

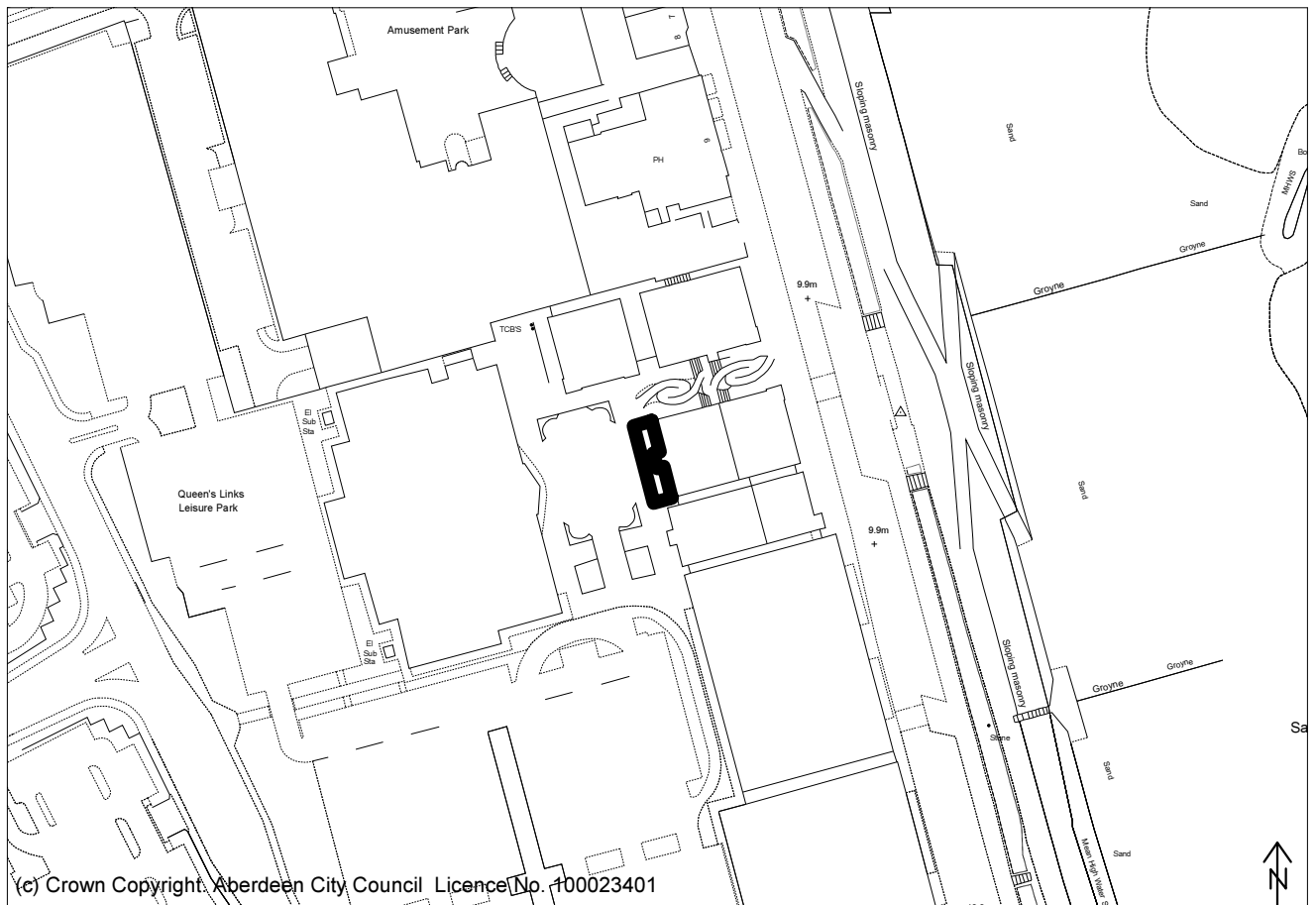
**FRANKIE & BENNY'S, UNIT 5 QUEENS
LINKS LEISURE PARK**

