

# Erection of Purpose Built Student Accommodation, South Ward Road

## KEY INFORMATION

**Ward** Maryfield

**Address**

Site of Jumpin Jaks, South  
Ward Road, Dundee

**Applicant**

KR Developments Group Ltd

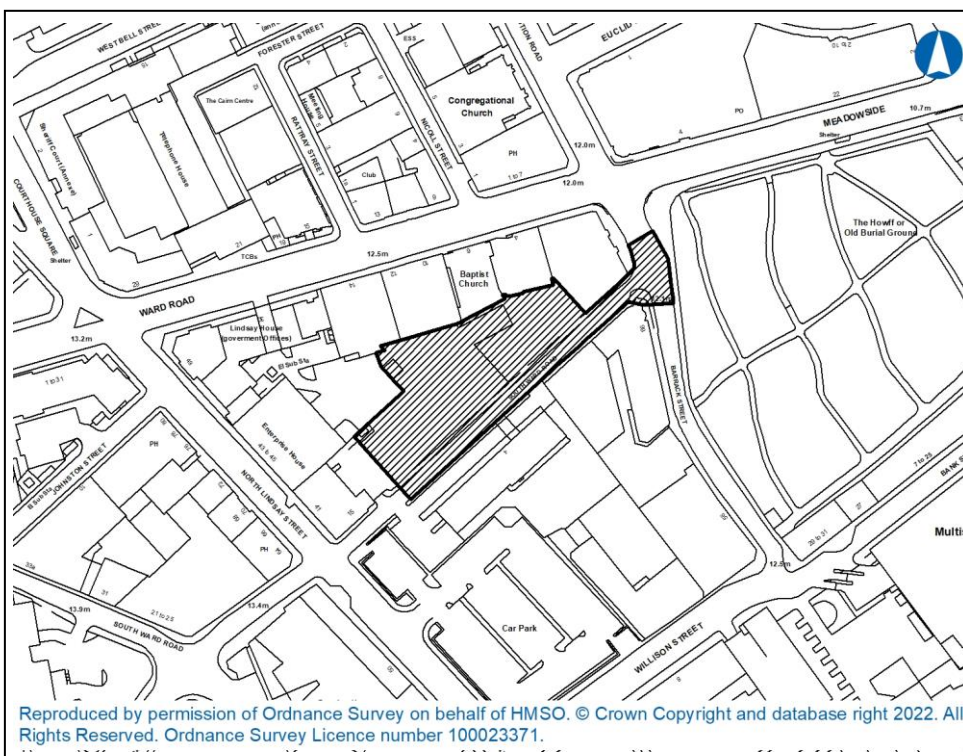
**Agent**

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**Registered** 2 Aug 2022

**Report by Head of Planning  
& Economic Development**

**Contact:** Craig Swankie



## SUMMARY OF REPORT

- Planning permission is sought for the erection of purpose-built student accommodation, comprising 242 bedrooms with associated amenity space, landscaping and access.
- The application accords with the requirements of the Development Plan.
- In total, 5 letters were received objecting to the proposal. The letters of objection raise concerns with overshadowing and physical impact. One letter of support was received.
- Supporting information including a Student Accommodation Demand Assessment, Design and Access Statement and Noise Impact Assessment have been provided with the application.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as it is a Major development as identified in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.
- More details can be found at <https://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=summary&keyVal=RFEUCRGCKX300>

## RECOMMENDATION

The proposal complies with the Development Plan. There are no material considerations of sufficient weight to justify refusal of planning permission. It is therefore recommended that planning permission be **APPROVED** subject to conditions.

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## 1 DESCRIPTION OF PROPOSAL

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- 1.1 Planning permission is sought for the erection of a block of purpose built student accommodation (PBSA) together with associated access, amenity spaces, landscaping and associated infrastructure. The proposal would provide 242 student beds comprising a mix of studio apartments and cluster apartments (4, 5 and 6 bed apartments each sharing a lounge/kitchen/diner). As part of the development, internal amenity spaces are to be provided including a gym, lounge areas, private dining and study areas for residents. To the rear (north) of the proposed building, external amenity space and landscaping is proposed.
- 1.2 The proposed building would occupy the centre and south of a triangular site on South Ward Road. The proposed building, which would be up to seven-storeys in height has been designed to provide an active frontage, with the main entrance and reception towards the south elevation onto South Ward Road. To the front (south) and side (west) elevations, finishes primarily comprise of light buff brick and glazing, with floors five and six finished in bronze metal cladding. To the rear (north) elevation, off white render is proposed, with bronze cladding to floors 5 and 6. The building is linear in form, extending along the south side of the site, with amenity space to the north (rear). The height of the building respects the height of Category B listed Barrack Street Museum to the east of the site, being lower in height at that end of the site, rising towards the centre of the site where the higher element features recessed upper floors. The building maintains the established building line along South Ward Road and integrates well with the established streetscape.
- 1.3 Within the ground floor, a range of related uses are proposed. Towards the front of the building, the main entrance along with amenity spaces including resident's lounge, gym and dining areas are proposed. Within the east of the ground floor bedrooms are proposed along with a cycle store with capacity for 118 cycles. Towards either end of the ground floor service areas including a bin storage area and a substation are proposed. The first to fourth floors contain a mix of single bedroom studios and four-bedroom flatted units. Within the fifth and sixth floor, further student accommodation is proposed within single bedroom studios and clustered rooms within flats. The proposals would provide a total of 242 bedrooms, comprising 196 single studios, 10 four bedroom flats and 1 six bedroom flat. The flatted units include individual bedrooms and a shared living/kitchen area. The studio units contain a living/bedroom area with kitchen facilities, study area and an en-suite bathroom.
- 1.4 Externally, amenity space within the north of the site provides an enclosed, accessible outdoor space for residents of the development. A cycle storage area is proposed within the ground floor of the building, with access onto South Ward Road. The cycle store would accommodate up to 118 bicycles, with a further 10 cycle parking spaces proposed at the main entrance.
- 1.5 The applicant has submitted the following in support of the application:
- Pre-Application Consultation Report;
  - Design and Access Statement;
  - Geo-Environmental Risk Assessment Report,
  - Energy and Sustainability Strategy;
  - District Heating Statement;
  - Transport Statement;
  - Surface Water Management Plan;
  - Student Accommodation Demand and Supply Report;
  - Air Quality Assessment; and
  - Archaeology Written Scheme of Investigation.



