

KEY INFORMATION

Ward Camperdown

Proposal

Conversion of 4 buildings to form 59 townhouses, 24 apartments and a leisure/concierge facility.
Erection of 62 houses, restaurant/cafe and day nursery with associated landscape works.

Address

West Green Park (Former Liff Hospital)
Liff Road
DUNDEE

Applicant

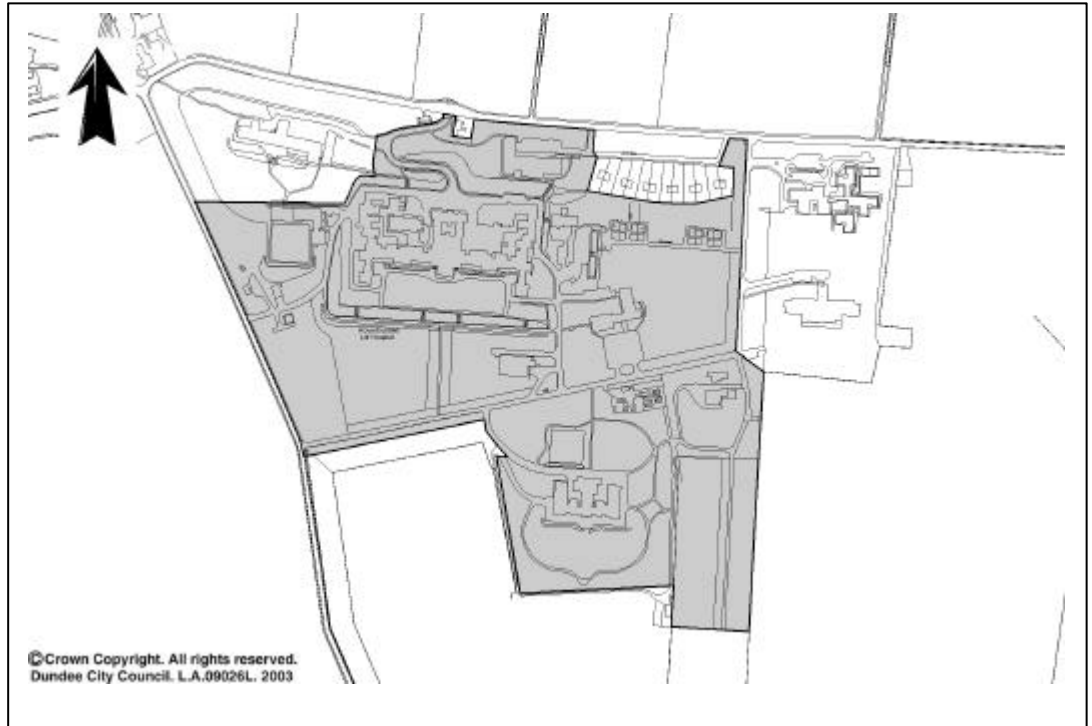
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Registered 14 July 2004

Case Officer Eve Jones



Proposed Residential Development at Former Liff Hospital

The conversion of 4 buildings to form townhouses and apartments, plus the erection of houses, restaurant/cafe and a day nursery is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with the Dundee and Angus Structure Plan. The proposal complies with all the relevant policies in the Dundee Local Plan 1998. It is identified for development and complies with relevant policies in the Finalised Dundee Local Plan Review. Four objections cannot be supported. The application is recommended for **APPROVAL** subject to a legal agreement and conditions.

SUMMARY OF REPORT

- Planning permission is sought for the redevelopment of a large part of the former Liff Hospital for residential use comprising the conversion of 4 Listed Buildings to form a total of 83 townhouses and apartments ranging in size from 1 to 5 bedrooms providing a range of floorspace from 70 to 225 square metres. Eight existing houses will be refurbished. 62 new build detached houses will be constructed providing 4-6 bedrooms and located in 4 clusters within a wooded setting. A leisure facility with spa and pool, a dedicated concierge service, a 50 place children's nursery and a restaurant/café will provide a range of community facilities. There are 5 existing accesses to the site which will be upgraded.
- This unique site on the western edge of the City provides a mature landscaped setting with fine Listed Buildings. There are two Alberto Marrocco murals in the main building which will be retained. The site has between 3,000 and 4,000 trees which require management, replanting and improvement. There are red squirrels on site and a management strategy in conjunction with the Council's Red Squirrel Working Group will protect and enhance their habitat. Supporting statements in respect of trees and landscape, ecology, contaminated land, ground conditions and transportation issues have been provided.
- The site is identified in the Dundee and Angus Structure Plan for residential development and forms the larger part of one of three proposed new villages within the Western Gateway as defined by the Finalised Dundee Local Plan Review. There are two B Listed and two C Listed buildings and the site is covered by a Tree Preservation Order.
- Five objections have been received mainly from local residents on various grounds relating to the impact of the development on their properties and the local environment. The objections are not supported.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the redevelopment of a large part of the site of the former Liff Hospital for residential use with community facilities, garaging and car parking. Four Listed buildings are to be retained, all of their later extensions and alterations are to be removed and more recently constructed buildings within the grounds, which have no architectural merit, are to be demolished. Wherever possible, buildings have been divided vertically into townhouses and apartments have been restricted to those parts where there is no realistic alternative means of division.

The proposed development comprises:

Conversions:

Greystanes House - the conversion of the existing main building to form 53 residential units consisting of 41 townhouses and 12 apartments. The townhouses range in size from a 1 bedroom with a floor area of 94 square metres to a 4 bedroom with 225 square metres. The apartments are 1 and 2 bedroom and range from 115 square metres to 132 square metres. All parking is confined to the two courtyards to the north of the building with 38 new build garages, 68 car spaces, bin stores and cycle stores. All units have 200% parking. Most townhouses and apartments are accessed from these courtyards with private garden grounds around the perimeter of the building. The two Alberto Morrocco murals which are painted directly on to the wall of the former patient's dining room will be retained within the new development.

