

Public Document Pack



To: Councillor Boulton, Convener; Councillor Stewart, the Depute Provost, Vice-Convener; and Councillors Allan, Cooke, Copland, Cormie, Greig, MacKenzie and Malik.

Town House,
ABERDEEN 13 January 2022

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in **Council Chamber - Town House on THURSDAY, 20 JANUARY 2022 at 10.00 am**. This is a hybrid meeting and Members may also attend remotely.

Members of the press and public are not permitted to enter the Town House at this time. The meeting will be webcast and a live stream can be viewed on the Council's website. <https://aberdeen.public-i.tv/core/portal/home>

FRASER BELL
CHIEF OFFICER - GOVERNANCE

B U S I N E S S

MEMBERS PLEASE NOTE THAT ALL LETTERS OF REPRESENTATION ARE NOW AVAILABLE TO VIEW ONLINE. PLEASE CLICK ON THE LINK WITHIN THE RELEVANT COMMITTEE ITEM.

MOTION AGAINST OFFICER RECOMMENDATION

- 1.1. Motion Against Officer Recommendation - Procedural Note (Pages 5 - 6)

DETERMINATION OF URGENT BUSINESS

- 2.1. Determination of Urgent Business

DECLARATION OF INTERESTS

- 3.1. Members are requested to intimate any declarations of interest

MINUTES OF PREVIOUS MEETINGS

- 4.1. Minute of Meeting of the Planning Development Management Committee of 9 December 2021 - for approval (Pages 7 - 12)
- 4.2. Minute of Meeting of the Planning Development Management Committee (Visits) of 16 December 2021 - for approval (Pages 13 - 16)

COMMITTEE PLANNER

- 5.1. Committee Planner (Pages 17 - 20)

GENERAL BUSINESS

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS

- 5.2. Land At Tillyoch, Culter House Road - Pre Determination Hearing - 211699 (Pages 21 - 52)

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 6.1. Detailed Planning Permission for the change of use from class 9 (house) to class 8 (residential institution) - 51 Froghall Terrace Aberdeen (Pages 53 - 68)

Planning Reference – 211499

All documents associated with this application can be found at the following link and enter the refence number above:-

[Link.](#)

Planning Officer: Robert Forbes

- 6.2. Detailed Planning Permission for erection of two storey extension with plant room to rear; erection of entrance extension with ramp to front and side; alterations to car parking and landscaping and other associated works - Albyn Hospital Aberdeen (Pages 69 - 108)

Planning Reference – 211019

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Matthew Easton

- 6.3. Listed Building Consent for erection of two storey extension with plant room to rear; erection of entrance extension with ramp to front and side; alterations to car parking and landscaping and other associated works - Albyn Hospital (Pages 109 - 116)

Planning Reference – 211020

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Matthew Easton

- 6.4. Planning Permission in Principle for residential development (79 units) comprising conversion of existing office building and erection of new build and associated infrastructure - site at Quattro House, Wellington Circle Aberdeen (Pages 117 - 168)

Planning Reference – 210973

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Alex Ferguson

DATE OF NEXT MEETING

- 7.1. Thursday 17 February 2022 at 10am

EHRIAs related to reports on this agenda can be viewed [here](#)

To access the Service Updates for this Committee please click [here](#)

Website Address: aberdeencity.gov.uk

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

MOTIONS AGAINST RECOMMENDATION

Members will recall from the planning training sessions held, that there is a statutory requirement through Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 for all planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. All Committee reports to Planning Development Management Committee are evaluated on this basis.

It is important that the reasons for approval or refusal of all applications are clear and based on valid planning grounds. This will ensure that applications are defensible at appeal and the Council is not exposed to an award of expenses.

Under Standing Order 29.11 the Convener can determine whether a motion or amendment is competent, and may seek advice from officers in this regard.

With the foregoing in mind the Convener has agreed to the formalisation of a procedure whereby any Member wishing to move against the officer recommendation on an application in a Committee report will be required to state clearly the relevant development plan policy(ies) and/or other material planning consideration(s) that form the basis of the motion against the recommendation and also explain why it is believed the application should be approved or refused on that basis. Officers will be given the opportunity to address the Committee on the competency of the motion. The Convener has the option to call a short recess for discussion between officers and Members putting forward a motion if deemed necessary.

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 9 December 2021. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Stewart, the Depute Provost, Vice Convener; and Councillors Allan, Cooke, Copland, Greig, Hutchison (as substitute for Councillor Cormie), Macdonald (as substitute for Councillor Malik) and MacKenzie.

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DECLARATIONS OF INTEREST

1. At this juncture, Councillor Hutchison advised that in the interest of transparency, that he was a resident in the local area in relation to item 6.1 on the agenda, 31 St Andrews Street, however lived outwith the neighbour notification area for this application.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 4 NOVEMBER 2021

2. The Committee had before it the minute of the previous meeting of 4 November 2021, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

3. The Committee had before it a planner of future Committee business.

The Committee resolved:-

to note the information contained in the Committee business planner.

31 ST ANDREWS STREET ABERDEEN - 211263

4. The Committee had before it a report by the Interim Chief Officer – Strategic Place Planning, **which recommended:-**

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

9 December 2021

that the application for detailed planning permission for a change of use from class 7 (hotels and hostels) to student accommodation sui generis at 31 St Andrews Street Aberdeen, be approved subject to the following conditions:-

Conditions

1. **Student Accommodation Restrictions/occupancy.** The student accommodation hereby granted planning permission shall not be occupied other than by students. In this case students are defined as those persons attending higher educational institutions within the City of Aberdeen.

Reason: The development is not suitable in planning terms for use as permanent residential accommodation due to the absence of provision of affordable housing, amenity areas, and car parking.

2. **Management Plan.** The student accommodation hereby granted planning permission shall not be occupied unless it is being operated in full accordance with all measures identified within the Management Plan, hereby approved or any other draft submitted to and approved in writing by the planning authority.

Reason - In the interests of ensuring the provision of adequate amenity for occupants of the development and avoiding conflict with nearby uses.

3. **Travel Plan.** The building shall not be occupied unless a Travel Plan for the use hereby approved has been submitted to and approved in writing by the planning authority. The Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. It shall identify measures to be implemented, the system of management monitoring review, reporting and duration of the incorporated measures designed to encourage modes other than the private car. The building shall not be occupied unless the measures set out in its approved Travel Plan have been implemented in full.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

4. **Car Parking.** That the 17 car parking spaces associated with the building shall only be used for purposes relating to the student accommodation hereby granted planning permission and should not be for any other purpose.

Reason: In order to ensure that the spaces are only used for the use hereby approved.

5. **Cycle Parking.** The student accommodation hereby granted planning permission shall not be occupied unless the cycle storage provision, as shown on drawing 4035 101 B and subsequent details shown on drawing 4035 105 and 4035 106, has been implemented in full accordance with said scheme, unless otherwise agreed in writing with the planning authority, and retained in perpetuity.

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Reason: In the interests of encouraging more sustainable modes of travel.

6. **Communal Facilities.** The student accommodation hereby granted planning permission shall not be occupied unless the communal facilities (i.e. cinema, laundry, gym and games area etc.) as shown on the approved basement and ground floors, drawing references 4035 100 B and 4035 101 B or such other facilities as may be approved in writing by the planning authority have been implemented and are thereafter available for use.

Reason: In order to ensure provision of a live street frontage and ensure provision of adequate amenity for occupants.

7. **Waste.** That the building shall not be brought into use unless the communal recycling/food waste/residual waste bin storage area shown on the following drawings, reference 4035 100 B, 4035 101 B, 4035 107 and 4035 108, hereby approved has been provided in accordance with the approved details. Once provided, the communal storage area shall thereafter be permanently retained.

Reason: To ensure that suitable provision is made for the storage of recycling, food waste and residual waste bins.

The Committee heard from Aoife Murphy, Senior Planner, who spoke in furtherance of the application and answered various questions from members.

The Committee resolved:-

to refuse the application unanimously for the following reasons:-

that the application was contrary to Policy H2 of the Aberdeen Local Development Plan and the Technical advice note on student accommodation by virtue of the inadequate size of the student rooms, lack of suitable communal spaces and concerns about security and lack of external amenity space within the development.

LEGGART BRAE (LAND TO THE SOUTH AND SOUTH WEST OF DEESIDE BRAE), ABERDEEN - 201558

5. The Committee had before it a report by the Interim Chief Officer – Strategic Place Planning, **which recommended:-**

that the application for detailed planning permission for the residential development (100 units) with associated landscaping and parking and supporting ancillary infrastructure at land to the south and south west of Deeside Brae, be refused.

The Committee resolved:-

to agree that the application be deferred in order for a site visit to take place on Thursday 16 December 2021.

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BAADS FARM ABERDEEN - 211469

6. The Committee had before it a report by the Interim Chief Officer – Strategic Place Planning, **which recommended:-**

that the application for detailed planning permission for the change of use of land for siting of 2 caravans for a temporary period (retrospective) at Baads Farm Aberdeen, be refused for the following reasons:-

1. The proposed development, which was retrospective in nature, comprised a change of use of land to caravan site for two residential caravans for a period of up to 18 months. No justification had been provided to demonstrate that there were special or exceptional circumstances which would support the need for additional residential accommodation on the Baads Farm site. This was a stand-alone application, which if approved, would allow for the change of use to caravan site and subsequent residential occupancy of that site to occur.

It was the considered opinion of the planning authority that provision of additional residential accommodation on the site would undermine the policies which sought to protect the integrity of the green belt, and safeguard against unsustainable development and suburbanisation of the area. Such development would have an adverse effect on the character of the area and the landscape setting within which the site lay.

The proposal would be contrary to the expectations of Scottish Planning Policy (SPP) and to the requirements of Policy NE2 (Green Belt) and Policy D1 (Quality Placemaking by Design) of the Aberdeen City Local Development Plan. The proposal would address the expectations of Policy NE6 (Flooding, Drainage & Water Quality), and largely comply with those of Policy T2 (Managing the Transport Impact of Development).

2. That the proposal, if approved, would set an undesirable precedent for applications of a similar nature which would result in the proliferation of sporadic, temporary residential accommodation in the green belt, and in turn lead to the erosion of the character of the green belt and further adversely affect the landscape setting of the City.

The Committee heard from Jane Forbes, Planner, who spoke in furtherance of the application and answered questions from members.

The Committee resolved:-

to refuse the application.

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9 December 2021

PRIME FOUR BUSINESS DEVELOPMENT FRAMEWORK - PLA/21/316

7. The Committee had before it a report by the Interim Chief Officer – Strategic Place Planning, which presented an update to the Prime Four Business Park Development Framework and sought approval to consult on the Draft Framework over a six week period.

The report recommended:-

that the Committee –

- a) approve the content of the Draft Prime Four Business Park Development Framework (2021) (Appendix 1)
- b) instruct the Interim Chief Officer Strategic Place Planning to publish the Draft Prime Four Business Park Development Framework (2021) for a 6-week public consultation period; and,
- c) instruct the Interim Chief Officer Strategic Place Planning to report the outcomes of the public consultation on the Draft Framework back to a future meeting of this Committee, within the next 6 months.

The Committee heard from Laura Robertson, Senior Planner, who spoke in furtherance of the report.

The Committee resolved:-

to approve the recommendations.

- **Councillor Marie Boulton, Convener**

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 16 December 2021. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor Boulton, Convener; and Councillors Bell, Cooke, Copland, Donnelly (as substitute for the Vice Convener, Councillor Stewart, the Depute Provost), Greig, MacKenzie, Malik and Radley (as substitute for Councillor Cormie).

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DECLARATIONS OF INTEREST

1. At this juncture, Councillor Radley intimated that she had requested legal advice after the site visit, and had decided to withdraw from the meeting and would take no further part in deliberating or determining the application.

LAND TO THE SOUTH AND SOUTH-WEST OF DEESIDE BRAE ABERDEEN - LEGGART BRAE - 201558

2. With reference to article 5 of the Planning Development Management Committee minute of 9 December 2021, whereby it was agreed that a site visit take place before determination, the Committee had before it a report by the Interim Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for detailed planning permission for the residential development (100 units) with associated landscaping and parking and supporting ancillary infrastructure at land to the south and south west of Deeside Brae, be refused for the following reasons:-

1. That the proposed major housing development neither represents essential infrastructure nor complies with any of the exceptions contained within Policy NE2 (Green Belt) of the Aberdeen Local Development Plan 2017. Policy NE2 makes no provision for residential development of this scale. As such, the development is contrary to Policy NE2 and would represent a significant departure from the adopted Development Plan Strategy. Furthermore, the proposals would erode the character and function of the Green Space Network zoning which covers much of the site and the proposals would therefore be contrary to Policy NE1 (Green Space Network) of the Aberdeen Local Development Plan 2017.
2. That the development would result in the creation of a major housing development on undeveloped greenfield land, resulting in harm and significant change to the localised landscape character of the Burn of Leggart valley, a key part of the City's setting from the South, contrary to Policy D2 (Landscape) of the Aberdeen Local

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

16 December 2021

Development Plan 2017.

3. That the development would reduce capacity and have an undesirable impact on traffic flows on the A92, a major arterial route into the city, due to the signalised junction required to provide vehicular access to the development and pedestrian access to Kincorth. The design of the signalised junction is not acceptable, with the northern central pedestrian island being of an insufficient width. The proposed junction is not related to a strategic transportation link. The proposed second, emergency means of access to the development is inadequate. For these reasons, the development proposal is contrary to Policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan 2017.
4. That the development would not be sited in a sustainable location and does not have safe or quick access by sustainable modes of travel (particularly on foot or by cycle) to essential facilities such as schools and shops which would encourage the use of active travel and is therefore contrary to Policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan 2017.
5. The proposed development was also contrary to the strategic objectives of the Aberdeen City and Aberdeenshire Strategic Development Plan 2020 as it would result in the development of valuable green belt land and would not be sufficiently accessible via sustainable and active modes of travel.

Following the site visit, where Planning Officers showed Elected Members of the Committee around the area, presented relevant scheme drawings and pointed out significant features, the Committee met at the Town House for a hybrid meeting with some Members joining remotely, and heard from Mr Alex Ferguson, Planner, who spoke in furtherance of the application and answered various questions from members.

The Convener moved, seconded by Councillor Donnelly:-
that the application be approved for the following reasons:-

The development was contrary to Policy NE2 (Green Belt) of the adopted Aberdeen Local Development Plan in as far as the proposed housing development does not comply with the exceptions contained within that Policy. Although there was a tension with Policy NE2 it was noted that, the site had been allocated as an opportunity site for 150 homes in the Proposed Aberdeen Local Development Plan 2020 (PALDP) and that allocation represents the final settled view of the Council as to an appropriate land use zoning for the site. This was considered to be a significant material consideration that was considered of sufficient weight to justify a departure from the policy zoning in the adopted ALDP in this particular instance.

The development would be designed and landscaped with due respect for its setting and protect the localised landscape character of the Burn of Leggart valley, in compliance with Policy D2 (Landscape) and NE1 (Green Space Network) of the Aberdeen Local Development Plan 2017.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

16 December 2021

Whilst the new junction would reduce capacity and impact to a certain extent on traffic flows on the A92 the scale and extent of its impact was considered not significant enough to warrant refusal of the application. The design of the signalised junction and emergency access could be made the subject of a suitably worded planning condition and for these reasons, the development proposal was considered compliant with Policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan 2017.

The development would be sited in a sustainable location within a 20 minute walk of the nearest shops and primary school and less than a 400 metre walk from a regular bus service to the City Centre. Improvements to footway links to these facilities could be made the subject of a suitably worded planning condition. The proposal would also achieve the delivery of an aspirational core path as designated in both the adopted and proposed local development plan. The development was considered to be accessible by sustainable and accessible travel options to nearby facilities. In this context the development was therefore considered to be, on balance, compliant with Policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan 2017.

Councillor Cooked moved as an amendment, seconded by Councillor Greig:-
that the application be refused in line with the officer recommendation.

On a division there voted, for the motion (2) – the Convener and Councillor Donnelly– for the amendment (5) – Councillors Bell, Cooke, Copland, Greig and Malik; - absent from the vote (1) Councillor MacKenzie.

The Committee resolved:-

to adopt the amendment and therefore refuse the application.

- **Councillor Marie Boulton, Convener**

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	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
3			20 January 2022						
4	51 Froghall Terrace - 211499	To approve or refuse the application for change of use from class 9 (house) to class 8 (residential institution)		Robert Forbes	Strategic Place Planning	Place	1		
5	Albyn Hospital - 211019/DPP and 211020/LBC	To approve or refuse the erection of two storey extension with plant room to rear; erection of entrance extension with ramp to front and side; alterations to car parking and landscaping and other associated works		Matthew Easton	Strategic Place Planning	Place	1		
6	Quattro House Wellington Circle - 210973	To approve or refuse the application for residential redevelopment of site to form 96 flats with associated car parking and open space		Alex Ferguson	Strategic Place Planning	Place	1		
7	Tillyoch - 211699	Route for Pre Determination Hearing		Aoife Murphy	Strategic Place Planning	Place	1		
8			17 February 2022						
9	Former Cults Railway Station, Station Road Cults - 211587	To approve or refuse the installation of takeaway food kiosk and outdoor seating area		Gavin Clark	Strategic Place Planning	Place	1		
10	36 Raeden Crescent 210972	To approve or refuse the application for the proposed 2 storey extension to the rear		Roy Brown	Strategic Place Planning	Place	1		
11	33 Holburn Street - 201409	To approve or refuse the change of use to from class 1 (shops) to class 3 (food and drink) with hot food take away (sui generis) including installation of vents and 3no. wall mounted air condition units with associated works		Gavin Clark	Strategic Place Planning	Place	1		
12	15 Maberly Street - 210697	To approve or refuse the application for the erection of 17 flats.		Robert Forbes	Strategic Place Planning	Place	1	D	
13	Bank Cottage, 6 Sunnybank Road - 211702	To approve or refuse the application for erection of a shed retrospectively		Jemma Tasker	Strategic Place Planning	Place	1		
14	105 Waterton Road - 211813	To approve or refuse the application for erection of single storey extension with canopy to rear		Jemma Tasker	Strategic Place Planning	Place	1		
15	West Cults Farm - 211490	To approve or refuse the application for erection of dwellinghouse		Dineke Brasier	Strategic Place Planning	Place	1		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
16	536 Great Western Road - 211633	To approve or refuse the application for installation of broadband antenna (retrospective)		Ross McMahon	Strategic Place Planning	Place	1		
17			17 March 2022						
18	Prime Four Development Framework	Updated DF for the remaining part of Prime Four Business Park		Laura Robertson	Strategic Place Planning	Place	1		
19			Future applications to PDMC (date of meeting yet to be finalised).						
20	Orchard Cottage, 1 The Orchard	To approve or refuse the application for replacement windows		Dineke Brasier	Strategic Place Planning	Place	1		
21	OP51, Peterculter - 190314 - likely March	To approve or refuse the proposed residential development including mix of private, affordable and retirement housing consisting of approximately 49 homes with associated access roads and landscaping.		Gavin Evans	Strategic Place Planning	Place	1		
22	Wellington Road Cove - 211072 - likely March	To approve or refuse the application for residential development (27 units)		Robert Forbes	Strategic Place Planning	Place	1		
23	56 Park Road - 211224 - likely March	To approve or refuse the application for erection of 47 flats		Robert Forbes	Strategic Place Planning	Place	1		
24	Millbank House - 211430	To approve or refuse the application for conversion to form 10 flats		Robert Forbes	Strategic Place Planning	Place	1		
25	Former Treetops Hotel site - likely March- 211528	To approve or refuse the residential development of 89 units (including 25% affordable) comprising 54 houses and 35 flats over 3, 4 and 6 storey blocks and associated roads and parking, drainage infrastructure, open space and landscaping.		Matthew Easton	Strategic Place Planning	Place	1		
26	Wallace Tower - DPP and LBC 211613 and 211657 - likely March	To approve or refuse the application for Change of use from residential dwelling (class 9) to mixed use (class 3 and 4) including community cafe and ancillary office accommodation; erection of 2 storey extension to form additional seating areas to cafe; formation of access ramp, external seating area and erection of bin store with associated hard and soft landscaping works		Dineke Brasier	Strategic Place Planning	Place	1		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
27	26 Hollybank Place - 211807 - March at earliest	To approve or refuse the application for demolition of an existing commercial unit and erection of 11 no. residential apartments over 4 storey with associated hard and soft landscaping works		Roy Brown	Strategic Place Planning	Place	1		
28	Aberdeen Local Development Plan 2022 – Draft Aberdeen Planning Guidance: Masterplans and Planning Briefs	This report presents draft Aberdeen Planning Guidance for the Proposed Local Development Plan for approval and consultation.		Andrew Brownrigg	Strategic Place Planning	Place	4 and 5		
29	PRE APPLICATION FORUM - Causewayend Bridge of Don - 201365 - date to be confirmed.	To hear from the applicant in relation to an application for Major residential development of approximately 350 units (at least 25% affordable) with associated infrastructure, open space and landscaping		Gavin Evans	Strategic Place Planning	Place			

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE



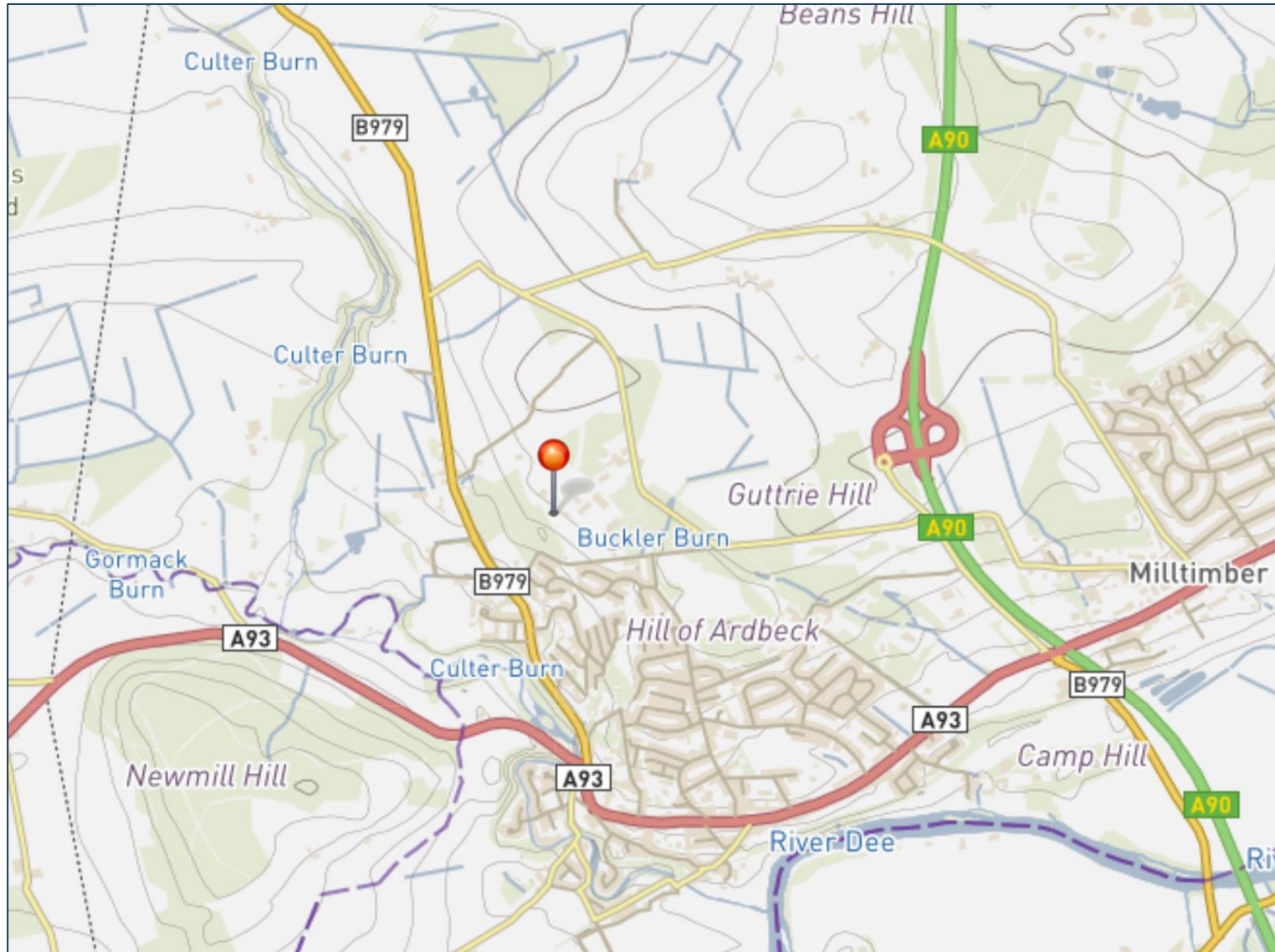
20 January 2021

Residential development (circa 250 units) with associated infrastructure, open space, landscaping and community facilities

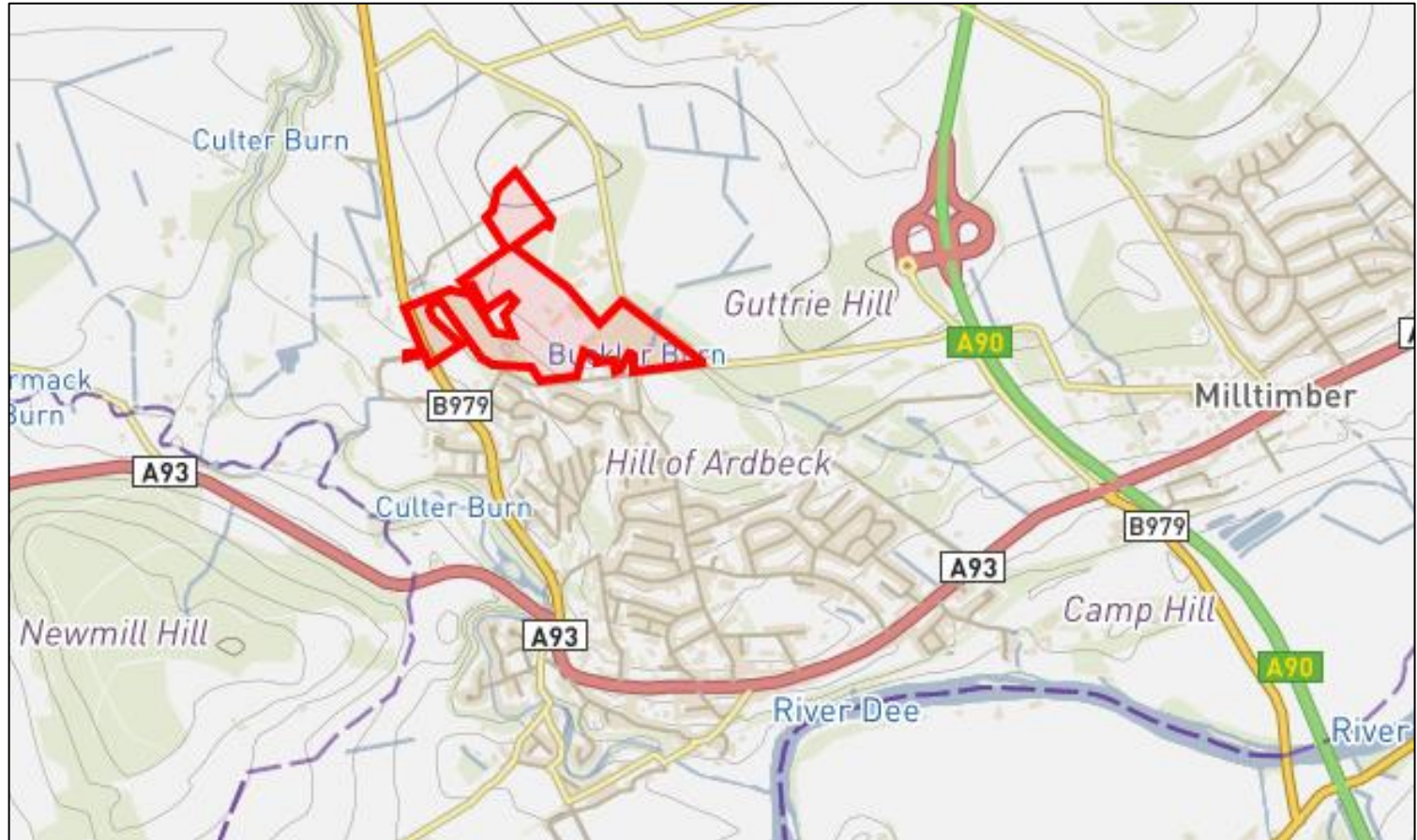
Land At Tillyoch, Culter House Road,
Peterculter, Aberdeen, AB14 0NS

