

Planning Development Management Committee

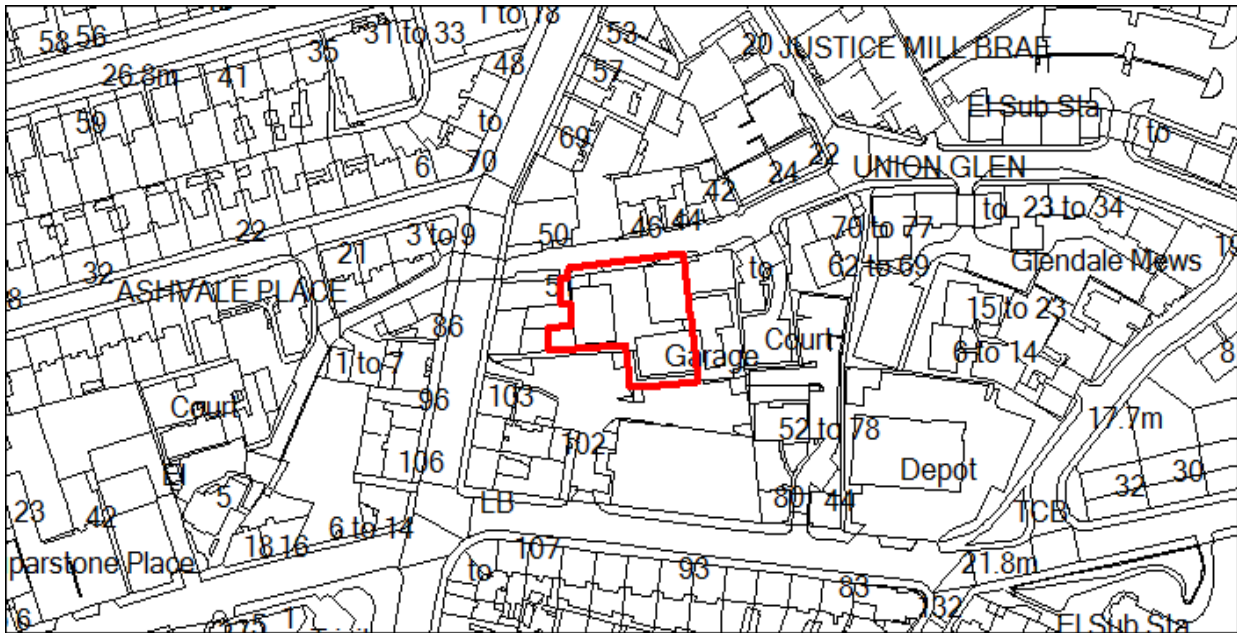
UNIT 1-3, UNION GLEN, ABERDEEN

DEMOLITION OF EXISTING INDUSTRIAL UNITS AND ERECTION OF AN APART-HOTEL COMPRISING 71 ROOM SUITES WITH ASSOCIATED PARKING AND LANDSCAPING (VARIATION TO PREVIOUSLY APPROVED SCHEME).

For: Danmor Developments Ltd.

Application Type : Detailed Planning Permission
Application Ref. : P151052
Application Date: 01/07/2015
Officer: Jane Forbes
Ward : Torry/Ferryhill (Y Allan/A Donnelly/J Kiddie/G Dickson)

Advert : Section 34 -Proj. Pub. Concern
Advertised on: 15/07/2015
Committee Date: 18/08/2015
Community Council : No response received



RECOMMENDATION:

Willingness to approve subject to conditions, but to withhold the issue of the consent document until the applicant has entered into an appropriately binding agreement with the Council to secure contribution towards works to the core paths/environmental & access improvements in the area and Strategic Transport Fund.

