

Planning Development Management Committee

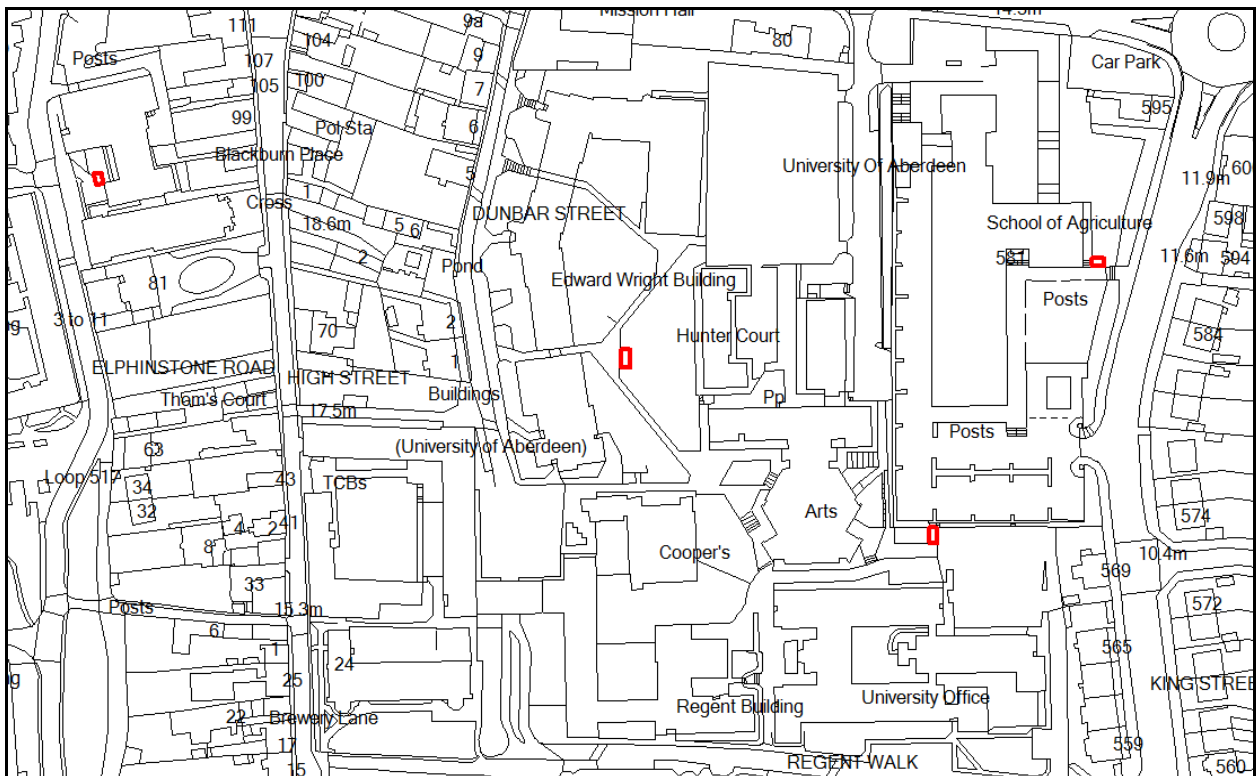
UNIVERSITY OFFICE, UNIVERSITY, REGENT WALK, ABERDEEN

ERECT 4 SMOKING SHELTERS ON UNIVERSITY CAMPUS.

For: Estates Section

Application Type : Detailed Planning Permission
Application Ref. : P150525
Application Date: 01/05/2015
Officer: Alex Ferguson
Ward : Tillydrone/Seaton/Old Aberdeen (J Noble/R Milne/R Grant)

Advert : Can't notify neighbour(s)
Advertised on: 08/07/2015
Committee Date: 18/08/2015
Community Council :



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application relates to four separate locations within the Old Aberdeen Campus of Aberdeen University:

- A section of hard-landscaping outside the St Mary's building on Elphinstone Road, adjacent to an existing cycle shelter;
- Part of a green open-space to the east of Edward Wright building, adjacent to two existing cycle shelters;
- A small section of grass between the eastern elevation of an electricity sub-station building and a pedestrian footpath, to the north of the University Office building; and
- A section of grass adjacent to a pedestrian footpath that runs alongside the eastern elevation of the MacRobert building on King Street.

All of the sites are situated within the Old Aberdeen Conservation Area and are surrounded by buildings, facilities and areas of open space that comprise the University Campus.

RELEVANT HISTORY

P130416 – Planning permission was approved conditionally (with a tree protection condition) under delegated powers in March 2013 for the installation of a cycle shelter on an area of open space adjacent to the Edward Wright building.

P110968 – Planning permission was approved conditionally (with a finishing details condition) under delegated powers in August 2011 for the installation of a cycle shelter outside the St Mary's building on Elphinstone Road.

P110966 – Planning permission was refused by the Planning Committee in August 2011 for the proposed installation of cycle shelters and a CCTV camera outside Kings College.