Application reference: 211699/PPP

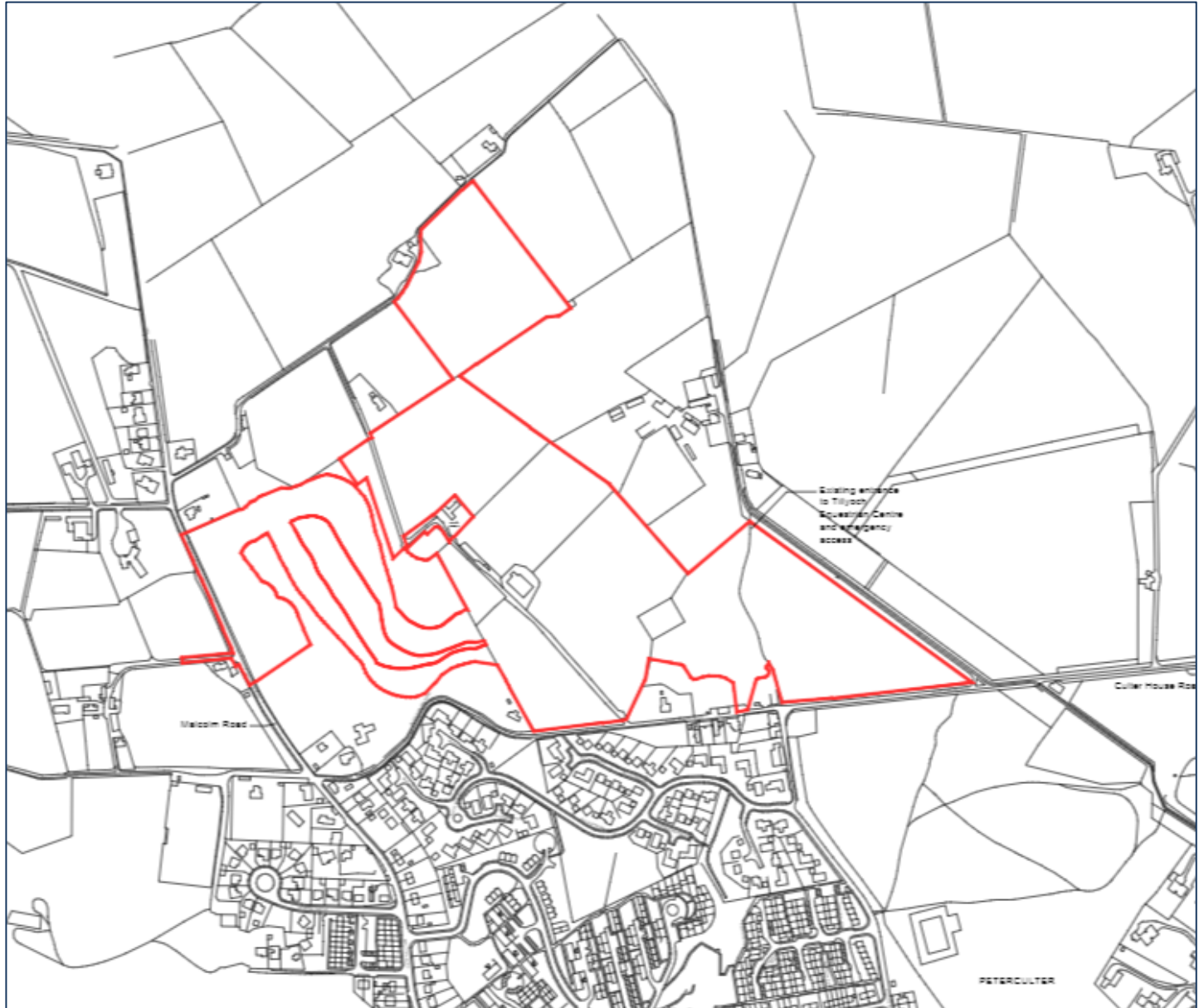
Site Location (GIS) – Wider Context



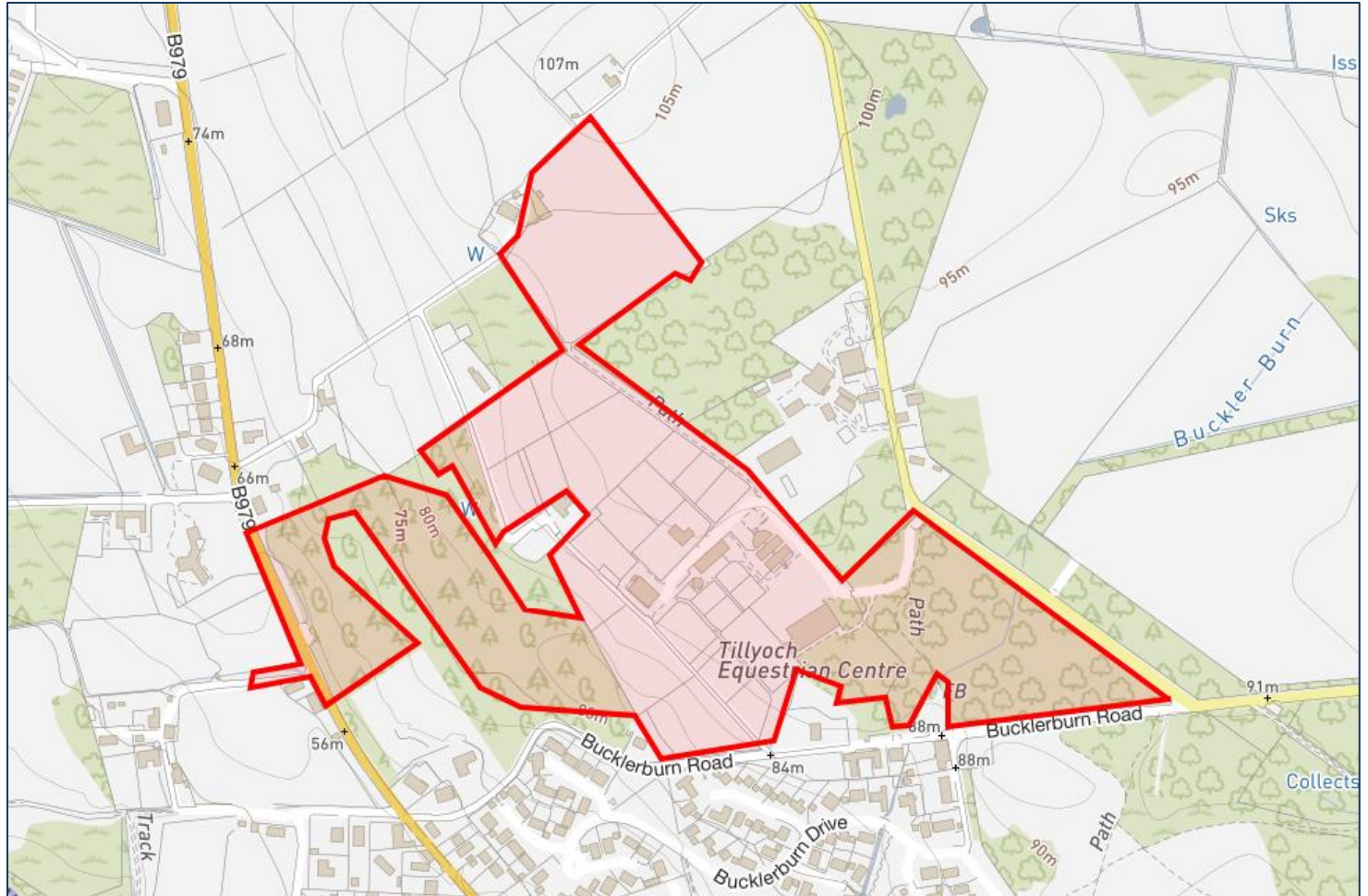
Site Location (GIS) – Wider Context



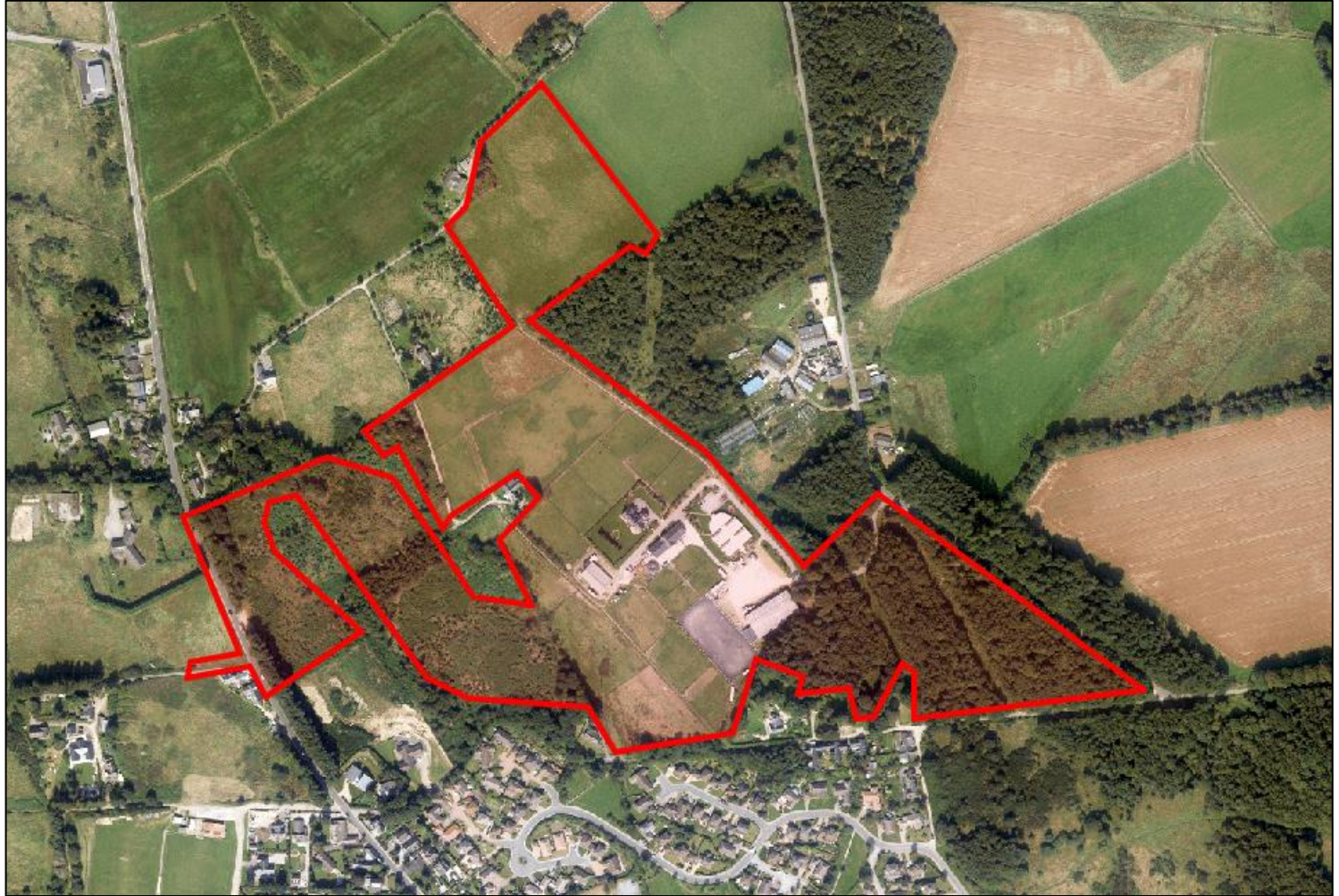
Site Location



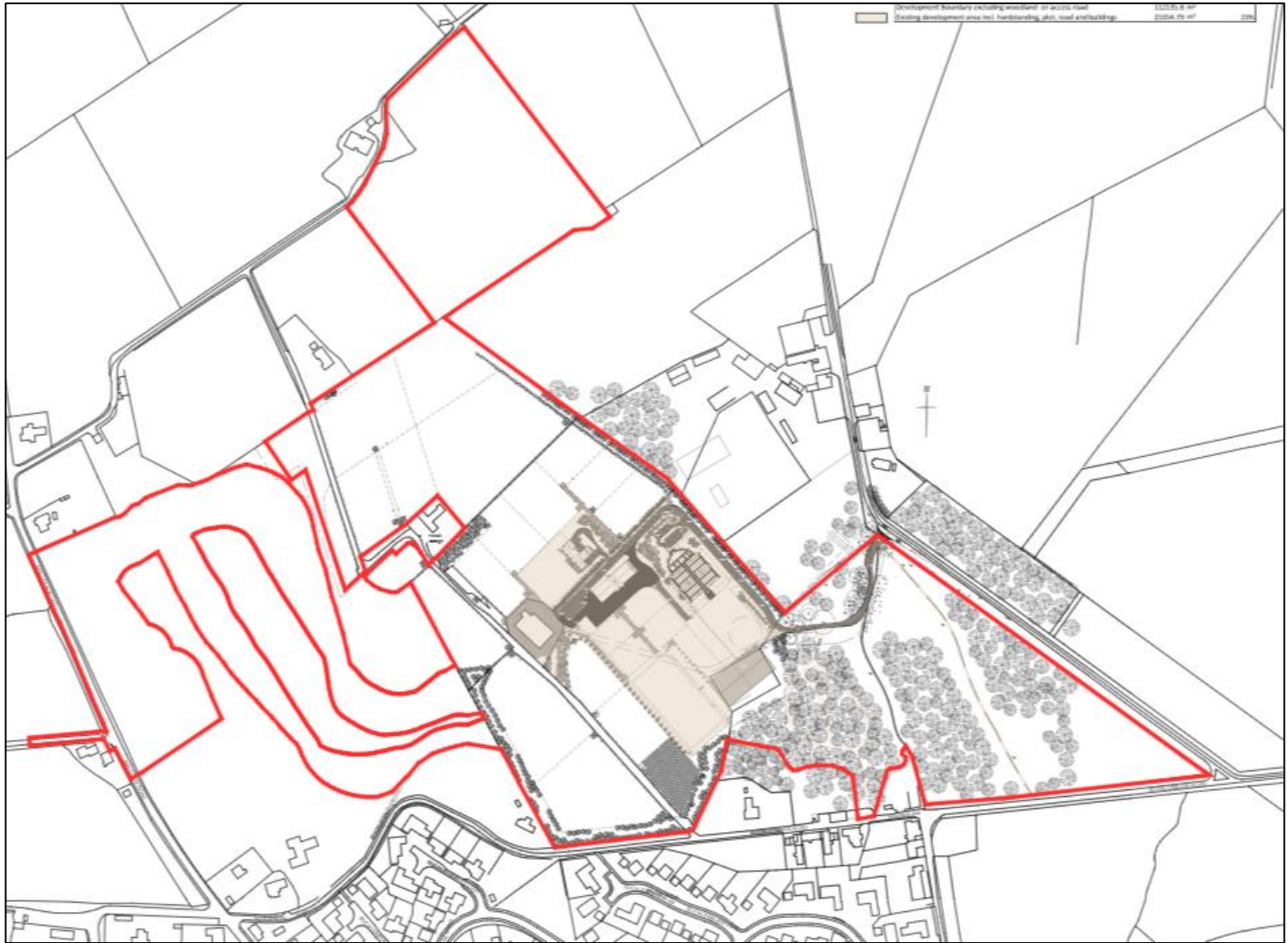
Site Location (GIS) – Site Location



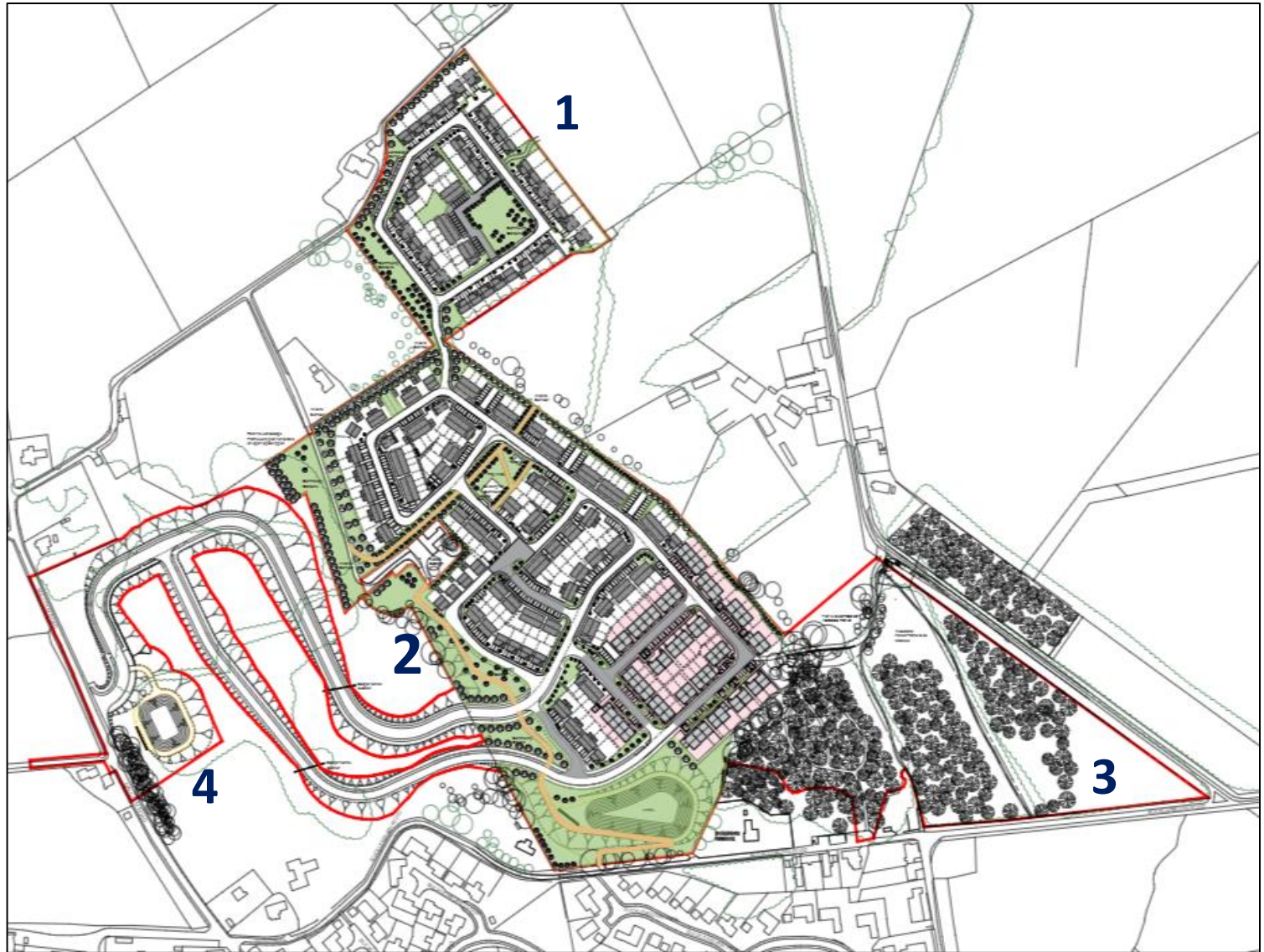
Site Location (GIS) – Aerial



Existing Site Plan



Proposed Site Plan



Proposed Site Plan – Area 1



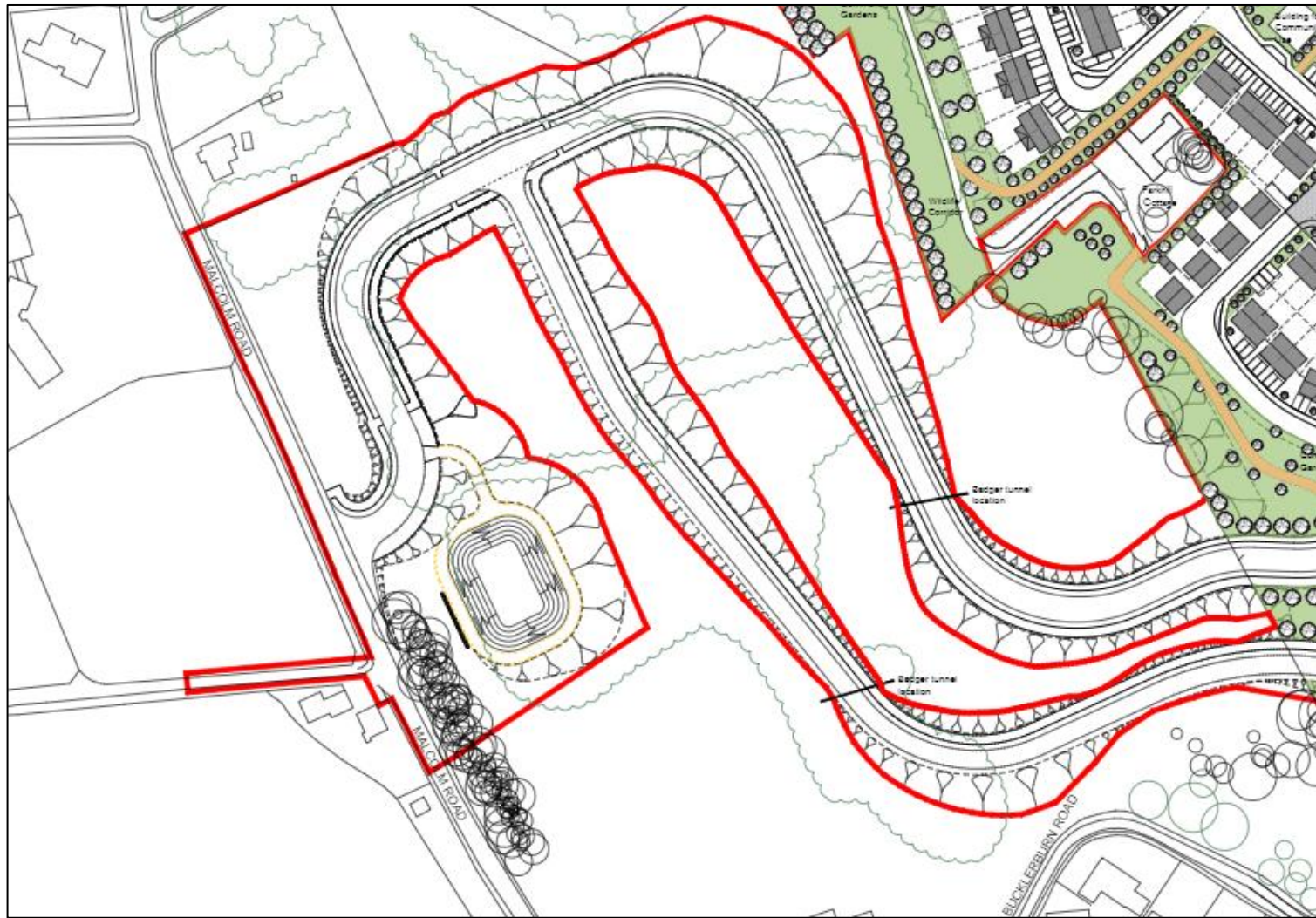
Proposed Site Plan – Area 2



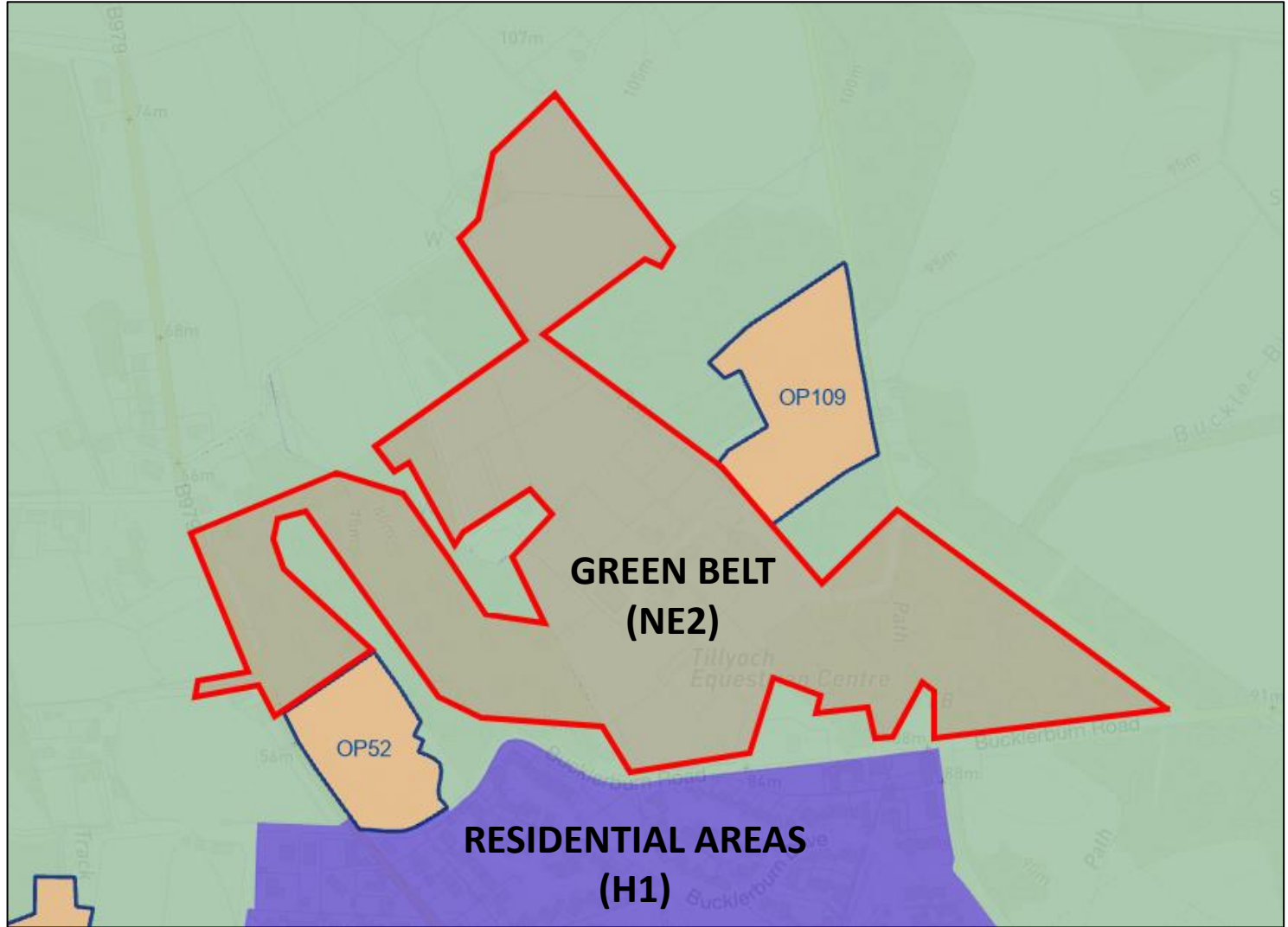
Proposed Site Plan – Area 3



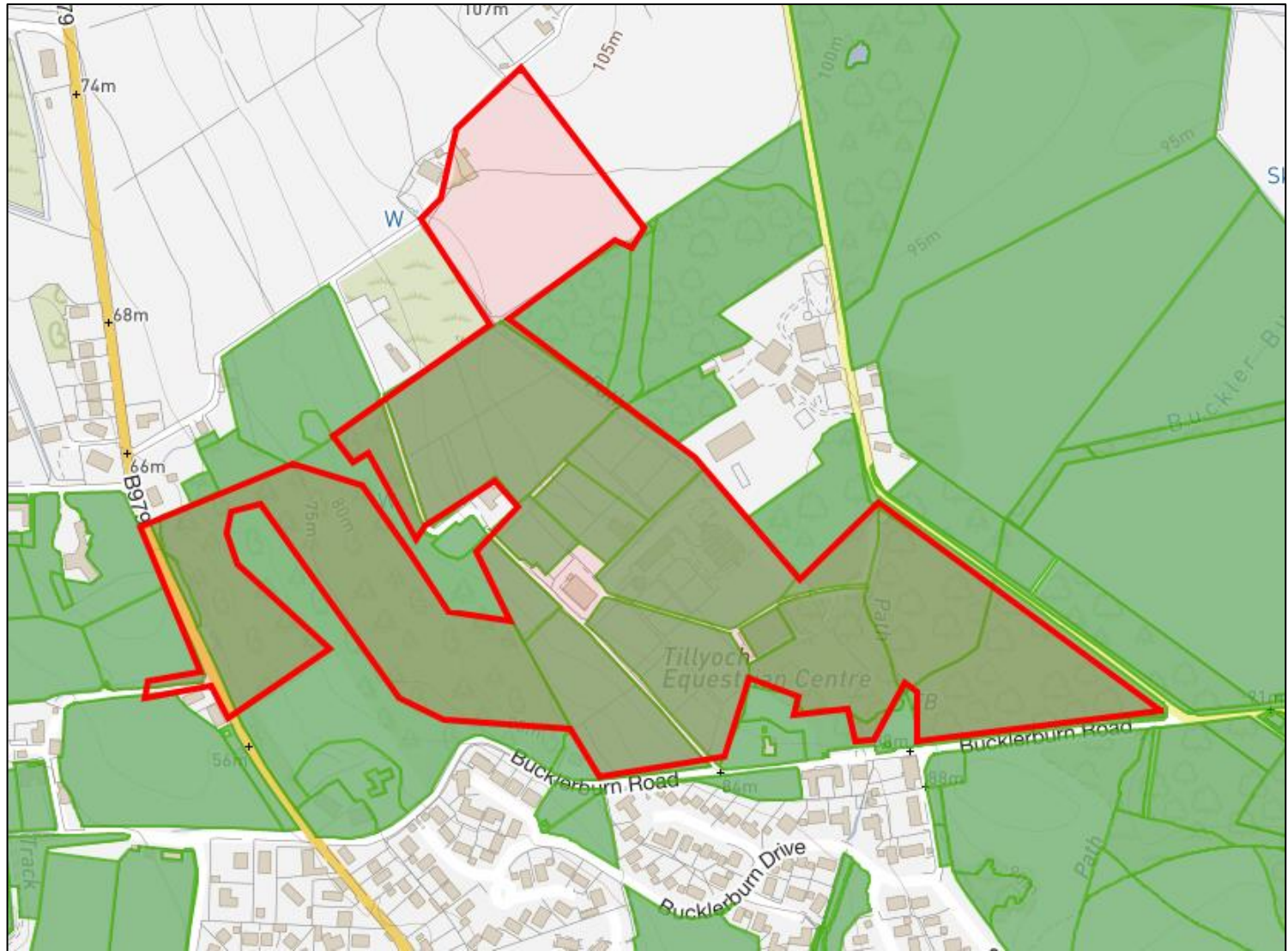
Proposed Site Plan – Area 4



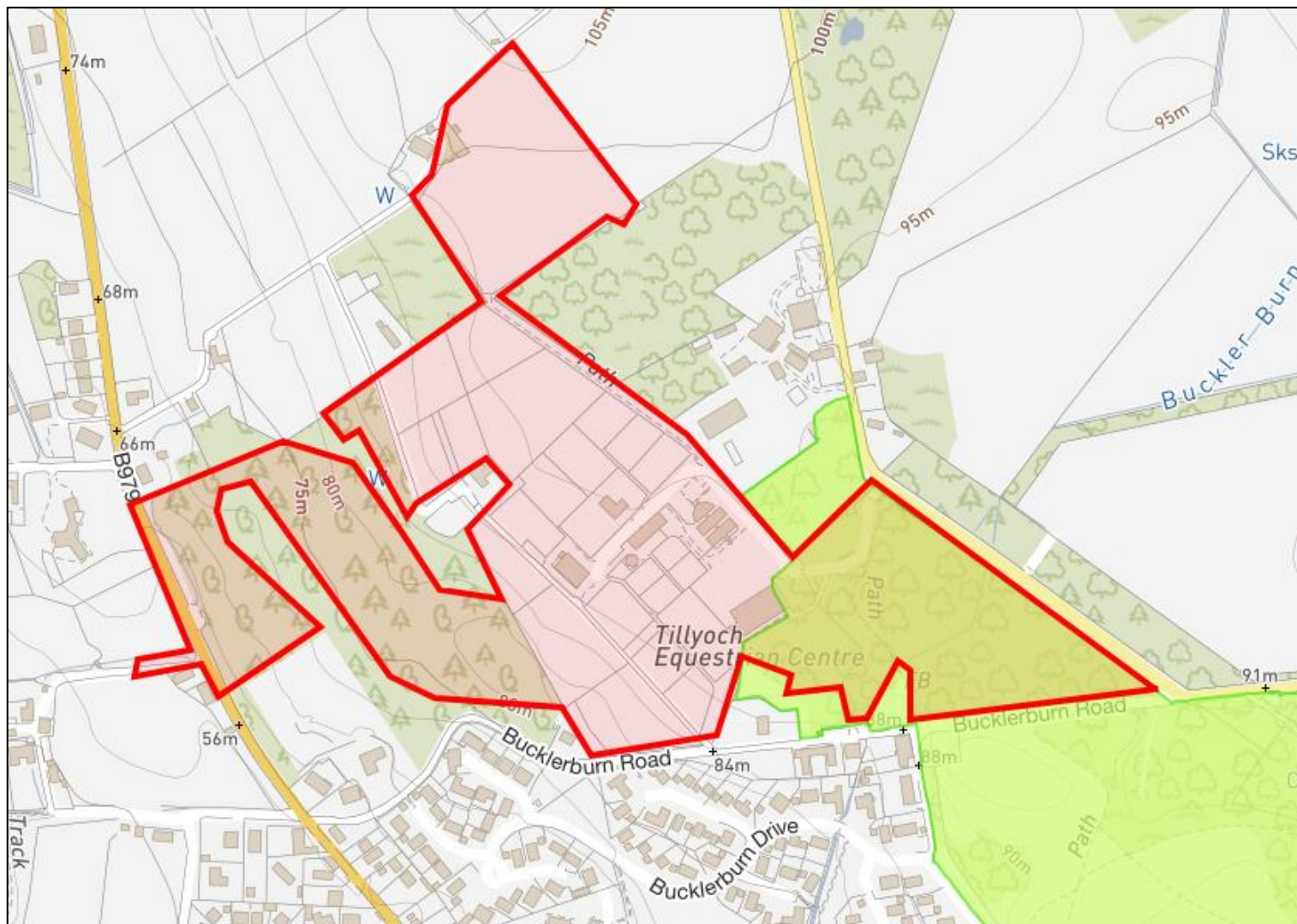
2017 ALDP - Zoning



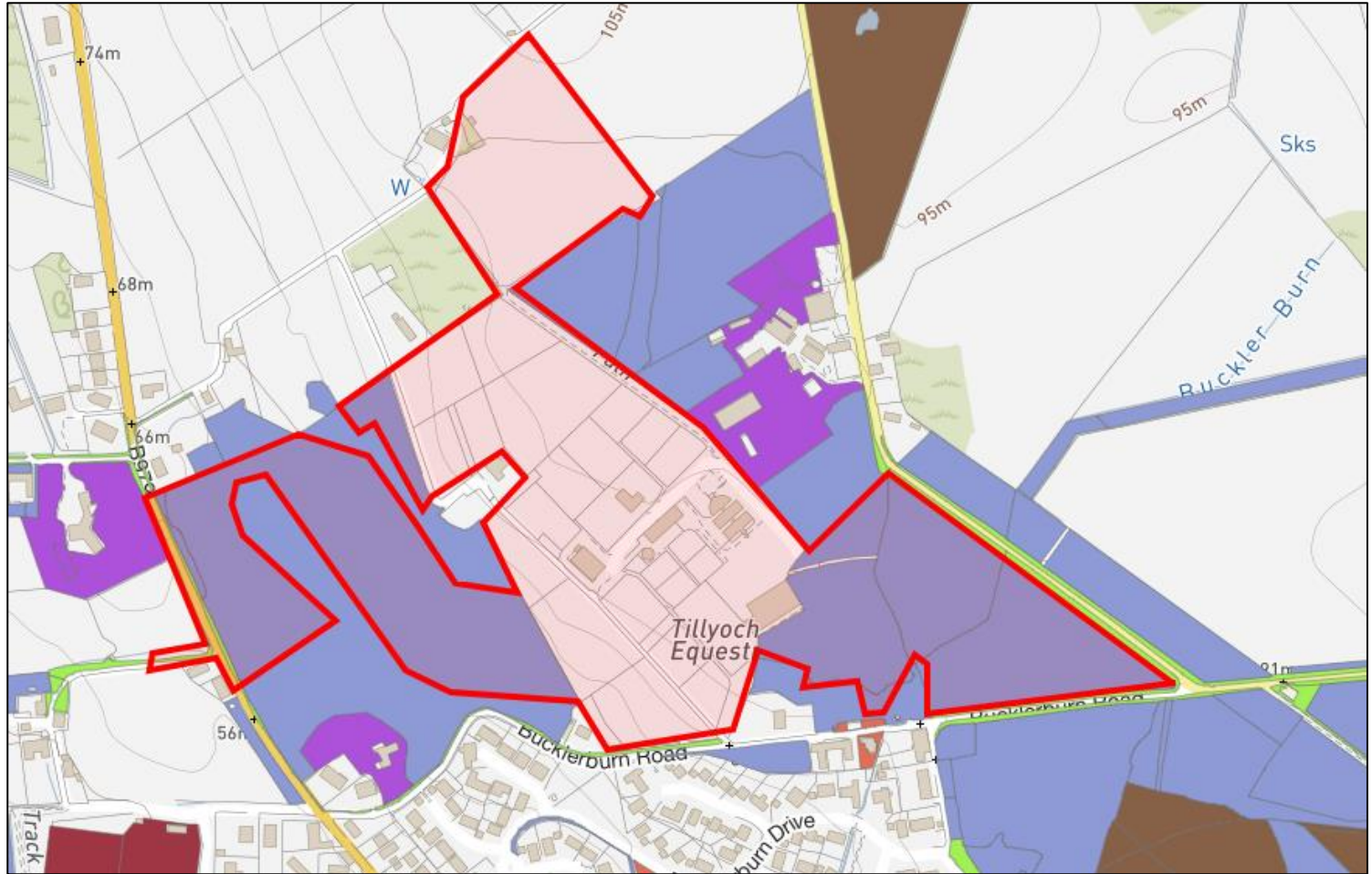
2017 ALDP – Green Space Network



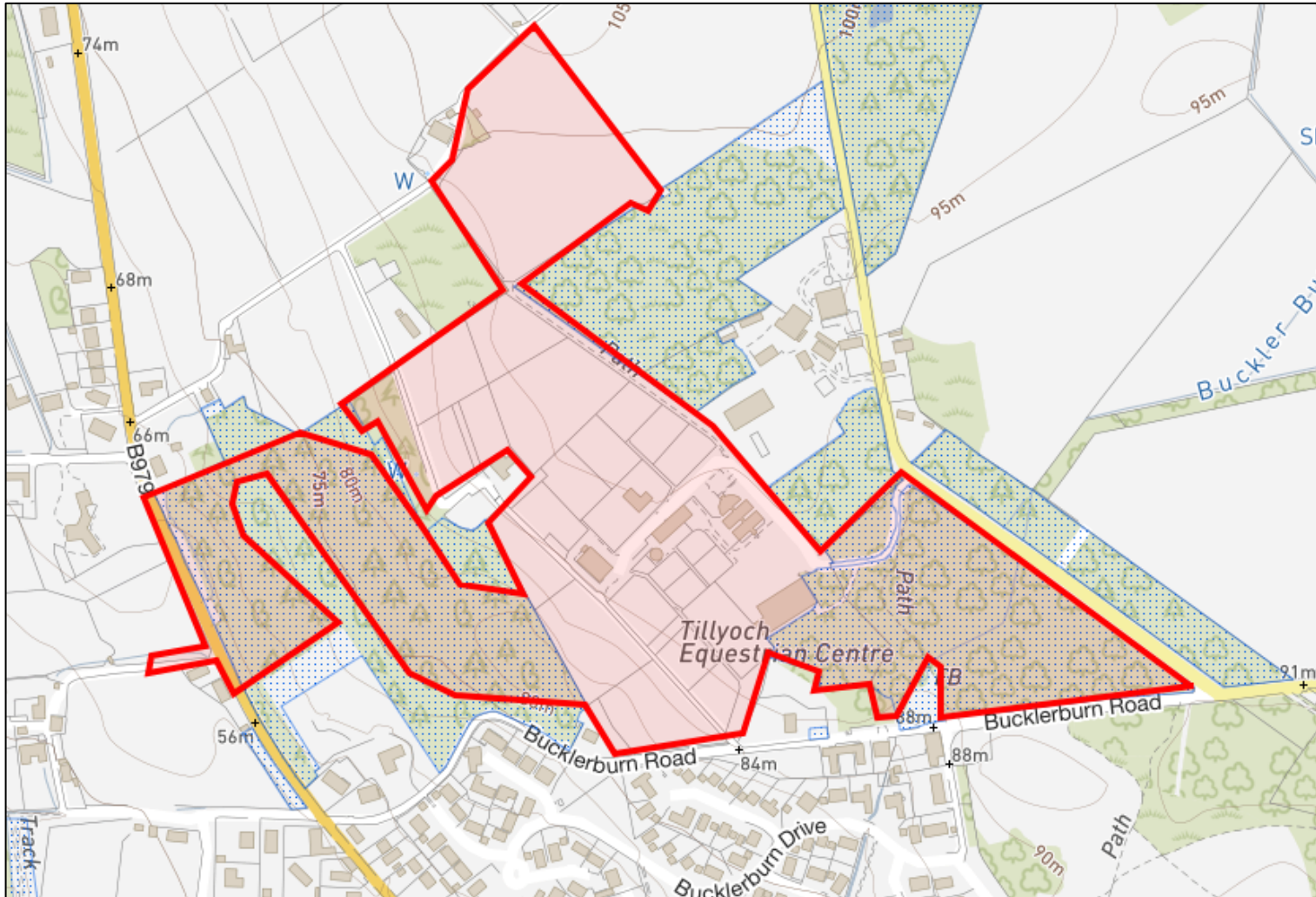
Local Nature Conservation Site



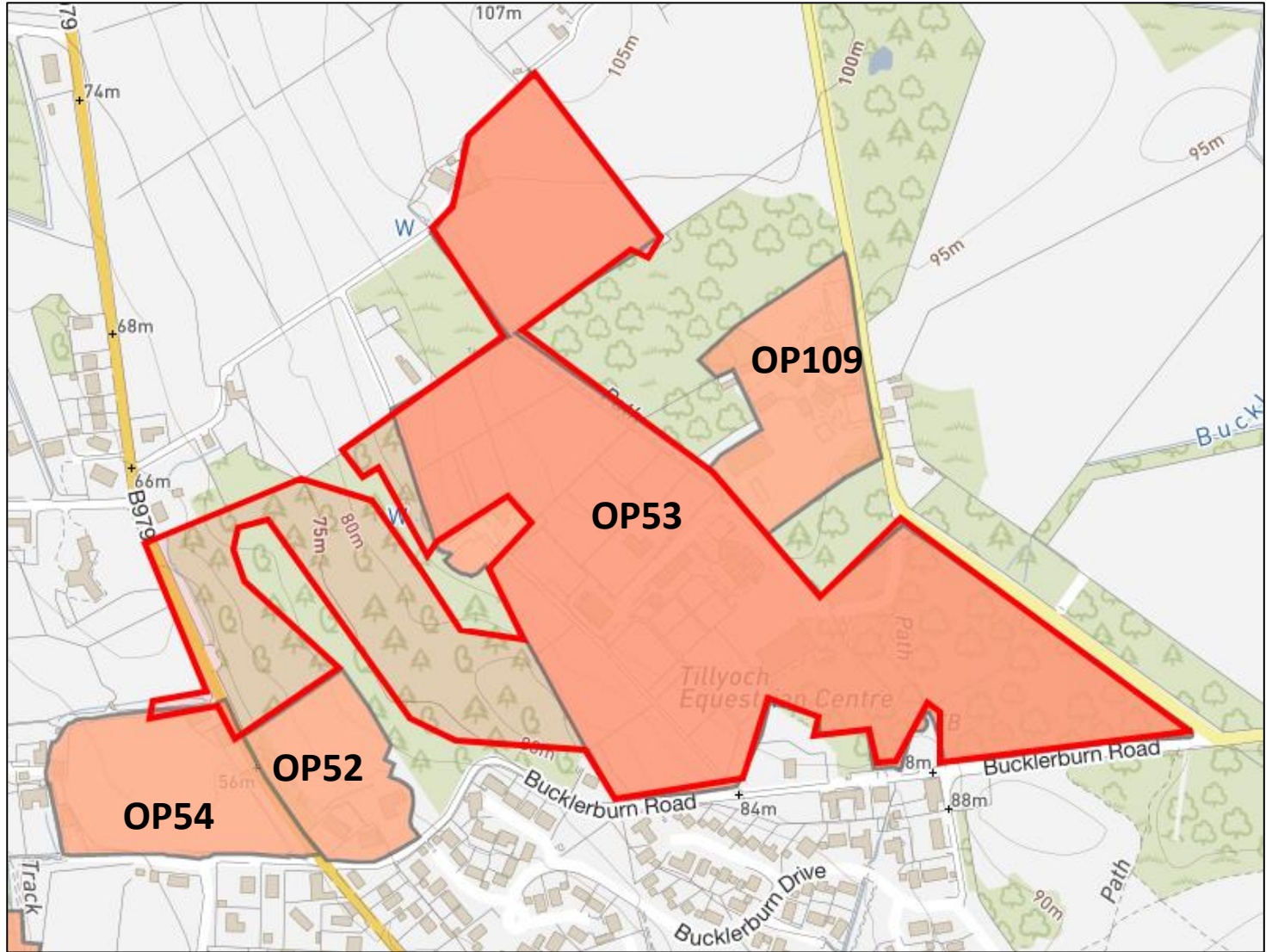
2010 Open Space Audit



Tree Preservation Orders



Proposed ALDP Designations



Site Photo

View towards the western boundary



Site Photos

View of existing paddocks looking east



Aerial Image looking northwest



Aerial Image looking east



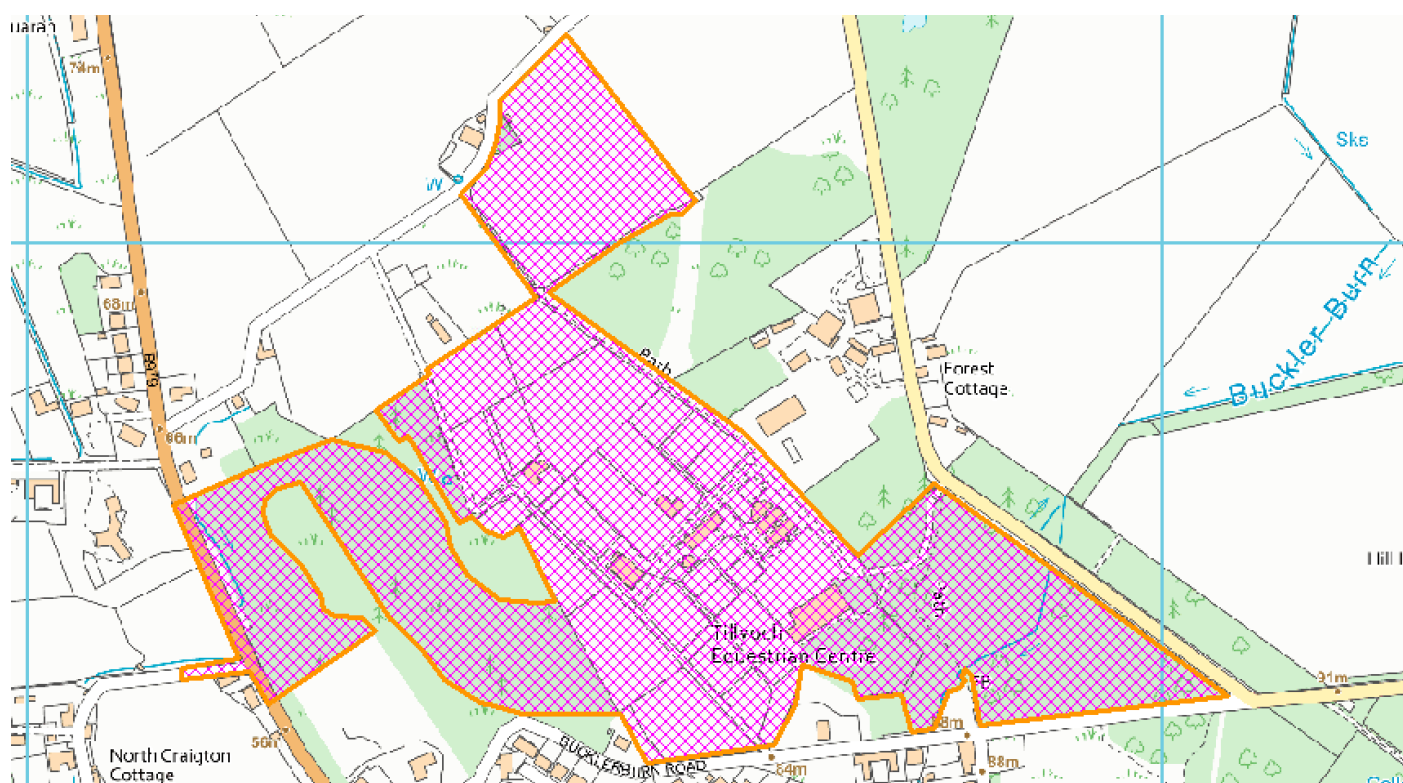


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 January 2022

Site Address:	Land At Tillyoch, Culter House Road, Peterculter, Aberdeen, AB14 0NS
Application Description:	Residential development (circa 250 units) with associated infrastructure, open space, landscaping and community facilities
Application Ref:	211699/PPP
Application Type	Planning Permission in Principle
Application Date:	1 December 2021
Applicant:	First Endeavour (Tillyoch) LLP
Ward:	Lower Deeside
Community Council:	Culter
Case Officer:	Aoife Murphy



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1. PURPOSE OF REPORT

- 1.1 This report considers whether planning application 211699/PPP, which triggers the statutory criteria to require that a Pre-Determination Hearing is held, should be determined by the Planning Development Management Committee or if it would be advisable for the pre-determination hearing and determination to be carried out by Full Council.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 Note the contents of the report; and
- 2.2 Agree that the application be subject of a statutory pre-determination hearing by a special meeting of the Planning Development Management Committee and that the application is then determined at a subsequent scheduled Planning Development Management Committee meeting.

