

KEY INFORMATION**Ward** Tay Bridges**Proposal**

Masterplan for former railyard site to create a digital media/class 4 business, commercial and residential uses

Address

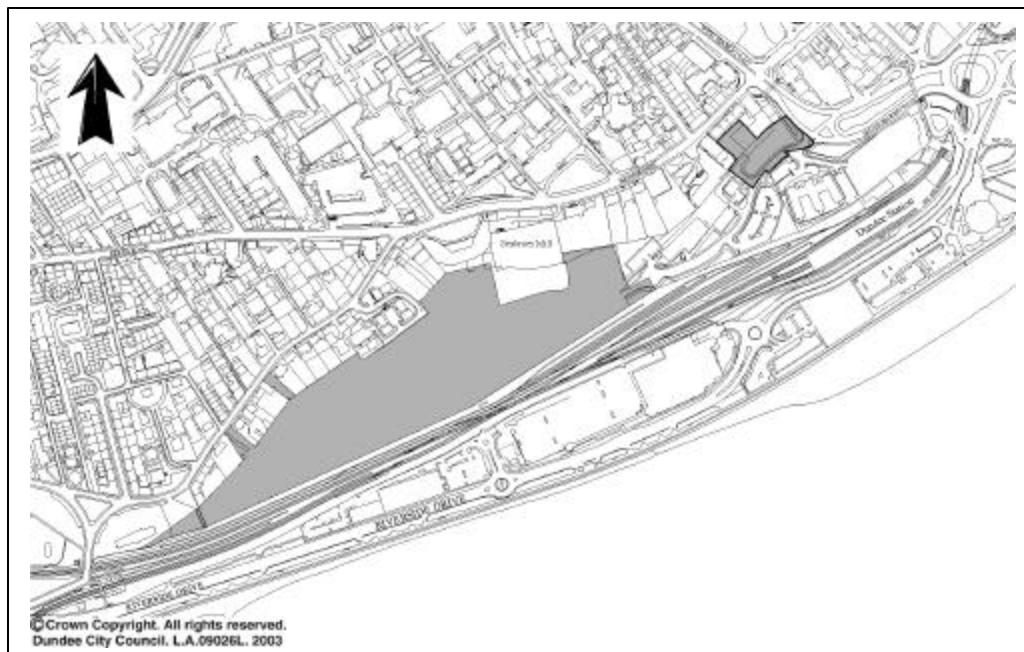
Former railyard site
Greenmarket
Dundee DD1 4BX

Applicant

Scottish Enterprise Tayside
Douglas Davidson
Enterprise House
45 North Lindsay Street
Dundee DD1 1HT

Agent

Parr Partnership
95 Dundee Road
West Ferry
Dundee DD5 1JB

Registered 25 Sept 2003**Case Officer** D Gordon

Proposal for a Digital Media Park in Former Railyard at Greenmarket

The Masterplan for a digital media park is **RECOMMENDED FOR APPROVAL** subject to conditions.
Report by Director of Planning and Transportation

RECOMMENDATION

The proposal represents a major opportunity to develop the former railyards for a variety of uses consistent with the requirements of the development plan. The outline application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Outline planning permission is sought for the development of the former railyards area for Class 4 Business, Commercial and Residential uses. Structured landscaping works and Open Space provision are also proposed.
- The application is supported by a Master Plan Report and Layout plan that provides a template for the future development of the site.
- Five letters of objection and 3 letters of representation have been received. The main issues raised relate to matters that can be dealt with at the time of consideration of any future detailed planning application for the development of the site.
- The proposal is considered to be in accordance with the relevant policies of the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. Further it is considered that the concerns raised by the objectors are not sufficient in this instance to warrant refusal of the outline application.

DESCRIPTION OF PROPOSAL

Outline planning permission is sought for the development of the former railyards site for various uses including Class 4 business, commercial and residential. The primary aim of developing this 17 acre site would be the creation of a specialist business park to serve the creative industries and particularly the digital media sector (ie Digital Media Park). The balance of the site not given over for the Digital Media Park would be developed for housing (including student housing), commercial, open space and related uses.