DESCRIPTION

The application site, which extends to an area of 1518m², is located on the south side of Union Glen, and at a distance of some 25 metres to the east of the Holburn Street Bridge. The site is currently occupied by 3 industrial business units, but historically formed part of the Union Glen Distillery site. Immediately to the north and east of the application site are contemporary flatted properties, both four storeys in height. To the north-west of the site is an area of car parking which lies adjacent to a more traditional granite 3 storey building with a frontage onto Holburn Street, but where the rear of the building, which is occupied by Aberdeen Drilling School, is accessed off Union Glen. To the west of the site is the rear of a traditional, 6 storey tenement building which fronts onto Holburn Street and comprises retail units at street level, with residential accommodation both above and below this. To the south of the application site the ground level rises approximately 6 metres between the boundary of the application site and a car parking area for the neighbouring retail park, both of which are accessed off Willowbank Road.

RELEVANT HISTORY

Planning application Ref 141430, submitted in September 2014, proposed the demolition of the 3 industrial business units on site, and the erection of a 7 storey aparthotel comprising 71 room suites with associated parking and landscaping. Conditional planning permission was granted on 8th July 2015, following earlier committee instruction on 19th April 2015 to approve subject to conclusion of an appropriate legal agreement relating to the payment of developer contributions and payments to the Council's Strategic Transport Fund.

PROPOSAL

This application seeks detailed planning permission for the construction of a 71 room aparthotel (Use Class 7), following demolition of the 3 industrial units which currently occupy the site. The aparthotel, which would expect to employ up to 18 staff, and between 10 to 12 on site at any one time, would comprise 71 suites incorporating separate sleeping/living areas and small kitchenettes. Access to the aparthotel would be via a main entrance which fronts onto Union Glen, with a reception and lounge/business area accommodated at ground floor level.

The proposed development would comprise a contemporary, largely flat roofed building with 3 linked elements ranging from between 4 and 5 to 7 storeys in height across the site, and incorporating a staggered building line along all four elevations. The 5 storey section of the building would be set back from the northern boundary of the site which fronts onto Union Glen by 13.2 and 15 metres, and would extend east to west over a distance of 16.5 metres. An initial 1.85 metre wide section of the building along the length of the eastern boundary, and a 3.6 metre wide section along the initial 16.6 metre length of the northern elevation would lie at 4 storeys high, with this then rising 2.6 metres to create the full 5 storeys within the remaining eastern section of the building, and thus creating a terraced area at this level. Moving towards the west and beyond

the 4/5 storey section of building, the proposed development would rise to between 6 and 7 storeys, equating to a height of between 17.3 and 21.2 metres, with a staggered roof line which would include a feature, mono-pitched roof rising to a maximum height of 22.4 metres. The 7 storey section of the development would be set back from the main front (north) elevation of the 6 storey section of building by a distance of 9 metres.

The proposed aparthotel would be finished in a range of materials including natural granite panels, smooth white render, grey brick basecourse, dark grey metallic cladding, grey aluminium framed windows and screens, glass cladding and panelling.

An amended layout provides 7 car parking spaces (including 3 disabled spaces) and 4 motor cycling spaces, and includes a taxi drop off/pick up layby to the front of the building. Cycle parking facilities, along with showers, changing rooms and lockers for staff use are included in the proposed layout.

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?ref=151052>

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

REASON FOR REFERRAL TO COMMITTEE

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

CONSULTATIONS

Roads Development Management - No objection. Advise that conditions should be attached as per the previous application in relation to the delivery of vehicle & cycle parking and changing/showering facilities; that relevant Traffic Regulation Orders are in place prior to occupation; and that a travel plan and associated travel information pack are submitted for approval. Also advise that provision should be made to ensure the Strategic Transport Fund contribution required for the previous application is transferred to this new application, as appropriate.

Environmental Health – No objection. In line with comments for the previous application, conditions are attached to secure the submission and approval of a scheme which addresses any land contamination on site and ensures any necessary mitigation measures are undertaken prior to occupation. Informatives have also been included which advise that consideration should be given to any potential noise related issues which may arise as a result of plant being installed on site, and that appropriate refuse storage facilities are provided.

