

**KEY INFORMATION**

**Ward** Tay Bridges

**Proposal**

Mixed use development including a hotel, bar/restaurant and offices

**Address**

90 West Marketgait  
Dundee  
DD1 1NJ

**Applicant**

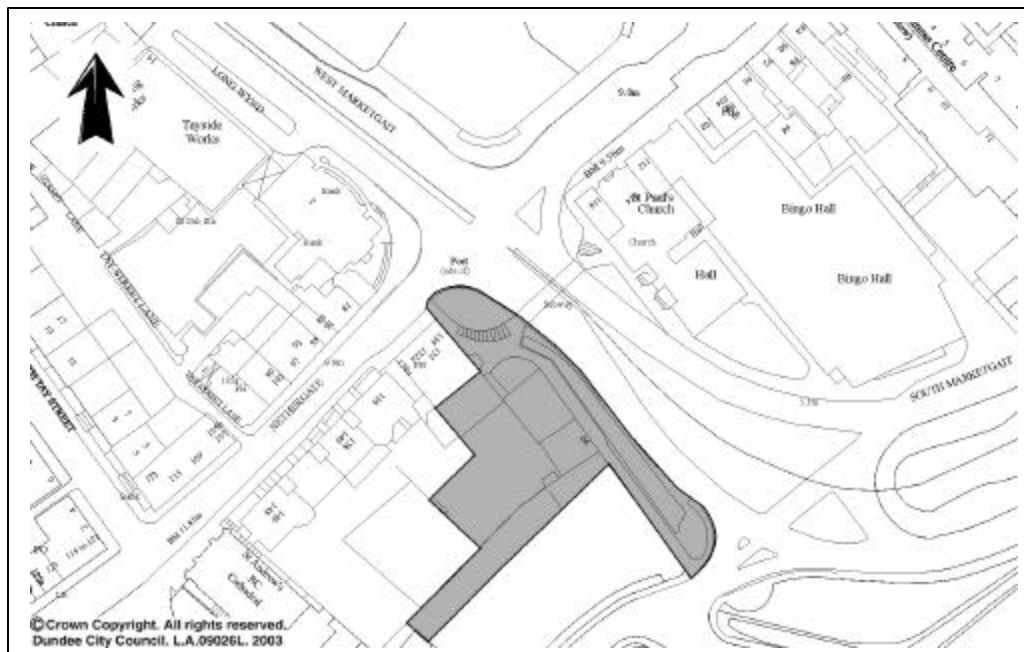
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**Registered** 29 Aug 2003

**Case Officer** D Gordon



# Proposed Hotel and Offices at West Marketgait

A mixed use development including a hotel, bar/restaurant and offices is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The application will provide a high quality contemporary building on an important gateway site in Dundee's Central Area. The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a seven storey high mixed use building in the central area of the city. The building will accommodate a 104 bedroom hotel, new offices floorspace and licensed premises
- The site is allocated for office purposes and associated uses in the Dundee Local Plan. The proposed hotel use is considered to be complimentary to the office area and the emerging Cultural Quarter.
- The statutory neighbour notification procedure has been carried out by the applicants in addition to the proposal being advertised in the local press as a 'bad neighbour' development (licensed premises). Ten objections to the proposal have been received including Dundee Civic Trust, West End Community Council and Royal Fine Art Commission for Scotland.
- The development repairs the urban form on an important city centre site created by construction of West Marketgait.
- The contemporary design of the proposed building is considered to be successful as it will improve and enhance the visual quality of this important city centre site and provide a dramatic new landmark gateway to Dundee's emerging Cultural Quarter.

## DESCRIPTION OF PROPOSAL

The proposal involves the erection of a mixed use development including a hotel, offices and café/ bar premises. The proposal also involves the removal of the left hand turning lane on the Marketgait / Nethergate junction and the infilling of the adjacent pedestrian underpass.

