

Planning Development Management Committee

363 UNION STREET / 50 LANGSTANE PL,
ABERDEEN

PROPOSED PART DEMOLITION OF EXISTING
VACANT RETAIL PREMISES AND ERECTION
OF NEW NINE-STOREY BUILDING FOR USE
AS A HOTEL INCLUDING A ROOFTOP
RESTAURANT AND SEPARATE
BAR/RESTAURANT

For: Tip Top Properties

Application Type : Detailed Planning Permission

Application Ref. : P131087

Application Date: 22/07/2013

Officer: Lucy Greene

Ward : Torry/Ferryhill (Y Allan/A Donnelly/J
Kiddie/G Dickson)

Advert : Section 60/65 - Dev aff
LB/CA

Advertised on: 31/07/2013

Committee Date:

Community Council : No comments



RECOMMENDATION: Willingness to approve conditionally. Consent to be withheld until such time as a developer's contribution has been secured towards works to the core paths / public realm improvements in the area and Strategic Transport Fund.

DESCRIPTION

The application site is located on the south side of Union Street in the section between Bon Accord Street and Bon Accord Terrace. The site extends to approximately 1122m² and has frontages to both Union Street and Langstane Place. The premises comprise a vacant shop which has been occupied since the 1980s by Bruce Miller's music shop. There is a traditional granite two storey plus attic building which is part of a Category C listed terrace fronting onto Union Street. The group of buildings dates from the 1820/40s. The property has been altered over the years and has a modern shop front; many internal partitions and original features have been removed or covered over. To the rear of this are a number of buildings ranging up to four storeys in height on the Langstane Place frontage. Part of the Langstane Place frontage is formed by a granite gable of four storeys in height, the ground floor has been substantially altered to create access to a parking bay and service area, large roller shutter doors have been installed and granite has been replaced by concrete panels. The remainder of the frontage is granite of a rougher finish, typical of a side gable. The remainder of the frontage to Langstane Place comprises an unattractive building of non-traditional appearance, with external steel frame and roughcast infill panels.

The shop unit has been vacant since 2011 when Bruce Miller's shop closed. The basement is in use as a public house 'The Howff'.

The site lies within the Union Street Conservation Area. To the immediate east on Union Street, the ground floor premises is in use as a building society, to the immediate west is the entrance to an lower floor restaurant, with La Tasca restaurant occupying the ground floor premises to the west.

The Category B listed former Langstane Kirk, now converted into a bar/restaurant lies approximately 45m to the east of the site.

The six storey granite fronted Bauhaus Hotel was completed in 2009 and this lies just to the west of the application site.

RELEVANT HISTORY

No relevant history on the site.

Listed Building Consent and Conservation Area Consent have been submitted for the proposal that is the subject of this application (references 131136 and 131137).

Permission was granted in 2007 for a large hotel and office development approximately 130m to the west of the site on Justice Mill Lane (the Park Inn and IQ Building) which has now been fully implemented.

Two further hotels have subsequently been built on Justice Mill Lane.

Further to the west along Union Street, planning permission has been granted for hotel uses at both the Capitol and at Bells Hotel. Neither of these permissions have been implemented.

In 2009 permission was granted for an extension to the Bells Hotel to form a 217 bedroom hotel (with 16 car parking spaces).

The 170 bed hotel permission at the Capitol was granted in 2011 and included car parking spaces for 42 cars, together with 5 drop off spaces and a valet parking service.

PROPOSAL

The application proposal is for the conversion and extension of the existing listed property fronting onto Union Street for use as a hotel with a bar on the upper storey and on the ground floor level (on Langstane Place) and separate bar / restaurant on Langstane Place. The frontage building would be retained, with the buildings to the rear (fronting onto Langstane Place) being demolished. The extension would consist of a multi storey building that would vary between a maximum of nine storeys, seven storeys and four storeys.

The building would provide a total of approximately 7000m² gross floorspace of accommodation and would contain a 134 bedroom hotel. The hotel would have public entrances from both Union Street and Langstane Place.

The buildings to be removed would be all those structures to the south of the rear wall of the original building fronting onto Union Street.

