

KEY INFORMATION

Ward Tay Bridges

Proposal

Demolition of existing printworks and erection of new office building

Address

Tayside Printing Works
14 Long Wynd
Dundee

Applicant

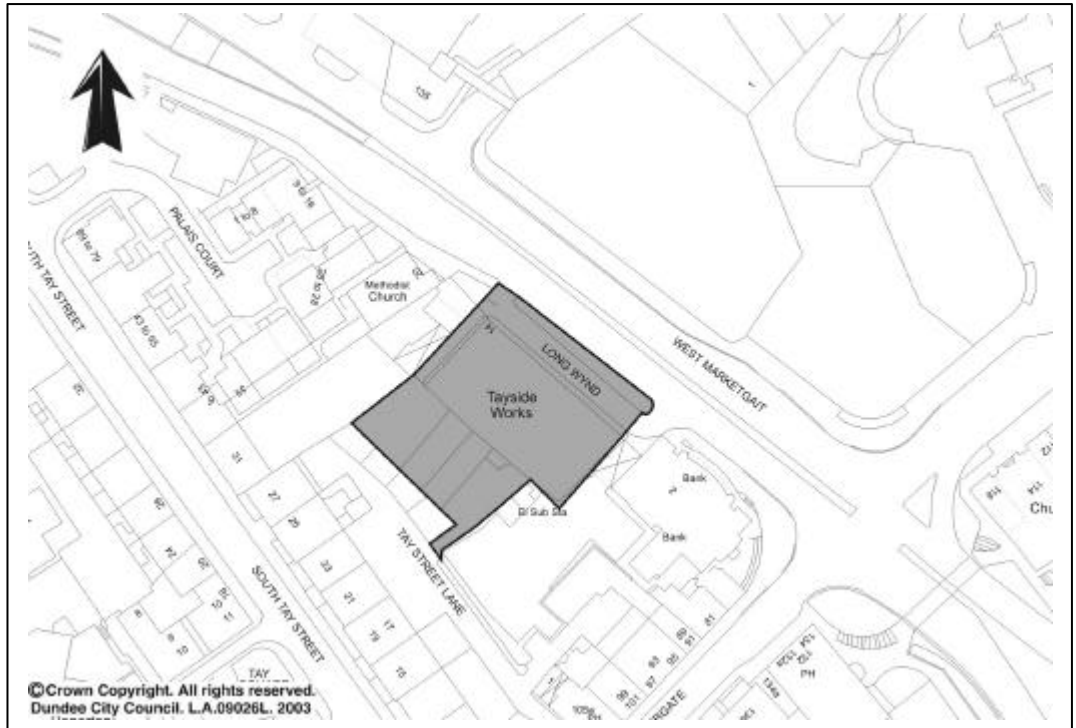
Dundee City Council
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Agent

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Registered 9 Aug 2006

Case Officer D Gordon



Proposed Office Development at Former Burns & Harris Premises in West Marketgait

The demolition of an existing printworks and erection of new office building is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal is viewed as a contemporary design solution to the development of this important and prominent city centre site for office purposes. The proposal will result in a positive contribution to the regeneration of this area. The application is recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought for the demolition of a former print works (Burns and Harris) and the erection of a new 6 storey office development on an important and prominent city centre site.
- In addition to the statutory neighbour notification process, the proposals were advertised in the local press as development contrary to the development plan, as a building over 20 metres in height and as affecting the setting of a conservation area. One letter of representation has been received that mainly relates to the need for a comprehensive approach to the development of the area.
- The proposal does not comply with the allocation of the site for residential purposes in the Dundee Local Plan Review 2005. However, there are material considerations, including the terms of the approved Development Brief for the site, which justify the offer of support for the application.
- If the members are minded to approve the application there is a requirement to notify the Scottish Ministers of the proposals as the development is contrary to the development plan and that the Council have an ownership interest in the land.

DESCRIPTION OF PROPOSAL

The proposal under consideration involves the demolition of the former Burns and Harris print works and the erection of new office accommodation. The details of the scheme are as follows:

- The proposed new structure will be 6 storeys in height
- The building will be used for Class 4 Office purposes
- The property will accommodate approximately 5000 sq m. of office floorspace
- Additional ancillary uses to be provided within the building are meeting rooms, fitness suite and cafe with associated kitchen facilities
- Service access is to be taken from West Marketgait leading to a dedicated service yard to be located on the north-west side of the site.
- Pedestrian access/pend is to be provided on the south side of the building
- A drop off area is proposed at the main entrance into the building on the east side of the building on Long Wynd.
- Three associated off street car parking spaces are proposed within the site.
- A landscaped court is proposed for the west side (rear) of the new building.
- The proposed external finishing materials are metal cladding, glass and render.

