

STANNERGATE - PRE-APPLICATION CONSULTATION REPORT

APPENDIX A – DUNDEE CITY COUNCIL PRE-APPLICATION ENQUIRY RESPONSE

Dear Sir,

PREAPP/019/2024

Thank you for your request for pre-application advice. The response has been formulated on the basis of the information provided with the enquiry, taking account of planning policy, guidance and legislation, input from internal consultees where possible as well as other material considerations.

I can confirm that the Council supports the principle of development subject to the satisfactory resolution of a number of issues to be addressed within any formal planning application.

This response does not comprise a formal decision by Dundee City Council. It is advice only and is not intended to provide confirmation that a planning application will or will not be approved. It should be considered and taken into account for preparing an application for planning permission.

The advice contained in this response is given without prejudice to the determination of any future planning application. It is based on planning legislation, policy and guidance in force at the time of this response.

Please contact me if you have any queries regarding the content of the response.

Yours faithfully

Edward Bean
Planning Officer

Pre-application Advice Response

PREAPP/019/2024

A: Site and Proposal

The Pre-Application seeks advice on redeveloping brownfield land to the north of East Dock Street in Dundee. The main portion of the existing site contains industrial apparatus, buildings and equipment for fuel and material storage. The area on the east side of the site is currently used as a motorcycle training school.

The proposal is for the provision of a 132Kv busbar substation, with a minimum of 11 bays (one bus section, two bus couplers and eight feeder bays). The site layout includes provision of 2No 120MVA 132/33KV Transformers and new 132/25 kV feeder station for Network Rail. The main vehicular access is to be taken from new access junction off Market Street, with secondary access junction to be created on East Dock Street. No elevation drawings have been provided at this stage, however it is advised that the maximum height of the proposed buildings will be between 10-15m.

The site is located directly to the north of East Dock Street (A92 Trunk Road) and to the east of Market Street. To the north the site is partially bound by the Market Mews industrial unit complex, Dundee Museum of Transport, a building once in use as a hotel, and Broughty Ferry Road. To the east lies residential properties, an office unit and an area of woodland. The site also incorporates the partial length of Roodyards Road, an unclassified adopted road which runs from Broughty Ferry Road down to East Dock Street. The site is bound by a mixture of enclosures, including stone and brick walling, and metal and wood fencing.

This site slopes toward north toward Broughty Ferry Road which sits well elevated above the site with a high retaining wall at the back of the site. There are trees within the site which appear to be self-seeded as the majority of the site has not been in use for several years.

B: Planning Context

Relevant Planning History

24/00003/EIASCR and 24/00282/PAN- Construction of 132kV Substation and Network Rail Feeder Station and associated undertakings including of earthworks, Formation of Platform, Landscaping, means of access, means of enclosure, site drainage, temporary construction compounds and other associated operations.

Relevant Planning Policy

National Planning Framework 4

Policy 1 – Tackling the climate and nature crises
Policy 2 – Climate change and adaptation
Policy 3 – Biodiversity
Policy 9 – Brownfield, vacant and derelict land and empty buildings
Policy 11– Energy
Policy 12 – Zero waste
Policy 13 – Sustainable Transport
Policy 14 – Design, quality and place
Policy 22 – Flood risk and water management
Policy 23 – Health and safety
Policy 26 – Business and Industry

Dundee Local Development Plan 2019

Policy 1 – High Quality Design and Placemaking
Policy 2 – Public Art Contribution
Policy 3 – Principal Economic Development Areas
Policy 35 – Trees and Urban Woodland
Policy 36 – Flood Risk Management
Policy 37 – Sustainable Drainage Systems
Policy 39 – Environmental Protection
Policy 41 – Land Contamination
Policy 42 – Development of or next to Major Hazard Sites
Policy 44 – Waste Management Requirements for Development
Policy 48 – Low and Zero Carbon Technology in New Development
Policy 54 – Safe and Sustainable Transport
Policy 56 – Parking

C: Site Constraints/Consultee Comments

SEPA

Although not usually consulted at preapplication stage, SEPA would be a statutory Consultee for any formal application given the proposals would be a National Development as defined in National Planning Framework 4.