The proposed new build element of the scheme would consist of various elements, including structures of differing heights and in a variety of materials. The proposed materials include natural granite cladding, glazing curtain walling, grey cladding panels and white coloured render. The nine storey element of the building would lie within the central area of the plot, set back approximately 23 metres from the Union Street frontage and 6 metres from the Langstane Place frontage.

On Langstane Place there would be four storey block on the street on the east side of the side and seven storey block to the western side.

The Supporting Planning Statement states that the hotel would provide 20 full time and 80 part time jobs as well as supporting the local economy by generating a requirement for local goods and services.

Supporting documents have been submitted with the application, these are:

Design and Access Statement

Pre-application Consultation Report

Supporting Planning Statement

Property Conservation Appraisal Report

Transport Statement

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?131087>

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

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation in April / May / June this year 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. In addition to the statutory

requirements, the consultation involved the display of the proposals on display boards within the shop window on Union Street.

The required public event took place in the form of a staffed public exhibition at Ferryhill Community Centre.

No written comments were made in response to the event, although the pre-application consultation report states that there appeared to be general support for the proposals to bring back into use a vacant premises on Union Street, however, concerns were expressed about car parking provision.

The Pre-application report records that a further meeting took place, this was a public meeting, although only members of the Community Council attended. A more detailed scheme was presented, with the building having been reduced by a storey to nine storeys. Photomontages were displayed.

Changes to the proposal during the pre-application proposal have included the reduction in height and changes to the design and the entrance into the hotel being taken from Union Street.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the the Planning Development Management Committee because there have been eight representations. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – There is good access to public transport, including buses, the train station and a taxi rank on Chapel Street. There are also public car parks. On-street parking is regulated by double yellow lines and a controlled parking zone. Cycle parking would be secured by condition. Considering all these factors, there is no objection to the lack of parking.

Despite measures in the Transport Statement, it is considered to be highly likely that pick ups and drop offs would occur on Union Street. Serious concern is expressed about the impact of taxis - immediately outside the site on Union Street is a bus lane with bus stops adjacent to the site. It is legal for taxis to operate in this way on Union Street.

Requests attachment of a condition relating to the reinstatement of the footway on Langstane Place adjacent to the application site.

It is understood that service access would be from Langstane Place.

Request condition relating to provision of a travel plan.

Contribution towards the Strategic Transport Fund is required.

Environmental Health – Requests condition relating to construction hours and refuse disposal.

Developer Contributions Team – Contribution required towards core paths / public realm.

Enterprise, Planning & Infrastructure (Flooding) – No objection.

Scottish Environment Protection Agency – No objection.

Scottish Water – No objection.

Community Council – No response

REPRESENTATIONS

8 number of letters of representation/objection/support have been received. The objections raised relate to the following matters –

- That the height is unnecessary and would damage the landscape of Union Street; the height to the rear is also disproportionate to other buildings in the surroundings;
- The extension to the rear lacks architectural interest – reference is made to the Conservation Area Character Appraisal.
- Absence of parking would result in a lack of parking for users of the objectors premises, with ability to use parking permits being problematic. Bon Accord Square is regularly full, and further pressure on the spaces is unacceptable. There are few car parks in the area and all of them are well used. If the application is to be approved, it is suggested that parking on some of the surrounding streets be restricted to permit holders only; sub floor parking should be a requirement of the application.
- Traffic and congestion: that traffic on Langstane Place can be very heavy, especially at peak times and the development would exacerbate the situation, with potential for increase in accidents. Traffic has already increased since the development of new offices in the area and affordable public transport is required through out the city prior to new large scale developments.
- Lack of provision for servicing
- Obstruction of access to garage and parking areas on opposite side of Langstane Place
- Impact on natural light: that the proposal would be directly to the rear of premises with the result that light would be restricted to the detriment of health and safety.
- Lack of public consultation, with no notice prior to the arrival of neighbour notification
- Drainage: that existing problems may be exacerbated.
- The principle of investment and redevelopment at the west end of Union Street is welcomed, however, the proposal is considered to be over development.

