

Planning Development Management Committee

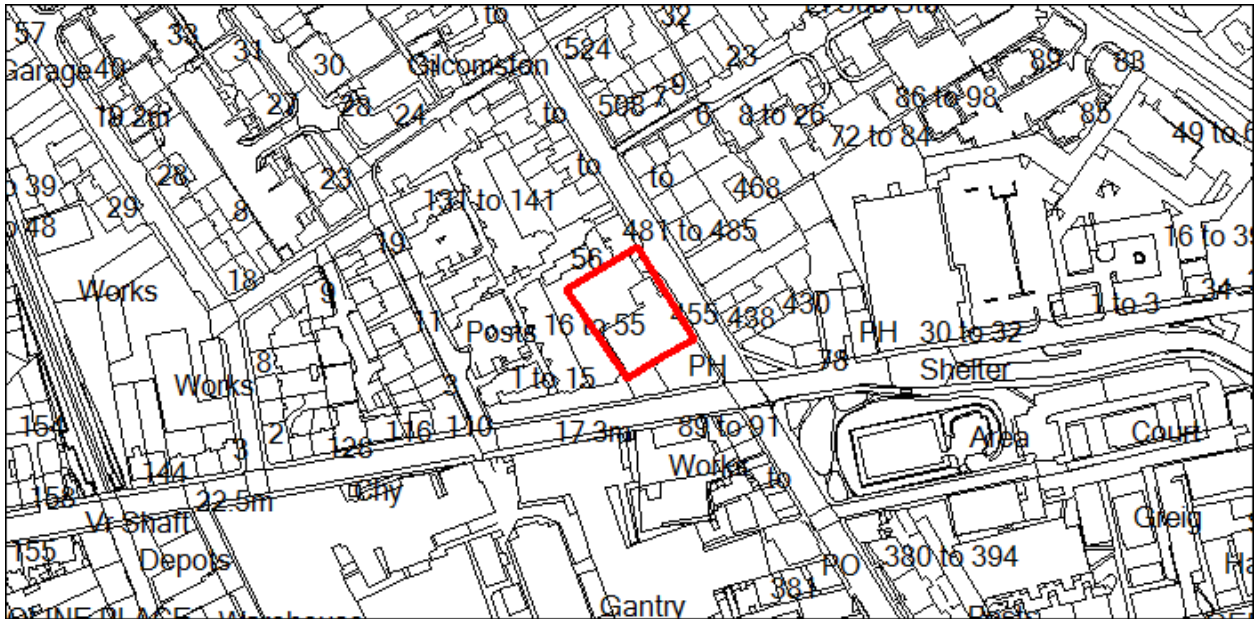
455 GEORGE STREET, ABERDEEN

DEMOLITION OF EXISTING BUILDING AND
ERECTION OF 6 STOREY STUDENT
ACCOMMODATION BUILDING, PARKING AND
LANDSCAPING.

For: McLaren (Aberdeen) Limited

Application Type: Detailed Planning Permission
Application Ref.: P151588
Application Date: 05/10/2015
Officer: Andrew Miller
Ward: George Street/Harbour (M Hutchison/J Morrison/N Morrison)

Advert: None
Advertised on: N/A
Committee Date: 01/06/2016
Community Council : Comments



RECOMMENDATION:

Willingness to approve subject to the developer entering into a legal agreement to secure developer obligations towards open space and the City Car Club.

DESCRIPTION

The site comprises a vacant building (formally occupied by a car parts retailer), associated yard and car park. It is situated on George Street, on the north western corner of its intersection with Hutcheon Street. Extending to some 1660 sq metres, with vehicular access to/from George Street. The surrounding area contains a mix of uses: largely residential to the north and west, with retail and other commercial uses to the south and east.

RELEVANT HISTORY

None.

PROPOSAL

The development of student accommodation, with associated amenity space to the rear. Comprising a single building containing: 134 bed spaces within studio apartments; communal areas; and associated office accommodation, etc.

