

KEY INFORMATION**Ward** Ninewells**Proposal**

Erection of two storey office development (Class 4) with associated car parking

Address

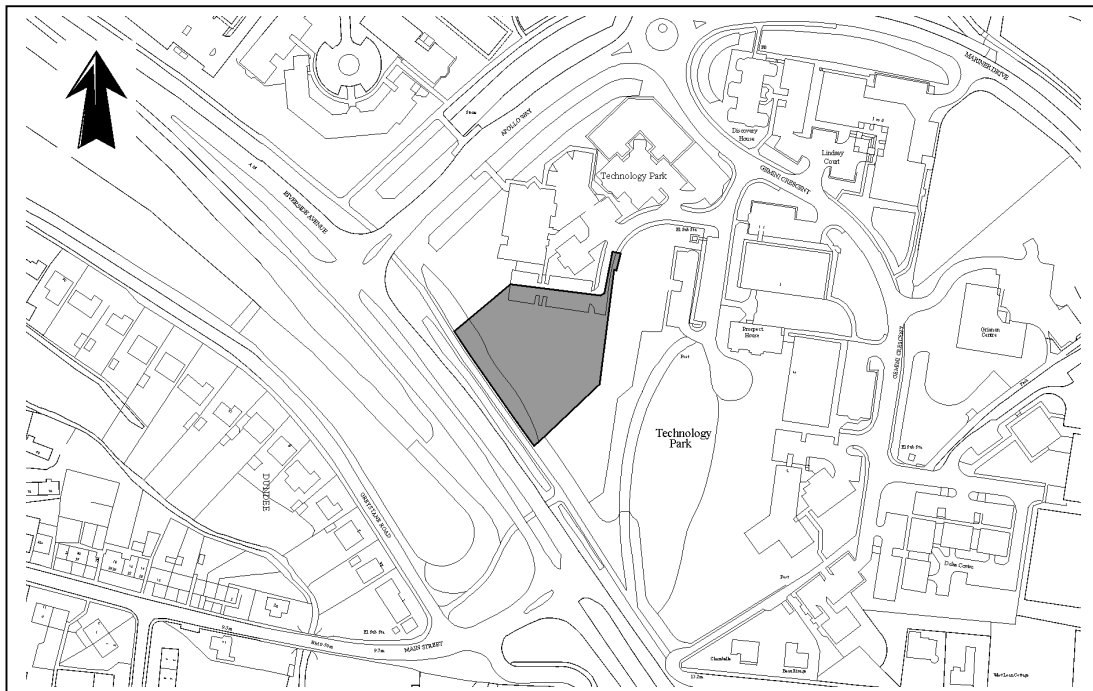
Land to south of
Gemini Crescent
Dundee Technology Park
Dundee

Applicant

Foxdown Properties
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Digh Street
Coleshill
Birmingham BA6 3BP

Agent

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Registered 31 Jan 2003**Case Officer** D Gordon

Proposed New Office Development at Dundee Technology Park

The erection of two storey office development (Class 4) with associated car parking is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

RECOMMENDATION

The provision of a Class 4 Office use within the eastern sector of the Technology Park will enhance the attractiveness of the area for further industry and business investment. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- The report considers a planning application for the erection of a 16,500sq.ft Class4 office development on a site located within the Dundee Technology Park.
- The proposal raises issues for consideration in terms of the Employment Uses of the Dundee Local Plan. The proposals are not in full accordance with the requirements of the development plan.
- No letters of objection to the proposal have been submitted.
- The proposal is considered to be contrary to Policy EU14 of the Dundee Local Plan 1998. However, the Finalised Draft Dundee Local Plan promotes a wider range of uses for the Technology Park, including a Class 4 office use, in order to improve the attractiveness of the Park for further industry and business investment. There are other material considerations that support the use of the site for Class 4 office purposes.
- The design of the new building will enhance the environmental quality of the Park and provide a benchmark for any further developments

DESCRIPTION OF PROPOSAL

The application seeks permission to erect 16,500sq. ft. of Class 4 office floor space with associated car parking and landscaping on a site located within the Technology Park.