3. BACKGROUND

- 3.1 A report to the 30th April 2020 meeting of the Planning Development Management Committee (report no. GOV/20/087) set out the process to be followed for reporting to this Committee and referral to Full Council where the relevant criteria for Pre-Determination Hearings are triggered. The recommendations of that report were agreed by the Committee.

4. APPLICATION BACKGROUND

4.1 Site Description

The site is located to the west of Aberdeen City, to the north of Peterculter and falling within the City's Green Belt. The site extends to an area of approximately 19.96Ha and encompasses a large area of agricultural land, ancient woodland currently protected by various Tree Preservation Orders (TPO's) and the Tillyoch Equestrian Centre. The site is also designated as Green Space Network and part of the site, located to the south east, falls within the Peterculter Local Nature Conservation Site.

The site is bound by agricultural land, woodland and public roads, including Malcolm Road (B979) to the west, Culter House Road to the east, Bucklerburn Road to the south and an unknown road to the north. A number of residential properties are located in close proximity to the site, including Parkhill Cottage. The northern edge of the built up area of Peterculter lies opposite the site to the south of Bucklerburn Road. Two Local Development Plan 2017 opportunity sites can be found directly to the east and south west of the site, OP109: Woodend for 19 homes and OP52: Malcolm Road for 8 homes, respectively.

While the site is not allocated within the current Aberdeen Local Development Plan 2017, part of it has been identified within the Proposed Aberdeen Local Development Plan 2020, as an Opportunity Site, OP53, as a housing opportunity for 250 houses. The Proposed Plan was agreed by Full Council on 2 March 2020 and is currently undergoing Examination by Scottish Ministers. While the majority of the site and the housing development falls within the boundary of OP53, it is noted that the proposed access road from Malcolm Road falls outwith the boundary and is therefore in the Green Belt in the Proposed Local Development Plan.

4.2 Relevant Planning History

200009/PAN – Proposal of Application Notice for a mixed use development of affordable, council, elderly and accessible housing, home for heroes, care home and relevant community facilities – 10 February 2020.

210936/PAN – Proposal of Application Notice for a major residential development (approximately 250 units) of affordable and private housing with associated infrastructure, open space, landscaping, community facilities and energy centre – 13 July 2021.

211342/ESC – Request for EIA Screening Opinion in relation to proposed major residential development (approximately 250 units) of affordable and private housing with associated infrastructure, open space, landscaping, community facilities and energy centre – EIA Required, 11 October 2021.

211513/ESP – Request for EIA Scoping Opinion in relation to proposed major residential development (approximately 250 units) of affordable and private housing with associated infrastructure, open space, landscaping, community facilities and energy centre – 17 November 2021.

4.3 Description of Proposal

Planning permission in principle is sought for a residential development of 250 units, associated infrastructure, open space, landscaping and community facilities. As the application is for planning permission in principle no finalised details of the proposed buildings, such as elevations and floor plans have been submitted, however, a site plan has been submitted showing an indicative layout of the site. The site can be divided into four sections as follows:

- The northern portion of the site, which would accommodate a small number of detached and semi-detached properties as well as community gardens and open space.
- The main section of the site which would accommodate the majority of the housing including detached and semi-detached properties, terraces and some four in a block flats, a community building as well as open space, play area and wildlife corridors. This section of the site would also accommodate affordable housing provision, equating to approximately 62.5 units and the SUDS area to the south.
- The eastern area incorporates the existing Peterculter Local Nature Conservation Site, however, no development is proposed here, apart from some footpath and wildlife corridor connection proposals.
- The proposed access road, located to the west of the site. A single junction would be located off Malcom Road, with a road extending north before splitting to provide two access roads in to and out of the site itself. A SUDS area is also located just east of the proposed access onto the public road.

4.4 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=R36PQJBZICW00>

- Planning Statement

- PAC Report
- Design Statement
- Environmental Impact Assessment Report
- Environmental Impact Assessment: Non-Technical Summary
- Transport Assessment
- Drainage Assessment & Flood Risk Statement
- Tree Survey Report & Arboricultural Assessment
- Environmental Survey Report

4.5 **Pre-Application Consultation**

This application is accompanied by a Pre-Application Consultation Report, as required by the relevant regulations for all planning applications concerning developments in the major category.

The applicants held a statutory pre-application consultation event virtually due to the ongoing COVID pandemic. Consultation material was available on a dedicated website from 11 August to 1 September 2021 with feedback accepted until the 8 September 2021. The online interactive event was held on the 18 August 2021 from 2 to 8pm with an additional event held on 25 August 2021. The events were advertised in the local press at least 7 days prior to the event. Posters were also delivered and posted to local business and community facilities and notifications were sent to all properties in close proximity to the site as required by the Planning Service. Formal notification of the consultation was also sent to Culter Community Council and Local Ward Members.

Material was displayed on the website along with details of the site and details of the proposed development. Consultation boards were also put on display in local community facilities prior to the online event.

The applicant also presented to the Pre-Application Forum on 30 September 2021, in which details of the housing layout were discussed.

4.6 **Requirement for a Pre-Determination Hearing**

The proposed development is classed a 'major development' in terms of The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. The proposal is considered to be a Significant Departure from the Development Plan by virtue of it being a major residential development located on a site zoned as Green Belt, where Policy NE2 of the Aberdeen Local Development Plan 2017 (ALDP) applies. The site is also zoned as Green Space Network, thus Policy NE1 of the ALDP is also applicable.

Policy NE2 does not allow for residential development, other than house extensions and one-for-one replacement dwellings, therefore the proposal for a major residential development of 250 units is significantly contrary to Policy NE2. The proposed development may also erode the character and function of an area of Green Space Network, contrary to Policy NE1, thus the proposals represent a significant departure from the adopted Development Plan.

Under Regulation 27 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 there is a requirement to hold a Pre-determination Hearing before such applications may be determined.

A previous requirement for such applications to be determined by Full Council has been removed by the recently revised legislation under the Planning (Scotland) Act 2019, and in March 2020 the Council delegated authority for these statutory hearings and determinations

to Planning Development Management Committee as part of the Scheme of Governance review. It is therefore for Members to decide whether the hearing and subsequent determination of this application are conducted in front of Planning Development Management Committee, or whether there are any particular issues that would warrant referral to Full Council in this instance.

The purpose of such hearings is to afford both the applicant and those who have made written representation on the proposed development the opportunity to present their views directly to the Members of the Council.

5. CONSULTATIONS

5.1 A full list of consultations and their responses will be outlined in the subsequent Pre-Determination Hearing Report and Committee/Full Council Report, as a note the following bodies have been consulted:

- Contaminated Land
- Developer Obligations
- Environmental Health
- Structures, Flooding and Coastal Engineering
- Housing Strategy
- Roads Development Management
- Schools Estates Team
- Waste and Recycling
- Aberdeen City and Shire Strategic Development Plan
- Aberdeen International Airport
- Archaeology Service (Aberdeenshire Council)
- Health and Safety Executive
- Historic Environment Scotland
- NatureScot
- Police Scotland
- Scottish Environmental Protection Agency (SEPA)
- Scottish Forestry
- Scottish Water

6. REPRESENTATIONS

6.1 The period for public comments expires on the 24 January 2022 and details of all comments received will be outlined in the subsequent Pre-Determination Hearing Report and Committee/Full Council Report.

However, as of the 6 January 2022, 195 representations have been received with two of those being neutral comments and the remainder raising objections to the proposal.

7. MATERIAL CONSIDERATIONS

7.1 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.

7.2 National Planning Policy and Guidance

- National Planning Framework 3 (NPF3) 2014
- Scottish Planning Policy (SPP) 2020
- Designing Streets (2010)

7.3 Aberdeen City and Shire Strategic Development Plan (2020) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting sustainable economic growth, the need to use resources more efficiently whilst protecting our assets and taking on the urgent challenges of climate change.

7.4 Aberdeen Local Development Plan (2017)

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 T4 - Air Quality

Policy T5 - Noise

Policy B4 - Aberdeen Airport

Policy B6 - Pipelines, Major Hazards and Explosives Storage Sites

Policy H3 - Density

Policy H4 - Housing Mix

Policy H5 - Affordable Housing

Policy CF2 - New Community Facilities

Policy NE1 - Green Space Network

Policy NE2 - Green Belt

Policy NE3 - Urban Green Space

Policy NE4 - Open Space Provision in New Development

Policy NE5 - Trees and Woodlands

Policy NE6 - Flooding, Drainage and Water Quality

Policy NE8 - Natural Heritage

Policy NE9 - Access and Informal Recreation

Policy R2 - Degraded and Contaminated Land

Policy R6 - Waste Management Requirements for New Development

Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency

Policy CI1 - Digital Infrastructure

7.5 Supplementary Guidance and Technical Advice Notes

Landscape

Planning Obligations

Affordable Housing

Transport and Accessibility

Air Quality

Noise

Natural Heritage

Trees and Woodland

Flooding, Drainage and Water Quality

Green Space Network and Open Space

Resources for New Development

7.6 Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will however continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis.

Within the Proposed Plan, the site is allocated as OP53 and zoned as residential and Green Space Network. OP53 Tillyoch, Peterculter, extends to 15.25Ha and is allocated as a housing opportunity for 250 houses. The Proposed Plan also notes the following: *Flood Risk Assessment required. A Habitats Regulations Appraisal is required to accompany development proposals in order to avoid adverse effects on the qualifying interests of the River Dee SAC. As part of this process it is likely a Construction Environmental Management Plan will also be required.*

The Proposed Aberdeen Local Development Plan therefore supports the principle of residential development on part of this site.

The allocation of the site was not proposed by officers through the Main Issues Report (MIR), therefore there were no representations received regarding the site as part of the MIR.

The allocation of the site in the Proposed ALDP at the Full Council meeting on 2 March 2020 attracted a significant number of third-party representations (88 in total including 2 in support) during the public consultation period on the PALDP between May and August 2020.

The following policies of the Proposed Aberdeen Local Development Plan are relevant to this proposal:

Policy WB1 - Health Developments

Policy WB2 - Air Quality

Policy WB3 - Noise

Policy NE1 - Greenbelt

Policy NE2 - Green and Blue Infrastructure

Policy NE3 - Our Natural Heritage

Policy NE4 - Our Water Environment

Policy NE5 - Trees and Woodland

Policy D1 - Quality Placemaking

Policy D2 - Amenity

Policy D4 - Landscape

Policy D5 - Landscape Design

Policy R2 - Degraded and Contaminated Land

Policy R5 - Waste Management Requirements from New Developments

Policy R6 - Low and Zero Carbon Buildings and Water Efficiency
Policy H1 - Residential Areas
Policy H3 - Density
Policy H4 - Housing Mix and Need
Policy H5 - Affordable Housing
Policy CF2 - New Community Facilities
Policy I1 - Infrastructure Delivery and Planning Obligations
Policy T2 - Sustainable Transport
Policy T3 - Parking
Policy CI1 - Digital Infrastructure
Policy B3 - Aberdeen International Airport and Perwinnes Radar
Policy B6 - Pipelines, Major Hazards and Explosives Storage Sites

7.8 **Other Material Considerations**

Housing Land Audit 2020 – Aberdeen City & Aberdeenshire Councils, December 2020

The Housing Land Audit (HLA) illustrates the scale and characteristics of the housing land supply in Aberdeen City and Aberdeenshire. It is used to determine if there is sufficient land available for housing development and also to inform the planning of future infrastructure such as roads, schools and drainage.

Peterculter Local Nature Conservation Site

Part of the site is designated as a Local Nature Conservation Site.

8 DISCUSSION

- 8.1 As described above, following legislative change there is no longer a statutory requirement for applications concerning a significant departure from the Development Plan to be subject to determination by Full Council. The Planning Development Management Committee may therefore opt to determine an application itself, or to refer the matter to Full Council. The agreed procedures require this report to make a recommendation, and it is suggested that relevant factors for consideration in reaching that include: the level of representation attracted by an application; the scale of development proposed; the nature and extent of the resultant departure from the Development Plan.
- 8.2 The scale of the proposal, at 250 units, is such that it represents a 'major development' in terms of the relevant hierarchy of developments. It is however notable that other recent applications of a similar scale and level of objection were considered by the Planning Development Management Committee, rather than being referred to Full Council.
- 8.3 With regards the nature of the departure from the Development Plan, this principally relates to the zoning of the site as Green Belt and the relevant Policy NE2 not providing for residential development of this scale in this location. Whilst this clearly does represent a significant departure from the Development Plan, the site is rezoned as residential land and allocated as an opportunity Site (OP53) for 250 homes in the Proposed Aberdeen Local Development Plan. Although it is noted that while the Proposed Plan remains unadopted at this stage, its content is a material consideration.
- 8.4 Taking into account the scale of the proposal, the level of public representation and the content of the Proposed Local Development Plan, it is considered that the Planning Development Management Committee is equipped to provide the necessary public scrutiny via a statutory Pre-Determination Hearing and determination of the application thereafter, and that referral to Full Council would not be necessary in this instance.

9 NEXT STEPS

- 9.1 A hearing will be arranged in accordance with the Committee's instructions, subject to there being interest in attending from those who have made representation in relation to the application.
- 9.2 Following any hearing, a report will be prepared by officers for Full Council or Planning Development Management Committee (per Committee's instruction). This will include an assessment of the proposed development and make a Recommendation to Members as regards determination of the application.

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE



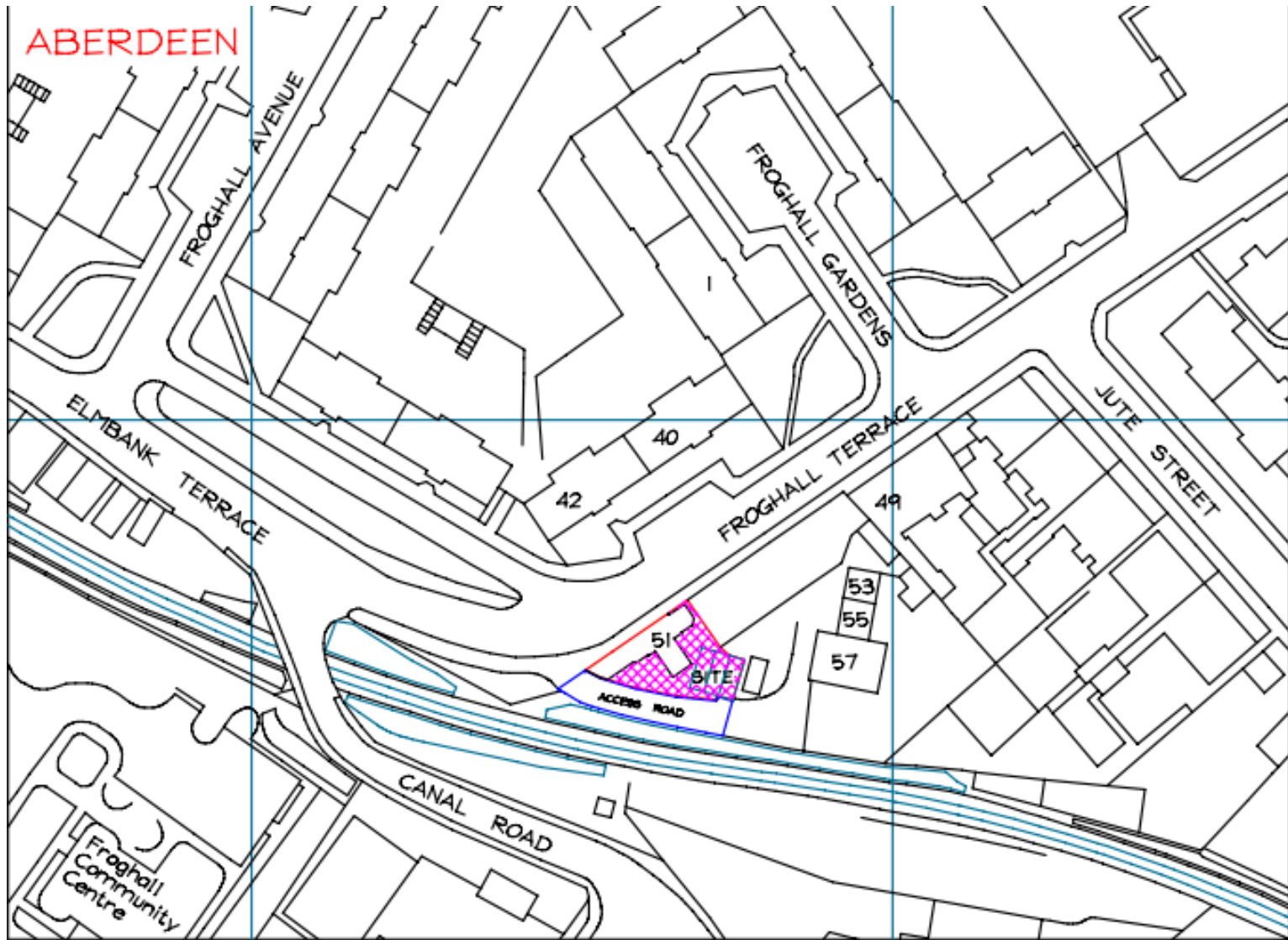
Meeting Date : 20/01/22

Description: Change of use from house (use class 9) to residential institution (use class 8)

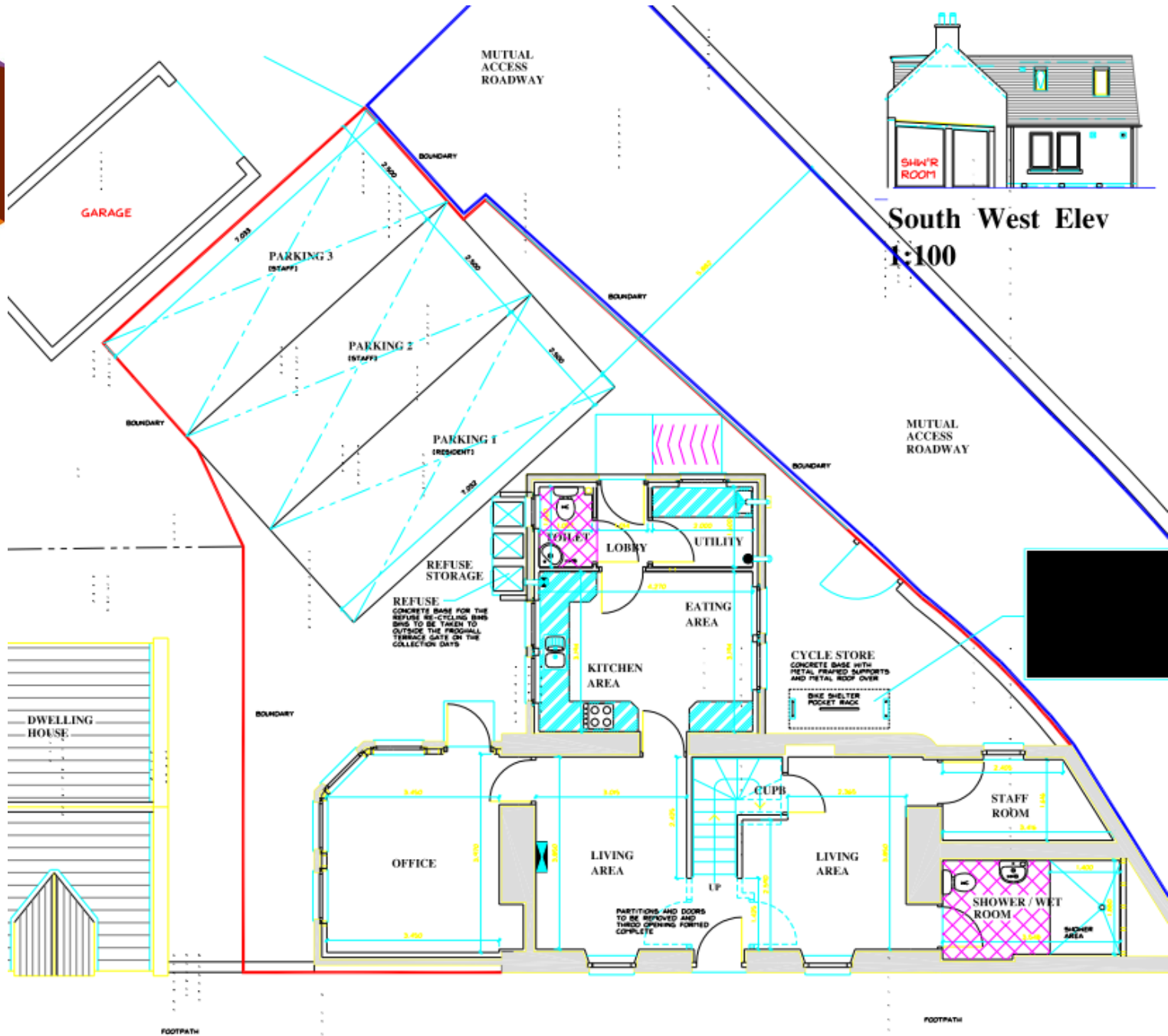
Address: 51 Froghall Terrace

Type of application : Detailed Planning Permission
Application number: 211499/DPP

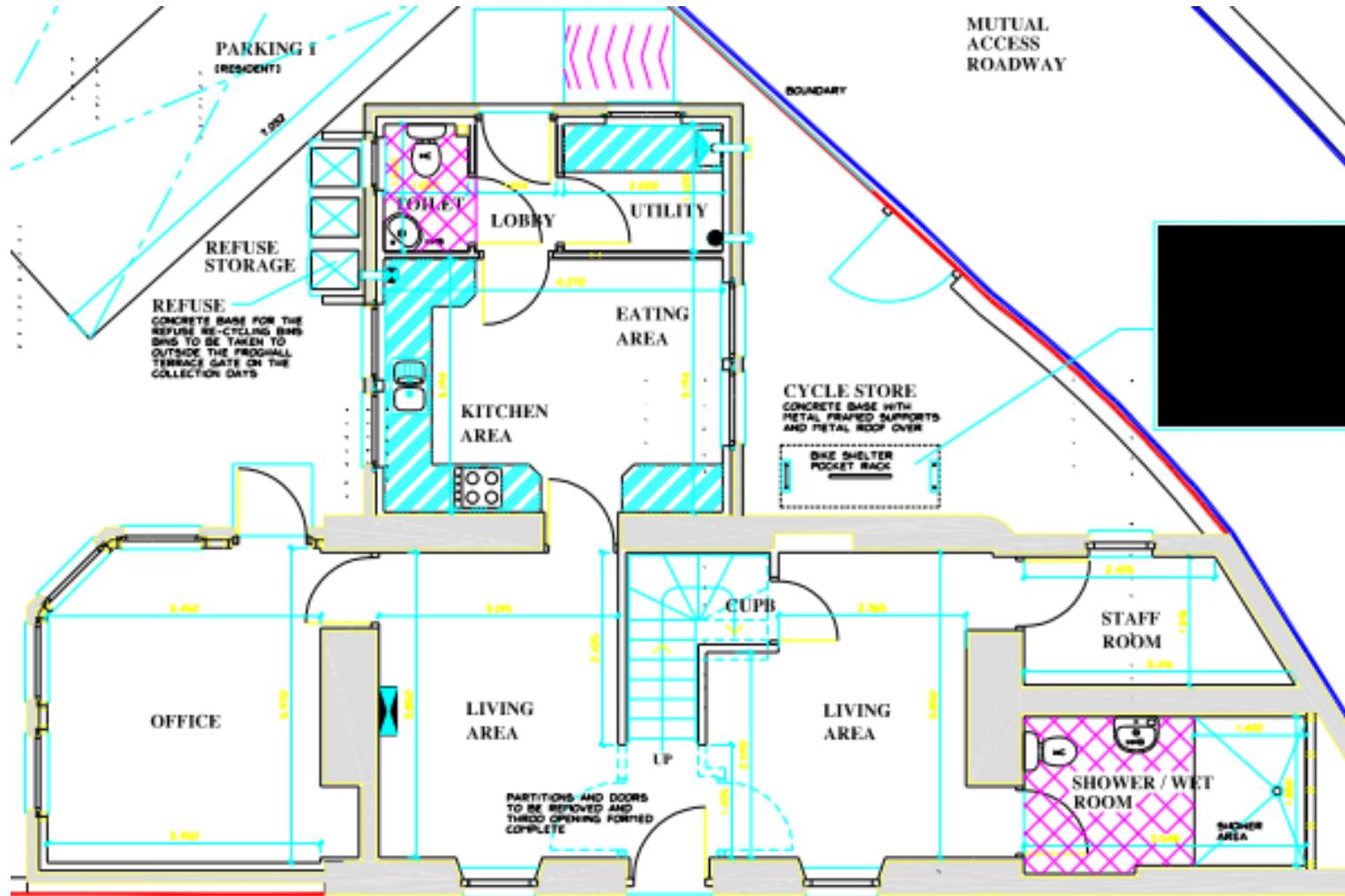
Location Plan



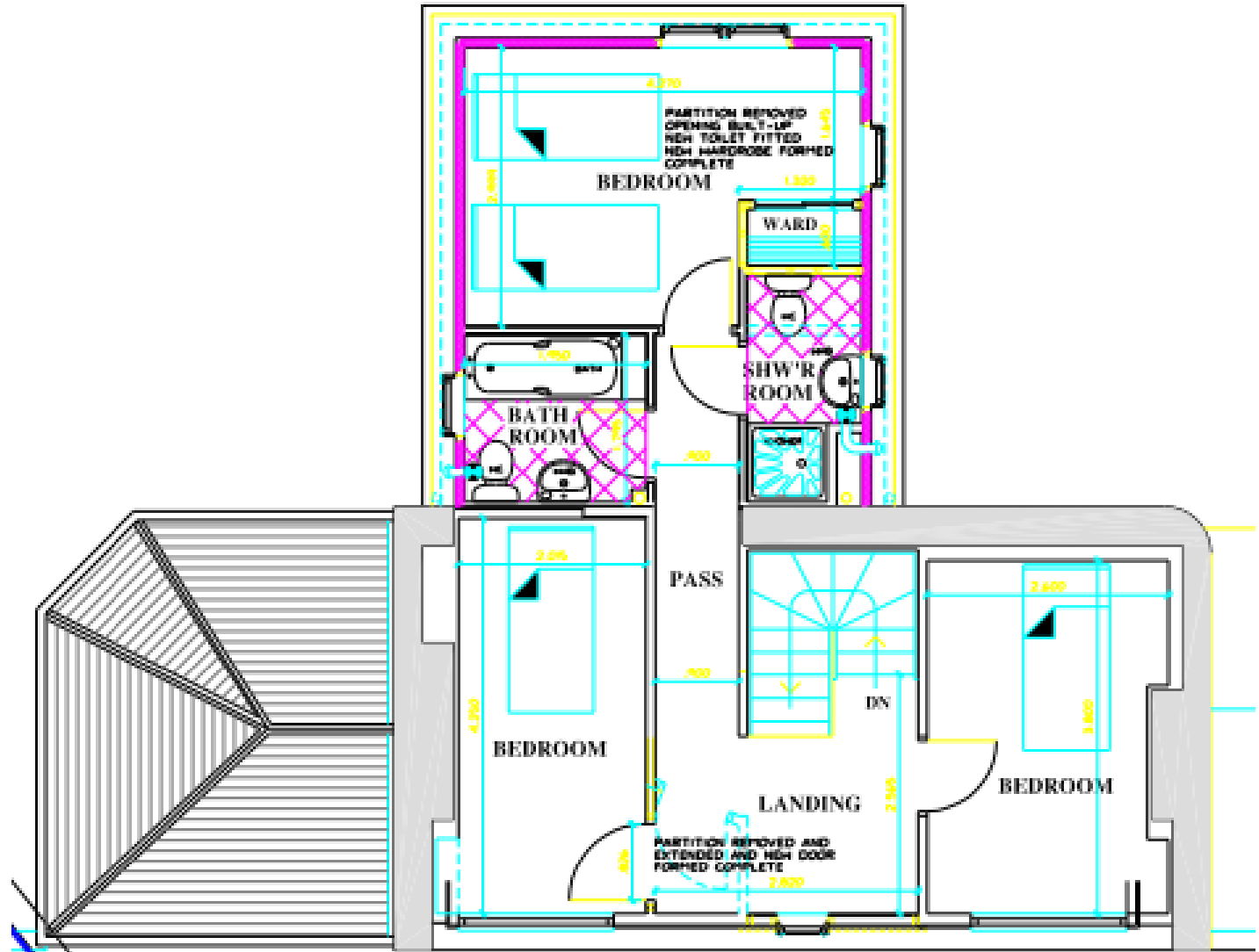
Site Plan



Ground Floor Plan



First Floor Plan



Aerial Photo



Oblique Site Context (looking south)



Oblique site context (looking west)



Front Elevation of site from Froghall Terrace



Mutual Site Access from Froghall Terrace



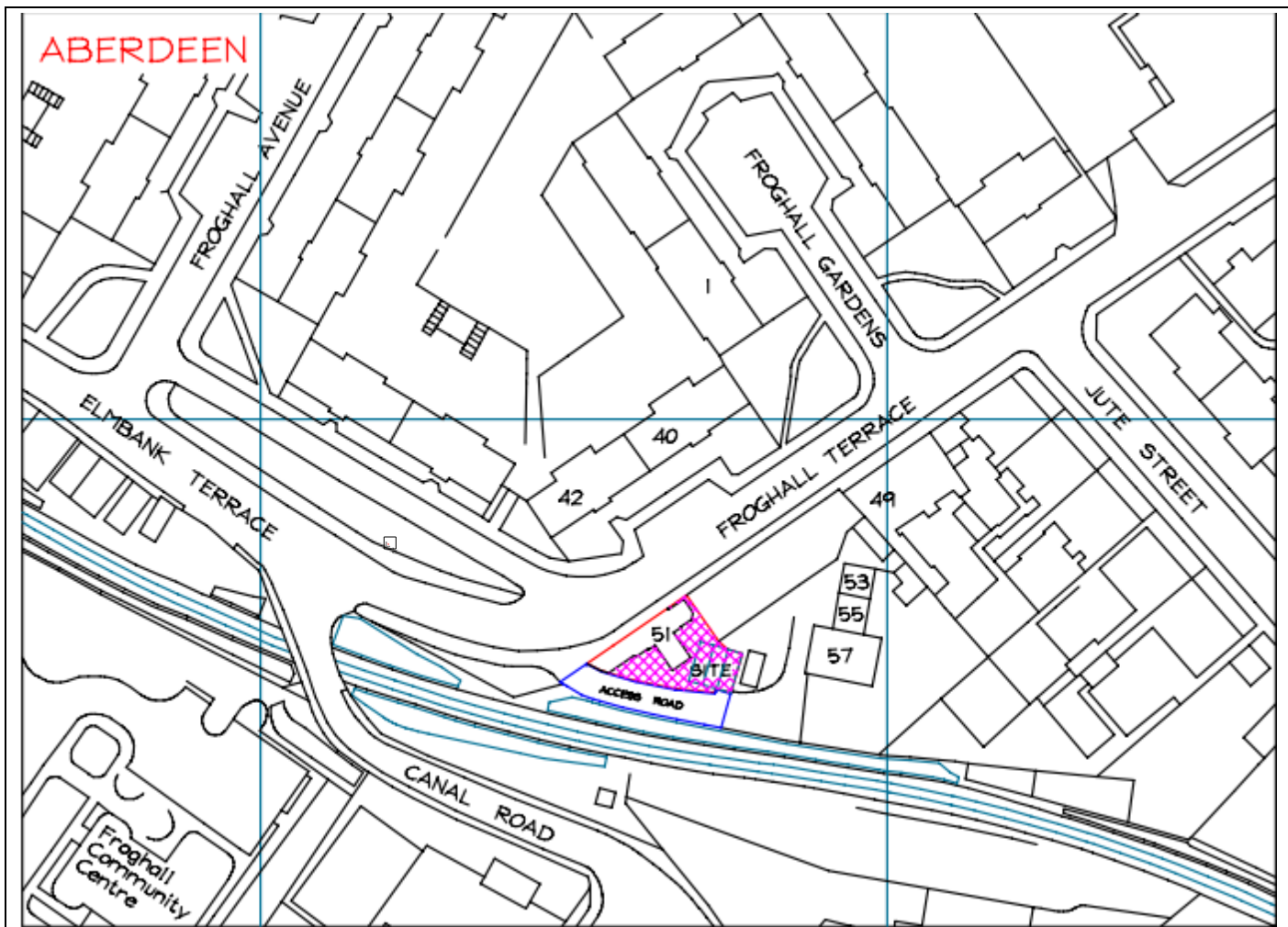


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 January 2022

Site Address:	51 Froghall Terrace, Aberdeen, AB24 3JP,
Application Description:	Change of use from class 9 (house) to class 8 (residential institution)
Application Ref:	211499/DPP
Application Type	Detailed Planning Permission
Application Date:	21 October 2021
Applicant:	Carraig Homes Ltd
Ward:	George Street/Harbour
Community Council:	Froghall, Powis And Sunnybank
Case Officer:	Robert Forbes



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The site comprises a 1 and a half storey traditional cottage of 19th century origin, and associated grounds. The house has been substantially altered / extended by the erection of dormer windows at first floor level and extensions to side / rear. It is harled but retains original granite features (e.g. skews). It fronts onto and is accessed from the street via a mutual driveway with gate at the pavement boundary. The rear garden area contains 3 parking spaces. The site lies in a residential area located close to the city centre. Froghall Community Centre lies near to the site, accessed via Canal Road. Sunnybank Primary lies within walking distance, around 0.3km to the north.

Relevant Planning History

Application Number	Proposal	Decision	Date
021033	Alteration and extension to house	Approved	28.02.02

APPLICATION DESCRIPTION

Description of Proposal

Change of use of the site from a house to class 8 use to allow provision of residential accommodation and care to people in need of care. The premises would have 3 bedrooms located on the upper floor with a shower room and bathroom. The ground floor would include living areas, a dining kitchen, staff room, shower room and office.

No external works are proposed other than the formation of an external covered bike store at the rear of the building, which would not be visible from the street.

Amendments

Provision of bike and bin storage on site.

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=R18CCGBZH3W00>

- Supporting Statement

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the Local Community Council object to the proposal.

CONSULTATIONS

ACC - Roads Development Management Team – No objection.

ACC - Waste and Recycling – No objection. Recommend that a condition is attached regarding provision of wheelie bins on site. Provide advice regarding the provision of refuse and recycling storage facilities for the use (a total of 9 domestic wheelie bins).

Froghall, Powis and Sunnybank Community Council – Express concerns regarding the potential occupation of the site by adults requiring supervision. Consider that the property is inadequate for the proposed use.

REPRESENTATIONS

None

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.

Class 8 (Residential Institutions) is defined in The Town and Country Planning (Use Classes) (Scotland) Order 1997 as use-

(a) for the provision of residential accommodation and care to people in need of care other than a use within class 9 (houses);

(b) as a hospital or nursing home; or

(c) as a residential school, college or training centre.

National Planning Policy and Guidance

Scottish Planning Policy 2014 (SPP) expresses a presumption in favour of development which contributes to sustainable development

Aberdeen City and Shire Strategic Development Plan 2020 (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

Aberdeen Local Development Plan 2017 (ALDP)

H1: Residential Areas

D5: Our Granite Heritage

T2: Managing the Transport Impact of Development

T3: Sustainable and Active Travel

R6: Waste Management Requirements for New Development

ALDP Supplementary Guidance (SG)

Transport and Accessibility SG

Resources for New Development SG

Proposed Aberdeen Local Development Plan 2020 (PALDP)

The PALDP was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and it has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The PALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The ALDP will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in

relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis.

EVALUATION

Principle of Development

The proposed use is residential in character and appropriately provided within a residential area, such that there would be no conflict with the objectives of ALDP policy H1. It would be sustainably located in the residential area such that occupants would have convenient access to relevant supporting facilities / services in accordance with the objectives of SPP and ALDP policy T3. The proposal does not raise matters of strategic or cross boundary significance such that the SDP is of limited relevance in this case. Other detailed policy considerations are addressed below.

Design Considerations

No external works to the building are proposed and the bike store would not be visible to the public, such that there would be no adverse impact on visual amenity. The reuse of a historic granite building, albeit substantially altered and extended using modern materials, accords with the objective of ALDP policy D5 and sustainable development objectives.

Transport

The site is suitably and sustainably located in the built-up area such that occupants would have convenient access to relevant supporting facilities / services (e.g. nearby community facilities / schools / shops) in accordance with the objectives of SPP and ALDP policy T3. A condition can be imposed to ensure the provision of cycle parking on site for staff in compliance with ALDP policy T2 and associated SG. It is noted that ACC Roads Service consider the level of car parking that would be provided on site to be appropriate.

Bin Storage

The proposal has been amended to address ACC Waste Service's original objection regarding waste storage for the development and now demonstrates compliance with ALDP policy R6 and related guidance. Sufficient space exists within the site to enable provision of wheelie bins at the rear of the building and it is considered that the proposed use would not generate significantly more waste than the existing authorised use as a house. It is anticipated that the bins would be presented to the kerbside by resident staff, as would currently happen, and no additional physical works are required to enable this. It is therefore considered that there are no grounds for refusal of the change of use on the basis of waste generation.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the PALDP substantively reiterate those in the ALDP and the proposal is acceptable in terms of both Plans for the reasons previously given.

Other Concerns Raised in Objection

Whilst the Community Council has expressed concerns regarding the potential occupation of the site by adults, the specific nature of the operation intended is that care would be provided to children. However, in terms of the Use Class which the premises would operate within (i.e. Use Class 8 - residential institution), such care could potentially also be provided to adults, should the precise operation of the premises change in the future, as part (a) of use Class 8 does not distinguish between adults and children. The applicant is not required to specify any particular group of individuals that care would be provided for. Although the applicant has indicated that he would accept a condition would restricting the nature of the care operation, as recognised above,

there is no planning policy basis for seeking to restrict the occupation of the site. Whilst the Community Council does not wish adults requiring supervision being accommodated at the site, such an approach would be contrary to the wider objective of care in the community. It is considered that no weight should be afforded to such comments. Provision of care in the community is a long-established wider function of health and social services which is regulated by other (non-planning) legislation. It is not therefore appropriate to seek to duplicate such controls by use of planning condition / legal agreement.

Whilst the Community Council consider that the property would be inadequate for the requested use, they provide no explanation for that opinion. The submitted drawings clearly indicate that appropriate living and support facilities would be provide for occupants and staff within the building and adequate space for bin storage and proposed cycle storage exists on site.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed use is residential in character and appropriately provided within a residential area, such that there would be no conflict with the objectives of Aberdeen Local Development Plan 2017 (ALDP) policy H1: Residential Areas. It would be sustainably located in the built-up area such that occupants would have convenient access to relevant supporting facilities / services in accordance with the objectives of Scottish Planning Policy and ALDP policy T3: Sustainable and Active Travel. The retention and reuse of the granite building on the site complies with the objective of ADLP policy D5: Our Granite Heritage. The proposal has been amended to address ACC Waste Service objection regarding waste storage for the development and now demonstrates compliance with ALDP policy R6: Waste Management Requirements for New Development. A condition can be imposed to ensure compliance with ALDP policy T2: Managing the Transport Impact of Development.

CONDITIONS

1. Cycle Storage

The use hereby approved shall not take place unless details of the proposed secure cycle storage on site has been submitted to and approved in writing by the Planning Authority and such facilities have been made available for use by occupants.

Reason: In order to promote sustainable transport methods.

