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

Town House,  
ABERDEEN 4 February 2015

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in Committee Room 2 - Town House on **THURSDAY, 12 FEBRUARY 2015 at 10.00 am.**

JANE G. MACEACHRAN  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **B U S I N E S S**

**MEMBERS PLEASE NOTE THAT ALL LETTERS OF REPRESENTATION, INCLUDING THOSE NOT IN THE REPORT PACK, ARE AVAILABLE TO VIEW IN THE MEMBERS' LIBRARY**

### **MINUTES OF PREVIOUS MEETINGS**

- 1 Minute of Meeting of the Planning Development Management Committee of 15/01/15 for approval (Pages 1 - 4)

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

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

- 2 1 Gowanbrae Road, Bielside - Replacement Dwelling (Pages 5 - 52)  
Planning Reference – 141543  
  
Planning Application documents can be viewed here-  
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141543>
- 3 80 Western Road - Change of Use to 19 Serviced Apartments (Pages 53 - 74)  
Planning Reference – 141404  
  
Planning Application Documents can be viewed here-  
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141404>
- 4 Union Bridge - Railings (Pages 75 - 86)  
Planning Reference – 131829  
  
Planning Application Documents can be viewed here –  
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131829>
- 5 Redevelopment of Cornhill Hospital (Pages 87 - 136)  
Planning Reference – 130381  
  
Planning Application Documents can be viewed here –  
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=130381>

### **OTHER REPORTS**

- 6 Confirmation of Tree Preservation Orders (Pages 137 - 156)

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

Should you require any further information about this agenda, please contact Martyn Orchard on 01224 523097 or email [morchard@aberdeencity.gov.uk](mailto:morchard@aberdeencity.gov.uk)

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 15 January 2015. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Cooney (as substitute for Councillor Crockett), Corall, Cormie, Donnelly (as substitute for Councillor Thomson), Greig, Jaffrey, Lawrence, Jean Morrison MBE, Stuart and Yuill (as substitute for Councillor Jennifer Stewart).

The agenda and reports associated with this minute can be found at:-

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MI d=3595&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

### MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 4 DECEMBER 2014

1. The Committee had before it the minute of its previous meeting of 4 December 2014.

#### **The Committee resolved:-**

- (i) in relation to article 4 of the minute to note that the Council published all lodged planning applications in the Evening Express (every Friday) as well as in the Citizen newspaper and that this conformed with the legislative requirements;
- (ii) to note that officers would liaise with Councillor Cormie and members of a local Community Council regarding how the Community Council receives details of planning applications;
- (iii) to agree to amend article 5 of the minute (the resolution of the Committee) to read "to adopt the amendment";
- (iv) to note that in relation to article 8 of the minute that enforcement action could not be pursued at this stage as the applicant had lodged an appeal; and
- (v) to otherwise approve the minute as a correct record.

#### **DECLARATION OF INTEREST**

The Vice-Convener declared an interest in relation to the following item by virtue of his former position as Chairperson of Cove and Altens Community Council, wherein that organisation had objected to a planning application on the site in question. Councillor Finlayson considered that the nature of his interest required him to leave the meeting and took no part in the deliberations thereon.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

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**CO-OP, EARNSHEUGH ROAD - 141589**

2. The Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Committee approve the application for planning permission for the installation of a refrigeration/plant unit to the existing rear yard of the retail store at the Co-operative, Earns Heugh Road, Cove Bay, subject to the following condition:-

that the plant will meet the requirements of BRL noise impact assessment report of 12 December, 2014.

**The Committee resolved:-**

to approve the recommendation.

**3 SOUTH AVENUE, CULTS - 140568**

3. The Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Committee **refuse** the application in respect of planning permission for the demolition of the existing dwelling and the erection of four houses and associated infrastructure, including three detached garages (one with a studio) at 3 South Avenue, Cults, on the following grounds:-

(i) The proposal fails to accord with Policies H1 (Residential Areas), Policy D1 (Architecture and Placemaking) and the associated Supplementary Planning Guidance by reason of the detrimental impact and incongruous relationship with the character and amenity of the locality arising from the inappropriate and unacceptable intensification of the residential use and the resultant high density of the development, as a result of which the proposal has not been designed with due consideration for its context, and (ii) the proposal fails to accord with Policy NE5 (Trees and Woodland) in that the proposal would result in an unacceptable loss of trees within the curtilage of the site. The existing tree coverage contributes to local amenity and to the landscape character of the surrounding area, and its loss, along with the proposed replacement planting is considered to be insufficient.

**The Committee resolved:-**

to approve the recommendation contained in the report.

**CONSERVATION AREA CHARACTER APPRAISALS**

4. With reference to article 4 of the minute of meeting of the Committee of 24 July, 2014, the Committee had before it a report by the Director of Communities, Housing and Infrastructure which outlined the results of a public consultation exercise

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undertaken on the draft character appraisals for Old Aberdeen and Pitfodels Conservation Areas (a summary of the representations received, officers' responses and detail of any resulting action was provided in Appendix 1 to the report with full, un-summarised copies of representations detailed in Appendix 2). The report also outlined progress made since July 2013 on Cove Bay Conservation Area.

The Convener explained that all Members of the Committee had received a letter from Old Aberdeen Heritage Society who had outlined views relating to Appendix 1 to the report.

**The report recommended:**

That the Committee -

- (a) note the representations received on the draft Old Aberdeen and Pitfodels Conservation Area Character Appraisal documents;
- (b) approve Appendix 1, which includes officers' responses to representations received and any necessary actions;
- (c) approve Pitfodels Conservation Area Character Appraisal for inclusion in the Conservation Area Character Appraisals and Management Plan;
- (d) approve the draft (version 2) Old Aberdeen Conservation Area Character Appraisal for re-consultation with Old Aberdeen Community Council; Old Aberdeen Heritage Society; University of Aberdeen: Historic Scotland and local Ward Members; and
- (e) approve the revised Cove Bay Conservation Area Character Appraisal and retention of conservation area status.

**The Committee resolved:-**

to approve the recommendations contained in the report.

- **COUNCILLOR RAMSAY MILNE, Convener.**

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# Agenda Item 2

## Planning Development Management Committee

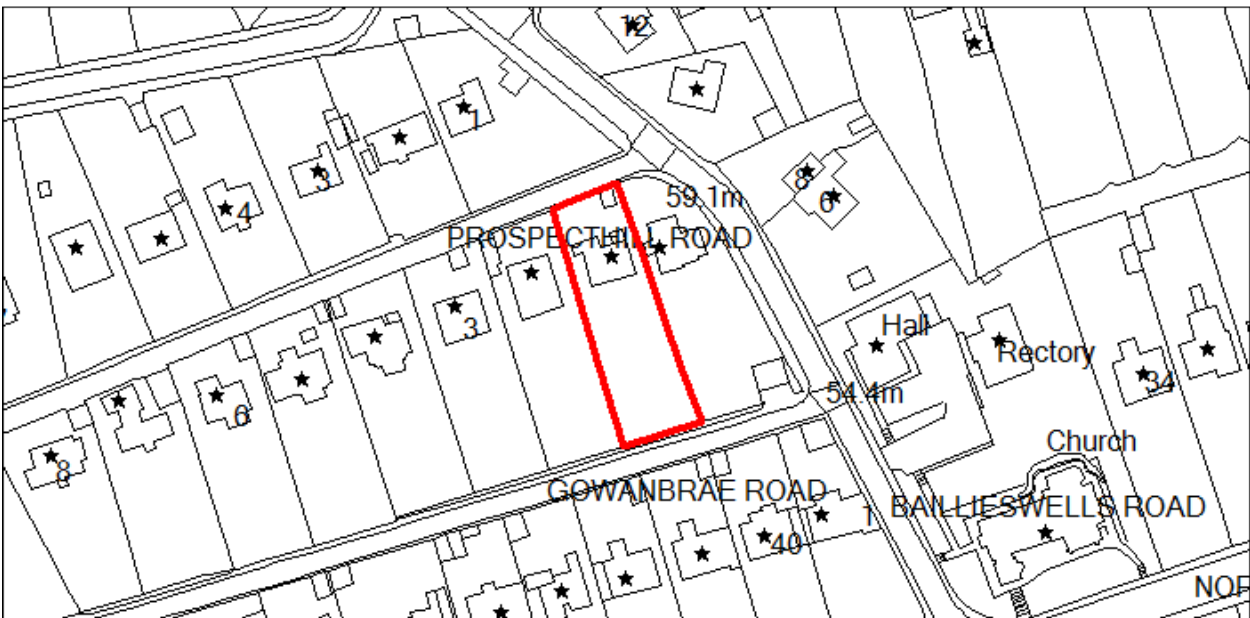
THE COTTAGE, 1 GOWANBRAE ROAD,  
BIELDSIDE

DEMOLISH EXISTING HOUSE AND ERECTION  
OF REPLACEMENT HOUSE

For: Mr R Openshaw

Application Type : Detailed Planning Permission  
Application Ref. : P141543  
Application Date: 05/11/2014  
Officer: Dineke Brasier  
Ward : Lower Deeside (M Boulton/A Malone/M  
Malik)

Advert :  
Advertised on:  
Committee Date: 12/02/15  
Community Council : No response  
received



### RECOMMENDATION:

Approve subject to conditions

## **DESCRIPTION**

The property at 1 Gowanbrae Road is a traditional one and a half storey detached granite-built house with a hipped slated roof. The property has been extended to the rear and to the side. The dwelling is set in the rear part of a large plot with a long front garden facing south with mature trees and planting. Vehicular access is to the rear from Prospecthill Road. A small single garage fronts that road.

The site is located within a residential area in Bielside. This part of Bielside is characterised by linear development with long front gardens and vehicular access to the rear. The relatively modest dwellings are set in generous plots with wide spacing between the properties. This pattern is repeated along North Deeside Road, Gowanbrae Road and Prospecthill Road.

## **RELEVANT HISTORY**

There is no planning history for 1 Gowanbrae Road.

In 2012 a planning application for the removal of the existing roof, extension to the rear and formation of a new roof across the entire footprint of the house at 2 Gowanbrae Road was granted unconditional approval under 121038. This permission has not been implemented, but remains valid until 18 November 2015, and is therefore a material consideration in respect of this application.

## **PROPOSAL**

Detailed planning permission is sought for the construction of a replacement dwelling at 1 Gowanbrae Road, Bielside. The replacement dwelling would be significantly larger than the existing property on the site. The design shows four distinct parts to the dwelling: a rear section containing a kitchen/ dining/ family area; a link section with a utility room and landing; middle section with a bedroom with en-suite, study, wc and lounge; and a double garage to the front. The first floor contains four bedrooms, one with en-suite bathroom and a family bathroom. The front section measures 11.3m by 7.2m, the middle section measures 15m by 7.2m and the double garage measures 6.6m by 6.6m. Thus, the overall dimensions of the house would be 23.0 metres by 15.0 metres. The rear and the middle section will have fully pitched roofs with gable ends. The eaves height is set at 2.2m with an overall ridge height of 6.7m. The design includes three dormers to the south elevation, two dormers on the north elevation and a further dormer on the south elevation of the middle section. A number of rooflights would be inserted in the roof slope in the link section to provide additional daylight into the landing area.

The dwelling would be set at the rear of the plot and would front Prospecthill Road. A clearance of 2m has been kept from each side boundary. The granite from the existing dwelling would be reused in the north and south elevation of the



proposed dwelling, whilst the west and east elevations would be finished in roughcast render. The roof would be slated and doors and windows would be constructed of timber.

The proposal has been amended throughout the application process to reduce the overall scale and massing of the development. Specifically, the overall width of the house has been reduced by approximately 1.2 metres, thus increasing the distance from the side boundaries. The height of the garage has been reduced by lowering the ridge of the roof by 1 metre. The position of the house on the plot has also been adjusted. It has been moved approximately 2.5 metres to the north.

### **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141543>

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

Bat Survey  
Tree Survey  
Design Statement

### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because a total of 10 written representations were received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

### **CONSULTATIONS**

**Roads Projects Team** – The five bedroomed property will have provision for at least three off-street parking spaces. The information provided on parking and access arrangements are considered acceptable to Aberdeen City Council guidelines.

**Environmental Health** – No observations

**Enterprise, Planning & Infrastructure (Flooding)** - No observations

**Community Council** – None received

### **REPRESENTATIONS**

10 letters of objection have been received. The objections raised relate to the following matters –

Size and massing of the proposed dwelling: The proposed property is too large when compared to the surrounding housing stock, being significantly larger than the adjacent dwellings and dwarfing the neighbouring property at 3 Baillieswells Road. It represents an overdevelopment of the site. The dwelling is significantly higher than other properties in the street, which is further accentuated by different ground levels.

Out of character with the existing housing stock: Although a number of large replacement houses have been built in the surrounding area, in this case, the proposed property is out of character. The existing dwelling is a good, relatively unaltered example of traditional architecture and is pleasing to the eye.

Replacement of a modest dwelling with a very large property: The proposal would alter the mix of dwellings within the area, removing a more affordable dwelling from the mix. The house is more than four times the size of the existing property and is an overdevelopment of the site. There are sufficient modern developments with large houses in nearby Cults and West Milltimber for the applicants to secure such a property.

Precedent: This proposed development would set an unacceptable precedent for large replacement dwellings in this immediate area.

Property extends beyond the existing building line on Gowanbrae Road: The property would extend beyond the front and rear building lines that have been maintained along Gowanbrae Road. It also comes nearer the side boundaries with 3 Baillieswells Road and 2 Gowanbrae Road.

Loss of existing dwelling: This type of property is characteristic for this part of Bielside, and the reason why many residents bought their own property. The proposed redevelopment would erode this traditional character of the street.

Road safety: Prospecthill Road and Gowanbrae Road are used as ratruns. The large volume of traffic using these roads is dangerous for pedestrians as pavements are only narrow. This situation would be aggravated by construction traffic. The access should be located at the western side of the plot.

Impact on residential amenities: The plot is relatively narrow, and this house cannot be accommodated without unacceptable intrusion, overlooking and loss of amenity for adjacent and nearby properties. The garage extension would have an unacceptable impact on 3 Baillieswells Road. Windows in east gable would overlook 3 Baillieswells Road. The height of the building would result in a loss of light to the rear garden of 3 Baillieswells Road. All dormer style windows should be rooflight windows to prevent overlooking, intrusion and loss of amenity to neighbouring properties.

All bedrooms and the patio of 2 Gowanbrae Road would suffer from a loss of privacy, sunlight and visibility.

The development would impact on views from 1 Prospecthill Road.

Front first floor windows would overlook 46 North Deeside Road.

Drainage: The footprint of the proposed new house and patio area would impact severely on the sloping site towards Gowanbrae Road. This over-development of the site is not compatible with drainage as proposed. Due to inadequate existing drainage, water has entered the rear garden and basement of the properties at 46 and 48 North Deeside Road. The drainage proposal as submitted will only deteriorate this situation.

Removal of trees: Various mature trees have been removed from the front garden. Tree protection fencing must be erected before any demolition, site preparation or construction work commence.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan**

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 the spaces around buildings, including open space, landscaping and boundary treatments will be considered in assessing that contribution.

D2 – Design and Amenity: In order to ensure the provision of appropriate levels of amenity the following principles will be applied:

- Residential development shall have a public face to a street and a private face to an enclosed garden or court;
- All residents shall have access to sitting-out areas;
- Individual houses shall be designed to make the most of opportunities offered by the site for views and sunlight.

D4 – Aberdeen’s Granite Heritage: The City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Where a large or locally significant granite building that is not listed or in a conservation area is demolished, the City Council will expect the original granite to be used on the principal elevation of the replacement building.

H1 – Residential Areas: Within existing residential areas, proposals for new residential development will be approved in principle if it:

- Does not constitute overdevelopment;
- Does not have an unacceptable impact on the character or amenity of the surrounding area;
- Complies with SG on Curtilage Splits and Redevelopment.

NE5 – Trees and Woodlands: There is a presumption against all activities and development that will result in the loss of or damage to established trees that contribute significantly to local amenity.

NE6 – Flooding and Drainage: Where more than 100m<sup>2</sup> floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment. Surface water drainage associated with development must:

- Be the most appropriate available in terms of SuDS; and
- Avoid flooding and pollution both during and after construction.

NE8 – Natural Heritage: Development that has an adverse effect on a protected species will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy.

R7 – Low and Zero Carbon Buildings: All new buildings, in meeting building regulations energy requirements, must install low and zero-carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards.

### **Proposed Aberdeen Local Development Plan**

The following policies substantively reiterate policies in the Adopted Local Development Plan as summarised above:

D1 – Quality Placemaking by Design

D5 – Our Granite Heritage

H1 – Residential Areas

NE5 – Trees and Woodlands

NE6 – Flooding, Drainage and Water Quality

NE8 – Natural Heritage

R7 – Low and Zero Carbon Buildings, and Water Efficiency

### **Supplementary Guidance**

Subdivision and Redevelopment of Residential Curtilages SG – Provides general guidance on redevelopment of residential plots.

Transport and Accessibility SG – Provides guidance on parking standards and access

## **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

### Principle of development:

The site is located within a residential area. Policy H1 (Residential Areas) sets out that, in principle, new residential development will be acceptable in existing residential areas if the proposal does not constitute overdevelopment; does not have an adverse impact on residential amenity of neighbouring dwellings; and complies with all other relevant planning policies from the Adopted Local Development Plan and Supplementary Guidance. These will be discussed in detail below.

The proposal involves the demolition of a granite building. Policy D4 (Aberdeen's Granite Heritage) sets out that the City Council will encourage the retention of granite buildings throughout the city, even if not listed or within a conservation area. In this case, the site is located outside a conservation area. Even though the demolition of the granite house is regrettable, the house cannot be considered large or locally significant as it is a common house type throughout this part of Bielside. Furthermore, the proposal incorporates the re-use of granite from the existing building in the front and rear elevations of the replacement dwelling. This is sufficient to comply with the criteria of this policy in this instance.

Impact on the character and appearance of the surrounding area:

The proposal is for the construction a large detached dwelling with attached double garage on Gowanbrae Road to replace the existing house on the plot. The dwelling would be set at the rear of the large garden, and would face Prospecthill Road.

Since the planning application was lodged the dimensions of the proposed house have been reduced, as noted earlier in this report. As a result, its overall scale and massing and its impact on the surrounding area have been reduced. The most significant change has been to the double garage, which initially had a ridge height of 6m and a dormer facing 2 Gowanbrae Road. This height has been reduced to 5m and the dormer has been removed and replaced by a small rooflight window. Furthermore the overall width of the dwelling has been reduced by approximately 1.2 metres, increasing the distance from the side elevations to the side boundary on either side to 2m.

This part of Bielside is characterised by linear development with long front gardens and wide spacing between individual properties. The majority of dwellings along Gowanbrae Road are original and constructed in the first part of the 20<sup>th</sup> century. Throughout the years, many of these have been altered with single storey flat roof side and rear extensions. The front elevations facing Gowanbrae Road have largely been retained as originally constructed.

Despite all these alterations, the main original features defining the character and appearance of this street and many surrounding streets such as North Deeside Road and Prospecthill Road have been maintained: the wide spacing between the properties and a fairly straight building line to especially the south (front) elevation.

It is acknowledged that the proposed house is significantly larger than the existing dwelling, and most other dwellings along this stretch of Gowanbrae Road. This proposal would result in a dwelling of an overall much larger scale and massing than present in this general area. Notwithstanding, the design of the house is such that when viewed from a public place, it would have the appearance of a relatively modest sized dwelling. It would break through the existing building line on the north and south elevation, and would significantly reduce the gaps to the side boundaries when compared with the original dwelling. It should be noted that following revision of the proposal, a distance of 2 metres on either side of the building to the side boundary would be retained.

The original design showed a building projected some 4.5 metres forward of the existing southern building line retained by 2 and 3 Gowanbrae Road and 3 Baillieswells Road. The building has been re-sited approximately 2.5 metres further to the north and whilst some 2 metres forward of the adjacent houses, it would broadly conform to the existing building line in the context of the whole length of the street. It is noted that, even though at present there is a clear building line stretching from 3 Baillieswells Road to 3 Gowanbrae Road, this becomes less distinct further along the street with the introduction of bay windows and minor alterations to properties.

The northern building line is less clear than the southern building line. Again, there is a reasonably clear pattern as to the original dwellings, but more properties have been extended to the rear – often with single storey extensions – and many have garages located on the plot boundary facing onto Prospecthill Road. The proposed house would not conform to the general appearance of low buildings with outbuildings on the boundary. It opens the plot more as the design incorporates an integral double garage rather than a separate building on the boundary. As such, the massing of the building on the north elevation is significantly larger than that of any neighbouring properties. However, to reduce the impact of this massing, the ridge height of the garage has been lowered by 1 metre, and a dormer facing 2 Gowanbrae Road has been replaced by a small rooflight. This represents a significant improvement to the scheme as it reduces the impact of the east elevation on general views from Baillieswells Road and the top of Prospecthill Road.

As such, it is considered that, on balance and taking account of these alterations to the initial design of the dwelling, enough has been done to contain the footprint of the building within the existing overall building lines of both the north and south side of this street.

The design results in a building with a large footprint, which is partly due to the complicated roof design. This roof plan with two distinct main sections to the dwelling and a link between is designed to reduce the overall height of the dwelling and its impact on the surrounding area. Even though the dwelling is still higher than most surrounding properties, it is kept relatively low through the use of dormers in the roofspace rather than a full height two storey building. Furthermore, as stated above, during consideration of the application by officers, the height and design of the garage have been significantly reduced to further decrease the impact on the street scene.

A further material consideration in this respect is the extant planning permission at 2 Gowanbrae Road. This permission allows for the raising of the roof to a half hipped design, significantly increasing the floorspace and height of this property. Even though the permission has not been implemented, it is still valid and should therefore be taken into consideration. The height of the proposed dwelling – although higher than the existing dwelling and most neighbouring properties – is lower than that approved at 2 Gowanbrae Road. It is acknowledged that the massing of the dwelling is increased through the use of full gabled ends rather

than a fully or half hipped roof construction. However, on this occasion this is considered acceptable.

It is considered that, on balance, and taking account of the alterations to the scheme to reduce its overall impact, size and massing, the proposal in its current form has an acceptable impact on the character and appearance of the surrounding area, and complies with criteria as set out in policies D1 (Architecture and Placemaking) and D2 (Design and Amenity) of the Adopted Local Development Plan.

Impact on the residential amenities of neighbouring properties:

The proposed dwelling is set at a distance of 2 metres from each side boundary. This leaves a general gap of 5 metres to the side elevation of 2 Gowanbrae Road and a distance ranging between just over 2 metres to just over 4 metres to the side elevation of 3 Baillieswells Road. Objections have been received stating that the proposal would result in loss of light and cause overlooking of both properties.

2 Gowanbrae Road contains two side facing windows in the existing ground floor layout. Both these windows serve a bedroom. It is acknowledged that the proposal would bring the side elevation of the property closer to 2 Gowanbrae Road and that the height of the walls facing this dwelling would be increased. However, it is considered that, on balance, its overall impact is reduced due to the two relatively small gables and the middle link section that slopes away from the side boundary. Furthermore, the boundary between the two properties is currently made up of a dense hedge of more than 2 metres in height, which would already significantly reduce light levels into the two rooms.

The proposal includes two side facing windows – one serving the landing and a secondary window serving the family room. A condition can be added to any approval setting out that a boundary treatment of at least 1.8m should be retained on the side boundary to ensure privacy levels between the two properties are maintained.

3 Baillieswells Road is set at a lower level than the application site, approximately 1 metre lower. The property has been altered and has a large mansard-style roof to the rear and a small porch to the side. Above the porch is a small dormer style window. Next to the porch are two further windows – one of which is very small. Contrary to the general trend in Gowanbrae Road, 3 Baillieswells Road is located much closer to the side boundary. As a result, there is a gap of just over 4 metres between the side elevation containing the window and the side elevation and garage projection of the replacement dwelling. There is a mature high hedge on the boundary between the two properties which appears to be in control of 3 Baillieswells Road. Again, on balance, taking account of the distance between the two properties, the existing boundary treatment and the sloping of the roof away from the boundary, the impact on light levels is considered acceptable.

With regards to a potential loss of privacy due to overlooking, the east elevation contains a side door leading into the utility room, a small window serving the study and a secondary window serving the kitchen. Again, a boundary treatment

of a minimum height of 1.8 metres should be sufficient to counter any adverse impact due to overlooking.

The dormer windows would not have a significant impact on overlooking and a loss of privacy for either 2 Gowanbrae Road or 3 Baillieswells Road as they are not facing directly towards either property. They would also not result in a loss of privacy to the owners of 46 North Deeside Road as the distance between the dormer windows and this property more than exceeds the 18m window-to-window criteria as set out in the Subdivision and Redevelopment of Residential Curtilages SG.

It is claimed that the development would have a detrimental impact on views from 1 Prospecthill Road. The loss of views is not a relevant planning matter, and is not further considered.

Overall, on balance, the proposal is not considered to have a significant adverse impact on the residential amenity of neighbouring properties. It therefore complies with this part of policy H1 (Residential Areas) of the Aberdeen Local Development Plan.

Impact on energy efficiency:

One of the main arguments in the Design Statement for the need to replace the existing dwelling on the site with a new property was to increase energy efficiency. Policy R7 (Low and Zero Carbon Buildings) sets out that all new development should achieve a reduction in predicted carbon dioxide emissions of at least 15% below 2007 building standards. Compliance with this requirement would be demonstrated through the submission of a low carbon development statement. It has not yet been demonstrated how this building would achieve this target. However, the submission of such a statement can be the subject of a condition to the planning permission. Subject to this condition, it is considered that the proposal complies with policy R7 (Low and Zero Carbon Buildings).

Impact on public highways, especially in relation to access and parking:

The proposal would provide a total of four parking spaces: two in the double garage, and two on the drive adjacent to the garage. The Transport and Accessibility SG sets out that a five bedroomed property in the Outer City should have at least three parking spaces. This has been achieved in this case.

The proposal results in an access and a dropped kerb with an overall length of 12 metres. In normal circumstances, the Roads Projects Team would object to such a long dropped kerb. However, in this instance it is clear that the footpath is on the other side of Prospecthill Road. As such, it would not result in a deterioration of road safety. This is considered acceptable.

Impact on mature trees:

The property has a large mature south facing garden. Within this garden are a large number of mature trees. The Council is satisfied that, subject to suitable conditions in relation to a tree protection plan and tree management plan, the development can be carried out without endangering the health of these mature



trees. Subject to this condition, the proposal complies with policy NE5 (Trees and Woodlands) of the Adopted Local Development Plan.

Impact on protected species:

As part of the application, a bat survey was submitted as, due to the mature gardens and the type of dwelling on the plot, it was considered that the site might provide a suitable habitat for bats. The bat survey shows that no bats entered or exited the house, and that no evidence of bat roosts were present in the property. As such, it is considered highly unlikely that the proposal would have a harmful impact on protected species. The proposal complies with policy NE8 (Natural Heritage) of the Adopted Local Development Plan.

Drainage and surface water flooding:

A drainage impact assessment has been submitted with the application, incorporating a SuDS soakaway system. The Flooding Team of the City Council have assessed this scheme, and raised no objections. The proposal complies with policy NE6 (Flooding and Drainage) of the Adopted Local Development Plan.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

The foregoing can only be assessed on a case by case basis. In relation to this particular application no new issues were raised.

**RECOMMENDATION**

Approve Conditionally

**REASONS FOR RECOMMENDATION**

On balance it is considered that, even though the proposed replacement dwelling is significantly larger than existing, it respects the general grain of development within Gowanbrae Road and has an acceptable impact on the character and appearance of the surrounding area. It does not have an adverse impact on residential amenity of neighbouring properties, local highway conditions or protected species. Subject to conditions, it would not have an adverse impact on

mature trees and would achieve a more energy efficient building. As such, it is considered to comply with policies

D1 (Architecture and Placemaking), D2 (Design and Amenity), D4 (Aberdeen's Granite Heritage), H1 (Residential Areas), NE5 (Trees and Woodlands), NE6 (Flooding and Drainage), NE8 (Natural Heritage), R7 (Low and Zero Carbon Buildings) of the Aberdeen Local Development Plan and policies D1 (Quality Placemaking by Design), D5 (Our Granite Heritage), H1 (Residential Areas), NE5 (Trees and Woodlands), NE6 (Flooding, Drainage and Water Quality) NE8 (Natural Heritage), and R7 (Low and Zero Carbon Buildings, and Water Efficiency) of the Proposed Local Development Plan, and the Transport and Accessibility Supplementary Guidance and the Subdivision and Redevelopment of Residential Curtilages Supplementary Guidance

### **CONDITION(S)**

1. that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.
2. that no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development
3. that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.
4. that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.

5. that no development shall take place unless there has been submitted to and approved in writing by the planning authority a scheme of boundaries enclosures for the site, the said scheme comprising 1.8 metre high enclosures along both side boundaries adjacent to the location of the house hereby granted planning permission. Thereafter the house shall not be occupied unless the said scheme has been implemented in full – in order to minimise overlooking and thus preserving the amenity of the adjacent residents.
  
