

# Extension to Factory

## KEY INFORMATION

**Ward** North East

### Address

Michelin Tyres Plc  
Baldovie Road, Dundee

### Applicant

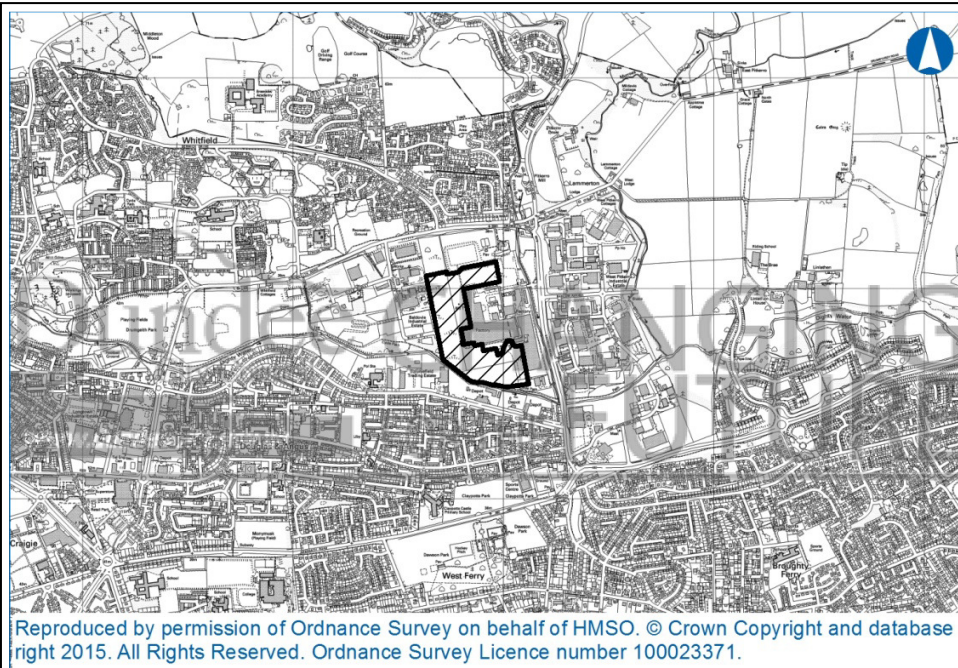
Mr Bryan Bennett  
Michelin Tyre PLC  
Michelin Factory  
Baldovie Road  
Dundee DD4 8UQ

### Agent

Alasdair Macleod  
Macleod Consulting  
11 Castle Street  
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**Registered** 2 Feb 2015

**Case Officer** A Ballantine



## SUMMARY OF REPORT

- Planning permission is sought for the erection of storage/process (20,000m<sup>2</sup>), production (2,000m<sup>2</sup>) and office (550m<sup>2</sup>) extensions to south and west of existing building, including associated access, loading area and erection of new security fence, pump house/tanks all with associated landscaping works. Proposed excavation and filling works to north and west of existing building to form flood storage area, including landscaping works.
- The application includes a number of supporting statements including Flood Risk Assessment, Ecological Assessment, Tree Survey, and Transport Statement.
- The development was the subject of a statutory pre-application consultation process. No objections or representations have been received.
- The application complies with Policies 3, 7, 29, 34, 35, 36, 38, 41, 42, 45 and 47 of the Dundee Local Development Plan.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=NIFLUQGCMWJ00>.

## RECOMMENDATION

The application complies with Policies 3, 7, 29, 34, 35, 36, 38, 41, 42, 45, and 47 of the Dundee Local Development Plan. There are no material considerations that would warrant the refusal of planning permission. Therefore, the application is recommended for **APPROVAL** subject to conditions.

# 1 DESCRIPTION OF PROPOSAL

1.1 Planning permission is sought for the erection of storage/process (20,000m<sup>2</sup>), production (2000m<sup>2</sup>) and office (550m<sup>2</sup>) extensions to the south and west of the existing factory building, including associated access, loading area and erection of new security fence, pump house/tanks all with associated landscaping works. The application also proposes excavation and filling works to the north and west of existing factory buildings to form a flood storage area, including landscaping works.

