

**REPORT TO:** CITY DEVELOPMENT COMMITTEE - 25 OCTOBER 2010

**REPORT ON:** SITE PLANNING BRIEF - 101 SEAGATE AND 3 TRADES LANE,  
(FORMER McLEISH'S BUILDING), DUNDEE

**REPORT BY:** DIRECTOR OF CITY DEVELOPMENT

**REPORT NO:** 591-2010

## **1 PURPOSE OF REPORT**

- 1.1 The purpose of the report is to inform members of the findings of the public consultation on the Draft Site Planning Brief.

## **2 RECOMMENDATION**

- 2.1 It is recommended that Committee approves the attached Site Planning Brief as supplementary guidance to the Development Plan; and refers the Site Planning Brief to the Development Management Committee for approval as a material planning consideration.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications arising from the approval of this report.

## **4 BACKGROUND**

- 4.1 Approval of Committee Report 321-2010 to the City Development Committee on 28 June 2010 seeking approval for public consultation a copy of the draft Site Planning Brief was posted on the Dundee City Council webpage and 34 letters were issued to residents and interested parties.
- 4.2 Following an 8 week consultation period, a letter from Historic Scotland and one e-mail from an adjacent resident were received in support of the Site Planning Brief. An e-mail from the Bissets Bond (otherwise known as Watsons Bond) Tenants, Residents and Landlords Association was received stating their observations regarding sunlight and privacy matters. The comments are summarised below:
- a Historic Scotland reiterated much of the aspirations of the draft Site Planning Brief and urged pre-application discussions between interested parties in order to secure the appropriate redevelopment for this site. The draft Site Planning Brief advocates pre-application discussions as a matter of good practice and Dundee City Council officers will involve Historic Scotland as development proposals come forward;
  - b a resident of a ground floor flat in a neighbouring building, although in support of redevelopment, expressed concerns about future disturbance that would result from the construction of a new building. Construction procedures for any new development are reviewed by the Health and Safety Executive. Concerns expressed regarding the construction of a new building are outwith the parameters of this draft Site Planning Brief;
  - c As a result of an e-mail from the Bissets Bond, Tenants, Residents and Landlords Association the Site Planning Brief has been revised to include a

sentence, under the "Residential Design Guidance" section, to ensure that any balconies provided as part of proposals do not compromise the privacy of the surrounding existing dwellings.

- d No response was received from DD1 (City Centre Traders Association) or the Dundee Civic Trust.
- e A summary of issues raised through the public consultation is appended to this report.

4.3 As a result of the consultation findings, other than the addition of a sentence to secure the privacy of existing dwellings from over-looking from the use of balconies, the Site Planning Brief remains unaltered from its draft content.

## **5 POLICY IMPLICATIONS**

5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. The major issues identified are:

- a that the redevelopment of this site accords with the principles of the Draft City Centre Vision and Strategy and the built environment tenets of the Single Outcome Agreement by promoting new high quality mixed use development that improves the public realm, use and image of such a prominent location in Dundee.

## **6 CONSULTATIONS**

6.1 The Chief Executive, Depute Chief Executive (Support Services), Director of Finance and Assistant Chief Executive have been consulted and are in agreement with the contents of this report.

## **7 BACKGROUND PAPERS**

7.1 Report 321-2010 to the City Development Committee on 28 June 2010 - Draft Site Planning Brief - Former McLeish's Building, Seagate, Dundee.

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Mike Galloway  
Director of City Development

MPG/NMcD/KM

13 September 2010

Dundee City Council  
Tayside House  
Dundee

## **APPENDIX 1**

### **SITE PLANNING BRIEF**

#### **101 SEAGATE AND 3 TRADES LANE (THE FORMER McLEISH'S BUILDING), DUNDEE, DD1 3EW**

## **1 INTRODUCTION**

- 1.1 This Site Planning Brief has been prepared as supplementary guidance to the Development Plan in order to provide site specific planning information for the redevelopment of this strategically important city centre site.