Gowrie House - the conversion of the existing building to form 21 residential units consisting of 15 townhouses and 6 apartments. The townhouses vary from a 1 bedroom with a floor area of 81 square metres to a 4 bedroom with 216 square metres. There are 6 x 2 bedroom apartments of 120 square metres. 11 new build garages and 31 car spaces will provide 200% dedicated car parking. The tennis courts will be retained.

The Trust Offices - the conversion of the existing building to form 8 residential units (a range of 2, 3 and 4 bedrooms) consisting of 2 townhouses and 6 apartments. The apartments vary between 70 and 132 square metres and

the townhouses are 90 and 132 square metres. 200% parking is provided with 2 garages and 18 spaces plus a bin and cycle store.

Liff House will be converted back into one large detached 5bedroom house with dedicated car parking and extensive private gardens.

New Build Housing:

62 new build detached houses (a range of 4, 5 and 6 bedrooms) with dedicated car parking and gardens will be created in 4 distinct clusters of 7 units in the north, 22 units in the south east, 8 units in the west and 25 units in the east. The floor areas will range from 173 to 232 square metres and all will have double garages and 2 car parking spaces. 6 house types will provide variety and the designs will incorporate glazed conservatories, bay windows and covered entrance porches. The gardens will be defined by beech hedging with timber entrance pillars and gates and trellis fences between houses will provide privacy. The proposed finishing materials comprise slate roofs, smooth render walls in white and coloured timber detailing to entrance porches, garage doors and roof detailing.

Refurbishment:

The existing 8 semi detached houses on Tayview Drive to the east of the trust offices will be retained and refurbished. 8 new build garages and 8 car spaces will provide dedicated car parking.

Community Facilities:

A leisure/concierge facility will be created in part of the main building at Greystanes. The later extensions will be demolished to improve access to the main building and separate this facility from the residential element. The unit will have a pool and spa, saunas, fitness, snooker and meeting rooms. There will be offices for a site management team which will provide on site services for the leisure club, tennis courts, landscaping, building maintenance, cleaning services, etc. Dedicated car parking will be provided by 14 car spaces.

A new build restaurant/café and a private day nursery is proposed on the site of the former kitchen block on South Road to the south of Greystanes house with 28 visitor and 7 staff car parking spaces. A 2-car drop off point and secure private garden of 400

square metres will also be provided for the day nursery. The nursery will be for a maximum of 50 children. It is proposed that the café will operate throughout the day with the restaurant providing lunches and dinners and can provide ancillary retail goods.

Recycling: all units will have integral bins to promote the separation of waste as an additional incentive to use the separate external waste bins to be provided with each house. The conversion units will have separate bin stores adjacent to the properties. The site will have a dedicated mini recycling centre which will be serviced by the City Council.

HMO use: the developer has advised that a legal condition will be included within the Deed of Conditions for buyers to prevent the letting of properties as HMOs. It is considered that letting of a house or apartment for single occupancy is appropriate.

The total development comprises 153 residential units either conversions, refurbishment of existing houses or new build.

Phasing.

The development construction is proposed in four distinct phases on the basis of a gradual sales target of 40 residential units per year.

- 1 Phase 1 will include the 8 new build units to the west, 18 new build units to the south east, 31 conversions within the Greystanes House including the central element, leisure club/concierge facility and Liff House in the east.
- 2 Phase 2 will comprise of the remaining 21 conversion units within the Greystanes Houses, 7 new build unit to the north off Tayview Road and the restaurant/café and private day nursery facilities.
- 3 Phase 3 will include the 8 conversions within the Trust Offices and the 25 new build units to the east.
- 4 Phase 4, the final phase will comprise of the 21 conversion units within Gowrie House and the 4 new build units in the southeast section of the site.

The application is supported by the following submissions:

- A reasoned statement of justification.
- An ecological assessment.
- A red squirrel management strategy.
- An arboriculture assessment.
- A landscape appraisal.
- A review of transportation issues with later supplementary information.
- A stage 1 and stage 2 Contaminated Land study
- A ground investigation report.

SITE DESCRIPTION

The site occupies an area of 19.99 hectares (49.39 acres) to the west of Dundee, on the south facing slopes south east of Liff Village. The site slopes gently from north to south and the elevated location provides views through the surrounding trees across the Carse of Gowrie to the Tay estuary. The site is bounded by public roads to the north and west connecting the site in several directions to Gourdie Brae/Kingsway to the east, Muirhead to the north and the Swallow junction on the A90 to the south. Vehicular access to the site can be taken from three entrances on the northern boundary and two on the western boundary. The internal road and footpath network is private.

The mature trees form a high quality parkland setting for the buildings and the tree belts, which surround the site, screen it from long distance views. The trees on the site are the subject of a Tree Preservation Order. The open area immediately in front of Greystanes House forms a formal setting for the principal building. The four original buildings on site are listed; Greystanes House and Gowrie House are Category B, Liff House and the Trust Offices are Category C(S). The remaining buildings on the site are modern houses or service buildings for the former hospital that are of no architectural merit. The NHS Trust will retain Benvie House in the northwest corner and Gourdie House and Whitelawston House in the east for continuing provision of in-patient care. The gate lodge on Liff Road and the houses at 1-12 Tayview Road in the north are in private ownership and are not part of this development proposal. As part of the NHS Trust retraction from the site, Gowrie House will be

used until May 2008 and the Trust offices until May 2007.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The following are of relevance: Development Strategy para 2.22, Housing Policy 3, Schedule 1; Transport Policy 4; Environmental Resources Policy 5A; Report of Survey Appendix 1.

Dundee Local Plan 1998

The following policies are of relevance:

Policy EU31 Major Establishments.

Policy RD15 Development in Open Countryside.



