

Planning Development Management Committee

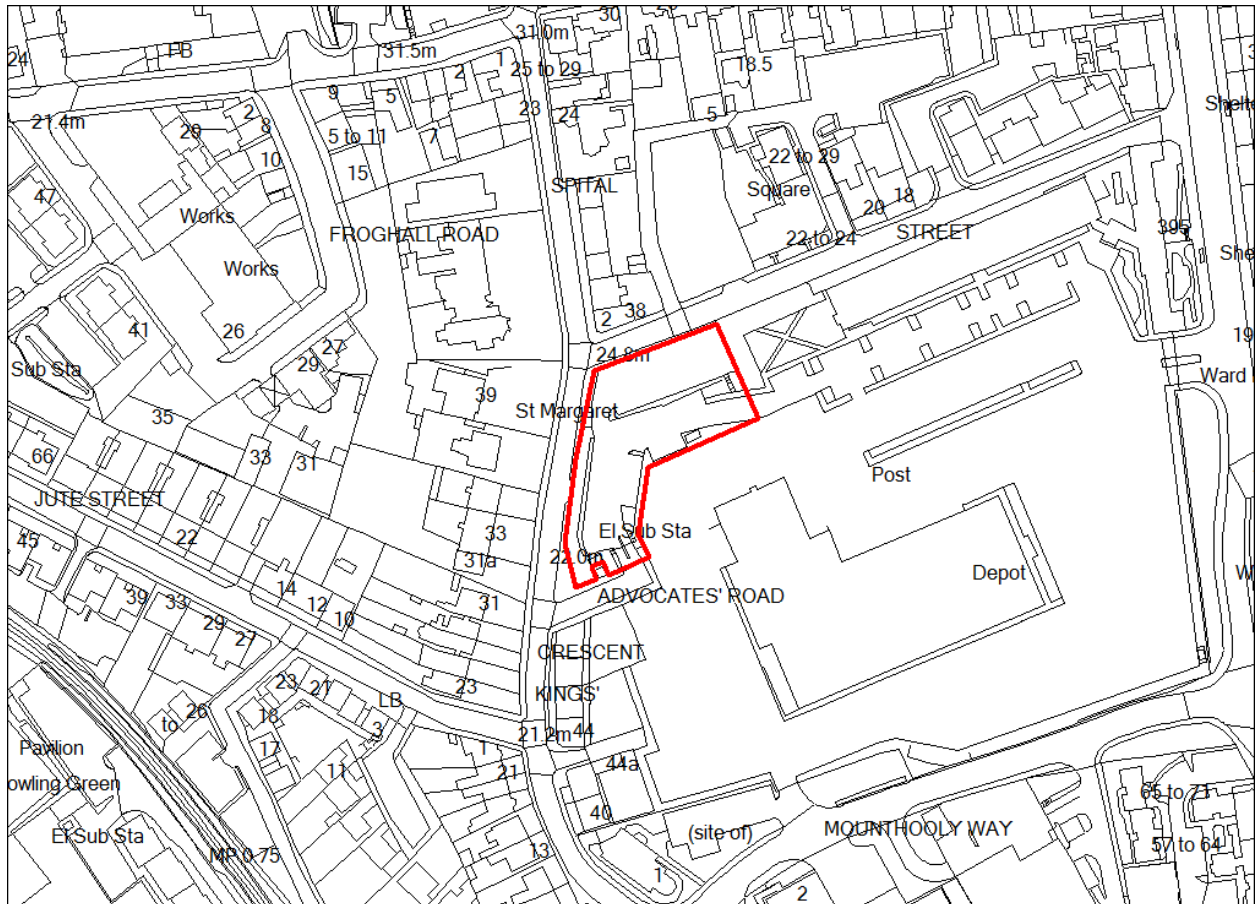
LAND AT ST PETER STREET / KING'S CRESCENT, ABERDEEN., ABERDEEN

ERECTION OF STUDENT ACCOMODATION AND ASSOCIATED WORKS.

