

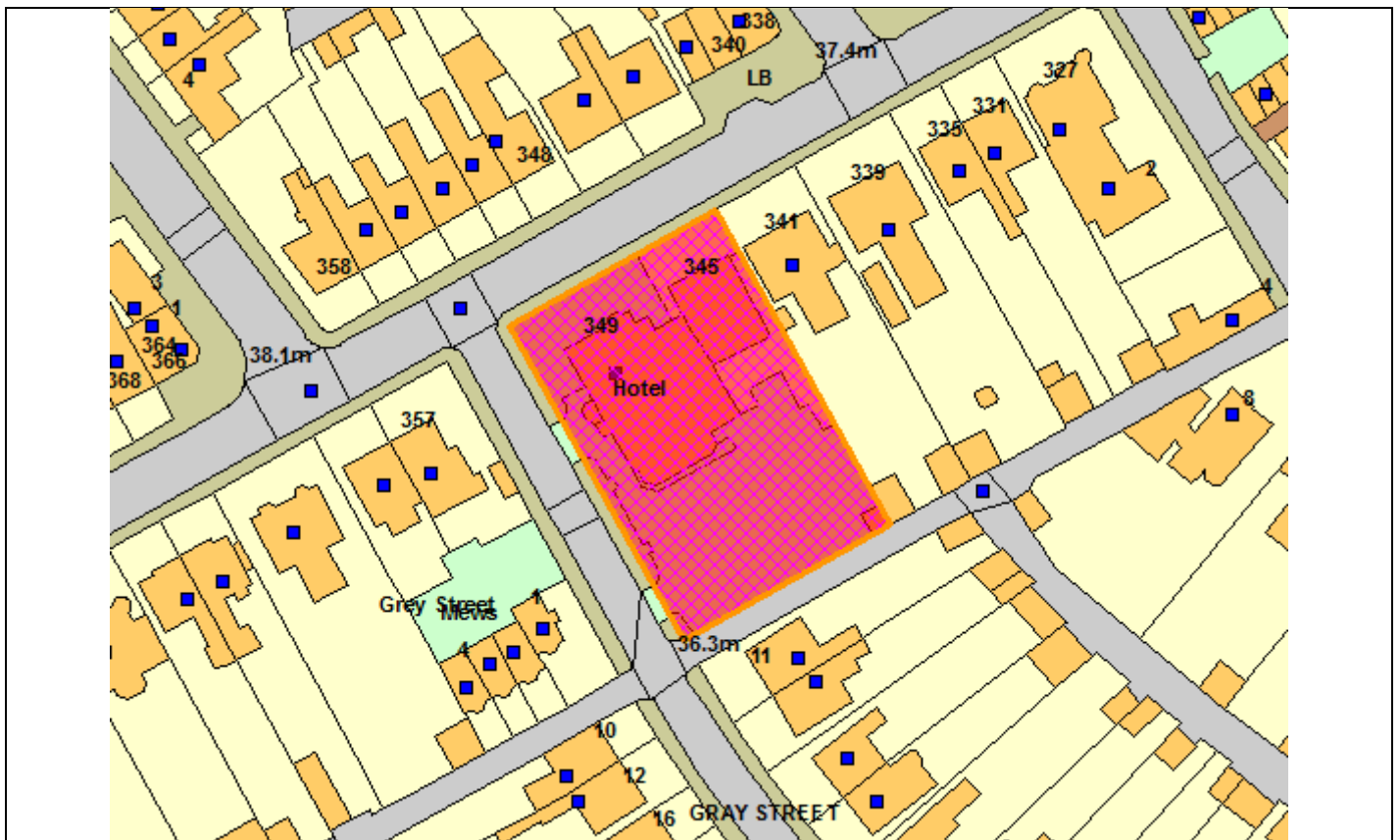


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 18th February 2021

Site Address:	349 Great Western Road, Aberdeen, AB10 6NW,
Application Description:	Conversion and extension of existing two storey hotel building (Class 7) to form 9 no. flats, conversion of existing one and half storey hotel building (Class 7) to form detached dwellinghouse (Class 9), and erection of 2 no. semi-detached dwellinghouses with associated parking, open space and associated works in existing rear car parking area.
Application Ref:	200794/PPP
Application Type	Planning Permission in Principle
Application Date:	16 July 2020
Applicant:	Mr Michael Edwards
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Ashley And Broomhill
Case Officer:	Jamie Leadbeater



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RECOMMENDATION

Approve Conditionally. Consent to be withheld until a Section 75 legal agreement is secured to ensure the delivery of affordable housing and developer obligations

APPLICATION BACKGROUND

Site Description

The application site comprises a vacant hotel building and its associated extensive car parking area on the southern side of Great Western Road at its junction with Gray Street, which falls within the Great Western Road Conservation Area.

The existing hotel facility comprises two principal historic buildings, joined by a modern single storey building. The largest of the two historic buildings features a large two-and-a-half storey rear extension and smaller two storey side extension.