A T-shape footprint, with the main elevation to George Street reaching 6 stories, though stepping down to 4 and 5 storey at the north and south ends respectively. To the rear would be a wing with an initial 5 storey element, dropping down to a single storey. Externally finishes see a mix of stone, brick and render.

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=151588>

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

The supporting documents provided with the application are as follows:

- Transport Statement
- Market Analysis and Development Review
- Sustainability Statement
- Planning Statement
- Daylight and Sunlight Report
- Noise Impact Assessment
- Flood Risk Assessment
- Student Management Plan

- Design Statement
- Contaminated Land Assessment

REASON FOR REFERRAL TO COMMITTEE

More than five (nine) in time letters of representation have been received and George Street Community Council has objected. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No objections – sufficient parking can be provided on street (two spaces – incl. one disabled) in this highly accessible location well served by public transport.

Contaminated Land – Condition to be placed requiring contaminated land survey to be undertaken.

Developer Contributions Team – Contributions sought towards Open Space and Sports and Recreation.

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

George Street Community Council – Object on following basis:

1. No pre-application consultation with the Community Council;
2. Overdevelopment of the site, with too many units;
3. Adverse impact on daylight to surrounding properties;
4. New access to George Street is too close to Hutcheon Street junction;
5. Insufficient disabled parking and potential impact on traffic at busy periods (e.g. start and end of academic year). Residents will park in surrounding residential areas;
6. Lack of light to amenity area;
7. High quality materials should be used;
8. Concern at provision of roof gardens and potential impact on neighbours;
9. Communal space in development should remain as such and any additional units would be unacceptable;
10. Flooding issues due to culverted burn;
11. Developer obligations should be paid toward the upgrade of the ball court at Catherine Street;
12. Distance between the development and neighbouring properties should not decrease;
13. Provision should be made for a future connection to a district heating network; and
14. Some close neighbours were not notified and did not have time to make comment on the proposals.

The following matters raised by the Community Council are not material planning considerations and cannot be taken in to consideration in determination of the application:

- Flat roofs attract seagulls;

- Multiple lifts required; and
- Local residents are in the area all year round where as student are not.

REPRESENTATIONS

Objections relate to the following matters:

1. Overlooking and loss of privacy;
2. Loss of natural light to neighbouring flats;
3. Adverse impact on parking in surrounding area;
4. Too much student accommodation in the area;
5. Too much student accommodation being proposed in the area/ across the City at a time when student numbers are falling;
6. Not close to the universities or College;
7. Building is too high and out of keeping with surroundings;
8. Impact of construction works on neighbouring residents;
9. No other five storey buildings on George Street; and
10. Noise and other anti-social behaviour from the development.

The following matters raised are not considered to be material planning considerations:

- Developers taking money away from local landlords;
- Will rent prices be regulated;
- No agreement between students and accommodation provider will stop them having cars;
- If the development were for main stream residential development it would not be acceptable; and
- Loss of view.

PLANNING POLICY

Aberdeen Local Development Plan

H2 – Mixed Use Areas

RT3 – Town, District and Neighbourhood Centres

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

R2 – Degraded and Contaminated Land

R6 – Waste Management Requirements for New Development

R7 – Low and Zero Carbon Buildings

Supplementary Guidance

Technical Advice Note – Student Accommodation
Transport and Accessibility Supplementary Guidance

Proposed Aberdeen Local Development Plan

H2 – Mixed Use Areas

NC6 – Town, District, Neighbourhood and Commercial Centres

D1 – Quality Placemaking by Design

D3 – Big Buildings

I1 – Infrastructure Delivery and Planning Obligations

T2 – Managing the Transport Impact of Development

T3 – Sustainable and Active Travel

NE6 – Flooding, Drainage and Water Quality

R7 – Low and Zero Carbon Buildings, and Water Efficiency

CI1 – Digital Infrastructure

Other Relevant Material Considerations

None

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.