Access into the site from the east is to be taken from the existing access on the Marketgait frontage. To the west, a new access is to be formed at the foot of Roseangle. This will access through the existing car park with the displaced car parking being re-located adjacent to the existing. Through traffic should be restricted to emergency vehicles only. Additional pedestrian and bicycle accesses into the site will be provided at various points along the northern boundary of the site.

The application is accompanied by a Stage 1 Masterplan Report that outlines the context and philosophy behind the proposals and advises of the location of the various buildings and uses proposed. This will form the template for all future developments to be located within the site.

SITE DESCRIPTION

This former railyards / goods yard site is located to the west of the city centre. The site is bounded by Marketgait to the east, to the west by Roseangle, to the south by the main railway line and to the north by the properties located on the south side of Nethergate / Perth Road.

The site is currently vacant and relatively flat with only minor undulations. While there are no buildings within the site, it is bounded to the north by a variety of existing buildings including tenements, villas, student housing, commercial and education buildings and a former mill

building (Seabraes Mill). The "Sensation" science building and Dundee Contemporary Arts are located to the east.

Access into the site is currently taken from Marketgait to the east.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The following policies are of relevance:

Employment Policy 1: Employment Land Supply. This policy requires that Local Plans identify sites within the city that will maintain an effective five year supply of marketable land for employment use.

Housing Policy 2: Dundee and South Angus Housing Market Area. This requires that brownfield sites within



the city, including the city centre, are targeted to create mixed tenure communities. The policy also favours houses rather than flats.

Environmental Resources Policy 6: Design and Urban Renewal. New developments will require to make a positive contribution to the identity, character and quality of the built and historic environment. Proposals that assist urban renewal and the appropriate re-use of vacant and derelict land and buildings in Dundee will generally be supported.

Dundee Local Plan 1998

The following policies are of relevance:

Policy EU11 - The Railyards. The Council will encourage the

development of industry / business / leisure opportunities in accordance with a planning brief prepared for the site.

Policy EU19. Part of the northern section of the site is located within an area where the local authority will encourage appropriate business and research developments and supporting uses associated with 'Higher Educational Institutions in campus locations.

Policy EU25 - Discovery Quay. Sites at Discovery Quay will continue to be promoted for offices

Proposal HS4 - A 2.4 hectare site for private residential development. Due to ground conditions flatted development is practical. The buildings should appear as large as 2.5 / 3 / 3.5 storey villas in a landscape setting. Part of the site at the east end to be reserved for student housing.

Policy ENV5. 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.

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 BE30. When considering development proposals involving sites where the presence of contamination is suspected, the Council will require developers to submit details of investigations to assess the nature and extent of contamination and notify the authority of the remediation measures proposed to render the site fit for its proposed use.

Dundee Urban Nature Conservation Subject Local Plan 1995

The following policies are of relevance:

Policy WC01. The site is contained within a Wildlife Corridor. The terms of this Policy are reflected in Dundee Local Plan Policy ENV5 above.

A small area of the application site located to the south of Roseangle is identified as being a Category B site. In this respect, Policy SP1 is of relevance. This requires that if development of this site is permitted, applicants must conserve and enhance at least 25% of the site for nature conservation.

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 23: Digital Media Park. The Council will support the principle of a digital media park with an appropriate mixture of student and mainstream housing and open space on the former railyards site. All development proposals for this site must have full regard to opportunities for maintaining and improving the quality of the built environment and natural environment.

Policy 70: Semi-Natural Greenspaces of Local Nature Conservation Importance. Development proposals must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local Nature Reserves. Any development proposals affecting these sites must be accompanied by an ecological or similar assessment that details the likely impacts of the proposal on the conservation interests of the designation.

Policy 9: Student Housing. The northern section of the site has been identified as being suitable for student housing. This would form an extension to the student housing that currently exists on the south side of Roseangle.

Policy 17: Cultural Quarter. Part of the east side of the site is located within the Cultural Quarter. Within the Cultural Quarter uses and developments that will assist the further development of its role as a focus for cultural and related leisure and business activities will be encouraged. Where appropriate, proposals outwith the area but capable of meeting these requirements will be supported.