P110965 – Planning permission was approved conditionally (with a finishing details condition) under delegated powers in July 2011 for the installation of a covered cycle shelter outside the Cruickshank building.

PROPOSAL

Planning permission is sought for the installation of four smoking shelters, with one each to be installed at different locations on the Old Aberdeen Campus of Aberdeen University. The proposed shelters would comprise the following:

Site A: St Mary's building

An 'Apollo' shelter measuring 4.12 x 2.734m and with a total height of 2.829m, proposed to be installed on an area of hard landscaping directly adjacent to an

existing Apollo shelter which is used for cycle parking. The Apollo design has a curved polycarbonate roof and side cladding attached to a galvanised steel frame.

Site B: Open space adjacent to the Edward Wright building

As with the St Mary's site, an Apollo shelter is proposed to be installed directly adjacent to an existing Apollo style cycle shelter on a grass area next to a pedestrian footpath in this area of open space immediately to the east of the Edward Wright building.

Site C: Electricity sub-station

At this site, it is proposed to attach a 1.5m wide polycarbonate and galvanised steel canopy to the eastern elevation of the existing electricity sub-station, between the University Office and MacRobert building car parks. The canopy would be fixed to the wall of the substation and would project 1m out from the eastern elevation, providing shelter for smokers on a newly paved area next to the existing pedestrian footpath.

Site D: MacRobert building

It is proposed to install a 'Harrowby' style smoking shelter at this location, in the corner of an area of green open space between the MacRobert building and King Street. The 4.16 x 2.04m shelter would measure 2.295m in height, and have a curved roof all constructed from a galvanised steel frame with polycarbonate roof/side and rear walls. The shelter would also incorporate a bench and it would be constructed atop a new area of concrete paving slabs.

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=150525>

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 the Old Aberdeen Community Council have objected to the proposed works. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No observations

Environmental Health – No observations

Communities, Housing and Infrastructure (Flooding) – No observations

Community Council – The Old Aberdeen Community Council object to the application and their reasons for objecting are summarised as follows:

- All shelters would be detrimental to the visual character of the Old Aberdeen Conservation Area by virtue of their siting and design/ materials;
- The shelter at the MacRobert building site would impair and cause damage to the landscaping and the traffic of smokers would have an adverse impact on the adjacent mature trees;

One non-material planning consideration was also put forward in the objection, with the Community Council stating that it is not considered desirable that smoking should be encouraged by any public body.

REPRESENTATIONS

Two other letters of objection have been received, one from the Old Aberdeen Heritage Society and one from ASH (Action on Smoking and Health) Scotland. The objections raised relate to the following matters –

- The shelters would lead to a visual clutter and would have a detrimental impact on the character of the Conservation Area;
- Three of the four shelters would be sited in landscaped/amenity areas and would detract from the existing amenity;
- The shelters would likely lead to problems with litter and pollution;

The following non-material consideration was also raised:

- The installation of smoking shelters would be seen to encourage smoking.

PLANNING POLICY

National Planning Policy

SHEP (Scottish Historic Environment Policy)

Sets out Scottish Ministers' direction in relation to the Historic Environment:

Scotland's historic environment should be managed in a sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value. Where change is proposed, it should be appropriate, carefully considered, authoritatively based, properly planned and executed. It is important that new developments are sensitive to historic character and attain high standards in design and construction, while recognising the portfolio of original building materials.

Aberdeen Local Development Plan

D1 – Architecture and Placemaking: All development should be designed with due consideration for its context and make a positive contribution to its setting.

D5 – Built Heritage: Proposals affecting Conservation Areas will only be permitted if they comply with Scottish Planning Policy.

CF1 – Existing Community Sites and Facilities: This policy is mainly concerned with ensuring that sites with community facilities will continue to be used as such.

NE5 – Trees and Woodlands: There is a presumption against all development that will result in the loss of or damage to established trees.

Proposed Aberdeen Local Development Plan

The following policies substantively reiterate policies in the Adopted Local Development Plan as summarised above:

- D1 – Quality Placemaking by Design (D1 – Architecture and Placemaking)
- D4 – Historic Environment (D5 – Built Heritage)
- CF1 – Existing Community Sites and Facilities (CF1 – Existing Community Sites and Facilities)
- NE5 – Trees and Woodlands (NE5 – Trees and Woodlands)

Other Relevant Material Considerations

Old Aberdeen Conservation Area Character Appraisal

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

Design and scale of the shelters

Before assessing the context of each of the four sites, it is worth noting that three of the four shelters take the form and appearance of a cycle shelter, without the inclusion of the cycle racks. Indeed, the ‘Apollo’ style shelter has already been approved for use as a cycle shelter at two of the proposed sites, as well as elsewhere on the Campus. The design and scale of the structures is considered acceptable, being that of a simple and standard cycle/smoking shelter, the principle for which has already been set in the Old Aberdeen Campus.

