

LOCAL REVIEW BODY

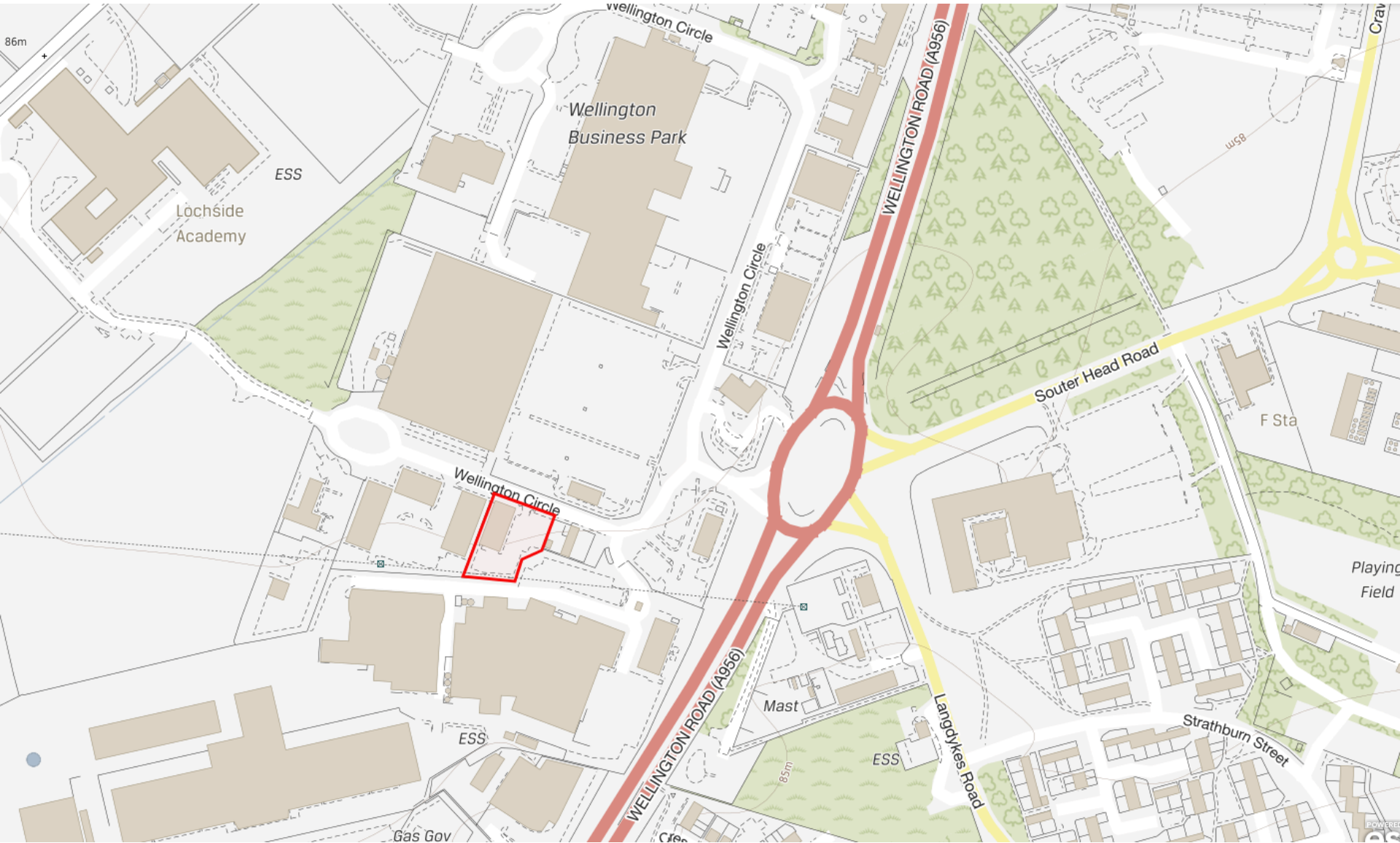


191800/DPP– Review against refusal of planning permission for:

Partial change of use from office with workshop to restaurant (class 3) with hot food takeaway (sui generis) including installation of fence with gate and associated works