For: Ardmuir Developments Ltd

Application Type : Detailed Planning Permission
Application Ref. : P151811
Application Date: 20/11/2015
Officer: Gavin Evans
Ward : George Street/Harbour (M Hutchison/J Morrison/N Morrison)

Advert : Section 60/65 - Dev aff LB/CA
Advertised on: 16/12/2015
Committee Date: 11th February 2016
Community Council : Comments



RECOMMENDATION: Willingness to approve subject to conditions, but consent to be withheld until contributions towards the provision of a City Car Club vehicle, including leasing and costs associated with the progression of Traffic Regulation Orders as necessary, have been secured

DESCRIPTION

The application site, which extends to some 2825sqm, is located at the junction of King's Crescent and St. Peter Street and is currently used as a car park for employees based at the adjacent First Bus headquarters and depot. St Peter Street is closed off at its eastern end, so traffic at this junction is largely limited to local access. The site is conveniently located for Aberdeen University's campus and shops and services on King Street. King's Crescent rises up from Mounthooly until it reaches the top of the Spital, and incorporates a variety of houses and tenements that vary in size and height. Ground levels rise sharply to the west side of King's Crescent, elevating many of the buildings on that side from street level.

There are a number of existing trees arranged along the boundaries of the site, which are detailed more fully later in this report.

The site itself lies outwith the Old Aberdeen Conservation Area, however the wall along its western edge marks the boundary to the C/A. There are two category B listed 'march stones' present, one just outwith the site, on the outside of the wall towards the junction of St Peter Street and King's Crescent, and another which is within the site, incorporated into the existing wall, which historically enclosed a granite merchant's yard.

RELEVANT HISTORY

None of direct relevance.

PROPOSAL

Detailed planning permission is sought for the construction of a student accommodation development comprising a total of 176 bed spaces, arranged in 3-4 bed units, each of which has shared kitchen, living and bathroom facilities. The proposal involves the construction of a building spanning between 3 and 5 storeys, which can be accessed via both St Peter Street and King's Crescent. Shared outdoor amenity space is provided to the rear of the building. The building would be finished in glass, timber and stone cladding, alternating in their use to break up the long King's Crescent street frontage.

No car parking is provided to serve the student accommodation, with the exception of 2no disabled parking spaces and 1no staff space, with a separate drop-off area for students. In addition, 72 cycle parking spaces are provided.

As the site currently provides staff parking for the adjacent First bus depot, this proposal necessitates a reconfiguration of the First site to accommodate the displaced staff parking. As part of this exercise, 26no spaces will be provided within the application site, but underneath the area to the rear of the student accommodation and accessible only via the King Street access to the First depot.

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=151811>

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

- Pre-Application Consultation Report
- Design Statement
- Planning Policy Statement
- Tree Survey and Report
- Transport Statement

PRE-APPLICATION CONSULTATION

The proposed development was subject to pre-application consultation between the applicant and the local community, as required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations. The consultation involved a manned public consultation event being held on Thursday 8 October 2015 at St Mary's Parish Church, King Street. A leaflet detailing the proposal and notifying of the public consultation event was issued to in advance of the event to properties in the surrounding area.

Comments received related to the general issues of: noise and anti-social behaviour and the need for management; a need for affordable, quality student accommodation in the city; additional green and communal spaces required; height, massing and appearance of proposed buildings; and car parking.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because (i) more than 5 letters of objection have been received; and (ii) the local Old Aberdeen Community Council has objected to the proposal. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No objection provided that the following matters can be secured:

- Upgrading of the existing footway along King's Crescent and St Peter Street.
- Provision of a Car Club vehicle on Advocate's Road.
- Provision of a Travel Plan based on the Framework Travel Plan provided within the Transport Assessment.

Environmental Health – No objection. Recommend that construction works are limited to specified hours

It is also recommended that conditions are attached to any consent to secure information relating to potential contamination and in order to agree appropriate remediation as required.