The Civic Society welcomes development of the City Centre and in particular the efforts to encourage vibrancy at the west end of Union Street. However, there are severe reservations about the height which is felt to be too large for the context. Concerns are expressed that although the Transport Statement identifies that 103 parking spaces are required, the proposal relies on nearby public car parks, including at the IQ Building and Chapel Street car park. It is suggested that the proposal be amended to incorporate some on site parking provision.

PLANNING POLICY

National Policy and Guidance Scottish Planning Policy (SPP)

This is the statement of government policy on land use planning. The policies on sustainable economic growth, sustainable development, transport and the historic environment are relevant, described in more detail below and are discussed in the evaluation.

SPP highlights (in paragraph 33) that achieving sustainable economic growth requires a planning system that enables the development of growth enhancing activities across Scotland and protects and enhances the quality of the natural and built environment as an asset for that growth. It states that planning authorities should take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that could contribute to economic growth.

In paragraph 45, on economic development, SPP states that the planning system should support economic development in all areas by, inter alia:

- Taking account of the economic benefits of proposed development in development management decisions;
- Promoting development in sustainable locations, particularly in terms of accessibility;
- Promoting regeneration and the full and appropriate use of buildings; and,
- Supporting development which will provide new employment opportunities.

In paragraph 48, SPP emphasises the importance of high environmental quality in attracting investment into an area and providing economic opportunities, eg through tourism. The SPP goes to state that planning authorities should ensure that new development safeguards and enhances an area's environmental quality. The re-use of derelict and vacant buildings is encouraged.

Paragraph 110 (Historic Environment) describes the historic environment as a key part of Scotland's cultural heritage as it enhances local distinctiveness and contributes to sustainable economic growth and regeneration.

In terms of listed buildings, paragraph 113 states that changes to a listed building should be managed to protect its special interest while enabling it to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.

Enabling development may be acceptable where it can be shown to be the only means of retaining a listed building; the resulting development should be of a high design quality, protect the listed building and its setting and be the minimum necessary to enable its conservation and re-use.

In terms of conservation areas, paragraph 115 states that a proposed development that would have a neutral effect on the character or appearance of a conservation area should be treated as one that preserves the character / appearance. The design, materials, scale and siting of new development within a conservation area should be appropriate to the character and setting of the conservation area and planning permission should normally be refused for development that fails to preserve the character or appearance of the area.

Scottish Historic Environment Policy (SHEP) is the statement of government policy on the protection and management of the historic environment. It seeks to make the best use of the historic environment in a sustainable way that secures its long term survival yet achieves the government's wider aims of economic and social regeneration.

In terms of listed buildings, it is emphasised that knowing what is important about a building is important to understanding how to protect its special interest. In considering an application with potentially significant impacts the planning authority should take into account whether there are other options and may also take into account whether there would be significant benefits to economic growth or the wider community.

Aberdeen City and Shire Structure Plan

The following Structure Plan key objectives for the growth of the City are relevant – economic growth, accessibility and the quality of the environment.

Aberdeen Local Development Plan

Policy C1: City Centre Development: development must contribute towards the delivery of the vision for the City Centre as a major regional centre as expressed in the City Centre Development Framework. The City Centre is the preferred location for retail, commercial and leisure development serving a city-wide or regional market.

Policy C2: City Centre Business Zone: reiterates Policy C1. States that proposals for change of use on Union Street from retail to other uses will only be acceptable if they comply with the Union Street Frontages Supplementary Guidance (SG). Proposals to use basement and upper floor levels for appropriate uses will be encouraged in principle.

In areas other than Union Street proposals for such a change of use would only be acceptable if it can be demonstrated that there is a lack of demand for retail and how the new use contributes to the wider aims of city centre enhancement. The proposed new use must also enhance or maintain daytime vitality and an active street frontage; and not conflict with the amenity of the neighbouring area.

Policy I1: Infrastructure Delivery and Developer Contributions

Policy T2: Managing the Transport Impact of Development

Policy D1: Architecture and Placemaking

New development must be designed with due consideration for its context and make a positive contribution to its setting. Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

Policy D2: Design and Amenity

Development deemed to have an influence on public realm in the City Centre will make an agreed contribution to art or other enhancement to the public realm.

