

# Park and Ride Facility proposed off Riverside Avenue

## KEY INFORMATION

**Ward** West End

### Address

Land to West of Wright Avenue  
Riverside Business Park

### Applicant

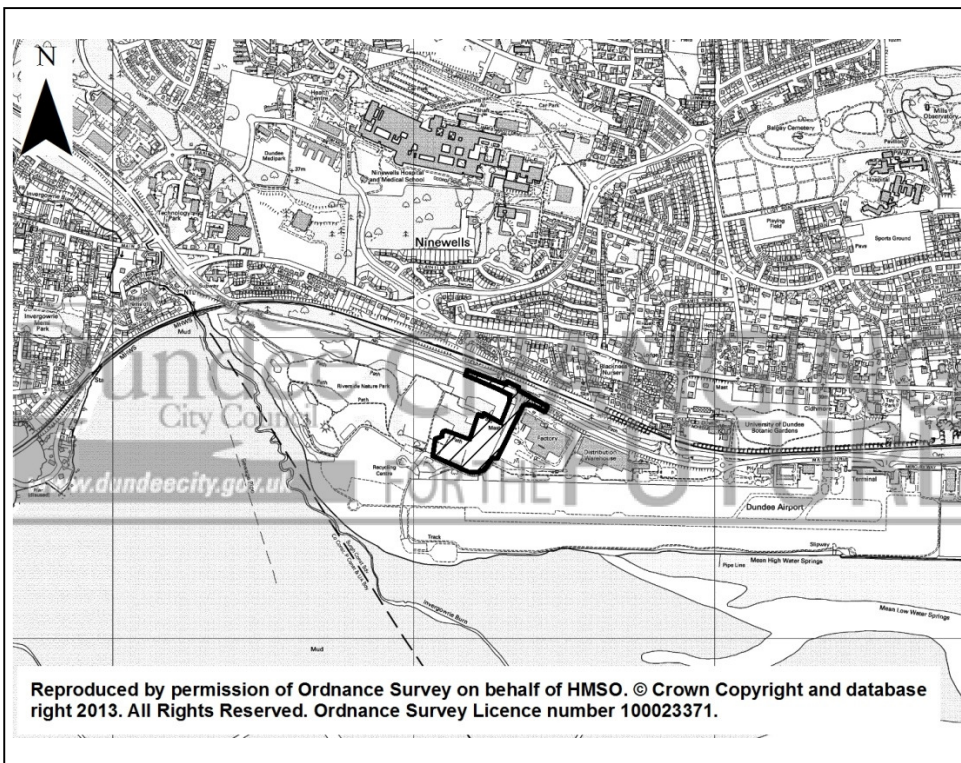
City Engineer, DCC  
Dundee House  
50 North Lindsay Street  
Dundee DD3 9BP