Some concern is expressed regarding the location of a secondary bin store area within the site, as this would potentially require refuse vehicles to undertake undesirable reversing manoeuvres, however it has been established in discussion with Roads colleagues that the operators of the student accommodation would be responsible for making bins available for collection close to the main bin store at Advocate's Road. In the interest of public hygiene, bin stores should be provided with a gulley and suitable wash-down facilities.

Developer Contributions Team – Confirm that no developer contributions are payable for this development proposal.

Communities, Housing and Infrastructure (Flooding) - No response

Community Council – Old Aberdeen Community Council has expressed its objection to the proposal. Issues raised include the following:

- Overdevelopment of the site
- Lack of available car parking
- Over-provision of student accommodation in the area
- Pedestrian safety
- Noise arising from the development
- Scale and form of the development is incompatible with its setting in a Conservation Area
- Conflict with ACC's own 'Student Accommodation' Technical Advice Note and 'Strategic Overview and Management Plan of Conservation Areas'.

REPRESENTATIONS

53 number of letters of representation have been received – it is noted that 8 of these come from a single household. Objections raised relate to the following matters –

- Excessive concentration of student accommodation in the area;
- Car parking is insufficient, which may lead to road safety issues;
- Loss of existing trees
- Overshadowing/loss of daylight caused by the new building
- Impact on Old Aberdeen Conservation Area
- Design and materials not in keeping with context
- Noise arising from the depot will cause disturbance
- Poor air quality due to the proximity of the First depot
- Adverse impact on commercial operations within the First depot

The representations received also include a letter of support from First, confirming that alternative arrangements will be made within their depot for staff

car parking, and that disposal of this land will allow for investment in the existing business.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP)

Aberdeen City and Shire Strategic Development Plan (SDP)

Paragraph 3.9 recognises Aberdeen City as a strategic growth area and states a preference for development on brownfield sites.

Paragraph 3.20 emphasises the need for improvement of environmental quality and high quality design.

Aberdeen Local Development Plan

Policy I1: Infrastructure Delivery and Developer Contributions

Policy T2: Managing the Transport Impact of Development

Policy D1: Architecture and Placemaking

Policy D2: Design and Amenity

Policy D3: Sustainable Travel

Policy H2: Mixed Use Areas

Policy H3: Density

Policy R2 - Degraded and Contaminated Land

Policy R6 - Waste Management Requirements for New Development

Policy R7: Low and Zero Carbon Buildings

Proposed Aberdeen Local Development Plan

Policy D1 – Quality Placemaking by Design

Policy T2 – Managing the Transport Impact of Development

Policy T3 – Sustainable and Active Travel

Policy I1 – Infrastructure Delivery and Planning Obligations

Policy H2 - Mixed Use Areas

Policy H3 - Density

Policy R2 - Degraded and Contaminated Land

Policy R6 - Waste Management Requirements for New Development

Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency

Policy T5 - Noise

Supplementary Guidance

'Low and Zero Carbon Buildings'

'Transport and Accessibility'

Other Relevant Material Considerations

Student Accommodation Technical Advice Note (TAN)

Old Aberdeen Conservation Area Character Appraisal 2015

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

Principle of Student Accommodation Use

The Strategic Development Plan sets the spatial and economic strategies for the whole plan area – identifying strategic growth areas as well as areas for local growth and diversification. It also seeks to promote sustainable development - to reduce carbon dioxide production and adapting to the effects of climate change whilst maintaining and improving the region's built, natural and cultural assets.

The location of purpose-built student accommodation on an urban brownfield site, which is situated close to both Aberdeen University itself and the public transport routes serving Robert Gordon University, is consistent with the SDP's aims for new development to facilitate sustainable travel and promote the redevelopment of brownfield land. The site lies within an area identified as 'mixed use' in the adopted Aberdeen Local Development Plan (ALDP), with the applicable policy H2 stating that development in such areas must take into account existing uses and character of the surrounding area and avoid undue conflict. Where new housing development is proposed, that should not impinge upon the continued operation of existing businesses, and conversely non-residential development must not adversely affect the amenity of existing residential uses. Other ALDP policies of particular significance, which are summarised above, include D1 (Architecture and Placemaking); D2 (Design and Amenity); and D3 (Sustainable Travel). Also of relevance are policies I1 (Infrastructure Delivery and Developer Contributions) and H3 (Density). The relevant supplementary guidance documents relating to 'Transport and Accessibility' and 'Low and Zero Carbon Buildings' are applicable, along with the technical advice note on Student Accommodation.