## **2 LOCATION**

- 2.1 The site, owned by Dundee City Council, forms a prominent corner of around 3Ha opposite the Seagate Bus Station at the Seagate/Trades Lane/St Andrews Street junction, which is one of the busiest vehicular and pedestrian junctions in the city centre.
- 2.2 Situated within the City Centre Conservation Area the site's south and west boundaries are formed by the now residential Watson's Bond Building which is Category A Listed by Historic Scotland as a building of national importance. All of the services and amenities of the eastern side of the city centre are close by and the train station and the universities and college campuses are a short walk away.
- 2.3 The building on the site is 2 storeys in height and was previously used for food processing and associated office accommodation until 2008 when it became vacant. There is no relevant planning history specific to the site and the current building is not listed by Historic Scotland because it has no significant architectural or historical value, therefore its retention and re-use is not supported by this Brief.

## **3 FUTURE USES**

- 3.1 The City Council is determined to achieve a high standard of redevelopment with all new development opportunities in Dundee and this site offers the opportunity to positively add to the built character of this area and contribute to the regeneration of the city centre.
- 3.2 Within the last decade development in the surrounding area of Trades Lane and Candle Lane has provided significant residential accommodation in the city centre. However, this Site Planning Brief promotes a potential mix of uses by virtue of the location. There are high volumes of pedestrian and vehicular traffic passing this site which suggests non-residential uses on the ground and first floors of a new building would be appropriate in order to capitalise on the prominent location and to avoid privacy and air quality issues. New ground and first floor residential properties may not meet the standards required by the air quality section of the Dundee City Council Environmental Health and Trading Standards Department.
- 3.3 The site offers an excellent opportunity to enhance the townscape qualities of this gateway site. It is anticipated that a standard form of city centre development, with commercial premises arranged in a double-height ground floor and with flats above

offers considerable scope to design a well-modelled and attractive new building. A building with solely commercial uses could also be appropriate on the site.

- 3.4 The site is outwith the boundary of the core city centre shopping area, although it is adjacent to the area designated as a "speciality" and "non-core" area shopping. As such, the site should be able to accommodate a wide range of retail uses, such as speciality shopping, local shopping geared to the needs of city centre residents, financial institutions, a hotel and the provision of food and drink. Policy 36 of the Dundee Local Plan Review 2005 is applicable.

#### **4 THE DESIGN STATEMENT AND PRE-APPLICATION MEETINGS**

- 4.1 In accordance with the requirements of the Dundee Local Plan Review 2005 (Policy 55 - Urban Design) a Design Statement must be submitted with a planning application for this important site. Comprehensive guidance on the preparation and content of Design Statements is provided within the Scottish Government's Planning Advice Note 68 - Design Statements.
- 4.2 The use of pre-application discussions between relevant Dundee City Council City Development Department Officers and the developer/agent is essential to ensure at the outset of the development process that the requirements of the site are known.

#### **5 THE NEW BUILDING**

- 5.1 A high standard of architectural design is required for this site and the careful internal organisation of the building so that it positively responds to the streetscape should be the starting point for a successful development. The high quality of design anticipated will be achieved through the use of contemporary architectural style and construction details as well as through the innovative use of materials that respond harmoniously with the surrounding area to create a valued 21st century townscape contribution worthy of the conservation area status.
- 5.2 The surrounding listed buildings are constructed from a range of materials such as sandstone and red brick with a mix of architectural detailing. Whilst no stipulation is made to limit or promote certain materials those selected by the designers must be of high quality in terms of maintenance, longevity and visual qualities.

#### **6 BUILDING HEIGHT AND ELEVATIONS**

- 6.1 The overall height of the new building is expected to be as high as the existing adjacent buildings on Trades Lane and Seagate to form a visually strong new corner. The new building could exceed the established building height and celebrate the prominent corner position by exceeding the existing buildings by a maximum of around 2 storeys or approximately 6 metres in height.
- 6.2 It is anticipated that the visible elevations will have a high window to wall ratio proportional to surrounding buildings to take advantage of solar gain as well as to give a generous and contemporary appearance. The site is in a very prominent location at an important junction of the city centre and design quality is of paramount importance.
- 6.3 The Tayside Police Architectural Liaison Officer must be consulted by the designer in order to meet "Secured by Design" status along with the other requirements of this

brief. How the proposed development achieves "Secured by Design" criteria must be explained within the Design Statement.

## **7 RESIDENTIAL DESIGN GUIDANCE**

7.1 The Dundee Local Plan Review 2005 at Appendix 1 - Design of New Housing provides quantitative residential standards for such a city centre site to be developed into flats:

### **a Flat Type and Tenure**

All flats to have a minimum of 2 bedrooms. However, it is anticipated that a minimum gross internal floor area of 70m<sup>2</sup> living accommodation could achieve 3 flats on each floor with the top floors providing larger penthouse accommodation to take advantage of easterly views across the city.

