

# Erection of Purpose Built Student Accommodation on vacant site on Barrack Street

## KEY INFORMATION

**Ward** Maryfield

**Address**

56 Barrack Street

**Applicant**

KR Developments Group Ltd

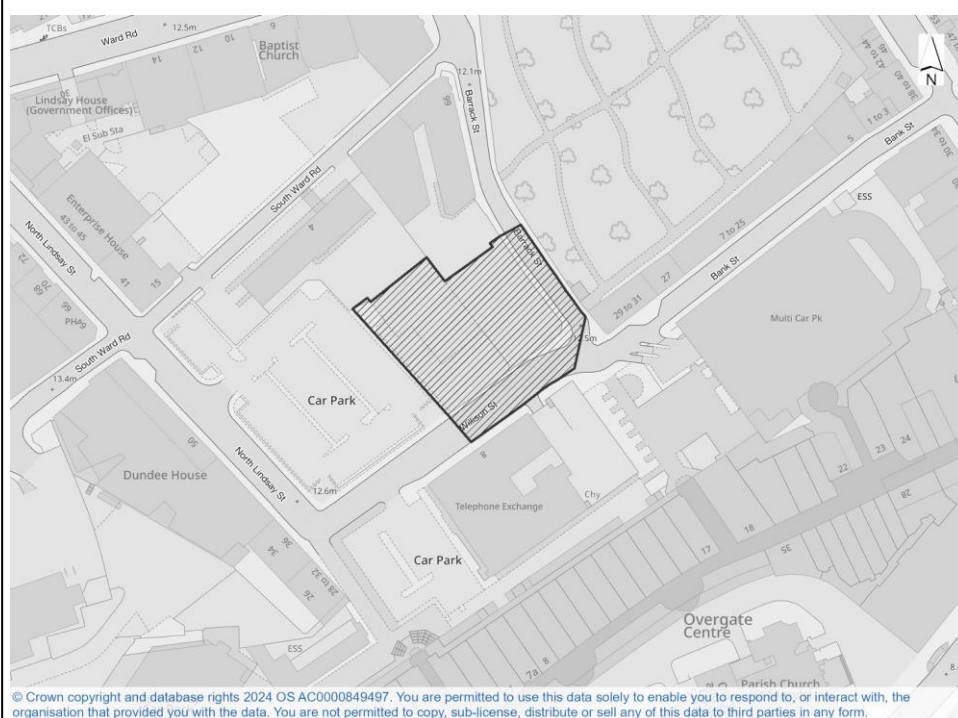
**Agent**

Alex Mitchell - Zander Planning Ltd

**Validated:** 21 June 2024

**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 367 bed spaces within a mix of studio apartments and cluster rooms.
- The application complies with the requirements of the Development Plan.
- One letter was received objecting to the proposal on the grounds that the occupiers would generate too much noise and litter. One letter of support was received which also suggested that there should be additional communal spaces on each floor.
- City Centre and Harbour Community Council object to the scheme due to it being of an inappropriate design in a conservation area with a negative impact on the setting of the Howff.
- The application is supported by a Planning Statement, Design and Access Statement, Noise Impact Assessment and an Energy & Sustainability Strategy.
- 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 in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.
- More details can be found at [24/00415/FULM | Erection of Purpose Built Student Accommodation \(PBSA\) together with associated access, landscaping and engineering/infrastructure works | Willison House 56 Barrack Street Dundee DD1 1PH](#)