Figure 1 – Proposed Images

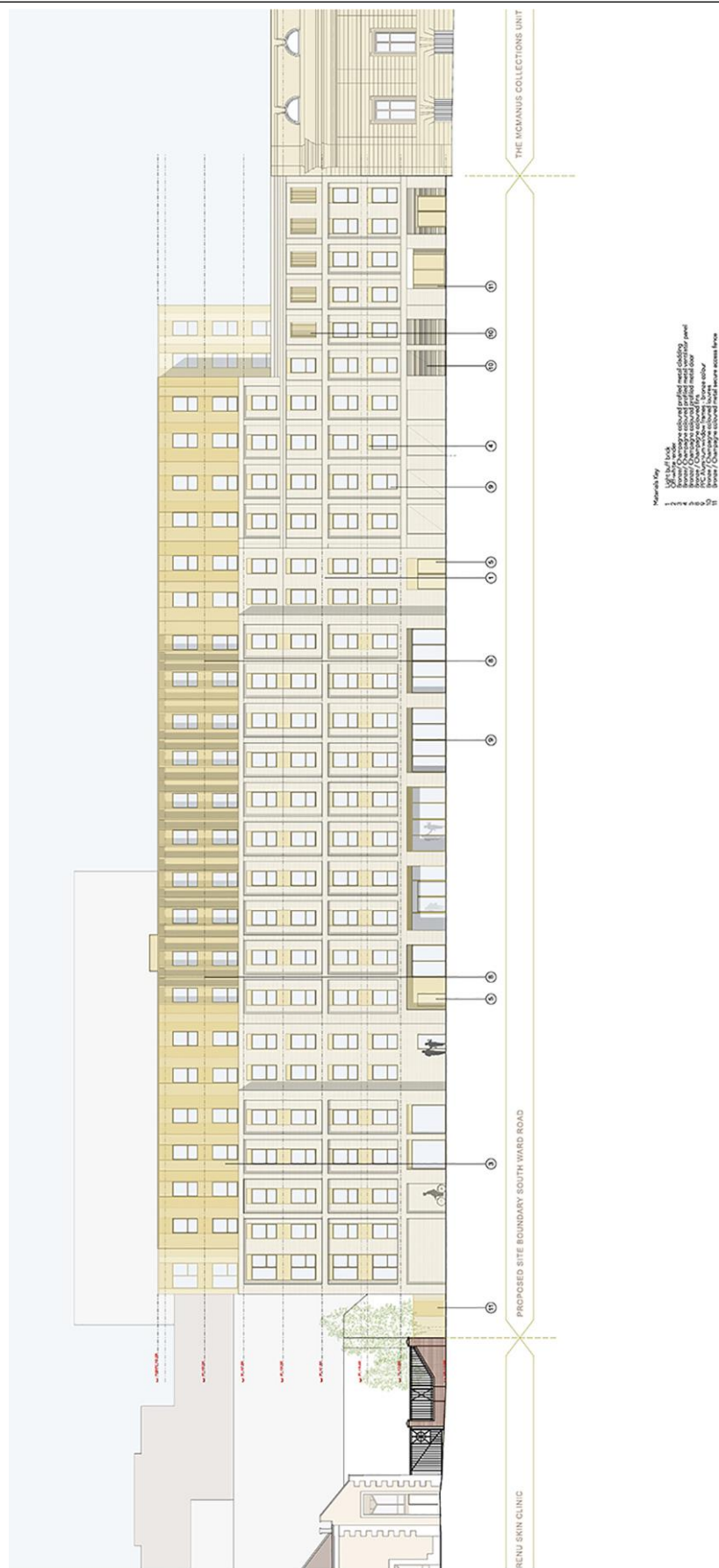


Figure 2 – Proposed Elevations



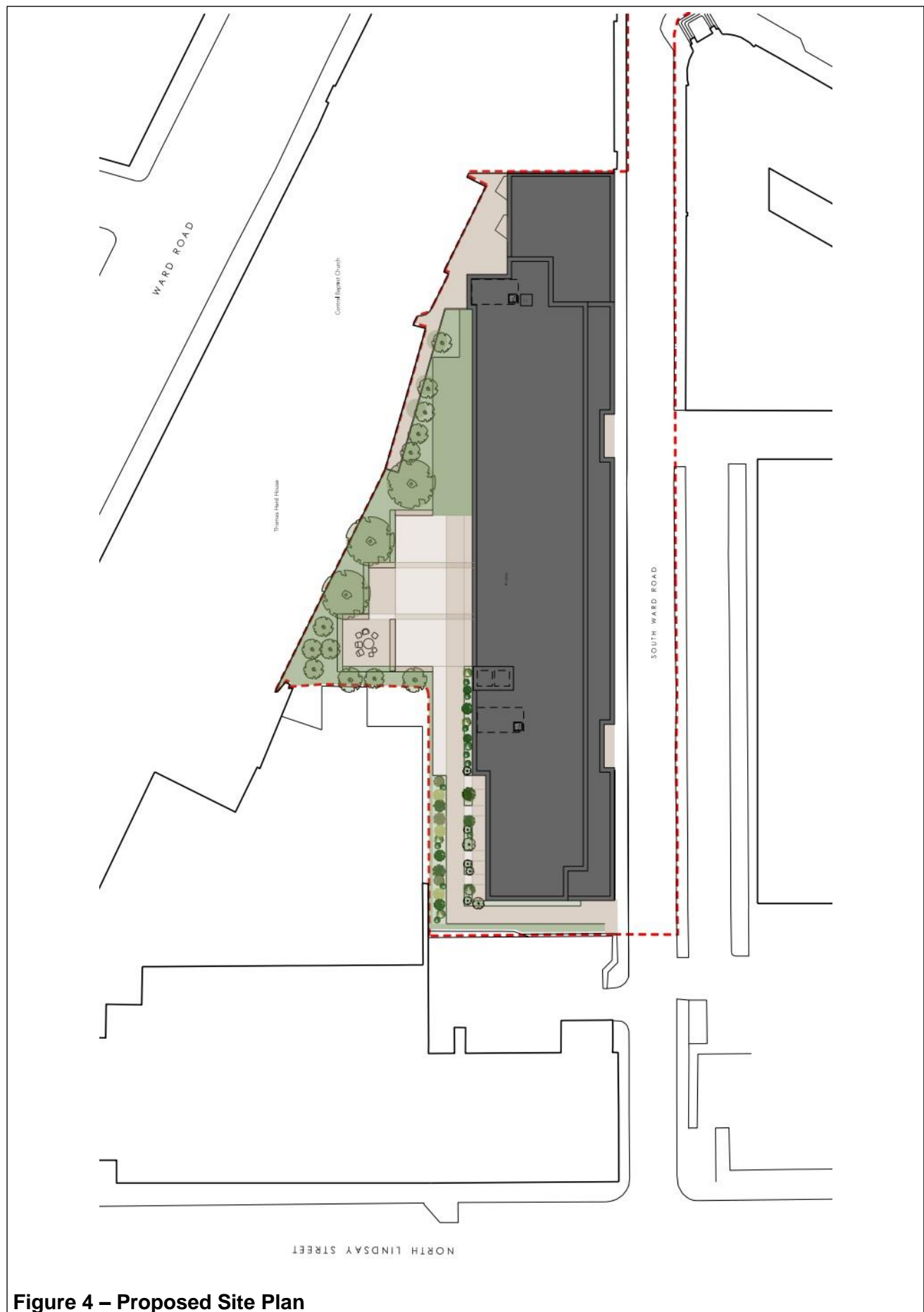


Figure 4 – Proposed Site Plan

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## 2 SITE DESCRIPTION

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- 2.1 The application site is located on the north side of South Ward Road. The site is 0.22 hectares and level in nature, with buildings to the north, east and west boundaries.
- 2.2 The site previously contained a substantial stone built mill building which operated as warehouses and a nightclub for several years before the building was demolished in 2014. The “saw tooth” roof form of that building comprised high roof gables along the north and south of the building. The main walls of the building were equivalent in height to 2-3 modern storeys.
- 2.3 The site was cleared following the demolition in 2014 and it is presently surfaced in gravel and hardstanding and is bounded by a temporary fence and a short section of the warehouse walls. The site can be accessed via the one way South Ward Road, which provides connections to surrounding roads and footways.
- 2.4 The surrounding buildings contain various uses including office, healthcare services and leisure. The site is also close to the city centre shops and services including Overgate Shopping Centre, Dundee House, and High Street/Murraygate. The site is contained within the Central Conservation Area, with a range of heritage buildings within the vicinity including Category B and Category C listed buildings immediately adjacent to the site. The surrounding area contains a range of building types within the city centre, including modern offices and traditional stone-built buildings.



Figure 5 – View of Site from South Ward Road



Figure 6 – View of Site from South Ward Road

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### 3 POLICY BACKGROUND

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- 3.1 The following plans and policies are considered to be of direct relevance:

**TAYPlan 2016-2036**

Policy 1: Location Priorities

Policy 2: Shaping Better Quality Places

**DUNDEE LOCAL DEVELOPMENT PLAN 2019**

Policy 1: High Quality Design and Placemaking

Policy 2: Public Art Contribution

Policy 15: Student Accommodation

Policy 37: Sustainable Drainage Systems

Policy 39: Environmental Protection

Policy 40: Air Quality

Policy 41: Land Contamination

Policy 44: Waste Management Requirements for Development

Policy 46: Delivery of Heat Networks

Policy 48: Low and Zero Carbon Technology in New Development

Policy 49: Listed Buildings

Policy 51: Development in Conservation Areas

Policy 52: Scheduled Monuments and Archaeological Sites

Policy 54: Safe and Sustainable Transport

Policy 56: Parking

- 3.2 The following Statements of Council Policy are relevant to this application:

Central Conservation Area Appraisal – Dundee City Council

- 3.3 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

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### 4 SITE HISTORY

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- 4.1 Planning application 13/00264/FULL for the partial demolition of a former nightclub and retention of 1.8m high section of elevations to enclose site was withdrawn in July 2013.
- 4.2 Planning application 16/00599/FULL for the formation of a car park with associated access and landscaping was withdrawn in August 2016.
- 4.3 Planning application 17/00545/FULL for the formation of a car park with associated access and landscaping was withdrawn in September 2017.
- 4.4 Proposal of application notice 20/00256/PAN for the erection of student accommodation with associated access, parking, landscaping and engineering/infrastructure was submitted in January 2022.

