

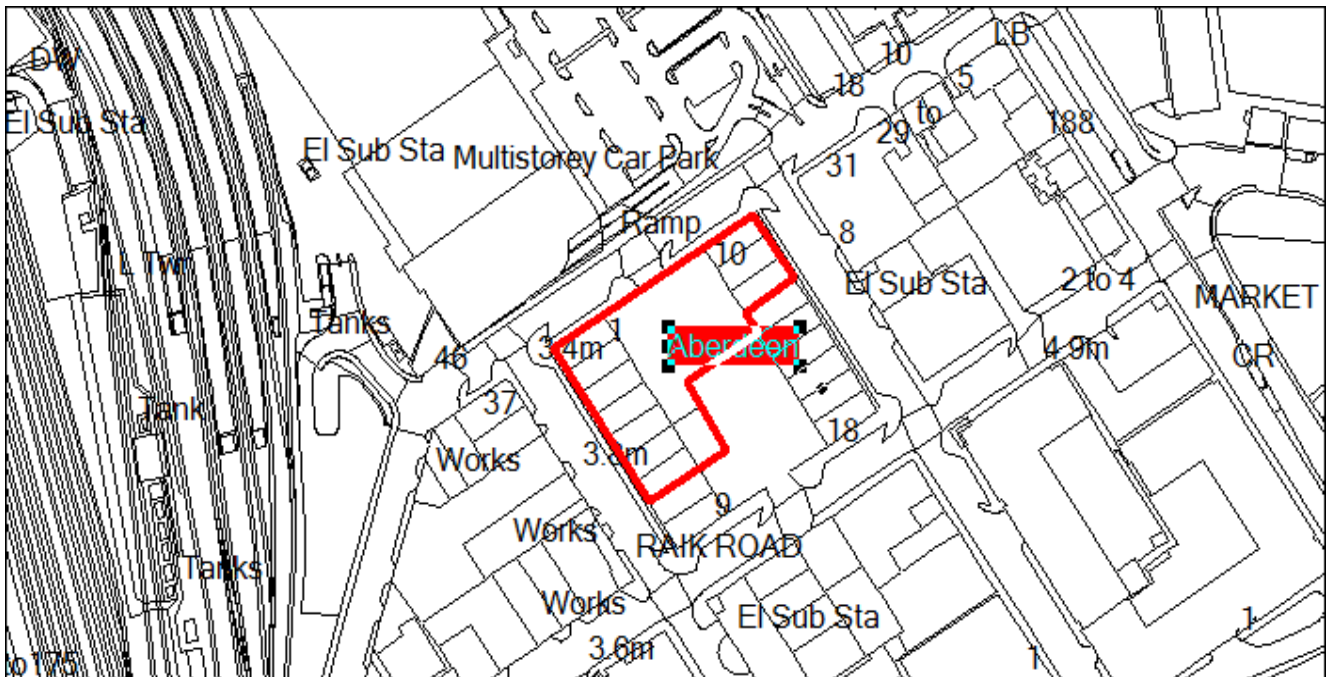
FORMER ABERDEEN SEAFOOD PARK,  
PALMERSTON ROAD, ABERDEEN

DEMOLITION OF EXISTING BUILDINGS AND  
ERECTION OF AN OFFICE DEVELOPMENT,  
FALLING WITHIN CLASS 4 OF THE TOWN &  
COUNTRY PLANNING (USE CLASSES)  
(SCOTLAND) ORDER 1997, AND ASSOCIATED  
CAR PARKING

For: Drum (The Grande) Ltd & EQ Property Ltd

Application Type : Detailed Planning Permission  
Application Ref. : P130710  
Application Date: 17/05/2013  
Officer: Daniel Lewis  
Ward : Torry/Ferryhill (Y Allan/A Donnelly/J  
Kiddie/G Dickson)

Advert : Section 34 -Proj. Pub.  
Concern  
Advertised on: 29/05/2013  
Committee Date: 22 August 2013  
Community Council : No response  
received



**RECOMMENDATION:**

Willingness to approve, subject to conditions but to withhold the issue of the consent document until either

- the applicant has entered into a legal agreement with the Council to secure, or
- the applicant has made a payment to the Council of,

the agreed developer contributions towards:

- the Strategic Transport Fund
- the widening of Palmerston Place on its westbound approach to the junction with South College Street
- recreational and access improvements in the vicinity, specifically enhancements to the Core path along the riverside
- the implementation of a Controlled Parking Zone in the immediate area

## **DESCRIPTION**

The application site extends to approximately 0.415 hectares and comprises the northern half of the site of the former Aberdeen Seafood Park. The buildings currently on the site are two single storey industrial units running along the Raik Road and Stell Road boundaries and separated in the centre of the site by access and car parking areas with access from Palmerston Road and Poynerook Road. The buildings and all industrial units within them are currently vacant.