Mature trees, covered by Tree Preservation Order (TPO), are located within the site along its south-western boundary fronting Gray Street as well as single trees located along the north-west boundary to the front of the hotel and north-east boundary in the rear car park respectively.

The site boundaries along Great Western Road and Gray Street are principally defined by low-rise historic granite walls, the exception being that the car parking area accessed off Gray Street is screen by a c. 2m high granite wall. The south-eastern and north-eastern boundaries to the car park are bounded by similar height walls.

In terms of the surrounding context, the site is neighboured by a historic granite one-and-a-half storey detached office building to the east (341 Great Western Road). A lane runs down the southern boundary but beyond that sits a historic one-and-a-half storey semi-detached dwellinghouse (11 Gray Street). On the opposite side of Gray Street to the west lies a modern terrace comprising of 4 two storey dwellinghouses (1 – 4 Gray Street Mews) and Bright Horizons nursery (357 Great Western Road). On the opposite side of Great Western Road to the north lies two terraces of historic two storey townhouses (344 – 358 Great Western Road).

Relevant Planning History

None

APPLICATION DESCRIPTION

Description of Proposal

Planning Permission in Principle (PPP) is sought for the redevelopment of the hotel site to provide 9 flats (6 x 1 bedroom and 3 x 2 bedroom) in the main historic building and modern rear extension, a detached 3-bedroom dwellinghouse within the historic envelope of the existing smaller historic building, and the erection of 2 semi-detached dwellinghouses in the existing car parking area. The proposal also involves the creation of re-positioned vehicular entrance off Gray Street, the provision of a communal amenity space for the flats and a communal car park for all units in the existing car park area.

The indicative site layout shows 17 car parking spaces are to be provided within the site, thirteen of which would be positioned against the north-east boundary which would involve the removal of one existing tree adjacent to the north-east boundary. Bin storage is proposed to be positioned between two existing trees along the south-eastern boundary.

The indicative elevation drawings show that the replacement extension to the principal historic building would be two-and-a-half storeys in height with the eaves height mirroring the existing and the ridge of the extension sitting just under the existing. Hipped dormer windows would be incorporated into the roofspace and sit just off the wallheads on the south-east elevation. Gables would be incorporated on each of the side elevations. Windows would be located all floor levels across all three elevations. Communal amenity space would be provided to the front and rear of

the flat building, and in part, to both sides with some soft landscaping.

With regard to the proposed semi-detached dwellinghouses, the indicative proposal shows the pair of semis set back on the established building line on the eastern side of Gray Street. These would be one-and-a-half storeys in height with dormers to front and rear. Garden space would be provided to front and rear, with some reduction in the height of the existing c. 2m stone boundary wall undertaken to improve the outlook from these proposed dwellinghouses.

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=QDI0SDBZIY300>

- Design Statement
- Drainage Assessment
- Planning Supporting Statement
- Tree Survey
- Tree Protection Plan
- Transport Assessment

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because 6 or more objections have been submitted to the proposals.

CONSULTATIONS

ACC - Roads Development Management Team – No objection. The technical car parking requirement is for 22 spaces (including disabled space and visitor space), however, the proposal for 17 spaces (1 space per flat, 2 per house, 1 disabled, and 1 visitor parking space) is considered an acceptable minimum level of car parking within the site when factoring in the existing car parking pressures on Gray Street.

Parking spaces are of an acceptable size and the location of the cycle parking is considered acceptable. Specific details of the cycle facility should be submitted prior to site occupation.

All car parking spaces should have 'passive' provision for Electric Vehicle (EV) charging points to meet Scottish Government de-carbonisation targets by 2050 and therefore details of EV should be submitted prior to site occupation.

Objectives of the proposed Residential Travel Packs (RTP) are agreed but the finished RTP should be submitted and agreed prior to occupation of the first unit. The Safe Routes to School assessment is considered acceptable, as is the location of the proposed bin store.

ACC - Waste & Recycling – No objection. Each new house would be provided with different bins and the flats would be provided with communal waste bins. Waste collection vehicles should be able to get within 25m of the waste storage point for the flats. Bins pertaining to the proposed houses should be presented on the kerbside on the day of collection and removed quickly afterwards. A swept path analysis should be sought from the developer should the proposal progress to full planning stage.

Scottish Environment Protection Agency (SEPA) – No objection, on flood risk grounds.

ACC - Developer Obligations – The Council's Developer Obligations team has assessed the

proposal and issued an assessment for developer obligations and affordable housing to the applicant which can be summarised as follows:

- £2,635 – Secondary education
- £5,193 – Healthcare facilities
- £16,457 – Community Facilities
- £165,000 - Affordable Housing or 3no. affordable housing units to be provided on or off site.

Ashley & Broomhill Community Council – No response received.