Developer Contributions Team - Contribution required towards core paths/access improvements as per the previous application.

Communities, Housing and Infrastructure (Flooding) – No objection.

Education, Culture & Sport (Archaeology) – No objection. Request a condition is attached which would require the submission and approval by this authority of a written scheme of investigation and subsequent implementation of any programme of archaeological work in accordance with that scheme.

Community Council – No response received.

REPRESENTATIONS

Seven letters of objection have been received. The objections raised relate to the following matters –

1. Existing overprovision of hotel accommodation in the city centre;
2. The application site lies within an area which is predominantly in residential use, and incompatible with an aparthotel use;
3. The proposed development would result in an increased volume of traffic; exacerbate existing parking problems in the area; and provide insufficient space for vehicles manoeuvring, including waste collection;
4. The proposed development would result in the loss of industrial units and associated employment opportunities from the area, also resulting in reduced business diversity;
5. The nature of the proposed development and its use would result in increased noise levels and anti-social behaviour in the area;
6. The scale of development constitutes overdevelopment of the site;
7. The height of development will impact on existing daylighting, obscure sunlight from surrounding properties, and does not comply with building regulations;
8. Disruption likely as a result of proposed demolition of existing industrial units, and concerns relating to likely health hazard of downtakings;
9. Impact of construction work on Union Glen area;
10. Impact on property values in the area;
11. Overlooking from proposed development on existing residential property, impacting on privacy;
12. Existing security of the shared access to the courtyard which lies along the western boundary of the site would be compromised;
13. An area of land identified within the proposal is in common ownership with residents of 49 Union Glen;
14. The existing drainage network has no additional capacity.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) – This states that new development in a town centre should contribute to providing a range of uses and should be of a scale which is appropriate to that centre. The impact of new development on the character and amenity of town centres, local centres and high streets will be a material consideration in decision-making. The aim is to recognise and prioritise the importance of town centres and encourage a mix of developments which support their vibrancy, vitality and viability. This aim should also be taken into account in decisions concerning proposals to expand or change the use of existing development.

SPP also seeks to maximise the sustainable growth of regional and local visitor economies, and this through the delivery of the Tourism Development Framework, which encourages development planning authorities in their consideration of hotel accommodation requirements at locations where there is evidence of market demand, and in identifying locations for investment in new hotel accommodation.

Aberdeen City and Shire Strategic Development Plan

States that Aberdeen city centre is an important asset for the region but its regeneration is vital for the economic future of the area and how potential investors and residents see it.

Aberdeen Local Development Plan

Policy C1 (City Centre Development – Regional Centre) - This policy states that 'Development within the City Centre 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. As such, the City Centre is the preferred location for retail, commercial and leisure development serving a city-wide or regional market'.

Policy H2 (Mixed Use Areas) – Applications for development or change of use within Mixed Use Areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with adjacent land uses and amenity.

Policy D1 (Architecture and Placemaking) - This policy outlines an expectation that all 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 and materials will be considered in assessing this.

Policy I1 (Infrastructure Delivery and Developer Contributions) - Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Policy T2 (Managing the Transport Impact of Development) - New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review.

Policy D3 (Sustainable and Active Travel) - New development will be designed in order to minimise travel by private car, improve access to services and promote access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities

for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles.

Policy NE6 (Flooding & Drainage) – Where more than 100m² floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment. Surface water drainage associated with development must:

- be the most appropriate available in terms of SUDS; and
- avoid flooding and pollution both during and after construction.

Policy R2 (Degraded and Contaminated land) - States that all all land that is degraded or contaminated, including visually, is either restored, reclaimed or remediated to a level suitable for its proposed use.

Policy R6 (Waste Management Requirements for New Development) – Details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste.

Policy R7 (Low and Zero Carbon Buildings) - States that all new buildings, in order to meet with building regulations energy requirements, must install low and zero-carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards.