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### 5 PUBLIC PARTICIPATION

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- 5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.

- 5.2 In total 5 letters of objection were received, raising the following material considerations:
- the proposed building is of design and scale which is not in keeping with buildings surrounding the site, and would result in overshadowing of buildings to the north and west;
  - the submitted student accommodation demand assessment is based on estimates, and the introduction of 242 students to the area would increase parking pressures;
  - there are concerns the proposals will result in noise and access issues during construction and operation phases, which would impact on surrounding buildings; and
  - the proposed development would result in overlooking of surrounding premises.
- 5.3 One letter of support was received. The letter of support considers the proposed site is well located for Purpose Built Student Accommodation and the proposed building is of an appropriate scale and design. The incorporation of a blue roof is welcomed too. It is hoped that given the demand for high quality accommodation needed to attract students to our Universities, this and other PBSA applications do get built and so reduce the number of vacant city centre sites to both the economic and environmental benefit of the area.
- 5.4 The valid grounds of representation are taken into account in the material considerations section of this report.

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## 6 CONSULTATIONS

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- 6.1 **Archaeological Consultant** – the application site was occupied by a complex of buildings known as Dundee Saw Mills during the 19<sup>th</sup> century, and is surrounded by a number of listed buildings. It is recommended the undertaking of archaeological work in accordance with a written scheme of investigation be controlled by condition.
- 6.2 **The Head of Community Safety and Protection** - has no objection to the application but has commented on the following matters:
- Air Quality** – an air quality report has been submitted in support of the application. A planning condition is recommended to ensure mitigation measures recommended within the Air Quality Assessment are implemented during construction. As full details of the proposed heating system have not been confirmed, should planning permission be granted, a planning condition is recommended requiring full details of the proposed systems be agreed with the Council.
- Contaminated Land** – a preliminary risk assessment has been submitted and reviewed. Conditions are recommended should planning permission be granted.
- Noise** – the applicant has submitted a noise impact assessment in support of the application. However, the assessment does not fully consider noise from plant equipment and air source heat pumps as specific details are not yet available. Should planning permission be granted, it is recommended a review of the NIA is required by condition to include details of all plant equipment and any required mitigation measures. Further conditions are also recommended in relation to control of noise levels from plant equipment on site.
- 6.3 **Historic Environment Scotland** – has no objection to the proposal.
- 6.4 **Scottish Water** - has no objection to the proposal.

## 7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended 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.**

### THE DEVELOPMENT PLAN

The provisions of the Development Plan relevant to the determination of this application are specified in the Policy Background section above.

#### TAYPLAN 2016 – 2036

- 7.2 **Policy 1: Location Priorities** - states that the principal settlements within the region have the potential to accommodate the majority of development in the region, and that the re-use of previously developed land and buildings should be priorities; Dundee's core area is identified as a Tier 1 principal settlement.
- 7.3 The proposed purpose-built student accommodation would be located within the city centre, in an area which contains a range of commercial and residential uses. The proposal would ensure the re-use of a long standing, vacant brownfield site. The siting of the proposed development would contribute to the range of accommodation with the city centre, in an accessible location within close proximity to University of Dundee and Abertay University.
- 7.4 **The proposal would therefore satisfy Policy 1.**
- 7.5 **Policy 2: Shaping Better Quality Places** - Policy 2 seeks to deliver better quality and distinctive places through the arrangement, layout, design, density and mix of developments in the local design contexts with consideration for development to achieve lifetime communities, are accessible, resilient and resource efficient.
- 7.6 The proposed layout and access route reflects the form of the site and traditional layout of South Ward Road. The proposal would return a vacant brownfield site to use and contribute to the character and vitality of the local area. The proposal includes areas of open space and landscaping and provision of strong and distinct frontage onto South Ward Road. The proposal would facilitate the use of a brownfield site within a Conservation Area in a manner which would retain and enhance the character and layout of the surrounding area.
- 7.7 **The proposal would therefore satisfy Policy 2.**

#### DUNDEE LOCAL DEVELOPMENT PLAN 2019

- 7.8 **Policy 1: High Quality Design and Placemaking** – all development proposals should follow a design-led approach to sustainable, high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned and designed with reference to climate change mitigation and adaptation. The design and siting of development should respect the character and amenity of the place, create a sense of community and identity, enhance connectivity and incorporate creative approaches to urban design, landscaping and green infrastructure, appropriate to the local context and the scale and nature of the development. New development will be required to meet the six qualities of successful place in accordance with the guidance provided in Appendix 1.

- 7.9 With regard to the character and amenity of South Ward Road and surrounding buildings, the scale, massing and design of the proposed development is such that the proposal will integrate into the existing streetscape. The height and form of the proposed building has been carefully considered to respect the category B listed Barrack Street Museum building to the east and utilises lower sections where neighbouring windows and listed buildings are within close proximity. Towards the centre of the proposed building, upper floors are to be recessed to reduce the overall massing of the building whilst providing a high-quality frontage.
- 7.10 The building is of a large scale being up to seven storeys in height, however as discussed earlier in this report the buildings form has been considered to reduce the impact of the development. The building would be of a scale which is appropriate to the city centre, with many large and multi storey buildings within the surrounding area including multi storey offices and student accommodation to the north and west of the site, and Dundee House and Willison House to the south of the site.
- 7.11 The eastern element of the proposed building would match the height of Barrack Street Museum to the east of the site, before rising by 8.2 metres towards the centre of the building. The building is taller than listed buildings to the north and west of the site. This is considered to be an acceptable scale which reflects the general height of buildings within the city centre.
- 7.12 The impact of the proposal on the existing buildings has been considered within the submitted Design and Access Statement and supporting information. The building would result in overshadowing and alter the outlook from buildings around the site. However, at surrounding buildings, overshadowing associated with the proposed development would not be significantly greater than it was when the site was previously occupied by buildings. Similarly, the site has been open in nature in recent years providing an open outlook from buildings to the north. However, buildings which previously occupied the site restricted views from surrounding buildings within this compact city centre location. The proposed development would include landscaping and high-quality finish materials, contributing positively to the character and visual amenity of the site and surrounding area.
- 7.13 The proposal would result in a distinctive development which respects the existing building lines and street pattern. The provision of an external amenity area towards the rear elevation of the building at ground floor level would provide visual interest and useable amenity space for residents. The location of the amenity space would not result in any overlooking of private amenity spaces within the surrounding area.
- 7.14 The provision of high-quality materials within the development which is in a prominent location on South Ward Road is essential to ensure the proposals contribute positively to the local streetscape and maintain the character of neighbouring listed buildings. The applicant has proposed materials including buff brick and metal cladding which are acceptable and would create a development which maintains the character and quality of development in the local area. Given the prominence of the building, proximity to listed buildings and the importance of materials on this particular development, full details and samples of the proposed finish materials, including buff brick, render and cladding will be controlled by condition to ensure finishes are of a high quality and create a development which maintains the character and quality of development in the local area.
- 7.15 The proposed ground floor would contain the main entrance, reception area and access to the upper floors. To ensure an active street frontage is provided, the main entrance will be from South Ward Road, with further spaces including a gym, office and amenity area with glazing to be provided on this front elevation. Towards the rear of the building open space is proposed, and within the east and west servicing areas and plant rooms are proposed in accessible locations.