## 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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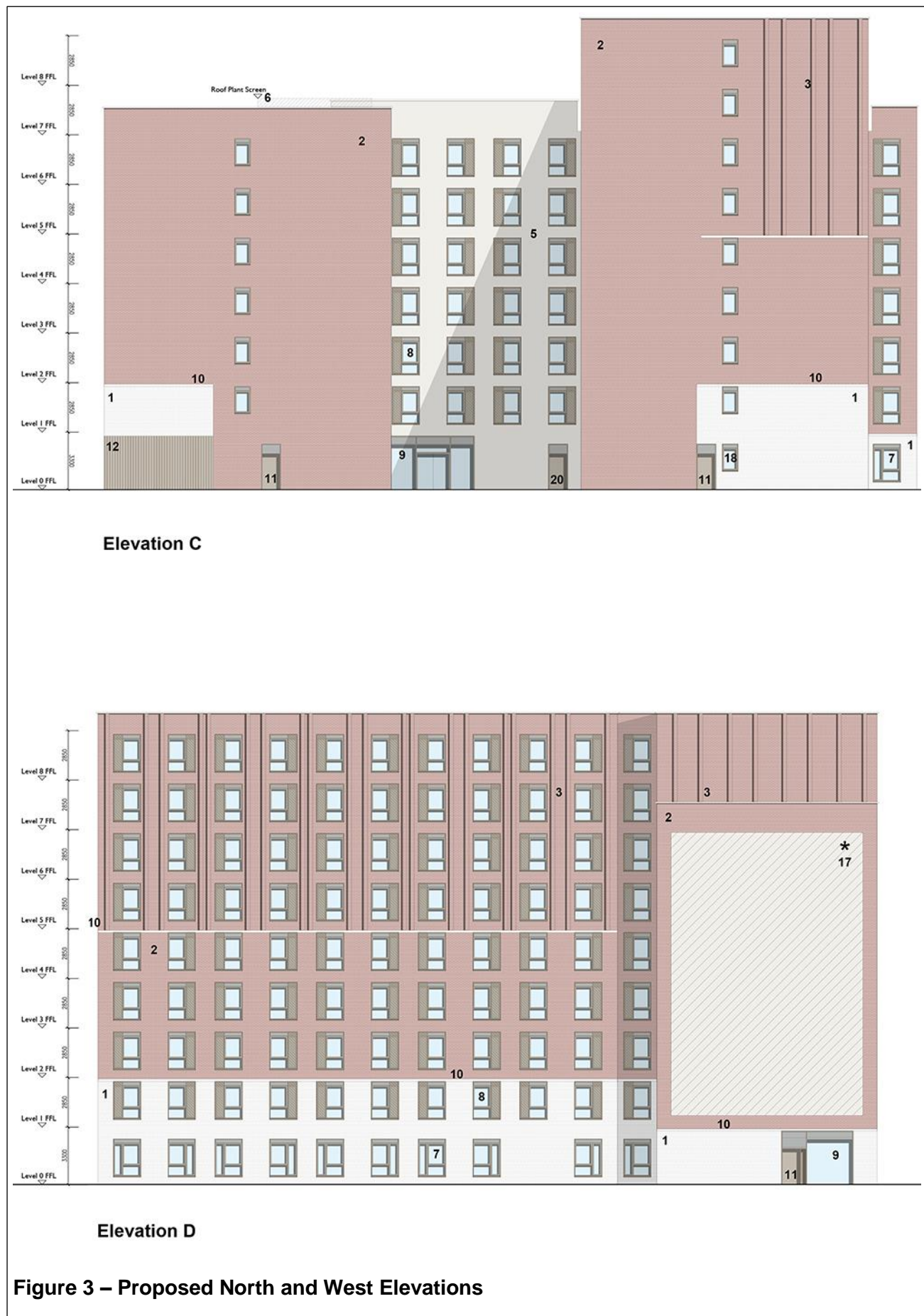
- 1.1 Planning permission is sought for the erection of a block of purpose built student accommodation (PBSA) together with associated access, amenity spaces and associated infrastructure. The proposal would provide 367 student beds comprising a mix of studio apartments and cluster apartments (3, 4 and 5 bed apartments each sharing a lounge/kitchen/diner). As part of the development, internal amenity spaces will be provided including a gym and lounge areas for residents. External amenity space is provided to the rear (north) of the building.
- 1.2 The proposed building, which would be up to nine-storeys in height has been designed to provide an active frontage, with the main entrance and reception on the south east elevation onto Willison Street. Front elevation finishes comprise lighter buff brick at ground and first floor levels with darker red brick to upper floors. Part of the principal elevation is to include feature brick detail from the first to sixth floor level. To the rear (north) elevation a mixture of brick and render is proposed. Sections of the external wall are to be finished in brick as the front elevation, with feature brick at floors five and above. Further sections are to be finished in white render. The form of the building reflects the shape of the application site, with frontages which extend along Willison Street and Barrack Street. The rear elevation and external amenity space have been formed to integrate with the layout of the site and provide enclosed amenity space. The height of the building has been considered in respect of the height of Category B listed buildings to the north and east of the site, and includes stepped upper levels. The building maintains the established building line along Willison Street/Barrack Street and integrates with the established streetscape.
- 1.3 Within the ground floor, a range of uses are proposed. Towards the front of the building, the main entrance along with resident amenity spaces including a gym and multi-use space are proposed. Towards the east of the ground floor cycle storage, refuse storage and plant areas are proposed. The cycle store will have the capacity for 119 cycles. Within the north west of the ground floor studio and accessible studio rooms are proposed, and towards the centre and north of the site external amenity space is to be provided. The upper floors contain a mix of single bedroom studios and cluster rooms with three, four and five bedrooms. The single bedroom studios include bedroom, bathroom and cooking facilities. The clustered rooms include en-suite bedrooms with study space and a communal kitchen and dining area. The proposals would provide a total of 367 bedrooms, comprising 247 single studios, 18 accessible studios and 102 cluster rooms.
- 1.4 The external amenity space within the north of the site provides an enclosed, accessible outdoor space of 290 sqm for residents of the development, with a further 240 sqm of landscaping within the west of the site. The cycle storage area is proposed to the east of the building, with access onto Barrack Street, and 10 publicly accessible cycle stands are proposed on Barrack Street at the entrance to the development.
- 1.5 The applicant has submitted the following in support of the application:
- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Pre-Application Consultation Report;</li><li>• Planning Statement;</li><li>• Air Quality Assessment;</li><li>• Archaeological Written Scheme of Investigation;</li><li>• Design and Access Statement;</li><li>• District Heating Statement;</li></ul> | <ul style="list-style-type: none"><li>• Energy and Sustainability Strategy Report;</li><li>• Flood Risk Assessment;</li><li>• Surface Water Management Plan;</li><li>• Stage 1 Ground Contamination Report;</li><li>• Transport Statement; and</li><li>• Noise Impact Assessment.</li></ul> |
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Figure 1 – Proposed Development Viewed From Willison Street











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**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 Willison Street, at the junction with Barrack Street. The site is level in nature and presently vacant following the demolition of Willison House. There are buildings to the north and east of the site and a car park to the west. To the south is a telephone exchange and the Overgate Shopping Centre.
- 2.2 The site formerly contained Willison House, a home furniture showroom, which following a fire in November 2022 was demolished in the interest of public safety. The site has since been cleared and a palisade perimeter fence erected. A short section of masonry wall is all that remains of the building. The site can be accessed via Barrack Street and Willison Street.
- 2.3 The surrounding buildings contain various uses including office, commercial and residential premises. The site is close to city centre shops and services including Overgate Shopping Centre, Dundee House, and businesses on Reform Street. The site is located within the Central Conservation Area, with a range of heritage buildings in the vicinity including the category A listed Howff and category B listed buildings adjacent to the site. The surrounding area contains a range of building types including modern offices and traditional stone-built buildings ranging in height from two to eight storeys.



**Figure 5 – View of Site From Willison Street Towards Dundee House**



**Figure 6 – View of Site from Willison Street Towards Barrack Street**



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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:

**NATIONAL PLANNING FRAMEWORK 4**

Policy 1: Tackling the Climate and Nature Crises

Policy 2: Climate Change and Adaptation

Policy 3a: Biodiversity

Policy 7c, d, o: Historical Assets and Places

Policy 9a, c: Brownfield, Vacant and Derelict Land and Empty Buildings

Policy 12a: Zero Waste

Policy 13b, e: Sustainable Transport

Policy 14a, b: Design, Quality and Place

Policy 15a: Local Living and 20-minute Neighbourhoods

Policy 16c: Quality Homes

Policy 19b: Heating and Cooling

Policy 22a, c: Flood Risk and Water Management

Policy 23d, e: Health and safety

Policy 27: a, c: City, town, local and commercial centres

**DUNDEE LOCAL DEVELOPMENT PLAN 2019**

Policy 1: High Quality Design and Placemaking

Policy 2: Public Art Contribution

Policy 15: Student Accommodation

Policy 21: Town Centres First Principle

Policy 36: Flood Risk Management

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

Air Quality and Land Use Planning Supplementary Guidance

Low and Zero Carbon Technology in New Development Supplementary Guidance

- 3.2 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 Listed building consent application 17/00736/LBC for the demolition of a vacant building/structures with façade retention for incorporation into a new build development was approved in March 2018.
- 4.2 Planning application 17/00735/FULM for the erection of two hotels and a restaurant was approved in March 2018.