1.2 The purpose of the new buildings is to expand the existing operations associated with the Michelin factory. The storage/process building (20,000m<sup>2</sup>) will extend westwards from the existing southern section of the building and will be rectangular in form with a flat roof and height matching the existing building. The production building (2,000m<sup>2</sup>) will extend southwards from the western section of the existing factory building and will be rectangular in form with a pitched roof. The office extension (550m<sup>2</sup>) will adjoin the proposed storage/process extension and will be single storey in height. The proposed extensions will be constructed using profiled metal sheeting and coloured to match the existing factory buildings. The building floor levels will match the existing factory floors at 29.4m OD which is above the maximum anticipated flood level and the existing ground levels which vary from 27.0m to 28.0m.

1.3 Externally the existing roads and yard will be extended to provide access to the additional loading bays to the south incorporated within the new storage building. The new external yard area will be a combination of reinforced concrete ground slabs within the loading area and porous macadam or pavements with underlying porous storage/treatment material. Access road(s) will be formed to provide access for emergency and maintenance purposes around the existing and proposed buildings and the existing wind turbine. Other than at the loading bay area the building will be surrounded with grassed embankments extending down to existing ground level. To accommodate the raised ground levels within the existing flood plain the existing open ground to the west of the factory will be excavated by between 0.3 and 1.8m to provide flood storage with a base level of between 26.8 and 27.65mOD. Any excavated material not suitable for reuse as infill will be placed within 2.0 to 3.5m high landscaped mounds to the north of the existing factory. The applicant has submitted a Flood Risk Assessment and Drainage Proposals to demonstrate how the flood risk within the site, or either up or downstream, will not be adversely affected, which includes pump house/tanks to the south-east corner of the site. In addition, existing Michelin drainage and Scottish Water Dighty trunk sewer are located within the footprint of the warehouse and therefore re-routing and protection of these sewers is required. The proposed office building will



Figure 1 – Proposed Site Plan



Figure 2 – Proposed 3D Image

generate limited foul drainage which will be connected via the existing Michelin foul drainage network to the adjacent public sewer.

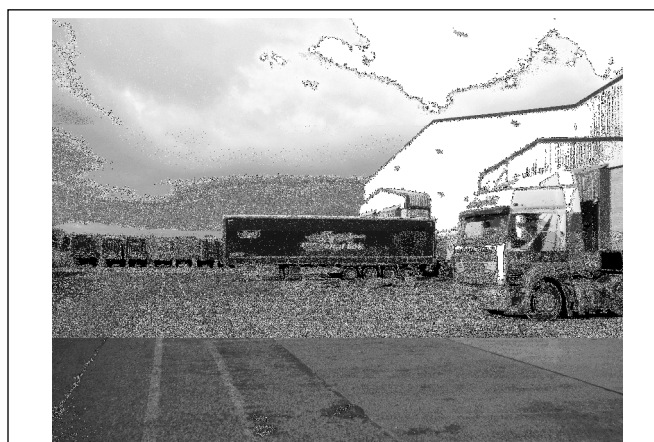
- 1.4 As part of the project, detailed landscaping proposals have been submitted, including tree replanting and other environmental works which include a new 2.5m weld mesh boundary fence. An ecological survey and tree survey have also been submitted in support of the application assessing the potential impact of the project on the qualifying features of the Dighty Wildlife corridor, other on-site ecological interests as well as potential impact on existing trees. A Transport Statement has also been submitted in support of the application as well as a Preliminary Risk Assessment for Contaminated Land.
- 1.5 The proposed development has been formally screened to assess the potential requirement for an Environmental Impact Assessment. The screening has been undertaken in accordance with The Town and Country Planning (Environmental Impact Assessment)(Scotland) Regulations 2011. The Council has determined that there is no formal requirement for an Environmental Impact Assessment to be undertaken.
- 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 Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Accordingly, the applicant was required to undertake statutory pre-application consultation with the local community. A Pre-application Consultation Report is submitted as part of this application. In addition, the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 also stipulate that major planning applications should 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.

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## 2 SITE DESCRIPTION

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2.1 The application site forms the south and western section of the existing Michelin site on the western side of Baldovie Road. The existing building is of an industrial design with shallow pitched and flat roofs. The building is finished in a combination of brown facing brick and white/grey cladding.