- 7.16 Safe pedestrian access is provided from the surrounding streets and there is provision of public transport in the surrounding area with bus stops on Meadowside, Court House Square, Nethergate and Hawkhill and across the city centre. Dundee railway station is 600 metres to the south of the site. The proposal would therefore support ease of movement and the use of sustainable transport.
- 7.17 The site which is presently vacant, historically contained a mill building which fronted South Ward Road. The building was demolished in 2014 and the site cleared. The site has been vacant for a number of years and does not contribute to the character or amenity of surrounding buildings or the city centre. The site is in a central location and its redevelopment would contribute to the overall character and appearance of the local area. The proposed building is of a scale and form which reflects the established building line on South Ward Road and the stepped nature of the upper floors and recessed upper level minimise the physical impact of the building on surrounding premises. The proposed student accommodation is of a scale and form which would integrate with surrounding buildings, and maintain the historic form of South Ward Road with buildings fronting directly onto footways. As discussed above, high quality materials are proposed and the building would be of a form and finish which contributes positively to the local streetscape. The proposed building is of a height and form which respects category B listed building Barrack Street Museum. There is separation provided between the rear elevation and listed buildings to the north and west of the site, to ensure there would be significant detrimental impact on the character or setting of neighbouring listed buildings.
- 7.18 Within the site, sustainable drainage provision would be provided by surface water storage cells within the roof of the building, which is then discharged at a controlled rate to existing drainage infrastructure on South Ward Road. The applicant has provided plans and a surface water management plan which demonstrate that an acceptable solution could be provided.
- 7.19 With regard to Appendix 1, this states that the scale, nature and location of the development will determine the extent to which the six qualities are appropriate to the assessment process. Appendix 1 is assessed as follows:

Distinctive - a Design and Access Statement has been submitted which addresses the design, access and development concepts of the proposed student accommodation. The building would be seven storeys in height towards the centre of the site, and five storeys on the east elevation. The building would be finished in a range of modern materials, with materials and colours to reflect buildings within the surrounding area. The variety and form of finish materials will contribute positively to and add interest to the development. It is proposed to provide an enclosed landscaped courtyard within the north of the site which will incorporate hard and soft planting. The proposal responds positively and sensitively to the character of the area and maintains the established density of development in this city centre location.

Safe and Pleasant – the site is bound to the south by South Ward Road, with existing developments to the north, east and west. The proposals would connect to the existing road and path network linking the development to the surrounding area. There are to be areas of open space within the north of the site and there are pedestrian links to the surrounding open spaces including Dudhope Park and Slessor Gardens. The proposed amenity spaces within the site would benefit from natural surveillance due to the location of windows on the proposed development. The proposal will create a vibrant and attractive place.

Easy to Move Around and Beyond – the proposed development would connect to existing footways to the south along South Ward Road, ensuring sensitive integration into the surrounding footpath network. This also ensures the site is well connected to public transport links within the surrounding area, including bus stops on Meadowside, Court House Square, Nethergate and Hawkhill which are all within walking distance. Access for staff, visitors and

servicing vehicles is to be taken from South Ward Road. The proposal considers place and responds positively and sensitively to the needs of people.

Welcoming – the proposal would provide a prominent frontage onto South Ward Road, with main entrance and reception spaces towards the principle elevation ensuring an active frontage. The proposals would utilise existing footpaths around the site providing connections to the surrounding city centre area and university campuses. The proposal positively promotes wayfinding and a sense of orientation.

Adaptable – the proposed development would occupy a long standing vacant site, and result in a positive addition to the mix of development within this part of the city centre which includes a range of multi storey buildings containing offices, retail and commercial uses.

Resource Efficient – an Energy and Sustainability Strategy Report, Planning Statement and District Heating Statement has been submitted. The proposal has been designed to include energy efficient materials which minimise heat loss and there is scope to provide sustainable heating infrastructure.

**7.20 The proposal meets the requirements of Appendix 1.**

7.21 The proposed development of student accommodation provides a facility which would contribute to the range of types and size of development within the city centre. The design and layout of the building has been sensitively considered to ensure the building is of a height and massing which integrates with the scale of surrounding buildings and respects listed buildings within the surrounding area. The proposed building has been designed to provide a visually attractive development with a high-quality finish which will contribute positively to the character and appearance of the surrounding area. The site layout has been sensitively considered to ensure a high-quality frontage is provided onto South Ward Road, and that the character and setting of the local streetscape is protected. The proposal will be well connected and have green infrastructure.

**7.22 The proposal is in accordance with Policy 1.**

7.23 **Policy 2: Public Art Contribution** – all developments in Dundee with construction costs of £1 million or over will be required to allocate at least 1% of construction costs for the inclusion of art projects in a publicly accessible/visible place or places within the development.

7.24 The proposed student accommodation will require to provide public art as part of the development. Details of the public art have not been confirmed as part of this application. Therefore, it is recommended that full details of public art provision, and its completion as part of the development be secured by condition.

**7.25 The proposal is in accordance with Policy 2, subject to a condition.**

7.26 **Policy 15: Student Accommodation** - states student accommodation will only be supported where:

- 1 it can be suitably demonstrated that a demand exists within the particular area for the level and type of student accommodation proposed;
- 2 it is within convenient walking distance of the higher education institution to which a need exists and is well connected to local services and facilities; and

- 3 the design and layout of the proposed development is of a high quality and provides an appropriate level of amenity space, car parking provision, refuse/recycling storage space and secure bike storage facilities.
- 7.27 The supporting text to this policy notes that there have been planning applications submitted for purpose built student accommodation within and around the city centre area in recent years. To ensure that there is not an oversupply of this type of accommodation, proposals will need to demonstrate that there is a need in the area for the accommodation proposed.
- 7.28 The applicant has submitted a Student Demand and Supply Report in support of the application. The report provides analysis of the existing student population and student accommodation within the city. The study considers that the full-time student population within the city has grown in recent years to over 17,195 in 2020/2021. Whilst there has been growth in the city's student population, resulting in increased demand for purpose-built student accommodation, this demand is not being met with no new build development under construction. At present, student accommodation within the city comprises University halls of residence, other private halls of residence, rented accommodation/HMO and at home/living with parent accommodation.
- 7.29 The submitted report considers much of the student accommodation in the city is dated and there is limited supply of studio style accommodation, which is increasingly a preferred choice for students post Covid 19. The applicant notes there is a continuing rise in the number of international students attending the universities in Dundee, and that students from both EU and non-EU countries prefer studio accommodation located close to university campuses.
- 7.30 The submitted report considers, in addition to a lack of new of purpose-built student accommodation, many traditional flats typically rented to students have been taken out of the letting market. This is due to landlords facing increasing legislative pressure and the impacts of Covid-19 with associated historic rental voids. Consequently, it appears a number of landlords of traditional flatted accommodation have taken advantage of rising house prices and have sold their properties to owner occupiers. This results in less rental stock available to full time students in Dundee.
- 7.31 The applicant notes that following a combination of factors as above, University of Dundee have stated they face a shortage of purpose-built student accommodation. A such, there is considered to be a clear need for the delivery, in the short and medium term, of purpose-built student accommodation to rectify the existing issues with under provision facing Dundee. The proposed development would deliver purpose-built student accommodation to address short to medium term supply issues. The site is accessible to both university campuses and benefits from ready access to the wider services and amenities available in the city centre.
- 7.32 The applicant considers the proposals will facilitate the redevelopment of a prominent, long term brownfield site in Dundee City Centre. The applicant has stated that the site, subject to the necessary permissions, is ready for redevelopment. With regard to unmet demand, the submitted report considers there to be 3,463 full time students who require purpose-built accommodation but are unable to access it in the city. If pipeline developments with planning permission but not constructed are excluded from the figures, unmet demand is considered to be 4,514 students.
- 7.33 The applicant's report considers there to be sufficient demand for the proposed 242 bedroom development to provide new build, accessible purpose-built student accommodation within the city. The report highlights that the city's student population is growing, and that this has resulted in a demand being created for student accommodation as proposed.