Against this policy context, the determining issues in this case are whether the proposed development to provide a new block of 176 student bed spaces, with associated communal areas and parking:

- would be detrimental to the amenity of residential properties nearby;
- would detract from the character or appearance of the Conservation Area or the local mixed use area generally; and if so:
- whether the benefits of the proposed development would be sufficient to outweigh any likely adverse effects

Traffic Impacts, Access Arrangements and Car Parking

The proposed development is essentially a 'car-free' development, providing spaces on-site for staff and disabled access only. A separate student drop off point is also available. The applicants have agreed to make financial contribution towards the operation of a Car Club vehicle on Advocate's Road in order to offset the absence of on-site parking, which is an arrangement recognised as a suitable alternative by the Council's relevant 'Transport and Accessibility' supplementary guidance. This guidance highlights the Local Transport Strategy's aim to reduce the amount of unnecessary car use and dependency, stating that Aberdeen City Council will support and encourage low or no car housing, and recognising the contribution this can have towards sustainable development. This approach is not suitable to all sites and developments, however parking guidelines for student accommodation are significantly lower than for mainstream residential use, recognising lower car ownership among students. It is also of note that there are good public transport links near the site, the city centre is within reasonable walking distance and the university, which would attract a high proportion of trips, is within easy reach via sustainable means of travel. All of these factors contribute to ensuring that the need for car journeys is minimised. The presence of a Car Club vehicle for communal use will also allow for occasional car trips, further reducing the need for private car ownership. Taking account of these matters, it is concluded that this location lends itself well to a low-car approach, and would encourage sustainable travel, with provision made for Car Club facilities as an alternative to on-site car parking, consistent with the Council's Transport and Accessibility supplementary guidance and the associated policies T2 (Managing Transport Impact of Development) and D3 (Sustainable and Active Travel). It is noted that the reconfiguration of staff car parking within the bus depot site would involve all staff access being taken from King Street, with Advocate's Road no longer used for access to the depot.

Amenity and Privacy issues

The proposed building is arranged with a public face onto both King's Crescent and St Peter Street, with communal amenity space provided to the rear, private side of the building. Whilst the concerns raised by objectors are noted, including fears of over-provision of student accommodation in the surrounding area, these are considered not to be sufficient to refuse the current proposal in this highly accessible mixed-use area that includes a wide range of residential accommodation types. Separation from adjoining buildings is sufficient to ensure that there would be no undue loss of privacy as a result of the proposed development. Student accommodation developments generally do not generate the same demand for traditional 'gardens' as mainstream residential accommodation, and there is an acceptance that amenity spaces will generally be less extensive, particularly in higher density urban developments. In this regard the amenity space provided within the site is considered to be sufficient to serve the development, and is broadly consistent with other purpose-built student accommodation in the City. As regards noise arising from the First site, the Council's Environmental Health section has raised no concerns relating to the principle of the use, and recommends that a noise assessment be secured by condition. It is recognised also that the presence of the new building may act as a barrier between the First site and King's Crescent, providing a degree of both screening and acoustic buffering. The building would be sufficiently separated

from neighbouring buildings and residential uses to ensure that any shading caused would be at a level to be expected in an urban setting, and would be for limited periods during the day. Daylighting to nearby properties would not be adversely affected due to that separation. Taking account of these matters, it is considered that the proposal would achieve an appropriate standard of amenity for its residents, and would not result in any undue impact on the amenity of those in the surrounding area, nor preclude continued commercial operations within the existing depot. In this regard, the proposal is considered to accord with the aims of policies D2 (Design and Amenity) and H2 (Mixed Use Areas) of the ALDP.

