

KEY INFORMATION

Ward Lochee

Proposal

Erection of three storey office premises and provision of 50 associated parking spaces

Address

Land to West of
5 Explorer Road
Dundee Technology Park

Applicant

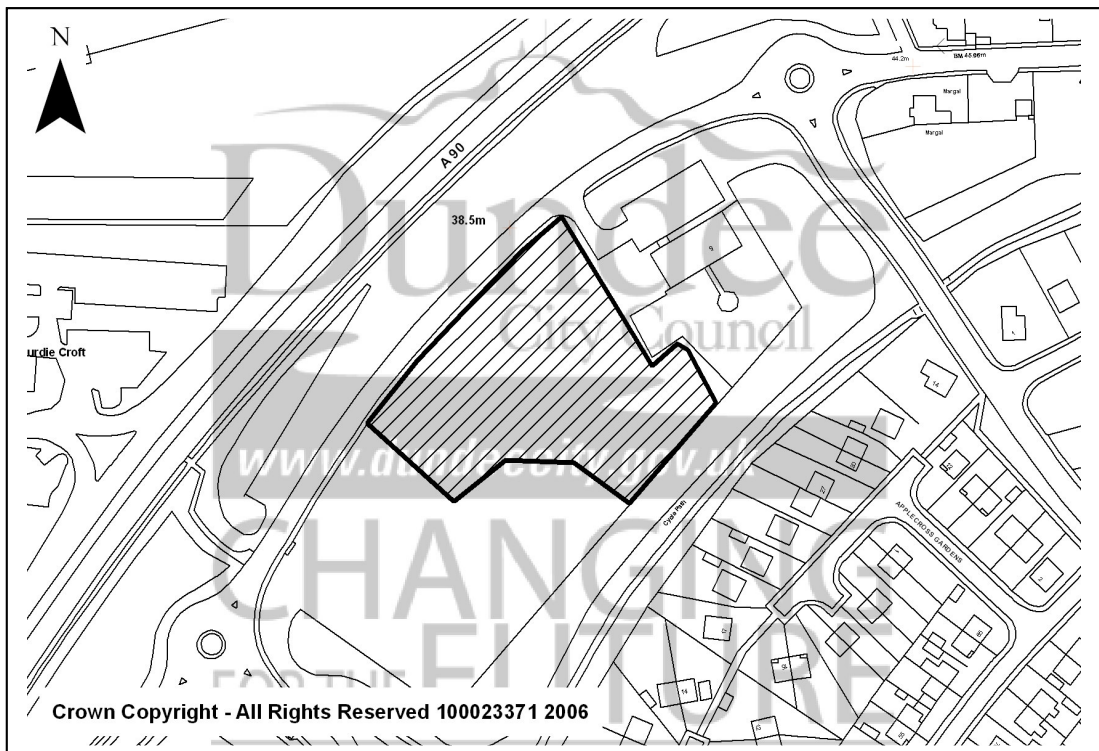
Insights Learning &
Development Ltd
Jack Martin Way
Claverhouse Business Park
Dundee
DD4 9FF

Agent

Peter Inglis Architects
30 South Tay Street
Dundee
DD1 1PD

Registered 8 Mar 2007

Case Officer D Gordon



Proposed Office Development at Explorer Road

The erection of office premises and associated car parking is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal is viewed as a positive contribution to the continued development of the Technology Park with buildings of a quality design. The application is recommended for approval with conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a 3 storey Class 4 office building on a greenfield site located within the Technology Park.
- The statutory neighbour notification procedure has been completed by the applicant's agents and the proposals have attracted 3 objections from local residents located to the south. The main issues that have been raised relate to the adverse affect the development will have on the environmental qualities of the area, the proposed height of the building and the impact the proposals will have on the traffic flows in the local area.
- It is considered that the proposed development is in accordance with the relevant development plan policies for the area.
- The application is recommended for approval subject to conditions and there are no material considerations that would justify the refusal of the application contrary to these policies.