The development is "L" shaped in design, runs predominantly in a north to south direction and consists of three separate components. A seven storey office to the north from level 2 upwards, a seven storey 104 bedroom hotel (with support facilities) to the south and a café/bar at basement and ground floor levels within the north leg of the plan.

Associated off street car parking spaces (5 no. in total) are to be located to the west of the building. Vehicular access to both the car parking spaces and the hotel entrance is to be taken from Greenmarket Lane. An associated dedicated drop off point on Marketgait is also proposed. To the east and south a new pedestrian pathway is proposed to provide greater accessibility to the DCA and the Science Centre from the north. A semi circular courtyard provides the pedestrian transition in level from the Marketgait down into the hard landscaped Greenmarket Lane area.

It is also proposed to remove the existing underpass located on the east side of the site that runs beneath the Marketgait and re-route pedestrian access via the introduction of a new surface crossing to be located to the south of the existing crossing.

## SITE DESCRIPTION

The site is located on the west side of Marketgait and is bounded on the north by the Nethergate, on the south by a vacant development site and on the west by a small car parking area. The southern section of the site previously accommodated a car hire building (Mitchell's) that was demolished several years ago.

The land to the east of the site slopes in a north to south direction. A set of steps is located at the north end of the site which link into a footpath that cuts through the eastern section of the site. The Marketgait pedestrian underpass is

located on the eastern boundary as are a variety of trees and shrubs.

The surrounding area accommodates a mix of uses typical of a city centre location. To the east there is a coffee shop, St. Pauls Church and a Mecca Bingo Hall. To the northeast is the Overgate Centre and to the north / northwest there is the stone faced bank building and the mixed use tenemental properties of the Nethergate. To the west are the Dundee Arts Centre and the Science Centre.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

The Structure Plan strategy for Dundee includes the support of the regeneration of brownfield sites in the City centre and the promotion of new opportunities for retailing / commercial development to assist in improving the attractiveness of the City as a place to live and work.



In this respect, the following policies are of relevance:

Employment Policy 5: Leisure and Tourism. The Council will generally support proposals that contribute to the sensitive development of the range and quality of tourism and visitor attractions including the provision of three or four star hotels with conference and banqueting facilities in the City centre.

Town Centres and Retailing Policy 5: Leisure and Commercial Uses. A sequential approach will be applied in relation to site selection for leisure and commercial uses capable of contributing to the vitality of the city centre.

Environmental Resources Policy 6: Design and Urban Renewal. New development will require to make a

positive contribution to the identity, character and quality of the built and historic environment.

### Dundee Local Plan 1998

The following policies are of relevance:

Policy EU20. Within the identified office sector there will be a general presumption in favour of office use and against development that would materially prejudice the office sector. Certain uses that could complement an office core eg restaurants, bars, retail, office and service uses will also be encouraged at ground floor level in premises with a street frontage.

Policy EU25. A small area of land on the south side of the application site falls within an area where the promotion of offices will be continued.

Policy BE1. The Council will expect the highest standards of composition and design in all new developments and its careful integration with its surroundings as regards scale, form, siting, alignment, materials and landscaping.

Policy BE3. The Council will encourage the appropriate and imaginative use of materials where they are in harmony with the character of the surrounding area, especially in conservation areas and on the main approaches to the City.

Policy BE11. All development proposals in conservation areas will be expected to complement and enhance the character of the surrounding area.

Policy ENV1. All development proposals must have full regard to opportunities for maintaining and improving the quality of the natural heritage and built environment.

Policy LT5. The Council will encourage the provision of a wider range of accommodation for visitors to the City having regard to the other policies in the Local Plan.

Policy LT8. No licensed premises other than off licences or possibly hotels with a restricted licence and no premises selling hot food is acceptable within 30 metres of existing or proposed residential properties if the outlet does not exceed 150 sq.m. gross floorspace or, 45 metres if this figure is exceeded.

