

KEY INFORMATION

Ward Lochee

Proposal

Erection of 26 two and three storey office pavilions plus associated infrastructure works

Address

Valentine Works
Kinnoull Road
Dunsinane Industrial Estate
Dundee

Applicant

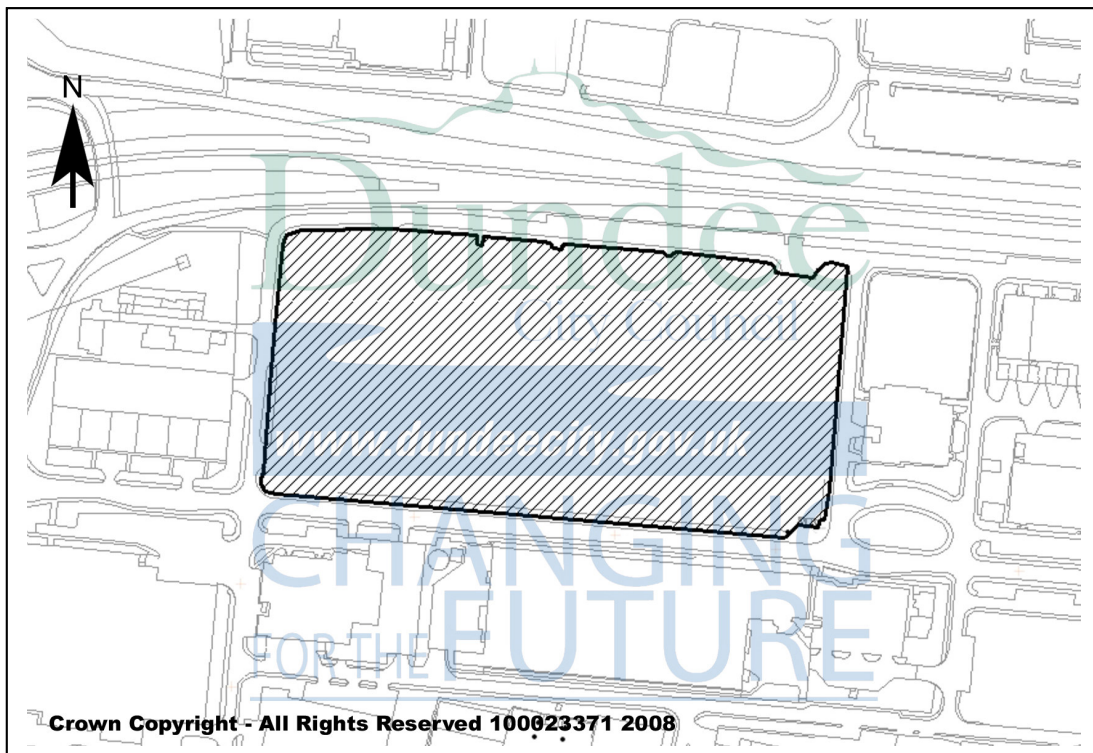
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Agent

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Alderstone Road
Livingston EH54 7DN

Registered 1 Feb 2008

Case Officer D Gordon



New Use for Former Valentine Site

Erection of 26 two and three storey office pavilions plus associated infrastructure works is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal which is the subject of this application is considered to be in accordance with the relevant land use requirements and policies of the Local Plan Review 2005. There are no material considerations that would justify the refusal of this application contrary to the terms of the Plan.
Recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for a Class 4 Office development within Dunsinane Industrial Estate. The proposal involves the erection of 26 no. two and three storey units with associated parking and landscape provision.
- The site is located on the former Valentine's Card Factory site on the Kingsway West frontage. The terms of Policy 24 (Principal Economic Development Areas) and Policy 25 (Dunsinane Revitalisation) of the Dundee Local Plan Review are of relevance in the determination of this application.
- The statutory neighbour notification procedure has been carried out by the applicants and no objections to the proposed development have been received.
- It is considered that the proposal complies with the relevant requirements of the development plan and there are no material considerations that would justify the refusal of this application contrary to these policies.