- 4.3 Proposal of application notice 22/00110/PAN for the erection of student accommodation and demolition of a listed building was submitted in February 2022.
- 4.4 The Council adopted an EIA Screening Opinion 22/00002/EIASCR on 11 March 2022 – EIA is not required.
- 4.5 Proposal of application notice 23/00227/PAN for the erection of student accommodation with associated access, landscaping and engineer works was submitted in April 2023.

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## 5 PUBLIC PARTICIPATION

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- 5.1 A Pre-application Community Consultation Report has been submitted with this major planning application. This sets out what has been done during the pre-application phase to comply with the statutory requirements for pre-application consultation with the public. Namely the applicant hosted two drop in events at Overgate Shopping Centre and created a website and e-mail address where feedback could be provided.
- 5.2 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.
- 5.3 One letter was received objecting to the development on the grounds that the introduction of a significant number of students into this area will cause additional noise and litter. Whilst some additional residents could be acceptable, the number proposed would have a detrimental impact on Barack Street/ Willison Street, particularly at night.
- 5.4 One letter was received in support of the application. This supports the proposed student accommodation, and highlights that the development could be of a high quality, both with regard to the standard of accommodation and in meeting heating and insulation standards. It is noted that further to the proposed ground floor student amenities, further amenity provisions could be made on each floor of the building.
- 5.5 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** – has reviewed the submitted Written Scheme of Investigation and concludes it is likely the site will contain archaeological deposits. Planning conditions are recommended requiring further investigations through the implementation of a progress of archaeological works.
- 6.2 **City Centre and Harbour Community Council** – objects to the planning application, raising concerns the proposed building is of a scale which would impact on the historic character and setting of The Howff and wider Conservation Area.
- 6.3 **Historic Environment Scotland** – has no objection and no comments to make on the application.
- 6.4 **The Head of Communities, Safety and Protection** - has no objection to the application but has commented on the following matters:

**Air Quality** – no objection.

**Contaminated Land** – a preliminary site investigation has been submitted and reviewed. The recommendations of the report that further investigations be undertaken are accepted and agreed. Planning conditions are recommended should planning permission be granted.

**Noise** – the applicant has submitted a noise impact assessment in support of the application. Should planning permission be granted, planning conditions are recommended requiring the mitigation measures identified in the NIA be implemented for road traffic noise. Further conditions are also recommended in relation to maximum noise levels associated with mechanical and electrical plant/services, air source heat pumps and an electrical substation.

6.5 **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 National Planning Framework 4 relevant to the determination of this application are specified in the Policy Background section above.

#### Principle of Development

- 7.2 **NPF4 Policy 9a: Brownfield, Vacant and Derelict Land and Empty Buildings** - states development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.
- 7.3 The proposal seeks to erect a multi-storey development of purpose-built student accommodation within a vacant brownfield site. The proposal would support the long-term use and occupation of a city centre site with a use which generates footfall and provides residential accommodation within a highly accessible location. The provision of a modern building of high-quality design would contribute positively to the character of Barrack Street/Willison Street and the wider area. The existing site is surfaced in loose stone and does not provide any positive contributions to biodiversity. The proposed development provides an opportunity to incorporate measures to support wildlife, such as bird or bat boxes. Overall, the proposed student accommodation would be in a highly accessible, brownfield site supporting the re-use of vacant land and contributing to the vitality and vibrancy of the city centre.
- 7.4 **The proposal is in accordance with Policy 9a.**
- 7.5 **NPF4 Policy 16 c: Quality Homes** - states development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include homes for people undertaking further and higher education.
- 7.6 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. The proposed development would support the provision of a range and type of student accommodation within the city centre.

- 7.7 The applicant considers that there is demand for the proposed 367 bedroom development of student accommodation, and the proposals will complement and improve the existing offer.
- 7.8 The proposed development would result in the return to use of a site which is presently vacant and does not contribute to the character or appearance of the local streetscape or Central Conservation Area. The proposal would integrate with the character and appearance of modern multi-storey development within this part of the city, whilst ensuring students are provided with appropriate high-quality amenities and facilities including kitchens, lounges and a gym.
- 7.9 In relation to gaps in provision, the proposed development with 367 bedrooms is of scale which would contribute to the level and availability of student accommodation within the city. The development is located within a highly accessible location in the city centre and within proximity to higher education institutions. The proposals would contribute positively to the type and range of student accommodation within the city, and ensure the existing supply is enhanced.
- 7.10 **The proposal is in accordance with NPF4 Policy 16.**
- 7.11 **LDP 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.

Following the development of new and replacement purpose built student accommodation over the past ten years, it is considered unlikely that there will be a need over the short to medium term for any significant additions to the existing supply. 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.

- 7.12 The applicant has submitted a Planning Statement which includes an analysis of the existing student population and student accommodation within the city.
- 7.13 The report highlights that the student population has grown in recent years and that studies of student accommodation within the City suggest there to be potential unmet demand for accommodation of up to 9,544 full-time students. The report considers, that even with developments which are currently under construction and pipeline projects progressing, there will remain unmet demand within the city. Through analysis of supply in relation to the growing student population, the report demonstrated there to be sufficient demand for the proposed 367 bedroom development.
- 7.14 Twelve planning applications for purpose-built student accommodation have been approved since April 2020 creating a live pipeline of 2,247 beds. Of the approved new build developments, two are now complete (Greenmarket reference 22/00205/FULL and 56 Brown

Street reference 21/00478/FULL. Development is progressing on two further developments at 63 Brown Street (20/00729/FULM) and Douglas Street (23/00519/FULL). These developments combined will provide 661 bedrooms. There are no other developments with planning permission where construction has commenced. There is one live planning application for student accommodation at this time, reference 24/00712/S42 to extend the time in which development can commence for previously approved planning application 23/00311/FULM.