Policy D3: Sustainable and Active Travel

Policy D4: Aberdeen's Granite Heritage

Encouragement of the retention of granite buildings, with conversion and adaptation being favoured.

Policy D5: Built Heritage

Proposals affecting Conservation Areas or listed buildings will only be permitted if they comply with Scottish Planning Policy.

Policy D6: Landscape

Development will not be acceptable unless it avoids: obstructing important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points and main approaches.

Policy R7: Low and Zero Carbon Buildings

Supplementary Guidance

Union Street Frontages Supplementary Guidance

The property lies within sector E, this is a long stretch that includes part of Holburn Street and Union Street to Bon Accord Street. The sector has a minimum required percentage of ground floor retail of 30%.

City Centre Development Framework

The City Centre Development Framework emphasises that the City Centre must capitalise on its unique character, welcome visitors and leave them with a lasting positive impression of a vibrant place with a clear and unique identity. The strategy concentrates on defining a high quality urban core of the city centre, ensuring that users can be encouraged to use public transport.

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

The main issues for consideration are: the appropriateness of the use within this area, including within the Union Street frontage; the appropriateness of the proposed massing, scale, elevational design and materials in terms of their impact on the listed building and character of the Union Street Conservation Area, on the streetscene on Union Street, and views from areas to the rear, including the Bon Accord Conservation Area; impact on traffic and parking; and, any benefits of the scheme in terms of the regeneration of the west end of Union Street and wider economic benefits.

Proposed Use and Compatibility with Surrounding Uses

The principle of the proposed use as a hotel would be entirely consistent with the aims of the LDP with the City Centre as the preferred location for commercial and leisure development.

In terms of Policy C2 and the Union Street Frontages SG, the proposal would result in the retail percentage along this sector being 34.8%, which complies with the SG and the policy.

In terms of the use on Langstane Place, this frontage of the site was previously used for servicing and did not present an active frontage to the street as envisaged by the policy. The proposal complies with Policy C2 as the building has been marketed for retail use, and the application proposal would result in an enhancement to daytime vitality with the introduction of a bar / restaurant and public access to the hotel.

In terms of the impact on the amenity of occupiers of nearby buildings, there are a number of similar uses within the immediate areas and the proposed uses would not conflict in terms of potential for noise and activity.

The application property would be to the north of premises on Bon Accord Square. Due to the distance and orientation it considered there would be no significant impact on daylight reaching these premises.

The application site is centrally located within the regional centre and complies with LDP Policy C1: Regional Centre and with structure plan and LDP policies on accessibility, with site being in the city centre and easily accessible by public transport.

There would a contribution requires towards core paths / public realm and it is considered that the proposal complies with Policy D2.

Scale and Design

LDP Policy D1 relates to context and contribution to setting. The proposal involves the reuse and refurbishment of the section of the building fronting onto Union Street and this is to be very much welcomed as making a positive contribution to the streetscene on Union Street as part of the terrace.

The proposed design relies on getting light into the centre of the site by using a lightwell with bedrooms clustering around this. The design approach involves various blocks of differing heights and clad in granite, render or glazing, these effectively break up the massing and help the building fit appropriately within the streetscene on Langstane Place. In terms of elevational treatment and massing the building complements those that surround it. Both front elevations features large framed areas of glazing. The overall massing is reduced by the nine storey element of the building being within the central part of the site, where it would be visible only from a relatively small area of the north side of Union Street, with lower elements of the building having been designed to further reduce views of the building.

On the Union Street side, the upper part of the building would be visible due partly to the set back of Langstane Kirk. The massing of the proposal was amended in order to reduce the impact within the view from this angle.

The existing gable on the Langstane Place frontage is granite and in accordance with Policy D4, the granite would be reused on the ground frontage on Langstane Place.

The design, massing and scale of the building are considered acceptable. The applicant's agent has submitted a number of visual images and these provide an impression of how the building would sit in relation to its surroundings. It is considered that the proposal complies with Policy D1.

The proposal complies with the City Centre Development Framework which does not presume against tall buildings, as long as they respect the height and scale of their surroundings, the urban topography, skyline and important vistas. The impact in terms of the Conservation Areas is considered further below.