The main considerations in this instance relate to: the principle of the development; design and siting; impact on the surrounding area; servicing arrangements (including parking/access); and drainage.

Principle

Located within the George Street Neighbourhood Centre, a Mixed Use Area, both as designated in the ALDP.

In respect of neighbourhood centres, associated policy RT3 seeks to ensure the principle retail function of such areas is retained. In this instance, the existing use is non-retail (car parts warehouse, considered to fall within Class 6) with the proposed use going to a quasi-residential use. Accordingly the redevelopment of the site would not undermine the principle retail function of the area and is considered to accord with RT3.

In respect of the wider ALDP designation as a Mixed Use area, policy H2 seeks to ensure new uses are compatible with existing neighbouring uses. Here the proposal would not conflict, given the primary surrounding uses are residential,

with retail and other commercial uses found on George Street. The proposals are therefore considered to satisfy the requirements of H2.

Design and Siting

Policy D1 seeks to ensure new development is designed and sited with due consideration for its context. In respect of its footprint, whilst relatively large in terms of site coverage, this is comparable with the surrounding plots/context. Areas of enclosed private amenity space are provided to the rear and are considered to provide a suitable level of external amenity, both in terms of outlook and use. The studio rooms would each have at least one floor to ceiling window, offering a suitable level of amenity to each room. It is noted that there are rooms on each floor with a window to a recessed area, though the provision of a larger windows and a southerly aspect is considered to offer suitable outlook and daylighting to residents.

Relative to the height, overall the 6th storey would be comparable to the tenement building to the south (containing the Butchers Arms Public House at ground floor level). The building steps down to 4 stories to the north, adjacent to lower residential flats on George Street, whilst the rear wing would drop down to a single storey. In this form and context the height of the building, although being a significant change to the scale of the existing warehouse, relates well to surrounding buildings.

The principal elevation to George Street would be broken up by using different materials in a vertical arrangement, which reflects the surrounding width and variety of buildings in the locality. No detailed information has been provided in respect of the material finishes, as such a condition requiring their submission and approval is recommended.

Taking account of the above, it is considered the building marries in with the adjacent buildings on George Street and can be adequately accommodated within the streetscape. The proposals are therefore considered to comply with policy D1.

Impact on Surrounding Area

Here consideration must be given to: overshadowing; impact on daylight/sunlight to surrounding residential uses; and privacy considerations. Policy H2 seeks to ensure no significant impact on the amenity of existing uses. Relating to overshadowing and loss of daylight/sunlight, the application has been accompanied by a daylight and sunlight report with tests undertaken in accordance with Building Research Establishment (BRE) standards.

During the course of consideration the proposals were amended with a reduction in footprint and height of the rear wing from 5 to single storey, due to concerns relating to the impact on the surrounding area in terms of overshadowing, loss of daylight and sunlight. As regards overshadowing, the impact of the development on the amenity areas of neighbouring properties, and that proposed as part of the

development, would exceed the BRE minimum standards. All properties surrounding the development also passed the BRE standards in respect of sunlight.

Relating to daylight, BRE testing considers a loss of daylight of more than 20% to be a “fail” (20% being the level at which a loss of daylight becomes noticeable to occupants). However the criteria notes that such standards are designed for suburban areas and flexibility should be applied in built up city centres and historic areas. In this case some ground floor windows in neighbouring properties fail, though these were at marginal figures slightly above 20%, with rooms already having poor daylight levels that would fail to meet BRE standards at present. However, given the current situation and dense urban context these results are not considered significantly negative or particularly noticeable.

Sufficient separation between the development and surrounding buildings is afforded, with separation between windows exceeding the minimum 18 metre recommended distance.

In light of the above considerations, the impact of the development on surrounding neighbouring properties is considered to be acceptable, satisfying the requirements of policy H2 in respect of amenity considerations.

