

Public Document Pack



To: Councillor Boulton, Convener; Councillor Jennifer Stewart, Vice Convener; and Councillors Allan, Alphonse, Cooke, Cormie, Copland, Donnelly, Lesley Dunbar, Greig, Hutchison, John, Malik, McLellan, Sellar, Sandy Stuart and Wheeler.

Town House,
ABERDEEN 20 July 2017

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)** are requested to meet in at the Town House reception at 9.30am on **THURSDAY, 27 JULY 2017 at 9.30 am**

Members will then reconvene in **Committee Room 2**, Town House for determination of the items of business, from **11am** and members of the public are welcome to attend.

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 1 Pinewood Zone F, Countesswells Road - Erection of 116 Dwellings Comprising of 2 Apartment Blocks, 35 Houses and Retirement Apartment Block, with Amenity Space and Associated Infrastructure (Pages 3 - 20)

Planning Reference – 170243

All documents associated with the application, including any Letters of Representation, can be found at:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMJTNWBZJG300>

Planning Officer – Jamie Leadbeater

- 2 The Hamilton School, 55-57 Queens Road - Formation of New Hotel, Bar and Restaurant Including Change of Use of Former School, Demolition of Existing School Extension and Dwellinghouse (55 Queen's Lane South) and Associated Infrastructure and Landscaping Works (Pages 21 - 62)

Planning Reference – 161022

The application predates the electronic storage of planning documents, therefore the Letters of Representation pertaining to it are attached hereto.

To access the Service Updates for this Committee please use the following link:

<https://committees.aberdeencity.gov.uk/ecCatDisplayClassic.aspx?sch=doc&cat=13450&path=0>

Website Address: www.aberdeencity.gov.uk

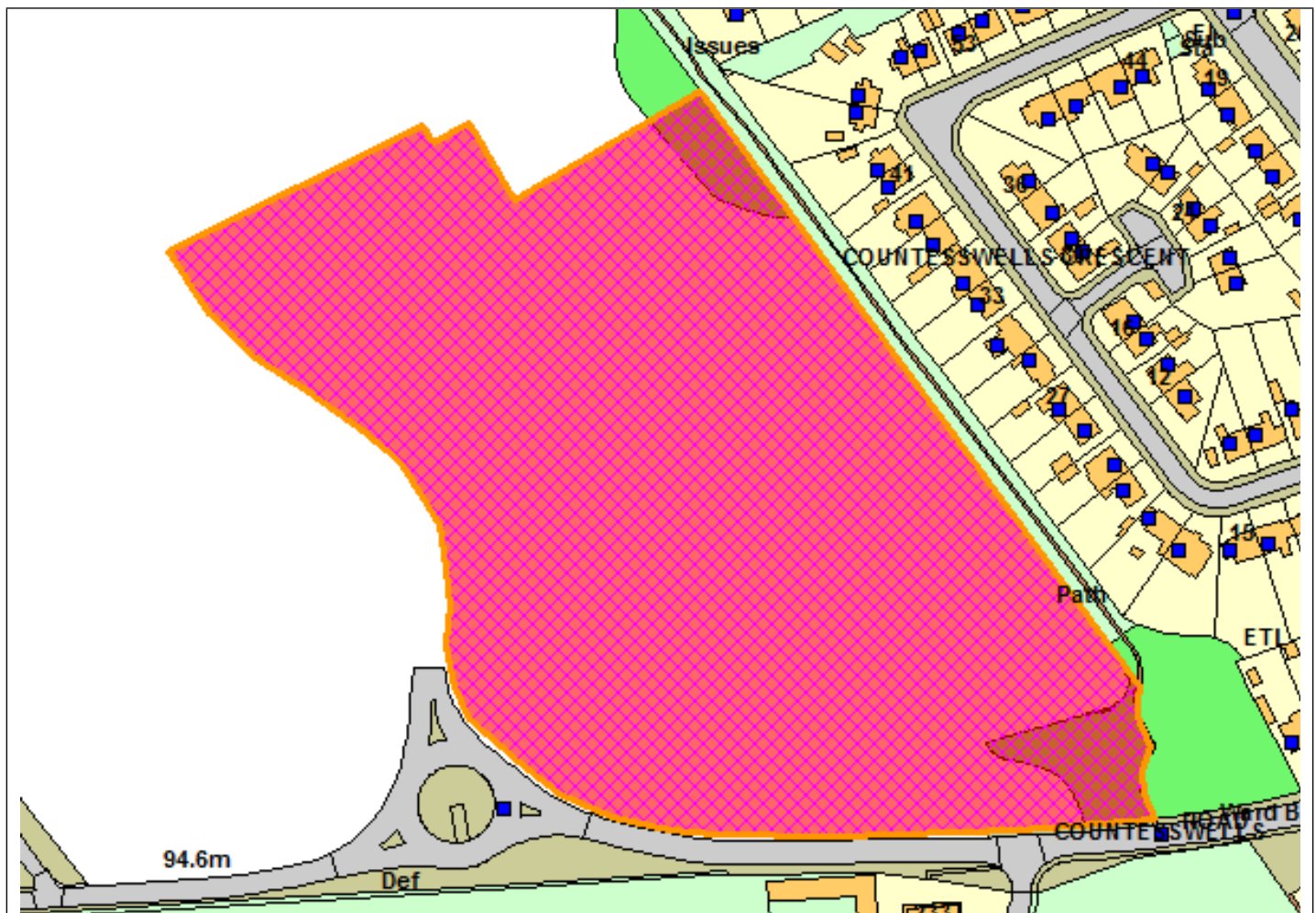
Should you require any further information about this agenda, please contact Lynsey McBain on 01224 522123 or email lymcbain@aberdeencity.gov.uk



Planning Development Management Committee

Report by Development Management Manager

Site Address:	Pinewood Zone F, Countesswells Road, AB15 8AT,
Application Description:	Erection of 116 dwellings comprising of 2 apartment blocks, 35 houses and retirement apartment block, with amenity space and associated infrastructure
Application Reference:	170243/DPP
Application Type	Detailed Planning Permission
Application Date:	10 March 2017
Applicant:	Dandara
Ward:	Hazlehead/Ashley/Queens Cross
Community Council	Craigiebuckler And Seafield
Case Officer:	Jamie Leadbeater



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RECOMMENDATION

Approve Conditionally, subject to completion of a Section 75 legal agreement

APPLICATION BACKGROUND

Site Description

The site comprises a parcel of undeveloped land equating to 3.84 hectares which contains a sparse arrangement of mature trees to the north of Countesswells Road, and to the south-west of dwellinghouses on Countesswells Crescent. The existing trees are located primarily along the south-west side and south-eastern corner of the site. An over-head power line cuts across the site within the southern-most quarter of the site.

A core path lined with mature trees separates the north-east boundary of the site with the rear gardens of houses on the western side of Countesswells Crescent. The area of land to the north-west of the site is currently being developed for housing as part of Zone G within the wider Pinewood development, as is land to the west which forms Zone D. Vehicular access to the site is obtained from a newly formed roundabout off Countesswells Road to the south-east of the site.

Relevant Planning History

Application Number	Proposal	Decision Date
160593	POAN for major residential development comprising 100 – 250 homes, including retirement village, amenity space and associated infrastructure	Further Consultation Not Required (January 2017).
131027	MSC for purification of Conditions 2, 3, 6, 7, 9 and 10 to consent granted under application 072132	Approved Conditionally (January 2014)
131055	MSC for purification of Condition 12 (siting, design and external appearance of buildings and landscape) to consent granted under application 072132	Approved Conditionally (December 2013)
072132	PPiP for residential development and Formation of access roundabout and access roads.	Approved Conditionally with legal agreement (August 2010)

APPLICATION DESCRIPTION

Description of Proposal

Erection of 116 dwellings comprising of 2 apartment blocks, 35 houses and retirement apartment block (for persons aged 55 and over), with amenity space and associated infrastructure.

Market Units

The market units would be developed within 2 apartment blocks (comprising 9 x 2 bedroom apartments in each) and 35 houses made-up from a mixture of semi-detached and detached houses each to be served with their own parking spaces and garden area to the front and enclosed rear garden area.

The apartment blocks would be 3 storey in height and have flat roofs, finished in a combination of a white smooth render, horizontal timber cladding and further artificial cladding. Each apartment at first and second floor level would be served by a projecting balcony. Access to each apartment block would be obtained via communal ground floor entrance and would have its own associated communal amenity space and secure bicycle store, as well as dedicated communal parking area.

The houses would be made-up of 3 different house types: The Ash (8 units) - a 3 bedroom two storey house with pitched roof and projecting two storey front gable with associated open canopy porch with windows and doors throughout; The Rowan (17 units) - a 3 bedroom one and half storey house comprising front gable, single box dormer and open porch canopy on the front elevation and a large box dormer with photovoltaics on the front with doors and windows throughout; and, The Lime (10 units) – a 2 bedroom bungalow with two pitched adjoining pitched roof elements, creating front and rear gable, with windows and doors to be located throughout. In terms of external finishes, all house types would be finished in a smooth white render and artificial roof tiles. Windows, doors and cladding materials have yet to be specified.

Over 55 retirement block

The retirement block would comprise of 63 apartments within a 4 storey flat roof building set on a rectangular footprint. The development would be accompanied by an enclosed courtyard area in the middle and landscaped private gardens areas to ground floor units around the periphery. A dedicated communal car parking area would be provided for the units to the south of the apartment building.

In terms of design, first and second floor units would each be served by a projecting balcony area whilst top floor/penthouse units would be served by wrap-around balcony areas. The main exterior of the building would be finished in a combination of a white smooth render and horizontal timber cladding, whilst the top floor units would be fully clad in a synthetic grey material.

Open Space

Most open-space associated with the development would be located around the western and southern peripheral areas of the site which would contain a footpath network and a combination of existing mature trees and new trees. The footpath network would provide connections to Zone G of the wider Pinewood development to the north, a new bus stop just north of the existing roundabout off Countesswells Road, and across the southern boundary of the site to the existing footpath running along the north-east boundary. The Landscape Strategy provides greater detail on proposed furnishings etc.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMJTNWBZJG300>.

The following documents have been submitted in support of the application –

- Drainage Impact Assessment;
- Design & Access Statement;
- Ecology Report;
- Low & Zero Carbon Statement;
- Landscaping Plan;
- Planting Schedule;

- Pre-Application Consultation report;
- Residential Travel Pack;
- Refuse Plan;
- Supporting Statement;
- Transport Statement;
- Tree Survey.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because 1) there have been more than 5 valid objections submitted against the application, and 2) the local Community Council has objected.

CONSULTATIONS

Craigiebuckler & Seafield Community Council – Object, on the basis of the following: 1) the density of the development is an adverse departure from the 2013 consent for the site; 2) the 4 storey apartment building would have an adverse visual impact on the skyline of the Hazlewood Estate; 3) the 4 storey building would have an adverse impact on the outlook and privacy of homes bordering the site; 4) applicant has shown no evidence of undertaking a hydrology survey to support the proposals; 5) No provision has been made for visitor parking and that this is likely to lead to cars being parked on neighbouring streets.

Developer Obligations Team – A Developer Obligations assessment has been issued to the applicant which sought delivery of affordable housing against the mainstream housing units as well as contributions towards healthcare and towards the upgrade of the adjacent Core Path, the terms of which the applicant has agreed to.

ACC - Environmental Health – No objection, but recommend conditions be attached seeking a Noise Impact Assessment to establish traffic noise mitigation measures for the development. The consultation response also clarifies that the traffic generated from the development is unlikely to give rise to a significant air quality impacts across the wider city, including in defined Air Quality Management Areas (AQMAs).

ACC - Flooding & Coastal Protection – No objections and conditions considered necessary to apply to any subsequent consent.

ACC - Housing Strategy & Performance – The Supporting Statement has been reviewed. Affordable housing would be below the current expected rate, but this has been taken up with the applicant and an agreement has now been reached.

Police Scotland – No real concerns, however it is recommended the developer takes into account relevant guidance in which to design-out the potential for crime.

ACC - Roads Development Management Team – No objection, subject to a number of suspensive conditions. The conditions cover the following: 1) need to evidence a public transport operator agreement; 2) need to show how appropriate traffic-calming measures can be introduced within the development; 3) need to show how a temporary turning-circle could be provided for refuse vehicles and visitors prior to the internal road layout being connected to another phase of the wider development; 4) details of secure motorcycle and bicycle parking; and 5) need for a Residential Travel Plan to be issued to all new occupants following agreements with the Planning Service.

Scottish Environment Protection Agency (SEPA) – No objection, subject to one condition requiring the submission and approval of a Construction Environment Management Plan (CEMP) prior to commencement of development which details how the water environment will be protected during construction and how materials and waste will be managed on site.

Scottish Water – No response

ACC - Waste Strategy Team – No objection. Standard comments provided regarding provision in of bins for each unit and the associated costs to provide these which is to be burdened by the developer, plus guidance on how stores shall be arranged within the site to cater for the ease of bin collections by the Waste Service.

REPRESENTATIONS

A total of 11 letters of representation have been received, 1 of which was received outwith the period for public comment and 2 of the letters were received from the same postal address. As such, it is deemed in line with the Council's Scheme of Delegation that 9 valid representations have been received, all of which objected to the application. The material planning issues raised in the letters have been summarised as follows:

- The proposed 4 storey building (block c) would give rise to a loss of residential amenity to properties on Countesswells Crescent in terms of loss of daylight, privacy and creation of overshadowing;
- The site would be 'overdeveloped' by virtue of the increase in residential units compared to the previously approved scheme;
- The proposed 4 storey building would set a precedent for 'high-rise' development in the surrounding area;
- The proposed design of the houses and apartment blocks would not be visually appealing;
- The development would endanger the health of long-established trees lining the path to the north-east;
- Development could result in excess surface water migrating to the gardens spaces of properties along Countesswells Crescent; and,
- Countesswells Roads could not cope with the increase in traffic levels generated by the development which could give rise to road safety concerns.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

Aberdeen Local Development Plan (2017) (ALDP)

- Policy LR1: Land Release Policy
- Policy D1: Quality Placemaking By Design
- Policy D2: Landscape
- Policy I1: Infrastructure Delivery and Planning Obligations
- Policy T2: Managing the Transport Impact of Development
- Policy T3: Sustainable and Active Travel
- Policy H3: Density
- Policy H4: Housing Mix

- Policy H5: Affordable Housing
- Policy NE1: Green Space Network
- Policy NE4: Open Space Provision in New Development
- Policy NE5: Trees and Woodland
- Policy NE6: Flooding, Drainage and Water Quality
- Policy NE9: Access and Informal Recreation
- Policy R6: Waste Management Requirements for New Development
- Policy R7: Low and Zero Carbon Buildings and Water Efficiency
- Policy CI1: Digital Infrastructure

Supplementary Guidance and Technical Advice Notes

- Pinewood Hazeldene Planning Brief (Planning Advice)
- Affordable Housing (Supplementary Guidance)
- Open Space and Green Infrastructure (Supplementary Guidance)
- Flooding, Drainage and Water Quality (Supplementary Guidance)
- Low and Zero Carbon Buildings, and Water Efficiency (Supplementary Guidance)

Other Material Considerations

- Planning history of site
- Current housing market conditions
- Designing Street guidance

EVALUATION

Principle of Development

The application site is designated as a Residential Area on the ALDP 2017 Proposals Map, and prior to this the site was granted Planning Permission in Principle (PPP) in August 2010 for residential development under application P072132. This approval also covered Zones D, E and G within the wider Pinewood-Hazeldene residential development. Subsequent to the outline approval, a Matters Specified in Condition (MSC) application was approved for 54 units on the site under application P131055 which included a combination of detached and semi-detached housing units and some associated open-space. Taking all the above matters into consideration, the proposed development accords with the essence of Policy LR1 in the ALDP 2017 and therefore the principle of residential development on the site is considered acceptable.

Layout, Siting and Design

In terms of layout and composition, consideration of policies H3 (Density) and H4 (Housing Mix) in the ALDP underpin the primary expectations of all new major housing developments across the city which can have a large influence on a site layout. The proposed development would include associated communal landscaped areas, the merits of which will be discussed later in the evaluation, as would the merits of the proposed internal road layout.