DESCRIPTION OF PROPOSAL

The application under consideration seeks permission to erect a Class 4 office development comprising of 26 two and three storey buildings with associated car parking and landscaping works. Three unit types are proposed that offer a total of 16.436m² (176,915ft²) of speculative build office space. These units range in size from 209m² to 935m².

The proposed three storey buildings with a combination of two storey buildings are to be located on the north boundary of the site ie fronting onto Kingsway West. The two storey buildings behind this frontage, located on the western and eastern boundaries of the site, will face inwards away from the existing industrial units, whilst the remaining internal buildings are arranged in a courtyard style setting facing each other in an east/west direction.

The proposed buildings will be pitched roof in design and will be finished facing brick walls and concrete tiles (roof).

The site will have access off all sides for cyclists and pedestrians and from Kinnoull Road for vehicles. The development of the site allows for 550 off street car parking spaces, cycle racks and pedestrian links.

The application is accompanied by a detailed landscape plan that identifies avenue trees, woodland planting, hedgerows, grass verges and ornamental planting.

SITE DESCRIPTION

The site under consideration is located in the north-west corner of the Dunsinane Industrial Estate on the former Valentines Card factory site. The site comprises approximately four hectares of level derelict land that has lain vacant for a number of years.

The site is bounded by Kinnoull Street to the east, Dunsinane Avenue to the south and Broomhill Road to the west. Land has a prominent frontage onto Kingsway West to the north.

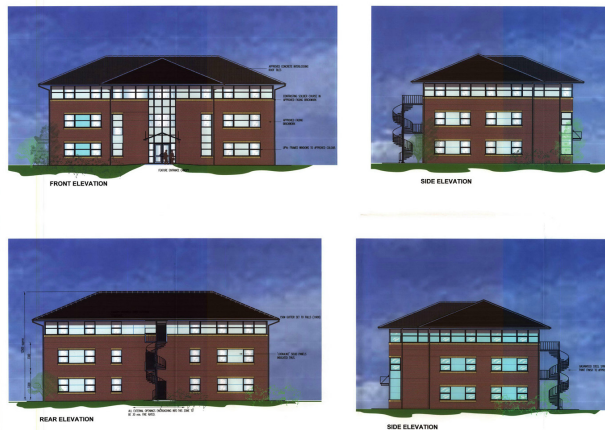
The surrounding area is predominantly industrial in character.

POLICY BACKGROUND

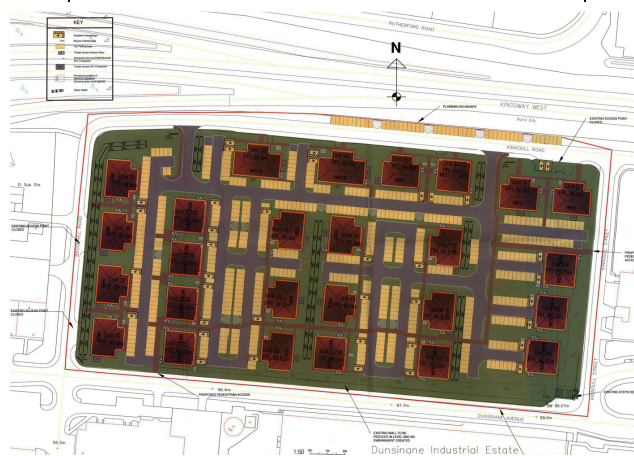
Dundee and Angus Structure Plan 2001-2016

The following policies are of relevance:

Employment Policy 2: Exiting Employment Areas - this policy safeguards and promotes existing employment land at Kingsway West



for uses within Classes 4, 5 and 6 of the Use Classes Order 1997.



Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 24: Principal Economic Development Areas - Principal Economic Development Areas are of City-wide significance and as such will be safeguarded for industrial and business use. Uses outwith Classes 4 "Business", 5 "General Industry" and 6 "Storage and Distribution" will be resisted. Exceptions where defined in Policy 27 (Ancillary Services within Economic Development Areas), will only be considered favourably where it can be demonstrated that the development will enhance the

attractiveness of the area for further industrial and business investment.

