

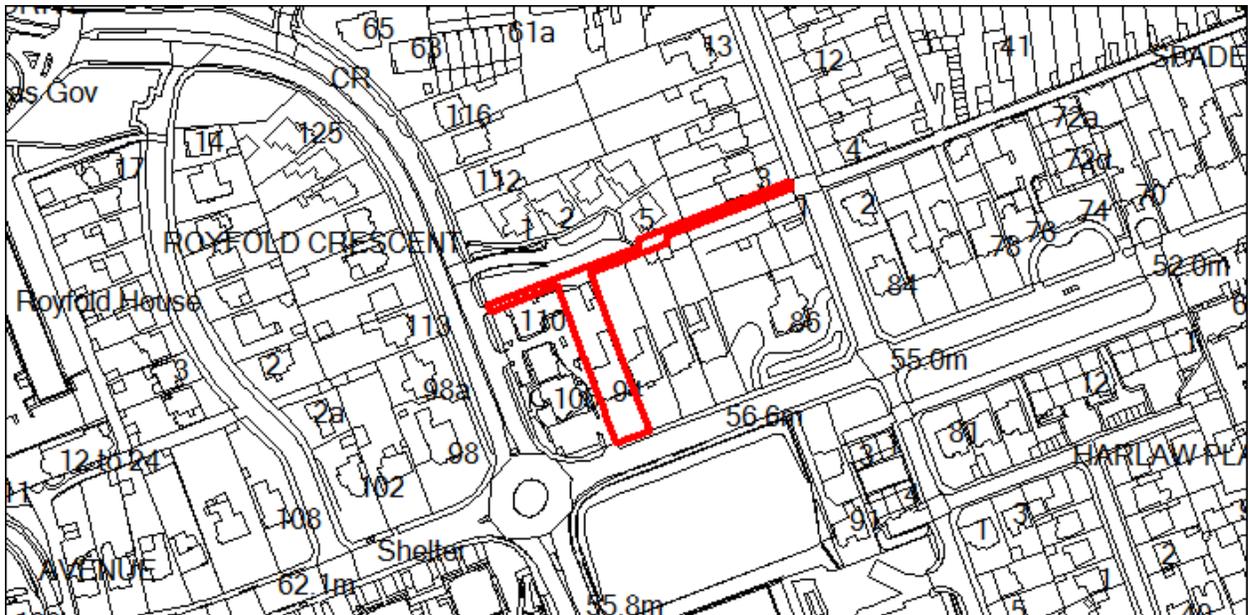
Planning Development Management Committee

94 QUEEN'S ROAD, ABERDEEN

CHANGE OF USE FROM RESIDENTIAL TO
CLASS 4 OFFICES EXTENDED CAR PARKING
TO REAR.

For: Monden Offshore Services

Application Type : Detailed Planning Permission	Advert : Section 60/65 - Dev aff
Application Ref. : P151795	LB/CA
Application Date: 12/11/2015	Advertised on: 02/12/2015
Officer: Paul Williamson	Committee Date: 1 June 2016
Ward : Hazlehead/Ashley/Queens Cross(M	Community Council : Comments
Greig/J Stewart/R Thomson/J Corall)	



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The property is located within the Albyn Place/Rubislaw Conservation Area and is a Category B Listed Building. George Coutts designed in 1899; the property is a 2-storey, plus basement and attic, 3-bay villa. The construction includes rough-faced coursed grey granite, and Aberdeen bond granite rubble to remainder. There are predominantly timber sash and case windows with decorative upper sashes, and metal secondary glazing to exterior. The roof is of piended grey slate roof formation with lead flashings, and the property also benefits from cast-iron rainwater goods.

In respect of the interior, features of note include: a stained glass flanking inner door; panelled doors, decorative architraves; skirting boards, cornicing and some moulded ceilings; timber fireplace survives; turned balusters to stair; stained glass stair window.

