

Planning Development Management Committee

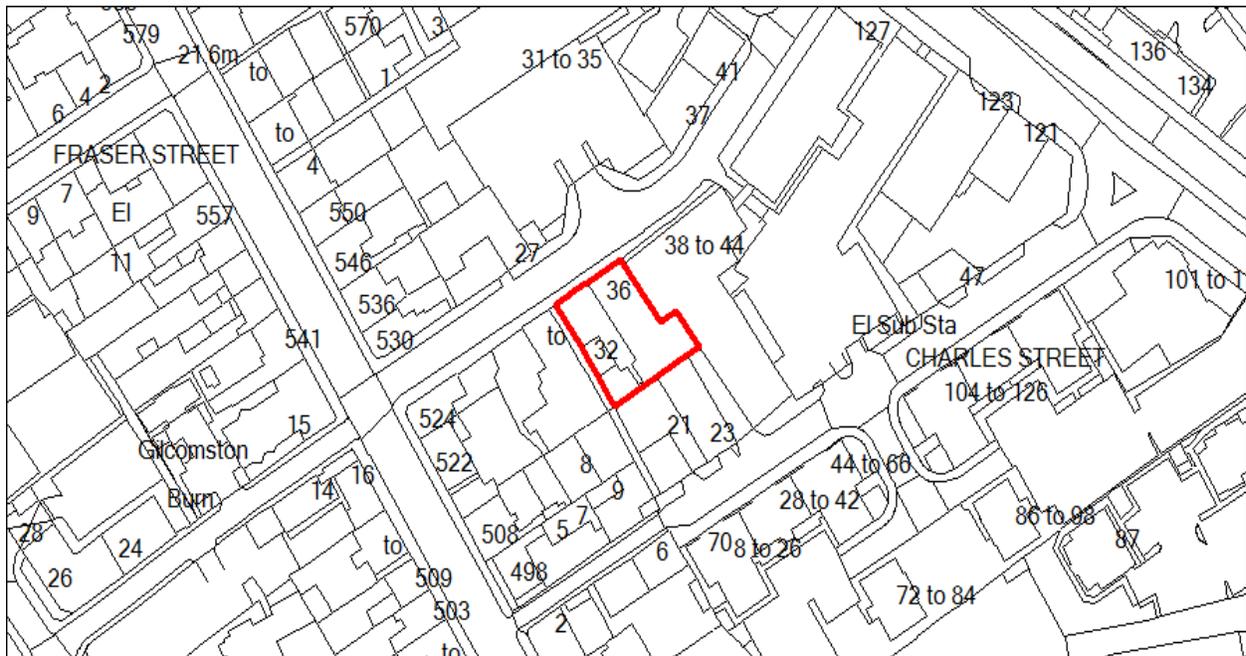
32-36 FRASER PLACE, ABERDEEN

CHANGE OF USE AND REDEVELOPMENT OF SITE TO FORM 12 RESIDENTIAL UNITS.

For: Deefield Ltd

Application Type : Detailed Planning Permission
Application Ref. : P150901
Application Date: 08/06/2015
Officer: Nicholas Lawrence
Ward : George Street/Harbour (M Hutchison/J Morrison/N Morrison)

Advert : Not required
Advertised on: Not applicable
Committee Date: 17.03.2016
Community Council : Comments received



RECOMMENDATION:

Willingness to conditionally approve subject to a legal agreement covering: affordable housing; car club contribution; education payment; community hall payment; and sport.

APPLICATION SITE

The site is roughly rectangular in shape totalling some 468 sq meters in area, situated at a mid point on Fraser Place, between George Street and Powis Place and currently occupied by a builders merchant.

Bounded to the north by Fraser Place; east by an office complex (i.e. Lord Cullen House); south by commercial premises that front onto Charles Street and tenement buildings; and east by Charles Place a passageway that links Fraser Place with Charles Street. The wider area sees a mixture of uses, albeit mainly residential.

Sustainably located with a full range of employment, educational, commercial and cultural uses readily accessible by means of transport other than the 'single owner' private motor car.

In terms of designations; it falls within a mixed use area as set out in the Aberdeen Local Development Plan 2012 and constitutes previously developed land (i.e. a brownfield site).

RELEVANT HISTORY

None relevant

PROPOSED DEVELOPMENT

Planning permission is sought for the erection of a purpose built apartment building comprising: 12 flats, amenity space, together with associated car parking and operational areas.