Graphix House, Wellington Circle, Aberdeen

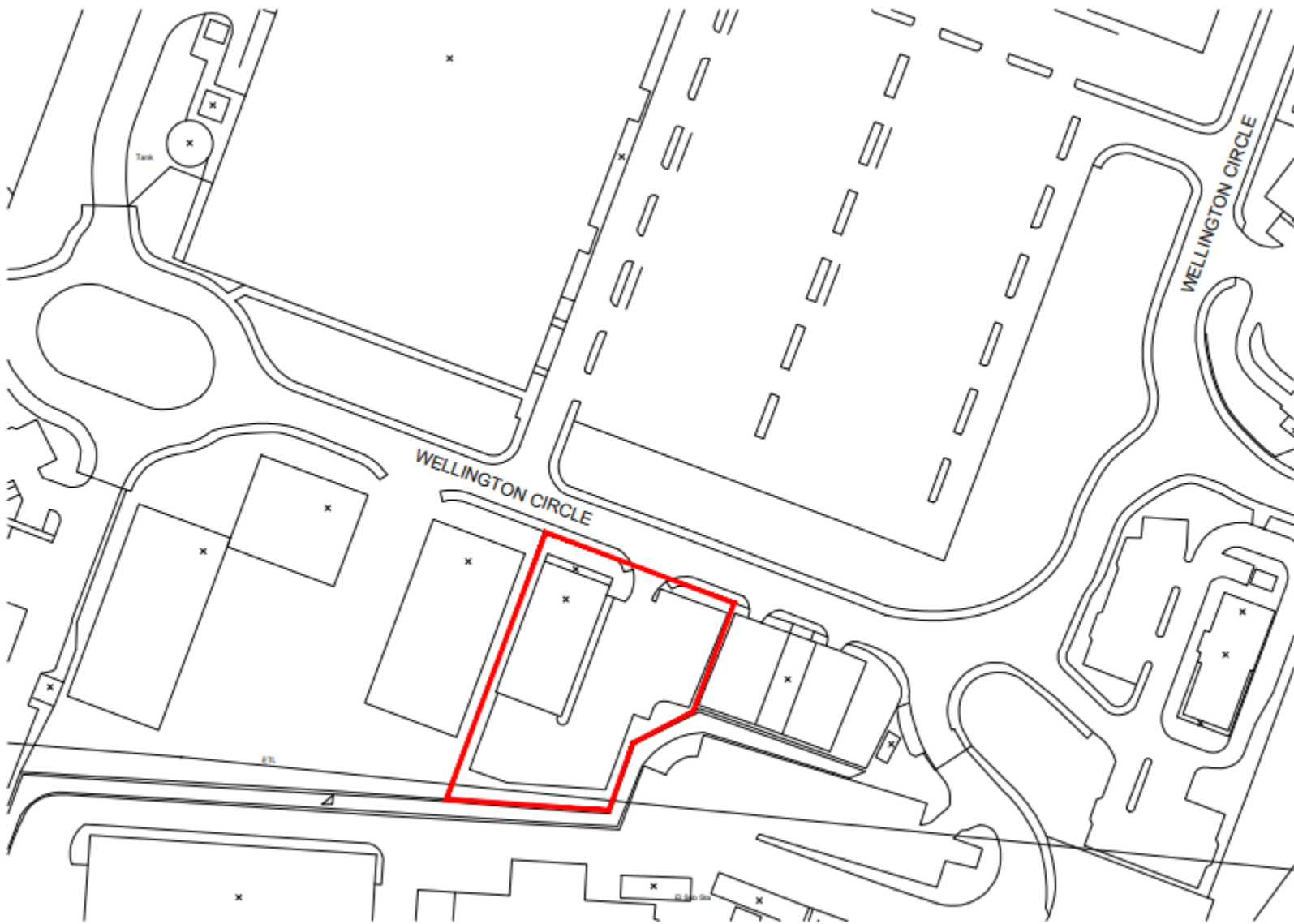
Location Plan