- 7.34 The submitted assessment provides a detailed analysis of the existing accommodation and growth in the city's student population in recent years. The applicant has demonstrated that there is a demand for purpose-built student accommodation within the city.
- 7.35 The submitted report demonstrates there is an increasing number of students within the city who may require purpose-built student accommodation. The report demonstrates that whilst there is demand within the growing student population, the demand is limited. It is recognised that there is likely to be demand for the development of a limited number of student bedrooms and that new development will increase the choice of student accommodation within the city. In this case, it is considered that allowing this scale of development will not result in an oversupply of the type of accommodation proposed.
- 7.36 To ensure the development does not change into mainstream residential accommodation without full assessment, and to retain control over the use of the proposed purpose-built student accommodation it is recommended that a condition is attached to control the duration of occupancy of the accommodation.
- 7.37 The site is within walking distance of higher education institutes, with University of Abertay Campus 300 metres to the north of the site and University of Dundee Campus 500 metres to the south west of the site. The site is connected to each Campus by existing public footpaths.
- 7.38 As the proposed student accommodation is located within the city centre, residents would have access to a range of shops and services within walking distance of the development. The site is also within walking distance of bus stops on surrounding roads including Ward Road, Hawkhill and Nethergate which provide access to services across the city.
- 7.39 The design of the proposed development is assessed under Policy 1. It is considered the development is of a high-quality design and layout which provide residents with a high standard of residential amenity and access to open spaces, study areas and surrounding services as part of the proposed development. The level of amenity space, cycle parking and refuse/recycling storage space are appropriate for the number of bedrooms proposed.
- 7.40 At this time three planning applications for purpose built student accommodation are under consideration. Application 22/00681/FULM for PBSA at 19-21 South Ward Road to the west of the present application site, and applications 22/00600/FULL at 63 Brown Street and 22/00713/FULL at former Garage, West Marketgait which seek to extend previously approved planning permissions for PBSA for a further 18 months. The applications are not related. The Council has also received Proposal of Application Notices for further purpose built student accommodation developments within the city. Should a number of sites be developed for purpose built student accommodation, there would be concerns that this will result in oversupply and sites sitting vacant for several years until developers can attract funding. To avoid this situation, and to encourage the early implementation of planning permission it is proposed to reduce the normal time limit for implementation of a planning permission from 3 years to 18 months. This allows a reasonable period of time for pre-commencement planning conditions to be agreed and should encourage timely development.
- 7.41 With regard to supply, as considered above the present application has demonstrated there is a demand for the type and scale of purpose built student accommodation proposed. Any further applications will in accordance with Policy 15 require to demonstrate that there is demand for the level and type of accommodation proposed, and will be considered on their own merits.
- 7.42 **The proposal is in accordance with Policy 15.**

- 7.43 **Policy 37: Sustainable Drainage Systems** - surface water discharging to the water environment from new development must be treated by a Sustainable Drainage System (SuDS) except for single houses or where discharge is to coastal waters. SuDS should be designed so that the water level during a 1:200 year rainstorm event plus allowances for climate change and future urban expansion is at least 600mm below finished floor levels. This incorporates an allowance for the effect of climate change. In addition, proposals will be encouraged to adopt an ecological approach to surface water management, ensure an appropriate level of treatment and exploit opportunities for the system to form an integral part of the Dundee Green Network through habitat creation or enhancement through measures such as the formulation of wetlands or ponds. Proposals should have no detrimental impact on the ecological quality of the water environment.
- 7.44 A Surface Water Management Plan and associated supporting information, including proposed drainage plans and calculations, have been submitted. The drainage strategy includes proposals for on-site storage of surface water within the roof of the building, and a rain garden within the proposed amenity space. Water from the proposed “blue roof” and rain garden would then be conveyed from the site through a filter trench and into the existing public network on South Ward Road. The proposal is considered acceptable for this city centre site, and it has been demonstrated that a drainage solution can be achieved. Conditions are recommended to ensure full details of the drainage system are agreed and implemented on site in the interest of flood protection.
- 7.45 **The proposal is in accordance with Policy 37, subject to conditions.**
- 7.46 **Policy 39: Environmental Protection** – all new development or an extension to an existing development that would generate noise, vibration, odour, emissions to air, dust or light pollution will be required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance on the surrounding area. New development or an extension to an existing development in close proximity to existing sources of noise, vibration, odour, emissions to air, dust or light pollution will need to demonstrate that it can achieve a satisfactory level of amenity without impacting on viability of existing businesses or uses.
- 7.47 The site is within the city centre, within close proximity to sources of noise including surrounding commercial premises and road traffic which may impact upon residential amenity.
- 7.48 The applicant has submitted a Noise Impact Assessment (NIA). The Head of Community Safety and Protection has reviewed this and has no objection to the proposal, but has highlighted the submitted NIA does not fully assess potential noise from plant rooms within the building. The form of renewables technology to be included in the development, such as air source heat pumps, has also not been confirmed at this stage and a substation is to be provided on site. To protect the amenity of residents, conditions are recommended in relation to noise associated with mechanical and electrical plant and noise associated with the substation.
- 7.49 It is recommended a review of the NIA is undertaken once all details of plant/heating equipment is confirmed to ensure all noise sources are considered. Thereafter, any required mitigation measures can be identified and implemented within the development. Accordingly, planning conditions are recommended requiring a review of the NIA be undertaken to demonstrate satisfactory noise levels can be achieved.
- 7.50 **The proposal is in accordance with Policy 39, subject to conditions.**
- 7.51 **Policy 40: Air Quality** states there is a general presumption against development proposals that could significantly increase air pollution or introduce people into areas of elevated pollution

concentrations unless mitigation measures are adopted to reduce the impact to levels acceptable to the Council.

- 7.52 The entire City is an Air Quality Management Area (AQMA) for nitrogen dioxide and pollutant particulate matter. An Air Quality Assessment (AQA) has been prepared due to the nature of the development proposed and its location within the city centre.
- 7.53 The submitted AQA states that the proposed development shall not have car parking facilities or use combustion technology for heating. These sources of air pollution have therefore been screened out of the assessment. However, the submitted energy and sustainability strategy report considers there may be a requirement for a heating system with a gas back-up. To ensure any heating system will not impact on air quality, full details of the system shall be required to demonstrate there will be no significant sources of air pollution. The Head of Community Safety and Protection has recommended a planning condition which requires full details of the heating system to be submitted to the Council for prior approval. Subject to a low emissions heating system being provided, the proposed development would have no significant impact on air quality.
- 7.54 Due to the site's proximity to neighbouring buildings and commercial premises, The Head of Community Safety and Protection also recommends a Construction Dust Management Plan as recommended within the applicant's Air Quality Report is implemented during construction to ensure dust from the site has no adverse impact on neighbouring properties. This will be controlled by condition.
- 7.55 **The proposal is in accordance with Policy 40, subject to conditions.**
- 7.56 **Policy 41: Land Contamination** – development of potentially contaminated or statutorily identified contaminated land will be considered where:
- 1 a site investigation is submitted establishing the nature and extent of contamination; and
  - 2 the Council is satisfied that remediation measures proposed for the development, adequately address contamination risks to all receptors, such that the land demonstrably does not meet the statutory definition of contaminated land and is suitable for the planned use.
- 7.57 A Phase 1 Preliminary Risk Assessment has been submitted as part of the application. The Head of Community Safety and Protection has reviewed the report and recommended planning conditions should planning permission be granted. These relate to the completion of the investigation and risk assessment as detailed in the submitted study, and the provision of verification reports to ensure any contamination associated with the sites past industrial uses are addressed prior to any construction works on site.
- 7.58 **The proposal is in accordance with Policy 41, subject to conditions.**
- 7.59 **Policy 44: Waste Management Requirements for Development** - development proposals should demonstrate that they adequately address the Scottish Government's Zero Waste Policy and that sufficient provisions are made to maximise opportunities for waste reduction and waste separation at source and enable the separate collection of recyclable material as outlined in the Waste (Scotland) Regulations 2012. The policy also requires site waste management plans be prepared and used during the construction of major developments.
- 7.60 A bin storage area is provided within the south west of the ground floor, with access onto South Ward Road via an access path to the side of the buildings. Refuse vehicles are able to safely collect waste from the site on South Ward Road. The proposed bin storage area and

associated access demonstrates that this site can accommodate sufficient space for waste separation and the collection of recyclables. It is recommended that the provision of a site waste management plan and its implementation during construction works be controlled by condition.