**FORMATION OF AN EXTERNAL
LICENSED SEATING AREA, REMOVABLE
SCREEN ENCLOSURE AND 4
NO.REMOVABLE PARASOLS**

For: The Restaurant Group UK Ltd

Application Ref. : P120471
Application Date : 03/04/2012
Officer : Matthew Easton
Ward: George Street/Harbour (A May/J
Morrison/N Morrison)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on : 18/04/2012
Committee Date : 14 June 2012
Community Council : No response received



RECOMMENDATION: Approve Unconditionally

DESCRIPTION

The site is an area of approximately 21m x 4m located outside the existing 'Frankie and Benny's' Italian restaurant at the Queens Link's Leisure park.

The restaurant is a single storey building which faces towards a pedestrianised courtyard space which is surrounded by the Cineworld cinema and further restaurants premises. To the south is the car park associated with the leisure park.

PROPOSAL

It is proposed to operate a external seating area directly outside the front of the restaurant. It would be divided into two separate areas, one on either side of the entrance door. Each would measure approximately 8m x 4m and accommodate 32 seated customers.

The areas would be enclosed by 900mm high canvas screens and be covered by four parasols 3.1m high and 4m wide. The screens and parasols would be coloured red with green text.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been submitted to the Sub-Committee because it relates to a licensed premises and therefore is considered to be a Schedule 3 Development, applications for which require to be determined by the Sub-Committee rather than delegated powers.

CONSULTATIONS

ROADS SECTION – No observations.

ENVIRONMENTAL HEALTH – No observations.

COMMUNITY COUNCIL – No response received.

REPRESENTATIONS

None received.

PLANNING POLICY

Aberdeen Local Development Plan (2012)

Policy NE3 (Urban Green Space) – Permission will not be granted to use or redevelop any parks, playing fields, sports pitches, woods, allotments or all other areas of urban green space (including smaller spaces not identified on the Proposals Map) for any use other than recreation or sport, unless an equivalent and equally convenient and accessible area for public access is laid out and made available in the locality by the applicant for urban green space purposes. In all cases, development will only be acceptable provided that:

- 1) There is no significant loss to the landscape character and amenity of the site and adjoining areas;
- 2) Public access is either maintained or enhanced;
- 3) The site is of no significant wildlife or heritage value;
- 4) There is no loss of established or mature trees;
- 5) Replacement green space of similar or better quality is located in or immediately adjacent to the same community, providing similar or improved benefits to the replaced area and is as accessible to that community, taking into account public transport, walking and cycling networks and barriers such as major roads;
- 6) They do not impact detrimentally on lochs, ponds, watercourses or wetlands in the vicinity of the development; and
- 7) Proposals to develop playing fields or sports pitches should also be consistent with the terms of Scottish Planning Policy.

EVALUATION

The site is zoned within an area where Policy NE3 (Urban Green Space) applies. However this particular area of the beach links has been developed and displays none of the characteristics of urban green space. The policy is also silent on proposals such as this. Therefore it is considered that the Policy NE3 in this instance is immaterial.

The external seating area would be located within an area where leisure and food and drink uses are predominant. There are no residential premises or other sensitive uses in the surrounding area which could be disturbed by customers making use of the proposed seating area. Several of the existing restaurants in the surrounding area have external seating areas such as Chiquitos and Pizza Hut and these appear to operate without any adverse impact upon adjacent uses.

The courtyard outside the premises is pedestrianised and approximately 35m x 44m. There is ample space for pedestrians to continue to pass safely and the seating area would not cause an obstruction.

The seating area would be readily visible from within the restaurant premises in order to allow staff to monitor activity there.

RECOMMENDATION

Approve Unconditionally

REASONS FOR RECOMMENDATION

The proposed external seating area would have no adverse impact upon the amenity of the area or adjacent uses.

Dr Margaret Bochel

Head of Planning and Sustainable Development.