The site lies within a traditional industrial area of Aberdeen that predominantly accommodated industries associated with the Harbour, namely fish processing and distribution premises. The buildings surrounding the site still accommodate these types of operations, particularly on Raik Road and Poynerook Road. There is a modern, multi-storey office development to the south east, known as Consort House and other modern Class 4 office buildings such as the new GDF Suez HQ currently under construction have started to populate and change the character of the area. To the north, directly opposite to the application site, lie the multi-storey and surface level car parks of the Union Square Shopping Centre which accommodates a range of retail and leisure operators. The closest residential property is a granite tenement block on Palmerston Road approximately 70 metres from the north east corner of the site.

## **RELEVANT HISTORY**

The site is owned by City Council and it is the intention that the applicant will become the tenant of the Council when the application is approved.

## **PROPOSAL**

This is a planning application for an office development on the northern half of the Seafood Park block, fronting Palmerston Road and facing north towards the car park of the Union Square Shopping Centre. The proposal (by Drum Property Group) is to create around 13,600 sq.m (gross floor area) of high quality Grade A office space (accommodating approximately 920 staff) for the oil production firm EnQuest together with a multi storey car park for 271 staff cars with access from Raik Road.

The office element of the building would be 8 storeys in height (37 metres including roof plant) and of a contemporary geometric design. All elevations of the office building would be predominantly glazed and set within a rectilinear frame of natural granite cladding with a vertical emphasis. The main entrance to the building would be on the corner of Palmerston Road and Stell Road facing Union Square. This corner and the Stell Road/Palmerston Road corner would be marked by corner towers consisting of glazed curtain walling in a slim projecting aluminium frame. The main entrance would be recessed at ground floor level creating a covered colonnaded entrance area surfaced with natural granite flag stones. This flagged area would wrap around the rear of the building to create the northern part of a future courtyard within that could be completed by future development of the Seafood Park block. Rooftop plant would be hidden by a 2.5 metre high polycarbonate plant screen.

The 13 level, 19 metre high multi storey car park would face Raik Road. Façade finishing materials would be composite metal cladding to the bottom 3 levels, feature mesh infill panels to levels 4 to 6 and polyester powder coated aluminium cladding panels in slim vertical columns to the remainder of the elevation.

As well as 271 car parking spaces, 46 cycle spaces are proposed including 6 visitor spaces at the entrance. Motorcycle parking (16 spaces) is provided in accordance with adopted Transportation Supplementary Guidance.

As part of the application all the angled parking spaces would be removed on all four sides of the Seafood Park block and replaced by parallel parking spaces with associated widening of the pavement to between 5 and 8 metres width. Significant improvements are also proposed to the public realm on all street frontages to the application site. Pavements would be surfaced with textured concrete with bands of granite paving slabs, granite kerbing and semi-mature trees (upright hornbeam) with, in addition, granite benches along the Palmerston Road frontage. A new pedestrian crossing on Palmerston Road is proposed that would link the development directly to the main arterial pedestrian route through the Union Square shopping Centre.

### **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?130710>

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

These documents include a Pre-Application Consultation Report, Design and Access Statement, Flood Risk Assessment, Drainage Assessment, Ecology Report, Construction Methodology Statement, Transport Statement, Green Travel Plan, Economic Impact Statement, Low Carbon Development Statement and Geo-Environmental Interpretive Report

### **PRE-APPLICATION CONSULTATION**

The proposed development was the subject to 12 week period of pre-application consultation between the applicant and the local community, as required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations. The consultation involved a presentation to Ferryhill and Ruthrieston Community Council on 27 March 2013 and a subsequent public event at Jury's Inn Hotel on 16 April 2013. The latter event was attended by 14 people including one of the elected members and a representative from both Ferryhill and Torry Community Councils. No written comments were received but verbal comments indicated that the proposal would help regenerate a run down and neglected area of the City Centre. However concerns were expressed about the potential to exacerbate traffic congestion and parking difficulties in the area. The report states that a Transport Assessment and Green Travel Plan have been prepared to address these issues.

During this pre-application phase there were intensive pre-application discussions between the applicant, developer, agent and Council officers resulting in significant design changes, including a reduction in car parking provision and improvements to the design of the building.

The application was also considered by the expert Aberdeen City and Shire Design Review Panel (13 May 2013) which indicated:

- that the scale, massing and orientation of the building and car park were satisfactory but redesign options should be considered to make the building more distinctive/special given its prominent position, relationship to Union Square and the fact that it will set the benchmark for the redevelopment of the rest of the area. This could be achieved with more solid vertical emphasis to design elements, the use of coloured materials or lighting and the introduction of an entrance oriented to the pedestrian route into Union Square.
- the proposed building was designed in a way to allow for the entire urban block occupied by the Seafood Park to be completed in a way that would be satisfactory in terms of urban design on the understanding that little or no additional car parking would be possible in the remaining phase(s)
- elements of the design, materials and public realm enhancements were welcomed including the dominant corner feature emphasising the entrance to the building, the use of a natural granite rainscreen cladding, removal of on street parking, widening of footways, high quality hard and soft landscaping in the public realm and the start of the creation of an internal square to the block
- there was concern over the car park frontage which was bland, dated in design and lacked interest or interaction with the street.