Policy H10 Design of New Housing

Policy BE1 Design Quality.

Policy LT8 Licensed and Hot Food Premises.

Policy SCE4 Day Nurseries and Private Schools.

Policy BE15 Alternative Uses for Listed Buildings.

Policy BE16 Demolition of Listed Buildings.

Policy BE17 Alterations to Listed Buildings.

Policy ENV8 Wildlife sites

Policy ENV11 Natural Environment

Policy ENV12 Existing Trees on Development Sites.

Policy ENV13 New Trees on Development Sites.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application as the site lies outwith the area covered by the Plan.

Finalised Dundee Local Plan Review

Appendix 3 - Greenfield Housing Development Proposals.

Policy 4 requires new housing development to conform to the standards and guidance set out in Appendix 1, with qualitative guidance provided in the Dundee Urban Design Guide.

Policy 5 Open Space Provision as part of New Housing Developments

Policy 8 Local Facilities Provision in Major New Housing Developments.

Policy 19 Day Nurseries and Private Nursery Schools.

Policy 53 Licensed and Hot Food Premises outwith the City Centre.

Policy 20 Funding On and off Site Infrastructure Facilities.

Policy 56 Public Art.

Policy 59 - Alternative uses for Listed Buildings and Policy 60 - Alterations to Listed Buildings both apply.

Policy 67 - Open Space Maintenance.

Policy 70 states that "development proposals must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local Nature Reserves.

Policy 72 - Trees and Urban Woodland

Policy 75 requires that all "development proposals must be accompanied by a Sustainable Drainage Scheme".

Policy 79 - Contaminated Land.

Policy 81 Pedestrians

Policy 82 Cycling Facilities

Policy 83 Bus Transport

Policy 88 Residential parking.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

SPP1: The Planning System

SPP3: Planning for Housing

The SPP states that "in meeting the requirements of housing markets across Scotland, planning authorities and housing providers should work more closely together to:

- Create more quality residential environments.....;
- Guide new housing developments to the right places.....; and,
- Deliver housing land...." (Summary)
- NPPG14: Natural Heritage

With reference to natural heritage considerations outwith sites subject to statutory designation, the guidelines state that "planning authorities should seek to protect trees, groups of trees and areas of woodland where they..... contribute to the character or amenity of a particular locality" (Paragraph 51) and that, "opportunities should be taken to secure new woodland planting in development schemes." (Paragraph 51)

NPPG17: Transport and Planning

Within the context of sustainable development, NPPG17 promotes an integrated approach to land use, economic development, transport and the environment.

PAN33: Development of Contaminated Land. The document states that risk need to be assessed on a site by site basis and sites should be suitable for the proposed use. Investigation should be followed by appropriate remediation where necessary.

PAN44: Fitting New Housing Development into the Landscape

Planning Advice Note 44 provides further Government advice relating to successfully absorbing new development into settlements. The Advice Note recommends ways in which developers can "achieve residential developments which are in harmony with their landscape setting and which make a more positive

contribution to the character of existing settlements." (Paragraph 2)

PAN61: Planning and Sustainable Urban Drainage Systems

The PAN states that planning policy should set the framework for the provision of Sustainable Urban Drainage Systems (SUDS) in Local and Structure Plans and in masterplanning exercises.

PAN60: Planning for Natural Heritage

In accordance with the guiding principles advocated by NPPG14, this document "encourages developers and planning authorities to be positive and creative in addressing natural heritage issues."" (Paragraph 2)

SPP1, the Scottish Executive's 'Designing Places' A Policy Statement for Scotland 2001 clearly states that design is a material consideration in determining planning applications. In this regard, Designing Places sets out the policy context for important areas of planning policy, design guidance and professional practice and acknowledges that "successful design is a matter of balancing interests and opportunities in the way that is right for the particular place" (Page 33)

Memorandum of Guidance on Listed Buildings and Conservation Areas 1998. The Memorandum provides advice and guidance for the consideration of listed building applications and advises that new uses for old buildings may be the key to their continued survival subject to the alterations which such changes of use may require.

Non Statutory Statements of Council Policy

The Council's Urban Design Guide is of relevance.

LOCAL AGENDA 21

The proposed development complies with the following Key Themes:

Key Theme 1 - Resources are used efficiently and waste is minimised.

Key Theme 2 - The diversity of nature is valued and protected.

Key Theme 13 - Places, spaces and objects combine meaning and beauty with utility.

Key Theme 14 - Settlements are human in scale and form.

Key Theme 15 - Diversity and local distinctiveness are valued and protected.

SITE HISTORY

There is no site history of direct relevance to this application. There are four current Listed Building applications for the conversion of the four Listed Buildings on the site ref: 04/00619 - 00621/LBC. These have yet to be determined.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and was also advertised as a development potentially contrary to Policies EU31, RD15, H10 and LT8 of the Dundee Local Plan 1998.

Five objections were received, one on the grounds of loss of trees. Four neighbours immediately adjoining the site have objected on grounds of loss of trees and habitat; loss of privacy, view and increased noise from housing to the south, the impact of new development on local roads, the impact of the proposed nursery /restaurant/shop on local traffic, the lack of public transport, possible flooding on site, the lack of local school capacity, the lack of a play area. Residents also raised legal issues regarding their rights of access to adjoining land and the provision of the water supply.

Information was sought by an MSP with regard to protection of the environment of the site, traffic impact during construction, impact on local roads and arrangements for education provision.

These matters will be considered in the Observations below.

CONSULTATIONS

The Director of Environmental Health and Trading Standards advises:

In respect of Contaminated Land issues - To date the developers /consultants (Ove ARUP) have produced a Phase I and Phase II site investigation, comments have been made on both, and further information to determine the outcome of Phase II investigation is anticipated. From initial readings of the detailed phase II site investigation, gross contamination has not been encountered. However

further work may have to be carried out to re-affirm this for the whole of the site.