The applicants' agents have submitted a Design Statement in support of their proposals. This matter is discussed in full in the 'Observations' section of this report below.

The proposal to remove the existing print works from the site is covered by the application for Conservation Consent to demolish the building a report on which is to be found

elsewhere in this agenda (06/00767/CON refers).

SITE DESCRIPTION

The site is bounded by Long Wynd/West Marketgait to the east, Tay Street Lane to the west, the HBOS building to the south and the Hertz Car Hire Business to the north.



The site currently accommodates the Burns and Harris former printing works which comprises single/two storey premises constructed for industrial purposes with a four storey building in brick and sandstone along its northern boundary. The properties front Long Wynd which have direct access from Marketgait. On the western boundary, but outwith the application site, there are a number of two storey sandstone 'mews' type properties which front onto Tay Street Lane. These 'mews' properties are Category C listed buildings. Tay Street Lane is primarily used for service purposes and access to private



car parking to the rear of South Tay Street.

To the north is a Car Hire operation that occupies a long narrow site that orientates in an east to west direction. The infill building accommodates a large vehicle storage yard and has a modern frontage onto West Marketgait that is used for business purposes.

To the south of the application site is the HBOS sandstone building that elevates 4.5 storeys above the Marketgait/Nethergate junction.

To the west of the site lie the rear elevations of the properties facing onto 19-27 South Tay Street. These Buildings are Category A Listed Buildings and form part of the Classical Terrace of South Tay Street.

The site is contained within the University Conservation Area

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The following policies are of relevance:

Town Centres and Retailing Policy 5: Leisure and Commercial Uses.

Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 3: Housing Investment Focus Areas:

The City Council will encourage investment in housing and related social and physical infrastructure in the Housing Investment Focus Areas identified on the Proposals Map, working in partnership with Communities Scotland and the private sector. More detailed development frameworks, masterplans and action plans for each of the focus areas will be brought forward as appropriate by the Council and will form supplementary guidance to this Local Plan.

Policy 3a: Housing Proposals

Sites identified in Appendix 2 and 3 are reserved for housing and should not be developed for other uses. The Council will ensure the maintenance of a five year effective land supply at all

times, to be monitored through the annual Housing Land Audit Process.

Policy 17: Cultural Quarter

Within the Cultural Quarter uses and developments which will assist the further development of its role as a focus for cultural and related leisure and business activities will be encouraged. Proposals which would extend and improve the area's representation of small scale independent and speciality retailers will also 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.

Where appropriate, proposals outwith the area but capable of meeting these requirements may also be supported.

Policy 55: Urban Design

For all new developments the emphasis will be on design quality and the City Council will seek the creation of new public places and points of interest which incorporate architectural and landscape features and reflect and enhance historic street layouts, significant views and vistas. All development should respect the setting of listed buildings.

The City Council require the use of Design Statements for planning applications or listed building applications for new buildings or extensions to existing buildings on significant sites.

All development will, in its design and layout, be expected to contribute to an environment which is safe and accessible to all.

Policy 56: Public Art

The City Council will continue to support Public Art through the adopted Public Art Strategy and the Percent for Public Art Policy by:

- a a implementing the "Percent for Public Art" policy where all new development in Dundee with construction costs of £1,000,000 or over will be required to allocate at least 1% of the construction costs for the inclusion of an art project/s in a publicly accessible/visible place or places within their development. The implementation of the policy will be delivered through the development control process by

the imposition of appropriate conditions on planning permission and the conclusion of legal agreements; and

- b b involving the Dundee Public Art Programme at every opportunity in future environmental improvements and building developments; and
- c c encouraging and developing the role of the artist within private sector developments; and
- d d promoting the development of the community arts in residential areas; and
- e e identifying sites through Development Briefs where public art would make a contribution to the streetscape, City image or local environment.

Policy 61: Development In Conservation Areas

Within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

Policy 65: Archaeological Sites

Where any proposal could affect a site of known archaeological importance or potential, the applicant will be required to provide an assessment of the archaeological value of the site and the likely impact of the proposal on the archaeological resource. Such an assessment will require a field evaluation to be carried out to the reasonable satisfaction of the Council, to determine:

- a a the character and extent of the archaeological remains; and
- b b the likely impact of the proposal on the features of archaeological interest; and
- c c the ways in which the development proposal can be amended or designed in order to mitigate its impact on the archaeological remains.