REPRESENTATIONS

A total of 9 individual representation have been made, all of which object to the proposals and the matter raised can be summarised as follows:

- The two-and-a-half storey building is not in keeping with the character of nearby buildings;
- Parking and congestion on Gray Street is a major issue that would be exacerbated by the proposed development due to insufficient car parking within the site which would result in increased parking pressures and congestion;
- Change of use to the hotel would result in the loss of a local amenity;
- Proposal would have an adverse impact on the character and amenity of the Great Western Road Conservation Area;
- Invasion of privacy to 11 Gray Street from proposed new houses in existing car parking area;
- Unacceptable noise and environmental pollution during construction phase;
- Building frontages are out of keeping with existing ones on Gray Street and should be finished in granite blockwork and slate roofs to be in-keeping with the old buildings in the conservation area;
- Noise and disruption from construction activities in close proximity to no. 11 Gray Street would have a significant adverse impact on the ability of the property owner to lease out the building;
- People use existing car parking to drop children off at Bright Horizons nursery on Great Western Road and the loss of this parking for this purpose would worsen illegal parking on double yellow lines near the site which could present a dangerous road safety situation;
- The proposal should be designed to comply with the Council's policies for developing in conservation areas;
- The Design Statement doesn't account for the tree along the south-eastern boundary;
- When planning permission was granted consent for Bright Horizons nursery at 357 Great Western Road – across the road from the site – this was subject to The Mariner Hotel providing car parking for staff and parents of the nursery during the day.
- Proposal would be over-development in a conservation area;
- Lack of information on the external appearance of the proposed buildings, including information on proposed finishes.

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.

National Planning Policy and Guidance

- Scottish Planning Policy

- Historic Environment Policy for Scotland (HEPS)
- Historic Environment Scotland (HES) – *Managing Change in the Historic Environment: Boundaries*
- Historic Environment Scotland (HES) – *Managing Change in the Historic Environment: Extensions*

Aberdeen Local Development Plan (ALDP) 2017

- Policy H1 – Residential Areas
- Policy H5 – Affordable Housing
- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment
- Policy D5 – Our Granite Heritage
- Policy I1 – Infrastructure Delivery and Planning Obligations
- Policy NE5 – Trees and Woodlands
- Policy NE6 – Flooding, Drainage and Water Quality
- Policy T2 – Managing the Transport Impact of Development
- Policy T3 – Sustainable and Active Travel
- Policy CI1 – Digital Infrastructure
- Policy R6 – Waste Management Requirements for New Development
- Policy R7 – Low and Zero Carbon Buildings, and Water Efficiency

Supplementary Guidance (SG)

- Affordable Housing
- Flooding, Drainage and Water Quality
- Planning Obligations
- Resources for New Development
- Trees and Woodlands
- Transport and Accessibility

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. 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 –

- these matters have been subject to public consultation through the Main Issues Report; and,
- the level of objection raised in relation these matters as part of the Main Issues Report; and,
- the relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis. The following policies in the Proposed Plan are considered relevant:

- Policy H1 – Residential Areas
- Policy D1 – Quality Placemaking
- Policy D2 – Amenity
- Policy D6 – Historic Environment
- Policy D7- Our Granite Heritage
- Policy D8 – Windows and Doors
- Policy NE5 – Trees and Woodland

- Policy I1 – Infrastructure Delivery and Planning Obligations
- Policy T2 – Sustainable Transport
- Policy T3 – Parking
- Policy CI1 – Digital Infrastructure
- Policy R5 – Waste Management Requirements for New Development
- Policy R6 – Low and Zero Carbon Buildings, and Water Efficiency

EVALUATION

Principle of Development (Change of Use)

The site lies within a designated “residential area” on the ALDP 2017 Proposals Map and therefore Policy H1 in the ALDP 2017 is the starting point for considering the merits of a change of use for the existing vacant hotel facility. Policy H1 states that new development would be permissible in such designation providing it:

- 1) Does not constitute “overdevelopment”;
- 2) Does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3) Does not result in the loss of valuable and valued open space; and,
- 4) Complies with supplementary guidance.

Residential use of the site would be acceptable in principle on the basis that it is an appropriate and compatible use for a site within an established residential area. The indicative proposals that have been submitted seek to demonstrate how the proposed level of development could be satisfactorily accommodated within the site. They give an indication of whether the proposal would ‘overdevelop’ the site, particularly whether the level of development could be delivered in a scale and form which has an acceptable impact on the character and amenity of the surrounding area in the Great Western Road Conservation Area. Ultimately, detailed compliance with this policy would be deferred to future consideration of applications for matters specified by condition related to layout and design. However, any stipulations related to establishing the maximum mass and scale that can be accommodated on the site or design parameters can be controlled through use of appropriate conditions should the indicative proposals demonstrate that the proposed level of development could be delivered within the site’s constraints. These matters are discussed in detail below.

For avoidance of doubt, the proposal would not result in the loss of valuable or valued open space as the site is set within a well-defined curtilage pertaining to the hotel.

Layout, Siting and Design (including impact on Great Western Road Conservation Area)

The applicant has submitted an indicative site layout and indicative elevations for new buildings to help demonstrate that the proposed number of residential units can be accommodated within the site and factoring in its constraints.