Proposed Aberdeen Local Development Plan (2016)

The following policies substantively reiterate policies in the adopted local development plan as summarised above:

NC1 – City Centre Development (Regional Centre) (*Policy C1- City Centre Development – Regional Centre*)

H2 – Mixed Use Areas (*H2 (Mixed Use Areas)*)

D1 – Quality Placemaking by Design (*D1 – Architecture and Placemaking*)

NE6 – Flooding, Drainage and Water Quality (*NE6 – Flooding and Drainage*)

T2 - Managing the Transport Impact of Development (*T2 - Managing the Transport Impact of Development*)

T3 - Sustainable and Active Travel (*D3 - Sustainable and Active Travel*)

I1 – Infrastructure Delivery and Planning Obligations (*Policy I1 (Infrastructure Delivery and Developer Contributions)*)

R2 - Degraded and Contaminated Land (*R2 - Degraded and Contaminated Land*)

R3 – New Waste Management Facilities (*Policy R6 - Waste Management Requirements for New Development*)

R7 – Low and Zero Carbon Buildings, and Water Efficiency (*R7 – Low and Zero Carbon Buildings*)

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.

Update and Summary of Changes from Previously Approved Proposal

Following approval of the previous application (Ref 141430) in April 2015, and in advance of development starting on site, investigative work was undertaken by the applicant with a view to removing an existing buttress which lies within the application site, but which forms an arched link to the eastern elevation of the 6 storey tenement building which fronts Holburn Street and backs onto the application site. As a result of the investigations, it became apparent that the buttress provided a degree of structural support to this neighbouring tenement and its removal could potentially impact on the tenement building along its eastern elevation. It was therefore deemed necessary to retain the butrees in-situ, however this affected the deliverability of the previously approved aparthotel development. As a result the original layout was revisited, with the aim of delivering the proposed aparthotel development whilst accommodating the obvious restrictions along the western boundary of the site, and subsequently this new proposal was considered and submitted, which would see the same level of accommodation being delivered (ie 71 suites), within the same scale of development (4/5 to 7 storeys), but with minor amendments to the overall footprint. Whilst the amended proposal would see the introduction of an additional 5 storey 'corner' wrapping around the north-eastern end of the main frontage of the building, it would also include a reduction in footprint along the eastern-most elevation of the building by 500mm, and along the western-most elevation by 1.1 metres. Whilst some of these amendments could have been dealt with as non-material variations to the original approval, the revised frontage could not be deemed 'non-material', and as a result the applicant was advised that a new application would be required.

Principle of Proposed Development

It is worth noting and of particular relevance in this instance that the principle of redeveloping the site for an aparthotel has already been established through the previous consent. The application site is located within an area zoned in the Aberdeen Local Development Plan as mixed use (Policy H2). Whilst the proposal would see a change of use for the site and the loss of the 3 business units which have operated as a motor repair garage, electrical engineers and commercial embroidery firm, it is nevertheless considered that, given the surrounding area is predominantly in residential use, with flatted properties lying to the north, east and west of the site, the introduction of an hotel use to the site (Class 7) would be more in-keeping with the existing residential character. The proposal is seeking to deliver hotel accommodation with studio style facilities aimed predominantly at business travellers, and where a level of amenity compatible with that of residential development would likely be expected by the hotel operator and the hotel guests themselves. It is considered that the proposed use would be somewhat less incongruous within the area than the existing business/industrial operation, and as such would not be in conflict with Policy H2.

Economic Impact

SPP outlines the Scottish Government's main aim to promote sustainable economic growth and states that planning authorities should take a positive, flexible approach to development to ensure that new economic opportunities can be realised.

Both SPP and the Aberdeen City and Shire Strategic Development Plan seek to deliver a mix of development within city centre locations which will encourage and support their vibrancy, vitality and viability. This intention is supported through Policy C1 of the Aberdeen Local Development Plan which sees the city centre as the preferred location for retail, commercial and leisure development which will serve a city-wide or regional market.