Where the development is considered to be acceptable and it is not possible

to preserve the archaeological resource in situ, the developer will be required to make arrangements for an archaeological investigation. This will include excavation and recording prior to the start of any development. Planning conditions will be used and agreements sought to secure these arrangements. Similarly, where development is proposed for any site considered to be of potential archaeological interest within the City Centre Area of Archaeological Potential, the applicant will be required to provide an assessment of the archaeological value of the site and the likely impact of the proposal on the archaeological resource.

79: Contaminated Land Policy

When considering development proposals involving sites where the presence of contamination is suspected, the City Council will require applicants to:

- a submit the results of site investigations which assess the nature and extent of any contamination which may be present; and
- b where contamination is found to be present, notify the authority of the remediation measures proposed to render the site fit for its intended use including all receptors.

Appropriate conditions and/or legal agreements may be applied to ensure that such measures are implemented to the satisfaction of the Council.

Alternatives to the uses permitted by the Local Plan may be supported on contaminated sites in instances where evidence can be presented to establish that the severity of contamination is such that the site cannot be economically developed for its allocated use. In such instances the City Council will require to be satisfied that:

- clear evidence has been provided to establish the nature and extent of the contamination present;
- an economic appraisal has been provided which demonstrates that development based on the Local Plan allocation is not economically feasible due to the remediation requirement;
- justification for the proposed alternative to the Local Plan

allocation is supported by economic and market appraisals which include the assessment of other potential options; and

- the proposed alternative use can be justified in relation to other policies of the Local Plan.

Policy 80: Waste Management Facilities

The City Council supports the policy of self-sufficiency for waste management within the Tayside Waste Plan Area. Development proposals for waste management facilities in Dundee will only be supported where they:

- are in accordance with the Development Strategy and BPEO as set out by the Tayside Area Waste Plan;
- accord with the proximity principle;
- avoid air, noise, land, surface water and groundwater pollution;
- avoid areas of flood risk and potential sea level rise;
- minimise impact on the natural, historic and built environment;
- safeguard the amenity of surrounding areas; and
- minimise effects of traffic on the road network. Where appropriate and as prescribed in the appropriate Regulations, development proposals will require to be accompanied by an Environmental Statement and Transport Assessment.

Proposals for waste management facilities which satisfy the above criteria will be acceptable within General Economic Development Areas provided they also meet the Policy 26 criteria relating to other uses of a wider industrial nature.

Key existing waste management sites will be safeguarded for future waste management use and, where appropriate, for expansion, in keeping with the requirements of the Tayside Area Waste Plan.

Proposals for new housing and commercial developments will be required to make appropriate on-site provision to accommodate recycling facilities. This will include provision for the separate collection of recyclates within the curtilages of individual houses.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy 8 sets out the Scottish Executives policy for town centres and key uses particularly retailing which contributes to their economic growth and enhancement. This SPP replaces NPPG 8 1998.

Planning Advice Note 68 - Design Statements

Designing Places - A Policy Statement for Scotland

Memorandum of Guidance on Listed Buildings and Conservation Areas.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

West Marketgait/Long Wynd Development Brief - Approved 2001.

Dundee - The Urban Design Guide.

SUSTAINABILITY ISSUES

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. The application raises no concerns in relation to the Council's Sustainability policies.

SITE HISTORY

06/00767/CON - Demolition of Print Works and Annexe to the Rear - A report on this proposal can be found elsewhere in this agenda.

PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the agents. In addition, the proposals have been advertised in the local press under Section 34 of the Act as the proposed structure is over 20 metres in height, as affecting the setting of a conservation area and as being contrary to Policy 3A (Land Allocated for Housing Development) of the Dundee Local Plan Review 2005.

The application has attracted a letter of representation from a neighbouring

property. The main issues raised relate to:

- 1 Vehicular access from Marketgait to the proposed service yard located on the north-west corner of the site
- 2 The integration of the proposals into a coherent urban design framework
- 3 The potential for future development to the rear of the site
- 4 Proposed elevations of the new structure.

A copy of this representation can be viewed in the Members Lounges. It is intended to comment on the various points raised in the 'Observations' Section of this report below

CONSULTATIONS

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

The Council's Head of Environmental Health and Trading Standards has advised that due to the historical land-use of the site, a condition should be attached to any permission granted that requires any decontamination works to be carried out, to a standard that is to the satisfaction of the planning authority, prior to the first occupation of the new building. In this respect the applicants have advised that they are aware of the potential contamination issue and will carry out a full Site Investigation of the site following demolition of the existing print works buildings currently located within the site.