SEPA's Flood Maps do not show any fluvial or coastal flood risk in the proximity of the site, however, a risk of surface water flooding is identified over the majority of the site, with some areas identified as high likelihood of flooding.

SEPA Flood Maps are available to view via the following link;
<https://www.sepa.org.uk/environment/water/flooding/flood-maps/>

Transport/ access/ parking

Transport Scotland would be a statutory consultee for any formal planning application. TS commented as follows:

The description of the development indicates it relates to electricity apparatus such as sub-stations, transformers and feeder station. As such, it is not anticipated that the development would result in significant levels of generated traffic once operational. The site clearance and construction phase may, however, result in significant levels of construction traffic. A Transport Statement will therefore be required detailing the likely trip generation, distribution and type of vehicles during both the construction and operational phase. This should be undertaken in accordance with Transport Scotland's 'Transport Assessment Guidance' and the scope of this should be discussed and agreed with both Transport Scotland and Dundee City Council in advance of submission.

A Construction Traffic Management Plan (CTMP) will be required as a condition of any development setting out a clear methodology for how construction traffic will be managed. This should address such issues as routing, any temporary traffic management requirements and measures for the environmental control of vehicles and transported materials, such as wheel washing and dust suppression. Specific consideration will require to be given to the transportation of any Abnormal Indivisible Loads(AILs), should these be necessary, and a route assessment should be included to demonstrate how AILs would be transported to the site. The CTMP will require to be agreed with Transport Scotland, Dundee City Council and Police Scotland.

The supporting information indicates that the principal access is to be formed on Market Street, with a secondary access on the A92 trunk road. As Market Street is a local road, the form of this access will primarily be a matter for Dundee City Council to agree, however given the proximity of the proposed access to the junction of the A92 /Market Street junction it will be essential to demonstrate that traffic entering and exiting the site at this location would not impact on or block traffic on the trunk road or interfere with the necessary visibility splays at the junction. Swept path assessment is likely to be required.

With regards to the secondary access, the proposed layout drawing appears to indicate this would be located in the vicinity of the existing access to the former motorcycle training centre. Any necessary upgrades to the A92 junction will require to be designed in accordance with the relevant guidance contained within the Design Manual for Roads and Bridges (DMRB), which would be CD123 for at grade priority junctions. Details of the internal road layout connecting to this access will be required and again swept path assessments may be required. Whilst it is accepted that this is an existing access, it is poorly formed with no defined kerb lines and it is also situated on the inside of a bend which may be restricting the available visibility from the

junction, particularly to the right. This may require consideration to be given to moving the access westwards away from the bend or realigning the existing site boundary. Given the high traffic volumes on the A92, it would be preferable for this secondary access to be formed as a left in / left out access if that is would be possible. Transport Scotland would welcome any proposals to permanently close the other redundant direct access points along the A92 site frontage if these are no longer required.

The design proposals for both site accesses should be accompanied by a Stage 1 Road Safety Audit, undertaken in accordance with DMRB GG119, along with a Designers Response, before Transport Scotland would be able to respond on a planning application. Both the Brief and Audit team will require to be approved by Transport Scotland prior to the audit being undertaken.

As the site is directly adjacent to the trunk road along the southern boundary, consideration of boundary fencing, landscaping and any external site lighting will be required. Also, no connection to the trunk road drainage network would be permitted.

To summarise, Transport Scotland's requirements would be:

A Transport Statement, detailing traffic generation by volume, type and distribution for the proposals, during both construction and operation.

Design details for the proposed site access points confirming compliance with DMRB requirements including visibility splays.

A Stage 1 Road Safety Audit covering these access proposals.

Construction Traffic Management Plan (CTMP).

Assessment of any abnormal loads and the likely routes for the proposals.

Transport Scotland would be happy to scope the detailed requirements for this supporting information should the applicant intend submitting a planning application.

For further clarification, please contact Iain Clement.

E-mail: Iain.Clement@transport.gov.scot

The Council's Sustainable Transport & Roads Division has also provided the following comments;

The following must be carried out in advance of the submission of a formal application;

1. Transport Scotland must be consulted as the site is adjacent to the Trunk Road.

2. A Transport Assessment/Transport Statement is required. The level of the assessment/statement shall be agreed with both DCC Transportation and Transport Scotland.
3. Details of all proposed parking within the site.
4. Details of all proposed new/altered accesses.

