

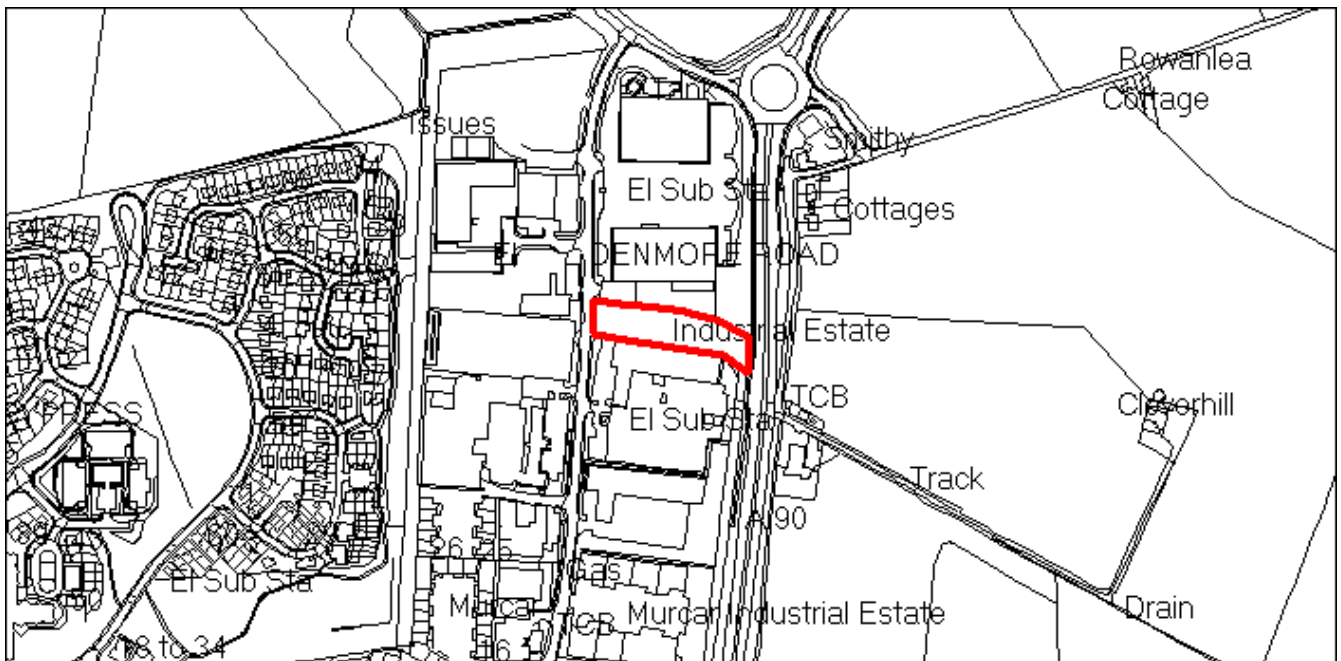
LAND TO NORTH OF, SITE 13 DENMORE ROAD, MURCAR INDUSTRIAL ESTATE

CHANGE OF USE FROM AREA OF AMENITY GROUND TO PRIVATE CAR PARK WITH ASSOCIATED LANDSCAPING AND NEW ACCESS FOOTPATH ACCESSIBLE TO PUBLIC

For: Sparrows Offshore Services

Application Type : Detailed Planning Permission  
Application Ref. : P130776  
Application Date: 29/05/2013  
Officer: Gavin Clark  
Ward : Bridge of Don (M Jaffrey/J Reynolds/S Stuart/W Young)

Advert : Can't notify neighbour(s)  
Advertised on:  
Committee Date: 22 August 2013  
Community Council : No response received



**RECOMMENDATION:** Refuse

## **DESCRIPTION**

The site is an area of open space located within an area identified as Green Space Network within the Bridge of Don Industrial Estate. It comprises an area of ground, which is roughly rectangular in shape, and extends to approximately 3725 square metres.

The site is defined by a number of trees and dense areas of planting, an informal footpath also runs through the site.

