

# Public Document Pack

## ADDITIONAL CIRCULATION



To: Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Cooney, Cormie, Corall, Crockett, Dickson, Greig, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Nicoll, Jennifer Stewart, Stuart and Thomson.

Town House,  
ABERDEEN 8 February 2016

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

The undernoted items are circulated in connection with the meeting of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** to be held in Committee Room 2 of the Town House on **THURSDAY, 11 FEBRUARY 2016 at 10.00 am.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **BUSINESS**

#### **PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS**

#### **WHERE THE RECOMMENDATION IS ONE OF APPROVAL**

2.1 **Land at St Peter Street/ Kings Crescent - Student Accommodation - 151811 (Pages 3 - 38)**

Planning Reference – 151811

Members please note that, owing to an IT based error, pages were omitted some of the Letters of Representation which accompanied the original agenda. Please find attached the relevant letters in full. Please also note that a folder containing all the Letters of Representation is available for scrutiny in the Members Lounge.

## OTHER REPORTS

### 3.2 The Repair and Replacement of Windows and Doors (Pages 39 - 72)

Should you require any further information about this agenda, please contact Mark Masson on 01224 522989 or email [mmasson@aberdeencity.gov.uk](mailto:mmasson@aberdeencity.gov.uk) or Lynsey McBain on 01224 522123 or email [lymcbain@aberdeencity.gov.uk](mailto:lymcbain@aberdeencity.gov.uk)

Development Management  
 Planning and Sustainable Development  
 Aberdeen City Council  
 Business Hub 4, Marischal College  
 Broad Street  
 Aberdeen, AB10 1AB

107 High Street  
 Old Aberdeen AB24 3EN

12th January 2016

Dear Mr Evans

**Planning application 151811 – student accommodation; King’s Crescent & St Peter’s Street**

On behalf of the nearby residents and to protect the Old Aberdeen Conservation Area, the Old Aberdeen Community Council wishes to OBJECT to this application on the following grounds:

**1. Overdevelopment of the site**

*Not in compliance with: ‘Student Accommodation TAN’. para 3.4; ‘Successful built developments ... must be located and designed to minimise adverse impacts on their surroundings. Such impacts include overlooking, overshadowing or over-domination of buildings’.*

Too high. The scale of the proposed development is significantly higher than the 3 storey block to the immediate north, 2 the Spital, and higher than the 3 storey block to the south; 54 Kings Crescent. On 26 November we asked the developer; Montagu Evans, for an elevation to show the relationship between the proposed development and the existing housing, but they have given no indication that this will be provided. This may be construed as an indication as to just how excessive the development height is likely to be. Copies of the email communication are with the Planning Department.

Too close to the road. The proposed new building comprises a number of blocks which vary in distance from the road edge, but the overall impression is of close proximity. This makes the structure highly intrusive and offers an overbearing aspect to the residents of Kings Crescent.

**2. Lack of parking**

*Not in compliance with: ‘Student Accommodation TAN’. para 3.10; ‘car parking guidelines’.*

- King’s Crescent is not in a CPZ and residents currently experience difficulty parking nearby. Add into the mix friends and family of 202 students and this could become impossible. While the developer seeks to make a virtue of providing zero parking for students, the reality will be that a small number will have cars and will create further parking pressure on the limited existing parking spaces in what is not a CPZ.
- There is no adequate provision for temporary unloading and loading of students’ property at the beginning and end of each academic year.
- As per the relevant TAN and the Local Plan Supplementary Guidance on Transport and Accessibility, one parking space per 10 students should be provided.
- As designed, First Bus will lose 26 car parking spaces and while the stated intention is for FirstBus to provide supplementary parking on site, this does not form part of the application and thus may never happen, creating significantly more pressure on the road parking. It should be noted that the present level of parking available for FirstBus drivers is already insufficient as the intense use of Advocates Road and its pavement attests.
- The provision of a car club space on public road would appear to exceed the gift of a private developer?

### 3. Overprovision

There is already a high density of dedicated student accommodation in the immediate area with a new block on the North side of St Peter's St and a further two blocks at King St, at the end of St Peter's Street and Merkland Road, while St Martha's House, just a few yards up the Spital, is also a dedicated student accommodation block.

*The proposal fails to meet: 'Student Accommodation TAN'. para 3.2; '...proposals ... should give adequate consideration to ... identified need'.*

### 4. Pedestrian Safety

*Not in compliance with: 'Student Accommodation TAN'. para 3.3; '... safe and secure pedestrian links ..'.*

If all the many student accommodation units current being built and under planning application end up built, then at around 9am there is likely to be hundreds of students all walking north to get to their first lesson of the day.

151811 This development:	202 beds
151772 Former BT workshops:	425 beds
120946 St Peters Street	125 beds
141753 Causewayend	173 beds
141090 Powis Place	196 beds
141096 Causewayend school	400 beds (approx)

1521 beds, excluding all students in HMOs and any students from the Spring Garden student accommodation development

The Spital – College Bounds pavements are narrow and undersized for pedestrians, as noted in the Old Aberdeen Conservation Area Appraisal (para. A.3.3.3) and on refuse collection days pavements are often semi-blocked. While the ACC desire for students to be located where they can walk to work is full of good intentions, the reality could become pretty chaotic and is likely to result in many walking along the roadway. It is notable that none of the Transport Statements for the listed planning applications considers the cumulative impact of student from multiple developments heading for the same destination.

### 5. Noise attenuation

Main entries lead straight off public roads and will be a focus for smoking breaks and for late night noisy farewells to the detriment of the neighbours. The loss of trees will mean this source of noise attenuation is no longer available.

### 6. Heritage and Conservation

*Not in compliance with: 'Student Accommodation TAN'. para 3.7; 'Where new developments are proposed in residential areas outwith the city centre, these must have regard to the local residential environment by respecting the existing character, massing and height of the area. These developments must also respect and consider form, landscape and topography, existing street pattern and permeability, noise, scale, materials, connectivity and urban grain'.*

- This is a major development in size and mass and entirely unsuitable for its location on land adjoining and overlooking Aberdeen's prime historic Conservation Area. The design is aggressively modern and out of character with the rest of King's Crescent, - reconstituted stone cladding and timber cladding may have a place in Ardmuir's development on King Street but certainly not here.
- While visual presentation is a highly subjective issue, the drawings provided give little confidence that a sensitive development appropriate for a Conservation boundary is being proposed. While the Old Aberdeen Community Council is not looking for a Georgian / Victorian

pastiche, we expect something better than this overbearing and dull structure that fails to take into consideration its position alongside the Conservation Area.

- Trees. While the trees running along the east wall are of variable quality, the total destruction of 28 trees along the road is unacceptable. The Old Aberdeen Conservation Area Character Appraisals and Management Plan (September 2015) paragraph 3.3.4 notes of the Spital; '... the trees make a significant contribution to the green setting of the Conservation Area ...'. While it is appropriate to remove those trees that are in poor condition or which will shortly damage the old wall, the wholesale removal simply for the convenience of the developer shows a gross lack of sensitivity to the Conservation Area and community.
- The two 16<sup>th</sup>C 'march stones', while acknowledged, have not been assured a safe home.

The Strategic Overview and Management Plan of Conservation Areas - July 2013 makes clear that Aberdeen City Council has a statutory duty to protect and enhance the historic environment and ... try to ensure that initiatives and projects in the area are mindful of this.

Scottish Planning Policy Section 144 also makes clear that proposals outwith a conservation area which will impact on its appearance, character or setting should also preserve or enhance the character or appearance of the conservation area.

#### **In Summary**

OACC contends that this planning application will severely impact the southernmost end of the Old Aberdeen Conservation Area and the residents in King's Crescent and we would therefore ask the Planning Committee, for all the reasons outlined above, to refuse permission for this proposal:

1. Overdevelopment of site - totally overbearing upon the surrounding area
2. An irresponsible lack of parking provision
3. Adds to a significant overprovision of student accommodation in the immediate locality
4. Increases the numbers of students who must negotiate the narrow pavements of Old Aberdeen
5. Lack of consideration of noise mitigation
6. Severe detriment of conservation area due to an unsympathetic, brutalist design

The above in non-compliance with ACC 'Student Accommodation TAN' and the 'Strategic Overview and Management Plan of Conservation Areas - July 2013'.

Yours sincerely

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Planning Dept,  
Aberdeen City Council,  
Marischal College

## OLD ABERDEEN HERITAGE SOCIETY

P&SD Letters of Representation		
Application Number:		
RECEIVED 13 <del>DEC</del> JAN 2016		
Nor	Sou	MApp
Case Officer Initials:		
Date Acknowledged:		

11 Greenbrae Crescent,  
Denmore, Bridge of Don  
AB23 8LH  
12<sup>th</sup> January 2016

Dear Sirs,

**King's Crescent / St. Peter Street, Old Aberdeen**

**Proposed erection of six blocks of student flats comprising 202 beds, between 4 and 6 storeys high, facing into the Old Aberdeen Conservation Area**

The society wishes to register **the strongest possible objection** to this planning application.

We are incredulous that such an intrusive, insensitive and otherwise hugely inappropriate development should even have been mooted, far less submitted as a planning proposal. The company behind this clearly have no appreciation of the character, appearance or historic importance of this area.

King's Crescent forms the main approach to the Old Aberdeen Conservation Area, and is of considerable historical importance, being since mediaeval times the principal route into Old Aberdeen.

This development would utterly destroy the character of this special place, both by the loss the boundary wall and trees, and by the erection of such ugly buildings of such mammoth proportions.

The proposed development would undoubtedly be a major blight on the Old Aberdeen Conservation Area.

In the following pages:

- 1) We examine in details the proposals in terms of the damage they would inflict on the Conservation Area (and its listed buildings).
- 2) We also examine the detrimental impact they would have on the neighbourhood in terms of residential amenity.
- 3) We also examine the unsatisfactory (indeed unsafe) level of residential amenity they would afford the prospective inhabitants of the flats.
- 4) Lastly, we examine the cumulative effect of such developments when in high concentration in one area, (such as this), and show that there is no longer a proven need for such accommodation.

For all the reasons in the enclosed submission, we strongly urge the Planning Committee to refuse this application outright.

Yours faithfully,

B. McPetrie  
(Planning Secretary)

## Grounds for Objection

### Background

King's Crescent is a road of considerable historical importance. It forms the first part of the "mediaeval spine" leading from Aberdeen to Old Aberdeen. It contains in its short length several listed buildings, and a variety of granite houses and cottages/villas dating back as far as the 1830s (some of these on the site of an earlier grand house of the 1700s). It is also now the main entrance to the Old Aberdeen Conservation Area.

At present, King's Crescent is almost exclusively residential, with the main exception being the car park on the east side, where the developers now wish to build. The existing car park has limited impact on the streetscape because it is screened by a high granite boundary wall, and a row of trees. The overall impression, looking either up the hill towards the Spital (and the Category 'A' listed Convent), or downhill towards the Category 'B' listed houses on the curve, is one of an attractive road with a distinctive character, which is highlighted in the newly approved Character Appraisal.

The Appraisal describes this curving road as:-

*"noticeably quieter and greener, ... the feeling of being in a distinctive place is immediately apparent"*

### Outline of Concerns

#### **1) EFFECT ON THE OLD ABERDEEN CONSERVATION AREA**

The area on which Ardmuir wish to build is bounded on three sides by the Conservation Area.

The boundary wall which they propose to demolish lies within the Conservation Area, and was specifically included by the City Council in the latest extension to the Conservation Area in recognition of the contribution it makes to the character of the area.

The line of trees directly behind the wall are also partly within the Conservation Area as their branches overhang the wall and pavement, and their roots will also extend to this area.

The site of the proposed development occupies a commanding position going up the hill at the entrance to the Conservation Area, and would undoubtedly dominate the vista looking up or down this road. Any development there would have a profound effect on the character and appearance of the area.

Planning Law and Government Policy decree that:-

*"Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area"*

(Scottish Planning Policy Section, para 144)



Also:-

*“Once a Conservation Area has been designated, it becomes the duty of the planning authority ..... to pay special attention to the desirability of preserving or enhancing the character of the area”*

(Scottish Historic Environment Policy p.27. para 2.44)

The proposed development would clearly have a major impact on the “appearance, character and setting” of the Conservation Area, and so, according to Government planning policy, must preserve or enhance that character and appearance. The City Council’s Local Development Plan commits the Council to abiding by these national planning principles.

We are convinced that the Ardmuir proposals would not in any way preserve or enhance the character and appearance of the Conservation Area. Further, we hold that they would seriously damage that character and appearance, and for that reason should be rejected, even if there were no other cogent grounds for objection.

In broad terms, we should like to highlight the following features which would cause harm to the Conservation Area:-

#### **i) Design, Materials, Colour and Scale**

This aggressively modern design is completely out of character with the rest of King’s Crescent and its continuation up the hill.