At the frontage of the site are square-plan gate piers, with a low coped rough-faced wall between, with rubble walls to remaining boundaries. There are currently two narrow vehicular openings at present with a looped tarmac driveway (and associated parking area), with a central grassed area and single landscaped garden. The side boundary walls are approximately 1.5 metres in height and constructed from granite rubble with a granite cope.

To the rear of the building, adjacent to the lane running between Bayview Road, and Anderson drive, is a sizeable domestic garage. It is finished with a white painted render and a corrugated sheet to the roof. The height is approximately 3.5 metres to roof ridge. The majority of the remaining rear area is laid out mature garden ground which is partially terraced. A number of coniferous trees existing along the western boundary of the site, although some also existing to the east towards 92 Queen's Road. The boundaries to the east and west are formed by granite rubble walls with brick coping of approximately 1.5 metres in height.

RELEVANT HISTORY

85/0123 – Formation of Vehicular Access from Rear of 94 Queen's Road to Anderson Drive – Approved conditionally on 28 February 1985. The solitary condition stated “that the use of the lane is restricted to use in connection with the residential property at 94 Queen's Road only - in order to preserve the amenity of the neighbourhood”.

P131115 – Detailed Planning Permission for Change of use from Residential (Class 9) to Class 4 (Offices) and associated car parking – Application was withdrawn on advice from Planning Officer. At that time, it was not considered that appropriate marketing of the premises for continued residential use had been

undertaken, and therefore the principle of the change of use had not been established.

P131116 – Listed Building Consent for alterations to property to allow for a change of use from Residential (Class 9) to Class 4 (Offices) and associated parking – Withdrawn in light of the above circumstances.

UPDATE FOLLOWING PLANNING DEVELOPMENT MANAGEMENT COMMITTEE ON 18 JUNE 2015

Following the Members decision of 21 April to undertake a site visit to the application site, it was also necessary to undertake a re-notification of the proposal to the relevant neighbours. The period for the receipt of valid representations expires on Wednesday 25 May. However, at the time of writing, a further 17 letters of objection had been received, in addition to those listed below. Of these representations, 3 were from parties who had already previously made timeous submissions

In most part, the matters raised reiterated the points made previously, and largely related to: road and pedestrian safety matters; the principle of the development; impacts on the character of the area, and upon residential amenity.

The only new matters raised related to (responses in italics):

- The incorrect notification of neighbours, and need to undertake the process again – *this has been subsequent undertaken;*
- No Transport Impact Assessment has been carried out – *the scale of the proposal is significantly below the threshold for such assessment;*
- Loss of Garden for Car Parking being contrary to Guidelines – *the provision of such parking areas is not precluded in the Council's relevant Supplementary Guidance relating to Transport and Accessibility;*
- No provision is made for access for emergency vehicles – *this is not a required consideration as part of this planning application;*
- Potential overspill parking onto Bayview Road – *No objection has been received by Roads Officers, and that area is already located within the Controlled Parking Zone;*
- Flood Risk due to surface water – *No observations were received from the Council's Flooding Team. Generally, Sustainable Urban Drainage Systems in such circumstances can be adequately controlled by planning condition;*
- Lack of a Waste Management Plan – *As the proposal would be for a commercial enterprise, it would be the occupants responsibility to ensure that adequate trade waste collection arrangements are made privately; and*
- The proposal cannot be implemented due to land ownership constraints – *this is a private matter, and for the resolution of the applicant. If they are unable to resolve any land ownership issues then the likelihood is that any planning permission could not be implemented.*

PROPOSAL

This application seeks planning permission for the following works:

- The conversion of the entire existing building from residential use to Class 4 offices;
- The demolition of the existing garage, and the formation of a new car park to the rear for 16 no. cars (with porous surfacing), with provision also made for cycle storage within the existing building; and,
- The removal of approximately 23 trees within the rear garden area.

Details of all the above works are provided in more detail under the discussion element of this report.