### Agent

Doug Farnan, DCC  
Dundee House  
50 North Lindsay Street  
Dundee DD3 9BP

**Registered** 18 June 2013

**Case Officer** P Frickleton



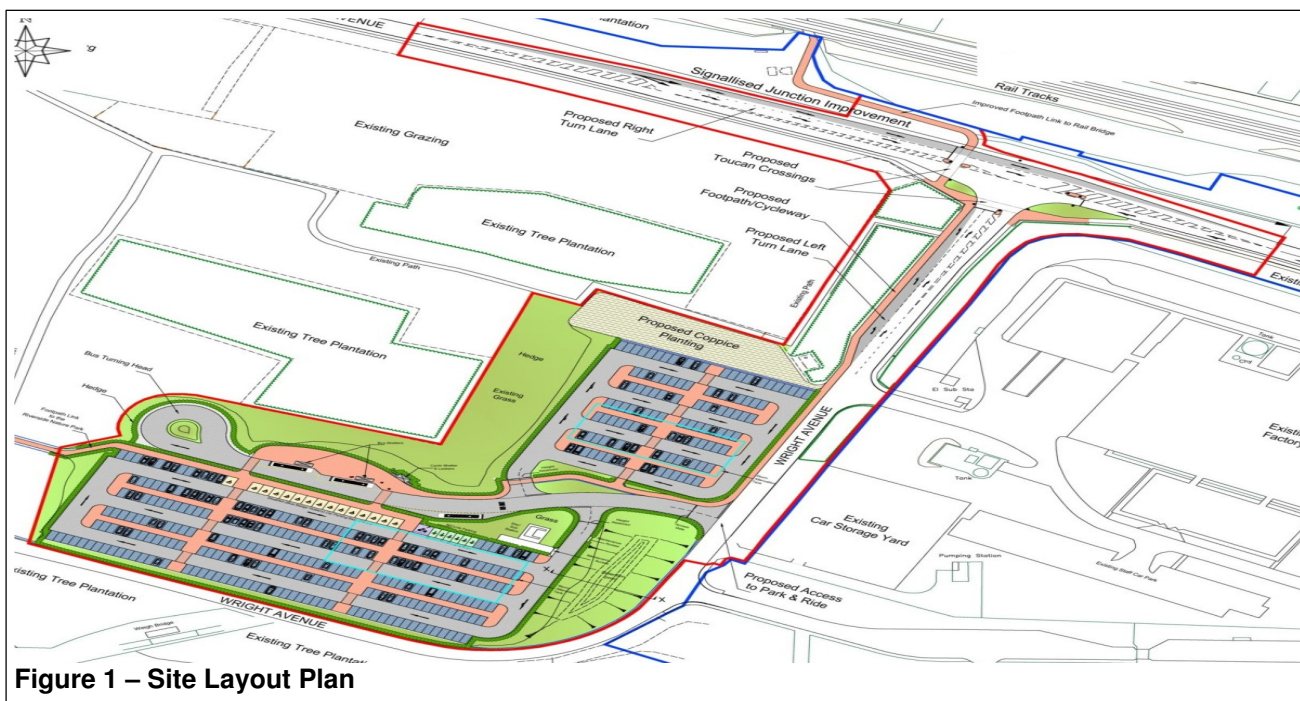
## SUMMARY OF REPORT

- The application seeks full planning permission for the construction of a Park and Ride facility.
- The proposal has been assessed against Policy 2 (Shaping Better Quality Spaces) of the Strategic Development Plan and Policies 66B (Protection of Other Open Space) and 70 (Semi-Natural Greenspaces of Local Nature Conservation Importance) of the Dundee Local Plan Review 2005.
- The Council has followed the statutory neighbour notification procedures stipulated by Regulation 18 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulation 2008. The application was also advertised in the local press under the terms of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. As a result ten valid letters of objection have been received and a 414 signature petition of objection.
- In accordance with the Scheme of Delegation, all Major Planning Applications must be reported to the Council's Development Management Committee.
- More details can be found at: <http://idoxwam.dundeecity.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MOLJ6UGC68000>.

## RECOMMENDATION

The proposed development is considered to contravene Policy 66B (Protection of Other Open Space) of the Development Plan. However, sufficient weight can be accorded to the material considerations to justify the approval of the development contrary to the provisions of the plan. The application is therefore recommended for **APPROVAL** subject to conditions.

# 1 DESCRIPTION OF PROPOSAL



- 1.1 The proposal under consideration seeks full planning permission for the construction of a Park and Ride facility. The site has been designed to provide approximately 410 car parking spaces allowing for some spare capacity above the 312 vehicles per day demand forecast (see Figure 1). The site will be accessed from Wright Avenue (See Figure 2) and will provide 15 disabled spaces and 6 electric vehicle charging points. Motorcycle spaces and cycle shelters/lockers will also be provided. The junction at Wright Avenue/Riverside Avenue will be signalised and incorporate pedestrian crossing facilities on Wright Avenue and Riverside Avenue.
- 1.2 A shared use cycle/pedestrian footway will be provided on the west side of Wright Avenue linking the Park and Ride site to the Green Circular cycle/walk footway on Riverside Avenue.
- 1.3 Height restrictors will be provided at the entrance to the two car park areas to restrict use to appropriate vehicles and it is proposed to provide a gate at the entrance to the Park and Ride site which will be closed outside operational hours.
- 1.4 The operation of the bus service for the site makes provision for a 12 minute frequency bus service accessing the site. The site will generally operate from early morning, throughout the day and into mid-evening to cater for commuters, visitors, business and leisure use. Exact opening times are yet to be determined, but will have flexibility to cater for special events such as late night shopping and weekend events.
- 1.5 The applicant has submitted the following documents to accompany the application drawings:



- Landfill Risk Assessment Report;
  - Transport Statement;
  - Ecological Assessment;
  - Scottish Transport Appraisal Guidance (STAG);
  - Design and Access Statement.
- 1.6 As the area of the application site exceeds 2 hectares the proposal falls within the meaning of a Major Planning Application as defined by Regulation 2(1) of the Town and Country (Hierarchy of Developments) (Scotland) Regulations 2009. Accordingly the applicant was required to undertake statutory pre-application consultation with the local community. This is evidenced in the Pre-application Consultation Report submitted as part of this application. The Town and Country (Development Management Procedure) (Scotland) Regulations 2013 also stipulate that major planning applications must be accompanied by a Design and Access statement, the applicant has complied with this requirement. In accordance with the Scheme of Delegation, all Major Planning Applications must be reported to the Council's Development Management Committee.
- 1.7 The proposal reinforces the core land use and environmental strategies of the Development plan and the viability of Dundee as a regional centre. In this respect the application complies with the Development Plan and the procedures for applications considered to be significantly contrary to the Development Plan do not apply.