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

The application has been referred to the Sub-Committee because it has been advertised as a project of public concern (over 20 metres in height) and because it is a Major Development in which the Council has an interest as landowner. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation (Local Government Act 1973).

### **CONSULTATIONS**

**Roads Project Team** – no objections to the proposal. This follows significant discussion and revisions to the submitted transportation assessment resulting in agreement on roads mitigation to accommodate the traffic generated by the development.

Agreement has been reached with the applicant which will result in

- the signalisation of the North Esplanade/Raik Road junction (to be undertaken by the applicant) and the change of Raik Road from one way to two way traffic: to be subject to a suspensive condition of planning consent and
- the widening to Palmerston Place on its westbound approach to the junction with South College Street (to be subject to a developer contribution in lieu of works prior to issue of planning consent)

The 271 parking spaces proposed (the maximum provision allowed in this area by the Council's adopted standards) is accepted. A developer contribution towards the introduction of a controlled parking zone has been agreed with the applicant which will help to mitigate the transportation and on-street parking impact of the development.

45 covered cycle parking spaces and 17 motorcycle spaces along with shower/changing facilities are provided which complies with adopted Supplementary Guidance on Transportation.

Streetscape improvements proposed including the removal of angled on-street parking and the substitution of parallel parking around the entire block is acceptable.

The submitted framework Travel Plan is acceptable but a full Travel Plan should be required to be agreed by condition prior to occupation

Agreement has been reached with the applicant on a contribution to the Strategic Transport Fund

It is accepted that the Drainage Impact Assessment shows that the development can be adequately drained and it is noted that Scottish Water and SEPA are also satisfied with the drainage proposals

**Environmental Health** – No objections. Observes that, in order to ensure that occupants of neighbouring commercial and residential property demolition are not disturbed, demolition and building work should not occur out with the hours of 7 am to 7 pm Monday to Friday or 9 am to 4 pm on Sunday.

**Contaminated Land Unit** - Agreement has been reached on a remediation strategy for contamination on the site. A condition should be imposed to ensure the long term monitoring and reporting of the remediation works and submission and approval of a report verifying that remedial works have been carried out in accordance with the strategy.

**Developer Contributions Team** – request a developer contribution towards environmental and access improvements in the area which has been agreed by the applicant.

**Enterprise, Planning & Infrastructure (Flooding)** - no objections on the basis of the revised Flood Risk Assessment and the submitted Drainage Impact Assessment

**Education, Culture & Sport (Archaeology)** – no observations

**Scottish Environment Protection Agency** – No objection. Initially objected on the grounds of deficiencies in the initial Flood Risk Assessment (FRA). Following considerable dialogue, and revision of the FRA to take into account potential collapse of the culverted section of the Denburn beneath Union Square, that objection was withdrawn. Concludes that the impact

of the development on the storage capacity of the floodplain is unlikely to be substantial and that flooding is largely a commercial risk.

SEPA is satisfied that the Drainage Impact Assessment shows that the site can be adequately drained.

**Community Council** – no comments received

## **REPRESENTATIONS**

Four letters of representation have been received from existing businesses operating in the area. All are generally supportive in principle to office redevelopment of the North Dee area but they raise the following issues regarding the specifics of the development:

- (i) the application is premature in advance of the forthcoming Master plan for the North Dee area
- (ii) that the removal of on street parking will intensify parking pressure in the area
- (iii) that the transport assessment is flawed because
  - it does not use the existing industrial use to determine existing car parking/traffic generation
  - trip generation is based on parking numbers and not floor area/staff numbers and junction analysis is flawed
  - it assumes Raik Road junction has been upgraded
- (iv) there should be a direct continuation of the pedestrian route south from Union Square

The applicant's agent has submitted a letter of support that addresses all the points made in the representations which is also included in the agenda papers.

## **PLANNING POLICY**

### **National Policy and Guidance**

**National Planning Framework 2** highlights the importance of Aberdeen City as Scotland's Northern Gateway and, consequently, the importance of improving the quality of the environment in the city centre, expanding its economic base and service sector: particularly financial and professional services.

**Scottish Planning Policy** promotes sustainable economic development and encourages local authorities to take a proactive approach to the reuse of vacant and derelict land and obsolete commercial property. It acknowledges that vacant buildings can act as a constraint on the economic growth of cities and local authorities should develop policies that address this directly.

### **Aberdeen City and Shire Structure Plan**

Provides a framework to promote the growth and diversification the regional economy by, amongst other things, making more effective and efficient use of resources. Encourages the reuse of brownfield land and vacant buildings.

