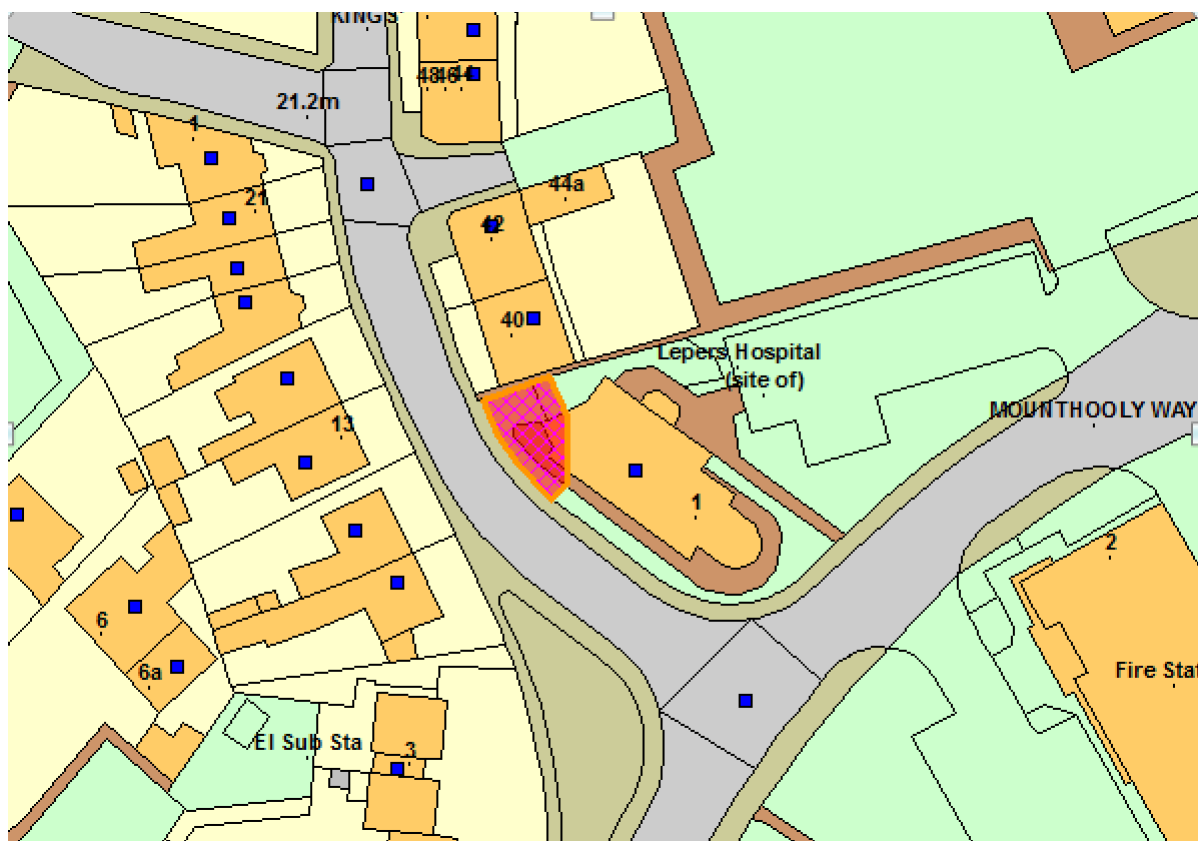


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 4th November 2011

Site Address:	1 Mounthooly Way, Aberdeen, AB24 3ER,
Application Description:	Formation of external access stair with balustrade
Application Ref:	211054/DPP
Application Type	Detailed Planning Permission
Application Date:	3 August 2021
Applicant:	West Coast Estates
Ward:	George Street/Harbour
Community Council:	Old Aberdeen
Case Officer:	Robert Forbes



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The proposal relates to an office building of late 20th century origin and associated incidental open space. The site is located adjacent to the southern edge of Old Aberdeen conservation area, which extends along Kings Crescent and is largely residential in character. The building is 3 storey and constructed of grey concrete blocks with a pitched slate clad roof. A 2-storey glass faced projecting extension with lead roof is attached to the north-west gable of the building. Access to the site is gained from Mounthooly Way. The entrance to the building is on its north-east (rear) elevation facing the ancillary surface car park. There are no door openings on the south-west elevation of the building facing the street.