**Figure 3 – Photograph of Existing Factory**

2.2 There is an access road around the perimeter of the building which leads to 2 no. wind turbines. Wind turbine 1 is located to the south of the site, while wind turbine 2 is situated adjacent to the western elevation of the existing tyre plant.

2.3 The existing buildings are surrounded by a variety of landscaping buffers to the south, west and north, with further landscaping to the building's frontage on Baldovie Road. To the south and west the landscape buffer forms part of the Dighty Wildlife Corridor.

2.4 The site is located within a known flooding area and is mapped on SEPA's Flood Risk Mapping system as at high risk from river flooding. The site is also partially designated as

being within the Dighty Wildlife Corridor as well as an area of Open Space and a Site of Importance for Nature Conservation.

- 2.5 The surrounding area is generally commercial in nature with further business units to the west, Baldovie Road enclosing the east and north and the Dighty Burn delineating the southern boundary of the site.



Figure 4 – Photograph of Existing Open Space



Figure 5 – Photograph of Footpath at Dighty

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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:

**DUNDEE LOCAL DEVELOPMENT PLAN**

Policy 3: General Economic Development Areas

Policy 7: High Quality Design

Policy 29: Low and Zero Carbon Technology in New Development

Policy 34: Locally Important Nature Conservation Sites

Policy 35: Protected Species

Policy 36: Open Space

Policy 38: Trees and Urban Woodland

Policy 41: Flood Risk Management

Policy 42: Sustainable Drainage Systems

Policy 45: Land Contamination

Policy 47: Environmental Protection

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

Scottish Planning Policy (SPP) 2014

- 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 The following applications are of relevance:

- 14/00729/PAN - the PAN (Proposal of Application Notice) was validated on 15 October 2014. The PAN must be submitted at least 12 weeks before the planning application is lodged and specified public consultation must be carried out. A report on

the Pre-application Consultation must be submitted as part of the subsequent planning application. The applicant has complied with these requirements as noted below.

- 11/00228/FULL - application for planning permission for "Erection of one 2,000m<sup>2</sup> extension and one 130m<sup>2</sup> extension and associated works to the Michelin Factory, Baldovie Road". Approved subject to conditions.

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## 5 PUBLIC PARTICIPATION

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### Pre Application

- 5.1 As noted above, public consultation forms part of the statutory requirements for the submission of a Major application. The applicants submitted a Pre-application Consultation (PAC) Report as part of the planning application in order to comply with the statutory requirements. Details of the pre-application consultation are available in the submitted PAC report.

### Objection/Representation

- 5.2 The statutory neighbour notification process has been undertaken and there have been no letters of objection/representation received.

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## 6 CONSULTATIONS

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- 6.1 **SEPA** – has been consulted on the proposals and have raised no objection to the proposal. They have provided detailed comments on flood risk, pollution prevention and control regulation, potential groundwater contamination and geo-environmental investigation works, including detailed advice for the applicant on other regulatory requirements
- 6.2 **Scottish Water** – have been consulted on the proposals and no comments have been received.
- 6.3 **Environment Department** – were consulted on the proposals and raised no objection to the proposal, subject to the imposition of conditions relating to proposed landscaping works and maintenance, the implementation of the recommendations of the Ecological Survey and proposed tree felling, protection and replanting.
- 6.4 **Contaminated Land Officer** - was consulted on the proposals, in particular the submitted Preliminary Risk Assessment, and requested the imposition of conditions relating to measures to address contaminated land, including monitoring.

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## 7 DETERMINING ISSUES

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- 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.