Policy LT10. Parking for licensed and hot food premises will be required in accordance with the standards set by the Council.

Policy MV20. The Council will promote and support proposals that provide for the needs of cyclists including the provision of cycle stands.

## Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

## Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 17: Cultural Quarter. Within the Cultural Quarter uses and developments that will assist the further development of its role as a focus for culture and related leisure and business activities will be encouraged. Proposals for the area will be viewed in terms of their contribution to the mix and diversity of uses and to their potential to enhance its visitor attraction.

Policy 30: Visitor Accommodation. The Council will support the provision of high quality visitor accommodation and conference facilities in and close to the city centre, where they are consistent with the Central Waterfront Masterplan.

Policy 52: Restraint on Licensed Premises in the City Centre. Within the city centre care will be taken to avoid an excessive concentration of public houses and night clubs, particularly those in close proximity to residential areas. As such, there will be a presumption against the establishment of licensed premises (excluding restaurants) in the city centre:

- a with a total floor area in excess of 300 sq.m. or
- b any more than one in five units in a single frontage where the combined floor area is in excess of 300 sq.m.

This restraint will not apply in the Cultural Quarter although the development of night clubs will be carefully controlled so that they do not

dominate its character and disrupt the Quarter as a daytime visitor environment.

Policy 55: Urban Design. For all new developments the emphasis will be on design quality. The Council will require the use of Design Statements for planning applications for new buildings on significant sites. All development will, in its design and layout, be expected to contribute to an environment that is safe and accessible to all.

Policy 60: Alterations to Listed Buildings. The alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest.

Policy 61: Developments in Conservation Areas. Within conservation areas all development proposals will be expected to enhance the character of the surrounding area.

## Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Policy Guideline 8 (Revised 1998) on Town Centres and Retailing sets out Government policy for town centres and retail developments. Although hotels are not specifically noted, it is reasonable to assume that this type of use is covered by the Guideline.

National Planning Policy Guideline 18 outlines national policy on the historic environment which local authorities should consider in formulating and assessing development proposals. The Guideline also identifies a range of planning actions designed to achieve conservation objectives, including implications for development plans and development control.

Planning Advice Note 68 - Design Statements. This Advice Note sets out the Scottish Executive's expectations of the planning system to deliver high standards of design in development and redevelopment proposals.

A Policy Statement for Scotland - Designing Places (Scottish Executive

2001). This first policy statement on designing places in Scotland sets out the policy context for important areas of planning policy, design guidance, professional practice and education.

## Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Dundee - The Urban Design Guide. This sets out principal objectives that are to be pursued in the design of new buildings and spaces within the city

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## LOCAL AGENDA 21

A key aim of Agenda 21 is that places, spaces and objects combine meaning and beauty with utility. A further aim is to create safe, clean and pleasant environments in which to live. The proposal involves the redevelopment of a city centre brownfield site with a structure of contemporary design resulting in a continued improvement and enhancement of this visually important site.

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## SITE HISTORY

99/24378/D- Erection of 103 Bed Hotel with associated bar, lounge and car parking and provision of separate public house. - Approved 15/02/2000.

99/01755/DLB - Alterations to listed building to facilitate the erection of hotel and separate public house - Approved 31/03/2000.

99/00168/DS - Demolition of unlisted building to facilitate the erection of a hotel and separate public house - Approved 31/03/2000

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## PUBLIC PARTICIPATION

The relevant neighbour notification procedure was undertaken by the applicants. In addition, the proposals were advertised in the local press on 09 September 2003 as a "bad neighbour" development.

Eight objections to the proposals from adjoining occupiers and interested parties, including Dundee Civic Trust, have been received. The main issues raised by the objectors relate to:-

- 1 The development is inappropriate in terms of scale and design and consequently will have an adverse impact on the appearance

of the adjacent listed building and the setting of the surrounding area.