To the immediate south of the site is an office building/ workshop (which relates to the current application), to the east is Ellon Road, to the north a retail park (which presently houses B n' Q) and to the west office/ workshop buildings. The associated building has an office floor area of 1268 square metres, and an industrial floor area of 1930 square metres. The site is generally flat, with little undulation.

## **RELEVANT HISTORY**

There is no site history relevant to this application.

## **PROPOSAL**

The proposal involves a change of use from an area of amenity ground to a private car park with associated landscaping, and new access footpath, which would link the A90 to Denmore Road.

The proposal would include the introduction of 62 car parking spaces, which would be associated with the office building/ workshop located to the immediate south of the site. A 5 metre wide access road would link the car park with the site to the south.

Approximately 70% of the site would be lost to hardstanding, this would include a number of trees and shrubs. Whilst this is to be removed the applicants also propose a number of areas of planting, and a footpath which would link Demore Road to Ellon Road.

## **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130776>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

## **REASON FOR REFERRAL TO SUB-COMMITTEE**

The application has been referred to the Sub-committee because Aberdeen City Council has an interest in the land. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Projects Team** – initially raised concerns with the proposal as the access to the site was below required standards and 99 parking spaces were to be proposed in total, 9 above the maximum parking standards.

The applicants submitted amended plans which show a total of 90 parking spaces (28 of which are existing, and 62 proposed). The Roads Officers confirmed that they were content with this number, and raised no further objection to the application. In addition, they have confirmed that, should planning permission be approved, a condition requiring the submission of a drainage strategy in line with SUDS principles be attached.

**Environmental Health** – response received, no objection.

**Enterprise, Planning & Infrastructure (Flooding)** - response received, no objection.

**Community Council** – no response received.

## **REPRESENTATIONS**

No letters of representation have been received.

## **PLANNING POLICY**

### **Scottish Planning Policy (SPP)**

Paragraph 149 of SPP aims to protect and enhance open space. In settlements, networks of linked, good quality open space are important for their contribution to amenity and their role in nature conservation, biodiversity, recreation and physical activity.

Paragraph 169 of Scottish Planning Policy states that 169 opportunities for personal travel should be prioritised by mode in the following order - walking, cycling, public transport, car and other motorised vehicles, buildings and facilities should be accessible on foot and by cycle. Improvements to active transport networks, such as paths and cycle routes, in urban and rural areas will support more sustainable travel choices. The aim is for urban areas to be made more attractive and safer for pedestrians and cyclists, including people with mobility difficulties. Cycle routes and, where relevant, cycle parking and storage should be safeguarded and enhanced wherever possible. Statutory equal opportunities obligations relating to accessibility to different users of different means of transport should be taken into account in development plans and development proposals. Accessibility issues and street layout and design should be part of the design and planning processes from the outset.

### **Aberdeen Local Development Plan 2012**

Policy BI1: Business and Industrial Land: states that ancillary facilities that support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's businesses and industrial land. Such

facilities should be aimed primarily at meeting the needs of businesses and employees within the business and industrial area.

Policy NE1: Green Space Network: states that the City Council will protect, promote and enhance the wildlife, recreational, landscape and access values of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.

Policy NE5: Trees and Woodland: states that there is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity.

### **Supplementary Guidance**

Open Space: states that Green networks can provide an enhanced setting for development and other land uses and opportunities for outdoor recreation, nature conservation, landscape enhancement and providing a sense of place and local distinctiveness.

### **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) 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.

The application seeks permission for a change of use and a number of physical alterations to an area of amenity ground to a private car park with associated landscaping and new pedestrian footpath between Demore Road and Ellon Road. The area of open space in question lies immediately to the north of the associated office building and workshop, and is bounded by a retail unit to the north, Ellon Road (A90) to the east and Denmore Road to the west. An informal footpath, which is presently overgrown, runs through the site.

The site predominantly houses dense woodland/ bushes and shrubs, and contributes to the overall setting of the industrial estate. The resultant physical alterations and change of use to car parking, with associated landscaping would negatively impact on the character and appearance of the surrounding area, whilst the introduction of a large area of hardstanding should be discouraged. Whilst the proposal would allow public access between Denmore Road and Ellon Road through an access pathway, the proposal would negatively impact on the Green Space Network, and would introduce a large area of hardstanding in the place of dense planting/ woodland. The proposal would therefore erode the character and function of the Green Space Network, and therefore fails to accord with Scottish Planning Policy, Policy NE1 – Green Space Network – of the Aberdeen Local Development Plan and the Council's Supplementary Planning Guidance in relation to Open Space.