7.61 **The proposal is in accordance with Policy 44, subject to a condition.**

7.62 **Policy 46: Delivery of Heat Networks** - requires new development to consider the feasibility of meeting their heat demand through heat networks. A statement is required to be submitted with applications that are Major planning applications or are within locations identified within the Scotland's Heat Map or the City's Heat Strategy as close to significant heat supply or a planned heat network. Development layouts should be designed to be capable of connecting to a heat network or heat source and areas for pipe runs within the development should be safeguarded to enable future connectivity.

7.63 The application site is located within a designated energy centre within the city centre. Given the time frame for the development and occupation of the proposed development it is not possible/viable for the development to be linked to any emerging heat network within the city centre. Notwithstanding this, the type of development proposed in a city centre location would be suitable for connection to a heat network in future should such infrastructure be progressed.

7.64 Consideration has been given to potential for the development to connect in to any future offsite heat network should infrastructure be progressed.

7.65 **The proposal is in accordance with Policy 46.**

7.66 **Policy 48: Low and Zero Carbon Technology in New Development** - proposals for all new buildings will be required to demonstrate that a proportion of the carbon emissions reduction standard set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technologies. A statement will be required to be submitted with an application for planning permission to demonstrate compliance with this requirement.

7.67 A Planning Statement, Energy and Sustainability Strategy Report and District Heating Statement has been submitted with the application. The statements outline that the proposal has been designed to include energy efficiency measures to reduce heat loss and energy consumption within the building. The proposed use of plant and renewables such as air source heat pumps is outlined within the submitted information. The applicant considers various technologies and materials which would ensure the development is energy efficient. At this stage full details of the low carbon technologies which will be included within the development are not confirmed, it is not therefore possible for the applicant to provide a detailed Energy Statement and details of specific equipment.

7.68 There is scope for heating and energy production to be provided by sustainable and renewable sources such as solar panels and heat pumps as considered within the Energy and Sustainability Strategy Report. The provision of a detailed energy statement which demonstrates compliance with the required standards can be controlled by condition.

7.69 **Subject to a condition, the proposal would be in accordance with Policy 48.**

7.70 **Policy 49: Listed Buildings** states development proposals in close proximity to or within the curtilage of a listed building should have regard to the preservation or enhancement of the setting of the listed building.

7.71 The proposed development is located immediately to the west elevation of Barrack Street Museum, a Category B listed building.

- 7.72 The proposed building has been designed to minimise any impact on the listed building to the east, with a stepped form to the upper floors and recessed elements to retain features on Barrack Street museum including a rainwater pipe. The proposed building respects the building line of Barrack Street Museum and would have no detrimental impact on the character or fabric of the listed building. There are further listed buildings to the north and west of the site, including the Category B listed Baptist Church on Ward Road and Enterprise House on North Lindsay Street. The height, scale and form of the proposed building has been considered, with a stepped form and recessed upper floors to minimise the impact of the proposal on the setting of surrounding listed building. The proposed building is of a finish and massing which reflects the character of buildings within the surrounding area and wider city centre.
- 7.73 The upper floors of the proposed building would sit between 5.5 metres and 21 metres from Category B and Category C listed buildings to the north and west of the site. The form and scale of the building has been considered to reduce the physical impacts of the development on surrounding listed buildings, and ensure there is no significant impact on the setting of the buildings. Principal views of the listed buildings from North Lindsay Street and Ward Road would not be impacted, and the character and fabric of the buildings would be retained as existing. Historic Environment Scotland has no objection to the proposals. The proposed development is considered to be of an acceptable scale for this city centre location and would be in keeping with the varied height of buildings on Ward Road and North Lindsay Street. The proposed development would have no significant impact on the setting of listed buildings surrounding the site.
- 7.74 **The proposal is in accordance with Policy 49.**
- 7.75 **Policy 51: Development in Conservation Areas** - states within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features that contribute to the character and appearance of the conservation area.
- 7.76 The proposal site is located within the Central Conservation Area. Conservation areas provide opportunities to introduce good quality modern design and bring together old and new to create an attractive evolving urban landscape.
- 7.77 The proposed development is of a high-quality design and would be of a height and massing that is appropriate to this city centre site. The development would ensure the returning to use of a long standing vacant brownfield site, in a manner which contributes to the regeneration of the city centre and attracts footfall. The form and frontage of the building reflects the established building line along South Ward Road, and the building is of a height and finish which ensures it would integrate into the surrounding streetscape.
- 7.78 The proposed building is to be finished in materials including buff brick and bronze cladding to the front elevation and off white render to the rear elevation. The proposed materials would be modern in appearance, whilst reflecting the texture and colour of buildings within the surrounding area.
- 7.79 The proposal reflects the scale and massing of modern and historic buildings in the surrounding area and would contribute positively to the character of South Ward Road and the Central Conservation Areas.
- 7.80 **The proposal is in accordance with Policy 51.**
- 7.81 **Policy 52: Scheduled Monuments and Archaeological Sites b) Archaeological Sites** - states where any proposal could affect a site of known archaeological importance or potential,

the applicant will be required to provide an assessment of the archaeological value of the site and the likely impact of the proposal on the archaeological resource. Such an assessment will require a field evaluation to be carried out to the reasonable satisfaction of the Council, to determine:

- 1 the character and extent of the archaeological remains;
- 2 the likely impact of the proposal on the features of archaeological interest; and
- 3 the ways in which the development proposal can be amended or designed in order to mitigate its impact on the archaeological remains.

Where the development is considered to be acceptable and it is not possible to preserve the archaeological resource in situ, the developer will be required to make arrangements for an archaeological investigation. Planning conditions will be used and agreements sought to secure these arrangements.

7.82 The application site was occupied by a complex of buildings known as Dundee Saw Mills during the 19th century, and is surrounded by a number of listed buildings. Given the site's city centre location and industrial past, there is also the potential for archaeological deposits to exist on site.

7.83 To identify and record any archaeological deposits within the present application site, it is recommended the undertaking of archaeological work in accordance with a written scheme of investigation be controlled by condition.

7.84 **The proposal is in accordance with Policy 52, subject to a condition.**

7.85 **Policy 54: Safe and Sustainable Transport** - all development proposals that generate travel should be designed to be well served by all modes of transport. In particular the sustainable modes of walking, cycling and public transport should be afforded priority and provide for easy access to local amenities, education facilities and other services.

7.86 Development proposals will be required to:

- 1 minimise the need to travel by private car;
- 2 provide facilities on-site (and/or off-site through developer contributions or by direct delivery) for walking, cycling and public transport networks, including road/junction improvements and cycle parking. Developments without high quality, safe and convenient links to adjacent walking and cycling networks will not be supported;
- 3 incorporate measures to permit access to public transport networks within a walking distance of no more than 400 metres from all parts of the development;
- 4 have no detrimental effect on the capacity or safe functioning of the existing road or rail networks;
- 5 ensure that safe and adequate provision is made for road freight and waste access, loading and unloading;
- 6 comply with the National Roads Development Guide and any local variations within Dundee City Council's roads design standards; and

- 7 be supported by a travel plan to mitigate transport impacts and improve the accessibility of developments where the Council considers that the development will generate significant travel.

Walking and cycling routes should be fully useable prior to the first occupation of a new development.

- 7.87 A Transport Statement and supporting statement have been submitted. The findings of the Transport Statement have been reviewed by Dundee City Council Roads Officers and are accepted.