The city centre is identified as a strategic growth area where the majority of the region's commercial, retail, civic and cultural activities are located. A key objective is to provide opportunities which encourage economic development and create new employment in high quality business space.

### **Aberdeen Local Development Plan**

The Local Development Plan reinforces the focus on brownfield redevelopment encouraged by national planning policy. It also highlights that the regeneration of city centre sites for appropriate uses.

Fundamental to the delivery of the Plan's aims is good design that contributes positively to the architectural quality of the city, enhances the existing built form and makes new connections with other parts of the city.

The site is part of an area to which **Policy BI2: Specialist Employment Areas** is applicable. This designation looks to protect key employment areas from any competing uses and promotes Class 4 (Office) uses to ensure that there are specific locations within the city that are able to accommodate activities such as research and development, training, administration and professional services

Consideration too must be given to **Policy BI4: Aberdeen Airport and Harbour** given the site's proximity to the port facilities of the city. This policy looks to protect these vital facilities by ensuring new uses in the vicinity of these transport nodes pays due regard to the safety, amenity and the efficiency of uses surrounding them.

**Policy C1: City Centre Development – Regional Centre** New development must contribute towards the vision for the city centre expressed in the City Centre Development Framework as the prime location for new retail, commercial and leisure developments in the area. Highlights the economic, social and environmental benefits of the re-use of brownfield land.

**Policy I1: Infrastructure Delivery and Developer Contributions** addresses the infrastructure requirements that are needed to support new development.

**Policy D3: Sustainable and Active Travel** encourages development that reduces reliance on the private car and utilises existing public transport. New development should enhance permeability and access to, and movement within and between, new and existing developments prioritising walking, cycling and public transport.

**T2: Managing the Transport Impact of Development.** New developments will be required to demonstrate that sufficient measures have been taken to minimise their transportation impact.

**Policy D1: Architecture and Place-making** promotes quality design to ensure the city retains and enhances its unique identity for future generations. All new developments must ensure that the existing amenity of the surrounding area is

unaffected. Sensitive design is required to ensure that the impact of tall buildings on the city's skyline is negated and that attractive views are protected and enhanced. .

**Policy D2: Design and Amenity**

In considering the wider visual impacts of development account should be taken of important views of the city's townscape from important publicly accessible vantage points, particularly from main city approaches, as required by **Policy D6: Landscape**.

**Policy NE6: Flooding and Drainage** Development will not be permitted if it would increase the risk of flooding by reducing the ability of the functional flood plain to store and convey water or through the discharge of additional surface water

**Policy R2: Degraded and Contaminated Land** All Land that is degraded or contaminated will require restoration, reclamation or remediation to a level suitable for the proposed use.

**Policy R6: Waste Management Requirements for New Developments** all new development should provide adequate facilities for waste storage and collection in accordance with Waste Management Supplementary Guidance.

**Policy R7: Low and Zero Carbon Buildings.** New buildings should incorporate LZC generation equipment that reduces the predicted carbon dioxide emissions by at least 15% below 2007 building standards demonstrated by the submission of a low carbon development statement.

**Supplementary Guidance**

**The City Centre Development Framework** promotes a strategy to enhance the features of the City Centre that make Aberdeen unique by developing clearly defined character areas, reinforcing their identity and ensuring their accessibility and connectivity. The proposed development is located in the Riverside area of the framework which is identified as having potential for enhancement as a sustainable business district, close to public transport hubs and enhancing the public realm and links through the area from the City Centre to the riverside.

**Aberdeen Harbour Development Framework** recognises the need for regeneration of the area and considers that North Dee represents *"...one of the best opportunities to attract high quality office accommodation and other uses..."* and advises that *"...the economic opportunity and potential benefit for the redevelopment of North Dee to the city and harbour alike, are significant."*

A Scoping document is currently being produced for the development of a more detailed masterplan for the area (referred to as North Dee) which should be adopted next year. Two of the key issues for any such masterplan will be the establishment of an area wide framework for



- development and car parking linked to the capacity of the road network to accommodate additional traffic and
- consistent high quality treatment of the public realm and streetscape

## **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.

This report will consider the acceptability of the proposal in terms of the development plan (the approved Aberdeen and Aberdeenshire Structure Plan and the adopted Aberdeen Local Development Plan), relevant national planning guidance (SPP and PANs) before going on to indicate whether any other relevant material considerations outweigh the provisions of the plan.

## **National Planning Policy**

**The National Planning Framework** highlights the national significance of the Aberdeen economy and the important priority, in this context, of enhancing the economic base and vibrancy of the city centre. The proposal contributes to this aim by revitalising a redundant site and by providing much needed business space to support the growth and diversification of the local economy. The proposals also strengthen the local area's function as Scotland's northern gateway, by providing a modern and attractive building that continues the regeneration of this key site next to the city's principle transport hub.