Density

The proposed development is purpose-built student accommodation, and therefore not mainstream residential accommodation, however it would nevertheless be consistent with the aims of Policy H3, in that it achieves a minimum density of 30 dwellings/hectare (if each cluster of beds sharing communal facilities is considered a residential unit), and provides higher-density accommodation in a location which is highly accessible to both the universities it would serve and the city centre. Policy H3 recognises that it may be desirable to consider providing higher densities in the City Centre and around local centres and public transport nodes.

Design, Scale and Form of Development

The application site's current use as a car park serving the wider bus depot to the east contributes little to the character of the surrounding area, though it is noted that the granite boundary wall enclosing the site from King's Crescent and St Peter's Street possesses its own historic interest, having enclosed a granite merchant's yard that previously occupied the site. Provided this strong linear feature can be retained and sensitively incorporated into any redevelopment, new development on this site offers an opportunity for enhancement of the conservation area, subject to the new development being appropriate in form and content.

The proposal acknowledges the changing ground levels along King's Crescent and the character of the surrounding built form, with efforts made to demonstrate a gradual stepping in the height of the building. The siting of the building close up to the pavement edge is consistent with neighbouring buildings on this eastern side of King's Crescent, and its elevational treatment is broken down into distinct sections through the use of varied materials, with the aim of reducing massing and giving a degree of vertical emphasis to the long building frontage. Concerns raised by officers in relation to overall building height have been addressed through the removal of one floor of accommodation across much of the development. This provides a much more characteristic scale of development, which steps up from 3 storeys at its southern end, with a predominantly 4-storey frontage and a limited 5-storey element at the corner of King's Crescent and St Peter Street. It is noted that 4 storeys within a modern building is broadly comparable to 3 storeys in a traditional building, with the result that the building now sits comfortably alongside existing blocks. The western side of King's Crescent includes buildings of a lesser scale, however it is noted that at this

section of the street these buildings are set at a significantly higher level, and are well set back from the road, with a degree of screening provided by existing mature trees to the fore of their plots, so will not be seen prominently in the context of the proposed building.

As regards materials, the building would utilise stone cladding alongside timber linings and full-height glazing, with entirely glazed sections highlighting building entrances whilst also assisting in dividing the frontage into distinct sections. Alterations to the existing boundary wall are required, including the formation of new openings at building entrances, as well as limited areas of lowering and the installation of railings to retain the sense of a strong enclosing edge whilst allowing for increased daylight to ground floor windows. As noted in the response from Roads Development Management colleagues, a footway of 1.5m width is required at the development frontage, and there would be strong concerns if the existing footway was to be retained at its current sub-standard width. On that basis, a pinch point in the footway would be removed through minor re-positioning of the mid-section of the boundary wall, thus achieving the required width. Ideally the wall would be retained in its current form, however these works are relatively minor in nature and would allow for a safe pedestrian environment to be provided, suitable for all users.

The development plan states no requirement for the use of granite within Conservation Areas in all instances, and contemporary development on a site such as this offers an opportunity for alternatives to be considered. The proposed building would be afforded a degree of separation from its nearest neighbours due to the presence of St Peter Street and Advocate's Road, so the use of an alternative material as proposed would not provide the same obvious contrast as might otherwise be the case. On that basis, it is considered that the materials to be used are an appropriate contemporary response and are compatible with the site context and the more traditional buildings in the area.

Taking these points into account, it is concluded that the proposal demonstrates due regard for its context, in accordance with policy D1 (Architecture and Placemaking) of the ALDP, and that there would be no materially adverse impact on the character or appearance of the Old Aberdeen Conservation Area.