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## 2 SITE DESCRIPTION

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- 2.1 The site is located in southwest Dundee, south of A85 Riverside Avenue and is bound by Wright Avenue to the east and south. Dundee Airport is located immediately south of the site. A recycling facility is present southwest of the site, and an industrial estate is located east of the site (see Figure 3). A railway line runs parallel to Riverside Avenue, and residential areas are located north of this transport corridor.
- 2.2 The site comprises land created on the northern shore of the Tay Estuary from its past use as a landfill site (see Figure 4). The section of the landfill that overlaps with the site was closed in 1996, and the site was subsequently remediated and now forms part of Riverside Nature Park, which was officially opened in 2011.



**Figure 3 – Adjacent Industrial Land Use**



**Figure 4 – Application Site**

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### 3 POLICY BACKGROUND

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- 3.1 The following plans and policies are considered to be of direct relevance:

**TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032**

Policy 2: Shaping Better Quality Spaces

**DUNDEE LOCAL PLAN REVIEW 2005**

Policy 66B: Protection of Other Open Space

Policy 70: Semi-natural Greenspaces of Local Nature Conservation Importance

**PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN**

Policy 34: Locally Important Nature Conservation Sites

Policy 36: Open Space

Proposal 1: Riverside Park & Ride Transport Interchange

**SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTES AND CIRCULARS**

The Scottish Planning Policy: February 2010

Environmental Impact Assessment (Scotland) Regulations 2011

- 3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

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### 4 SITE HISTORY

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- 4.1 There is no planning history of relevance to the outcome of this application.
- 4.2 **Environmental Impact Assessment (Scotland) Regulations 2011** - a screening opinion was submitted to Dundee City Council on 21 February 2012. The opinion of the Council is that the development is not likely to have "significant effect" on the environment by virtue of its nature, size or location and is therefore not considered to be EIA development under the terms of the Environmental Impact Assessment (Scotland) Regulations 2011. A screening opinion has been issued by the Director, under delegated powers, confirming that an EIA is not required.

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### 5 PUBLIC PARTICIPATION

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- 5.1 The applicant has demonstrated through the submitted pre-application Consultation Report that the requirements of Section 35 A-C of the Town and Country Planning (Scotland) Act 1997 and Paragraph 7 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 have been met. The applicants have consulted with the local community including Community Councils; Neighbouring Representative Structures and the City Council's Communities Officers.
- 5.2 A public consultation event was held on 8 November 2012 at the DCA. The main focus of the event was design layout drawings of the Park and Ride facility and location plans identifying the proposed site within the local surrounding area. A computer aided "fly through" of the Park and Ride facility was also provided.
- 5.3 Following the consultation event a total of 23 written responses were received, which on the whole were negative responses to the proposed development. The responses received



generated a number of individual comments, many of the concerns condensed around repeated themes of:

- Location Choice and Environment;
- Operation; and
- Design of Park and Ride site.

5.4 An appendix attached to the Consultation Report summarises all comments referencing the individuals or organisations making the comment along with a précis of the design team's review and actions which have arisen from that review.

5.5 In addition to the consultation event organised and administered by the applicant, the Council has also followed the statutory neighbour notification procedures stipulated by Regulation 18 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. As a result ten valid letters of objection have been received and a 414 signature petition of objection. The objections made were on the grounds of environmental issues; bio-diversity; drainage/flooding; transportation issues; location and planning policy.

5.6 Dundee Civic Trust have written to the Council to advise that the Trust are fully supportive of the principle of the Park and Ride and its objectives of promoting the use of public transport and reducing congestion and pollution and agree that that this appears to be a suitable location for such a facility. The Trust recognises that the site has never formed an effective part of the adjacent Nature Park, utilises only a small proportion of the open land in this vicinity and is to be screened to minimise any visual intrusion to users of the Nature Park. However, they have asked that the Council consider the detailed treatment of the existing grass area on the west boundary, how the existing Nature Park car park is managed to ensure it is available only to Nature Park users, and ensure that the lighting for the car park is sympathetically designed. These comments have been passed onto the agent for action. Details of the proposed lighting have been provided as part of the Design and Access Statement and are deemed to be of an acceptable standard.

5.7 The Trust also raised questions over financial subsidies; the financial issues are outwith the scope of the planning application but were passed to the agent for comment and response.