Location Plan



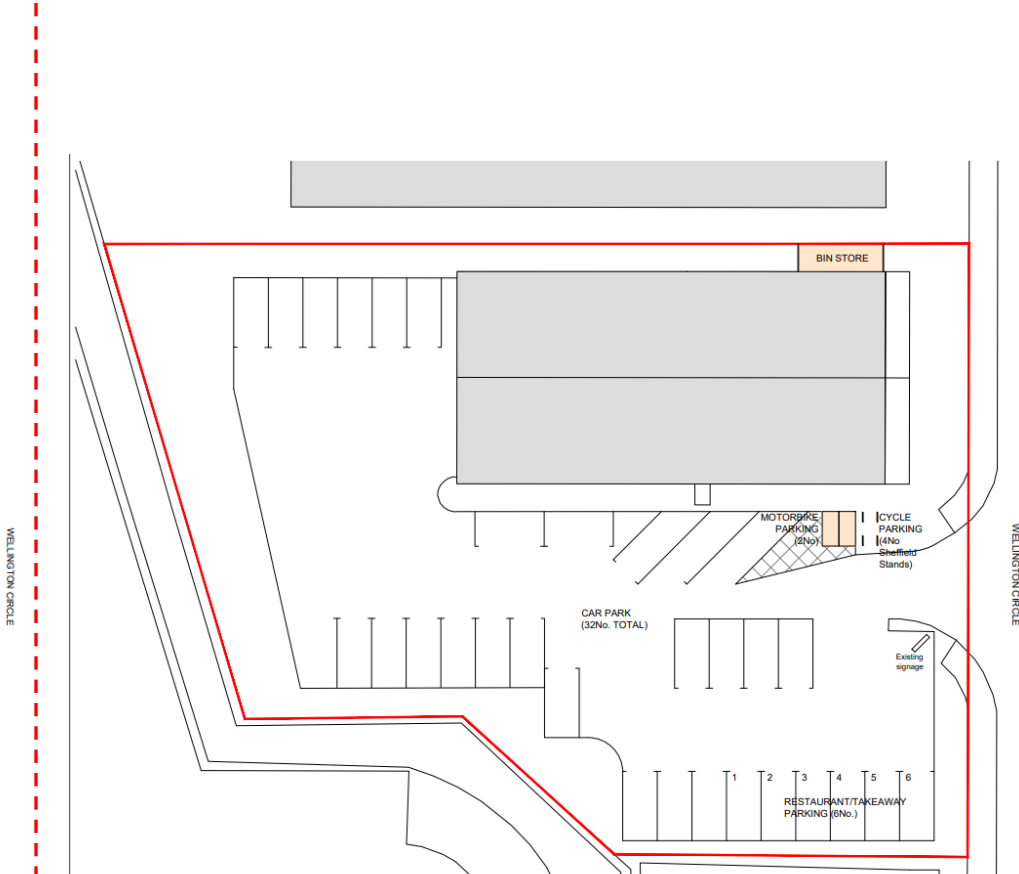
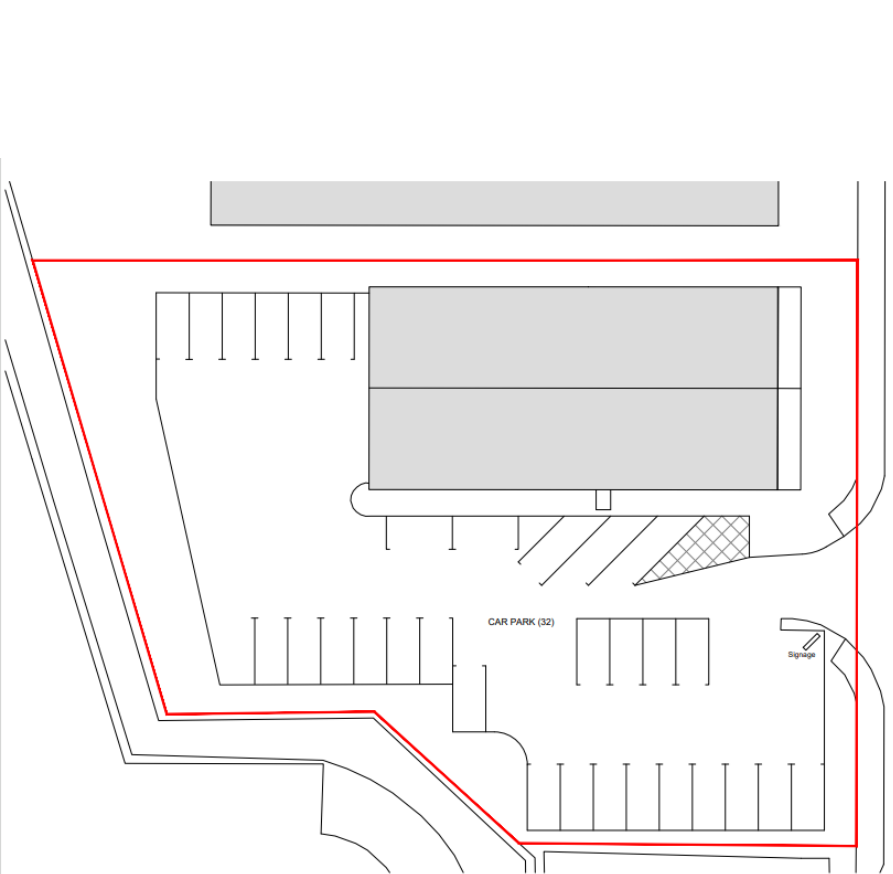
Location Plan