Impact on the Conservation Area and on setting of Langstane Kirk and other listed buildings

The application site lies within the Union Street Conservation Area, the boundary of the Bon Accord Conservation Area is Langstane Place. It is also important to consider the impact on the setting of nearby listed buildings: Langstane Kirk and the buildings on the opposite side of Langstane Place (fronting onto Bon Accord Square) are Category B listed. The remainder of the terrace between Bon Accord Street and Bon Accord Terrace are Category C listed, with the exception of those on the corner of Bon Accord Terrace which are Category B.

The most significant impact within the surrounding conservation areas, would be the view from further east on Union Street, in particular where the proposed hotel would be visible in conjunction with the Langstane Kirk. A photomontage image has been created from opposite Langstane Kirk. The building would be visible between the kirk and the gable and roof of the start of the terrace to the west (in which the application premises sits). The massing of the building and use of materials on the side elevation were amended during the application process in an attempt to reduce the impact within this view. The building would be located some distance from the Kirk and although it would be visible, the proposal would not block views or interfere with views of the spire.

As the listed terrace sits further forward, the proposed building would be much less visible in views from the opposite side of Union Street and from the west. From the south, the top of the building would be visible in the distance from a very limited stretch of Willowbank Road and this view would be screened by trees and buildings in the foreground, so that the proposal would not have a significant impact.

Similarly from Bon Accord Square, from where, it should be noted, the Park Inn building is highly visible, only the very top of the building would be visible from a small area on the south side of the square.

As noted above in the evaluation of the design solution, the building is considered to be in keeping with the context on Langstane Place, the varying heights helping to knit the new structure into the streetscene. The Conservation Area Consent and Listed Building consent will involve evaluation of the impact on the conservation area of the loss of the existing buildings. One of these buildings is none traditional in character and currently detracts from the character of the area. It is considered that the proposed building would preserve the character of the conservation areas and would not impact detrimentally upon nearby listed buildings.

Impact on the Listed Building

The building is Category C listed and the extent of listing is debatable as it is difficult to ascertain whether the buildings to the rear of the Union Street frontage building were interlinked and within the same use and ownership at the time of listing.

The building to the rear of number 351 to 359 Union Street (the building to the east) is also within the application site and unlisted. The listed description is very short and refers to a single listing for the properties fronting Union Street between nos 335 – 369 – the entire terrace from the former Langstane Kirk (now Soul bar / restaurant), up to Bon Accord Terrace. The importance of the building is principally as part of this terrace.

The building has a modern shop front and has undergone considerable alterations internally, including the removal of the rear wall at ground floor level, where the building is linked into a larger open plan building to the rear.

The listed building to the Union Street frontage would remain as part of the proposals and would form the entrance to the hotel, with a new frontage replacing the non original shop frontage that exists. The proposed hotel would be a large structure to the rear of the listed building, however, due to the set back from the rear of the building of the most visible elements the proposed extension would not be clearly linked to the Union Street frontage. The new build elements would be seen in views from the further east on Union Street, however, this is considered that the proposal would not impact detrimentally on the character of the remaining element of the listed building.

In terms of the loss of the linked buildings to the rear, these are of no particular interest. The loss of the four storey granite gable elevation onto Langstane Place would be the most significant impact of the proposal. The gable has been significantly altered at ground floor level.

The application premises have lain vacant since 2011 and there are other formerly retail premises also vacant on Union Street. It is difficult to envisage a use that would be suited to the layout of the various elements of the buildings that exist on the site. Bruce Millers used the rear buildings partly for retail, but also for tuition rooms and storage. The building, although relatively large footprint is not laid out in a way that would be likely to suit retailers looking for large units. The application proposal would result in the retention of the frontage building which is the significant building in terms of the listing.

There would also be a significant benefit to the proposal in terms of the contribution that could be made by both the physical regeneration of a currently disused building and by a hotel use that would increase footfall and activity at the west end of Union Street.

Economic Benefits

The planning statement highlights surveys and studies from which a number of conclusions are drawn: that hotel occupancy rates in Aberdeen are amongst the highest in the UK; a shortage of rooms at the higher end of the market means that visitors are often forced to look outside the city; and, that the area has capacity for further large, high quality hotels. It is also stated that Aberdeen's hotel guests are approximately three quarters of all visitors and these visitors spend twice as much as leisure visitors.

