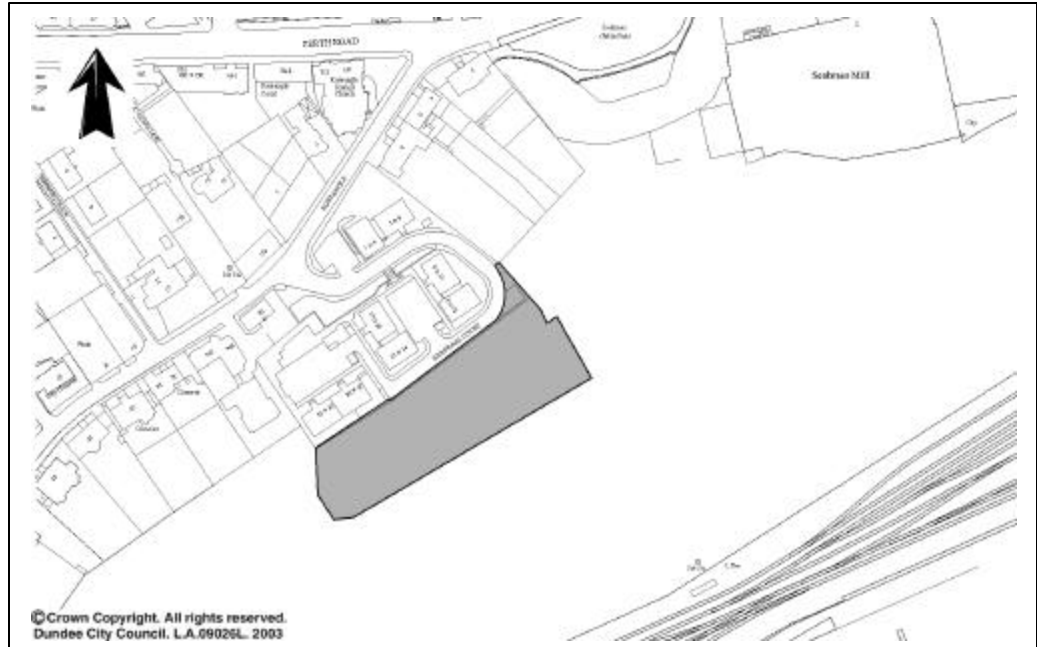


**KEY INFORMATION****Ward** Tay Bridges**Proposal**

Erection of student residences, car parking, landscaping, formation of access roads infrastructure

**Address**Land to the South of Seabraes Court  
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## Student Residences Proposed in Seabraes Court

The erection of student residences, car parking, landscaping, formation of access roads infrastructure is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The development is seen as a positive contribution to the redevelopment of the University's campus, and one that will complement the development proposals already approved for this area. The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of new student residences on a site located to the south of existing residences in Seabraes Court. Associated car parking, cycle parking and landscaping are also proposed. The new building will contain 192 study bedrooms (32 flats) along with a communal laundry and new plant room.
- The proposal was advertised in the local press as being potentially contrary to the Dundee Local Plan and also as affecting the setting of a conservation area. No objections to the proposal have been received.
- It is considered that the proposed development is acceptable in terms of design, siting, car parking and landscaping. The appearance of the proposed building will improve and enhance the visual quality of this inner city site and will make a positive contribution to the redevelopment of the University's campus area.
- There are no Development Plan policies or material considerations that would justify the refusal of this application.

## DESCRIPTION OF PROPOSAL

The proposed development will consist of 192 study bedrooms (32 flats) along with a communal laundry and new plant room. This development will form an extension to the existing blocks of student residences located in Seabraes Court. It is also proposed to provide 20 car parking spaces in association with the development and 29 secure and covered cycle spaces.

The development will be set out on the basis of a four-storey block on two wings around a courtyard that will contain car parking, cycle parking and landscaping.

Both pedestrian and vehicular access into the site is to be taken from Seabraes Court to the north. No vehicular access from the site to the railyards to the south (future Digital Media Park) is proposed although pedestrian access will be achieved through a gateway system located to the west of the east block of residences. Twenty car parking spaces are to be provided and this courtyard parking area will be accessed directly off Seabraes Court.

In contrast to the existing residences, which are located on a steep south-facing slope, the area of land allocated for the new development is flat enabling the provision amenity associated with the new residences. Shrub and hedge planting with lawns and informal seating are proposed for the courtyard area with a more structured planting of heavy standard trees and hedging proposed for the public south elevation.

## SITE DESCRIPTION

The site is located immediately to the south of the existing 4 storey blocks of student residences in Seabraes Court. It is bounded on the east, west and south sides by the recently approved Digital Media Park (former railyards area).