It is further advised by the Head of Environmental Health and Trading Standards that due to the location of plant rooms on the upper levels of the new building and their proximity to residential properties, certain conditions relating to the control of noise breakout should be attached to any permission granted. The agents are currently in consultation with this Council on this matter.

Architecture + Design Scotland have been consulted with regard to the proposed development. They have concluded that they fully support the Council's proactive approach and initiative towards the use of an office

building to seed the regeneration this part of the city. They have also advised of their support for the contemporary approach that has been taken towards the expression of the building form and agree with the Council's ambition to re-establish West Marketgait as a public street. While they advise that the building is well designed with a clear internal layout they comment that there may an opportunity, through design development, to combine, at ground floor level, the needs of the building user and the public realm.

Historic Scotland, due to the location of the new building within the University Conservation Area, has been informally consulted with regard to the proposal. It is considered by the Historic Buildings Inspector that the replacement proposals for the existing print works would not adversely impact on the setting of the area. The Members are advised that further comment on this matter is offered in the report on the application for Conservation Area Consent to demolish the existing building which can be found elsewhere in this agenda.

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 the demolition of a former print works (Burns and Harris) and the erection of a new office building. The details of the proposal are outlined in 'Description of Proposals' section of this report above.

Policy 3 and Policy 3A

The application site is located within a Housing Investment Focus Area where the Council encourage investment in housing and related social and physical infrastructure. Sites identified in

Appendix 2 and 3 are reserved for housing and should not be developed for other uses (Policy 3 and Policy 3A refers). This site is identified for Housing purposes on the Proposals Map (Proposal HO3) and consequently, is considered to be contrary to the above policies. It is considered that while the development of the site for residential purposes would be appropriate in this area, the loss of this relatively small city centre site is not critical and would not adversely impact on the Council's five year effective land supply of sites reserved for residential purposes. Further comments on this matter, specifically in relation to the Development Brief for the area, can be found in the 'Material Considerations' section of this report below.

Policy 17 (Cultural Quarter)

The application site is also located within the emerging Cultural Quarter where encouragement and support will be offered for uses and developments which will assist the further development of its role as a focus for cultural and related leisure uses and business activities. 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 17 Cultural Quarter refers). It is considered that the development of the site for office purposes will comply with the requirements of this Policy.

Policy 55 (Urban Design)

The agents have submitted a Design Statement in support of the planning application. This Statement sets out the design rationale for the development as required by Policy 55. The agents advise that the proposals for the new 6 storey building are based on an L-shaped plan form that partly encloses a south west facing courtyard to the rear and allows access around either end of the building either for service deliveries of pedestrians. The proposed floor plans will accommodate a flexible mix of office space layouts from open plan to individual office accommodation.

West Marketgait Frontage

The architects considered, in light of the nature of West Marketgait, that it was important to develop a scheme that did not appear cluttered or overly complex from the street. This has resulted in a simple representation of

the enclosed functions with the main functions of entry, office space and roof top penthouse being clearly and simply expressed. The lower floors of the building are recessed on the street elevation to create a semi-private protected zone off the main road. This creates a functional covered drop-off area for visitors and, in design terms, provides a clear expression of the main entrance sequence and retains a section of the historic Long Wynd. The top floor functions have been designed to exploit their location. The majority of the top floor is set back to reduce the impact of the mass from ground level. However, the boardroom is expressed as a prow to the main volume rising above the height of the adjacent buildings to take advantage of the stunning views to the surrounding area.

Courtyard/ Garden Frontage

Sheltered from the noise and pollution of the road elevation, the east side of the building focuses around a south west facing courtyard. The design put forward for consideration allows a greater use of glass that successfully interacts, both visually and physically, with the adjacent external courtyard space. The short leg of the L-plan to the east (rear) steps down in scale to respect the lower scale of 'mews' buildings on Tay Street Lane. The proposed external space satisfies this Council's requirements for the continuing development of a network of linked public spaces. It will also provide a quality location for the use of the new occupiers of the building. The courtyard has also the future potential to address any development of the Tay Street Lane mews buildings.

The proposed finishing materials are an appropriate mix of a limited palette of aluminium/copper alloys and glass for the front elevation and render and glass to the rear. The materials have been specifically chosen to reflect the conservation area status of the surrounding area. These materials are considered to be acceptable in this instance.