SPP also identifies the Tourism Development Framework for Scotland, which seeks to support planning systems in delivering a visitor economy, as a material consideration in the determination of development proposals. This framework encourages planning authorities to consider hotel accommodation requirements at locations where there is evidence of market demand, and to identify locations for investment in new hotel accommodation. Whilst specific locations for such development are not identified in the Local Development Plan, it is nevertheless considered that the proposed erection of an aparthotel development at this location would be in accordance with the aforementioned policies in terms of delivering an appropriate mix of development uses. Although recognising a downturn in the oil and gas industry in the north east has undoubtedly impacted on business demand for hotel accommodation in the city, a city centre location such as this would clearly provide accommodation for a broader range of occupants, including tourists.

Although the proposal would see a change in business use for the site, the aparthotel development would nevertheless support new job opportunities in the area, both directly in the form of employment for around 18 members of staff, but also indirectly by providing a facility which supports business growth and subsequent inward investment. The development would increase footfall and pedestrian activity within the surrounding area, with hotel guests likely to support existing local amenities, including restaurants and retail outlets, thereby having a positive contribution towards the vitality within the west end of Union Street.

Design, Scale and Impact of Development

The proposed scale and design of the aparthotel building is considered appropriate for this location. Policy D1 of the Aberdeen Local Development Plan outlines the importance of securing high standards of design for new development and of ensuring that the context of the site and its setting is suitably addressed within that design.

It is considered that the varying roof levels, the use of a mix of materials including granite panelling, smooth render, glass and aluminium framing, and the introduction of staggered elevations, would introduce an appropriate level of

design quality to the building, whilst also ensuring that it respects the scale and massing of existing development within the surrounding area.

The surrounding properties include both traditional granite tenements and modern flatted block development, therefore the introduction of a contemporary style development such as this would serve as a suitable contrast. Whilst the proposed development would rise to 7 storeys at its highest point, the 6th floor of the building, which would be limited to a floorspace of 12 metres x 20 metres, and contain 3 room suites, a lift and stairwell, with a feature roof above, would be delivered within the south-western section of the site, and would lie relatively centrally within the overall development. The main focus of accommodation would be located between the ground and 5th floor levels. The delivery of accommodation across the building in general takes account of the range in building heights which surround the application site. This would see the roof of the 6th floor accommodation lying 2 metres below the ridge level of the neighbouring tenement property to the west on Holburn Street, and the outer section of the building along the part of the northern and the full length of the eastern elevations where it drops down to 4 storeys, lying at 2.2 metres below the ridge level of the flatted properties to the east and north of the site.

When consideration is given to the scale of existing industrial/business units on site, it is apparent that the proposed aparthotel building would result in a significant increase in development massing, however considerable attention has been paid to the design and layout of the proposed building in order to address any potential adverse impact on neighbouring properties. This has resulted in a staggered building line along the northern boundary which sees a 16.6 metre length of frontage lining up with the frontage of the neighbouring flatted block which lies to the east, thereby introducing no overshadowing to existing windows. The staggered nature of the building line would also ensure a 22.4 metre separation distance between the windows along this section of the hotel building and the flatted properties which lie across Union Glen and to the north of the site, again ensuring minimal impact on daylighting and no impact on privacy due to overlooking. The remaining northern elevation of the hotel building, which rises to 6 storeys, fronts across Union Glen onto an existing car park and the south-westernmost corner of the 4 storey flatted property. Whilst the 'wrap-around' feature of the building which this application has seen introduced would result in additional development around the north-easternmost corner of this elevation of the aparthotel, the footprint of the additional build would amount to no more than 23m². This corner feature would lie at 12.5 metres from the south-westernmost corner of the 4 storey flatted property opposite, and would be finished in granite panelling with windows introduced along its eastern facing elevation which looks onto the neighbouring car park, but with no window openings to the northern elevation, thereby ensuring no additional overlooking. All remaining windows on the northern frontage of the building would be set at an angle from any window on the existing flatted properties, as previously approved under the original application, and therefore no direct window to window overlooking would be introduced as a result of this proposal. Taking all of the above into account, it is considered that the proposed changes made to the previously approved development would have no additional impact on residential amenity.