Relevant Planning History

Application Number	Proposal	Decision Date
191102/DPP	Alterations and extension of existing office premises including change of use to create a mixed-use development, incorporating retail unit at ground floor level with 6no.residential flats above; formation of bin store with enclosure and associated car parking and works	15.05.2020 Status: Approved

The initiation of development of the above approval commenced on 26.04.2021.

APPLICATION DESCRIPTION

Description of Proposal

Formation of an external access stair attached to the north-west end of the building and associated alterations to the façade / ground. The stair would provide an independent access to / egress from the first floor of the building, as an alternative to the existing (rear) pedestrian access. It would be constructed of galvanised mild steel and would have a similar metal handrail / barrier. The stair would face north and would be unenclosed. Its maximum height above existing ground level would be around 4 metres and it would extend around 5 metres north of the existing building. The existing glazed screen on the building façade would be adjusted to create a glazed door opening providing access onto a level platt at the top of the stair. A new pedestrian access path would be created at the north boundary, adjacent to the tenement.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QWMWT0BZLXC00>

Reason for Referral to Committee

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

CONSULTATIONS

Old Aberdeen Community Council – Object on the grounds of adverse visual impact on the adjacent conservation area; insufficient information regarding purpose of the works; insufficient construction details / technical specifications; alleged non-compliance with UK regulations: lack of

lighting / safety implications; conflict with a gas meter on site; potential use of the door as an access, implications for occupants of the upper floor.

REPRESENTATIONS

Old Aberdeen Heritage Society object to the proposal on the following grounds:

- Adverse impact on the adjacent conservation area
- Adverse visual impact of the stair
- Conflict with the design of the related building.
- Lack of adequate justification for the works
- Unsuitability as a private entrance to the upper floor

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 2014 (SPP) expresses a presumption in favour of development which contributes to sustainable development.

Historic Environment Policy for Scotland (HEPS) is relevant.

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)

H2: Mixed Use Areas

D1: Quality Placemaking by Design

D2: Landscape

D4: Historic Environment

Supplementary Guidance and Technical Advice Notes

Landscape SG

Materials TAN

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 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 ALDP will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the PALDP (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. In this case the zoning and topic-based policies in the PALDP reiterate those of the ALDP.

Other Material Considerations

Old Aberdeen Conservation Character Appraisal.

EVALUATION

Principle of Development

As no change of use is proposed and the works relate to the existing authorised use of the premises as offices, ALDP policy H2 is of limited relevance in this case. As no change of use is proposed and the works are minor in nature there would be no change to the character of the wider area and therefore no conflict with the objective of ALDP policy H2. Detailed consideration of the proposal relative to topic-based policies is addressed below. As the works are of a minor nature, SPP is of limited relevance in this case. There would be no conflict with its objective of the creation of sustainable communities. The proposal does not raise matters of cross boundary significance such that the SDP is of limited relevance in this case.

Conservation / Heritage Impact

It is noted that the proposal relates to a building of modern origin and limited architectural value. The proposed works do not relate to a historic or architecturally significant building. As the site lies outwith Old Aberdeen conservation area, the related character appraisal is of limited relevance in this case. Although Kings Crescent is of clear historic importance as a mediaeval approach route to Old Aberdeen from the south, its alignment at this point has been altered due to major road works undertaken in the 20th century (e.g. the formation of Mounthooly Way) which significantly disrupts the historic street pattern. Although the works would be visible from Kings Crescent, the stair would be a subservient element and would not be visually intrusive in the street scene given that it would be set back from the historic building line. Therefore, it would not adversely impact on the approach to the conservation area along Kings Crescent. It is therefore considered that there would be no adverse impact on the setting of the nearby conservation area or on other heritage assets (e.g. nearby Category B listed buildings which front onto Kings Crescent). As such the proposal has a neutral impact on heritage assets and there would be no conflict with the objectives of HEPS and ALDP policy D4.

Design Considerations

It is accepted that the stair does have a rather utilitarian appearance which is perhaps more suited to an industrial context. However, given that the building to which the staircase would be attached is of limited architectural value and the stair / balustrade would be a subservient feature, located on a gable (side) elevation and not unduly prominent within the street scene, it is considered that this is not in itself sufficient grounds for refusal. Precise details of the treatment of the building elevation to create the entrance door can be required by condition. Furthermore, the alternative option of encasing the stair within a solid enclosure would result in it having increased height / bulk and massing and therefore potential increased visual impact. There would be sufficient space at the site frontage to provide mitigatory soft shrub / tree planting that would serve soften and screen the development from the public footpath / road. It is noted that black painted metal railings are a visible feature of the adjacent tenement, enclosing the associated raised entrance platts and basement lightwells. These railings are of modern origin, simple design, and have no ornate /

traditional finials or castings which are typically associated with historic buildings, such that the proposed balustrade would be of similar appearance. There is an existing metal chain-link fence with barbed wire horizontal top strands at the west boundary of the site, which has a rather industrial appearance and is located immediately adjacent to the pavement. Given this context it is considered that the development would accord with the expectations of ALDP policy D1 and related Materials TAN and would be acceptable, subject to agreement of a finish / colour.