Living accommodation is on floors 1-4, with each flat having access to balcony areas; whereas the ground floor provides the principle entrance to the building, operational areas, secure internal cycle parking and access to car parking for 9 cars plus 1 disabled space and 2 motorbikes.

The scheme also proposes the widening of Charles Place, which it is somewhat intimidating and, this public realm improvement coupled with the development will make it more welcoming and provide passive surveillance of the area.

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=150901>

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

- Design and Access Statement.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because the Community Council object. Accordingly, the application sits outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No objection subject to appropriate conditions.

Environmental Health – No observations.

Developer Contributions Team – Contributions required in respect of affordable housing, education, community facilities and sport.

Communities, Housing and Infrastructure (Flooding) – Questions if short period flooding events have been checked.

Community Council – Object to this development in principle- *this development does nothing to maintain the mixed commercial and residential zoning of the area and excessive height*

REPRESENTATIONS

1 letter of representation objecting to the proposed development for following reasons:

- Lack of parking spaces; and
- Height of the building

PLANNING POLICY

Aberdeen Local Development Plan

- I1 Infrastructure Delivery and Developer Contributions
- T2 Managing the Transport Impact of Development
- D1 Architecture and Placemaking
- D2 Design and Amenity
- D3 Sustainable and Active Travel
- NE6 Flooding and Drainage

Proposed Aberdeen Local Development Plan

- D1 Quality Placemaking by Design
- D2 Landscape
- I1 Infrastructure Delivery and Planning Obligations
- T2 Managing the Transport Impact of Development
- T3 Sustainable and Active Travel
- CF1 Existing Community Sites and Facilities
- NE6 Flooding, Drainage and Water Quality

National Policy and Guidance

- Scottish Planning Policy
- Creating Places
- PAN75 Planning and Transport
- PAN 78 Inclusive Design

EVALUATION

MAIN ISSUES

It is considered that the main issues at hand are; firstly, the principle of the development; and secondly, if acceptable in principle whether the application in its detailed form harms the character and appearance of the area. Both issues have regard to the provision of the development plan and other material considerations.

PLANNING POLICY FRAMEWORK AND MATERIALITY

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1990, as amended (the Act) requires that proposals shall be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

In this instance the Development Plan comprises the Aberdeen Local Development Plan (ADLP), together with a suite of that was adopted by the Aberdeen City Council (the Council) on the 29th of February 2012.

Materiality is set, in part, by the Proposed Aberdeen Local Development Plan (PALDP). Whilst the PALDP has yet to undergo independent scrutiny and is not a statutory part of the Development Plan it has been adopted by the Council as constituting a material consideration in the decision-taking process and therefore must be accorded appropriate weight.

At the national level other material considerations include, albeit not limited to, Scottish Planning Policy; Creating Places and Planning Advice Notes 75 and 78 (*Planning for Transport* and *Inclusive Design* respectively).

ASSESSMENT OF MAIN ISSUES

Principle of the Development

The Site constitutes a mixed use area as set out under policy H2 of the ADLP, which will permit residential development provided such development takes into account the existing uses and character of the surrounding area.

The principle of the proposed use therefore accords with the provisions of the Development Plan provided the aforementioned factors are taken into account.

Affect upon the Character and Appearance of the Area

ALDP policy D1 addresses the matter of context and looks for development to come forward that reflects and improves the character of the area and its visual amenity, whilst securing a high quality of design. Regard to context is also set out in the SPP (i.e. under the heading *policy principles*) and *Creating Places*.

In this instance the area does not display the dominance of a singular use and the immediate area around the Site reflects this eclectic nature (i.e. office, light industrial and commercial uses, including the PDSA and residential development). There is a greater intensification of residential development from George Street and beyond. Therefore the proposed development would compliment rather than harm the character of the area.

With regard to form and presence, policy D1 of the ADLP in common with Government advice all accede that planning system should not be prescriptive or stifle innovation in the visual appearance and design of development. In this instance the proposed development adopts a simple block form that draws design and height reference from the adjoining office complex (i.e. Lord Cullen House) and is a style of development that occurs elsewhere in the area.

In terms of amenity, the development encompasses a series of balconies and the use of these amenity areas will not impact upon the occupiers of other properties in the immediate or wider area, whilst also providing amenity to the future occupants of the development.