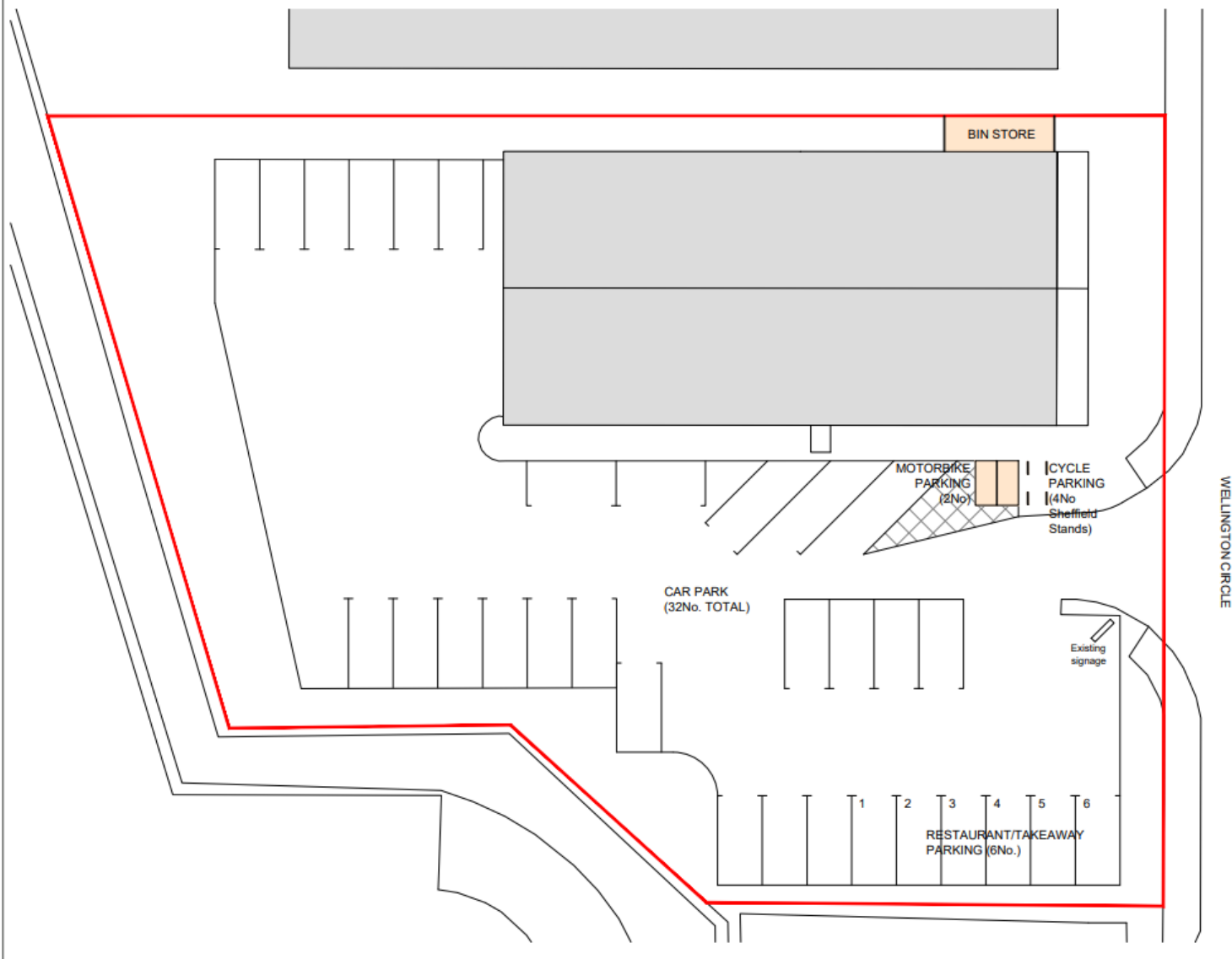
Street View image (March 2019)