Impact on the character and appearance of the surrounding area, including the Old Aberdeen Conservation Area:

Site A: St Mary's building

This site is located in a predominantly hard-landscaped courtyard on the Elphinstone Road side of the St Mary's building. The concrete-slabbed area sits amidst a backdrop of concrete and rendered mid-to-late 20th Century buildings of varying heights, none of which are of any particular architectural merit. The proposed 'Apollo' smoking shelter would sit immediately adjacent to an existing cycle shelter of exactly the same design, in the centre of the hard-landscaped area. The existing cycle shelter was approved in August 2011. By virtue of the existing hard-landscaped surroundings and an existing cycle shelter of the same design, it is considered that the proposed shelter would not have an adverse impact on the character and visual amenity of the immediate surrounding area, or the Old Aberdeen Conservation Area as a whole. It is not considered that the addition of one further shelter within this site would lead to a visual clutter of the area. The proposed shelter would also not have any impact on a nearby mature tree.

Site B: Open space adjacent to the Edward Wright building

This site comprises a relatively large area of green open space between the Edward Wright and Hunters Court buildings to the east of Dunbar Street. The shelter proposed would also be of an 'Apollo' design to match an existing adjacent cycle shelter. There are already two Apollo cycle shelters in this area of open space which is enclosed and not visible from Dunbar Street. The open space covers approximately 3800sqm and it is not considered that the addition of one further shelter of the same design as those approved in 2013 would result in undue visual clutter, nor have a significant impact on either the usability or visual amenity of this part of green open space within the Campus.

Site C: Electricity sub-station canopy

The small canopy proposed to be attached to the eastern wall of the electricity sub-station building would be of a slender design and minimal size. The canopy would not have a detrimental impact upon the visual character of the building or the surrounding area which consists predominantly of hard-landscaping, including the University Office and MacRobert building car parks.

Site D: MacRobert building

This site is located in a more peripheral location on the eastern edge of the Old Aberdeen Campus, adjacent to King Street. The smoking shelter would be of a slightly different design than in the other locations but would still retain the appearance and scale of a standard cycle shelter. It is proposed to install the shelter on a newly-created small section of concrete paving slabs next to two pedestrian footpaths on the eastern side of the MacRobert building. The shelter would be situated between the MacRobert building's eastern elevation and a row of mature trees that will line the eastern edge of the Campus, where it bounds King Street. The mature trees would be unaffected by the proposed shelter and would, to an extent, obscure views of the smoking shelter from King Street. This smoking shelter would be positioned in an accessible location and would occupy just 8sqm of a circa 2000sqm area of green open space to the east of the MacRobert building. By virtue of the relatively small scale of the proposed shelter

and the backdrop of the MacRobert building, it is considered that the shelter would not have an adverse impact on the visual amenity of the surrounding area.

Three of the proposed shelters would be sited in parts of the Old Aberdeen Conservation Area that are described as the 'Modern University Campus' in the Old Aberdeen Conservation Area Character Appraisal, an area situated either side of the historic High Street, predominantly characterised by modern buildings dating from 1950 onwards. None of the proposed shelters would have an impact on the setting of any listed or historically important buildings and their design and scale is not considered to have a detrimental impact on the character of the conservation area as a whole, particularly given the presence of existing cycle shelters of a similar design in the area.

Impact on trees

Although no trees are proposed to be removed and it is considered that the proposed shelters would be situated sufficiently far enough away from any mature trees, a condition has been added that requires a tree protection scheme is submitted to and agreed by the Council prior to the commencement of the works, in order to ensure the protection of the nearby mature trees, particularly at Sites B (Edward Wright building) and D (MacRobert building).

Impact on public safety

None of the shelters would be sited within any visibility splays, nor would they obstruct any pedestrian footpaths. The Roads Development Management Team has raised no objections in relation to the proposed siting of the shelters.

Impact on amenity

The control of litter is not a planning matter and the amount of smoke and/or noise pollution that would likely arise from the use of the shelters is considered to be extremely minor and is not considered to be a concern. The shelters are all situated a sufficient distance away from any residential properties and the Council's Environment Health Team have not raised any concerns on the proposals with regard to their impact on amenity, therefore it is considered that the shelters would not have an unacceptable impact on the existing amenity of the area.

Concerns raised in letters of objection

The concerns raised in the letters of objection received have been addressed in the foregoing evaluation.

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, policies D1, D4, CF1 and NE5 of the Proposed Local Development Plan substantively reiterate the corresponding relevant policies of the Adopted ALDP and the proposals are therefore considered to comply with the policies of both Plans for the foregoing reasons.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed smoking shelters would not have a significant adverse impact on the character or amenity of the surrounding area, including the Old Aberdeen Conservation Area or any existing mature trees. The proposed works therefore comply with policies D1 (Architecture and Placemaking), D5 (Built Heritage), CF1 (Existing Community Sites and Facilities) and NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan, as well as the corresponding policies D1 (Quality Placemaking by Design), D4 (Historic Environment), CF1 (Existing Community Sites and Facilities) and NE5 (Trees and Woodlands) of the Proposed Local Development Plan.

CONDITIONS

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

(1) that no development shall take place unless a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.