell some of these trees. These removals have been agreed with the Council's Forestry Officer with the loss of trees compensated by a detailed landscape plan submitted to accompany the application which includes the planting of specimen trees within certain specific areas of the site including locations along the northern, eastern and southern boundaries. In addition, extensive shrub planting is proposed. The remaining trees on site located on the eastern and southern boundaries of the application site will be protected by temporary fencing in accordance with BS 5837:2005 during any construction works.

It is considered that the proposals are in accordance with the requirements of Policy 72 of the Plan.

It is concluded from the foregoing that the proposal comply with the requirements of Policy 1 (Vibrant and Sustainable Communities), Policy 55 (Urban Design), Policy 56 (Public Art), Policy 66A (Protection of Playing Fields and Sports Pitches) and Policy 72 (Trees and Urban Woodland) of the Dundee Local Plan Review 2005. The proposals are contrary to Policy 3A (Housing Land Supply) as the site is identified in Appendix 2 of the adopted Local Plan as housing site H62. However, there are material planning considerations that justify support of the proposals contrary to the requirements of the Development Plan.

Other Material Considerations

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

A - Whitfield Planning Framework

The proposals are contrary to the requirements of Policy 3A (Housing Land Supply) of the adopted Local Plan as the application site is identified as housing site H62 in the Dundee Local Plan Review 2005. However, the Whitfield Planning Framework has identified the application site as being the preferred location for a new school in Whitfield with the existing schools (Whitfield and Newfield Primary Schools) being identified as prime housing sites. Therefore, the redevelopment of the application site to provide a new primary school will not impact upon the Council's 5 year effective housing land supply. This is because 2 alternative sites with a combined area greater than the application site will replace housing site H62 of the adopted Local Plan. In this instance sufficient weight can be accorded to the Whitfield Planning Framework to justify support of the proposals contrary to the requirements of Policy 3A of the Dundee Local Plan Review 2005.

B - Views of the Objector

One letter of objection has been received from a neighbouring resident. The concerns raised include:

- loss of pedestrian access from Summerfield Avenue to the Whitfield Cycle Route

the Objector has raised concern that the proposed development will remove the existing pedestrian footpath from Summerfield Avenue to the Whitfield Cycle Path to the north of the application site. These concerns are not supported as the proposals do not involve removing any existing footpaths around the perimeter of, or, through the application site. Any alterations proposed will be slight deviations from the existing routes. During the construction phase of development pedestrian access through and around the application site may be disrupted. However, this will be for a temporary period only and once construction is complete any obstructions to access will be removed.

- Loss of cycle route:

the Objector is concerned that the proposals will result in the loss of the existing Whitfield Cycle Route. The proposals will not impact upon the existing cycle paths to the north and south of the application site. These concerns are not supported.

It should be noted that before the school that is the subject of this application can be developed, the new spine road which will link Summerfield Avenue with Whitfield Drive will require to be constructed. The proposed spine road which is an integral part of the Whitfield Planning Framework will replace the existing Whitfield Cycle Route to the north of the application site. However, the proposed spine road will have footpaths that are 3m wide to provide cycle lanes.

- Pollution from the proposed car park serving the school:

the Objector is concerned that traffic and car parking generated by the proposed school will give rise to pollution. The Head of Environmental Health and Trading Standards has not raised any concerns over air quality and in this instance the concerns of the objector are not supported.

- Loss of trees:

the Objector has raised concern over the loss of trees attributed to

the redevelopment of the application site to provide a new school. This concern has been discussed in the Observations section of this report and is not supported. Principally this is because more trees will be planted than will be felled as part of this development.

- Loss of trees leading to Global Warming:

the loss of trees associated with the proposed development of the school will not contribute to global warming. This is because 4,490m² of trees will be planted in comparison to the 4,200m² of trees that will be felled. These concerns are not supported.

C - Mandatory Scheme of Delegation

While it has been concluded that the application is contrary to Policy 3A of the adopted Local Plan, the proposal is supported by the remaining relevant policies in the Plan as well as the Whitfield Planning Framework. It has been demonstrated in the Observations section above that the proposal does not undermine the core land use and environmental strategies of the Development Plan or the viability of Dundee as a regional centre. In this respect the application is not considered to be 'significantly' contrary to the Development Plan and therefore did not require to be the subject of a pre-determination hearing.

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

It is considered that the two storey design of the school building is appropriate to the application site. The building sits comfortably on the site without dominating the setting of the surrounding area. The interchanging projections and roof configuration of the design breaks-up the overall massing of the structure and allows the landscape to flow between the various building elements to further reduce the scale of the development.

CONCLUSION

The proposals comply with all aspects of the Development Plan apart from Policy 3A (Housing Land Supply) of the adopted Local Plan. However, there are material planning considerations that justify support of the proposals contrary to the requirements of the Development Plan. Accordingly it is recommended that planning permission is granted subject to conditions.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
- 2 All noise from mechanical and electronic plant shall not exceed NR35 when measured 1m external to the facade of neighbouring residential properties.
- 3 Development shall not begin until a remediation strategy to deal with contamination at the site has been submitted to and approved in writing by the planning authority in keeping with the submitted Stage I Desk Study and Phase 2 Geo-environmental reports. The strategy shall contain proposals to deal with contamination to include:
 - i the nature, extent and type(s) of contamination on the site;
 - ii measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
 - iii measures to deal with contamination during construction works; and
 - iv verification of the condition of the site on completion of decontamination measures.
- 4 Before the school is brought into use the remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the

remediation strategy have been achieved shall be submitted to the Council for written approval.

- 5 Prior to the commencement of use, a comprehensive Travel Plan, that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the planning authority. The Travel Plan shall identify measures to be implemented, the system of management, monitoring, review and reporting, and the duration of the plan.
- 6 Details of a proposed public art scheme within the application 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 Full details of the proposed tree removal, retention, protection and replacement planting as per BS5837: 2005 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. The trees and shrubs to be retained shall not be cut down, grubbed out topped, lopped, uprooted or root pruned without the written consent of the Council. Any trees or shrubs removed without such consent or dying, or being severely damaged or diseased, shall be replaced with trees and shrubs of such size and species as may be directed by the Council and to the standard as approved by the Council.
- 8 Surface water from the site shall be dealt with using Sustainable Urban Drainage System techniques as advocated in the SUDS Manual (CIRIA 697). Full details of the methods to be employed, including where appropriate calculations, along with details of how these measures will be maintained, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site. Thereafter, all works approved by virtue of this submission shall be carried out in

full. For the avoidance of doubt, all information submitted to the Council should comply with the adoptable standards of Scottish Water and SEPA.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.
- 2 In the interests of preventing issues of noise disturbance from arising.
- 3 In the interests of treating contamination to facilitate the safe and usable redevelopment of the application site.
- 4 In the interests of decontaminating the application site to facilitate the approved development of the school.
- 5 In the interests of reducing dependency on the private car as the sole method of transport to improve road safety.
- 6 To safeguard the provision of public art in accordance with the requirements of Policy 56 of the adopted Local Plan.
- 7 In the interests of safeguarding environmental quality and visual amenity.
- 8 In the interest of providing treatment and attenuation for run-off generated by the proposed development.