6. that the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

**Dr Margaret Bochel**  
Head of Planning and Sustainable Development.

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3 Baillieswells Road,  
Aberdeen  
AB15 9BB

8<sup>th</sup> December, 2014

Aberdeen City Council  
Planning Reception  
Planning & Sustainable Development  
Marischal College  
Broad Street  
Aberdeen, AB10 1AB

Dear Sir

**PROPOSED DEVELOPMENT AT THE COTTAGE, 1 GOWANBRAE ROAD,  
BIELDSIDE, ABERDEEN, B15 9AQ  
APPLICATION NUMBER – 141543**

I am writing to comment and object to the above Planning Application at the above address.

A non-exhaustive list of my objections fall under the following categories:-

Over-Development

The proposed dwellinghouse is far too large for the site.

The existing house on the site extends to 94 square metres whereas the proposed new dwellinghouse extends to 344 square metres excluding the garage and 382 square metres including the garage. It is substantially larger than the properties in the same street, meaning that it totally unsuitable and out of character. The floor areas of other properties in the street are as follows:-

2 Gowanbrae Road – 189 Square Metres  
4 Gowanbrae Road – 149 Square Metres  
3 Baillieswells Road – 165 Square Metres

The plot ratio for the proposed site is clearly out of keeping with the surrounding area.

Copies of Survey Reports evidencing the above floor areas can be produced.

Although relatively large in terms of total area, the plot is extremely narrow between the east and west boundaries and is not capable of accommodating the house design proposed without unacceptable intrusion, overlooking, overshadowing and loss of amenity for adjacent and nearby properties. The proposed rear over garage extension is particularly unsuitable given its intrusion well beyond the existing rear building line and the effect upon, particularly, my property.

Policy H1: Residential Areas, states; *“proposals for new residential development and householder development will be approved in principle if it: 1) does not constitute over development; 2) does not have an unacceptable impact on the character or amenity of the surrounding area...”*

The proposed dwelling is significantly larger than the existing house and is clearly overdevelopment in relation to the size of the plot and in comparison to the adjacent properties. The size and massing of the proposed development will undoubtedly have an unacceptable impact.

Furthermore, to address the issues of the design, Policy D1: Architecture and Placemaking outlines the importance of this and states;

*"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 proportions of building elements ... will be considered in assessing that contribution."*

I believe that this criteria has not been met in the design of this proposal and therefore the application is contrary to planning policy.

#### Precedent

The design and size of the proposed property is not in keeping with or sympathetic with other houses in the street. The photographs of the other adjacent and nearby properties submitted with my husband's letter of objection show that they are all of a similar style which the proposed property does not respect.

Granting permission for a house of this size would create a damaging and unwelcome precedent for future applications.

The proposed dwellinghouse is significantly higher than other properties in the street and this difference in height is further exaggerated by the different ground levels of the other properties.

#### Amenity

The windows on particularly the east gable will be intrusive and will overlook and look directly into the windows of my property. The fact that the proposed dwellinghouse is significantly larger means that the windows of the proposed new dwellinghouse will be only a few feet from the boundary and the windows of my property.

The orientation of all the houses in Gowanbrae Road means that the rear gardens only have sunlight from the west during the latter part of the day. The height of the main building will be dominating and intrusive and will result in loss of sunlight to the rear garden of my property.

The proposed dwellinghouse extends well beyond the *front* building line of adjacent houses and other houses in the street. The proposed dwellinghouse also extends well beyond the *rear* building line of the adjacent and nearby dwellings. This does not respect the existing built pattern established along Gowanbrae Road.

In this connection it should be noted that although Planning Permission has been granted for an extension to number 2 Gowan Brae Road, it is believed that extension is not to proceed.

The proposed main building and the rear extension will be intrusive. The loss of amenity, dominating effect and intrusion is heightened by the fact that the ground level of the application site is four feet (or more) higher than the ground level of my property. Any new dwellinghouse to be constructed on the application site should be of a type and style whereby all windows above ground floor level should be of a velux style rather than a dormer style to prevent overlooking, intrusion and loss of amenity to neighbouring properties.

In support of my objection in this matter, Aberdeen City Council's Supplementary Guidance: Householder Development states that *"any extension or alteration should not result in a situation where amenity is 'borrowed' from an adjacent property. Significant adverse impact*

*on privacy, daylight and general residential amenity will count against a development proposal" (page 5). The Supplementary Guidance also acknowledges that existing neighbours should "...expect that new development will not adversely affect the daylighting of existing development", and "new development should not result in significant adverse impact upon the privacy afforded to neighbouring residents, both within dwellings and in any private garden ground/amenity space".*

I believe that all of these aspects will be compromised as a result of this proposal and urge that they indeed 'count against a development proposal' in the decision-making process.

#### Road Safety

The proposed dwellinghouse has road access onto Prospecthill Road at the east end of the application site. As such the access onto Prospecthill Road is closer to Baillieswells Road than is desirable. Both Gowanbrae Road and Primrosehill Road are frequently used as "rat runs" at peak traffic times by vehicles coming down Baillieswells Road from Kingswells who use Gowanbrae Road and Primrosehill Road to avoid delays at the traffic lights at the junction of Baillieswells Road and North Deeside Road.

Often vehicles using these rat runs dive into the two streets involved at speed. As such any vehicular access from Primrosehill Road to the application site should be sited at the west boundary of the application site in order to reduce the risk of accidents.

Supplementary Guidance: Transport and Accessibility highlights 'visibility' and 'road junctions' as key factors to be considered with new development. In light of this information I have supplied as a resident of this area, I would again urge you that these road safety issues be carefully considered when deciding this application over and above the many other issues I have raised in my objection.

I reserve the right to raise further grounds of objection and also to produce substantiating documentation, photographic evidence and other evidence to show the dominating and intrusive effect of the proposed new dwellinghouse and the substantial loss of amenity that would result were consent for such an application to be granted.

Yours faithfully

Mrs Jane Keenan

PI

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**From:**  
**Sent:** 08 December 2014 09:50  
**To:** PI  
**Cc:** 'Kalpa'  
**Subject:** Comments and objection to Planning Application 141543  
**Attachments:** Objection to Planning Application 141543.pdf

Dear Sirs,

Please find attached the objection and comments from the residents of 2 Gowanbrae Road, AB15 9AQ to the proposed destruction and development of 1 Gowanbrae Road, Planning Application 141543.

Could you please confirm receipt of this transmittal.

Regards,  
John and Kalpa Tan  
2 Gowanbrae Road, AB15 9AQ



John and Kalpa Tan  
2 Gowanbrae Road  
Bielside  
Aberdeen AB15 9AQ  
7 December 2014

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

**Proposed destruction and development of The Cottage, 1 Gowanbrae Road, Aberdeen AB15 9AQ,  
Planning Application 141543**

We are writing to object to and comment on the proposed development of 1 Gowanbrae Road.

Summary

Our principal objection is that the proposed development, by overambitious extensions to the sides, front, rear and height significantly affects the amenity of the adjacent properties. For the residents of 2 Gowanbrae Road, privacy, sunlight and visibility are materially reduced for all of the four bedrooms which is sited adjacent to 1 Gowanbrae Road. The privacy of the patio of 2 Gowanbrae Road is also affected.

The proposed development is materially disproportionate in size, height and design to all other dwellings on the road, and detracts from the overall character of Gowanbrae and Prospecthill Road which are typically traditional granite properties with extensions. It is not in keeping with the overall style of properties in the area, and significantly detracts from the vernacular.

Precedent and Over-development

The floor area of the plans submitted for 1 Gowanbrae Road is some four times larger than the existing property and not in keeping with the overall size and character of the existing dwellings on Gowanbrae Road and Prospecthill Road.

The south facing front of the proposed development clearly extends well beyond the existing, consistent building line of all other properties on Gowanbrae Road.

Granting planning approval for 1 Gowanbrae Road will set a precedent for future applications which over time will result in detrimental loss of character to Gowanbrae Road which is an important and unique part of Old Bielside.

Planning Permission for extension to 2 Gowanbrae Road

The residents of 2 Gowanbrae Road are not intending to proceed with the plans submitted and approved in November 2012. This planning consent will lapse in November 2015.

Amenity

The proposed development has the south front of the property extending well beyond the existing property line of the properties along Gowanbrae Road. Such an over-extended front will impact the privacy of the patio and Master Bedroom of our property at 2 Gowanbrae Road.

The extended west side of the proposed development pushes towards the edge of the border increasing the proximity to 2 Gowanbrae Road. This, combined with the proposed height intrudes into the living space of 2 Gowanbrae Road. All four bedrooms in 2 Gowanbrae Road lie on the side adjacent to 1 Gowanbrae Road. Three of the bedrooms are on the ground floor and one on the first floor. Three of the bedrooms have windows facing 1 Gowanbrae Road. The increased proximity and height of the proposed development will significantly intrude on the natural light available to three of the bedrooms by blocking out easterly morning sunlight and light during the day. Indeed, our assessment is that two of the bedrooms will be in permanent semi-darkness during the day. For the occupants of three of the bedrooms, the overall effect will be a overbearing and dominating neighbouring building.

The windows on the west elevation of the proposed development cause privacy concerns for the occupants of three of the bedrooms which are occupied by young girls who use their bedrooms as their principal living area.

The large dormer window above the proposed garage will overlook the rear garden of 2 Gowanbrae Road causing concerns over privacy.

The existing hedge between 1 and 2 Gowanbrae Road may be replaced by a timber fence

The proposed plans show a 1800mm high timber screen fence. The residents of 2 Gowanbrae Road wish to retain the hedge bordering the property with 1 Gowanbrae Road.

Design: the proposed plans is not in keeping with the design brief

The design brief is as follows:

The brief is to provide a four bedroom family house, built to high environmental standards, which is both in keeping with the character of the area, and respects the amenity of neighbours. The existing trees and shrubs which are such an important feature of the site are to be retained.

The proposed plans consist of five bedrooms with walk in wardrobes, a study, two lounges, two generous landing areas and a double garage, which in combination is of a size and footprint disproportionate to the character of the area which is principally of modest sized granite properties. The proposed development is inconsistent with the design brief and appears to intentionally maximise the footprint against the borders of the plot with little consideration for the amenity of neighbours and the overall size and design of the neighbouring properties. It is noted that significant amounts of trees to the front and rear of 1 Gowanbrae Road have already been removed.

As described in this objection, the amenity of 2 Gowanbrae Road is adversely affected, as is the overall character of Gowanbrae Road. Our observation is that the amenity of 3 Baillieswells Road will similarly be affected.

We reserve the right to provide further comments and grounds for objection.

Yours faithfully,

John and Kalpa Tan

P&SD Letters of Representation		
Application Number:		
RECEIVED 10 DEC 2014		
Ncr	Sou	MAP
Case Officer Initials:		
Date Acknowledged:		

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 08 December 2014 22:56  
**To:** PI  
**Subject:** Planning Comment for 141543

Comment for Planning Application 141543

Name : STUART GOVE

Address : 'Glenderry'

4 Gowanbrae Road,

Bielside

Aberdeen AB15 9AQ

Telephone :

Email :

type :

Comment : Dear Sir/Madam,

Proposed demolition and development at The Cottage, 1 Gowanbrae Road, Bielside, Aberdeen AB15 9AQ.  
Planning application number - 141543

I am writing to comment and object to the above Planning Application at the above address.

#### OVER-DEVELOPMENT

Our principal objection is that the proposed dwellinghouse is far too large for the site and, contrary to the applicants' Planning and Design statement, is most definitely not in keeping with the character of this area - one of Bielside's oldest and most traditional streets.

The existing dwelling house is 94 square metres. The proposed new house is around 4 times larger than the existing property and is substantially larger than any of the properties in Gowanbrae Road.

Granting planning permission for this new development will set a very sad precedent for future applications which will, over the next few years, result in the loss of character, beauty and uniqueness to this fine, charming Bielside street.

One only has to look at current demolition and re-development projects in nearby Hillview Road in Cults to see how traditional granite dwelling houses have been eradicated to make way for large, characterless 'boxes'; which would look more in keeping with new contemporary developments rather than one of Aberdeen's fine old streets.

It would appear very odd and completely out of place to see an old-style granite villa situated among developments such as CALA Rosefield Gardens or Bancon's forthcoming Milltimber West, and the opposite applies to Gowanbrae Road. For those wishing to buy a modern, four-bedroom home in the Bielside, Cults and Milltimber areas of Aberdeen, there are currently plenty of opportunities to secure such a property. The residents of Gowanbrae Road chose their homes out of a desire to live in a traditional street lined with original, similarly sized houses and we have no wish to see such history eroded. It is a street which is admired and held dear by both residents, visitors and passers-by alike and we rely on our City Council Planners to respect the importance and heritage of our area.

#### PRECEDENCE

The south facing front of the proposed new house extends well beyond the building line of all the other properties on Gowanbrae Road. This line is consistent along the street. The size of the proposed property is nowhere near in keeping with, or sympathetic to, the other houses of Gowanbrae Road.

By granting planning permission for this large new house, it would create a very damaging and unwelcome precedent for future applications.

#### ROAD SAFETY

As parents of two children who attend Cults Primary and Cults Academy and who walk to and from school, we already have strong concerns about road safety on Gowanbrae Road and Prospecthill Road.

During the early morning and late-afternoon rush hours, both these streets become steadily used &#8220;rat runs&#8221; by vehicles cutting through in order to avoid the lights at the bottom of Baillieswells Road. This is dangerous at all times for children and pedestrians but it is particularly scary during autumn and winter months when mornings and late afternoons are darker. Vehicles turn into these 2 streets at speed and quickly accelerate causing alarm for anyone walking along these narrow roads.

My wife has already raised these concerns with Aberdeen City Council Roads Departments and earlier this year, monitors were erected on street lamp posts to gather information about the volume of traffic using the roads as fast track &#8216;rat runs.&#8217; The outcome of the studies has yet to be revealed.

To add a large number of construction vehicles and equipment for a prolonged period for many months along two very narrow roads plagued with speeding vehicles would be extremely alarming and distressing for our family, and increasingly dangerous for our children and the other young children who reside on Gowanbrae Road.

#### DESIGN

The proposed plan does not appear to be in keeping with the design brief which refers to:  
&#8220;... a four bedroom house, built to high environmental standards, which is both in keeping with the character of the area and respects the amenity of neighbours.&#8221;

On inspection of the proposed plans, they consist of five bedrooms.

#### SUMMARY

The proposed new dwelling house appears to deliberately maximise the footprint of the planned property against the borders of the plot with no consideration for the amenity of its neighbours and the size, design and character of the other properties on Gowanbrae Road. There is little respect for the charm of the existing &#8216;The Cottage&#8217; or its natural garden. Indeed many of the trees at the bottom of the garden have been cut down without anyone ever having lived in the house.

As the applicants&#8217; design statement rightly points out, the houses on Gowanbrae Road are of differing design and most have been altered to some extent over the years to reflect more modern living requirements. This is an entirely natural process and throughout the years, the residents of Gowanbrae Road have sought to tastefully and sympathetically extend their homes via the local authority planning process. Alterations have been made with due respect to &#8216;look&#8217; and &#8216;feel&#8217; of our street without the need to drastically change building styles and shapes.

Contrary to the applicants&#8217; design statement which remarks that 1 Gowanbrae Road shows &#8220;little local vernacular character,&#8217; my family and I think that it is a charming house which reflects our own. Having grown up in Bielside, I believe that it displays all the local characteristics which make this neighbourhood such a delightful place to stay. I do not oppose progress however I am saddened by the lack of respect shown to perfectly charming and solid houses which are too often becoming obstructions to modern day visions and desires. There are plenty of large new-build homes to choose from in Bielside and Cults, and I implore the City Council&#8217;s Planning Officials to recognise this and preserve the historical, Bielside streets of old.

I reserve the right to provide further comments and grounds for objection.

Yours faithfully,

Stuart Gove and family

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3 Baillieswells Road  
Aberdeen  
AB15 9BB

8<sup>th</sup> December, 2014

Aberdeen City Council  
Planning Reception  
Planning & Sustainable Development  
Marischal College  
Broad Street  
Aberdeen, AB10 1AB

Dear Sir

PROPOSED DEVELOPMENT AT THE COTTAGE, 1 GOWANBRAE ROAD,  
BIELDSIDE, ABERDEEN, B15 9AQ  
APPLICATION NUMBER – 141543

I am writing to comment and object to the above Planning Application at the above address.

A non exhaustive list of my objections fall under the following categories:-

Over-Development

The proposed dwellinghouse is far too large for the site.

The existing house on the site extends to 94 square metres whereas the proposed new dwellinghouse extends to 344 square metres excluding the garage and 382 square metres including the garage. It is substantially larger than the properties in the same street and is totally unsuitable and out of character. The floor areas of other properties in the street are as follows:-

2 Gowanbrae Road – 189 Square Metres  
4 Gowanbrae Road – 149 Square Metres  
3 Baillieswells Road – 165 Square Metres

Copies of Survey Reports evidencing the above floor areas can be produced.

Although relatively large in terms of total area, the plot is extremely narrow between the east and west boundaries and is not capable of accommodating the house design proposed without unacceptable intrusion, overlook and loss of amenity for adjacent and nearby properties. The proposed rear over garage extension is particularly unsuitable given its intrusion well beyond the existing rear building line and the effect upon, particularly, my property.

### Precedent

The house design and the size of the proposed property is not in keeping with or sympathetic with other houses in the street. The accompanying photographs of the other properties shows that they are all of a similar style which is totally different from the proposed property.

Granting permission for a house of this size would create a damaging and unwelcome precedent for future applications.

The proposed dwellinghouse is significantly higher than other properties in the street and this difference in height is accentuated by the different ground levels of the other properties.

### Amenity

The windows on, particularly, the east gable will be particularly intrusive and will overlook and look directly into the windows of my property. The fact that the proposed dwellinghouse is significantly larger means that the windows of the proposed new dwellinghouse will be only a few feet from the boundary and the windows of my property.

The proposed dwellinghouse extends well beyond the front building line of adjacent houses and other houses in the street.

The proposed dwellinghouse extends well beyond the rear building line of the adjacent and nearby dwellings.

In this connection it should be noted that although Planning Permission has been granted for an extension to number 2 Gowanbrae Road, it is believed that, that extension is not to proceed.

The orientation of all the houses in Gowanbrae Road means that the rear gardens only have sunlight, from the west during the latter part of the day.

The height of the main building will be dominating and intrusive and will result in loss of sunlight to the rear garden of my property.

The height of the rear garage extension with accommodation above will be particularly intrusive.

The loss of amenity, dominating effect and intrusion is heightened by the fact that the ground level of the application site is four feet or more higher than the ground level of my property.

The applicant should be required to produce a visual with calculations showing the reduction in sunlight and daylight on adjacent properties.

Any new dwellinghouse to be constructed on the application site should be of a type and style whereby all windows above ground floor level should be of a velux style rather than a dormer style to prevent overlook, intrusion and loss of amenity to neighbouring properties.

#### Road Safety

The proposed dwellinghouse has road access onto Prospecthill Road at the east end of the application site. As such the access onto Prospecthill Road is closer to Baillieswells Road than is desirable. Both Gowanbrae Road and Primrosehill Road are frequently and particularly at times of high traffic density used as "rat runs" by vehicles coming down Baillieswells Road from Kingswells and other office developments who use Gowanbrae Road and Primrosehill Road to avoid delays at the traffic lights at the junction of Baillieswells Road and North Deeside Road.

Often vehicles using these rat runs dive into the two streets involved at speed. As such any vehicular access from Primrosehill Road to the application site should be sited at the west boundary of the application site in order to reduce the danger of accidents.

#### Planning Policies

I believe the application and the design of the proposed new house contravenes the Council's current planning policies in a number of respects.

I reserve the right to raise further grounds of objection and also to produce substantiating documentation, photographic evidence and other evidence to show the dominating and intrusive effect of the proposed new dwellinghouse and the substantial loss of amenity that would result were consent for such an application to be granted.

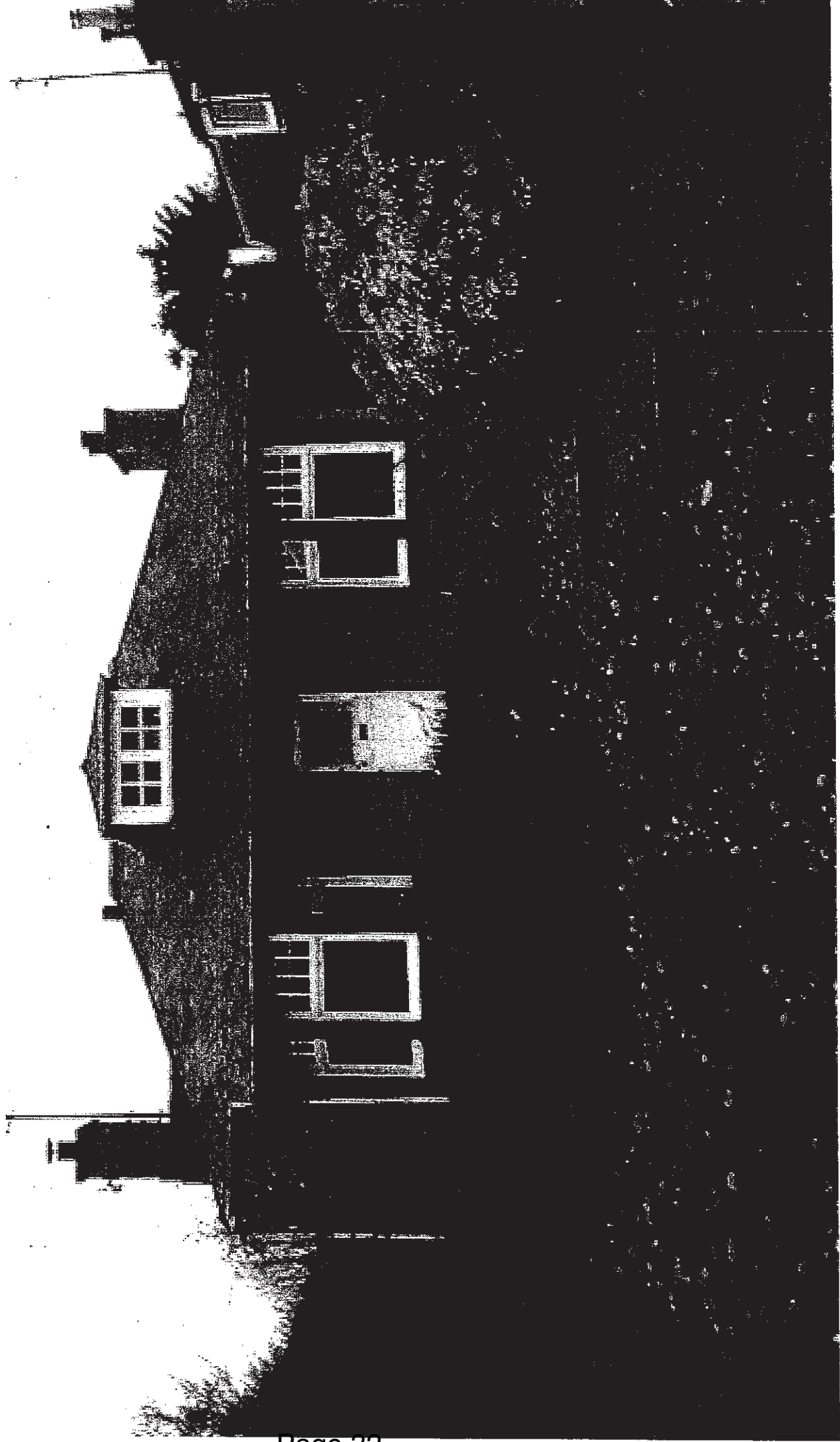
Yours faithfully

Bryan A. Keenan















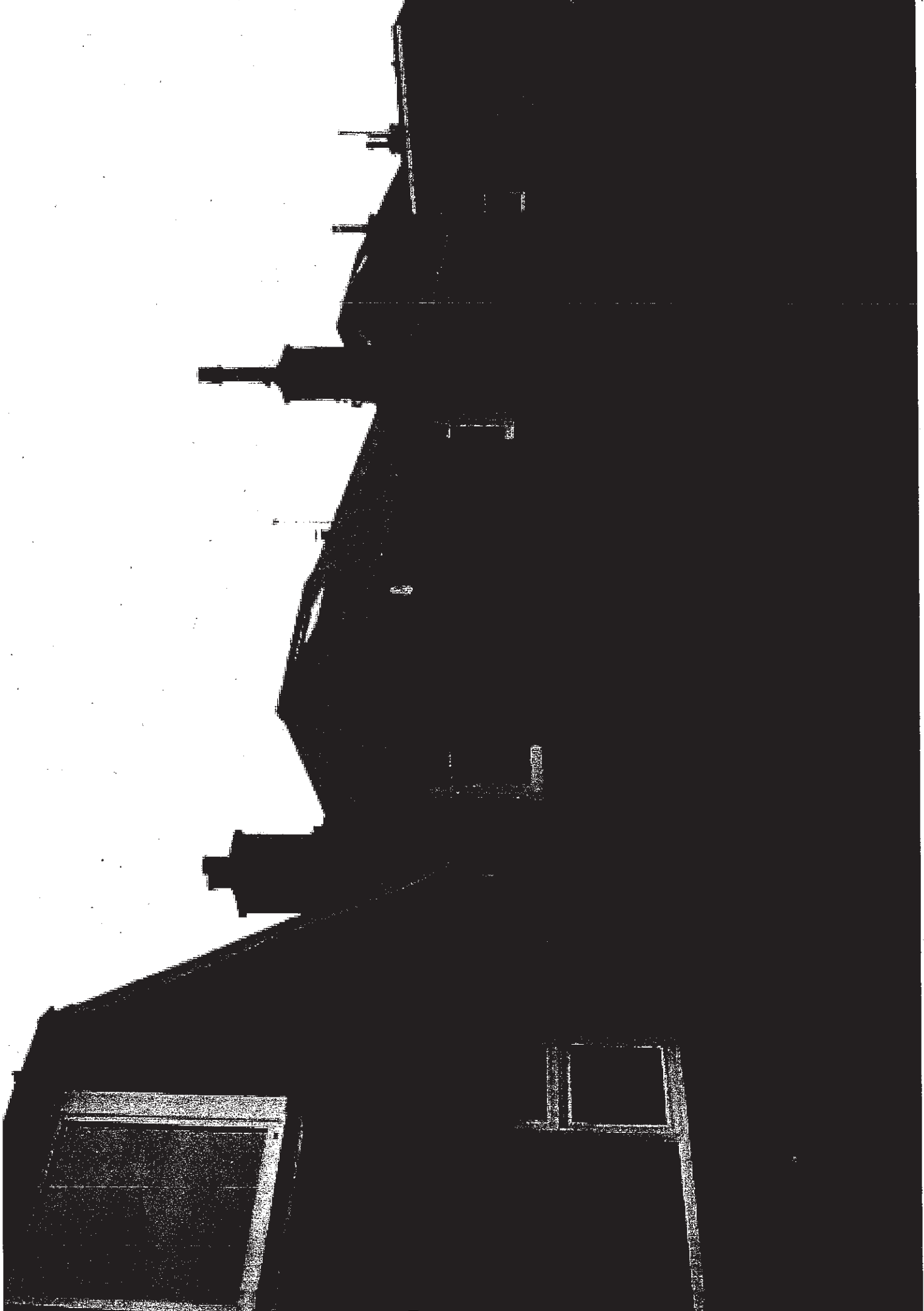
















PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 08 December 2014 08:03  
**To:** PI  
**Subject:** Planning Comment for 141543

Comment for Planning Application 141543

Name : Colin Jones

Address : 7 Gowanbrae Road, Aberdeen, AB15 9AQ

Telephone :

Email :

type :

Comment : I object to the proposed development (reference number 141543) at 1 Gowanbrae Road Bieldside. My objection is that the property is too large being more than 3 times the size of the existing property and is out of character with the existing housing stock. There have been a number of very large houses built close by and while some of them are reasonably in character with the existing house stock, others are not. For example the house (10 Prospecthill Road) at the other end of the road which is just a monstrosity.

Specifically I feel the house is too tall and wide, especially in regard to 3 Bailieswells Road. The proposed development is 2-3m higher and much wider and completely dwarfs 3 Bailieswells Road.

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PI

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 05 December 2014 11:47  
**To:** PI  
**Subject:** Planning Comment for 141543

Comment for Planning Application 141543

Name : R. M Cook

Address : 44 North Deeside Road

Bielside

AB15 9DR

Telephone :

Email : j

type :

Comment : The proposed demolition of the cottage at 1 Gowanbrae Road and erection of a new dwelling should be rejected as the overall proposal materially degrades the current built environment and removes a more affordable home from the area detracting from the mix of local property.

Contrary to the statement in the submission, the existing house is attractive and retains the architectural style and materials of the period. It is in keeping with existing houses in the road. It is pleasantly presented with bay windows, a sheltered entrance area and terrace, attractively pitched roof and a well-proportioned dormer window. It has not suffered from ill-conceived extensions, retains its original character and is a good example of houses of its time contributing to the quality of the environment. The house is also attractive to buyers willing to occupy it in its present form and is more affordable than many properties in the area facilitating a good social mix in the community.