No details of external site works are provided (e.g. landscaping / hard surfacing / boundary treatment). However, the submitted site plan indicates that soft landscaping (ground cover shrub planting) would be formed at the boundary with the footpath. It is considered that there is sufficient space within the site to ensure suitable additional replacement mitigatory soft planting which would serve to soften and screen the development when viewed from the public road, including potential inclusion of tree planting. Details of such planting can be required by condition in order to address the expectations of policy D2 and related guidance.

Impact on Residential Amenity

Whilst the stair would be used as an access to / egress from the upper floor of the building it is considered that this would be likely to be on a limited / intermittent basis and this does not raise significant amenity concerns that would warrant refusal. It is noted that there are no window or door openings in the gable of the adjacent tenement building to the north, such that the stair would pose no privacy impact on or overlooking of such residents. Although the works would be visible from houses on the opposite side of the street, this would be at a distance of 20m and there are existing upper floor windows in the tenement and office building which are closer. Furthermore, these houses are elevated and set back from the street, from which they are already visible and exposed to noise sources. It is therefore considered that there would be no impact on residential amenity due to overlooking or otherwise due to its use as an access / egress.

Other Matters Raised in Representations

The design, heritage and amenity implications of the works are addressed above. Whilst it is appreciated that limited technical information has been provided, it is considered that adequate information has been provided to assess the general impact of the development and its compliance with planning policy and guidance. Although the existing gas meter housing at the north of the site is not shown on the drawings, it is considered that there is sufficient space within the site such that it could be relocated without resulting in adverse visual impact (e.g. sited underneath the stair). There is no requirement for the applicant to provide a justification for the works, which relate to the existing use of the upper floor by a charity as an office. Whilst works are underway at the site in relation to the recent planning approval, it is understood that the proposal does not relate to such works (i.e. conversion of the ground floor of the building to a retail unit and formation of flats above). As regards the implications of the works for the users of the upper floor of the building it is considered that this is a consideration of limited weight and materiality. However, it is noted that the stair would provide a convenient alternative access to the existing rear access point. Compliance with other legislation (e.g. health and safety matters) is not a material planning consideration. There is no planning requirement for the stair to be provided with lighting and it is noted that existing street lighting would provide a degree of illumination for users.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (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

The proposal relates directly to the authorised use of the site as offices. As no change of use is proposed and the works are minor in nature there would be no change to the character of the wider area and therefore no conflict with the objectives of Aberdeen Local Development Plan 2017 (ALDP) Policy H2: Mixed Use Areas. Subject to details which can be conditioned it is considered that design impact of the works would be acceptable and there would be no conflict with the objective of ALDP policy D1: Quality Placemaking by Design. Provision of mitigatory soft landscaping can be required by condition in accordance with the objective of ALDP policy D2: Landscape. There would be no adverse impact on the setting of the nearby conservation area or on other heritage assets such there would be no conflict with the objectives of ALDP policy D4: Historic Environment.

CONDITIONS

1. Finishes / construction details

No development shall take place pursuant to this planning permission unless construction details and finishes / colours of the proposed metal stair / balustrade; any relocated gas meter enclosure; the proposed glazed door / framing on the building facade, including detailed cross sections and demonstrating the relationship with the masonry, have been submitted to, and approved in writing, by the Planning Authority. Thereafter the development shall be carried out in accordance with the details so agreed.

Reason: In the interest of visual amenity and to ensure a satisfactory design quality of the development.

2. Boundary Treatment / Landscaping

No development shall take place pursuant to this planning permission unless a further scheme of soft landscaping / boundary treatment works for the site has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:-

- The location / extent of new tree / shrub / hedge / soft ground cover planting;
- A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- Details of any boundary treatments (e.g. walling / railing / gate / fencing);
- Proposed hard landscaping (e.g. paviers) associated with the access path;
- A programme for the completion and subsequent establishment of the proposed landscaping / boundary works.

All 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, 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: To ensure the implementation of a satisfactory scheme of landscaping / boundary treatment which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.