The site measures approximately 0.5 hectares in size, is flat, rectangular in shape and is located only a few minutes walk from the heart of the University Campus, the main Campus faculties and the Student Association. The land to the north rises up to meet Roseangle and the Perth Road.

The surrounding area accommodates a variety of uses usually associated with an inner city location including residential, educational, ecclesiastical and commercial.

The site is located adjacent to the south east boundary of the West End Lanes Conservation Area.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

### Dundee Local Plan 1998

The following policies are of relevance:

Policy HS4 - The application site forms a part of the northern section of a larger 2.4 hectare site that is identified for private residential development. Due to ground conditions, a flatted development is practical. The buildings should appear as large as 2.5/3/3.5 storey high villas in a landscape setting. Part of the site at the east end should be reserved for student housing.



Policy ENV5 - Any development proposed within Wildlife Corridors must make suitable provision for nature conservation, taking account of the scale and type of development and characteristics of the Wildlife Corridor.

Policy H10 - This offers design guidelines in residential areas for new build houses. The guidelines cover such issues as amenity space / garden area, privacy, parking and urban design.

Policy H13 - The Council will reserve appropriate sites for residences for students/research workers of Higher Education establishments having regard to the other policies of the Plan.

Policy BE1 - The Council will expect the highest standards of composition and design in all new developments and its careful integration with its surroundings as regards scale, form, siting, alignment, materials and landscaping.

Policy BE30 - When considering development proposals involving sites where the presence of contamination is suspected, the Council will require developers to submit details of investigations to assess the nature and extent of contamination and notify the authority of the remediation measures proposed to render the site fit for its proposed use.

### Dundee Urban Nature Conservation Subject Local Plan 1995

The following policies are of relevance:

Policy WC01. The site is contained within a Wildlife Corridor. The terms of this Policy are reflected in Dundee Local Plan Policy ENV5 above.

In addition, the site forms part of the eastern boundary of a Category B site. In this respect, Policy SP1 is of relevance. This requires that if development of this site is permitted, applicants must conserve and enhance at least 25% of the site for nature conservation.

### Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 4: Design of New Housing. The design and layout of all new housing in the city should be of a high quality. As a basis for achieving this, new development will be required to conform to the Design Standards contained within the Plan.

Policy 9: Student Housing. Sites identified on the Proposals Map are considered appropriate for the development of student housing. The application site has been identified for this purpose in the Plan. In addition, student housing proposals on sites within 15 minutes walking distance of the Universities will be supported where this is in accordance with other Local Plan policies. A Section 75 Legal Agreement will be required to

restrict occupancy to students. Given the prominent location of many sites close to the City's Universities, it is important that development proposals are of a very high quality design. As a general rule car parking should be provided at a ratio of 25% of bedspaces although this may be reduced in highly accessible central locations. Secure cycle storage facilities should be included in all proposals.

Policy 23: Digital Media Park. The Council will support the principle of development of a digital media park with an appropriate mixture of student and mainstream housing and open space on the former railyards site. All development proposals for this site must have full regard to opportunities for maintaining and improving the quality of the built and natural environment.

Policy 70: Semi-Natural Greenspaces of Local Nature Conservation Importance. Development proposals must not adversely affect the nature conservation qualities of Sites of Importance for Nature Conservation or Local Nature Reserves. Any development proposals affecting these sites must be accompanied by an ecological or similar assessment that details the likely impacts of the proposal on the conservation interests of the designation.

Policy 79: Contaminated Land. When considering development proposals involving sites where the presence of contamination is suspected, the Council will require the applicants to submit the results of investigations that assess the nature and extent of contamination and the proposed remediation measures to render the site fit for the use proposed.

## Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Guideline 18: Planning and the Historic Environment.

Planning Advice Note 33: Contaminated Land

Planning Advice Note 67: Housing Quality

Designing Places - A Policy Statement for Scotland

## Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Dundee - The Urban Design Guide. This sets out principal objectives that are to be pursued in the design of new buildings and spaces within the city.

Development Brief - Former Railyards Site - East

Development Brief - Former Railyards Site - West

## LOCAL AGENDA 21

The development will result in the redevelopment of a brownfield inner city site and is therefore considered to be sustainable and consequently consistent with the aims of Local Agenda 21.

## SITE HISTORY

03/00759/OUT - Outline planning permission was granted by this Council on 26 January 2004 for a Masterplan for the former railyard area to create a Digital Media Park/Class 4 business, commercial and residential uses. This approved Masterplan identified the application site currently under consideration as being suitable for student housing purposes.