5.8 The issues raised by objectors and the Civic Trust are considered in the Observations section of this report.

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## 6 CONSULTATIONS

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6.1 **Environmental Protection** – the proposed Park and Ride is sited on former landfill and there is strong evidence to suggest that gas will be an issue for any buildings or enclosed spaces that are constructed as part of the development. Therefore the Head of Environmental Protection has requested that a site relevant risk assessment be submitted.

6.2 A Preliminary Risk Assessment has been submitted by Macleod Consulting, the contents of which have been approved by the Council's Contaminated Land Officer subject to conditions restricting the commencement of the development until the investigation and risk assessment proposed in the Stage 1 Desk Study are complete and, if necessary, a remediation strategy to deal with contamination has been submitted and approved.

- 6.3 The Head of Environmental Protection has also advised that in the interests of air quality and reducing vehicle emissions, any additional transport services should be offset by an equivalent or greater reduction in existing routes or transport. Further, the tender for the award of any transportation services should include an evaluation of the quality of the operator's fleet with preference given to low emission vehicles. A condition requiring the details of transport services, including details of bus types and proposed routes, will be incorporated into the grant of planning permission should the Committee be minded to approve this application.
- 6.4 **Highlands and Islands Airport Limited** – no comment has been received.
- 6.5 **Transport Scotland** – The Director of Transport Scotland does not propose to advise against the granting of planning permission.
- 6.6 **Scottish Environment Protection Agency (SEPA)** – SEPA have confirmed that they have no objection to the proposed development.
- 6.7 **Scottish Natural Heritage(SNH)** – SNH have concluded that the proposal would have no likely significant effect on European Sites identified, namely the Firth of Tay and Eden Estuary, because there is no link or pathway with the qualifying interests and the proposal would not otherwise undermine the conservation objectives of the site.

## 7 DETERMINING ISSUES

- 7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.**

### THE DEVELOPMENT PLAN

The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

#### TAYPLAN STRATEGIC DEVELOPMENT PLAN 2012-2032

- 7.2 The Strategic Development Plan is focused on delivering sustainable economic growth for the area through shaping better quality spaces and responding to climate change, as set out in the vision. The policies and proposals contained within the Plan set out the spatial strategy over the next 20 years of where development should and should not go and how new development should be achieved.
- 7.3 As specified above the Policy relevant to the assessment of this application is:
- 7.4 **Policy 2 (Shaping Better Quality Spaces)** - this policy requires new development to be fit for place, supporting more sustainable ways of life for people and businesses. The relevant section of this policy is:
- 7.5 **Policy 2C** which requires the integration of transport and land use to reduce the need to travel and improve accessibility by foot, cycle and public transport; make the best use of existing infrastructure to achieve a walkable environment combining different land uses with green space; and support land use and transport development by transport assessments/appraisals and travel plans where appropriate, including necessary on and off site infrastructure.

- 7.6 The applicant has submitted a Transport Statement which demonstrates that the proposed Park & Ride site at Wright Avenue and its associated infrastructure has been designed to accommodate the forecast demand for use and is accessible by all modes of transport.
- 7.7 The Park and Ride facility is to be located on Wright Avenue two miles to the west of the City Centre. The location of which has been identified through the Regional Transport Strategy and Transport Scotland's Strategic Transport Project Review as a key transport project. If approved, the site has the potential to serve a multi-purpose role. It has the potential to provide car parking for the Nature Park, overspill for Ninewells Hospital, additional airport parking and parking for a relocated Invergowrie Rail Station. The development will also complement the City's Waterfront development, including the V&A at Dundee, as many car trip visitors are likely to arrive from the west, this facility will give them an excellent off site travel alternative option especially for those unfamiliar with the city.
- 7.8 **It is concluded that the proposal complies with Policy 2C.**

#### **DUNDEE LOCAL PLAN REVIEW 2005**

- 7.9 **Policy 66B (Protection of Other Open Space)** – development proposals will only be allowed in exceptional circumstances which satisfy the broad thrust of the criteria listed in Policy 66A, or where there are consistent with a park masterplan, strategy or programme approved by the Council to improve the management of open space. The three main criteria of Policy 66A being:
- the proposals affect part of the site that has lesser amenity value and will improve the amenity value across the remainder of the site;
  - compensatory open space of at least equal benefit and accessibility will be provided in or adjacent to the community most directly affected, resulting in an overall improvement to the existing amenity of the area; and
  - Development Plans require the site for an important, strategic development, following examination of all possible alternative sites, and replacement provision of equal community benefit will be created in or adjacent to the community most directly affected.
- 7.10 The development site is not consistent with a park masterplan, strategy or programme. Whilst the area of the site affected has never formed an effective part of the adjacent Nature Park and utilises only a small portion of the open land in this vicinity the loss of the land is not to be compensated within the community. In addition the adopted Local Plan does not identify the site for any strategic development. **In this respect the development does not comply with Policy 66B of the Plan.**
- 7.11 **Policy 70 (Semi-Natural Greenspaces of Local Nature Conservation Importance)** – requires that development proposals do not adversely affect the nature conservation qualities of the 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.
- 7.12 An Ecological Assessment has been provided as part of the application, the assessment was carried out with reference to a desk study and an extended Phase 1 habitat survey to identify the existing ecological baseline of the site. The report confirmed that there are no statutory or designated sites present within the site boundary, but several designations are present within a 2km radius, all associated with the Tay Estuary. These sites are designated for both habitat and species interests. Riverside Nature Park, a non-statutory site, partly