Existing and Proposed Site Plan

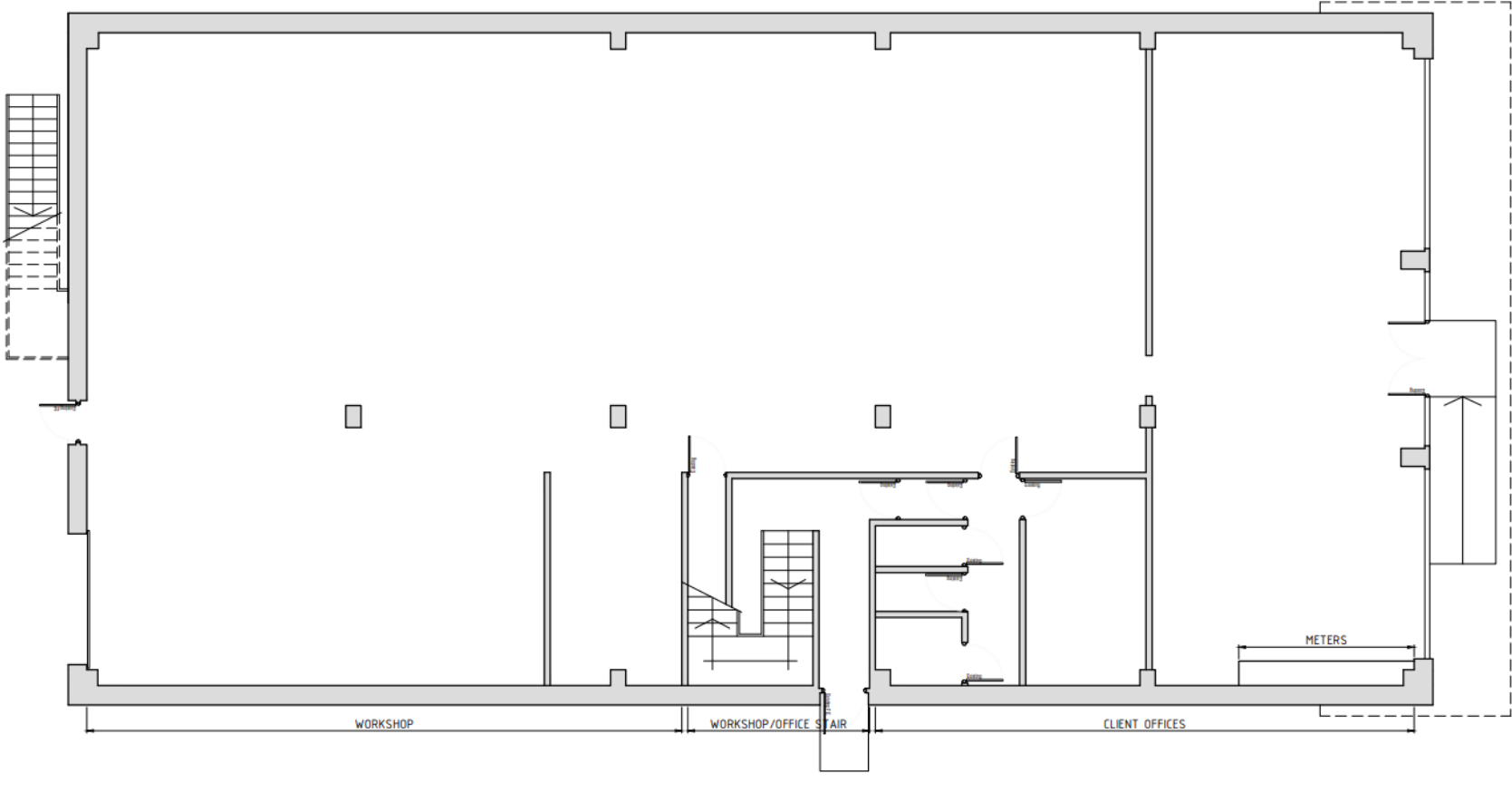


Proposed Site Plan



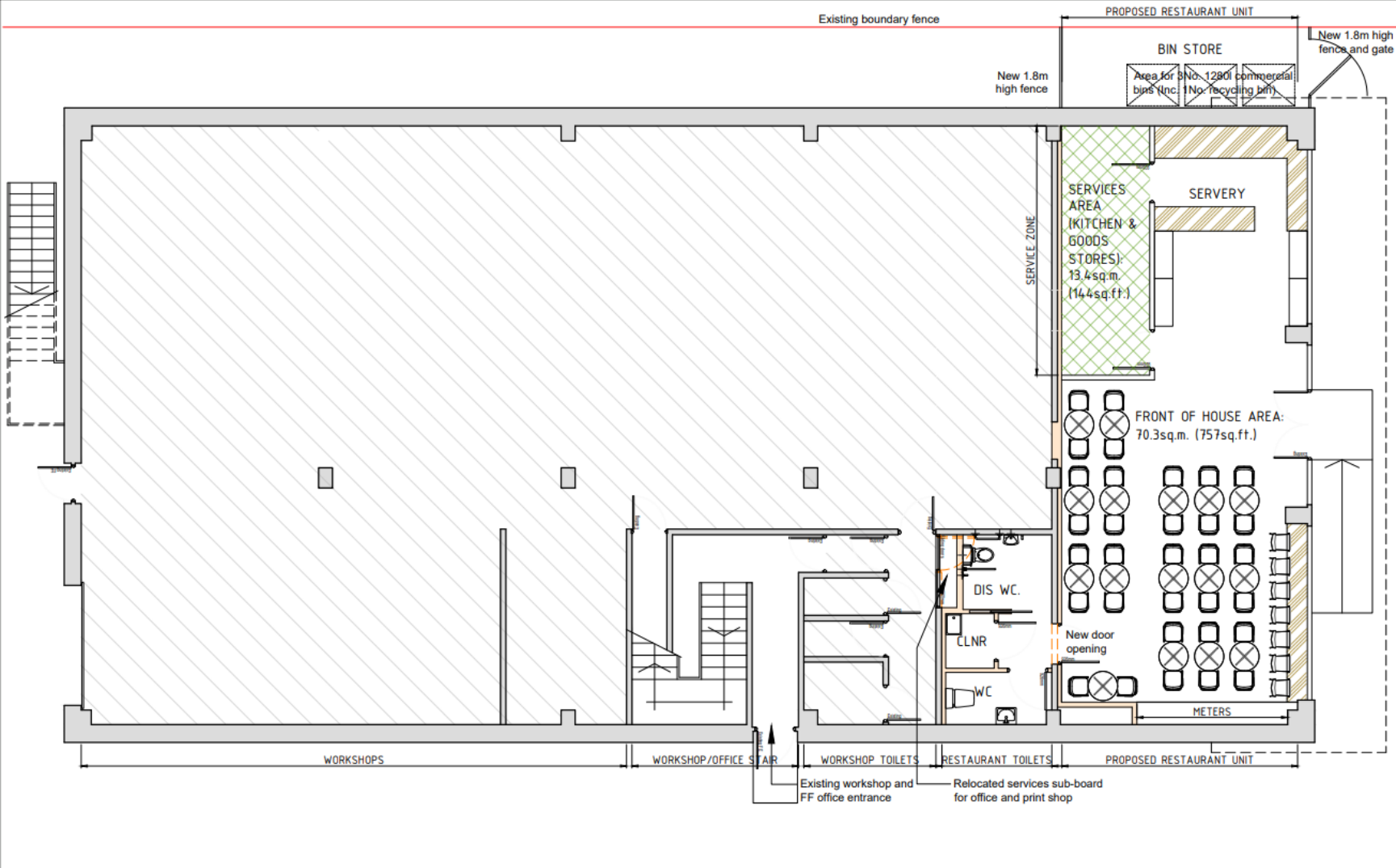
Existing Ground Floor

Existing boundary fence



Proposed Ground Floor

- Existing
- New wall/partition
- Downtakings