Proposal 13: Railyards. The west end of the application site has been identified as being suitable for residential development.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy 1: The Planning System.

Scottish Planning Policy 2: Economic Development.

Scottish Planning Policy 3: Planning for Housing.

National Planning Policy Guideline 5: Archaeology and Planning

National Planning Policy Guideline 8: Town Centres and Retailing

National Planning Policy Guideline 11: Sport, Physical Recreation and Open Space.

National Planning Policy Guideline 14: Natural Heritage.

National Planning Policy Guideline 17: Transport and Planning.

National Planning Policy Guideline 18: Planning and the Historic Environment.

Planning Advice Note 33: Development of Contaminated Land

Planning Advice Note 37: Structure Planning

Planning Advice Note 38: Housing Land

Planning Advice Note 42: Archaeology - The Planning Process and Scheduled Monument Procedure

Planning Advice Note 51 Planning and Environmental Protection

Planning Advice Note 56: Planning and Noise.

Planning Advice Note 57: Planning and Transportation.

Planning Advice Note 59: Improving Town Centres

Planning Advice Note 61: Planning and Sustainable Urban Drainage Systems.

Planning Advice Note 65: Planning and Open Space

Planning Advice Note 67: Housing Quality.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Former Railyards Site – East

Former Railyards Site - West.

LOCAL AGENDA 21

The development will result in the redevelopment of a brownfield inner city / central area site and is therefore considered to be sustainable and consequently consistent with the aims of Local Agenda 21.

SITE HISTORY

01/30233/FUL - Elevational Alterations and Extension to Seabraes Mill, including the formation of a car park - Approved 27/05/2002.

02/00753/FUL - Elevational Alterations and Extension to Seabraes Mill, including the formation of a car park - Approved 02/12/2002

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants. Five letters of objection and 2 letters of representation have been received. The main issues raised are as follows:-

- 1 The impact of the proposed development on the adjoining occupiers by virtue of overlooking, overshadowing and noise.
- 2 The potential loss of trees at the west end of the site.
- 3 Potential loss of car parking spaces and open space at Roseangle and resultant impact on the local road network
- 4 Disruption to local residents during construction works
- 5 The impact on the local roads by an increase in traffic movements
- 6 Impact of the proposal on the Wildlife of the area
- 7 Ground contamination issues
- 8 Impact on the adjacent conservation area by virtue of design and materials of the new buildings.

It is intended to comment on the above issues in 'Observations' below. Copies

of the letters are available for inspection in the Members Lounges.

CONSULTATIONS

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

The Councils Head of Environmental Health and Trading Standards has advised that, due to the proximity of the railway line, an Air Quality Assessment would be required to accompany any application for detailed planning permission for the erection of residential units on the west side of the site. In addition, before any residential development commences on the site, a full Noise Impact Assessment in terms of Planning Advice Note 56 would be required to be submitted to this Council. This assessment should include details of rail and road traffic noise, resultant noise exposure categories and all other significant noise sources in the area. Noise mitigation measures and final predicted internal noise levels will also be required.

The West End Community Council has requested clarification regarding the provision of car parking spaces following the construction of a road through the existing Roseangle car park. In addition, they have expressed concern about the potential loss of green space to the west of the existing car park and the impact of a new building located immediately to the west of Seabraes.

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.

The proposal under consideration involves an outline application for the development of the former railyards for various uses including Class 4 Business, commercial, retail, residential and open space.

The Digital Media Park / Class 4 Business Use is to be located on the east and central areas of the site. The Park will be based on 250,000sq.ft. of highly flexible buildings strategically arranged in an urban form. This will provide a variety of accommodation sizes and arrangements whilst maintaining a continuity of appearance and style appropriate to the concept of the Park. This will include low cost incubator -type space, more commercially priced space to accommodate start up businesses and higher specification space to meet the needs of more mature businesses. A streetscapetype environment is envisaged to avoid the sterile business park environment of buildings set in space occupied by vast areas of car parking and landscaping. Due to the proximity of the city centre and its strong transport links, it is intended to reduce the car parking provision to 1 parking space for every 500 sq. ft. of Digital Media accommodation proposed. The car parking will be closely associated with the individual buildings that they serve and wherever possible separated from the main vehicular spine road by strips of landscaping. The Masterplan envisages an environment for the Park that is vibrant, busy and contemporary with the flexibility to adapt to future changes in demand.