Policy 25: Dunsinane Revitalisation - those parts of Dunsinane Business Area, identified on the Proposals Map with high visibility from and access to the trunk road will be considered for higher value economic development uses such as car showrooms and wholesaling. The precise boundaries of such areas will be determined by the detailed nature of the development.

Any such higher value use must be justified on the basis of substantial reinvestment in Dunsinane Business Area to maximise its attraction as a Principal Economic Development Area. This will be achieved through a Planning Agreement(s). Any higher value uses should conform to the wider development plan policy background of keeping Dunsinane primarily for business and employment type uses. Class 1 Retailing will not generally be acceptable. The remaining industrial area will be covered by Policy 24 (Principal Economic Development Areas).

The Approval by the Council of a Masterplan illustrating the proposed regeneration and improvement of the whole of Dunsinane Business Area will be required to ensure that development takes place in a logical manner. Such improvements will include road, car parking, lighting, landscaping and security and improved signage throughout the estate and improvements to existing premises where appropriate.

In order to safeguard the retail strategy, when granting permission for the sale or display of motor vehicles, the planning authority reserves the discretion to impose conditions preventing subsequent changes into Class 1 Use, notwithstanding the provisions of Class 10, Schedule 1 of the Town and Country Planning (General Permitted Development (Scotland) Order 1992.

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 proposal involves the development of a vacant brownfield site resulting in the improvement and enhancement of this neglected and derelict site. The application raises no concerns in relation to the Council's Sustainability policies.

SITE HISTORY

94/20243/D - Outline Consent for Superstore - Application Called In and Refused 21 March 1996.

99/24059/D - Outline Consent for Superstore - Application Invalid.

03/00596/OUT - Regeneration of Estate to Provide Mixed Use Development - Application Withdrawn 13 October 2003.

03/00708/OUT - Regeneration of Estate for Mixed Use Development - Application Withdrawn 7 February 2005.

PUBLIC PARTICIPATION

The applicants have completed the statutory neighbour notification procedure and no objections to the proposals have been submitted.

CONSULTATIONS

As the proposed development is located within 67 metres of a Trunk Road, the Scottish Executive was notified, as required, of the application. The applicants have submitted a Transport Assessment and an Interim Travel Plan to accompany their application. The Director of Transport Scotland has advised that the proposed development is acceptable in transportation terms and has requested that certain conditions relating to a

Travel Plan and barrier provision be attached to any permission granted.

Due to the character and industrial history of the site, the applicants have submitted a Phase 1 Desk Study Report, a Supplementary Phase 1 Environmental Risk Assessment and a Phase 2 Intrusive Environmental Site Investigation for consideration. The Council's Head of Environmental Health and Trading Standards has been in detailed discussion with the applicants agents and have advised that matters relating to contamination can be satisfactorily discharged. It is intended to attach appropriate conditions relating to decontamination of the site to any permission granted.

The applicants have also submitted an Archaeological Assessment for the site. The Council's Consultant Archaeologist has advised that the scale of the past disturbance of the land is such that it is considered unlikely that there is any archaeological potential in the site.

Scottish Water has offered comments on the terms of the application and have advised that they are willing to accept the foul and surface water discharge from the site to the combined sewer. In addition to this, the applicants have also submitted a Surface Water Drainage System Design to accompany their application. The details of this are considered to be acceptable.

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 comprises of 16,436m² of speculative build office space, accommodated in 26 buildings of two and three storeys. These are arranged in a courtyard style setting, with proposed landscaping that

assists in converting the 10 acres site into an improved business location. Details of this scheme are outlined in the 'Description of Proposal' section of this report above.