- 7.15 The applicant's report considers there to be sufficient demand for the proposed 367 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. The proposed development would increase the number of pipeline beds to 2,614. Even if all pipeline developments were constructed, the number of bed spaces would be below the potential demand identified in the submitted report, and figures identified in similar reports submitted with PBSA planning applications in recent years. The proposed 367 bed development would therefore not result in any oversupply of PBSA within the city. 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.
- 7.16 Should planning permission be granted for purpose-built student accommodation on this site, and at other sites, there is potential for these competing developments to stall for several years until developers can attract funding. This could lead to long term vacant sites such as this site continuing to remain vacant and undeveloped. To avoid this situation, and to encourage the early implementation of planning permission on a long term vacant site, it is proposed to reduce the normal time limit for implementation of 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. This approach was taken when planning permission was granted for other PBSA schemes within the city in recent years and although several of these have extended the time period there is evidence that the approach has encouraged developers to work to clear planning conditions and implement consents.
- 7.17 The site is within walking distance of higher education institutes, with University of Abertay Campus 230 metres to the north of the site and University of Dundee Campus 400 metres to the south west of the site. 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 streets including Marketgait, Court House Square and Nethergate which provide access to services across the city.
- 7.18 The design of the proposed development is assessed under NPF Policy 14. It is considered that the development is of a high-quality design and layout which provides residents with an acceptable standard of residential amenity and access to open spaces 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.
- 7.19 The proposed development would meet an identified demand, is within walking distance of higher education institutions, is well connected to local services and facilities and is of a high quality design.
- 7.20 **The proposal is in accordance with Policy 15, subject to conditions.**

**Town Centres First and Local Living**

- 7.21 **NPF4 Policy 27: City, town, local and commercial centres** a) Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported and b) Development proposals will be consistent with the town centre first approach. Proposals for uses which will generate significant footfall, including commercial, leisure, offices, community, sport and cultural facilities, public buildings such as libraries, education and healthcare facilities, and public spaces: i. will be supported in existing city, town and local centres
- 7.22 **LDP Policy 21: Town Centres First Principle** - states all new or expanded uses that will generate significant footfall should be located in the City Centre or a District Centre.
- 7.23 The proposed development, with 367 student bedrooms, would generate footfall. The site is within the City Centre, and the proposed development would be consistent with the town centre first approach as it would bring back into use a vacant site with a use that would enhance and improve the vitality and viability of the city centre and increase the mix of uses.
- 7.24 **The proposal is in accordance with Policy 21.**
- 7.25 **NPF Policy 15a: Local Living and 20 minute neighbourhoods** - states development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
  - employment;
  - shopping;
  - health and social care facilities;
  - childcare, schools and lifelong learning opportunities;
  - playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
  - publicly accessible toilets; and
  - affordable and accessible housing options, ability to age in place and housing diversity.
- 7.26 The proposal would provide accommodation for students studying in the city, contributing to the availability and range of student accommodation within Dundee.
- 7.27 As discussed under LDP Policy 15 the site is in a highly accessible city centre location being within walking distance of higher education institutions and well connected to local services and facilities. Public open spaces at Dudhope Park and Slessor Gardens are within walking distance. A development of this type in this location contributes to the principles of local living.
- 7.28 **The proposal is in accordance with NPF Policy 15a.**



**Design and Layout**

- 7.29 **Policy 14a: Design, Quality and Place** - states development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. **Part b** states development proposals will be supported where they are consistent with the six qualities of successful places: Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable. **LDP Policy 1: High Quality Design and Placemaking** - states 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.
- 7.30 With regard to the character and amenity of Barrack Street/Willison Street 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, form and finish materials of the proposed building have been carefully considered to respect the category A listed The Howff and category B listed buildings to the east of the site. Towards the east façade, the building is seven storeys in height, with an eight storey element to the west façade. This ensures the building is of a height and form which reflects the scale of modern developments to the west, whilst respecting the height of listed buildings to the east.
- 7.31 The building would be of a scale which is appropriate to the city centre, with large and multi storey buildings within the surrounding area including Dundee House to the west and Overgate shopping centre and car park to the south.
- 7.32 The proposed west wing of the building would extend to 39.9 metres high, with the east wing 34.7 metres high. The inclusion of stepped elements and a recessed upper floor reduces the overall massing of the proposed building and provides separation between the development and neighbouring listed buildings. Whilst the east wing of the building is 3.2 metres higher than the listed building to the east at 27-31 Bank Street, it is considered to be an acceptable scale which reflects the general height of buildings within the city centre. Views of the listed building from surrounding streets would not be significantly affected, and the development would be of a similar scale to multi storey buildings to the south and west.
- 7.33 The impact of the proposal on neighbouring 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 at lower floor levels would not be significantly greater than it was when Willison House occupied the site. There would be overshadowing impacting upper floors of buildings to the north during the middle of the day, however, there is sufficient separation between the existing and proposed building to ensure there is no significant loss of natural light.
- 7.34 The proposed building is of a height and form which is appropriate to this city centre location, with compact urban development in the surrounding area. Through the provision of high quality finish materials and external amenity space, the development would contributing positively to the character and visual amenity of the site and surrounding area.
- 7.35 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 (north) 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.

- 7.36 The provision of high quality materials within the development which is in a prominent location on Willison Street/Barrack Street 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 brick and render 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 brick, render and glazing 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.
- 7.37 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 Willison Street, with further spaces including a gym and amenity area with glazing to be provided on this front elevation. Within the east of the building towards Barrack Street cycle storage and bin storage areas are proposed in accessible locations. External amenity space is proposed to the rear of the building, comprising a courtyard with landscaping.
- 7.38 Safe pedestrian access is provided from the surrounding streets and there is provision of public transport in the surrounding area with bus stops on Nethergate, West Marketgait and across the city centre. Dundee railway station is 420 metres to the south of the site. The proposal would therefore support ease of movement and the use of sustainable transport.
- 7.39 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 up to nine-storeys in height and finished in a range of colours and materials which 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 courtyard within the north of the site which will incorporate hard and soft landscaping. The proposal responds positively and sensitively to the character of the area and maintains the established density of development in this city centre location.
- 7.40 The site is vacant following the demolition of Willison House. In this post-demolition state, it does not contribute to the character or amenity of surrounding listed buildings or the wider city centre area. The site is in a central location and its redevelopment would contribute positively to the overall character and appearance of the local area. The proposed building would reflect the established building line on Willison Street and Barrack Street. The stepped nature of the upper floors ensures no significant physical impacts on the surrounding premises. The proposed student accommodation is of a scale and form which would create a feature building whilst integrating with the height and form of surrounding buildings. There is sufficient separation between the proposed building and neighbouring listed buildings to the north and east of the site to ensure no significant impact on the character or setting of these listed buildings. As discussed above, the provision of high-quality materials will ensure the building complements neighbouring listed buildings, and the overall design and form of the development ensures it would contribute positively to the local streetscape.
- 7.41 Within the site, sustainable drainage provision would be provided by green roofs and surface water storage cells, which discharge at a controlled rate to existing drainage infrastructure on Barrack Street. The applicant has provided plans and a surface water management plan which demonstrate that an acceptable solution could be provided.
- 7.42 Overall, the proposed development will provide a well-connected, high quality modern development of purpose built student accommodation within a brownfield city centre location. Residents will be within walking distance of a range of shops, services and higher education institutions and the site is served by a range of sustainable transport options. The

development would contribute positively to the character and appearance of Willison Street and the surrounding area.