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Planning Development Management Committee

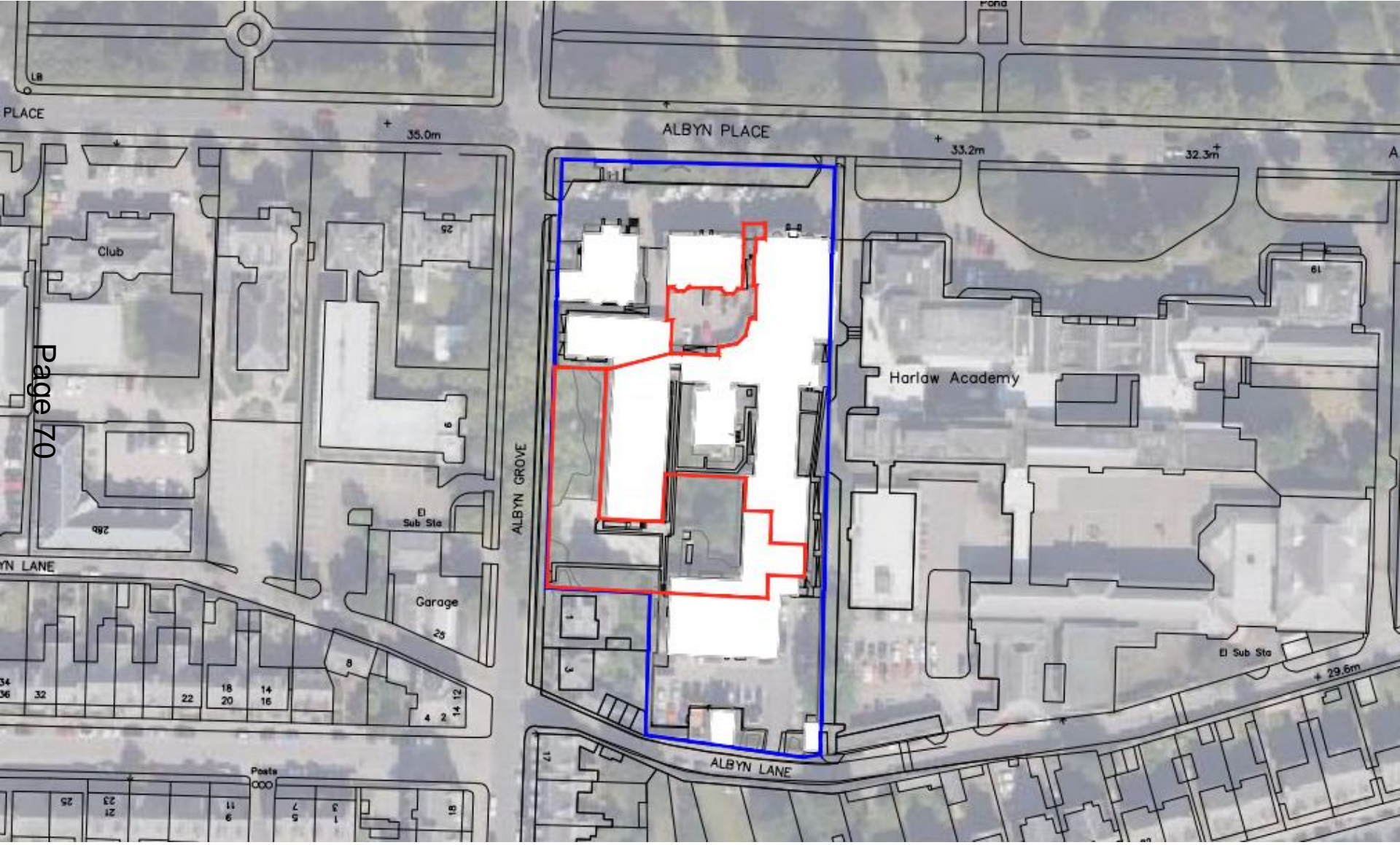


Erection of two storey extension with plant room to rear;
erection of entrance extension with ramp to front and side;
alterations to car parking and landscaping and other
associated works

Albyn Hospital, 21 - 24 Albyn Place, Aberdeen, AB10 1YE

Detailed Planning Permission (211019/DPP)
Listed Building Consent (2110120/LBC)

Location plan



Satellite image

Location of proposed entrance works

Location of proposed extension



Aerial view of existing extensions



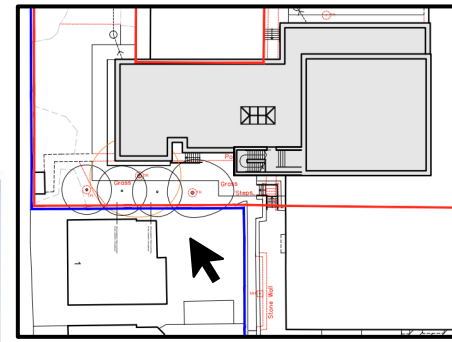
Existing view - Looking south along Albyn Grove



Existing view from 1 Albyn Grove



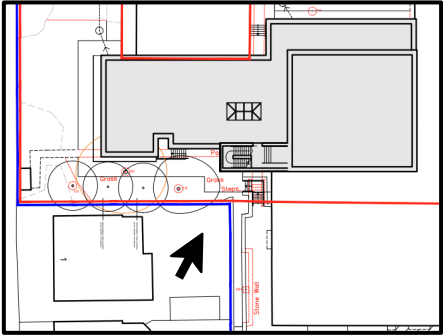
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Existing view from 1 Albyn Grove



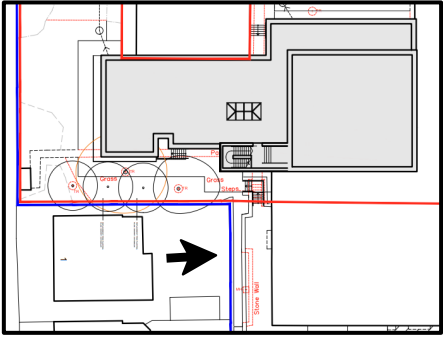
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Existing view from 1 Albyn Grove



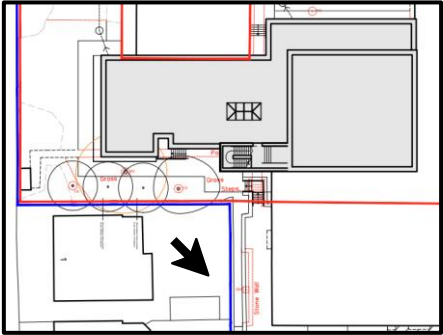
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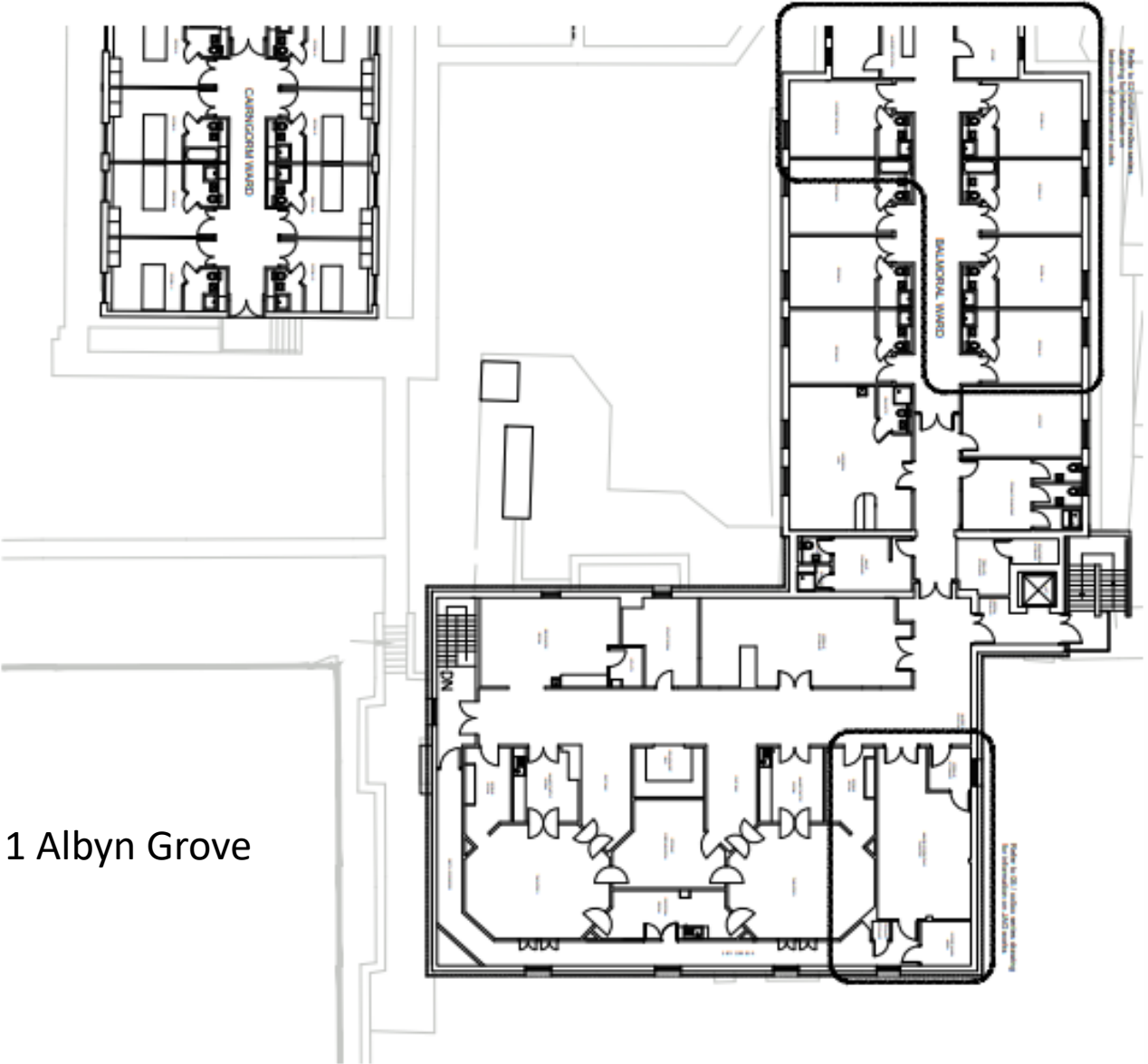
Existing view from 1 Albyn Grove



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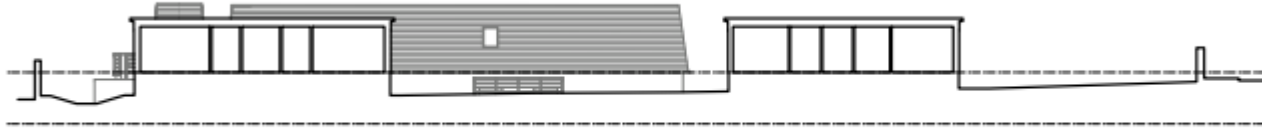


Existing layout (part)

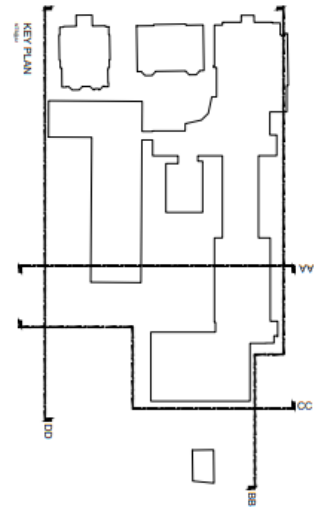


1 Albyn Grove

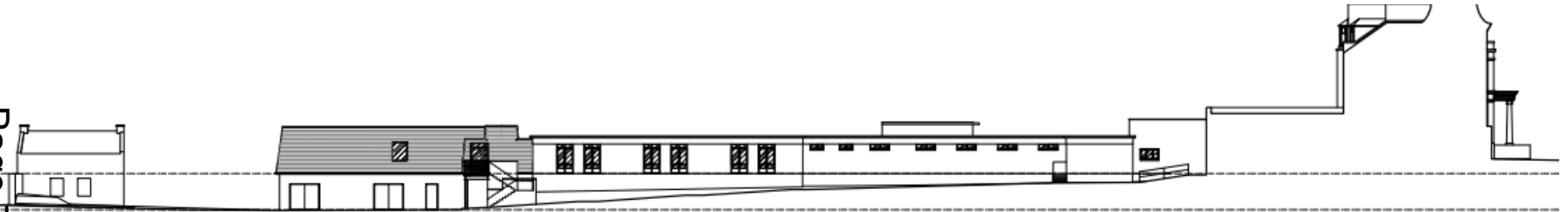
Existing elevations



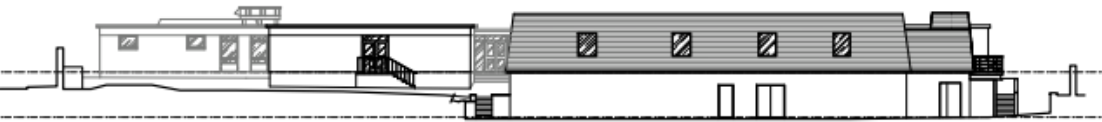
NORTH SECTIONAL ELEVATION AA
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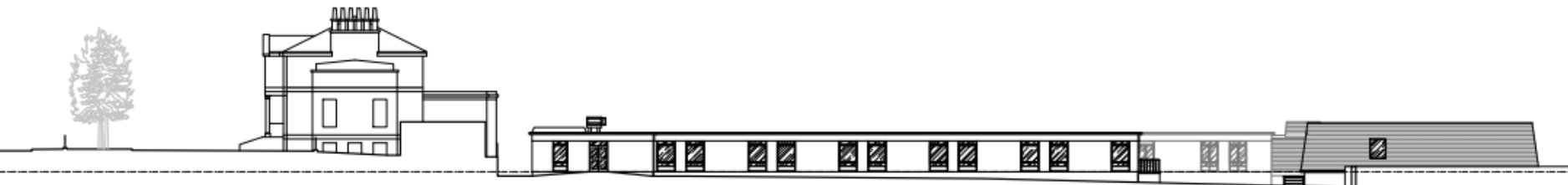
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EAST SECTIONAL ELEVATION BB
SCALE 1:200@A1 / 1:400@A3



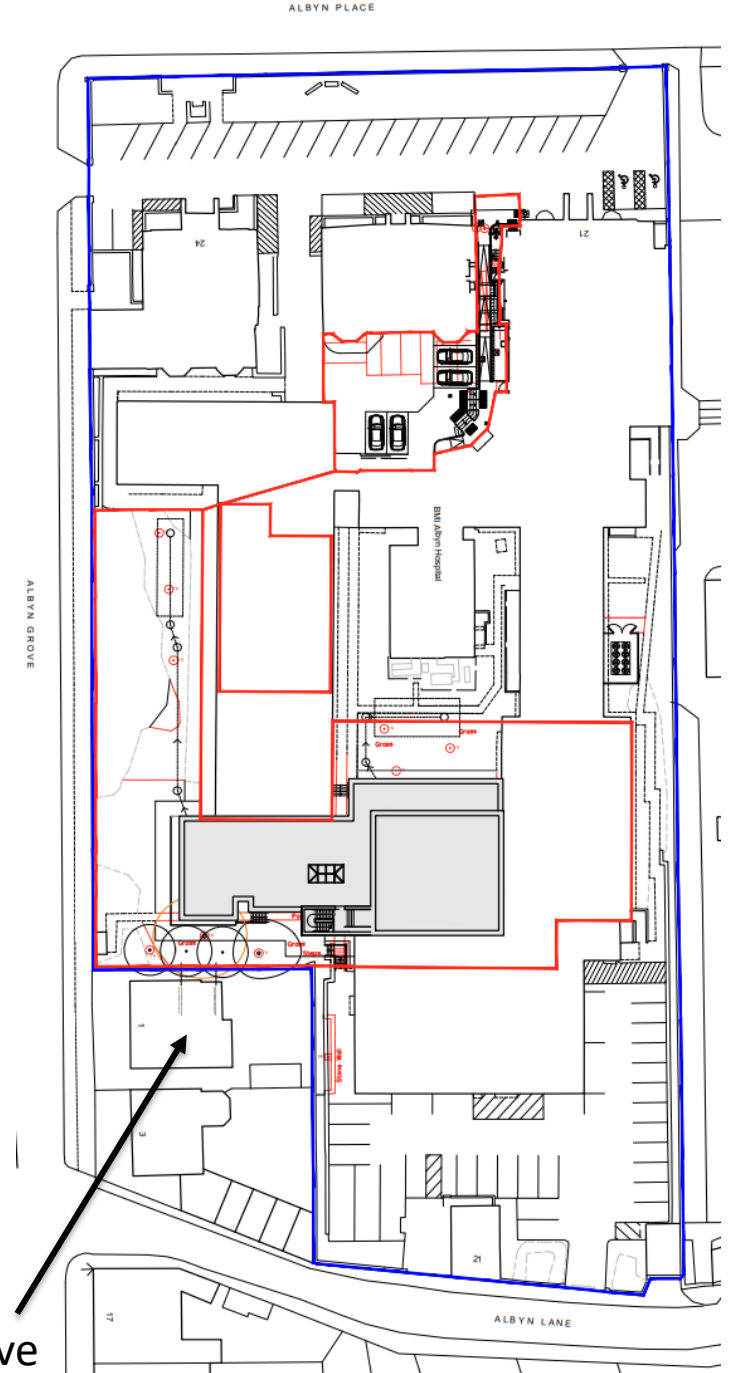
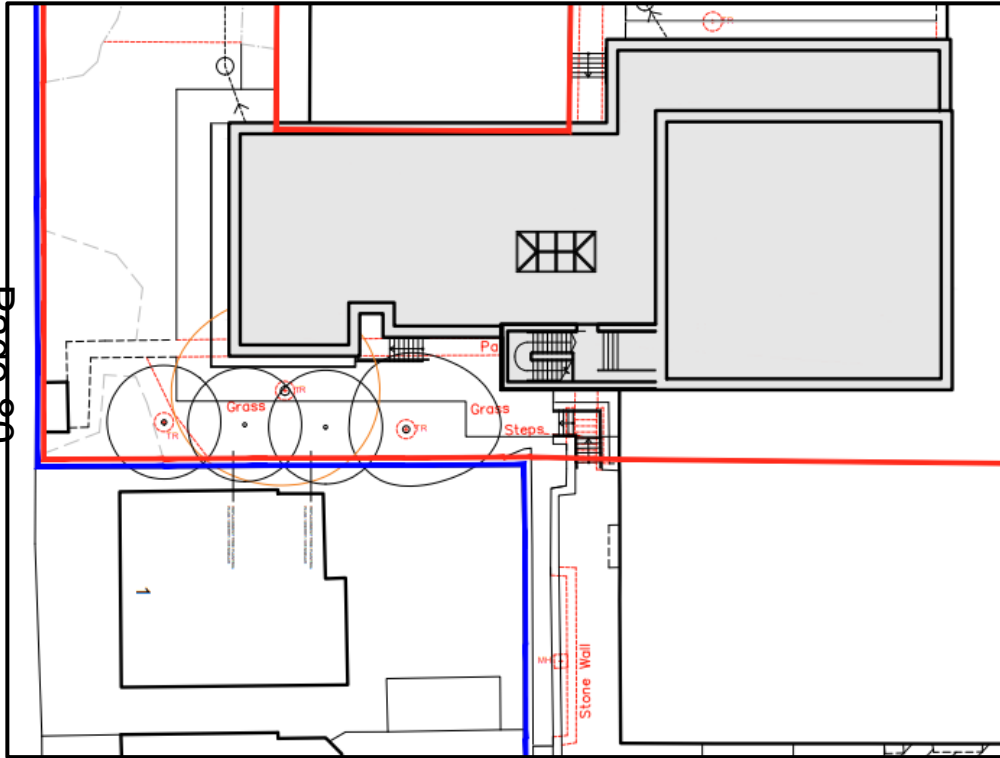
SOUTH SECTIONAL ELEVATION CC
SCALE 1:200@A1 / 1:400@A3



WEST SECTIONAL ELEVATION DD
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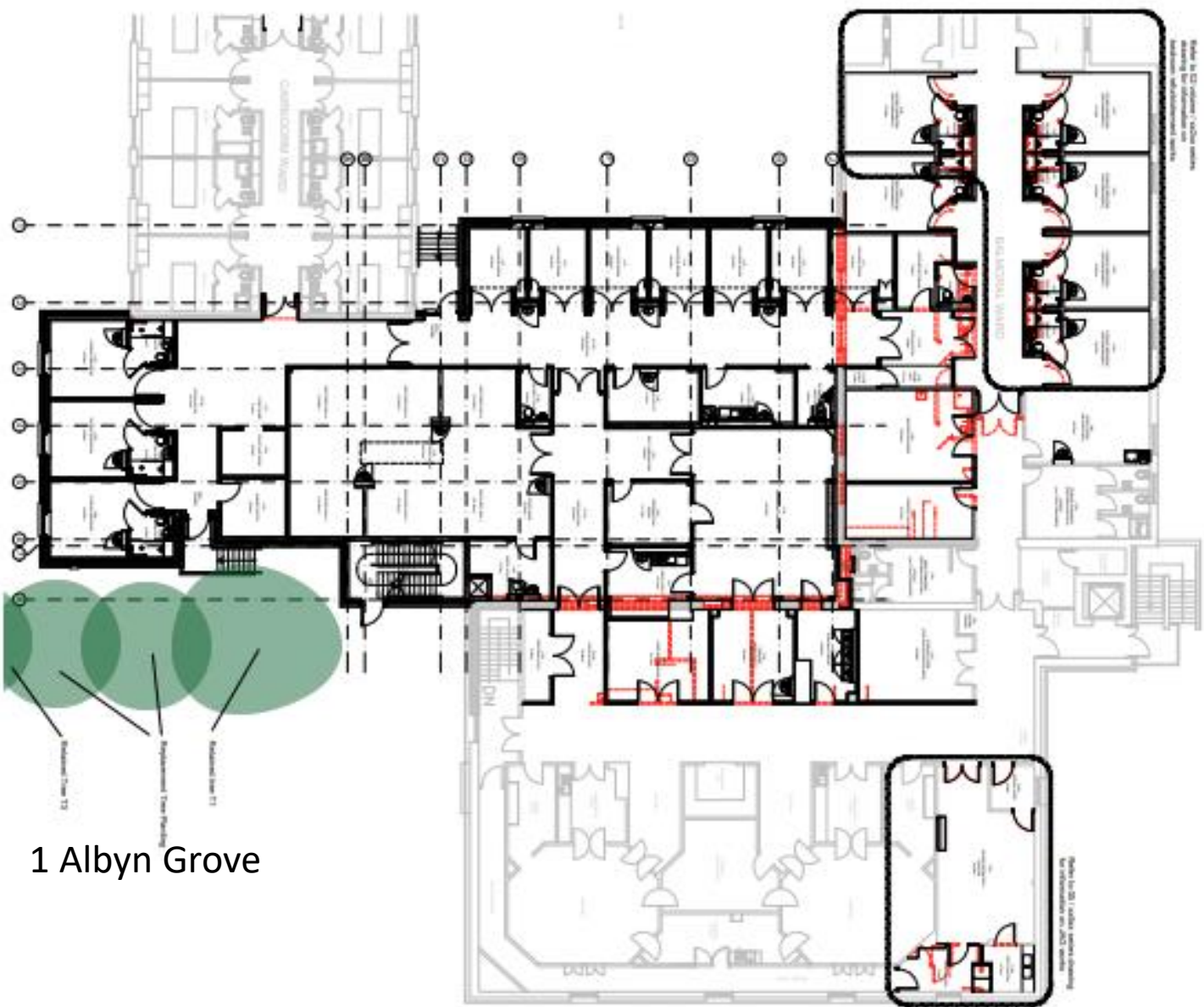
Site layout (proposed)

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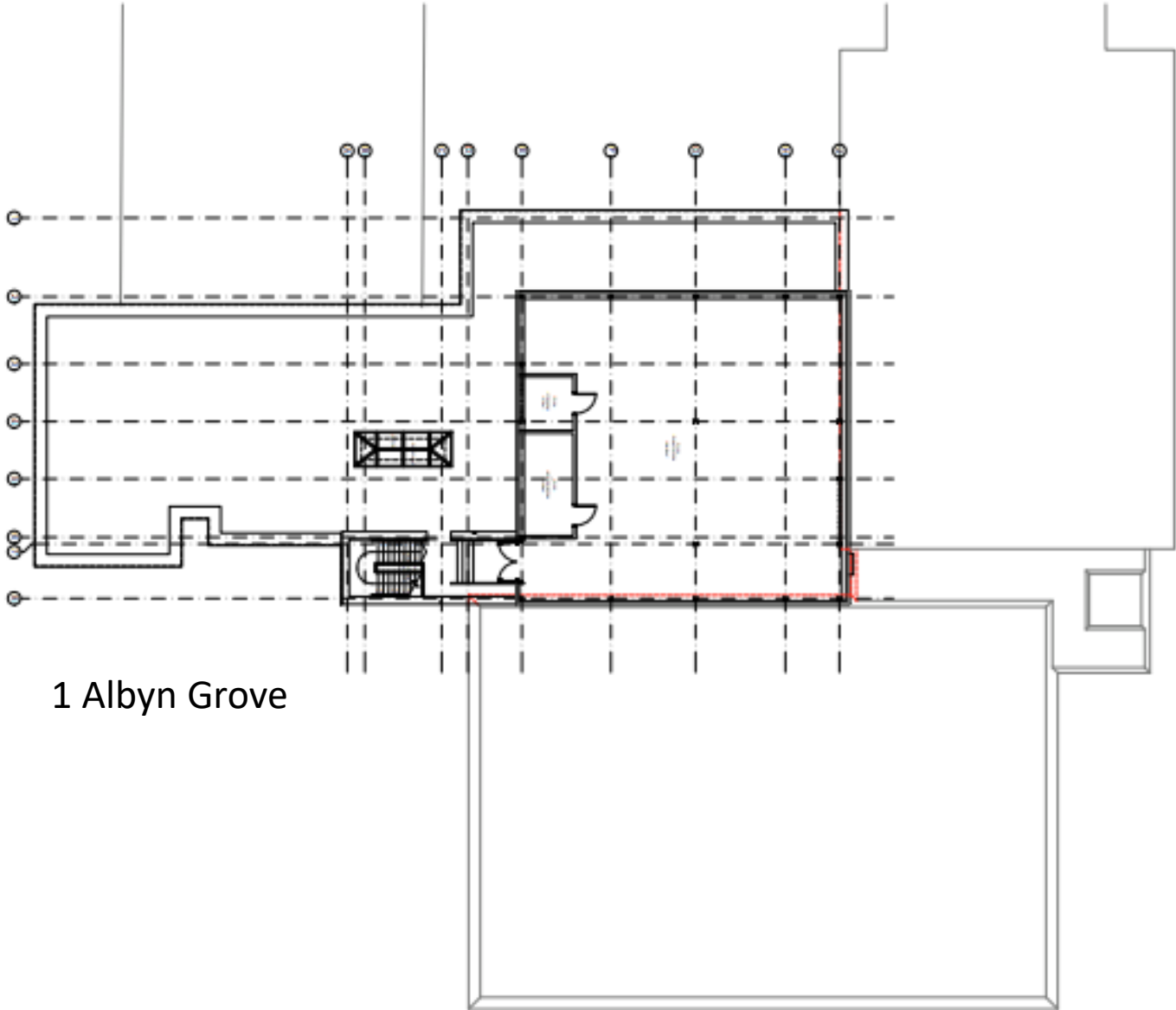
1 Albyn Grove

Extension - ground floor (proposed)



1 Albyn Grove

Extension – first floor (proposed)



1 Albyn Grove

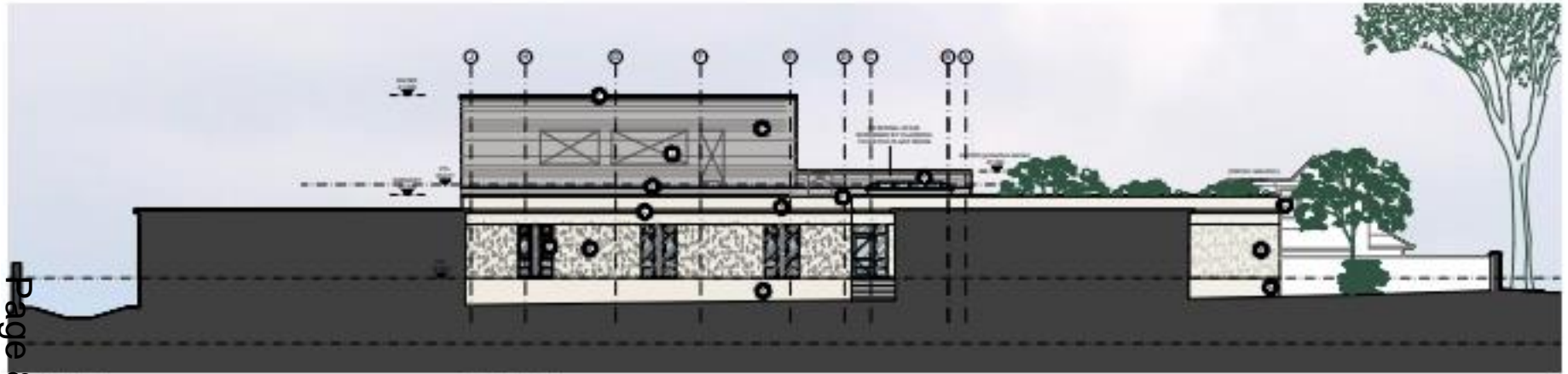
Extension – roof layout (proposed)



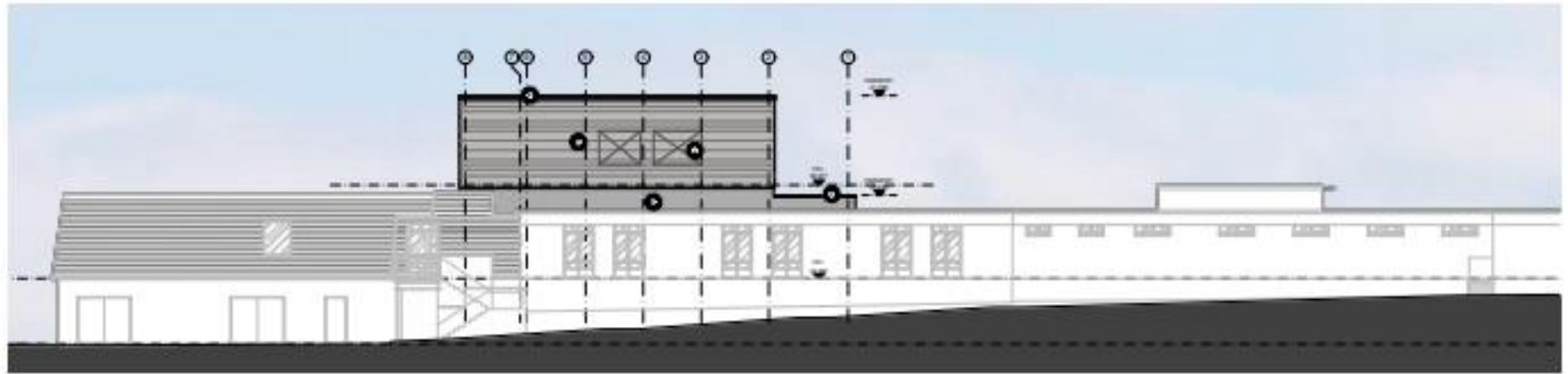
1 Albyn Grove

Extension – north and east elevations (proposed)

North elevation (facing towards front of hospital)



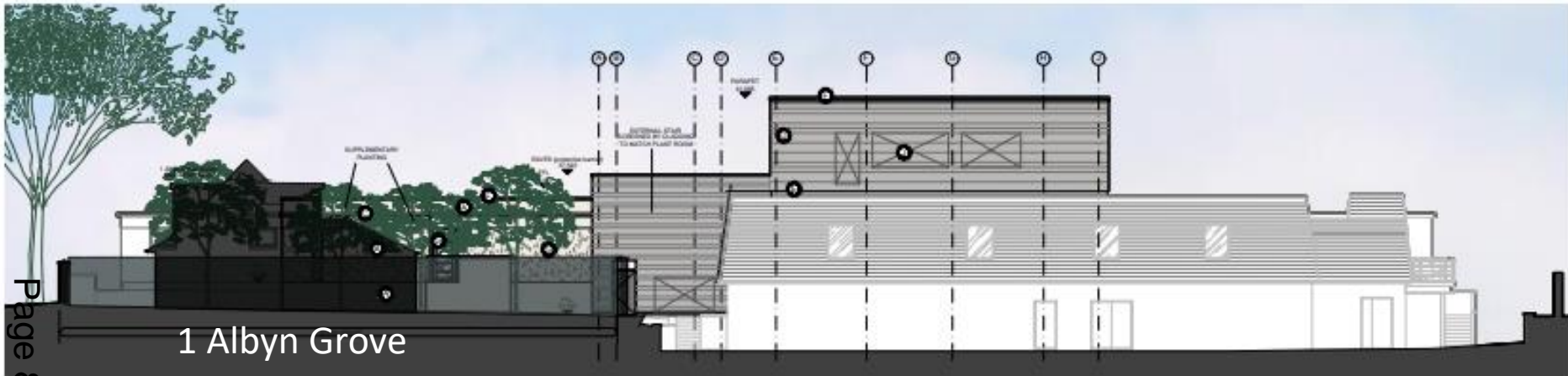
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East elevation (facing towards Harlaw Academy)

Extension – south and west elevations (proposed)

South elevation (facing 1 Albyn Place and Albyn Lane)



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SECTION ELEVATION | C



West elevation (facing Albyn Grove)

1 Albyn Grove

Entrance works – front elevation (proposed)



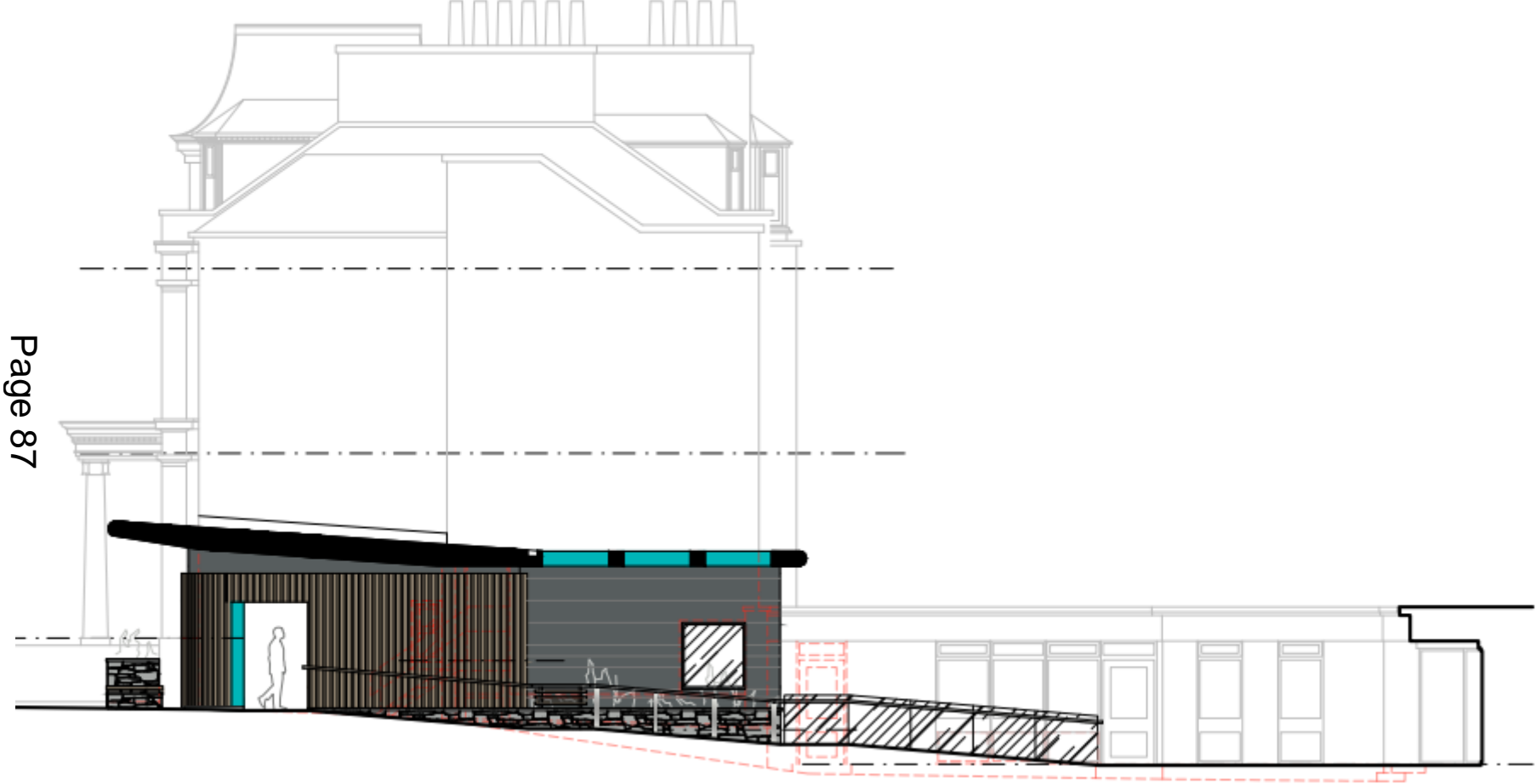
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22-23 Albyn Place

24 Albyn Place

Entrance works – side elevation (proposed)

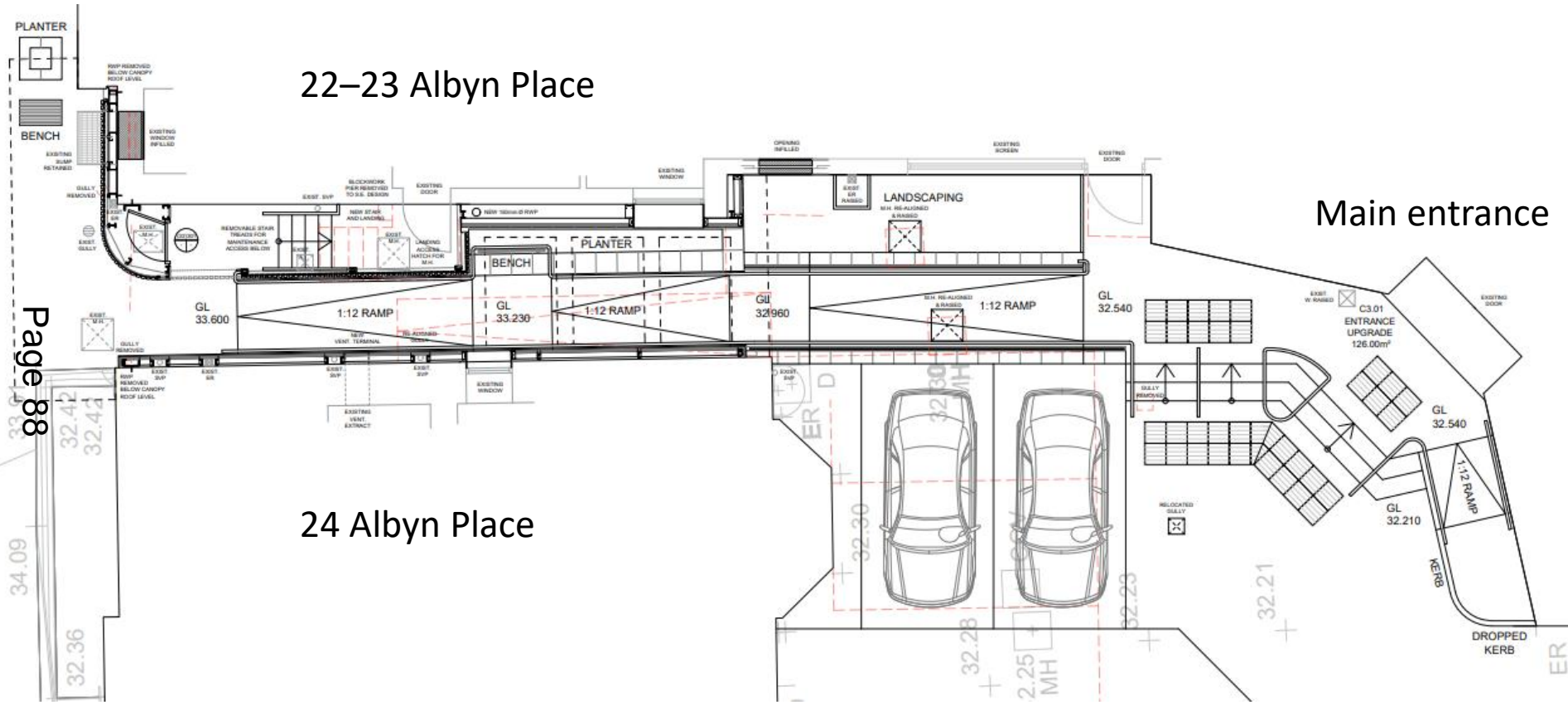


Entrance works - layout (proposed)