**DUNDEE LOCAL DEVELOPMENT PLAN**

- 7.2 **Policy 3: General Economic Development Areas** – designates specific areas of the City where proposals for Class 4, 5 and 6 use are supported. Other uses of a wider industrial nature such as car showrooms, wholesaling, and scrap yards may be permitted where 3 criteria are met.
- 7.3 The application proposes the extension of the existing Michelin factory at Baldovie Road. The extension buildings will include a mixture of storage (Class 6), process/production (Class 5), and office (Class 4) uses. These uses fall within the permitted uses defined within the Policy.
- 7.4 **The proposal satisfies the requirements of Policy 3.**
- 7.5 **Policy 7: High Quality Design** – requires all new development proposals to be of a high quality design that contributes to the surrounding built and natural environment.
- 7.6 The proposed extension buildings will be of a scale and form that is in keeping with the existing large factory buildings on site. Whilst the buildings will be of a large scale and massing, they will be situated where there is no impact on the amenity of surrounding properties and their visual impact will be limited from main public elevations, namely from the east. There will be some visual impact from the public footpath adjacent to the Dighty to the south however this will be mitigated through the implementation of a detailed landscaping strategy including the planting of trees and shrubs. The proposed buildings are located within an established non-residential area of the city and are of a design and will be finished using materials commensurate with the surrounding area and uses, including the existing factory buildings. Overall, the buildings will be of a suitable design, scale, form and massing.
- 7.7 The proposal also involves excavation and filling works to create a flood storage pond to the west of the existing factory in an area of current redundant grassed land. The material to be removed to incorporate the flood storage pond shall be landscaped in to mounds to the north of the site. These works shall not give rise to any detrimental visual impact on the surrounding area. The excavation works include detailed landscaping proposals which are considered to improve the visual amenity of the site, including tree replanting. A condition is proposed to ensure the landscaping proposals are implemented in full and that a maintenance plan, including a five-year replanting stipulation, be submitted for written approval.
- 7.8 The proposal also includes the development of new areas of hard-standing, including an extended loading bay area. A condition is proposed requiring the submission of details relating to all new hard-standing surfaces to be constructed.
- 7.9 As part of the design process, the applicant has undertaken a building layout evaluation. The evaluation details the justification for the particular design and layout and it is considered overall that the development is of an appropriate design taking in to account the constraints of the site and the surrounding environment. As part of Policy 7, where construction costs exceed £1 million, the applicant is required to allocate at least 1% of construction costs for the inclusion of art projects in a publicly accessible/visible place or places within the development. It is proposed that this matter is controlled by a planning condition.
- 7.10 **With the imposition of relevant conditions, the proposal satisfies the requirements of Policy 7.**

- 7.11 **Policy 29: Low and Zero Carbon Technology** – Low and Zero Carbon Technology - requires that, for specified developments, carbon emissions will be reduced by defined percentages through the installation and operation of zero-carbon generating technologies.
- 7.12 It is proposed that the requirements of Policy 29 can be addressed by condition.
- 7.13 **With the imposition of a condition, the proposal satisfies the requirements of Policy 29.**
- 7.14 **Policy 34: Locally Important Nature Conservation Sites** – requires where development could have a significant effect on the conservation interests associated with Local Nature Reserves, Sites of Importance for Nature Conservation or Wildlife Corridors will only be permitted where 3 criteria are met.
- 7.15 The application site falls within a Wildlife Corridor as well as within a Site of Importance for Nature Conservation. In relation to the three criteria the following observations are made:
- An ecological or similar assessment has been carried out which details the likely impacts of the proposal on the conservation interests of the designation.
- 7.16 An Ecological Survey has been submitted in support of the application. The Survey details that there are no ecological interests likely to be negatively affected by the proposed development. The Survey recommends the surveying of breeding birds during the months of March-July (with Kingfisher a target priority species) as well as inspection of trees identified to be felled for roosting bats. The findings of the Survey have been considered and a condition is proposed to ensure the recommendations of the Ecological Survey are implemented in full.
- Any negative impacts identified are contained within the site and can be mitigated without affecting the integrity of the designated area.
- 7.17 As noted above, the Ecological Survey has identified that there will be no negative impact on the integrity of the designated area, subject to follow-up surveying of breeding birds and potential bat roosts. The areas of Meadowsweet to the south and Orchids to the north will be retained in situ. In addition, the applicant has submitted detailed landscaping proposals which include considerable replanting to the south, north and west of the application site. It is considered that this will improve the natural amenity of the site and surrounding area. A condition is proposed to ensure that the landscaping proposals, as submitted, are implemented in full within a specified timescale.
- It has been demonstrated that there are no other suitable sites that could accommodate the development.
- 7.18 As noted above, the applicant has submitted a building layout evaluation which justifies the proposed location of the new extension buildings. There is an operational requirement to site the proposed extension buildings in the proposed locations as a result of the existing infrastructure and required operational considerations. The applicant has suitably demonstrated that there are no other suitable sites that could accommodate the development.
- 7.19 **With the imposition of relevant conditions, the proposal satisfies the requirements of Policy 34.**
- 7.20 **Policy 35: Protected Species** - does not support development proposals which are likely to have a significant effect on a European protected species unless 2 criteria are met.