overlaps with the site boundary. The site is characterised by species-poor grassland and immature hedges and woodlands, and the potential for the site to support protected or notable species is considered very low, although such potential is present within 100 metres of the site. An exception is breeding birds which may utilise woodland habitat within and near to the site boundary.

- 7.13 The report proposes mitigation measures for negative impacts in the form of avoiding site clearance or construction in areas next to woodland habitats during the bird breeding season, unless a suitably qualified ecologist checks such areas first.
- 7.14 The report concludes that no residual negative effects to valued ecological receptors are predicted. Rather by expanding semi-natural habitats within the site boundary, a net positive effect may result from the proposed development.
- 7.15 **It is considered that the proposed development satisfies Policy 70.**

#### **OTHER MATERIAL CONSIDERATIONS**

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

#### **PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN**

- 7.17 The proposed Dundee Local Development Plan has been the subject of Examination by Reporters from the Directorate for Planning and Environmental Appeals and their Report does not recommend any changes in the allocation of this site or the policies affecting it. A report recommending adoption of the Plan is to be submitted to the October City Development Committee for approval and in these circumstances considerable weight should be given to the Proposed Plan which will shortly become the adopted Local Development Plan for the city.
- 7.18 **Policy 34 (Locally Important Nature Conservation Sites)** - is substantially the same as Policy 70 (Semi-Natural Greenspaces of Local Nature Conservation Importance) that has been assessed above. The Park and Ride proposal was addressed in the Strategic Environmental Assessment (SEA) and Habitats Regulation Appraisal (HRA) accompanying the Proposed Local Development Plan. The SEA included a site assessment for the Park and Ride. It should be noted that the HRA screened out the site as it was not expected that there would be any significant effects on the SPA and SAC and that TACTRAN had provided the relevant environmental assessments.
- 7.19 **Policy 36 (Open Space)** of the proposed plan is broadly similar to Policy 66B (Protection of Other Open Space) of the Dundee Local Plan Review 2005 however as the Park & Ride facility has been identified as a project within the proposed plan and the development is consistent with an approved strategy and programme of works the proposal is considered to satisfy Policy 36 of the Proposed Dundee Local Development Plan.
- 7.20 **Proposal 1 (Riverside Park & Ride Transport Interchange)** - supports the establishment of Park and Ride facilities on land to the east of the Nature Park at Riverside Drive.
- 7.21 **As such the requirements of Policies 34, 36 and Proposal 1 of the Proposed Dundee Local Development Plan are also satisfied.**

#### **PROTECTION OF DESIGNATED OPEN SPACE**

- 7.22 The proposal is considered to be contrary to Policy 66B of the adopted Development Plan, however since adoption of the Plan a proposal has been developed for the establishment of



Park and Ride facilities on the application site and is supported within the emerging Dundee Local Development Plan, which has been considered by the Scottish Ministers and their Report of Examination does not make any changes in the allocation of this site for a park and ride facility.

- 7.23 As part of the site selection process the site was appraised against the Government criteria; Environment, Safety, Economy, Integration, Accessibility and Social Inclusion and was deemed to be the preferred option for the facility, details of the site appraisal are discussed below.
- 7.24 In terms of environmental impact, whilst the site lies within the Inner Tay Local Nature Reserve the application site has never formed an effective part of the Nature Park and utilises only a small portion of the open land in this vicinity. An Ecological Assessment has been provided as part of the application which concluded that no residual negative effects to valued ecological receptors are predicted. Rather by expanding semi-natural habitats within the site boundary, a net positive effect may result from the proposed development.