There would be benefits of the proposal to the local economy in terms of both physical regeneration at the west end of Union Street and positive impression that creates, by supporting business investment and helping retain business, by creating jobs and by generating spending within the local economy at the west end of Union Street and within the wider area.

SPP states that the Government's central purpose is to increase sustainable economic growth and accordingly planning authorities should take a positive, flexible approach to development to ensure that new economic opportunities can be realised. It is considered that the proposals accord with SPP in terms of refurbishing a vacant listed building in a sustainable location with good access, bringing it back into productive use and creating a more attractive environment which has considerable civic as well as economic benefits. Approval of the application would support new job opportunities by providing facilities that support business to help the growth of firms and inward investment. The development would contribute to the vitality and diversity in the city centre, with high quality design and ensuring the future maintenance of a listed building as well as improving the frontage onto Union Street by its refurbishment and active use.

Parking and Transport

The development does not include any parking, and this is acceptable given the good access to public transport. It would be very difficult to incorporate any significant number of parking spaces into the development without compromising viability.

It should be noted that planning permission has been granted in the recent past for two hotel developments at the west end of Union Street – at Capitol and Bells Hotel – at present it would appear unlikely that these will not be implemented as both sites are subject to applications for office development.

The Roads Project Team does not object to the application although does express concern in relation to the potential for taxi to drop off on Union Street, due to the potential for disruption to bus stops and the bus lane. The bus stops on this stretch of Union Street between Bon Accord Street and Bon Accord Terrace are located from in front of the Yorkshire Building Society (immediately to the east of the application site) westward, the stretch of street between Bon Accord Street and the Yorkshire Building Society is free of bus stops. It is legal for taxis to stop on Union Street and it is acknowledged that it would for the management of the hotel to take steps to discourage the practice. In addition, there are taxi ranks on Chapel Street, Union Row and Dee Street all close to the building. The Transport Assessment includes a framework travel plan and a travel plan would be required as by condition. The measures will include: cycle parking, promotion of car clubs, servicing taking place from Langstance Place, the provision of a shuttle bus from Chapel Street car park. It is considered that the proposal complies with Policy T2 and D3.

Other Issues Raised in Representations

The following comments are made in respect of issues raised:

- Height and design have been dealt with above;

- The Conservation Area Appraisal was referenced as background information, it does contain policy. Impact on the conservation areas is dealt with above;
- Parking is currently controlled by permits and pay and display. Although there is potential for additional pressure on parking, due to relative costs it is considered unlikely that a significant number of hotel visitors would use on street pay and display rather than the larger public car parks a little further from the site. The Roads Project Team do not object, including on the basis of the lack of parking;
- Obstructions to accesses and garages would be illegal and would be dealt with by enforcement of the existing regulations;
- Impact on neighbours, including in terms of daylight is dealt with above;
- Public consultation has been carried out in accordance with requirements; and,
- Drainage: neither SEPA, nor Scottish Water, nor the Roads Project Team have objected to the proposal.

Conclusion

As with the recent proposal at the Capitol, the extent to which the streetscene on Union Street is affected by buildings that sit beyond the street frontages and the extent to which those using the street take cognisance of structures behind the granite frontages and rooflines, is a matter for debate. It is considered that although clearly visible, the proposed structure would not be overly prominent within the views of those using the surrounding streets, in the case of Union Street this is due to the extent to which it sits behind the frontage buildings which dominate the view.

There are economic benefits to the proposal, these are in terms of the bringing back into use and refurbishment of the listed Union Street frontage building, the activity and vitality that would be generated within the area, the introduction of a large numbers of hotel guests that would be likely to use the shops, restaurants and other facilities within the area and the provision of additional hotel accomodation that is to the benefit of the business traveller. The City benefits significantly from business visitors and there is reportedly a lack of accomodation at present.

Although concern is expressed with regard to the potential for taxis to stop on Union Street, there is potential for this to be managed, and the issue is one faced by many thriving cities.

