



Planning Development Management Committee

Report by Development Management Manager

Committee Date: 7 November 2024

Site Address:	Land Adjacent To 593 And 595 King Street, Aberdeen, AB24 5SP
Application Description:	Installation of two EV charging points, feeder pillar and cabinet and associated works (retrospective)
Application Ref:	240648/DPP
Application Type	Detailed Planning Permission
Application Date:	29 May 2024
Applicant:	FOR:EV Limited
Ward:	Tillydrone/Seaton/Old Aberdeen
Community Council:	Old Aberdeen



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RECOMMENDATION

Approve Unconditionally

APPLICATION BACKGROUND

Site Description

The application site comprises a public car park located to the southwest of the roundabout junction of King Street (A956) and St Machar Drive (B991). The site is located within the Old Aberdeen Conservation Area. To the south of the site is a two-storey granite-built building containing two residential flats, 593 and 595 King Street. Two electric vehicle charging upstands and associated infrastructure have been installed in this car park without planning permission and are thus unauthorised.

Relevant Planning History

None.

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought retrospectively for the installation of two electric vehicle chargers serving four electric vehicle charging bays, a feeder pillar, cabinet and associated works, which replaced standard parking spaces and hard surfaces. The charging upstand structures measure approximately 1.2m in height and 0.3m in width and are a maximum of 2.4m in height including the cabling. They are finished in a laminated blue vinyl and are located in the southeast corner of the site. The feeder pillar measures 2.7m in height and is 3.2m in width and the cabinet measures 0.7m in width and c.2.2m in height. They are located in the southeast corner of the site to the east of the upstands. These are finished in green glass reinforced plastic.

Amendments

None.

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=SDZZ68BZFZW00>

- Details of finishing materials
- Response to Queries from Aberdeen City Council Planning (regarding the siting and dimensions of the infrastructure)
- Charging Post Additional Info
- Cover Letter

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the Old Aberdeen Community Council has objected to the application.

CONSULTATIONS

ACC - Roads Development Management Team – No objection - It provides sustainable provision for electric vehicles while formalising some of the parking within this small private car park. The apparatus is located such that it would not impede parking or manoeuvrability within the car park.

Old Aberdeen Community Council – Objection – The installation appears to have proceeded without due consideration for the conservation area. The equipment is neither in aesthetic keeping with its immediate surroundings, nor is the largest equipment of appropriate scale given the proximity to the boundary and how it towers above the adjacent walls and pavement. The installation significantly detracts from visual amenity. Comments were raised regarding the limited details on the superseded site plan (which have been addressed through the submission of a revised site plan).

REPRESENTATIONS

None.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

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.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 7 (Historic Assets and Places)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)

Aberdeen Local Development Plan 2023 (ALDP)

- Policy CF1 (Existing Community Sites and Facilities)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D6 (Historic Environment)
- Policy T2 (Sustainable Transport)

Aberdeen Planning Guidance

- Transport and Accessibility

Other Material Planning Considerations

- Old Aberdeen Conservation Area Character Appraisal

EVALUATION

Climate Change and the Decarbonisation of Transport

In respect of National Planning Framework 4 (NPF4), Policy 1 (Tackling the Climate and Nature Crises) states that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 (Climate Mitigation and Adaptation) states that development proposals will be sited and designed to adapt to current and future risks from climate change and that development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

Policy 13 (Sustainable Transport) of NPF4 supports proposals for electric vehicle charging infrastructure and electric vehicle forecourts. Transport Scotland's '*A Network Fit For The Future: Vision for Scotland's Public Electric Vehicle Charging Network*' seeks local communities, businesses and visitors to have access to a well-designed, comprehensive and convenient network of public charge points, where these are needed.

Policy T2 (Sustainable Transport) of the Aberdeen Local Development Plan 2023 (ALDP) is supportive of alternative fuel vehicle initiatives. The Transport and Accessibility Aberdeen Planning Guidance encourages existing developments to consider installing electric vehicle charging infrastructure, as has been proposed.

