

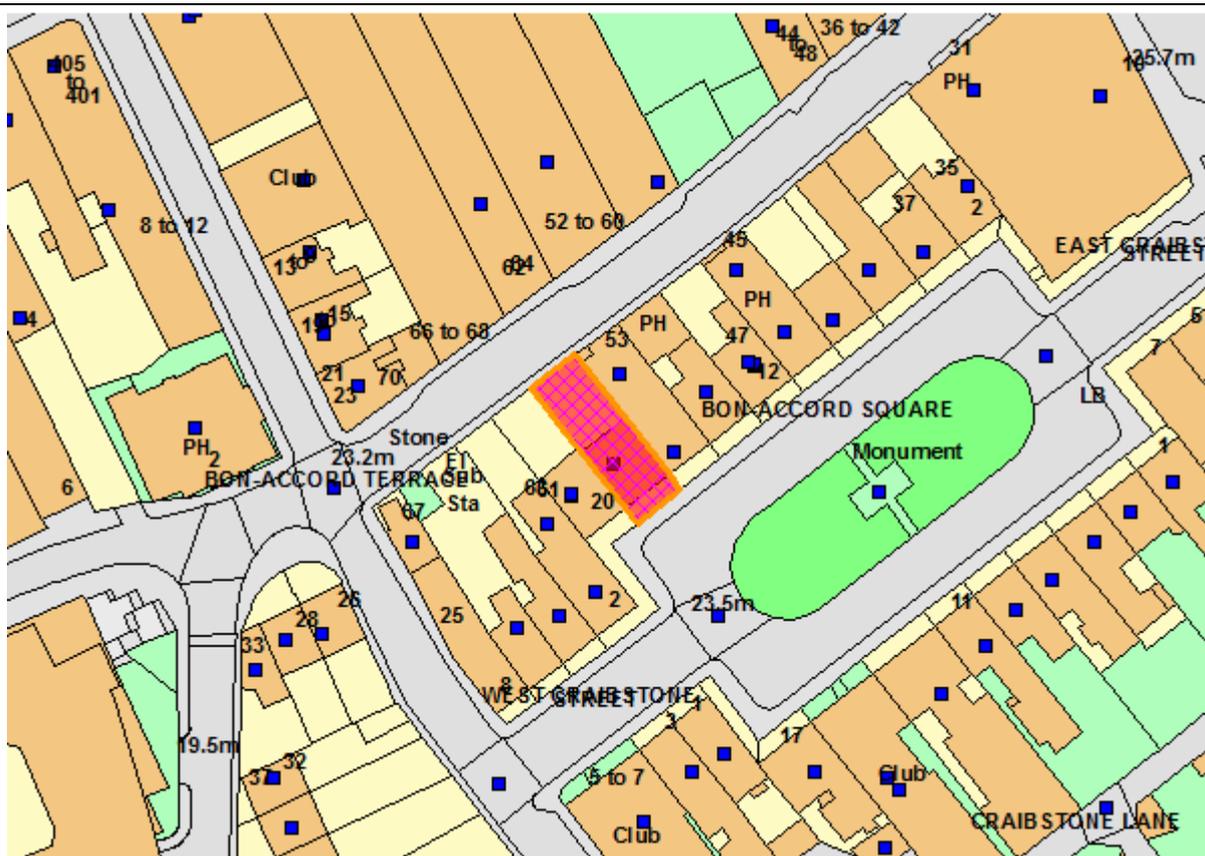


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 18<sup>th</sup> January 2024**

<b>Site Address:</b>	18 Bon-Accord Square, Aberdeen, AB11 6DJ.
<b>Application Description:</b>	Change of use from class 4 (office) to class 7 (guest house)
<b>Application Ref:</b>	231179/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	26 September 2023
<b>Applicant:</b>	CAJ UK PVT LIMITED
<b>Ward:</b>	Torry/Ferryhill
<b>Community Council:</b>	City Centre
<b>Case Officer:</b>	Gavin Clark



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The application site comprises a mid-terraced property set over 4 levels, including attic and basement, on the northern side of Bon-Accord Square. This forms part of a traditional granite-built category 'B' listed terrace and is located within the Bon Accord Crescent/ Crown Street Conservation Area. The building is currently vacant but was last used as office accommodation. The rear curtilage is surfaced with tarmac and used as a car park, which is accessed via Langstane Place.