In respect of Noise issues - there may be noise issues from the mechanical and electrical plant associated with the pool/leisure centre and the restaurant. This can be subject of an appropriate condition protect the residential amenity of residents.

In respect of the Red Squirrels within the site, copies of the Ecological Assessment and the Arboricultural Assessment were considered by the Red Squirrel Working Group. They also considered the Red Squirrel Management Strategy and commented as follows:

- 1 The majority of the squirrel activity is in phase 1 and 4 of the development. The loss of trees in phase 3 will not have a significant impact.
- 2 The timing of the development will have an impact on breeding and after winter and any felling or replanting in these areas will have to take place when squirrels are at their least vulnerable.
- 3 The woodlands where the red squirrels are found will have to be protected and this should be rigorously enforced.
- 4 Tree species to be squirrel friendly and of a size to provide food sources quickly. Tree management should be carried out before the big construction phases.
- 5 Feeders and control of grey squirrels will improve chances of red survival during and after development. Feeding will be used to encourage the squirrels into different areas of the site prior to construction begins.
- 6 The group will encourage further tree and hedge planting to link this site to other red squirrel sites at eg. Birkhill Wood.

The Red Squirrel Management Strategy was welcomed and the developers approach to this issue was commended. Some constructive comments have been made with regard to the details of the management of the construction to minimize the impact on the squirrels. Further liaison between

the developer and the Dundee Red Squirrel project is recommended with a view to developing funding bids for the protection and improvement of the habitat.

The Council's Forestry Officer advises that he is broadly supportive of the application but has specific arboricultural issues which require to be addressed by more detailed plans. Some houses will be affected by the shade from trees, tree fencing during construction requires to be agreed in detail and replanting proposals also require detailed proposals. The site does require tree management to address damage and decay and controlled replanting to maintain the tree cover and improve the species and habitat diversity. All paths constructed through the tree belts will require to be in accordance with BS 5837: 1991. There are funding opportunities available for such a site and this requires to be co-ordinated with the habitat improvements as detailed above.

The proposed development has been the subject of a number of discussions at the SUDS liaison meetings attended by both Scottish Water and SEPA. All relevant issues have been discussed and agreed in principle.

The four Listed Buildings within the site are the subject of separate Listed Building applications in respect of their proposed conversion. Historic Scotland attended pre application visits to the site to discuss the issues raised by the proposed redevelopment. They were consulted informally with regard to the retention of the Morocco murals. They cannot be removed as they are painted directly on to the wall and their size, 6.8 m by 2.8 m and position 2.5 metres above floor level, make them difficult to incorporate into the redeveloped building. This area, in the central part of the main tower of Greystanes House, is unsuitable for use as either the children's nursery or the restaurant as both uses require good access and servicing and both types of use would have detrimental impacts on surrounding residential occupants. Following representations from Historic Scotland, the murals have been retained and incorporated into corridors with public access. They will require to be professionally restored as one has suffered from water ingress. This matter will be fully dealt with in the consideration of the Listed Building application but it is relevant

to this application for the overall Masterplan to clarify that the concerns raised by Historic Scotland have been addressed by the developer.

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.

A key objective of the approved Dundee and Angus Structure Plan is "provision for integrated mixed use development west of Dundee capitalising on unique locational strategic advantages and linked brownfield/greenfield opportunities" (Paragraph 2.22). This strategy also complies with NPPG17 Transport and Planning.

The Plan aims to "improve the quality and choice of housing opportunity available in Dundee as part of an integrated approach to tackling the issue of housing related out-migration which is a major contributor to population decline in the City." In order to facilitate this reversal of out-migration, "an allowance for additional housing land release over the Structure Plan period is required." (Paragraph 3.26 Report of Survey)

In this regard, Paragraph 2.27 recognises the strategic opportunity provided by the Dundee Western Gateway to create a high quality mixed use development stating that:

* "this general location offers potential for a range of housing opportunities and environments including the sensitive reuse of significant redundant premises".

In accordance with the development strategy outlined above, Housing Policy 3 states that "within the Dundee Western Gateway the scale and phasing of allocations should be in accordance with Schedule 1, with

priority afforded to securing the appropriate reuse of land and buildings within the Liff Hospital Estate." In this regard, Schedule 1 provides for an additional 1150 No dwellings in the Dundee Western Gateway during the period 2001-2016. This allocation provides for 750 No dwellings between 2001-2011 and 400 No dwellings between 2011-2016 (subject to review). The proposal for 153 units on the Liff estate complies with the schedule and the Report of Survey Appendix 1: Dundee Western Gateway Concept Plan. The allocation also complies with the terms of SPP3 Planning for Housing.

In promoting housing development for the Western Gateway the Plan evaluated options and favoured an approach, which does not concentrate development in a single location but which accommodates development in "pockets" (or discrete villages) within a landscaped setting. These housing areas would be supported by appropriate community facilities, accessible by a range of means of transport and linked to nearby employment areas to ensure the creation of sustainable communities compatible with Structure Plan Transport Policy 4.

The proposal ensures the sympathetic redevelopment of Listed Buildings and the protection of their landscaped settings in accordance with Environmental Resources Policy 5A: Historic Environment

Dundee Local Plan 1998

The site is identified as a Policy EU31 Major Establishment. The policy restricts any development within such sites which is not compatible with its current use. As noted, the use has contracted significantly in recent years to buildings predominantly outwith this application site. This policy has largely been superseded by the approval of the principle of the redevelopment of this site for residential use under the terms of the Structure Plan as detailed above.

Policy RD15 Developments in Open Countryside. The policy sets out criteria for development. The development forms part of the agreed strategy for village development in the Western Gateway. The proposal complies with the criteria in the policy.