- 2 The development will result in the increase of private and commercial vehicle movements to the detriment of the road traffic safety of the adjoining occupiers.
- 3 The proposed car parking provision is inadequate for the development proposed.
- 4 The development will result in the removal of trees to the detriment of the visual amenity of the local area.
- 5 The development will result in the over provision of office accommodation within the city.

It is intended to offer comments on the above issues in 'Observations' below

## CONSULTATIONS

The relevant Council Departments and outside bodies have been consulted with regard to the proposed development. The following comments have been received.

The Department of Environmental Health and Trading Standards have offered comments and advice on the management of vehicles in the service area of the proposal and the protection of nearby properties from any noise generated by the development. Conditions relating to noise from mechanical services, amplified music and delivery times have been suggested by the Department.

West End Community Council, while supporting the principle of a hotel development in this location, raise objections to the proposal. The main grounds for concern are:-

- 1 That the removal of the north bound lane on the Marketgait will cause particular problems at peak times.
- 2 That the design of the new development lacks overall integrity in that the proposal lacks visual coherence with the adjoining Bank of Scotland and Overgate buildings located to the north and north east. The proposed finishing materials do not give the development the

visual stature that this city centre site requires.

However, the Community Council have advised that they consider that the building will help create a dramatic gateway into the city from the south and that this impact should not be lost by the unimpressive south facing design of the building.

Royal Fine Art Commission for Scotland have been consulted with regard to the development. The RFACFS have advised that they have no objection to the principles that underlie the proposed development ie the introduction of office accommodation in addition to a hotel, the replacement of the existing underpass, and the reinstatement of a building line on the Nethergate and Marketgait frontages. However, they have expressed concerns about the way the designs for the new building have been developed in detail, how it would integrate with the rest of the city and how it would contribute towards improvements in the public realm. A copy of the full response submitted by the FRACFS is available for inspection in the Members Lounges. The issues raised are discussed in 'Observations' below.

## 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 and Angus Structure Plan 2001 - 2006

The Structure Plan strategy for Dundee includes the support of the regeneration of brownfield sites in the City Centre and to promote new opportunities for retailing / commercial development to assist in

improving the attractiveness of the City as a place to live and work.

Employment Policy 5 (Leisure and Tourism) supports proposals that contribute to the sensitive development of the range and quality of tourism and visitor attractions including the provision of three and four star hotels with conference and banqueting facilities in the city centre. It is recognised that Dundee requires new hotel accommodation and that a key target in the regeneration of the City is investment in new quality hotel accommodation in order to meet the demands of a range of activities such as general tourism, conferences, business seminars and various academic and research activities. The current application proposes a 104 bedroom hotel and in terms of the city's need, it represents an important step in working towards reaching the required levels of provision.

Town Centre and Retailing Policy 5: Leisure and Commercial Uses. This policy requires that a sequential approach be applied in relation to site selection for new leisure and commercial developments with preference being given to sites that will lead to the improvement in the vitality and viability of the city centre. The proposals, being located within the central area of the city are considered to be consistent with the requirements of this policy.

Environmental Resources Policy 6: Design and Urban Renewal. All new development within the city shall be expected to make a positive contribution to the identity, character and quality of the built and historic environment. This matter is discussed more fully in Dundee Local Plan Policies BE1, BE3 and BE11 below where it is considered that the design and impact of the new development will have a positive impact on the environmental quality of the area.

### Dundee Local Plan 1998

Policy EU20 advises that within the identified office sector there will be a presumption in favour of office uses and against development that would materially prejudice the office sector. There are certain uses that could complement the office core eg restaurants, bars and these will be encouraged at ground floor level. This policy is intended to safeguard and

protect existing offices and prevent the incursion of inappropriate uses in the office sector. Clearly the use of the site for office and public house purposes is in accordance with the above land use requirements of Policy EU20. With regard to the use of the site for hotel purposes, it was established, through the approval of a planning application for a new hotel on this site in February 2000, that its use for such purposes would not adversely impact on the Council's aspirations for this office sector. This was due in part to the amount of vacant office accommodation currently available within the sector and other identified sites located in the surrounding area for new build office accommodation.