- a) **The blocks are flat-roofed**, whereas all the existing buildings in the road have traditional pitched, slated roofs. This feature immediately makes the proposed blocks stand out as alien to the neighbouring area.
- b) **The overall appearance is disjointed**, with ‘stepped’ or staggered heights, from 4 to 6 storeys, and an extremely irregular frontage in terms of distance from the pavement. None of the existing buildings in the road display these features within their design. Once again, out of character.
- c) **The style, proportions and size of the windows and doors** are completely at odds with those in the rest of King’s Crescent and its continuation up the hill. They do not preserve the traditional character.

Furthermore, the mix of smaller windows with many floor to ceiling ones is not in tune with the fenestrations of the other flats on this side of King’s Crescent, which all have a regular pattern of windows within each block. The floor to ceiling windows are completely alien in character.

The timber vertical ‘slats’ over the windows are another unsympathetic feature of the design. These are particularly out of place in the midst of a traditional Conservation Area. The vertical and horizontal cladding which covers much of the wall surface area is also out of character.

d) **Materials**

All the existing buildings on either side of this section of King's Crescent, from the junction of Jute Street to well beyond Applebank House and the Convent, are of granite construction; traditional granite houses with traditional slate roofs.

The proposed blocks of flats on the other hand, would be constructed of glass, timber and charcoal grey "reconstituted stone cladding" with charcoal grey render to the rear. Windows would be dark grey aluminium, another feature completely alien to this part of the Conservation Area.

None of these materials in the design could be said to "preserve" or "enhance" the character of this part of the Conservation Area. In fact, it almost seems as if every possible effort has been made to make these materials completely different from the rest of the road. Clearly it is a cheap alternative all round and in no way can it be said to be in character.

e) **Colour**

As indicated above, the colours used in these blocks are also inappropriate for the area. The charcoal grey of the reconstituted stone walling looks extremely dark, almost black, and as well as looking forbidding and depressing, it is clearly very different from the colour of the existing granite buildings round about which are of a traditional mid-grey granite, which looks somewhat lighter on a sunny day. In no weather conditions, however, would the charcoal grey/black of the proposed development look anything but a forbidding near-black, totally out of keeping with the rest of the road.

The timber cladding appears to be a bright pink/orange, which no doubt may fade a bit, but huge areas of bright coloured wood, as proposed, would definitely not echo any aspect of the colours of the surrounding buildings.

f) **Scale**

The proposed development is entirely in conflict with the scale of neighbouring buildings. Even when compared with nearby tenements flats it is considerably taller. The 6-storey blocks on the corner of King's Crescent and St Peter Street, in particular, are at least 1½ storeys taller than the neighbouring granite tenement. This is for maximum profit, with no consideration of its effect on those nearby.

The overall effect of the excessive heights, the 'brutalistic' architecture and the cramming in of so many blocks of such depth into such a small space, is to completely swamp this part of the Conservation Area.

The proposed blocks would completely and utterly dominate the area from whichever angle they were viewed.

The scale of these buildings is totally out of proportion to that of the surrounding buildings, even the tenements on the east side of the road. When compared to the family homes opposite, however, they simply dwarf them almost out of significance. The traditional cottages and even the more substantial family homes would be dwarfed; in particular those directly opposite the proposed blocks. These would undoubtedly also suffer loss of daylight and sunlight and overshadowing to their front gardens, as well as to their homes.

The consequences of the monstrous scale of this development would be to turn what is at present an open section of King's Crescent, characterised by open space and light on both sides, into a road dominated by the immediacy of a long row, right on the roadside, of towering, forbidding buildings, bearing down on the Conservation Area, now robbed of its traditional granite boundary wall and trees, and ruining the setting and amenity of the family homes opposite.

## **Relevant Policies and Guidance**

### **Scottish Planning Policy:-**

*“The planning system should promote the care and protection of the designated and non designated historic environment.”*

(section 137)

*“Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area.”*

(section 144)

### **Scottish Historic Environment Policy**

*“Once an area has been designated, it becomes the duty of the planning authority and any other authority concerned, to pay special attention to the desirability of preserving or enhancing the character and appearance of the area.”*

(section 2.44)

### **Adopted Local Development Plan (2012)**

Policy D5 - *“Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.”*

(-viz. preserve or enhance the character and appearance of the area)

### **Proposed Local Development Plan**

Policy D4 - *“The Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, SHEP, its own Supplementary Guidance and Conservation Area Character Appraisals and Management Plan.*

*It will assess the impact of proposed development and support high quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings, conservation areas....”*

### **Conservation Area Strategic Overview and Management Plan**

1:2 - *“It is not only buildings that are of ... interest ... but also the spaces between them. All these elements combine to create and area’s special character. Planning is therefore directed at maintaining and being mindful of the balance and relationships between the various component parts.”*

2:1 - *“Aberdeen City Council has a statutory duty to protect and enhance the historic environment.”*

#### SWOT Analysis - page 12

- listed as a ‘threat’:-

*“unsympathetic development which does not reflect or relate to the character of the conservation area”*

All the above guidance applies to all conservation areas and emphasises the duty of the local authority to protect the conservation area, and to preserve or enhance its character and appearance and setting.

Aberdeen City Council’s Conservation Area Management Plan also stressed the importance of maintaining the integrity of the area, and the balance within it. It also rejects unsympathetic development which does not reflect or relate to the area’s character.

It is our view that Ardmuir’s proposal for King’s Crescent / St. Peter St:-

- a) does not preserve or enhance the character, appearance and setting of the conservation area. The siting and design radically alter its appearance and its character. In no way do they ‘enhance’ it.
- b) does not maintain the integrity of the area. It brings in completely alien elements of design and scale which destroy its cohesion.
- c) does not maintain the balance within it. It fails to take account of the organic, piecemeal development of King’s Crescent, which has resulted in an attractive mix of traditional houses, granite flats and areas of space. This space is part of the balance which is important here, and characteristic. Some of the space is in the form of gardens but some is in areas between tenements such as lanes and the car park bounded by trees and wall. This latter contributes to the balance by being open to the air - not hemming in the road. This open quality echoes the space

created by the gardens opposite, and this gives the area its character:- it is not a typical urban street; - it has a different balance.

- d) does not reflect or relate to the character of the area, and so is unsympathetic in concept. Its design, materials, colour and scale area, as shown earlier, completely at odds with the character of the conservation area.

### **Old Aberdeen Conservation Area Appraisal**

This newly approved and influential document outlines some of the main features of the character of the King's Crescent area:-

In particular, it sets it in historical context at the beginning of the mediaeval road to Old Aberdeen.:-

Page 3 (1.2) - *“Old Aberdeen is an extremely important conservation area because it encompasses a complete town centred on the mediaeval route from Aberdeen, north to the Brig o' Balgownie.”*

*“The spinal route continues to be the dominant feature, and there is a wide range of historic buildings of architectural merit along its length.”*

And, most significantly -

*“To walk along the Spine today leads you through the heart of the Conservation Area and past many of its architectural and historical gems.”*

All these extracts, but particularly this last, stress the fact that the mediaeval ‘spine’, of which King's Crescent is a part, leads through the heart of the Conservation Area.

**King's Crescent runs through the heart of the Conservation Area. Any development on King's Crescent will have a massive effect on the character of the Conservation Area.**

It can be seen from this that any development here would have to be of exceptional sensitivity, and sympathetic to this “extremely important conservation area”.

The Ardmuir proposal exhibits no sensitivity whatsoever to this special area.

In particular, it would destroy one of the main features of character of King's Crescent identified in the Character Appraisal:-

*“King's Crescent is noticeably quieter and greener, ... the feeling of being in a distinctive place is immediately apparent.”*

The development proposed would remove the greenery (trees) on the east side entirely, and would destroy the quiet character by introducing a thoroughly urban, extensive complex of large buildings designed to house the maximum number of occupants, resulting in a highly intensive development, which would clearly generate hugely increased comings and goings, and general noise and disturbance.

Thus Ardmuir's proposal would destroy the two main general elements of the character of this area. It would neither preserve nor enhance them - it would therefore be contrary to policy.

## ii) Loss of trees

The east side of King's Crescent benefits at present from the contribution made to the Conservation Area made by the line of trees just behind the boundary wall, and which branch out over the street. They not only provide effective screening from the car park and depot, but have value in themselves as an attractive border to King's Crescent, complementing the older trees on the west side, so that the view either up or down the hill is one framed by trees. This is very important to many residents, and something they do not want to lose. The 'immaturity' or relative 'quality' of these trees does not matter. They contribute greatly to the 'greening' of this part of the Conservation Area, and so preserve and enhance that 'green' character for which it has been rightly commended in the Character Appraisal.

Residents do not want to lose these trees. We certainly don't want to have them replaced by severe, depressing, brutalistic architecture. The trees we have are an informal mix of all kinds of species, which really enhance the appearance of the Conservation Area, quite apart from soaking up pollution from the traffic and providing roosting places for birds, which can often be seen and heard singing in their branches. Their loss would be a loss to the character and appearance of this special part of the Conservation Area.

It might be mentioned also that trees can be pruned and tidied, but an ugly development would be with us for decades.

## Relevant Policies and Guidance

There are several policies and guidance documents which relate to trees in general, not just in Conservation Areas, or adjacent to them:-

### Adopted Local Development Plan (2012)

#### "Trees and Woodlands"

3.71 - *"Single trees, groups of trees, hedgerow and woodlands throughout Aberdeen all provide important benefits such as a healthier living environment, shade and shelter and habitats for urban wildlife."*

Policy NE5 - “Trees and Woodlands”

*“There is a presumption against all ... development that will result in the loss or damage to established trees ... that contribute significantly to nature conservation, landscape character or local amenity.”*

Supplementary Guidance:- “Trees and Woodlands”

*“The presence of trees contributes to the character, cultural and natural heritage and attractiveness of an area. For this reason, the Council is committed to protecting trees where there is a threat of damage or removal.”*

also:-

*“Trees help to filter harmful pollutants ... soften hard landscape.”*

Supplementary Guidance:- “Landscape”

7.2 - *“All trees contributing to the character of the area must be retained.”*

7.10 - *“The design and layout of the landscape of any development shall demonstrate that it is sustainable, through, for example, the retention of trees, vegetation and open spaces.”*

9.2 - *“Local planning authorities have an express duty through the Planning Act to have regard to the preservation ... of trees.”*

Supplementary Guidance:- “The Subdivision and Redevelopment of Residential Curtilages”

6.1 - Trees

*“There will be a presumption in favour of retaining semi-mature and mature trees either within the site or immediately adjacent to it, regardless of whether they are protected by a Tree Preservation Order or sited in a Conservation Area.”*

These general policies and guidance stress the need to retain trees when development is proposed, - even small scale trees or hedgerows. Their benefits in filtering out harmful pollution is highlighted (an important consideration at King’s Crescent because of both ordinary traffic and the operations of the bus depot); also their contribution to sheltering wildlife (however small). Further, their importance in terms of landscape character, and attractiveness of the area.

All this applies to the trees in King’s Crescent which would be lost if the current proposal were to proceed and it is therefore contrary to all the above policy and guidance in the Adopted Local Plan.

## Specific Conservation Guidance on Trees

### Conservation Area Management Plan

- p.11 - SWOT analysis - a “strength of a conservation area:  
*“open spaces and trees/vegetation ... that soften the extensive use of granite as building material”*
- p.13 - a factor to be considered is how to:-  
*“stem the decline in the number of trees in private properties”*

### Old Aberdeen Character Appraisal

- p.19 - 3.3.4 - in discussing King’s Crescent:-  
*“The trees make a significant contribution to the green setting of the Conservation Area and also help to screen the bus depot by the eastern side of King’s Crescent.”*
- p.22 - a photograph of King’s Crescent showing abundance of trees.

This specific conservation guidance, then, clearly promoted the retention of trees, in terms of “greening”, screening, and softening the landscape.

The Character Appraisal specifically mentions their contribution to the character of the Area, and their removal would therefore clearly be detrimental to that character and so contrary to Scottish Planning Policy.

### **iii) Loss of granite boundary wall**

Arduir’s plans involve the entire removal of the granite boundary wall. This wall is of historical significance to the area, as detailed in the Conservation Officer’s original justification for including it specifically in the new extension to this end of the Conservation Area, approved in April 2015. It also receives special mention in the newly approved Character Appraisal for Old Aberdeen.

The loss of this wall would greatly detract from the appearance of the Conservation Area, and also from its character, as all boundary walls are identified as a characteristic feature of King’s Crescent, and should be retained. This particular wall has also been assigned special value on account of its historical connections.