DESCRIPTION OF PROPOSAL

The application seeks permission to erect a 3 storey office building with 50 associated off street car parking spaces on a greenfield site located within the Technology Park. The premises are to operate as a new headquarters building for Insights Learning & Development Ltd. and is a relocation from their existing premises that are currently located within Claverhouse Business Park.

The rectangular building, with a central octagon 'tower' feature, elevates in an east to west direction along the Explorer Road frontage. The structure accommodates a mono pitch roof with the primary finishing materials proposed being fyfestone block, metal cladding and glass.

The site will be accessed from Explorer Road to the north via a new access road that is to be shared with a further new office building proposed for the vacant site located immediately to the west (Hillcrest Group). This new access road will lead to a 50 space car park located to the rear of the building.

The curtilage of the building is to be enhanced by landscaping proposals.

SITE DESCRIPTION

The site is located within the Technology Park on the south side of Explorer Road. This greenfield site slopes gently in a south to north direction with a belt of structural landscaping evident on the south side of the site ie between the application site and the residential properties located to the south.

The surrounding area accommodates a variety of uses including a children's nursery to the east, residential properties to the south (Applecross Gardens) and business uses to the west.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

The following policies are of relevance:

Employment Policy 2: Existing Employment Areas. The Council will continue to safeguard and promote land for employment use at existing employment sites located throughout the city.

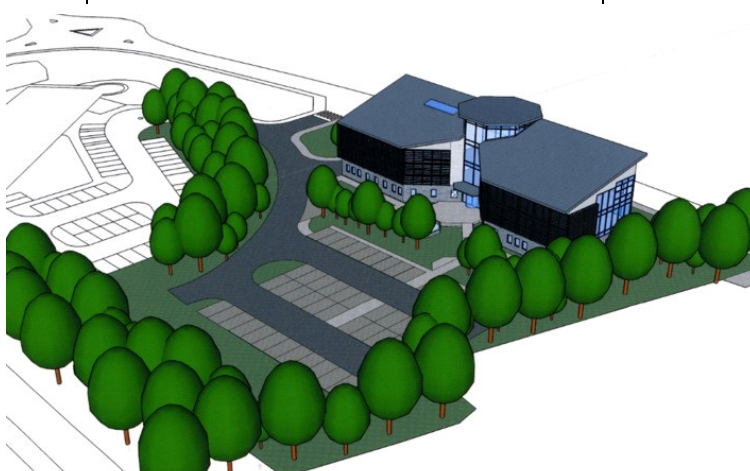


Dundee Local Plan Review 2005

The following policies are of relevance:

POLICY 22: HIGH AMENITY ECONOMIC DEVELOPMENT AREAS

The Council will encourage the establishment and retention of uses within Class 4 (Business) within the high amenity sites as identified on the Proposals Map. Exceptions where defined in Policy 27 (Ancillary Services within Economic Areas), will only be considered favourably where it can be demonstrated that the development will enhance the attractiveness of the area for business investment.



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

POLICY 70: SEMI-NATURAL GREENSPACES OF LOCAL NATURE CONSERVATION IMPORTANCE

Development proposals must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local Nature Reserves. Any development proposals affecting these sites must be accompanied by an ecological or similar assessment that details the likely impacts of the proposal on the conservation interests of the designation, along with proposed mitigation measures.

Development proposals that improve the conservation and educational value of Community Wildlife Sites shown on the Proposals Map will be generally supported. The conservation status of Community Wildlife Sites will be monitored and reviewed accordingly as improvements are implemented. Development proposals affecting Community Wildlife Sites will be resisted where their conservation and educational value have been significantly improved.

There will be a presumption against the development of semi-natural greenspaces within Wildlife Corridors shown on the Proposals Map, to minimise physical barriers to continuity, safeguard ecological integrity and promote biodiversity conservation. The Council will promote sympathetic maintenance of Wildlife Corridors to improve their nature conservation, community and educational value.

Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application

Non Statutory Statements of Council Policy

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

SUSTAINABILITY ISSUES

The development incorporates a number of energy saving features such as sun shading, solar panels, geothermal heat source and rainwater

harvesting. It is considered that this proposal raises no concerns in relation to the Council's sustainability policies.