Trees

A total of 17no trees are identified in the submitted survey. These are predominantly located along the western site boundary, at the edge of the existing car park area. Many of these existing trees grow very close to boundary walls, in limited areas of soil, and their growth and prospects have been compromised as a result. This is reflected in their categorisation as category C trees, the condition of which ranges from poor to fair. Whilst it is recognised that the planning authority has a duty to consider and provide for the retention of existing trees where appropriate, these specimens are considered to be of limited quality individually. They do collectively make a contribution to the character of this part of the Conservation Area, offering a softer edge to this otherwise uncharacteristically open section of streetscape, however that same sense of enclosure could be achieved through the redevelopment of the site, and it is

considered that these trees are not of sufficient quality to warrant their retention at the expense of redevelopment.

Low and Zero Carbon Buildings

Supporting statements state that photovoltaic panels will be incorporated into the development at roof level, however detailed proposals have not been provided in support of the application, and it will therefore be necessary to attach a condition to any consent in order to obtain such details and to ensure installation of equipment prior to occupation.

Environmental Issues

The potential for site contamination has been identified by colleagues in the Council's Environmental Health section, and it is therefore appropriate to require that appropriate investigation and remediation works are carried out prior to any occupation of the site. Conditions are attached to the consent to address these matters. No concerns have been raised by Environmental Health colleagues in relation to air quality issues. It is noted that the development itself would not be responsible for any material impact on air quality, and existing emissions from the adjacent depot are not considered to preclude development in this location.

Student Accommodation Technical Advice Note (TAN)

The Council's Student Accommodation Technical Advice note is non-statutory planning advice, and does not enjoy the same weight in decision-making as the plan itself or its associated supplementary guidance, but nevertheless represents a material consideration in the planning authority's assessment. This TAN recognises that purpose built student accommodation is essential in contributing to the creation of sustainable communities in Aberdeen as such developments offer choice to students in the city. They help to relieve pressure on the local housing stock and pressures on Houses in Multiple Occupation (HMOs). The accessibility of this site has been previously addressed, with reference made to the close proximity of the Aberdeen University campus, the available bus services and the convenient location relative to the City Centre. It has also been established that the proposal would not result in undue conflict with adjacent properties or the general amenity of the area, and has been designed with due regard to its context. The submitted planning statement states that the scheme would be developed and subsequently owned, managed and maintained by Ardmuir, however a management plan can also be secured via use of a planning condition.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. 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 representation and are regarded as unresolved issues to be determined at the Examination; and
- the relevance of these matters to the application under consideration.

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis.

In relation to this particular application the policies listed below are of relevance.

Policy I1 – Infrastructure Delivery and Planning Obligations

Policy T2 – Managing the Transport Impact of Development

Policy D1-Quality Placemaking by Design

Policy T3 – Sustainable and Active Travel

Policy T5 – Noise

Policy H2 - Mixed Use Areas

Policy H3 – Density

Policy R2 - Degraded and Contaminated Land

Policy R6 - Waste Management Requirements for New Development

Policy R7 - Low and Zero Carbon Buildings and Water Efficiency

Policies I1, T2, T3, D1, H2, H3, R2, R6 and R7 substantively reiterate policies in the adopted local plan. Policy R7 introduces new requirements relating to the use of water saving technologies and techniques, stating that detailed requirements will be set out in supplementary guidance which, as yet, has not been published for consultation. On that basis, there is no detailed guidance on this issue, and no guidance against which to assess the proposal, therefore it cannot reasonably be considered that there is conflict with policy R7 of the proposed plan. The site remains zoned as part of a mixed use area, and the corresponding policy (H2 in both the adopted and proposed plans) is largely unchanged.

Policy T5 is a new introduction to the proposed plan, requiring that Noise Impact Assessment (NIA) be carried out where there is potential for significant exposure to noise as a result of development. Environmental Health colleagues have identified the potential for noise originating from the adjacent bus depot to cause disturbance, and so have recommended that a condition be used to require submission and agreement of a noise assessment, along with implementation of any recommended mitigation measures prior to occupation. Given the presence of many existing residential properties within similar distance of the depot, there is a reasonable expectation that mitigation will be possible, and compliance with this policy can be achieved.