A commercial use is proposed for central area of the site. The aim would be to provide a single, centrally located amenity building that could offer facilities for the employees for the area and include such uses as bar/bistro, restaurant, retail, gym and crèche. Additionally, there is the opportunity for the building to offer a centralised showcase for the industry in general and specifically businesses operating in the Park through a central exhibition space supported by meeting / conference / presentation facilities. The scale of the operation would be approx. 10,000 sq.ft. (net). The masterplan envisages a single storey building created in a form that makes the building readily distinguishable from the Media Park buildings. It is anticipated that this would be at the

heart of the Park not only to form the social focus for those working there but also to draw people from out-with the Park.

Private Sector Housing is proposed for the west-end of the site. The Master Plan proposes locating residential accommodation of a scale comparable to that of the Digital Media buildings along the south edge of the site in a mixture of 2-3 bedroom apartments and maisonettes. The remainder of the site could be developed in groups of 3 storey, terraced townhouses that would vary in accommodation size and which could be accessed off a main spine road. The overall design of the private residential zone should be based on the design principles set out within 'Designing Places' published by the Scottish Executive, supported by Planning Advice Note 67: Housing Quality. Additionally, the design of the layout should be influenced by the design guidance set out within the Executive's Home Zone Guidance Consultation, which is based upon the context of road space in which motorists should feel that they are in a pedestrian environment.

Student Housing is proposed adjacent to the existing student housing located on the north boundary of the site. Extending the University residences to the south into the application site is viewed as beneficial to the overall master plan and can assist by contributing to defining the north edge of the Media Park and acting as a suitably scaled and massed visual screen between the Digital Media buildings and the existing residences. The Master Plan envisages a linear building form, rising over 4 storeys, with the south elevation articulated by the vertical circulation and service cores. Both vehicular and pedestrian access would be from the current access off Roseangle. This will allow the residential development to retain its autonomy from the Digital Media Park.

The application also includes the provision of a structured landscape proposal running east to west along the entire length of the southern boundary of the site. In addition there are to be landscaped pedestrian links from Roseangle allowing permeability of the site from the north.

Due to the scale and nature of the proposal and the potential for such a

development to impact on the local road network, the applicants were requested to submit a Transport Assessment in support of their application. The recommendations of this Assessment are currently being considered by this Council. It is intended to attach appropriate conditions to any permission granted that require certain works associated with the surrounding road network be undertaken prior to the development of the site under consideration.

In light of the above, together with the additional information contained in the accompanying Master Plan, it is considered that the principles set out by the outline application are in accordance with the requirements of the relevant policies and proposals of the Dundee and Angus Structure Plan 2001 - 2016, the Dundee Local Plan 1998 and the Urban Nature Conservation Subject Local Plan.

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

Other Material Considerations

The Finalised Dundee Local Plan Review. It is considered that the proposed development concepts, principles and philosophies of the outline application are in accordance with the Policy 23: Digital Media Park, Policy 9: Student Housing, Policy 17: Cultural Quarter and Housing Proposal 13: Railyards of the Review. In addition, the proposed development will improve and enhance the nature conservation quality of the area by the provision of additional structured landscape planting of appropriate species of trees, shrubs, hedges and grass.

The outline application is also considered to be in line with the requirements of the various Scottish Planning Policies and Planning Advice Notes as stated in 'Policy Background' above.

With regard to the submitted objections to the proposal the following comments are offered.

- 1 The impact the proposed development will have on the amenities of the adjoining occupiers. It is difficult to assess this matter at this outline permission stage with no detailed designs of the buildings being put

forward for determination. This is an issue that will be fully assessed at the time of the consideration of any future applications for the development of the site.