**Scottish Planning Policy** encourages local authorities to take a proactive approach to proposals that reuse of brownfield sites. The development represents an opportunity to provide new commercial accommodation on an existing brownfield site, without the loss of greenfield land or urban sprawl into the countryside in accordance with national planning and economic development policies which aim to encourage sustainable economic growth

Latest figures indicate that the office market in Aberdeen is in desperate need of new supply. This proposal can deliver that by providing high quality space to allow an indigenous business to expand and grow.

## **Development Plan**

The main development plan issues relate to the compliance of the proposed development with the structure plan, the adopted local plan zoning of the site and objectives and policies related to economic development, transportation and access, design, and flooding and nature conservation.

## **Aberdeen City & Shire Structure Plan**

The proposed development is considered to be fully compatible with many of the main objectives of the Structure Plan. More specifically:

- given the close proximity of the development to the City Centre and the bus and rail stations, it would promote development in a sustainable location, particularly in terms of accessibility.

- a high specification office development of the scale proposed would promote economic competitiveness and create new economic development opportunities, whilst the occupation of part of the building by a major oil services firm would develop a natural strength and growth sector of the local economy
- the development would involve the re-use of a site within the existing settlement and be of high density appropriate to its proximity to services and the transport network. It would be a source of employment and a catalyst to further development in the immediate area and help to regenerate and diversify a run down area of the City Centre
- the proposal is inherently sustainable as it is a reuse of a brownfield site which is encouraged by Scottish Planning Policy, Structure Plan, and adopted Local Plan Policy

### **Local Development Plan Zoning and Development Framework**

The zoning of the site is as a Specialist Employment Area (B12) in the adopted Local Development Plan. The new zoning limits prospective uses in this area to those that fall within Class 4 of the Uses Classes (light industrial, office and research and development). It recognises the decline of the fish processing industry in the area and the potential future evolution of the land between the River Dee and the Union Square shopping centre into a new central business district for the City: a transformation that is already gathering pace with the approval and construction of a number of office developments in the area. The high quality, Class 4 office development proposed by the current application is in full accordance with this zoning and will act as a further catalyst to the transformation of the area.

In terms of the City Centre Policy (C1) this is in as far as it is aligned with the Structure Plan and focuses on the redevelopment of brownfield sites as well as national priorities of sustainable economic growth. The existing buildings are old and rundown and their demolition and redevelopment into high-quality offices will remove this local eyesore and bring the land back into effective use. The site's location offers the opportunity to utilise the nearby transport links that connect the area with the rest of Scotland and create a business location that encourages journeys to be made using active and sustainable modes of transport.

The proposal also makes a significant contribution towards the aims and objectives of the City Centre Development Framework which is supplementary guidance to the development plan. This framework is built upon themes that combine to create a 'sense of place' and promote a dynamic and successful city centre. These themes are: context; identity; connection and urban quarters.

The site's *context* is characterised by an area of transition where the outdated industries of the past are giving way to new business spaces that are able to accommodate the needs and requirements of the 21<sup>st</sup> Century. As the Aberdeen economy strengthens and diversifies away from traditional maritime activities, areas like the one in which the application site is located must respond to these contextual shifts and adapt to new economies. Recent developments like Consort House, Suez House and Union Square affirm the site's context as one that is in transition and the proposal fits well within this context.

The *identity* of the area surrounding the site is characterised as a gateway, which in urban design terms reflects the site's position next to Market Street and the River Dee bridges which are key entrances into the city from the south. In these gateway sites, the Development Framework encourages tall buildings that add to and positively enhance the identity of the city by acting as key focal points which announce an arrival into the city centre. The proposals in this application fit with this element of the Development Framework well by developing an 8 storey building of high quality design and materials that creates a positive first impression of the city from Union Square and from its southern gateway especially from the main railway line approach to the City which lies to the immediate west.

*Connection* is an important feature of the Development Framework which outlines the virtues of non-car and active travel options. The development would take advantage of the range of travel options created by the site's location close to the bus and rail stations, as well as providing bicycle storage and shower rooms within the building to promote active travel. Movement within the city centre is another key principle and the proposals here will help in the longer term to provide a more attractive and safe link between Union Square and the Riverside.

Overall, the proposal contributes to each of the policy themes of the City Centre Development Framework. The overarching aim of the City Centre Development Framework is to create a distinctive sense of place which is attractive to those who want to live, work and visit Aberdeen. By creating a distinctive, modern, sustainable commercial building, the proposals in this application help achieve these aims by providing high quality office space which helps retain high valued and skilled employees within the city centre. By drawing people into the centre to work, it follows that indirect benefits for local businesses will result through increased footfall and expenditure. The Economic Impact Assessment prepared by Rettie identifies a Net Additional Output by Year 5 of around £40m per annum. This is key to the vitality and vibrancy of any city centre and will help ensure the Development Framework achieves its goals.