Parking and Access

Policy T2 and the associated Transport and Accessibility Supplementary Guidance seeks to ensure suitable parking provision for new development. Here the access from George St to the site will be closed, presenting the opportunity for on-street parking along the frontage. This could see the creation of two on-street parking bays, one of which is for disabled drivers to ensure good accessibility. Otherwise the principle of zero-parking provision is considered acceptable on the basis that the site is in a location highly accessible to the city centre and public transport and can be controlled by parking restrictions in the immediate locality. A contribution towards the City Car Club is to be sought given the zero parking provision as part of the development. Roads Development Management confirm this.

An area for the storage of bicycles has been indicated as part of the submission, though no specific scheme has been provided. A condition requiring a scheme to be submitted for approval is recommended.

Drainage and Water

Policy NE6 seeks to ensure surface water is appropriately drained. Surface water would be discharged via stone filter trenches and porous paving to the nearby culverted Gilcolmstoun Burn to the west. Foul drainage would discharge to public sewers. In respect of the requirements of NE6, the proposed drainage means are considered acceptable.

Waste

In relation to waste, policy R6 seeks to ensure development has suitable refuse arrangements. No specific arrangements for the bins are provided, though an area has been identified in the rear north western corner. ACC Waste Services have requested that the mix of bins should be agreed and a condition to this effect is recommended. In light of this, the proposals are considered to accord with policy R6.

Low and Zero Carbon Buildings

Policy R7 states that all new buildings must install low and zero-carbon generating technology to reduce predicted carbon dioxide emissions in line with standards contained in the associated Supplementary Guidance. The Sustainability Statement provided with the application states compliance with policy R7 given updates in building standards, though no specific evidence has been provided to this effect. A condition requiring submission of these details is recommended.

Developer Obligations

Obligations have been sought towards open space provision and sports and recreation. In order to secure these obligations, a legal agreement is recommended.

Matters Raised by Community Council

Matters raised by the Community Council are outlined as follows with a response provided to each:

1. There was no pre-planning consultation with the Community Council.
 - As the development does not fall within the 'major' category, there was no requirement for the applicant to undertake pre-application consultation with the Community Council.
2. Overdevelopment of the site with too many units.
 - Consideration is given to this under Design and Siting above, which accepts the scale of development proposed.
3. Adverse impact on daylight to surrounding properties.
 - Consideration is given to this under Impact on Surrounding Area above, which accepts the proposals in this regard.
4. Proximity of new access to George Street and Hutcheon Street junction.
 - No vehicular access is now proposed, with Roads Development Management raising no objections to the application.
5. Insufficient disabled parking and potential impact on traffic at busy periods (e.g. start and end of academic year). Residents will park in surrounding residential developments.
 - Two disabled parking bays can provided on street, otherwise as there are parking controls in place and no on-site parking proposed it is not considered that there would be significant impact on the local traffic profile.

- The zero parking arrangement is considered acceptable given the accessible location close to the City Centre, and proximity to public transport. The surrounding area is also a controlled parking zone which will limit impacts, even at move in/out dates. Any parking in private parking facilities is a matter for the owners of such facilities to control.
6. Lack of light to amenity area
 - The provision of light to the amenity area is considered acceptable, complying with BRE standards.
 7. Need to use high quality materials on development.
 - The detail of materials is to be controlled by condition.
 8. Concern at provision of roof gardens and potential impact on neighbours.
 - Roof gardens will not be accessible to residents.
 9. Communal space in development should remain as such and any additional units would be unacceptable.
 - Noted – a condition is to be placed limiting the number of studios. Any amendment will require to be considered via a separate planning application.
 10. Flooding issues due to culverted burn.
 - It is considered the development will not result in an increase in flooding in the surrounding area and the surface water drainage from the site is the most suitable in terms of SuDS principles.
 11. Developer obligations should be paid toward the upgrade of the ball court at Catherine Street.
 - Developer Obligations are identified to offset a particular impact of a development on infrastructure, in this case it is not advised that there would be any significant impact as a result of the development on this particular facility.
 12. Distance between the development and neighbour properties should not decrease.
 - Any subsequent change to the scheme would most likely have to be subject to a further grant of consent.
 13. Provision should be made for a future connection to a district heating network.
 - As part of the recommended condition on low and zero carbon buildings, the means of heating the development will be submitted to the Council for further consideration. Future connections for connections to a district heating network could be retrofitted should a network were developed in the area, though this would be a matter for the developer should that scenario ever arise.
 14. Some close neighbours were not notified and did not have time to make comment on the proposals.
 - All neighbours within a 20 metres radius of the site were notified by the Council. Wider pre-application consultation with the community was not a statutory requirement.