22-23 Albyn Place

24 Albyn Place

Main entrance



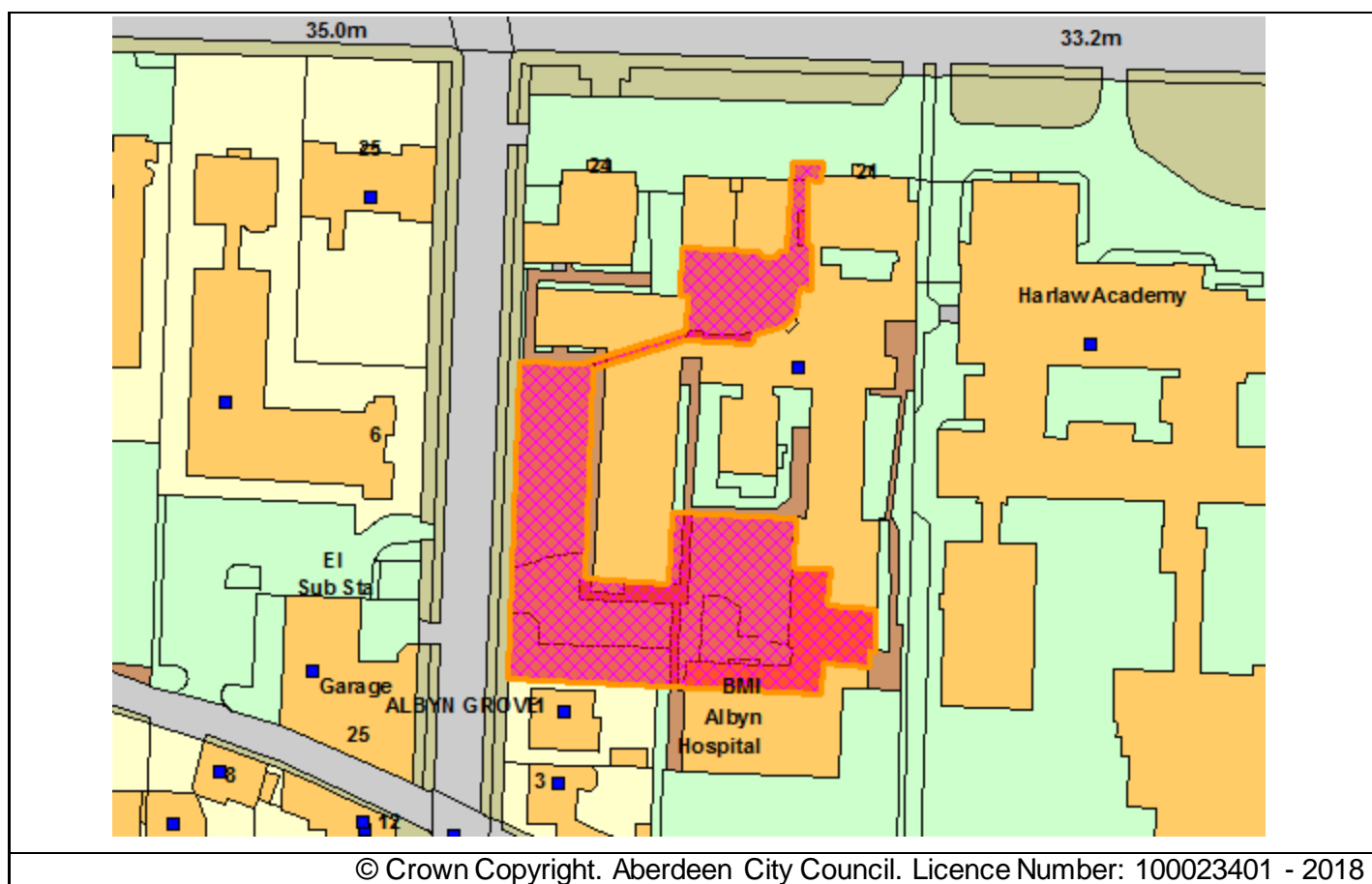


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 January 2022

Site Address:	Albyn Hospital, 21 - 24 Albyn Place, Aberdeen, AB10 1YE
Application Description:	Erection of two storey extension with plant room to rear; erection of entrance extension with ramp to front and side; alterations to car parking and landscaping and other associated works
Application Ref:	211019/DPP
Application Type	Detailed Planning Permission
Application Date:	2 August 2021
Applicant:	BMI Healthcare Limited
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Queen's Cross and Harlaw
Case Officer:	Matthew Easton



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application relates to Albyn Hospital located on the south side of Albyn Place, at the corner of Albyn Grove.

The hospital comprises three early 19th century granite villas (21, 22–23 and 24 Albyn Place) which face Albyn Place and an extensive complex of 20th century single storey flat roof extensions to the rear (south). It currently accommodates fifteen consulting rooms, twenty-five private patient care rooms, two ambulatory bays, three operating theatres, together with scanning departments and GP surgeries.

There is a twenty-seven-space car park for patients and visitors at the front of the hospital, which operates a one-way system with an entrance on Albyn Place and exit on Albyn Grove. Two staff car parks exist, one accessed from the front off Albyn Place with eight spaces and the second with thirty-four spaces which is accessed from Albyn Lane to the rear. The second car park also serves as the hospital service yard.

21 and 24 Albyn Place are category C listed, whereas 22–23 Albyn Place is category B. The site is within the Albyn Place and Rubislaw Conservation Area.

To the east of the hospital is Harlaw Academy; to the west, across Albyn Grove are 25 & 26 Albyn Place, which are both offices, the Albyn Garage lies opposite on the west side of Albyn Grove; and to the south at the corner of Albyn Grove and Albyn Lane are 1 and 3 Albyn Grove which are traditional granite 1½ storey detached dwellinghouses. To the south, across Albyn Lane is the rear gardens of residential properties on Union Grove. The wider area to the south and west is residential.

Relevant Planning History

- Detailed planning permission (191611/DPP) was approved in December 2019 for alterations to an existing flat roof.
- Detailed planning permission (200870/DPP) and listed building consent (200871/LBC) were approved in February 2021 for refurbishment and installation of replacement windows, roof refurbishment with associated works.
- Detailed planning permission (210894/DPP) and listed building consent (210893/LBC) were approved in February 2021 for removal of existing roof mounted equipment and the erection of an air handling unit (AHU); installation of two condenser units with internal alterations and other associated works.
- A listed building consent (211020/LBC) corresponding with this planning application is also on the committee agenda.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for an extension at the rear of the hospital and for alterations to the front of the building to revise the entrance arrangements to the hospital building.

Extension

A predominately single storey extension is proposed which would be in the eastern and central parts of the site, near the boundary with 1 Albyn Grove. The extension would have a gross floorspace of 567m² and be positioned between and be integrated with the existing rear extensions. It would provide space for three additional patient rooms, seven patient day-case rooms and one operating theatre with associated support and recovery space. Ancillary preparation and utility rooms and circulation space is also proposed. A two-storey part of the extension would accommodate a centrally positioned mechanical plant room with a floor space of 228m².

The single storey element would be finished in white smooth render and white dry dash render, with a grey single ply roofing membrane, to match the existing extensions. It would have three windows facing west towards Albyn Grove. The two-storey plant room and stair element would be finished in grey rainscreen cladding and include louvred areas to provide ventilation to the plant within.

Entrance alterations

The main entrance to the hospital building is in the extension to the rear of the granite villas. A ramped path between 21 and 22 Albyn Place provides a pedestrian route between the main car park and the entrance. It is proposed to alter this route to improve accessibility and legibility of the entrance route and make it DDA compliant. This would comprise an entrance structure between the buildings that would cover the first section of the ramp which itself would be adjusted to provide a more suitable gradient. The structure would feature timber cladding, grey and white cladding panels and pre-weathered copper panels. One window on the front of no.21 and two windows on the side of no.22 and would be infilled with grey render. New steps and a ramp would be provided immediately outside the entrance door.

Amendments

Post submission the application has been amended to –

- Reduce the footprint of the single storey part of the rear extension from 685m² to 567m². This results in the distance between the extension's southern elevation and the boundary with the private dwellinghouse at 1 Albyn Grove increasing by 3.8m (from 1.6m to 5.4m at its closest).
- Reduce the height of the stair element associated with the first-floor plant room by 3.84m (decreasing from 10.30m to 6.46m).
- Reduce the overall height of the extension by 0.3m (both the single storey element and two storey plantroom)

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=QW8SH8BZLQ100>

- Drainage Strategy
- Noise Impact Assessment
- Planning, Design and Access and Heritage Statement
- Transport Statement
- Tree Report: Arboricultural Impact Assessment

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because Queen's Cross and Harlaw Community Council has objected.

CONSULTATIONS

ACC - Roads Development Management Team – No objection.

- The site is considered well served in terms of sustainable travel/transport. It has direct access onto the public footpath network on Albyn Place with connectivity to the wider area and city centre and also provides access to the nearest public transport provision, with bus stops located within 150m of the site, in addition to other stops within the city centre (Union Street and Holburn Street). The site is served by on-street cycle lanes along Albyn Place which connect to routes across the city.
- It is proposed to retain the existing volume of car parking of 65 spaces. There is no parking standard for such a use within ACC supplementary guidance and therefore proposals are considered upon their individual merits, with a requirement for an active travel plan.
- A transport statement has been submitted which includes a car parking survey of the existing car parks and the surrounding streets. The surveys recorded that within the on-site public car park there was only one 15-minute period recorded that the car park was at full capacity and vehicles could not park, with a general observation of steady turnover of arrivals/departures. However, the staff car park appears to be at full capacity for most of the day. This shall be addressed via promotion of sustainable transport measures and the requirement for a travel plan. In the surrounding streets, the survey identifies that spaces were available within on-street pay and display areas, which can accommodate short term parking for visitors if necessary. Due to the site's location and it being well served in terms of sustainable transport for staff, patients and visitors, retaining the same volume of parking provision of 65 spaces is considered acceptable. Additionally, it is considered that a percentage of associated trips shall in fact be drop off/pick up and therefore not requiring specific parking.
- There are 12 existing bicycle parking spaces, the proposal is to increase this further with 2 additional spaces and to be reviewed going forward via the progress of the associated travel plan for the hospital/site. It is requested that such cycle parking should be secure and covered given the potential long-term nature of cycle parking.

- There are no changes to the development access or servicing arrangements, and there are no concerns in this regard.
- It is noted that within this application is the proposal for a new ramp access into the building which will now be DDA compliant and to appropriate gradients, this is welcomed and considered necessary.
- The applicant has provided details of proposed framework for a travel plan, it is confirmed that this provides adequate and suitable aims/objectives, realistic modal share targets, initiatives, series of measures to obtain such targets and monitoring/review process. An appropriate condition should be attached should this application be approved.

ACC - Environmental Health – No objection.

- The proposed development and associated noise impact assessment is accepted in relation to noise provided the noise mitigation measures achieving at least an equivalent effect of those measures contained within the assessment are applied, including (but not limited to) –
 - a) Noise breakout from the first-floor air handling unit plant room of the theatre extension should not exceed 21 dBA outside the nearest dwellings on Albyn Grove with all units operating at maximum duty as specified within Section 8.
 - b) The location of the fixed plant and equipment aligns with that detailed within section 6, figure 5 of the assessment.
 - c) Installation of various items of fixed plant and equipment aligning with the corresponding noise data contained within Section 6 table 2 (with the exception of fan SF/1.02 requiring replacement with a quieter fan and/or additional attenuation to achieve the target stipulated within item d below)
 - d) noise egress from the intake duct of supply fan SF/1.02 should not exceed 48 dBA at 1 m from the louvre as specified within Section 8.
 - e) Installation of atmospheric side in-duct attenuators to the air handling plant for the theatre extension and imaging refurbishment which provides as a minimum the insertion losses detailed within Section 6, Table 3.
- To protect amenity of neighbours from construction noise the standard working hours should be adhered to (for hours see the advisory note at end of this report).

Archaeology Service (Aberdeenshire Council) – No objection. Having reviewed the information submitted, including the Heritage Statement, the conclusions that the proposed changes will not directly impact on the existing key listed structures, nor will it impact on any known archaeological remains are agreed with.

Queen's Cross and Harlaw Community Council – Object. The following matters of concern are raised –

1. The proposal is over development of site.
2. The proposed extension would affect residential properties in terms of privacy and overshadowing due to its size.
3. The plant room has the potential to generate noise and should be considered through a noise assessment.

4. The proposal extension would result in an increase in traffic, affect parking in the area and result in road safety concerns.
5. Albyn Grove is expected to be within the Council's proposed Low Emissions Zone. The plant room would generate emissions.

REPRESENTATIONS

Five representations have been received (four objections and one administrative query on neighbour notification). Three of the four objections are from neighbouring residents, and one is from the proprietors of neighbouring 26 Albyn Place which is a vacant office. The matters raised can be summarised as follows –

1. Albyn Hospital has outgrown the current site. It should relocate away from the city centre or to a more suitable site.
2. The site is within a conservation area and the buildings are listed and as such should remain so.
3. The two-storey element of the extension would overlook neighbouring residential properties and could reduce light to rooms.
4. It is intended to introduce a Low Emission Zone (LEZ) which will include Albyn Grove and Albyn Place. This development will increase traffic in the area which defeats the purpose of the LEZ.
5. The extension would result in additional parking pressure on surrounding streets, with parking already spilling over onto surrounding streets.
6. The existing exit arrangement from the main car park is dangerous due to its proximity to the junction between Albyn Grove and Albyn Place. The proposal would result in increased traffic using the exit.
7. The extension would result in increased service deliveries from heavy goods vehicles (HGVs) Albyn Lane is blocked daily by HGVs which reverse down the lane and ignore parking restrictions.
8. The plant room and equipment would cause noise disturbance, affecting the amenity of adjacent residents. Noise is already generated by mechanical plant and general activity from the hospital.
9. The reverse alarms of HGV during the early morning are a nuisance to residents, disturbing sleep.
10. Albyn Grove will see significant disruption and restricted parking during the building phase.
11. The applicant previously agreed to lease 26 Albyn Place to allow expansion of the hospital, however they withdrew from a deal. The proprietor of no.26 is still open to coming to an agreement with the applicant and promotes that solution as preferable to what is now proposed.

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(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities when considering whether to grant planning permission for development which affects a listed building or its setting, 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 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

National Planning Policy and Guidance

- Historic Environment Policy for Scotland (HEPS)
- Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent
- Managing Change in the Historic Environment: Extensions
- Managing Change in the Historic Environment: Setting

Aberdeen Local Development Plan (2017)

- Policy CF1 (Existing Community Sites and Facilities)
- Policy D1 (Quality Placemaking by Design)
- Policy D4 (Historic Environment)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)
- Policy NE5 (Trees and Woodlands)
- Policy NE6 (Flooding, Drainage and Water Quality)
- Policy R6 (Waste Management Requirements for New Development)

Supplementary Guidance and Technical Advice Notes

- Flooding, Drainage and Water Quality
- Noise
- Transport and Accessibility Supplementary Guidance
- Trees and Woodlands

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The Proposed ALDP constitutes the

Council's settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis.

- Policy CF1 (Existing Community Sites and Facilities)
- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)
- Policy NE2 (Green & Blue Infrastructure)
- Policy NE5 (Trees and Woodland)
- Policy R5 (Waste Management Requirements for New Development)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

Other Material Considerations

- Albyn Place and Rubislaw Conservation Area Appraisal

EVALUATION

Principle of Development

Land Use Zoning

The hospital, along with the rest of Albyn Place, sits within the West End Office Area as defined in the Local Development Plan (LDP). The LDP identifies the area as a prestigious, high quality office location on the edge of the city centre, which also contains a mix of other uses, including schools, hotels, flats and a hospital. It indicates that the Council will encourage and promote the continued development of this area as a focus for office development. In such areas, Policy B3 (West End Office Area) applies, however it is silent on the expansion of existing activities other than in relation to office use.

Policy CF1 (Existing Community Sites and Facilities) however indicates that existing healthcare sites shall be used primarily for healthcare and/or related medical and educational purposes. It goes on to say proposals for new or extended uses of these types on these sites will be supported in principle.

The existing use is well established with a hospital present at the site since 1955 and it has been extended many times over the years. Based on this and in the context of Policy CF1 it is therefore considered that the principle of extending the hospital is acceptable.

The Council's approach to development in the West End Office Area has changed in the Proposed LDP 2020. Reflected in the decision to rename the area the 'West End Area', the PALDP outlines a shift to encouraging and promoting the continual development of the area as a focus for a mix of uses including residential. Policy VC6 states that '*applications for all development, including*

changes of use, must take into account existing uses and avoid undue conflict with the adjacent land uses and amenity. All proposals must respect the special historic and architectural character of the West End. Policy VC6 does not change the approach to considering whether the principle of extending the healthcare use is acceptable. The determining factors of the application would therefore be the impact the specific proposal would have on the character or the area and the amenity of the surrounding area in terms of its location, scale, massing and design, which are considered in the following sections.

Alternative proposals

It is indicated in representations that the hospital has outgrown the site and should relocate to away from the city centre or to another suitable area (*issue 1 in representations*). More specifically the proprietor of 26 Albyn Place (located on the opposite side of Albyn Grove) has indicated that discussions were undertaken with the applicant about the possibility of no.26 being leased to allow expansion of the hospital. No agreement was reached; however, the proprietor indicates that they consider the option of using no.26 to be preferable to the proposal and states they are still open to this idea (*issue 11*).

In that regard, whether the applicant has considered other options or held discussions with third parties on potential options is not a material planning consideration. The planning authority is required to consider the application submitted, rather than any hypothetical alternative that may or may not be feasible. The issue of whether the proposal represents overdevelopment is considered through the assessment of matters below.

Layout & Design and Impact on Conservation Area and Setting of Listed Buildings

Policy D4 (Historic Environment) indicates that the Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, Scottish Historic Environment Policy (superseded by Historic Environment Policy for Scotland) and its own supplementary guidance and conservation area character appraisals and management plans. High quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings and conservation areas will be supported.

Scottish Planning Policy (paragraphs 141 and 143) reflects the legislative requirements in relation to conservation areas and listed buildings set out in the Material Considerations part of this report. SPP requires that, where planning permission is sought for development 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. Proposals for development within conservation areas which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.

Historic Environment Policy for Scotland (HEPS) is the Government's national policy statement on built heritage and sits alongside SPP. Historic Environment Scotland's guidance on managing change is also relevant.

Extension

The hospital comprises three granite villas which face Albyn Place. Each building is listed, with their special interest predominantly relating to the buildings being good examples of early 19th century villas which were constructed as part of Aberdeen's planned expansion westwards. The

Albyn Place and Rubislaw Conservation Area Appraisal identifies buildings on Albyn Place as *“generally being relatively plain buildings, mostly built in a classical style, and having minimal ornate detailing. 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.”*

Reflecting that pattern of development, beyond the villas within the application site is an extensive complex of 20th century single storey flat roofed extensions which extend south towards Albyn Lane. There is a central area of landscaping, which extends west towards the boundary of the site shared with Albyn Grove and the garden of 1 Albyn Grove. The extensions do not contribute to the special historic or architectural character of the site, but at the same time do not significantly detract from the character of the conservation area or setting of the listed buildings, largely due to their relatively low-lying height.

The proposed extension would sit among the existing extensions, filling in part of the landscaped space between them and extending towards the boundary with Albyn Grove to the west and the dwellinghouse at 1 Albyn Grove to the south. The landscaped space does not possess any special interest and has not been designed to relate to the listed villas in any particular way, rather it is space left over around the previous extensions. The concept of developing the space would maintain the special interest of the listed building group and character of the wider conservation area.

The roof line of the single storey element of the new extension would generally be comparable with that of the existing extension, being only 0.60m higher. Due to a change in levels across the site the extension does become taller as it progresses south towards the boundary with 1 Albyn Grove, with its southern elevation proposed at 5.05m. The extension would sit comfortably alongside the existing extensions.

The two-storey element of the extension which would accommodate a mechanical plant room would achieve a height of 9.7m. Therefore, it would be more readily visible from outwith the site, being visible from Albyn Grove above the boundary wall and from Albyn Lane through the service vehicle access. However, it would be located well within the site, some 32m from the boundary with Albyn Grove and 42m from Albyn Lane and be lower than the listed villas at the front of the site as well as other taller buildings such as Harlaw Academy and tenements on Albyn Grove and Union Grove. Given the surrounding context, it is therefore considered that it would not be unduly prominent in terms of its visual presence. Its impact upon the neighbouring residential properties is considered later in the report.

Entrance works

The proposed entrance structure at the front of the hospital would be located between 21 and 22 Albyn Place. It is intended to improve pedestrian access to the hospital's main entrance by providing a ramped path which has a gradient which complies with current building and DDA standards. The structure would also help define the entrance area, which at present is not easily identifiable.

The height of the overall structure would be around half of the height of the ground floor of the two-storey villas on either side. This would therefore largely retain the gap between the buildings, a feature which is identified by the conservation area appraisal as contributing to the regular flow and rhythm of buildings and spaces on Albyn Place and Queen's Road. Should circumstances change in the future the works would be largely reversible, with the structure being able to be removed without affecting the special character or features of the building.

Summary

Taking the extension and the entrance works together, it is considered the proposals have been suitably designed for their context in accordance with Policy D1 (Quality Placemaking by Design). The setting of the listed buildings and character of the conservation area would be preserved, in accordance with Scottish Planning Policy, Historic Environment Policy for Scotland and its associated managing change guidance, relevant legislative requirements and Policy D1 (Quality Placemaking by Design) and Policy D4 (Historic Environment) of the Aberdeen Local Development Plan (ALDP) and the corresponding policies in the Proposed ALDP.

The listed status of the buildings and their location within the conservation area is noted in representations, with it indicated that this should remain the case (*issue 2*). Approval of the proposals would not change the listed status of the buildings and account has been taken of the impact on listed buildings and the conservation area in the above assessment.

Residential Amenity

Proximity of extension

The closest residential property is located at 1 Albyn Grove, which shares two boundaries with the hospital to the north and east. The amenity within the rear garden of the property has the potential to be affected by the extension and is already compromised somewhat by an existing extension to the east, although it is alleviated somewhat by the presence of trees within the garden along the boundary.

In the original submission, concerns were raised by the Planning Service regarding the proximity of the extension's southern elevation to the rear garden of 1 Albyn Grove, with a combination of the proximity and height of the extension likely to result in an overbearing impact on the property, to the detriment of amenity. This was compounded by the requirement to remove three trees within the hospital site, which currently provide screening between the two uses along the dwellinghouse plot's northern boundary. Combined with the existing extension to the west, it was felt that the hospital buildings would have too great an impact upon the amenity of 1 Albyn Grove.

Discussions were undertaken with the applicant, and it was agreed that the footprint of the extension would be reduced by increasing the distance between the extension and boundary wall from 1.6m to 5.4m at its closest. The height of the extension was also reduced by 0.3m. The reduction in the footprint also allowed two of the three trees to be retained and retains space for two replacement trees to be provided. The tree retention and additional planting would assist in softening the interface between the uses. Although the top of the extension would be visible from the garden, it is considered that the revised setback, reduction in height and screening provided by trees would result in an acceptable compromise which allows the hospital to extend but which also preserves residential amenity to an acceptable degree.

Also of concern was the two-storey element of the extension, which although largely not directly alongside the garden, would be significantly taller than the single storey element. Again, discussions were had with the applicant about options for reducing the height or relocating it further from the boundary with the garden. A compromise was reached whereby the closest part of the two-storey extension has been reduced by 3.84m to a height of 6.46m. In terms of its impact on the garden, this still results in a fairly large structure, which would be visible from the garden. However, as this part would sit predominantly beyond the northeast corner of the garden rather than directly alongside it (1m of it would be alongside the rear garden at 3.4m from the boundary) and the taller part would be beyond that (at 10.3m in height at a distance of 8m), it is considered that the relationship would be acceptable. In coming to this conclusion, the desire to maintain a

reasonable level of amenity for the residential property has been balanced against the desire to allow the hospital to enhance its facilities. The context of the area, which is a mixture of residential and non-residential uses (hospital, offices, school, garage, shop) is also relevant, in such areas the level of amenity which can be achieved is not always as high as in a predominately residential area as different uses sit alongside one another. It should be noted that there is a difference in the zoning of the sites within the LDP, in that the application site and surrounding commercial uses along Albyn Place are zoned as Policy B3 (West End Office Area) while the dwellinghouses at 1 – 3 Albyn Grove are covered by a 'Residential' zoning.

Privacy, overshadowing and daylight

There is the potential for neighbouring residential properties to be affected in terms of privacy, overshadowing and daylight. 3 Albyn Grove is far enough away that it would not be affected and the potential impact upon 1 Albyn Grove is discussed below.

In terms of privacy, as the occupied part of the extension would be single storey there is little opportunity for overlooking. The only opening on the south elevation is a fire exit door, set back some 7.50m from the boundary. However due to the change in levels the door would potentially be seen above the boundary wall. Therefore, a condition is proposed to require any glazing within it to be obscure. There are no window openings within the plant room at first floor level (*issue 3 and Community Council issue 2*).

The extension is located to the north and northeast of the garden. There would therefore be no impact in terms of overshadowing as the sun would never be in a position where the extension is between it and the garden (*CC issue 2*).

The extension is far enough away and not of a scale that it would affect the availability of daylight to the house (*issue 3*).

Noise

Policy T5 states that there will be a presumption against noise generating developments being located close to noise sensitive developments, such as existing or proposed housing.

Concern has been raised in representations and by the community council that the plant room and equipment would cause noise disturbance, affecting the amenity of adjacent residents. It also noted that noise is already generated by mechanical plant and general activity from the hospital (*issue 8 and CC issue 3*).

A noise impact assessment (NIA) has been submitted, which considers the potential noise impacts arising from the proposed development, specifically the proposed mechanical plant within the plant room and at other locations in the hospital. Based on the NIA survey results and representative background sound levels, to meet the requirements of ACC Environmental Health, noise from all proposed mechanical plant must be controlled so that the free-field rating levels of $L_{Ar,1hr}$ 33dB during the day (07:00–23:00) and $L_{Ar,15min}$ 29dB during the night (23:00–07:00) are not exceeded outside the windows of the nearest dwellings on Albyn Grove.

The NIA predicts the cumulative noise breakout from the proposed plant and considers distance corrections for each item, screening effects, operating times, and the proposed use of sound attenuators. This results in cumulative noise levels of $L_{Ar,1hr}$ 32dB during the day and $L_{Ar,15min}$ 29dB at night, meeting the requirements indicated above. ACC Environmental Health has reviewed the NIA and consider its findings to be acceptable. It is noted however that full details of some items of plant are not available at present, so a condition is proposed to require the full details and finalised

positions of louvres in the plant room to be submitted to ensure that they achieve the noise limits required and indicated in the NIA.

The matter of reverse alarms of service vehicles during the early morning is an existing issue and not one that can be addressed through this planning application (*issue 9*).

Trees

Policy NE5 (Trees and Woodlands) indicates that there is a presumption against all activities and development that will result in the loss of, or damage to, trees that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation. Development should be sited to minimise adverse impacts on trees, with measures taken to protect trees and ensure their long-term management. Where trees may be impacted, protection measures and/or compensatory planting must be agreed.

A tree survey was undertaken by the applicant which surveyed thirty-nine individual trees and three tree groups. To accommodate the development, thirteen trees would require to be removed. One of these is assessed as being of moderate quality and value, the remaining twelve are all deemed to be of low quality and value. Four of the trees to be removed (ranging from 5m to 13m tall) would be within the landscaped area between the hospital buildings and the boundary wall with Albyn Grove, which allow installation of the drainage soakaway. The loss of these trees would not have a significant impact on the streetscape, as the much taller street trees on Albyn Grove, which would remain, dominate the street and provide a green buffer between the street and the hospital. The remaining nine trees (ranging between 2m to 6m tall and one 10m) are located within the central landscaped area between the hospital extension, which is setback within the site. Most of these trees are relatively small and cannot be seen outwith the site due to the presence of one of the extension wings; therefore, their contribution to the wider character of the area is very limited. The proposal could not proceed without their removal and with their loss having a very localised impact, their removal is considered acceptable. Compensatory planting would be provided along the boundary with 1 Albyn Grove as noted earlier in the report.

Accessibility and Parking

Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel) explains that commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel. They must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, cycling and public transport.

The hospital is well located within the urban area, close to the city centre and readily accessible by walking & public transport. It also sits within Controlled Parking Zone N, which operates between 08:00 and 20:00 Monday to Saturday.

Pedestrian, cycle and vehicle access arrangements, as well as the number of parking space would remain the same.

Access and traffic

The submitted transport statement, reviewed by the Roads Development Management Team, indicates that during the busiest period the extension would increase two-way vehicle movements by seven vehicles, which is not considered to be significant. The increase in traffic movements would have a negligible impact on the local road network (*CC issue 4*).

Concern is raised with the existing exit arrangement from the main car park, with the suggestion it is dangerous due to its proximity to the junction between Albyn Grove and Albyn Place (*issue 6*). The access arrangements to the car park exist already and would remain unaltered. With the increase in traffic being insignificant, there are no concerns with how the arrangement would operate.

It is suggested in representations that there is a conflict between the introduction of the proposed city centre Low Emission Zone (LEZ) (which will include Albyn Grove and Albyn Place) and allowing a development which would increase traffic in the area (*issue 4 and CC issue 5*). However, rather than trying to reduce vehicle congestion or prevent development from occurring, the purpose of the LEZ is to protect public health and improve air quality by encouraging the use of vehicles with lower emissions. Otherwise, with the increase in traffic because of the development being insignificant, there is no concerns with potential impact on air quality.

Parking

The supplementary guidance indicates that parking at hospitals should be treated on its merits. The applicant has submitted a parking survey which considered the car parks within the hospital site where there are 27 patient/visitor spaces and 42 staff spaces; as well as public parking on Albyn Place, Albyn Grove and Albyn Lane where there are 54 spaces within reasonable walking distance of the hospital.

The survey was undertaken on 7 June 2021 and found that the main staff car park was operating at capacity, but the smaller consultant's car park and the patient/visitor car park generally operated with spare capacity throughout the day. The survey shows that whilst the on-street pay and display spaces present on Albyn Grove and Albyn Lane are generally occupied and well used throughout the day, on Albyn Place there is generally more than 10 vacant spaces available throughout the day, with the exception of at around 15:00 when there is a increase in demand associated with the neighbouring school closing times. The average occupancy on Albyn Place was recorded as 14 vehicles within the 28 spaces.

The Roads Development Management Team have reviewed the survey consider the existing level of parking would be sufficient to accommodate any increased demand associated with the extension, especially given the accessible location. The team also note that a certain number of trips generated by the additional hospital space would be for drop-off/pickup and not require parking. It is recommended that a condition is attached requiring a travel plan to encourage staff to use more sustainable transport modes and try and reduce pressure on staff parking.

Regarding the concern raised in objections with parking overspilling onto surrounding streets, the on-street spaces are public spaces which are free to be used by those living, visiting or carrying out business in the area. The requirement to pay and display should ensure turnover of spaces so their use can be maximised. The parking survey demonstrates that whilst there are parking pressures in the area, as is to be expected within the inner city, there is sufficient space on Albyn Place to accommodate any overspill demand from the hospital (*issue 5*).

Since November, the hospital also has also had a short-term agreement to use thirty-seven parking spaces at 26 Albyn Place (a currently vacant office complex), to accommodate extra demand generated by the hospital's Covid-19 testing centre. The applicant advises there is no intention to retain these spaces in the long-term.

In summary, given the good accessibility of the site and the existing parking control measures in the area, it is considered no additional parking is required (*CC issue 4*).

Servicing

At present the site is serviced via the car park at the rear of the site which is accessed from Albyn Lane. Concern is raised by neighbours that the extension would result in increased service deliveries from heavy goods vehicles (HGVs). It is also said Albyn Lane is blocked daily by HGVs which reverse down the lane and ignore parking restrictions (*issue 7*).

Refuse collection takes place early on weekday mornings, at around 05:30, with deliveries occurring at various times throughout the day. The applicant has advised that the proposed extension would not result in a requirement for additional service vehicles or visits.

It is acknowledged that there can be conflict between delivery vehicles associated with commercial uses and residents in the west end area (typically using rear lanes such as Albyn Lane or Queen's Lane South). This is inevitable in an area where there are a mix of uses and roads infrastructure which was designed before large vehicles were common. The hospital requires to be serviced and can only use the roads infrastructure available. However, the applicant has indicated they are committed to reviewing operations with an aim to consolidate the number of large vehicles accessing the site. As there is not expected to be any increase in servicing because of the proposal, it would not be possible to attempt to address and existing situation through this application. Any contravention of parking restrictions is a parking enforcement matter.

Policy R6 (Waste Management Requirements for New Development) requires that all new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. There are existing general and clinical waste stores which would be utilised and are expected to be sufficient to accommodate any increase in waste from the extension.

Other Technical Matters

Archaeology

Policy D4 (Historic Environment) highlights the importance of considering archaeology. The Council's archaeology advisor has been consulted and concluded that the development would not directly impact on the existing key listed structures, nor would it impact on any known archaeological remains. Therefore, no further action is required.

Drainage

Policy NE6 (Flooding, Drainage and Water Quality) requires suitable drainage arrangements to be made. A drainage assessment has been submitted which proposes that foul drainage would be connected into the existing sewer system. Surface water run-off from the roof of the extension would be discharged to two new soakaways which would be constructed within the site. There is no risk of flooding at the site. The drainage proposals are considered acceptable.

Other Matters Raised in Representations

Concern is raised that Albyn Grove will see significant disruption and restricted parking during the building phase (*issue 10*). A degree of disruption during construction is inevitable and is not generally a material planning consideration. Otherwise, excessive construction noise is under the control of the Council's Environmental Health service and any parking or traffic restrictions are a matter for the Council in its capacity as roads authority.

In relation to this application, the Proposed Aberdeen Local Development Plan 2020 (PALDP) sets out a change to the west end office area policy is noted in the assessment above. Otherwise, the policies in the PALDP substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both plans for the reasons previously given.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

As an established use, the principle of extending the hospital is considered acceptable in terms of Policy CF1 (Existing Community Sites and Facilities).

The extension has been reduced in size to minimise the impact on 1 Albyn Grove. that , Taking into account the mixed-use nature of the area, it is considered that an appropriate balance has been struck between maintaining a reasonable level of amenity for the residential property and allowing the hospital to enhance its facilities within its existing site. There would be no issues in relation to privacy, overshadowing or availability of daylight.

The extension and entrance works are considered to be suitably designed so the that setting of the listed buildings and character of the conservation area would be preserved, in accordance with Scottish Planning Policy, Historic Environment Policy for Scotland and its associated managing change guidance, relevant legislative requirements and Policy D1 (Quality Placemaking by Design) and Policy D4 (Historic Environment) of the Aberdeen Local Development Plan (ALDP) and the corresponding policies in the Proposed ALDP.

In terms of Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel), during the busiest period the extension would increase two-way vehicle movements by seven vehicles, which is not considered to be significant. The increase in traffic movements would have a negligible impact on the local road network. Taking into account the good accessibility of the site, the availability of on-street parking and existing parking control measures in the area, it is considered no additional parking is required. The applicant has advised that the proposed extension would not result in a requirement for additional service vehicles or visits. It is acknowledged that there can be conflict between delivery vehicles associated with commercial uses and residents in the west end area, however this is inevitable in an area where there are a mix of uses and roads infrastructure which was designed before large vehicles were common.

A noise impact assessment has been undertaken to determine the potential impact from mechanical plant and subject to mitigation measures the conclusion is that the required noise limits would be met in accordance with Policy T5 (Noise).

To accommodate the development, thirteen trees would require to be removed. Most of these trees are relatively small and cannot be seen outwith the site due to the presence of one of the extension wings; therefore, their contribution to the wider character of the area is very limited. The proposal could not proceed without their removal and with their loss having a very localised impact, their removal alongside is compensatory planting is considered acceptable and to have taken account of Policy NE5 (Trees and Woodlands).

CONDITIONS

(1) TREE PROTECTION

No development (including demolition or site setup) shall take place unless an updated tree protection plan and method statement to has been submitted to and approved in writing by the planning authority. The plan and method statement shall take account of the addendum to arboricultural assessment dated December 2021. Thereafter the protection measures shall be implemented and remain in place for the duration of construction of the development.

Reason – to protect trees from damage during construction. in accordance with Policy NE5 (Trees and Woodlands).

(2) TREE PLANTING

The theatre extension hereby approved shall not be brought into use unless a scheme of compensatory tree planting has been submitted to and approved in writing by the planning authority. The scheme shall include trees at the southern boundary of the site shared with 1 Albyn Grove for the purposes of softening the interface between the two uses.

Thereafter all planting proposals shall be carried out in accordance with the approved scheme and 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.

(3) EXTERNAL FINISHING MATERIALS

No development shall take place unless a scheme detailing all external finishing materials of the proposed extension and entrance area has been submitted to and approved in writing by the planning authority. The scheme shall include detailed specifications of all materials to be used on the external areas of the building. Thereafter the development shall be finished in accordance with the approved scheme unless a written variation has been approved by the planning authority.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(4) DRAINAGE

The theatre extension hereby approved shall not be brought into use unless the surface water drainage proposals shown on Cameron + Ross drawing A210085-XX-CAM-DR-C-001 (Rev.2) have been installed and are available for use.

Reason – to ensure that surface water is satisfactorily dealt with.

(5) CYCLE PARKING

The theatre extension hereby approved shall not be brought into use unless a scheme for cycle parking has been submitted to and approved in writing by the planning authority. The scheme shall include details of long-stay secure and covered cycle parking. Thereafter the development shall not be occupied unless the approved scheme has been implanted and is available for use.

Reason – to encourage cycling.

(6) NOISE

The theatre extension hereby approved shall not be brought into use unless –

- Details demonstrating that the noise from the intake duct of supply fan SF/1.02 does not exceed 48 dBA at 1m from the louvre;
- Details demonstrating that noise from the plantroom will not exceed 21 dBA outside the nearest dwelling on Albyn Grove with all mechanical plant units within operated at maximum duty. The details shall include location, dimensions and design of the louvres.