### **STATEMENTS OF POLICY AND GOVERNMENT ADVICE**

- 7.25 Scottish Planning Policy document – this SPP is a statement of Scottish Government policy on land use planning and contains, amongst other things, concise subject planning policies, including the implications for development planning and development management.
- 7.26 Landscape and Natural Heritage – this section requires planning authorities to ensure that potential effects on the landscape and natural heritage, including the cumulative effect of incremental changes, are considered when deciding planning applications. While the protection of the landscape and natural heritage may sometimes impose constraints on development, with careful planning and design the potential for conflict can be minimised and the potential for enhancement maximised. Statutory natural heritage designations are important considerations where they are directly or indirectly affected by a development proposal. However, designation does not necessarily imply a prohibition on development.
- 7.27 As discussed under Policy 70 of the Development Plan above an Ecological Assessment has been provided as part of the application. The report concluded that no residual negative effects to valued ecological receptors are predicted. Rather by expanding semi-natural habitats within the site boundary, a net positive effect may result from the proposed development. It is considered that the proposed development meets the requirements in terms of the protection of the landscape and natural heritage.
- 7.28 Transport – this section promotes sustainable development in appropriate locations and seeks to ensure that development is well located in terms of public transport and pedestrian and cycle routes.
- 7.29 The applicant's have submitted a Transport Statement in support of the proposed development which demonstrates that the Park and Ride site and its associated infrastructure has been designed to accommodate the forecast demand for use and is accessible by all modes of transport. It is considered that the proposal in terms of sustainable transport and its impact on the local road network is acceptable in terms of the guidance contained within SPP in relation to Transport.

### **TRANSPORT POLICY BACKGROUND**

#### **Strategic Transport Projects Review**

- 7.30 Transport Scotland has undertaken the Strategic Transport Projects Review (STPR) to define the most appropriate strategic investments in Scotland's national transport network. It concentrates on interventions which reflect the Scottish Government's aspirations for better connections to the rest of the UK. The STPR has been completed using the Scottish Transport and Appraisal Guidance (STAG), which allows for the identification and appraisal of interventions most likely to address key issues.
- 7.31 The STPR outlines a number of possible interventions which would contribute to the Scottish Government's purpose to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.
- 7.32 Two of the interventions are significant to the Park and Ride proposal:
- Intervention 8 proposes the implementation of a strategic Park and Ride site to be located on major commuting routes, aiming to increase labour catchment areas in the city regions to reduce emissions. Proposed sites around Dundee include: Invergowrie, Forfar Road, A92 and Forgan; and
  - Intervention 29 aims to reduce the conflict between strategic, longer distance travel and local traffic in Dundee, and to improve the connectivity between the Central Belt and Aberdeen. It proposes a new Northern Peripheral Bypass around Dundee from the A90 west of Invergowrie to the A90 north of Dundee, or the upgrading of roundabouts and associated junctions on the A90 Kingsway.
- 7.33 A series of National and Node and Corridor objectives have also been identified. National objectives with particular relevance to Park and Ride are to:
- promote "competitive" inter-urban journey times;
  - promote journey time reductions between the Central Belt and Aberdeen/Inverness primarily to allow business to achieve an effective working day between these centres;
  - maximise the labour catchment area in city regions (favouring public transport and high occupancy vehicles and balancing with other policy measures that promote reduction in need to travel);
  - reduce CO2 emissions in line with expectations from the emerging climate change bill;
  - promote continuing reduction in accident rates and severity rates across the strategic transport network, supporting the work of the Strategic Road Safety Plan;
  - promote seamless travel;
  - improve the competitiveness of public transport relative to the car; and
  - improve overall perceptions of public transport.
- 7.34 Key relevant corridor and node objectives are to:
- reduce the conflict between longer distance and local traffic;
  - improve bus/rail interchange opportunities; and
  - improve the public transport accessibility and competitiveness to Dundee West.

### **TACTRAN Regional Transport Strategy**

- 7.35 The TACTRAN Regional Transport Strategy sets out a vision and programme for improving the region's transport infrastructure. The strategy recognises the importance of Park and Ride in general and its particular application to urban areas with large rural hinterlands and limited rural public transport. Both rail and bus based Park and Ride schemes were considered to have a role to play in the TACTRAN area.
- 7.36 A more detailed policy and delivery framework has been developed as part of the TACTRAN Park and Ride strategy.

### **TACTRAN Park & Ride Strategy**

- 7.37 The Park & Ride Strategy assessed in greater detail the potential for Park and Ride across the TACTRAN region. It identified the position of Park and Ride policy within overall transport and public transport provision patterns. The study assessed the potential for new bus and rail based Park and ride across the major urban centre.
- 7.38 The study appraised a number of potential sites and selected priorities for development. These included a site to the south of Dundee at the southern end of the Tay Bridge and a site to the west of Dundee which is the subject of this planning application.