For further clarification, please contact Mike Giblin.

Telephone: 01382 433341

E-mail: mike.giblin@dundeecity.gov.uk

Archaeology

The Council's Archaeological Consultant has been consulted on the proposals, however at the time of writing a full response has not been received. This will be forwarded as soon as available.

Greenspace/Landscaping

The Council's Greenspace Officer advises that prior to full application a full ecological assessment should be carried out on site. This should then be used to inform a landscape plan showing how positive gains for biodiversity will be incorporated in line with the requirements of NPF4.

For further clarification, please contact Alison Abercrombie

Email: alison.abercrombie@dundeecity.gov.uk

Telephone: 01382 431812

Noise

Environmental Health advise that there is limited information provided as part of the preapplication submission, however, there is the potential for noise to be generated from the plant and equipment to be provided on the site. Therefore, the following condition is requested to be attached to any consent.

"The received noise from the electrical substation(s) shall not exceed NR30 as measured 1 metre external to the facade of residential property."

Further to the Environmental Health Service comments above, the Planning Authority advise that the application should be supported by a Construction Environmental Management Plan to mitigate impacts to nearby residents. This shall require clarification of construction hours, the need for any dust suppression, lighting impacts and detail any operations which would cause vibration to properties. This document could also clarify where site compounds/laydown areas are to be located, preferably away from the residential side of

the site to help mitigate against adverse impacts to residential amenity.

For further clarification, please contact Jamie Landwehr

E-mail: Jamie.landwehr@dundeecity.gov.uk

Telephone: 01382 436280

Contaminated Land

Due to the industrial history of the site, including chemical storage, the Environmental Health Service advise that they will require a preliminary risk assessment for contaminated land to be submitted for approval prior to determination of any formal application.

For further clarification, please contact Fiona Welch

E-mail: fiona.welch@dundeecity.gov.uk

Telephone: 07943 852080

Surface Water Drainage & Flooding

The proposed development would require to demonstrate that the proposals could be satisfactorily drained in a sustainable manner, and that the development would not either be at risk of flooding or increase the flood risk at surrounding property. Full details of a proposed on-site sustainable drainage solution would require to be provided with any application, including drainage statement, detailed drainage proposals and associated calculations.

The Council's Drainage Engineer has been consulted on the proposals, however at the time of writing a full response has not been received. This will be forwarded as soon as available.

For further clarification, please contact Andrew Reid.

Telephone: 01382 433659

E-mail: andrew.reid@dundeecity.gov.uk

Access

The site incorporates the partial length of Roodyards Road, an unclassified adopted road which runs from Broughty Ferry Road down to East Dock Street. Roodyards Road is currently used more as a path than a road. The Council's Outdoor Access Officer may have comments to make on this aspect of the proposals.

For further clarification, please contact John Whyman.

Telephone: 01382 434769

E-mail: john.whyman@dundeecity.gov.uk

D: Consideration of Proposal (Principle of Development)

NPF4 identifies 18 national developments that are significant developments of national importance.

National development 3 of NPF4

National development 3 of NPF4 (Strategic Renewable Electricity Generation and Transmission Infrastructure) supports renewable electricity generation, repowering, and expansion of the electricity grid. National development 3 informs that the electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond.

This current proposal forms part of SSEN's strategic investment in its electricity networks to support a green economic recovery and accelerate key low-carbon projects across the north of Scotland and central southern England. The infrastructure to be delivered as part of the proposed development is a key element in the substantial reinforcement of the electricity transmission grid, and will ensure progress towards achieving net zero and a decarbonised economy.

The proposed substation and associated works is infrastructure that will directly support onshore high voltage electricity lines, cables and interconnectors, and is thus a development contributing to Strategic Renewable Electricity Generation and Transmission. As such, the proposal forms part of National Development 3 and is thus supported by NPF4.