Policy H3 in the ALDP seeks to ensure that new housing developments would achieve a minimum density of 30 units per hectare, as well as having consideration for the site's characteristics and desire to achieve an attractive residential environment. The proposed development would just achieve the required minimum density, unlike the previously approved scheme for the site. As such, there is clearly merit in the current revised proposals in this respect.

Policy H4 in the ALDP states that housing developments larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, which reflects serves families and the requirements of different age groups. This policy goes on to state that this mix should include 1 and 2 bedroom units, offered in market and affordable units. This proposal does go some way to

achieve the mix required by the policy. It makes provision for specifically designed apartments to cater for people aged 55 and over (older age group) and also offers a range of mainstream housing units from bungalows to detached two storey houses, which can cater for young couples, families with children and also possibly the less physically able. However, none of the units within the development would be 1 bedroom and affordable housing is to be provided off-site. As such, the proposal would not be fully compliant with Policy H4 in the local development plan. Should the application be approved, it would be necessary for the Planning Authority to maintain long-term control over who occupies the proposed 'retirement' units in Block C. It is thought this could be achieved by imposing a condition on requiring persons to be 55 years old or older to ensure long-term provision for older people wishing to downsize from larger house types.

In general terms, the proposed individual house plots would be well proportioned to afford prospective residents their own dedicated amenity space. Timber fences of at least 1.8m in height would be erected in line with the Landscaping Strategy to define the rear curtilage of each unit, which should be in place prior to the occupation of a house unit to ensure that adequate privacy could be obtained. The location of parking spaces to the front of individual house units would be provided within the front curtilage and clustered communal parking would be afforded to all 3 apartment blocks. The arrangement for houses would be consistent with those found in other already implemented zones within the wider Pinewood-Hazeldene development and therefore would accord with the existing character of the area but it should be pointed out that this arrangement does not accord with the principles of Designing Street guidance, which will also be later touched on in the 'access, parking and connectivity' section of the evaluation. In terms of making provision for refuse collection, the Waste Service has been consulted on the application and presented no objection. The proposed Site Plan and associated Refuse Plan demonstrate that provision has been made to store waste for individual house types within the rear curtilage and provides a pathway primarily to the rear of each unit to enable presentation of waste bins on the internal road. Furthermore, the Refuse Plan outlines where communal waste storage facilities are proposed to be positioned within the curtilage of each apartment block. The siting of each would be within a proximity to the entrance doors of each block that aligns with Waste Service's expectations. The design details of the proposed communal bin stores however would need to be submitted for further consideration by the Planning Authority, which can be controlled through condition if the application is approved. In short, it is considered the proposed refuse layout would accord with the expectations of Policy R6 in the ALDP.

In terms of landscaping, the applicant has submitted a Landscaping Strategy with an associated Planting Schedule. The proposed strategy includes the retention of existing trees and re-building of traditional stone dyke along the south-western side of the site as well as planting a significant number of new trees around the southern and western periphery of the site, as well as planting 2 areas of bulbs within the two southern corners of the site nearest Countesswells Road. These elements of the strategy would sit in peripheral grassed areas which would also contain the proposed footpath network. Further into the development, new hedging would be provided to define open space between Block B and Block C (retirement block) to soften the visual appearance of the development and provide an appropriate balance of hard and soft landscaping within the development to the benefit of public visual amenity. Taking the composition of the proposed Landscaping Strategy and associated Planting Schedule into account, it is considered acceptable given it would suitably aid the development's visual integration within the semi-rural woodland setting of the wider Pinewood-Hazeldene development, which would be primarily viewed from Countesswells Road to the south of the site. Providing such proposals are implemented in full, which can be controlled through condition if the application is approved, then it would satisfy the relevant expectations of Policy D2 in the ALDP.

In terms of siting of buildings, Policy D1 and H1 within the ALDP the Site Plan and Site Section drawings demonstrate that the physical relationship between apartment blocks and the mainstream house types would avoid overlooking and privacy issues by virtue of separation

distances and the orientation of balconies and windows in apartment blocks and the proposed houses. Furthermore, the Site Section drawing demonstrates that the separation and comparable heights between the different buildings on internal roads would present a positive variation to the streetscene which typifies a 'good housing' mix as expected under Policy H3. In terms of the amenity impact of the development on existing neighbouring sites, it is acknowledged that the greatest concern relating this development is the potential residential amenity impact of the 4 storey apartment retirement block (Block C) on properties on the south-western side of Countesswells Crescent. In terms of proximity, the apartment block would be sited at least a minimum of 38m from the nearest windows serving habitable rooms within the semi-detached houses on Countesswells Crescent. This distance would far exceed the standard 18m rule needed to design-out overlooking potential. Whilst the distance between windows in the apartment block and the nearest rear garden boundary pertaining to the nearest houses on Countesswells Crescent would be much shorter, between 18m and 20m, the existing intervening mature trees primarily should screen out any additional impact arising from the height of windows and balconies – even during winter months - in the apartment block. Subsequently, it is not envisaged that apartment Block C would give rise to any undue privacy impacts. In addition to this, Block C would not pose an undue overshadowing or loss of daylight impacts on the basis of the c. 40m separation distances between buildings plus the existing intervening trees are higher and therefore are more likely to have an impact in this respect. For the avoidance of doubt, it is not envisaged that the any other building with the proposed development pose an undue amenity concerns on other neighbouring sites.

In conclusion, the proposed site layout and siting of the development has been extensively reviewed at pre-application stage following dialogue between the Planning Service and the applicant, which has included the input of the Council's Urban Designer. The proposed layout reflects the final discussions between the two parties, and whilst it would not fully comply with policy and guidance, is considered acceptable on the basis that the merits outweigh the drawbacks.

In terms of the design of the proposed mainstream housing units, these are considered acceptable on the basis that their design, scale and layout would be coherent with the existing house types that have already been built by the applicant to the north of the site within the wider Pinewood-Hazeldene development. With regards to the proposed 3 apartment blocks, whilst there are not presently any buildings of this type in the local area, their contemporary form and appearance of would complement the design and appearance of the different house types within the rest of the site and the site's context as a semi-rural partly wooded setting. Whilst the proposed finishing materials are considered acceptable in principle, further details/samples are sought to ensure their quality ties in with other buildings in the wider development which could be controlled through condition. Overall, it is considered that the proposed design scheme would comply with the relevant expectations of Policy D1 in the ALDP.

Energy Efficiency, Water Efficiency and Digital Infrastructure

Notwithstanding the merits of the house and apartment block designs, there is an expectation that all new permanent habitable buildings would meet modern energy and water efficiency standards to minimise long-term carbon usage and water extraction from the River Dee in order to comply with Policy R7 in the ALDP and its associated supplementary guidance. Whilst the applicant has submitted a supporting statement titled 'low and zero carbon' outlining their intention to ensure the proposed habitable buildings would meet the desired energy efficiency standards and indicated the possible mechanisms in which to achieve such levels, it would still be prudent to seek demonstration of the actual efficiency and techniques levels before the buildings are built to ensure the expectation of the policy is met. This can be controlled through condition if the application is approved.

In addition, it is expected under Policy CI1 in the ALDP that all residential units would have access to modern, high-speed communications infrastructure. Whilst it is anticipated the developer would ensure such infrastructure is in place prior to occupation of the proposed units, it would be prudent to apply a condition to any subsequent consent which seeks clarity from the applicant/developer what quality of digital infrastructure would be installed timeously to cater for modern living standards.

Access, Parking and Connectivity

Policy T2 in the ALDP states that new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel, which includes increasing local public transport services and making provision for access by bicycle and on foot. Policy T3 in the ALDP states that new development must be accessible by a range of transport modes with an emphasis on active and sustainable travel, specifically the internal layout of developments must seek to prioritise walking, cycling and public transport connectivity in line with the principles of Designing Streets guidance and the policy's associated supplementary guidance.

The proposed development would obtain vehicular access from a new road heading northwards from an existing roundabout to the south-east of the site. The proposed access road has already been approved as part of the planning for the development of other zones within the Pinewood-Hazeldene development. As touched upon in the previous section, the internal layout of the site would comprise an internal footpath network which is connected to the different areas of the development i.e. apartment blocks, houses and the Over 55 apartment complex, as well as new bus stop to the south-west and an existing core path to north-east.

The Roads Development Management Team (RDMT) has reviewed the proposed site arrangement and the submitted a Transport Assessment. They have posed no objection to the proposals in line with the above ALDP policies and the Designing Streets guidance, but have highlighted that the development would not comply with the principles of Designing Streets due to the fact that driveways are proposed to be located in front of the mainstream housing units instead of be positioned within private parking in small parking courtyards to the rear of the properties. In addition, the RDMT have recommended that 5 conditions be attached to any subsequent consent, the nature of which are all specified in the consultation comments above. The Planning Service has considered the merits of all such proposed conditions and is of the view they should competently address the current shortfalls in the detail of the proposals to ensure the development would comply with the essence of policies T2 and T3 in the ALDP and their associated supplementary guidance.

In addition to the above, the proposal makes provision for 2 new connections to the existing Core Path network running along the north-east boundary of the site which has been welcomed by the Council's Environment Policy team. This should ensure the development promotes use of active travel and improved use of an existing Core Path and therefore would comply with the relevant aims of Policy NE9 in the ALDP. Whilst the existing footpath is in a poor state of repair, the applicant has agreed to make contributions in way of money towards the upgrade of the footpath on top of the Section 69 infrastructure payment they made in August 2013. These funds would be secured through a Section 75 legal agreement payment if the application is approved.

Drainage and the Water Environment

The applicant has submitted a Drainage Assessment and Drainage Plan outlining their proposed SuDS provision which has been reviewed by the Council's Flooding & Coastal Protection team and SEPA, which neither consultee has objected to. SEPA has, however, sought use of a condition on any subsequent consent requiring the developer to provide a Construction Environment Management Plan (CEMP) for the Planning Authority's approval in consultation with SEPA to ensure clarity is provided on the applicant/developer intends to mitigate against damage

to watercourses during the construction. The reasoning for this centres on their assertion that drainage works within the wider Pinewood/Hazeldene development to date have led to a reduction in the amount of water flowing in local watercourses. The applicant has already engaged in discussions with SEPA over how to address the issue, and the CEMP would provide further comfort that the proposed development would not have any greater impact. As such, it is considered competent to impose such a condition. Should any engineering operations need to be carried out as part of the development within a watercourse or disposing into a watercourse, then a separate CAR (Controlled Activities Regulations) license would need to be obtained from SEPA. This legal obligation can be relayed to the applicant through use of an informative on any subsequent consent.

It is acknowledged that local residents, primarily residing on Countesswells Crescent, have raised objections to the proposals on the basis of a similar issue touched on by SEPA, as well as raising the concern that garden areas have become damper since works in the wider Pinewood-Hazeldene development has taken place. Whilst these concerns are recognised, no strong evidence provided to the Planning Service to date has verified that the on-going development in the area is directly the cause of changes to neighbour's garden areas. Furthermore, the nature of the concerns appear to be centred around ground water movement and not surface water disposition, which is a civil issue which would need to be addressed outwith the planning process with the applicant/developer direct.

Natural Environment

The application site has already been primarily cleared following the applicant's intentions to implement their previous consents and prior to that the site was regularly maintained. As such, it is not considered the site has any significant ecological sensitivities on review of the submitted Ecology Study also. The main natural constraints to the site are the mature trees existing within it and those overhanging the north-eastern side boundary. The coverage of trees within the south-east corner of the site forms part of the Green Space Network identified on the ALDP Proposals Map.

Policy NE5 in the ALDP has a presumption against the loss of trees or woodlands that contribute towards landscape character and local amenity, and therefore measures should be taken to mitigate against any damage being incurred to such natural assets. The applicant has submitted a Tree Survey, which includes identification of Root Protection Areas (RPAs) for each tree currently within the site and adjoining the site along the north-east boundary, which the Planning Service has considered in consultation with the Council's Environmental Policy Team. The footprint of all buildings would not encroach on Council-managed trees lining the Core Path to the north-east, but they would fall within the site. The Over 55 retirement block (Block C) would lie closest to these trees but by way of comparison the footprint of the development would be set further into the site than the previously approved development which could still technically be implemented if this application is not approved. The proposed means of mitigating against the risk of damage to such important trees of local amenity and landscape value during construction, is to impose standard conditions on any subsequent consent which ensures that protective fencing is erected prior to commencement of development and also to ensure that no fires are lit within 5m of such trees to avoid the risk of fire damage. Providing these conditions are adhered to, then the development would comply with the crux of the Policy NE5.

Policy NE1 in the ALDP makes a presumption against the loss of areas of the Green Space Network (GSN) as the policy aims to protect, promote and enhance of the value of the space for both use by local residents and wildlife. The proposed Site Plan shows that the footprint of buildings would not encroach onto the GSN and it would be incorporated into the open-space associated with the development which should ensure its long-term protection. As such, it is considered the proposal complies with the abovementioned policy.

The Environment Policy Team has raised some concerns about the impact of lights from construction work taking place during winter months could disturb bats roosting in trees along the north-east boundary of the site. Whilst the applicant has not expressly states that such lighting interventions would be used during the construction process, the Planning Service recognise that this scenario could arise given how short daylight hours would be during winter months and that bats can be become active during dark hours. Whilst the applicant/developer will acknowledge they have a statutory duty not to intentionally kill or harm bats, the Planning Service are of the view it would be prudent to impose some form of formal control over any lighting to mitigate against undue harm/disturbance to bats. It is therefore recommended this could be achieved through imposing a condition which seeks approval of an appropriate Lighting Strategy if the application is approved.

Affordable Housing

Policy H5 in the ALDP 2017 states that housing developments of 5 or more units are expected to contribute no less than 25% of the total number of units as affordable housing. The associated Supplementary Guidance on affordable housing sets-out the options of how developers can deliver the expected level of affordable housing with a preference being on-site delivery, but off-site delivery or by way of a 'commuted sum' is deemed acceptable also. The SG does go on to make provision for a reduction in the level of affordable housing expected where a developer can demonstrate that exceptional costs towards other elements of the development render it unviable at the normal expected level of 25%.

In the case of this proposal, the applicant is proposing to deliver 10% of the proposed market housing numbers (53 units) as affordable units off-site in line with the historic arrangement for a housing delivery across the wider Pinewood-Hazeldene development when consenting to the original Planning Permission in Principle applications. For the avoidance of doubt, the Planning Service has been of the view since August 2016 - when pre-application discussions commenced with the applicant - that the proposed Over 55/retirement flat units would not trigger an affordable housing assessment which the Developer Obligations Team are also comfortable with. In line with the provisions of the SG, the applicant has also undertaken a viability assessment which has been reviewed by the Planning Service to demonstrate that the proposed development would not be a financially viable proposition at 25% affordable housing given the terms of the land deal to purchase the site and current market conditions. As such, the Planning Service has agreed that the original 10% delivery level would be reasonable to accept in this case. Subsequently, whilst the current proposals does not strictly accord with Policy H5 in the current local development plan, the proposals would align with relevant provisions made in the SG for a lower level of affordable housing than what is prescribed in the policy.

Developer Obligations

The Developer Obligations team has been consulted to determine the appropriate level of developer contributions for the proposed development. Heads of Terms have been agreed with the applicant for the delivery of affordable housing off-site, as well as payment of contributions towards healthcare and the upgrade of the Core Path running along the north-east boundary. It is envisaged these would be secured from one of, or a combination of, 'planning agreements'. The Heads of Terms take into account infrastructure payments already made by the applicant through a Section 69 agreement in August 2013 and the previously agreed arrangement for the delivery of affordable housing under application P070132, as well as financial viability of the site in the context of the land deal struck with the Council when acquiring the site. Providing a Section 75 legal agreement covering the above contributions can be agreed, signed by all relevant parties and registered with the Registers of Scotland then the proposal would be deemed compliant with aim of Policy I1 in the ALDP.

Heads of Terms of any Legal Agreement

Heads of Terms have been agreed with the applicant to secure the delivery of affordable housing off-site in line with the terms of previously agreed legal arrangement associated with the planning consent granted under application P072132. The HoTs do include the contributions towards Healthcare (£46,675) and upgrade of the adjacent Core Path (£16,963), but these may yet be paid in an upfront Section 69 payment.