Housing Standards:

Policy H10 Design of New Housing and Policy BE1 Design Quality set out the criteria for the design of the new housing on the site. Policy H 10 also applies to the standards for converted buildings. In respect of the new build housing, the proposed development complies with the guidelines for village housing. Policy BE1 requires high standards of composition and design, which are achieved. It also seeks integration with the surroundings and respect for established character. There is no such context on this site where new development has been located in specific gaps in the site in order to protect the landscape setting of the Listed Buildings. Each of the development blocks has a layout defined by its size, shape and access in a similar way to the existing houses on Tayview Road. The design of the houses has variety but an overall theme, in terms of design and materials, which is echoed by the associated community facilities to create an identifiable whole. It is considered that the new build proposals comply with the policies.

The proposed conversions do not fit neatly into the criteria in Policy H10 in respect of eg, garden sizes since each townhouse unit cannot have a large area of private garden, however there is extensive communal garden and parkland adjoining these units. The floor areas in many apartments are large but they have few bedrooms. Excessive sub-division of large rooms could be carried out to increase the number but this would be to the detriment of the resulting character of the developments. The policy provides for exceptions to the guidelines for the retention of Listed Buildings and for imaginative proposals of quality and it is considered that this applies in respect of this development.

Access and Traffic: The site is a brownfield site previously in use as a hospital. The traffic impact of the proposed development has been assessed in comparison to the traffic generated by the hospital uses. The hospital had the following patient numbers; 1990 - 480; 1995 - 390; 2000 - 300 with a staff ratio of 1:1. As late as 2003, there were approximately 350 people working on the site, mainly in administrative duties. The NHS Trust continues to occupy buildings on the east of the site with approximately 50 administrative staff.

The traffic generated by the proposed development has been assessed on the same trip rate basis as the other proposed developments in the Western Gateway. The estimated potential traffic volumes generated by the restaurant, nursery and leisure facility were also assessed. The community facilities comprising the leisure facility and nursery are intended to provide for the residents of the site in the first instance in order to reduce vehicle trips outwith the site. The proposed restaurant is intended to provide morning coffees, lunches and evening meals, generally outwith the peak traffic times. The impact of these facilities on the morning and evening peak hours are not considered to be significant given the restrictions in use proposed.

The supporting statement submitted by the developer's consultants demonstrates that the estimated trips from the site when redeveloped for housing is less than the Trust use of the site as a hospital. The estimated car trips are in the order of 103 two-way trips during the morning peak and 108 during the evening peak. It should also be noted that there is more than one route choice from the site to surrounding destinations including Dundee. It is considered that the development is not likely to have a major impact on the local and trunk road network. Accordingly the road improvements will be restricted to the improvement of sight lines at each of the access points to improve safety.

Community facilities:

Policy LT8 Licensed and Hot Food Premises. The policy restricts the location of unrestricted licensed or hot food take away premises within 45 metres of existing or proposed housing. The proposal is for a restaurant/café, with a gross floor area of 380 square metres, which is a restricted licensed use. It is proposed to be located 60 metres from the boundary of the nearest residential unit. The proposal complies with the policy. Policy SCE4 Day Nurseries and Private Schools. The proposal complies with the criteria in the policy for the provision of play space, parking and access.

Listed Buildings:

Policy BE15 Alternative Uses for Listed Buildings. The change of use to residential is an acceptable alternative use for the Listed Buildings on the site

in order to secure their future. Policy BE16 Demolition of Listed Buildings. As noted above, partial demolition comprising later unsympathetic extensions to the Listed Buildings will be carried out in order to restore them to their original size. Policy BE17 Alterations to Listed Buildings. The proposals seek to retain architectural features eg the decorative plasterwork in Liff House and historic character eg the painted murals in Greystanes House. New development has been controlled to ensure that the setting of the Listed Buildings is protected and the landscaped setting of the whole site is enhanced by new planting. The proposals comply with these policies and with the Memorandum of Guidance as detailed above.

Environment:

Policy ENV8 Wildlife Sites. Policy ENV11 Natural Environment. An Ecological Assessment was prepared by a consultant and the general environment was considered to be low in both species and habitat diversity but with a high habitat potential. The site has a preponderance of mown grass and trees with limited understorey planting. There is extensive rabbit grazing.

Squirrels: The red squirrel is protected by the Wildlife and Countryside Act 1981 and is a UK Biodiversity Action Plan species. The developer was aware of the presence of red squirrels on the site at a very early stage. A Red Squirrel Management Strategy was prepared following consultations with the City Ranger Service. The Strategy refers to the Dundee Red Squirrel Management Strategy 2004 - 2007 see consultations above.

Birds: the feature of the site was the relative lack of birdlife probably due to the high level of maintenance of the grounds and the simple habitat structure. Of the species noted, the most significant was the Song Thrush, of which 2 were seen, which is a Red List species because of the decline of breeding population in recent years. New landscaping will seek to widen the habitat combined with a revised maintenance regime for woodland areas.

It is considered that the submitted reports demonstrate the commitment of the developer to maintain the environment of the site which is such a significant asset to the proposed development. The information will

assist in the management of the construction process in order to minimize the detrimental impact on the environment and the species on site, in particular the red squirrels. It is considered that further liaison between the developer and the various environmental protection bodies be continued under the terms of an appropriate legal agreement between the developer and the City Council.

Trees:

Policy ENV12 Existing Trees on Development Sites. Policy ENV13 New Trees on Development Sites.

Policy ENV12 states that development proposals must have regard for existing healthy mature trees, the survival and retention of which should be accommodated throughout the construction period and in the proposed layout of buildings. The site is the subject of a Tree Preservation Order and an Arboricultural Assessment has been carried out on behalf of the developer. The landscape appraisal suggests that the site contains in excess of 2,000 trees the majority of which are single aged and mature. (The Councils Forestry Officer estimates there are between 3,000 and 4,000 trees.) There are no signs of recent maintenance of trees as evidenced by the number of trees with decay and damage. The proposals involve the removal of some trees because they are too close to existing buildings (6) or because they are in poor condition within the tree belts and have safety implications (28). The majority of the trees which are proposed to be removed are to allow new development.