Have been submitted to and approved in writing by the planning authority. Thereafter the development shall not be occupied unless the development has been implemented in accordance with the approved details and any mitigation measures have been implemented or are in operation.

Reason – to protect surrounding residential properties from noise disturbance.

(7) TRAVEL PLAN

The theatre extension hereby approved shall not be brought into use unless a travel plan has been submitted to and approved in writing by the planning authority. The plan shall outline sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets.

Reason – to encourage more sustainable forms of travel to the development.

(8) OBSCURE WINDOW

The theatre extension hereby approved shall not be brought into use unless any windows within the door on the south elevation of the extension have been fitted with obscure glass (minimum obscuration level 3). The obscure glass shall thereafter remain in place as long as the door exists.

Reason – to protect the occupiers of 1 Albyn Grove from overlooking.

ADVISORY NOTES FOR APPLICANT

(1) CONTROL OF ADVERTISEMENTS

For the avoidance of doubt the planning permission hereby granted does not give or imply the granting of consent for any advertisement indicated on the approved planning permission drawings. If such advertisements do not benefit from deemed advertisement consent, a separate application for express advertisement consent should be submitted. For further advice please contact the planning authority.

(2) HOURS OF DEMOLITION AND CONSTRUCTION WORK

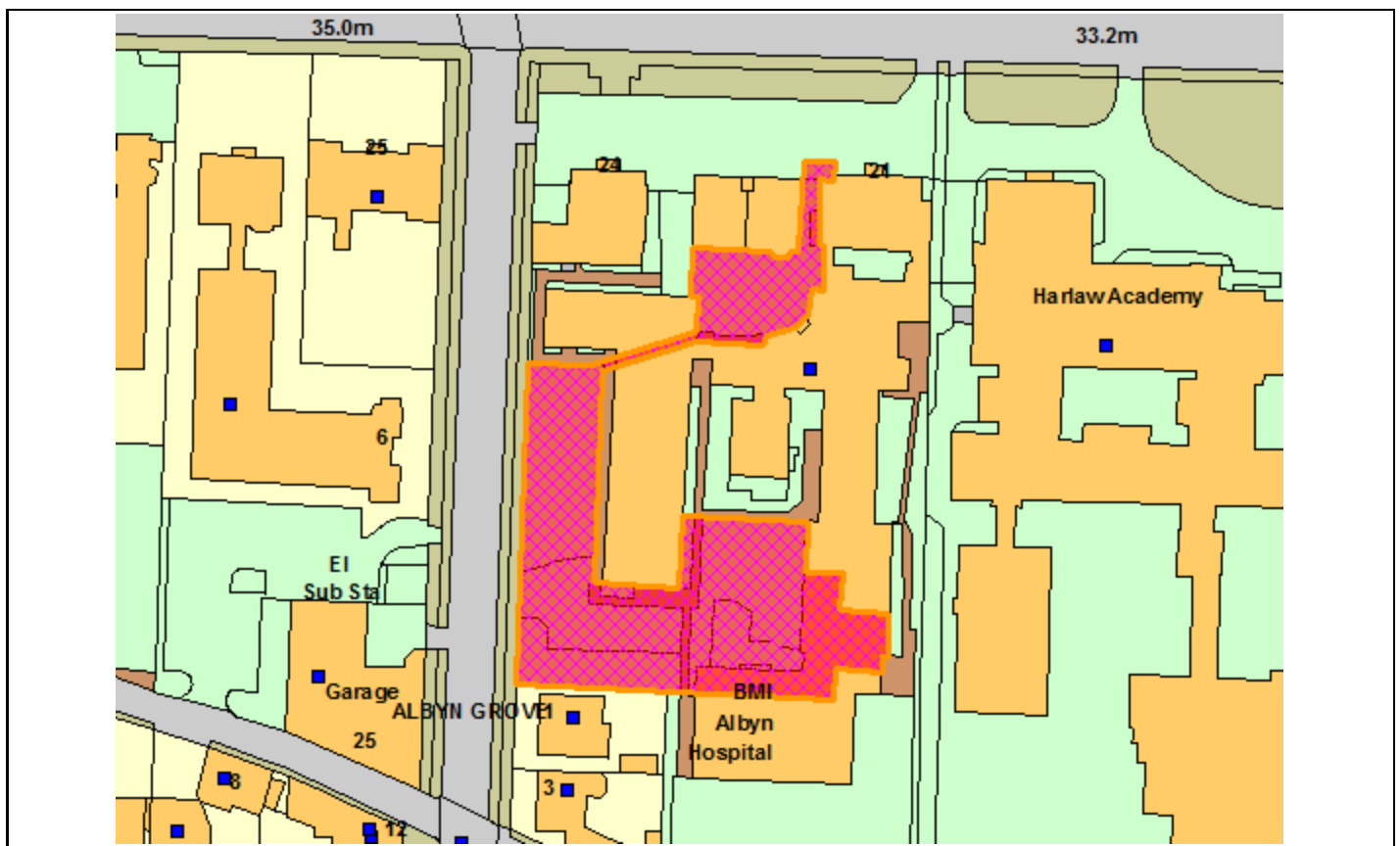
Unless otherwise agreed in writing with Aberdeen City Council Environmental Health Service (poll@aberdeencity.gov.uk / 03000 200 292), demolition or construction work associated with the proposed development should not take place out with the hours of 07:00 to 19:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays. No noisy work should be audible at the site boundary on Sundays.

Where complaints are received and contractors fail to adhere to the above restrictions, enforcement action may be initiated under the Control of Pollution Act 1974.

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 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Planning Development Management Committee</h2>
	<p>Report by Development Management Manager</p>
	<p>Committee Date: 20 January 2022</p>

Site Address:	Albyn Hospital, 21 - 24 Albyn Place, Aberdeen, AB10 1YE
Application Description:	Erection of two storey extension with plant room to rear; erection of entrance extension with ramp to front and side; alterations to car parking and landscaping and other associated works
Application Ref:	211020/LBC
Application Type	Listed Building Consent
Application Date:	14 July 2021
Applicant:	BMI Healthcare Limited
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Queen's Cross and Harlaw
Case Officer:	Matthew Easton



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application relates to Albyn Hospital located on the south side of Albyn Place, at the corner of Albyn Grove.

The hospital comprises three early 19th century granite villas (21, 22–23 and 24 Albyn Place) which face Albyn Place and an extensive complex of 20th century single storey flat roof extensions to the rear (south). It currently accommodates fifteen consulting rooms, twenty-five private patient care rooms, two ambulatory bays, three operating theatres together with scanning departments and GP surgeries.

There is a twenty-seven-space car park for patients and visitors at the front of the hospital, which operates a one-way system with an entrance on Albyn Place and exit on Albyn Grove. Two staff car parks exist, one accessed from the front off Albyn Place with eight spaces and the second with thirty-four spaces which is accessed from Albyn Lane to the rear. The second car park also serves as the hospital service yard.

21 and 24 Albyn Place are category C listed, whereas 22–23 Albyn Place is category B. The site is within the Albyn Place and Rubislaw Conservation Area.

To the east of the hospital is Harlaw Academy; to the west, across Albyn Grove are 25 & 26 Albyn Place, which are both offices, the Albyn Garage lies opposite on the west side of Albyn Grove; and to the south at the corner of Albyn Grove and Albyn Lane are 1 and 3 Albyn Grove which are traditional granite 1½ storey detached dwellinghouses. To the south, across Albyn Lane is the rear gardens of residential properties on Union Grove. The wider area to the south and west is residential.

Relevant Planning History

- Detailed planning permission (191611/DPP) was approved in December 2019 for alterations to an existing flat roof.
- Detailed planning permission (200870/DPP) and listed building consent (200871/LBC) were approved in February 2021 for refurbishment and installation of replacement windows, roof refurbishment with associated works.
- Detailed planning permission (210894/DPP) and listed building consent (210893/LBC) were approved in February 2021 for removal of existing roof mounted equipment and the erection of an air handling unit (AHU); installation of two condenser units with internal alterations and other associated works.
- An application for Detailed Planning Permission (211019/LBC) corresponding with this planning application is also on the committee agenda.

APPLICATION DESCRIPTION

Listed building consent is sought for an extension at the rear of the hospital and for alterations to the front of the building to revise the entrance arrangements to the hospital building.

Extension

A predominately single storey extension is proposed which would be in the eastern and central parts of the site, near the boundary with 1 Albyn Grove. The extension would have a gross floorspace of 567m² and be positioned between and be integrated with the existing rear extensions. It would provide space for three additional patient rooms, seven patient day-case rooms and one operating theatre with associated support and recovery space. Ancillary preparation and utility rooms and circulation space is also proposed. A two-storey part of the extension would accommodate a centrally positioned mechanical plant room with a floor space of 228m².

The single storey element would be finished in white smooth render and white dry dash render, with a grey single ply roofing membrane, to match the existing extensions. It would have three windows facing west towards Albyn Grove. The two-storey plant room and stair element would be finished in grey rainscreen cladding and include louvred areas to provide ventilation to the plant within.

Entrance alterations

The main entrance to the hospital building is in the extension to the rear of the granite villas. A ramped path between 21 and 22 Albyn Place provides a pedestrian route between the main car park and the entrance. It is proposed to alter this route to improve accessibility and legibility of the entrance route and make it DDA compliant. This would comprise an entrance structure between the buildings that would cover the first section of the ramp which itself would be adjusted to provide a more suitable gradient. The structure would feature timber cladding, grey and white cladding panels and pre-weathered copper panels. One window on the front of no.21 and two windows on the side of no.22 and would be infilled with grey render. New steps and a ramp would be provided immediately outside the entrance door.

Amendments

Post submission the application has been amended to –

- Reduce the footprint of the single storey part of the rear extension from 685m² to 567m². This results in the distance between the extension's southern elevation and the boundary with the private dwellinghouse at 1 Albyn Grove increasing by 3.8m (from 1.6m to 5.4m at its closest).
- Reduce the height of the stair element associated with the first-floor plant room by 3.84m (decreasing from 10.30m to 6.46m).
- Reduce the overall height of the extension by 0.3m (both the single storey element and two storey plantroom)

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=QW8SHPBZLQ400>

- Planning, Design and Access and Heritage Statement

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because Queen's Cross and Harlaw Community Council has objected.

CONSULTATIONS

Historic Environment Scotland – No objection

Queen's Cross and Harlaw Community Council – Object. The proposal is over development of site.

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

- Where a proposal affects a listed building, sections 14(2) and 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining an application for Listed Building Consent to have special regard to the desirability of preserving the building or its setting and any features of special architectural or historic interest which it possesses. This is the primary consideration in the determination of applications for Listed Building Consent.
- Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

National Planning Policy and Guidance

- Historic Environment Policy for Scotland (HEPS)
- Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent
- Managing Change in the Historic Environment: Extensions
- Managing Change in the Historic Environment: Setting

Aberdeen Local Development Plan (2017)

- Policy D1 (Quality Placemaking by Design)
- Policy D4 (Historic Environment)

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The Proposed ALDP constitutes the

Council's settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis.

- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)

Other Material Considerations

- Albyn Place and Rubislaw Conservation Area Appraisal

EVALUATION

Policy D4 (Historic Environment) indicates that the Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, Scottish Historic Environment Policy (superseded by Historic Environment Policy for Scotland) and its own supplementary guidance and conservation area character appraisals and management plans. High quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings and conservation areas will be supported.

Scottish Planning Policy (paragraphs 141 and 143) reflects the legislative requirements in relation to conservation areas and listed buildings set out in the Material Considerations part of this report. SPP requires that, where planning permission is sought for development 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. Proposals for development within conservation areas which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.

Historic Environment Policy for Scotland (HEPS) is the Government's national policy statement on built heritage and sits alongside SPP. Historic Environment Scotland's guidance on managing change is also relevant.

Extension

The hospital comprises three granite villas which face Albyn Place. Each building is listed, with their special interest predominantly relating to the buildings being good examples of early 19th century villas which were constructed as part of Aberdeen's planned expansion westwards. The Albyn Place and Rubislaw Conservation Area Appraisal identifies buildings on Albyn Place as *"generally being relatively plain buildings, mostly built in a classical style, and having minimal ornate detailing. 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.”

Reflecting that pattern of development, beyond the villas within the application site is an extensive complex of 20th century single storey flat roofed extensions which extend south towards Albyn Lane. There is a central area of landscaping, which extends west towards the boundary of the site shared with Albyn Grove and the garden of 1 Albyn Grove. The extensions do not contribute to the special historic or architectural character of the site, but at the same time do not significantly detract from the character of the conservation area or setting of the listed buildings, largely due to their relatively low-lying height.

The proposed extension would sit among the existing extensions, filling in part of the landscaped space between them and extending towards the boundary with Albyn Grove to the west and the dwellinghouse at 1 Albyn Grove to the south. The landscaped space does not possess any special interest and has not been designed to relate to the listed villas in any particular way, rather it is space left over around the previous extensions. The concept of developing the space would maintain the special interest of the listed building group and character of the wider conservation area.

The roof line of the single storey element of the new extension would generally be comparable with that of the existing extension, being only 0.60m higher. Due to a change in levels across the site the extension does become taller as it progresses south towards the boundary with 1 Albyn Grove, with its southern elevation proposed at 5.05m. The extension would sit comfortably alongside the existing extensions.

The two-storey element of the extension which would accommodate a mechanical plant room would achieve a height of 9.7m. Therefore, it would be more readily visible from outwith the site, being visible from Albyn Grove above the boundary wall and from Albyn Lane through the service vehicle access. However, it would be located well within the site, some 32m from the boundary with Albyn Grove and 42m from Albyn Lane and be lower than the listed villas at the front of the site as well as other taller buildings such as Harlaw Academy and tenements on Albyn Grove and Union Grove. Given the surrounding context, it is therefore considered that it would not be unduly prominent in terms of its visual presence.

Entrance works

The proposed entrance structure at the front of the hospital would be located between 21 and 22 Albyn Place. It is intended to improve pedestrian access to the hospital's main entrance by providing a ramped path which has a gradient which complies with current building and DDA standards. The structure would also help define the entrance area, which at present is not easily identifiable.

The height of the overall structure would be around half of the height of the ground floor of the two-storey villas on either side. This would therefore largely retain the gap between the buildings, a feature which is identified by the conservation area appraisal as contributing to the regular flow and rhythm of buildings and spaces on Albyn Place and Queen's Road. Should circumstances change in the future the works would be largely reversible, with the structure being able to be removed without affecting the special character or features of the building.

Summary

Considering the extension and the entrance works together, it is considered the proposals have been suitably designed for their context in accordance with Policy D1 (Quality Placemaking by Design). The setting of the listed buildings and character of the conservation area would be

preserved, in accordance with Scottish Planning Policy, Historic Environment Policy for Scotland and its associated managing change guidance, relevant legislative requirements and Policy D1 (Quality Placemaking by Design) and Policy D4 (Historic Environment) of the Aberdeen Local Development Plan (ALDP) and the corresponding policies in the Proposed ALDP.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The extension and entrance works are considered to be suitable design so the that setting of the listed buildings and character of the conservation area would be preserved, in accordance with Scottish Planning Policy, Historic Environment Policy for Scotland and its associated managing change guidance, relevant legislative requirements and Policy D1 (Quality Placemaking by Design) and Policy D4 (Historic Environment) of the Aberdeen Local Development Plan (ALDP) and the corresponding policies in the Proposed ALDP.

CONDITIONS

(1) EXTERNAL FINISHING MATERIALS

No development shall take place unless a scheme detailing all external finishing materials of the proposed extension and entrance area has been submitted to and approved in writing by the planning authority. The scheme shall include detailed specifications of all materials to be used on the external areas of the building. Thereafter the development shall be finished in accordance with the approved scheme unless a written variation has been approved by the planning authority.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE



Planning Development Management Committee

Residential development (79 units) comprising conversion of existing office building and erection of new build and associated infrastructure

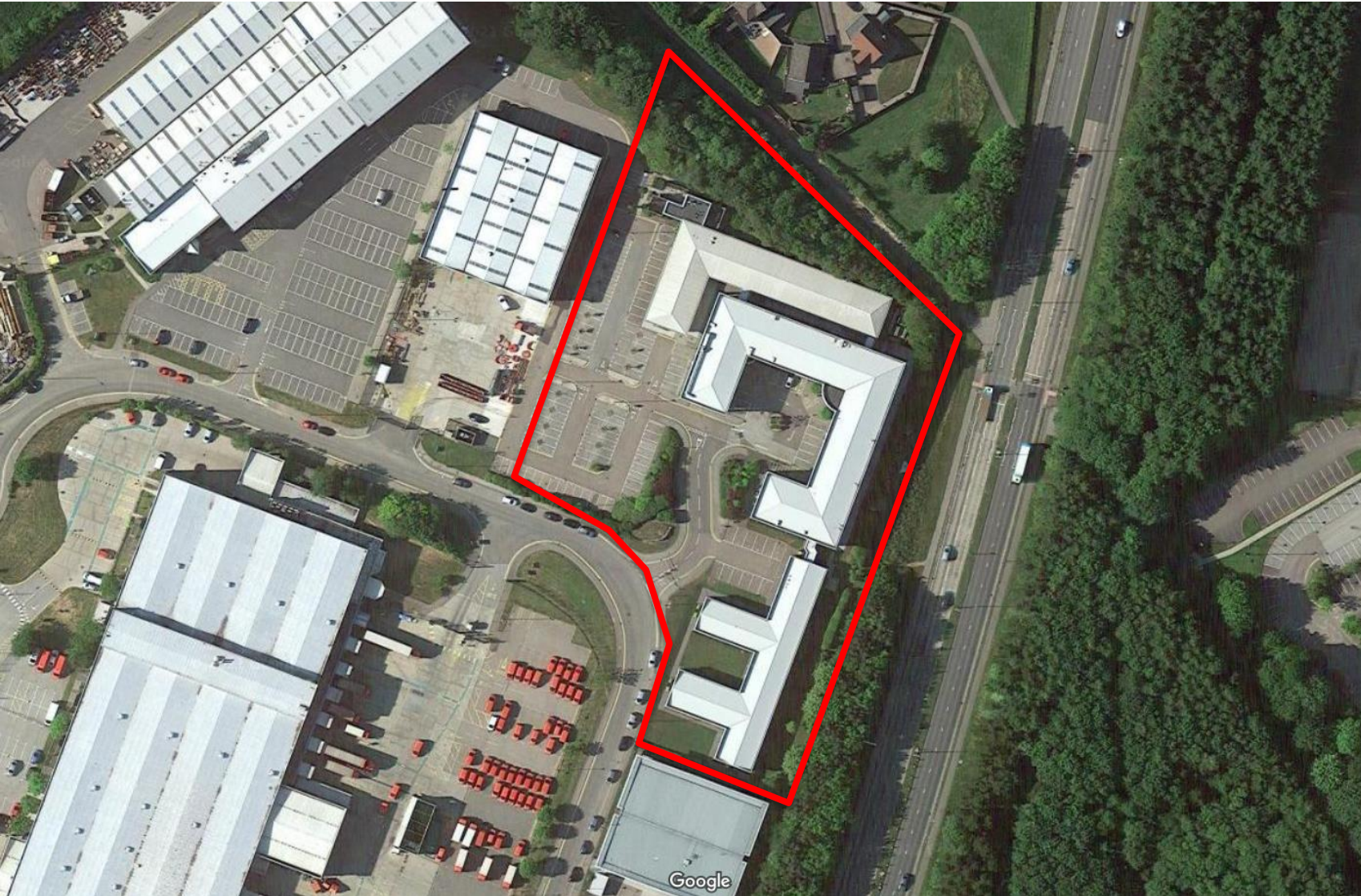
Site at Quattro House, Wellington Circle

Planning Permission in Principle
210973/PPP

Location – Wider Context



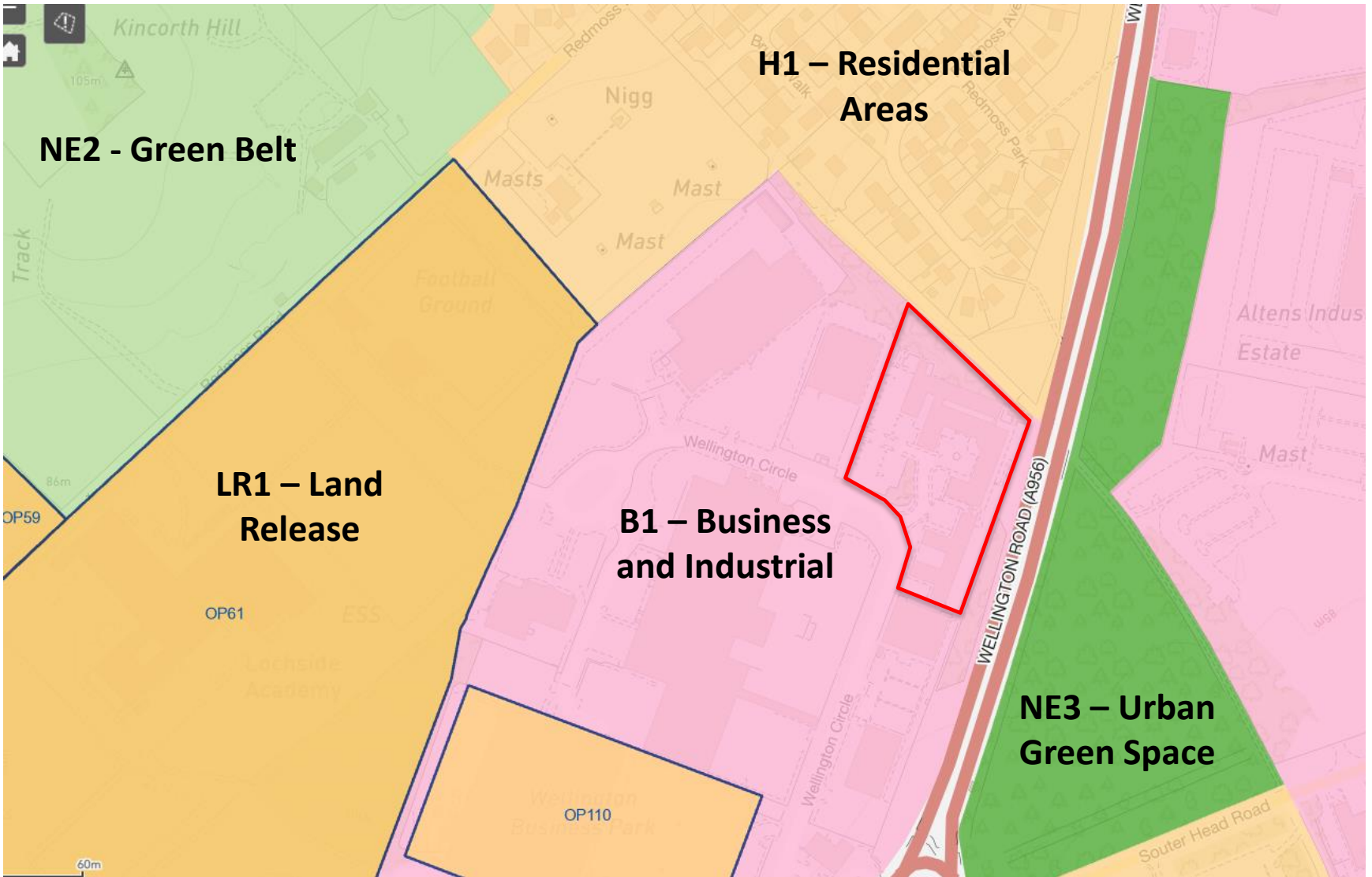
Aerial Photo



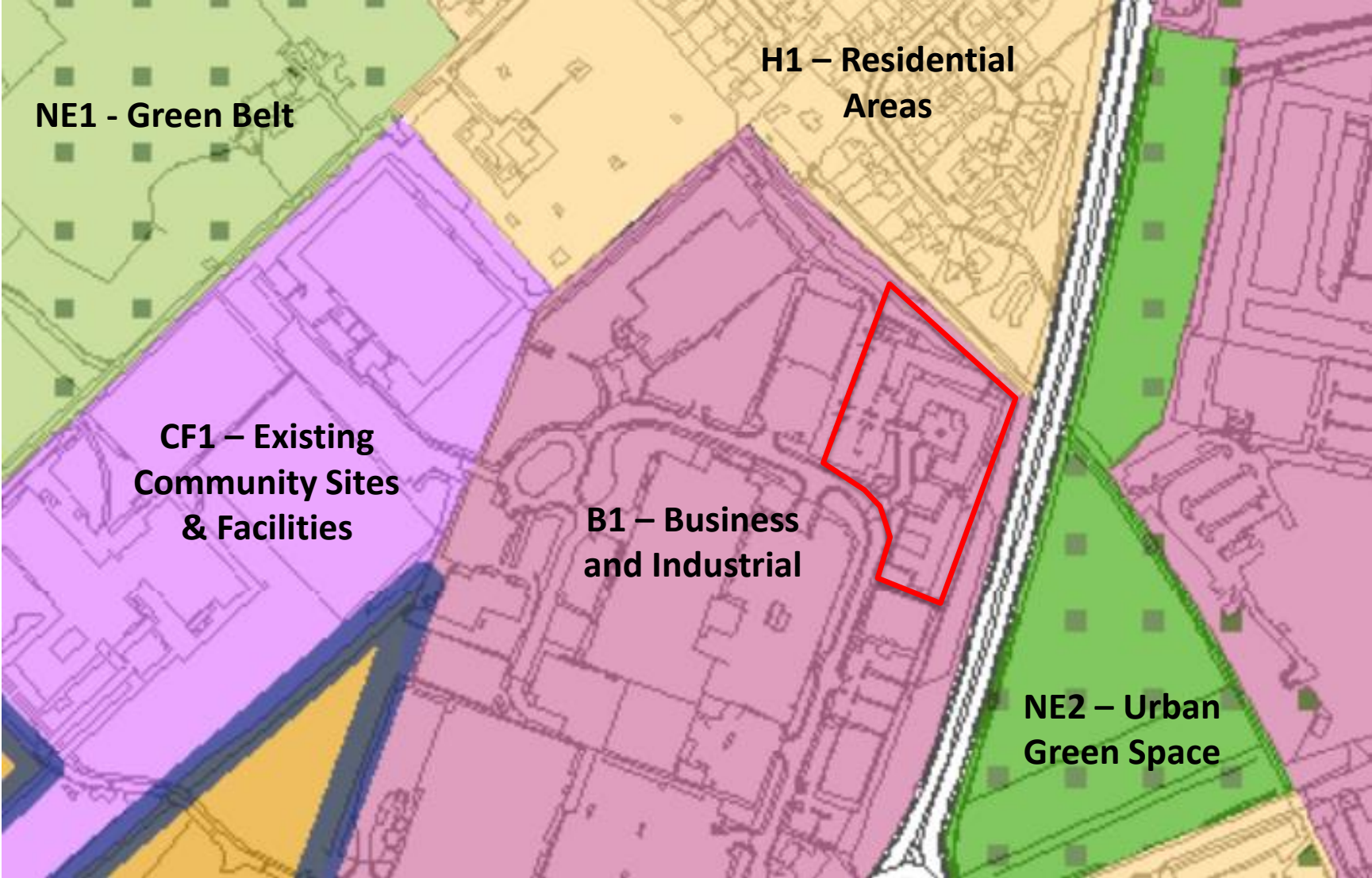
Aerial Image



ALDP Zoning (Adopted Plan)



ALDP Zoning (Proposed Plan)



Site Photos



Looking south-west from Wellington Road

Site Photos

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Looking north from Wellington Road

Site Photos



Views from Wellington Circle

Proposals – Site Layout

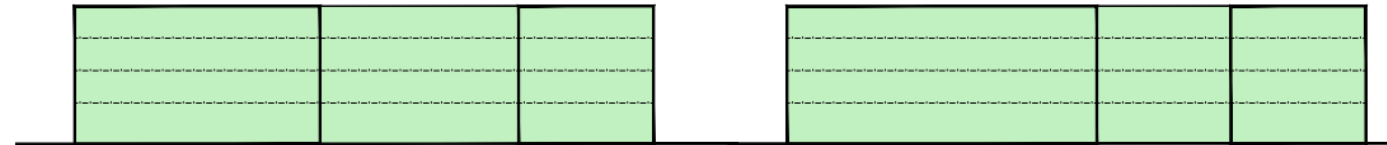


Proposals – Block A Indicative Massing



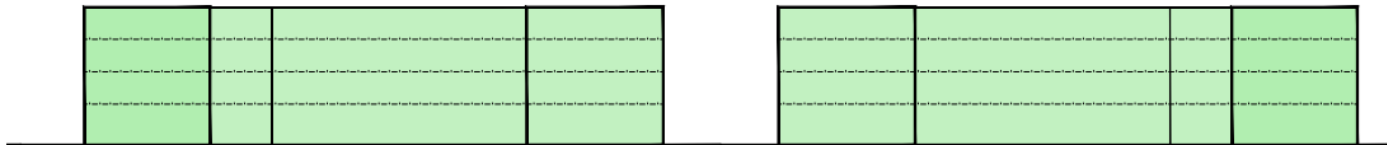
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ELEVATION 02
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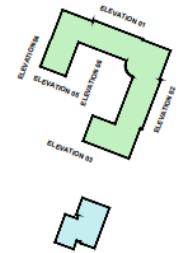
ELEVATION 03
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ELEVATION 04
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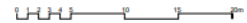


ELEVATION 05
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ELEVATION 06
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PA - Block A Proposed Massing 02/12/21



HALLIDAY FRASER MUNRO
CHARTERED ARCHITECTS & PLANNING CONSULTANTS

Project: QUATRO HOUSE RESIDENTIAL DEVELOPMENT
WELLINGTON CIRCLE, ABERDEEN

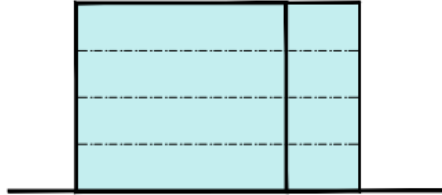
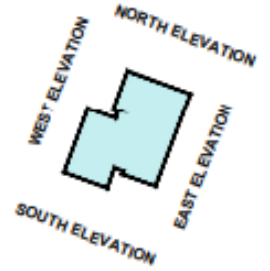
Client: FARO PROPERTIES IV LTD.

Title: BUILDING A - PROPOSED ELEVATIONS

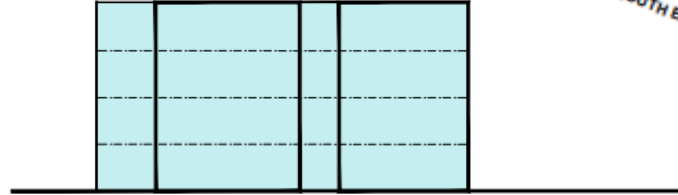
Document Reference:
11833 - HFM - BA - ZZ - DR - A - 00 102

Prepared by: [Name] Date: [Date]

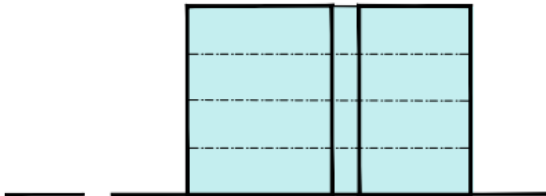
Proposals – Block A Indicative Massing



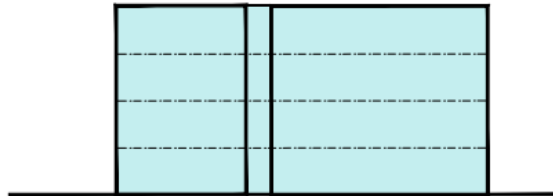
NORTH ELEVATION
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EAST ELEVATION
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SOUTH ELEVATION
Scale: 1:200



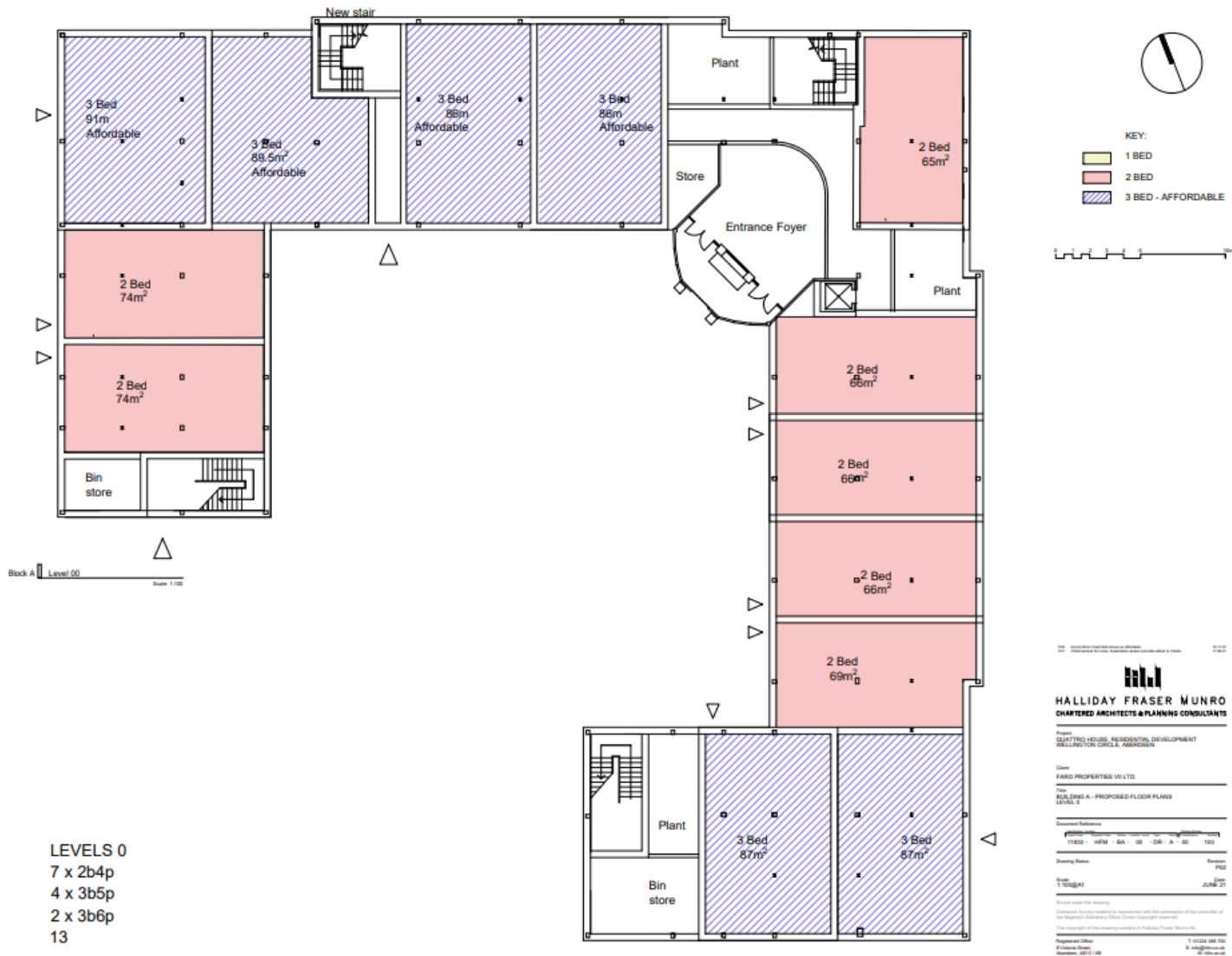
WEST ELEVATION
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Proposals – Indicative Visuals

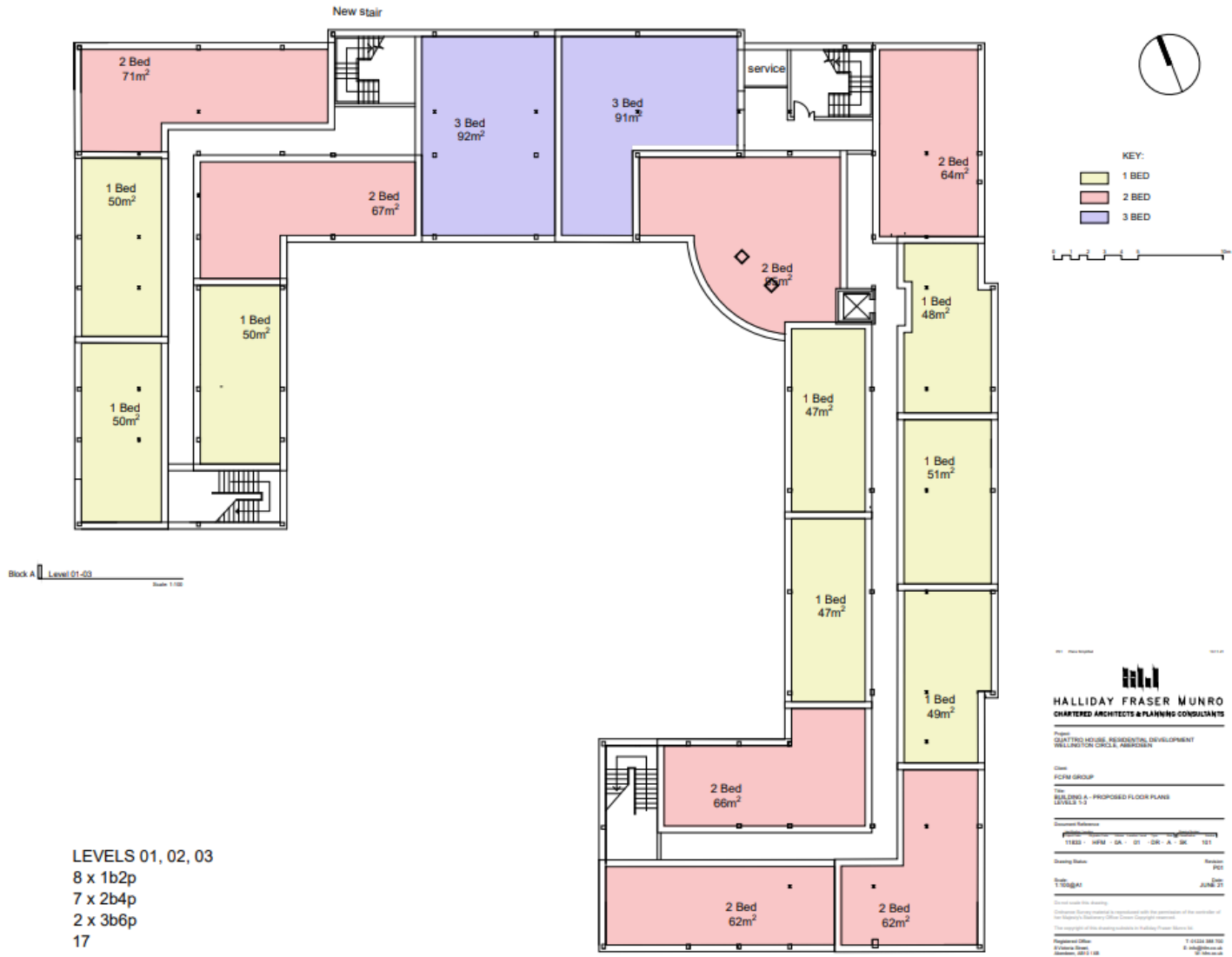
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Proposals – Block A Ground Floor Layout