Some stones from this wall would be incorporated into the proposed development, further back from the road, and considerably lower, with gaps cut out, and railings on top. This is not “altering” the wall, as the developers claim, but demolishing it, and re-using it, further back, only in part. Most of the wall would have gone, with merely a token remnant in front of the proposed blocks. The character of this side of King’s Crescent would be irrevocably lost.



## Relevant Policies and Guidance

### Adopted Local Plan

#### Policy D4 - “Aberdeen’s Granite Heritage”

*“The City Council will encourage the retention of granite buildings throughout the City.*

*“Consent will not be given for the demolition of granite-built garden or other boundary walls in conservation areas.”*

#### Policy D6 - “Landscape”

*“Development will not be acceptable unless it avoids”:-*

- 1) “significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct ‘sense of place’.”*
- 2) “Development should avoid significant adverse impacts upon existing landscape elements, including linear and boundary features or other components which contribute to local amenity.”*

### Historic Environment Scotland - “Managing Change” Guidance: “Boundaries”

Page 4 - stresses:-

*“Many present day boundary walls provide visual clues to earlier buildings and structures in the form of blocked windows, doors and other features. These can be important in understanding the historical landscape.”*

### Old Aberdeen Character Appraisal

p.22 - “Key Characteristics of Area ‘A’” (viz. King’s Crescent / Spital)

**“Granite boundary walls are a strong feature”**

(Examples in King’s Crescent can be seen on the photograph on the same page)

p.73 - SWOT analysis for King’s Crescent / Spital:-

a “Strength” identified is:-

**“Significant numbers of dominant and historic boundary walls remaining”**

In particular, specific to this area:-

p.14 - *“The bus depot’s granite wall on the east side of King’s Crescent is a strong linear feature that shows evidence of former buildings belonging to a prominent granite merchant.”*

The Character Appraisal makes specific mention of the wall which is at risk from Ardmuir’s proposals. It makes clear that it is of importance both to the landscape and by virtue of its historical associations. This last concern is echoed by the “Managing Change” quotation, which places importance on retaining such a wall, (which shows clues to earlier structures) for understanding the historical landscape.

The Character Appraisal denotes this wall as central to the character of this area, so it would be contrary to Scottish Planning Policy to remove it or alter it. Similarly, the current proposals would be contrary to Policy D6, in that they would adversely affect an existing landscape element, and especially a “linear and boundary feature” which contributes not only to local amenity, but also provides a distinct sense of place. Policy D6 deems this unacceptable.

Policy D4 forbids the demolition of granite-built boundary walls in conservation areas. The wall in King’s Crescent must therefore not be taken down from its present position.

**All these policies and guidance, drawn together, prohibit the removal of the existing wall.**

#### iv) Loss of Important Views

The proposed development would result in the loss of two important views, both of Category ‘A’ listed buildings.

a) Complete loss of well-known views of Marischal College from the brow of the Spital

This view, which has often been captured in paintings and etchings, is giving special mention in the Character appraisal. The 6-storey blocks planned for the corner of King’s Crescent and St. Peter St would completely obliterate this view.

b) Loss of the main uninterrupted view of Category ‘A’ listed St. Margaret’s Convent and Chapel

There is a splendid view from Mounthooly Way. This, too, would be obliterated by the development.

## Relevant Policies and Guidance

### Local Development Plan

#### Policy D6 - "Landscape"

*"Development will not be acceptable unless it avoids:-*

*"obstructing important views of the City's townscape, landmarks and features, when seen from busy and important publicly accessible vantage points, such as roads and pathways."*

### Conservation Area Management Plan

p.14 - *"Where possible, proposed development should enhance or maintain views of local landmarks."*

### Old Aberdeen Conservation Appraisal

p.18, 3.3.1 - *"In winter, the gentle climb up King's Crescent affords view of Mariscal College to the south."*

According to Policy D6, then, Ardmuir's proposals are not acceptable. They breach this Local Plan Policy, by obstructing these important views. One, in particular, is noted as a characteristic of this part of the Conservation Area, and the proposals would therefore be destroying a feature of its character. This would be contrary to SPP policy which requires development to preserve or enhance its character.

## v) Setting of Listed Buildings in Conservation Area

- 1) As noted above, the 6 storey development, in front of the Category 'A' listed St. Margaret's Convent would obliterate the view of this historic building. The development would, however, also detrimentally affect the setting of the Chapel from other vantage points. Looking up King's Crescent, one could not look up to the Convent without having the dominating presence of the new development in the same visual frame. Even worse would be the view of the Convent looking up St. Peter Sreet. From there, the 6 storey aggressively modern development would hugely intrude on the setting of the Chapel. Its special character would be severely damaged by this setting.
- 2) The proposed development would have a detrimental effect on the setting of the two Category 'B' March Stones at the site. The newer one of these, which stands in place of the original, would now be set against a low wall in front of an ultra-modern design of a building, instead of against a high granite boundary wall as at present. The setting of the original stone would be more radically altered. This stone, although at present situated on

private ground, is protected by a granite wall which encloses it within the First Bus property, but in the new proposal would have a backdrop not of granite, but of a huge modern building, which would harm its special character.

Both 1) and 2) would contravene Scottish Planning Policy, by virtue of being harmful to the setting of listed buildings.

\* \* \* \* \*

## 2) DESIGN

### Relevant Policies and Guidance

#### Local Development Plan

##### Policy D1 - "Architecture and Placemaking"

*"New development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportion of building elements, together with spaces around buildings, including streets, squares, open space, landscaping and boundary treatments will be considered in assessing that contribution."*

We believe that we have shown already that the proposed development does not have "due consideration for its context", but is completely at odds with its character. It most certainly fails to make a positive contribution to its setting. We have enumerated the multitude of negative contributions, but no positive ones are apparent. The Ardmuir proposals are contrary to Policy D1.

##### Supplementary Guidance:- "The Subdivision and Redevelopment of Residential Curtilages"

1.4 - *"It should be noted that some elements of this guidance are applicable to other types of development e.g. ... the construction of dwellings on greenfield and brownfield sites that are not currently in residential use."*

##### 4.0 - Design and Materials

*"In general the design and external finishes of any new dwellings should complement those of the surrounding area."*

4.2 - *"In conservation areas where granite architecture predominates, there will be a requirement that all elevations of a new*

*development that would be prominently visible from the street (including gables) should be finished with natural granite, and the main roof should be of complementary natural roofing materials (almost always natural slate).”*

The current proposals are not of design and external finishes which ‘complement those of the surrounding area’. As shown earlier, every element of design, scale and materials is alien to that of the neighbourhood. Nor do they have natural granite finish, and traditional roof, both of which are required by the Supplementary Guidance.

\* \* \* \* \*

### 3) **RESIDENTIAL AMENITY**

Local Plan Policy and guidance make provision to protect the residential amenity of both existing residents and the prospective occupants of new developments.

#### **Lack of residential amenity for the inhabitants of the proposed student accommodation**

The plans contravene Council policy in that they do not provide suitable residential amenity for the students.

A ‘sitting out area’ area behind the flats would be only feet away from the boundary with the bus depot, a large-scale commercial operation containing a fleet of 160 buses – not just single-deckers, but also double-deckers, bendi-buses, coaches, etc.

The so-called ‘amenity area’ would be a very noisy place, with all the constant movement of heavy goods vehicles around the yard, the loud beeping of horns when reversing, the running of idling engines, etc. There would also be the smell of diesel, the vibrations from the movement of heavy vehicles, and the noise and possible vibrations from the access and egress of the 26 bus drivers’ cars which would have their parking spaces in the space underground, directly below the students’ ‘amenity’ or sitting-out area.

The students’ rooms, half of which would face in to the bus depot, would suffer from HGV noise, vibrations, idling engines, noise from night-time bus-washing operations and also extremely bright “motorway” lighting.

All areas of the proposed development would suffer from the pollution produced by the bus depot, chief of which would be the diesel particulates emitted into the air, which could have serious health implications.

None of these things could be ‘screened off’ effectively, with the consequence that these flats would not have an acceptable level of residential amenity, contrary to Council Policy. It is,

frankly, quite incredible that anyone could have thought it acceptable to build homes facing on to an industrial site of this sort.

We understand the distance from the windows at the back of the King's Crescent blocks is only 7 metres from the boundary wall with the bus depot - incredibly close to all the bus operations of a fleet of 160 buses. This is NOT a satisfactory living environment, and no 'slatted wooden screen' of any height could eliminate the detrimental effects, especially for the upper flats.

Policies contravened include:-

**Adopted Local Development Plan 2012 - "Spatial Strategy"**

*p.8, 2.5 - "New development ... will have to be of the best standard to deliver opportunities for people to enjoy a high quality of life within an attractive, sustainable and safe environment."*

The site adjacent to the bus depot is not an "attractive" or "safe" environment. Nor is the development, therefore, "of the best standard", and so this proposal is contrary to the Council's Spatial Strategy.

**Policy H2 - "Mixed Use Areas"**

This policy requires that there must not be undue conflict between a new development and adjacent land uses and amenity; that new housing should have a satisfactory residential environment, and it should not impinge upon the viability or operation of existing businesses.

The proposed flats would clearly conflict with the adjacent bus depot, as described earlier; they would not have a satisfactory residential environment; and in all likelihood, the depot operations might have to be curtailed to avoid the inevitable conflicts and problems that would arise.

**This application is clearly in direct conflict with Policy H2**

\* \* \* \* \*

**4) EFFECT ON AVAILABLE LIGHT**

**Overshadowing**

The proposed development would most definitely cause overshadowing of this section of King's Crescent and also of many of the front gardens on the west side of the road, thereby

detracting greatly from the appearance and residential amenity of these family homes. The reduced amount of sunlight would also be to the detriment of flowers and shrubs in these gardens. Over and above this, King's Crescent itself would become considerably overshadowed and dark, particularly at certain times of the day. The overall effect would be to create a dark and dreary road, where at present there is a light and airy one.

**Supplementary Guidance: "The Subdivision and Redevelopment of Residential Curtilages"**

states:-

3.1 - *"As a general principle, new residential development should not borrow amenity from adjacent land, or adversely affect existing development in terms of privacy, overlooking, daylighting or sunlighting."*

3.10 - *"Proof of this is required, in order to protect the amenity of existing residents".*

The proposed development would be in conflict with this guidance, as there would definitely be a loss of light to homes and gardens in both King's Crescent and St. Peter Street. At the latter, there would be a particularly severe detrimental impact on the property at no.38, St. Peter Street, where main windows as well as the building itself would be hugely overshadowed.

The developers have clearly not considered the damaging impact of their proposed development on its neighbours.

\* \* \* \* \*

**5) PARKING**

There are two separate issues here – that of provision for the inhabitants of the proposed development, and that of effect on availability of parking in local streets for local residents and their visitors.

**Parking for inhabitants of proposed student flats.**

The only spaces provided within the proposed site are two spaces for the use of disabled students. There is no indication that all other students will be required to agree to a no-car tenancy. Even if they were, it could not work.

Setting aside the obvious problems in detecting violation of such a rule by students bringing cars and parking them nearby, there would, we suggest, be a problem proving such misconduct, and taking punitive action. There could be no guarantee that students would not bring cars.

Furthermore, where would students' visitors park? Friends and family of the 202 students living there are bound to bring cars on occasion, and will have to park in the already overcrowded streets round about. There is already a widespread and serious problem with parking in the area, and this would exacerbate an already major problem.

The developers' answer to this is to suggest that parents dropping off their offspring at the beginning of each term, delivering their extra belongings mid-term, or collecting them at the end of term or year, could make use of parking space associated with another of their blocks of student flats situated in Pittodrie Place – half a mile away!

This is a ridiculous suggestion. Parents bringing students to and from their temporary home at University will always bring with them a considerable amount of luggage of all kinds, much of which will be bulky and/or heavy. This could not be carried on foot all the way from Pittodrie Place. Parents would clearly have to park in King's Crescent or nearby to offload and have somewhere to park for the duration of their visit.

There is therefore not adequate parking provision for visitors, and this inadequacy would result in increased pressure in parking in an area where there is already a severe shortage.

The site of the proposed development is not in the City Centre area, as the applicant claims, but in Zone 2, and therefore is not best suited to a zero parking parking development. The Local Plan Supplementary Guidance on Transport and Accessibility gives clear guidelines for proposed purpose-built accommodation such as this, viz. one parking space for 10 students. The proposals for King's Crescent should therefore provide 20 spaces.

The fact is that many students do own cars; and they want to bring them to University. If enough parking spaces are not provided for that proportion of students (10% in the Council guidelines), then they will park in surrounding streets, putting extra pressure on an area which already has severe parking problems.

In this connection, it is ludicrous of the developers to suggest that this pressure might be mitigated in the light of the students not being entitled to residents' parking permits. There is no controlled parking zone in this area, and no parking permits, so permanent residents would have no preference over students as regards parking spaces. Long-term local residents would undoubtedly find increased difficulty in finding somewhere to park, as a direct consequence of the introduction of accommodation for 202 new residents, if it were to be approved.