Policy EU25 requires that certain identified sites at Discovery Quay are promoted for office use. The south side of the application site encroaches marginally into the northern boundary of an identified EU25 site. It is considered that the loss of this small area of land for a hotel development will have no adverse impact on the potential of the remaining part of the EU25 site to be successfully developed for office related purposes.

Built Environment Policies BE1, BE3 and BE11 have shared objectives and require that all new development offers the highest standards of composition and design and its careful integration with its surroundings as regards scale, form, siting, alignment, materials and landscaping. In addition, the Council will encourage the appropriate and imaginative use of materials where they are in harmony with the character of the surrounding area, especially in conservation areas and on main approaches to the city. Any development within a conservation area will be expected to complement and enhance the character of the surrounding area.

The development is "L" shaped in design, runs predominantly in a north to south direction and consists of three separate components. A seven storey office to the north from level 2 upwards, a seven storey 104 bedroom hotel (with support facilities) to the south and a café/bar at basement and ground floor levels within the north leg of the plan.

The building design is based on the specific architectural approach of composing and detailing features and

materials in a contemporary and elegant fashion in order to deliberately avoid a pastiche representation of the historic buildings in the locality. The new building takes account of the proportional elements and features from the surrounding buildings and represents them within a contemporary composition. This approach to the design of the new building is considered to be highly appropriate for a site that has very different aspects to the Nethergate, Marketgait and to the Railyards and is well suited to the need for a repetitive rhythm of bedroom and office windows. This contemporary approach is also well suited to a building that will form a gateway into Dundee's emerging Cultural Quarter.

The Nethergate elevation abuts a Category 'B' listed building that provides the basic compositional elements for the proposed transitional elevation as an abstracted plane. The top cornice height is respected and carried through as the parapet line. The intermediate cornicings are reflected as glazed breaks at regular intervals. Horizontal breaks in the sandstone finish further strengthen the horizontal characteristics defined by the tenements cornicings. The immediate vertical connection from the existing tenement to the new building has been rebated to provide a clean transfer of architectural styles between the two buildings. At ground level the proposed entrance canopy to the offices has been aligned with the adjacent fascia of Groucho's record shop. Further emphasis is given to this connection with the change of material at one side of the entrance to polished black granite. This alignment is continued around and down West Marketgait as a granite clad ring beam. The two uppermost levels are deliberately minimal in form. Each level is set back from the street frontage as a staggered formation respecting the importance in maintaining the Nethergate street line. Both levels are finished in Red Cedar to soften the visual impression of the building. The uppermost level of the office's aluminium face is finished in light grey and narrows to a thin edge to ease the visual impact of the structure on the skyline.

The Nethergate / Marketgait corner of the building is treated by a soft radius tower feature that is characterised in the Overgate Centre located opposite.

The top two storeys of the corner are also set back to maintain an appropriate scale. The mass of the corner is broken up with open glazing and Reglit horizontal channel glass.

The main elevation onto the Marketgait adopts a strong vertical emphasis represented by alternative bands of reconstructed Portland Stone and glazed strips. The glazed strips are set back to emphasise the solidity of the stone and exaggerate the suspended impression of each of the linear planes. The upper two storeys are staggered back from the main street face to maintain an appropriate building scale. On this elevation the office building is terminated by a projected plane of reconstructed Portland Stone. This projection delineates the transition of the offices to the hotel building and provides a distinctive separation of the two building designs. The massing of the elevation is lowered as the hotel commences beyond the offices in a single copper clad plane with windows detailed to fit flush with the plane of the building. The copper is broken horizontally with lapped joints.