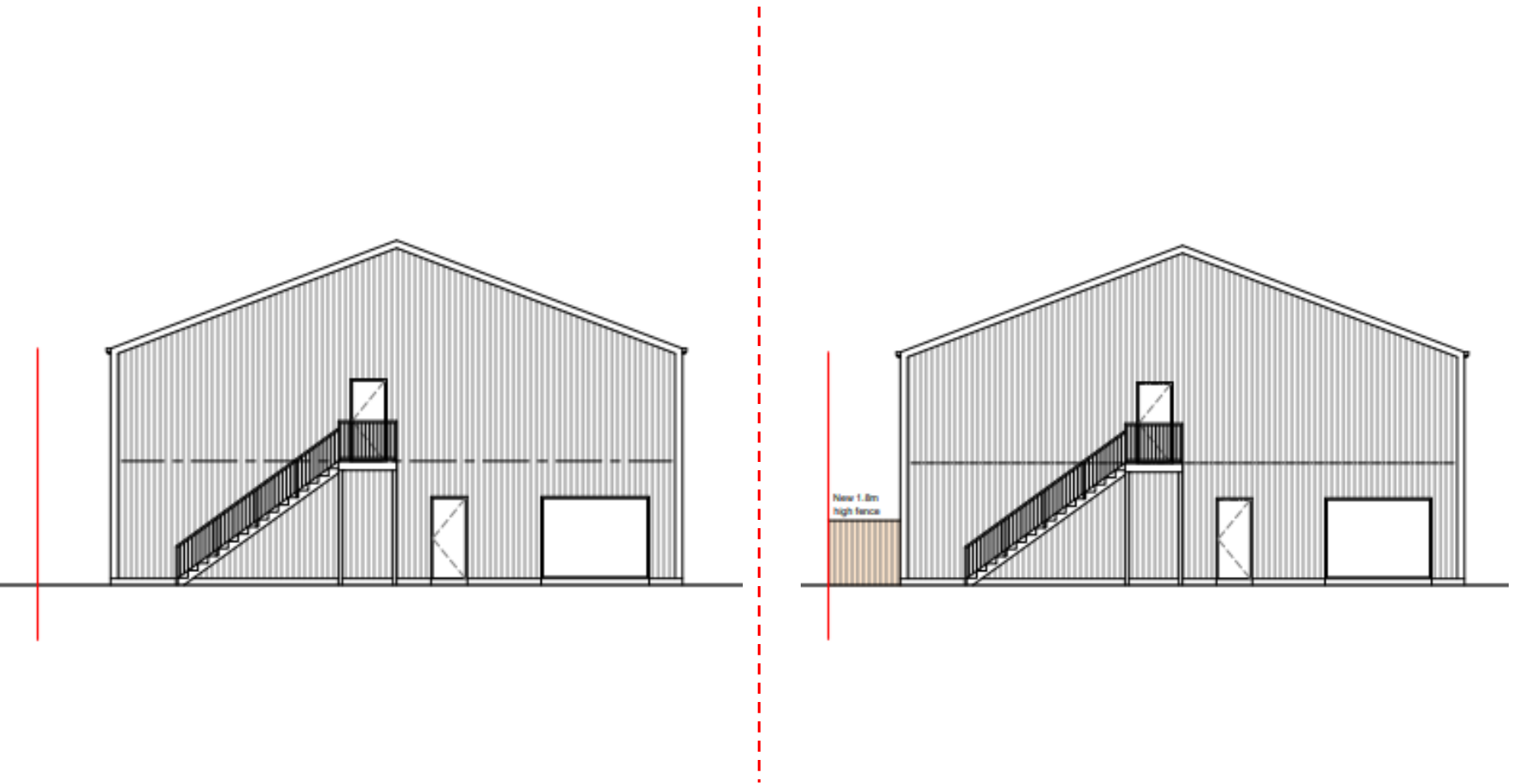


Existing and Proposed North Elevation (to Wellington Circle)



- Note that a separate consenting regime exists for advertisements so, whilst shown on the plans, these are not within scope of this application