The other consideration here is the 'provision' of a car-club car space. The space 'provided' however, is not within the site of the proposed development, but is shown as being sited on Advocates' Road, which does not belong to the applicant, and which space is relied upon by local residents for domestic parking. The 'provision' of a car-club space is therefore an illusion, and does not take into account the detrimental effect of the loss of a further parking space would have on amenity for existing residents.

#### **Further effects on parking provision for local residents and their visitors**

We understand that there is likely to be a proposal to extend the double yellow lines to the full length of Advocates' Road, which would mean the loss of 5 parking spaces currently available to local residents and their visitors. The triangle of ground at the corner of Advocates' Road and King's Crescent would almost certainly also be lost to parking, losing a further 3 spaces.



This still needs to be clarified, but there is a distinct possibility, or likelihood, that 8 current parking spaces would be lost as a result of the proposed development. This would make life even more difficult for those who rely on these spaces.

It should be noted that the Adopted LDP, (3.16), states that:

*“Opportunities for low or no car households will be encouraged in appropriate circumstances where it can be demonstrated the proposed development will not have an adverse impact on residential amenity.”*

This cannot, however, be demonstrated in the King’s Crescent area, as there can be no guarantee that students will not bring cars, nor their visitors, and park them locally, thus having an adverse impact on residential amenity.

The parking guidelines set out in the LDP for Student Accommodation recommend 1 parking space for every 10 students. In the proposed development of 202 students, this would amount to 20 parking spaces. These guidelines should not be ignored, and it should also be noted that the local bus service (no. 20 and 25) is not always very frequent. In vacation it is only every ½ hour, and so postgraduate students who live there (who often have shorter vacations) would not then have access to a regular local bus service. Sundays are only every ½ hour throughout the year, and evenings can also be sparse in provision.

There certainly are other bus routes, but the nearby provision is not good. Students are likely to bring cars.

\* \* \* \* \*

## **6) Cumulative effect of high concentrations of purpose built student accommodation in one small area**

Purpose-built student accommodation brings a large number of people into a relatively small area, because planning regulations allow student flats to be smaller than average. Developers then tend to cram as many rooms in as possible, creating a significant intensification of use in that area, which not only increases pressure on local infrastructure and services, but also begins to upset the demographic balance of an area.

When a second, then a third, and perhaps a fourth such development is allowed in this same small area, the pressure on infrastructure intensifies, and demographic balance is lost. Suddenly, or so it seems, a community which has been always largely made up of permanent residents becomes one where the vast majority are temporary, part-time residents.

This process effects a distinct change in the character of an area. Its settled residential nature is lost, and it is the Society’s view that this could and should be avoided, by directing further purpose built accommodation away from areas which already have many such developments close together. This is because the intensification of use inevitably brings with it problems to

do with a clash in lifestyles, which can be difficult for long-term residents to accommodate, particularly in terms of noise and late-night social activity.

The area surrounding King's Crescent has an excessively high concentration of purpose-built student accommodation. Residents have calculated that, if the Froghall Terrace plans were to be approved, the number of student beds in purpose-built student accommodation in the area circling King's Crescent would be no fewer than 1600. (e.g. St Peter Street, Liberty House, Zetland House, Glamis Cottage, Spital, St. Martha's, Spital, Froghall Road, Froghall Terrace, Causewayend School, 2 Powis Place and 140 Causewayend) This does not take into account the large number of HMOs.

There comes a point when proliferation of student flats in one small area must be halted. This extremely high density of students in a very tight area has already had serious effects on our community. Demographics are being turned upside down, and residential balance is being lost.

#### Analysis of 'Need'

The Council's Technical Advice Note on Student Accommodation sets out various criteria for the assessment of planning applications for Purpose Built Student Accommodation.

The first one is that the development should meet an identified need for the accommodation proposed.

Developers are asked to demonstrate 1) what specific need the proposal is aimed at, and why this need is currently unmet and 2) whether the proposal is to meet a recorded increase in student numbers.

The current position is that there is no an unmet need for this kind of accommodation.

Both the Principal and Senior Vice Principal of the University of Aberdeen have recently confirmed that there is no shortage of accommodation. Indeed they have empty bed spaces in their accommodation. RGU do also.

Further, the University of Aberdeen has stated that it has no plans significantly to increase the total number of its students.

So is there a justification for continuing to allow more and more applications? Perhaps it might be reasonable to allow a few more, but we hold that it is not reasonable to allow more in an area where they have already begun to dominate.

If a development is allowed in an area where there are at present no purpose-built student flats, then it will not have altered the area much, and can no doubt be reconfigured for other use. If however, such a development is allowed in an area which is already tightly packed with these, then the incremental change which would result might destroy the settled residential character of that area irrevocably.

In such cases, and we believe that King's Crescent is one, permission should not be granted because it would tip the balance. There would surely be solid planning grounds for this.

In conclusion, we might mention that in the last 2 years, there have been 1186 bed spaces in student accommodation approved, and 2036 are pending - a total of 3222. A solid bank of these flats are now being built or probably about to be. King's Crescent is not needed for this.

\* \* \* \* \*

To sum up, the Society believes that the proposed development at King's Crescent and St. Peter St should be refused, as it would damage the character of the Conservation Area, and be harmful to the residential amenity of both existing residents and prospective occupants of the development. Lastly, the onus is on the applicants to demonstrate an unmet need, and they have not done this.

\* \* \* \* \*

It is our view that this application contravenes the following policies and guidance:

SPP  
SHEP

LDP 2012 - 'Trees and Woodlands' policies  
Policy D1  
D4  
D5  
D6  
H2  
and the "Spatial Strategy"

Supplementary Guidance - "Trees and Woodlands"  
"Landscape"  
"The Subdivision and Redevelopment of Residential Curtilages"  
"Transport and Accessibility"

Conservation Area Management Plan  
Old Aberdeen Conservation Area Character Appraisal  
Historic Scotland: "Boundaries" guidance

King's Crescent looking south



King's Crescent looking north



← Proposed development which would take the place of the granite boundary wall on the right of the photo (above), along with the loss of those trees on the right.

I'm writing to object the application 151811 for the proposed development on Kings Crescent/St Peter Street.

*With regards to the proposed Parking and the minimal parking arrangements due to its city centre location and use as student accommodation. As such there is no car parking for students with the exception of disabled and staff spaces and student drop-off.* 1) Due to Kings Crescent being on the edge of the city centre, it is already used as a commute area for people that work in the city, and this already causes problems with loss of car park spaces. 2) The idea that students don't have cars is ridiculous as, so many car park spaces are already being taken by students, so I find it very naïve and astonishing they dare to suggest these 202 students won't have cars. The combination of the previous 2 comments already result that parking in our street at the moment is virtually impossible even without the new built of 202 additional student rooms. People are being double parked; parked on double yellow lines; and block people in that are legitimately parked. It's already unsafe as it is and I'm concerned that this new built will not improve that, more the opposite. I'm also very interested in where they suggest the first bust staff parks?

*Re to the ensuring of high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as scale, massing, colour, materials, details, the proportions of building elements and landscaping will be considered in assessing this.* Kings Crescent is a very pretty street, which has such a nice appeal due to the openness and feel of being surrounded by green. By building an enormous 6 story high student accommodation, all this will be vanished and will have a serious impact on the natural light. It is absolutely not in proportion with the other buildings in the street and will absolutely not make a positive contribution. The trees they are planning on taking out, currently gives Kings Crescent a really nice green feel which will also be destroyed.

Infrastructure – As this is near Old Aberdeen, the roads and pavements were never built to accommodate all these extra people. In several places the pavements are not large enough for two people to walk side by side. In addition to this the street lighting in the surrounding area, especially Kings Crescent, The Spital and Orchard Street is extremely poor. The influx of so many new residents into the area would place an enormous pressure on the local amenities such as doctors and dental practices. Already there is at least a 3 week wait for a doctor's appointment during term time. This proposed development is putting nothing back into the local community - no open spaces or play parks for current residents.

Re their comment that considered it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. I find that impossible to believe. We already struggle with weekly peak times of student antisocial behaviour. My car has been vandalised several times by them; Students Urinating in our front garden; Students Littering everywhere, by kicking over all the recycling or bins; and of course the noise. Don't get me wrong I

have nothing against students and have been one myself for many years. However, these 202 new student rooms will throw the balance out completely of residents and students in our street.

I would be extremely disappointed if these points were not taken into consideration as I worked hard to buy my flat and it would go down in value if this development goes ahead. I'm also fully aware that most flats around me are rented out and many of the owners have not been made aware that this application has been submitted due to the renters not passing on this information. This on its own already makes it very unfair to even start this battle against this application.

Kind Regards,

Diana Daneels,

Owner 33 E kings Crescent,

AB243HP

Aberdeen.



24A Spital  
Aberdeen  
AB24 3HS

11 January 2016

Planning and Development  
Aberdeen City Council  
Marischal College  
Broad St  
Aberdeen

Dear Sir/Madam

Ref: 151881 Student Accommodation Kings Cresc St Peter's St Aberdeen

I wish to object to the above application for a number of reasons including the fact that I was not informed of the consultation event as directed my address should be by Aberdeen City Council. No leaflets were delivered. This indicates a complete disregard to the potential impact of this development on surrounding neighbours.

Design and scale not in keeping with surrounding area.

The site faces on to the boundary of Old Aberdeen Conservation area and thus requires a design that is in keeping and sympathetic to the surrounding buildings. The proposal is modernistic, not in the same materials and in contrast to the traditional architecture of its neighbours. Thus, not only by its considerably larger massing, its design would not enable it to easily blend in. The architecture is not of such an outstanding quality to allow a "contrast" building on this site. It would cause considerable light reduction and overshadowing to the roads (Kings Crescent and St Peter's St) and neighbouring buildings.

Impact of bus depot on the potential residents

As a neighbour I am only too aware of the noise from the bus depot at unsociable hours. Maintenance takes place throughout the night causing noise disturbance. Whilst there has always been a depot on this site, its reconstruction a few years ago worsened the situation as First Bus removed the granite walls surrounding the depot and constructed tin sheds which cannot muffle the noise of their work. This noise, particularly during unsocial hours would severely impact upon any resident living adjacent to this: trying to study or sleep. The effects of the diesel pollution on young people's health would also cause concern and indeed would put students off wanting to take up residence within this building. How could the developer guard against this? Or can conditions be imposed which limits the hours of work, amount of noise and pollution from the First Bus depot?

Parking

There is considerable pressure on car parking within the area. Three parking spaces would be enough for the 201 students and the employees operating/servicing the development.

Student Accommodation within the area

The area has seen a number of purpose build student accommodation blocks recently built, undergoing construction, and currently applying for planning permission. The high number of student beds in such a concentrated area has caused imbalance in the community. The area is overly busy in term time and empty during the holidays: this does not add to community cohesion or give a sense of any sustainability with so many itinerant residents. Whilst we realise the area is close to the University, the siting of student accommodation should be dispersed to other close areas, for example towards the beach.

The planning department needs to carefully consider this application in line with the objections raised above which are all material considerations and thus merit its refusal. A smaller building which takes note of the Conservation area in its design, and the placing of restrictions upon the bus depot regarding its operation would make it a more acceptable proposal.

Yours sincerely



J Doherty

CC local councillors of George St and Harbour



24 Spital  
Aberdeen  
AB24 3HS

13 January 2016

Planning Department  
Aberdeen City Council  
Marischal College  
ABERDEEN  
AB10 1AB

Dear Sir/Madam

**Ref: 151811 Student Accommodation Development Kings Crescent/St Peter Street**

I wish to object to the application by Ardmuir Property Developers at the above address. Aberdeen City Council has an obligation to refuse consent because of the following:

**SITE AFFECTED BY POLLUTION.**

The proposed development is to be located within the site of the First Bus depot which operates and maintains 160 diesel busses 24 hours a day, 7 days a week. The intensive operation (parking, washing, maintenance, driver training centre) means that there is a heavy concentration of diesel particulates (PM 10's and PM 2.5's) and Nitrogen Dioxide within the site. Marco Biagi MSP said that "only 13% of the current First Bus fleet would meet the standard to be allowed to operate in a Low Emission Zone". The effects of this air pollution on people's health is well documented in European, United Kingdom and Scottish Governmental and Scientific publications. Indeed, Aberdeen University has recently been commissioned to carry out research because levels within sites such as this in Aberdeen City exceed European and UK directives in relation to air quality levels (all due to diesel particulates).