The massing of the Greenmarket elevation is a simple cuboid composition pulled slightly apart to form 2 separate sections, one clad with copper the other in polished black stone. The westmost elevation of the hotel is also a panel composition of polished block, copper, channel glazing and satin glazed masonry at ground level.

It is considered that the applicants have approached the development of the site in an appropriate manner. It is further considered that the design, scale, massing, alignment and materials are appropriate for this central area site and that the proposal will add to Dundee's growing reputation for the support of high quality contemporary buildings. The development will heal the urban destruction caused by the demolitions required for the construction of West Marketgait at the same time as providing a landmark modern building to advertise entry to the city's emerging Cultural Quarter. In this respect, it is considered that the proposals adhere to the Environmental Policies of the Dundee Local Plan.

Policy LT5 encourages support of a wider range and choice of visitor

accommodation that is vital to sustain growth of the tourist sector. The terms of this policy are similar to those discussed in Structure Plan Employment Policy 5 above. Consequently, it is concluded that the proposal is acceptable in both land use and locational terms.

Policy LT8 restricts the use of certain premises for the sale and consumption of alcohol and hot food on amenity grounds. Any problems associated with such premises can be minimised by restricting such uses in the vicinity of housing, limiting their operation and hours of operation and requiring adequate car parking. It is accepted that the central area accommodates different commercial characteristics from the majority of the areas within the city. As such, the standards relating to these premises may be relaxed in recognition that the impact of the proposals for licensed premises or hot food takeaways in commercial areas such as the city centre will be relatively less severe. Also that such uses are important uses within this area if it is to fulfil its function as a city centre. Due to the location of the proposed development at the junction of two heavily trafficked roads, it is concluded that the proposal will not significantly impact on the residential amenity of the area. The Members are advised that this issue is discussed further in 'Other Material Considerations' below.

Policy LT10 requires that parking for licensed premises will be required to be in accordance with the standards set by the Council.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

## Other Material Considerations

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

### Finalised Dundee Local Plan Review

Policy 17: Cultural Quarter. Within the Cultural Quarter uses and developments that will assist the further development of its role as a focus for culture and related leisure and business activities will be encouraged. This proposal will result in a landmark building signifying entry to the Cultural Quarter from the south in addition to providing additional

visitor attraction and consequently contributing and enhancing the mix and diversity of uses within the area.

Policy 30: Visitor Attraction. Support will be given to the provision of high quality visitor accommodation in and close to city centre where they are consistent with the Central Waterfront Masterplan. The proposed development achieves this aim within the context and guidelines of the approved Masterplan.

Policy 52: Restraint on Licensed Premises in the City Centre. This matter has been discussed in Dundee Local Plan Policy LT8 above. Policy 52 of the Review advises that within the city centre care will be taken to avoid an excessive concentration of public houses and night clubs. However, this constraint will not apply in the Cultural Quarter although the development of night clubs will be carefully controlled so that they do not dominate its character and disrupt the Quarter as a daytime visitor environment. In this respect, the proposal does not contravene the requirements of the policy.

The terms of Policy 55 (Urban Design), Policy 60 (Alterations to Listed Buildings) and Policy 61 (Developments within Conservation Areas) are reflected in the Built Environment Policies BE1, BE3 and BE11 of the Dundee Local Plan 1998 above. Accordingly, it is concluded that the proposed development is in accordance with the Design policies of the Review.

It is also considered that, taking into account the comments offered on the environmental impact of the development on the surrounding area, the application is consistent with the aspirations of National Planning Policy Guideline 18 (Historic Environment), Planning Advice Note 18 (Design Statements) and A Policy Statement for Scotland - Designing Places.

With regards to the issues raised by the objectors, the following comments are offered:

- 1 Inappropriate design and scale. The issues relating to this matter have been fully considered and discussed in the discharging of the development plan policies above.