In terms of the surrounding area, the neighbouring premises at 16 Bon-Accord Square is in residential use, split into three flats at ground, first and attic floor level, with the adjacent property at 20 Bon Accord Square in office use (as a solicitors office). In terms of the wider area, there are a mixture of office and serviced accommodation (the Craibstone Suites are located at 15 Bon-Accord Square). To the rear, on Langstane Place are a number of public houses, restaurants and student accommodation and to the front is an area of landscaped open space with areas of car parking.

### **Relevant Planning History**

None

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

The proposal seeks detailed planning permission for a change of use of the premises from an office (Class 4) to guest house (Class 7). No external alterations to the property are proposed. Internally, the proposal would include six bedrooms located at basement and ground floor level, office and housekeeping facilities at first floor level and a dining area, lounge and laundry at second floor level. The proposals would also include five parking spaces and waste storage facilities, which would be accessed via Langstane Place (to the rear).

### **Amendments**

Further information has been submitted since the application was originally validated including a site plan, floor plans and a planning statement along with further information to address comments received from colleagues in Roads Development Management and Waste Management. Neighbour re-notification was carried out on the 14<sup>th</sup> November 2023.

### **Supporting Documents**

All drawings and supporting documents listed below can be viewed on the Council's website at: <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S1J4T4BZFZF0>

- Planning Statement

## **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because an objection has been received from the City Centre Community Council. Consequently, the proposals fall outwith the Scheme of Delegation.

## **CONSULTATIONS**

**ACC - Roads Development Management Team** – note that five parking spaces are proposed and there would be no shortfall in parking provision on site, as this would remain unchanged. Also note waste and collection methods are to remain as existing. Confirmed that they have no objection to the application.

**ACC - Environmental Health** – no objection/ observations.

**ACC - Waste and Recycling** – have no objection to the proposals following the submission of amended plans and clarification on the waste collection method. Their response will be discussed in greater detail in the evaluation section of this report.

**City Centre Community Council** – object to the application for the following reasons: visual impact and incompatibility with uses in the surrounding city centre area; inadequate waste management plan; lack of parking and impact on the surrounding road network; insufficient details provided on the submitted floor plans and elevations; impact on local infrastructure; and impact on residential amenity.

## **REPRESENTATIONS**

The proposals have been subject to one letter of objection. The matters raised can be summarised as follows:

1. Overprovision of guest houses in the surrounding area and queries in relation to potential occupants on potential short term letting basis.
2. Floor plans have not been submitted to indicate proposed facilities and an indication should be provided in regards to the number of occupants.
3. A Fire Safety Plan should be submitted in support of the application.
4. Insufficient parking and inadequate spaces provided within the curtilage of the site.
5. Queries in relation to how waste would be managed.
6. The proposals would be detrimental to the area.

## **MATERIAL CONSIDERATIONS**

### **Legislative Requirements**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any 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 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character and setting of listed buildings and the character and appearance of conservation areas.

### **Development Plan**

## National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1: Tackling the climate and nature crises
- Policy 2: Climate mitigation and adaptation
- Policy 3: Biodiversity
- Policy 7: Historic assets and places
- Policy 9: Brownfield, vacant and derelict land and empty buildings
- Policy 12: Zero waste
- Policy 13: Sustainable transport
- Policy 27: City, Town, Local and Commercial Centres
- Policy 30: Tourism

## Aberdeen Local Development Plan (2023)

- H2: Mixed Use Areas
- VC1: Vibrant City
- D6: Historic Environment
- R5: Waste Management Requirements for New Development
- T2: Sustainable Transport

## **Aberdeen Planning Guidance**

- Transport and Accessibility

## **Other Material Planning Considerations**

- City Centre Masterplan (CCMP)

## **EVALUATION**

### **Principle of Development**

In terms of the principle of development, the site is allocated as H2 (Mixed Use Areas) in the ALDP 2023 which advises that applications for change of use within such areas must take into account the existing uses and character of the surrounding area and avoid direct conflict with adjacent land uses and amenity. In addition, development should not affect the amenity of people living and working in the area. Policy VC1 (Vibrant City) of the ALDP 2023 advises that proposals for new development, or expansion of existing activities, in the city centre, which support its vibrancy and vitality throughout the day and/or into the evening will be supported in principle.