Aberdeen City Council, as the planning authority, has a duty in their decision making to take the effect of surrounding pollution levels on any building intended for human habitation: therefore it must refrain from allowing a development that would subject the residents to levels of pollution with which the planning department would have no jurisdiction over i.e. they cannot stop the depot carrying out their normal day to day functions, (unless they feel they can impose a remedy on the bus depot?) However there is no basis in law for planning authorities to assume that the Secretary of State or other regulatory bodies can be left to deal with air pollution (Planning Opinion of Robert McCracken QC on Planning and Air Quality) The planning authority could consider imposing a Grampian condition that the development could not be habited until an acceptable air quality at the bus depot was complied with. However this may not be commercially attractive to the developer (Ardmuir). Air quality (emissions) is relevant to this application as the development would "expose people to existing sources of air pollutants" and as such they are a material consideration. This approach would be supported by the National Planning Policy

Framework and the National Planning Practice Guidance as the development is highly likely to impact upon the health of the residents within the building.

Another consideration for any development on this site would be that it would stop the flow of air through the site: this current open space helps dissipate the considerable pollutants produced by First Bus operations into the atmosphere, away from harming people.

#### **NOISE POLLUTION.**

From early morning (5am) to late night (11pm) the buses entering and leaving the depot cause noise disturbance. From 10 pm to 3 am the entire fleet is washed and refuelled within the tin sheds closest to the proposed development. This is an extremely noisy operation and disturbs the surrounding neighbourhood. It is further compounded by the fact that the design and layout of the sheds and driveway means that they make screeching noises during the night as there is too restrictive a space for them to easily turn within.

There are also numerous loudspeakers mounted on the lighting poles located within the depot which First Bus operates from February to August to deter herring gulls nesting. This "noise" composes 3 different herring gull distress calls being emitted every 20 to 30 minutes. This has been known to be operated 24/7 during peak times.

#### **SCALE, MASSING AND DESIGN.**

The overall scale, massing and design of the proposal is not appropriate for the setting. At a national level the SPP sets out a commitment to give due regard to the "siting and design of new housing". The design should take account of the "setting, with reference to amongst other matters the topography, character and appearance of the surroundings". Clearly this has not been followed by the architects in their design brief as the mass is vastly greater than surrounding buildings, they are higher and the design it is not in keeping with the local vernacular i.e. traditional granite building with pitched roof. There would also be considerable overshadowing of Kings Crescent by the proposed development.

#### **CHARACTER AND SETTING OF OLD ABERDEEN CONSERVATION AREA.**

This development would have significant adverse effects on the character and setting of the existing buildings. The existing beautiful buildings, including a category A listed chapel and convent designed and built by the renowned Aberdeen architect Sir John Ninian Comper (1864-1960) provide a small enclave in a mixed use area. The development would ruin, overbear and detract from this in a significant way.

#### **SUSTAINABLE COMMUNITY: DETRIMENT TO THE AMENITY OF THE LOCAL COMMUNITY.**

For communities to be sustainable they need to have a mixed community. The area surrounding this development already has a large number of purpose built student accommodation blocks which has led to an imbalance in the community: one that makes sustaining this community a continual struggle for the few remaining permanent Aberdeen City residents left within the area.

## **PARKING**

Whilst it is commendable to encourage development where "green transport" can be used the reality is, that the size of this operation will require personnel to "service" it from outside the area and one must assume they will drive. This area is already used by people who work within Aberdeen City and Aberdeen University to park their cars and then walk to work as it is the closest "free" parking area to these locations. There is not a parking space to be found during normal working hours.

Whilst developers might like to assume students do not have cars the reality is (as a local resident knows) that many do have cars for various, sometimes necessary reasons. This is aptly demonstrated by the lack of local parking during term times and thus 3 parking spaces is not adequate for 202 students.

The planning authority cannot just ignore the pollution problems and the other issues highlighted above, and as such they have a statutory duty to refuse consent. I urge them to do so.

Yours sincerely



Jacinta Birchley

**Cc:**

**Cllr Nathan Morrison**

**Cllr Jean Morrison**

**Cllr Michael Hutchison**

**Lewis MacDonald MSP**

**Kirtsy Blackman MP**

**Kevin Stewart MSP**

**Old Aberdeen Community Council**

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Ref. 151811

15 Dummyside Ter.  
AB24 3NB  
11.1.16

Dear Sir,

I object very strongly to the proposed Ardmuir Student Developments plan for a student flat complex at Kings Crescent & St. Peter St.

This whole area, both inside & outside the Old Aberdeen Conservation Area, is being vandalised by the appearance of block after block of unsuitable flats, of Froghall, & Powis Place. It is being changed from a beautiful, peaceful village to a virtual ghetto, occupied for only part of the year.

The Kings Crescent development can only bring stress & indeed danger to the surrounding residents:

- ① the road will be darkened
- ② there will be much more traffic - students do have cars, parking will become impossible.
- ③ the noise level will rise, both day & night.

Both A.U. & R.G.U. have already stated that there is overprovision of student accommodation. No more is required — certainly not buildings which will replace grey granite & stone with faceless, impersonal blocks, whose materials, scale, & colour will kill the character of that part of Old Aberdeen

Yours faithfully,



RECEIVED  
14 JAN 2016

P&SO Letters of Representation  
Application Number: \_\_\_\_\_

Name:	Sou
Case No.:	WAG
Date Accepted:	
Initials:	
Signature:	

ABERDEEN CITY COUNCIL

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COMMITTEE	Planning Development Management
DATE	11/02/2016
DIRECTOR	Pete Leonard
TITLE OF REPORT	Technical Advice Note: The Repair and Replacement of Windows and Doors.
REPORT NUMBER	CHI/16/031
CHECKLIST COMPLETED	Yes

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## 1. PURPOSE OF REPORT

The purpose of this report is to obtain Committee approval for a draft Technical Advice Note (TAN) on The Repair and Replacement of Windows and Doors to be issued for a four week period of public consultation. A copy of the draft is available as Appendix 1 to this Report.

## 2. RECOMMENDATION(S)

It is recommended that the Committee:

- (a) Approve the draft TAN document on the Repair and Replacement of Windows and Doors for a four week public consultation period.
- (b) Agree that, following completion of the public consultation, any comments received and subsequent amendments to the draft advice be presented to a future meeting of the Committee.

## 3. FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report with the exception of costs which may be incurred through the consultation and publicity of the proposed advice. Any such expenses can be met through existing budgets.
- 3.2 The implication for the Priority Based Budgeting is positive. Detailed topic-based advice has value in reducing officer time spent on pre-application discussions, and will therefore prove beneficial in reducing cost.

#### 4. OTHER IMPLICATIONS

- 4.1 There are no known legal or equipment implications arising from this report.
- 4.2 As a major landowner in the city, proposals for the development of land and assets owned by Aberdeen City Council will, where this is applicable, be subject to assessment in line with the principles and standards set out in the Technical Advice Note.

#### 5. BACKGROUND/MAIN ISSUES

- 5.1 This TAN has been prepared in support of the Aberdeen Local Development Plan (ALDP) (2012). It is also in general conformity with the Proposed Local Development Plan 2015 which has now been submitted to the Scottish Government for examination. On completion of the examination, and the subsequent adoption of the next LDP, this TAN will be updated as appropriate and reported back to Committee.
- 5.2 This TAN provides a means for Officers to assess applications for the Repair and Replacement of Windows and Doors in Aberdeen. Technical Advice Notes do not carry the same weight as Supplementary Guidance but are still treated as material considerations in the decision making process. The TAN also provides general guidance and best practice advice for members of the public.
- 5.3 This TAN on 'The Repair and Replacement of Windows and Doors' replaces a current TAN updating our guidance and bringing it into line with national policy. The proposed TAN is largely the same as the adopted document with the following alterations:-
- Further to a recent appeal decision by a Reporter at the Planning and Environmental Appeals Division, the TAN now states that on the public elevations of unlisted buildings within conservation areas, if historic windows require to be replaced these must be an exact replica of the existing windows. On non-public elevations of unlisted buildings within conservation areas the TAN now states the context and setting of the building is required to be assessed to ensure proposals will have no detrimental impact on the character and appearance of the Conservation Area. The replacement windows should match the historic proportions, profile and dimension of the original windows and avoid heavy frames, but it may be acceptable to have a different material and/or method of opening.
  - This is a change to the current guidance which states, on public elevations of unlisted buildings within conservation areas a different framing material than the original framing material can be used, if all other elements remain the same. On the non-public elevations of unlisted buildings within conservation areas



the current guidance states, a relaxed approach in assessing the planning application can be used.

- The guidance for listed buildings has remained consistent, exact replicas are required on all elevation of listed buildings.
- The document has been made more concise.

## 6. IMPACT

6.1 The TAN contributes to “Aberdeen – The Smarter City” Vision by promoting Aberdeen as a great place to live and visit. It contributes to the Smarter Environment priorities by promoting attractive streets and townscapes.

6.2 The proposal also contributes to the following Single Outcome Agreement priorities:

- We live in Scotland that is the most attractive place for doing business in Europe
- We live in well-designed, sustainable places where we are able to access the amenities and services we need;
- We value and enjoy our built and natural environment and protect and enhance it for future generations.
- We reduce the local and global environmental impact of our consumption and production.
- Our public services are high quality, continually improving, efficient and responsive to local people’s needs.

6.3 The proposal is consistent with the Council’s Corporate Plan in particular delivering high levels of design from all development and maintaining an up-to-date planning framework. The TAN also meets the vision of the Community Plan in promoting a strong image of the City and a sense of civic pride.

6.4 The proposal supports the Council’s 5 year Business Plan in terms of protecting and enhancing our high quality natural and built environment.

6.5 The proposal is consistent with the Planning and Sustainable Development Service Plan, in particular promoting a customer focused service by engaging the community in the planning process.

6.6 An equalities and human rights impact assessment (EHRIA) has been carried out in relation to the proposed Technical Advice Note, with the results included as Appendix 2 to this report.

6.7 This document will have to go through the Strategic Environmental Assessment Process. Given the scope of the document, there would be no likely significant effect as a result of the Technical Advice. To ensure that this is properly documented a Screening Report has been

prepared and submitted to the SEA Gateway and the Consultation Authorities. In the case that any unforeseen issues are raised this will be reported back to Committee.

## 7. MANAGEMENT OF RISK

It is not considered that there are any risks associated with the recommendations made in this report. The TAN provides additional detail on the implementation of existing policies included in the Local Development Plan and the Proposed Plan and comes on foot of a recent appeal decision which gave more clarity to the issue of the Repair and Replacement of Windows and Doors. This will enable applicants to be more informed and will make the evaluation process more efficient for officers.

## 8. BACKGROUND PAPERS

- Aberdeen Local Development Plan  
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=42278&slD=9484>
- Appendix 1 – Technical Advice Note: The Repair and Replacement of Windows and Doors.
- Appendix 2 – Equalities and Human Rights Impact Assessment

## 9. REPORT AUTHOR DETAILS

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## Technical Advice Note (TAN)

Title: The Repair and Replacement of  
Windows and Doors

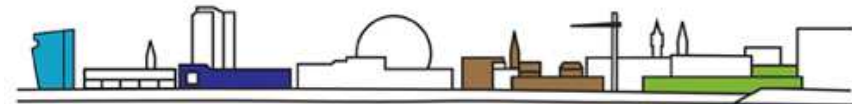
Date: February 2016

# Technical Advice Note

## The Repair and Replacement of Windows and Doors



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Enterprise, Planning and Infrastructure  
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**aberdeen** local development plan

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## 1. Introduction

This is one in a series of **Technical Advice Notes** (TANs) produced by Aberdeen City Council to help explain the Council's policies on various aspect of development in the City and who to contact for further information and advice.

This TAN addresses the **Repair and Replacement of Windows and Doors** and applies to all properties in the City. It:

- provides advice and guidance to residents and developers who are considering the repair or replacement of windows or doors;
- provides advice on whether any approvals are required before undertaking works (e.g. Planning Permission, Listed Building Consent, Building Warrant), and how to apply for these approvals;
- is a 'material consideration' and will assist Officers within Aberdeen City Council in determining applications;
- explains why windows, doors and doorways are important features of traditional buildings;
- outlines the Council's expectations for properties which are Listed Buildings and / or within a Conservation Area;
- provides 'best practice' guidance on suitable replacement windows and doors where repair is not an option; and,
- advises on measures to enhance the efficiency and security of older windows and doors without having to replace them.

A Further Reading list is provided at the rear of the guide (Section 13), along with a Glossary (Section 12) to explain terms which may not be familiar. The TAN does not include guidance on new dormer windows or rooflights, as these are covered separately within the Householder Development Guide Supplementary Guidance, available at:

[www.aberdeencity.gov.uk/localdevelopmentplan](http://www.aberdeencity.gov.uk/localdevelopmentplan).



*Windows, doors and doorways can be important features of a building which are important to protect*

## 2. Thinking About Change

There are a number of reasons why owners might consider replacing their windows or doors, however the most common reasons are generally to do with concerns over heat loss, sound proofing, security and maintenance.