The main western gable of the neighbouring 4 storey flatted property, which extends along the common boundary with the application site, is blank. Beyond this section of gable, the western elevation of the property then steps in by 2.7 metres and extends a further 12.5 metres south towards the rear boundary of the site. There are 4 windows arranged over the 4 storeys on the rear (south) elevation of this rear extension and a further 4 windows over the 4 storeys on the western elevation facing towards the application site. The scale and position of these windows would indicate that they serve bedrooms and bathrooms, and this is further supported by the presence of opaque glass in those windows located on the western elevation. Taking this into account, it is considered that whilst there may be some additional impact on existing daylighting to the windows facing south as a result of the proposed development, any impact would be within an acceptable level, given that a separation distance of between 6.8 and 10.4 metres would remain between the proposed development and the eastern elevation of the flatted property. It is also worth noting that as a result of the proposed development, the existing industrial unit which currently lies along the common boundary with the flatted property to the east, and projects some 11 metres forward of its front building line, would be demolished. The layout of the proposed aparthotel is such that the existing outlook and frontage to the flatted property as well as that of the flatted properties lying north of the site would be significantly improved, and opened up, given that the existing industrial unit would be removed and this area of the site would be laid out for parking and access to the hotel building.

Along the full length of the southern elevation the proposed development would look onto the Willowbank Retail Centre and associated car parking, which is accessed off Holburn Street/Willowbank Road, thereby having no adverse impact on neighbouring amenity.

Finally, the western elevation of the proposed development extends along a staggered site boundary, with the 6 to 7 storey sections of development lying at a distance of between 7.6 and 9.5 metres from the blank gable ends of the rear off-shoot extensions to the tenement buildings on Holburn Street, which are at a height of between 3 and 6 storeys. Whilst it is accepted that the proposal would have some impact on daylighting to the windows on the remaining rear elevations of these off-shoots, the proposed development would nevertheless lie to the east of the tenement buildings, therefore any additional impact on existing daylighting as a result of the proposal would be minimal. There is only one ground floor window opening proposed along the western elevation, and this would serve the admin office. In order to address any possible overlooking or impact on privacy to the rear of the tenement properties, a condition has been applied which would ensure the installation of opaque glazing to this window.

Although it is acknowledged that the proposal would have an increased visual impact on surrounding properties, it is nevertheless considered that the design and layout of development has suitably addressed such impact, through the introduction of staggered building lines, varied buildings heights and an appropriate selection of finish materials, with the result that the proposed

development would not be detrimental to the existing residential amenity of the area. On this basis it is felt that the proposal would be in accordance with Policy D1 (Architecture and Placemaking), and also suitably compliant with Policy H2 (Mixed Areas) in terms of avoiding undue conflict with existing land uses and amenity within the surrounding area.

Conditions have been applied which seek the submission and approval of specific detail on the delivery of a low and zero-carbon generating development and on waste storage and collection arrangements, albeit that discussions to date between the agent and the Waste Management team on suitable arrangements for the site have raised no concerns. This will ensure the proposal is in accordance with Policy R7 (Low and Zero Carbon Buildings) and Policy R6 (Waste Management Requirements for New Developments).

Given the industrial history of the site, a condition has been applied which seeks any contaminated land is identified and such contamination is suitably addressed prior to the occupation of the site, thereby complying with Policy R2 (Degraded and Contaminated Land).

Access and Traffic Impacts

The development includes a minimal level of parking, as befits its city centre location, proposing 7 car parking spaces, 3 of which would be designated for disabled users, and 4 motor cycle bays. Secure parking would be allocated for 10 cycles. Given the nature of development which is being sought within this city centre location, where there is a good level of connectivity, with public transport services on Holburn Street, Albyn Place and Union Street lying at less than 400 metres, and the bus and train stations at less than a mile from the site, the Roads Development Management team have considered that the parking provision for the site is of an appropriate level.