The location and the nature of the proposed development are subject to initial consideration under Policy 25 (Dunsinane Revitalisation) of the Dundee Local Plan Review 2005. This policy advises, amongst other things that in certain identified areas within the Estate, higher value economic development uses will be supported. While the application site is contained within such an identified area the proposed Class 4 Office use is not considered to be covered by such a higher value classification. Consequently, the proposal falls to be determined under the general terms of Policy 24 (Principle Economic Development Areas) of the Local Plan. This policy safeguards sites for industrial and business use and any uses outwith Classes 4, 5 and 6 will be resisted. In this respect, it is considered that this Class 4 proposal is consistent with the land use requirements of Policy 24.

With regard to the development details of the application, it is considered that the design, siting, appearance and the materials of the scheme are acceptable in this location. The new development will significantly improve the environmental quality of this section of the Estate. It is further considered that the proposal also represents investment, economic growth and employment opportunities within the Estate.

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:

The applicants have submitted a considerable amount of supporting information to accompany this proposed development. This includes a Transport Assessment, an Interim Travel Plan, Phase 1 Desk Top Study, Supplementary Phase 1 Environmental Risk Assessment, Phase 2 Intrusive Environmental Site Investigation, an Archaeological Assessment, an Ecological Survey of the site, a Surface Water Drainage System Design, Landscape Strategy and Specifications and a Planning Support

Statement. These issues have been fully assessed and it is concluded that the details submitted for consideration are consistent with the aims and requirements of this Council.

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 layout, design, scale and materials of the proposed new units are considered to be acceptable. The development will improve the environmental quality of the site and will enhance the general setting and appearance of the industrial estate, particularly on the Kingsway West frontage.

CONCLUSION

The use of this frontage site for Class 4 Office development is considered to be in accordance with the relevant land use policies of the development plan. The proposal will assist in the environmental improvement of this visually important site and will make a positive contribution to the revitalisation of the Estate.

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 Prior to the commencement of any development on site, a comprehensive Travel Plan, generally in accordance with the framework plan submitted with the Transport Assessment, that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the planning authority, in consultation with Transport Scotland Trunk Road Network Management Directorate. The Travel Plan shall identify measures to be implemented, the system of management,

monitoring, review and reporting, and the duration of the plan.

- 3 Prior to the commencement of any development a barrier of a type approved by the planning authority, after consultation with Transport Scotland - Trunk Road Network Management Directorate, shall be provided and maintained along the proposed boundary of the site with the trunk road.
- 4 Development shall not commence on site until the investigation and risk assessment proposed in the submitted Environmental Site Assessment, Phase 1 Desk Study are completed and a scheme to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with contamination to include:
 - a the nature, extent and type(s) of contamination on site.
 - b measures to treat/remove contamination to ensure the site is fit for the use proposed
 - c measures to deal with contamination during construction works.
 - d condition of the site on completion of decontamination measures.

Before any unit is occupied the measures to decontaminate the site, if necessary, shall be fully implemented and a validation report should be submitted to and approved in writing by the planning authority.

- 5 All hard and soft landscaping works shall be carried out in accordance with approved Gladman drawing 3600.701 (Proposed Planting Plan). Prior to the commencement of works, details shall be agreed in writing with the planning authority about a phased approach to the approved planting works.

For the avoidance of doubt, any trees or shrubs, including hedges, 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.

- 6 That the agreed cycleway to be provided by the developer, at the developers expense, along the north boundary of the application site shall be constructed, to a standard that is to the satisfaction of the planning authority, prior to the first occupation of any of the approved units on the site
- 7 That the 3 x bus shelters to be located on agreed sites to the west and south sides of the site shall be provided by the developers, at the developers expense, prior to the first occupation of any of the approved units on the site.
- 8 That dropped kerbs at the locations agreed shall be provided by the developers, at the developers expense, prior to the first occupation of any of the approved units on the site.
- 9 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

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To be consistent with the requirements of SPP 17: Planning for Transport.
- 3 To minimise the risk of pedestrians and vehicles gaining uncontrolled access to the trunk road with the consequential risk of accidents.
- 4 To ensure that the site is fit for the use proposed.
- 5 to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 6 In the interests of sustainable transport
- 7 In the interests of sustainable transport.

- 8 In the interests of road traffic and pedestrian safety.
- 9 To ensure a satisfactory standard of appearance of the development.