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=151795>

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 as it is being recommended for approval and has been then subject of formal objection by the local Community Council within whose area the application site falls, and it has been the subject of six or more timeous letters of representation (following advertisement and/or notification) that express objection or concern about the proposal – representing a significant level of opposition to any local development proposal. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No objections. The proposals would result in a shortfall of two car parking spaces. Recommends conditions are attached in respect of the follow matters:

- Provision and delineation of the car park as per the submitted plan;
- The provision of the proposed one way system which has been accepted by Transport Scotland shall require the promotion of a new Traffic Regulation Order by the applicant, and appropriate signage (all at the cost of the applicant);

- A scheme for the TRO shall require to be to the specification of the Traffic Management;
- Removal of gates and sunken traffic plates;
- SUDS details; and
- A Green Travel Plan

Environmental Health – No observations

Communities, Housing and Infrastructure (Flooding) - No observations

Transport Scotland - Advise that conditions should be attached to any planning permission in respect of the following matters:

- A one-way traffic management system, as agreed for withdrawn Application No. P131115 (and shown on sketch attached to this response) is to be implemented.
- A speed bump at the approach to the exit is to be installed.
- The walls at the exit are to be lowered to 1m high to provide driver visibility of the pedestrian footway adjacent to the exit (1m back and 1m along the trunk road in both directions).
- The Operating Company are to be contacted regarding the timing and installation of the left turn only sign to be erected on the trunk road central reserve.

Queens Cross and Harlaw Community Council – Object to the proposal on the followings grounds:

- Approving this application will erode residential amenity and immediately drastically change the area into a busy noisy unpleasant neighbourhood divided in two by a dangerous narrow lane for cars; this is completely at odds with Local Development Plan policy H1.
- Not only will cars be continuously passing along the back lane to the new offices and car park but also a rat run will open up to any vehicles who want to dodge the often long tail backs on Queen's Road.
- The community council would like clarification as to how the changes to the lane such as removal of the gates which at the moment keep the lane quiet and prevent it being used as a rat run would be paid for.
- The proposal is at odds with Scottish Planning Policy which directs Local Authorities to support patterns of development that provide safe and convenient opportunities for walking and cycling.
- At present a number of properties are being marketed within the West End Office Area including: 70 Queen's Road, 9 Queen's Road and 20 Queen's Road which would suit the proposed occupier's requirements.
- Houses continue to sell in the area whereas, as evident from the above, there is huge competition trying to sell office space in and around Aberdeen with little or no demand for new office space. It is contended that the property has not been marketed for a suitable time at a sensible price to justify a change of use from residential to office.
- A building such as this is better retained as a house (even divided into flats).
- Queen's Cross Community Council have had to feel the impact of office and commercial interests changing the environment of our previously predominantly residential area. Office and commercial interests such as Chester Hotel are fast changing our neighbourhood to the detriment of many of our residents.

- The community council would also recommend a close inspection of the other objections to this planning application as the individuals making various different points can see and understand better a different personal perspective of the impact this planning application will make. As a result of these possible changes their amenity will be diminished and the enjoyment of their property reduced; this is at odds with Local Development Plan policy H1 and also SPP.

REPRESENTATIONS

11 letters of representation were received in respect of this application, albeit with two letters being submitted by one individual. Thus eight letters objected to the proposals, and two letters were in support. Of the eight letters of objection, the vast majority utilised (either in part or in whole), the exact same wording, with many received from properties outwith the direct vicinity of the application site. The objections raised relate to the following matters –

- Contrary to the Local Development Plan and SPP;
- Contrary to the Supplementary Guidance relating to the redevelopment of residential curtilages in that it has a presumption against development which is alien to the density, character and pattern of development in the residential area;
- Rear lane was divided in two as part of the Earls Court redevelopment. The proposal would create vehicular conflict, increase waiting times, and oppose a significant hazard to both pedestrians and vehicles;
- The rear lane is used by children to play in;
- No transport impact assessment or waste management plan have been submitted:
- Car parking will dominate the space to the rear, be detrimental to the setting of the Listed Building, and to the character of the Conservation Area;
- The property is outwith West End Office area, and the proposal would erode the character and amenity of the area;
- Potential anti-social hours of operation;
- The development would reduce privacy of adjacent residents;
- Existing trees covered by a TPO would be lost, which adds to the landscape setting of the area;
- The applicant has failed to demonstrate the need for the proposal, and has not marketed the existing property properly as a going concern;
- Contests that a flatted development would affect the buildings integrity;
- The proposal would detract from the objective of the City Centre Masterplan; and,
- The proposal lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance.