National Development 10 of NPF4

National Development 10 of NPF4 (Dundee Waterfront) supports the redevelopment of the Dundee Waterfront Zones including: the Central Waterfront, Seabraes, City Quay, Dundee Port, Riverside Business Area and Nature Park, and the Michelin Scotland Innovation Parc.

As noted above, the proposal would be located on a site within Dundee Waterfront, and would be for the provision of new and/or upgraded utilities. As such, the proposal also forms part of National Development 10 and is thus supported by NPF4.

This national development designation means that the principle of development does not need to be agreed through this planning application process. The detailed aspects of the proposal still require to be assessed against relevant development plan policies and any material considerations.

Principal Economic Development Area

The majority of the site is allocated as a Principal Economic Development Area within Dundee LDP. Policy 3 states that proposals for Class 4 “Business”, Class 5 “General Industry” and Class 6 “Storage and Distribution” uses will be supported. Uses other than these will be resisted. The proposal is for an energy transmission, which falls under the industrial use classes supported in these locations. The proposal is therefore supported by this policy.

Brownfield site

As a brownfield site Policy 9 – Brownfield, vacant and derelict land and empty buildings of NPF4 is relevant. There is a presumption in favour of developing such sites.

Part a) states that development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. In determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account.

Part c states that where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.

The proposal involves the re-use of brownfield land. Given the historic industrial use of the site it is considered to be of low biodiversity value with little naturalisation at present. The site has the potential to be contaminated given the previous uses. With this in mind, the Council’s Environment Service have provided further comments which are included above.

Generally, the proposal would be in compliance with Policy 9 of NPF4.

Other considerations

Natural Environment and Protected Species

There are no natural heritage designations directly on site.

Firth of Tay and Eden Estuary Special Area of Conservation

The Firth of Tay and Eden Estuary SAC is located approx. 300m away and is separated from the site by a trunk road, railway line and other industrial and commercial uses. Direct operational impacts are not likely however the application should be supported by Construction Environmental Management Plans which should detail on site practices and way in which events from accidents would be mitigated to minimise impacts.

Protected Species – Bats

Due to the presence of structures on site there is potential for bats. As such, a bat survey should be submitted with any formal planning application. Should bats be found on site a Species Protection Plan should be submitted in order to mitigate the loss of any habitat. A condition would be recommended to secure mitigation within the Species Protection Plan for the avoidance of any doubt and a Works Affecting Bats License will be required from NatureScot.

Trees

It appears that there are young self-seeded trees within the site. As per the recommendations of the Councils Greenspace Officer above, a full ecological assessment should be carried out on site. This should then be used to inform a landscape plan showing how positive gains for biodiversity will be incorporated in line with the requirements of NPF4.

Design and Layout

Part a of policy 14 – Design, quality and place of NPF4 states that development proposals will be designed to improve the quality of an area whether in urban or rural location and regardless of scale. Part b requires proposals to be consistent with the six qualities of successful places.

Part c of policy 14 states that development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of places, will not be supported.

The six qualities of successful places align with the principles of Policy 1 – High Quality Design and Placemaking of the Dundee LDP. This requires that all development proposals should follow a design-led approach to sustainable, high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment.

The proposed substation is an essential component in enabling the substantial reinforcement of the electricity transmission grid, and will ensure progress towards achieving net zero and a decarbonised economy.

The application site is within the East Dock Street Principal Economic Development Area, and lies directly to the north of Dundee Port which is within the Stannergate Principal Economic Development Area. As such, the proposed substation would be within a wider area that remains characterised by industrial infrastructure. The proposed site plan shows that the infrastructure/ buildings would be set back from East Dock Street, thereby avoiding structures projecting closer to that road. The application submission advises that the maximum height of the buildings/ infrastructure would be 10-15m in height. When seen in this context, and given the extensive size of the site, the proposed infrastructure would not appear as an incongruous or alien features. It is unlikely that the proposed infrastructure would harm the landscape

character and visual amenity of this part of East Dock Street. Cross sectional drawings of the site demonstrating the infrastructure in the context of housing and views from Broughty ferry road should be included with any formal application.

Based on the limited information currently submitted it would appear that proposals would be broadly consistent with the six qualities of successful place and therefore compliant with policy 14 – Design, quality and place of NPF4 and policy 1 – High Quality Design and Placemaking of the Dundee LDP.