### **Transportation and Access**

The Roads Projects team have no objections the proposal subject to appropriate roads mitigation measures. This conclusion has been reached following considerable dialogue, negotiation and revision to the Transportation Assessment (TA) facilitated by regular processing meetings between the case officer, roads engineer and the applicant's consultancy team. These revisions to the TA have addressed the technical concerns raised by the letters of representation (see above) many of which were valid.

The proposal is considered to be compatible with Policy T2 Transportation of the adopted Local Plan and the Local Transport Strategy in as far as

- a travel plan has been agreed to ensure the number of trips taken by private car users is minimised and viable alternatives exist to reduce the reliance on private cars.
- cycling and shower facilities are provided in excess of those required by the Councils Transport and Accessibility Supplementary Guidance

- public transport networks such as bus and rail services which can be easily accessed on foot: it is just three minutes walk to the City's main bus and rail stations.

All these factors combine to create a development that is not solely reliant on access by private car, helping to achieve the transport objectives of the local authority.

The 271 parking spaces proposed (the maximum provision allowed in this area by the Council's adopted standards) is acceptable to the Roads Projects Team. Along with the measures proposed in the Travel Plan and bearing in mind the proximity to the main bus and rail stations the car parking provision is considered to be adequate for the development proposed and will not result in additional overspill onto the public road . A developer contribution towards the introduction of a controlled parking zone has been agreed with the applicant which will also help to mitigate the transportation and any on-street parking impact of the development.

The transportation assessment shows that the impact of traffic from the development can be adequately mitigated by:

- the signalisation of the North Esplanade/Raik Road junction (to be undertaken by the applicant) and the change of Raik Road from one way to two way traffic: to be subject to a suspensive condition of planning consent and
- the widening to Palmerston Place on its westbound approach to the junction with South College Street (to be subject to an agreed developer contribution in lieu of works)

Officers have recognised that the local road network leading into and out of the North Dee Area is now at or over capacity and presents a real barrier to future development in the area. With this in mind a master plan is being commissioned that will, amongst other issues, link scale of new development and associated car parking to the capacity of the road network and provide a mechanism for mitigating its impact.

Streetscape improvements proposed including the removal of angled on-street parking and the substitution of parallel parking around the entire block is acceptable to the Roads Projects Team and can be secured by a suspensive condition of any planning approval.

The submitted framework Travel Plan is acceptable but a full Travel Plan should be required to be agreed by condition prior to occupation

Agreement has been reached with the applicant on a contribution to the Strategic Transport Fund

### **Design and Public Realm Improvements**

Whilst it is disappointing that a more distinctive and exceptional building was not put forward for this very prominent site, the proposal is, nonetheless, for a building of high quality contemporary design and materials which would be of a

scale and massing appropriate to its prominent location facing Union Square. Due to its proximity to Union Square and Jury's Inn Hotel the development would not result in any additional obstruction of existing views of the City Centre in approaches by road or rail from the south. It would result in an imposing building at the gateway to the evolving North Dee Office area and help set an architectural benchmark for future development in the area. Design enhancements have been made in response to comments from both Council officers and the Design Review Panel – most notably the incorporation of natural granite cladding, feature lighting of the elevation to enliven the night time aspect of the building and significant refinement to the design of the façade of the multi storey car park.

The proposal would also result in significant improvements to the public realm including the widening of pavements on all frontages of the block, the incorporation of natural granite slabs and benches to pavements and the planting of avenues of semi-mature hornbeam trees along the Palmerston, Raik and Stell Roads.

On balance, therefore, taking into account the foregoing the proposal is considered to comply with Policy D1: Architecture and Place-making, Policy D2: Design and Amenity and Policy D6: Landscape.

### **Sustainability**

The building has been designed to achieve a BREEAM rating of Very Good by employing a series of design features which will reduce its carbon footprint. The building's energy source will be supplied by a Gas-fired Combined Heat and Power boiler supplemented by photovoltaic panels to capture renewable sources of energy and boost energy performance. The building will be cooled using heat recovery technologies in order to achieve an Energy Performance Certificate (EPC) rating of B. The supplementary report on "LZC Technologies Contribution" demonstrates that the inclusion of an Air Source Heat Pump would result in a 22 percent reduction in carbon emissions due to Low and Zero Carbon Technologies. These specifications result in the proposals in this application complying fully with Policy R7: Low Zero Carbon Technologies.

### **Flooding and Drainage**

Following significant dialogue SEPA and the Council's Flooding Team have confirmed that the amended Flood Risk Assessment shows that the impact of the development on the storage capacity of the floodplain is unlikely to be substantial and that flooding is largely a commercial risk.

SEPA and the Council's Flooding Team It is accepted that the Drainage Impact Assessment shows that the development can be adequately drained.

With this in mind the proposal is considered to comply with Policy NE6: Flooding and Drainage.