The proposals include a provision for 3 off street car parking spaces adjacent to the proposed 'drop-off' zone to be located on the west side of the building. This limited level of provision is considered to be acceptable. Given the inadequate nature of the access into Tay Street Lane for service vehicles, the proposal is to take service deliveries down the

north side of the building to a dedicated service yard and delivery point.

A limited amount of landscaping is to be provided. This will be in the courtyard area proposed for the rear of the building and the formation of a roof garden/terrace that will offer the opportunity to provide a suitable breakout space to the high level meeting/seminar space and boardroom.

In light of the above, the proposals are considered to be in accordance with the requirements of Policy 55 (Urban Design) of the Local Plan.

Policy 56 (Public Art)

The agents have been made aware of the requirement to allocate at least 1% of the construction costs (of developments of £1,000,000 or over) for the inclusion of an art project in a publicly accessible/visible place or places within the development. It is intended to attach an appropriate condition to any permission granted.

Policy 61: (Development within Conservation Areas)

The site is located within the University Conservation Area. Within conservation areas all development proposals will be expected to preserve or enhance the character of the surrounding area. It is considered that the removal of the existing industrial building and the erection of the new building on this prominent frontage site will have a positive impact on the local area, a view which is informally supported by Historic Scotland. Consequently, it is considered that the proposals that are the subject of this application are compliant with Policy 61

Policy 65 (Archaeological Sites)

The site is located within the City Centre Area of Archaeological Potential and consequently an assessment of the likely impact of the proposals on any archaeological resources within the site will be required. As the site currently accommodates a former print works it is intended to attach a condition to any permission granted requiring a scheme of archaeological investigation, including a timetable, to be submitted for approval by the Council.

Policy 79 (Contaminated land)

The agents have advised that, due to the historical land use of the site, it is

intended to carry out a full Site Investigation of the potential contamination that may be contained within the site. This Investigation will follow the demolition of the existing buildings that are currently accommodated on the site. It is intended to attach an appropriate condition to any permission granted that requires the removal of any contamination in order to ensure that the site is fit for the use proposed.

Policy 80 (Waste Management Facilities)

This policy requires, amongst other things, proposals for new housing and commercial developments to make appropriate on-site provision to accommodate recycling facilities. The agents have been made aware of this requirement to submit a scheme for the provision of refuse storage facilities associated with the new development and consequently, have been in consultation with this Council on this matter. It is intended to attach an appropriate condition to any permission granted requiring the discharge of this matter prior to the first occupation of the new building.

It is concluded from the foregoing that the proposal complies with the relevant provisions of the development plan other than the allocation of the application site for housing purposes.

It is also concluded from the foregoing that the statutory duty set out in Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is discharged at this time.

Other Material Considerations

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

Development Brief

The site under consideration forms part of a larger site that was the subject of a Development Brief that was approved by the Council in 2001. This identified the application site, together with the site to the north, as being suitable for a mixed use development which would contribute to the required land use diversity for Cultural Quarter. These uses could incorporate employment, cultural, educational, commercial, residential and recreational uses.

The Brief advises that if the former print works is to be redeveloped, then

any new building fronting onto West Marketgait should be of a similar scale and massing to the Bank building to the south and the Overgate Buildings. The Brief further requires the development of new public spaces linked to improved pedestrian permeability through the site to South Tay Street.

The site was subsequently allocated for housing purposes in the Dundee Local Plan 2005 Review. In November 2005 the Council's Planning and Transportation Committee assessed the validity of a number of historical Development Briefs against the recently adopted policies and proposals of the new Local Plan. This review included the above Brief for West Marketgait/Long Wynd. It was accepted by the Committee that, despite the housing allocation on the site, the terms of the Brief were still relevant and that it was confirmed that the Brief would remain as a material consideration in the determination of any future planning applications for the site.

Representations:

A letter of representation has been submitted by an adjacent occupier. The main issue raised relates to the requirement to consider the comprehensive development of the area, including improvement of the access on to and from West Marketgait. This particular matter was previously raised by the adjacent occupier at the consultation stage of the Development Brief for the site. The response to the representation at that time was that whilst it would be preferable to achieve an overall comprehensive development of the site in a single project, this cannot be guaranteed and therefore a phased approach should not be ruled out. It is considered that the terms of this response are still valid and relevant and consequently should be upheld.

With regard to the issue raised regarding the elevations of the new development, the matter relating to the two identified 'north east elevations' has been rectified. In addition, the matter of the use of glass on the elevation of the new building facing the property to the north and the potential to inhibit the future development of this neighbouring site is not considered to be a material consideration in this instance.