7.43 The proposed development of student accommodation provides a facility which would contribute to the range of types and sizes of development within the city centre. The design and layout of the building have been sensitively considered to ensure the building is of a height and massing which integrates with the scale of nearby 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 Willison Street/Barrack Street, and that the character and setting of the local streetscape is enhanced. The proposal will be well connected and have green infrastructure.

7.44 **The proposal is in accordance with NPF4 Policy 14 and LDP Policy 1, subject to a condition.**

#### **Traffic and Transport**

7.45 **NPF4 Policy 13b: Sustainable Transport** states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- i provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- ii will be accessible by public transport, ideally supporting the use of existing services;
- iii integrate transport modes;
- iv provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- vii have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii adequately mitigate any impact on local public access routes.

7.46 **Criterion i** – the development proposal includes direct connections to existing footpaths and streets which would provide safe and convenient access to local facilities in the city centre and surrounding area. Staff and residents would have access to secure cycle storage.

7.47 **Criteria ii and iii** – bus stops within 400 metres of the site on Nethergate, West Marketgait and Courthouse Square are served by frequent local and long distance bus services. City centre bus services also enable integrated journeys through Dundee Railway Station and Dundee Bus Station.



- 7.48 **Criteria iv** – the proposed development would not include any on-site parking provision or electric vehicle charging infrastructure. As the site is within the city centre, the provision of no dedicated parking is acceptable. The development includes cycle storage and is served by the surrounding footpath network which provides access to a range of sustainable transport options. There are electric vehicle charging spaces within the wider city centre area in safe and convenient locations which would be accessible to staff and residents of the development.
- 7.49 **Criterion v** - the applicant proposes to create a secure cycle storage area with space for 119 cycles. The provision of 119 spaces exceeds Dundee City Council Streets Ahead guidance for student accommodation, which requires a minimum of 61 spaces to be provided for a development of this size. In the interest of supporting sustainable transport, it is recommended that the provision of secure cycle storage as proposed prior to the first occupation of the development is controlled by condition.
- 7.50 **Criterion vi** – the proposal would utilise existing footpaths on Barrack Street and Willison Street, with direct access to surrounding streets. The applicant has undertaken traffic counts and provided information on footfall at the proposed development which demonstrates existing footpaths and road crossings will provide safe and adequate provision for walking, cycling and road vehicles including delivery and refuse vehicles. No alterations are proposed to surrounding public roads.
- 7.51 **Criterion vii** – pedestrian access locations are towards the front of the site with connections onto Willison Street. The access would be level in nature ensuring the development is accessible to all users/residents.
- 7.52 **Criterion viii** – the proposals include direct pedestrian access onto surrounding public footpaths. No vehicle accesses are proposed. The development would have no impact on public access routes.
- 7.53 **LDP Policy 54: Safe and Sustainable Transport** - sets out similar criteria to NPF4 Policy 13. The proposal fully complies with the criteria of LDP Policy 54.
- 7.54 **The proposal is in accordance with NPF4 Policy 13 and LDP Policy 54, subject to a condition.**
- 7.55 **NPF4 Policy 13e: Sustainable Transport** - states development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people. **LDP 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 road 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.
- 7.56 The proposal does not make provision for resident or visitor parking. Student accommodation does not generate a significant parking demand, with car ownership much lower than mainstream residential accommodation. The site is within an accessible location, well-served by sustainable transport modes being within walking distance of the universities, shops, services, active travel routes and public transport within the city centre.
- 7.57 There is no requirement in the Council's road standards to provide disabled parking spaces within purpose built student accommodation. There are several car parks and on-street parking bays near the site. The on-street parking bays can be used by blue badge holders

free of charge with no time restriction. The proposed development would be accessible to residents of all abilities and there would be no barriers to access by disabled people.

- 7.58 The proposal would include 119 cycle spaces within a secure, covered store on the ground floor of the building. This exceeds the Council's road standards which require 47 spaces for a development of this size. It is recommended that a condition be attached to any permission granted requiring the secure and covered cycle storage to be provided prior to the first occupation.
- 7.59 As considered under Policy 13b, 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.
- 7.60 **The proposal is in accordance with NPF4 Policy 13e and LDP Policy 56, subject to a condition.**

#### **Flood Risk and Drainage**

- 7.61 **NPF4 Policy 22: Flood Risk And Water Management Part a)** states that development proposals at risk of flooding or in a flood risk area will only be supported if they are for:
- i essential infrastructure where the location is required for operational reasons;
  - ii water compatible uses;
  - iii redevelopment of an existing building or site for an equal or less vulnerable use; or
  - iv redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long term safety and resilience can be secured in accordance with relevant SEPA advice.
- 7.62 **LDP Policy 36: Flood Risk Management – Low to Medium Risk Areas** - states area with a 1 in 1000 to 1 in 200 year annual probability of flooding will be suitable for most development. A flood risk assessment may be required at the upper end of the probability range or where the nature of the development or local circumstances indicates heightened risk.
- 7.63 No land within the application site is at risk of flooding based on SEPA flood maps. Land to the north of the site is however identified as at a low risk of surface water flooding.
- 7.64 The applicant has submitted a flood risk assessment with the application. The assessment considers the risks of flooding at the proposed development and the potential for mitigation measures. The assessment concludes that the development will not be at risk of flooding, and is to be constructed to a finished floor level which will enable access during any flood event in the surrounding area. The development is also to provide sustainable drainage provision on site, such as a green roof, and will not increase the risk of flooding elsewhere. The proposed drainage strategy is considered under NPF4 22c below. Overall, the development will not be at risk from, and will not increase the risk of flooding at the site or within the surrounding area.
- 7.65 **The proposal complies with NPF4 Policy 22a and LDP Policy 36.**
- 7.66 **NPF4 Policy 22c: Flood Risk and Water Management** states development proposals will:
- i not increase the risk of surface water flooding to others, or itself be at risk;

- ii manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer; and
- iii seek to minimise the area of impermeable surface and accessibility and is designed to be multi-functional and well-integrated into the overall proposals.