OTHER ISSUES

Transportation and Parking

The Roads Development Management Team are of the view that the level of parking meets the parking requirements, inclusive of a contribution for the provision of a car club space and are supportive of the application subject to the following conditions:

1. Provision of dropped kerbs;
2. Upgrading of the footway and Charles Place as shown on the drawings;
3. Provision of the parking spaces shown in the submitted drawing 1981-Rev G;
4. Reinstatement of existing vehicular access;

5. Provision of visibility spacy as shown on submitted drawing 1981_06; and
6. SUDS requirements and drainage statement.

Flooding

The comments of the flooding team regarding short period events can be addressed by way of a planning condition, requiring that a scheme sets out any required mitigation.

Developer Obligations

The Developer Obligations team have stated that the scheme attracts contributions towards: affordable housing; education (provide additional capacity at Skene Primary School); community halls (i.e. The Catherine Street Community Centre); Sport and Recreation (i.e. contributions towards Aberdeen Sports Village or the Beach Leisure Centre), all secured by way of legal agreement. The same agreement can also address the car club contribution.

RECOMMENDATION

Willingness to conditionally approve subject to a legal agreement covering: affordable housing; car club contribution; education payment; community hall payment; and sport.

REASONS FO RECOMMENDATIPN

The proposed development by reason of its function, form and design coupled to the promotion of sustainable urban travel complies with policies I1 (Infrastructure Delivery and Developer Obligations); T2 (Managing the Transport Impact of Development); D1 (Architecture and Placemaking); D2 (Design and Amenity); D3 (Sustainable and Active Travel); NE4 (Open Space Provision in New Development); NE6 (Flooding and Drainage); R6 (Waste Management Requirements for New Development) of the Aberdeen Local Development Plan 2012; together with advice contained within Scottish Planning Policy; Creating Places; and Planning Advice Notes 75 and 78 (Planning for Transport and Inclusive Design) respectively.

CONDITIONS

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

1

Notwithstanding the approved drawings no development shall take place beyond the erection of the superstructure until full details of the materials to be used in the construction of the external surfaces have been submitted to and approved in

writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and in the interest of the visual amenity of the area to comply with policies D1 and D2 of the Aberdeen Local Development Plan 2012

2.

No part of the development hereby approved shall be occupied until the cycle parking facilities shown on drawing no. 1981-01 rev G have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to the development at all times.

Reason: In the interest of promoting and securing sustainable modes of transport and to comply with policy D3 of the Aberdeen Local Development Plan 2012

3.

Notwithstanding the approved drawings no part of the development hereby approved shall be occupied until precise details of the materials including specification and colour and the permeability of hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be completed prior to the occupation of any part of the development.

Reason: In the visual and public realm interest of the development and in the interest of flood management to comply with policies D1, D2, D5 and NE6 of the Aberdeen Local Development Plan 2012.

4.

Prior to the occupation of any part of the development hereby approved the access and visibility splay as shown on Drawing No. 1981-06 rev B shall be constructed in full accordance with the design standards of the Aberdeen City Council.

Reason; To ensure a satisfactory means of access is provided and in the interest of road safety

5.

Notwithstanding Drawing No. 15-6-1 no part of the development hereby approved shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard landscaping, means of enclosure and planting of the development.

Reason: To enhance the appearance of the development in the interests of the visual amenity of the area and to comply with policies D1 and D2 of the Aberdeen Local Development Plan 2012

6.

All planting, seeding or turfing comprised in the agreed scheme of landscaping shall be carried out prior to the occupation of any part of the development; and any trees or plants which within a period of 5 years from first occupation of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species. All hard landscaping and means of enclosure shall be completed before any part of the development is occupied.

Reason: To enhance the appearance of the development in the interests of the visual amenity of the area and to comply with policies D1 and D2 of the Aberdeen Local Development Plan 2012

7.

No development shall commence until a SUDS scheme together with an assessment of short period flooding events and any necessary mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The agreed schemes shall be completed before any part of the development hereby approved is first occupied.

Reason: In the interests of flood prevention and to comply with policy NE6 of the Aberdeen Local Development Plan 2012.

8.

Prior to the occupation of any part of the development hereby approved is first occupied details for the reinstatement of the access and footway in front of the existing access shall be submitted to and agreed in writing by the Local Planning Authority and the agreed details shall be completed prior to the occupation of any part of the development hereby approved.

Reason: In the interest of the visual appearance of the development and for pedestrian and road safety reasons.