Matters raised in representations and by local Community Council

The issues raised in relation to: trees; car parking and access; noise disturbance; scale, density and form of development; impact on the Old Aberdeen Conservation Area; and impact on existing amenity are addressed in the preceding sections of this report. As regards the continued operation of the bus depot, it is noted that First have submitted a letter stating their support for the

proposal. Beyond that, this is a mixed use area where there is a balance to be struck between residential amenity and existing commercial uses, however in this instance the bus depot is a well-established presence, and the proposed development is broadly comparable to other residential uses neighbouring the site. On that basis, it is concluded that these uses are sufficiently compatible within a mixed-use area. As regards over-provision of purpose-built student accommodation, it is noted that the Council's TAN recognises the importance this form of development plays in freeing up mainstream housing stock. The areas around the City's universities have traditionally had a higher concentration of students than most, and it is noted that purpose-built facilities such as this will not necessarily be indicative of an increase in that population, but rather a shift away from less formal historic arrangements. In general the market will determine whether there is demand for student accommodation, and the role of the planning authority will be in determining whether the concentration of purpose-built student accommodation in an area is at a level which represents a threat to amenity. At present, this is not considered to be the case, and it is reasonable that such a development is sustainably sited close to the university.

Conclusion

This proposal is compatible with the mixed-use zoning of the site, and proposes a contemporary built form which demonstrates due regard for its context. The site is conveniently located for Aberdeen University and local bus services, whilst also being within ready walking distance of the City Centre. Revisions to the scheme have resulted in an appropriate scale of development, which respects the surrounding built form and would not result in adverse impact on the character or appearance of the Old Aberdeen Conservation Area. On balance, the proposal is considered to accord with the provisions of the Aberdeen Local Development Plan, and no material considerations, including the content of the proposed local development plan, representations and consultation responses, have been identified that would warrant determination other than in accordance with the development plan, and it is therefore recommended that the application be approved subject to the conditions set out below.

RECOMMENDATION

Willingness to approve subject to conditions, but consent to be withheld until contributions towards the City Car Club have been secured

REASONS FOR RECOMMENDATION

The proposal demonstrates due regard for its context, and makes a positive contribution to its setting, as required by policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan (ALDP). The use would not result in any undue conflict with the adjacent land use and amenity, and represents an appropriate density of development, as required by policies H2 (Mixed Use Areas) and H3 (Density) of the ALDP respectively. The development provides appropriate staff and disabled car parking facilities, along with cycle parking and appropriate means of access. The provision of funding for a Car

Club vehicle is recognised as being an acceptable alternative to on-site parking, as required by policy T2 (Managing the Transport Impact of Development) and the associated 'Transport and Accessibility' supplementary guidance, and the site is highly accessible by sustainable means of travel, in accordance with policy D3 (Sustainable and Active Travel). An appropriate level of amenity would be created for residents of the development, as stated in policy D2 (Design and Amenity) of the ALDP, and any potential contamination connected to historic uses can be addressed through appropriate remediation works. Compliance with policy R7 (Low and Zero Carbon Building) of the ALDP and the associated supplementary guidance can be secured through condition. No material considerations, including the issues raised in representations or the content of the Proposed Aberdeen Local Development Plan, have been identified which warrant determination other than in accordance with the Development Plan.

CONDITIONS

(1) No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that 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
4. verification protocols to demonstrate compliance with the remediation plan

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

- (i) 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
- (ii) 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 authority that verifies that the remedial works have been carried out in full accordance with the remediation plan, unless the planning authority has given written consent for a variation.

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

(3) that no development pursuant to this planning permission shall take place nor shall the building be occupied unless there has been submitted to and approved in writing for the purpose by the Planning Authority an assessment of the noise levels likely within the building, unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full - in the interests of residential amenity.

(4) The building hereby approved shall not be occupied unless a scheme detailing proposals for the storage and collection of refuse generated on the site, including recycling facilities has been submitted to and approved in writing by the planning authority – and the provisions of that scheme shall be implemented in full at all times when the building is in use.

Reason: to promote sustainable principles and safeguard public health and residential amenity.