### **Contamination**

The Council's Contaminated Land Unit has approved a Remediation Plan for the site. All that is required is a condition requiring remediation and monitoring to be

carried out in accordance with the plan and the submission and approval of a validation report prior to occupation of the building. The proposal is considered to comply with Policy R2: Degraded and Contaminated Land.

### **Developer Contributions**

The application site lies close to the north bank of the River Dee that is the proposed route of one of the main recreational routes in the Core Paths Plan that has been adopted by the Council. The Planning Obligations Officer has recommended that the developer make a contribution towards recreational and environmental improvements – specifically the implementation of the Core Path in the locality - and the applicant has agreed to this payment. This a logical target for this money especially as the formation of the new signalised junction at Raik Road/North Esplanade West with a pedestrianised phase will facilitate access to the riverside. This would be in full accordance with the aims of Urban Green Space and Green Space Network Policies that apply to the riverside and require the protection and enhancement of the wildlife, recreational, landscape and access value of the land. The other transportation related developer contributions are detailed in the Transportation and Access section of this report.

### **Points raised in letters of representation**

The transportation and parking issues raised by the letters of representation been addressed in the Transportation and Access section above. The direct continuation of the pedestrian route from Union Square was considered but would have made the development unviable in its current form and, in any case, direct links are available via the existing pavements which will be considerably enhanced as a result of this development.

### **Other material considerations**

The Ecology Report submitted with the application demonstrates that there are no protected species or any other wildlife or trees of ecological value on the application site which is completely covered with buildings and hard standing

There are no immediately adjoining residential properties and the nearest flat is over 70 metres from the application site and screened by intervening buildings. The Environmental Health Section are not recommending the attachment of an hours of construction condition and noise nuisance from construction activity can be controlled through provisions in the Environmental Protection Acts In this context, and with regard to the briefing note on the imposition of conditions agreed by Members at the Development Management Sub-Committee of 18 July 2013, it is not considered appropriate to impose an hours of construction condition in this particular instance.

### **CONCLUSION**

The proposal is considered to comply with many of the objectives of the Structure Plan and National Planning Policy. Most notably, in terms of economic development, implementation of the proposal would build on recent commercial redevelopment in the immediate area and potentially act as a catalyst for the regeneration of an area historically dominated by the declining fish processing industry. It accords with government guidance in SPP that the planning system should proactively support development that will contribute to sustainable

economic growth and to high quality sustainable places. The proposal has the potential to act as a flagship development for the redevelopment of North Dee as a future Central Business District for the City and as a stimulus to the regeneration of Torry on the opposite bank of the Dee. The potential wider benefits of redeveloping the whole area are to be co-ordinated through the production of a detailed masterplan that is currently being actively pursued by the Council. The development is compliant with development plan policy in as far as it constitutes the redevelopment of a brownfield City Centre location, close to public transport interchanges, is designed for its context and, would not be at risk from flooding. The Roads Projects Team have accepted that the extra traffic generated by the development can be mitigated by traffic management and are compensated for, to some extent, by improvements in the road infrastructure at the junction of Palmerston Place and South College Street and by the creation of a new signalised junction at Raik Road/North Esplanade West which will help traffic management in the area.

### **RECOMMENDATION**

Willingness to approve, subject to conditions but to withhold the issue of the consent document until either

- the applicant has entered into a legal agreement with the Council to secure, or
- the applicant has made a payment to the Council of, agreed developer contributions towards:
  - the Strategic Transport Fund
  - the widening of Palmerston Place on its westbound approach to the junction with South College Street
  - recreational and access improvements in the vicinity, specifically enhancements to the Core path along the riverside
  - the implementation of a Controlled Parking Zone in the immediate area

### **REASONS FOR RECOMMENDATION**

The proposal is considered to comply with many of the objectives of the Structure Plan and National Planning Policy. Most notably, in terms of economic development, implementation of the proposal would build on recent commercial redevelopment in the immediate area and potentially act as a catalyst for the regeneration of an area historically dominated by the declining fish processing industry. It accords with government guidance in SPP that the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places. The proposal has the potential to act as a flagship development for the redevelopment of North Dee as a future Central Business District for the City and as a stimulus to the regeneration of Torry on the opposite bank of the Dee. The potential wider benefits of redeveloping the whole area are to be co-ordinated through the production of a detailed masterplan that is currently being actively pursued by the Council. The development is compliant with development plan policy in as far as it constitutes the redevelopment of a brownfield City Centre location, close to public transport interchanges, is designed for its context and, would not be at risk from flooding. The Roads Projects Team have accepted that the extra traffic generated by the development can be mitigated by traffic management and are

compensated for, to some extent, by improvements in the road infrastructure at the junction of Palmerston Place and South College Street and by the creation of a new signalised junction at Raik Road/North Esplanade West which will help traffic management in the area.