- 2 Road Traffic and Pedestrian Safety. Due to the relatively low volume of additional traffic that it is anticipated will be generated by the proposal, it is considered that the development will not significantly impact on the road traffic safety of the adjoining occupiers.
- 3 Insufficient Off Street Car Parking Provision. The applicants are proposing to locate 5 associated off street car parking spaces on the west side of the hotel building. Due to the city centre location of the new building and to its close proximity to public car parks, it is considered that this amount of provision is adequate in this instance. This will allow sufficient spaces for the dropping off of patrons near to the hotel entrance with longer term parking facilities being available in the car parks located in the immediate vicinity. A dedicated dropping off point is also proposed on the Marketgait frontage.
- 4 Loss of trees and Shrubs. Whilst this is unfortunate in any proposal, the loss in this instance will be compensated for by the provision of new soft and hard landscaping within the site and along the eastern boundary in particular.
- 5 Over Provision of Office Accommodation. The proposal is in accordance with the Office Sector policies of the development plan for the central area of the city.
- 6 With regard to the issue raised by the West End Community Council on the removal of the left hand turning lane at the Nethergate / Marketgait junction. It is recognised that this has the potential to be a problem at peak flow times. However, this matter is currently being actively investigated and solutions sought as part of the traffic management proposals for the Central Waterfront area.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions

of the development plan. It is therefore recommended that planning permission be granted with conditions

## Design

The proposal promotes a contemporary building form on this important city centre site. The Nethergate corner is completed with an appropriate tower feature that mirrors the Overgate Centre opposite and signifies a city centre gateway and crossroads. The richness of materials proposed and contemporary composition of the proposal combine to provide a dramatic building of a high quality design.

## CONCLUSION

The contemporary design of the proposed building is considered to be highly acceptable as it will improve and enhance the visual quality of this important city centre site and will provide a dramatic new landmark at the gateway to Dundee's emerging Cultural Quarter.

## 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
- 2 Development shall not begin until samples of materials to be used in the external surfaces of the building and in construction of hardstandings and walls have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority
- 3 No development works shall take place on site until alternative pedestrian crossing facilities over the Marketgait have been provided. For the avoidance of doubt, these facilities shall be located on the south side of the Marketgait / Nethergate junction in a position to be agreed in writing with the planning authority.

- 4 Prior to the occupation of the development, the proposed footpath to be provided along the eastern boundary of the site shall be completed in accordance with details to be submitted to and approved in writing by the planning authority.
- 5 Development shall not begin until details of a scheme for landscaping works have been submitted to and approved in writing by the planning authority. For the avoidance of doubt, details of the scheme shall include:
  - 1 location of new trees, shrubs, hedges and grassed areas;
  - 2 existing and finished ground levels in relation to a fixed datum preferably ordnance;
  - 3 schedule of plants to comprise species, plant sizes and proposed numbers / density;
  - 4 programme for completion and subsequent maintenance.
- 6 All landscaping works shall be carried out in accordance with the scheme approved in writing by the planning authority prior to the first occupation of the building hereby granted permission.
- 7 That any amplified music or vocals generated by the proposed development shall be so controlled as to be inaudible within the nearest noise sensitive residential accommodation.
- 8 That total noise from all mechanical and electrical services shall not exceed NR35 as measured 1 metre from the façade of the nearest residential accommodation.
- 9 That deliveries and pick up for the hotel building shall take place between 0700hrs - 2300hrs, Monday to Saturday and 0900hrs - 1800hrs on Sunday.

## Reasons

- 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 safe pedestrian crossing facilities are provided across the Marketgait following the closure of the existing pedestrian underpass.
- 4 To ensure that safe pedestrian footpath facilities linking the railyards/South Marketgait to the Nethergate are provided.
- 5 To maintain and improve the landscape quality of the area.
- 6 To maintain and improve the landscape quality of the area.
- 7 To protect local residents from noise nuisance.
- 8 To protect local residents from noise nuisance.
- 9 To protect local residents from noise of hotel delivery vehicles during late evening and early morning hours.