A taxi drop off/pick up point which would accommodate up to 3 vehicles has been included in the proposal following comments from the Roads team. This layby arrangement would be located immediately to the front of the building, thereby minimising any likely disruption to traffic movement along Union Glen as a result of the hotel resident's arrival and departure from the site. The Roads Development Management team have advised that on the basis of its central location, and with public car parks available within the local vicinity and controlled parking along Union Glen, it is unlikely that the proposed development would raise any traffic issues. A condition has been applied which requires that a Traffic Regulation Order is in place which addresses the change in road layout to accommodate the taxi layby prior to occupation.

The Transport Assessment submitted in support of the application includes a travel plan framework and a condition has been applied to ensure the submission of a travel plan, which would promote the use of a range of sustainable travel, again, prior to occupation of the site.

In terms of Policy I1 (Infrastructure Delivery and Developer Contributions), the applicant has already settled all payments due in connection to the previous

application, which related to a contribution towards the delivery of core paths/environmental & access improvements and to the Strategic Transport Fund. On this basis, and taking into account that the contributions applicable to this new application would be the same as for the previous, should members be minded to approve this proposal, the recommendation is for 'a willingness to approve subject to conditions, but to withhold the issue of the consent document until the applicant has entered into an appropriately binding agreement with the Council to secure contribution towards works to the core paths/environmental & access improvements in the area and Strategic Transport Fund', thus allowing for the recognised level of payments which are due to be transferred to whichever application is implemented, as required.

Taking the above into account, it is considered that the proposal is suitably compliant with Policy T2 (Managing the Transport Impact of Development) and D3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.

Drainage and Flooding

The Roads Development Management team and the Flooding team raised no objection to the proposed drainage scheme, based on the detail of the drainage impact assessment and associated drawings submitted, which included a drainage layout plan. The proposal is considered to be suitably in accordance with the requirements of Policy NE6 (Flooding and Drainage).

Other Matters Raised in Representations

- Disruption and inconvenience during construction is inevitable and is not a material planning consideration.
- The likely impact on property values in the area as a result of the proposed development is not a material consideration in the determination of this application.
- Concern has been raised in relation to the potential increase in noise levels and anti-social behaviour in the area which would arise as a result of the proposed development, however it is not apparent that the operation of an aparthotel which would mainly attract business and tourist travellers, would have a direct link to anti-social behaviour nor is it felt likely that such a use would generate significantly more noise than the existing garage repair and electrical engineering businesses currently operating from the site.
- Concerns raised relating to land in common ownership and the retention of secure access to such land is not a relevant planning consideration.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014 . It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

The foregoing can only be assessed on a case by case basis. In relation to this particular application the relevant policies are reiterated in the proposed plan without any substantive changes.

RECOMMENDATION

Willingness to approve subject to conditions, but to withhold the issue of the consent document until the applicant has entered into an appropriately binding agreement with the Council to secure contribution towards works to the core paths/environmental & access improvements in the area and Strategic Transport Fund.

REASONS FOR RECOMMENDATION

Planning legislation requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The site is zoned under Policy H2 (Mixed Use) in the Aberdeen Local Development Plan, and although the surrounding area is predominantly residential in nature, it is felt that the introduction of an hotel use on a site which currently operates as 3 business/industrial units would be appropriate in this instance, given its city centre location. It is considered that the proposed development would not adversely impact on existing residential amenity. The aparthotel would not provide bar/restaurant facilities, and would focus on studio style accommodation, with all 71 suites incorporating open plan kitchenette/living areas, therefore any potential for noise and general disturbance from potential visitors to the hotel is significantly reduced.