The proposed rectangular building will be 2 storeys in height and will be orientated in an east to west direction across the site approximately 18.5m back from the heel line of the adjacent pavement on Riverside Avenue. The proposed finishing materials are flat faced red brick (walls), ribbon windows with slate grey frames, wall panels, curtain walling and a slate grey coloured composite roof system.

The proposed car parking area is to be located to the north and east of the new building. It is submitted that 52 off street spaces are to be provided. The site will be accessed from Gemini Crescent to the north.

SITE DESCRIPTION

The site occupies a prominent location on Gemini Crescent at the entrance to the Technology Park and faces directly onto Riverside Avenue. The site is relatively flat and is currently vacant. To the east is a mature tree belt. To the north and west are various buildings with off street car parking associated with the Technology Park and to the south is Riverside Avenue.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

The following policies are of relevance:

Policy EU14 - Dundee Technology Park East. The Council will support the existing legal (Section 75) agreement covering the Technology Park that requires that it be reserved for technology related uses.

Policy ENV5 - Wildlife Corridors. Any development proposed within Wildlife Corridors must make suitable provision for nature conservation, taking account of the scale and type of

development and characteristics of the wildlife corridor.

Dundee Urban Nature Conservation Subject Local Plan 1995

The following policies are of relevance:

Policy WC01-3 - Wildlife Corridors - The terms of this policy are reflected in Policy ENV5 of the Dundee Local Plan 1998 above.

Finalised Local Plan Review

The following policies are of relevance:

Policy 22: High Amenity Economic Development Areas. The Council will encourage the establishment and retention of uses within Class 4 (Business) within high amenity sites as identified on the Proposals Map.

Scottish Planning Policies, Planning Advice Notes and Circulars



The following are of relevance:

Scottish Planning Policy 2: Economic Development. This document sets out the factors to which the Scottish Ministers will have regard when considering development plans, appeals or planning applications coming before them. Planning authorities should take its contents into account when preparing their development control responsibilities.

The Scottish Office Development Department - Circular 1/1998 (The Town and Country (Use Classes) (Scotland) Order 1997.

Non Statutory Statements of Council Policy:

There are no non-statutory Council policies relevant to the determination of this application.

LOCAL AGENDA 21

The key aims of Local Agenda 21 relevant to this application are that health is protected by creating safe, clean pleasant environments and places, spaces and objects should combine meaning and beauty with utility.

SITE HISTORY

There are no planning applications for development that are of direct relevance to this site.

PUBLIC PARTICIPATION

The applicants have undertaken the statutory neighbour notification procedure. No objections to the proposal have been submitted.

CONSULTATIONS

The relevant Council Departments and outside bodies have been consulted with regard to the proposal. No adverse comments have been received.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations

The Development Plan

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

Dundee Local Plan 1998

Policy EU14: Dundee Technology Park East. In this area, the Council will support the existing legal (Section 75) agreement covering the Technology Park which requires that it is reserved for technology uses only (as defined by Class 4(b) of the Use Classes Order) ie research and development purposes. The proposal

under consideration involves the erection of 16,500 sq. ft. of Class 4 office floor space that falls within Class 4(a) of the Use Classes Order. Consequently, the proposal is viewed as being contrary to the Employment Policy requirements of the Dundee Local Plan.

Policy ENV5: Wildlife Corridors. Any development within Wildlife Corridors must make suitable provision for nature conservation, taking account of the scale and type of the Wildlife Corridor. The proposed development is located within the Technology Park which is identified as forming part of a Wildlife Corridor that runs along the north side of Riverside Avenue. The applicants have identified the provision of an 18.5 metre wide landscape zone along the south side of the site. This, together with the shelter belt of trees located on the eastern boundary of the site should safeguard nature conservation in this local area. Consequently, the proposal is considered to be in accordance with the requirements of this policy of the Dundee Local Plan 1998.

Urban Nature Conservation Subject Local Plan 1995

Policies WC01-3 - The terms of these policies reflect those of Policy ENV5 of the Dundee Local Plan 1998 above. It is concluded that the proposal is also in accordance with these policies.

It is concluded from the foregoing that the proposal does not fully comply with the provisions of the development plan.