The most significant change to the historic original layout would be through the introduction of the proposed pair of semi-detached dwellinghouses in the existing car parking area. The other changes including removing existing unsightly modern linking structure between the two historic buildings to revert them back to separate buildings would have a welcomed positive visual impact on the character and appearance of the Great Western Road Conservation Area.

The indicative position and built envelope of the pair of semi-detached houses are considered acceptable in principle as they relate well to the established building line along Gray Street as well as the scale and form of neighbouring 11 Gray Street. However, it is considered that any deviation away from these key design characteristics would harm the character of the Great Western Road Conservation Area. Consequently, it is recommended that a suitable condition be attached to any

approval that restricts these siting and design characteristics to what is proposed in the indicative plans.

The footprint of the proposed replacement extension to the larger historic building on the site would be acceptable in principle as it would be smaller and less dominant than the modern extension which currently exists. The scale and form of the proposed indicative extension is considered reasonable and to represent an enhancement to the Conservation Area, however, the eaves and ridge heights shown should be considered as a maximum to ensure the extension reads as a subservient structure to the existing historic building. To this end, if approval is granted it is recommended that the respective eaves and ridge heights of the extension are controlled by use of condition to ensure the existing historic building maintains a visually prominent and positive contribution to the Great Western Road Conservation Area from the Great Western Road-Gray Street junction and Gray Street itself.

Details of all design features (including windows, doors and downpipes) and external finishes of all new buildings should be provided with any finalised design scheme to ensure that each individual building is appropriately finished to respect its street context and the wider Great Western Road Conservation Area. It is most likely that a full granite façade would be required for the proposed pair of semi-detached dwellinghouses to fit within the historic buildings along Gray Street. These details could be secured by use of condition if approval is granted, which should help to allay objectors' relevant concerns set out above and in the absence of such information in the indicative plans.

Policy R7 in the ALDP requires new standalone developments to have a low carbon and high-water efficiency usage through their design by including modern technological components to achieve a building standard which exceed current standards by approximately 20%. This would only be applicable to the proposed two new standalone buildings in the existing car park as per the terms of the policy. Given that such measures would not come to light until building warrant stage it would be reasonable to allow this policy requirement to be controlled through use of condition if the application is approved.

The indicative street elevations of the proposal from Gray Street propose that the height of the existing c. 2m high boundary wall to the car parking area be reduced to improve the outlook to the street from the proposed pair of semi-detached dwellinghouses and to cater for the re-positioned site access to the communal car park. The alteration of the existing wall can be supported on that basis but it is important that the detailing of the wall is carefully considered to avoid negative impacts on the character and appearance of Gray Street and the wider Great Western Road Conservation Area. Also, the loss of granite from the wall without its re-use would be at odds with the requirement of Policy D5 (Our Granite Heritage) in the ALDP 2017. Subsequently, it is considered that any approval of the application should be subject to a condition requiring approval of details of the wall alterations prior to commencement of development, including details of how the existing granite will be re-used as part of the proposal.

Amenity considerations

Amenity for prospective residents

The indicative floor plans for the flats and two dwellinghouses demonstrate that each of the proposed residential units could be afforded an adequate internal sense of space and that all habitable rooms can be served by windows to allow an outlook and the penetration of daylight into living spaces.

The proposed amount of communal outdoor amenity space would be of a minimal standard for the proposed 9 flats. Although the quantity of the space would be acceptable much of the space is

located to the front and rear where there is limited privacy. This, however, could be overcome by implementation of an acceptable soft and hard landscaping scheme that ensures that the space that is available is of high quality for sitting and has a level of privacy. Also, the footprint of the replacement rear extension to the existing principal building may help to increase privacy within the communal outdoor areas. Given this is not a finalised arrangement, the indicative proposal is considered acceptable in demonstrating that an acceptable quantity of amenity space to the flats could be delivered within the site. Should the application be approved a condition securing details of soft and hard landscaping is recommended to help maximise the quality, amenity and privacy of the available amenity space.

The rear garden spaces of the three proposed dwellinghouses are smaller in depth than most surrounding historic residential properties. However, the plans show that a minimum depth of 9m is achievable for all three dwellinghouses and this would be acceptable in affording an adequate level of residential amenity for prospective residents taking account of the site's constraints. Such approval be granted, it is recommended that the minimum depth of the garden spaces for each dwellinghouse is controlled by condition.

Impact on amenity of neighbouring residents

The indicative layout demonstrates that the proposed number of residential units could be accommodated within the confines of the site without unduly harming the level of residential amenity currently enjoyed by immediate neighbouring residents, taking into account the proximity and orientation of existing and proposed new buildings to neighbours windows and garden spaces. A further detailed assessment will be made on the basis of a detailed layout and design scheme as part of any matters specified by condition application. These details should be secured through use of condition should this application be approved.