It is suggested that the existing property is unsuited to refurbishment to improve energy efficiency. No evidence is produced to support the claim. There are well-known and relatively economical ways to improve energy performance. Any energy gain from a new building would be effectively outweighed by the environmental costs of demolition and new construction.

The applicants suggest that there are local precedents for the destruction of existing houses. There is indeed something to learn from these. At number 72 North Deeside Road, Bielside (cited in the submission) the replacement dwelling retained the essential architectural features of the original (its front elevation, tower and half-timbering, for example) while at number 25 Baillieswells Drive the replacement house was built to the same size and style as the original. Hence both developments retained the visual amenity of the area. By contrast, number 10 Prospect Hill replaced a granite cottage with an unattractive house, out of keeping with local properties that detracts from the environment. It is an example of how planning has failed and should not be emulated.

The applicants denigrate the architectural merit of the current cottage yet offer to replace it with a building devoid of architectural value. The new building is conceived as a series of boxes linked together giving the impression of various ad hoc extensions with a mixture of multiple gable ends, confused roof lines and ill-proportioned dormer windows. Contrary the submission, the proposed dwelling extends well beyond the building line both to the front and rear of the property. The submission incorrectly suggests that other properties in the road extend beyond the building line. Only one property can be said to have done this and it is a small single story sun lounge that does not constitute the main part of the building. What is being proposed in the submission is building well beyond the building line with a one and a half story construction forming the main front elevation with a substantial footprint. The plans need to be redrawn to respect the existing building line and reflect the scale of local architectural styles.

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3 Baillieswells Road  
Aberdeen  
AB15 9BB

8<sup>th</sup> December, 2014

Aberdeen City Council  
Planning Reception  
Planning & Sustainable Development  
Marischal College  
Broad Street  
Aberdeen, AB10 1AB

Dear Sir

PROPOSED DEVELOPMENT AT THE COTTAGE, 1. GOWANBRAE ROAD,  
BIELDSIDE, ABERDEEN, B15 9AQ  
APPLICATION NUMBER – 141543

I am writing to comment and object to the above Planning Application at the above address.

A non exhaustive list of my objections fall under the following categories:-

Over-Development

The proposed dwellinghouse is far too large for the site.

The existing house on the site extends to 94 square metres whereas the proposed new dwellinghouse extends to 344 square metres excluding the garage and 382 square metres including the garage. It is substantially larger than the properties in the same street and is totally unsuitable and out of character. The floor areas of other properties in the street are as follows:-

2 Gowanbrae Road – 189 Square Metres  
4 Gowanbrae Road – 149 Square Metres  
3 Baillieswells Road – 165 Square Metres

Copies of Survey Reports evidencing the above floor areas can be produced.

Although relatively large in terms of total area, the plot is extremely narrow between the east and west boundaries and is not capable of accommodating the house design proposed without unacceptable intrusion, overlook and loss of amenity for adjacent and nearby properties. The proposed rear over garage extension is particularly unsuitable given its intrusion well beyond the existing rear building line and the effect upon, particularly, my property.

Any new dwellinghouse to be constructed on the application site should be of a type and style whereby all windows above ground floor level should be of a velux style rather than a dormer style to prevent overlook, intrusion and loss of amenity to neighbouring properties.

#### Road Safety

The proposed dwellinghouse has road access onto Prospecthill Road at the east end of the application site. As such the access onto Prospecthill Road is closer to Baillieswells Road than is desirable. Both Gowanbrae Road and Primrosehill Road are frequently and particularly at times of high traffic density used as "rat runs" by vehicles coming down Baillieswells Road from Kingswells and other office developments who use Gowanbrae Road and Primrosehill Road to avoid delays at the traffic lights at the junction of Baillieswells Road and North Deeside Road.

Often vehicles using these rat runs dive into the two streets involved at speed. As such any vehicular access from Primrosehill Road to the application site should be sited at the west boundary of the application site in order to reduce the danger of accidents.

#### Planning Policies

I believe the application and the design of the proposed new house contravenes the Council's current planning policies in a number of respects.

I reserve the right to raise further grounds of objection and also to produce substantiating documentation, photographic evidence and other evidence to show the dominating and intrusive effect of the proposed new dwellinghouse and the substantial loss of amenity that would result were consent for such an application to be granted.

Yours faithfully

Bryan A. Keenan



"Thrums",  
8, Gowanbrae Road,  
Bielside,  
Aberdeen,  
AB15 9AQ.

4<sup>th</sup> December 2014.

Communities, Housing & Infrastructure,  
Planning and Sustainable Development,  
Aberdeen City Council,  
AB10 1AB.

**Ref: - Planning Application P141543 – "The Cottage", 1, Gowanbrae Road.**

**Formal Objection.**

Dear Sir/Madam,

I wish to formally object to the proposed development of "The Cottage", 1 Gowanbrae Road, Bielside, Aberdeen.

My objection is submitted on the following grounds

1. The proposed dwelling house is between three and four times the size of the existing property and encompasses virtually the entire plot available along the existing building line.
2. The proposed front/south facing elevation is pushed forward of the accepted building line of the dwellings constituting Gowanbrae Road.
3. The size of the proposed house is totally inappropriate for this road. The existing houses along the road are of similar sizes each of which are suitable for their plots
4. The houses were initially constructed during the 1920's and the heights of the roofs conform to a general level which this proposed development far exceeds.
5. This proposal creates a precedent for the remainder of the road which, if allowed to continue, would destroy an existing area of single story, sympathetically designed early twentieth century dwellings.

I believe the clue as to a suitable size lies in the name of the existing house i.e. "The Cottage".

On the above stated grounds, I urge you to refuse this particular design and require the architect to submit a plan more in keeping with this area.

Yours sincerely,

← D.Smith —

PI

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**From:** Kenneth Anderson  
**Sent:** 04 December 2014 23:07  
**To:** PI  
**Subject:** Objection to planning application no 141543

Dear Sir

I received notification of a Planning Application proposed for The Cottage 1 Gowanbrae Road, Bielside, Aberdeen City AB15 9AQ.

I wish to object to this development proposal on the following grounds :-

The site will be overdeveloped.  
The proposal will adversely affect the surrounding properties.  
The size of the proposed building will adversely affect my view.

Mr KA Anderson  
1 Prospecthill Road  
Bielside  
Aberdeen  
AB15 9AN

Sent from my iPad

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 01 December 2014 12:47  
**To:** PI  
**Subject:** Planning Comment for 141543

Comment for Planning Application 141543

Name : Michael M Gillespie  
Address : 48 North Deeside Road  
Bielside  
Aberdeen  
AB15 9DR

Telephone :

Email :

type :

Comment : This application is fundamentally flawed and inaccurate in a number of issues, especially with regard to adequate and proper drainage of the site.

The footprint of the proposed new house and patio area will impact severely on the sloping site towards Gowanbrae Road. This over-development of the site is not compatible with drainage as proposed.

The Planning and Design statement is flawed and inaccurate in respect of the high point on Gowanbrae Road is in fact opposite No. 1 Gowanbrae Road, not No. 3 as stated.

Gowanbrae Road falls steeply to the West, the low point being opposite our rear gate - No. 48 North Deeside Road.

Due to inadequate existing drainage on Gowanbrae Road, we have in the past experienced water pouring down our back path and flooding our basement area. Numerous complaints have been made in the past to the Roads Department of Aberdeen City Council. We have been informed by them that Scottish Water have stated that existing drainage is at maximum capacity now and therefore no further gulleys with direct access to Scottish Water drainage can be allowed.

I note on drawing number 901, Drainage Proposals, that it is intended to reuse existing foul connection on Gowanbrae Road which is already utilised at full capacity.

The proposed soakaway in our opinion, is neither fit for purpose or positioned correctly in order to stop surface water cascading into Gowanbrae Road from the site.

It should be noted that the existing gully outside No. 44 North Deeside Road,(on Gowanbrae Road) does not cope with existing rainfall and thus flows westward towards my property. The situation will be made much worse with the current proposal.

The tree report indicates the current situation. However it does not indicate 8 trees removed from the boundary on Gowanbrae Road. These trees were significant species and estimated to be over 40 years old. I was under the impression that these were subject to statutory protection. The removal of these trees will also have a detrimental effect on drainage.

I note that tree protection fencing must be erected before any demolition, site preparation or construction work commence.

I note the statement that the design of drainage has still to be finalised. I would insist that approval should not be granted until a satisfactory solution is arrived at which does not impact in any adverse way on drainage and existing properties.

I would strongly advise a site visit to ascertain the facts as I have stated and not as the applicants have portrayed.

Please note Gowanbrae Road is a narrow one-way street only from East to West and access is required for residents and Council / emergency vehicles. Should planning be approved at some point in the future if the drainage issue can be resolved, it should be on the basis that residents have uninterrupted access.

On the basis of the above, we would ask that the current application as is, be rejected / not approved on the basis of inadequate drainage.

PI

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 23 November 2014 16:57  
**To:** PI  
**Subject:** Planning Comment for 141543

Comment for Planning Application 141543

Name : Julie and Mark Vickers  
Address : 3 Gowambræ Road  
Bielside  
Aberdeen  
Ab159AQ

Telephone :

Email :

type :

Comment : Since the recent felling of shrubs to the front, the existing property can now be clearly seen by the public from Gowanbrae Road

The existing house is an exemplar of the vernacular

The proposed new house will extend significantly beyond the existing building line to the front of surrounding properties on the southern elevation, which will impact on light and privacy, detracting from the character and value of same

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PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 01 December 2014 16:01  
**To:** PI  
**Subject:** Planning Comment for 141543

Comment for Planning Application 141543

Name : Christopher Strang  
Address : 46 North Deeside Road  
Bielside  
Aberdeen  
AB15 9DR

Telephone :

Email :

type :

Comment : I comment re two issues:

1. Overlooking.

Currently I'm overlooked by two small upper windows. The plans show that I would be overlooked by three windows in a roofline raised by ~2 meters with the frontage brought forward nearer my property, increasing the degree of 'overlook'.

2. Surface Drainage

The plans show that this is by soakaway in the SE corner of the garden close to Gowanbrae Road. I am unaware of the current surface drainage arrangements but would be concerned if this is a change. If the soakaway is unable to cope, water is likely to run on to Gowanbrae Road and into my back gate (virtually no kerb to channel water away) and down to my back door with a flooding risk

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# Agenda Item 3

## Planning Development Management Committee

80 WESTERN ROAD, ABERDEEN

CHANGE OF USE FROM MEDICAL PRACTICE  
TO 19 SERVICED APARTMENTS (STAFF  
ACCOMMODATION)

For: Arnold Clark Automobiles

Application Type : Detailed Planning Permission  
Application Ref. : P141404  
Application Date: 23/09/2014  
Officer: Gavin Clark  
Ward : Hilton/Woodside/Stockethill (G Adam/K  
Blackman/L Dunbar)

Advert :  
Advertised on:  
Committee Date: 12 February 2015  
Community Council : No response  
received



**RECOMMENDATION:** Willingness to approve, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into a legal obligation with the Council to ensure that: the serviced apartments remain as a single planning unit, in the ownership of the current applicant to ensure that they are not sold off separately or disposed of for any alternative use; and in order to restrict the length of occupancy of any apartment to a maximum period of 90 days.

## **DESCRIPTION**

The application property is a two storey building finished in render with a slated mansard style roof. It is set within a triangular plot, located at the junction of Church Street and Western Road, opposite the junctions of Grandholm Street and Summer Street. The building was previously used as a medical practice, but is currently vacant, with access taken to the building from Western Road.

The surrounding area is predominantly residential in nature and includes a mixture of detached and semi-detached dwellinghouses, flatted dwellings and a former masonic lodge (which is currently vacant). A small area of landscaping is located in front of the northern elevation of the building (facing onto Church Street). No on-site parking exists.

## **HISTORY**

An application for planning permission (Ref: 140104) was withdrawn in January 2015 for the demolition of the existing medical centre building and construction of a residential development (7 units) with associated car parking.

Planning permission (Ref: A3/1807) was approved in November 2003 for the provision of a disabled access ramp, associated to the medical practice use.

## **PROPOSAL**

Detailed planning permission is sought for a change of use from medical practice to form 19 serviced apartments. Access to the building is to be taken from the existing entrance on Western Road, with no external alterations proposed. A secondary access would also be taken at the corner of Western Road and Church Street, again as is currently the case.

Numerous internal reconfigurations are proposed. At ground floor level, a total of 8 serviced apartments would be created, each comprising one bedroom/ living space with desk area, and an en-suite shower room. They would range in size from 12.5sqm to 14.4 sqm. Four of these apartments (Rooms 3-6) would face onto Church Street, two (Rooms 7-9) would face towards the residential dwelling at 19 Church Street and two (Rooms 1-2) would face towards Western Road. The ground floor would also include a kitchen and communal area (which would extend to 34 sqm and face towards Western Road), laundry, toilets, cleaner's cupboards and two stairwells.

At first floor level, a total of 11 serviced apartments would be created, again with similar accommodation. They would range in size from 14.7 sqm to 31 sqm. Four of these properties would face onto Church Street (Rooms 16-19), one (Room 9) would face toward the property at 19 Church Street, one (Room 10) would have two aspects, looking over the garden of 19 Church Street and Western Road and the other five apartments at first floor level (Rooms 11-15) would face onto



Western Road. The first floor would also include two cupboards, a kitchenette/tea prep area and two stairwells.

Ancillary cycle parking (6 no Sheffield cycle stands) would be provided to the east of the main entrance to the building. In addition, bin storage is proposed in the south-west corner of the site.

### **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at:

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141404>

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

- Car Parking Study – submitted 22<sup>nd</sup> December 2014
- Transport Statement – submitted 21<sup>st</sup> January 2014

### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee as nine timeous letters of objection have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

### **CONSULTATIONS**

**Roads Projects Team** – response is discussed in detail in the evaluation section below. In summary, the proposal would provide no on-site parking and Parking Surveys and a Transport Statement have been provided. Concerns were highlighted, that although the occupier of the site is committed to minimising the use of private car in accessing the site, that should the property change hands no mechanism would be in place to effectively control car use behaviours, and as such the local streets would be used for parking – where there is limited capacity. In order to address this issue a condition is requested. A condition was also requested in relation to ensuring provision of cycle parking.

**Environmental Health** – have raised no objection subject to the submission of a noise assessment (via appropriate condition) and the insertion of an informative in relation to appropriate hours for construction work.

**Developer Contributions Team** – no contribution required.

**Enterprise, Planning & Infrastructure (Flooding)** – no response received.

**Community Council** - no response received.

## REPRESENTATIONS

Nine letters of objection have been received. The objections raised relate to the following matters –

1. Concerns in relation to the potential impact on the character and amenity of the surrounding area;
2. Concerns in relation to the junction of Church Street/ Grandholm Street and Western Road; and that any additional traffic would exacerbate existing problems;
3. Concerns in relation to the impact on on-street parking (both from users and staff) in the surrounding area, as a result of the development, and as no on-site parking is to be provided;
4. Concerns in relation to the design of the development, and concerns raised about any external alterations to the property, including a potential flat roof extension; and
5. Concerns that the proposal would impact on the value of properties in the surrounding area.

## PLANNING POLICY

### Aberdeen Local Development Plan

Policy H1: Residential Areas: states that, within existing residential areas, proposals for non-residential uses will be refused unless: they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

Policy D1: Architecture and Placemaking: states that, to ensure high standards of design, new development must be designed with due consideration for its context, and make a positive contribution to its setting.

Policy D2: Design and Amenity: states that, in order to ensure the provision of appropriate levels of amenity the following principles will be applied: privacy shall be designed into higher density housing; residential development shall have a public face to the street and a private face to an enclosed garden; all residents shall have access to a sitting out area; parking shall be in a private court, opportunities for light shall be designed in; developments shall design out crime and external lighting shall take account of residential amenity.

Policy D3: Sustainable and Active Travel: states that new development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel.

Policy T2: Managing the Transport Impact of Development: new developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

## **Proposed Aberdeen Local Development Plan**

- Policy H1: Residential Areas
- Policy D1: Quality Placemaking by Design
- Policy T2: Managing the Transport Impact of Development
- Policy T3: Sustainable and Active Travel

### **Supplementary Guidance**

Transport and Accessibility  
Serviced Apartments

### **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

#### Principle of Development

The proposed use is considered appropriate for this out-of-centre generally residential location, being itself quasi-residential in nature. For the reasoning set out below the proposal would be considered complementary to existing residential use and would cause no conflict with, or nuisance to, the enjoyment of existing residential amenity.

#### Conflicts of Uses

In terms of assessment against Policy H1 (Residential Areas), there is a need to consider whether the proposed use would result in conflict with existing uses. In this regard, the surrounding area is predominantly residential in nature, whereas the previous use of the building was non-residential; given the similarities between residential and quasi-residential uses it is considered that the principle is appropriate.

#### Occupier Amenity

As regards to the issue of provision of a suitable level of residential amenity, given the nature of the proposed use, where occupancy is for limited time period and of a relatively transient nature, it would not be reasonable to expect an equivalent level of amenity as would be required for mainstream residential uses. It is also important to consider that the proposed retention and change of use of the building offers no opportunity to provide external amenity space.

Taking the criterion within policy D2, as a guide, whilst 3 properties lack a frontage onto a street (being those facing the property at 19 Church Street), and

that there is no access to sitting out areas, given the proposed use is not for mainstream residential occupancy and a communal sitting area and kitchen are to be provided, it is not considered appropriate to apply the same stringent tests set out within D2. It is also noted that serviced apartments and hotels have been approved throughout the city with limited levels of amenity for occupants and whilst each application must be considered on its own merits, this is a relevant factor in considering the proposal. It is also noted that there are a number of areas of open space in the surrounding area, including Stewart Park, which is located approximately 360m to the west and the Woodside Sports Complex, which is located approximately 410m to the north.

In terms of prospective occupants, any noise nuisance as a result of vehicular traffic on the adjacent roads can be addressed via the undertaking of a noise assessment to ensure any required mitigation is implemented. The Council's environmental health officers do not object to the proposal on noise grounds, subject to the submission of such a noise assessment and implementation of any mitigation.

Given that the proposal relates to an existing building and the new use is quasi-residential, the sustainability of the proposal, the residential nature of the surrounding area and the areas of open space mentioned above, it is considered that the levels of amenity afforded to occupiers of the serviced apartments would be acceptable, and would introduce an acceptable use to the vacant doctors surgery.

#### Supplementary Planning Guidance: Serviced Apartments

Any proposal would be required to comply with the above Supplementary Planning Guidance, which advises that serviced apartment's outwith the city centre, but within the existing built up area, will be assessed on their own merits. The SPG also looks for an acceptable level of amenity, and is considered that this could be provided, as discussed above. In terms of loss of privacy, whilst rooms 7-10 may overlook the neighbouring garden ground, these windows already exist, and any loss of privacy/ overlooking would not be to an unacceptable degree, particularly as they would not look into the internal parts of the house, but to the rear garden. A condition would also be inserted requesting the submission of a servicing strategy, in line with guidance. Sustainable and active travel has also been discussed within the section below and is has been confirmed that no developer contributions would be required. The proposed development does not offend the general principles of the Serviced Apartments Supplementary Planning Guidance.

#### Parking / Traffic Generation

The proposal has been subject to detailed consultation with Council roads officers and the applicants have submitted a Transport Statement and Car Parking Survey in support of the application. In general terms the site is highly accessible by sustainable transport modes, being located approximately 3km from Union Street. The 17 and 18 bus routes (located on Great Western Road)

and the 23 (which runs along Clifton Road) are close by, giving easy access to the city centre, other bus routes and Dyce. Overall the existing walking, cycling and public transport facilities in the vicinity of the site are of a good standard and provide sufficient connectivity and capacity to accommodate the level of trips that would likely be generated by the apartments. A residential travel pack is also proposed as a means of highlighting sustainable travel to occupiers of the premises, who would be employees of Arnold Clark, who are the owners of the building.

A parking survey was undertaken in support of the application concluded that the surrounding streets would have capacity to accommodate likely parking demands, that would typically be during evenings. The survey found that 25% of spaces within 200m of the site were available for use during evenings (with a maximum of 89 of the 131 parking spaces occupied at 6:30 pm) and over 20% of the spaces within 200m of the site available for use in the mornings (101 of the 131 spaces occupied at 6:30 am), which could accommodate any additional demand generated by the proposal.

Notwithstanding the availability of parking spaces to accommodate peak parking demands; the applicant would only use the apartments to meet the temporary accommodation needs of their staff visiting the city on business trips. The applicant has also agreed to putting measures in place to ensure that staff do not drive between the apartments and their business premises (which include premises on Craigshaw Road, Wellington Road and Whitemyres Place), and instead could manage transport demands by making car or mini-bus collections.

The proposed use, along with the sustainable transportation measures proposed, would likely generate less traffic than a doctor's surgery (particularly during the day). In addition, the planning authority would seek the imposition of a legal agreement, to ensure that the property remained in the ownership of the current applicant and could not be transferred over to any other parties without the requirement for further process.

The Council's roads officers have noted the findings of the parking survey, and are content that there would be spaces available on the surrounding road network. They are also content that, subject to the legal agreement mentioned above, a mechanism could, and would be put in place to minimise the use of private car to and from the development, by providing shared transportation to and from the occupant's places of work (and indicated above) and discouraging them from taking a private car to the site. They are also content that people using the serviced apartments would be supplied with a Residential Travel Pack (RTP), which would provide information of local amenities and sustainable transport options in the area.

Initially roads officers raised concerns that although the occupier of the site has committed to minimising the use of private car in accessing the site, that should the property change hands, no such mechanism would be in place and the local streets would be used for car parking. They asked for a condition to be inserted to prohibit this from happening. The Council's Supplementary Guidance on

Serviced Apartments advises that *“in order to control maintenance and servicing of serviced apartments, Aberdeen City Council wishes to see serviced apartments remaining in single ownership, ensuring that they are not sold off separately or disposed of for any alternative use”*. In this instance the Council intends to enter into a legal agreement with the occupiers of the premises to ensure the serviced apartments remain in the ownership of the current applicant. As such the concerns would be adequately addressed and controlled.

The roads officers also highlighted that the previous use of the site provided no off-street parking. However, if an application were to come forward with for a doctor's surgery in this general location, that using the current parking standards, off-street parking would be pursued. We can take from this that that the roads officers' preference would be that a level of parking was provided. However, as discussed, measures can be put in place to mitigate the lack of any on-site parking and also taking cognisance of the existing use value attributable.

In conclusion, whilst comments were highlighted that no off-street parking was to be provided, the mechanisms to be put in place to ensure sustainable transport to the site would address these concerns. As such an updated consultation response, was submitted, and roads officers do not object to the application and indicate contentment that the proposal does not offend the sustainable travel objectives of Policies D3 (Sustainable and Active Travel) or T2 (Managing the Transport Impact of Development) of the ALDP, all subject to the insertion of conditions in relation to the provision of: cycle parking, sustainable travel plans; and the imposition of a legal agreement ensuring that the premises must remain in the ownership of the applicant and operated as a single business. This legal agreement would also ensure that any serviced apartments no not become permanent residential properties.

#### Matter raised in letters of representation

Turning to the representations, as summarised above, the response is as follows:

1. The proposal would have a minimal impact on the character and appearance of the surrounding area, particularly as no external alterations are proposed to the appearance of the building, other than the provision of cycle stands and a bin storage area to the front of the building, finalised details of each would be requested via an appropriate planning condition;
2. Roads officers have raised no objection relating to the Church St/ Grandholm St junction, and have commented that the existing and proposed use would have a negligible impact on the local road network. Nonetheless, the applicants have confirmed that vehicular trips would be kept to a minimum (with details of how this would be undertaken discussed previously) and thus impact on the surrounding area is considered acceptable, the concerns of the objectors have been discussed in greater detail in the “parking/ traffic generation” section of this report;

3. Concerns relating to pressures on on-street parking have also been discussed in the “parking/ traffic generation” section above and found to be satisfactory;
4. As mentioned previously no external alterations are proposed other than the cycle racks and the bin storage area; and
5. This matter is not a material planning consideration.

#### Other Material Considerations

In this instance there are no material planning considerations that would warrant refusal of planning permission, the proposal is therefore recommended for conditional approval, subject to a legal agreement ensuring the property would remain in the ownership of the current applicant and occupancy is restricted to a maximum period of 90 days.

#### Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

The foregoing can only be assessed on a case by case basis. In relation to this particular application, the policies in the Proposed ALDP substantively reiterate those in the adopted local development plan and the proposal is acceptable in terms of both plans for the reasons already previously given.

#### **RECOMMENDATION**

**Willingness to approve, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into a legal obligation with the Council to ensure that: the serviced apartments remain as a single planning unit, in the ownership of the current applicant to ensure that they are not sold off separately or disposed of for any alternative use; and in order to restrict the length of occupancy of any apartment to a maximum period of 90 days.**

## **REASONS FOR RECOMMENDATION**

The proposal is considered to be an acceptable change of use from a doctor's surgery to quasi-residential serviced apartments, within a predominantly residential area. The proposal is considered complementary to the surrounding residential uses and, whilst four of the bedrooms could be argued to overlook neighbouring garden ground, these windows already exist, and the loss of privacy/ overlooking would not be to an unacceptable degree, particularly as they would not look into the internal parts of a house, as a result it is considered that the proposal would not cause an unacceptable conflict to existing residential amenity. Subject to the imposition of conditions and a legal agreement, the proposed use would accord with Policies H1 (Residential Areas), D3 (Design and Amenity) and T2 (Managing the Transport Impact of Development). The proposal is also considered to accord with the relevant Supplementary Guidance on Serviced Apartments. The external alterations by way of cycle facilities and bin storage would be controlled via an adequate planning condition and would not offend the general principles of Policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

The proposal does not offend the principles of Policies H1 (Residential Areas), D1 (Quality Placemaking by Design), Policy T2 (Managing the Transport Impact of Development or T3 (Sustainable and Active Travel) of the proposed local development plan.

## **CONDITIONS**

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

(1) That none of the serviced apartments hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing L(00)001 have been provided - in the interests of encouraging more sustainable modes of travel.

(2) That none of the serviced apartments hereby granted planning permission shall be occupied unless full details for the proposed bin storage area, including boundary enclosures, as shown on drawing L(00)001 have been submitted to, and approved in writing by the planning authority, and that such approved storage area is constructed and available for use – in order to preserve the amenity of the neighbourhood and in the interests of public health.

(3) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan (GTP), which outlines sustainable measures to deter the use of the private car. Such GTP shall be made available within all apartments at all times – in order to encourage more sustainable forms of travel to the development.

(4) that no development pursuant to this planning permission shall take place nor shall the building be occupied unless there has been submitted to and approved



in writing for the purpose by the Planning Authority an assessment of the noise levels likely within the building, unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full - in the interests of the amenity of future occupants.

(5) that the serviced apartments hereby granted planning permission shall not be occupied unless a servicing plan for the proposal has been submitted to, and approved in writing, by the planning authority – in the interests of the amenity of the surrounding area.

### Informatives

1. It should be noted that the serviced apartments hereby approved shall form a single planning unit and shall not be disposed of independently one from the other without the prior consent in writing of the planning authority. Furthermore the Serviced Apartments hereby approved shall be used solely for that purpose for a maximum of 90 days by the same occupants. These aspects are covered through the associated s75 legal agreement.
2. That, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:
  - (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
  - (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
  - (c) at any time on Sundays,except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery].
3. The applicant should discuss the content of the required Green Travel Plan with Richard Bailie in the Roads Projects Team (Tel: 01224 522161, Email: rbailie@aberdeencity.gov.uk).
4. The applicant should discuss the content of the required Noise Assessment with Andrew Gilchrist in the Councils Environmental Health Service (Tel: 01224 522720, email: agilchrist@aberdeencity.gov.uk)

**Dr Margaret Bochel**  
Head of Planning and Sustainable Development



PI

From: webmaster@aberdeencity.gov.uk  
Sent: 09 October 2014 22:13  
To: PI  
Subject: Planning Comment for 141404

Comment for Planning Application 141404

Name : Kathleen George  
Address : 50 Church Street  
Woodside  
Aberdeen

Telephone : [REDACTED]  
Email : [REDACTED]  
type :

Comment : I object to the planning application for 19 serviced apartments on the grounds there is no provision for parking. Also looking at the plans it looks more like a H.M.O than serviced apartments.

The previous planning application suggested there could be an additional 14-16 vehicles, with 12 new parking spaces being created. There does not appear to be any detailed provision for parking in the plan of this application. Given that there are 19 double &#8220;apartments&#8221; which will house employees of Arnold Clark who will no doubt have access to vehicles therefore could potentially be 38 vehicles. The previous study concluded that there was restricted number of parking spaces on Church Street and Western Road. I am very concerned as to where the additional parking spaces are for another 38 vehicles, as the current applications only reference as far as I can see is to mark on the site plan 36 spaces on Church St. 12 on Western Road (then class that as EX on street parking what does EX stand for) surely this does not take into account that these parking spaces are already used up by existing residents. At the other end of Church Street we have a Church conversion to flats. Planning for this was approved with no provision for parking which has increased the parking problems in Church Street and the surrounding area, cars are frequently parked on double yellow lines, on corners of the roads, we also have problems with people parking over the entrance to our garages on a regular basis as there is no parking spaces available.