Matters Raised in Representations

- 1. The site would be 'overdeveloped' by virtue of the increase in residential units compared to the previously approved scheme*

The current proposals would increase the density of development for Zone F when compared to the previously approved scheme, the current level of development is considered acceptable on its own merits following extensive pre-application discussion between the Planning Service and the applicant, which included the input of the Council's Urban Designer.

- 2. The proposed 4 storey building would set a precedent for 'high-rise' development in the surrounding area*

Whilst the proposed 4 storey development is considered acceptable in this particular case, it is not to say that other developments of a similar height and scale would be in other locations on surrounding sites. Each proposal is determined on its own merits.

- 3. The proposed design of the houses and apartment blocks would not be visually appealing*

The proposed house types and apartments blocks are considered to be coherent with the character and appearance of already consented and implemented developments within the wider Pinewood-Hazeldene development and therefore are considered visually acceptable.

- 4. The development would endanger the health of long-established trees lining the path to the north-east*

The proposed development would not be positioned any closer to the existing mature trees within the site than the previously approved housing scheme and therefore it is not considered the development would endanger the health of such trees providing appropriate tree protection measures are implemented during construction, which would be controlled by condition.

- 5. Development could result in excess surface water migrating to the gardens spaces of properties along Countesswells Crescent*

The wider Pinewood-Hazledene development is currently served by a SuDS basin to accommodate excess surface water, which the proposed development would be connected to. Whilst it noted that local residents have raised concerns with their local councillor and the Craigiebuckler & Seafeld Community Council about changes in the water migration pattern within the surrounding area, no evidence has been provided to tie these changes and affects to this development. Notwithstanding this, the issue of groundwater migration is deemed civil matter. Both the Council's Flooding & Coastal Protection Team and SEPA have both been consulted on the proposals and have not raised any flooding concerns.

- 6. Countesswells Roads could not cope with the increase in traffic levels generated by the development which could give rise to road safety concerns.*

As stated in the 'access and parking' section of the evaluation above, the Roads Development Team have been consulted and it is considered that the existing road infrastructure could cope with the expected level of vehicular traffic generated from it.

Conclusion

In conclusion, the principle of residential development on the site is considered acceptable. Whilst the current proposals would significantly increase the density of development on the site compared to the previously approved housing scheme, it would enable the delivery of high quality mainstream market housing as well as specifically-designed accommodation to meet the needs of people aged 55 and over. The proposed development would not pose any undue amenity impacts on existing neighbouring properties and would provide good connections to the existing core path network as well as making provision for areas of public open-space. Whilst access to the development would primarily be made car there it the expectations that the residents could make use of a bus service and high-speed broadband connectivity in which to reduce the dependency on the use of private vehicles. The site has no significant nature conservation sensitivities and therefore the development would not give rise to any loss of protected habitat. Overall, it is considered that the development complies with most relevant policies in the Aberdeen Local Development Plan 2017, and where there lies some misalignment with policy, other material considerations dictate otherwise. The application is therefore recommended for approval, and if approved, it is recommended that the consent is not issued until the completion of an associated Section 75 legal agreement to secure payment of developer contributions and delivery of affordable housing off-site.

RECOMMENDATION

Approve Conditionally, subject to completion of a Section 75 legal agreement

REASON FOR RECOMMENDATION

In principle, the proposed use of the site is considered acceptable by virtue of its allocation on the ALDP 2017 Proposals Map. Furthermore, the proposed development would be of a density, layout and design which balances' the delivery of different house types to cater for a range of age groups with affording prospective residents a high quality of general residential amenity without unduly compromising the existing level of residential amenity afforded to neighbouring residents. The development would be suitably connected to the existing core path network and would be served by a suitable connection to the public road network, whilst also providing scope for a public transport operator to provide a service for residents. Whilst the level of affordable housing to be provided would not strictly comply with the expectations of Scottish Planning Policy and local planning policy, the applicant has sufficiently demonstrated why this would not be achievable in this instance. The proposed development would not have a significant adverse impact on the natural environment. Overall, the proposed development would comply with the relevant provisions of policies: LR1, D1, D2, I1,T2,T3, H3, H5, NE1, NE5, NE6, NE9, R6, R7, CI1 in the Aberdeen Local Development Plan 2017. In instances, specifically regarding housing mix and affordable housing, where the proposals are not strictly compliant with relevant ALDP policy other material considerations dictate otherwise. The proposal is therefore deemed acceptable.

CONDITIONS

- 1) Prior to occupation of the first unit, the applicant/developer shall submit a Residential Travel Plan to the Planning Authority for approval in consultation with the Roads Service, and once approved shall be issued to the new owners of each unit prior to their occupation.

Reason: To ensure occupants are made aware of the different ranges of transport available to accessing the development.

- 2) Prior to commencement of development, the applicant/developer shall provide evidence to the Planning Authority, for their approval, that they have reached an agreement with a public transport operator in which to provide a bus service from the bus stop shown on the approved Site Plan within a time period to be agreed with the Planning Authority after the first unit is occupied.

Reason: To ensure the development can be served by a sustainable means of transport.

- 3) Prior to commencement of development, the applicant/developer shall provide full details of traffic-calming measures to be implemented within the development to the Planning Authority for approval in consultation with the Roads Service. Once approved, the traffic-calming measures shall be implemented in a timescale to be agreed with the Planning Authority.

Reason: To ensure the development complies with Designing Streets guidance and minimizes the risk of road safety issues.

- 4) Prior to commencement of development, the applicant/developer shall submit details of how a temporary turning-circle could be provided allow to refuse vehicles and visitors to turn within the prior to the internal road layout is connected to the zone to the north of the site. Once approved, the turning circle shall be implemented until the internal road network is connected to the adjoining phase of development.

Reason: To ensure visiting vehicles have sufficient space in which to safely manoeuvre within the site in order to minimise road safety risk.

- 5) Prior to commencement of development, the applicant/developer shall provide full details/samples of all external finishes to the hereby approved building including downpipes, roofing materials, doors, windows and balustrade for approval by the Planning Authority.

Reason: To ensure that the development would remain in-keeping with the character and appearance of the surrounding area/

- 6) Prior to occupation of the first unit, the applicant/developer shall provide full details of secure storage for motorcycles and bicycles within the site for the approval by the Planning Authority. Once approved, the secure storage facilities shall be implemented in full prior to occupation of the first unit.

Reason: To ensure occupants means of transport can be securely stored thus minimizing the opportunity for crime.

- 7) Prior to commencement of development, the applicant/developer shall provide full details of the energy efficiency rating of each individual habitable building within the development for approval by the Planning Authority. Once approved, the construction of each building should be carried out to ensure that the approved energy efficiency levels are achieved.

Reason: To ensure compliance with Policy R7 in the ALDP 2017 and its associated Supplementary Guidance.

- 8) Prior to commencement of development, the applicant/develop shall submit details of water-saving technologies and techniques to be incorporated into the design of each new building within the site for approval by the Planning Authority. Once approved, all water-savings measures shall be implemented in full prior to the occupation of each unit.

Reason: In order to minimise water abstraction from the River Dee and to comply with the requirements of Policy R7 in the ALDP 2017 and its associated supplementary guidance.

- 9) Prior to commencement of development, protective fencing shall be placed around the Root Protection Areas (RPAs) pertaining to each tree to be retained outlined in the 'Tree Survey Drawing' which accompanies the submitted Tree Survey and shall remain in-situ until all buildings work associated with the buildings closest to each fence has been completed.

Reason: To ensure that existing trees of high landscape character and amenity value are not damaged or removed during the construction phase of development.

- 10) No materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the Root Protection Areas of each tree identified on the submitted 'Tree Survey Drawing' without the written consent of the planning authority, and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunk.

Reason: In order to ensure adequate protection for trees adjacent to the site during the construction of the development.

- 11) Prior to commencement of development, the applicant/developer shall submit details a Lighting Strategy which outlines where they intend to position lights within the site during the construction phase of development. Once approved, the Lighting Strategy shall strictly be adhered to throughout the course of construction to minimise disturbance to bats roosting in the area.

Reason: To ensure bats likely to be roosting within trees in the surrounding area are not unduly disturbed.

- 12) Prior to commencement of development, the applicant/developer shall submit a Construction Environment Management Plan (CEMP) for approval by the Planning Authority in consultation with SEPA which details how the existing water environment will be protected during construction and how materials and waste will be managed on site. Once approved, the CEMP shall be adhered to in full for the timeline set out in the approved document unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the construction phase of development does not give rise to any undue adverse impacts on the natural water environment.

- 13) Prior to occupation of the first unit, the developer shall implement the proposed SuDS scheme in full unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the development does not give rise to any undue localised flooding.

- 14) Prior to commencement of development, the applicant/developer shall submit a statement to the Planning Authority for approval, detailing how the development shall have/ provide access to modern, up to date high speed communications infrastructure. Thereafter each phase of development shall be supported by a detailed statement setting out how such measures have

been designed into the built form and what standards of digital connectivity this will bring. The approved measures shall thereafter be implemented in accordance with the approved details.

Reason: To ensure compliance with Policy CI1 in the ALDP 2017 and Scottish Planning Policy.

- 15) That any person occupying any unit with the hereby approved 'Over 55 retirement' apartment block (Block C) on a temporary or permanent basis shall be of an age of 55 years old or over.

Reason: In the interests of maintaining control over who occupies this part of the development.

- 16) All hard and soft landscaping proposals shall be carried out in accordance with the approved Landscaping Strategy and Planting Schedule, which shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

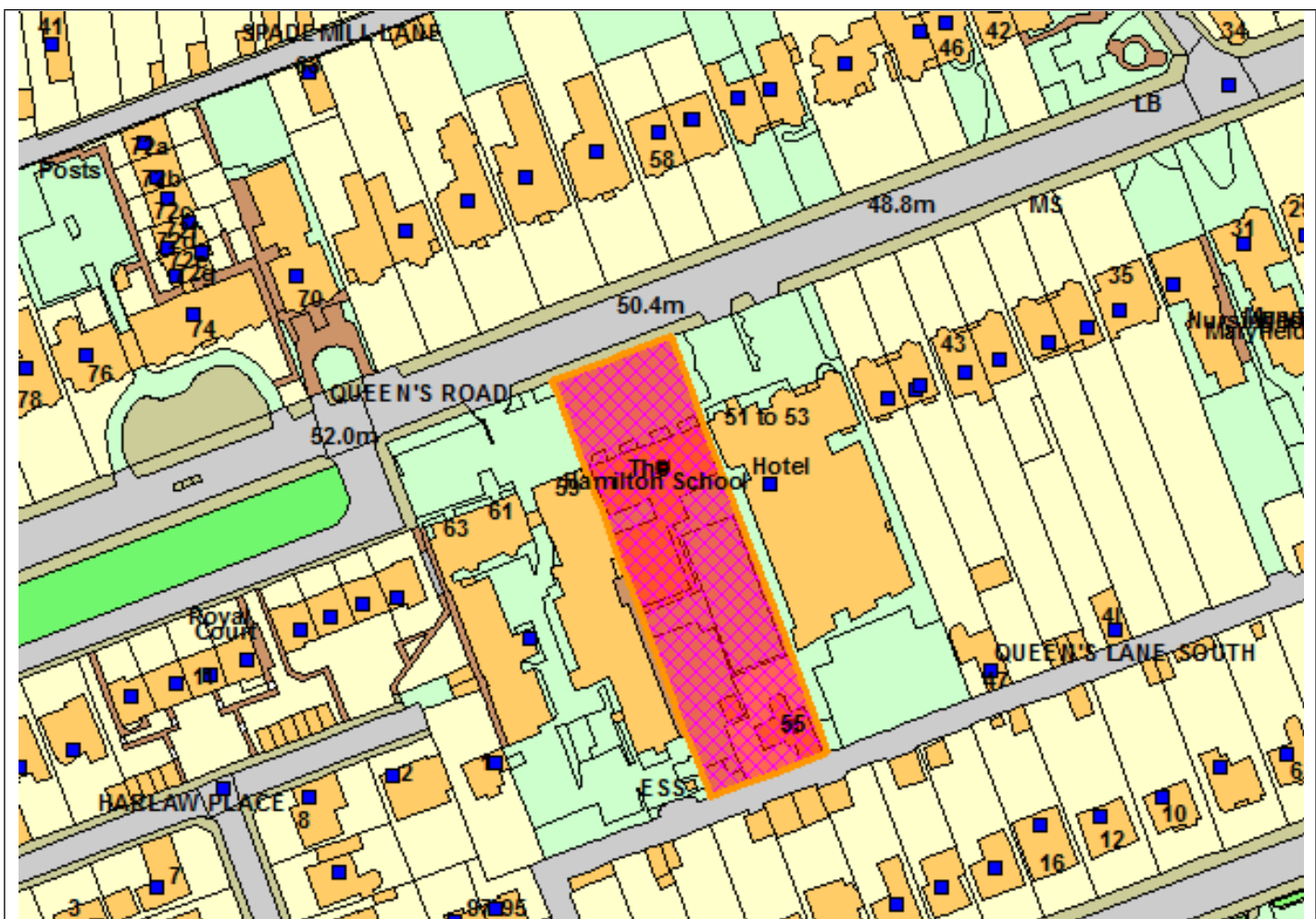
ADVISORY NOTES FOR APPLICANT

- 1) Any engineering works within the water environment will require authorisation from the Scottish Environment Protection Agency (SEPA) under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). SEPA are contactable on: 01224 266609.
- 2) Prior to making a connection to the public water supply and sewerage system, maintained by Scottish Water, the applicant/developer shall need to obtain the separate prior approval from Scottish Water in order to legally do this. Scottish Water is contactable on: 0800 389 778.
- 3) The applicant/developer should contact ACC Waste Service a minimum of 2 months prior to occupation of each unit.

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	Planning Development Management Committee
	Report by Development Management Manager

Site Address:	The Hamilton School, 55-57 Queen's Road, Aberdeen, AB15 4YP
Application Description:	Formation of new hotel, bar and restaurant including change of use of former school, demolition of existing school extension and dwellinghouse (55 Queen's Lane South), and associated infrastructure and landscaping works
Application Reference:	161022/DPP
Application Type	Detailed Planning Permission
Application Date:	4 July 2016
Applicant:	Status Properties Ltd
Ward:	Hazlehead/Ashley/Queens Cross
Community Council	Queen's Cross And Harlaw
Case Officer:	Gavin Evans



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The site is located on the south side of Queens Road, to the west of its junction with Forest Road and Forest Avenue, and lies within the Albyn Place / Rubislaw Conservation Area. Two traditional detached buildings have been conjoined by way of a glazed lobby to the front, with a number of further extensions to the rear. The site was until 2014 the home of the independent, fee-paying Hamilton School. The building (as 55-57 Queens Road) is category B listed. There is car parking to the front and former play area within what would have originally been the rear garden. A number of trees are present on the inside of the front boundary wall, onto Queen's Road, and are covered by a Tree Preservation Order. A detached former dwellinghouse, latterly used as part of the school accommodation, is located to the southern end of the site, fronting onto Queens Lane South.

Relevant Planning History

Application Number	Proposal	Decision Date
160294	(Proposal of Application Notice) Major development - Hotel(6000 sqm or more), demolition and redevelopment of existing extension and change of use of existing listed buildings and all associated works.	30.03.2016 Status: Determined – Further Consultation Required
161020/LBC	Formation of new hotel, bar and restaurant including demolition of existing school extension and dwellinghouse (55 Queen's Lane South), and all associated infrastructure and landscaping works	Status: Pending
161021/CAC	Substantial demolition of a dwelling house	Status: Pending

APPLICATION DESCRIPTION

Description of Proposal

This proposal constitutes a 'major' application for the redevelopment of the former Hamilton School at 55-57 Queens Road.

This application seeks detailed planning permission for the development of a new hotel, with associated reception, bar and restaurant areas, car parking and landscaping. This would involve both a change of use to allow for hotel use, the demolition of both an existing rear extension and freestanding dwellinghouse, and the construction of a new rear extension.