Impact on Trees

The Council's Tree Officer has considered the findings of the submitted tree survey including potential impacts of existing protected trees within the site and measures to protect such trees in line with the indicative site layout drawing. In general, the Tree Officer is of the view that the proposed works would have limited impacts on the existing tree stock as the existing rooting environments for the majority of the trees will not be changed. However, if re-surfacing of the car park area is required, then a method statement detailing how the works could be undertaken without damage to the trees' root systems will be required. Furthermore, the Tree Officer is content with the loss of trees no. 7 and 11 as these are not suitable for long-term retention. Tree no. 6, adjacent to the proposed access, is the tree which is at the greatest potential threat of damage and loss and should be retained. Whilst the currently proposed tree protection measures are not acceptable it is considered that there are potential solutions which could be achieved by suitable design amendments at the matters specified by condition stage. A ground level Tree Protection and Management Plan is required to ensure protection of the mature trees 1- 6 which contribute significantly to the character of the site and wider Great Western Road Conservation Area and these can be secured now by way of condition on any planning permission in principle

Given that the submitted survey work is specifically tailored to the submitted indicative plans – which have no firm standing in the final development of the site – it would be necessary to seek a new tree survey, as well as the other information related to tree protection, as specified above upon submission of detailed site layout proposals. This information could be secured by use of condition if the application is approved, to ensure the existing trees of character and amenity valued are retained to ensure compliance with Policy NE5 in the ALDP 2017.

Access, Parking, Road Safety and Connectivity

The Council's Roads Development Management (RDM) Team has been consulted on the proposals to assess the indicative site access, parking arrangement proposals and the findings of

the submitted Transport Assessment (TA). This is of particular relevance to the local residents' concerns set out in the summary of objections above regarding perceived existing parking and congestion problems on Gray Street.

Following review of the submitted information and the existing car parking situation on Gray Street, the RDM Team is content that the proposed level of car parking would be the minimum acceptable to provide for the proposed number of residential units and anticipated bedroom numbers. This judgement takes account of the fact the proposed development is highly accessible due to its location on a main bus route, its ready accessibility on foot to nearby services for pedestrians and the fact that it could accommodate an appropriate level of bicycle parking. All of these factors would minimise the dependency of prospective residents on private vehicles and the concomitant need for residents to own vehicles and for parking provision within the site. Given the proposed car parking numbers would be considered as a minimum, this specific number should be controlled through use of condition if the consent is granted. Finalised details of proposed cycle parking and a Residential Travel Pack (RTP) should also be secured through condition to ensure the development would have a minimum dependency on the use of private vehicles and to ensure that the transport impact of development is minimised to achieve compliance with policies T2 and T3 in the ALDP 2017. The concerns of objectors related to increased parking pressure on surrounding streets are understood, however, taking into account the foregoing evaluation, the final indicative proposal is considered to be one that would not result in a significant additional adverse impact on on-street parking provision.

In an effort to reduce carbon emissions, all car parking spaces should be formed to permit easy installation of Electric Vehicle (EV) charging points to ensure the proposal complies with the thrust of Policy T3 in the ALDP. Details of how this could be achieved would be secured through use of an appropriately worded condition if consent is granted.

In terms of the site's wider connectivity to key public facilities, the Roads Development Management team have also considered the site's access to schools and are content that a safe route to primary and secondary education is achievable.

Other site servicing requirements (including drainage and flooding)

The applicant has submitted a Drainage Assessment to verify that appropriate surface water and foul water drainage infrastructure could be installed in line with ground conditions to serve the proposed dwellinghouse. The submitted site plan identifies this infrastructure can be accommodated within the site. Collectively this information is considered sufficient to satisfy the relevant requirements of Policy NE6 in the ALDP. If the application is approved, implementation of SUDS (Sustainable Urban Drainage System) infrastructure prior to occupation shall need to be controlled by condition. On a related matter, SEPA has been consulted on the proposal given the site sits close to a historical flood risk boundary but they are content the proposal would not pose, or be subject to, significant flood risk and therefore have no objection to the proposal.

Under Policy C11 in the ALDP all new residential developments in the city are required to demonstrate that they would have access to modern, up-to-date high-speed communications infrastructure e.g. fibre optic broadband. The applicant has not demonstrated that these units could be served by this infrastructure but given the site is located within an established urban area there is a strong possibility that such infrastructure would be forthcoming and therefore it would be reasonable to secure this information through use of condition if consent is granted.

Affordable Housing and Developer Obligations

Affordable Housing

Policy H5 in the ALDP requires housing developments of 5 or more units to contribute no less than

25% of the total number of units proposed as affordable housing.

The Developer Obligations assessment issued to the applicant confirms that there is a requirement of 3 affordable housing. This requirement could be met by providing the units either on the site, off-site at an agreed location or through payment of a commuted sum of £165,000 (£55,000 per unit). The applicant has agreed to meet this requirement to ensure compliance with the policy. Consequently, should this application be approved it is recommended that consent is withheld until a legal agreement is secured that ensures delivery of affordable housing.

