

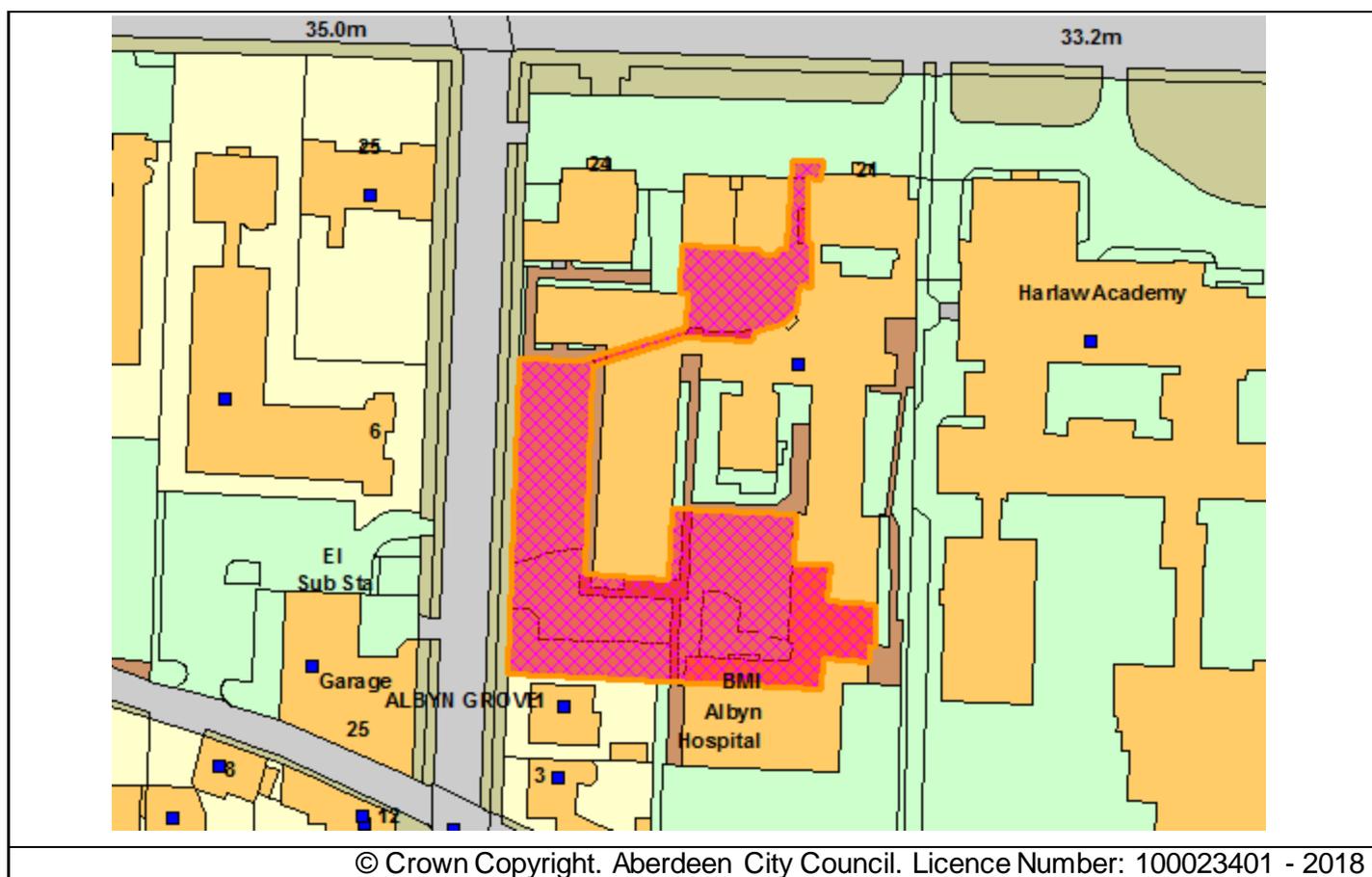


## Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 20 January 2022

<b>Site Address:</b>	Albyn Hospital, 21 - 24 Albyn Place, Aberdeen, AB10 1YE
<b>Application Description:</b>	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
<b>Application Ref:</b>	211019/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	2 August 2021
<b>Applicant:</b>	BMI Healthcare Limited
<b>Ward:</b>	Hazlehead/Queen's Cross/Countesswells
<b>Community Council:</b>	Queen's Cross and Harlaw
<b>Case Officer:</b>	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 19<sup>th</sup> century granite villas (21, 22–23 and 24 Albyn Place) which face Albyn Place and an extensive complex of 20<sup>th</sup> 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 567m<sup>2</sup> 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 228m<sup>2</sup>.

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 685m<sup>2</sup> to 567m<sup>2</sup>. 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 20<sup>th</sup> 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.

## **Proposed Aberdeen Local Development Plan**

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](mailto: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.