The provision of electric vehicle infrastructure supports the decarbonisation of transportation. The electric vehicle charging infrastructure is located in a convenient location in an existing publicly accessible car park in close proximity to both the University of Aberdeen campus and the Seaton Neighbourhood Centre, in accordance Policies 13 of NPF4 and T2 of the ALDP. The proposal thus also accords with Policy 1 of NPF4 by being of a nature and siting to place significant weight to climate crisis, as well as Policy 2 of NPF4 as it comprises a proposal to retrofit measures to an existing development to reduce emissions and support adaptation to climate change.

The parking spaces are of acceptable dimensions and the development does not adversely affect manoeuvrability within the car park. The Roads Development Management Team have raised no concerns with respect to road safety and have not objected to the application.

The development comprises provide safe and accessible electric vehicle charging infrastructure, in accordance with Policies 1, 2 and 13 of NPF4, T2 of the ALDP and the Transport and Accessibility Aberdeen Planning Guidance.

Aberdeen Local Development Plan Zoning

The application site is on land zoned as Policy CF1 (Existing Community Sites and Facilities) on the Proposals Map of the Aberdeen Local Development Plan 2023 (ALDP). Despite its proximity to the University of Aberdeen campus the site is in use as a stand-alone private car park rather than an existing community site. Policy CF1 states that:

'Where a CF1 area contains uses other than that for which the area has been designated (and these uses make a positive contribution to the character and community identity of the area), any proposals for development will be opposed if a likely result would be significant erosion of the character of the area or the vitality of the local community.'

The ALDP defines 'vitality' as *'a reflection of how lively and busy a centre is at different times and in different parts.'*

Vitality of the Local Community

Commensurate with the minor scale of development, the provision of electric vehicle charging infrastructure in the car park contributes to the vitality of the local community by providing electric vehicle charging provision in a publicly accessible car park adjacent to the University of Aberdeen campus, the surrounding retail and food and drink uses of the Seaton Neighbourhood Centre, as well as the nearby student accommodation, in accordance with Policy CF1 of the ALDP. The presence of electric vehicle infrastructure in close proximity to these uses encourages footfall within the centre and supports the continued use of the existing community facility. Those charging their vehicles are likely use the nearby facilities whilst their vehicles charge.

Impact on the Character and Appearance of the Conservation Area

The impact on *'the character of the area'*, as required by Policy CF1 of the ALDP is considered in the context of its siting within the Old Aberdeen Conservation Area and the duty placed upon the planning authority, under Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Policy 7 (Historic Assets and Places) of NPF4 states that development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Policy D6 (Historic Environment) of the ALDP states that development must protect, preserve and enhance Aberdeen's historic environment, including its historic fabric.

To determine the effect of this building on the character and appearance of the area it is necessary to assess it in the context of Policy 14 (Design, Quality and Place) of NPF4 and Policy D1 (Quality Placemaking) of the ALDP. Policy 14 states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy D1 requires all development to ensure high standards of design, create sustainable and successful places and have a strong and distinctive sense of place which is a result of detailed contextual appraisal.

It is acknowledged that the upstands, associated feeder pillar and cabinet are of modern utilitarian design and bright in terms of their colour. The cabinet and feeder pillars are readily visible from the street given their close proximity to the eastern boundary of the car park and because their height exceeds that of the adjacent boundary wall with the street. The applicant has confirmed that the feeder pillar and cabinet are necessary for the development, that the location of the structures is determined by the Distribution Network Operator as well as needing to be as close as possible to the chargers for technical reasons.

The site is nevertheless located in an existing car park that is in very close proximity to a highly trafficked roundabout, associated street infrastructure and many buildings which are of limited architectural interest and vary in terms of their architectural design, scale and quality. This includes two large modern buildings, King Street Exchange (student accommodation) to the east of the site

and the Macrobert Building to the west. The SWOT analysis in the Old Aberdeen Conservation Area Character Appraisal identifies the weaknesses of this part of the conservation area as being the *'weak character on the edges of the campus'*, the *'lack of architectural and public realm coherence on the east side of campus creating a weak sense of place'* and *'the amount of visible car parking'*. In this specific context, and taking into account the minor scale of development, the utilitarian design and prominence of the structures do not detract from the streetscape, or the character and appearance of the conservation area, by any significant degree.