To approve this application with no parking provision for what could be a further 38 vehicles is not only ridiculous but dangerous to the residents of the area as I believe that the situation of parking illegally in the area will increase.

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PI

From: webmaster@aberdeencity.gov.uk  
Sent: 06 October 2014 21:20  
To: PI  
Subject: Planning Comment for 141404

Comment for Planning Application 141404

Name : April Hutchison  
Address : 79 Western Road  
Woodside  
Aberdeen  
AB24 4DR

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : My reasons for objecting this application are; 1.The area is a private residential area and proposed application is for a business.

2.19 apartments will equal the guts of 19 extra cars on the surrounding streets which are already very congested especially at night when people are parking on the double yellow lines.

3.No car parking facilities provided for the use of staff that work for a car company.

4.Will lower house prices in the area.

5.Lack of community spirit because of staff/people turnover in the building and coming and going.

6.Apprehensive about what the bedsit style accommodation will be used for after Arnold Clark are done with it, it may be used for drug/drink/behavioural style rehab accommodation in an area that already struggles with these issues.

7.This type of business is more like a Travelodge and not in keeping with the area as private residential.

8.Extra traffic in a 20mph zone road where children are already having to play on street because of lack of green area.

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PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 13 October 2014 10:26  
**To:** PI  
**Subject:** Planning Comment for 141404

Comment for Planning Application 141404

Name : Elaine Mathieson  
Address : 69 Western Road  
Aberdeen  
AB24 4DP

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the application for the following reasons.

- 1) There is already a shortage of on street parking with vehicles frequently being parked on the pavement.
- 2) Assume that being staff for a car company that most will have their own transport again adding to the parking problem.
- 3) If Arnold Clark paid their staff a decent wage they would not have to provide accommodation for them.

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PI

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From: webmaster@aberdeencity.gov.uk  
Sent: 08 October 2014 19:57  
To: PI  
Subject: Planning Comment for 141404

Comment for Planning Application 141404

Name : Dr Alison Brown

Address : 46 Church Street, Woodside, Aberdeen, AB24 4DQ

Telephone :

Email : [REDACTED]

type :

Comment : With reference to the proposed change of use application I note that:

1) There is insufficient parking available for this development. As it is, parking on Church Street is severely restricted due to the number of residences on the street, which includes a converted church with multiple flats and no parking provision.

2) The junction between Church Street, Grandholm Street and Western Road is already extremely dangerous. The increased traffic caused by potentially up to 38 more vehicles (based on the number of double rooms in the proposed block) will exacerbate this problem.

I made the same objections earlier in the year when a different proposal was lodged to turn this building into flats. It is quite clear, from the perspective of many Church Street residents, that without providing parking facilities, converting this building into flats is irresponsible.

Sincerely,

Dr. Alison Brown

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PI

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From: webmaster@aberdeencity.gov.uk  
Sent: 09 October 2014 10:22  
To: PI  
Subject: Planning Comment for 141404

Comment for Planning Application 141404

Name : Catherine Little  
Address : 36 Church Street  
Woodside

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Almost all the local houses utilise on street parking on Church Street, Western Road and Clifton Road, and there is a shortage of parking spaces overnight, and when Woodside Church runs events (Evenings & Sunday mornings). Any additional accommodation being added must make provision for off street parking. There is not space on street for an additional 3 cars overnight, let alone 19.

Additionally, any area of flat roof should be rejected unless there are preventative measures to stop seagulls nesting.

Thanks very much.

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PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 18 October 2014 15:43  
**To:** PI  
**Subject:** Planning Comment for 141404

Comment for Planning Application 141404

Name : Mr. Mrs G D Gibson  
Address : 19 Church Street  
Woodside  
Aberdeen  
AB24 4DQ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : There are 19 double bedrooms in this planning application, but we were wondering where 19 - 38 parking spaces are going to be situated. There is not enough parking in Church Street and Western Road to facilitate these vehicles. We have cars parking from flats all around Church Street already, some from Western Road , Queen Street, King Street, Grandholm Street, Clifton Road etc. Could you please explain parking issues.

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PI

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**From:** Graham Harvey [REDACTED]  
**Sent:** 01 October 2014 14:57  
**To:** PI  
**Subject:** Planning application 141404 LA ref. 000099772-001

Dear Sir/ Madam

I object to the above planning application on the grounds that no provision has been made for parking. Also that it seems to be classed as serviced apartments when in fact looks like a HMO.

In the previous application of 30.1.14 the previous applicant had to do a parking survey, when at the most there could have been an additional 14 to 16 vehicles the applicant was creating 12 new parking spaces. This new application which will house employees of Arnold Clark who will no doubt have access to vehicles which could be up to 38 vehicles given it is 19 double bedrooms. No provision has been detailed on application of where these vehicles will be parked except to mark on site plan 36 spaces in Church Street, 12 on Western Road, then class that as Ex.On Street parking. (What the EX. stands for I do not know) The fact that the previous parking study concluded there was a restricted number of spaces on Church Street and Western road makes these spaces unavailable as parking consideration.

I have also mentioned previously, that a Church conversion to flats at the other end of Church Street from this development. It got planning approval with absolutely no parking provision. That has caused plenty problems for the residents of Church Street as I have described in my previous objection.

As I objected to the previous planning application in February this year on the grounds of parking availability, should I not have been notified of this latest application? Will my previous objection be taken into account for this application?

Yours faithfully

Graham Harvey

P141404

PI

**From:** margo lovell [REDACTED]  
**Sent:** 12 October 2014 12:38  
**To:** PI  
**Subject:** Proposed development at 80 western Road

I am writing to appeal this application for Arnold Clark premises. I feel that this premises should be sold to Stewart Milne or another private property developer. I feel it should be kept residential. It is nearby to a school and heavy traffic in this area is not needed (undue congestion), especially when schoolchildren are at risk. I feel that Aberdeen city in the outskirts has generally nice residential areas, let's not let large retail holders devastate our neighbourhood when there is enough already in Aberdeen in more suited locations. I am all for bringing business and jobs into an area but we must be clever and locate them in the right area for a viable city. Let's be sensible and not let greed take over, think first.

Please can you let me know if this application is too late as no date on notice and the outcome of this proposed plan.

Kind Regards

Margo Lovell

PI

From: webmaster@aberdeencity.gov.uk  
Sent: 18 October 2014 14:28  
To: PI  
Subject: Planning Comment for 141404

Comment for Planning Application 141404

Name : Stuart Lindsay  
Address : 32 Church Street

Telephone :

Email : [REDACTED]

type :

Comment : I raise my concern regarding the lack of provision of residential parking for the development.

The development is sited in a predominantly residential area. The density of properties in this area is particularly high due to the majority being of small multi-storey flat types. The vast majority of these residential properties do not have private off-street parking, which therefore increases the demand for the current limited on-street parking.

The development is sited at the junction of Western Road and Church Street. On-street parking to both of these streets are heavily used by not only the residents of both of these streets but also by residents of surrounding streets where on-street parking is limited or non-existent. This lack of parking is mostly an issue in the evenings, particularly on weekday evenings when Woodside Parish Church and Community Centre (situated on Church Street) hold weekly events. Due to the lack of private off-street parking provided by the Church and Community centre, visitors predominately park on Church Street and Western Road forcing a large number of local residents to park in adjoining streets and further.

This development has the potential to increase the demand for on street parking by a minimum of 19 vehicles which the area simply could not absorb. Due to the nature of the applicants business there is the possibility of parked vehicles being of a commercial type, hindering parking further and vehicular movement, particularly on Church Street where the road is a single carriageway when on-street parking is utilised to both sides of the road.

On the grounds of the above, and more so the fact that this application does not consider anywhere near close to planning parking standards, I expect this application to be refused.

Kind regards,

Stuart Lindsay

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## Planning Development Management Committee

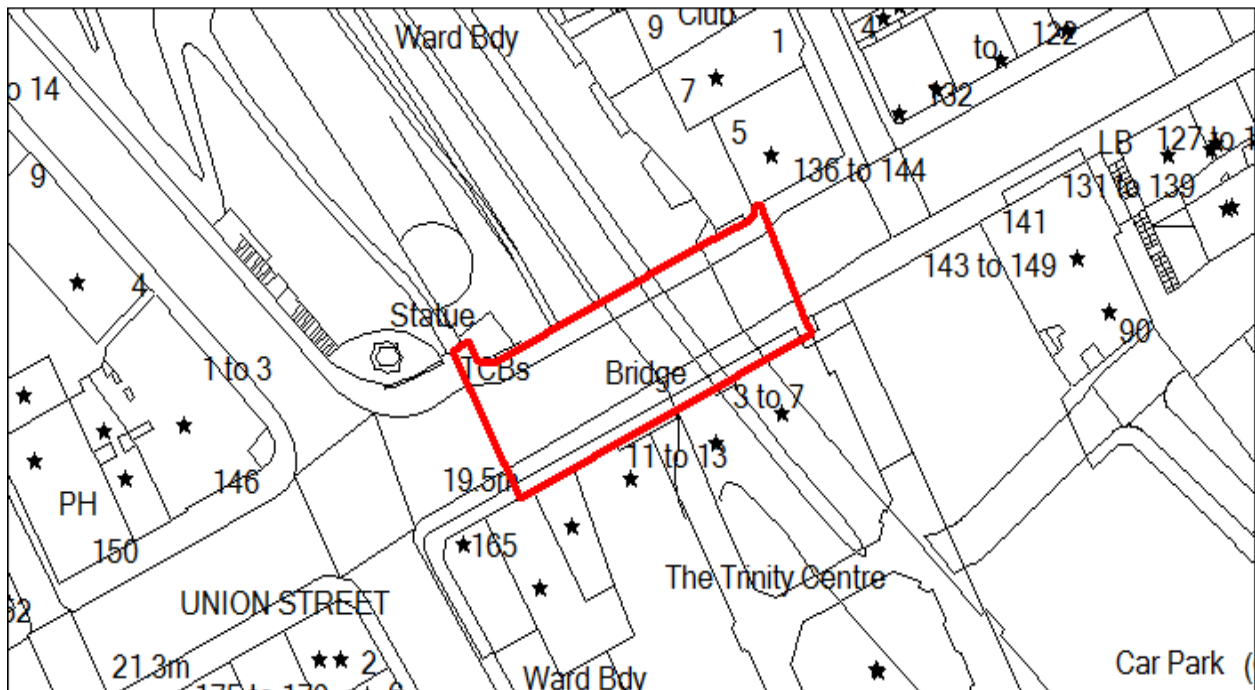
1 UNION BRIDGE, UNION STREET

PROPOSED WORKS TO BRIDGE TO PROVIDE  
SAFETY BARRIER, WITH ASSOCIATED  
LIGHTING AND WORKS

For: Aberdeen City Council (Asset Management  
& Operations E,P&I)

Application Type : Listed Building Consent  
Application Ref. : P131829  
Application Date: 17/12/2013  
Officer: Lucy Greene  
Ward : George Street/Harbour (A May/J  
Morrison/N Morrison)

Advert : Listed Building  
Advertised on: 15/01/2014  
Committee Date: 12 February 2015  
Community Council : objection



### RECOMMENDATION:

Willingness to approve; Refer to Historic Scotland for determination

## **DESCRIPTION**

The application site consists of the Category B listed Union Bridge on Union Street, the largest single span granite bridge in the world, at 40m.

The bridge was built from 1801 to 1805 and spans the Denburn Valley, with two transport routes running underneath – a dual carriageway and rail track heading north from the city.

The bridge was widened in 1908 with steel side spans introduced and these supported the existing pavements. At this time the black cast iron leopards by William Kelly, were introduced.

The bridge has been altered several times, including notably, the erection of the Trinity Shopping Centre, which resulted in the closing off of the southern aspect.

The supporting statement notes the details of the bridge design and the existing parapet arrangement, with cast iron columns and decorative infill panels across the central span of the bridge. To each end are lengths of curved masonry with replacement cast iron lanterns.

## **RELEVANT HISTORY**

None

## **PROPOSAL**

Following consideration of various options, the proposal is for the fixing of a free standing stainless steel bridge parapet arrangement. This would perform the role of providing lighting and protection in the form of horizontal wires supported on lampposts and vertical posts, all in stainless steel. The horizontal wire protection would be above the existing cast iron parapet, the latter being between approximately 1.1m and 1.4m above pavement level.

The proposed parapet structure would consist of:

- Stainless steel lampposts of 4.5m – 4.85m in height (above pavement level) at approximately 6m spacing to coincide with existing vertical cast iron columns. The base of the lampposts would sit within the pavement and the upper section of the lamppost would curve over the pavement in order to provide better quality of lighting. The height variation in lamp posts being to take account of the change in the pavement level between the two ends of the bridge;
- Between the lampposts would be located intermediate vertical posts, these would be circular in section and stainless steel. These would support:
- Horizontal wires supported on a curved structure that would be cantilevered back off the lampposts and intermediate vertical posts, so that the lower wires would be located outside the existing cast iron parapet.

The proposed parapet structure would not directly obstruct views of the Kelly Cats, and the vertical posts and lampposts would be located to coincide with those cast iron columns that do not feature Kelly Cats (ie every other column).

The submissions include a supporting statement. This includes:

- The report to Enterprise, Planning and Infrastructure Committee containing the options for the works to the bridge. It is the Options A and B to which the Community Council referred, in its objection;
- Letter from Police Scotland recommending the measures;
- Letter from a mental health charity, supporting the measures;
- Letter from Scotrail supporting the proposals
- Design Appraisal and statement;
- A study commissioned to look at similar measures, useful as background information;
- A report making the economic case for mental illness prevention;
- A report by Suicide Prevention Lifeline on the use of 'bridge phones'

### **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131829>

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

Proposed Union Bridge Parapet Increase – supporting report

### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because there was an objection from the Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

### **CONSULTATIONS**

**Roads Projects Team** – No observations

**Environmental Health** – No observations

**Enterprise, Planning & Infrastructure (Flooding)** - No observations

**Historic Scotland** – In response to informal consultation, Historic Scotland recognises the need for the proposed safety barrier, for which statements of support and justification have been received from the Police and other specialists.

Historic Scotland agrees with the proposed solution, to provide a clear distinction between the existing bridge and the proposed barrier, and this is provided by the contemporary design. This allows for the existing parapet and the 'Kelly Cats' to remain visible.

Historic Scotland expresses agreement with the amendments to the proposal, namely to delete the originally proposed steel balustrades above the granite ends of the bridge parapet, as it is considered that this would significantly reduce the visual impact of the proposals on the listed bridge.

**Community Council** – Objected to the planning application 131833, this was an application for a safety barrier, lighting and associated works and was the same proposal that is the subject of this listed building consent application. The planning application was withdrawn as there was a change in legislation that resulted in planning permission no longer being required.

It should also be noted that the proposal has been amended since submission.

The Community Council made the following comments:

- The preferred option is not as sympathetic to the historic bridge
- The preferred option is more expensive
- Preferred option does not cover the entire length of the wall and will not be as effective
- There is no mention of maintenance costs

More work seems to have been put into Option A.

The Community Council objects, based on the preferred option, and urges the Council to go with the alternative option.

Note: The alternative option referred to, was one that involved a more ornate, traditional type railing, and was not the subject of any application.

## **REPRESENTATIONS**

One letters of representation has been received. The objections raised relate to the following matters –

- Object on the basis of the design of the proposal; the ‘industrial’ style design is not sympathetic with the gothic nature of the listed Union Bridge; the lighting and wires are without precedent in Union Street;
- The horizontal cables are likely to sag in the summer; and,
- The curved barriers are crude looking on the curved parts of the bridge.

## **PLANNING POLICY**

### **National Policy and Guidance**

Scottish Planning Policy (SPP) in paragraphs 135 – 137 recognises the importance of the historic environment. Change should be sensitively managed. SPP refers to the documents described below:

#### Scottish Historic Environment Policy

Paragraph 3.43 deals with situations where significant interventions are proposed and where the effects are adverse. Evidence should be provided that other options have been considered and that there would be significant benefits to the wider community. A statement of justification should be provided.

#### Managing Change in the Historic Environment – External Fixtures

New external fixtures should be sited to maintain and minimise the impact on the special architectural or historic interest, integrity and fabric of the building.



### **Aberdeen City and Shire Strategic Development Plan**

Quality of the Environment Objective: To make sure new development maintains and improves the region's important built, natural and cultural assets.

### **Aberdeen Local Development Plan**

Policy D5 – Built Heritage:

Proposals affecting listed buildings will only be permitted if they comply with SPP.

Policy C1 – City Centre Development – Regional Centre:

Development within the City Centre must contribute towards the delivery of the vision for the City Centre.

### **Proposed Aberdeen Local Development Plan**

The policies are very similar to those within the adopted local development plan.

## **EVALUATION**

Where a proposal affects a listed building Sections 14(2) and 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining an application for listed building consent to have special regard to the desirability of preserving the building or its setting and any features of special architectural or historic interest which it possesses. This is the primary consideration in the determination of applications for listed building consent.

The issues for consideration are the impact of the proposal on the character and fabric of the Category B listed Union Bridge.

The proposed structure would be fixed into the pavement with the cabled protective barrier being fixed between the upright lighting columns and supporting uprights. There would therefore be no fixings into the historic structure.

The structure would be contemporary in design and as such would contrast with the heavier, traditional, cast iron parapet. Historic Scotland are supportive of this approach, which allows for the existing parapet and the Kelly's cats finials to remain visible. There would be an impact: the oblique view along the adjacent pavement would be interrupted by the regular uprights of the lights and support columns, however, the visual impact has been minimised by the design.

Viewing the bridge from the street below, or from longer range views – Union Terrace or Denburn Bridge, the safety measures would be much less obvious in the view. Street lights are part of the usual street environment and the cables and associated supports are designed to be 'light'.

The proposal has been amended to remove the more awkward railings that had been proposed at either end of the bridge, including the adjacent to Jamieson and Carry.

A detailed supporting structure has been provided and includes a letter from the Police and references to studies that have been carried out and demonstrate why these sorts of measures are of benefit to the community. The committee report by Alan Robertson to the Enterprise, Planning and Infrastructure Committee (included in submissions) also describes other measures that would accompany the physical barrier, as part of a co-ordinated approach.

In terms of the SHEP and guidance note, it considered that the impact of the safety measures is justified by the benefits. It is further considered that the proposal has been designed and amended to minimise the impact of the measures on the character and setting of the listed bridge.

The relevant planning concerns raised by the objector and Community Council in relation to design, have been dealt with above. The proposed cables have been used elsewhere and there is no evidence that they would sag. The proposal would be maintained by the Council, which would mean that materials could be replaced if not performing.

#### Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

The foregoing can only be assessed on a case by case basis. In relation to this particular application the policies are not materially different to those in the adopted local development plan.

#### **RECOMMENDATION**

**Willingness to approve; refer to Historic Scotland for determination**

#### **REASONS FOR RECOMMENDATION**

It is considered that the design minimises the impact on the character and setting of the listed Union Bridge. The impact of the safety measures is justified by the benefits to the community, as evidenced by the submissions from Police Scotland and other specialists.

The proposal therefore complies with Scottish Historic Environment Policy (SHEP), the guidance in Managing Change – External Fixtures and thereby with development plan policies and Scottish Planning Policy.

**Conditions:**

1. That development shall not take place unless further details, including large scale detailed plans showing the lampposts, safety barrier and joints, have been submitted to, and approved in writing by, the planning authority – in the interests of the character and setting of the listed building.
2. that no development shall take place unless a scheme detailing all external finishing materials to the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of the listed building.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.

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*Jamieson  
& Carry*

J E W E L L E R Y

142 Union Street, Aberdeen AB10 1GF Scotland  
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Development Management  
Enterprise, Planning and Infrastructure  
Aberdeen City Council  
Business Hub 4, Marischal College  
Broad Street  
ABERDEEN  
AB10 1AB

30<sup>th</sup> January, 2014

Dear Sir,

**Formal Objection to the Planning Application 131833 24 Dec 2013  
On the grounds of the effect on Union Bridge being a Listed Building.**  
<http://planning.aberdeencity.gov.uk/docs/showimage.asp?j=131833&index=111519>  
1 Union Bridge, ABERDEEN AB11 6BG

<b>Application Reference:</b>	131833
<b>Local Authority Reference:</b>	000075746-003
<b>Proposal Description:</b>	Proposed works to bridge to provide safety barrier, with associated lighting and works
<b>Application type:</b>	Detailed Planning Permission

I write in connection with the above planning application.

I have examined the plans and I know the site well.

Jamieson & Carry has successfully traded out of these premises since 1925.

I have been a partner since 1976.

I wish to object strongly to the design of the proposed works.

We accept the need for measures for suicide prevention.

We applaud the time and effort that the Councillors and Officers have invested in this scheme.

However, Union Bridge is dominant in the city centre landscape. This alteration to its appearance has already attracted adverse comments and therefore our opposition by way of objection to this planning application.

We are truly dismayed with the design of the proposed option and therefore object.

Our feeling is underlined by the following indented paragraphs are taken from the website of the Planning Department of the Aberdeen City Council:

The Union Street Conservation Area includes one of the most important examples of early nineteenth century planned streets in Scotland with the development of Union Bridge and Union Street. The street is one of the engineering feats of the early nineteenth century and contains many of the City's most important and impressive buildings.

The conservation area contains more Category A listed buildings than any other conservation area in Aberdeen. The conservation area boundary includes the entire length of Union Street as well as areas of land to the north and south that are linked to Union Street by their physical and historic connections.

Conservation areas are designated by the planning authority as being areas of special architectural or historical interest, which it is desirable to preserve or enhance. Most of the City's conservation areas have additional planning controls (Article 4 Directions) to ensure that the special character of the area is preserved and enhanced. Conservation areas are designated and have statutory protection under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Aberdeen City Conservation Area Character Appraisals and Management Plan: July 2013:

**Policy D5 - Built Heritage**

Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy. In relation to development affecting archaeological resources further details are set out in Supplementary Guidance on Archaeology and Planning.

Planning permission for development that would have an adverse effect on the character or setting of a site listed in the inventory of gardens and design landscapes in Scotland or in any addition to the inventory will be refused unless:

- 1: the objectives of designation and the overall integrity and character of the designated area will not be compromised; or
- 2: any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, economic and strategic benefit of national importance.

In both cases mitigation and appropriate measures shall be taken to conserve and enhance the essential characteristics, aesthetics, archaeological and historical.

We are of the opinion that the proposed design is extremely industrial in appearance and is not at all sympathetic with the gothic nature of the listed Union Bridge.

Both the lighting and the stainless steel wiring are a sudden introduction onto Union Street, with nothing similar throughout Union Street.

As the owners of the adjoining building, 142 Union Street, we would refuse any attempt to attach such an unsightly attachment to our building.

The proposed horizontal stretch cables are very likely to sag in the summer.

The proposed design includes very crude-looking barriers on the curved parts of the bridge.

Please note that this Letter of Objection to a change to a Listed Building, dated 30<sup>th</sup> January, 2014 is separate from my Letter of Objection of 22<sup>nd</sup> January, 2014.

Yours sincerely,

Peter Carry  
Partner

RECEIVED	31 JAN 2014	131829	ES.S. Letters of Objection
Not	Case Order File#	SPU	7
Date Received:	04/02/14	MRB	



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

**Re: Planning application 131833: Union Bridge**

The City Centre Community council object to the above application of the proposed works to Union Bridge for the following reasons.

1. The preferred option is not as sympathetic to the historic bridge.
2. The preferred option is the more expensive option
3. The preferred option does not cover the whole length of the wall and so will not be as effective to reducing the risks.
4. There is no mention of up-keep costs for the lights on Option A.



We would also like to note that a great deal more work seems to have been spent on option A with regards to drawings and showing elevations compared to Option B.

We would therefore like to officially object to the application based on the reports preferred option.

We would urge officers and the committee to go with option B as this would be more aesthetically sympathetic, make financial sense and be more effective at protecting people from harm.

Kind regards

Dustin Macdonald  
Chairman  
Aberdeen City Centre Community Council

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Website: [citcentrecc.com](http://citcentrecc.com)



## Planning Development Management Committee

FORMER ROYAL CORNHILL HOSPITAL,  
BERRYDEN ROAD, ABERDEEN

DEMOLITION OF FORMER HOSPITAL  
BUILDINGS AND PROPOSED RESIDENTIAL  
DEVELOPMENT OF 323 UNITS COMPRISING 89  
NEW BUILD HOUSES, 198 NEW BUILD FLATS  
AND CONVERSION OF FORMER HOSPITAL  
BUILDING TO FORM 36 FLATS, WITH  
ASSOCIATED CARPARKING, OPEN SPACE AND  
INFRASTRUCTURE

For: Stewart Milne Homes, Barratt East Scotland,  
NHS Grampian

Application Type : Detailed Planning  
Permission

Application Ref. : P130381

Application Date: 21/03/2013

Officer: Gavin Evans

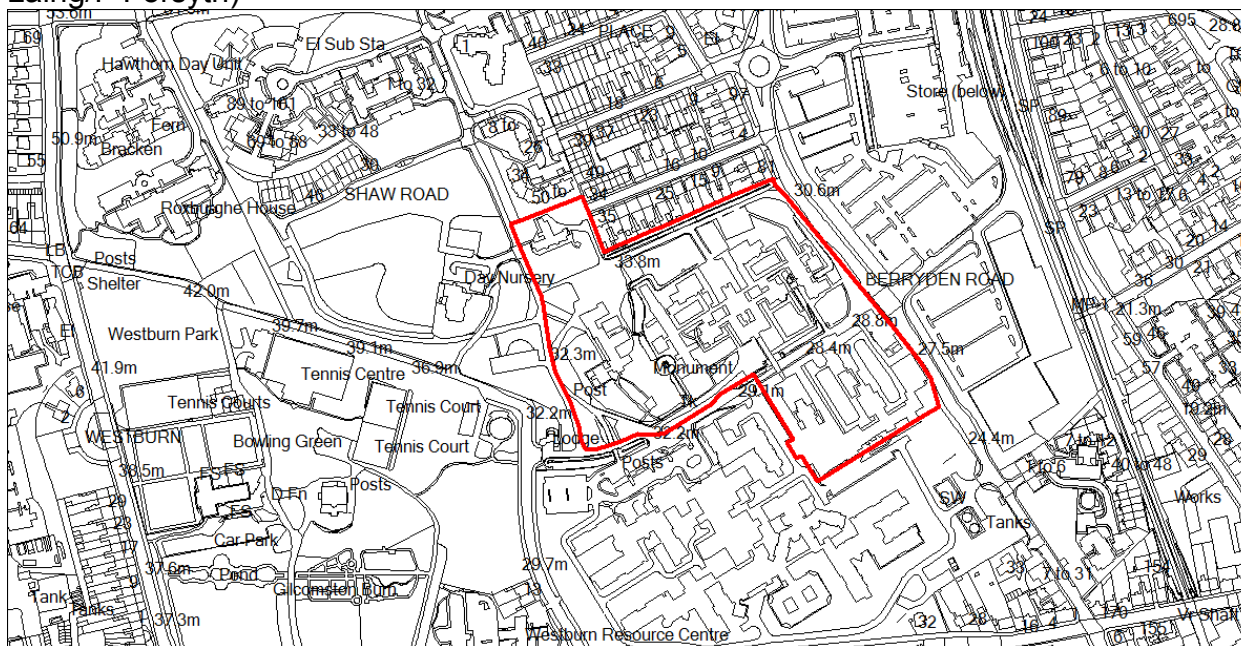
Ward : Midsocket/Rosemount (B Cormie/J  
Laing/F Forsyth)

Advert : Section 60/65 - Dev aff  
LB/CA

Advertised on: 01/10/2014

Committee Date: 12 February 2015

Community Council : No Comments



**RECOMMENDATION: Willingness to approve the application subject to conditions and the conclusion of a legal agreement to secure the following;**

- **25% affordable housing provision, including 15% on-site**
- **Developer contributions in relation to Primary Education, Community Facilities, Sports and Recreation and Library Facilities, in line with the assessment carried out by the Council's Developer Obligations team**

- **Participation in a Car Club in order to mitigate the identified shortfall in car parking by providing memberships for residents.**
- **Contributions towards mitigation works at junctions in the local road network in the event that the development is implemented prior to Berryden Corridor road widening**

## **DESCRIPTION**

The application site, which extends to 5.54ha, lies between Berryden Road, to the east, and May Baird Avenue, to the west. It is enclosed by residential buildings laid out along Chestnut Row to the north, with the new Cornhill Hospital (circa 1990) sitting between the application site and Westburn Road, to the south.

The former Royal Cornhill Hospital site is a complex of unlisted buildings, consisting of Upper and Lower hospitals, built of granite in a classical style and formally laid out in a mature parkland setting. The site is enclosed along its Berryden Road frontage by a stone wall of 2.5-3m in height. There is a disused, gated vehicular access in the Berryden Road elevation, slightly north of the junction serving a retail park on the opposite side of Berryden Road.

Notable tree belts are present along the northern boundary, screening the site from Chestnut Row, and the western boundary to May Baird Avenue.

With the relocation of operations to the new Cornhill Hospital the buildings within the application site have fallen vacant and are surplus to the operational requirements of NHS Grampian.

The site lies within the Rosemount and Westburn Conservation Area, and contains the Forbes of Newe Obelisk, which is category 'C' listed.