### **SITE APPRAISAL**

- 7.39 An initial appraisal stage involved a qualitative assessment of preferred options for the Park and Ride development selected during the Pre-Appraisal stage, assessing the likelihood of meeting the transport planning objective. Full appraisal summary details are available within the TACTRAN Park & Ride Study. Each option was appraised against the Government criteria; Environment, Safety, Economy, Integration, Accessibility and Social Inclusion.
- 7.40 Following this stage a detailed Appraisal Stage was taken forward of the top five of the original nine sites. The five alternative Park and Ride options, for a site to the west of Dundee, were appraised against Transport Planning Objectives, STAG and Implementability criteria, Cost to Government and Risk and Uncertainty.
- 7.41 In summary the appraisal stage recommended that the following options be taken forward for further development:
- Site 3i/3ii, (North of A90, West of Dundee); and
  - Site 6B (Wright Avenue).
- 7.42 Site 3i and 3ii have the highest benefit to Cost Ratio (BCR) and also meet the STPR objectives. In particular they help reduce congestion at the Swallow Roundabout. Nevertheless, they also have the highest capital costs, and potentially the highest environmental impact. They also carry a high level of risk – even if demand is lower than forecast it will be necessary to subsidise an appropriate level of bus service provision at a significant ongoing cost.
- 7.43 In contrast Site 6B, provides lower benefits but also a lower level of risk. While the BCR is lower than for Sites 3i and 3ii, this is primarily a result of lower non-user benefits – the site still attracts significant levels of demand (higher than for Site 3i). While this option does not help reduce congestion at the Swallow Roundabout, it does help reduce congestion on the approach to Dundee City Centre and so contributes towards the STPR objectives. While

there are potential environmental impacts, these can be more readily mitigated than at Site 3i/3ii. Bus services can be provided to the site at a lower cost, and a service to the site could still be maintained even if the proposed subsidy was reduced or withdrawn. Finally, the site has the potential to serve a multi-purpose role. It has the potential to provide car parking for the Nature Park, overspill for Ninewells Hospital, additional airport parking and parking for a relocated Invergowrie Rail Station.

### **VIEWS OF OBJECTORS**

7.44 Ten valid letters of objection have been received along with a 414 signature petition. Concerns have been raised on the grounds of:

#### **Environment**

- Detrimental to environment/negative ecological impact.

7.45 The environmental/ecological issues have been assessed under Policy 70 of the Development Plan, the Scottish Planning Policy document and the Environmental Impact Assessment screening opinion, where it was concluded that the proposal is considered to be in compliance with policy.

- Contamination.

7.46 A Preliminary Risk Assessment has been submitted by Macleod Consulting, the contents of which have been approved by the Council's Contaminated Land Officer subject to conditions restricting the commencement of the development until the investigation and risk assessment proposed in the Stage 1 Desk Study are complete and, if necessary, a remediation strategy to deal with contamination has been submitted and approved.

- Bus shelters should have "green roofs" and solar panels.

7.47 The bus shelters are unlikely to be large enough to support a green roof. The two bus shelters proposed at the Park and Ride facility are standard Dundee "smartbus" shelters used throughout Dundee. This provides a recognised brand of shelter for the City and assists in reducing maintenance costs. The applicant has however agreed to investigate the possibility and cost of installing solar panels with the supplier.

- Composting toilets should be installed.

7.48 There are no plans to install toilets on the site as part of this planning application. However, provision has been made for public utilities to be in place should a building or toilets be desired in future.

- Increased pollution will negatively affect the whole park and nearby residential area.

7.49 As discussed under the Consultation Section above Environmental Protection have advised that in the interests of air quality and reducing vehicle emissions, any additional transport services should be offset by an equivalent or greater reduction in existing routes or transport. A condition requiring the details of transport services, including details of bus types and proposed routes, will be incorporated into the grant of planning permission should the Committee be minded to approve this application.

7.50 The car park lighting will consist of LED light units on aluminium columns. The lights will be turned off when the car park is not operational to minimise power consumption and reduce light pollution to the surrounding areas.

- Recommend that the bus access road and turning circle be relocated to reduce disturbance to adjacent woodland. Recommend establishing a woodland belt to the west of the site to reduce disturbance of the wet area immediately to the west of the site which is important for birds.

7.51 With regards to relocating the access road and bus turning circle a number of alternative site layouts were considered during the development of the Park and Ride facility. A number of considerations had to be taken into account in the design, such as junction spacing; minimum radius for access road and bus turning circle; need to separate bus and general car traffic; safe pedestrian and cycle access, as well as providing a layout that is sympathetic to the surrounding landscape and environment. The proposed layout is the optimum design which best meets all of these considerations, provides the most compact site, and has been specifically designed not to encroach on the existing tree plantations. Relocating the bus access road and turning circle would require further land take.

- Recommend interpretation about the Park is provided at bus shelters and public areas to encourage users to visit the Park.