Developer Obligations

Policy I1 in the ALDP requires developments to be accompanied by appropriate level of infrastructure, and where development either individually or cumulatively would place additional demands on community facilities or infrastructure that would necessitate or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure.

The Council's Developer Obligations team has been consulted on the proposal and have identified potential impacts of the development. A Developer Obligations assessment has been issued to the applicant outlining the following list of contributions required to mitigate the impact of the development:

- £2,635 – Secondary education
- £5,193 – Healthcare facilities
- £16,457 – Community Facilities
- £165,000 - Affordable Housing commuted sum or 3no. affordable housing units to be provided on or off site at agreed locations.

In order to ensure compliance with Policy I1, the applicant has agreed to enter into a Section 75 legal agreement to secure payment of these monies. Consequently, should this application be approved it is recommended that consent is withheld until such a legal agreement is secured to ensure delivery of these developer obligations.

Other matters raised in representations not yet addressed

- Change of use to the hotel would result in the loss of a local amenity - It is acknowledged that some of the objectors feel that changing the use of the hotel (resulting in its subsequent loss) would result in the loss of a local amenity. However, the application property is not defined as a community facility and has become vacant as a result of a failing hotel business driven by significant reduced demand for its commercial services. There is no adopted policy restriction prohibiting the change of use.
- Unacceptable noise and environmental pollution during construction phase – Whilst this may occur on a short-term basis, this is not a material consideration as the merits of the proposal are assessed upon the long-term impact of the proposed development;
- Noise and disruption from construction activities in close proximity to no. 11 Gray Street would have a significant adverse impact on the ability of the property owner to lease out the building – As stated above, any noise and environmental disruption would be short term. Notwithstanding, the impact on the ability of the property owner to lease out their premises is a civil matter and therefore not a material planning consideration.
- People use existing car parking to drop children off at Bright Horizons nursery on Great

Western Road and the loss of this parking for this purpose would worsen illegal parking on double yellow lines near the site which could present a dangerous road safety situation – Should the parking arrangement between the site and Bright Horizons exist, it is not planned and is informal. Subsequently, whilst the loss of the car parking may impact nursery drop offs, the nursery is positioned at a completely different address and therefore this should not prejudice redevelopment of the application site. For this reason, whilst the concerns are understood, it could not be regarded as material in assessing this application.

- When planning permission was granted consent for Bright Horizons nursery at 357 Great Western Road – across the road from the site – this was subject to The Mariner Hotel providing car parking for staff and parents of the nursery during the day – The planning decision to grant consent for the nursery under application 110989 contained no planning condition to this effect, nor did the report of handling take this into account in reaching a decision. As such, this statement is not considered accurate in terms of the planning consent for the Bright Horizons Nursery. Any such arrangement would have been made outside of the planning process and cannot be considered as a material consideration in determining the outcome of this application.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (ALDP) substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both Plans for the reasons previously given.

Heads of Terms of any Legal Agreement

As set out above, the applicant has agreed to enter into a Section 75 legal agreement to allow the Council to secure developer obligations to mitigate the impact of the development and to secure affordable housing in one form or another proportionate to the scale of the development in line with national and local policy. The following would form the heads of terms of any such agreement:

- £2,635 – Secondary education
- £5,193 – Healthcare facilities
- £16,457 – Community Facilities
- £165,000 - Affordable Housing commuted sum or 3no. affordable housing units to be provided on or off site at agreed locations.

Conclusion

Overall, whilst a number of concerns have been raised about the indicative residential development from objectors, residential use of the existing buildings and wider site is considered acceptable in the context of the criteria applicable to the relevant H1 Policy zoning of the site in the Adopted Local Development Plan. Given the application merely seeks to establish the principle of development, it is considered the concerns can be competently overcome through use of appropriately worded conditions. The Council's the Roads Development Management Team is satisfied that the proposed access and parking numbers coupled with the site's good accessibility to public transport and other amenities would ensure the development not have an unduly detrimental impact on the local road network or on on-street parking provision. Remittance of developer contributions set out in the Developer Obligations assessment would mitigate any additional impacts of the development on established public facilities and infrastructure and delivery of affordable housing requirements through one means or another set out in the same assessment would satisfy the affordable housing requirements for the proposed level of development. Both these requirements can be secured through a legal agreement. Taking these considerations into account, the proposal is considered compliant with all relevant policies in the current and proposed ALDP and well as other relevant national policy and guidance for purposes of establishing the principle of development. In the absence of any other overriding material

considerations, the application is recommended for approval subject to conditions and completion of a S75 legal agreement.

RECOMMENDATION

Approve Conditionally. Consent to be withheld until a Section 75 legal agreement is secured to ensure the delivery of affordable housing and developer obligations.