In respect of the letters of support, they highlighted the following points;

- The sheer scale of the property is well beyond the means of a typical family;
- The nature of the conversion is desirable in terms of safeguarding the property in a viable manner;
- The use would exist happily in this location without any loss of amenity to surrounding property, as evidenced by surrounding commercial properties;
- An adjacent office premise at 88 Queen's Road recently benefitted from permission for the provision of a substantial rear car park without any detriment to the surrounding area;
- The proposal would be a good alternative to the many unsustainable edge of town office spaces which continue to be built across the City.
- The flatted market in Aberdeen is already saturated

Matters raised in the representations which are not material planning considerations include:

- Increased traffic will impact on privacy
- Intensification of the lane and associated maintenance costs
- Potential overspill parking into adjacent private land
- This part of Queen's Road should be part of the West End Office Area.

PLANNING POLICY

Scottish Planning Policy (SPP)

The replacement SPP was published in June 2014. It outlines national planning policies which reflect Scottish Ministers priorities for the operation of the planning system and for the development and use of land. Of the principle policies listed, it identifies a presumption in favour of development that contributes to sustainable development. The subject policies also break down the policy areas further in highlighting:

- Supporting business and employment; and
- Valuing the historic environment.

SPP introduces a presumption in favour of development that contributes to sustainable development. Paragraph 28 highlights that "the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve development in the right place".

The policy principles relating to valuing the historic environment acknowledges that the planning system should "enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced".

Specifically, it states within paragraph 141 that "change to a listed building should be managed to protect its special interest while enabling it to remain in active

use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting, and any features of special architectural or historic interest”.

Scottish Historic Environment Policy (SHEP)

Scottish Ministers want to:

- make the best use of the historic environment to achieve their wider aims of economic and social regeneration; and,
- identify the many aspects of our environment and protect and manage them in a sustainable way to secure their long term survival and preserve their embodied energy

The policy of the Scottish Ministers is that:

- actions taken in respect of Scotland’s historic environment should secure its conservation and management for the benefit and enjoyment of present and future generations;
- there should be a presumption in favour of preservation of individual historic assets and also the pattern of the wider historic environment; no historic asset should be lost or radically changed without adequate consideration of its significance and of all the means available to manage and conserve it;
- 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.

Scottish Ministers Policy on Listed Building Consent is to presume against works that adversely affect the special interest of a listed building or its setting.

Paragraph 3.35 states “The majority of listed buildings are adaptable and have met the needs of successive generations while retaining their character. Change should therefore be managed to protect a building’s special interest while enabling it to remain in active use. Each case must be judged on its own merits but in general terms, listing rarely prevents adaptation to modern requirements but ensures that work is done in a sensitive and informed manner”. It further goes on to state within paragraph 3.48 that “Where a proposal involves alteration or adaptation which will sustain or enhance the beneficial use of the building and does not adversely affect the special interest of the building, consent should normally be granted”.

Aberdeen City and Shire Structure Plan

The Strategic Development Plan outlines objectives towards encouraging economic growth, and sustainable development. It further stipulates that new development should maintain and improve the region’s important built, natural and cultural assets.

Aberdeen Local Development Plan

The site falls within a wider area allocated for H1 (Residential Areas) purposes in the adopted Aberdeen Local Development Plan.