## PUBLIC PARTICIPATION

The statutory neighbour notification procedure has been undertaken by the applicants. In addition, the proposed development was advertised in the local press as Development Potentially Contrary to Policy H10 of the Dundee Local Plan 1998 and as Development Affecting the Setting of a Conservation Area. No objections to the proposal have been received from members of the public.

## CONSULTATIONS

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

The Head of Environmental Health and Trading Standards has advised of the presence of high levels of potential contamination within the site. Land remediation measures will require to be undertaken before construction commences and discussions with this Council on this matter are currently being undertaken.

## 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 proposed development under consideration is one of a series of proposals being progressed as part of the Dundee Student Villages Project - a major outsourcing project that seeks to build, own and operate all of the University's student residence provision for the next 35 years. The principal aim of the project is to provide new and refurbished residences that are of a quality and standard that meets and exceeds standards in the higher education sector, and which will assist the University in attracting students, and associated funding through the provision of appropriate support facilities. It is also intended to provide a guarantee of University provided accommodation for all undergraduate first year and post-graduate overseas students. This equates to approximately 1800 bedspaces. The University wishes to increase the proportion of self-catered and en-suite accommodation to satisfy student demand and for vocational lettings. The University also wants to guarantee that suitable accommodation, of a comparable standard to other Universities, can be provided close to the University campus. At present the University advise that their residence provision fails to meet these undertakings on a regular basis.

The proposal under consideration, which forms an early phase of the above Dundee Student Villages Project, involves the erection of 192 study bedrooms (32 flats) along with a communal laundry and new plant room. It is also proposed to provide 20 off street car parking spaces, 29 secure cycle spaces and landscaping. The development will be set out on the basis of a four storey block on two wings around a courtyard that will contain the above car and cycle parking provision and the associated landscaping.

It is considered that the principle of the development of the site for student residences has been established by the approval, on 26/01/2004, of an outline planning application for a digital media park along with residential and student housing uses on the former railyards area located to the south. The site of this approved student housing allocation coincides with the application site now under consideration. It is considered that the land use is in accordance with Proposal HS4 of the Dundee Local Plan (Residential and Student Residence Uses).

With regard to the design of the development, the proposal is essentially a double-banked 4-storey wall of building punctuated by openings and entrances. The roof line will be essentially flat with the vertical emphasis of the scheme being provided by the corner towers and at the openings which connects the internal courtyard via a pedestrian route with the road to the south. The proposed elevations of the building are designed to express the contrast between the 'public' elevations to the south and west and the 'private' north elevation facing into the courtyard area. The proposed finishing materials to be used will be contemporary in nature based on metal standing seam roof, aluminium louvers, coloured render, reconstituted stone and aluminium patent glazing. The idea of using recycled materials is currently being developed, particularly in the courtyard area, by the architects. The private courtyard elevations are to be highly decorated with coloured render with the public areas ie to the south and west facing over the former railyards, pursuing a more muted approach with a more limited use of colours.

The proposals have been developed over a number of months through the progression of designs in conjunction with representatives of Dundee Student Villages and this Council. It is considered that the scale, massing, materials and appearance of the new buildings are in accordance with the design principles originally agreed for the development of this site. The proposal will enhance the appearance of the existing adjacent student housing blocks. The development will also create a high quality and private courtyard on the north side of the building and at the same time provide a good solid public frontage facing south onto the proposed digital media park on the former railyards area.

The proposed vehicular access to the development is via the existing road access to the existing Seabraes residences, Seabraes Court, which is accessed off Roseangle. Seabraes Court is a private road with the nearest adopted road being Roseangle to the north. The applicants have undertaken a Transport Assessment (TA) to identify the potential impacts that the development may have on the network capacity and junctions at Perth Road/Roseangle/Seabraes Court. The terms of the TA, at the time of writing, are being considered by this Council.

The proposed pedestrian and cycle access to the development would be via the existing roadways. From this location, there is easy pedestrian access to the University Campus and the City centre. It is proposed to provide 29 covered and secure cycle parking spaces with this development. It is anticipated that there will be a cycle and pedestrian link through to the Digital Media Park to the south when this comes on line.

It is proposed that 20 car parking spaces shall be developed with the student residences for the use of the students accommodated at the halls. This proposed provision is less than the space per unit ratio required by Policy H10 of the Local Plan ie 25% of number of bedspaces. In support of this reduced parking provision the University have advised that, through their transportation policy for the entire campus area, it is their intention in the future to limit student car ownership and to encourage the creation of a campus area that is not dominated by car usage and associated parking. Taking this into account,

together with the proximity of the site to the City centre and the University Campus area to the north, it is considered that the 20 spaces to be provided are appropriate for this particular development.