(5) No works in connection with the development hereby approved shall take place unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. All planting, seeding and turfing shall be carried out in accordance with the approved scheme during the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development are, in the opinion of the planning authority, dying or have been severely damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted.

Reason: to ensure the implementation of a satisfactory scheme of landscaping in the interests of the amenity of the site and the surrounding area

(6) The development hereby approved shall not be occupied unless the proposed carparking areas have been constructed, drained, laid-out and demarcated, all in accordance with drawing nos. PL-03 and PL-04-revD of the plans hereby approved or other such drawing as may be subsequently submitted and approved in writing by the planning authority. Thereafter, parking areas at lower ground floor level shall not be used for the parking of vehicles relating to the student accommodation, with surface level parking only utilised for that purpose. None of the units hereby approved shall be occupied unless the cycle storage facilities shown on drawing number 950-P-029-C have been implemented and are available for use.

Reason: to ensure public safety and traffic management of the area concerned and to encourage use of sustainable forms of transport.

(7) 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 within that scheme for the reduction of carbon emissions have been implemented in full - to ensure the building complies with the council's requirements regarding energy efficiency and carbon emissions.

(8) No development in connection with the permission hereby approved shall take place unless the full details of the proposed means of disposal of foul and surface water from the development have been submitted to and approved in writing by the planning authority. Unless otherwise agreed in writing by the planning authority, surface water shall be disposed of via the use of a sustainable urban drainage system and the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter at all times in accordance with the approved scheme - to ensure the provision of an adequate drainage system in the interests of the amenity of the area.

(9) No development in connection with the permission hereby approved shall take place unless details of all the materials to be used in the external finishes for the proposed development have been submitted to and approved in writing by the planning authority. The development shall be carried out in full accordance with the approved details - In the interests of the appearance of the development and safeguarding the visual amenity of the area.

(10) No development in connection with the permission hereby approved shall take place unless a detailed methodology for downtaking and reconstruction of the existing boundary wall, including details of the proposed railings and the re-siting of the existing march stone, has been submitted to and approved in writing by the planning authority. The development shall thereafter be carried out in full accordance with the approved details - In the interests of safeguarding the visual amenity of the area and preserving the character of the conservation area.

(11) No development, including downtakings, in connection with the permission hereby approved shall take place unless a detailed photographic record of the existing boundary wall has been submitted to and approved in writing by the planning authority - in the interests of recording the wall in its current condition and informing future assessment of proposals within the Conservation Area.

(12) The development hereby approved shall not be occupied unless provision has been made for the upgrading of the footway at the development frontage on St Peter Street and King's Crescent, in accordance with a scheme which has first been submitted to and approved in writing by the planning authority prior to the commencement of works- in the interests of safe pedestrian accessibility.

(13) That no development shall be undertaken pursuant to this grant of planning permission unless a scheme detailing the provision of a Car Club vehicle on Advocate's Road, along with associated lining and signage. Thereafter the

development shall not be occupied unless provision has been made in accordance with the agreed scheme – in order to provide an appropriate alternative to on-site residents' car parking.

(14) That the development hereby approved shall not be occupied unless a Travel Plan has been submitted to and agreed in writing by the planning authority, including details of a Travel Pack to be provided to residents of the development – in the interests of encouraging sustainable travel.

(15) That the development hereby approved shall not be occupied unless a Management Plan relating to the operation of the approved student accommodation facility has been submitted to and agreed in writing by the planning authority, and thereafter is managed in accordance with the details so agreed – in the interests of preserving residential amenity and managing vehicle traffic associated with the development.

INFORMATIVE

1. In order to protect residents of the surrounding properties from any potential noise nuisance from the proposed demolition and building works, demolition and construction should not occur:

[a] outwith the hours of 0700 –1900 hours, Monday-Friday inclusive;

[b] outwith the hours of 0800-1600 hours on Saturdays; and

[c] at any time on Sundays, except for works inaudible outwith the site application site boundary.

The applicant should contact this Service at an early stage and before construction work has started to discuss the proposed means of noise control.