When the site was identified as a brownfield redevelopment area, certain parts of the site were identified as being unsuitable for development. These included the majority of the woodlands and the landscaped settings to the Listed Buildings. As a result only 4 areas within the hospital grounds were defined as being suitable for new housing development; the former bowling green, the former kitchen gardens and bothy, the site of a later hospital building to be demolished and an area of parkland. The parkland is the largest of the areas and contains groups of trees and scattered specimen trees surrounded by a tree belt. The tree belt ensures that any development in this location will not be visible from areas outwith the

site in accordance with PAN44. The specimen trees are of such a scale that they cannot be incorporated into conventional house plots without overshadowing the housing or significantly reducing the usable garden ground. Given the large areas of the site which are protected from development and the proposed replanting within the existing woodlands, the gardens and the amenity areas, it is considered that a limited degree of tree loss (a total of 130 trees) can be justified in the interests of the creation of a high quality residential development.

In accordance with Policy ENV13 the existing trees which are to remain will be protected during the construction process and replanting is proposed to maintain the tree cover and improve the wildlife diversity of the site. This will be the subject of detailed proposals to be agreed with the City Council with the potential for funding from the Forestry Commission. It is recommended that such proposals be included within a legal agreement between the developer and the City Council. It is considered that the proposals comply with both policies, with NPPG14 Natural Heritage and PAN60 Planning for Natural Heritage.

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

Other Material Considerations

Finalised Dundee Local Plan Review 2003.

With respect to housing land release, the Plan places a priority on the re-use of brownfield land. but it also states that "in order to improve the range and choice of housing opportunity that exists in the City, the Dundee and Angus Structure Plan also advocates modest greenfield land release. Dundee Western Gateway is a focus for this investment". (Paragraph 8.3) In this regard, the Dundee Western Gateway is regarded as an opportunity "to create a high quality, village type residential environment" (Paragraph 9.3).

Appendix 3 - Greenfield Housing Development Proposals includes H70 - Dundee Western Villages which identifies sites on the Proposals Map for the development of 750 houses in three villages. The Map suggests an indicative capacity of 250 No units for

Liff village for both new build and conversion. The proposed Liff village includes the grounds of the hospital and the greenfield site to the south which is not part of this planning application. "Within Liff Hospital, the reuse of listed buildings is required. Whilst residential use is considered appropriate, consideration should also be given to the potential for other uses, for example offices and a hotel. Proposals for new build development must provide an appropriate setting for the listed buildings as well as respecting existing tree cover throughout the site." It is noted that the ownership of the whole Liff village site currently rests with two parties and development of either site should not prejudice the achievement of an integrated village development in terms of layout and access. The submitted proposal complies with these requirements particularly in respect of the retention of a potential access to the greenfield site to the south.

Policy 4 requires new housing development to conform to the standards and guidance set out in Appendix 1, with qualitative guidance provided in the Dundee Urban Design Guide. The proposal complies and provides a high standard of design of the new housing.

Policy 5 Open Space Provision as part of New Housing Developments. The site has a very large area of open space and woodland, which will be available for leisure use, and pathways will be provided through woodlands which will link with other adjacent developments in accordance with this policy.

Policy 8 Local Facilities Provision in Major New Housing Developments. The provision of a leisure club, children's nursery and restaurant/café will provide for both residents of the site and neighbouring developments in accordance with this policy. The proposed restaurant complies with Policy 53 Licensed and Hot Food Premises outwith the City Centre. The nursery complies with Policy 19 Day Nurseries and Private Nursery Schools in terms of the provision of parking and play space.

Policy 20 states that where necessary, the City Council will seek to secure developer contributions towards the cost of infrastructure both on and off the site. This is a brownfield site

where the developer has demonstrated that the traffic impact on the surrounding roads will be less than when the hospital was operational. Accordingly the road improvements will be restricted to the improvement of sight lines at each of the access points to improve safety. The internal road and drainage system will remain private. The developer will, by legal agreement, make a contribution for Education facilities to the City Council.

The Council will seek new public art within the development in accordance with Policy 56. It is noted that the Alberto Morrocco murals will require conservation work and will now be in a part of the building which will render them accessible to view. This work should form part of the Percentage for Art requirement.

Policy 59 - Alternative uses for Listed Buildings and Policy 60 - Alterations to Listed Buildings both apply as detailed above.

Policy 67 - Open Space Maintenance. As noted above, the site will have a dedicated maintenance and management facility on site.

Policy 70 states that "development proposals must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local Nature Reserves and Policy 72 deals with Trees and Urban Woodland. As noted in the Observations above, the proposal complies with these policies.

Policy 75 requires that all "development proposals must be accompanied by a Sustainable Drainage Scheme". This has been discussed and agreed and complies with PAN61.

Policy 79 - Contaminated Land. The site has been the subject of preliminary studies in accordance with this policy and PAN 33.

Policy 81 Pedestrians and Policy 82 Cycling Facilities. The development proposes safe pedestrian routes through the site with links to adjoining sites and traffic calming on the private roads will provide a safe environment for cyclists.

Policy 83 Bus Transport. The existing bus stops will be retained on the edge of the site, fully accessible from the path network. The site is unsuitable for bus penetration without significant

improvements to the road system which will have a detrimental impact on the environmental quality which currently exists.

Policy 88 Residential parking. The development provides parking in excess of the minimum required.

It is concluded that the proposed development complies with the policies of the Finalised Dundee Local Plan Review 2003.

Scottish Planning Policies, Planning Advice Notes and Circulars. As noted throughout the text, the proposed development complies with the relevant advice and guidance with regard to the selection of the site, the scale and design of the new housing, the protection and enhancement of the natural heritage, the protection and reuse of Listed Buildings and the creation of a high quality residential environment.