Demolition of the existing dwelling on Queen's Lane South is the subject of a separate application for Conservation Area Consent. Similarly, works to the fabric of the Listed Buildings will be considered via assessment of a separate application for Listed Building Consent. This application

focuses on the change of use and construction of an extension to the rear, along with associated lesser works.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OAX703BZG0A00>.

The following documents have been submitted in support of the application –

- Conservation Statement
- Daylight analysis statement and drawings
- Swept Path analysis
- Drainage Statement
- Planning Statement
- Transport Statement

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because more than 5 letters of objection have been received, and also because of an objection from the local Queen's Cross/Harlaw Community Council.

CONSULTATIONS

Consultee	Date	Comments Made
Developer Obligations		No obligations payable.
ACC Environmental Health	13.10.2016	No objection. Recommend use of an informative note relating to any contamination.
ACC Environmental Health	18.10.16	No objection, but recommend the use of conditions and advisory notes as follows: Conditions 1. Noise From Fixed Plant and Equipment (condition) 2. Odour Control (condition) 3. Noise from Site/Ground Preparation and Construction Works Advisories 1) Air Quality (not required) 2) Noise from deliveries and refuse disposal (advisory note) 3) Waste Storage and Disposal Arrangements (condition)
ACC Roads Development Management Team	31.10.16	No objection , subject to conditions as follows: Notes high standard of existing pedestrian infrastructure and accessibility of the site by bicycle via nearby recommended cycle routes.

Site is close to both eastbound and westbound bus services, with good frequency of service. Though the site is remote from the train station and airport, these bus services provide adequate connections.

Notes that site is within a controlled parking zone (CPZ). Note that there is a shortfall in car parking, however the applicants have provided a detailed justification for this level of car parking being adequate in the context of the site. This justification is accepted and the level of parking is satisfactory.

Drawings have been provided to demonstrate adequate cycle and motorcycle parking within the site.

The use of Queen's Lane South for service/delivery vehicle access, which is consistent with the adjacent Malmaison Hotel, is considered to be acceptable. Swept path diagrams demonstrate that provision has been made for vehicles to turn within the site, avoiding any requirement for reversing manoeuvres on the rear lane.

The submitted Transport Statement concludes that the level of traffic generated by the former school use in the weekday AM peak would be comparable to (or greater than) that of the proposed use. The TA does not mention how weekday PM peaks, or weekend AM or PM peaks, would compare to the proposed use.

DIA demonstrates sufficient drainage measures.

Any potential mitigation required in relation to impact on the local road network would be based on the difference between the former use and that now proposed. It is accepted that the analysis required to establish the requirement for, and nature of, any mitigation may be undertaken prior to commencement of any works, in connection with a suspensive condition.

Scottish Environment Protection Agency	26.10.16	No objection. Recommend that a condition requiring submission and agreement of a Construction Environment Management Plan (CEMP) be attached to any consent.
Scottish Water		No response
ACC - Waste Strategy Team	11.10.16	No objection. Note requirement for commercial uses to provide suitable bin stores within the site.

REPRESENTATIONS

6 letters of representation were received in relation to the proposed development. These raise the following issues:

- Conflict with the relevant policies pertaining to the West End Office Area, in relation both to the principle of the use and to impact on amenity.
- Noise: both from activity within the hotel and grounds and from HVAC and plant. Note scope for external dining.
- Loss of Privacy
- Traffic – additional vehicles onto rear lane (which is designated as a cycle route) would exacerbate congestion and road safety issues. Notes different pattern of traffic in rear lane from the previous school use. Access into Queen's Lane South is hazardous and additional use should not be encouraged due to the absence of a pedestrian footway
- Approval would encourage further applications from Chester Hotel
- Over-supply of licensed premises and associated conflict with ACC Policy
- Reference amenity issues arising from Chester and Malmaison hotels
- Visual impact from south, both in isolation and in conjunction with the adjacent hotels and their respective extensions.
- Loss of light as a result of the proposed extension.
- Loss of view.
- Copper coloured cladding is not in keeping with the surrounding buildings.
- Impact on character of Listed Buildings and Conservation Area
- Overdevelopment of site and excessive scale of extension
- Important that there are no outdoor areas or raised terraces
- Lack of demand for this use
- Use should be directed to City Centre per Sequential approach outlined in ALDP
- Unacceptable precedent
- Conflict with 'historic environment' objectives of the SDP
- Conflict with policy H1 (Residential Areas)
- No provision for coach parking
- Highlights restrictions on access to rear of Chester Hotel

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

Section 59 of the LB&CA Act requires the planning authority, in determining applications for planning permission affecting the setting of a Listed Building, to *'have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses'*.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas.

National Planning Policy and Guidance

Scottish Planning Policy (SPP)
Historic Environment Scotland Policy Statement (HESPS)

Aberdeen Local Development Plan (2017)

Policy I1 – Infrastructure Delivery and Planning Obligations
Policy T2 – Managing the Transport Impact of Development
Policy T3 – Sustainable and Active Travel
Policy T5 - Noise
Policy D1 – Quality Placemaking by Design
Policy D2 – Landscape
Policy D4 – Historic Environment
Policy D5 – Our Granite Heritage
Policy B3 – West End Office Area
Policy NE6 – Flooding, Drainage and Water Quality
Policy R6 – Waste Management Requirements for New Development
Policy CI1 – Digital Infrastructure

Supplementary Guidance and Technical Advice Notes

Drainage Impact Assessments
Infrastructure and Developer Contributions Manual
Transport and Accessibility
Waste Management
Harmony of Uses
Noise
Planning Obligations
Resources for New Development

Other Material Considerations

Local Transport Strategy
Managing Change in the Historic Environment: Setting; Extensions; Boundaries; Interiors; Windows
ACC Albyn Place/Rubislaw Conservation Area Character Appraisal
ACC Conservation Areas Management Plan

EVALUATION

Principle of Development

The site is located within the identified West End Office Area, where policy B3 is applicable. This generally encourages office uses, setting out criteria for such proposals, but also states that ‘any new development proposal that do not protect existing residential amenity will be refused’. On that basis, the test for non-office uses would be whether there would be any resultant adverse impact on residential amenity. In terms of access arrangements, B3 states that, where there is scope to do so, taking access to properties from rear lanes will only be acceptable if satisfactory access arrangements are in place, or can be provided by the developer – this point will be considered further in the ‘Accessibility’ section of this report. B3 further states that the Council will support the principle of reinstating and restoring front gardens and cast iron railings where these areas have previously been given over to extensive areas of hardstanding. In this case, it is recognised that existing hotel uses sit to either side of the application site on Queen’s Road, at 51-53 and 59-63 respectively, and that the nearest residential properties are those on Harlaw Road, to the southern side of Queen’s Lane South. (circa 50-55m away).

Accessibility

The Council's Roads Development Management Team notes in its response that the site is accessible via cycling and walking, with a number of recommended cycle routes in the surrounding area. There are existing bus services available on both sides of Queen's Road, allowing for connection to the City Centre, airport and train station.

The site lies within the 'outer' parking zone in the Council's Transport and Accessibility Supplementary Guidance, where higher ratios of car parking are applicable. In this instance, the proposal would provide 33 off-street car parking spaces. It is recognised however that the site lies just outside the 'inner city' zone, and that the maximum levels that might apply to a peripheral site far removed from the City Centre may not be appropriate to a site such as this, which it is recognised can be reached by other means and is within the urban area of the city. An existing Controlled Parking Zone (CPZ) applies in this location, meaning that any unauthorised parking during its hours of operation could be effectively managed. In support of the proposal, the applicants have provided a statement of justification for parking provision, which has been accepted by officers as demonstrating that the rate of parking provided is adequate in this instance.

In order to establish the extent of any mitigation measures required in relation to the local road network, it will be necessary for the applicants to provide further information detailing a comparison of traffic generation between the former school use and the proposed hotel use. The Roads DM Team is satisfied that mitigation is feasible and can be agreed and enforced by way of a condition of any planning consent, with any necessary mitigation being required prior to commencement of the new use. A Travel Plan Framework has been included within the submitted Transport Statement, and is acceptable in principle, however a full travel plan will be required 3 months after first occupation, when patterns can be assessed in detail – this can be secured via condition.

Swept-path analysis for larger vehicles has been provided, demonstrating that the site is adequately accessible to the rear, allowing delivery and service vehicles to turn within the confines of the site. Earlier concerns relating to aisle width between parking bays have been addressed. Locations for cycle and motorcycle parking have been shown in the current plans, and are sufficient to demonstrate that these can be accommodated, however a condition is recommended to ensure refinement of those facilities, with occupation contingent on their provision. Taking account of the above, it is considered that the proposal demonstrates accordance with policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel).

Architecture and Design

The proposal has obvious benefits in safeguarding the continued use of these B-listed buildings in a Brownfield location and the enhancement of the street frontage to Queen's Road through the partial reinstatement of soft landscaping to soften what is presently a large area of hardstanding. The proposed extension is clearly of a significant scale relative to the original listed buildings, however it is crucial to consider this in relation to its immediate context, where the existing extension to the rear of the Hamilton School and the extensions to the neighbouring hotels serve to screen much of the rear elevation to 55 and 57 Queen's Road. Whilst an extension of this scale is unlikely to be appropriate in a different context elsewhere in the West End Office Area, it is clear that the setting of these listed buildings has been significantly altered through these earlier additions.

The proposal has been revised since its original submission, with a significant reduction to its height in order that the extension would not be clearly visible from the Queen's Road frontage and the public face of the listed buildings would be maintained. The extension spans four above-ground floors, with a lower ground floor and basement beneath. Its rear elevation would be on an angle, projecting down the plots to broadly match the adjacent Malmaison and Chester hotels respectively. Rooms are arranged down the eastern and western sides of the building, with a

central full-height atrium/void space. The extension consists of three main parts – two main ‘blocks’ positioned along the east and west boundaries, with a glazed rear face and glazed penthouse floor allowing light to penetrate into the central atrium space. The use of copper cladding on the building offers something different and provides a clear contrast between the traditional granite buildings and the modern extension, without adversely affecting the principal setting of these buildings, which is in views from Queen’s Road. These copper clad sections are of similar height and general form to the protruding areas of darker granite on the adjacent Malmaison extension, with the result that the two sit quite comfortably together in elevation view. The use of this more contemporary design and materials to the rear is considered to be appropriate in the immediate context, which includes the smooth granite face of the Malmaison extension, which itself is an unashamedly modern extension to a traditional building.

As noted previously, the presence of the Malmaison extension in particular serves to screen much of the side elevation to the proposed extension on approach along Queen’s Lane South, such that its visual impact is much reduced. It is recognised that the cumulative massing of these three significant extensions is significant, however the impact of that combined appearance is mitigated by their location to a secondary elevation, where there are limited opportunities for them to be viewed together outwith the immediate confines of Queen’s Lane South.

The relationship with the existing extensions to the Malmaison and Chester hotels is challenging, as both of these include windows that overlook the rear of the Hamilton School site, and in effect ‘borrow amenity’ from this site and are benefit from its openness at present. In order to avoid any conflict between habitable rooms within the proposed hotel and those of its neighbours, the proposed extension has been designed around a concept of a central atrium, with bedrooms looking out into this central space and benefitting from the natural light that floods the full height atrium, by virtue of the building’s glazed southern face and atrium rooflights.

This unconventional arrangement, whilst borne out of circumstance, results in a distinctive form which makes use of and extends existing built assets and, whilst retaining a scale and exterior form which is comparable to its immediate neighbours, would differ from the norm internally and provide an attractive and somewhat unique space. It would be resource efficient in utilising existing buildings in a Brownfield location, which is readily accessible by public transport and non-motorised means. It would make provision for the separation, storage and collection of recycling and waste and promotes a higher density form of development within existing urban areas which allows for sharing of infrastructure and services, and represents a sustainable form of development.

The main hotel entrance, which makes use of the existing glazed link between the two listed buildings, would draw visitors through into the heart of the hotel, where they would be greeted by a feature stair, beyond which lies the full-height atrium and glazed face to the rear elevation. This represents a well-defined entrance to the development, which would be easy to find your way around and allows for the main entrance to the hotel to be accessible to wheelchair users. As noted previously, the extension would not be readily visible from Queen’s Road, ensuring that the traditional street frontage that contributes significantly to the character of the Albyn Place/Rubislaw Conservation Area remains active and attractive.

Taking these matters into account, it is considered that the proposal, whilst of a significant scale and utilising contemporary materials, is able to demonstrate due regard for its particular context by ensuring that the principal setting of the listed buildings is preserved, and indeed the visual impact of the rear extension is quite localised to an area where that setting has been previously altered by large extensions to a number of adjoining buildings. In that sense this extension would not appear out of place, and is consistent with the local context, where traditional buildings have been significantly extended to the rear whilst preserving their primary frontage onto Queen’s Road. The

proposal is considered to satisfactorily accord with the provisions of policies D1 (Quality Placemaking by Design) and D2 (Landscape) of the ALDP.

Setting of Listed Buildings

As noted in the earlier 'Design' section of this report, the setting of 55 & 57 Queen's Road has been significantly altered through the addition of its own earlier extension and those of neighbouring buildings. These do not unduly affect the principal elevations of these buildings nor their importance in the Queen's Road streetscape. On that basis, the principle of a significant extension to the rear of listed buildings has been, at least to some extent, established. In preserving the Queen's Road frontage and enhancing it to some extent through the introduction of some soft landscaping in this frontage area. Even within the context of the wider West End Office Area, it is noted that this particular site has its own very localised context due to the particularly large extensions that sit to either side. These, in conjunction with the timber extension to the former Hamilton School itself, serve to screen much of the rear elevation of the original listed buildings from view. In that context, it is clear that the introduction of a new extension would not obscure a prominent view that presently exists. On this basis, it is accepted that the visual impact of the proposal would be largely restricted to a lesser elevation, and would not adversely affect the setting of the original listed buildings, and by retaining and securing appropriate re-use of these Listed Buildings, the proposal is consistent with policy D5 (Our Granite Heritage) of the ALDP.

Character and appearance of Conservation Area

The application site lies within the Albyn Place/Rubislaw Conservation Area. The associated Conservation Area Appraisal identifies several smaller character areas, with the site located in area B: Queen's Road and the south side of Albyn Place. This area is characterised as wide, tree lined streets running east to west with large detached buildings set back from the road, noting also that most of the buildings on Queen's Road are listed, with many substantial detached houses standing close together and separated from the main thoroughfare by low granite boundary walls, iron railings and hedges. The appraisal recognises that commercial uses have brought additions, including rear extensions, rear car parking, signage and front car parking, whilst buildings along Queen's Road are substantial and display bay windows, dormer windows and a number of more ornate features, such as motifs in the stone. The proportions of the buildings are grand and many feature large front doors with fanlights and sidelights that are accessed by steps or flyovers. The appraisal recognises that there is a high-time economy in this section of the Conservation Area by virtue of the presence of hotels, hostel, restaurants and bars in the area. The reinstatement of some soft landscaping at the fore of the premises would address a weakness identifies in the Conservation Area Character Appraisal. Prominent viewpoints would be unaffected by the proposed new extension.

Built Heritage

In summary, the proposal retains the existing Listed Buildings with minimal intervention and involves conversion and redevelopment. The detail of the works to the LBs will be assessed via the determination of the associated LBC application, however in general terms the setting of the LBs would not be fundamentally harmed. The proposal therefore preserves the historic environment by retaining and reusing the existing listed buildings, as required by policy D4 (Historic Environment) of the ALDP and the relevant national guidance contained in Scottish Planning Policy (SPP) and Historic Environment Scotland's Policy Statement. Works to the historic fabric have been drastically reduced from earlier iterations of the proposal, and the retention and repair of railings and reintroduction of soft landscaping to the frontage of the site will enhance public face and make a positive contribution to the building's setting and the wider character and appearance of the Conservation Area. Subject to detailed assessment via the LBC application, this authority is satisfied that the works are able to demonstrate compliance with the relevant tests from HESPS and its associated 'Managing Change in the Historic Environment' guidance note, and by extension policy D5 (Granite Heritage) of the ALDP.