- 1.8m timber fence & gate added to enclose bin storage area

Existing and Proposed South Elevation



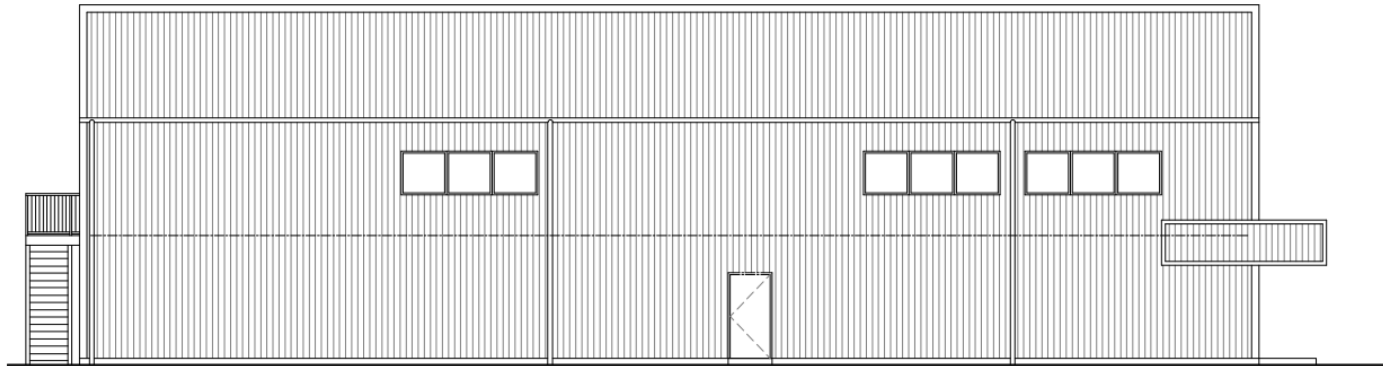
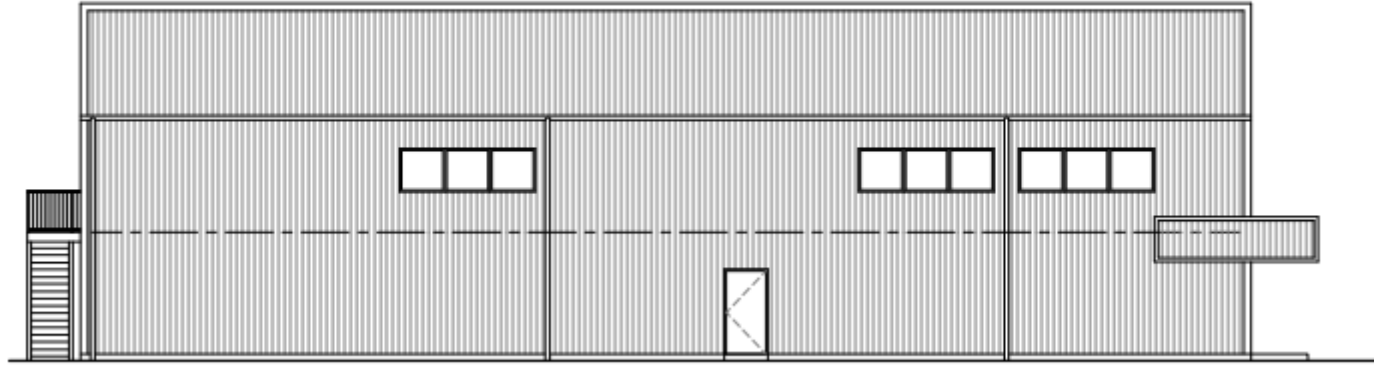
- Only notable change is addition of 1.8m fence to enclose bin store (set much further back than gable of building)