7.67 **LDP Policy 37: Sustainable Drainage Systems** - states 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.

7.68 A Surface Water Management Plan and associated supporting information, including proposed drainage plans and calculations, have been submitted. The assessment includes proposals for blue/green roof infrastructure to capture rainwater, and transfer it to cellular storage within the site below the proposed outdoor amenity area. Surface water would then be discharged at a controlled rate into the existing public network on Barrack Street. This managed approach to surface water drainage is better than the unrestricted flows from the previous building on the site, as it will put less demand on the local water network. 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.

7.69 **The proposal is in accordance with NPF4 Policy 22c and LDP Policy 37, subject to conditions.**

### **Zero Waste**

7.70 **NPF4 Policy 12a: Zero Waste** - states development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy. **LDP 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.

7.71 A bin storage area is provided within the ground floor of the proposed development, with access onto Barrack Street. Refuse vehicles will be able to safely collect waste from the site. The proposed bin storage area and associated access demonstrate 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.

7.72 As required by this policy, there is sufficient provision for waste reduction and waste separation within the proposed bin storage area within the ground floor of the development. The proposal would support waste separation, recycling and reduction in line with the waste hierarchy.

7.73 **The proposal is in accordance with NPF4 Policy 12a and LDP Policy 44, subject to a condition.**

**Amenity**

- 7.74 **NPF4 Policy 23d: Health and Safety** - states development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely. **LDP 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.
- 7.75 An Air Quality Impact Assessment has been prepared due to the nature of the development proposed and its location within the city centre.
- 7.76 The submitted assessment confirms the proposed development shall not have car parking facilities on site. With regard to heating, it is anticipated that demand will be primarily met by air source heat pumps. There may be a requirement for a back up heating system. To ensure that the 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. It is recommended a planning condition be attached to any permission granted which requires full details of the heating system to be submitted to the Council for prior approval.
- 7.77 Subject to the primary heating systems being low or zero emissions systems, and details of any back-up generators being agreed, the proposed development would have no significant impact on air quality.
- 7.78 **The proposal is in accordance with NPF4 Policy 23d and LDP Policy 40, subject to a condition.**
- 7.79 **NPF4 Policy 23e: Health and Safety** states development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely. **LDP Policy 39: Environmental Protection** states 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.
- 7.80 The site is within the city centre, within close proximity to noise sources including surrounding commercial and retail premises and road traffic which may impact upon residential amenity.
- 7.81 The applicant has submitted a Noise Impact Assessment (NIA). The NIA considers noise sources from both the surrounding area including road traffic, and noise sources within the development, including the potential use of air source heat pumps to heat and cool the building.
- 7.82 The Head of Communities, Safety and Protection has reviewed this and has no objection to the proposal. The NIA report demonstrates that noise from the surrounding environment will have no detrimental impact on the amenity of residents subject to the incorporation of suitable glazing and acoustic trickle ventilation units. With regard to noise sources within the development, the NIA report identifies a requirement for mitigation measures such as noise barriers at the air source heat pumps, and a limit on the sound power levels of the electrical



substation and standby generator to protect the amenity of residents. Conditions are recommended in relation to protecting future occupants from noise associated with road traffic mechanical and electrical plant, the electrical substation and the standby generator.

- 7.83 **The proposal is in accordance with NPF4 Policy 23e and LDP Policy 39, subject to conditions.**
- 7.84 **NPF4 Policy 9c: Brownfield, Vacant and Derelict Land and Empty Buildings** - states where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use. **LDP Policy 41: Land Contamination** - states 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.
- 7.85 A Stage 1 Geotechnical Investigation has been submitted as part of the application. The Head of Community Safety and Protection has reviewed the report and notes the recommendations include undertaking further on site investigations and risk assessment.
- 7.86 Planning conditions are recommended in relation to the completion of further intrusive investigations and provision of a remediation strategy to ensure any contamination within the site is addressed prior to any construction works. Subject to the recommended conditions to ensure any required remediation works are completed, the proposals will ensure any risks are addressed.
- 7.87 **The proposal is in accordance with NPF4 Policy 9c and LDP Policy 41, subject to conditions.**
- 7.88 **LDP 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.
- 7.89 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.
- 7.90 **The proposal is in accordance with LDP Policy 2, subject to a condition.**

#### **Historic Environment**

- 7.91 **NPF4 Policy 7c: Historical Assets and Places** - states development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest. **LDP 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.

- 7.92 The proposed development is located to the southwest of the category A listed The Howff and to the west of 27-31 Bank Street which is a category B listed building.
- 7.93 The proposed building has been designed to minimise any impact on The Howff and listed buildings within the surrounding area. The proposed building respects the building line of Barrack Street/Willison Street and would have no significant impact on the character of listed buildings within proximity of the site on Bank Street and Barrack Street/South Ward Road. There are further listed buildings to the west of the site including Dundee House. The height, scale and form of the proposed building have been considered, with a stepped form and recessed upper floors to minimise the impact of the proposal on the setting of the 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.
- 7.94 Historic Environment Scotland has no objection to the proposals and no comments on the application.
- 7.95 The east façade of the proposed building would sit 10.5 metres from The Howff and Category B listed buildings to the east of the site. The form and scale of the building have 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 Willison Street, Barrack Street and Ward Road/Meadowside would be in keeping with views when the site was occupied by Willison House. The proposed development is considered to be of an acceptable scale for this city centre location and would be in keeping with the varied heights of buildings in the surrounding area. The proposed development would have no significant impact on the setting of listed buildings surrounding the site.
- 7.96 **The proposal is in accordance with NPF Policy 7c and LDP Policy 49.**
- 7.97 **NPF4 Policy 7d: Historical Assets and Places** - states development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
- i architectural and historic character of the area;
  - ii existing density, built form and layout; and
  - iii context and siting, quality of design and suitable materials.
- 7.98 **LDP 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.
- 7.99 The application 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. The proposed development is of a high-quality design and would be appropriate to this prominent site which is presently vacant. The proposal reflects the scale and massing of modern buildings in the surrounding area and is to the enhancement of this corner site at the junction between Barrack Street and Willison Street.
- 7.100 The proposed building has been designed with a stepped upper floor, to minimise any impact on the listed buildings to the east at 27-31 Bank Street, and The Howff to the north east. The proposed building respects the building line of Barrack Street and Willison Street, and would

have no detrimental impact on the character or fabric of buildings within the wider area including Dundee House. The proposed building is of a finish and massing which reflects the character of buildings within the surrounding area and wider city centre.