Amenity

Policy B3 requires that uses other than office and residential are assessed primarily against their compatibility with existing residential amenity. It is recognised that the site is within an area where there exists a mix of commercial and residential uses, so there is acceptance in principle that non-residential uses may be accommodated subject to that amenity test. As noted previously the nearest residential uses to the site are the properties fronting Harlaw Road, on the opposite site of Queen's Lane South. There are residential properties on Queen's Road, however those immediately opposite the site are generally in commercial use, and the degree of separation to residential properties is considered sufficient to avoid any undue impact on amenity.

The addition of a large extension to the rear of the application site has resulted in some concerns from local residents regarding loss of privacy and noise arising from the use of outdoor spaces to the rear of the hotel. Noise concerns are addressed in a later section of this report. It is noted also that the applicants have been at pains to point out that the design of the proposal evolved with an awareness of local concerns that arose from statutory pre-application consultation. As a result, the rear of the proposed hotel, though incorporating an extensively glazed atrium space, does not in fact feature bedroom windows in its rear elevation. The submitted elevations and floorplans demonstrate that stairwells are positioned at the very rear of the extension, with horizontal strip windows incorporated at high level to allow light in without creating any overlooking of neighbouring land. It is notable also that there is approximately 30-35m separating any glazed sections in rear face of the extension from the closest part of rear gardens on Harlaw Road, with approximately 50m to the rear face of the nearest dwelling. A combination of the internal arrangement of the hotel and the distance between the proposed extension and the nearest gardens and dwellings is ample to ensure that there would be no loss of amenity as a result of overlooking from the interior of the proposed hotel.

Similarly, the planted terraces which are shown in the rear elevation have been raised as a potential source of both overlooking and noise. These spaces are intended to soften the appearance of the building's rear elevation and introduce a degree of landscaping, rather than to function as an outdoor amenity space for dining or bar-related use. The applicants have confirmed that there would be no access to these spaces for hotel guests, and access would be for maintenance of landscaping only. It is recommended that this is further ensured by attaching a suitably worded condition to any planning consent.

The distances separating the hotel from dwellings on Harlaw Road is sufficient to ensure that there would be no adverse impact as a result of loss of daylight. Similarly, the potential for overshadowing is mitigated by the orientation of the hotel to the north of these closest residential properties. Taking these matters into account, it is considered that the proposed hotel use is compatible with the zoning of the site, and would not result in any material loss of residential amenity. The proposal would therefore accord with the provisions of policy B3 (West End Office Area) of the ALDP.

Whilst the development plan does not set out any specific standards of amenity for hotel uses, it is nevertheless reasonable to consider the extent to which the proposed hotel would be compatible with the adjoining hotels. The use is clearly acceptable in principle, however the significant scale of the extension and its position close to the site boundaries to either site, in conjunction with the similar siting of the Chester and Malmaison extensions on their respective sites, warrants consideration of potential amenity issues in those neighbouring hotel bedrooms, as well as consideration of the level of amenity to be afforded to residents within the proposed hotel itself. To this end, the applicants have provided a daylight study in relation to the rooms within the adjoining hotels. In an associated statement, the applicants highlight that hotel rooms are generally occupied in the mornings and evenings, with low occupancy during the daytime. Whilst their assessment indicated that there would be a degree of impact on windows within the neighbouring hotels, they contend that there is no evidence that the resultant light levels are below those of any

other hotels in and around the city centre. The small number of east-facing rooms within the Chester Hotel appear to be afforded very limited levels of light at present, and that would not markedly change as a result of the proposed extension. The Malmaison Hotel features many more rooms facing the application site, however it is recognised that in planning terms it is generally not acceptable for one site to 'borrow amenity' to a significant degree by positioning windows which face directly over a boundary onto adjoining land. In this context, it is considered that the degree of impact on rooms within the adjoining Malmaison Hotel is acceptable, and would not result in undue harm to this existing use. On that basis, the proposal is considered to accord with this part of policy B3 relating to compatibility with existing uses.

Levels of amenity within the new hotel were previously a matter of some concern due to the central atrium space not being sufficiently open to allow light to penetrate from the glazed southern elevation, however recent revisions to the proposal have resulted in the removal of rooms enclosing the southern side of that atrium space, thereby presenting a largely open outlook from the central portion of the extension and providing a bright and airy central atrium onto which bedrooms would face. In this regard, officers are satisfied that amenity levels within the new hotel would be entirely adequate.

Developer Obligations

The proposal's impacts have been assessed by the shared City/Shire Developer Obligations team, as noted in the 'consultees' section of this report. That assessment has identified no requirements for financial contributions in relation to impacts associated with the development. Due assessment, however, ensures accordance with the Council's Developer Obligations SG and policy I1 (Infrastructure Delivery) of the ALDP.

Flooding and Drainage

NE6: Flooding and Drainage requires the submission of a Drainage Impact Assessment in support of any application proposing 100sqm or more of floorspace, with a view to demonstrating that proposals would not be exposed to flood risk and would not materially increase the risk of flooding elsewhere. A DIA has been provided, which concludes that there would be no increase in net foul drainage or surface water run-off as a result of the proposed conversion scheme, and no comment to the contrary has been received from the Council's Roads DM or Flooding Teams. Taking these matters into account, the proposal is considered to accord with the provisions of policy NE6 (Flooding and Drainage) and the relevant 'Drainage Impact Assessments' SG.

Waste and Recycling Provision

Though commercial in nature, it is necessary for the proposal to demonstrate satisfactory provision for refuse storage within the site. Details of the proposed arrangements can be secured through use of an appropriate condition. Access arrangements are provided for refuse and delivery vehicles and, subject to agreement on the location and specification of bins storage prior to occupation, the proposal is considered to accord with the provisions of Policy R6 (Waste Management Requirements for New Development) of the ALDP.

Noise

Environmental Health colleagues are satisfied in principle that noise levels can be adequately mitigated to protect existing levels of residential amenity and allow hotel use. A Noise Impact Assessment related to plant equipment will be required to assess noise sources and provide appropriate mitigation, and any identified mitigation measures must be implemented prior to occupation. Subject to appropriate mitigation being implemented as agreed, the proposal will demonstrate compliance with policy T5 (Noise) of the ALDP and its associated SG.

Contamination

The potential for historic site contamination has been considered by the Council's Environmental Health officers, and it has been concluded that the potential for risk is no sufficient to warrant the

use of a planning condition, however it is recommended that an advisory note be attached to any consent, advising the applicant to notify the planning authority in the event that contamination of the ground is discovered, in order that it may be investigated and mitigation agreed and implemented. In this regard, it is considered that the proposal accords with policy R2 (Degraded and Contaminated Land) of the ALDP, and that an informative note represents best practice in the event that any unforeseen issues should arise during works

Other material considerations

The proposed development is considered to accord with SPP's high-level policy principle to 'support sustainable economic growth and regeneration, and the creation of well-designed, sustainable places' by retaining and restoring these existing Listed Buildings and promoting the redevelopment of a Brownfield site in an accessible location. As discussed in the 'Amenity' section of this report, the proposal demonstrates due regard for the sensitive residential uses in the surrounding area, and would not adversely affect local amenity, as highlighted in para 108 of SPP. In relation to the historic environment, SPP states that the planning system should enable positive change, with change being '*sensitively managed to avoid or minimise adverse impacts on the fabric or setting of the asset*'. It is considered that the foregoing assessment demonstrates due consideration for the preservation of the buildings' setting. The proposal is considered to accord with the high-level principles set out in Scottish Planning Policy (SPP).

The 'Design', 'Listed Building', 'Conservation Area' and 'Built Heritage' sections of this report address matters relating to the historic environment and demonstrate that the proposal accords with the relevant provisions of the Development Plan and satisfy the legislative requirements relating to the preservation of setting and the desirability of preserving or enhancing the character and appearance of Conservation Areas. In this regard, the proposal is also considered to accord with the provisions of Historic Environment Scotland's Policy Statement and the associated guidance note.

Representations and Community Council comments

Matters relating to compliance with Development Plan policies have been addressed in the respective sections of this report. It should be recognised that whilst the West End Office Area zoning under policy B3 explicitly encourages offices uses, it does not preclude any other uses within the areas so zoned, and it is for the planning authority to consider the merits of such uses.

Pre-existing issues relating to the operation of the Chester and Malmaison Hotels are of limited relevance in assessing this proposal, as the planning authority is considering the compatibility of a hotel use. It should be recognised that separate statutory controls exist in relation to the management of noise nuisance, and noise disturbance can arise from residential properties within residentially zoned areas. Noise from ventilation/plant equipment has been considered by ACC Environmental Health colleagues and it has been accepted that noise levels can be mitigated adequately to protect residential amenity.

The possibility of further applications from the adjacent Hotels relating to their own sites is not material to determination of this application, and any such applications would be determined on their individual merits. It should be noted that the proposal makes no reference to external dining, and terraces shown to the rear of the building are for landscaping only, and are inaccessible to for outdoor dining use or related use.

Design and scale issues, materials, visual impact and relationship to the Listed Buildings and wider Conservation Area have been addressed earlier in this report, along with transportation, parking and accessibility. Loss of a specific view is not a material planning consideration, nor is consideration of demand for the use – this will be determined by the market. As the site is zoned as part of the West End Office Area, that is the zoning policy against which it will be assessed. Policy H1 (Residential Areas) is not relevant to this assessment.

Comments relating to disappointment with earlier planning decisions are noted, however are not material to determination of this application on its merits. The planning authority recognises the relevance of the West End Office Area policy B3, and earlier sections of this report set out officers' assessment of the proposal against that policy.

Comments relating to the provision of licensed premises are noted, however this proposal is for a hotel use, with any restaurant and bar uses an ancillary part of that overriding use. This forms the basis for planning assessment, and there is a separate licensing process which applies in relation to the sale of alcohol. As far as the Development Plan is concerned, the only reference to over-provision or over-concentration of licensed premises is contained in the 'Harmony of Uses' SG, which explicitly states that it does not apply to hotels and restaurants.

Precedent is of limited materiality, as planning decisions are ultimately taken on their individual merits. It is recognised, however, that earlier planning decisions can be a material consideration in decision-making, however this report sets out that the proposal is consistent with the provisions of the Development Plan with regard to the zoning of the site within the West End Office Area, as it would not adversely affect existing residential uses. On that basis, it is not considered that any undesirable precedent would be set by granting permission for this proposal.

Based on the foregoing assessment against the Development Plan and relevant material considerations, it is therefore recommended that this application be approved subject to the following conditions. A summary of the reasons for this decision is set out below.

Heads of Terms of any Legal Agreement

Not applicable – no legal agreement required.

Time Limit Direction

None – standard consent period will apply.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed development is compatible with the zoning of the site within the West End Office Area in the Aberdeen Local Development Plan as it would not result in adverse impact on existing residential uses in the surrounding area. The internal arrangement of the proposed extension and its relationship with existing residential uses is such that it is considered to protect the amenity afforded to those existing residential uses and is therefore considered to accord with policy B3 of the ALDP.

The site is adequately served by on-site car parking, and is in a suitably accessible location which makes use of a Brownfield site and retains and restores two existing category B-listed buildings in a prominent location with the Albyn Place/Rubislaw Conservation Area. The extension to the rear of these listed buildings is considered to be acceptable and appropriate in the localised context of this particular site, where the immediate setting has been significantly altered by earlier extensions to the adjoining hotels, with the result that the rear elevation of these buildings is largely screened from view. The principal elevation to Queen's Road would be preserved and enhanced through the reintroduction of soft landscaping, consistent with the Council's Transport and Accessibility SG. There would therefore be no adverse impact on the setting of these listed buildings, nor would the

development adversely affect the character or appearance of the Albyn Place/Rubislaw Conservation Area, based on due consideration of the associated Conservation Area Appraisal.

The proposed extension is of an acceptable scale and form in relation to this localised context, and represents a contemporary contrast to the existing listed buildings without compromising their principal setting onto Queen's Road, and is considered to accord with the provisions of policies D1 (Quality Placemaking by Design), D4 (Historic Environment) and D5 (Our Granite Heritage).

Adequate provision has been made for drainage, and details of noise assessment and mitigation can be secured via condition. No material considerations have been identified that would warrant refusal of the application.

CONDITIONS

1. STONE CLEANING METHODOLOGY

No stone cleaning works shall be carried out unless a report by an appropriately qualified consultant has first been submitted to and agreed in writing by the planning authority. This report shall be undertaken in accordance with Aberdeen City Council's relevant Stone Cleaning Supplementary Guidance and the methodology set out in Historic Environment Scotland's Technical Advice Note 9: Stonecleaning of Granite Buildings.

Thereafter, stone cleaning works shall be undertaken only in full accordance with the recommendations contained within the agreed report - in the interest of preserving the historic fabric of a listed building.

2. REFUSE & RECYCLING

No development pursuant to the consent hereby granted shall be undertaken unless a scheme detailing the following has been submitted to and approved in writing by the planning authority:

- a. An area of hard standing at storage and collections point(s)
- b. Bin storage areas to ideally be provided with a gulley and wash down facility for the interest of hygiene

Thereafter, the development shall not be occupied unless these measures have been provided in full – in order to ensure that the site has sufficient space for the storage and disposal of waste and recycling materials.

3. CYCLE AND MOTORCYCLE PARKING

That the development hereby granted planning permission shall be occupied unless a scheme detailing the location and design of cycle and motorcycle parking facilities has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel.

4. TRAVEL PLAN

That within 6 months of first occupation, and no earlier than 3 months from that date, a full travel plan, which expands on the methodology set out in the Travel Plan Framework submitted as part of the application, must be submitted to and agreed in writing by the planning authority - in order to encourage sustainable travel.

5. TREE PROTECTION

that no development shall take place unless a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

6. TREES – MANAGEMENT SCHEME

that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.

7. FURTHER TREE WORK

that any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.

8. TREES – STORAGE OF MATERIALS

that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.

9. CAR PARKING

that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing Nos. 10271-PL(--)10-Rev C and 10271-PL(--)09-Rev C of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

10. DRAINAGE WORKS

that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Ramsay & Chalmers Plan No 102-Rev A or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

11. LANDSCAPING SCHEME

that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include proposed areas of tree/shrub planting including details of numbers, densities,

locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

12. NOISE ASSESSMENT

that no development pursuant to this planning permission shall take place nor shall the building be occupied unless there has been submitted to and approved in writing for the purpose by the Planning Authority an assessment of the noise levels likely within the building, unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full - in the interests of residential amenity.

13. CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

No development shall commence on site until a construction environmental management plan has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved plan unless otherwise agreed in writing with the Planning Authority.

Reason: In order to minimise the impacts of construction and demolition works on the environment.

14. NOISE FROM FIXED PLANT AND EQUIPMENT

No development related to the implementation of this consent shall be undertaken unless a noise assessment by a suitably qualified noise consultant, assessing the potential for adverse impact on the amenity of occupants of neighbouring residential properties from noise sources associated with the proposed development, has been submitted to and agreed in writing by the planning authority.

Thereafter, the use hereby approved shall not be commenced unless any identified mitigation measures have been identified in full.

This assessment should:

- a) Be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note.
 - b) Include assessments; BS4142:2014, BS8233, WHO, NR25 (night time) and NR35 (day time) internally within the nearest residential properties.
 - c) Identify the likely sources of noise associated with the proposed development with potential to impact on neighbouring properties.
 - d) Identify the existing sources of noise potentially impacting on the proposed development.
 - e) Detail the noise mitigation measures to reduce noise from the existing and likely noise sources to an acceptable level to reasonably protect the amenity of the occupants of the proposed and existing neighbouring residences respectively.
 - f) The methodology for the noise assessment should be submitted and agreed in writing with this Service in advance of the assessment
- In order to ensure that appropriate mitigation measures are implemented to prevent undue impact on residential amenity as a result of excessive noise.

15. ODOUR CONTROL

The use hereby approved shall not be commenced unless suitable and adequate means of filtering, neutralising, extracting and dispersing of cooking fumes has been installed within

the premises, in accordance with a detailed scheme which has first been submitted to and approved in writing by the planning authority.

Reason – in order to prevent any adverse impact on residential amenity as a result of odour.