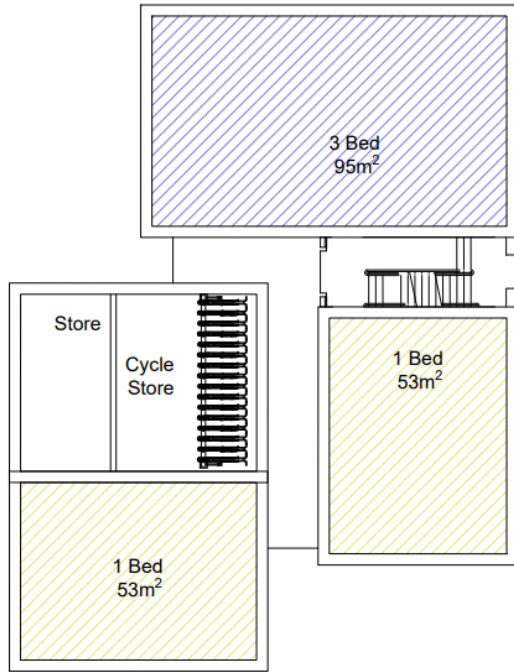


Proposals – Block A Upper Floor Layouts

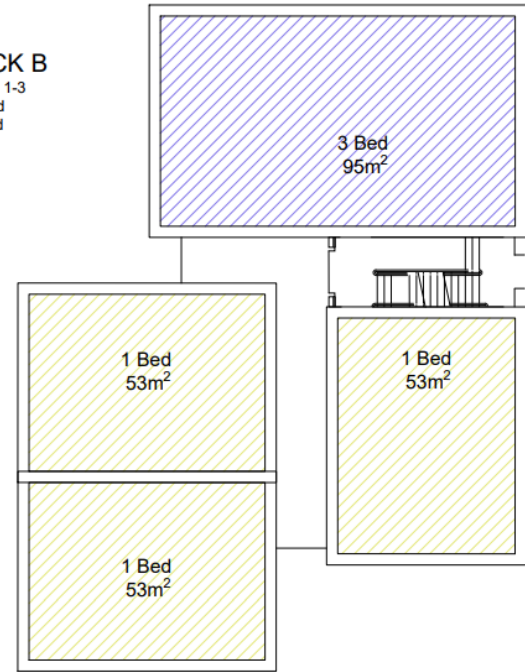


Proposals – Block B Floor Layouts

BLOCK B
LEVEL 00
2 x 1 bed
1 x 3 bed
= 3



BLOCK B
LEVELS 1-3
3 x 1 bed
1 x 3 bed
= 4



Summary

- Departure from the 2017 ALDP (Contrary to Policy B1 – Business and Industrial);
- However – lack of demand for continued business or industrial use & demonstrable surplus in business & industrial land in the city;
- Proposal would re-use part of the existing building on a brownfield site, thus constituting sustainable development in accordance with SDP and SPP
- Subject to further detail at MSC stage, a satisfactory residential amenity could be created for occupants, without any significant conflict with the neighbouring commercial uses.
- There would be sufficient on-site open space
- The occupants would not be adversely affected by noise emissions
- The site is sustainably located within walking distance of bus stops, schools, shops and other facilities and amenities
- Subject to further details to be assessed at MSC stage, the development could be appropriate in terms of its design & scale

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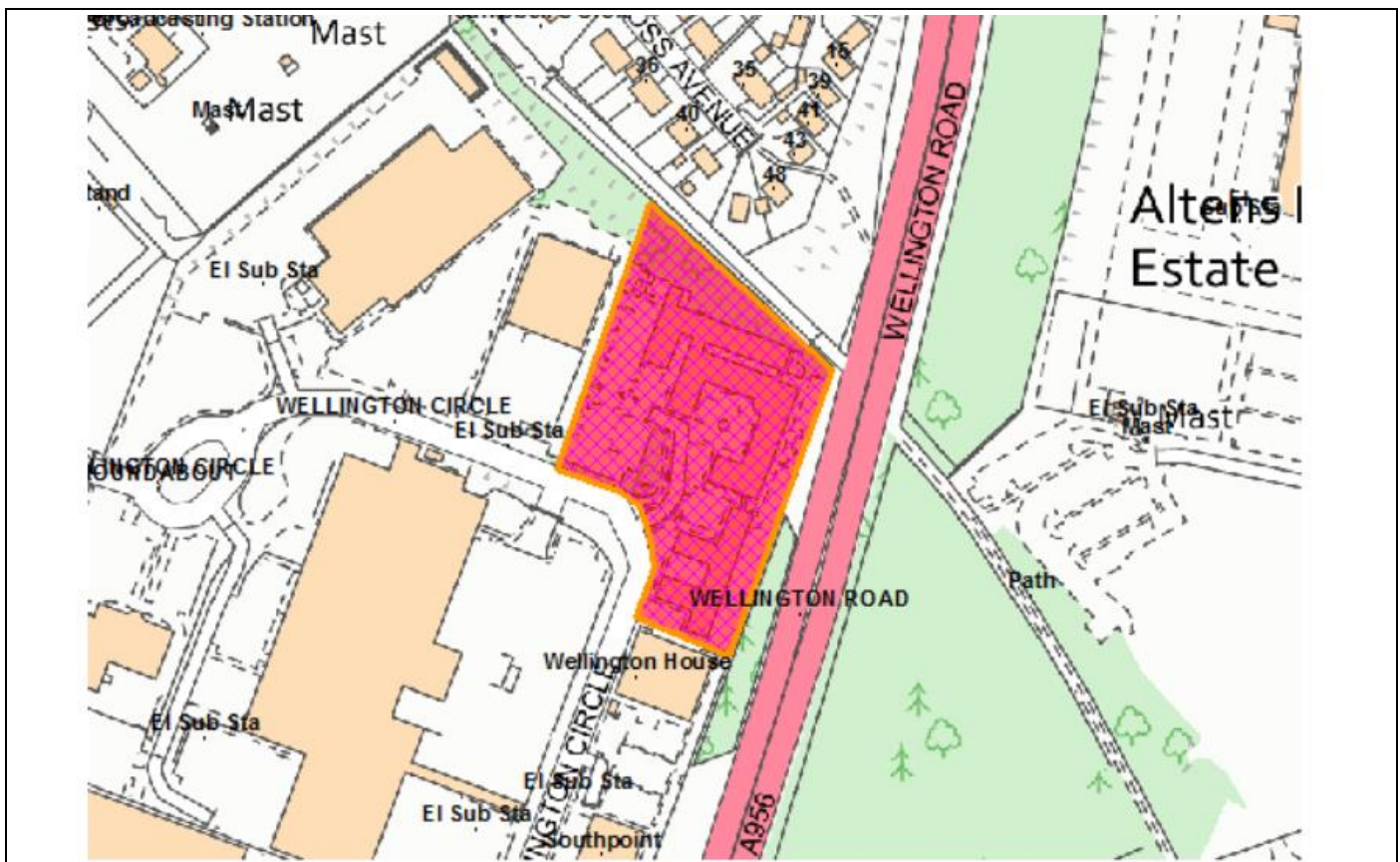


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 January 2022

Site Address:	Site At Quattro House, Wellington Circle, Aberdeen, AB12 3JG
Application Description:	Residential development (79 units) comprising conversion of existing office building and erection of new build and associated infrastructure
Application Ref:	210973/PPP
Application Type	Planning Permission in Principle
Application Date:	6 July 2021
Applicant:	Faro Properties IV Limited
Ward:	Kincorth/Nigg/Cove
Community Council:	Nigg
Case Officer:	Alex Ferguson



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RECOMMENDATION

Willingness to approve conditionally, subject to conditions and a legal agreement to secure developer obligations towards the core path network, healthcare facilities, open space, community facilities and the Car Club and provision of affordable housing.

APPLICATION BACKGROUND

Site Description

The application site comprises the curtilage of Quattro House, a cluster of adjoining late 20th Century office buildings with ancillary car parking and open space situated on the north-eastern corner of Wellington Circle, in the Wellington Business Park. The main building within the site is a two-storey building with an approximately 'C'-shaped footprint, set around a south-west facing central parking courtyard. The main building is adjoined to both the north and south by single storey wings with 'L' and 'F'-shaped footprints respectively. The buildings all occupy the eastern part of the site, with surface car parking occupying the majority of the western part of the site. An established tree belt forms the northernmost part of the site. The c. 1.4 hectare site is bound to the east by a tree belt and a grass verge, with the Wellington Road (A956) dual carriageway beyond. A private road forms the northern edge of the site with a clothing storage and distribution warehouse (2Tall.com) to the west and an office building to the south. The Royal Mail Altens Mail Centre and yard lies on the opposite side of Wellington Circle, to the south-west.

Relevant Planning History

210225/PAN – A Proposal of Application Notice was submitted by the applicant for the proposed development in February 2021. The Planning Service responded to advise that further pre-application consultation was required, prior to the submission of the application.

APPLICATION DESCRIPTION

Description of Proposal

Planning Permission in Principle is sought for the redevelopment of the site for residential use (circa 79 units), including the part demolition, part retention and alteration and extension of the existing main 'C'-shaped building, the demolition of the existing northern and southern wings, the erection of a new building and associated infrastructure, car parking and landscaping.

Although an application for planning permission in principle, indicative details have been submitted to demonstrate how the level of development proposed could be accommodated on the site. The indicative plans show the following:

- Demolition of the existing northern and southern single-storey wings;
- Façade removal, re-cladding and upward extension of the existing, 'C'-shaped main building (Block A), adding two storeys to give a total height of four storeys;
- Erection of a new four-storey building (Block B) in the southern part of the site, approximately equidistant between Block A and the neighbouring office building to the south;
- Formation of a surface car park, incorporating 88 standard car parking spaces (5 electric), one Car Club vehicle, 5 accessible spaces, 5 visitor spaces and 8 motorcycle spaces;
- Erection of cycle and bin stores, with 100% cycle parking;
- Formation of a secondary means of access for emergency vehicles onto Wellington Circle;
- Formation of private garden areas and communal open space, including a children's play park and picnic area;
- Removal of some trees from the northern tree belt and the planting of new trees and soft-landscaping throughout the site, including along the front (southern) and western boundaries;
- Formation of paths throughout the site and an indicative future footpath link outwith the site, connecting into the footpath on the western side of Wellington Road.

Indicative Floor Plans

The applicant has submitted indicative floor plans in order to demonstrate how both buildings could be developed. The indicative total number of units and housing mix for both buildings is as follows:

- Block A – 64 units
 - 24 x 1-bed
 - 28 x 2-bed
 - 12 x 3-bed (6no affordable)
- Block B – 15 units (100% affordable)
 - 11 x 1-bed
 - 4 x 3-bed

Amendments

The following amendments were made to the proposals by the applicant in November 2021:

- The footprint of Block B was reduced by approximately 50%, with the number of units dropping from 32 (24 affordable) to 15 (all affordable);
- 6 of the apartments in Block A are now proposed to be affordable (initially Block A was to incorporate no affordable units);
- The amount of car parking was reduced accordingly based on the reduced number of units and the incorporation of a Car Club vehicle;
- The amount of open space was increased from that originally proposed, with some trees proposed to be felled in the northern tree belt and additional tree planting and soft landscaping indicatively proposed to the front of the site and sporadically throughout the car park;
- The initially proposed detailed elevational drawings for both buildings have been superseded and replaced with less detailed indicative massing drawings – with the detail to follow at Matters Specified in Conditions application stage, should the application be approved.

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=QVTA4YBZLH200>

- Planning Supporting Statement
- Design & Access Statement
- Noise Impact Assessment
- Updated Noise Impact Assessment – Issue 4 (22/11/2021)
- Transport Statement
- Drainage Assessment
- Tree Survey & Arboricultural Impact Assessment
- Pre-Application Consultation Report
- Marketing Statement
- Air Quality Impact Assessment

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because

it is being recommended for approval and is considered to be contrary to the adopted Development Plan strategy by virtue of it being a residential development located on a site zoned as Business and Industrial land (Policy B1) in the adopted Aberdeen Local Development Plan 2017.

Pre-Application Consultation

The applicant undertook statutory pre-application consultation which included the creation of a website on which details of the proposals were displayed for a period of 3 weeks and via which an interactive online engagement event was held on Tuesday 30 March 2021 from 2pm to 8pm.

The applicant reports that there was not a significant amount of engagement in the pre-application consultation process, with responses limited to a letter from the Nigg Community Council and an email from a neighbouring business (who also partook in the online event).

Various questions were asked by the respondents, as well as concerns raised in relation to the following matters:

- Impact of the development on traffic;
- Impact of floodlighting from neighbouring businesses on the proposed development;
- Impact of noise emissions from neighbouring businesses and the proposed development and the potential for future noise complaints from residents to affect the viability of those businesses.

The Nigg Community Council responded to the pre-application consultation (as set out in the applicant's Pre-Application Consultation Report) by noting their objection to the proposal, for the following reasons:

- The proposed residential development is contrary to the Local Development Plan as the site lies within an area zoned as Business and Industrial land;
- The site lies between office and industrial uses and the proposal is thus not in keeping with the existing land usage and would be out of character for the area;
- Various other developments have taken place in recent years on Wellington Circle but they have all been commercial, rather than residential;
- The only access onto Wellington Circle and the site is from Wellington Road, which is also the only vehicular access to Lochside Academy, Cove Rangers' stadium, the Royal Mail distribution centre and various other commercial uses, all of which generate a considerable volume of traffic. Any additional traffic generated by the development would affect traffic flows on the local road network and could result in road safety issues.

The applicant presented to the Pre-Application Forum on 20 May 2021. Members of the forum heard from the applicant, their agent and architect and asked a number of questions, with the following information being noted –

- The 25% affordable housing would be included in the second block;
- The zoned primary school for the proposed housing was Kirkhill Primary School and the academy was Lochside Academy;
- The existing car parking would stay in the same area but would be reduced in numbers. Electric charging points would also be included;
- The applicant had not yet considered providing fibre broadband to all of the premises but this could be investigated;
- General noise and traffic noise mitigations were important and would be looked at along with the use of buffers and would be included in the final application;
- The general breakdown of properties in the development would be 10% 3 bedroom flats with

their own garden, 80% two bedroom flats and 10% one bedroom flats;

- Cycle sheds and refuse points would all be fitted as standard;
- COVID had changed the way developers looked at proposed flatted properties. With the change in people's circumstances and a lot of individuals homeworking, it highlighted that a lot of flatted properties did not have any outdoor space to enjoy and this had been important when developing this proposal, with as many properties as possible having balconies.

The applicant notes in their Pre-Application Consultation (PAC) Report that following the responses received at pre-application stage, amendments were made to the proposed design and layout in order to address issues raised in relation to noise and floodlighting.

CONSULTATIONS

ACC - Roads Development Management Team – No objection. Their comments can be summarised as follows:

- Walking, cycling and public transport
The site is located in close proximity to the nearest bus stops (within 400m) and would be connected into the surrounding pedestrian network, with a signalised pedestrian crossing over Wellington Road immediately adjacent to the site. Further details are required in respect of the design and locations of footpath connections from the site to the Wellington Road pavement at Matters Specified in Condition (MSC) stage and these aspects should be conditioned.
- Safe Routes to School
The walking routes between the site to both Kirkhill Primary School and Lochside Academy are acceptable.
- Parking
The development comprises 58 private flats and 21 affordable flats, equating to a parking requirement of 104 spaces, as per the Transport & Accessibility supplementary guidance. 88 general spaces (5 of which would be active EV spaces), 5 accessible spaces, 5 visitor spaces, 8 motorcycle spaces and a Car Club vehicle are proposed. 100% secure cycle parking (1 space per unit) would also be provided. The provision of a Car Club vehicle (equivalent to 17 spaces) reduces the car parking requirement to 87 spaces. The development would thus meet the minimum standards for parking as set out in the supplementary guidance. A condition is required to ensure further details of car parking as part of a detailed scheme at MSC stage.
- Car Club vehicle
The Car Club vehicle that is proposed to be provided on the site would be an electric vehicle. The total cost payable by the developer to provide the vehicle would be £25,852.40, which would cover the lease of the car for three years and various other items, including free Car Club memberships and drive time for the residents. The developer would also have to cover the cost of lining and signing the designated Car Club space, and providing the EV charge point.
- Development Vehicle Access
The utilisation of the existing vehicular access from Wellington Circle is acceptable. A secondary means of access for emergency vehicles is required and is indicatively shown in the western corner of the site, providing access from Wellington Circle. Some aspects of the emergency access design require to be amended/clarified but these aspects can be conditioned and addressed at MSC stage.

- Internal Road Layout
The internal roads layout is generally acceptable for the purposes of the current Planning Permission in Principle application. Further details such as geometry, levels, materials etc require to be clarified at MSC stage. The refuse vehicle swept path drawing provided is acceptable, demonstrating that a refuse vehicle can enter and navigate the site appropriately. Further details of the emergency access and the turning head in the car park are required at MSC stage.
- Local Road Network
The applicant's Transport Statement considers that there would be an anticipated net reduction in vehicle trips generated by the development of 16 in the am peak period and 21 in the pm peak period, compared to the existing office use of the site. As such, there would be a net improvement in terms of traffic generation on the local road network during the most onerous periods.
- Travel Plan Framework (Residential Travel Pack)
The applicant proposes to complete a Residential Travel Pack (RTP) as part of an MSC application, prior to the occupation of the first unit. This is acceptable and requires to be conditioned. It should also include the safe routes to school.
- Drainage Impact Assessment
The applicant's drainage proposals are largely acceptable, with surface water to drain via porous paving and filter trenches to on-site cellular storage attenuation tanks. There are some minor aspects of the porous paving design that require further detail but these aspects can be conditioned and addressed at MSC stage.
- Roads Construction Consent
The development will require to be the subject of a Roads Construction Consent application.

ACC - Developer Obligations – Following consultation with stakeholders and assessment of the proposals against the Council's Planning Obligations supplementary guidance, a package of developer contributions has been formulated, with the following sums required to mitigate the impacts of the development:

- Core Path Network (Core paths 79, 81, 82 and/or 83 and/or aspirational path 3): £22,097;
- Healthcare Facilities (Cove Bay and Kincorth Medical Practice): £34,274;
- Open Space: £10,870;
- Community Facilities (Loirston Annexe and/or Altens Community Centre): £108,613;
- Car Club vehicle: £25,852.40.

ACC - Schools Estates Team – No objection. Factoring the proposed development into the 2018 school roll forecasts for Kirkhill Primary School and Lochside Academy, there is anticipated to be sufficient capacity in both schools to accommodate the number of pupils expected to be generated by the development.

ACC - Environmental Health – No objection. The Environmental Health Service accepts the findings of the applicant's updated Noise Impact Assessment (NIA) which considers that, subject to the implementation of various recommended mitigation measures, the occupants of the development would not be unduly affected by any existing external sources of noise (particularly from neighbouring uses, including the Royal Mail depot, and from traffic on Wellington Road). The recommended mitigation measures are:

- a) Application of acoustic barriers 3.0 metres high along the northern boundary of the site and a 1.8 metres high around the rest of the site boundaries as detailed within section 9.1.2 and figure 5 of the report.
- b) bedrooms are positioned on aspects with no view of the Royal Mail Depot with robust justification of doing otherwise required.
- c) the gable end aspects of Block A facing the industrial commercial noise sources are designed to accommodate circulation spaces e.g., hallways and stairwells.
- d) application of the recommended minimum sound insulation requirements discussed in section 9.2.9 and presented in Table 5 for the worst-case aspects including requirements to achieve night-time L_{Amax} in Block B – Habitable rooms facing Wellington Circle.
- e) an appropriate form of glazing and ventilation is incorporated into the scheme's final design with provision of associated specifications for the entire scheme to meet the criteria adopted to the satisfaction of this Service.

The Environmental Health Service also accepts the findings of the applicant's Air Quality Screening Assessment, and notes that a more detailed Air Quality Impact Assessment is not required. They further note that a Dust Management Plan requires to be submitted to and agreed with the Council in order to ensure the application of necessary dust control measures during the demolition and construction phases.

ACC - Housing – No objection. The tenure of the 6 affordable units proposed in Block A is unclear at this stage. Low-Cost Home Ownership (LCHO) would not be a suitable tenure if the units would be 3-bed flats as suggested at this stage.

ACC - Waste and Recycling – Object for the following reasons:

- Waste collection vehicles should be able to get to within 10m of the storage point for Block A, from what I can see on the plans, this will not be possible with the current proposed site layout due to the narrow path and electric charging points for the vehicles.
- A detailed plan for each bin store and a measurement to the collection point needs to be provided.
- Bin Store B has electric car parking space in front of the entrance door however this will need to be in such a place as not to block access.

Also note the number and type of bins that will be required, along with other information for the applicant to be aware of – all of which is included as an Advisory Note.

ACC - Contaminated Land Team – No objection. The Contaminated Land Team note that the site has been in industrial/commercial use since at least 1981 and therefore not the potential for some contamination. They request the attachment of two conditions in relation to site investigations and remediation of contaminated land prior to occupation.

Police Scotland – No objection. Advise that the area is a low-crime area and provide advice on how various aspects of the proposals could be designed to maximise safety and minimise crime.

Scottish Water – No objection, although Scottish Water are unable to confirm that there would be sufficient capacity in the relevant water and waste-water treatment works to service the development.

Nigg Community Council – No comments received.

REPRESENTATIONS

One representation has been received, objecting to the application. The representation was submitted on behalf of the Royal Mail, whose Altens Delivery Office is situated on the opposite side of Wellington Circle from the application site. The matters raised by Royal Mail in their representation can be summarised as follows:

- The development is contrary to the existing and proposed Local Development Plans, being a residential use that would conflict with the surrounding business and industrial uses and change and undermine the character of the site and the wider industrial estate;
- The Council's Housing Land Audit confirms there is sufficient housing land supply and therefore no need to develop the site for residential use;
- The development would be incapable of providing a suitable residential amenity, given the proximity to the service yard of the nearby Royal Mail Mail Centre, whose operations generate significant levels of noise emissions, including during the night. Any future noise complaints arising from residents of the development could therefore harm the operations and viability of the Royal Mail, at a site of strategic importance to them;
- The Mail Centre also incorporates a significant amount of floodlighting, which could harm residential amenity at night;
- The applicant's Noise Impact Assessment does not include sufficient scope of measurements to give a true and fair reflection of the ambient noise levels at the site;
- A Construction Management Plan should be conditioned if the application is approved, to ensure there would be no construction-phase obstruction to the access and movement of Royal Mail vehicles.

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.

For the purposes of section 41A of the 1997 act, the development is considered to be a "noise-sensitive development" as residents or occupiers are likely to be affected by significant noise from existing activity in the vicinity of the development (a "noise source"). When considering whether to grant planning permission subject to conditions, there is a requirement to take particular account of whether the proposed development includes sufficient measures to mitigate, minimise or manage the effect of noise between the development and any existing cultural venues or facilities or dwellings or businesses in the vicinity. The Act also restricts the ability to impose on an existing noise source additional costs relating to acoustic design measures to mitigate, minimise or manage the effects of noise.

National Planning Policy and Guidance

- Scottish Planning Policy (SPP)

Aberdeen City and Shire Strategic Development Plan 2020 (SDP)

Aberdeen Local Development Plan 2017 (ALDP)

- B1: Business and Industrial Land
- C11: Digital Infrastructure

- D1: Quality Placemaking by Design
- D2: Landscape
- D5: Our Granite Heritage
- H3: Density
- H4: Housing Mix
- H5: Affordable Housing
- I1: Infrastructure Delivery & Planning Obligations
- NE4: Open Space Provision in New Development
- NE5: Trees and Woodland
- NE6: Flooding, Drainage & Water Quality
- NE8: Natural Heritage
- R2: Degraded & Contaminated Land
- R6: Waste Management Requirements for New Development
- R7: Low & Zero Carbon Build & Water Efficiency
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel
- T4: Air Quality
- T5: Noise

Supplementary Guidance and Technical Advice Notes

- Affordable Housing
- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Harmony of Uses
- Landscape
- Materials TAN
- Noise
- Planning Obligations
- Resources for New Development
- Transport and Accessibility
- Trees and Woodlands

Proposed Aberdeen Local Development Plan 2020 (PALDP)

The Proposed Aberdeen Local Development Plan (PALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the PALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The PALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the PALDP;
- the level of representations received in relation to relevant components of the PALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis. The following policies of the PALDP are relevant to the assessment of this application.

- B1 (Business and Industrial)
- C11 (Digital Infrastructure)
- D1 (Quality Placemaking)
- D2 (Amenity)
- D4 (Landscape)
- D5 (Landscape Design)
- D7 (Granite Heritage)
- H3 (Density)
- H4 (Housing Mix and Need)
- H5 (Affordable Housing)
- I1 (Infrastructure Delivery & Planning Obligations)
- NE3 (Natural Heritage)
- NE4 (Our Water Environment)
- NE5 (Trees and Woodland)
- R2 (Degraded and Contaminated Land)
- R5 (Waste Management Requirements in New Development)
- R6 (Low + Zero Carbon & Water Efficiency)
- T2 (Sustainable Transport)
- T3 (Parking)
- WB1 (Health Developments)
- WB2 (Air Quality)
- WB3 (Noise)

Other Material Considerations

- Aberdeen City and Shire Employment Land Audit (ELA)
- Aberdeen City and Shire Housing Land Audit 2020 (HLA)

EVALUATION

Principle of Development

The site lies within a Business and Industrial area, as zoned in the adopted Aberdeen Local Development Plan 2017 (ALDP). Policy B1 (Business and Industrial Land) of the ALDP states:

'Land zoned for business and industrial uses on the Proposals Map, including already developed land, shall be retained for Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage and Distribution) uses and safeguarded from other conflicting development types.'

The site has lain vacant for approximately 4 years but was last in use as an office (Class 4). The Planning Service considers residential use to be a conflicting development type to uses in Classes 4, 5 and 6, therefore the principle of the redevelopment of the site for residential use is contrary to and would represent a departure from Policy B1 of the adopted Local Development Plan.

Material Considerations – Principle of Development

Although the development is contrary to Policy B1 of the ALDP, it is necessary to assess whether there are any material considerations of sufficient weight that would allow the proposals to be supported despite the policy conflict. The relevant material considerations are as follows:

- Employment land supply & Lack of demand for continued business / industrial use

Paragraph 3.56 of the ALDP states: *'Maintaining a ready supply of employment land in the right places is vital to Aberdeen retaining its position as a competitive and sustainable business location. If a ready supply of employment land is not maintained, then it is unlikely that the housing population targets set by the Aberdeen City and Shire Strategic Development Plan (SDP) will be achieved.'*

Therefore, given the primary aim of Policy B1 appears to be the protection of employment land supply, it is pertinent to assess whether there is sufficient employment land across the city, and to consider what impact the loss of the existing office building would have on that supply.

The applicants have submitted a Marketing Statement prepared by a commercial property agent in order to outline the relative abundance of employment land in Aberdeen and to make the case that the proposed residential development could be accommodated on land zoned for business and industrial use without compromising the effectiveness of the city's employment land supply. This highlights the role of business land audits and the requirement for at least 60ha of marketable land available to businesses in a range of places in Aberdeen City, set by the current Aberdeen and Aberdeenshire Strategic Development Plan.

The Aberdeen City and Shire Employment Land Audit (ELA) is prepared annually, with the aim of providing up-to-date and accurate information on the supply and availability of employment land in the region. The most recently prepared audit (for the 2018/19 period, with a base date of 1st April 2019) was published in December 2019. The 18/19 ELA identified an 'established' employment land supply of 274ha, of which 210ha was identified as 'marketable'. The application site extends to 1.4ha and forms part of that marketable supply. This indicates that residential development in this location would not result in any material shortage of available employment land, with a significant surplus being maintained over and above the target set in the current SDP.

As set out in the supporting Marketing Statement, Quattro House has been vacant for approximately 4 years and has been marketed, unsuccessfully for over 8 years. In that time there has been no significant interest in the property, despite a major refurbishment of the building in 2012/13. The applicant's commercial marketing agent advises that there is an oversupply of high-quality office accommodation since the oil & gas crash of 2014/15 (and subsequently exacerbated by the Covid-19 pandemic) and that there has been no demonstrable demand for Quattro House in a continued Class 4 (office) form. They also note that the recent trend has seen large office occupiers move away from the South of the city and towards the west (Prime Four and Westhill) and the city centre (Capitol, Silver Fin etc).

Taking account of these factors, it is accepted that there is no shortage of available business and industrial land and the use of this site for alternative purposes (if acceptable on its merits) could not reasonably be resisted solely on the basis of maintaining an adequate supply of business and employment land.

- Housing demand & Sustainability

The Aberdeen City and Shire Housing Land Audit (HLA), like the ELA described above, is prepared on an annual basis. Its purpose is to illustrate the scale and characteristics of the current housing land supply in Aberdeen and Aberdeenshire. The most recently prepared audit, with a base date of 1 January 2020, was published in December 2020.

The Strategic Development Plan (SDP) sets a 'housing requirement', and Scottish Planning

Policy (SPP) requires planning authorities to maintain enough 'effective' housing land for at least five years. Effective sites are those which are either allocated for development or previously consented, and considered to be free from constraints, and which are therefore expected to be available for housing development. The most recent HLA identified an effective supply of 7.1 years for the Aberdeen Housing Market Area (AHMA), indicating a generous supply of land available for housing development.

However, it is recognised that the timely delivery of housing numbers is a priority of the Council to help address affordability and the general shortage in terms of numbers of affordable residential units being delivered. It is also important to note that the 2020 SDP includes a target for at least 40% of all new housing in the city to be on brownfield sites, have a minimum density of no less than 50 dwellings per hectare and for new housing to provide an appropriate mix of types and sizes of homes.

The proposed development would re-purpose a currently vacant brownfield site (retaining and re-using part of the existing main building rather than a wholesale demolition and re-build approach) in a sustainable, well-connected location, near to employment land whilst exceeding the minimum density requirement of the SDP. This represents a 'windfall' site contribution to the city's housing requirement.

- Context and location of the site within the business and industrial area

Although the site is located within a Business and Industrial area, it is important to note that the site lies on the northern edge of the relatively small Wellington Business Park. As such, the site is not adjoined to either the north or east by industrial uses, as would be the case in the southern part of the business park. Wellington Road lies to the east and the immediately adjoining use of the established suburban residential neighbourhood of Redmoss sits to the north, with residential gardens less than 10 metres from the application site boundary. Furthermore, the immediately adjoining use to the south is an office building (Class 4) and the neighbouring use to the west is a storage and distribution warehouse for a clothing retailer (Class 6) – both of which are less harmful to residential amenity than a typical Class 5 (General Industrial) use. It is acknowledged however that there are some Class 5 uses nearby (Royal Mail and FMC Corporation to the west), with the impacts of those uses considered below. Existing tree belts and soft landscaping run along both the northern and part of the eastern edges of the site. It is therefore appropriate to acknowledge that the context of the site differs from that of a more typical industrial estate environment and the conflict between differing uses is reduced as a result.

Consequently, subject to a suitable layout and assessment of noise impacts, residential development at the site would neither compromise other businesses' ability to operate in the manner in which they are accustomed, nor would it have any significant bearing upon the overall integrity of the business park. Rather it could see an underutilised area of vacant brownfield land suitably repurposed within its context, which is compliant with Scottish Planning Policy's presumption in favour of development that contributes toward sustainable development.

Therefore it is considered that, due to the high level of supply and the wider low level of demand for such business & industrial sites generally, in combination with the individual circumstances of the site and the proposal, in this instance there is potential for it to be acceptable in principle for a form of residential development, despite the conflict with Policy B1. This is subject to detailed matters relating to layout, amenity and other considerations being addressed, as covered in the following sections of the evaluation.

Amenity for new residents

Although the ALDP does not include a specific policy in relation to ensuring new residential developments would benefit from a satisfactory level of amenity, it is nonetheless a material consideration of significant weight. This is reflected in the Proposed ALDP, which introduces a new policy in this regard, Policy D2 (Amenity), which sets out a number of criteria that new residential development should meet in order to ensure the creation of a satisfactory residential environment. Some of the criteria include: maximisation of sunlight and daylight receipt, quality of outlook, insulation from noise emissions, privacy, internal floor areas, provision of adequate open space etc.

Design & Layout (Floor areas, outlook, daylight receipt and privacy)

The flats would be generally acceptable in terms of size, with internal floor areas of approximately 50sqm common for the 1-bed units, 62-71sqm for the 2-bed units and 86-95sqm for the 3-bed units. The nature of Block A's existing floor plan and the location of existing stairwells renders it unfeasible to configure all units so that they would benefit from a dual-aspect. However, (although detailed floor plans and elevations, and the exact final number of flats proposed would follow at MSC stage), care has been taken to maximise the number of dual-aspect units and more than half of the 79 units are indicatively proposed to benefit from a dual-aspect.

In terms of outlook, all of the flats at ground floor level would have an outlook onto their own private garden areas, whilst the majority of the flats on the upper floors would have a generally acceptable outlook onto the surrounding, largely soft-landscaped areas of communal open space surrounding the buildings, or the central amenity courtyard surrounded by Block A.

The footprint of Block A and its orientation, with a large central courtyard and an open aspect to the southwest, would ensure that the flats would all receive an acceptable amount of daylight, subject to further details of precise window openings and sizes which would follow at MSC stage. None of the units on the building's north-facing elevation would be single aspect, thus ensuring they would also receive some element of direct sunlight at some point during the day.

The flats in new-build Block B would all be dual-aspect and the building's separation distance from Block A and the tree belt to the eastern edge of the site would ensure that all of the flats in Block B would also receive sufficient daylight.

The flats in both buildings would neither be overlooked by either any neighbouring uses, nor by each other to any significant degree. Following initial concerns raised in respect of the proximity of Block B to the neighbouring office building to the south, the plans were amended to significantly reduce the footprint of Block B, move it further away from the neighbouring office block, and to indicatively propose new tree planting along the southern boundary – all of which removes the potential for overlooking of the flats in Block B from the neighbouring building.

In conclusion, it is considered that the flats would generally benefit from an adequate quality of internal amenity in terms of floor areas, daylight receipt, aspect, outlook and privacy.

Open Space

Policy NE4 (Open Space Requirements in New Development) requires the provision of at least 2.8ha of meaningful and useful open space in new residential developments. Utilising the method for calculating average resident numbers for developments as set out in the Council's Green Space Network and Open Space supplementary guidance, it is estimated that there would be approximately 141 residents likely to live in the 79 flats, equating to a minimum requirement of 3,948sqm of meaningful, useful open space that should be provided on-site in accordance with Policy NE4.

The Planning Service calculates that the proposed development would meet the minimum requirement for open space as required by Policy NE4, with approximately 4,000sqm of meaningful and useful open space proposed. Additional open space not included in that calculation includes private garden ground, footpaths, narrow grass verges and the part of the tree belt along the northern boundary that would be retained. A picnic area and kids playpark facility are indicatively proposed within the area of open space to the northwest of Block A and larger, public areas of open space, including playing fields, are available within walking distance (500m) of the site in Cove & Altens to the south-east - accessible via the adjacent pedestrian crossing and Core Path 81.

Therefore, it is considered that the site would have sufficient on-site communal open space as per the requirements of Policy NE4 in addition to all ground floor units having their own private garden areas and the site being within walking distance of larger areas of open space that could be used for informal recreation.

A financial contribution towards open space provision has also been agreed as part of the developer obligations package.

Noise

Policy T5 (Noise) of the ALDP states:

'In cases where significant exposure to noise is likely to arise from development, a Noise Impact Assessment (NIA) will be required as part of a planning application.'

'There will be a presumption against noise generating developments, as identified by a NIA, being located close to noise sensitive developments, such as existing or proposed housing, while housing and other noise sensitive developments will not normally be permitted close to existing noisy land uses without suitable mitigation measures in place to reduce the impact of noise.'

Although it is acknowledged that the site is located at the edge of the business and industrial estate and that neither of its immediately adjoining neighbours are currently in Class 5 (General Industrial) use (with an office building to the south and a storage & distribution warehouse to the west), the location of the site poses concerns in terms of the level of amenity that would be available to the occupants of the residential units due to its proximity to external sources of noise from nearby business and industrial uses (including the Royal Mail Aberdeen Mail Centre to the south-west) and the relatively heavily trafficked Wellington Road dual carriageway to the east.

The applicant initially submitted a Noise Impact Assessment (NIA) which only incorporated background noise measurements taken between the hours of 4:47am and 12:30pm on one day. Both the Planning Service and the Royal Mail, in their representation, considered that the scope of the NIA was insufficient to give a true and accurate reflection of the noise emissions experienced on the site from the neighbouring uses, due to the short time-frame within which the measurements were taken – particularly as the Mail Centre operates on a 24/7 basis, including throughout the night time period. As a result, the Planning Service requested that an updated NIA was carried out, with survey data taken over a longer, more representative period of time.

An updated NIA was carried out by the applicant's acoustician, with survey data taken across a full week (14-21 October 2021), including during the night-time periods. The updated NIA finds that without mitigation, the proposed development would suffer from adverse impacts as a result of noise emissions during both the day and night-time periods; with impacts of a major adverse magnitude predicted at weekends. However, the NIA recommends various mitigation measures which, if implemented, would ensure that the external noise sources would be sufficiently reduced to a level at which a satisfactory residential amenity would be achieved. The recommended mitigation

measures can be summarised as follows:

- Consideration be given to the internal layout design to ensure bedrooms, where possible, are positioned on aspects with no view or a restricted view of the Royal Mail depot;
- The gable end aspects of Block A should be designed to incorporate circulation spaces (i.e. hallways and stairwells, as opposed to habitable accommodation);
- The incorporation of appropriate glazing and ventilation into the scheme's final design, to meet the criteria for internal noise levels;
- The incorporation of acoustic fencing to the site's northern (3m high), southern, eastern and western (1.8m high) boundaries, to ensure external noise levels in the principal external amenity areas meet the guideline amount.

The Council's Environmental Health Service accept the findings of the NIA and note that, subject to the implementation of the recommended mitigation measures, a satisfactory amenity could be achieved in terms of insulation from external noise sources. Environmental Health therefore request that a condition is attached to any consent, requiring the NIA mitigation measures to be implemented prior to the occupation of any units.

Therefore, subject to the submission and assessment of further details as part of an MSC application, and the subsequent implementation of the recommended mitigation measures contained in the applicant's NIA, the Planning Service is satisfied that the occupants of the proposed development would not be unduly affected by noise emissions from the variety of external noise sources and that they would benefit from a satisfactory level of amenity in terms of noise, in accordance with Policy T5.

Summary

The foregoing evaluation considers that, despite the challenges posed by the location of the site within a business park and adjacent to a dual carriageway, the surrounding context and the indicatively proposed form of development would allow for a satisfactory residential environment to be created for the future residents, subject to further details to be submitted and agreed as part of subsequent Matters Specified in Conditions applications and the implementation of the mitigation measures recommended in the applicant's NIA.

Agent of Change - Impact on the viability & operations of neighbouring uses

The mitigation measures recommended in the applicant's NIA seek to ensure that the amenity of any of the new flats would not be adversely affected by the noise emissions from neighbouring commercial uses within the business park. Given the NIA finds that, subject to the implementation of those measures, the residents of the new development would not be unduly affected by noise emissions it can thus be derived, indirectly, that the potential for complaints to be made by future residents in relation to the nearby commercial uses would be minimised. It is thus considered that the potential for the proposed development to impact detrimentally upon the viability and operations of the nearby noisy uses (particularly Royal Mail) would not be significant. Additionally, given the immediately adjoining uses to the south and west comprise office space (Class 4) and storage and distribution (Class 6), it is considered that noise complaints relative to those uses are unlikely as a result of the proposed development and that the proposals are in line with the agent of change principles contained within Section 41A of the Planning Acts.