The general assumption is that these types of issues can only be resolved by completely replacing original windows and doors with something new – such as new ‘double glazing’. This is however often unnecessary, and can be extremely costly and unsustainable.

Below are a number of questions to consider before deciding whether replacing your windows or doors is right for you:

- Do my windows or doors actually need replacing or would it be more cost effective and sustainable to repair them?
- How old are my existing windows or doors? Are they of local or historic value or interest? Do they add value to my house?
- Are there upgrades which can be made to my existing windows to address heat loss, sound proofing and security?
- Can any parts of my existing windows or doors be recycled or reused if they cannot be repaired?
- Will new windows or doors really result in less maintenance?
- How long will it take for any savings in my heating costs to pay for the cost of new units, and how long will the new units last?



*Repair of sash & case windows can often be much cheaper than replacement*

### 3. Why Do We Need to Manage Change?

Windows, doors and doorways are distinctive features of a building which can often tell us a lot about local history and social change. In areas of Aberdeen where buildings have little decoration, traditional windows can make an important contribution to a building's architectural interest.

Changes to windows and doors which are well managed can make a positive contribution to the design and appearance of a building and to the quality and character of the surrounding area. Inappropriate changes can however have a significant negative impact on the character or appearance of a building which, when repeated over time, can dilute the appeal of wider areas.

For Listed Buildings and Conservation Areas inappropriate change can be particularly damaging, and may result in drops in property values. Unauthorised change may also lead to legal enforcement action.

Unauthorised windows and other works can also be identified by conveyancing solicitors and can affect property sales.



*Inappropriate change can negatively affect streets and wider areas as well as individual buildings*

To check if your property is a Listed Building, visit: [www.historic-scotland.gov.uk/historicandlistedbuildings](http://www.historic-scotland.gov.uk/historicandlistedbuildings).

To check if you live within a Conservation Area, visit: [www.aberdeencity.gov.uk/masterplanning](http://www.aberdeencity.gov.uk/masterplanning).



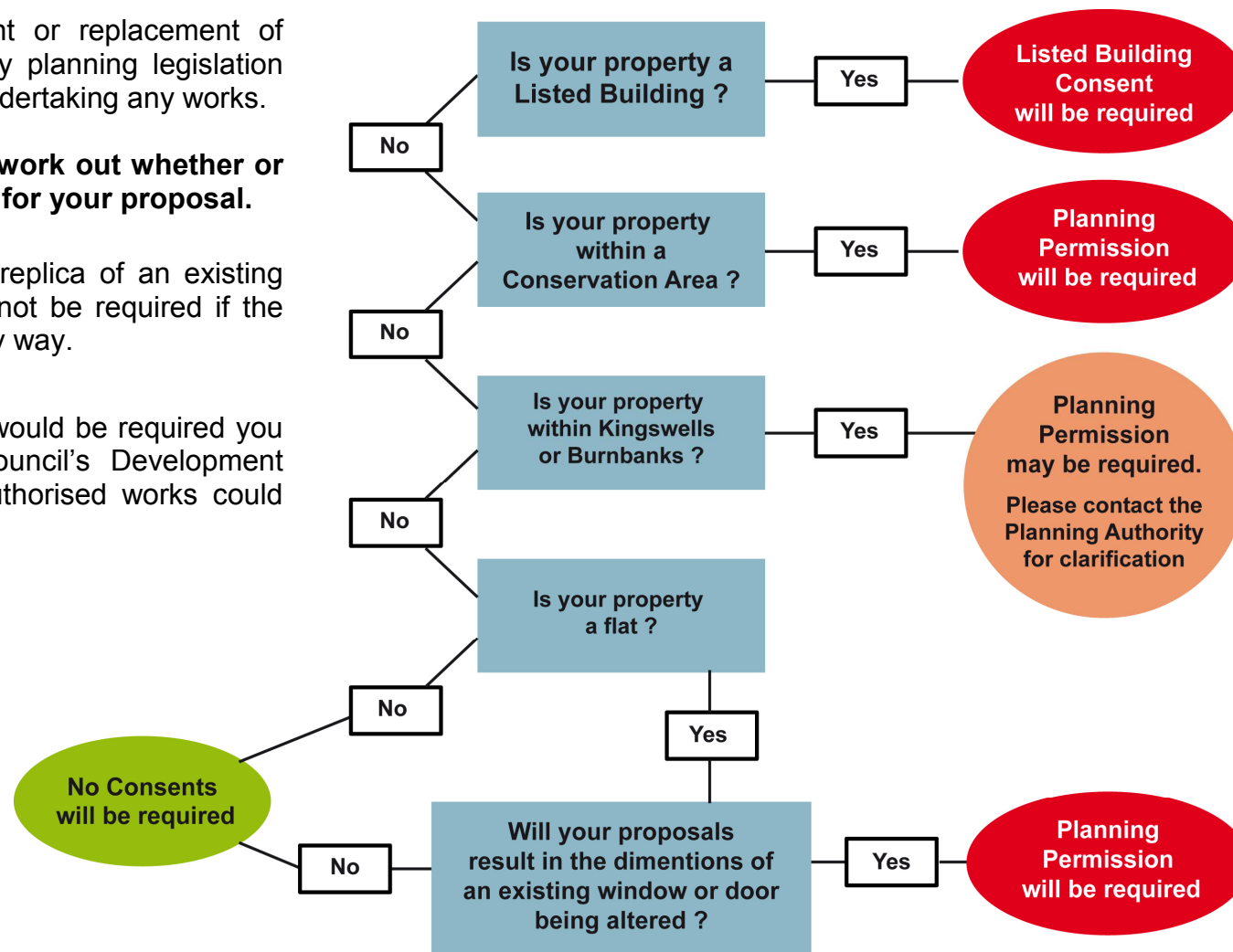
## 4. Do I Need Consent?

In some instances the amendment or replacement of windows and doors is controlled by planning legislation and permission is required before undertaking any works.

**This diagram should help you to work out whether or not permission would be required for your proposal.**

If your proposals are for an exact replica of an existing window or door then consent may not be required if the proposals match the existing in every way.

If you are unsure whether consent would be required you should always check with the Council's Development Management Section first, as unauthorised works could lead to costly enforcement action.



## 5. Listed Buildings, Conservation Areas and Other Areas of Special Control

### 5.1 Listed Buildings

In Aberdeen, Listed Buildings range from grand villas on Queens Road, to tenement blocks on Rosemount Viaduct and fishermen's cottages at Footdee. Each Listed Building has its own character and style, be it individually, or as part of a wider group of buildings.

All Listed Buildings are protected, not just those in Conservation Areas, and all elevations of a Listed Building are protected, regardless of the Category of Listing.

Listed Building Consent will almost always be required for the alteration or replacement of windows or doors in Listed Buildings. In some instances repairs to traditional windows and doors using the original materials ("like for like") may not require Listed Building Consent. For proposals not to require consent they must include exact replication of the opening method and materials. For windows they must also include exact details of astragal dimensions and profiles, fixing of glass and the reuse of historic glass where this contributes to a building's character.

In considering applications for Listed Building Consent, the Council is required by law to: "...have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" (Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997). If the Listed Building is situated in a Conservation Area, or is part of a flatted property, Planning Permission may also be required.

It is recommended that you check with the Council's Development Management section prior to undertaking any works to receive confirmation as to whether any consents would be required.



*Building may exhibit a variety of window sizes and glazing patterns. This can provide important evidence of the history of the building and contribute to its character and interest*

## 5.2 Conservation Areas

Conservation Areas are areas of the City which have been designated by the Council for their special architectural or historic interest. Aberdeen has 11 Conservation Areas within the City Boundary, which include areas such as Old Aberdeen, Ferryhill and Rosemount / Westburn. Appraisals of Conservation Areas in Aberdeen are available at [www.aberdeencity.gov.uk/masterplanning](http://www.aberdeencity.gov.uk/masterplanning).

If your property is not a Listed Building but is located within a Conservation Area then you will require Planning Permission to alter or replace windows or doors other than on a “like for like” basis. If your property is both a Listed Building and located in a Conservation Area then you will need to apply for both Listed Building Consent and Planning Permission. These requirements apply to both modern and older, traditional, properties.

In considering applications for Planning Permission in Conservation Areas, the Council is required by law to pay special attention “*to the desirability of preserving or enhancing the character or appearance of that area*”. (Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997). For Listed Buildings within Conservation Areas, Planning Permission will be required in addition to Listed Building Consent.

## 5.3 Other Areas of Special Control

For properties which are not Listed Buildings or within Conservation Areas, permitted development rights can exist so that small alterations to properties, such as replacing windows or doors, can be undertaken without the need for some permissions. These are not however applicable in the following circumstances:

Burnbanks and Kingswells



*Details of the Conservation Areas in Aberdeen can be found on the Council's website, [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk).*

In both Burnbanks Village and Kingswells the City Council has taken the decision to remove some or all Permitted Development Rights via an Article 4 Direction, and so planning permission for replacing or amending windows / doors in these areas will be required.

The general preference will be for original or historic windows and doors in areas covered by an Article 4 Direction to be repaired and restored wherever possible. Where there is no original or historic fabric to be retained then any assessment of replacement proposals will principally be based on styling/type, materials and colouring.

### Flats

If you live in a flatted property, planning permission will be required if you intend to alter the dimensions of an existing window or door opening.

## **6. Retain, Restore, Repair, Refurbish and Replacement**

### **6.1 Retain, Restore and Repair**

Windows and doors can almost always be improved by being repaired, even if they are in very poor condition. Repair is also preferred in terms of sustainability as it reduces the requirement for new raw materials and energy. Traditional windows and doors are extremely durable and when properly maintained can last for centuries - many in Aberdeen are already well over 100 years old.

The repair of original windows and doors is the best means of safeguarding the historic character of a traditional building, and in maintaining the visual character of wider areas. Repair will always be promoted over replacement, as new, modern, units will very rarely be capable of matching the character and visual interest of the units to be replaced.



*Examples of rectangular panes and curved glass*

Traditional windows are nearly always timber sash and case and are found in a variety of forms that reflect changing glass technology and architectural fashion. Timber sash and case windows are a recognised feature of Aberdeen's traditional buildings, and are generally of a straightforward design and construction, meaning that they can usually be easily repaired.

Curved corner windows and rectangular "lying" panes of glass are features which are particularly special to Aberdeen must always be retained.

Traditional external doors and doorways are usually of solid timber frame construction with inset panelling retained by mouldings. Throughout the 18<sup>th</sup> and 19<sup>th</sup> centuries panelled doors became standard for the main entrance of most types of building. In Aberdeen this was typically reflected in 4, 5 and 6 panel varieties in a number of different configurations. A good joiner should be able to treat most faults with traditional doors, and again repair should be less expensive than replacement.

Original door ironmongery such as letterboxes, door knockers and handles should be retained and reused wherever possible, as should original window fittings such as cord clamps, sash lifts, sash fasteners and hooks.



*4 panelled door with associated door ironmongery / furniture*

## 6.2 Refurbish

Traditional windows and doors can be upgraded at a lower cost to bring these same benefits, whilst still retaining the original features and style which gives character to your building.

### Energy Efficiency

Traditional windows and doors can be upgraded to increase energy efficiency, and improve sound insulation and security, often at a lower cost than replacing units, whilst still retaining the original features and style which gives character to buildings. Historic Environment Scotland's



*Draught-proofing strips can be easily applied to interior side of external door*

research and guidance on improving energy efficiency in traditional buildings can be found in their [Technical Conservation Knowledge Base](#).

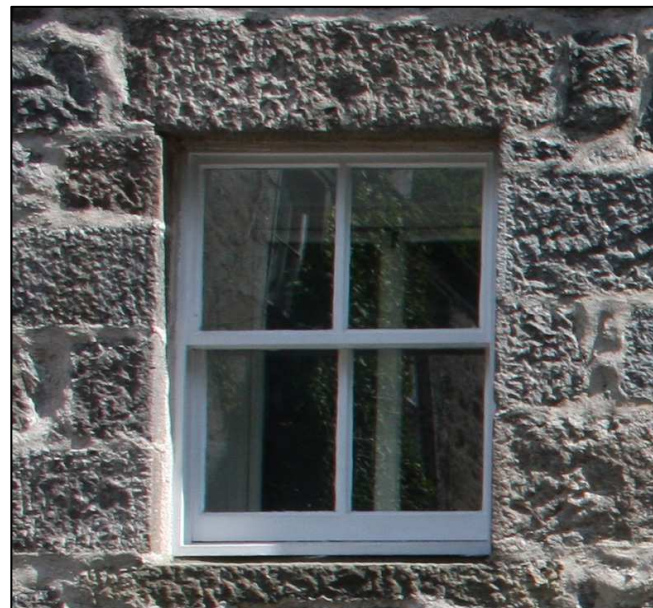
Draught-proofing simply means blocking up any unwanted gaps which let cold air in and warm air out. Keeping warm air in the building means less energy spent heating it, therefore saving you money. A number of draught-proofing measures are widely available from DIY stores and can be fitted relatively cheaply.