16. NOISE FROM GROUND PREPARATION AND CONSTRUCTION WORKS

No development pursuant to implementation of this consent shall be undertaken unless a scheme for the provision of suitable solid hoarding (of minimum 2m height) with acoustic properties to be erected around the development site boundary during site/ground preparation works and construction has been submitted to and agreed in writing by the planning authority.

Thereafter, development shall be undertaken in accordance with any scheme so agreed - In order to protect amenity of the occupants of the neighbouring residences from noise produced as a result of demolition, site/ground preparation works and construction works.

17. TRANSPORT ANALYSIS AND MITIGATION

That no development pursuant to the implementation of this consent shall be undertaken unless a scheme for the assessment of this development's impact on the local transport network (including comparison of trip generation data relating to the proposed development and the former use of the site as a school and identification of necessary mitigation measures) has been submitted to and approved in writing by the planning authority. Thereafter the use hereby approved shall not be commenced unless either the identified mitigation measures have been implemented in full, or a financial contribution equivalent to those works has been made per a written agreement with the planning authority - in the interests of mitigating the impact of the proposed development on the local transport network.

18. RESTRICTION ON PUBLIC ACCESS TO LANDSCAPED REAR TERRACE

That there shall be no public access to the landscaped terrace areas to the rear of the approved extension. Access shall be taken for landscaping and maintenance purposes only – in the interests of protecting residential amenity.

ADVISORY NOTES FOR APPLICANT

1) NOISE FROM DELIVERIES AND REFUSE DISPOSAL

In order to protect amenity of the occupants of the neighbouring residences and prevent any potential noise nuisance caused by deliveries or refuse disposal, it is recommended that such operations should not occur:

- a) outwith the hours of 0700 1900 Hours, Monday to Saturdays inclusive, and
- b) outwith the hours of 1000 1600 Hours on Sundays

2) CONTAMINATION - should any contamination of the ground be discovered during development the Planning Authority should be notified immediately. The extent and nature of the contamination should be investigated and a suitable scheme for the mitigation of any risks arising from the contamination should be agreed and implemented to the satisfaction of the Planning Authority. - reason: to ensure that the site is suitable for use and fit for human occupation

Gavin Evans

From: no-reply@aberdeencity.gov.uk
Sent: 30 August 2016 19:56
To: Gavin Evans
Subject: Comments for Planning Application 161020/LBC

Follow Up Flag: Follow up
Flag Status: Flagged

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 7:55 PM on 30 Aug 2016 from Mr Erlend Flett.

Application Summary

Address: The Hamilton School 55-57 Queen's Road Aberdeen AB15 4YP

Proposal: Formation of new hotel, bar and restaurant including demolition of existing school extension and dwellinghouse (55 Queen's Lane South), and all associated infrastructure and landscaping works

Case Officer: Gavin Evans

[Click for further information](#)

Customer Information

Name:

Email:

Address:

Comments

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Reasons for comment:

Comments:

- 1 Access from the rear lane will cause further pressure on the use of the lane. At present there is no vehicular access to the former school site so with guests parking and deliveries increased traffic will result. Given the proximity to Albyn School there is an issue of safety since there is no pavement in the lane. Many garages abut directly onto the lane making it very difficult to exit at present.
2. There is no need for a further hotel in the area.

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**Development Management
Planning and Sustainable Development
Aberdeen City Council
Email: pi@aberdeencity.gov.uk**

Date: 1 September 2016
Our ref: SXB/WES0118.0002
Your ref: 161022/DPP & 161020/LBC
Direct tel: +44 (0) 141 574 2322
Direct fax: +44 (0) 131 222 9800
E-mail: SBaillie@hbjsgateley.com

Dear Sirs

Objection to Planning Application Ref 161022/DPP ("Planning Application") and Listed Building Consent Application Ref 161020/LBC ("LBC Application") (collectively referred to as "Applications") in respect of formation of new hotel, bar and restaurant including Change of Use of former school, demolition of existing school extension and dwellinghouse (55 Queen's Lane South), and associated infrastructure and landscaping works ("Development") at The Hamilton School 55-57 Queen's Road Aberdeen AB15 4YP ("Property")

Mr and Mrs West, residing at 26 Harlaw Road, Aberdeen, AB15 4YY ("Our Clients")

Further to your neighbour notification to Our Clients, we are instructed to strongly object to the above Applications on their behalf as they do not accord with the provisions of the development plan and there are also over-whelming material considerations to justify their refusal. This is mainly due to the unacceptable adverse effect the Development will have on residential amenity; the detrimental impact and unacceptable erosion it will have on the character of two listed buildings and a conservation area; there is a clear presumption in favour of converting properties into office and/or mainstream residential use and that tourist development should be directed to the city centre based on the sequential approach; and the Development will set an unacceptable precedent.

We urge your Council to refuse planning permission and listed building consent for the following reasons:

1. **Context to the Development and Surrounding Area**
 - 1.1 55 and 57 Queen's Road are B Listed Buildings (57 is also in a B-Group listing with 59 Queen's Road). A copy of their listing is in the Appendix. The Property is also located within the Albyn Place/Rubislaw Conservation Area, one of the first Conservation Areas designated in Aberdeen.
 - 1.2 Each neighbouring building to the Development is in hotel use (The Chester and The Malmaison). However, the surrounding buildings in the area are predominately residential,

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especially to the west and south across Queen's Lane South which comprise the rear gardens and garages of residential properties facing onto Harlaw Road. Office use is mainly in buildings to the east.

- 1.3 To the rear of Queens Road, the building lines have developed in a piecemeal fashion with a number of extensions having been built, often applying for retrospective permission.
- 1.4 It is proposed that access to the Development for car parking and servicing will be taken from Queen's Lane South. This is within a controlled parking zone which only restricts parking between 9am and 5pm, Monday to Friday. Queen's Lane South is a very narrow street, constructed before motor vehicles existed. Residents experience traffic movement problems in terms of access to and egress from their garages, especially due to on street parking. There are also current road safety concerns as pedestrians have to walk on the road as it has no pedestrian footway provision due to the width of the carriageway which is constrained by existing development. Albyn School is also located in close proximity and school children use Queen's Lane South as a route to the school. Its junction together with Forest Avenue is particularly busy with drop offs and pick ups at the beginning and end of the school day. Services such as refuse collection, the Fire Brigade, and commercial deliveries experience extreme difficulty and congestion can often occur. Lorries have also knocked down bollards on the corner Queens Lane South and Forest Avenue. Street signage has been damaged. Queen's Lane South is also a designated Cycle Route and is often used by cyclists.
- 1.5 The Council are fully aware of the potential for on street parking and problems associated with using Queen's Lane South as an access. The planning authority placed a restriction on the use of a rear gate of the Chester Hotel since 1996 for service vehicles and in order to prevent parking in the lane by customers, a condition was also attached to a 1996 consent preventing public pedestrian or vehicular entrance or exit to the Chester Hotel site into Queen's Lane South. This restriction was reaffirmed through planning permissions for the extension of the Chester Hotel in 2000, 2006 and 2013 and there was a minor variation granted recently to allow "open gate" access for deliveries at a certain time.
- 1.6 Our Clients also currently experience anti-social behaviour and nuisance especially due to disturbance and noise levels from the existing hotels together with on street parking problems (i.e. due to a function suite with capacity for 300 people along with their public bars).

The Grounds for Objection – Planning Assessment

The Applications ought to be refused as they are not in accordance with the following development plan policy

2. **Aberdeen City and Shire Structure Plan**
- 2.1 The City and Shire Structure Plan outlines a series of key objectives, each with its own corresponding targets alongside details on achieving these targets and means of monitoring. Of these objectives the following, in relation to Quality of the Environment, is of relevance to the proposed development: *'To make sure new development maintains and improves the region's important built, natural and cultural assets'*. One of the targets identified as contributing towards achieving that objective is as follows: *'To make sure that development improves and does not lead to the loss of, or damage to, built, natural or cultural heritage assets'*. We have set out below why we consider the Development conflicts with the key historic environment objectives of the Structure Plan.

3. Aberdeen Local Development Plan 2012

Policy BI3 - West End Office Area

- 3.1 The West End Office Area is a prestigious, high quality office location on the edge of the City Centre, readily accessible by public transport and which also provides off street car-parking and space for expansion.
- 3.2 In this area applications for change of use for office purposes are to be given favourable consideration. Applications for change of use of properties to residential use are also encouraged, subject to a satisfactory residential environment being established and that the continued operation of existing uses is not prejudiced. The creation of new residential buildings, where considered acceptable, on the rear lanes of properties requires that a safe means of pedestrian and vehicular access be provided. Where there is scope to provide access to properties from rear lanes this will only be considered acceptable if satisfactory traffic management measures are in place, or can be provided by the developer, along the rear lanes. The conversion of existing front gardens to car parks, and the subsequent erosion of associated landscaping, will not be permitted. The reinstatement and restoration of car parks to front gardens will be encouraged by the Council.
- 3.3 Other commercial uses are not mentioned as being acceptable in the policy. While some commercial uses, such as office use, can operate adjacent to residential areas without detriment to amenity, the Development alone and cumulatively along with adjacent hotels can't. As noted below, bad neighbour uses, such as ancillary public bars in the hotel, should be located so that they do not adversely affect the amenity of adjoining users.
- 3.4 In addition, as noted throughout this letter, the non-office/residential uses and/or problems of parking and traffic congestion in the back lane are already problems which will only be exacerbated. No satisfactory traffic management measures have been proposed by the applicant nor can they be.
- 3.5 The Development alone and cumulatively with its occupiers will generate excessive noise, disturbance and intensify existing amenity problems including refuse collection, parking problems, pedestrian safety concerns and traffic movement/congestion all of which, will have an adverse impact on, and be detrimental to, all the surrounding residential properties and the area's existing amenity, especially when the cumulative impact of having three hotels in close proximity is considered.
- 3.6 Planning permission ought to therefore be refused.

Policy H1 (Residential Areas)

- 3.7 Although the Development is zoned under BI3 (West End Office Area), the lane and adjacent residential properties are zoned as Policy H1 and therefore it is considered relevant. The West End Office Area Policy above reinforces the protection of residential amenity. Within existing residential areas, proposals for non-residential uses are to be refused unless they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. In this instance, whilst the adjacent properties on Queen's Road are in hotel use, the size of the Development together with the associated cumulative impact with the adjoining hotels will clearly have a detrimental impact on the character and amenity of the adjoining residential uses.
- 3.8 The conversion of the back garden would also see the introduction of a servicing and parking area. A rear car park for 23 cars and the associated movements with both the cars and servicing vehicles, especially in comparison to the frontage of site or for office/residential use, cannot be considered in any way to be negligible, particularly in the respect of associated traffic (see below) noise and amenity impacts. Over 24 hours, the opportunity for, and frequency of, visitors entering and leaving the Development together with staff, servicing and deliveries will lead to an increase in noise and disturbance; severely heightened and

increased traffic movements and congestion from both visitors, staff, delivery and service vehicles; increase parking requirements for visitors, staff, delivery and service vehicle; and increased noise, disturbance and nuisance are all material considerations that will impact upon and severely reduce the level of local amenity that is currently enjoyed.

- 3.9 The proposed use will not utilise the existing envelope of the current buildings, and would see new extensions necessary. As such, new overlooking and privacy issues would arise as a result of the atrium, thus conflicting with the principles of Policy H1.
- 3.10 The Development will clearly reduce local amenity residents by introducing an intensive tourist commercial entity in what is a suburban residential street to the east and south. The further erosion of the residential character of the area is unacceptable as it will facilitate and lead to a range of cultural, social, physical and economic changes, which the Council as planning authority ought to control and prevent. The Development is not compatible with the wider residential area and will lead to an unacceptable erosion of the area's residential amenity and thus conflicts with the aims of H1.
- 3.11 Planning permission ought to therefore be refused.

Policy D1 (Architecture and Placemaking) and Policy D5 (Built Heritage)

- 3.12 To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting.
- 3.13 The Development proposals have failed to take account of the quality and special features of the two listed buildings and the wider Albyn Place/Rubislaw Conservation Area. The Development has no respect for the appearance and historic character of its host building and street scene, particularly in terms of scale, massing, form and design; all to the detriment to the character and appearance of the Conservation Area together with an adverse impact on the setting of two Listed Buildings.
- 3.14 The cumulative effect of the Development's characteristics is unacceptable as it will cause an incremental erosion of character and the unity of the character and appearance of the Conservation Area.
- 3.15 Though the applicant claims that visual impact of the proposal from Queen's Road would be negligible, the increased use of Queen's Lane South as a result of the access arrangements for the hotels and the Development is such that any visual impact when seen from the rear would be considerable. The Development is three dimensional and the appearance of the rear elevation is inconsistent in terms of scale, form, materials, height and massing of the listed buildings and the buildings in the local area.
- 3.16 The elevations are specifically referred to in the listing descriptions (see Appendix). The proposal represents a significant extension along the entire rear elevation and effectively "masks", dominates and overwhelms the original listed building. While it is noted that there are other properties on Queen's Road which have benefited from extensions of a similar scale, such as the Malmaison Hotel and Chester Hotel, each planning application must be determined on its own merits. In this instance, it is not considered that the Development has been designed with due regard for its context, nor would it make a positive contribution to its setting.
- 3.17 The relationship with both the Conservation Area and the original category B-listed buildings (and others in the area) is important. The character of the surrounding area is that of substantial granite-built properties set within long, generously proportioned plots. As noted below, the changing demands of businesses within the West End Office Area have led to pressure for the substantial extension of these traditional properties, which has in some instances contributed to a change in that character. It is reasonable for listed buildings to accommodate a degree of change in order to ensure their suitability for continued use and modern requirements, though there must be a limit to the level of change which will be permitted, on the basis that at a certain point the historic interest of the building will be lost.

- 3.18 The proposed extension is also of considerable size in relation to the existing buildings and that the resultant building would occupy a greater proportion of the site, resulting in over-development. Whilst the Site is generously proportioned, this does not provide justification for the level of extension proposed. It fails to maintain historic buildings in an appropriate setting and would fundamentally alter the townscape, which is characterised by large detached properties, situated to the front of long plots, with an open aspect from the rear lane, Queen's Lane South. It clearly does not take account of the context in which it sits nor has any regard for the surrounding townscape, to the detriment of, and adverse impact on the character and appearance of the Conservation Area and the setting of adjacent listed buildings. If the level of accommodation sought cannot be appropriately incorporated into the site, there are clearly better alternative locations for a hotel of this size.
- 3.19 The provision of the glass atrium and lack of windows also ignores the surrounding and current built form i.e. there are two buildings; would not in any way be reflective of the character and appearance of the listed buildings; nor any of the properties within the surrounding conservation area.
- 3.20 Accordingly, it is considered that the Development fails to preserve or enhance the character and appearance of the Conservation Area and the setting of adjacent listed buildings and it is therefore contrary to these policies together with the Scottish Government's policy as regards the historic environment, as set out below.
- 3.21 Planning permission and Listed Building Consent ought to therefore be refused.

Policies T2 (Managing the Transport Impact of Development) and D3 (Sustainable and Active Travel)

- 3.22 New developments will need to demonstrate that sufficient measures have been taken to minimize traffic generated. Not only do the 41 car parking spaces breach the National Roads Development Guide car parking standards but there are existing problems associated with parking and traffic movement on Queen's Lane South. In addition, to the possibility of 41 cars, there is no special provision made for coach parking and if a coach were to park at the Property, it is questionable where cars would be parked and it is not clear whether there will be any allocation for staff parking.
- 3.23 The properties along both Queen's Road and Harlaw Road utilise rear lane access. There are currently over 25 deliveries each day and on occasion more than 40 to each hotel. The Transport Statement fails to consider the impact of the deliveries either individually and cumulatively. As noted above, the Council are fully aware of the potential problems regarding on street parking and imposed a planning condition on preventing access to the Chester Hotel at the rear other than for deliveries within a certain time.
- 3.24 The matter of controlling overspill parking in order to protect residential amenity is also covered by Policy H1 (Residential Areas) which requires new non-residential uses to demonstrate that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. As noted above, although the Development is zoned under BI3 (West End Office Area), the lane and adjacent residential properties are zoned as Policy H1 and therefore it is considered relevant. The revised West End Office Area Policy in the proposed plan reinforces the protection of residential amenity.
- 3.25 Clearly, the use of Queen's Lane South rear lane would intensify as a result of the Development (visitors, staff and servicing) and together with the cumulative impact of adjoining hotels is unacceptable.
- 3.26 Planning permission ought to therefore be refused.