It is concluded from the foregoing that sufficient weight can be accorded to the terms of the approved Development Brief for the site to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The design rational for the development is set out in the applicants submitted Design Statement. This visually important city centre site that fronts onto West Marketgait will be completed with an appropriate quality landmark building that will compliment the scale, appearance and character of the surrounding area. The appropriate use of a limited palette of materials and the contemporary composition of the scheme combine to provide another dramatic building of high quality design. It is considered that the scheme satisfies the requirements of Policy 55 (Urban Design) of the Dundee Local Plan Review 2005

CONCLUSION

The development is not compliant with the land use proposals for the site as stated in the Dundee Local Plan Review 2005. However, there are considered to be material considerations, including the terms of the approved Development Brief for the site, which are of sufficient weight to justify support for the scheme.

The proposal represents an opportunity to "seed" the regeneration of this important and prominent city centre site with a landmark building. It is considered that the scale, appearance, siting and materials of the new structure are appropriate in this location and that there will be a resultant positive impact on the setting of the surrounding conservation area.

The proposal will also assist in achieving the Council's aspirations of turning "roads into streets".

RECOMMENDATION

RECOMMENDATION 1

As the Council has an ownership interest in respect of the proposed development site and as the proposal is viewed as being contrary to the adopted Local Plan, should the

Committee be minded to approve the application, it will have to be notified to the Scottish Ministers under the provisions of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997.

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 samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples
 - 3 Development shall not begin until details of a scheme of hard and soft landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - 1 location of new trees
 - 2 schedule of plants to comprise species, plant sizes and proposed number/density
 - 3 details and materials of all landscaping works
 - 4 programme for completion and subsequent maintenance
- For the avoidance of doubt, any trees which, in the opinion of the planning authority, are dying, severely damaged or diseased within 5 years of planting shall be replaced by trees or shrubs of similar specification to those originally planted.
- 4 Details of refuse storage and recycling measures to be provided shall be submitted to the Council for approval prior to the commencement of development and if approved the development shall be carried out only in full accordance with such approved details.
 - 5 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:

- 1 the nature, extent and type(s) of contamination on the site
- 2 measures to treat/remove contamination to ensure that the site is fit for the use proposed.
- 3 measures to deal with contamination during construction works
- 4 condition of the site on completion of decontamination measures

Before any of the proposed accommodation hereby granted permission is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

- 6 That full details of public art provision for the development shall be submitted to the planning authority for approval prior to the commencement of development and if approved the development shall be completed only in full accordance with such approved details.
- 7 Total noise from all mechanical/electrical services shall not exceed NR35, during the night time, as measured 1 metre external to the facade of the residential accommodation in 1-33 Palais Court and 27-31 South Tay Street.
- 8 Before use commences the building or plant within the site shall be insulated to achieve sound attenuation in accordance with a scheme submitted for approval by the Council and once approved implemented in accordance with said scheme.
- 9 No construction works shall take place within the site until a scheme of archaeological investigation (including a timetable) has been submitted to and approved in writing by the Council. This approved scheme shall be fully implemented as approved by the Council.
- 10 That scaled details of the proposed pedestrian access to be

provided on the south side of the building hereby granted permission shall be submitted to and approved in writing by the planning authority prior to the commencement of development works.

- 11 That the proposed new pedestrian access path to be located on the south side of the building hereby granted permission shall be formed and made available for use by members of the public prior to the first occupation of the building. Details of the proposed path and gateways restricting access to the path, together with a schedule of the hours of maintenance of public access through the site, shall be submitted to and approved in writing by the Planning Authority prior to the commencement of works. For the avoidance of doubt, the proposed access shall operate only in full accordance with the approved scheme or any such variation that has been agreed in writing with the Planning Authority.

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 a satisfactory standard of appearance of the development
- 4 In the interests of sustainable development.
- 5 In order to ensure that the site is fit for the use proposed.
- 6 In order to provide for public art in the interests of visual amenity.
- 7 To protect local residents from any noise generated as a result of the development hereby granted permission.
- 8 In order to protect surrounding occupiers from any noise generated by the development hereby granted permission.
- 9 In order to examine, record and salvage any items related to archaeology and history.

10 In order to ensure that the proposed access provides a safe, secure and pleasant environment for pedestrians.

- 11 In order to ensure that public access through the site is improved and maintained to a standard that is to the satisfaction of the Planning Authority.