## **RELEVANT HISTORY**

Application P130382, submitted in association with this application, seeks Conservation Area Consent for the demolition of the majority of the existing buildings. At time of writing, that application remains undetermined, however an update can be provided verbally to members at the committee meeting.

## **PROPOSAL**

This application seeks detailed planning permission for a residential development of 323 units, comprising 89 new houses, 198 new-build flats and 36 flats provided via the conversion of existing Upper Hospital buildings.

The scale and form of new buildings would vary across the site, with 4 and 5 storey blocks addressing Berryden Road and providing an identifiable street frontage to the development. The interior of the site would include the converted 2-2½ storey Upper Hospital buildings, along with new 3 and 4 storey flatted blocks and a mix of detached, semi-detached and terraced houses at 2 and 3 storeys.

The site would be served principally by a new access formed on its eastern boundary with Berryden Road, opposite the junction into the adjacent retail park.

A secondary vehicular access, off May Baird Avenue, would utilise a collapsible bollard or similar in order to restrict access to emergency vehicles, cycles and pedestrians. A series of pedestrian routes are provided through the site, with connections to Berryden Road and May Baird Avenue.

The proposal involves the demolition of a number of existing buildings present on the site, however 5 buildings forming part of the Upper Hospital would be retained and converted. The demolition of buildings within a Conservation Area requires a separate type of consent, 'Conservation Area Consent', which the applicant has sought via a separate application.

It is noted that the proposal involves the relocation of the Forbes of Newe Obelisk, which cannot be carried out without a separate approval of Listed Building Consent. The applicants have been made aware of this requirement, but it does not preclude consideration of the current application for planning permission.

### **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=130381>

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

The supporting documents available online include the following;

- Design and Access statement
- Pre-application Consultation (PAC) report
- Tree survey
- Site appraisal report
- Indicative street visualisations
- Geo-Environmental Desk Study Report
- Transport Assessment
- Drainage Assessment

### **PRE-APPLICATION CONSULTATION**

The proposed development was the subject to pre-application consultation between the applicant and the local community in August 2012, as required for applications falling within the category of 'major developments', defined in the relevant 'Hierarchy of Development' Regulations. That consultation involved a public event, held on 27th August 2012 at the Aberdeen Northern Hotel. The event was advertised in the Aberdeen Press and Journal a week in advance. Posters advertising the event were displayed in local shops and community facilities. A separate consultation event was held with local NHS Grampian staff.

The main issues raised in these consultation events were as follows;

- Scale of development seen to be excessive.
- The main access onto Berryden Road requires careful consideration as there is already a busy junction to the retail park.
- Concerns stated over increases in vehicular traffic using May Baird Avenue, particularly if access onto Berryden Road becomes congested.
- Queries over the relationship between the development and ACC's proposals for the widening of Berryden Road.
- The obelisk should be retained.
- Re-use of granite is supported.
- The privacy of vulnerable adults attending the hospital should not be compromised by the development.

The submitted Pre-Application Consultation report outlines that building heights were reviewed as a result of the comments received, with significant numbers of 2-storey buildings incorporated towards boundaries with the NHS estate. Also, the access point on the western boundary will be controlled to ensure that it is not available to ordinary vehicle traffic.

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the the Planning Development Management Committee because more than 5 letters of objection have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Projects Team** – The Council's Roads Projects Team has indicated its satisfaction with the revised proposal.

### Car Parking

Car parking has been reviewed in light of earlier feedback from the Council's Roads Projects Team. A total of 460 unallocated parking spaces have been proposed for the 323 units proposed, including provision for visitor parking and spaces for disabled users. Based on an agreed position that the 'inner city' car parking standards will be applied in this instance, the total requirement would be 493, resulting in a shortfall of 33 spaces. As recommended by Roads colleagues, 2 Car club bays have been proposed which would account for this shortfall shortfall in parking. Parking arrangements are now considered to be acceptable. In-curtilage car parking for dwellings has been provided in accordance with the Council's parking guidelines. A car parking management plan should be provided to demonstrate measures to encourage the efficient use of car parking and control usage by non-residents. A planning condition can be used to secure this.

### Access

Two vehicular access points are proposed. The main access point is via a signalised junction on Berryden Road, with a secondary access, for emergency vehicles only, proposed on May Baird Avenue. To the north of this secondary access, May Baird Avenue would be upgraded to an adoptable standard. 3m

wide footpaths, providing connections to surrounding footways, have been agreed with the applicant and implementation will be secured via a condition. It is noted that a connection previously shown to Chestnut Row has been removed, and this is acceptable given the alternative pedestrian routes which exist throughout the site. It is noted that pedestrian accesses to Berryden Road from the frontage of buildings 1-4 and 5-8 have been added, and this is supported.

#### Transport Assessment

As any new access onto Berryden Road would be affected by the Council's proposals for the widening of Berryden Road, the Council's Roads Design Section have been consulted in order to ensure that the signalised access junction can be designed to with those proposals in mind, minimising the potential for abortive works. A proposal has now been agreed with the applicants' transport consultants.

The main access junction would be signalised from the outset of the development, and in this respect a further drawing has been agreed.

Traffic modelling results suggest that development traffic would have a significant impact on the Berryden Road/Hutcheon Street junction. In order to alleviate the impact of the development traffic, the applicant has proposed that existing signal timings are optimised, however traffic modelling results indicate that this junction is operating beyond its practical capacity and a 'no net detriment' solution has not been achieved. Officers consider that the traffic modelling carried out is not satisfactory. It is understood that the applicants' transport consultant is undertaking further modelling works, but as yet no satisfactory scheme to offset impact on the Berryden Road/Hutcheon Street junction has been identified. Roads colleagues suggest that a condition be attached to any consent, requiring appropriate mitigation measures for this junction to be agreed with the planning authority prior to any works commencing.

Traffic modelling also indicates that the proposed development would result in a significant impact at the Skene Square/Rosemount Place junction. The applicants have proposed a hypothetical mitigation scheme, and have agreed that if this scheme is accepted, the applicant will make a financial contribution for the cost of those works. The applicant has been asked for a costing of the scheme, and this should be provided prior to commencement of any works, to be agreed with the planning authority. It is noted that the Skene Square/Rosemount Place junction would be reconfigured as part of the Council's proposals for the Berryden Corridor, and therefore any financial contribution, based on this hypothetical mitigation scheme, would be put towards the costs of that wider road improvement scheme.

It is also recommended that a condition requiring submission of a Residential Travel Plan, to be agreed prior to occupation of any units on site.

#### Internal Layout

It is noted that the internal layout has sought to address the aims of 'Designing Streets'.

### Deliveries and Service Vehicles

Plans demonstrating the swept-path of large vehicles have been provided, and are considered to be acceptable in principle, though it is noted that detailed roads design will be considered further as part of the Roads Construction Consent process.

### Drainage Impact Assessment

The submitted Drainage Impact Assessment is considered to be acceptable, provided it is also accepted by Scottish Water, SEPA and Aberdeen City Council's Flood Prevention Unit.

### Strategic Transport Fund

This site was carried forwards from the 2008 Aberdeen Local Plan, and therefore is exempt from requirements to contribute towards the Strategic Transport Fund.

### Construction Programme

A Construction Programme, including information about construction access arrangements and typical daily construction vehicle movements, should be submitted to the planning authority, for agreement prior to any works commencing.

**Environmental Health** - No objection, but highlight potential for historic site contamination. This should be ascertained by a risk-based site investigation in accordance with best practice, with the investigation commencing in advance of demolition. A study to this effect has been provided by the applicant, and Environmental Health colleagues have expressed their agreement with the recommendations therein. It is recommended that appropriate contaminated land conditions be attached to any approval, requiring that a 'Phase II' investigation be carried out prior to demolition and (if found to be necessary) supplementary investigations to be carried out thereafter.

**Developer Contributions Team** - Highlights the requirements of policies I1 (Infrastructure and Developer Contributions) and H5 (Affordable Housing), including a requirement for 25% affordable housing, with an expectation of on-site provision. It has been agreed in this instance that the site constraints would warrant delivery of the 25% affordable housing via 15% on-site provision and 10% via a commuted sum. The affordable requirement in this case equates to 80.75 units.

Notes that the zoned primary school is Skene Square School. Following advice from Education, a contribution towards primary education will be required, based on the notional increase in the number of school age children residing within the development. The applicants have expressed a commitment to such contributions previously, and the level of these contributions has been reviewed to reflect both the passage of time and change in methodology and also the increase in the number of units. Notes that Aberdeen Grammar School, the zoned secondary school, has capacity to accommodate the development, and therefore no financial contributions are required for secondary schooling.

Contributions are sought for improvements to public halls and community facilities, based on the increased usage attributable to a further 323 households. Residents would be within the catchments of Catherine Street Community Centre and Rosemount Community Centre.

Contributions are also sought based on increased pressure placed on existing sports and recreation facilities, playing fields and library provision, arising from the increased population.

It is acknowledged the development will open up otherwise inaccessible routes into Westburn Park and beyond and provide multi surface path options therefore no additional contributions are sought towards this element.

It is noted that the Council's Roads Projects Team will advise on any contributions payable to the Strategic Transport Fund.

### **Education, Culture and Sport**

The financial contribution agreed with the applicant by the developer contributions team would seem a reasonable and fair contribution to mitigating the impact of the development on education provision.

The contribution can be used towards the necessary improvement of Skene Square Primary School to create additional capacity by creating additional classrooms, using space located above the gym hall. The rooms concerned have been unoccupied and used as storage facilities and have only recently had significant work to address dry rot issues and need significant refurbishment to bring them up to an acceptable standard for learning and teaching

**Communities, Housing and Infrastructure (Flooding)** – Note that the development proposes to discharge treated surface water into the existing Scottish Water systems, and that any treatment of surface water run-off from the development would represent an improvement on the existing situation. States that the Combined Sewer Overflow to the east of the development connects in to the Gilcomston Burn.

**ACC Waste Strategy Team** – A number of issues relating to the size and position of bin storage areas are raised, however it is considered that there is scope for the detail of proposals to be refined via further submissions, secured via a condition. More significantly, the terraces of the lower hospital are of concern, as refuse crews would not collect from dead end routes or car parks. Accordingly, bins would have to be presented at the north-south route for collection, however there is no place to present bins for collection. This leads to concerns over individual bins being left by the kerbside or along paths to the terraces.

### **Scottish Environment Protection Agency**

Confirm satisfaction with the revised Sustainable Urban Drainage Systems (SUDS) proposals in terms of SEPA's interest in water quality.

SEPA also request a condition, securing submission of a site-specific construction environmental management plan (CEMP).

**Community Council** – In light of revisions to the proposal, which have addressed concerns regarding access arrangements and relationship with the Cornhill Hospital site, Rosemount & Mile-End Community Council has withdrawn its earlier objection and has stated its support for the amended proposal.

**Transport Scotland** – No objection to the proposal based on potential impact on the trunk roads network.

**Police Architectural Liaison Officer (ALO)** - The initial consultation response from the ALO expressed concern at the extent of footpaths and pedestrian permeability through the site, which were considered to provide opportunities for easy access and egress for potential offenders. It was highlighted that users of pedestrian routes should feel safe, and that such routes should be wide, straight and well lit, with good levels of natural surveillance. Suggestions were made regarding the removal of several pedestrian routes. Concerns were expressed about unrestricted access to the rear of properties, via pedestrian routes. The height of landscaping should be restricted to allow good sight lines, particularly around parking areas and footpaths. Suggestions are made regarding levels of lighting, with uniformity of lighting rather than level of lighting being of greatest importance.

Revisions to the proposal warranted re-consultation, with the subsequent response noting that earlier concerns regarding the degree of pedestrian permeability had been addressed. This reduced pedestrian permeability is supported. Locked gates to the rear of properties in the south-west corner of the site would restrict access appropriately adjacent to rear gardens. Best practice suggests that rear gardens should be enclosed by 1.8m fencing with lockable gates. Earlier comments regarding landscaping and lighting remain. Recommend that the applicants seek to obtain a 'Secured by Design Award' for the entire development.

**Scottish Water** – No objection. Note that Invercarnie Water Treatment Works and Nigg PIF Waste Water Treatment Works currently have capacity to service the proposed development.

**Aberdeen City and Shire Design Review Panel** – An earlier version of the proposal was presented to the Design Review Panel in April 2013, thus discussion was based on the development proposed at that time, and the scheme has been changed substantially in the intervening period. The main points raised by the panel at that time are summarised as follows;

- Consideration should be given to the orientation of the lines of buildings on the western part of the site so that they relate better to the existing residences and adjacent streets,
- The materials and design should be appropriate and of a quality and style suitable for a conservation area.



- There is an opportunity to have unusual types of trees to provide focal points within the site and reflect the existing tree mix around the new development,
- The panel suggested the street elevation along Berryden Road might be made more substantial by reducing the space between individual blocks of flats and making it more street like.  
Careful consideration should be given to the nature of the external spaces and how they relate to each other.

## **REPRESENTATIONS**

11 letters objection have been received. The objections raised relate to the following matters –

1. All existing granite buildings should be retained and converted;
2. The proposal represents over-development of the site;
3. Increased traffic would cause problems in surrounding area, unless accompanied by improvements to the road network;
4. Parking problems in the surrounding area would be exacerbated by the proposed development;
5. No reference is made to road network improvements;
6. Removal of habitat and impact on wildlife currently using the Cornhill site;
7. Loss of existing healthy trees;
8. Safety concerns over new footpath formed at end of Chestnut Row;
9. Loss of privacy, specifically to properties on Barkmill Road;
10. Absence of reference to cycle linkages;
11. Provision should be made for an east-west cycle link through the development;
12. Concern that the proposal may result in May Baird Avenue attracting a significant increase in vehicle traffic – vehicle access should be taken from Berryden Road only;
13. Consultation process was not adequately publicised;
14. Request for clarification that schools in the area have capacity to serve the new development; and that
15. Parking will be more difficult for staff and visitors to Cornhill Hospital

## **PLANNING POLICY**

### **National Policy and Guidance**

#### Scottish Planning Policy (SPP)

SPP is the statement of Scottish Government policy on land use planning, and includes the Government's core principles for the operation of the planning system and concise subject planning policies. The principal policies relating to sustainable development and placemaking are relevant to assessment of this proposal, along with subject policies relating to Enabling Delivery of New Homes; Valuing the Historic Environment; Valuing the Natural Environment; and Promoting Sustainable Transport and Active Travel.

### Creating Places

Scotland's policy statement on architecture and place sets out the comprehensive value which good design can deliver. Advising that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy.

The six qualities of successful places are set out as:

- distinctive;
- safe and pleasant;
- easy to move around;
- welcoming;
- adaptable; and
- resource efficient.

These guiding principles continue to underpin the Scottish Government's approach to delivering good places.

### Designing Streets

Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda and is intended to sit alongside Designing Places.

### Scottish Historic Environment Policy (SHEP)

Scottish Historic Environment Policy (SHEP) is the statement of government policy on the protection and management of the historic environment. It seeks to make the best use of the historic environment in a sustainable way that secures its long term survival yet achieves the government's wider aims of economic and social regeneration.

### **Aberdeen City and Shire Strategic Development Plan (SDP) 2014**

The SDP sets out the following key objectives for the growth of the City and Aberdeenshire:

Population growth – To increase the population of the city region and achieve a balanced age range to help maintain and improve people's quality of life.

Quality of the environment - To make sure new development maintains and improves the region's important built, natural and cultural assets.

Sustainable mixed communities - To make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to.

Accessibility - To make sure that all new development contributes towards reducing the need to travel and encourages people to walk, cycle or use public transport by making these attractive choices.

## **Aberdeen Local Development Plan**

### Policy I1: Infrastructure Delivery and Developer Contributions

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

### Policy T2: Managing the Transport Impact of Development

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review. Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail the standards that different types of development should provide.

### Policy D1: Architecture and Placemaking

To ensure 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 siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

### Policy D2: Design and Amenity

In order to ensure the provision of appropriate levels of amenity certain principles will be applied, including the following: Privacy shall be designed into higher density housing. Residential development shall have a public face to a street and a private face to an enclosed garden or court. All residents shall have access to sitting-out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the Council. Individual houses within a development shall be designed to make the most of opportunities offered by the site for view and sunlight. Development proposals shall include measures to design out crime and design in safety. External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

### Policy D3: Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles.

Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation. Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained through the provision of suitable alternative routes.

#### D4: Aberdeen's Granite Heritage

The City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured. Within conservation areas, neither conservation area consent nor planning permission will be given for the demolition or part removal of granite buildings (excepting those buildings that make an insignificant contribution to the character of the Conservation Area).

Where a large or locally significant granite building that is not listed or in a conservation area is demolished, the City Council will expect the original granite to be used on the principal elevations of the replacement building.

#### D5: Built Heritage

Proposals affecting Conservation Areas will only be permitted if they comply with Scottish Planning Policy.

#### D6: Landscape

Development will not be acceptable unless it avoids significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it.

#### Policy H3 (Density)

An appropriate density of development is sought on all housing allocations and on developments of over one hectare must meet a minimum density of 30 dwellings per hectare, have consideration of the site's characteristics and those of the surrounding area, create an attractive residential environment and safeguard living conditions within the development.

#### Policy H4 (Housing Mix)

Housing developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan, reflecting the accommodation requirements of specific groups, in particular families and older people. This mix is in addition to affordable housing contributions.

#### Policy H5 (Affordable Housing)

Housing developments of 5 or more units are required to contribute no less than 25% of the total units as affordable housing.

#### Policy CF1: Existing Community Sites and Facilities

Existing healthcare sites shall be used primarily for healthcare and/or related medical and educational purposes. Where land or buildings become surplus to current or anticipated future requirements, alternative uses which are compatible with adjoining uses and any remaining community uses, will be permitted in principle. Large sites or sites in sensitive locations will be subject to a Planning Brief or Masterplan.

#### Policy NE4 (Open Space Provision in New Development)

The City Council will require the provision of at least 2.8 hectares per 1000 people of meaningful and useful public open space in new residential development. Communal or public open space should be provided in all residential developments, including those on brownfield sites.

#### Policy NE5 (Trees and Woodlands)

There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

#### Policy NE6 (Flooding and Drainage)

Development will not be permitted if:

1. it would increase the risk of flooding:-
  - By reducing the ability of the functional flood plain to store and convey water;
  - Through the discharge of additional surface water; or
  - By harming flood defences.
2. it would be at risk itself from flooding;
3. adequate provision is not made for access to waterbodies for maintenance; or
4. it would result in the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

Where more than 10 homes or greater than 100m<sup>2</sup> floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment (see Supplementary Guidance on Drainage Impact Assessments). Surface water drainage associated with development must:

- be the best available in terms of SUDS; and
- avoid flooding and pollution both during and after construction.

Connection to the public sewer will be a pre-requisite of all development where this is not already provided. Private wastewater treatment systems in sewered areas will not be permitted. In areas not served by the public sewer, a private sewer treatment system for individual properties will be permitted provided that the developer demonstrates that there will be no adverse effects on the environment, amenity and public health.

#### NE8 (Natural Heritage)

1. Applicants should submit supporting evidence for any development that may have an adverse effect on a protected species demonstrating both the need for the development and that a full range of possible alternative courses of action has been properly examined and none found to acceptably meet the need identified.
2. An ecological assessment will be required for a development proposal on or likely to affect a nearby designated site or where there is evidence to suggest that a habitat or species of importance (including those identified in the UK and Local Biodiversity Action Plans) exists on the site.
3. No development will be permitted unless steps are taken to mitigate negative development impacts. All proposals that are likely to have a significant effect on the River Dee SAC will require an appropriate assessment which will include the assessment of a detailed construction method statement addressing possible impacts on Atlantic Salmon, Freshwater Pearl Mussel and Otter. Development proposals will only be approved where the appropriate assessment demonstrates that there will be no adverse affect on site integrity, except in situations of overriding public interest.
4. Natural heritage beyond the confines of designated sites should be protected and enhanced.
5. Where feasible, steps to prevent further fragmentation or isolation of habitats must be sought and opportunities to restore links which have been broken will be taken.
6. Measures will be taken, in proportion to the opportunities available, to enhance biodiversity through the creation and restoration of habitats and, where possible, incorporating existing habitats.
7. There will be a presumption against excessive engineering and culverting; natural treatments of floodplains and other water storage features will be preferred wherever possible; there will be a requirement to restore existing culverted or canalised water bodies where this is possible; and the inclusion of SUDS. Natural buffer strips will be created for the protection and enhancement of water bodies, including lochs, ponds, wetlands, rivers, tributaries, estuaries and the sea. Supplementary Guidance will be developed on buffer strips.

#### Policy NE9 (Access and Informal Recreation)

Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

#### Policy R2 (Degraded and Contaminated Land)

The City Council will require that all land that is degraded or contaminated, including visually, is either restored, reclaimed or remediated to a level suitable for its proposed use. This may involve undertaking site investigations and risk

assessments to identify any actual or possible significant risk to public health or safety, or to the environment, including possible pollution of the water environment, that could arise from the proposals. Where there is potential for pollution of the water environment the City Council will liaise with SEPA.

#### Policy R6: Waste Management Requirements for New Development

Housing developments should have sufficient space for the storage of residual, recyclable and compostable wasters. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste. Further details are set out in Supplementary Guidance on Waste Management.

#### Policy R7 (Low and Zero Carbon Buildings)

States that all new buildings, in order to meet with building regulations energy requirements, must install low and zero-carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards.

### **Supplementary Guidance**

The following supplementary guidance (SG) documents are of relevance to assessment of this application:

- Affordable Housing
- Infrastructure and Developer Contributions Manual
- Waste Management
- Transport and Accessibility
- Low and Zero Carbon Buildings
- Bats and Development
- Royal Cornhill Hospital Design Brief

### **Proposed Aberdeen Local Development Plan**

The following policies substantively reiterate policies in the adopted local development plan as summarised above:

- Policy D1: Quality Placemaking by Design
- Policy D2: Landscape
- Policy D4: Historic Environment
- Policy D5: Our Granite Heritage
- Policy I1: Infrastructure Delivery and Developer Obligations
- Policy T2: Managing the Transport Impact of Development
- Policy T3: Sustainable and Active Travel
- Policy H3: Density
- Policy H4: Housing Mix
- Policy H5: Affordable Housing
- Policy CF1: Existing Community Sites and Facilities
- Policy NE4: Open Space Provision in New Development
- Policy NE5: Trees and Woodland

- Policy NE6: Flooding, Drainage and Water Quality
- Policy NE8: Natural Heritage
- Policy R2: Degraded and Contaminated Land
- Policy R6: Waste Management Requirements for New Developments
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency
- Policy C1 – Digital Infrastructure

### **Other Relevant Material Considerations**

Rosemount and Westburn Conservation Area Appraisal – dated March 2004. This appraisal is intended to identify those elements that contribute to the Conservation Area’s special character and sense of place.

The matters raised in representations and the views expressed by the Aberdeen City and Shire Design Review Panel represent material considerations in the assessment of this application, in so far as any matters raised relate to relevant planning considerations.

### **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to, in considering whether to grant planning permission for development which affects a listed building or its setting, 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.

### **Proposed Aberdeen Local Development Plan**

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council’s settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

The foregoing can only be assessed on a case by case basis. In relation to this particular application, the site zoning and applicable policies would not be



materially different from those applicable under the current ALDP and detailed above.

### **Zoning & Opportunity Site designation**

The site is within an area zoned CF1: 'Existing Community Sites and Facilities' in the Aberdeen Local Development Plan (ALDP), reflective of the healthcare use in the locality, both past and present. NHS Grampian consider the site is surplus to their requirements, and it is identified as Opportunity Site OP94 in the ALDP. That Opportunity Site designation identifies scope for a mixed-use redevelopment incorporating residential, office/business and community uses, and states that a Planning Brief will be required. A Planning Brief prepared for the site, and adopted as Supplementary Guidance to the ALDP, is described later in this report.

Whilst the OP94 designation indicates potential for a mixed use development, the current proposal is entirely residential. A mix of uses is generally desirable in order to secure sustainable communities, served by local services and amenities. In this instance, it is recognised that the site is relatively well-sited in relation to existing shops and services, already catering for residents of the surrounding area. The retail premises on the western side of Berryden Road, which include a large food supermarket, are considered to be capable of meeting the needs of residents. Opportunity Site commentaries are intended to briefly suggest the development potential of a site, rather than providing an exhaustive assessment of its scope for development, and would not preclude an alternative, but otherwise acceptable, form of development coming forward. Residential use is considered to be generally compatible with adjoining uses, which include residential to the north and retail uses to the west. The application site abuts the 'new' Cornhill Hospital site, and it will be necessary to consider carefully how any residential development relates to those ongoing healthcare uses, in order to ensure that both the clinical sensitivities of the hospital's services and the residential amenity afforded to prospective new occupants are balanced appropriately.

### **Development Brief**

The Royal Cornhill Hospital Development Brief was prepared in August 2010, with the purpose of providing '*clear guidelines for the redevelopment of the OP94 Cornhill Hospital site in the historical context ..... within a conservation area*'. The Royal Cornhill Hospital Development Brief was subsequently updated and carried forward as Supplementary Guidance on adoption of the ALDP.

The adopted Brief identifies potential for up to 364 homes, based on a density of 70 dwellings per hectare, and acknowledges that the Council's plans for road widening along the Berryden Corridor may reduce the developable area of the site. It is stated that potential developers will be required to specifically address an integrated landscape strategy for the site, which shall include a survey of existing trees and a report on their condition, along with proposals for a landscape management plan. The key principles set out in the development brief are as follows;

- Proposals must adopt the principles of ‘place making’, high quality building design, high quality urban design, high quality landscape design and sustainability;
- Overarching theme for redevelopment strategy should be to integrate the architecture of old and new into the park like setting of the site;
- Identifies a requirement for a Conservation Audit to identify elements of retention and demolition of existing buildings within development proposals;
- Materials should incorporate elements of granite for external walls, boundary walls and linking structures and other compatible materials appropriate to modern redevelopment within the historical context of the site and a conservation area.

### **Rosemount and Westburn Conservation Area Appraisal**

In identifying the local context and assessing how the proposed development relates to that context, and to the character and appearance of the Rosemount and Westburn Conservation Area, it is appropriate to consider the Conservation Area Appraisal, which describes the character of the area around the Royal Cornhill Hospital as being typified by a collection of Victorian Asylum buildings of granite construction sitting proud in a parkland setting. It is acknowledged in the appraisal that a number of additional buildings have appeared over time, particularly with the construction of the ‘new’ Cornhill Hospital in 1989, but it is stated that the over-riding impression remains that of a parkland with open lawns and tree planting.

The appraisal recognises that later additions have largely engulfed the original asylum building of the Royal Cornhill Hospital, however whilst the relationship of the pavilions, villas, wards and courtyards and the spaces between may have altered over time, with the introduction of car parking, the localised sense of enclosure still exists within the hospital complex. The Forbes of Newe Obelisk (1830) commemorates John Forbes, who bequeathed £10,000 towards building the hospital. The category ‘C’ listed obelisk was originally sited in St Nicholas churchyard, but was relocated to the hospital grounds in 1838.

This appraisal establishes that the designation of the Rosemount and Westburn Conservation Areas was proposed for two main reasons:

1. *preservation of street pattern and granite buildings that make an important, positive and lasting contribution to the City’s character and building stock; and*
2. *preservation of the parkland setting of both Westburn and Victoria Parks, and the Cornhill Estate for the benefit of future generations. Designation of the Rosemount and Westburn Conservation area enables the protection of the whole area rather than simply individual buildings. Demolition can be*

*prevented and changes controlled so that the distinct character of the area is preserved.*

### **Design merits & relationship to context**

Having established that the Cornhill site is typified by a collection of robust granite buildings and mature landscaping, that create a series of protected and largely enclosed courtyard spaces, it is appropriate to consider how the proposed redevelopment of the site would relate to its identified setting and character.

The residential accommodation proposed across the site demonstrates a range of sizes and types of unit, with detached, semi-detached and terraced houses alongside flatted blocks. The proposal is therefore consistent with the aims of policy H4 (Housing Mix) of the ALDP.

The use of undercroft car parking beneath the main Berryden Road blocks and buildings 11 & 12 has allowed for a reduction in the level of surface car parking, and has lessened the visual impact arising from the earlier dominance of car parking across the site. A further 29 spaces are concealed beneath open space around the obelisk, which is possible due to a change in levels at this part of the site. The provision of surface car parking and open spaces within the proposed layout has been revised in order to provide more meaningful open space on the site, as well as a better outlook for a number of properties which were previously set within substantial areas of car parking. The setting afforded to the refurbished upper hospital blocks has been significantly enhanced through the provision of a central open space immediately to the south, which includes the re-sited Forbes of Newe obelisk, which is now afforded a prominent position at the heart of the site and which would, along with the refurbished blocks, act as the centrepiece to the development.

Areas of open space immediately to the fore of converted buildings would contribute to giving them an appropriate setting and, whilst small areas of car parking are present within the landscaped foreground of the three linked villas, these are of a modest size and would be screened by low walls, formed from granite downtakings. The extensive use such granite walling across the site is consistent with the traditional character of the Cornhill site and the wider conservation area.