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Section 59 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interests which it possesses. As noted above, the available sites for new development were identified in order to protect the setting of the Listed Buildings and the conversion proposals protect the fabric of the building and significant internal features. The proposal complies with these requirements.

Objections:

Information was sought by an MSP with regard to protection of the environment of the site, traffic impact during construction, impact on local roads, arrangements for education provision.

As noted above, one objection was to the loss of trees and habitat. As demonstrated by the various assessments, the limited plant species and the maintenance regime have resulted in a very limited range of habitats and wildlife species. The site has great potential and the improved tree management and new landscape proposals together with the wildlife protection plans should result in an improved environment for the longer

term. These will be the subject of a separate legal agreement.

Four neighbours immediately adjoining the site have objected on grounds of

- loss of trees and habitat (see above).
 - loss of privacy, view and increased noise from housing to the south. There are 8 semi-detached houses on the site in two groups of four. They will be refurbished. Each group will have a private drive to the rear to access garages and a parking space. Three new dwellings will be located in the gaps between on the same building line as the existing houses. The objectors houses are more than 30 metres from the new houses and 12 metres from the garage accesses and there is not considered to be a significant loss of privacy. Loss of view is not a valid ground of objection. It is considered that there is likely to be limited noise impact on the neighbouring properties from the private accesses and this is insufficient to justify refusal.

- the impact of new development on local roads. As noted this has been demonstrated to be less than when the hospital uses were on site and the individual accesses will be the subject of improvements to increase visibility for drivers entering and leaving the site. With regard to construction traffic, the site will be developed in phases and for each phase the construction site will be fenced off and contractors will use specific accesses from the five available accesses to the site.

- the impact of the proposed nursery/restaurant/shop on local traffic. The nursery is intended to serve the local population with places being allocated in the first instance to site residents. It is located in the centre of the site more than 60 metres from the nearest of the proposed new houses. The restaurant is not large, with a gross floor area of 380 square metres, is also centrally located and has adequate parking. It is considered that the provision of facilities of this type are of benefit and will encourage the development of a community.

- the lack of public transport. The development will assist the maintenance and improvement of the existing public transport network by providing additional customers.

- possible flooding on site. This objection refers to a blocked drain

outwith the site during an intense rainstorm. There is no evidence of flooding issues on this site.

- the lack of local school capacity. The developer will provide a financial contribution to the City Council for Education provision. The Liff Primary School is in Angus. Evidence suggests that parents choose a variety of school placements according to their individual and personal needs.

- the lack of a play area. This is a large parkland site where a formal play area would be inappropriate especially where many houses have large gardens. The site will provide natural play spaces for children in both the grassed areas and the woodlands. There are also tennis courts on site.

Residents also raised legal issues regarding their rights of access to adjoining land and the provision of the water supply which are not planning matters.

It is concluded from the foregoing that insufficient weight can be accorded to the objections such as to justify the refusal of planning permission contrary to the provisions of the development plan. The other material considerations support the proposal. It is therefore recommended that planning permission be granted with conditions and the signing of a legal agreement as detailed in the report.

Design

As noted above, the new development on the site has its own identity in its design and materials to contrast with and complement the retained Listed Buildings.

CONCLUSION

This is a unique site at the edge of the City, on elevated south facing terraces enclosed within landscaped boundaries. Within the site there are fine listed buildings in parkland settings providing a high quality environment for a mixed residential community. The housing will vary from apartments and townhouses with courtyard gardens created within the Listed Buildings, refurbished existing dwellings and large, high quality new houses in large gardens enclosed by hedges and timber gates. All parts of the site will be landscaped. The provision of a leisure facility, children's nursery and a restaurant/café will provide a range of community

facilities. The natural environment, which is such a feature of the site, will be retained and enhanced for the benefit of the new residents and the wider community.

The developer has agreed that certain issues can be the subject of a legal agreement with the City Council on a number of issues. Phasing, off site works and education provision are similar to other new village developments. The need to prepare a comprehensive landscape renewal and habitat enhancement strategy to both protect the existing environment and improve it for the future is complex and involves agreement with a number of parties and there are also funding opportunities. A legal agreement will provide time for the co-ordination of this matter, the completion of the works and the long term maintenance of the site in accordance with an agreed strategy. Whilst the retention and repair of the murals is also a matter to be considered by the partner Listed Building applications for the site, the works will be considered as part of the Percentage for Art required in accordance with planning policies. A legal agreement controls this element of the development.

RECOMMENDATION

Recommendation 1

This planning permission shall not be issued unless and until an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 between the Council and parties with appropriate interests in the land has been recorded. The agreement will relate to:

- 1 The Phasing of the development.
- 2 The agreement of a strategy for the protection of red squirrels on the site during construction works.
- 3 The agreement of a comprehensive tree management, landscape renewal strategy and long term maintenance plan to protect and enhance the landscape and the habitat potential of the site, including that of the red squirrels.
- 4 The provision of a footway linkage to existing development to the north of the site.

5 The payment by the developer of contributions for improved educational provision in the area necessitated by the proposed development.

6 The repair and restoration of the Alberto Marrocco murals in Greystanes House as part of the Percentage for Art contribution and their protection during construction works.

Recommendation 2

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 Prior to the commencement of development in each phase as detailed in the Section 75 agreement, the identified road access shall be improved in accordance with details which have previously been submitted to and approved by the City Council as Roads Authority.

3 Prior to commencement of construction, full details of the proposed boundary enclosures to the gardens of the converted, renovated and new build houses shall be submitted for approval to the City Council and if approved the works shall be completed only in accordance with such approved details.

4 Prior to commencement of construction, full details of the proposed new windows and doors for the converted buildings shall be submitted for approval to the City Council and if approved the works shall be completed only in accordance with such approved details.