4. Material Considerations

There are no material considerations which indicate that the Application should be granted but a number which support it being refused:

(A) The Development would have an unacceptable and detrimental impact on the residential character and amenity of the area, especially by the cumulative impact of public bars. The promotion of social objectives of reducing alcohol consumption ought to be considered.

- 4.1 Whilst it is accepted that each planning application must be considered on its own merits, the Development, if granted planning permission, will set an unacceptable precedent by allowing other commercial development, including a further bar, in what is "a prestigious, high quality office location on the edge of the City Centre", to the significant detriment to the amenity of the wider residential area.
- 4.2 A concentration of late night licensed premises in a particular area causes a number of problems which are material considerations in land use terms including noise and nuisance.
- 4.3 Changing Scotland's relationship with alcohol is of central importance in realising the Scottish Government's core purpose¹. Underpinning the Government's Purpose and Economic Strategy are five Strategic Objectives - to make Scotland Wealthier and Fairer, Safer and Stronger, Healthier, Smarter and Greener. Promoting social objectives is a material consideration in the context of planning law and planning controls.² The cumulative impact of three bars as well as the proximity to Albyn School clearly undermines the aims and objectives of the Government's Purpose and Economic Strategy.

(B) The Development would have an unacceptable and detrimental impact on residential amenity due to increased traffic, parking and congestion problems as well as road safety.

- 4.4 Regardless of a travel plan, there would be no control over the mode of transport used by visitors. Nor would the Council be able to impose a valid planning condition or control the Development in such a way by a s75 that the terms of the travel plan could be enforced. As noted above, services such as refuse lorries, removal and deliveries have manoeuvring problems along the back lane and it is questionable as to how the Development could be serviced if the car park is at capacity. In any case, the Application lacks details of how the Development would be serviced or where the refuse bins would be stored and collected. It also fails to acknowledge that the Development would generate extra traffic as such especially as the Transport Statement focusses on peak traffic on weekdays when it is considered that most of the traffic movements will be generated at weekends. The Transport Statement is also incorrect to imply that as there is vehicular access from Queen's Lane South already the principle of vehicular access is established. It is a different use of the Property with a greater impact on the level of amenity currently enjoyed. Queen's Lane South is also a Cycle Route. In essence, the Development would exacerbate existing amenity problems as regards conflicts with traffic movement in the area.

(C) The Development will introduce unacceptable levels of noise and disturbance, impacting upon residential amenity.

- 4.5 There will be an unacceptable increase in noise and disturbance from the amount of people and traffic entering and leaving the Development, especially outwith social hours. No noise assessment has been submitted with the Planning Application.

(D) There is not a need for the Development in the area and there are better alternative sites

- 4.6 There is an overwhelming need to return the Property to office or mainstream residential housing. There are better alternative sites for this type of Development, especially in the City Centre where all tourist development should be directed based on the sequential approach

¹ Changing Scotland's Relationship with Alcohol: A Framework for Action

² R. (on the application of Copeland) v Tower Hamlets LBC [2010] EWHC 1845 (Admin); Stringer v Minister for Housing and Local Government [1970] 1 W.L.R. 1281

and directed to existing "brownfield" hotels where operators are currently vacating premises i.e. the Royal Hotel. To direct hotel development to the city centre is an approach supported by the Aberdeen City Centre Masterplan (June 2015) strategy which is focused on reviving the historic core and incorporating areas of growth between the rivers Denburn and Dee. This acknowledges the need to enrich Union Street as the central east – west spine through the city centre and to better connect an extended north – south axis that crosses the heart of the city centre. The masterplan supports initiatives to enhance the city centre's attraction as a visitor destination. Project EC08 is specifically identified as a site for new hotel development in the Denburn Valley as it is considered that the city centre requires a wider choice of accommodation to meet broader needs and budgets.

(E) The Development would have a negative effect on the Character and Appearance of the Conservation Area and Listed Buildings

The following policy documents are relevant material considerations:

4.7 The Aberdeen City Conservation Area Character Appraisals and Management Plan states:

The area embraces the Victorian development of the city, providing good examples of planned streetscapes; formal gardens and residential developments. The area is characterised by wide tree lined streets, which follow a linear and grid pattern. The majority are accompanied by low granite front garden walls and back lanes that provide access to the rear of buildings....The area comprises a substantial number of listed buildings and listed structures. Many of the streets within the Conservation Area consist primarily of listed building and many are group listed. The area highlights an outstanding array of buildings, encompassing many styles, materials and building practices that are locally distinctive.

There is a distinctive divide between residential dwellings and commercial/business....for the majority of Queen's Road, there is a concentration of business, commercial and educational facilities which occupy substantial granite buildings close to the city centre of Aberdeen. Beyond these streets lie high quality granite and slate terraces, semi-detached and detached residential dwellings most of which are two storeys.

Character Area B: Queen's Road - The buildings are typically detached of two storeys or three storeys with attic dormers although a number of semi-detached villas are present. Generally these relatively plain buildings, mostly built in a classical style, have minimal ornate detailing. The terrace of Queen's Garden, which has individually listed Category B buildings, has intricate detailing and features that are atypical of the area, such as cast iron balconies. Alongside the villas there are a number of institutions. The facades of the buildings are relatively unchanged however as many of the buildings are now used as commercial properties, There have been a number of additions, including rear extensions, rear car parking, signage and front car parking. The buildings within this area have a distinctive rhythm. The spaces between the buildings and the placement of the buildings within the plots are repeated, creating a regular flow. Alongside this, the buildings are symmetrical in form or, where in sets, is mirror image symmetrical, again compounding the rhythm.

Materials: Within the Conservation Area as a whole the materials used are granite, both course and ashlar. Although the majority of the buildings are constructed of grey granite, there are concentrations of buildings of mixed pink and grey and solely pink granite. Coursed rubble is also present in residential buildings. Detailing is achieved through differing coloured grey granite and ridge line detailing or through ornamental detailing such as scroll patterns on gables and boundary walls. The roof material is typically slate. Windows are white painted timber sash and case for the most part with iron framed windows within some institutional buildings. Cast iron is featured through the use of railings separating the street from front gardens, on guttering and down pipes, and on roof and dormer window features.

Use: Queen's Road and the south side of Albyn Place. The area has a predominantly commercial use, focussing on professional and financial services, health practitioners, hotel use, institutions and schools. The majority of the area is zoned under the West End Office Area, which promotes commercial enterprise in the area. This has led to a change in the layout of many of the forecourts and back garden areas, which have been turned into car parking spaces or now accommodate large

rear extensions. There have also been a large number of signs erected in the area to advertise business premises. Some of these fit well through their use of material, scale and siting. There are residential dwellings to the west of the character area. There is a night time economy within this area from the hotels, hostel, restaurants' and bars.

Negative factors/Issues: Queen's Road and the south side of Albyn Place. Due to the nature of this character area, as a predominately commercial area which promotes commercial development there are features which cause friction within the Conservation Area. A unique feature of the original residential dwelling houses was the large garden space. These areas have now been developed into rear car parking or additional office space through the erection of rear extensions. This has eroded a large part of the original green space within the area. The office extensions are typically substantial as companies try to maximise office accommodation. To the front, in order to advertise their presence, commercial premises have erected signage. Some of these are not in keeping with the Conservation Area in terms of material used, scale, positioning. Further additions include the development of car parking in the front garden. This has in cases removed a proportion of green space within the character area. A number of commercial back land developments have also taken place within this character area,

Roads: Queen's Road and the south side of Albyn Place These streets are busy with pedestrian and vehicle traffic during the day. Pedestrians also use the back lanes in this area. Parking is present both on and off street in the area. The boundary walls are high, stone rubble. Large sections of the high boundary walls have been removed to provide access to car parking to the rear. There are also garage door and outbuildings present in the lane.

Natural Environment: Queen's Road and the south side of Albyn Place. Negative factors/Issues The loss of open space in the front and rear gardens due to car parking and rear office extensions has had a negative impact on the natural environment within the character area.

Weaknesses: Area of pavements in poor repair around the root system of trees • Front car parking on some properties in Victoria Street removing the original street pattern • Removal of timber sash and case windows • Installation of thick framed uPVC windows • Inappropriately placed satellite dishes • Inappropriate box dormers on front elevation of listed buildings • Loss of the original pattern and boundary walls of back land development due to car parking and rear extensions. • Loss of vegetation in the front courtyard and rear gardens due to car parking and extensions • Inappropriate signage materials, proportions and colours • Inappropriate floodlighting detracting from the best features of individual buildings

Strengths: Linear and grid pattern of the development • High quality buildings, many of which are listed, in good state of repair and maintenance • Abundance of street trees and trees/vegetation within front gardens/ front courtyards • Diversity of buildings • Original dormer pattern retained on residential streets • Quality of material used • Traditional and historic palette of materials which is characteristic of Aberdeen and its granite heritage

Threats: Loss of the original pattern of development and boundary walls of back land development due to car parking and extensions • Loss of vegetation in the front courtyard and rear gardens due to car parking and extensions • Unsympathetic development that does not reflect or relate to the character of the character area • Lack of enforcement for breaches of planning permission/regulations • Removal of boundary walls

Opportunities: High quality extensions that respect, compliment and add to the character of the Conservation Area."

4.8 Scottish Planning Policy states:

Of the principle policies listed, it identifies a presumption in favour of development that contributes to sustainable development. SPP states the importance of the historic environment in making development management decisions, highlighting its contribution to enhancing national, regional and local distinctiveness. The policy principles relating to valuing the historic environment acknowledges that the planning system should "enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future

use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced".

Specifically, it states within paragraph 141 that *"change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting, and any features of special architectural or historic interest"*.

In relation to Conservation Areas, it is stated that planning permission should normally be refused for development that would fail to preserve or enhance the character or appearance of the area.

4.9 Scottish Historic Environment Policy (SHEP) states:

The policy of the Scottish Ministers is that actions taken in respect of Scotland's historic environment should secure its conservation and management for the benefit and enjoyment of present and future generations; there should be a presumption in favour of preservation of individual historic assets and also the pattern of the wider historic environment; no historic asset should be lost or radically changed without adequate consideration of its significance and of all the means available to manage and conserve it; Scotland's historic environment should be managed in a sustainable way, recognising that it is a social, cultural, economic, and environmental resource of great value.

Scottish Ministers Policy on Listed Building Consent is to presume against works that adversely affect the special interest of a listed building or its setting. Paragraph 3.35 states *"The majority of listed buildings are adaptable and have met the needs of successive generations while retaining their character. Change should therefore be managed to protect a building's special interest while enabling it to remain in active use. Each case must be judged on its own merits but in general terms, listing rarely prevents adaptation to modern requirements but ensures that work is done in a sensitive and informed manner"*. It further goes on to state within paragraph 3.48 that *"Where a proposal involves alteration or adaptation which will sustain or enhance the beneficial use of the building and does not adversely affect the special interest of the building, consent should normally be granted"*. SHEP paragraph 3.53 states that *"When considering a developer's proposals to integrate listed buildings into an overall development, Ministers expect planning authorities to take into account not only the desirability of preserving the building's historic fabric but the need to maintain it in an appropriate setting"*.

With regards to conservation areas, SHEP Annex 3 also highlights that *"It is character or historic interest of an area created by individual buildings and open spaces and their relationship one with the other which the legislation covering conservation areas seeks to preserve"*.

In essence, planning authorities are required when determining applications for planning permission or listed building consent, to have special regard to the desirability of preserving the listed building, its setting or any features of special architectural or historic interest which it possesses. Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. The layout, design, material, scale, siting and use of any development which would affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. In terms of Conservation Areas, the design, materials, scale and siting of new development within a conservation area, and development out with the conservation area that will impact upon its appearance, character or setting, should be appropriate to the character and setting of the conservation area. Planning permission should normally be refused for development, including demolition, within a conservation area that fails to preserve or enhance that character or appearance of the area.

4.10 Managing Change In The Historic Environment Series (Historic Scotland, 2010) states:

Extensions – Most historic buildings can be extended sensitively. However, extensions must protect the character and appearance of the building, should be subordinate in scale and form, should be located on a secondary elevation, must be designed in a high-quality manner using appropriate materials.

Roofs - sets out the principles that apply to altering the roofs of historic buildings. It recognises that the roof and associated features of a historic building, or group of historic buildings, form important elements in defining their character. The significance of a historic roof is derived from a number of factors including its age, functional performance, shape and pitch, profile, and the qualities of its supporting structure, covering materials and associated features. In planning works to a roof it is important to understand its contribution to the building's character and to protect the special interest of the building through the re-use of existing historic materials and close matching of new materials. The addition of new features to principal or prominent roof slopes should generally be avoided.

Windows - states that in most cases windows are carefully sized and located as part of a broader design for a building or group of buildings. Window proportions and spacing frequently relate to other elements of the building, such as the overall dimensions of an elevation or other features (e.g. doorways). Windows are important components of an architectural design, perhaps expressing different parts of a building through differences in size, positioning and design. The form, glazing materials and pattern, framing materials, method of opening, finish and associated fixtures of the window are important considerations. Location and design are key considerations in proposals for new window openings. In cases where the building forms part of a larger grouping, it may be necessary to consider the wider context of the group and the potential for a cumulative effect if similar work was undertaken on every building. Where the location is appropriate in principle, the design of the new window must take account of the size, proportion, material and detailing of surrounding or nearby windows.

Setting - of a historic asset and assessing how any new development would impact upon this. It stresses that it will be for planning authorities to determine whether a development will impact on the setting of a historic asset or place. Factors contributing to setting include the following;

Current landscape or townscape context;

- Visual envelope, incorporating views to, from and across the historic asset or place;
- Relationships between both built and natural features;
- Aesthetic qualities;
- Character of the surrounding landscape;
- A 'sense of place': the overall effect formed by the above factors.

- 4.11 As noted under Policy D1 (Architecture and Placemaking) and Policy D5 (Built Heritage), we consider that the Development conflicts with the aims of the above historic environment policy. The impact of the Development on the appearance and character of the existing listed buildings and street scene is not satisfactory, particularly in terms of the form, scale and design of the Development and aesthetic qualities including choice of materials (i.e. especially the extension "the dark solid base, copper coloured wings and a lightweight glazed core").
- 4.12 We consider that the lack of windows on the rear and side elevations, whilst addressing some privacy concerns, ignores the form of the existing windows within the listed building and the buildings in its immediate surroundings and also causes inadequate daylight and sunlight (and an assessment based on BRE Guidelines ought to be submitted).
- 4.13 As noted above due to the nature of this character area, commercial development of this nature will cause friction within the Conservation Area. The Development would further weaken and threaten the character of the conservation area and impact on the setting of the immediate and surrounding listed buildings. There would be further loss of the original pattern of development; back land development due to car parking and the extension; the development is unsympathetic in its design and does not reflect or relate to the character of the character area; in terms of visual envelope, the views to, from and across the listed building and other in the locality area will change.
- 4.14 We therefore consider that the Development fails to preserve or enhance the character or appearance of the conservation area together with having a detrimental impact on the setting of listed buildings. A dangerous precedent will be set by planning permission and listed

building consent being granted for the Development which will also lead to incremental erosion of character of the listed buildings and the wider conservation area.

Summary

Section 25 and 37 (2) of the Town & Country Planning (Scotland) Act 1997 states that in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to have special regard to the desirability of preserving listed buildings or their setting, or any features of special architectural or historic interest which they possess. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character of conservation areas. Proposals which fail to preserve or enhance the character or appearance either ought to be refused.

For the reasons outlined above, we urge the Council to refuse planning permission and listed building consent for the Applications due to the unacceptable adverse effect the Development will have on residential amenity; the detrimental impact and unacceptable erosion it will have on the character of two listed buildings and a conservation area; there is a clear presumption in favour of converting properties into office and/or mainstream residential use and that tourist development should be directed to more appropriate areas based on the sequential approach; and the Development will set an unacceptable precedent.