Traditional timber doors are generally very effective in retaining warm air within a building, however additional insulation material can be added to the panels on the indoor side of the door to enhance the effect and fight additional heat loss whilst still maintaining the character of the door from the outside.

Where installing draught-proofing to traditional windows is difficult, **secondary glazing** systems can be a good alternative. Secondary glazing consists of an additional pane of glass fitted on the inside of the existing window frame which can be removed during summer months and for cleaning. Providing similar insulation values to double glazing, it can also reduce dust ingress, provide good noise insulation, and be an extra security measure.

Secondary glazing design should seek to be as discreet as possible, particularly in Listed Buildings, with small frames concealed from view. Meeting rails and frames should be as small in section as possible to allow them to be disguised behind existing rails. If secondary glazing is installed, the original windows should not be draught-proofed to help avoid condensation.

For more information about improving energy efficiency in traditional properties a number of Historic Environment Scotland's publications are included in the Further Reading List at the end of this document (Section 13).



*Secondary glazing should seek to be as discreet as possible*

### 6.3 Reinstate Windows and Doors

To reiterate, original or historic windows, doors and doorways must be repaired and restored rather than replaced. Modern windows and doors which are unsympathetic should be restored to original types and arrangements, which are more appropriate to the age and character of the building. The reinstatement of the original types and arrangements of windows will be encouraged - except where there is a demonstrable benefit in retaining later fenestration as examples of window and glazing technology. If there is no indication what the original windows were like, then authentic historic precedents can often be found on neighbouring properties.

#### 6.4 Replace Windows and Doors

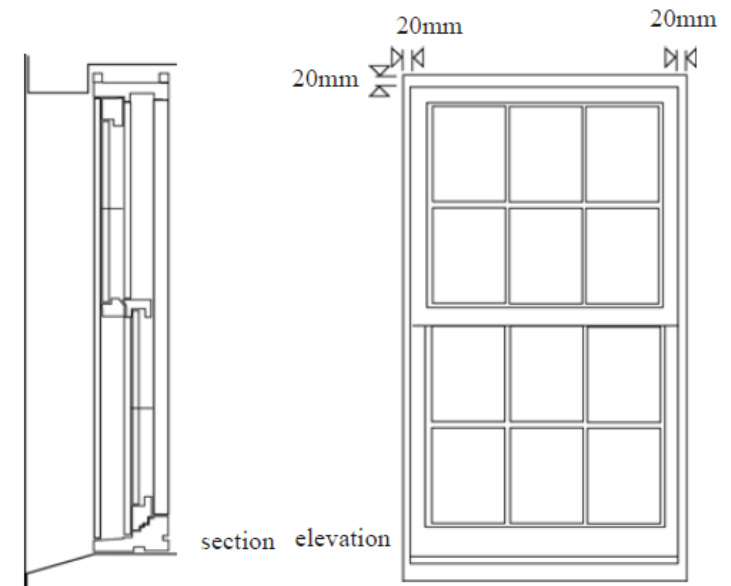
Complete replacement of traditional windows and doors should only be contemplated where the features have deteriorated to an extent where repair is not possible, and with Listed buildings evidence of this will be required as part of the Listed Building Consent application. This evidence should take the form of a Professional Survey, further details on which are provided in Appendix 1.

##### Windows

To ensure architectural integrity replacement windows should replicate the historic design exactly in terms of materials, proportions, profiles and dimensions of frames and glazing bars/ astragals and method of opening and details. Drawings will specify cross sections, plans, relationship at jambs/ sills and details such as mouldings, at a scale of 1:5 at A3. Replacement windows should re-use historic glass including stained, leaded or etched glass, where this contributes to a building's character. Proposals to use wired glass, obscured glass, louvered glass or extract fans in windows will not generally be considered acceptable.

##### Listed Buildings and public elevations of unlisted buildings in conservation areas

On Listed Buildings and public elevations of unlisted buildings in Conservation Areas, the introduction of PVCu windows as a replacement material is not acceptable.



*Sash & case window illustration*

Many historic windows in Aberdeen are timber sash and case. The relative proportions of the upper and lower sashes of new windows must be the same as in the original windows, as should the size of timber sections. Replacement windows should be fitted in the same plane, be made up from timber sections of the same profile and dimensions, and have the meeting rails in the same position.

Generally, when the window is fully closed, the visible part of the sash stiles, top rail and meeting rails should be of a similar width/depth. Where there is no existing original model on which to base a replica, bottom rails should be at least 75mm deep and 25mm deeper than the meeting rails, on elevation. No more than 20-25mm of the sash box should be visible in the window opening, the remainder being concealed behind the masonry window check.

#### Non-public elevations of unlisted buildings within Conservation Areas

On non-public elevations of unlisted buildings within Conservation Areas, the context and setting of the building is required to be assessed to ensure proposals will have no detrimental impact on the character and appearance of the Conservation Area. Replacement windows should match the historic proportions, profile and dimension of the original windows and avoid heavy frames, but it may be acceptable to have a different material and/or method of opening.

If existing non original/historic windows on the public elevation of an unlisted building within conservation area are being replaced, the reinstatement of the original types and arrangements of windows will always be encouraged. The reinstatement of approved one over one PVCu sash and case windows will only be allowed if:

- no more than 25mm of the outer window frame should be visible at the top and sides, once the window has been fitted into the masonry opening;
- the meeting rails must fully overlap.
- the bottom rail of the lower sash must be at least 75mm high.
- the glass must be recessed from the front face of the sash by at least 10mm.
- on bay windows no more than 25mm of the frame should be visible in the window opening, the remainder being concealed behind the masonry window check. A frame which encroaches more than 25mm will not be acceptable



On non-traditional, more modern, unlisted buildings in Conservation Areas a broader range of materials and designs may be permitted, depending on the individual building and surrounding area.

### Ventilators

Ventilators cut through the glass or visible on the window frames will not be considered acceptable on Listed Building or public elevations of unlisted building in Conservation Areas. Ventilators, where required, should be located unobtrusively in the meeting rail. Where trickle ventilation is required other more discreet means of achieving this should always be considered. Historic Scotland's publication "[Sash & Case Windows: A Guide for Homeowners](#)" provides further guidance on ventilation.

### Astragals

Consent for replacement windows where the astragals are merely applied to the surface of, or are sandwiched between, the panes of glazing will be refused. Where astragals are required, they must be kept slender to match the thickness of the original astragals, particularly in multiple pane sashes.

### Putty and Beads

Glazing in windows on Listed Buildings should preferably be retained in position with traditional putty or modern butyl based putty, which is always preferred to timber beads. Where glazing beads are required they should be wedge shaped to match a putty fillet, and taper from 10mm at the glass to less than 2mm at the outside. The edge of the bead must be flush with, or kept slightly back from, the face of the sash. It must never project out from the face of the sash, or an unacceptable shadow line will be created around each pane of glass. The dimensions of replacement window astragals should use original sash windows as the model. Typically astragals may only be 17-19mm wide. In Listed Buildings, the internal profile of the astragals must not be over-simplified, but should reproduce traditional moulding appropriate to the period and detail of the building. Astragals must carry through the sash to completely separate each pane of glass.



*Discreet means of achieving ventilation will be required*

## Horns

Elsewhere in the country most mid/late Victorian windows have 'horns' however this is not the case in Aberdeen. Along with original Georgian and early Victorian windows, most nineteenth century windows in Aberdeen do not have horns, and neither should the windows which replace them. The use of horns should only be contemplated only where there is clear evidence that they existed on the original windows, and in such instances the design of the horns should match the original.

## Doors

Where there is no alternative to the replacement of an original door on a Listed Building or on a public elevation of an unlisted building within a conservation area, new elements must match the original in all respects. The new door should match the original in terms of proportion, profile, opening method and material, and reuse historic glass where this contributes to a building's character. If the property forms part of a group of uniform design, then any replacement should make reference to those of the neighbouring properties in style, design and size. Joiner-made timber replicas are a requirement on Listed Buildings and will be strongly encouraged in Conservation Areas.

Composite door solutions on unlisted buildings may be appropriate on public elevations in Conservation Areas depending on the specified design proposed. If the existing door is surrounded with side lights and fan lights, and/ or mouldings these elements are required to be retained. If installing a composite door and doorframe would result in the loss of these features the proposal will be refused

On non-public elevations of unlisted buildings within Conservation Areas, the context and setting of the building is required to be assessed to ensure proposals will have no detrimental impact on the character and appearance of the Conservation Area. Replacement doors should match the historic proportions, profile and dimension of the original but it may be acceptable to have a different material and/or method of opening.



*Historic glass should be reused where this contributes to the character of a building*

Replacement doors with a stained or varnished finish, and those which introduce asymmetrical elements, integral fanlights, inappropriate glazing or panelled patterns, will also be rejected.

The original proportions of doorways and door openings on street frontages must always be retained, and proposals to recess a door either less or more deeply within the door opening will not be supported. Original door ironmongery such as letterboxes, door knockers and handles should be retained and reused if the timber door is being replaced. Where this does not survive, the replacement of modern fittings with items appropriate to the period of the building will be encouraged.

Where the opportunity exists, modern doors which are badly proportioned, or of the wrong type or material, should be replaced with a more appropriate solution.

### Colour Palette

White has been the default colour of window repairs and replacements for the past 20 years. In order to encourage uniformity new windows will be white. This will be particularly important in tenements where the use of a uniform window colour helps give the building an architectural cohesion it may otherwise lack. Other colours will need to be agreed.

Doors should be painted in an appropriate dark and muted colour, and bright glosses and white paint avoided. Stained or varnished wood finishes will generally be unacceptable.



*Replacement windows will generally require to be white*

## 7 Inserting New and Blocking Up Old

Applications to insert additional windows in Listed Buildings or in Conservation Areas may be permitted where this does not detract from the character of the building or area.

Location and design are the key considerations for new window openings which should be assessed in the context of the rest of the building and surrounding properties. The blocking up, in whole or in part, of original openings should only occur where the window makes little contribution to the building or area.

In principle the blocking up should be done in materials that relate to the surrounding building and evidence of the opening, such as window surrounds, be retained.

Proposals to increase the glazing area by removing stone or timber mullions which form the divisions in bipartite or tripartite windows will not be supported on Listed Buildings or in Conservation Areas.

The re-opening of blocked windows will be encouraged only where this will reinstate the intended elevational treatment of the building. It will not be permitted in cases where blocking up has taken place during later alterations to the structure and where the earlier window openings consequently no longer relate to present elevational form.

Doors in street frontages, even though no longer used, should always be retained



*Example of blocked up windows in Ferryhill*

## 8 Building Regulations

Building Regulations exist to protect the public and for replacement windows and doors cover aspects such as ventilation, safety from collision, safe cleaning, prevention of falls, thermal performance and means of escape.

There is no need to obtain Building Warrant approval for replacing your windows or doors, but the work you undertake should meet the requirements of the Building Regulations, and the responsibility for compliance rests with the owner.

This guidance applies whether or not the new window or door is to be the same style and material as the existing.

Repairs to an existing window are slightly different and can be completed to return the window to the original standard without the need for the repaired window meeting current standards e.g. replacing the cill.

It is recognised that compliance with all Building Regulations may be difficult in buildings that have existing historical features or are Listed. Further advice on relaxations can be sought from the Building Standards Team at 01224 523470 or [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk). Further guidance on Building Regulations can be found in Appendix 2.

## 9 Bats

If you are considering repairing or replacing any windows or doors you should also consider the possibility of bats being present. Bats and bat roosts can be found in many kinds of building, old or new, and can sometimes be found roosting in window frames, window sills, doorways, lintels and porches.

Bats are European Protected Species (EPS) and are protected by European, UK and Scottish Law. The main piece of the legislation in the UK for the protection of bats is the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). If you do not require planning permission for the amendment or replacement of your windows or doors, however suspect that you may have roosting bats, a bat survey will confirm this and whether a licence from Scottish Natural Heritage is likely to be required.

Further information about bats, surveys and surveyors can be found in our Bats and Development Supplementary Guidance.

## 10. Summary Charts - What Could Be Acceptable Where?

The following tables have been produced for general guidance purposes only. Proposals will still require to demonstrate satisfactory detailed designs and implementation methods. The charts should only be read in the context of the advice provided within the rest of this TAN. Alterations and works to **non-pubic elevations of unlisted buildings in conservation areas** may still require consent. Alterations to Listed Buildings may require Listed Building Consent and planning permission may be required to alter any elevation of properties in conservation areas.