5 Prior to the occupation of the housing units hereby approved, the garages, parking spaces and vehicular circulation space associated with the converted buildings shall be provided and shall be retained in such use in perpetuity.

6 Prior to the occupation of the housing units hereby approved, the bin stores and cycle stores associated with the converted buildings shall be provided and

shall be retained in such use in perpetuity.

7 Noise from all mechanical and electrical services in the leisure complex and the restaurant/café shall be so controlled as to be less than NR35 measured 1 metre from any residential unit.

8 Parking for the leisure/concierge facility shall be provided prior to its first operation and shall be retained for that use in perpetuity unless agreed in writing with this Authority.

9 The nursery shall be for a maximum of 50 full time places or equivalent.

10 The play space shall be provided prior to the first use of the nursery and shall be retained in such use whilst the facility is in operation.

11 The drop-off parking spaces shall be provided prior to the first use of the nursery and shall be retained in such use whilst the facility is in operation.

12 The customer car parking for the nursery and restaurant/cafe shall be provided prior to the first use of either unit and shall be retained in such use whilst either unit is in operation.

13 The restaurant/café hereby approved shall be restricted to Class 3 use only as defined by the Town and Country Planning (Use Classes)(Scotland) Order 1997, as amended.

14 The proposed restaurant/café shall only be open for the sale of food under the terms of Class 3 as defined in condition 13 between 1000 and 2300 hours daily.

15 Prior to the commencement of development in each phase of development, protective fencing in accordance with BS 5837:1991 shall be erected along the drip line of the trees within each phase. The fencing shall be retained in place throughout the construction period.

16 Three clear working days notice shall be given to the City Council of the erection of the tree fencing required by Condition 15 to allow the site to be inspected and no works shall

commence until the fences have been approved.

17 All paths through the woodland shall be constructed in accordance with BS 5837:1991

18 Samples of the proposed finishing materials for the new build houses, the nursery and the restaurant/café shall be provided prior to the commencement of construction of any of the new build units in Phase 1 and if approved the works shall be carried out only in accordance with such approved details unless amendments are agreed in writing with this authority.

19 Prior to the commencement of development, full details of the proposed Sustainable Urban Drainage system for the site shall be provided and if approved, the works shall be carried out only in accordance with such approved details.

20 Full details of the location of the proposed on-site recycling centre shall be provided prior to the occupation of the first unit.

21 Prior to the commencement of development a comprehensive Site Investigation Report in accordance with PAN 33 Development of Contaminated Land shall be submitted to and approved by the City Council.

22 Prior to the commencement of development any required remediation measures identified in the Site Investigation Report to be approved in accordance with Condition 21 shall be carried out and the completion of the works shall be notified in writing to the City Council for verification. No construction of dwellings can commence until the verification process has been completed in writing

23 Any noise from electricity sub stations on the site shall be so controlled as to be less than NR35 measured 1 metre from any residential unit.

24 Details of the provision of public art in addition to the renovation of the Alberto Marrocco murals shall be submitted to the City Council for approval prior to the commencement of Phase 2 of the development and if approved

the art works shall be carried out only in full accordance with such approved details.

25 This permission shall operate only to enable development to be carried out in accordance with the details shown on the approved drawings and the application documentation or contained in any approved amending documentation and unless permission has been granted by the City Council, no further development shall take place at Greystanes House, Gowrie House or the former Trust Offices. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992, as amended, and for the avoidance of doubt, any other permitted development rights which would normally apply following the grant of this permission are hereby removed.

26 Full details of the proposed boundary treatment between the development site and the southern boundary of the existing houses on Tayview Road shall be submitted to the City council for approval prior to the commencement of the relevant phase of the development and if approved, the works shall be carried out only in accordance with such approved details.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 In order to ensure the safe movement of vehicle traffic onto the public highway.
- 3 to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area
- 4 in order to ensure that the character and appearance of the building as a building of architectural and/or historic interest is retained
- 5 to ensure that adequate manoeuvring and parking space is available to serve the development in the interests of traffic safety

- 6 in the interests of the amenities of the future occupants of the residential accommodation
- 7 in the interests of the amenities of the future occupants of the residential accommodation
- 8 to ensure that adequate manoeuvring and parking space is available to serve the development in the interests of traffic safety
- 9 In order to define the terms of this permission and in the interests of the amenities of future residents of the site.
- 10 in the interests of the amenities of the future occupants of the residential accommodation
- 11 to ensure that adequate manoeuvring and parking space is available to serve the development in the interests of traffic safety
- 12 to ensure that adequate manoeuvring and parking space is available to serve the development in the interests of traffic safety
- 13 In order to define the terms of this permission and in the interests of the amenities of future residents of the site.
- 14 in the interests of the amenities of the future occupants of the residential accommodation
- 15 to protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development
- 16 to protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development
- 17 to protect those trees which are of significant amenity value to the area and which would ensure an enhanced and satisfactory standard of appearance of the development
- 18 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.

- 19 To ensure that the development is adequately drained and the development does not increase the risk of flooding to downstream properties.
- 20 to ensure a satisfactory standard of appearance of the development
- 21 In order to ensure that the site is suitable for future residential use.
- 22 In order to ensure that the site is suitable for future residential use.
- 23 in the interests of the amenities of the future occupants of the residential accommodation
- 24 In the interests of the visual appearance of the area and in order to meet the requirements of Policy 56 of the Finalised Dundee Local Plan review and the adopted policies of the City Council.
- 25 Having regard to the design, layout and general nature of the proposed development, it is considered important to ensure that no further development is carried out which may detract from the setting of the Listed Buildings, the appearance of the area or affect the amenity of adjacent properties without the prior written permission of the City Council.
- 26 to protect the amenities of the occupants/owners of nearby adjacent properties in the locality