Development of or next to Major Hazard Sites

Part g of Policy 23 – Health and Safety of NPF4 states that development proposals that are within the vicinity of a major hazard site or major accident hazard pipeline (because of the presence of toxic, highly reactive, explosive or inflammable substances) will consider the associated risks and potential impacts of the proposal and the major accident hazard site/pipeline of being located in proximity to one another.

Policy 42 – Development of or next to Major Hazard Sites of the Dundee LDP states that the siting of new or extensions to existing major hazard sites or sites which operate under SEPA authorisation will not be permitted in close proximity to residential areas/area of public use or interest, where the risk to people or the environment is likely to be significantly increased.

The site is around 160m east of a former gas holding tank site which was subject to a Hazardous Substances Consent. The Hazardous Substances Consent was revoked on 5 November 2021 and the Health & Safety Executive has indicated that it does not advise against, on safety grounds, the granting of planning permission in this case.

E: Consultees

Parties Likely to be Consulted on Application

The following will likely be consulted on any application submitted for this proposal. You may wish to contact consultees for additional pre-application advice prior to the formal submission of an application.

Dundee City Council Consultees

Access Officer
Greenspace Officer
Archaeology Consultancy
Community Safety and Protection - Contaminated Land
Community Safety and Protection - Environmental Health
Sustainable Transport & Roads Division

City Engineers – Surface Water and Flooding

External Consultees

SEPA
Scottish Water
Transport Scotland
Health and Safety Executive
Network Rail

F: Making a Planning Application

Planning applications can be made online, via Scotland's national planning portal:
www.eplanning.scot/

Major & National Application Process

The proposal is a National Development - Proposal of Application Notice has already been submitted to the Council.

The application will require to be supported by a 'PAC' report. We would refer the applicants to Appendices B and C of Planning Circular 3/2022 Development Management Procedures for details on the required content of the Pre Application Consultation Report.

<https://www.gov.scot/publications/planning-circular-3-2022-development-managementprocedures/documents/>

The Council would also seek to enter into a Processing Agreement with the developer to set out key dates and processes involved in determining the application. A timeframe for the submission of the application would be welcomed in order a future planning committee date can be identified.

Supporting Information Required with Application

The following information should be submitted with a planning application. Failure to include the information may lead to delays to the validation and determination of the application.
Heritage Statement including Photographic Records of structures on site

Contaminated Land Assessment
Design and Access Statement
Drainage Statement
Ecological Survey
Species Protection Plan (if any affected)

Biodiversity Statement
Flood Risk Assessment
Landscape and Planting Plan
Construction Environmental Management Plan
Transport Assessment
Travel Plan
Construction Traffic Management Plan
Construction and Operational Waste Management Plans

A screening opinion was sought from the Planning Authority. It was concluded that an Environmental Impact Assessment was not required because it does not constitute Schedule 1 development under the Regulations and while the proposal does fall within the definition of 'Schedule 2 development' having screened it against the selection criteria outlined in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017; including the characteristics of the development, location, sensitivities and characteristics of the potential impacts, any adverse impact on the receiving environment, whilst possible, is not considered likely to be significant.

Disclaimer

While we make every effort to ensure that the pre-application advice is accurate and comprehensive as possible, any advice given by officers in response to a pre-application advice request does not constitute a formal decision of Dundee City Council as Planning Authority and it cannot be held to bind us in terms of the validation or determination of a subsequent statutory application.

In particular, any advice provided under this service constitutes the professional opinion of the officer(s) concerned and is based on the information provided by the applicant and the planning policies and site constraints prevailing at the time. While every effort will be made to identify all relevant policies and all issues material to the proposal, pre-application advice issued by us in relation to local developments will not normally include input from external organisations or consultees, such as SEPA or Transport Scotland, or from local residents, neighbours or community groups.

Such input during the assessment of any formal application may raise new issues or areas of concern and therefore the ultimate determination of any future statutory application could differ from the conclusions reached in this preliminary assessment. We will, however, endeavour to highlight any consultees, external bodies or parties that may be involved in any future application so that applicants can make contact themselves to discuss their proposals.