- 7.101 Principal views of The Howff and listed buildings on Bank Street and Barrack Street would not be significantly impacted, and the character and fabric of these buildings would be retained as existing. The proposed development is considered to be of an acceptable scale for this city centre location and would be in keeping with the varied heights of buildings in the surrounding area.
- 7.102 In this instance, the proposed student accommodation development would have no detrimental impact on the historic character of the Central Conservation Area.
- 7.103 **The proposal is in accordance with NPF4 Policy 7d and LDP Policy 51.**
- 7.104 **NPF4 Policy 7o Historical Assets and Places** - states where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. **LDP 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.

- 7.105 The applicant has provided a Written Scheme of Investigation with the application. These investigations and historical mapping suggest the footprint of the proposed development site is potentially archaeologically sensitive.
- 7.106 The submitted report has been reviewed by the Council's Archaeological Consultant. It is considered probable that buried archaeological deposits associated with Dundee's late medieval Dominican Friary will exist on site. It's also possible that monastic and lay burials exist on site. Due to the potential complexity and significance of any archaeology on site, a site-wide archaeological evaluation in advance of development will be required. The implementation of a programme of archaeological works can be controlled by a condition.
- 7.107 **The proposal is in accordance with NPF4 Policy 7o and LDP Policy 52 subject to a condition.**

#### **Climate and Nature Crisis**

- 7.108 **NPF4 Policy 1: Tackling the Climate and Nature Crises** - states when considering all development proposals, significant weight will be given to the global climate and nature crises.

- 7.109 **NPF4 Policy 2: Climate Change and Adaptation** - goes further; parts a) and b) are of most relevance to this proposal, these require all development proposals to be sited and designed to minimise lifecycle greenhouse gas emissions; and for proposals to be sited and designed to adapt to current and future risks from climate change.
- 7.110 **LDP Policy 1: High Quality Design and Placemaking** - also makes reference to proposals being designed with reference to climate mitigation and adaptation.
- 7.111 **LDP Policy 48: Low and Zero Carbon Technology in New Development** - requires 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. The relevant Building Standards and percentage contribution required is set out in the supplementary guidance.
- 7.112 This brownfield development site is not at risk from flooding, and sustainable drainage infrastructure such as a green roof is to be provided. The location of the site is appropriate for the proposed development, with links to surrounding road and footpath networks which support the use of active travel. The site is within walking distance of higher education institutions, shops and services minimising the need to travel by car.
- 7.113 An Energy and Sustainability Strategy Report has been submitted with the application. The statement outlines that the proposal has been designed to include energy efficiency measures to reduce heat loss and energy consumption within the building. The report discusses various low and zero carbon technologies that could be used within the development to reduce carbon emissions and recommends the use of air source heat pumps for hot water and for building heating and cooling, and local heat recovery ventilation systems for communal area ventilation.
- 7.114 The final details of the low and zero carbon technologies which are to be included in the development are not yet confirmed. Therefore, the applicant cannot provide a detailed energy statement at this stage. As the applicant has demonstrated that there is scope to reduce carbon emissions through the use of low and zero carbon technologies it is appropriate that the provision of a detailed energy statement which demonstrates compliance with the required standard is controlled by condition.
- 7.115 **The proposal complies with NPF4 Policies 1 and 2 and LDP Policies 1 and 48, subject to a condition.**
- 7.116 **NPF4 Policy 19: Heating and cooling** – states that proposals for retrofitting a connection to a heat network will be supported. **LDP 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 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.
- 7.117 This is a Major planning application and a District Heating Statement has been submitted with the application. The statement confirms at this time there are no existing, viable heat networks the development could connect to. Heating is likely to be provided by low carbon technologies such as air source heat pumps. However, should a viable connection become available in the future the proposed development will be designed with connection points that would allow retrofitting a connection to a heat network.



7.118 **The proposal is in accordance with NPF4 Policy 19b and LDP Policy 46.**

**Biodiversity**

7.119 **NPF4 Policy 3a: Biodiversity** - states development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:

- i the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
- ii wherever feasible, nature-based solutions have been integrated and made best use of;
- iii an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
- iv significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long term retention and monitoring should be included, wherever appropriate; and
- v local community benefits of the biodiversity and/or nature networks have been considered.

7.120 The site is presently vacant brownfield land following the demolition of Willison House, with no on site planting, greenspaces or measures to support biodiversity. The site is within a city centre location and bound by public roads and existing developments with limited opportunities for nature.

7.121 The proposed development would provide an opportunity to implement biodiversity enhancements into this city centre site. The proposals include the provision of outdoor amenity space, in such spaces there is scope for planting and measures to support biodiversity such as wildflowers and native tree species. Within the building, including around the roof there is scope to incorporate features such as bat and bird boxes.

7.122 The applicant has submitted a Preliminary Ecological Appraisal which confirms the site is of limited ecological value, and no signs of protected species were recorded within the site boundary. The report identifies that through the provision of planting and measures to support and protect wildlife, the biodiversity value of the site can be enhanced by the proposed development. It is recommended the provision of full details of landscaping within the site and implementation of measures to support biodiversity as outlined in the Preliminary Ecological Appraisal are controlled by condition.

7.123 **The proposal is in accordance with NPF4 Policy 3a, subject to conditions.**

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

## STATUTORY DUTY

### 7.125 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

- 7.126 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.
- 7.127 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.
- 7.128 These matters have been considered in the assessment of the proposed development under policy 7 of NPF4 and 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 Howff which is Category A listed and 27-31 Barrack Street which is Category B Listed.
- 7.129 The proposed building is of a design and form which would have no significant impact on the historic character of the local streetscape and surrounding Central Conservation Area. The proposed building would occupy the former site of Willison House, which is presently vacant. The proposed building is of a scale and form which reflects that of modern buildings within the wider area, and the proposed finish materials will ensure the building is of a character and appearance which is appropriate to this city centre location. The proposals would result in a development which contributes positively to the character and setting of the conservation area.
- 7.130 It is considered that the application discharges the statutory duties as set out above.