7.52 The current interpretive signage will be retained. The relocation of existing and provision of further signage is welcomed by the applicant, the design and location of which can be investigated with the relevant parties.

7.53 In this instance the views of the objectors are not supported.

#### **Bio-diversity**

- loss of habitats;
- negative impact to wildlife by disturbance;
- Nature Park is environmentally sensitive and bio-diverse haven for wildlife;
- disagree with positive conclusions of the ecological assessment particularly from the loss of undisturbed grassland and the disturbance to the woodland immediately adjacent to NW of the site;
- loss of habitat and impact on species in Riverside Nature Park; and
- SINC.

7.54 The potential effect to the bio-diversity of the site has been discussed under Policy 70 of the Development Plan. In this instance the view of the objectors is not supported.

#### **Drainage/Flooding**

- inadequate drainage;
- SUDS pond should be located at north-west corner of site where the site naturally drains; and
- site is subject to frequent long-term flooding.

7.55 A drainage strategy has been submitted as part of the application which confirms that surface water from the car parks and surrounding hard standing area will be discharged via

gullies into two underground storage systems. The stored surface water will then be discharged at a controlled rate into the SUDS pond. The two underground storage systems will provide attenuation up to a 1:200 year rainfall event plus a 10% allowance for climate change and will be maintained by the Council's Road Maintenance Partnership. The submitted drainage proposals have been examined by the Council's Infrastructure team who are satisfied that the development will not increase flood risk.

- 7.56 The SUDS pond has been located in the south-east corner to maximise the fall of the pipework that drains the pond, if the pond was relocated to the north-west corner then the pipes would have insufficient fall to operate, as the site is low lying and flat. A controlled drainage discharge from the pond will be conveyed south-eastwards via existing outfall under the airport to the Tay.
- 7.57 The SEPA Indicative River & Coastal Flood Map and Dundee City Council records provide no evidence or details of flooding on this site. The Council's Draft Coastal Study Stage 2 shows no risk of flooding on the site to a 1:200 year Coastal Flood Event.
- 7.58 In this instance the views of the objector are not supported.

### **Transportation Issues**

- increased traffic;
  - road safety;
  - congestion;
  - TACTRAN objectives not met; and
  - increased traffic congestion adjacent to housing.
- 7.59 Transportation issues were looked at in depth in the site appraisal stage of the project, details of which are discussed above. Therefore, in this instance the views of the objectors are not supported.

### **Location**

- wrong location – better sited outside the ring road west of Swallow roundabout;
  - better alternative sites if a Park and Ride is necessary; and
  - choice of site flawed as it will not alleviate traffic pressure at the Swallow roundabout.
- 7.60 This issue has been discussed under the Site Appraisal section above; therefore in this instance the views of the objectors are not supported.

### **Local Plan Policy**

- contravenes Policy 66A of Dundee Local Plan Review; and
- contrary to Policy 70 of Dundee Local Plan Review – Ecological Assessment is incomplete and inadequate because of limited fieldwork carried out.



7.61 This has been discussed under the Development Plan above and in this instance the views of the objectors are not supported.

7.62 **It is concluded from the foregoing that the material considerations are of sufficient strength to support the approval of planning permission.**

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## 8 CONCLUSION

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8.1 The proposed development is considered to contravene Policy 66B (Protection of Other Open Space) of the Development Plan. However, sufficient weight can be accorded to the material considerations to justify the approval of the development contrary to the provisions of the plan. Therefore, it is recommended that planning permission be granted subject to conditions.

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## 9 RECOMMENDATION

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9.1 It is recommended that consent be:

- 1 Prior to the commencement of development the mitigation and enhancement measures set out in the Ecological Assessment (dated 30 May 2013) shall be fully implemented to the satisfaction of the Council.
- 2 Prior to the commencement of development details of the proposed transport services, including details of bus type and proposed routes, shall be submitted in writing to the Council for written approval.
- 3 Development shall not begin until the investigation and risk assessment proposed in the submitted Preliminary Risk Assessment are completed and, if necessary, a remediation strategy to deal with contamination at the site has been submitted to and approved in writing by the planning authority. The strategy shall contain proposals to deal with contamination to include:
  - the nature, extent and type(s) of contamination on the site;
  - measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
  - measures to deal with contamination during construction works; and
  - verification of the condition of the site on completion of decontamination measures.
- 4 Prior to the commencement of use the remediation strategy shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved by the planning authority

### REASONS

- 1 To ensure a satisfactory standard of local environmental quality.
- 2 In the interests of air quality and reducing vehicle emissions.

- 3 In order to ensure the site is suitable for the proposed use.
- 4 In order to ensure the site is suitable for the proposed use.