SITE HISTORY

There are no recent planning applications that are of direct relevant to the determination of this application. There is currently an outstanding planning application for the erection of new office headquarters on the vacant greenfield site located to the west (07/00226/FUL refers)

PUBLIC PARTICIPATION

The applicants have completed the neighbour notification procedure. Three objections to the proposals have been submitted by local residents. The relevant issues raised by the objectors relate to:

- 1 The development will detract from the environmental quality of local residents by virtue of a reduction in privacy, overshadowing and an increase in noise
- 2 The proposed 3 storey building is too high
- 3 The proposal will compound current traffic and access problems in the local area.

Copies of these objections can be viewed in the Members Lounges. It is intended to comment on the various matters raised in the 'Observations' Section of this report below.

CONSULTATIONS

The Council's Head of Environmental Health and Trading Standards has advised that the introduction of such a unit in the location proposed has the potential to increase noise burden for the adjacent housing in Applecross Gardens. In this respect, it is requested that a condition should be attached to any consent granted requiring that any noise from the mechanical and electrical services be limited to NR35 during night time hours (2301 - 0700 hrs).

Due to the location and the nature of the proposed development there was a requirement to submit details of the proposed development to Transport Scotland Trunk Road Network Management Directorate for consideration of the potential implications of the proposals on the

adjacent Trunk Road (Kingsway West). From the Transport Assessment submitted, Transport Scotland is now satisfied that this development will not impact on the Trunk Road.

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 erection of a 3 storey office building on a greenfield site located on the south side of Explorer Road. The building will be rectangular in shape, with a central octagonal 'tower' feature, and will orientate in an east to west direction along the Explorer Road frontage. The premises are intended to be new headquarters for Insights Learning & Development Ltd. (a relocation from Claverhouse Business Park)

Policy 22 (High Amenity Economic Development Areas) of the Local Plan Review encourages the establishment and retention of uses within Class 4 (Business) within high amenity sites as identified on the Proposals Map. It is considered that the introduction of the proposed new Class 4 headquarters building is consistent with the requirements and aspirations of this adopted policy.

Policy 55 (Urban Design) requires that for all new developments within the city the emphasis will be on design quality. The proposed building is to be 3 storeys in height and finished in blockwork, metal cladding and aluminium framed glazing. It is considered that the proposed location, siting, design, appearance and materials of the proposed building are all appropriate for the area and are commensurate with other Class 4 buildings found elsewhere in the Technology Park. In this respect, it is

considered that the proposals are in accordance with Policy 55 of the Plan.

Policy 56 (Public Art) requires that in all major developments within the city, a percentage of the construction costs will be allocated for the inclusion of an art project in a visible place or places within the development. It is intended to attach a condition to any permission granted that requires details of the proposed art project to be submitted to and approved in writing by the Council prior to the commencement of any development works.

Policy 70 (Semi-Natural Greenspaces of Local Nature Conservation Importance) requires that developments must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local Nature Reserves. The Technology Park was designated as a SINC in the Dundee Habitats and Species Survey 2000. This designation was intended to achieve 2 things:-

- a to protect the existing tree belts, and
- b to maintain the integrity of the area as a whole wildlife corridor.

The Local Plan Review envisages harmony between the above requirements and the designation of area as a High Amenity Economic Development Area. The current application covers only a very small part of the SINC. In addition, the application affects only grassland on one part of the Technology Park and as such does not compromise the terms and aspirations of Policy 70. The applicants have submitted an Ecological Impact Assessment to accompany their development proposals the terms of which are considered to be acceptable.