In terms of NPF4, Policy 27 advises that *“development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported.”* Policy 30 (Tourism) of NPF4 is also considered to be of relevance, as this policy advises of issues that need to be considered in relation to such developments, including compatibility with surrounding uses, the contribution to the local economy, the impact on communities, opportunities for sustainable travel, accessibility and access to the natural environment.

The City Centre Masterplan (CCMP) identifies culture and tourism as contributing towards the vitality and vibrancy of the city centre, particularly in terms of creating visitor attractions and events that bring people into the city centre, comprising both local residents and tourists from further afield. In order to facilitate tourism in the city centre, it is important to ensure that a variety of different types of tourism accommodation are available, and guest houses are one such type of accommodation that is attractive to certain tourists or business travellers. It is therefore considered that the provision such accommodation within the city centre is compliant with the vision for the city centre as set out in the CCMP, and that the accommodation would likely provide wider benefits to the city centre hospitality sector, including the evening economy. Therefore, the proposed change of use is generally compliant with the requirements of Policies 27(a) of NPF4 and VC1 of the ALDP 2023.

As discussed above, the application property is situated within the city centre, as zoned in the ALDP Proposals Map. Bon-Accord Square and the surrounding area includes a variety of uses, including residential (in the adjacent premises), offices and other guest accommodation. As a result, the surrounding area contains a wide mix of uses, and the provision of such a facility is unlikely to have an adverse impact on the surrounding area, given the existing variety of uses and the nature of the development as proposed.

It is therefore considered that the small-scale nature of the application property (with a maximum of six bedrooms), combined with the mixed use context of the surrounding area, would ensure that its use as an guest house would not cause any significant harm to the amenity of the neighbouring mainstream residential properties and other uses found in the surrounding area, beyond the impacts to amenity which could occur if the property were to remain in office use.

It is therefore considered that the use of the property as an guest house would not cause significant harm to either the character or amenity of the area, in accordance with Policies 27(c) and 30(e)(i) of NPF4 and Policies VC1 and H2 of the ALDP 2023.

Policy 9 of NPF 4 advises that development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported. Given that the proposal relates to such a brownfield site, being a vacant office building, which would see the redevelopment of the site to provide a guest house, the proposals would comply with Policy 9 of NPF4.

### **Impact on Listed Building/ Conservation Area**

The property is category 'B' listed and is located within the Bon Accord Crescent/ Crown Street Conservation Area. The proposal does not involve any external or internal alterations to the property. As a result, there would be no adverse impact on either the character or setting of the listed building, nor the surrounding conservation area. The proposal would see the property being given an appropriate new use and would therefore comply with Policy 7 of NPF4 and with Policy D6 of the ALDP 2023.

### **Transport & Accessibility**

Policies 13 (Sustainable Transport) of National Planning Framework 4 (NPF4) and T2 (Sustainable Transport) of the ALDP 2023 both seek to ensure that all new development can be accessed via sustainable and active modes of transport, thus reducing dependency on the private car. The Roads Development Management Team has reviewed the proposal and note the property has sufficient parking, with five spaces provided within the rear curtilage of the property along with the waste collection arrangements, both accessed from Langstane Place. RDM raise

no objections to this arrangement and the proposals comply with Policy 13 of NPF4 and Policy T2 of the ALDP 2023.

## **Waste Management**

Policy 12 (Zero Waste) of NPF 4 and Policy R5 (Waste Management Requirements for New Development) of the ALDP 2023 both advise that new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate.

In this case, the applicants have submitted information in support of the application, which has advised that there would be no on-site restaurant or bar facilities and the intention would be to utilise a conventional 240-litre wheelie bin. These are intended for storage in the existing strong room. The waste collection by a private contractor will take place on a three-day cycle with the bins being put out on the morning of collection.

In addition to this there is an area behind the parking entry gate that will remain unused so could also be utilised as a bin holding area should it be required. Provided the bin storage area would allow ease of access for the waste storage facilities (which it would) colleagues in waste management would have no concerns with the development as proposed. There would therefore be no conflict with Policy 12 of NPF4 and with Policy R5 of the ALDP 2023.