Policy D4 (Aberdeen's Granite Heritage) of the ALDP sets out the Council's desire to encourage the retention of granite buildings across the city, whether or not they are listed or lie within a Conservation Area. Conservation Area Consent is required for those demolition works due to the site's location within the Rosemount & Westburn Conservation Area, and it will be for that separate application to demonstrate justification for the demolitions, which do not require planning permission and therefore do not form part of this application for planning permission. It is nevertheless relevant to consider that the redevelopment proposal does not involve the use of granite downtakings in the construction of new buildings. The applicants have intimated that the re-use of granite blocks in new buildings would incur prohibitive costs associated with re-cutting stone, and have been resistant to take the approach advocated by policy D4. Instead, their focus has been on the extensive re-use of salvaged granite in boundary walls

and hard landscaping, combined with extensive use of new granite in new flatted blocks and houses, helping to embed the new development in its setting.

Whilst not strictly compliant with policy D4, this approach demonstrates regard for the use of vernacular materials in order to reflect the local character, and is considered to be acceptable on balance.

New granite would feature strongly on prominent frontages and gables, with other elevations finished in complementary drydash renders. Buildings 1-4 and 5-8 present the development's main public frontage, onto Berryden Road, and would incorporate a continuous granite frontage of 4 ½ storeys, stepping up to 5 ½ storeys at the ends of the blocks. This eastern frontage is regular and well-ordered, incorporating granite bays with full-height glazing, small balconettes/Juliet balconies and well-proportioned dormer windows. Natural granite would be used for the entire Berryden Road frontage, as well as the prominent double-gables at the site access, with a rusticated finish at ground and first floor levels giving way to a dressed finish on upper floors.

Elevations of other new buildings would be generally finished in dry dash render with new natural granite (not from downtakings) used on feature gables and other prominent locations. Basecourses, below granite elevations, would also be finished in granite, with basecourses under drydash rendered walls to be formed in re-constituted / synthetic stonework. The use of granite in external walls, boundary walls and linking structures is consistent with the principles set out in the development brief, which also referred to 'other compatible material appropriate to modern redevelopment within the historical context of the site and a conservation area'. The precise specification of materials will be subject to further agreement, however discussions have involved the use of products which replicate the characteristics of cast iron rainwater goods and natural slate, in order that materials are appropriate for their context, whilst more contemporary glazing styles and rendered elevations would be compatible.

The layout of terraces in the southern part of the site has been influenced by the arrangement of the existing lower hospital buildings, where buildings are laid out around protected courtyards. The proposal features rows of terraces arranged with views onto communal green spaces, providing an attractive outlook for homes and replicating the symmetrical disposition of both the refurbished upper hospital blocks and the existing lower hospital wards. Such attractive 'pocket' green spaces are reflective of existing courtyards, and contribute to a strong identity and sense of place within the development.

Across the site, new buildings would feature exposed purlins (horizontal equivalent of rafters) on gables, which have been influenced by the styling of some existing buildings on the site and are reflective of the site's history as a hospital. This is a unifying feature in the proposal, helping to give a common theme to a range of building sizes and types. Similarly, the use of a consistent pallett of materials across all buildings, with natural granite on elevations and appropriate materials used in rainwater goods and roofs will help to unify new buildings and those refurbished and retained. This is consistent with the development brief, which stated that the overarching theme for any

redevelopment strategy should be to integrate the architecture of old and new into the park-like setting of the site. The application of inner city parking standards, use of undercroft parking and associated enhancement of open spaces have also contributed to this aim.

Suggestions made on referral to the Aberdeen and Aberdeenshire Design Review Panel (DRP), relating to the arrangement of buildings and spaces in the north-western corner of the site, adjacent to the terminus of Chestnut Row, have been taken into account and are reflected in the revised proposal. The height and orientation of building 13-15 now better reflects the existing urban grain. Similarly, the eastern edge of the development now presents a more consistent street frontage to Berryden Road, rather than the standalone blocks which had initially been proposed. This creates a more identifiable edge to the development and a conventional 'street' frontage to Berryden Road. The views expressed by the DRP represent a material consideration in assessing any planning application, however they are not binding and it is for the planning authority to decide what weight should be attached to the report of the Panel. It is noted that in this instance there have been several iterations of the development proposal since it was referred to the DRP, however it is considered that many of the points raised by the panel are reflected in the revised proposal, and there has been substantial improvement since its initial submission, with a much improved balance between buildings, internal roads and car parking, and landscaped open space.

### **Built Heritage**

SPP, SHEP and the Managing Change in the Historic Environment guidance note series published by Historic Scotland should be taken into account when determining applications for planning permission for development which may affect the historic environment. Planning authorities should support the best viable use that is compatible with the fabric, setting and character of the historic environment. The aim should be to find a new economic use that is viable, over the long term with minimum impact on the special architectural and historic interest of the building or area.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character and appearance of conservation areas. In this case the proposed development, though involving demolitions which will be assessed directly via the separate application for Conservation Area Consent, involves the retention of a number of significant granite buildings of a particular character, and the new-build elements of the proposal have been designed and laid out to reflect that character, incorporating natural granite both from doughtakings and new sources. The level of open space within the development has increased markedly from earlier proposals, allowing for the parkland setting of the Cornhill site to be retained. On balance, the design quality of the buildings proposed is considered to preserve the character of the Rosemount & Westburn Conservation Area, and in bringing these buildings and the site into viable use the proposal can result in enhancement of that character.

The 'C' listed obelisk would be re-sited to a new location, as described previously. Whilst the development brief advocates retention of the obelisk in its current location, no clear justification is set out, and it is noted that it has previously been re-sited from St Nicholas Kirkyard. The new location, logically placed on axis with retained buildings, would ensure its retention at the heart of the Cornhill site. Together with the refurbished granite villas and the new open space, it would serve as the centrepiece to the development and would give it a clear identity and sense of arrival, consistent with the aims of 'Creating Places'.

It is concluded that the proposal would accord with the Scottish Government's aims for the historic environment, as set out in SPP and SHEP, and therefore would accord with policy D5 (Built Heritage) of the ALDP.

### **Density**

The density of development proposed, estimated at 58 units per hectare, falls slightly short of the 70 units per hectare envisaged by the Cornhill Development Brief, however that target seems particularly ambitious when considered in the context of both the ALDP's much lower target of 30 units per hectare and the constraints posed by existing buildings and mature trees which, where retained can limit options for a coherent site layout. The proposal is consistent with the minimum density stated in policy H3 (density). Beyond this, it is nevertheless necessary to consider whether the density of development proposed is appropriate to this particular site, having had regard for the site's characteristics and the character of the surrounding area, all with the ultimate aim of creating an attractive residential environment with appropriate living conditions for residents and neighbours.

The proposed site layout demonstrates a clear progression in scale, with building heights progressively stepping down from a maximum of 4 ½ - 5 ½ storeys in the Berryden Road frontage to 3 storey townhouses and then 2-storey terraces around the site of the lower hospital. Towards the western edge of the site, detached and semi-detached dwellings are more prevalent, with building 13-15, to the north-western corner, reflecting the scale and height of buildings on Chestnut Row, immediately adjacent. Earlier versions of the proposal were dominated by surface car parking, and there was an absence of meaningful open space, however revisions have been made to incorporate undercroft parking and ensure appropriate provision of open space. To the south of the site, the existing buildings of the lower hospital have influenced the layout of new terraces, which are laid out around open spaces in a manner broadly reminiscent of the lower hospital's protected courtyards. These changes have resulted in a proposal which is able to demonstrate compliance with both the minimum density of 30 units per hectare specified in policy H3 and its requirement that the density of any development is appropriate to this particular site, having had regard to the characteristics of the site and to the general density of development in the surrounding area.

### **Environment created for residents/neighbours**

The level of amenity afforded to residents would be directly influenced by the layout and density of the proposal. The orientation and separation of buildings demonstrate that privacy has been given due consideration, with required

distances between the windows of habitable rooms maintained. As noted earlier in this report, the continued presence of active hospital buildings close to the site's Lower Hospital boundaries requires particular attention. The applicants' response to this has been to arrange rows of terraces facing north and south, so that they are side-on to the western boundary. Internal accommodation has been arranged in order that no windows from habitable rooms would look out over that western boundary towards retained hospital uses. The southernmost rows of terraces and townhouses face north, with their rear gardens setting them some distance off the southern site boundary. A landscaped buffer is retained along that southern boundary, incorporating communal paths to give residents access to their rear gardens. It is recommended that access to these rear lanes be restricted via some form of secured gates, in order that these do not become unwelcoming spaces, open to public access and vulnerable to crime.

The blocks arranged along Berryden Road (buildings 1 to 10) present a clear edge to the development and an identifiable street frontage. Other buildings are arranged to face onto shared surface internal roads and associated car parking areas.

Earlier versions of the proposals had featured 'back-to-back' units, which would not benefit from private gardens of their own. These have been removed from the proposal, and all houses now have private rear gardens, with the majority of the townhouses and terraces in the lower hospital also afforded views over areas of public open space. Garden sizes are of an appropriate size to allow for meaningful use as private amenity space and are consistent with the wider site context. This represents a marked improvement from earlier layouts. Flatted blocks arranged along Berryden Road would face onto an area of green space, however in due course this space is intended to be utilised in the Council's road widening proposals, thus their future outlook is uncertain and could be quite significantly diminished. The modest elevation of these blocks to allow for undercroft parking has resulted in a situation where they would be set slightly above the level of the road, which is considered to be beneficial when considered in the context of the proposed road widening and its resultant position closer to the development blocks. Amenity spaces for these flatted blocks are provided via terraced areas to their rear elevations. These spaces are elevated from street level, with undercroft car parking and bin storage areas concealed beneath. These Berryden Road blocks are also located close to other open spaces within the site, between terraces in the lower hospital and around the refurbished ward and villa buildings. Building 11-12 is well-located in relation to both the central linear open space and the retained tree belt along the eastern site boundary, while building 13-15 would benefit from semi-private garden space to the north/rear of the building.

The consultation response received from Police Scotland's Architectural Liaison Officer is relevant to assessment against policy D2 (Design and Amenity) of the ALDP, which requires new development to include measures to 'design out' crime and 'design in' safety. Initial concerns have been addressed to some extent, with pedestrian routes rationalised. Nevertheless, paths running along rear gardens are identified as a potential cause for concern, demonstrating a lack of security through design. The ALO suggests that locked gates might be used to

restrict access to lanes at the rear of properties. It is noted that pedestrian routes and open spaces should benefit from good levels of passive surveillance. House type specifications do not identify specific treatment of such plots, so it is recommended that a condition be utilised to require the applicants to provide details of how house types will be tailored in such locations to incorporate windows in gables where adjacent to open space, pedestrian routes and car parking areas. This should be readily achievable, and would contribute towards demonstrating that the proposal has adequately sought to design out crime, as required by policy D2 (Design and Amenity) of the ALDP. The ALO has suggested that any approval might include a condition stipulating that the developer apply for a 'Secured by Design' award, however this would be more stated as an informative, with the aim of bringing this matter to the developers' attention.

### **Open Space**

In assessing the existing open space provision in the local area, it is necessary to consider not only the quantity of open space, but also the quality of those spaces and their accessibility. In this regard the location is well served by existing open spaces, with Westburn and Victoria Parks being within the 'major', 'neighbourhood' and 'local' accessibility buffers set out in the Council's Open Space supplementary guidance, and therefore there is no requirement for on-site provision of either major, neighbourhood or local open space facilities. Instead, the Council's supplementary guidance advocates the enhancement of existing open spaces, to place emphasis on the quality of open spaces where there is sufficient quantity already in an area. On this the Developer Contributions Team advises of contributions in respect of such open space enhancements. Nevertheless, areas of incidental open space within new developments can make a significant contribution to the quality of residential environment and landscape character. Following discussions, the applicants have revised their proposal to provide a central linear area of open space, immediately to the south of the refurbished existing buildings. This open space would provide an attractive route through the site, with meaningful and useable open space, and would also provide an enhanced setting for the refurbished buildings and the relocated obelisk. Cumulatively, these features would create an attractive centrepiece to the development. Smaller areas of incidental open space have been integrated with areas of car parking to the south of the site, providing an enhanced outlook for the terraced properties in the lower hospital site. Taking these matters into account, it is considered that the proposal demonstrates accordance with the provisions of policy H4 (Open Space) of the ALDP and the associated 'Open Space' supplementary guidance.

### **Affordable Housing & Developer Obligations**

Policy H5 (Affordable Housing) requires that 25% of units are provided as affordable housing, preferably on-site, acknowledging that on-site delivery encourages mixed communities and helps promote social inclusion. Nevertheless, it is acknowledged that this may not always be possible and off-site provision or commuted payments can be negotiated in some instances.

25% equates to 80.75 units. The applicants have committed to providing 49 affordable units on-site, which equates to 15% of the total, with the remaining



10% met through financial contributions towards affordable housing. The applicants have submitted a statement highlighting that their bid made for the site was made prior to the implementation of the 25% affordable housing rate, though they were aware of the impending change. The applicants also highlight that they have made extensive changes to the proposal which was initially submitted to the planning authority, resulting in extensive use of granite in prominent locations, particularly on the full 4 ½ to 5 ½ storey frontage onto Berryden Road and the gable-ends of those blocks. Similarly, efforts to reduce the dominance of surface car parking have led to the use of undercroft parking beneath four flatted blocks and spaces concealed beneath open space by using a change in levels on the site. These measures are understood to have increased the build costs and it is considered reasonable, given the significant progress made, that a package of 25%, made up of 15% on-site provision and a commuted sum equivalent to the remaining 10%, which the Council can put towards its own delivery of affordable housing, is accepted for this site. This approach is consistent with policy H5 (Affordable Housing) and the associated Affordable Housing supplementary guidance, which allow for the 25% to comprise an element of commuted sum or off-site delivery where it is considered appropriate by the planning authority.

Additional contributions have been detailed in the assessment carried out by Developer Obligations officers, with contributions sought only where considered fair and reasonable on the basis of increased pressure on existing facilities as a result of the development.

### **Access, Car Parking & Traffic**

Access to the proposed development would be principally taken via a new access off Berryden Road, requiring the formation of a new signal-controlled junction at that point. The specifications of that junction require careful consideration to ensure that due regard is had for the Council's proposals for the widening of Berryden Road. This envisaged road widening has progressed to a design stage, with a site footprint for the future works now identified. By ensuring that the development junction is designed with these improvement works in mind, abortive interventions can be avoided. Furthermore, it is necessary to ensure that the position of new buildings facing onto Berryden Road allows for appropriate visibility between junctions post-widening works.

Earlier versions of the proposal had presented conflicts with the Berryden Road widening proposal, however these have now been resolved to the satisfaction of the Council's Roads Projects Team, and full specifications will be established through the Roads Construction Consent process. Similarly, a swept-path plan has demonstrated that the site will be accessible for the Council's refuse vehicles. Roads colleagues have intimated that the proposal adequately reflects the requirements of 'Designing Streets'.

The submitted Transport Assessment identifies a series of local junctions within the 'sphere of influence' of the proposed development. The process for assessing impact on junctions involves identifying baseline traffic flows, applying an agreed growth factor to reflect the intended year of opening for the development, and then adding traffic flows both from other committed developments in the area and from the traffic generated by the proposed development. Using this approach, it

has been possible to identify impact on two junctions in particular, at Westburn Road/Berryden Road and Maberly Street/Rosemount Place. It is understood that hypothetical mitigation works could be costed for these junctions, with a financial contribution payable, to be utilised for improvements to the local network, although not necessarily to those junctions, due to the potential disruption involved and their obsolescence on implementation of the Council's Berryden Corridor scheme. Such contributions in lieu of local network mitigation could be secured through a s75 agreement should members be minded to approve the application.

May Baird Avenue features pedestrian footways on both sides, from the Shaw Road junction northwards. South of the Shaw Road junction, there is a footway only on the western side of the road, and none whatsoever south of the Bennachie Building car park. The applicants propose to bring a small length of May Baird Avenue, between the northern access to the development and Shaw Road, up to adoptable standard, with footpath links to the south providing appropriate pedestrian accessibility. Pedestrian connections through the site allow for access from east to west and also to the south to Cornhill Road and Westburn Road beyond. Vehicular access to the site from May Baird Avenue would be for emergency vehicles only, with a collapsible bollard or similar measure utilised to restrict access.

It is recognised that the site lies within reasonable walking distance of the city centre, and is relatively well-served by local bus routes. In order to strike an appropriate balance between on-site car parking provision and creating a development of the appropriate quality, particularly in relation to maintaining the character of the Conservation Area and the parkland setting of the hospital site, it has been agreed that it would be appropriate to apply the inner city car parking guidelines. The provision of 2 car club spaces has been accepted as an appropriate substitute in this instance for a number of unallocated public spaces.

Roads colleagues have suggested that it will be acceptable for the applicant to provide a robust car parking management plan for communal parking areas, identifying measures which can be implemented to ensure efficient use of the level of available car parking proposed, to alleviate parking pressure on surrounding streets as a result of the identified shortfall. A management plan to this effect could reasonably be secured through the use of a condition attached to any consent.

Taking these matters into account, the proposal is considered to achieve an appropriate outcome in terms of access, pedestrian permeability, and mitigation of impact on the local transport network, and is therefore considered to accord with Policies T2 (Managing the Transport Impact of Development), D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation), which require development to maintain and enhance permeability, prioritise pedestrian movement and include new or improved provision for public access, permeability and links to green space for recreation and active travel.

The applicants have provided further details relating to provision for the storage of cycles, which demonstrate the required number of spaces in appropriately

convenient and secure locations. The delivery of this on-site provision can be secured via use of an appropriately worded condition. Appropriate provision has been made for motorcycle parking within the site.

### **Impact on trees / Landscape**

The submitted tree survey establishes that *'the trees in the hospital grounds are mostly in good, sound condition and have obviously received regular attention and management'*. As a result, far fewer trees than is normally the case have been recommended for removal or for remedial work solely on the basis of their current condition. A total of 207 trees were identified in the survey, with 17 trees identified as category-U, meaning that they are not considered to be suitable for retention. Of the 190 trees surveyed as 'appearing sound and healthy', 2 are category-A, 49 category-B and 149 category-C.

A total of 91 trees are to be felled to allow the proposed development. Of those 101 trees, none are category-A, 14 are category-B and 77 are category-C..

Whilst it is recognised that a significant number of trees would be removed for facilitate the proposed development, it is noted both that a degree of tree loss on this site was foreseen in order to deliver the level of development envisaged by the Cornhill Development Brief and that the trees to be removed are predominantly of Category-C quality. The applicants have made efforts to retain more valuable trees within the site, in order that the site can retain the 'parkland setting' highlighted in the development brief and the Rosemount & Westburn Conservation Area Character Appraisal. Some trees which were previously to be retained close to rear gardens, with potential to come under pressure at a later date as a result of safety or shading concerns, have been included within the proposed trees removals.

Replacement tree planting, at a minimum rate of 2 new specimens for every tree to be removed, is recommended in order to ensure that the site maintains its landscape character and the character of the Conservation Area is not adversely affected. The applicants have submitted proposals for replacement planting, however a fully detailed scheme will be required, incorporating an Arboricultural Impact Assessment in order to further establish the impact on retained trees and make recommendations accordingly. On balance, it is considered that there would be a significant number of trees retained within the site and, if combined with an appropriate scheme of replacement planting, those losses are acceptable in order to allow for a coherent layout which is influenced by the location of refurbished hospital buildings. Taking these matters into account, it is recognised that there is a degree of tension with policy NE5 (Trees and Woodlands) as a result of the loss of established trees which contribute significantly to landscape character and local amenity, however on balance it is considered that the landscape character of the site would be maintained, consistent with policy NE6 (Landscape) of the ALDP, and the site would still be afforded a distinct sense of place as advocated by Creating Places.

### **Potential for impact on bats**

The planning authority's policy position in relation to EPS is set out in policy NE8 (Natural Heritage), which requires that applicants submit supporting evidence for any development that may have an adverse effect on a protected species.

As this proposed redevelopment of the Royal Cornhill Hospital site is based on the demolition of several existing buildings, the planning authority is obliged to have regard to the potential for impact on bats, a European Protected Species (EPS), which may use such buildings for roosting. The stone and slate buildings present are of a type identified in the Council's supplementary guidance on 'Bats and Development' as having good potential for roosting bats. The type of buildings to be demolished and the extent of that demolition, together with the presence of good habitat types in the surrounding area, is sufficient to suggest that a bat survey would be warranted to establish whether there are bats or bat roosts present in these buildings. The applicants have submitted a survey of both the buildings to be demolished and trees to be removed and it has been established that the building demolitions would result in the removal of one confirmed roost and one unconfirmed roost. Additionally, the cumulative building demolitions and tree removals would reduce the bat roosting potential in the immediate area, and the survey report makes recommendations for mitigation measures to ensure there is no significant adverse impact on bats and that alternative locations for roosting are provided within the development site. Based on feedback from the Council's Environmental Policy team, it has been established that there would be no adverse impact on protected species, provided the agreed mitigation measures are implemented, and a condition is recommended in order to secure implementation. It is further noted that the licencing regime for the disturbance/removal of bat roosts is separate from the planning process, and the applicants will still be required to obtain the relevant licence from Scottish Natural Heritage. It is therefore proposed that an informative be included on any decision notice granting planning permission, in order that this further action is highlighted to the applicants.

Based on the submitted supporting information, and subject to the implementation of the recommended mitigation measures, the proposal would not result in adverse impact on bats, and is therefore considered to accord with the aims of policy NE8 (Natural Heritage) and the associated 'Bats and Development' supplementary guidance.

#### **Potential contamination**

The recommendations of the Phase 1 Geo-Environmental Study, investigating the site for potential contamination, have been agreed by the relevant officers in Environmental Health. It has been recommended that appropriate contaminated land conditions be attached to any approval, requiring that a Phase II investigation be carried out prior to demolition and (if found to be necessary) supplementary investigations to be carried out after demolition. Such further investigation can ensure that any necessary restoration or remediation works can be identified and secured in order to ensure that the site is fit for residential use, as required by policy R2 (Degraded and Contaminated Land)

#### **Waste storage & disposal**

Whilst the Council's waste strategy have raised some concerns regarding layout of terraces in the southern part of the site, and the resultant difficulties in presenting bins for collection from a suitably accessible location, it is considered that there is reasonable scope for these issues to be resolved on refinement of a scheme for the storage and disposal of refuse. The applicant has demonstrated that there is a satisfactory route through the development for Council refuse vehicles, with a swept-path plan having been provided to illustrate this. Details have also been provided to show that terraced properties in the lower hospital would have bin stores within their rear gardens, which are linked to accessible collection points via footpaths. Townhouse units would incorporate bin stores within front gardens, which are within a short distance of the identified refuse vehicle route. A small terraced row to the northern part of the site, sitting between two refurbished blocks, is potentially the most remote from the refuse vehicle's route, but this represents a very small number of properties in the wider development being required to present their bins outwith the recommended distance. Whilst this is not ideal, it is acknowledged that the position of existing buildings and trees serves to restrict options for a coherent street layout, and on balance this is not considered to be an issue warranting refusal of the application, particularly given the scope for alternative arrangements to be explored via a condition relating to a detailed scheme of refuse storage and disposal. On this basis, there is a degree of tension with policy R6 (Waste Management Requirements for New Development) and its associated supplementary guidance, however this is not considered likely to result in any significant adverse impact on amenity or under-provision of service.

### **Drainage**

A Drainage Impact Assessment (DIA) has been submitted. SEPA initially expressed some concern over the single level of treatment for surface water at certain points within the site, however revisions to the drainage proposals have demonstrated the necessary 2 levels of treatment satisfactorily. An updated formal response from SEPA, removing their previous objection to the proposal, has since been received.

The submitted DIA states that a method statement, detailing how surface water will be dealt with during the construction phase, will be prepared by the appointed contractor, for approval prior to commencement of works on site. A series of measures to potentially be incorporated into that surface water management strategy are set out in the DIA. SEPA's consultation response requests the a condition be attached to any consent, requiring the submission of a site-specific construction environmental management plan (CEMP). That CEMP should incorporate detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution during all phases of construction.

Provided the necessary CEMP and SUDS measures can be satisfactorily agreed in writing with the planning authority, following consultation with the relevant stakeholders, and implemented thereafter, accordance with policy NE6 (Flooding and Drainage) of the ALDP can be ensured.

### **Low and Zero Carbon Buildings**

No details of the manner in which the proposed new buildings would demonstrate accordance with the Council's policy and guidance on reducing carbon emissions have been provided, however such submissions can be secured via an appropriately worded condition should members resolve to grant planning permission. This approach can ensure compliance with policy R7 (Low and Zero Carbon Buildings) and the associated supplementary guidance.

### **Matters raised in representations**

The matters raised in representations are addressed in the following sections of this report;

1. As noted above, the matter of whether the existing granite buildings present on site are retained or not is controlled by virtue of the site's location within a conservation area, and will be assessed via the current application for Conservation Area Consent, ref P130382, as discussed in the 'Design' section of this report.
2. The density of the development is addressed in the 'density' section of this report.
3. & 4. Matters relating to the impact of the proposed development on the local roads network and its provision for residents' car parking are addressed in the 'Access, Car Parking and Traffic' section of this report.
5. Necessary improvements to the local road network have been identified in discussions with the Council's Roads Projects Team, and are discussed in the 'Access, Car Parking and Traffic' section of this report.
6. The potential for impact on protected species is addressed in the 'Potential for impact on bats' section above.
7. Loss of existing trees is extensive, and is discussed in the 'Impact on Trees' section of this report.
8. Safety concerns regarding new pedestrian routes are noted, however appropriately lit routes, which benefit from passive surveillance and encourage pedestrian permeability and sustainable travel are to be encouraged.
9. Privacy concerns are noted, however it is considered that orientation and separation distances between buildings are sufficient to ensure appropriate levels of privacy. It is noted that the proposed removal of trees to the north of the site, adjacent to the Bennachie Building and the terminus of Chestnut Row would result in a more open aspect, however properties on the southern side of Chestnut Row nevertheless lie nearly 30m from the rear of those on Barkmill Road, which is considered sufficient to ensure appropriate levels of privacy.
10. & 11. Existing cycle facilities in the area are discussed extensively in the submitted Transport Assessment, and the shared surface internal routes through the development can allow for east-west travel for cyclists from May Baird Avenue to Berryden Road.
12. Issues relating to increased vehicular traffic on May Baird Avenue are discussed in detail in the 'Access, Car Parking and Traffic' section above.
13. The consultation undertaken by the applicants met the requirements of the agreed Proposal of Application Notice (PoAN).
14. Schools capacity has been investigated through consultation with the Developer Contributions Team. This has established that Skene Square

Primary School is projected to exceed capacity, and therefore the applicants are required to make financial contributions at a rate commensurate to the scale of development and as specified in the Council's Infrastructure and Developer Contributions Manual. Aberdeen Grammar School, the zoned secondary school, has capacity to accommodate the proposed development, therefore no contributions are required towards secondary schooling provision.

15. Existing parking problems at the Cornhill Hospital site are noted, however the car parking areas within the application site relate to the vacant buildings, and no car parking relating to the 'new' Cornhill Hospital site is to be removed. It is accepted that over time overspill car parking will have utilised the old Cornhill site as and when spaces were not available, however it does not follow that redevelopment of the site should be precluded by the perceived shortcomings of car parking provision available at the new hospital site.

### **Conclusion**

Whilst the site was identified as an opportunity for mixed-use development, this does not preclude the proposed residential development, which would benefit from its proximity to the city centre and existing local shops and services. The proposal is consistent with policy CF1 (Existing Community Sites and Facilities), which allows for the development of sites for alternative uses were they are no longer required for their existing community use, and would make a significant contribution towards the Local Development Plan's brownfield housing targets.

A range of dwelling types and sizes would be provided across the site, at an appropriate site density which is in line with the aspirations of the Royal Cornhill Hospital Development Brief and the provisions of policies H3 (Density) and H4 (Housing Mix). The environment provided for residents is of a good standard, with due regard paid to privacy, access to private gardens and open spaces, as required by policies D2 (Design and Amenity) and NE4 (Open Space). An appropriate proportion of affordable housing would be delivered as part of the proposal, reflecting the constraints and challenges of the site. The proposal involves the retention of a series of existing granite buildings alongside new buildings of an appropriate scale, which utilise appropriate materials such as natural granite and take design influences from existing buildings. This results in a well-ordered layout which would retain the distinctive parkland setting which contributed to the designation of the Rosemount and Westburn Conservation Area. Though granite doughtings are not utilised in new buildings as encouraged by policy D4 (Aberdeen's Granite Heritage), a significant proportion of this material would be utilised in boundary walls and hard landscaping across the site and, in conjunction with other appropriate materials in new buildings, ensure that the development is appropriate for its setting alongside granite buildings of character and within a Conservation Area. The proposal is considered to demonstrate due regard for its context, as required by policy D1 (Architecture and Placemaking), and would both preserve the character of the Conservation Area and enhance the setting of the C-listed obelisk, which would be positioned at the heart of the new development, resulting in a distinctive and welcoming place, as envisaged by Creating Places. The proposal is considered

to accord with national policy relating to the historic environment, as set out in SHEP and SPP, along with policy D5 (Historic Environment) of the ALDP.