Policy H1 Residential Areas

Policy T2 Managing the Transport Impact of Development

Policy D1 Architecture and Placemaking

Policy D3 Sustainable and Active Travel

Policy D4 Aberdeen's Granite Heritage

Policy D5 Built Heritage

Policy NE5 Trees and Woodlands

Proposed Aberdeen Local Development Plan

Policy H1 Residential Areas

Policy D1 Quality Placemaking by Design

Policy D4 Historic Environment

Policy D5 Our Granite Heritage

Policy T2 Managing the Transport Impact of Development

Policy T3 Sustainable and Active Travel

Policy NE5 Trees and Woodlands

Supplementary Guidance

Subdivision and Redevelopment of Residential Curtilages

Transport and Accessibility

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

SPP/SHEP

At the outset, it is acknowledged that the general stance of the Scottish Ministers and Historic Environment Scotland, is to presume against works which affect the special character or features of a historic asset. In this instance, the parallel application for Listed Building Consent (Ref: 151796) for the demolition of the

modern garage within the site shall be the subject of separate detailed consideration on its own merits. The works necessary to accommodate a commercial use are unlikely to require an application for Listed Building Consent in their own right.

As such, this application, deals with the principle of the proposed change of use, and the potential localised inputs either to the wider character of the area, or that of the Albyn Place/Rubislaw Conservation Area.

The most suitable use for a listed building is the one for which it was designed. As planning authority, there is a duty to consider applications that are submitted, on their own merits. At the time of the previous application in 2013, it was considered that insufficient evidence of the adequate marketing of the property for continued residential use had been undertaken. As such, the applicant withdrew the planning application to undertake a more detailed exercise in that regard.

The property has been marketed both publically and via the ASPC since March 2015, with no noted interest. Admittedly, the asking price is high, although this is a very substantial and prominent property in the heart of the West End. Nonetheless, while not a policy requirement, it has been deemed to be adequately marketed. In parallel, is the consideration of the alternatives to the retention of the building for use as a single dwelling. The use as flats would on first impression appear logical. However, the measures and alterations which would be necessary to accommodate this include provisions for fire separation, which could require significant amendment to and potential loss of architectural features which the building possesses. This could include cutting across or severing the existing stained glass window to the eastern gable of the property.

The submitted alternative to accommodate office use requires minimal interventions to the building, and would see a continuing beneficial use provided, examples of which are already present within the locale. In turn, this would allow significant economic benefits from the commercial perspective, and create additional quality office accommodation just outwith the West End Office area.

The other works including the alterations to the rear garden which is already significantly paved and the formation of the car park, are to an appropriate standard to this listed building, and its position within the Albyn Place/Rubislaw Conservation Area.

The Aberdeen Local Development Plan has a number of policies that are relevant to varying degrees, and each are considered in turn below.

Policy H1 (Residential Areas)

The Policy notes that within existing residential areas, proposals for non-residential uses will be refused unless:

- 1) They are considered complementary to residential use; or
- 2) It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

In this instance, the adjacent properties on Queen's Road on either side of the application site are both in residential use as flats, with No, 92 being a conversion, and the former Earl's Court Hotel to the west was converted and the subject of significant new build elements. The size of the host building itself, limits the level of occupation that can ultimately be achieved for office use. Furthermore, Class 4 office uses can generally be carried out in residential areas without any detrimental impact on the character or amenity of the adjoining residential uses. While the conversion of part of the back garden (about an additional 7 metres across the majority of the width in addition to the notable level of hardstanding already), would see the introduction of a parking area. However, a rear car park for 16 cars and the associated movements, in comparison to the significant usage of Anderson Drive, and Queen's Road at the frontage of site, are negligible, particularly in the respect of associated noise and amenity impacts. Such parking areas are not uncommon in the general area, and as such, would not be considered to have a significant detrimental impact on residential amenity or character as a result. This would therefore not be alien to the existing character of the area, and also takes cognisance of the requirements of the Supplementary Guidance relating to the Splitting of Residential Curtilages.

The proposed use would utilise the existing envelope of the building, and would see no new extensions necessary. As such, the existing window openings would also be utilised, and no new overlooking or privacy issues would arise as a result, thus accordingly with the principles of Policy H1 of the Adopted Local Development Plan.