- 7.88 In respect of the above Criteria 1-7:

- 1 The proposal would incorporate and be connected to the existing footpath network on South Ward Road and surrounding streets. Bus stops are located within 200m of the site on Meadowside and at Courthouse Square. Further bus stops on Hawkhill and Nethergate are within 400 metres of the site. Secure cycle storage is proposed within a secure, covered space within the ground floor of the development. The proposal would be located within the city centre in an accessible location. The site is within close proximity to sustainable transport infrastructure and connections to surrounding footpaths which help to reduce the reliance on the private car.
- 2 The proposed development will include connections to existing footpaths which provide safe and convenient connections to the wider footpath network within the city centre. Direct pedestrian access is provided onto South Ward Road and accessible cycle storage areas are to be provided at the main entrance. Residents of the proposed development would have access to bicycle storage areas within the ground floor of the proposed building. Streets in the vicinity of the development are suitable for use by pedestrians: being lit and being pedestrianised or having footways contiguous to the carriageway. There are roads surrounding the site and pedestrianised streets within the city centre which are suitable for cycling. The site is linked by roads and paths to signed cycle routes including the Dundee Green Circular at Riverside Drive.
- 3 The site is well served by public transport, with bus stops on Meadowside, Courthouse Square, Hawkhill and Nethergate within 400 metres of the application site. These stops are served by local bus services to Douglas, St Marys Craigowl and Ninewells, and longer distance services to Perth, Arbroath and Aberdeen. Dundee railway station is 600 metres to the south of site. The station provides access to local and long-distance rail services and is equipped with bicycle lockers, short stay car park and taxi drop-off spaces.
- 4 A Transport Statement has been submitted as part of the application and following review by DCC Roads Engineers the findings of the Assessment have been accepted. At peak times up to 242 trips would be made to the proposed student accommodation. Due to the site's location all of these trips can be made by sustainable transport options including public transport, cycling and on foot. As the proposed development is within walking distance of the two university campuses it is anticipated that none of the peak trips will be made by car. The provision of no onsite parking is consistent with developments in the surrounding area and would not impact upon the parking needs of the local area or existing public parking provision. There are a number of multi storey public car parks in the surrounding area including at Bell Street and Overgate which are within walking distance of the site. Due to the central location of the proposed development, and proximity of shops, services and higher education facilities the proposed development would not generate a significant travel demand. The form and layout of the development ensures the proposal would have no detrimental effect on the capacity or safe functioning of the existing road or rail networks.

- 5 On street parking is prohibited on South Ward Road immediately outside the application site. However, there is sufficient space for the loading and unloading of service vehicles, road freight and waste management vehicles. There is existing on street parking within the surrounding area which is accessible to residents and visitors to the site. Parking provision within the surrounding area is safe and accessible.
- 6 The proposal meets the Council's standards and conditions are recommended to ensure that details are submitted to and agreed by the Council as Planning and as Roads Authority.
- 7 The Transport Statement contains a summary of local public transport provision in support of the proposals, which demonstrate that the proposal would be accessible and would not generate a significant travel requirement. In support of the use of sustainable transport options, it is recommended the provision of a detailed Travel Plan to residents of the proposed development is controlled by condition.

**7.89 The proposal is in accordance with Policy 54, subject to conditions.**

**7.90 Policy 56: Parking** – states for developments within the city centre residential parking is permissible where this is in compliance with the standards indicated in Appendix 4. All new residential developments should include cycle parking facilities in accordance with Dundee City Council's adopted guidance on roads standards and the Appendix 4 design standards. Publicly accessible cycle parking should be provided at new commercial buildings or alternatively may be the subject of developer contributions for the provision of shared facilities in a nearby public location.

**7.91** The proposal does not include provision for resident or visitor parking. As considered under Policy 54, due to the site's city centre location the provision of no onsite parking is acceptable and there is existing parking provision within the surrounding area to facilitate the proposed development.

**7.92** The proposal would include 128 cycle spaces, comprising 118 secure internal cycle parking spaces and a further 10 covered cycle parking spaces within a publicly accessible location. The provision of 128 spaces would meet Dundee City Council's road standards, however full details of the type and form of cycle storage have not been confirmed by the applicant. It is recommended that a condition be attached to any permission granted requiring full details of the secure and covered cycle storage to be provided.

**7.93 The proposal is in accordance with Policy 56, subject to conditions.**

**7.94 It is concluded that the proposal fully accords with the Development Plan.**

#### **STATUTORY DUTY**

**7.95 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.**

**7.96** Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications that affect listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which they possess.

**7.97** Section 64 of the Act requires that the Council have special regard to any buildings or other land in a conservation area and special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.

- 7.98 These matters have been considered in the assessment of the proposed development under policies 49 and 51 of the Dundee Local Development Plan 2019. It was concluded that the proposed development would have no significant impact on the character or setting of listed buildings within the surrounding area, including the Category B listed Barrack Street Museum to the east of the site and 6 Ward Road Baptist Church to the north of the site.
- 7.99 The proposed building is of a design and form which would contribute positively to the historic character of the local streetscape and wider Central Conservation Area through the development of a long standing vacant site and incorporation of materials which reflect the colour and form of materials at surrounding historic buildings. The proposals would therefore result in a development which is to the enhancement of the character and setting of the conservation area.
- 7.100 It is considered that the application discharges the statutory duties as set out above.

## MATERIAL CONSIDERATIONS

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

### A – REPRESENTATIONS

- 7.102 In total 5 letters were received objecting to the proposal. The objections raised the following valid material grounds:
- the proposed building is of design and scale which is not in keeping with buildings surrounding the site, and would result in overshadowing of buildings to the north and west;
  - The submitted student accommodation demand assessment is based on estimates, and the introduction of 242 students to the area would increase parking pressures;
  - There are concerns the proposals will result in noise and access issues during construction and operation phases, which would impact on surrounding buildings; and
  - The proposed development would result in overlooking of surrounding premises.
- 7.103 The grounds of objection are considered and assessed as follows:
- 7.104 **Objection** – the proposed building is of a design and scale which is not in keeping with buildings surrounding the site, and would result in overshadowing of buildings to the north and west.
- 7.105 **Response** – the scale and design of the building is considered under Policy 1. The building is of a greater height than buildings immediately surrounding the site, including listed buildings to the north and west. However, the form of the building has been carefully considered, including recessed upper floors, to minimise the massing of the building and physical impact of the proposal on the surrounding area. Whilst the building is taller than buildings immediately neighbouring the site, there are multi-storey buildings in the surrounding area including offices, student accommodation and hotels. The scale of building proposed is considered appropriate in this city centre location.
- 7.106 With regard to overshadowing, the applicant has submitted an analysis of overshadowing within the Design and Access Statement. The development would result in overshadowing to the west of the site in the early morning period and to the north during the middle of the day. However, the level of overshadowing to the west of the site would not be significantly greater

than exists at present where boundary walls remain, and existing buildings overshadow external areas for much of the day. To the north of the site, development will overshadow the rear elevation of buildings on Ward Road. There are no useable external areas of properties to the north of the site which would be impacted by overshadowing, and whilst some windows would be affected during the middle of the day any impacts would be temporary to that part of the day. Buildings to the north were previously impacted by overshadowing when buildings occupied the site, and the proposed redevelopment would not result in a significant level of additional overshadowing to the detriment of amenity.

- 7.107 **Objection** – the proposed development would result in overlooking of surrounding premises.
- 7.108 **Response** – within the east of the site, windows on the rear elevation of the proposed building would be within 10 metres of windows on buildings to the north. There would be views afforded of the neighbouring premises including the Baptist Church on Ward Road. However, the existing uses are non-residential in nature and only occupied for part of the day. The proposed development would have no significant impact on the amenity or privacy of existing premises or the proposed development.
- 7.109 **Objection** – there are concerns the proposals will result in noise and access issues during construction and operation phases, which would impact on surrounding buildings;
- 7.110 **Response** – the proposed development is residential in nature, and would not introduce any significant noise sources to the site. The submitted noise impact assessment demonstrates acceptable noise levels could be achieved, and planning conditions are recommended to ensure noise mitigation measures if required for plant or heating equipment, are provided. The site layout has been designed to ensure access between fire exits of buildings to the north of the site and South Ward Road is retained through a pend within the east of the proposed building. Noise and access arrangements during construction are not material planning considerations. However, the applicant will be required to ensure appropriate access arrangements are in place for neighbouring dwellings during this period and that noise levels do not impact significantly on the amenity of residents.
- 7.111 **Objection** – the submitted student accommodation demand assessment is based on estimates, and the introduction of 242 students to the area would increase parking pressures.
- 7.112 **Response** – the submitted Student Accommodation Demand Assessment provides sufficient information and justification for the proposed development. The background information and forecasts within the report are considered to reflect the present demand for purpose built accommodation within the city. The demand for student accommodation, and previously approved applications are fully considered under Policy 15. The site is within the city centre, where there are a range of existing car parks within walking distance. The site is in a highly accessible location and will support the use of active travel by students to attend education facilities and other shops and services. The proposal would not result in a significant parking demand, and there is sufficient capacity within the surrounding area to accommodate vehicles associated with the proposed development.
- 7.113 One neutral representation was received.
- 7.114 **Comments** – it is considered that the proposed site is well located for the Purpose Built Student Accommodation and the proposed building is of an appropriate scale and design. The incorporation of a blue roof is welcomed too. It is hoped that given the demand for high quality accommodation needed to attract students to our Universities, this and other PBSA

applications do get built and so reduce the number of vacant city centre sites to both the economic and environmental benefit of the area.