REASON FOR RECOMMENDATION

The proposed residential use of the site would be compatible with surrounding uses and therefore is considered acceptable in principle in line with the outlined provisions of Policy H1 (Residential Areas) in the Aberdeen Local Development Plan 2017. Furthermore, it has been demonstrated that the proposed number of residential units and house types would be deliverable on the site in terms of layout, built envelope, and with regard to providing a satisfactory level of residential amenity to prospective occupants without unduly prejudicing the current level of amenity enjoyed by neighbouring residents. Further layout, siting and design details shall be required to ensure the development would not cause unacceptable harm to the character and appearance of the Great Western Road Conservation Area but it is considered there is a strong prospect that a more detailed scheme of works could cause no such harm and could be delivered within the constraints of the site, without comprising existing mature trees within the site which heavily contribute to the site's setting and the character and appearance of the Great Western Road Conservation Area. Providing satisfactory layout and design details are provided which safeguard the existence of existing trees, the proposal would be compliant with policies H1 (Residential Areas), D1 (Quality Placemaking by Design), D4 (Historic Environment) and NE5 (Trees and Woodland) in the Aberdeen Local Development Plan 2017. The site is located on a main bus corridor running through the west of the city and there is scope in the site to deliver cycle parking which also minimises reliance on the private transport, this the proposed level of car parking reflects this and is considered to strike the balance between encouraging use of sustainable transport modes and minimising the impact on road safety on surrounding streets, including Gray Street. The altered position of the site's vehicular access is not considered to give rise to any road safety concerns and is considered acceptable in principle, subject to it not giving rise to the loss of the southernmost tree on the south-west boundary. As such, the proposal is considered compliant with policies T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel) in the Aberdeen Local Development Plan 2017. It has been demonstrated that surface water and foul water could be appropriately dealt with within the site's confines to avoid undue localised flooding and therefore the proposal is considered compliant with Policy NE6 (Flooding, Drainage and Water Quality) in the Aberdeen Local Development Plan 2017. Other serving requirements such a waste storage and high-speed telecommunications connection are considered to be deliverable with the site mindful of the site's indicative arrangement and urban location respectively to ensure compliance with policies R6 (Waste Management Requirements for New Development) and Policy CI1 (Digital Infrastructure) in the Aberdeen Local Development Plan 2017. The proposed development would have impacts on public services and facilities within the local catchment area, but this impact could be mitigated developer contributions/obligations. Compliance with Policy I1 (Infrastructure Delivery and Planning Obligations) in the Aberdeen Local Development Plan 2017 would be predicated on the applicant/developer making payment of such obligations which could be secured through a legal agreement. Likewise, the delivery of 25% affordable housing could also be secured through a legal agreement to ensure compliance with Policy H5 (Affordable Housing) in the Aberdeen Local Development Plan 2017 and Scottish Planning Policy. In the absence of any other overriding material considerations, it is considered reasonable to permit planning permission in principle for 9 flats and 3 dwellinghouses on the site.

CONDITIONS

1. No development shall take place unless a Matters Specified in Condition (MSC) application, including the detailed layout and design of access points, roads, parking areas, buildings and other structures, 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 the planning permission in principle and 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;
 - (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; and
 - (vi) boundary enclosures around and within the site.

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. That the 2 no. dwellinghouses to be erected in the rear curtilage shall be semi-detached, with frontages on the same building line at 11 and 13 Gray Street and be one-and-a-half storey in scale.

Reason: To ensure the development would tie in with the existing character of properties on the eastern side of Gray Street, that the development has an acceptable impact on the character and appearance of the Great Western Road Conservation Area and to ensure compliance with Policy D4 (Historic Environment) in the Aberdeen Local Development Plan 2017.

3. That the 2 no. semi-detached dwellinghouses and converted detached dwellinghouse shall each have rear garden spaces with a minimum depth of 9 metres.

Reason: To ensure that prospective residents are afforded an adequate level of residential amenity within the development to ensure compliance with Policy D1 (Quality Placemaking by Design) in the Aberdeen Local Development Plan 2017.

4. That the proposed replacement extension to the principal historic building on the site (349 Great Western Road) shall be set no closer to Gray Street than the existing building and should be no higher to eaves than the existing building and the ridge height of the extension shall be lower than the ridge of the existing historic building.

Reason: To ensure the development would have an acceptable impact on character and

appearance on the Gray Street streetscene and the wider Great Western Road Conservation Area to ensure compliance with Policy D4 (Historic Environment) in the Aberdeen Local Development Plan 2017.

5. That the development shall incorporate the following minimum provision of car parking spaces: 1 space per flat, 2 spaces per house, plus 1 disabled space and 1 visitor parking space.

Reason: In the interests of ensuring the proposed development is served by an acceptable level of car parking for prospective residents, to ensure that the development does not give rise to further on-street car parking pressures to ensure compliance with Policy T2 (Transport and Accessibility)

6. No development shall take place unless a Matters Specified in Condition (MSC) application including a scheme of hard and soft landscaping covering all areas of public and private open/green space 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 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 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 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 the development, is in the opinion of the Planning Authority 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 historic landscape, increasing the biodiversity and recreational value of the site and creating a suitable living environment for future residents.