Policies T2 (Managing the Transport Impact of Development) and D3 (Sustainable and Active Travel)

It is acknowledged that the use of the rear lane would intensify as a result of the development. Many properties along both Albyn Place and Queen's Road utilise rear lane access, often along narrow lanes such as proposed in this instance. Following analysis of the submission, Transport Scotland and Roads Officers have confirmed their acceptance of the proposals. While providing a total of 20 car parking spaces, this would be a shortfall of only two spaces when assessed against the extant car parking standards. Given the excellent linkages to a number of public transportation services, and by walking/cycling, such a shortfall is considered acceptable in this instance.

Accordingly, a number of planning conditions have been requested between Transport Scotland and Roads Officers which relate to the provision of the one way access system from Bayview Road and associated traffic calming measures; the promotion of the TRO; the provision and delineation of the car park; and the lowering of the walls adjacent to the egress onto Anderson Drive. The applicant has indicated that such works can take place on land within their control. In addition, a condition is also necessary for the provision and agreement of a Green Travel Plan prior to the occupation of the converted premises. This shall ensure that appropriate targets and objectives for sustainable transportation are set, and ultimate measured.

Policy D1 (Architecture and Placemaking)

It is considered that the proposals have taken account of the quality and special features of this Category B listed building, and the wider Albyn Place/Rubislaw Conservation Area. The proposal has taken account of its setting and would for all intents and purposes appear exactly the same from the principal viewpoints. The historical layout and function would still be evident, while the rear garden area would be simplified and de-cluttered, with the removal of the existing garage, and dominant coniferous trees along the boundaries. The provision of the formal hardstanding would be reflective of many of the surrounding feus within the surrounding area. As such, it is not considered that any visual detriment would arise as part of the proposals.

Policy D4 (Aberdeen's Granite Heritage)

Conversion and adaptation of granite buildings will be favoured. As such, the property shall be given a new lease of life, with a quality finish, which shall see a beneficial use being introduced.

Policy D5 (Built Heritage)

It states that proposals affecting Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

It is considered that the proposal follows the principles established by the above Scottish Government policy background. While the building is occupied, it has been on the market for over a year. Consideration must therefore be given to ensure that it has a long term and viable future as part of an alternative use for commercial purpose. It is not considered that the proposal to convert the premises to office use, nor the expanded parking area would have an adverse impact on the character or appreciation of the building in its curtilage. However, in order to accord with the Supplementary Guidance relating to Transport and Accessibility, and in particular the guidance relating to the creation of rear car parking areas, a condition can be utilised to require further details of a new enclosure to the car park, which would better reflect the character of the area, and the original curtilage/feu layout. As such, the proposal is in accordance with Policy D5 Built Heritage of the Local Development Plan.

Policy NE5 Trees and Woodlands

A suggestion was made within one of the letters of objection that all of the trees on site are covered by a Tree Preservation Order. However this assertion was incorrect, as it is only the trees along the frontage that form part of TPO No. 13, and those trees are to remain as part of the proposals. Notwithstanding this, the trees are afforded some protection given their location with the Conservation Area, and there separate consent would be required for their felling. However, the species of fir which would be lost to the rear are not considered to be particularly appropriate for this location, and could ultimately destabilise the adjacent listed wall. As such, their removal would be beneficial in the short term, and would also allow for greater light to spill into the remaining rear garden of No. 94, and potentially adjacent neighbours as well. While the proposal would result in the loss of trees on site, it should be noted that those trees are not considered to contribute positively to the landscape character of the area not that of the

Conservation Area, and therefore the proposal would not be at odds with Policy NE5 of the Adopted Local Development Plan.