**It is recommended that the application is given a willingness to approve subject to the following conditions:-**

1. that, unless the planning authority has agreed in writing to a variation, the development hereby approved shall not be occupied unless:
  - there has been submitted to, and approved in writing by, the planning authority a detailed travel plan that complies with the framework Travel Plan: July 2013 (final revisions 26/7/13). The detailed travel plan shall specify (amongst other things) measures to deter the use of the private car, in particular single occupant trips and provide detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets and
  - Any such approved travel plan is being complied with in its entirety
  - In order to encourage more sustainable forms of travel to the development
2. that the development hereby approved shall not be occupied unless
  - a new signalised junction has been formed at the junction of Raik Road and North Esplanade West,
  - Raik Road has been reconfigured to allow two way flow of traffic,
  - A pedestrian crossing has been formed across Palmerston Road linking directly to the path beneath the ramp up into the Union Square multi-storey car park in the position shown on AL (90) 001 Rev D - Proposed Landscaping (Public Realm),unless the planning authority has given written consent for a variation
  - in the interests of road safety and the free flow of traffic
3. that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing numbers AL (0) 03 Rev C, AL (0) 04 Rev C, AL (0) 05 Rev C and AL (0) 06 Rev D of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development
  - in the interests of road safety and the free flow of traffic
4. that the development hereby approved shall not be occupied unless the shower, changing room and locker facilities for cyclists and the cycle and motorcycle storage provision shown on the approved plans specified in this decision document have been implemented in full, unless the planning authority gives written approval for a variation - in the interests of encouraging more sustainable modes of travel



5. that the development hereby approved shall not be occupied unless the scheme of external façade lighting shown on drawing G1549 Revision C - External Facade Lighting of the approved plans has been implemented in its entirety, unless the planning authority has given written consent for a variation
6. that the development hereby approved shall not be occupied unless the scheme of hard landscaping the public realm shown on drawing AL (90) 001 Rev D - Proposed Landscaping (Public Realm) and the drawing marked Proposed External Finishes 12075G has been implemented in its entirety, unless the planning authority has given written consent for a variation

All planting, seeding, turfing and hard landscaping works comprised in the approved scheme of landscaping shown on drawing AL (90) 001 Rev D - Proposed Landscaping (Public Realm) and the drawing marked Proposed External Finishes 12075G shall be carried out in the first planting season following the completion of the development, unless the planning authority has given written consent for a variation. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority

- in the interests of the amenity of the area

7. that the development hereby approved shall not be occupied unless the angled on-street car parking spaces around the entire perimeter of the Seafood Park block (Palmerston, Raik, Poynerook and Stell Road frontages) has been removed and replaced by parallel parking as shown on shown on drawing AL (90) 001 Rev D of the plans hereby approved, unless the planning authority has given written consent for a variation - in the interests of traffic safety and the free flow of traffic and the amenity of the public realm
8. that the development hereby approved shall not be occupied unless
  - (i) any long term monitoring and reporting that is required by the approved scheme of contamination or remediation strategy dated July 2013 or that otherwise has been required in writing by the planning authority has been undertaken and
  - (ii) unless a report has been submitted and approved in writing by the planning authority that verifies that the remedial works have been carried out in full accordance with the remediation strategy dated July 2013, unless the planning authority has given written consent for a variation.

- to ensure that the site is suitable for use and fit for human occupation

9. that the development hereby approved shall not be occupied unless the Low Zero Carbon Technology equipment specified in the report entitled “Low Carbon Statement May 2013” and dated 2/5/13 and those specified by the report entitled “LZC Technologies Contribution” July 2013 and dated 12/07/13 have been installed and are fully operational, unless the planning authority has given written consent for a variation – in the order to ensure compliance with Local Plan Policy R7: Low Zero Carbon Technologies and associated Supplementary Guidance
  
10. that the development hereby approved shall not be occupied unless a scheme of signage or other treatment to enliven the west facing elevation of the stairwell/lift extension (to the south elevation of the office building hereby approved has been submitted to and approved in writing by the planning authority and subsequently implemented on site – in the interests of the amenity of the main approach to the City by rail

### **Information and advice**

The applicant is advised that SEPA have indicated that they are likely to object to any further development on the Seafood Park site until the full Den Burn Study is completed and a more robust understanding of the flood mechanisms in the area is established.

SEPA have also indicated that the applicant should be made fully aware of the flood risk to the site and plans should be in place to manage and mitigate the impact of a flood event. For example, SEPA would recommend the use of flood resistant/ resilient materials as outlined in PAN 69, and that electrical circuits are placed above the estimated 1 in 200 year flood level. Furthermore, a flood action plan may be required to ensure the safety of on-site staff in the event of a flood. SEPA recommend that the flood prevention authority is consulted regarding an appropriate freeboard allowance and recommend a minimum freeboard of 500-600mm.

The applicant is also advised that any future development within the remainder of the Seafood Park will require the completion of high landscape quality publicly accessible plaza in the centre of the site and improvements to the public realm on the road frontages to match those proposed through this application.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.