Whilst the utilitarian design and prominence of the structures are not sympathetic to the historic character and appearance on the conservation area, which has tensions with Policies 7 and 14 of NPF4 and D1 and D6 of the ALDP, the development does not adversely affect the character and appearance of the conservation area, nor the character of the existing community facility, by any significant degree.

Summary

The benefits that the development provides in terms of addressing climate change, contributing to the decarbonisation of transport and the enhancement to the vitality of the area outweighs the very minor adverse impact of the design and prominence of the structures on the historic character and appearance of the conservation area. On balance, the proposal accords with the aims of Policy NC1 (Existing Community Sites and Facilities) of the ALDP.

Residential Amenity

The granite boundary wall between the development and the residential dwellings to the south partially screens the structures from those properties. The structures are not of a scale whereby they are overbearing and adversely affect the level of residential amenity afforded to those properties, in accordance with the aims of Policy D2 (Amenity) of the ALDP.

Tackling the Nature Crisis and Biodiversity

In considering the nature crisis as required by Policy 1 (Tackling the Climate and Nature Crises) of NPF4, Policy 3 (Biodiversity) is of relevance. This policy states that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance and that measures should be proportionate to the nature and scale of development.

The proposed development is of a sufficiently small-scale whereby there is no opportunity to meaningfully enhance on-site biodiversity, therefore the minor tension with Policy 3 (Biodiversity) of NPF4 is not significant. Taking into account the aforementioned contribution of this proposal to facilitating the decarbonisation of transport, this proposal would accord with Policy 1 of NPF4.

Matters Raised by Old Aberdeen Community Council

The matters raised by Old Aberdeen Community Council in relation to design, siting and scale of the infrastructure and impact on the character and appearance of the conservation area has been addressed in this evaluation. Taking into account its specific location within the conservation area, the benefits that the development provides in terms of addressing climate change, the decarbonisation of transport and the enhancement to the vitality of the area outweighs the very minor adverse impact of the design and prominence of the structures on the character and appearance of the conservation area. The comments raised regarding the limited details on the superseded site plan have been addressed through the submission of a revised site plan.

RECOMMENDATION

Approve Unconditionally

REASON FOR RECOMMENDATION

The proposal, to provide safe and accessible electric vehicle charging infrastructure places significant weight to the climate and nature crises and contribute to climate change mitigation by supporting the decarbonisation of transportation, in accordance with Policies 1 (Tackling the Climate and Nature Crises), 2 (Climate Change Mitigation and Adaptation) and 13 (Sustainable Transport) of National Planning Framework 4 (NPF4), as well as Policy T2 (Sustainable Transport) of the Aberdeen Local Development Plan 2023 (ALDP) and the Transport and Accessibility Aberdeen Planning Guidance.

Commensurate with the scale of the development, it enhances the vitality of the local community because it provides electric vehicle charging provision in a publicly accessible car park located adjacent to the University of Aberdeen campus and the surrounding retail and food and drink uses of the Seaton Neighbourhood Centre. Whilst the utilitarian appearance and the prominence of the feeder pillar and cabinet from public area has a very minor adverse impact on the character and appearance of the Old Aberdeen Conservation area, which has tensions with Policies 7 (Historic Assets and Places) and 14 (Design, Quality and Place) of NPF4 and D1 (Quality Placemaking) and D6 (Historic Environment) of the ALDP, given the specific site context, the benefits that the development provides in terms of addressing climate change, the decarbonisation of transport and the enhancement to the vitality of the area outweighs this minor adverse impact. On balance, the proposal accords with the aims of Policy NC1 (Existing Community Sites and Facilities) of the ALDP.

The development is of a sufficiently small-scale whereby there is no opportunity to meaningfully enhance on-site biodiversity. The minor tension with Policy 3 (Biodiversity) of NPF4 is not significant.

The structures are not of a scale whereby they are overbearing and adversely affect the level of residential amenity afforded to the neighbouring dwellings, in accordance with the aims of Policy D2 (Amenity) of the ALDP.