Design, layout & landscape

Policy D1 (Quality Placemaking by Design) requires all development to ensure high standards of design and to have a strong and distinctive sense of place which is a result of context appraisal,

detailed planning, quality architecture, craftsmanship and materials.

Policy D2 (Landscape) states that: quality development will protect and enhance important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches.

This application is for planning permission in principle. At this stage, therefore, the layout is largely indicative. It has been developed to provide a degree of certainty that the scale of development and number of units proposed can be accommodated within the site in a satisfactory manner. Whilst the layout may change slightly through MSC applications, when a detailed scheme is designed for a specific developer, a high-quality design is expected, within the parameters of the information forming the current application. This would be befitting of the site's prominent location, being highly visible from Wellington Road, a key arterial route into and out of the city.

Generally, at this stage, the proposed site layout, form and scale of development (building footprints and massing) is considered acceptable. Given the site's location within a business park, there is no particular established pattern or form of development or townscape character that it is necessary for the proposed development to replicate or be sympathetic towards. The surrounding commercial buildings are largely commercial, of no more than two storeys in height and of limited design merit. Although the low-density suburban neighbourhood of Redmoss lies to the north, it is separated from the application site by a private road and intervening landscaping, and it is clearly of a different townscape form and context to the application site.

The form, scale and layout of the proposed development is largely guided by the retention of the structural elements of the existing 'C'-shaped building, Block A. The upward extension of Block A would add two storeys in height, giving the building a total height of four storeys. Given the absence of any discernible established pattern, form or scale of development in the surrounding area, the addition of two storeys to the existing building is considered to be acceptable. It is noted that the nearby Aberdeen Altens Hotel is a similar height (four storeys) and occupies a more prominent position. Block B would also be four storeys in height, although it would be partially obscured from Wellington Road by the established tree belt along the eastern edge of the site, softening its visual impact.

The proposed site layout is considered to be acceptable, with the buildings and open space located in the eastern and northern parts of the site, set as far away from the nearby noise generating uses as possible, with the car parking area occupying the western part of the site. The buildings would, as far as is practicable, both be surrounded to an extent by soft landscaping, providing an appropriate residential environment.

The re-cladding and repurposing of the existing building, as opposed to wholesale demolition and re-build, is welcomed as an overall more sustainable approach and, subject to further details at MSC stage, the proposed re-cladding is anticipated to result in a visual improvement on the existing situation. Whilst the visualisations in the applicant's Design & Access Statement do not provide the level of detail required for the Planning Service to be satisfied that the buildings would be of a sufficient design quality at this stage, they do include some sketches which provide comfort that – through improvement and refinement of the design, an acceptable quality of architectural design could be achieved.

In terms of the boundary detailing, it is acknowledged that the 3m high timber fence required along the northern boundary for acoustic purposes could cause harm to the character of the area by introducing a hard, formal edge to the private road to the north, which is otherwise lined with, and characterised by, established trees and soft landscaping. As such, at MSC stage, the Planning Service would seek a solution that could see the required acoustic fence set back slightly from the

northern boundary, with soft landscaping either retained and/or supplemented with additional planting, in order to retain a natural, green edge to the northern boundary of the site.

With the foregoing in mind, and subject to refinement of the design of the external envelopes of the buildings at MSC stage, it is considered that the buildings as indicatively proposed, can be designed to meet the requirements of Policies D1 and D2. The indicative proposals are considered to be acceptable for the purposes of the current Planning Permission in Principle application.

Density & Housing Mix

Policy H3 (Density) states:

The City Council will seek an appropriate density of development on all housing allocations and windfall sites. All residential developments over one hectare must:

- 1. Meet a minimum density of 30 dwellings per hectare (net). Net dwelling density includes those areas which will be developed for housing and directly associated uses, including access roads within the site, garden ground and incidental open space;*
- 2. have consideration of the site's characteristics and those of the surrounding area;*
- 3. create an attractive residential environment and safeguard living conditions within the development; and*
- 4. consider providing higher densities in the City Centre, around local centres, and public transport nodes.*

The development proposes to create 79 residential units on the 1.4ha site, which would result in a density of 57 dwellings per hectare, thus significantly exceeding the Policy H3 minimum requirement of 30 dwellings per hectare. The proposed density would also exceed the increased minimum density of 50 dwellings per hectare as set out in Policy H3 of the Proposed ALDP.

Largely comprising the redevelopment of an existing office building, it is considered that criterion 2 of policy H3 is not particularly relevant to the proposal, as the surrounding area comprises a business and industrial area, with relatively low-density housing to the north. The proposed redevelopment of the brownfield site is thus assessed on its own merits and conformity with the characteristics of the surrounding area is not considered to be necessary in this instance.

The foregoing evaluation sets out that, although sited within a business park, a satisfactory residential environment could be created. Although not situated within the city centre, the nearest local centres are accessible via active travel and the site benefits from good access to public transport. The proposed development is thus considered to be generally compliant with Policy H3 of the ALDP.

Policy H4 (Housing Mix) requires housing developments of larger than 50 units to achieve an appropriate mix of dwelling types and sizes, including smaller 1 and 2 bed units. Although the proposals are only indicative at this stage, with further detailed layouts to follow at MSC stage, the proposed development would indicatively have a housing mix of 35 x 1-bed flats (44%), 28 x 2-bed flats (36%) and 16 x 3-bed units (20%). The development would therefore have a reasonable mix of dwelling sizes, including a large amount of 1 and 2 bedroom units (including 25% affordable provision), and the proposals are thus compliant with Policy H4.

Transport & Accessibility

Under Policies T2 and T3, commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.

The Roads Development Management Team have reviewed the proposals and the applicant's Transport Statement and have provided comments on the various different aspects as set out in the earlier summary above.

Maximising sustainable and active travel

In addition to the above matters commented on by the Roads Development Management Team, the Planning Service considers that the site would be relatively well located with regard to encouraging the use of sustainable and active travel by residents. In terms of access to public transport, there are bus stops (with shelters) approximately 200m to the south of the site, on Wellington Road, which are served by several bus services, including the no. 3 First bus service which provides a regular (every 10 minutes) service between Cove and the city centre.

In terms of encouraging active travel and minimising private car trips, the site lies in relatively close proximity to local shops, facilities and amenities, with Ikea, Pure Gym, Makro, Starbucks and Burger King all also on Wellington Circle, the mini high street at Charleston Road North (including Sainsbury's) 800m to the south and further shops, pubs and community facilities a similar distance away in Cove, which would be easily accessible on foot or bicycle via the pedestrian crossing adjacent to the site, and by Core Path 81 beyond. Planning permission has also recently been granted for the construction of a 1,800sqm retail food store (Aldi) on Hareness Road, approximately 700m to the north of the application site. The nearest schools are also within walking distance (c. 1,600m to Kirkhill Primary School and just 800m to Lochside Academy).

As a result, the Planning Service is satisfied that the development would be located in a suitably accessible location which would be capable of being accessed via sustainable and active modes of travel, as would various local facilities and amenities, including employment land.

Summary

Overall it is considered that the indicative proposed development is acceptable to the Roads Development Management (RDM) team for the purposes of the current application, subject to further details being provided on various aspects as noted above, at MSC application stage. Given the comments provided by the RDM Team, the Planning Service considers that from a potential transport impact perspective, there are no overarching concerns and the proposals would sufficiently encourage the use of sustainable and active modes of travel, in accordance with Policy T2 (Managing the Transport Impact of Development), Policy T3 (Sustainable and Active Travel) and the corresponding Transport and Accessibility Supplementary Guidance.

Trees

Policy NE5 (Trees and Woodlands) states that: *'there is a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation.'* and that: *'Permanent and temporary buildings and services should be sited so as to minimise adverse impacts on existing and future trees.'*

There is an established buffer-strip tree belt along the northern edge of the site and some other sporadic soft-landscaping elsewhere, including along the front boundary of the site to Wellington Circle. Part of the eastern boundary of the site is lined by tall trees which contribute significantly to the local landscape character. Although the majority of the tree belt lies outwith the site, within a

soft-landscaped verge on the western side of Wellington Road, several trees are also situated within the site.

Seven trees within the site are proposed for removal, adjacent the northern boundary. They are not considered to be of any particular quality individually, although it is acknowledged that they do collectively contribute towards the visual amenity of the area and provide a green, soft-landscaped edge to the northern boundary of the business park, softening the interface between the commercial uses and the residential neighbourhood of Redmoss to the north.

The removal of the seven trees adjacent to the northern boundary is required in order to free up additional external amenity space for use by residents. Whilst the removal of the existing trees is not desirable, new replacement planting would take place both along the northern boundary and elsewhere within the site, resulting in a net gain of trees and the creation of useable amenity space. The soft edge to the northern boundary of the site would also be retained, subject to full details of landscaping being submitted and assessed at MSC stage. The proposed loss of trees is thus considered to be acceptable in principle, subject to appropriate replacement planting, full details of which would be addressed at MSC stage.

No trees on the eastern boundary of the site would either be removed or affected by the proposed development, following the reduction in the footprint of Block B, which is now proposed to site outwith the root protection area of the eastern tree belt.

It is thus considered that, subject to further detail at MSC stage, the proposed works would adequately minimise the loss of, or damage to, existing trees which contribute toward landscape character and local amenity and the proposals are thus considered to comply with Policy NE5 of the ALDP.

Landscaping

Policy D2 (Landscape) seeks to ensure that all new developments have a strong landscape framework which improves and enhances the setting and visual impact of the development. The Policy requires developments to be informed by the existing landscape, to retain and incorporate existing landscape features where possible and to provide hard and soft landscaping proposals that are appropriate to the scale and character of the development.

The proposed development would incorporate additional trees, hedging, private garden ground and soft-landscaped areas of communal external amenity space around the buildings. As a result, the development would enhance the existing setting and increase the amount and quality of soft-landscaping on the site. As noted above, further details are required in respect of soft landscaping on the northern boundary (retention and/or additional planting) to soften the impact of the required 3m high timber acoustic fence. Therefore, subject to further details as part of a detailed landscaping scheme via an MSC application, the proposals comply with Policy D2.

Natural Heritage

Policy NE8 (Natural Heritage) requires development to avoid detrimental impacts on any protected species through the carrying out of surveys and submission of protection plans, describing appropriate mitigation where necessary.

The Council's GIS mapping system notes that there is the potential for bats to be present in the northern and eastern tree belts. The applicant's Tree Survey assessed the bat roost potential of the existing trees on the site and did not consider any of the trees to have significant roost potential, therefore it is considered that the proposed development is not likely to have any impact on protected species. However, given several of the existing trees within the northern tree belt are proposed to

be felled as part of the development (with full details to follow at MSC stage), it is considered necessary to require further information on the impact of the finalised landscaping proposals on bats to be submitted for assessment as part of a matter specified in conditions application.

No other protected species are known or presumed to be present on the site however and, subject to a condition requiring further details of the finalised landscaping scheme, it is considered that the development could comply with Policy NE8.

Air Quality

Policy T4 (Air Quality) states that development proposals which may have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and agreed.

Although 98 car parking spaces are indicatively proposed at this stage, that total is significantly less than the current car parking provision (c. 145 spaces) associated to the existing office building, and the applicant's Transport Statement estimates the net volume of private car trips generated by the development is likely to be lower than the existing office use. Environmental Health officers have reviewed the applicant's Air Quality Impact Assessment and agree with the findings that the development would not be exposed to poor air quality, nor would the overall air quality impacts associated to the development be significant. The proposal is therefore acceptable in terms of Policy T4.

Flooding & Drainage

Policy NE6 (Flooding, Drainage & Water Quality) states that development will not be permitted if it would increase the risk of flooding to other properties or would itself be at risk of flooding. New developments comprising 5 or more homes are required to be accompanied by a Drainage Impact Assessment which demonstrates how surface water and waste-water would be managed.

Flooding

The application site is positioned on elevated land not adjacent to any watercourses and is not itself at risk of flooding.

Drainage and Water Quality

In accordance with Policy NE6, surface water drainage associated with development must be the most appropriate available in terms of sustainable drainage systems (SUDS) and avoid flooding and pollution both during and after construction.

The applicant's DIA notes that it is indicatively proposed to install a significant amount of porous paving within the car parking area to adequately treat and discharge surface water run-off into the ground at the site, via underground attenuation tanks. Along with significant areas of soft-landscaping (public and private areas of external amenity space) and the planting of new trees, the capacity for on-site surface water storage and attenuation would be increased compared to the existing situation. The RDM Team have reviewed the applicant's DIA and accept its findings.

Connection to the public sewer is a prerequisite of all development where this is not already provided. Scottish Water have advised that they cannot confirm at this stage whether there would be sufficient capacity in the local water and waste-water systems to accommodate the proposed development. A condition is thus necessary to ensure that suitable connections to the water and waste-water systems can be achieved, prior to occupation.

The indicative surface and foul water drainage proposals are considered acceptable in accordance with Policy NE6 although further, finalised details are required at MSC stage.

Developer Obligations & Affordable Housing

Policy I1 (Infrastructure Delivery and Planning Obligations) requires development that will place additional demands on community facilities or infrastructure and which would necessitate new facilities or exacerbate deficiencies in existing provision, to meet or contribute to the cost of providing or improving such infrastructure or facilities. In this case an assessment has been carried out by the Developer Obligations Team and contributions agreed by the applicant, as set out earlier in the report, the payment of which would be secured by a legal agreement.

Policy H5 (Affordable Housing) requires housing developments of five or more units to contribute at least 25% of the total number of units as affordable housing. Although further details would be required as part of an Affordable Housing Scheme once the detailed aspects have been resolved at MSC stage, it is indicatively proposed to provide 21 affordable units (26.5%) on the site, including all 15 of the flats in Block B and 6 units in Block A. The Council's Housing Strategy team have noted that the 6 units in Block A could not be supported under an LCHOU tenure, therefore further discussions will be required in this regard, but the finer details of the affordable housing make-up and tenures can be addressed at a later date.

In light of the above, it is considered that the proposed development complies with both Policy I1 (Infrastructure Delivery and Planning Obligations) and Policy H5 (Affordable Housing).

Waste Management

Policy R6 (Waste Management Requirements for New Development) requires all new developments to have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. It also notes that flatted developments will require communal facilities that allow for the separate storage and collection of these materials.

Bin stores are indicatively proposed both internally, within the ground floor level of Block A (at the two gable ends closest to the car park and internal road), and externally, adjacent to the car parking area to the north of Block B. Although the Council's Waste Strategy team have some concerns with the indicative proposals at this stage (noting the distance between the bin stores and the waste collection vehicles would exceed the guideline 10m distance), the Planning Service is satisfied that, subject to further details that would require to be provided as part of an MSC application, the proposed development could have sufficient space for the adequate storage and collection of waste in accordance with Policy R6.

A swept path analysis drawing has been provided by the applicant which demonstrates, to the satisfaction of the Council's Roads Development Management team, that refuse vehicles could safely enter and exit the site in order to collect waste.

Low & Zero Carbon Buildings & Water Efficiency

Policy R7 (Low and Zero Carbon Buildings, and Water Efficiency) requires all new buildings to meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology in accordance with the associated supplementary guidance.

Policy R7 also requires all new buildings to use water saving technologies and techniques. A statement has been submitted which identifies water saving measures which would achieve gold standard on the Building Standards Sustainability Label.

Conditions can be attached requiring details to be submitted demonstrating that the buildings would comply with these requirements.

Digital Infrastructure

Policy CI1 (Digital Infrastructure) requires all new residential and commercial development to have access to modern, up-to-date high-speed communications infrastructure. It is considered that access to full fibre broadband for the development should be feasible given the site's location. A condition is attached, requiring all flats to have access to full fibre broadband prior to occupation, therefore Policy CI1 is complied with.

Contaminated Land

In terms of potential contamination and risk to sensitive end users, the Council's Contaminated Land Service note that the site has been used for commercial purposes since at least 1981 and that there is the potential for the land on the site to be contaminated. Therefore, given the proposed redevelopment of the site for residential use, the Council's Environmental Health (Contaminated Land) service recommend that a Contaminated Land Assessment is carried out, ascertaining what level of contamination is present on the site, and that where contamination is discovered the site is appropriately remediated to make it appropriate for residential use. It is considered that this can be dealt with via two conditions, which would satisfy the criteria of Policy R2 (Degraded and Contaminated Land).

Our Granite Heritage

Policy D5 (Our Granite Heritage) seeks the retention of all granite features, structures and buildings, including boundary walls. Granite dry-stone dyke walls form the southern and eastern boundaries of the site. They would remain in situ following the proposed development, with the exception of the formation of a small gap in the eastern boundary wall to provide space for a footpath link into the Wellington Road pavement. Full details of boundary enclosures are required via condition, to be assessed at MSC stage, but the indicative proposals are acceptable in accordance with Policy D5.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the majority of the policies in the Proposed Aberdeen Local Development Plan 2020 substantively reiterate those in the adopted Local Development Plan and the proposals either accord, or have some tension, with the corresponding policies of the Proposed Plan for the reasons given in the foregoing evaluation. The following policies either differ slightly from their equivalents in the adopted ALDP, or are new policies with no equivalent in the current Plan:

- H3 (Density)

As with Policy H3 in the adopted ALDP, Policy H3 in the PALDP is not strictly applicable to the proposed development as the site is less than one hectare in size. Nevertheless, the proposed development is also compliant with the increased minimum density figure of 50 dwellings per hectare contained within Policy H3 of the Proposed Plan.

- D2 (Amenity)

As noted in the foregoing evaluation, Policy D2 seeks to ensure that where new residential properties are proposed, that occupants would benefit from a satisfactory level of amenity and that

new developments would not impact detrimentally on the amenity of existing residential properties. The proposed development is anticipated to create a satisfactory environment for the reasons noted in the foregoing evaluation.

Matters raised in representations

Various matters raised in the representation received (compliance with the ALDP & PALDP, housing land supply and impact on the viability of neighbouring businesses) have been addressed in the foregoing evaluation. The remaining matters raised are addressed, in turn, as follows:

- *The applicant's Noise Impact Assessment does not include sufficient scope of measurements to give a true and fair reflection of the ambient noise levels at the site.*

The Planning Service agreed with this matter raised by the Royal Mail and thus requested that an updated Noise Impact Assessment (NIA) was carried out by the applicant's acoustician, with an enlarged time period within which recordings of the ambient noise levels at the site were taken. The applicant's updated NIA incorporates a significant amount of additional data, collected over a week-long period and including the more sensitive night-time periods. The Planning and Environmental Health Services are satisfied the updated NIA gives an accurate representation of the ambient noise levels at the site, over a prolonged period of time.

- *The Mail Centre also incorporates a significant amount of floodlighting, which could harm residential amenity at night.*

The nearest flat to the Royal Mail's service yard would be located at least 40m away from the nearest floodlight, which faces away from the application site and onto the service yard itself. The Planning Service does not consider the Royal Mail floodlighting (or any other nearby sources of illumination) to be of a sufficient level or proximity to the site such that it would cause any significant adverse impact on the night-time amenity of the new flats that could not be addressed through the use of a typical residential light/privacy barrier to window openings such as curtains or blinds.

- *A Construction Management Plan should be conditioned if the application is approved, to ensure there would be no construction-phase obstruction to the access and movement of Royal Mail vehicles.*

Potential vehicular obstructions of public roads, outwith the application site, would be controlled under separate legislation and are not a material planning consideration. It would therefore not be competent for the Planning Authority to apply such a condition.

Heads of Terms of any Legal Agreement

A legal agreement will be required in order to secure the aforementioned developer obligations and affordable housing.

Conclusion

To summarise, the proposed development is considered to be contrary to Policy B1 of the ALDP and thus represents a departure from the Development Plan. However, there are several material considerations which the Planning Service considers to be of sufficient weight to justify such a departure, particularly given the context of the application site. The applicant has adequately demonstrated in their marketing statement a lack of demand for the continued office use of the site

and the Council is aware from the latest Employment Land Audit that there is a significant surplus of employment land in the city. The change of use of the application site would not materially affect the amount of marketable employment land available in the city and the minimum target as set out in the Strategic Development plan would still be significantly exceeded.

The proposal would see a brownfield site reused and parts of the principal existing building retained, repurposed and extended for its proposed new use, which is a more sustainable solution than an alternative wholesale demolition and rebuild approach. The proposed residential use would thus contribute towards the city's housing land supply in a sustainable manner, developing on brownfield land, in accordance with the aims of the Strategic Development Plan.

The site is situated in a relatively accessible location, in close proximity to regular bus services to the city centre and within walking distance of employment land, local shops, facilities, amenities, schools and green space. As such the site can also be accessed via sustainable and active modes of travel.

The proposed development, albeit within a business park, would not have any immediate neighbouring uses that would cause significant harm to residential amenity and the Planning Service is satisfied that, subject to the implementation of various mitigation measures, the occupants of the development would not be adversely affected by noise emissions and would not result in complaints to surrounding commercial operations, in line with Agent of Change requirements.

The Planning Service therefore considers that the proposed development would contribute towards sustainable development and thus benefits from the Scottish Planning Policy presumption in favour of sustainable development.

RECOMMENDATION

Willingness to approve conditionally, subject to conditions and a legal agreement to secure developer obligations towards the core path network, healthcare facilities, open space, community facilities and the Car Club and provision of affordable housing.

REASON FOR RECOMMENDATION

The proposed development is contrary to Policy B1 (Business and Industrial Land) of the Aberdeen Local Development Plan (ALDP) and the proposal thus constitutes a departure from the Development Plan. However, there is an evident lack of demand for the continued use of the entire site for Class 4 use and there is a demonstrable surplus of business and industrial land across Aberdeen City. Combined with the proposal incorporating the re-use of part of the existing building (as opposed to a wholesale demolition and re-build approach) to provide additional housing on a brownfield site in a relatively accessible location, the Planning Service considers that the development would be sustainable and thus benefits from Scottish Planning Policy's presumption in favour of development that contributes toward sustainable development. Furthermore, it is considered that the development could, subject to further detail, achieve a satisfactory level of amenity for its future occupants and that there would not be any significant conflict with neighbouring uses, nor any impact on the viability of the established commercial area, thus it is considered that these material considerations combined are of sufficient weight to justify a departure from the Development Plan in this instance, contrary to Policy B1.

The would be sufficient on-site open space and as such the proposals would also be compliant with Policy NE4 (Open Space Provision in New Development) of the ALDP and the occupants of the development would not be adversely affected by noise emissions, in accordance with Policy T5 (Noise). The proposed development would significantly exceed the minimum density requirement of Policy H3 (Density) and would provide a suitable and sustainable mix of dwelling sizes, in

accordance with H4 (Housing Mix).

The applicant is agreeable to paying developer obligations toward the core path network, healthcare facilities, open space, community facilities and the Car Club, thus the proposals are considered to comply with Policy I1 (Infrastructure Delivery and Planning Obligations). The applicant has agreed to provide 21 units as on-site affordable housing, which meets the 25% affordable housing requirement set out in Policy H5 (Affordable Housing).

The development would incorporate sufficient car parking, would be located near to good public transport links and would incorporate a Car Club vehicle and secure cycle storage. The development would be situated in a relatively accessible location, within walking distance of employment land, local shops, facilities and amenities and as such the development would satisfactorily encourage the use of sustainable and active travel, in accordance with Policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel).

Subject to further details as part of an MSC application, the new building and the adaption, re-cladding and extension of the existing building could be of an acceptable design, scale and siting such that the character and visual amenity of the area could be preserved and potentially enhanced, in accordance with Policy D1 (Quality Placemaking by Design) whilst, subject to condition, satisfactory landscaping and planting would take place within the site, in accordance with Policy D2 (Landscape).

The proposals would retain the existing granite boundary walls, in accordance with Policy D5 (Our Granite Heritage). Although multiple trees would be felled within the site, they would largely not contribute toward the landscape character or visual amenity and their removal would be supplemented with replacement tree planting, in accordance with Policy NE5 (Trees and Woodland). The site would be adequately drained without being at risk of flooding, nor posing a flood risk to other properties, in accordance with Policy NE6 (Flooding, Drainage & Water Quality). Subject to further details at MSC stage, no protected species would be adversely affected by the development, in accordance with Policy NE8 (Natural Heritage). Subject to further details at MSC stage, the development would incorporate sufficient space for the adequate storage and collection of any waste generated on site, in accordance with Policy R6 (Waste Management Requirements for New Development).

Subject to conditions, the development is capable of complying with Policies C11 (Digital Infrastructure), R2 (Degraded & Contaminated Land) and R7 (Low & Zero Carbon Build & Water Efficiency).

The majority of the policies in the Proposed Aberdeen Local Development Plan 2020 substantively reiterate the aforementioned adopted Local Development Plan policies and the proposals either accord, or have some tension, with the corresponding policies of the Proposed Plan for the reasons noted above. The PALDP introduces Policy D2 (Amenity), which does not have a direct equivalent in the adopted ALDP and which seeks to ensure a satisfactory amenity is achieved for all residential developments. The proposals would achieve a satisfactory residential amenity and are therefore considered to be acceptable in accordance with Policy D2 of the PALDP.

CONDITIONS

(1) DESIGN AND LAYOUT OF ACCESSES, PATHS AND BUILDINGS

No development within any particular phase or block shall take place unless a matters specified in conditions application, including the detailed layout and design of access points, roads, parking areas, buildings and other structures for that particular phase or block, has been submitted to and approved in writing by the planning authority.

The proposed development shall be in accordance with the overarching layout, siting, design, height and massing principles of roads, paths and buildings established by this grant of planning permission in principle and the matters specified in conditions applications shall comprise:

- a) details of existing and proposed site levels (including cross sections);
- b) details of the mix of residential unit numbers, type, size and tenure;
- c) details of layout, design and external appearance of –
 - (i) vehicular and pedestrian access points (including connections to Wellington Road);
 - (ii) all buildings and ancillary structures;
 - (iii) vehicular and motorcycle parking;
 - (iv) short and long-term secure cycle parking;
 - (v) storage and collection arrangements for waste and recyclables;
 - (vi) boundary enclosures around and within the site, including details of any new openings in existing stone boundary walling; and
 - (vii) external lighting
- d) details of the elements of the existing building to be retained and incorporated into the alteration and extension of Block A.

Thereafter the development shall not be implemented other than in full accordance with the approved details.

Reason – to ensure a satisfactory layout and design of the development and ensure provision of a suitable level of parking.

(2) LANDSCAPING

No development within any particular phase or block shall take place unless a matters specified in conditions application including a scheme of hard and soft landscaping covering all areas of public and private open/green space for that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall include details of –

1. Those areas reserved as private space and those areas that will be freely accessible for all residents and the general public;
2. Existing and proposed finished ground levels;
3. Existing landscape features, trees, woodland and vegetation to be retained or removed, following an up to date tree survey that takes account of bat roost potential and a scheme for the protection of all trees to be retained within and immediately adjacent to the site;
4. Existing and proposed services and utilities including cables and pipelines;
5. Proposed tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting.
6. Location, design and materials of walls, fences, gates, play equipment and street furniture;
7. Arrangements for the management and maintenance of existing and proposed open space, and landscaped areas; and
8. Proposed hard surface finishing materials.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the Planning Authority.

Any planting which, within a period of 5 years from the completion of each phase 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.

Reason – in order to integrate the development into the surrounding landscape, increasing the biodiversity and recreational value of the site and creating a suitable living environment for future residents.

(3) NOISE IMPACT ASSESSMENT MITIGATION

No unit shall be occupied unless a matters specified in conditions application has been submitted to and approved in writing by the planning authority, which shall include details of compliance with all of the following mitigation measures (as recommended in the Noise Impact Assessment - Vibrock – Ref: R21.11148/4/K - 22 November 2021):

- a) Erection of acoustic barriers 3.0 metres high along the northern boundary of the site and a 1.8 metres high around the rest of the site boundaries as detailed within section 9.1.2 and figure 5 of the Noise Impact Assessment;
- b) bedrooms are positioned on aspects with no view of the Royal Mail Depot;
- c) the gable end aspects of Block A facing the industrial commercial noise sources are designed to accommodate circulation spaces, including, but not limited to, hallways and stairwells;
- d) installation of the recommended minimum sound insulation requirements discussed in section 9.2.9 and presented in Table 5 of the Noise Impact Assessment, for the worst-case aspects including requirements to achieve night-time 45 dB L_{Amax} in Block B – Habitable rooms facing Wellington Circle;
- e) an appropriate form of glazing and ventilation is incorporated into the scheme's final design (with provision of associated specifications for the entire scheme to meet the criteria adopted to the satisfaction of the planning authority);

And thereafter no unit shall be occupied until the details approved in the said approved matters specified in conditions application have been fully implemented in accordance with the details so approved.

Reason: In order to ensure that a satisfactory residential environment can be created for the occupants of the proposed development.

(4) CONTAMINATED LAND – SITE INVESTIGATION

No development shall take place unless a matters specified in conditions application including a scheme to address any significant risks from contamination on the site has been submitted to and approved in writing by the planning authority.

The scheme shall follow the procedures outlined in “Planning Advice Note 33 Development of Contaminated Land” and shall be conducted by a suitably qualified person in accordance with best practice as detailed in “BS10175 Investigation of Potentially Contaminated Sites - Code of Practice” and other best practice guidance and shall include:

1. an investigation to determine the nature and extent of contamination
2. a site-specific risk assessment
3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed
4. verification protocols to demonstrate compliance with the remediation plan

Reason: to ensure that the site is suitable for use and fit for human occupation.

(5) CONTAMINATED LAND - REMEDIATION

No building(s) on the development site shall be occupied unless a matters specified in conditions application including:

1. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken; and
2. a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

Has been submitted to and approved in writing by the planning authority.

The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning authority that verifies that the remedial works have been carried out in full accordance with the remediation plan, unless the planning authority has given written consent for a variation.

Reason: to ensure that the site is suitable for use and fit for human occupation.

(6) DUST MANAGEMENT PLAN

No development (including site stripping, service provision or establishment of site compounds) within any part of the site shall take place unless a matters specified in conditions application comprising a Dust Management Plan has been submitted to and approved in writing by the planning authority. The Dust Management Plan shall include the following;

1. An 'Air Quality (Dust) Risk Assessment' by a suitably qualified consultant carried out in line with the IAQM 2014 Guidance entitled 'Guidance on the Assessment of Dust from Demolition and Construction' (or equivalent as demonstrated) to predict the likely dust levels and impact on air quality including a determination of its significance; and
2. A plan for dust management produced in line with the aforementioned guidance and based on the outcome of the Dust Risk Assessment, detailing the necessary dust control measures to be implemented.

Reason – to control air pollution from dust associated with the construction of the development and to protect the amenity of neighbouring land uses.

(7) SITE WASTE MANAGEMENT

No development shall take place unless a matters specified in conditions application including a Site Waste Management Plan, detailing how construction-phase waste would be minimised and disposed of, has been submitted to and approved in writing by the planning authority.

Reason – in order to minimise waste at source on the construction site, in accordance with Scottish Planning Policy (paragraph 218).

(8) SURFACE WATER DRAINAGE

No development within any particular phase or block shall take place unless a matters specified in conditions application including a detailed scheme for surface water drainage for that particular phase or block has been submitted to and approved in writing by the planning authority.

Reason – in order to ensure adequate protection of the water environment from surface water run-off and to ensure that the site can be adequately drained without increasing flood risk.

(9) ELECTRIC VEHICLE CHARGING POINTS

No unit shall be occupied unless a matters specified in conditions application including:

- (i) details of the type and location of electric vehicle charging points and bays;
- (ii) markings and signage to identify the bays; and
- (iii) a phasing plan for their provision, have been submitted to and approved in writing by the planning authority.

Thereafter the charging points and bays shall be provided in accordance with the agreed phasing plan prior to the occupation.

Reason – to provide for and encourage the use of electric vehicles.

(10) RESIDENTIAL TRAVEL PACK

No unit shall be occupied unless a matters specified in conditions application including a residential travel pack for that phase or block has been submitted to and approved in writing by the planning authority. Each residential travel pack shall identify details of different travel options available in the area in order to discourage the use of the private car. The approved travel pack shall be supplied to the occupants of every residential unit within that block or phase on occupation. Each Travel Plan shall identify measures to be implemented in order to discourage the use of the private car as well as the duration of the plan, system of management, monitoring, review and reporting and thereafter shall be implemented as approved.

Reason – in order to reduce dependency on the private car for travel.

(11) WATER EFFICENCY STATEMENT

No development within any particular phase or block shall take place unless a matters specified in conditions application including a water efficiency statement for that particular phase or block has been submitted to and approved in writing by the planning authority. The statement should take into account the advice provided in CIRIA publication C723 (Water sensitive urban design in the UK) and specify the measures proposed to incorporate water saving technology into the development so as to achieve gold standard for water use efficiency in domestic buildings or BREEAM level 5 for non-domestic buildings. Thereafter the approved measures shall be implemented in the construction of the development.

Reason – in order to help minimise water abstraction from the River Dee.

(12) LOW AND ZERO CARBON BUILDINGS

No development within Block B shall take place unless a matters specified in conditions application comprising a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance for the building has been submitted to and approved in writing by the planning authority. Thereafter, the building shall not be occupied unless the approved measures have been implemented in full and are available for use.

Reason – in order to ensure that the development complies with the 'Low and Zero Carbon Buildings' Supplementary Guidance.

(13) WASTE-WATER CONNECTIONS

No development within any particular phase or block shall take place unless a matters specified in conditions application including a scheme for the connection of buildings to the public waste water system for that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall include confirmation from Scottish Water that connections can be made and any necessary upgrades to the public waste-water system are in place. Thereafter no building shall be occupied unless connection has been made to the public waste-water network in accordance with the approved details.

Reason – in order to ensure that sewage is satisfactorily treated and disposed of.

ADVISORY NOTES

(1) REQUIREMENT TO SUBMIT APPLICATIONS FOR MATTERS SPECIFIED IN CONDITIONS

As specified by Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc. (Scotland) Act 2006), and as referenced in the condition wording, all conditions of this planning permission in principle that require the submission of information of any sort for further approval, agreement or consent of the planning authority, require to be subject a formal application for matters specified in conditions.

(2) WASTE STORAGE AND COLLECTION

Each 10 properties will be provided with:

- 1 x 1280l general waste container
- 1 x 1280l co-mingled recycling container
- 1 x food waste container for each bin store
- 1x kitchen caddy and caddy liners (per flat)

The following costs will be charged to the developer:

- Each 1280l bin costs £413.60
- Each food waste container costs £514.49
- Each 180l/ 240l bin costs £35.00
- Kitchen caddy and caddy liners £0.00
- A delivery of 10 or less bins will incur a £30 delivery fee.

No garden waste will be provided for flat residences as it is assumed grounds will be maintained as part of a service charge for the building and undertaken by a commercial contractor.

Specific concerns:

- Waste collection vehicles should be able to get to within 10m of the storage point for Block A. This may not be possible with the current proposed site layout due to the narrow path and electric charging points for the vehicles.

- A detailed plan for each bin store and a measurement to the collection point needs to be provided.
- Bin Store B has electric car parking space in front of the entrance door however this will need to be in such a place as not to block access.

General points

- If the bin store will be locked and/ or involve a barrier, 8 keys must be provided for each store, providing access to the different collection crews and Recycling Officer for monitoring contamination. These should be dispatched to the Waste Team.
- No excess should be stored out with the containment provided. This is fly tipping.
- Large item collections can be arranged by visiting www.aberdeencity.gov.uk
- Further information can be found in the Waste Supplementary Guidance available at: <https://www.aberdeencity.gov.uk/sites/default/files/2020-07/7.1.PolicySG.ResourcesForNewDevelopmentUpdateJuly2020.pdf>
- Developers must contact Aberdeen City Council a minimum of ONE month before properties will be occupied this is to ensure that bins are on site prior to residents moving into properties and to give enough time to register addresses on the CAG (Council Address Gazetteer) to allow for the development to be added to the refuse vehicle routes.
- A Purchase Order should be raised with Aberdeen City Council using the above details and we will provide further guidance for purchasing the bins.
- Bin purchases are VAT free. Please do not include VAT in your PO
- Please submit a PO for the bins you require.

Email: wasteplanning@aberdeencity.gov.uk

(3) NOISE FROM CONSTRUCTION WORKS

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, we recommend the following:

- a) Operations creating noise which is audible at the site boundary should not occur outside the hours of 07:00 to 19:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

(4) LANDSCAPING

A detailed landscape scheme will be required to make a full assessment of any application for detailed planning permission. This should include the following:

Tree Planting

- precise locations
- species - full botanical name
- planting size, root stock specification and provenance
- planting distances and densities
- tree staking/anchoring and tying details
- tree planting pit detail
- mulching details
- tree protection

Shrub/Hedge Planting

- precise location of shrub beds
- precise location, extent and distribution of planting
- species, numbers or densities and heights
- grouping arrangements for single species
- shrubs to be retained and removed
- the arrangement and massing of different groups of shrubs in each bed
- species - full botanical name
- planting size, root stock specification and provenance
- planting distances or densities
- mulching details
- shrub protection, if required

Grassed and wildflower areas

- precise location and extent of areas to be grassed;
- precise location of areas of seeding, turf, wildflower plugs or other method of re-vegetating.

Hard landscape elements

The following details shall be given for hard landscape elements - e.g. hard surfacing, drainage, boundary features, gates, water features, structures, seating, lighting, signs, litter bins, planters etc.

- precise location and extent of feature
- description of materials/colours;
- elevations and sections where appropriate for boundary walls/fences, gates, structures, water features, drainage etc.;
- use of sustainable and locally sourced materials;
- manufacturers' information with regard to appearance and method of installation for such items as seats, litter bins, lighting, planters etc.

Construction information

- precise location of temporary access routes, parking, site compounds, fencing and storage areas for materials and spoil/soil heaps;
- precise location, type and details of protection for existing features to be retained. For tree protection requirements see Supplementary Guidance: trees and woodlands

Maintenance and management

A schedule of maintenance will be required to ensure successful establishment and long-term management of soft and hard landscaping to demonstrate that a high standard of landscaping can be achieved. The details to be provided shall include:

- Maintenance objectives - to ensure that soft landscape is maintained and managed in a way which achieves the landscape design objectives
- A schedule of regular maintenance inspections and actions for soft landscaping for a minimum of two years or until successful establishment of plants, whichever is the later. This will include details of all operations and their timing to maintain planting, grass etc., including watering (regular and dry weather arrangements), feeding, weed control, pruning, hedge trimming, pest and disease management, checking and firming plants, mulching, grass cutting, edging, checking of tree supports and plant protection, re-stocking for plant losses, litter picking, bin emptying and dog mess removal.
- A post-establishment management schedule for soft landscaping to achieve the longevity and designed function of plants, for example tree management, hedge maintenance,

removal/repairs of protective fencing and tree stakes, restocking of failed or damaged plants, management of SUDs features, weed control, litter picking, bin emptying and dog mess removal.

- A schedule of regular maintenance inspections and actions for hard landscape, replacement and repair of damaged items or surfaces, cleaning and clearing of items and surfaces, drains, grids, and litter picking, bin emptying and dog mess removal.
- Timing of maintenance operations will avoid works which disturb birds during the bird breeding season.

(5) ROADS CONSTRUCTION CONSENT

It should be noted that the proposed works to widen and upgrade the access shall be subject to a Section 56 Roads Construction Consent (RCC) procedure and require to be designed / constructed as per Aberdeen City Council standards. The applicant shall require discussing this matter further with Colin Burnet on (01224) 522409.

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