

Planning Development Management Committee

70 COUNTESSWELLS ROAD, ABERDEEN

NEW ENTRANCE WITH ASSOCIATED SHOP
FRONT ALTERATIONS AND NEW ROOF
MOUNTED REFRIGERATION EQUIPMENT

For: Smith Smalley Architects

Application Type : Detailed Planning Permission
Application Ref. : P130711
Application Date: 27/05/2013
Officer: Gavin Clark
Ward : Hazlehead/Ashley/Queen's Cross(M
Greig/J Stewart/R Thomson/J Corall)

Advert : Can't notify neighbour(s)
Advertised on: 26/06/2013
Committee Date: 26 September 2013
Community Council : No response
received



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application premises is presently vacant, with its most recent use being for video sales/ rental. The property is located on the northern side of Countesswells Road, at its junction with Viewfield Avenue.

The building is located within a group of 4 shops, with the surrounding area being predominantly residential. A small area of open space lies to the south-east of the site. A small area of parking lies to the immediate south of the site.

RELEVANT HISTORY

- Advertisement Consent (Ref: 96/0871) was approved in July 1996 for the erection of projecting and fascia signs.
- Planning Permission (Ref: 95/2701) was approved in January 1996 for alterations to provide a new frontage.
- Planning Permission (Ref: 93/2108) was approved in January 1994 for a change of use of a supermarket to licenced restaurant, including alterations to form a new access doorway.

PROPOSAL

The proposal involves a number of alterations to the existing property. These include:

- The installation of a roof mounted refrigeration plant behind a timber hit and miss fence;
- The replacement of the existing double doors with aluminium automatic sliding doors;
- New glazed screens to fit in existing structural openings;
- Existing timber framed glazing replaced with new aluminium framed glazing panel (finished in grey); and
- Existing timber cladding replaced with a painted render finish.

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?130711>

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 6 letters of representation have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – no observations.

Environmental Health – response received. Advised that there is potential for neighbouring residents to be exposed to noise from source. They have indicated that suitable mitigation measures could address this issue and that a Noise Impact Assessment be submitted in order to ascertain the potential impact.

The applicant's subsequently submitted a Noise Impact Assessment, and Environmental Health Officers concluded that the findings of the report are acceptable, but have requested a condition stating the following:

- That the Refrigeration plant shall comprise of the equipment detailed in the KP Associates (UK) Ltd noise report dated 19 July 2013, or if alternative plant is proposed, the plant sound power level shall not exceed the sound power level of the plant detailed in the report.

Enterprise, Planning & Infrastructure (Flooding) - no observations.

Community Council – no response received.

REPRESENTATIONS

6 letters of representation have been received. The objections raised relate to the following matters –

- Concerns in relation to the refrigeration units; in particular their proximity to residential properties;
- Visual impact of refrigeration units;
- Noise impact associated with refrigeration units; and
- Concerns in relation to parking;

PLANNING POLICY

Aberdeen Local Development Plan

Policy H1: Residential Areas: within existing residential areas, proposals for non-residential uses will be refused unless they are considered complimentary to residential use or it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

Policy D1: Architecture and Placemaking: to ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

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.

Principle of Development: The site is located within an area which is predominantly residential. Policy supports non-residential uses in these areas provided they have a minimal impact. In this instance, the use of the unit shall remain within Class 1 (Retail). It has also been sufficiently demonstrated, via the submission of a Noise Impact Assessment, that the proposal will have a minimal impact on the adjacent residential properties.

Design/ Appearance: The proposal involves a number of alterations to the shopfront, along with the installation of a roof-mounted refrigeration unit. The alterations to the shopfront are considered to be acceptable as these changes will be relatively minimal and will not impact on the character or appearance of the surrounding area.

In terms of the refrigeration unit, amended plans have been submitted which shows the unit enclosed by a timber fence which will lessen the visual impact of the proposal on the surrounding area. Overall the design of the development is considered to be acceptable.

The Supplementary Guidance relates primarily to the alterations to shopfronts on Union Street. However, the proposal is considered to accord with the overall principles of this guidance.

Noise Impact on Adjacent Properties: A Noise Impact Assessment was requested to assess any potential impact on adjacent residential properties, one of which borders the site to the north. Following consultation with the Council's Environmental Health Unit it has been confirmed that they have no objections to the proposed development, and have advised that most of the noise will be dealt with internally, with minimal acceptable levels being emitted from the condenser unit. They have requested the insertion of a condition ensuring the the refrigeration equipment is constructed and implemented in accordance with the submitted plans.

Letters of Representation: The issues raised in the letters of representation related to parking issues and concerns in relation to the impact of the Refrigeration Unit on neighbouring properties.

In terms of parking, the Council's Roads Projects Team have raised no objection to the application, as the premises is to be retained in retail use and existing parking arrangements apply.

Noise issues have been dealt with previously in this report, Environmental Health have advised that the bulk of the air conditioning unit will be located internally, with only the condenser to be located on the roof, thus any noise issues are likely to have a minimal impact on the surrounding properties.

The visual impact of the condenser unit is considered to be minimised by the introduction of the timber hit and miss fence.

Conclusion: Overall, the proposal will have a minimal impact on the surrounding environment and is considered acceptable. There are no material planning considerations which would warrant refusal of planning permission in this instance. The proposal is therefore recommended for approval subject to a condition ensuring that the refrigeration equipment is constructed and implemented in accordance with the submitted noise assessment.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed development accords with Policy H1 "Residential Areas, and D1 " Architecture and Placemaking of the Aberdeen Local Development Plan, as the principle, design, scale and location of the alterations to the building is considered to be acceptable. Following the submission of a Noise Impact Assessment it has been considered that the proposal will have a minimal impact on the amenity of neighbouring properties. In terms of the supplementary guidance, this predominantly relates to shop fronts located within the City Centre, however the alterations are considered to accord with the principles of this guidance.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) That the Refrigeration plant shall comprise of the equipment detailed in the KP Associates (UK) Ltd noise report dated 19 July 2013, or if alternative plant is proposed, the plant sound power level shall not exceed the sound power level of the plant detailed in the report – in order to preserve the amenity of the neighbourhood.

Dr Margaret Bochel

Head of Planning and Sustainable Development.