Other Material Considerations

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

Finalised Local Plan Review

Policy 22: High Amenity Economic Development Areas. The Council will encourage the establishment and retention of uses within Class 4 (Business) within the high amenity sites identified on the Proposals Map. The Technology Park is regarded as a high amenity business location and is identified as such on the Proposals Map. Policy 22 does not seek to restrict development within these High Amenity Sites to certain categories of uses contained within Class 4, as indeed is the case with Dundee Local Plan Policy EU14 above. Rather, the policy seeks to increase the range of

uses that can locate within the Park in order to promote a wider range of use which, in turn, will enhance the attractiveness of the Park for further industry and business investment.

Scottish Planning Policy 2: Economic Development. The application is considered to be in accordance with the aspirations of SPP2 in that the proposal seeks to provide a new development opportunity for inward investment in a sustainable location. The proposal also contributes to the high quality of building design that is evident in this part of the City.

The Scottish Office Development Department Circular 1/1998 (The Town and Country Planning (Use Classes) (Scotland) Order 1997). Paragraphs 25 - 30 advises on the implications for development control in dealing with planning applications for Class 4 uses. The Circular presumes against the use of conditions or planning agreements (Section 75 of the 1997 Act) which are designed to limit future changes that would otherwise be allowed by virtue of the Use Classes or the General Permitted Development Order. This applies with particular force to the business class, which is specifically designed to provide greater flexibility in the use of land and buildings.

It is concluded from the foregoing that sufficient weight can be accorded to any of the material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The applicants have advised that a number of alternative design strategies were explored before reaching a final design solution. The agents state that the design of the building consists of a series of progressive layers and planes each with an associated material. Materials have been selected to empathise with existing buildings in the surrounding area but to be used in a way that would achieve an individual identity. The innermost layers consist of ribbon windows with slate grey frames with sub-dividing inserted panels. This layer is revealed at two corners of the development, one being the prominent visually dramatic south west corner viewed from Riverside

Avenue, the other being the opposing corner facing the entrance to the site. At these points the outer layer of brickwork is folded back and broken up to reveal these relatively lightweight modern components with offset oversailing roof planes. This juxtaposition of materials on the Riverside Avenue/Apollo Way corner creates an important focal point for commuters to both the city centre and the Technology Park.

The philosophy of the design is one of sensitivity towards the existing constraints of the Park while developing an individual identity as a quality office development. The proposal will act as a benchmark for the design and needs of the businesses in the City.

CONCLUSION

The sector of the Park within which the proposal is located is currently reserved for technology related uses. The proposal is not considered to be in accordance with the terms of the relevant development plan policies relating to such uses. However, the emerging Finalised Local Plan Review recognises the need to expand the types of uses to be found within the eastern sector of the Technology Park to include Class 4 office uses. This would accord with the policy position that already exists within the western sector of the Technology Park where Class 4 uses are encouraged. The provision of a Class 4 office use within the entire Park will enhance the attractiveness of the area for further industry and business investment.

The design of the new building is appropriate for the parkland setting and the structure will add to the quality that already exists within this business area.

In light of the above, the application is recommended for approval with conditions.

RECOMMENDATION

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

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.

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| <p>2 Samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples.</p> <p>3 That a detailed landscaping scheme, including the timing of planting and maintenance shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed works shall be carried out only in full accordance with such approved details.</p> <p>4 Details of the proposed surface water and foul drainage arrangements shall be submitted to the Council for approval prior to the commencement of development and if approved the proposed arrangements shall be carried out only in full accordance with such approved details.</p> <p>5 That details of any proposed boundary treatments, including walls, railings, fencing and hedging shall be submitted to the Council for approval prior to the commencement of development and if approved the development shall be carried out only in full accordance with such approved details.</p> <p>6 Before development on the site begins, details of a bicycle racking system for 12 bicycles shall be submitted to and approved in writing by the planning authority. The approved racking system shall be installed before the building is occupied.</p> | <p>interests of the visual amenities of the area.</p> <p>4 To ensure the proper drainage of the site.</p> <p>5 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.</p> <p>6 In order to provide appropriate bicycle parking facilities for the occupiers of and visitors to the office building hereby granted permission.</p> |
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Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that the proposed development has a satisfactory external appearance in the