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

Other Material Considerations

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

Views of the Objectors

- 1 The proposal will adversely impact on the environmental qualities of local residents: The nearest residential property (19 Applecross Gardens) to the proposed new office building is

located some 96 metres distant (83 metres to the rear garden boundary). This dwelling, along with the adjacent houses is separated from the application site by a belt of mature landscaping. It is considered that, due to this landscape belt and the distance between the new office and the existing residential properties in Applecross Gardens to the south, there will be no significant impact on the privacy of these residential properties. In addition, the new offices are to be located to the north of the above dwelling houses and consequently, it is not anticipated that the proposed development will result any overshadowing of the houses. With regard to potential noise, it is intended to attach a condition to any permission granted that will control the night time level of any noise generated by the mechanical and electrical services of the new building. In addition, it is also considered that due to the levels of the land, the existing landscape belt, the distance from the houses to the south and the predominant day time use of the parking facilities, any noise resulting from the use of the car park will not adversely impact on the amenities of the local residents.

- 2 The proposed new building is excessive in height. It is considered that the scale and the height of the proposed new building are appropriate for the site and the surrounding area. The application site slopes gently in a south to north direction. The applicants have provided cross section drawings through the site and the surrounding area that advise of the relationship between the residential properties in Applecross Gardens and the proposed new office building. These sections indicate that new structure will project approximately 1 metre maximum above the height of nearest houses located to the south. This is considered to be acceptable.
- 3 Traffic and Access Issues. Due to the nature of the building and its proximity to the adjacent Trunk Road, the applicants were requested to submit a Transport

Assessment to accompany their application. Transport Scotland Trunk Road Network Management Directorate were consulted with regard to the proposals and have advised that the submitted details relating transportation matters are considered to be acceptable.

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

Design

The proposal will establish a Class 4 headquarters building of a quality that is to be welcomed on this prominent greenfield site located within the Technology Park. The appropriate use of a limited palette of materials and the contemporary composition of the scheme combine to provide a dramatic building of a quality design that satisfies the requirements of Policy 55 of the Dundee Local Plan Review 2005.

CONCLUSION

The proposal to establish a Class 4 office building on this site satisfies the relevant land use policies of the development plan. There are no material considerations that would justify the refusal of this application contrary to these policies.

RECOMMENDATION

It is recommended that consent 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 Total noise from all mechanical and electrical services shall not exceed NR35, during night time, as measured 1 metre external to the facade of the nearest

- residential accommodation at 19 & 21 Applecross Gardens. For the avoidance of doubt, night time shall be 2300-0700 hours.
- 4 Development shall not begin until details of a scheme of soft and hard landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- a location of new trees
 - b identification of the trees that are to be retained and the measures to be put in place prior to the commencement of works to protect these trees during construction works
 - c a schedule of plants to comprise species, plant sizes and proposed number/density
 - d details and materials of all landscaping works
 - e programme for completion and subsequent maintenance.
- For the avoidance of doubt, any trees or shrubs 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 a similar specification to those originally planted.
- 5 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.
- 6 That details of the proposed cycle rack provision shall be submitted for the written approval of the planning authority prior to the commencement of works and if approved, the development shall be completed only in full accordance with such approved details.
- 7 Details of refuse and recycling measures to be provided shall be submitted to the Council for approval prior to the commencement of development works and if approved the development shall be carried out

- only in full accordance with such approved details.
- 8 That a Travel Plan shall be submitted to and approved in writing by the planning authority in consultation with Transport Scotland prior to the first occupation of the building hereby granted permission and if approved the development shall be carried out only in complete accordance with such approved details. For the avoidance of doubt, the Travel Plan should contain details of:
- a proposed pedestrian/cycle parking facilities to be located within the site
 - b Initiatives such as car sharing schemes and flexible working
 - c employee locker and shower facilities
 - d Mode share targets
 - e proposed monitoring schedule and reporting procedures
 - f details for the management of the travel plan.

For the avoidance of doubt, the Travel Plan should be implemented within the first 12 months of the first occupation of the office building and shall be operated, in accordance with the approved details, for a minimum of 10 years thereafter.

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 protect local residents from any noise generated by the mechanical and electrical services of the proposed building hereby granted permission.
- 4 To ensure a satisfactory standard of appearance of the development.
- 5 In order to provide for public art in the interests of visual amenity.
- 6 To ensure that the proposed cycle racks are of a design that are appropriate for the proposed use

and the future occupants of the building.

- 7 In the interests of sustainable development.
- 8 In the interests of sustainable development.