Development proposals which would be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range will not be supported. Development proposals that would be likely to have an adverse effect on a species protected under the Wildlife and Countryside Act 1981 (as amended) will not be supported unless the development is required for preserving public health or public safety. For development affecting a species of bird protected under the 1981 Act there must also be no other satisfactory solution.

- 7.21 As discussed under Policy 34, the submitted Ecological Survey has demonstrated that there will be no detrimental impact on the surrounding wildlife, including European protected species such as Bats and Otters and United Kingdom protected species such as Badger, Red Squirrel and Water Vole. In particular, a Bat Risk Assessment has been undertaken and found no evidence of bats roosting within the development site or within nearby trees. The assessment has identified recommendations to ensure further bat surveys are undertaken prior to the felling of any trees. The Survey has also identified that there was no evidence of any Otters or Otter activity either 250 metres upstream or downstream of the site, including no signs of a holt or shelter within 30 metres of the proposed development. The Survey has also identified no evidence of Badgers or Red Squirrels on site.
- 7.22 In order to protect potential nesting birds within the site, it is proposed that a number of the standard conditions attached to this report will be amended to allow specified works to be undertaken prior to this year's nesting season. The specified works shall include site scraping works, Scottish Water sewer diversion works, and HV turbine cable relocation works. These specified works will not jeopardise the Council's ability to deal with the information requirements of these conditions. In allowing these exempt works to be undertaken, it will ensure that there is minimal impact on the nesting habits of the species associated with the site without significant impacting on the construction timetable for the proposed development.
- 7.23 **From the foregoing it is considered that with the imposition of a condition requiring the full implementation of the recommendations of the Ecological Survey that the proposal satisfies the requirements of Policy 35.**
- 7.24 **Policy 36: Open Space** - requires development proposals that would result in a change of the use of a site identified in the Local Development Plan as open space to anything other than an open space use must establish that the site no longer has a potential value as open space of any kind unless one of three criteria are satisfied.
- 7.25 Part of the application site falls within land designated as open space. However, this area of ground does not function as public open space as there is a two metre high security fence at the southern edge of the site which prevents formal use of the land for enjoyment by members of the public. The land is owned by the applicant and is currently used as a landscape buffer. In assessing the proposal, it is considered that the proposed works will not give rise to any worsening of the existing situation as there will be no loss of existing publicly-available open space by virtue of the existing security fence. In addition, it is considered that the proposed landscaping plans which includes tree and shrub planting to the southern edge of the site will improve the amenity value of the existing open space thereby complying with criterion 3 which allows proposals which "result in improved recreational or amenity value on the remainder of the site".
- 7.26 **With the imposition of conditions relating to the implementation of the landscaping scheme, the proposals are considered to satisfy the requirements of Policy 36.**
- 7.27 **Policy 38: Trees and Urban Woodland** – requires new development to contribute to the expansion of tree planting and woodland development where appropriate and must ensure



the survival of existing healthy mature trees through sensitive site layout both during and after construction. Where appropriate, development proposals must be accompanied by a tree planting and landscaping scheme which includes a supporting justification and sufficient map based material to document existing planning within the application site as well as new planting and maintenance.

7.28 The application has been subject to extensive pre-application discussions with the Council's Forestry Officer and a Tree Survey and detailed landscaping proposals, including tree replanting, have been submitted in support of the application. The applicant has also submitted a plan outlining those trees identified to be felled.