## **Tackling the Climate and Nature Crises, Climate Mitigation and Biodiversity**

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. Policy 3 (Biodiversity) of NPF4 requires proposals for local development to include measures to conserve, restore and enhance biodiversity, proportionate to the nature and scale of development.

The proposed development, comprising the change of use of an existing property, with no associated external alterations, is sufficiently small-scale such that it would not make any material difference to the global climate and nature crises nor to climate mitigation and adaptation, nor are there any opportunities to minimise greenhouse gas emissions given the nature of the proposals. Therefore, the proposals are compliant with Policies 1 and 2 of NPF4. The proposed development would be wholly internal, small-scale and does not offer the opportunity for any biodiversity gain and the proposals are thus considered to be acceptable, despite some minor tension with Policy 3 of NPF4.

## **Community Council Representation**

In terms of the comments received from the Community Council, it is noted that no external alterations to the property are proposed. The proposal would therefore have no adverse visual impact on the character or appearance of the surrounding area. In addition, there are a mixture of uses in the surrounding area and the use of the premises as a guest house is considered to be acceptable with no adverse impact on residential amenity. The proposed waste and parking arrangements have been assessed and found to be acceptable to relevant colleagues and the floor plans submitted are sufficient to indicate what has been applied for. The proposed use would have no adverse impact on surrounding infrastructure.

## **Matters Raised in Representation**

1. Overprovision of guest houses in the surrounding area and queries in relation to potential occupants. *Response: There is no relevant planning policy consideration relating to the overprovision of guest houses. Through this application the planning authority is considering the principle of the proposed use, and the potential occupants of the premises is not a material planning consideration.*
2. Floor plans have not been submitted to indicate proposed facilities and an indication should be provided in regards to the number of occupants. *Response: Suitable floor plans and a site plan have been submitted in support of the application and this matter has been discussed elsewhere in the evaluation.*
3. A Fire Safety Plan should be submitted in support of the application. *Response: this is not required for a planning application of this nature. It is anticipated that this will be dealt with during the building warrant process.*
4. Insufficient parking and inadequate spaces provided within the curtilage of the site. *Response: sufficient parking is proposed within the curtilage of the premises.*
5. Queries in relation to how waste would be managed. *Response: this matter has been discussed in detail elsewhere in this report.*
6. The proposals would be detrimental to the area. *Response: the propose use is considered to be acceptable. It is also noted that no external alterations to the property are proposed.*

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

The proposed change of use of the premises, which would see a vacant office building brought back into use as a guest house would be an acceptable form of development which would not have a significant adverse impact on the character or amenity of the area, including the listed building and surrounding conservation area, nor on the amenity of properties in the surrounding area. The proposals would therefore be in accordance with Policies 7 (Historic assets and places), 27 (City, Town, Local and Commercial Centres) and 30 (Tourism) of National Planning Framework 4 (NPF4) and Policies H2 (Mixed Use Areas), D6 (Historic Environment) and VC1 (Vibrant City) of the Aberdeen Local Development Plan 2023 (ALDP). The property's use as a guest house would contribute towards the vitality and viability of the city centre, and the vision for the city centre as set out in the City Centre Masterplan, in accordance with Policies 27 of NPF4 and VC1 of the ALDP.

The development would provide an alternative type of accommodation in the heart of the city centre; in an accessible location within walking distance of ample amenities, the city's main bus and railway stations and good public transport links, and would include on-site parking, in accordance with Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) of the ALDP.

The proposed development would have sufficient means for the adequate storage and collection of any waste and recyclables generated, in accordance with Policy 12 (Zero Waste) of NPF4 and Policy R5 (Waste Management Requirements for New Development) of the ALDP.

The proposed development, comprising the change of use of an existing property, with no associated external alterations, is sufficiently small-scale such that it would not make any material difference to the global climate and nature crises nor to climate mitigation and adaptation, nor are there any opportunities to minimise greenhouse gas emissions given the nature of the proposals, therefore the proposed development is compliant with Policies 1 (Tackling the Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) of NPF4. There is no opportunity to enhance on-site biodiversity, therefore the proposals are acceptable, despite some minor tension with Policy 3 (Biodiversity) of NPF4.

## **CONDITIONS**

### (01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.