Proposals for vehicular and pedestrian access to the site are acceptable, and consistent with policies T2 (Managing the Transport Impact of Development), D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation).

The presence of protected species on the site can be adequately mitigated, ensuring compliance with policy NE8 (Natural Heritage) of the ALDP. It is noted that a significant number of trees would be removed to accommodate the development, resulting in a degree of tension with policy NE5 (Trees and Woodlands) though it is noted that a degree of tree loss to accommodate the envisaged development is inevitable, and efforts have been made to retain the most valuable category A trees and a significant number of category B trees. A combination of the retained trees and extensive replacement planting as part of a landscaping scheme can ensure that the landscape character of the site can be retained, in accordance with policy NE6 (Landscape).

Detailed matters requiring further submissions and/or implementation of agreed details in relation to site contamination, refuse storage and disposal, surface water drainage and reducing carbon emissions can be secured through appropriate conditions.

The support expressed by the local Community Council is noted, and matters raised in representation have been addressed above. None of the issues raised was found to be of sufficient weight to warrant determination other than in accordance with the development plan and, given the proposal's substantial accordance with the provisions of the plan, it is recommended that members express a willingness to approve the application subject to the satisfactory conclusion of a s75 planning agreement, securing developer contributions based on impacts on local education, community and healthcare facilities arising from the development, and as identified via consultation with the Council's developer obligations team.

### **Willingness to approve**

### **REASONS FOR RECOMMENDATION**

The proposal is considered to represent an appropriate scale and form of development on the Royal Cornhill Hospital site, which would accord with the key aims of the Cornhill Development Framework to accommodate contemporary buildings of appropriate contemporary design alongside the existing architecture of the site, within a distinctive parkland setting. The proposal accords with policies CF1 (Existing Community Sites and Facilities) and would benefit from access to local shops and public transport facilities. An appropriate density and mix of housing would be provided on-site, including an appropriate proportion of Affordable Housing, in accordance with policies H3 (Density), H4 (Housing Mix) and H5 (Affordable Housing) of the ALDP. An environment of appropriate quality



would be provided for residents, with access to areas of private amenity space and public open space, incorporating a significant number of existing mature trees, in accordance with policies D2 (Design and Amenity) and NE4 (Open Space). Tension with policy NE5 (Trees and Woodlands) due to the loss of a number of existing trees is noted, however this principally involves lower category trees, and it is considered that a scheme of replacement planting can mitigate against those losses, and that the landscape character of the site would be maintained, consistent with policy NE6 (Landscape) of the ALDP.

Though doughton granite would not be utilised in principal elevations, the extensive use of this material in boundaries and hard landscaping, along with widespread use of granite in new buildings is considered to be sufficient to ensure that the character of the site is maintained and old and new buildings are unified by consistent themes. The arrangement of space and styling of buildings demonstrate due regard for the site context, in accordance with policy D1 (Architecture and Placemaking) and the aspirations of Creating Places and its six qualities of successful places.

The re-sited obelisk is given due prominence at the centre of a new area of open space, alongside retained granite buildings, and the proposal is considered to accord with national policy relating to the historic environment, as set out in SHEP and SPP, along with policy D5 (Historic Environment) of the ALDP.

Proposals for vehicular and pedestrian access to the site are acceptable, and consistent with policies T2 (Managing the Transport Impact of Development), D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation). The presence of protected species on the site can be adequately mitigated, ensuring compliance with policy NE8 (Natural Heritage) of the ALDP.

Detailed matters requiring further submissions and/or implementation of agreed details in relation to site contamination, refuse storage and disposal, surface water drainage and reducing carbon emissions can be secured through appropriate conditions, ensuring compliance with policies R2, R6, NE6, and R7 of the ALDP.

In conclusion, the proposal is considered to demonstrate due accordance with the provisions of the Development Plan, and no material considerations, including issues raised in representations, were found to be of sufficient weight to warrant determination other than in accordance with the development plan.

## **CONDITIONS**

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

- (1) No development shall be undertaken until such time as a phasing

scheme, detailing the of phased delivery of internal roads, footpaths and open spaces to serve respective phases of development, has been submitted to and agreed in writing by the planning authority - in order to ensure that phased delivery of the housing development is accompanied by the associated infrastructure and residents are afforded appropriate levels of amenity.

(2) that no development shall take place unless a scheme detailing the proposed site and plot boundary enclosures for the development site, including extensive reuse of granite downtakings in boundary walls and appropriate proposals for the gating of paths to the rear of terraced properties, has been submitted to the planning authority and subsequently approved in writing. Thereafter no unit within a phase shall be occupied unless the boundaries for that phase have been provided in accordance with the agreed scheme, or such other drawing as may subsequently be submitted and approved in writing by the planning authority - in order to ensure that boundary enclosed utilise downtaken granite and are appropriate to the character of this site and the wider conservation area.

(3) that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.

(4) No development shall be undertaken until such time as a Phase II intrusive site investigation to assess the potential risks from any contamination on-site has been submitted and approved in writing by the planning authority, in consultation with the Council's Environmental Health service, and that (if found to be necessary) supplementary investigations are carried out thereafter. Unless otherwise agreed in writing, no building within the development shall be occupied until any agreed remediation measures have been carried out to the satisfaction of the planning authority.

Note: this investigation should be carried out in advance of demolition in order to ensure that the process of demolition itself does not result in the mobilisation of contaminants, increase risk and complicate any necessary remediation.

(5) No development shall be undertaken until such time as a site specific environmental management plan (EMP), incorporating detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution during all phases of construction, has been submitted to and approved in writing by the planning authority, in consultation with SEPA. Thereafter all work shall be carried out in accordance with the approved plan - in order to control pollution of air, land and water.

Note: full details of matters to be included in the EMP can be found on SEPA's website.

(6) that none of the buildings hereby approved shall be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority for that building, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(7) that no development shall be commenced until such time as the mitigation measures set out in the submitted bat surveys (Countrywise, July-Sept 2013 and Astell Associates ref RCH-1411-BS, 9th Nov 2014), or any other mitigation scheme agreed in writing by the planning authority, have been implemented - in order to avoid any undue adverse impact on a European Protected Species.

(8) that no buildings within a particular phase shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a comprehensive Residential Travel Pack for that phase, setting out proposals for reducing dependency on the private car. This should also include information on external connectivity to key facilities, and, in consultation with local schools and the planning authority, information on safer routes to schools - in order to encourage more sustainable forms of travel to and from the development.

(9) That no development shall be undertaken until such time as a Construction Programme, including information about construction access arrangements and typical daily construction vehicle movements, has been submitted and agreed in writing by the planning authority, in consultation with colleagues in the Council's Roads Projects Team - in order to minimise adverse impact on the local roads network.

(10) That prior to the occupation of any of the flatted properties within the development, the developer shall provide the 2 no car club spaces as shown on drawing L(--)-002-rev AH, or such other drawing as may be approved in writing by the planning authority for this purpose, and thereafter such spaces shall be retained in complete accordance with the details as so agreed - in the interest of providing sustainable transport.

(11) that no building within the development hereby approved shall be occupied unless the car, motorcycle (including a secure fixed point) and bicycle parking areas serving those buildings have been constructed, drained, laid-out and demarcated in accordance with

drawing L(--)002-rev H of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of vehicles ancillary to the development hereby granted approval - in the interests of public safety and the free flow of traffic.

(12) that no development shall take place unless a further detailed scheme of hard and soft landscaping for the site (which includes a full Arboricultural Impact Assessment and indications of all existing trees and landscaped areas on the land, details of any to be retained together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting, all hard landscaping including proposed materials and street furniture) has been submitted to and approved in writing for the purpose by the planning authority - in the interests of preserving the landscape character of the site.

(13) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(14) that no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

(15) that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.

(16) that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the

protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.

(17) that no dwellings within a given phase of the development hereby granted planning permission shall be occupied unless the area/areas of public open space within that phase, as identified on Drawing No. L (--)002-rev A of the plans hereby approved (or such other drawing as may be subsequently approved), have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the Planning Authority. No development pursuant to this planning permission shall take place unless such a scheme detailing the manner in which the open space is to be managed and maintained has been submitted to and approved in writing by the planning authority. Such scheme shall include provision for a play area comprising at least five items of play equipment and a safety surface - in order to preserve the amenity of the neighbourhood.

(18) that no development shall take place unless a further detailed scheme of refuse and recycling storage has been submitted to and approved in writing by the planning authority. Thereafter no unit within a given phase shall be occupied unless the refuse and recycling storage for that phase has been provided in accordance with the said scheme - in order to preserve the amenity of the neighbourhood and in the interests of public health.

(19) that unless otherwise agreed in writing, no part of the development hereby granted planning permission shall be occupied unless all drainage works detailed on Fairhurst drawing number 96600/2050-revC or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

(20) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme - in the interest of public safety.

(21) that unless otherwise agreed in writing with the planning authority, no building within the development hereby approved shall be occupied until such time as a traffic light controlled junction has been introduced at the main access onto Berryden Road, in accordance with a detailed specification submitted to and agreed in writing by the planning authority, in consultation with the Council's Roads Projects

Team - in order to ensure safe vehicular access to the development and avoid undue impact on the local roads network.

## **INFORMATIVES**

1. Construction Hours It is recommended that no construction or demolition work should take place: (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. - in the interests of residential amenity. Please note that separate statutory noise controls exist under environmental health legislation.

2. Separate licencing regime for works affecting bat roosts

Please note that, separate from this grant of planning permission, it is likely that a licence from SNH will be required in relation to works affecting bat roosts - it is the applicants' responsibility to ensure that the appropriate licence has been obtained before such works affecting a European Protected Species (including demolition works) are undertaken.

**Dr Margaret Bochel**  
Head of Planning and Sustainable Development.

4/11

**From:** EILEEN MARTIN [REDACTED]  
**Sent:** 04 March 2014 23:17  
**To:** PI  
**Subject:** Development @ Former Royal Cornhill Hospital

From Eil en Martin & Brian Gibb  
34 Chestnut Row  
Aberdeen  
AB25 3SD

Objections to Planning Application 130381 @ Former Royal Cornhill Hospital

1. Traffic

Berryden Road is regularly gridlocked as it is. Building 300 homes would involve a huge increase in traffic and cause utter chaos. Yet in the revised planning application there is no mention of any imminent improvement being made to Berryden Road. Since it struggles to cope at present the extra traffic would cause gridlock which would not only affect the residents of Berryden Road but also the surrounding streets and the Retail Park.

2. Environment

Cornhill has a huge variety of wildlife including endangered species. Yet there seems to be no mention of this in any of the planning application. I regularly hear owls. Many birds visit my garden most of which come from Cornhill. There are also foxes, hedgehogs, squirrels and I suspect bats.

Numerous trees would also be removed which as well as destroying perfectly healthy trees would also destroy wildlife habitat.

3. Amenity

We live in a fairly quiet cul de sac and feel that a footpath through the wall at the end of our street is completely unnecessary as there are plenty of other exits from the site. The police report states that paths should be well lit. I cannot see that this one will be any better lit than those highlighted in the police report. The report also mentions that these paths may give access to those who may be potential offenders. What better access for someone like that than a quiet street leading to a poorly lit path. It would also be an excellent means of escape.

GEE

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 28 February 2014 19:59  
**To:** PI  
**Subject:** Planning Comment for 130381

Comment for Planning Application 130381

Name : susie and george murray

Address : 72 barkmill road aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : lam objecting to this planning application as we feel that our privacy will be invaded with the residents on top floor flats at chestnut row being able to see into our living room.As for the removal of all the mature tree which we feel go,s against the environmental issues of this city.This will have a damaging effect on all sorts of wildlife in this area.



16/04/13

**From:** <webmaster@aberdeencity.gov.uk>  
**To:** <pi@aberdeencity.gov.uk>  
**Date:** 16/04/2013 11:18  
**Subject:** Planning Comment for 130381

Comment for Planning Application 130381  
Name : Aberdeen Cycle Forum  
Address : 24 Loanhead Terrace  
Aberdeen  
AB25 2SY

Telephone : [REDACTED]  
Email : [REDACTED]  
type :

Comment : ACF is disappointed that the Design and Access statement makes no mention of cycling, cycle linkages or cycle connectivity, within or outwith the development site. We are concerned at this lack of vision and request that the developer works to improve this element of the proposal.

Cornhill Lane is a quiet route for cyclists and walkers. It is well used to access ARI. The development should include an attractive and direct east-west cycle route through the site, connecting Berryden at an accessible crossing point, with Cornhill Lane. This would create a genuine addition to the cycle network and hugely improve east-west cycle connectivity in that area.

The minor access road on the western edge of the development, connecting Cornhill lane to Ashgrove Rd is a generally quiet and attractive route, well used by cyclists and walkers. ACF would be very concerned if it became an access point into the development. Access for vehicles should be off Berryden only.

**From:** <webmaster@aberdeencity.gov.uk>  
**To:** <pi@aberdeencity.gov.uk>  
**Date:** 23/04/2013 13:01  
**Subject:** Planning Comment for 130381

Comment for Planning Application 130381

Name : Mrs Eileen Martin  
Address : 34 Chestnut Row  
Aberdeen  
AB25 3SD

Telephone : [REDACTED]  
Email : [REDACTED]

type :  
Comment : Objections

1 Traffic

Berryden Road cannot handle the increase in traffic building 300 properties would involve. Unless the road system is improved the whole place would be gridlock causing chaos not only on Berryden Road and surrounding streets but also access to the Retail Park.

2 Environment

Cornhill has a huge variety of wildlife including endangered species. I regularly hear owls and many birds visit my garden and those of my neighbours including robins, blackbirds, goldfinches, greenfinches, great tits, coal tits, blue tits, bearded tits, sparrows, dunnocks, magpies and jackdaws most of which live over the wall in Cornhill. There are also foxes and I suspect bats.

There would also be the removal of numerous trees which as well as destroying many perfectly healthy trees would also destroy wildlife habitat.

3 Amenity

We live in a fairly quiet cul de sac and we feel that a footpath through the wall at the end of our street is completely unnecessary as there are plenty of other exits from the site



GEE

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 22 February 2014 04:48  
**To:** PI  
**Subject:** Planning Comment for 130381

Comment for Planning Application 130381

Name : Iain Nicol

Address : Flat 45, The Bastille, 75 Maberly Street, Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I don't like the current trend by developers and the planning department of destroying the granite buildings and heritage and the "granite city". The planning department needs to encourage the developer to retain these buildings and sympathetically return them into useful spaces instead of demolishing them. I therefore object to the plan to demolish the building by Stewart Milne whole heartily.

GEE

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 22 February 2014 10:17  
**To:** PI  
**Subject:** Planning Comment for 130381

Comment for Planning Application 130381

Name : Frank Adams  
Address : 4 Lintmill Place

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object .....

Aberdeen needs to retain as many granite buildings as possible.. Another Stewart Milne project where the houses are thrown up as quick and as cheap as possible is not what Aberdeen needs... Conserve the site and convert the existing structures.....

GEE

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 21 February 2014 20:10  
**To:** PI  
**Subject:** Planning Comment for 130382

Comment for Planning Application 130382  
Name : Tracey carson  
Address : 62 denmore gardens bridge of don

Telephone : [REDACTED]  
Email : [REDACTED]  
type :

Comment : Here we go again Aberdeen city council thinking of one thing only MONEY!! Don't think about the traffic congestion mess that Aberdeen city already suffers from. Old Cornhill hospital had some beautiful buildings which sat for years being wasted just like years before Kingseat hospital which was also "accidentally" burnt to the ground alma bells ring Nk!! The patients had a lot of greenery to walk around in but now you propose houses and flats crambed in making them prisoners. What a waste of money this has been as Corhill was suppose to take over from Kingseat and last which it has not. People visiting or working their will not be able to get parked or visit their loved ones. I myself worked at this hospital and the former Kingseat and I am appalled it has come to this. What a waste of lovely buildings.

**From:** <webmaster@aberdeencity.gov.uk>  
**To:** <pi@aberdeencity.gov.uk>  
**Date:** 28/03/2013 10:48  
**Subject:** Planning Comment for 130381

Comment for Planning Application 130381

Name : Ian Stewart  
Address : 45 Fairview Circle  
Danestone  
Aberdeen  
AB22 8ZQ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : The area surrounding the proposed building development is one which is constantly congested with traffic, so adding an additional 300 properties, without any subsequent modification to existing road is the main reason I wish to object to this planning application.

If the planning committee wish to accept this application, then I would suggest additional crossings be in place, and/or widening of existing road networks, prior to any building works commencing.

GTE

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 03 March 2014 15:13  
**To:** PI  
**Subject:** Planning Comment for 130382

Comment for Planning Application 130382

Name : Mike Shepherd

Address : 18 Forbesfield road Aberdeen AB15 4PA

Telephone :

Email : 

type :

Comment : I object to this submission. The existing granite facades should be kept as part of Aberdeen's heritage. The construction should take this into account.

08/04/13

**From:** <webmaster@aberdeencity.gov.uk>  
**To:** <pi@aberdeencity.gov.uk>  
**Date:** 08/04/2013 23:28  
**Subject:** Planning Comment for 130381

Comment for Planning Application 130381

Name : Ian Gossip  
Address : 13 Craigs Rd  
Ellon

Telephone : [REDACTED]  
Email : [REDACTED]  
type :

Comment : I object on the grounds of over density of the site. I object regarding the access arrangements that will be required for the house sites to the roads surrounding. I have some doubts about the traffic that will be created by these properties and the car parking arrangements that they will require. I need comfort regarding the ability of the schools in the zone to be able to cope with the increase in population.



08/04/13

**From:** <webmaster@aberdeencity.gov.uk>  
**To:** <pi@aberdeencity.gov.uk>  
**Date:** 08/04/2013 21:21  
**Subject:** Planning Comment for 130381

Comment for Planning Application 130381  
Name : Shona Gossip  
Address : 10 Chestnut Row  
Flat 2  
Aberdeen  
AB25 3S

Telephone :  
Email : [REDACTED]  
type :

Comment : I wish to object to the planning application for 300 houses on the former Cornhill hospital site.

I believe the impact this development will have on traffic in the area will be significant, particularly since the developers plan to have the main access coming from the already-busy Berryden Road.

Having both worked in the retail park, and lived just off here for the last four years, I am aware of how often queues of traffic back up all the way from Hutcheon Street to the pedestrian crossing on Berryden Road. This is particularly bad during the weekends when cars often crawl along throughout the afternoon. At busier times of the year, such as Christmas, it is often gridlock.

The roads infrastructure is not capable of coping with the additional demand. The further 300 properties will also only worsen parking, which can be challenging in the evenings and weekends.

I see from the supporting documents that the developers say that only six people attended the public consultation. I was unaware of it, and feel the developers could have had the courtesy of doing a letter drop on the small street (Chestnut Row) that backs onto the site.

I am not against the redevelopment of the site, but I do feel there are far too many homes planned. It is an over development of an already busy area.

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## ABERDEEN CITY COUNCIL

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COMMITTEE	Planning Development Management Committee
DATE	12 February 2015
DIRECTOR	Pete Leonard
TITLE OF REPORT	Confirmation of Tree Preservation Order numbers 124, 159, 202, 204, 206, 162, 178, 184, 188, 211, 107, 115, 139, 152, 158 and 226
REPORT NUMBER:	CHI/14/082
CHECKLIST RECEIVED	Yes

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### 1. PURPOSE OF REPORT

To have confirmed 17 provisional Tree Preservation Orders (TPO) made by the Head of Planning and Sustainable Development under delegated powers. The Orders currently provide temporary protection for the trees, but are required to be confirmed by the Planning Development Management Committee to provide long term protection.

### 2. RECOMMENDATION(S)

It is recommended Members confirm the making of Tree Preservation Orders 124, 159, 202, 204, 206, 162, 178, 184, 188, 211, 107, 115, 139, 152, 153, 158 and 226 without modifications, and that the Head of Legal and Democratic Services attend the requisite procedures.

### 3. FINANCIAL IMPLICATIONS

The cost of confirming the Orders will be met through existing budgets.

### 4. OTHER IMPLICATIONS

The making of a Tree Preservation Order generally results in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees. This is undertaken within existing staffing resources.

## 5. BACKGROUND/MAIN ISSUES

A TPO gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality. As outlined in the Local Development Plan Policy NE5: Trees and Woodland, the Council will take the necessary steps to ensure that trees are protected in the longer term. Protecting trees has the further benefit of contributing to the Council's policies on improving air quality and helping combat climate change. Promoting the improvement and maintenance of environmental quality and townscapes in turn supports investment and economic competitiveness.

The process of applying for work to protected trees allows for Elected Members, Community Councils and members of the public to have an opportunity to comment on work to protected trees.

The trees in the following Tree Preservation Orders contribute to the local character of the area. The loss of these trees would have an adverse effect on this character. A Tree Preservation Order would ensure that trees could not be removed without the consent of the Council who would have an opportunity to have regard to the environmental implications of any proposals.

- **Tree Preservation Order Number 124, 34 Great Western Road**
- **Tree Preservation Order Number 159, South Avenue, School Road, Cults**
- **Tree Preservation Order Number 202, Land to East of Parkway at Easter Persley Farm**
- **Tree Preservation Order Number 204, Cliff House, Craigton Road**
- **Tree Preservation Order Number 206, Countesswells House**
- **Tree Preservation Order Number 162, Grange Lodge, South Avenue, Cults**
- **Tree Preservation Order Number 178, 14 Polmuir Road**
- **Tree Preservation Order Number 184, Lochside Road, Denmore Park**
- **Tree Preservation Order Number 188, 158 Morningside Road**
- **Tree Preservation Order Number 211, Newton Dee Village, Bieldside**
- **Tree Preservation Order Number 107, Cranford House, Cranford Road**

- **Tree Preservation Order Number 115, Priory Hill, 60 North Deeside Road, Peterculter**
- **Tree Preservation Order Number 139, 142 Broomhill Road**
- **Tree Preservation Order Number 152, Caroline Place**
- **Tree Preservation Order Number 158, Standish Cottage, The Bush, Peterculter**
- **Tree Preservation Order Number 226, Nigg House, Abbotswell Crescent**

## 6. IMPACT

There are no anticipated impacts on equalities with this proposal hence an Equalities and Human Right Impact Assessment is not required. As outlined in Policy NE5: Trees and Woodland, the Council will take the necessary steps to ensure that trees are protected in the longer term thus the need to confirm the aforementioned Tree Preservation Orders.

## 7. MANAGEMENT OF RISK

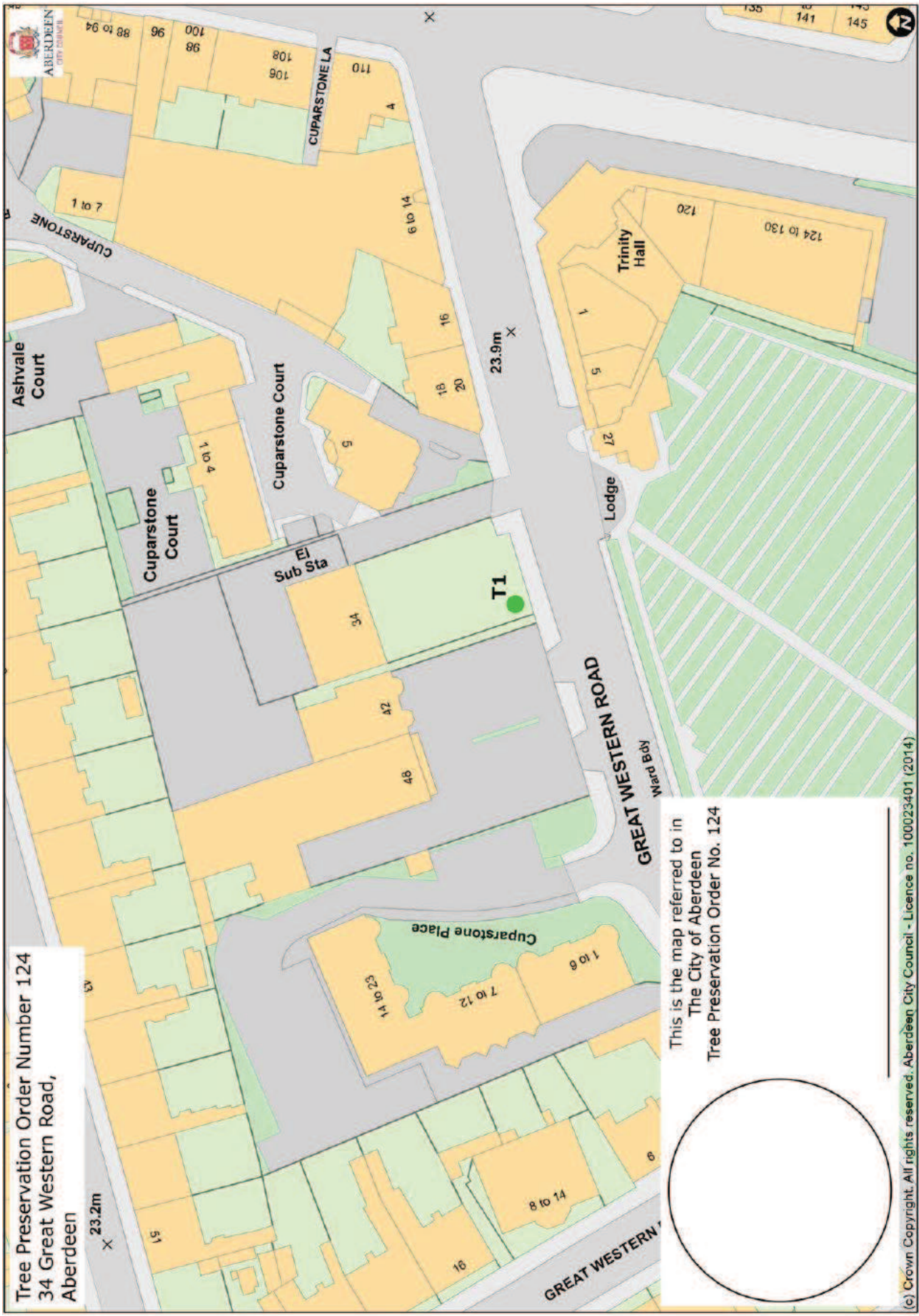
There is a risk of loss of the trees if the recommendations are not accepted which would impact on people and the environment. If recommendations are accepted the Orders will ensure the long term protection of the trees on each of the sites by ensuring the trees could not be cut down or otherwise damaged without the express permission of the Council, hence securing the public amenity and environmental value of each site.