- 2 The potential loss of trees at the west-end of the site. While the loss of any trees within a development site is to be regretted, the proposed amount of structured landscaping for the site should compensate for any removal of existing trees within the site. However, the removal or retention of any trees will be assessed at the time of the submission of a full planning application for the development of the site.
- 3 Potential loss of car parking spaces at Roseangle. The Master Plan advises that any displaced spaces caused by the construction of a new access to the site will be re-located adjacent to the existing car park. This again is a matter that can be assessed at the time of the submission of a full planning application for such works.
- 4 Disruption to local residents during construction works. This is a matter that can be controlled through appropriate planning conditions at the time of consideration of a detailed planning application and other relevant legislation at the time of construction works being undertaken.
- 5 The impact of the potential increase of traffic on the local road network. Due to the nature of the proposal and the potential for such a scale of development to impact on the local road network, the applicants have been requested to submit a Transport Assessment in support of their application. This Assessment has now been submitted and its conclusions are currently being considered by this Council.
- 6 Impact on the Wildlife of the area. Discussions are currently taking place with this Council on the appropriate re-placement of landscaping and open space. This will be a 'reserved matter' should this outline application be supported and consequently will

require to be the subject of a further application.

- 7 Ground contamination issues. The site has been the subject of a series of ground investigation reports and reviews. The applicants have submitted details of the current ground conditions and a remediation strategy. It is intended to attach a condition to any consent granted requiring that appropriate decontamination works be carried out prior to the first occupation of various uses on the site.
- 8 Impact of the Proposal on the Adjacent Conservation Area. This is a matter that will be fully assessed at the time of the submission of a detailed planning application for the development of the site.

With regard to the representations submitted by the West End Community Council ie the provision of car parking and the potential loss of green space at Roseangle, these matters have been commented on above. With regard to the provision of a new building next to Seabraes open space, it is the case that this element of the proposal is not contained within the red edge of the application site and is considered indicative only at this stage.

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 outline planning permission be granted with conditions.

Design

The current proposal is in outline only and consequently no details of building design, materials etc are being considered at this time. However, the Masterplan Report and Layout Plan submitted with the application outlines the context, philosophy, development concepts and principles that should be followed when considering future developments on the site. The approach by the applicants to develop the site in a city centre urban form is to be welcomed on this important site and the design advice offered in the Masterplan will ensure a development of quality and local distinctiveness.

CONCLUSION

The proposal represents a major opportunity for the extension and integration of the existing urban boundary with the regeneration of the Waterfront with appropriate uses that are in accordance with the requirements and aspirations of the development plan and other relevant material considerations.

RECOMMENDATION

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

- 1 The approval of the City Council shall be obtained to the following reserved matters before any development is commenced viz: the siting of the building(s) the design of the building(s) the external appearance of the building(s) the means of access to the building(s) the landscaping of the site.
- 2 Application for approval of the matters referred to in condition (1) above must be made within 3 years of the date of this permission.
- 3 The development to which this permission relates shall begin within 5 years of the date of permission or 2 years of the final approval of the reserved matters, whichever is the later.
- 4 Before any residential development on the site commences, a full Noise Assessment in terms of Planning Advice Note 56 shall be submitted to and approved in writing by the planning authority. For the avoidance of doubt, this Assessment shall include details of rail and road traffic noise, resultant noise exposure categories and all other significant noise sources in the area. The proposed noise mitigation measures and final predicted internal noise levels shall be submitted to and approved in writing by the planning authority and thereafter implemented as approved.
- 5 That before any residential development commences, a full Air Quality Impact Assessment

shall be submitted to and approved in writing by the planning authority.

- 6 That details of the required improvements to the junction leading into the site from Marketgait shall be submitted to and approved in writing by the planning authority. None of the uses hereby granted permission shall be commenced until the junction improvements have been constructed in accordance with the approved plans.
- 7 Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:
 - a the nature, extent and type(s) of contamination on the site.
 - b Measures to treat / remove contamination to ensure the site is fit for the use proposed.
 - c Measures to deal with contamination during construction works.
 - d Condition of the site on completion of decontamination measures.

Before any unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

- 6 In order to maintain safe and free flow of traffic on the surrounding local road network.
- 7 In order to ensure that the site is fit for the use proposed.

Reason

- 1 To reserve these matters for future consideration by the Council.
- 2 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 3 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 4 To protect local residents from road and rail noise.
- 5 To protect local residents from air pollution.