Any queries should be directed to the Council's Development Management Section

### Windows

	Listed Buildings	Conservation Areas: Public Elevations
Retain, repair and refurbish original/historic window frames and glazing	Consent not required	Consent not required
Secondary glazing	Consent not required in most instances. Please check.	Consent not required in most instances
Window survey required to remove original/historic window (frames and /or fabric)	✓	N/A
Reinstate original types and arrangements – with exceptions	✓	✓
Timber replica/reinstatement	✓	✓
Reuse historic glass/ironmongery and window fittings in replacement windows	✓	✓
Retaining and reuse historic or original stained / decorative leaded glass and etched glass	✓	✓
Replace original/historic frames with different material	X	X

Through astragals	✓	✓
Visible Ventilators	X	X
Horns	X	X

**Doors and Doorways**

	Listed Buildings	Conservation Areas: Public elevations
Retain, repair and refurbish original/historic	Consent not required	Consent not required
Reinstate original types and arrangements	✓	✓
Joiner made timber panelled door	✓	✓
Composite Door	X	✓ in certain circumstances
uPVC / aluminium / DIY chain store door	X	X
Flush (e.g. plywood) doors with mouldings applied	X	X
Reuse historic Ironmongery	✓	✓

## 11. What To Do Next

Applications for Planning Permission and / or Listed Building Consent can be made online via the Scottish Government's e-planning website: <https://www.eplanning.scot/ePlanningClient/>

Or direct to Aberdeen City Council using the application forms available at: [www.aberdeencity.gov.uk/planning\\_environment](http://www.aberdeencity.gov.uk/planning_environment)

For applications for Planning Permission an application fee will be required. There is no charge for applications for Listed Building Consent, however a fee may be requested to advertise the application in the local press.

Failure to obtain appropriate consents and permissions could result in enforcement action being taken to have unauthorised windows or doors replaced, which may entail considerable costs for the building owner. Unauthorised windows and other works are often identified by conveyancing solicitors and can affect property sales.

In the case of a Listed Building unauthorised work falls under criminal law, and so the person who executes the works, or causes them to be executed, is liable to prosecution or imprisonment in addition to standard enforcement proceedings.

### Submission Requirements

Two (2.no) copies of the following scaled drawings will be required for applications for Planning Permission and three (3.no) for Listed Building Consent in addition to the relevant application forms:



#### For further information please contact:

Planning and Sustainable Development  
Aberdeen City Council  
Business Hub 4, Ground Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Telephone: 01224 523470

Fax: 01224 523180

Email: [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk)



1. An OS Plan which clearly identifies the location of the site
2. Plans and detailed elevations of both existing and proposed works.
3. Horizontal and sectional drawings with details at a larger appropriate scale.
4. Details of proposed materials and style of opening.
5. Any other relevant technical information and photographs

In addition, for applications for the replacement of windows/doors on a Listed Building or within a Conservation Area, the following will also be required:

6. A clear statement which sets out a justification for the proposals, including why the works are desirable or necessary.
7. Detailed justification (e.g. a professional survey – for more information refer Appendix 1) to demonstrate to the satisfaction of the Council that the windows/doors to be replaced are beyond economic repair. Within Conservation Areas this will only be required for proposals affecting front elevations or elevations which are visible from public areas.
8. Drawings will normally be required at a scale of 1:1 or 1:2 and should include sections through window head, meeting rails, bottom rail and cill, window jambs and astragals. In addition, an elevation of the window should be provided showing the position of the meeting rails and the arrangement of any astragals.

### **Sources of Assistance**

If your property is a Listed Building or situated within a Conservation Area then you may wish to investigate whether any sources of funding assistance exist:

- The Aberdeen City Heritage Trust is a limited company and charity that operates within Aberdeen City. The Trust has its own criteria for determining in what circumstances it may be prepared to offer assistance. Further details can be found on its website [www.aberdeenheritage.org.uk](http://www.aberdeenheritage.org.uk) or by calling 01224 522755
- Historic Scotland also administers a programme of building repair grants throughout Scotland for Listed Buildings of outstanding architectural or historic importance, or key buildings within Conservation Areas. More information is available at [www.historic-scotland.gov.uk/grants](http://www.historic-scotland.gov.uk/grants)

## 12. Glossary

**Article 4 Direction:** Some types of development do not need planning permission by virtue of permitted development rights. An Article 4 Direction is an order made by Scottish Ministers which suspends (for specified types of development) the general permission granted under the Town and Country (General Permitted Development) (Scotland) Order 1992 (as amended), thereby removing permitted development rights. Article 4 Directions are currently in place in Burnbanks and parts of Kingswells.

**Astragal:** A glazing bar separating panes of glass within a window.

**Conservation Area:** Conservation Areas are areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance. Such areas are designated by the local planning authority. Details of the Conservation Areas in Aberdeen can be found via [www.aberdeencity.gov.uk/masterplanning](http://www.aberdeencity.gov.uk/masterplanning).

**Dwellinghouse:** For the purposes of this guidance, the term “dwellinghouse” does not include a building containing one or more flats, or a flat contained within such a building

**Fenestration:** The arrangement / pattern of the windows in a building.

**Flat:** A separate and self contained residence, which is one of several within a larger building.

**Lintel:** A structural beam above an opening, such as a window or door,

**Listed Building:** Working on behalf of Scottish Ministers, Historic Scotland inspectors identify buildings which are worthy of statutory protection. These are ‘Listed Buildings’. The criteria by which the Scottish Ministers define the necessary quality and character under the relevant legislation are broadly; Age and Rarity; Architectural Interest; and Close Historical Association A list of listed building is available from Historic Scotland [www.historic-scotland.gov.uk/historicandlistedbuildings](http://www.historic-scotland.gov.uk/historicandlistedbuildings).

**Listed Building Consent:** Although the listing of a building should not be seen as a bar to all future change, strict controls do exist to ensure that works undertaken to Listed Buildings are appropriate. Listed Building Consent is obtained through an application process which is separate from, but runs parallel to, applications for planning permission. This separate regulatory mechanism allows planning authorities to ensure that changes to listed buildings are appropriate and sympathetic to the character of the building.

**Material Consideration:** Any issue which relates to the use and development of land and is relevant to the planning process.

**Mullion:** A vertical piece of stone or timber dividing a window into sections.

**Permitted Development:** A term used for certain types of development which, by satisfying specified conditions, is automatically granted planning permission without the submission of an application to the planning authority. These Permitted Development Rights are removed for Listed Buildings, Conservation Areas, Article 4 areas, and flats.

**Planning Authority:** The term given to the Council in its role exercising statutory functions under Planning legislation. Authorities have three main planning duties: Development Management (assessing and determining planning applications); Development Planning (preparing, updating and monitoring the authority's Local Plan/Local Development Plan); and Enforcement (seeking to investigate and resolve breaches of planning control)

**Sash and Case Window:** A window that slides vertically on a system of cords and balanced weights.

**Terrace House:** A dwellinghouse situated in a row of three or more buildings

**Transom:** A horizontal glazing bar in a window.

### 13. Further Reading

- **Aberdeen Local Development Plan**  
[www.aberdeencity.gov.uk/localdevelopmentplan](http://www.aberdeencity.gov.uk/localdevelopmentplan)
- **Bats and Development Supplementary Guidance**  
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=47678&sID=14394>
- **Householder Development Supplementary Guidance**  
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=45460&sID=14394>
- **Conservation Area Appraisals**  
[www.aberdeencity.gov.uk/masterplanning](http://www.aberdeencity.gov.uk/masterplanning)
- **Historic Scotland - Energy Efficiency Advice**  
<http://www.historic-scotland.gov.uk/index/heritage/technicalconservation/energyefficiencyadvice.htm>
- **Historic Scotland - Managing Change in the Historic Environment: Doorways**  
<http://www.historic-scotland.gov.uk/index/heritage/policy/managingchange.htm>
- **Historic Scotland - Managing Change in the Historic Environment: Windows**  
<http://www.historic-scotland.gov.uk/index/heritage/policy/managingchange.htm>
- **Historic Scotland – Sash & Case Windows: A Short Guide for Homeowners**  
<http://www.historic-scotland.gov.uk/maintaining-your-home.pdf>
- **Scottish Historic Environment Policy**  
[www.historic-scotland.gov.uk/index/heritage/policy/shep.htm](http://www.historic-scotland.gov.uk/index/heritage/policy/shep.htm)

## **Appendix 1: Professional Survey**

National planning policy only allows windows in Listed Buildings to be replaced where there is evidence that they cannot be repaired. It also requires that applications for Listed Building Consent are supported by sufficient information to enable the local planning authority to determine them. This is why we ask for a survey to demonstrate that existing window(s) are beyond repair and need to be replaced. This is in addition to the elevational drawings and sections required. Please note that comprehensive window replacement is unlikely to be justified in all but exceptional circumstances.

### **What should be in a survey?**

The survey should be carried out by a joiner or similar and include each individual window. It should include an image of the whole elevation with the windows numbered and an accompanying proportionate amount of information about the type, age and condition of each window. For a straightforward residential property this could be an annotated photo with the windows numbered and a short description of the window condition. Additional information may be required for a more complex building or where significant historic windows are involved

## **Appendix 2: Building Standards Information**

### **Ventilation**

Every apartment must have a window(s) or door(s) with an opening area of at least 1/30th of the floor area of that room. Where the opening area of the existing window is already less than 1/30th of the floor, the opening area of the replacement window must not be less than the original size. If the existing window had an integral trickle ventilator the replacement window must also have an integral trickle ventilator of at least the same size as the original.

### **Safety from Collision**

Windows must not open over footpaths or any place to which the public has access, where they could form a hazard or obstruction.

### **Safety Glass**

Glazing which is less than 800 mm above the floor must be toughened or laminated. Alternatively, a protective barrier could be installed to prevent collision.

### **Thermal Insulation**

Windows must have a U-value (thermal insulation rating) of not more than 1.8 W/m<sup>2</sup>K. There are many types of window construction which meet the required degree of thermal insulation and this should be confirmed with the window installer.

### **Protective Barriers**

Openable windows to a storey with a floor level of at least 600 mm above the outside ground level, and with a cill height less than 800 mm above floor level, must be provided with a protective barrier to minimise the risk of falling from the window. On the ground and first storeys, the barrier must be not less than 800 mm above the floor level. There must not be any gaps in the barrier which would allow a 100 mm ball to pass through. Alternatively, permanently fixed safety glass may be used instead of a barrier.

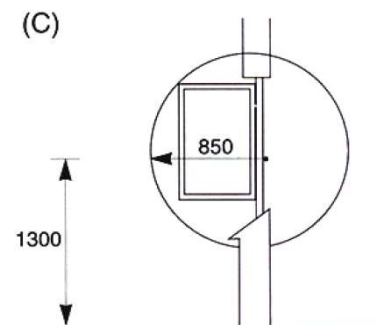
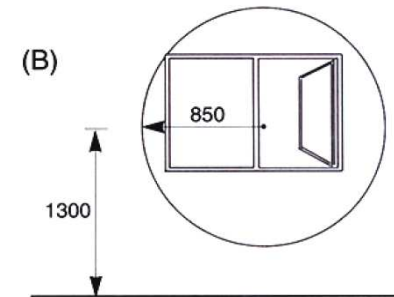
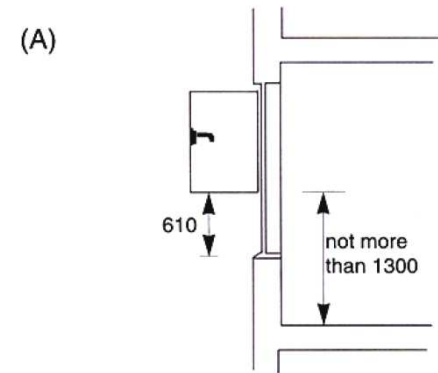
## Emergency Escape Windows

An escape window must be provided in every apartment on the first floor of a dwelling. Escape windows must also be provided in rooms on the ground storey where the escape is through another room. Escape windows must have an unobstructed openable area that is at least 0.33 m<sup>2</sup> and at least 450 mm high and 450 mm wide. The bottom of the openable area must not be more than 1100 mm above the floor except in cases where the existing cill height is greater than 1100 mm.

## Safe Cleaning

All windows must be safely cleanable. Windows, all or part of which are more than 4 m above the adjacent ground level must be designed so that any external and internal glazed surfaces can be cleaned safely from inside the building. These windows must be cleanable whilst standing on the floor and without over-reaching. The maximum reach must not exceed that shown in the diagrams over, and the maximum upwards reach is 2150 mm. If parts of the existing window are out with the maximum reach, the replacement window should be of a type which allows those parts to be brought within the safe reach in order to allow safe cleaning.

All dimensions are in mm.



(A) downwards reach through an opening light

(B) side reach through an opening light

(C) reach for cleaning an open window with easy-clean hinges

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