## MATERIAL CONSIDERATIONS

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

### A – REPRESENTATIONS

- 7.132 One letter was received objecting to the proposal raising the following valid material grounds:
- 7.133 **Objection** - the introduction of a significant number of students into this area will cause additional noise and litter. Whilst some additional residents could be acceptable, the number proposed would have a detrimental impact on Barrack Street/ Willison Street, particularly at night.
- 7.134 **Response** - the proposed development will increase footfall in the area, with 367 students residing within the development. However, the site is within an established City Centre location where surrounding roads and streets are busy throughout the daytime and evening period. The development would generate a level of noise which is typical of a residential development and would have no significant impact on residential amenity in the surrounding area. Existing waste bin provision in the area is sufficient to accommodate the proposed development, and the increase in permanent residents within the area would align with the aims of the City Centre Strategic Investment Plan as considered below.
- 7.135 One letter of support was received raising the following valid material grounds:

- 7.136 **Comments** - supports the proposed student accommodation, and highlights that the development could be of a high quality, both with regard to the standard of accommodation and in meeting heating and insulation standards. It is noted that further to the proposed ground floor student amenities, further amenity provisions could be made on each floor of the building.
- 7.137 **Response** – as considered within the policy assessment above, the development is of a high quality and would provide students with a range of amenity areas.
- 7.138 With regard to amenity spaces, the ground floor of the development includes a range of internal and external areas. These include a gym, shared amenity space, external courtyard to the north (rear) and an area of open space towards the west (side) of the building. Residents of the development will have access to these amenity areas, with residents of cluster rooms having access to shared living and dining areas in addition to the ground floor amenity areas.
- 7.139 There are considered to be sufficient amenity spaces provided within the proposed development for the 367 residents, and as the site is within the city centre a range of services, amenities and public open spaces are within walking distance.
- 7.140 The development will be constructed to current building standards with regard to insulation and energy efficiency. Whilst the heating strategy is to be finalised, the information provided with the application demonstrates there is scope for energy efficient technologies to be included as part of the development, and that a low carbon heating system along with thermal insulation will be included to minimise carbon emissions.

## **B – CITY CENTRE STRATEGIC INVESTMENT PLAN**

- 7.141 The City Centre Strategic Investment Plan seeks to prepare and guide the future vision for the city centre, setting out a long-term strategic investment plan for the next three decades, structured around five themes including city centre living. Of particular relevance to this application is that the plan seeks to double the residential population living in and around the City Centre, ensuring a diverse range of people choose to live in the city.
- 7.142 Strategic Outcome 1 of the plan seeks to deliver high-quality residential development by promoting vacant and underused sites and buildings. The proposed development would meet this requirement, through the redevelopment of a long-term vacant and derelict site.
- 7.143 The redevelopment of a vacant site and provision of high-quality purpose-built student accommodation for 367 students would support the target of doubling the residential population in the city centre and the return to use of an unused site.
- 7.144 Strategic Outcome 2 seeks to provide a variety of residential types and tenures to meet the needs of different households and to create a diverse community. As considered under NPF4 Policy 16 and LDP Policy 15, there is demand for purpose-built student accommodation within the city.
- 7.145 The proposed development would contribute positively to the variety and form of development within the city centre and support the creation of diverse communities.
- 7.146 Strategic Outcome 3 seeks to attract a range of centrally located services and facilities to support city centre living. By increasing the residential population of the city centre the

development would support the provision, vitality and viability of shops and services within the city centre. The development is located within walking distance of a range of services and facilities and supports the principles of local living.

7.147 Overall, the proposed development aligns with the themes and requirements of the City Centre Strategic Investment Plan through the provision of city centre residential accommodation, redevelopment of a brownfield site and being within proximity of a range of shops and services.

7.148 **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, if necessary; a remediation scheme to deal with any contamination at the site has been submitted to and approved in writing by the Planning Authority. The scheme 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 demonstration of the durability and expected life-span of the remediation
- iv measures to deal with contamination during construction works; and
- v 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 scheme shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation scheme 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 Planning Authority 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 scheme of features or measures to conserve, restore and enhance biodiversity, such as those set out in the NatureScot Developing with Nature guidance, and those set out within Section 5 and Appendix 9 of the "Preliminary Ecological Appraisal – Barrack Street, Dundee" dated 25 April 2024 shall be submitted to and agreed in writing by the Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

**Reason** - to ensure that a satisfactory biodiversity enhancement scheme is proposed and implemented, mitigating the biodiversity impact that development has on the site.

- 6 **Condition** – prior to the commencement of development, a detailed hard and soft landscaping plan shall be submitted to the Planning Authority 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.

- 7 **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 Planning Authority 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.

- 8 **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 Planning Authority 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.

- 9 **Condition** - prior to the commencement of any construction works, details of the glazing and acoustic trickle vents to be installed to meet with the internal noise level criteria set within Section 7 of BS8233:2014 shall be submitted to the Planning Authority for written



approval. For the avoidance of doubt, the noise level criteria are 35dB L<sub>Aeq</sub> (16hours) for bedrooms and other habitable rooms/areas for day time periods (07:00 – 23:00hrs) and 30dB L<sub>Aeq</sub> (8hours) for bedrooms during night time periods (23:00-07:00hrs). Thereafter, the windows and vents shall be installed as per the approved specification prior to the first occupation of the development hereby approved and maintained and retained as such thereafter.

**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 total noise from any air source heat pumps (ASHPs) shall not exceed NR 35 as measured 1 metre external to the facade of adjacent residential accommodation.

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

- 12 **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.

- 13 **Condition** - prior to any construction works, 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. 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.

- 14 **Condition** – prior to the commencement of any construction works, a Sustainability Statement setting out what low and zero carbon generating technologies the development will use to meet the carbon emission reduction requirements of Policy 48 of the Dundee Local Development Plan shall be submitted for the approval of the Planning Authority and the technologies shall be implemented in accordance with the approved Statement.

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

- 15 **Condition** – cycle storage provision, as detailed on Drawing 03 – Ground Floor Plan dated 18 June 2024, shall be installed prior to the first occupation of the development hereby approved.

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

- 16 **Condition** - before any works start 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 excavation, recording and rescue of all archaeological deposits on the site, in advance of their destruction by development.

- 17 **Condition** - prior to the commencement of development, a site waste management plan shall be submitted to and approved by the Planning Authority. 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.

- 18 **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 proposed 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 are maintained.

- 19 **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.