7.115 **Response** – the comments in support of the application are acknowledged. As with previous applications for PBSA, the time in which development can commence is to be controlled by condition to encourage early implementation of development and ensure that demand is met.

7.116 **It is concluded that there are no material considerations of sufficient weight which would justify refusal of planning permission.**

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## 8 CONCLUSION

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8.1 The application for a development of purpose-built student accommodation accords with the Development Plan. It is recommended that planning permission be granted subject to conditions.

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## 9 RECOMMENDATION

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9.1 It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 **Condition** - the development hereby permitted shall be commenced within 18 months of the date of this permission.

**Reason** - to ensure the timeous commencement of development and in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997.

- 2 **Condition** - development shall not begin until the investigation and risk assessment proposed in the submitted Stage I Desk Study are completed and a remediation strategy to deal with contamination risks at the site has been submitted to and approved in writing by the planning authority. 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.

**Reason** – in order to ensure that any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

- 3 **Condition** - before any unit is occupied 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 and approved by the planning authority

**Reason** - in order to ensure that any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

- 4 **Condition** - prior to the commencement of any construction works, details of a scheme of public art to be provided within the development hereby approved shall be submitted to the Council for written approval. Thereafter, the approved scheme of public art shall be installed prior to the completion of the development hereby approved.

**Reason** - in the interests of enhancing the visual amenity and environmental quality of the development

- 5 **Condition** – prior to the commencement of development, a detailed landscaping plan shall be submitted to the Council for written approval. Thereafter, landscaping shall be provided on site as the agreed details prior to first occupation of the development hereby approved. 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.

**Reason** - to ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local streetscape in the interests of the visual amenity of the area.

- 6 **Condition** – prior to the commencement of any construction works, a detailed surface water drainage/SUDS design including drawings, calculations, full modelling, simulation results, design risk assessment, signed Dundee City Council Design Compliance and Independent Check Certification, evidence of compliance with the Simple Index Approach as described in section 26.7.1 of the CIRIA SUDS Manual (C753), and where appropriate SEPA comments shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the first occupation of the development hereby approved.

**Reason** - in the interests of sustainable drainage provision and flood protection.

- 7 **Condition** – prior to the commencement of any construction works, maintenance responsibilities along with a maintenance schedule for the surface water drainage system/SUDS features shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out in perpetuity.

**Reason** - in the interests of flood protection and visual amenity.

- 8 **Condition** – prior to the commencement of any construction works, evidence of Scottish Water approval for the proposed drainage system for the development hereby approved shall be submitted to the Council for written approval.

**Reason** - in the interests of flood protection.

- 9 **Condition** - prior to commencement of any works on site, a review of the Noise Impact Assessment shall be submitted to the Council for written approval. The Noise Impact Assessment shall assess all noise sources associated with the proposed development, including plant and heating equipment, renewable technologies, vehicles and to determine the cumulative noise impact on the existing noise sensitive receptors and proposed residents. Thereafter, full details of any noise mitigation measures recommended in the assessment shall be submitted to the Council for written approval. The approved mitigation measures will be implemented in full prior to first occupation of the development hereby approved.

**Reason** - in the interests of protecting residential amenity.

- 10 **Condition** - the total noise from the mechanical and electrical plant/services shall not exceed NR45, during daytime, and shall not exceed NR35 during night-time, as measured 1 metre external to the facade of adjacent residential property. Furthermore, it shall not exceed NR25 within any adjoining residential property. NR45 is applicable for the period 0700 to 2300 hours and NR35 and NR25 are applicable for 2300 to 0700 hours

**Reason** - in the interests of protecting residential amenity.

- 11 **Condition** – the received noise from the electrical substation(s) shall not exceed NR30 as measured 1 metre external to the facade of adjacent residential property.

**Reason** - in the interests of protecting residential amenity.

- 12 **Condition** - prior to any construction works onsite, full details of the proposed means of providing heating (and/or additional standby/ emergency power) to the building, including details of any flues or extracts or similar related works shall be submitted to and approved in writing by the planning authority. Thereafter, the development shall be finished in strict accordance with the details approved by this condition. An air quality assessment may also be needed depending on the size, location and fuel type of any combustion appliances.

**Reason** – in the interest of air quality and protecting residential amenity.

- 13 **Condition** – the mitigation measures detailed within Pages 16, 17, 18 of the submitted Air Quality Assessment by ITP Energised, Project/Proposal No: 5111, Version: 1.1, dated 2022-07-07 shall be incorporated into a Construction and Environmental Management Plan and thereafter implemented during construction of the development hereby approved.

**Reason** - in the interest of air quality and protecting residential amenity.

- 14 **Condition** – full details of the proposed cycle parking and storage shall be submitted to the Planning Authority for approval. For the avoidance of doubt the cycle parking requires to be covered and secure. Thereafter, the cycle parking shall be installed as the agreed details prior to opening of the development.

**Reason** – in the interest of ensuring that provision is made for sustainable transport measures.

- 15 **Condition** - a Travel Plan must be in place and agreed with the Local Authority within one year of the development opening.

**Reason** – in the interest of ensuring that provision is made for sustainable transport measures.

- 16 **Condition** - prior to the first opening of the development the footway alongside the site on South Ward Road shall be reconstructed to Dundee City Council Standards.

**Reason** - in the interests of vehicle and pedestrian safety.

- 17 **Condition** - any existing accesses that are no longer required as part of the proposed development must be made good as footway to Dundee City Council specifications. Details of these alterations must be agreed prior to any works on site.

**Reason** - in the interests of vehicle and pedestrian safety.

- 18 **Condition** – the development hereby approved shall be used solely for the purposes of providing student accommodation and ancillary facilities associated with their needs, other than from 1 June to 31 August annually when it may be used as short term holiday accommodation, unless otherwise agreed in writing by the planning authority.

**Reason** – to retain control of use of the building.

- 19 **Condition** – prior to the commencement of development, a site waste management plan shall be submitted to and approved by the Council. The waste management plan shall contain details of how site waste will be controlled during construction and operation of the development.

**Reason** – in the interest of sustainable waste management.

- 20 **Condition** - prior to the commencement of work on site, full details and samples of all of the proposed finishing materials of the development hereby approved shall be submitted to the Council for written approval. For the avoidance of doubt, these shall include bricks, cladding, render, windows and doors. Thereafter, the development shall be finished in strict accordance with the details approved by this condition.

**Reason** - in the interests of visual amenity and to ensure the character and setting of surrounding listed buildings is maintained.

- 21 **Condition** - prior to the commencement of any works on site, the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation which has been submitted by the developer and approved in writing by this Planning Authority.

**Reason** - in order to safeguard the archaeological heritage of the site and to ensure that the developer provides for the investigation, recording and rescue excavation of any remains on the site in advance of their loss to development.

- 22 **Condition** - a Sustainability Statement demonstrating the extent to which the new build elements of the development will meet the requirements of Policy 48 of the Dundee Local Development Plan shall be submitted for the approval of the planning authority and the works shall be completed in accordance with the approved Statement.

**Reason** - in the interests of reducing carbon emissions associated with the proposed development.