The proposal is deemed suitably compliant with relevant national and local plan policy, including Scottish Planning Policy and the Aberdeen City and Shire Strategic Development Plan, which seek to support a mix of development within city centre locations which will encourage and support their vibrancy, vitality and viability. The proposal is also considered to be in accordance with a range of local plan policy, including, but not limited to Policy C1 (City Centre Development - Regional Centre), Policy D1 (Architecture and Placemaking) and Policies T2 (Managing the Transport Impact of Development) and D3 (Sustainable and Active Travel).

Whilst acknowledging that the proposal would see a higher level of density of development on site than is currently the case, it is nevertheless appropriate to take into account the character and scale of surrounding buildings, and also to consider the context of the city centre location which allows for full access to a range of sustainable transport options and local amenities, and all within easy walking distance of the site.

Taking all of the above into account, it is considered that the proposal should be supported as it largely conforms to all relevant national and local plan policies.

CONDITIONS

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

(1) that no development other than the works of demolition/site clearance shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of protecting items of historical importance as may exist within the application site.

(2) that no development shall take place unless a scheme, including submission of material 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.

(3) that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Plan No 14641-00-13 Rev A, and as set out in the Drainage Assessment dated 17/12/2014 and submitted in support of this application by Fairhurst, or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

(4) that the proposed ground floor office/admin room window on the west elevation of the proposed development hereby approved shall not be fitted otherwise than with with obscure glass to a minimal level 2 obscuration unless the planning authority has given prior written approval for a variation - in the interests of protecting the privacy of neighbouring residential properties.

(5) that the development hereby granted planning permission shall not be occupied 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.

(6) that no development shall take place, other than the works of demolition/site clearance, unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site, and such scheme has been approved in writing by the planning authority.

The scheme shall follow the procedures outlined in Planning Advice Note 33 Development of Contaminated Land and shall be conducted by a suitably qualified person in accordance with best practice as detailed

in BS10175 Investigation of Potentially Contaminated Sites - Code of Practice and other best practice guidance and shall include:

1. an investigation to determine the nature and extent of contamination,
2. a site-specific risk assessment,
3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

No building(s) on the development site shall be occupied unless

1. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and
2. a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation.

- In order to ensure that the site is fit for human occupation

(7) that the development hereby granted planning permission shall not be occupied unless a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel

(8) that the development hereby approved shall not be occupied unless the parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 14641-00-01 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 or motorcycles ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(9) that the staff changing rooms as shown on the approved plan Ref 14641-00-01 Rev D, or such other plan as may subsequently be approved in writing by the planning authority for the purpose, shall have been provided in accordance with the details hereby approved prior to first occupation of the building and retained thereafter at all times for such use - to ensure suitable facilities to support and promote sustainable modes of travel

(10) that the Traffic Regulation Order (TRO) required to deliver the proposed taxi drop off/pick up area, as per drawing number 14641-00-01 Rev D, is in place prior to occupation of the development hereby approved, or any other such timescale agreed by the planning authority, and the total cost of all works including the promotion of the TRO are met by the applicant - in the interests of public safety and the free flow of traffic.

(11) that no development shall take place unless there has been submitted to and approved in writing a detailed Green Travel Plan and Travel Information Pack, which should be site specific and outline measures to deter the use of the private car and promote all kinds of sustainable travel and provide detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets - in order to encourage more sustainable forms of travel to the development.

(12) 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'.

(13) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a detailed scheme of landscaping for the site, to include proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

INFORMATIVES

1. it is recommended that no construction or demolition work shall take place: (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.
2. it is recommended that the applicant contact Aberdeen City Waste Aware section to ascertain further information regarding refuse storage/removal. Waste Team - Tel 08456 080919
E-mail - wasteaware@aberdeencity.gov.uk
3. it is recommended that consideration be given to any potential noise related issues to surrounding residents due to plant installed on site.
4. a Traffic Regulation Order (TRO) will be required for the proposed taxi drop off/pick up area as per drawing number 14641-00-01 Rev D. It should be noted that the applicant has responsibility for applying for the TRO.