7. That no development shall take place until a Tree Survey (including Arboricultural Impact Assessment) and Tree Protection Plan (including ground level tree protection details) have been submitted to the Planning Authority by way of a Matters Specified in Condition (MSC) application. Once approved, all tree protection measures shall be implemented in full prior to commencement of development. Furthermore, should the redevelopment of the site entail the removal of the existing car park surface, a Method Statement shall need to be submitted with the aforementioned documents which details how the existing trees Root Protection Area (RPAs) will not be damaged as a result of the development. Once agreed, the development shall not be carried out other than in full accordance with the method statement.

Reason: To ensure all protected trees within the site (and Great Western Road Conservation Area) which are character and amenity value to the site and wider surrounding area would not be unduly lost or damaged as a result of the development, to ensure compliance with Policy NE5 (Trees and Woodland) in the Aberdeen Local Development Plan 2017.

8. That any granite down-takings from within the site, including the wall along the south-west boundary, are re-used within the development. Details of where the granite shall be re-used will need to be submitted to the Planning Authority for approval by way of a Matters Specified in Condition (MSC) application prior to commencement of development.

Reason: To ensure the city's granite heritage is maintained for future generations, to ensure compliance with Policy D5 (Our Granite Heritage) in the Aberdeen Local Development Plan 2017.

9. No development shall take place until the applicant/developer has provided full details of the proposed SuDS (Sustainable urban Drainage System) for dealing with surface water to and obtained approval from the Planning Authority by way of a Matters Specified in Condition (MSC) application. Specifically, this should cover means of treating surface water discharged from the site and other measures to be incorporated into the landscaping scheme to minimise surface water build-up. Once approved, all SuDS shall be implemented in full and maintained in use for the lifetime of the development.

Reason: In the interests of preventing localised flooding to the detriment of neighbouring residents' general amenity, to ensure compliance with Policy NE6 (Flooding, Drainage and Water Quality) in the Aberdeen Local Development Plan 2017.

10. No development shall take place in relation to the 2 no. semi-detached dwellinghouses unless a scheme of water efficiency within the construction of the buildings has been submitted to and approved in writing by the Planning Authority by way of a Matters Specified in Condition (MSC) application. 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 and BREEAM Level 5 for commercial developments as appropriate. Thereafter the development shall be occupied unless the approved measures have been implemented in the construction of the development.

Reason: in order to reduce pressure on water abstraction from the River Dee and the impact on water infrastructure to ensure compliance with Policy R7 (Low and Zero Carbon Buildings, and Water Efficiency) in the Aberdeen Local Development Plan 2017.

11. No development pertaining to the 2 no. semi-detached dwellinghouse shall take place until it has been demonstrated that these dwellinghouses would be constructed to a level of carbon-efficiency which exceeds 20% of building standards at the time of development through the installation of low and zero carbon generating technology.

Reason: To ensure the new standalone set of semi-detached dwellinghouses would be zero or local carbon emitting for the betterment of the natural environment, to ensure compliance with Policy R7 (Low and Zero Carbon Buildings, and Water Efficiency) in the Aberdeen Local Development Plan 2017.

12. Prior to occupation of the development, the development will be served by a modern, up-to-date high-speed communications infrastructure, details of which have been submitted to and approved in writing by the planning authority by way of a Matters Specified in Condition (MSC)

application.

Reason: To ensure compliance with Policy CI1 (Digital Infrastructure) in the Aberdeen Local Development Plan 2017.

13. Prior to commencement of development, details of how all car parking spaces shall be served be at minimum served by a 'passive' Electric Vehicle (EV) charging connection shall be submitted to the Planning Authority by way of a Matters Specified in Condition (MSC) application. Once approved, all car parking spaces shall be implemented in line with the agreed EV connection prior to occupation of the first flat unit or dwellinghouse, whichever is first.

Reason: To ensure the development would be served by appropriate Electric Vehicle charging connection, to ensure compliance with Policy T3 (Sustainable and Active Travel) in the Aberdeen Local Development Plan 2017.

14. Prior to occupation of the first unit, a Residential Travel Pack (RTPI) shall be submitted to the Planning Authority by way of a Matters Specified in Condition (MSC). The development shall not be occupied unless the RTP thereby approved has been issued to each new household

Reason: To ensure compliance with Policy T3 (Sustainable and Active Travel) in the Aberdeen Local Development Plan 2017.

ADVISORY NOTES FOR APPLICANT

1. Prior to making a new connection to the public water supply and/or public sewer, separate consent is required to be obtained from Scottish Water in advance of making a connection. Scottish Water is contactable on 0800 389 0379 or email at DeveloperOperations@scottishwater.co.uk
2. The vehicular footway crossing required for the proposed new access must be constructed by Aberdeen City Council. The applicant is responsible for all costs involved and should contact footwaycrossings@aberdeencity.gov.uk or telephone 01224 241500, at least 6 weeks prior to any works starting on site to arrange for an estimate for the cost of works.