Matters raised in representations

In respect of matters raised in the representations above which have not already been addressed:

- While representations suggestion that there is an ample provision of office premises in the City and surrounding area, the commercial viability of the proposal is at the risk of the applicant. It is unlikely that any permission would be implemented unless an occupier was identified. As such, the property could still be occupied as a dwelling until any permission was implemented (and which would be subject to the standard limitation of being implemented within 3 years of the date of decision)
- Contrary to the content of the representations, the rear lane was not divided in two as part of the Earls Court redevelopment. The lane was sub-divided in the mid nineteen nighties, whereas the Earls Court development was carried out around 15 years later.
- The matter of children playing in the rear lane, has not been raised as a potential safety concern by Roads Officers. Notwithstanding, the level of traffic would be relatively low both in the terms and associated speeds.
- In respect of the cross reference to PAN 78 (Inclusive Design) and PAN 68 (Design and Access Statements), it is considered that the applicant has met the necessary requirements of legislation in providing supporting information.
- While the City Centre Masterplan is a relevant consideration, the aspiration therein to promote employment uses in the city centre, would not outweigh the primacy of the Local Development Plan, which would not preclude an office development in a residential area, if there was no detriment to existing residential amenity.

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 of the Proposed Local Development Plan, largely reflect those within the Adopted Local Development Plan. Therefore there are no material considerations which would outweigh the policies of the extant Development Plan.

Summary

As noted above, at the time of writing, a total of 17 additional letters of representation have been received. The content of those objections, have not altered the recommendation in this instance. While complex, it is considered that there is a potential design solution in order to access the proposed development. In order to be able to implement a permission, if granted, it would be the responsibility of the applicant to ensure that the necessary permissions of owners, and parallel consents are obtained. These would require the submission of further information to the Council, and statutory consultees for their approval, before any development work could commence on site.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal to convert the existing flatted properties into Class 4 offices is considered to be an appropriate use within this part of the residential area, which already contains office uses without undue conflict with adjacent residential properties. Following a period of marketing, the applicant has demonstrated that the continued use for residential purposes is no longer in demand, and that the new use can be accommodated with a minimal level of intervention to the host listed building, and the wider character of the Albyn Place/Rubislaw Conservation Area.

Furthermore, a solution has been developed to ensure that from the road and pedestrian safety perspective satisfies statutory consultees, on a site that is also well connected to the public transportation network, and walking routes.

As such, the proposals are considered to be in accordance with Policies H1 Residential Areas, T2 Managing the Transport Impact of Development, D1 Architecture and Placemaking, D4 Aberdeen's Granite Heritage, and D5 Built Heritage of the Aberdeen Local Development Plan (2012).

CONDITIONS

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

(1) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 1197-1002 Rev A 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 ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(2) That no development shall take place unless there has been submitted to and agreed in writing by the planning authority in liaison with Transport Scotland schemes for:

- i) A one-way traffic management system, as agreed for withdrawn Application No. P131115 (and shown on the sketch plan appended to the TS response).
- ii) A speed bump at the approach to the exit.
- iii) The walls at the exit are to be lowered to 1m high to provide driver visibility of the pedestrian footway adjacent to the exit (1m back and 1m along the trunk road in both directions).
- iv) The Operating Company are to be contacted regarding the timing and installation of the left turn only sign to be erected on the trunk road central reserve.

Thereafter the development shall not be occupied unless the said improvements have been implemented in full - To minimise interference with the safety and free flow of the traffic on the trunk road, and to ensure the safety of pedestrians on the trunk road footway.

(3) That the development hereby granted planning permission shall not be occupied unless a scheme to promote the external access improvements including At Any Time Waiting Restrictions, and associated Traffic Regulation Order (TRO) in accordance with drawing no. A/13827-900 Rev 3 hereby approved, has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - To ensure the safety and free flow of the traffic, and to ensure the safety of pedestrians.

(4) That the development hereby granted planning permission shall not be occupied unless there has been submitted to and approved in writing a detailed Green Transport Plan, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides 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.

(5) 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.

(6) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(7) that no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the Planning Authority, details of site and plot boundary enclosures (including the proposed retaining wall, and the provision of a new granite wall/railings to the car park boundary) for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety - in order to preserve the amenity of the neighbourhood, and the character of the Conservation Area.

(8) 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 further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the 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.

(9) that no development shall take place unless a plan showing those trees to be removed and those to be retained and 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.

(10) that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the

planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.

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