It does not accord with the provisions of the development plan and there are also over-whelming material considerations to justify its refusal. The Planning Application and LBC Application ought to be refused on the foregoing basis and we strongly urge the Council to do so.

We would also like the opportunity to speak at any pre determination hearing should the Applications go before the Planning Committee.

Please acknowledge safe and timeous receipt of this objection.

Yours faithfully



APPENDIX – LISTING DESCRIPTIONS

55 Queen's Road

Description

A Marshall Mackenzie, 1898; later additions and alterations. 2-storey, basement and attic, 3-bay traditional villa. Tooled coursed pink granite ashlar, finely finished to margins at NW elevation; Aberdeen bond rubble to remainder. Rough-faced granite basement floor; ground floor cill course; raised margins; strip quoins; eaves course.

NW (PRINCIPAL) ELEVATION: symmetrical; architraved doorway to centre bay of ground floor, 4 stone steps flanked by iron railings lead to 2-leaf panelled timber door with oval glazed upper panels; tripartite windows to basement and ground floor of flanking bays to left and right; regular fenestration to 1st floor.

SW ELEVATION: part gabled; link to 57 Queen's Road at ground and basement floor; simple lean-to oriel below wallhead with window to centre.

SE ELEVATION: asymmetrical; full basement floor; addition advanced to centre bay of basement, surmounted by lean-to conservatory at ground floor, 2-storey lean-to addition adjoining at bay to left; regular openings to all floors of bay to right, window to 1st floor of centre bay; flue of wallhead stack advanced and breaking eaves between centre bay and bay to left; bipartite window to bay to left at 1st floor; variety of dormers to attic floor.

NE ELEVATION: part gabled; piend-roofed addition to centre of ground floor, window to 1st floor above.

Predominantly timber sash and case windows, plate glass lower sash and small-pane upper sash; some 4-pane windows to rear. Piended and gabled grey slate roof with lead ridges. Corniced gablehead and wallhead stacks with octagonal and circular cans. Cast-iron rainwater goods.

INTERIOR: good interior; many of mouldings, cornices, architraves, wall and ceiling plasterwork survives. Decoratively glazed 2-pane inner door with fanlight; ionic pilastered hallway with rib-vaulted roof; panelling and neo-classical plasterwork ceiling to principal room at ground floor, fire surround; staircase and balusters survive.

GATEPIERS AND BOUNDARY WALLS: corniced square-plan rough-faced granite gatepiers to NW (shared with adjacent properties); low coped walls between, surmounted by railings (later addition); granite and brick coped rubble walls to remainder.

Statement of Special Interest

From the beginning of the 19th century Aberdeen rapidly expanded westwards from Union Street. 55 Queen's Road is part of the later 19th century development W of Queen's Cross. Queen's Road is on the site of Skene Road, which was originally surrounded by the estate of Rubislaw. In 1877 Rubislaw Estate was bought by the City of Aberdeen Land Association, who re-aligned the road and sold off the estate in smaller plots. Streets became wider and villas with substantial gardens often replaced terraces. Prestigious architects, such as A Marshall Mackenzie, were often employed to produce bold and unusual designs to reflect the wealth and individuality of the clients. Mackenzie designed many of the adjacent villas (see separate listings). 55 Queen's Road is one of the more traditional villas at this end of Queen's Road with simple detailing and mouldings, but a fine interior.

57 Queen's Road

Description

A Marshall Mackenzie, 1896. 2-storey, basement and attic, 3-bay, rectangular-plan villa. Rough-faced coursed pink granite ashlar with pale grey dressings, finely finished to NW elevation; granite rubble to

remainder. Ground and 1st floor cill course; long and short rusticated quoins; eaves course and cornice.

NW (PRINCIPAL) ELEVATION: symmetrical; decorative doorpiece to pedimented centre bay at ground floor, Tuscan columns supporting rusticated entablature and cornice, round-arched doorway with rusticated voussoirs, fluted panels flanking panelled timber door, decorative fanlight with dentil moulded cornice around; tripartite windows to flanking bays to left and right at basement and ground floors, modern railings enclosing basement; regular fenestration to 1st floor.

SW ELEVATION: gabled; flat-roofed addition to ground floor, window to centre of 1st floor above, single window off-centre to left set in gablehead.

SE ELEVATION: near-symmetrical; full basement floor; near-regular fenestration to all floors, with windows to right slightly broader, and windows to centre bay off-centre to left; 2 canted dormers to attic floor.

NE ELEVATION: gabled; link to 55 Queen's Road at basement and ground floors, with doorway to left return; barred openings to centre bays above, small window off-centre to right in gablehead.

Predominantly timber casement windows, plate glass central panes, 2-pane lower and small-pane uppers. Grey slate roof with lead ridge. Stone skews with blocked skewputts. Corniced gablehead stacks and coped wallhead stack to rear, octagonal cans. Cast-iron rainwater goods.

INTERIOR: elaborate interior; majority of mouldings, architraves, some panelled doors, cornices and fire surrounds survive. 2-leaf glazed inner door; elaborately panelled hallway with decorative ceiling mouldings, fire surround; fine staircase with fretwork and turned balusters.

GATEPIERS, RAILINGS AND BOUNDARY WALLS: corniced square-plan rough-faced granite gatepiers to NW (shared with adjacent properties); low coped walls between, surmounted by railings (later addition); granite and brick coped rubble walls to remainder.

Statement of Special Interest

B-Group with 59 Queen's Road (see separate listing). From the beginning of the 19th century Aberdeen rapidly expanded westwards from Union Street. 57 Queen's Road 's Road is on the site of Skene Road, which was originally surrounded by the estate of Rubislaw. In 1877 Rubislaw Estate was bought by the City of Aberdeen Land Association, who re-aligned the road and sold off the estate in smaller plots. Streets became wider and villas with substantial gardens often replaced terraces. Prestigious architects, such as A Marshall Mackenzie, were often employed to produce bold and unusual designs to reflect the wealth and individuality of the clients. Mackenzie designed many of the adjacent villas (see separate listings), including the adjacent 59 Queen's Road, which in all but the colour of the granite is identical to 57 Queen's Road (59 Queen's Road has lost its window and much of the interior decorative scheme

Gavin Evans

From: [REDACTED]
Sent: 01 September 2016 17:46
To: PI
Subject: Application Reference: 161022/DPP

To: Aberdeen City Council Planning

I am writing to lodge my objection to the above referenced planning application for the formation of a new hotel at the former Hamilton School, 55-57 Queen's Road.
My objection is based upon a number of points.

Conflict with Policy70

The development of a hotel at this site is in conflict with the guidelines stated in Policy 70: West End (Class 4 Business) Policy Area WE70.

This policy favours change of use to business office premises and also residential occupation. In particular I wish to bring attention to item 2. of the Policy which states: **"Proposals for other commercial uses will be treated on their individual merits. Commercial uses which would be in conflict with the residential amenity of householders within and adjacent to the West End area will not be acceptable."**

Noise and Loss of Privacy

The experience of the residents in the area with the two existing hotels has clearly demonstrated that the operation of a hotel in this area results in conflict with the amenity of the householders. The management of these hotels covers the range of possible management types – one, a national chain and the other a small locally owned and managed property. Both have consistently displayed a lack of respect for neighbours or perhaps simply lack of expertise with resultant anti-social behaviour and noise from their guests both from arranged functions and individual guest groups.

There has been a loss of privacy due to the elevated balcony of Malmaison where guests overlook the gardens of residential property and have entertained themselves by taking photographs of properties, shouting abuse at residents, throwing objects and displaying themselves in the nude. The Chester has failed to curb profanity and excessive noise from its outdoor parties and has been unwilling to do so in spite of telephone and face-to-face requests by residents.

There is no truly effective means for residents to stop these anti-social activities at the time or prevent them in future in the absence of courteous cooperation from hotel management. No undertaking from the applicants of the new hotel can ensure that they would respect the amenities of the neighbourhood any more than the existing hotels.. Neither the Council or the Police are equipped to deal with these issues at the time so residents are exposed to sleepless nights. Reporting these incidents at the time by email or after the event has not resulted in cessation of these activities. The Police will attend a residential noise dispute but will not attend a commercial property related complaint. Consequently, residents are left with disturbed sleep and extreme frustration.

Mechanical noise

Modern hotels operate HVAC systems on a continuous 24 hour basis for the comfort level of guest bedrooms and catering ventilation. The Chester as an example operates a system that emits a low

frequency noise. The decibel level may not exceed the illegal limit. However it is an anti-social nuisance at night being especially noticeable on fine evenings.

Traffic

The Council has designated the lane a Cycle Path. Adding vehicular traffic will compromise this use. The traffic issues on the lane have been discussed at length in association with multiple access applications from the Chester

Adding another hotel, particularly one that incorporates parking in the rear of the property would only add to this and offer the Chester grounds for renewed applications. Additional hotel traffic both from guest vehicles or service vehicles will add to the congested and dangerous traffic situation already present in the lane.

Alcohol Licensing

The addition of another licensed premises adjacent to two existing licensed hotels will certainly represent 'oversupply' which will be counter to Council policy.

Surely the experience related above along with additional points define the type of conflict with residential amenity that was considered when creating Policy 70. Unfortunately the Chester and the Malmaison are hotels formed from hotels that existed prior to the creation of the Policy. To approve a new hotel would be a breach of good practice and to ignore the anti-social situation that these hotels generate for residents.

Respectfully,
Isobel Vorenkamp
24 Harlaw Road
Aberdeen

Gavin Evans

From:
Sent:
To:
Cc:

Subject:

Application Reference: 161022/DPP

To: Aberdeen City Council Planning

I am writing to lodge my objection to the above referenced planning application for the formation of a new hotel at the former Hamilton School, 55-57 Queen's Road.

My objection is based upon a number of points.

Conflict with Policy70

The development of a hotel at this site is in conflict with the guidelines stated in Policy 70: West End (Class 4 Business) Policy Area WE70.

This policy favours change of use to business office premises and also residential occupation.

In particular I wish to bring attention to item 2. of the Policy which states: **"Proposals for other commercial uses will be treated on their individual merits. Commercial uses which would be in conflict with the residential amenity of householders within and adjacent to the West End area will not be acceptable."**

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Respectfully,
Mark Vorenkamp
24 Harlaw Road
Aberdeen

Comments for Planning Application 161022/DPP

Application Summary

Application Number: 161022/DPP

Address: The Hamilton School 55-57 Queen'S Road Aberdeen AB15 4YP

Proposal: Formation of new hotel, bar and restaurant including Change of Use of former school, demolition of existing school extension and dwellinghouse (55 Queen's Lane South), and associated infrastructure and landscaping works

Case Officer: Gavin Evans

Customer Details

Name: Mr Nicol Bradford

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objection to Planning Application 161022/DPP (The Hamilton School, Queen's Road) - also sent by email.

I wish to submit an objection to the above subject planning application as detailed below.

The proposed hotel, bar and restaurant would result in yet more disturbance, noise, nuisance and reduction in privacy and amenity for the neighbouring residents and families. There are already ongoing problems experienced from the Chester and Malmaison (particularly issues with noise and privacy) and an additional venue will only increase the nuisance. There is no reason this venue will be any different. In fact the application highlights the proximity of the three restaurants and bars as creating a 'destination'.

The plans show large bar areas and restaurant, with terraces and landscaped areas. These are clearly intended to entertain a large number of people and could be used as a function room or for outdoor dining and entertainment. This is exactly the cause of the previous complaints and objections regarding the other hotels, and is why the presence of two existing venues is not a good reason for a third.

It is unavoidable that such a restaurant and bar will cause disturbance. This will be seven days a week, all day and late into the night. Relying on assurances, conditions or constraints, or on neighbours to complain, is not a satisfactory solution. Contrary to the application this does not minimise the impact on residential neighbours.

The hotel, restaurant and bar will also result in significantly increased disturbance due to car access to the rear of the building. The rear car park will be in use throughout the day by services and guests, all week - early morning and late at night - completely different from the previous school. There is a marked increase in the number of parking spaces at the rear. The vehicle

access into Queens Lane South can be hazardous to pedestrians and such use should not be increased.

From the south the proposed building fills almost the entire elevation and presents a block (particularly when taken together with the Chester and Malmaison) to the view and light. The copper-coloured cladding on the wings is not in keeping with neighbouring buildings.

Gavin Evans

From:

Sent:

To:

Subject:

Planning Application Ref 161022

Dear Sir/Madam

Planning application 161022 (Hotel, Bar, Restaurant and Gym 55-57 Queen's Road)

I am writing in order to strongly object to the above development planned for our residential area.

I would urge you to consider and take account your own Aberdeen City Council policy documents, as well as Scottish Government policy, as you review and consider this planning application. Many of these issues were highlighted in a previous development P111912 (Maryfield Nursing Home Extension) close to the current application which was rejected. Likewise I feel reassured these conditions are in place to protect us, Aberdeen City residents, our local community and residential area.

Whilst there are two hotels on either side of this proposed planning this has certainly not been without loss of amenity to the local residents. Previous overdevelopment was exacerbated by the use of retrospective planning applications and historical licence agreements. Whilst I appreciate each application needs to be taken on its own merit I would urge you to be aware that this would cause an excessive availability of licensed activity with its public bar and the ensuing anti-social behaviour, customer smoking and noise pollution despite all best intentions. Having suffered first hand many of these issues it is important for everyone to reflect on all these issues. As this is a change of use (against council policy which would recommend return to office or residential use) then I would suspect the granting of an alcohol licence would be against policy too. This would be due to locality to nursery, primary and secondary school activity at Albyn School as well as playing fields at Harlaw used regularly by school children and the residential areas.

The grand size and architecture would be out of keeping with the local conservation area. It is grossly oversized and overdeveloped for the feu of land. It is intrusive and overlooks residential properties - looking into rear gardens and bedroom areas. It is essential there would be no outdoor socialising area for drinking, smoking or loitering nor any raised roof terrace due to the significant noise pollution which tends to come with the territory of hospitality and impact for local residents.

I have major reservations with respect to impact on traffic, parking and road safety. Increased numbers of visitor and service vehicles would be accessing the site. We have already experienced issues with regard to rear access for the Chester Hotel and the restrictions placed on these. Current parking and access to this site was for a residential home (which is planned to be demolished) and room for 2-3 vehicles to the rear. The plans have space for an number of vehicles. Further more not having enough parking results in increased congestion on Queen's Lane South and surroundings. There are parking restrictions in the local area but only Mon to Fri and up until 5pm. There is significant demand at the weekend when Harlaw and Rubislaw Playing fields are in use. The accompanying traffic report states the traffic flow calculations were undertaken only Mon to Fri due to the 'business use' of hotels and did not take into account any weekend activity. As you are aware there is an over abundance of hotel spaces and current under occupancy so there is certainly no demand for more hospitality spaces especially when it places huge loss of amenity to the local residents. I suspect we need to improve travel and tourism in Aberdeen which would mean the use of hotel spaces will be under revision and new developments should be directed towards the City Centre as outlined in your own Council Plans. There is an implication for road safety. Queens Lane South is a cycle route and often parents parking to drop their children off at Albyn School use this lane. It is a single lane road with little pedestrian access. Service vehicles and customer traffic would significantly affect safety.

One of the reasons the Chester Hotel does not have rear lane access is to stop revellers making their way home along this road and disturbing residents. There is huge concern that cooperation between hospitality venues and links could allow access between these areas and opening up of parking and Queens Lane South access.

We trust you will regard the development plan and the prevailing policies available at this time. In this instance, it is not considered that the proposal has been designed with due regard for its context, nor would it make a positive contribution to its setting. It would serve significant adverse impact on the amenity of residents at the adjacent properties.

Planning at this stage MUST consider what the purpose of the building is to be and the impact it will have our amenity.

Many thanks for your due consideration.

Best wishes

Mrs Wendy A. Bradford
2 Harlaw Place
Aberdeen AB15 4YW

I would appreciate if my email address is not included in correspondence and kept confidential (thank you)

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Tha Oilthigh Obar Dheathain na charthannas clàraichte ann an Alba, Àir. SC013683.