Existing and Proposed West (side) Elevation



- Only notable change is storage area for commercial bins, with associated fencing

Existing and Proposed East (side) Elevation – visible on approach along Wellington Circle



- No change

Reasons for Decision

The proposal fails to comply with the principle policy, Policy B1 - Business and Industrial Land, in that there is no requirement of this development and there is sufficient provision and range of food and drink establishments within the surrounding area to serve the existing business parks. In addition, the development, due to its location could detract from the viability and vitality of the existing city centre, which is against the requirements of Policy NC4 - Sequential Approach and Impact, Policy NC5 - Out of Centre Proposals of the Aberdeen Local Development Plan 2017.

Policy B1 (Business and Industrial Land)

Policy B1 - Business and Industrial Land

Aberdeen City Council will in principle support the development of the business and industrial land allocations set out in this Plan.

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. Other uses which may be suited to a business and industrial location, such as car showrooms and bus depots, shall be treated on their own merits. The expansion of existing concerns and uses within these locations will be permitted in principle.

Where business and industrial areas are located beside residential areas we will restrict new planning permissions to Class 4 (Business). Buffer zones, which are appropriately sized and landscaped, may be required to separate these uses and safeguard residential amenity. Low amenity 'bad neighbour' uses must have regard to surrounding uses and their potential impact on the environment and existing amenity. In all cases, conditions may be imposed restricting levels of noise, hours of operation and external storage.

New business and industrial land proposals shall make provision for areas of recreational and amenity open space, areas of strategic landscaping, areas of wildlife value and footpaths, in accordance with the Council's Open Space Strategy, Supplementary Guidance and any approved planning briefs or masterplans. Within existing business and industrial areas, there shall be a presumption in favour of retaining existing open space.

Facilities that directly support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's business and industrial land. Such facilities should be aimed primarily at meeting the needs of businesses and employees within the business and industrial area.

- To be retained for uses in classes 4, 5 and 6 (business; general industrial; and storage and distribution)
- Facilities that directly support business and industrial uses may be permitted, where they *'enhance the attraction and sustainability of the city's business and industrial land'*
- Such facilities should be aimed primarily at meeting the needs of businesses and employees within the business and industrial area – would the proposed use serve a much wider catchment?

Policy NC4 (Sequential Approach) & NC5 (Out of Centre Proposals)

- NC4 sets out a sequential approach to the location of *'significant footfall generating development appropriate to town centres'*
- General requirement is to locate such uses within existing centres identified in the plan, appropriate to the scale and catchment of the development
- Siting uses on the edge of an existing centre will only be permitted where no suitable site is available within the centre

Policy NC4 (Sequential Approach) & NC5 (Out of Centre Proposals)

- NC5 addresses proposals that involve locating significant footfall generating uses appropriate to designated centres in out-of-centre locations
- States that such proposals will be refused unless all of the following criteria are satisfied:
 1. no other suitable site in a location that is acceptable in terms of Policy NC4 is available or likely to become available in a reasonable time.
 2. there will be no adverse effect on the vitality or viability of any centre listed in Supplementary Guidance.
 3. there is in qualitative and quantitative terms, a proven deficiency in provision of the kind of development that is proposed.
 4. the proposed development would be easily and safely accessible by a choice of means of transport using a network of walking, cycling and public transport routes which link with the catchment population. In particular, the proposed development would be easily accessible by regular, frequent and convenient public transport services and would not be dependent solely on access by private car.
 5. the proposed development would have no significantly adverse effect on travel patterns and air pollution.

Policy D1 (Quality Placemaking by Design)

Policy D1 - Quality Placemaking by Design

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials. Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

- **distinctive**
- **welcoming**
- **safe and pleasant**
- **easy to move around**
- **adaptable**
- **resource efficient**

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

- Does the proposal represent a high standard of design and have strong and distinctive sense of place?

Points for Consideration:

Zoning: Do members consider that the proposed use is permitted by the terms of policy B1 – i.e. would this development *'enhance the attraction and sustainability of the city's business and industrial land'* and would it cater principally for the needs of the businesses and employees within the business and industrial area (or serve a larger catchment area)?

Retail Impact: Do members consider that the proposal represents a *'significant footfall generating development appropriate to town centres'*? If so, policies NC4 and NC5 apply –has the necessary supporting evidence been provided to demonstrate that the proposal meets the criteria specified in NC4 and NC5, relating to the location of significant footfall generating development?

Design: Is the proposal of sufficient design quality (D1) - *note relatively little change externally.*

1. Does the proposal comply with the Development Plan when considered as a whole?

2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)