7.29 The proposal includes the removal of a number of self-seeded trees which offer no significant visual amenity to the site or surrounding area. Three mature ash trees are also identified to be removed. It is considered that with the replacement planting proposed, which includes a new landscape buffer to the south with a mixture of native species, as well as groups of further mixed native trees throughout the site, including to the north of the site adjacent to the existing football pitch that the tree cover and range on site will be considerably improved. From the foregoing it is considered that sufficient information has been submitted to consider the proposed works to trees and that appropriate replanting has been included as part of the wider landscaping proposals. The Council's Forestry Officer has confirmed that the overall proposals are acceptable subject to the imposition of conditions relating to the implementation of the landscaping plan and future maintenance, and the implementation of the tree survey recommendations, including tree protective measures.

7.30 **The proposal is considered to satisfy the requirements of Policy 38.**

7.31 **Policy 41: Flood Risk Management** – only supports development contained within a 1 in 200 year flood extent area, where:

- sufficient flood defences already existing, are under construction or are planned as part of the development strategy;
- those flood defences will be maintained for the lifetime of the development and will not increase the probability of flooding elsewhere;
- the extent of development potentially affected by flooding is protected through the use of appropriate water resistant materials and construction; and
- the finalised scheme does not result in a land use which is more vulnerable to flooding.

7.32 A flood risk assessment will be required for any development within the medium to high risk category.

7.33 The proposal has been the subject of extensive pre-application discussions in relation to flood risk management, including with the Council and SEPA. A Flood Risk Assessment has been submitted with the application, as well as SUDS proposals. Part of the application site falls within a 1 in 200 year flood area, and as such the above criteria are applicable. As noted above, the applicant proposes to undertake excavation works to create a flood storage area (approx. 160m x 80m) to the west of the application site to accommodate the offsetting of existing flood storage capacity which will be built on as part of the proposed extension buildings. The following observations have been made in relation to the above criteria:

- in relation to criterion 1, the applicant is proposing to construct an extensive flood storage area to the west of the site which will ensure there is no net loss in respect of

flood risk either on site or up- or down-stream. The Council has been involved in extensive pre-applications on the design of the flood storage pond and associated works, and is considered to be acceptable subject to a number of conditions;

- in relation to criterion 2, the flood defence system will be constructed to be a permanent feature within the site and the further information submitted has demonstrated that the proposal will not increase the probability of flooding elsewhere;
- in relation to criterion 3, the design of the flood storage area has been accepted in principle with the Council. The finalised design of the system is recommended to be controlled through the imposition of conditions, which will include appropriate water resistant materials; and
- in relation to criterion 4, the nature and use of the site is not proposed to be changed therefore there is no increase risk to flooding as a result of the proposed development.

7.34 It is proposed to impose conditions on the following: a finalised Flood Risk Assessment being submitted for written approval; detailed surface water drainage/SUDS being submitted for written approval; details of the management of surface water runoff during construction being submitted for written approval; a Design Risk Assessment being submitted for written approval.

7.35 **Policy 42: Sustainable Drainage Systems** - requires all surface water from new development to be treated by a Sustainable Urban Drainage System (SUDS). SUDS should be designed so that in a 1 in 200 year rainstorm event, flooding will not be higher than 300mm below floor level.

7.36 As noted above, the Council has been involved in extensive pre-application discussions regarding the proposals, including the provisions of SUDS on site. The proposals include the formation of a SUDS attenuation basin to the north west of the proposed storage/process building. The proposal will also incorporate porous paving within the proposed loading bay area. The attenuation basin will discharge into a realigned storm drain and discharge into the Dighty to the south. The basin has been designed to attenuate a 1 in 30 year rainstorm event generating a water volume of 868m<sup>3</sup> and a 1 in 200 year rainstorm event generating a water volume of 1523m<sup>3</sup> which meets the required level. In terms of the requirement for flooding not to be higher than 300mm below flood level, the Flood Risk Assessment has demonstrated that this has been achieved through the floor level being approximately 1.97m above the flood level.

7.37 With the imposition of relevant conditions relating to the proposed SUDS system, the overall proposal is considered to be acceptable and will sustainably drain the site.

7.38 **The proposal therefore satisfies the requirements of Policy 42.**

7.39 **Policy 45: Land Contamination** – requires when there is potential contaminated land that this is adequately addressed to the satisfaction of the Planning Authority.

7.40 A Preliminary Risk Assessment has been submitted in support of the application. The Council's Contaminated Land Officers have assessed the submitted information, and have requested in the event of granting planning permission conditions relating to the submission of a scheme to deal with contamination and the implementation of a remediation strategy/verification report, including further monitoring in conjunction with SEPA.