The proposal is considered acceptable in terms of its impact on the conservation area, the setting of listed buildings, design and the economic benefits of the proposed use.

RECOMMENDATION

Willingness to approve conditionally. Consent to be withheld until such time as a developer's contribution has been secured towards works to the core paths / public realm improvements in the area and Strategic Transport Fund.

REASONS FOR RECOMMENDATION

The proposals are considered to accord with zoning policy: Policy C2 – City Centre Business Zone within the Aberdeen Local Development Plan (LDP). The proposal would accord with policies within the structure plan, LDP, Scottish Planning Policy and Scottish Historic Environment Policy. The development would contribute towards the regeneration of the historic fabric on Union Street add to vitality and contribute towards economic development in the City Centre. The building would be taller than its immediate surroundings and would be visible from some viewpoints on the north side of part of the upper stretch of Union Street. It is considered that the proposal would have some impact, but would generally preserve the character of the Conservation Areas. The site has good links to public transport although locally there may be some potential for disturbance to the bus lane, it is considered that this can be mitigated through appropriate management. The economic benefits accord with the Scottish Government's wider aims of economic regeneration and outweigh any local impact.

Conditions:

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

(1) that no development shall take place unless a scheme, including submission of materials samples, detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity and the character of the listed building and conservation area.

(2) That full details, including elevational and cross sectional drawings, shall be submitted to show all works, including repair and cleaning works, to the remaining fabric of the listed building. These shall include where the new build joins the existing building, the ground floor frontage to Langstane Place and the replacement shopfront on Union Street. Any revolving door shall be of such a height that its mechanism shall be hidden behind the fascia level.

That all works, as so agreed must be implemented fully in accordance with such details . These shall be in accordance with the approved plans, or others subsequently approved and the none of the building shall be used unless the Union Street frontage is available for use as the main entrance to the building, unless otherwise agreed in writing with the planning authority – in the interests of enhancing vitality on Union Street and preserving the character of the listed building.

(3) That the development hereby granted planning permission shall not be occupied unless the cycle storage facilities as shown on the approved drawings, or others subsequently approved have been provided - in the interests of encouraging more sustainable modes of travel.

(4) That the development hereby approved shall not be occupied unless there has been submitted to and approved in writing a detailed Travel Plan, which outlines sustainable measures to deter the use of the private car in accordance with the principles set out in the Transport Assessment by Cameron and Ross

July 2013, or other TA as subsequently approved - in order to encourage more sustainable forms of travel to the development.

(5) That none of the development shall be brought into use unless the footpath on Langstane Place has been reinstated in accordance with a scheme to be agreed in writing with the planning authority, unless otherwise agreed in writing with the planning authority – in the interests of public safety.

(6) That servicing shall take place only from Langstane Place, unless otherwise agreed in writing with the planning authority – in the interests of public safety.

(7) That no window replacement shall take place unless there has been submitted to, and approved in writing by, the planning authority a full survey of the windows showing that they are beyond repair. Any replacement frames shall match those existing and shall be implemented fully in accordance with details, including cross sections, submitted to and approved in writing by, the planning authority - in the interests of protecting the character and appearance of the listed building.

(8) that the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(9) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority – in order to preserve the amenity of the neighbourhood and in the interests of public health.

(10) that no part of this development shall take place unless a detailed assessment of the likely sources and levels of noise arising within, and those audible outwith, the premises has been submitted to, and approved in writing by, the planning authority. The noise assessment shall be carried out by a suitably qualified independent noise consultant. All noise attenuation measures identified by the noise assessment which are required in order to prevent any adverse impacts on the amenity of residents in the surrounding area shall be installed prior to commencement of the use hereby approved, unless the planning authority has given prior written approval for a variation - in the interests of residential amenity.

(11) That the existing Bruce Miller's clock shall be refurbished and replaced on the Union Street frontage of the premises in accordance with a scheme to be submitted to, and agreed in writing with the planning authority. The hotel shall not

be brought into use unless the clock is in place, unless otherwise agreed in writing with the planning authority – in the interests of retaining an object of local interest and visual interest in the streetscene.

Dr Margaret Bochel

Head of Planning and Sustainable Development.