Policy BI1 states that ancillary facilities that support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's businesses and industrial land. The proposed introduction of an area of hardstanding in place of an area of open space would be detrimental to the setting of the surrounding industrial estate and should therefore be discouraged. The proposal also fails to accord with this policy of the Aberdeen Local Plan.

In terms of Policy NE5, while the area is not an established woodland contributing to nature conservation, the proposal is significant to the surrounding area, and does contribute to local amenity. The proposal is therefore contrary to this policy.

Approval of this application risks creating an undesirable precedent which would result in it becoming increasingly difficult to resist similar applications in the future.

Following the submission of amended plans, the Council's Roads Projects Team have raised no objections to the proposal, stating that adequate parking and access would be provided. In addition, they have requested that, should planning permission be approved, a condition be inserted requesting the submission of a drainage strategy in accordance with SUDS principles. Whilst they have raised no concerns, the proposal does conflict with the aims of Scottish Planning Policy, as no justification has been provided with regards to the requirements for the additional parking, and the works, if approved, would discourage more sustainable methods of travel to work.

Should members be minded to grant planning permission, it is recommended that conditions relating to the provision of landscaping, the provision of a footpath through the site from Denmore Road to Ellon Road (available for public use) and that the parking is to be used solely for in association with the adjacent premises occupied by the applicant. At present, there are no material planning considerations which would warrant approval of planning permission. The application is therefore recommended for refusal.

## **UPDATE**

At the Development Management Sub-Committee Meeting on the 18<sup>th</sup> July members deferred consideration of the application pending the submission of a statement by the applicant providing justification for the additional car parking requirements. This information was submitted on the 5<sup>th</sup> August, and advised as follows:

The primary objective of the car park proposal is to facilitate the further development of the existing Sparrows site immediately to the south of the application site, this would be done by relocating the car parking spaces and consequently creating a clear site for the development of a new fabrication workshop. They have advised that it would not be possible to construct this new fabrication workshop unless the car park application is granted and the works can be progressed

They further contend that the application site is not maintained in any way and is not safe for public use. They intend to create, outwith the parking site, a new

surfaced and illuminated pathway from Denmore Road through the existing bus lay-by on the Ellon Road. The granting of planning consent for the new car parking area, is therefore seen by the applicant, as essential for the expansion of their business and at the same time bringing the space back into safe public use.

In response to these comments, a planning application has not been submitted to date for an expansion on site to include any further development. The agent has submitted an indicative layout which shows a proposed layout for future development, with the required parking provision. It would likely that this development would be at expense of the yard area, which could potentially impact on the operational requirements of the business, however, this issue could only be properly assessed and quantified if a detailed planning application were to be lodged. Accordingly, Little weight can be attached to these indicative plans at present.

Further, the number of spaces potentially affected would be 21, which is considerably less than the proposed number of spaces. Accordingly, there has been a net gain of 41 parking spaces which have not been justified by the applicant.

In addition, it has previously been assessed that the area of landscaping, which may be overgrown, provides a valuable area of open space, both for public use and by local wildlife. The area of landscaping is also beneficial to the visual amenity and appearance of the surrounding area. There have been no further material planning considerations raised in the further letter of support which would justify granting planning permission, and the application is still recommended for refusal.

## **RECOMMENDATION**

**Refuse**

## **REASONS FOR RECOMMENDATION**

That the proposed development fails to accord with Scottish Planning Policy (SPP), Policies NE1 “Green Space Network”, BI1 “Business and Industrial Land” and NE5 “Trees and Woodland” of the Aberdeen Local Development Plan and the Council’s Supplementary Planning Guidance relating to Open Space as the proposal would result in the loss of an area of open space to the detriment of the surrounding area. The open space was designed into the overall industrial development, and its loss would also cause unacceptable detriment to the amenity of the surrounding area. The development would also set an undesirable precedent for applications of a similar nature throughout industrial estates in Aberdeen.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.