7.41 **With the imposition of the relevant conditions, the proposal satisfies the requirements of Policy 45.**

- 7.42 **Policy 47: Environmental Protection** – requires all new development or an extension to an existing development that would generate noise, vibration or light pollution will be required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance on the surrounding area.
- 7.43 In terms of potential light pollution from any new proposed lighting, including security fence lighting, a condition is proposed requiring that further details of any new lighting be submitted for written approval. In addition, it is considered that the construction traffic associated with the proposed development is likely to be considerable. As such, a condition is proposed to ensure that a traffic management plan for all construction works is submitted for written approval to ensure that any potential noise and vibration impact from construction works is minimised. Overall, by virtue of the distance of the proposed development in relation to residential properties to the south, and other neighbouring uses, it is considered that the proposal will not give rise to any significant levels of disturbance on the surrounding area subject to the imposition of relevant conditions.
- 7.44 **The proposal satisfies the requirements of Policy 47.**

## **OTHER MATERIAL CONSIDERATIONS**

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

### **A - SUPPORTING STATEMENTS**

- 7.45 The applicant has submitted a Design and Access Statement, as required by statutory legislation, in support of the application. The general principles behind the Statement are acceptable as material considerations in support of the application.

### **B – NATIONAL POLICY AND GUIDANCE**

- 7.46 The 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.
- 7.47 The section titled Supporting Business and Employment identifies that, amongst other things, the planning system should support economic development through:
- promoting business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets; and
  - giving due weight to net economic benefit of proposed development.
- 7.48 It is considered that the proposed development would achieve the aims of the “Supporting Business and Employment” section of the SPP by diversifying and consolidating the operations at the existing factory, providing economic benefits to the local economy and ensuring that the natural and built environment will be safeguarded.
- 7.49 **It is concluded from the foregoing that the material considerations support the approval of planning permission.**

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## 8 CONCLUSION

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- 8.1 The proposal satisfies the requirements of the Development Plan. There are no material considerations that would justify refusal of planning permission. 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 GRANTED subject to the following conditions:
- 1 Prior to the commencement of any works relating to the formation of the proposed hardstanding area to the south-east of the site, details of all hard-standing materials to be used shall be submitted to the Planning Authority for written approval and shall only be completed in accordance with the approved details.
  - 2 The recommendations identified in section 7.0 of The Ecological Survey Report (version 4) dated 15 January 2015 and prepared by ECOS Countryside Services LLP shall be implemented in full.
  - 3 The recommendations identified in section 3 of The Tree Survey dated 1 December 2014 and prepared by Angus Mackay shall be implemented in full.
  - 4 Prior to the occupation of the development, a maintenance plan detailing the management of the landscaping proposals hereby approved under drawings ref: 1401 PA 05/1401 PA 06 shall be submitted to the Planning Authority for written approval and shall only be completed in accordance with the approved details. This shall include timescales for the full implementation of all landscaping works hereby approved as well as details of the monitoring of the site.
  - 5 In relation to the landscaping proposals hereby approved under drawings ref: 1401 PA 05/1401 PA 06, any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
  - 6 Prior to the commencement of any land raising works within the 1:200 year Dighty flood extent area, a Flood Risk Assessment shall be prepared in line with current guidance and submitted to Dundee City Council and SEPA for written approval. A signed Flood Risk Assessment "Compliance" and "Independent Check" certificate must also be submitted to Dundee City Council. Any recommendations contained within the Flood Risk Assessment must be implemented thereafter prior to occupation of the development.
  - 7 Prior to the commencement of development on site, with exception to the specified works below, a detailed surface water drainage/SUDS design including drawings, calculations, full modelling and simulation results shall be submitted to Dundee City Council for written approval. A signed Sustainable Drainage Design "Compliance" and "Independent Check" certificate must also be submitted. Thereafter, all works approved by virtue of this condition shall be carried out prior to the occupation of the development.

The exempt specified works shall include: site strip works, Scottish Water sewer diversion works, HV turbine cable relocation works.