Matters Raised in Representations

1. Overlooking and loss of privacy

- Consideration is given to this under Impact on Surrounding Area above and the development is considered acceptable in this regard.
2. Loss of natural light to neighbouring flats
 - Consideration is given to this under Impact on Surrounding Area above and again the proposals are considered acceptable.
 3. Adverse impact on parking in surrounding area
 - Parking provision is limited to two parking bays on-street and is considered acceptable given the accessible location close to the City Centre, in close proximity to public transport. The surrounding area is also a controlled parking zone.
 4. Too much student accommodation being proposed in the area/ across the City at a time when student numbers are falling.
 - Whilst there has been an increase in the number of new student accommodation developments coming forward, market forces will dictate the overall level/ provision of student accommodation in Aberdeen.
 5. Not close to the universities or College.
 - The accommodation is within close proximity of North East Scotland College, and within walking distance of the University of Aberdeen.
 6. Building is too high and out of keeping with surrounding area.
 - Consideration is given to this under Design and Siting and the proposals are considered of an acceptable scale.
 7. Impact of construction works on neighbouring residents.
 - Whilst there will be some disruption from construction works on neighbours, this is to be reasonably expected with any construction work and will be limited to the construction phase. Other legislation can control any issues of statutory nuisances.
 8. No other five storey building on George Street.
 - Each application is assessed on its own merits and consideration in respect of height massing is given under Design and Siting. It should also be noted that consideration should be given to height, massing and scale, rather than simply number of stories, which can see significant variation in floor to ceiling heights depending on the age of building and style of construction.

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 this instance the proposals substantively reiterate those of the adopted plan and as such no further consideration is considered necessary in this instance.

RECOMMENDATION

Willingness to approve subject to the developer entering into a legal agreement to secure developer obligations towards open space and the City Car Club.

REASONS FOR RECOMMENDATION

The redevelopment of the site for student accommodation is considered to be a suitable use compatible with neighbouring land uses and is considered to be designed, sited and serviced at a level appropriate to the amenity of the surrounding area. Accordingly, the proposals are considered to accord with relevant policies of the Aberdeen Local Development Plan 2012 and associated Supplementary Guidance.

Insofar as they are relevant, the proposal accords with policies contained in the Proposed Aberdeen Local Development Plan 2015.

CONDITIONS

1. That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.
2. That no development shall take place unless a scheme for the provision of two on-street parking spaces has been submitted to and approved by the Council. Thereafter, the development shall not be occupied unless the parking spaces have been provided in accordance with the approved scheme – in order to ensure the delivery of on-street parking spaces in a timeous manner and the interests of road safety.
3. That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a detailed scheme of hard and soft landscaping for the site, which scheme shall include indications of all terraces proposed as part of this development, green walls, 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.
4. 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.
 5. That the development hereby granted planning permission shall not be occupied unless a scheme detailing cycle storage provision for 60 cycles in a secure, lockable facility 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 the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the Planning Authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full. - To ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'
 7. That no development shall commence unless details of the external plant room as shown in drawing number PL-03D hereby approved have been submitted and approved in writing with the Council – in order that full consideration can be given to those details lacking from the submission.

INFORMATIVES

Further discussion on providing parking on-street and possible use of parking permits for staff at the student accommodation requires contact with ACC Traffic Management – Vycki Ritson 01224 522704 or vritson@aberdeencity.gov.uk.