With regard to the proposed landscaping works, the applicants intend to provide shrub and hedge planting with lawns in the private courtyard area to be located on the north side of the halls. On the east, west and south boundaries of the site the hedge and shrub planting is to be supplemented with structure tree belts. In this respect it is considered that the development will achieve a significant gain in nature conservation provision and consequently the proposal is in accordance with the requirements of Local Plan Policy ENV5 (Wildlife Corridors).

The site has been identified by recent investigations as being highly contaminated. This will necessitate remedial measures to address the environmental issues and feasibility of developing the site. The applicants have submitted Site Investigation results for consideration and it is intended to attach a condition to any consent granted requiring appropriate remediation works to be carried out prior to the first occupation of the new residences.

It is concluded from the foregoing that the proposal does not comply with the provisions of the development plan by virtue of the level of off-street car parking that is proposed for the new development.

#### **Other Material Considerations**

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

#### **Finalised Dundee Local Plan Review**

It is considered that the terms of Policy 4 (Design of New Housing), Policy 23 (Digital Media Park), Policy 70 (Semi-Natural Greenspaces of Local Nature Conservation Importance) and Policy 79 (Contaminated Land) have been discussed and discharged above.

With regard to Policy 9 (Student Housing), the applicants have been in discussion with this Council on the future occupancy of the new residences. It has now been agreed that the residences the subject of this application shall be occupied only by students of the University of Dundee,

of other universities other than the University of Dundee and of other higher educational establishments. It has also been agreed that the temporary occupancy of the halls for conferences, holiday lets etc shall be limited to periods outwith the University of Dundee's semester / term dates. In this respect, it is now considered appropriate that the requirement for a Section 75 Agreement restricting the occupancy of the new residences to students only should be set aside in this instance and that the control over this agreed restriction be achieved through the use of appropriate planning conditions attached to any permission granted.

With regard to the creation of 20 off-street car parking spaces associated with the development, Policy 9 advises that, as a general rule, parking should be provided at a ratio of 25% of bedspaces although this may be reduced in highly accessible central locations. Due to the proximity of the site to the University Campus and the City centre it is considered that the proposed reduction in car parking is acceptable in this instance. Consequently the proposal is considered to be in accordance with the provisions of Policy 9.

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

## Design

The concept of the proposed new building has been the subject of a number of detailed discussions between the applicants and this Council. The siting, scale, form, materials and style of the proposed building all combine to provide a structure of a high quality design that is appropriate in this inner city setting.

## CONCLUSION

The objective of the proposals is to create high quality student residences to contribute to the Dundee Student Villages project that will provide new and refurbished accommodation for the purposes of University of Dundee students for the next 35 years. The principle of a development of this

nature on this site has been established by the approval of an outline application for student housing (part of the Digital Media Park proposals). The development is further supported through the terms of the University's Campus Plan and the land use allocations in both the adopted Dundee Local Plan and the Finalised Dundee Local Plan.

The development is seen as a positive contribution to the redevelopment of the University's campus, and one that will complement the series of development proposals already being progressed by the University in this area.

## RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 Samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved samples
- 3 During the academic year the student accommodation shall be used and occupied only by students enrolled in and undertaking a course of full time study at the University of Dundee, of other universities other than the University of Dundee and for other higher or further educational establishments. At any time outwith the University of Dundee's semester/ term time dates, the accommodation shall be occupied only by business, conference or recreational visitor to the City of Dundee in association with business, educational, conference or tourist events and for no other purpose whatsoever.
- 4 Development shall not begin until details of a scheme for landscaping works have been submitted to and approved in writing by the planning authority. For the avoidance of doubt,

details of the scheme shall include:

- 1 location of new trees, shrubs, hedges and grassed areas;
  - 2 existing and finished ground levels in relation to a fixed datum preferably ordnance;
  - 3 schedule of plants to comprise species, plant sizes and proposed numbers/ density;
  - 4 programme for completion and subsequent maintenance
- 5 Development shall not begin until a scheme to deal with any contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of proposals to deal with any contamination to include:
- 1 the nature, extent and type(s) of contamination on the site;
  - 2 measures to treat/remove any contamination to ensure that the site is fit for the use proposed;
  - 3 measures to deal with any contamination during construction works;
  - 4 condition of the site on completion of decontamination measures.

Before the site is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 In order to ensure that the use of the new residences is restricted to students of higher educational institutions only and that the use of the property outwith semester /

terms times is restricted to appropriate alternative uses.

- 4 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 5 In order to ensure that the site is fit for the use proposed.