- 8 Prior to the commencement of any works on the development site, details of measures proposed to manage surface water runoff from the development during construction must be submitted to Dundee City Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the occupation of the development.
- 9 Prior to the commencement of development on site, with exception to the specified works below, a Design Risk Assessment must be submitted for written approval by Dundee City Council and must consider Health & Safety issues associated with construction, operation, maintenance and decommissioning of the surface water drainage system/SUDS features. Thereafter, all works approved by virtue of this condition shall be carried out prior to the occupation of the development.

The exempt specified works shall include: site strip works, Scottish Water sewer diversion works, HV turbine cable relocation works.

- 10 Prior to the commencement of development, with exception to the works specified below, a scheme to deal with contamination at the site shall be submitted to and approved in writing by the Planning Authority and SEPA. The scheme shall contain details of proposals to deal with contamination to include:
  - a the nature, extent and type(s) of contamination on the 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; and
  - d condition of the site on completion of decontamination measures.

The exempt specified works shall include: site strip works, Scottish Water sewer diversion works, HV turbine cable relocation works.

- 11 Before the proposed buildings are brought into use:
  - a the remediation strategy shall be fully implemented in respect of pollutant linkages affecting human health and property receptors and a verification report with relevant documentation shall be submitted to the Planning Authority for written approval demonstrating that the objectives of the remediation strategy have been achieved; and
  - b confirmation shall be submitted to the Planning Authority demonstrating that remediation of pollutant linkages affecting the water environment and wider environment is progressing under SEPA's regulation (by means of the current PPC Regulations);

For the avoidance of doubt, ongoing reporting presented to SEPA, with respect to the remediation referred to in 11b above, shall also be presented to the Planning Authority.

- 12 Prior to the commencement of development, a statement shall be required to be submitted for written approval by the planning authority demonstrating how the proposed development will reduce, by at least 10%, the Scottish Building Standards (2007) carbon emissions reduction standard.
- 13 Prior to the installation of any security fence lighting with 20 metres from the southern edge of the application site, details of all lighting to be installed shall be submitted to the

Planning Authority for written approval and if approved shall only be completed in accordance with the approved details.

- 14 Prior to the commencement of development, a traffic management plan for all construction works on site, shall be submitted to the planning authority for approval and construction traffic shall operate only in accordance with the approved management plan.
- 15 Prior to the occupation of the development, details of the public art provision for the development, in accordance with Policy 7 of the Dundee Local Development Plan 2014, shall be submitted to the planning authority for written approval and subsequent approval of detailed designs. For the avoidance of doubt, the public art provision shall be completed in accordance with such approved details within a specified period of time that has been agreed in writing with the planning authority.

## REASONS

- 1 In order to ensure that the development hereby approved is finished to an acceptable standard in the interests of preserving the visual amenity of the area.
- 2 In the interests of ensuring the ecological interests of the site are preserved.
- 3 In the interests of ensuring the arboricultural interests of the site are preserved.
- 4 In the interests of ensuring the landscaping proposals are adequately managed under an approved maintenance plan.
- 5 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 6 To ensure that the proposed development is not located within a flood plain and will not have an adverse effect, nor influence the existing watercourse, Reservoir, SUDS or Coastal Water to the detriment of existing properties and infrastructure adjacent to and downstream of the proposed development.
- 7 To ensure there is no increase to the discharge of surface water and potential pollutants to the public sewer or where applicable a nearby watercourse, to the detriment of existing and proposed properties, infrastructure, and the water quality of any watercourse. To ensure that any proposed SUDS features have a satisfactory visual appearance.
- 8 To ensure that surface water is managed during the construction phase of the development.
- 9 To ensure that Health & Safety matters are considered during the design of the surface water drainage system and any warning/protection measures which are required are put in place.
- 10 In order to ensure that any potential land contamination is suitably addressed to the satisfaction of the Planning Authority.
- 11 In order to ensure that any potential land contamination is suitably addressed, including appropriate means of monitoring.

- 12 In the interests of reducing carbon emissions associated with the proposed development.
- 13 In order to ensure that any light pollution to the south of the site is minimised.
- 14 In order to ensure that construction traffic is sufficiently managed to minimise the impact on the surrounding area.
- 15 In order to provide for public art in the interests of visual amenity and the appearance of the site.