In order to provide the opportunity for a mix of tenures within the city centre Dundee City Council operates a policy that no House in Multiple Occupation Licenses will be granted for new flats in the city centre. A condition of planning approval will be a requirement for the developer to enter into a Section 75 Agreement prohibiting such use within new residential accommodation.

### **b Car/Cycle Provision/Waste/Amenity Space**

Given the physical constraints of the site and the close proximity to the Gellatly Street multi-storey car park no car parking provision is required. However, secure indoor storage for cycles and household waste should be provided within the communal circulation space.

There is no requirement for private amenity space although useable balconies are encouraged in order to provide some external space. It is likely that balconies would be well placed on the south elevation overlooking the communal car parking area to the surrounding Watson's Bond development. However, the position of balconies should not compromise the privacy of surrounding dwellings.

### **c Privacy**

Due to the existing urban context the Dundee Local Plan Review 2005 requirement for a minimum distance of 18m between the facing windows of habitable rooms or between balconies and the facing windows of habitable rooms will not be upheld. The distance from the north building line to the face of the buildings on Seagate is approximately 16m which should not require windows and balconies to be angled purely for privacy concerns.

## **8 PUBLIC ART**

8.1 Public Art is a means by which artists and their patrons can enrich their developments, open space and cultural heritage by adding to the visual interest and quality of the city's environment. Policy 56 - Percent for Art - of the Dundee Local Plan requires that all new development in Dundee with a construction value of or over £1m will have at least 1% allocated for art. It is anticipated that the scale of

redevelopment will activate the Percent for Art policy and could be used for the design and implementation of stand alone artworks, the creation of a soft landscaped amenity area or on particular details to new buildings.

- 8.2 Discussion early in the design process with the Dundee City Council Public Art Officer is recommended in order that appropriate and engaging methods of public artwork are achieved.

## **9 DRAINAGE**

- 9.1 There is no opportunity for a sustainable urban drainage system to be incorporated into the development given the extent of the site and it is anticipated that all the foul and rainwater will be connected into the existing Scottish Water drainage network.

## APPENDIX II

Respondent	
<b>Resident at 99 Seagate</b>	<p><b>Points Raised</b></p> <p>a) No construction access can be taken through the Bissets Bond car park and the safety of cars will need to be protected.</p> <p>b) Measures will have to be taken to ensure minimal disruption to residents during construction.</p> <p>c) Management of seagulls on the roof of new building.</p> <p><b>Response</b></p> <p>a) Construction procedures for any new development of the scale anticipated are reviewed by the Health and Safety Executive. Concerns expressed regarding the construction of a new building are outwith the parameters of this Site Planning Brief.</p>
<b>Bissets Bond Tenants Residents and Landlords Association</b>	<p><b>Points Raised</b></p> <p>a) Clarification regarding loss of sunlight by developing the site with buildings to the same height, and potentially higher, than existing properties.</p> <p>b) Confirmation that balconies placed on west elevation would compromise existing privacy.</p> <p>c) Concern regarding the window to window distance of the Seagate.</p> <p>d) Local Plan policy regarding no requirement for car parking in the City Centre.</p> <p><b>Response</b></p> <p>a) Site is orientated north west / south east so any shadow cast by a new building would have minimal impact on Bissets Bond for a short period on sunny days. Majority of shadow cast by a building of same height, or taller, than adjacent buildings would be cast across the Seagate/Trades Lane junction.</p> <p>b) The site is constrained by its size and should residential development proposals come forward then provision of balconies may be appropriate if no other out-door amenity space can be created. The draft Site Planning Brief has been revised to ensure that no new balconies compromise the privacy of the existing balconies on adjacent residential properties.</p> <p>c) The Dundee Local Plan Review 2005 stipulates that 18m should be achieved between windows of habitable rooms. The distance between the buildings on either side of the Seagate is circa 12m and is within the City Centre Conservation area where adherence to the established building line is important for new development. No objections were received from properties opposite the site.</p> <p>d) The Dundee Local Plan Review 2005 recognises that in city centre locations on-site car parking may not be required because 'provision is impractical'. The site is constrained by its size and location and car parking requirements can be met within the Gellatly Street multi-storey car park.</p>