## 8. BACKGROUND PAPERS

Files of Tree Preservation Orders 124, 159, 202, 204, 206, 162, 178, 184, 188, 211, 107, 115, 139, 152, 153, 158 and 226; maps attached

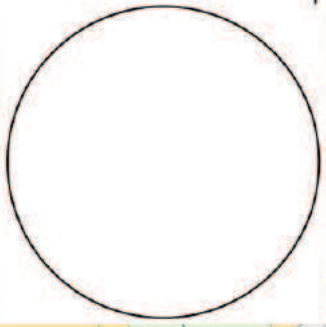
## 9. REPORT AUTHOR DETAILS

Kevin Wright  
 Environmental Planner  
[kewright@aberdeencity.gov.uk](mailto:kewright@aberdeencity.gov.uk)  
 (01224) 522440

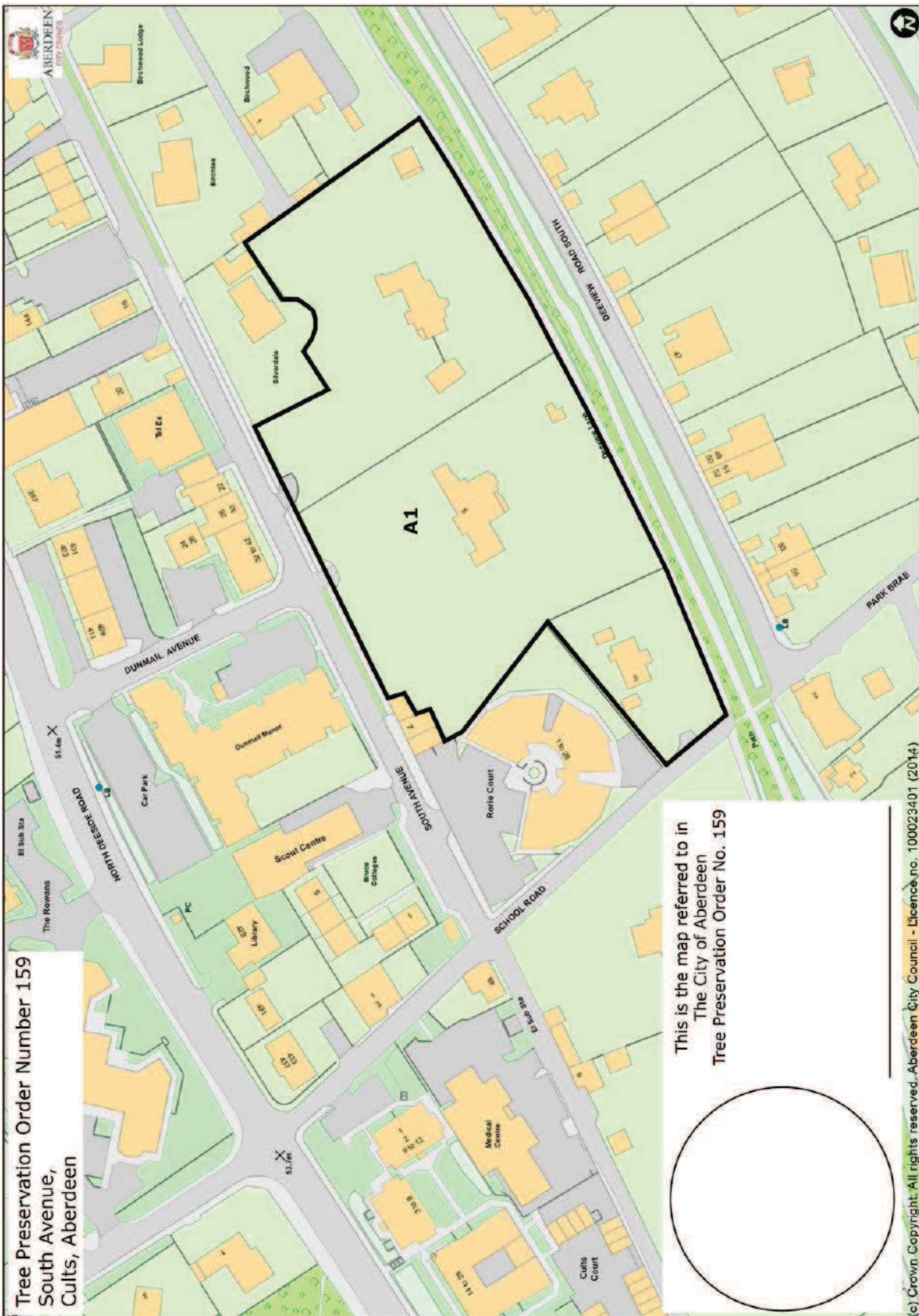


Tree Preservation Order Number 124  
 34 Great Western Road,  
 Aberdeen

This is the map referred to in  
 The City of Aberdeen  
 Tree Preservation Order No. 124



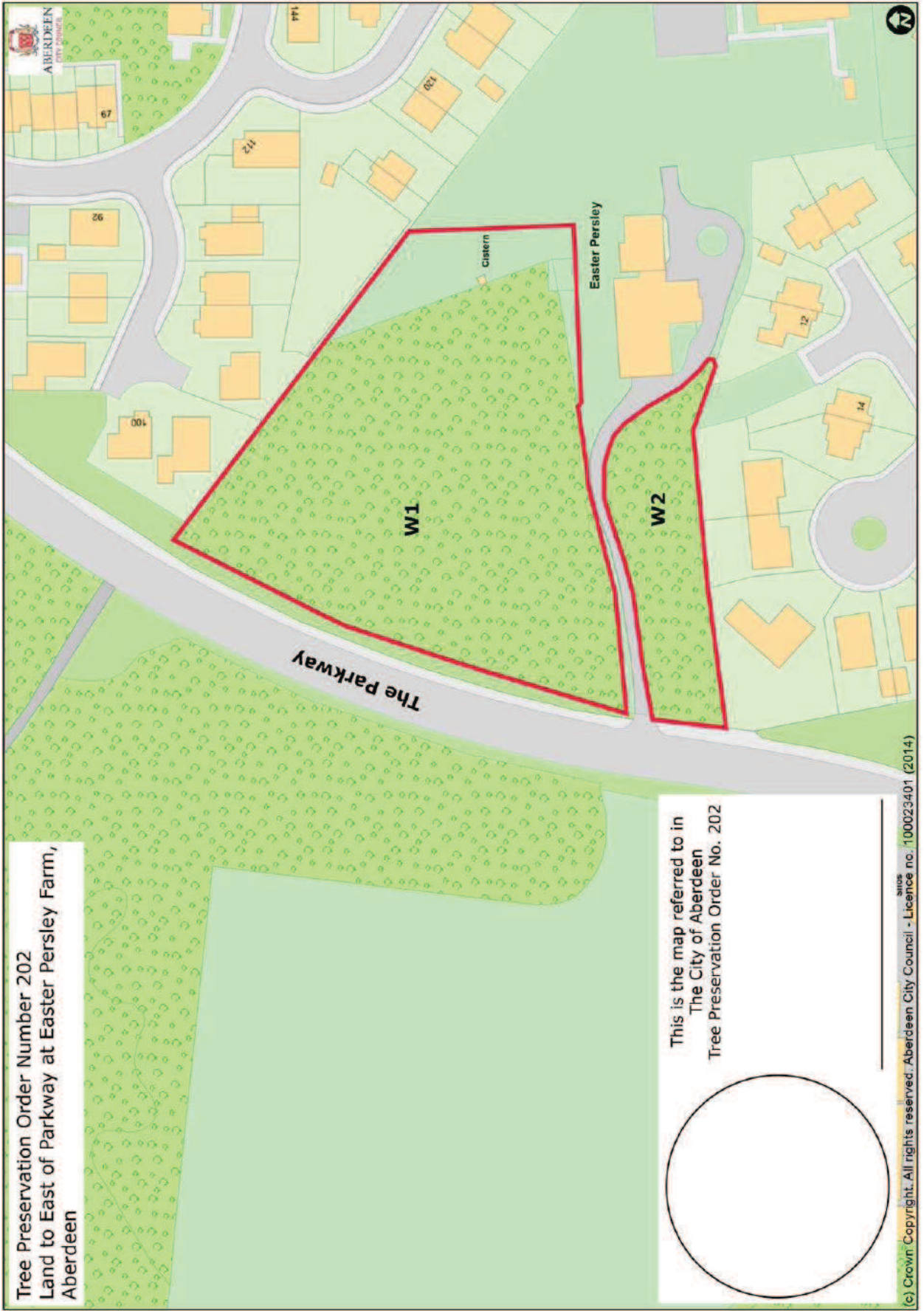
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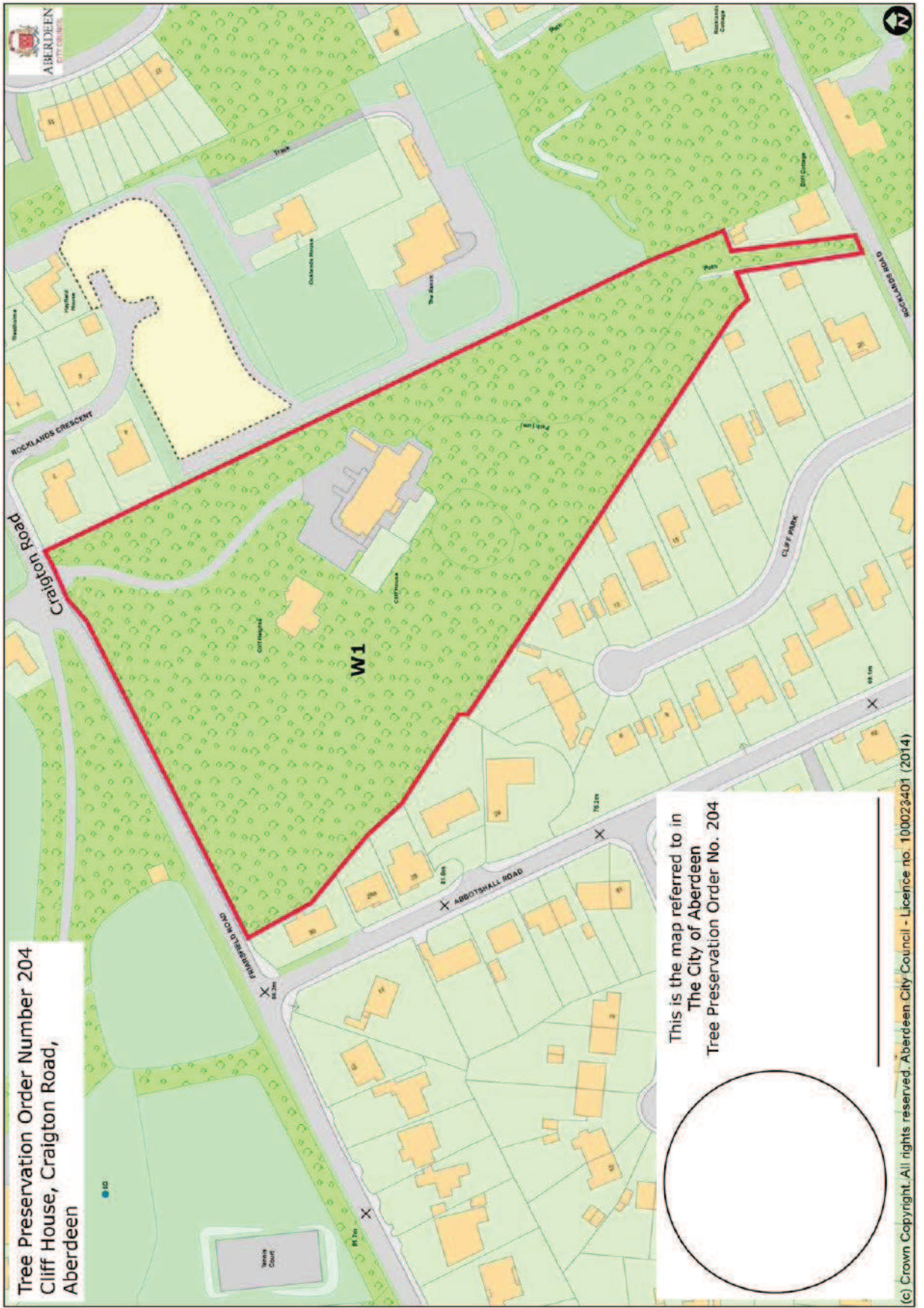
Tree Preservation Order Number 159  
South Avenue,  
Cults, Aberdeen

This is the map referred to in  
The City of Aberdeen  
Tree Preservation Order No. 159

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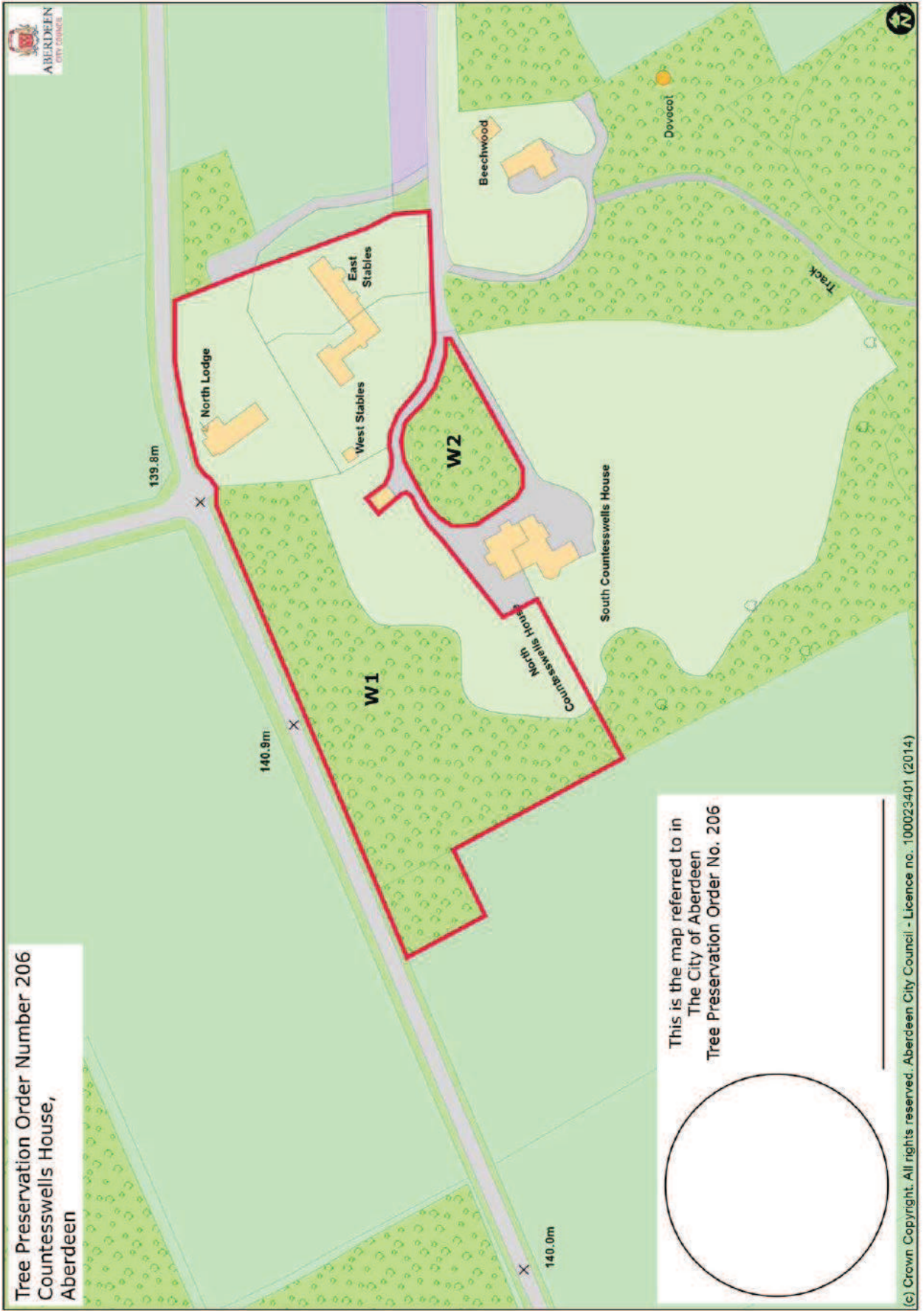


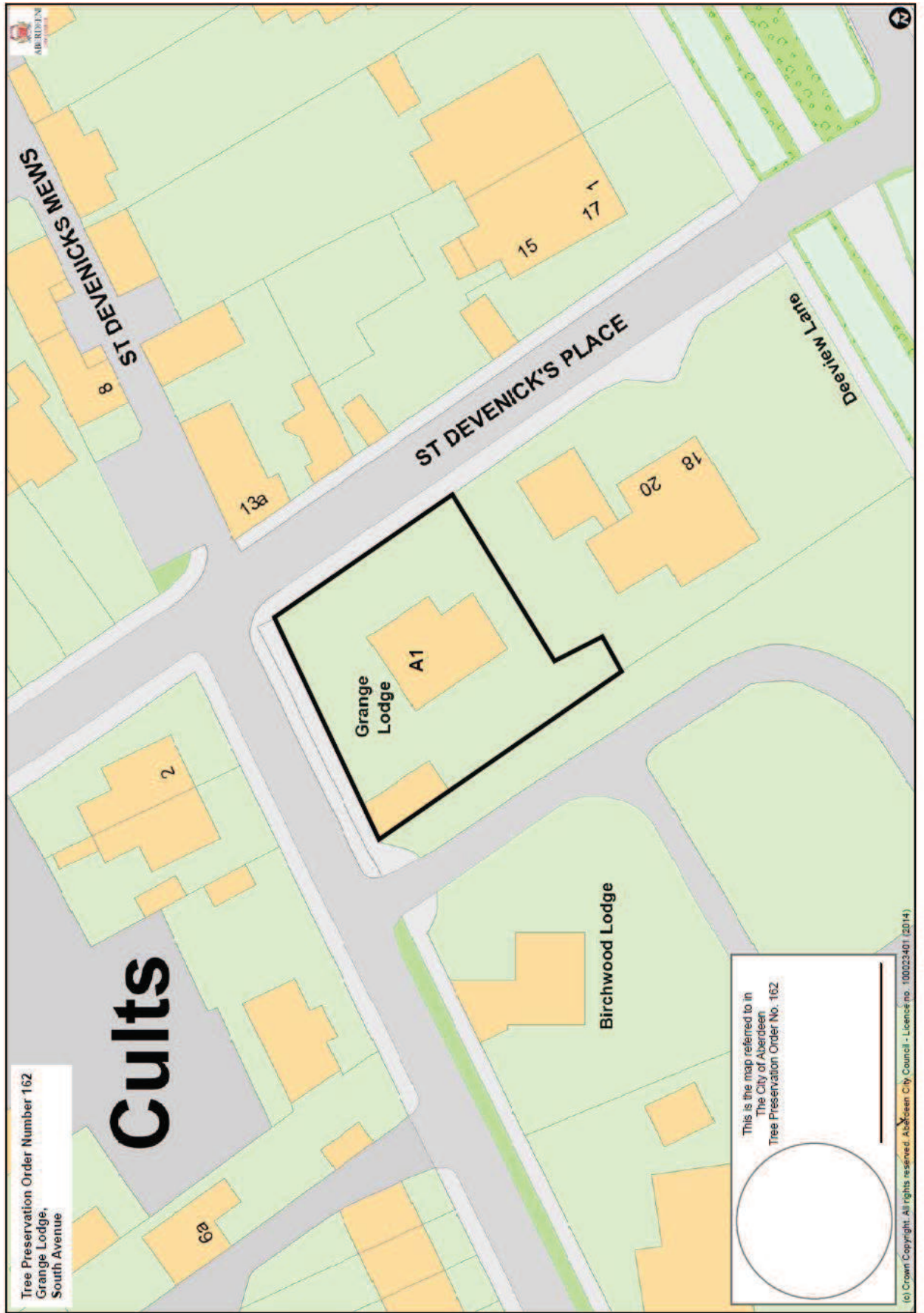


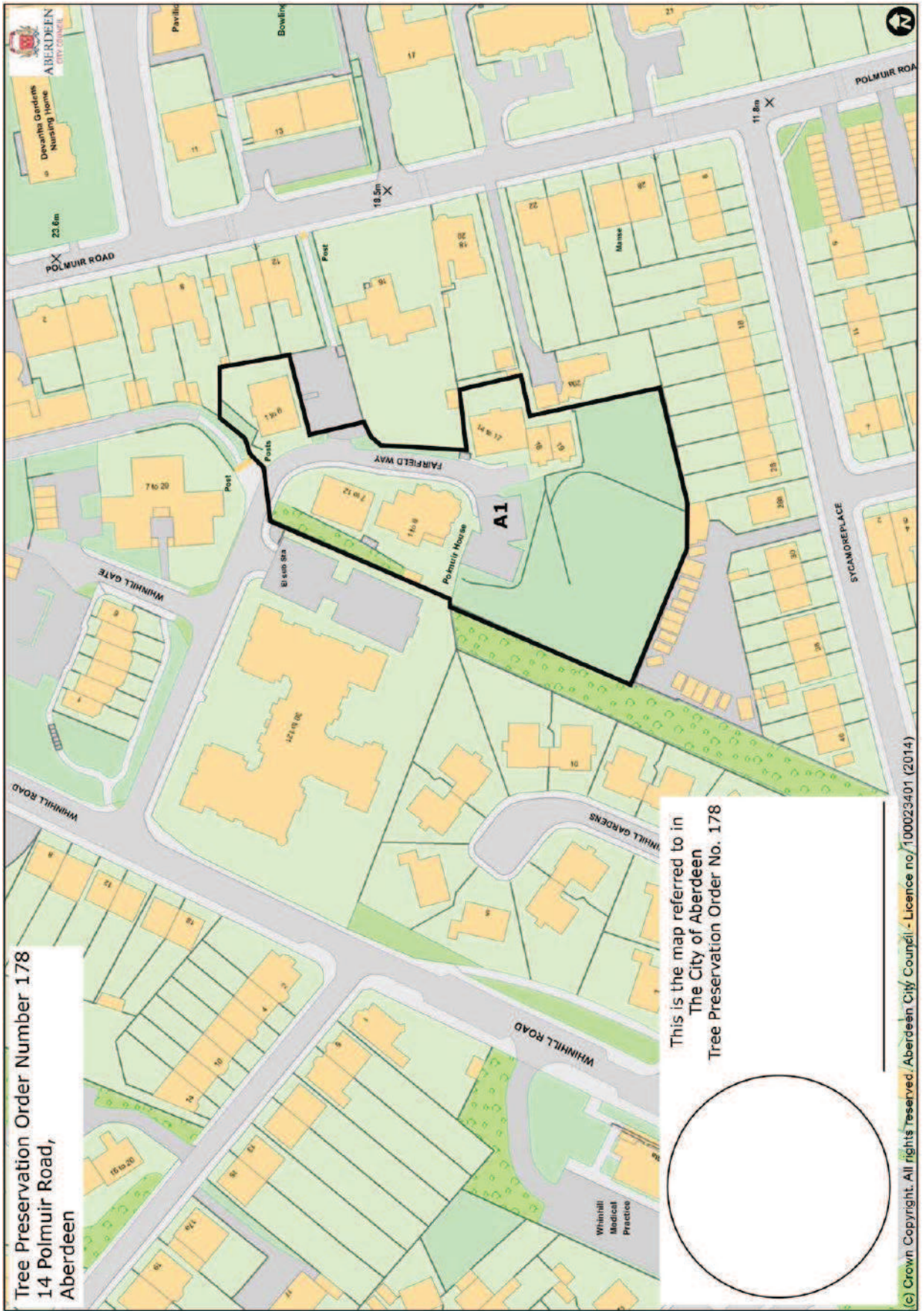
Tree Preservation Order Number 204  
 Cliff House, Craighton Road,  
 Aberdeen

This is the map referred to in  
 The City of Aberdeen  
 Tree Preservation Order No. 204

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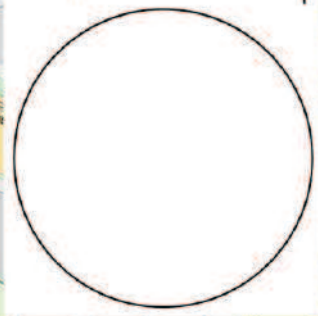




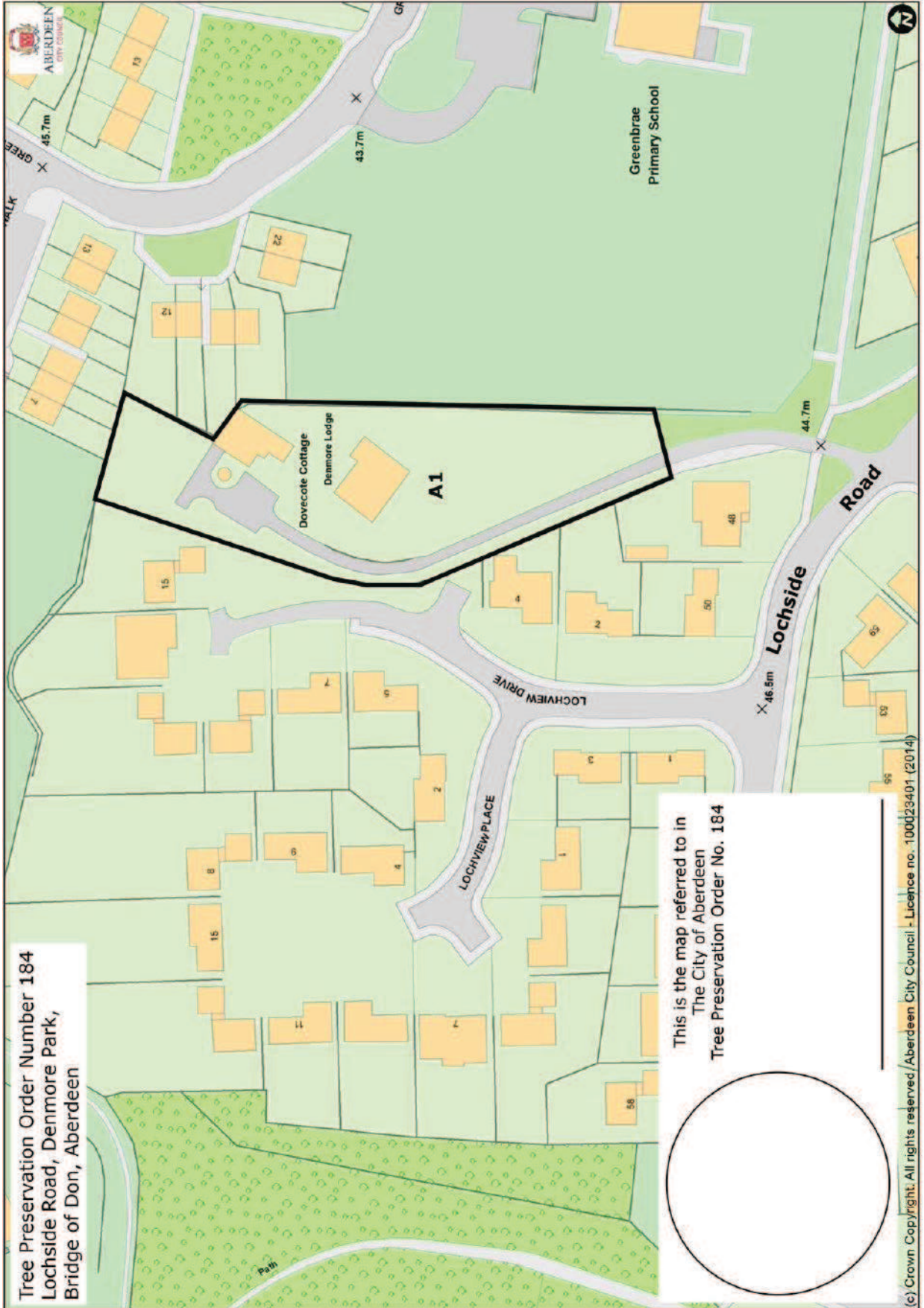


Tree Preservation Order Number 178  
 14 Polmuir Road,  
 Aberdeen

This is the map referred to in  
 The City of Aberdeen  
 Tree Preservation Order No. 178



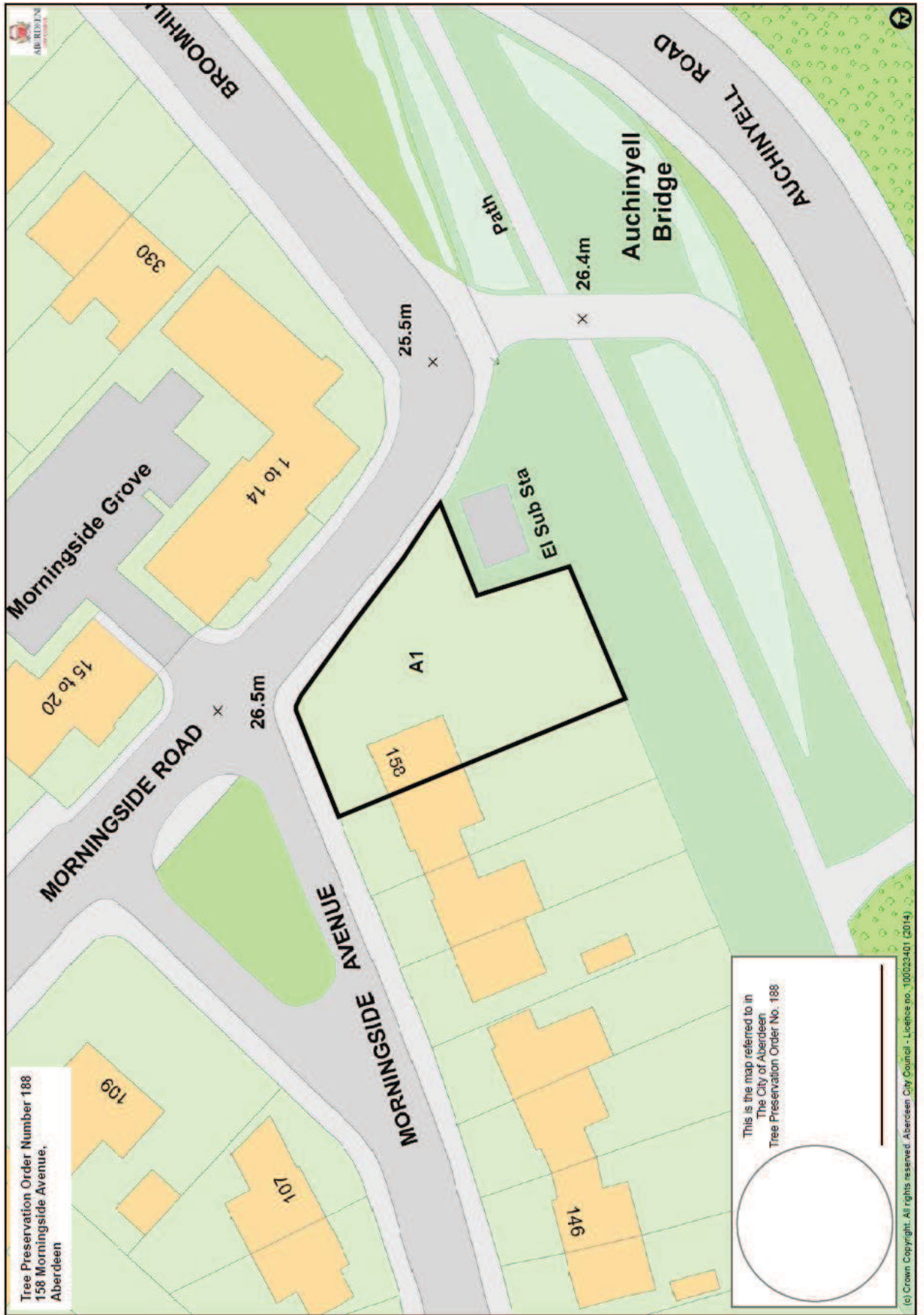
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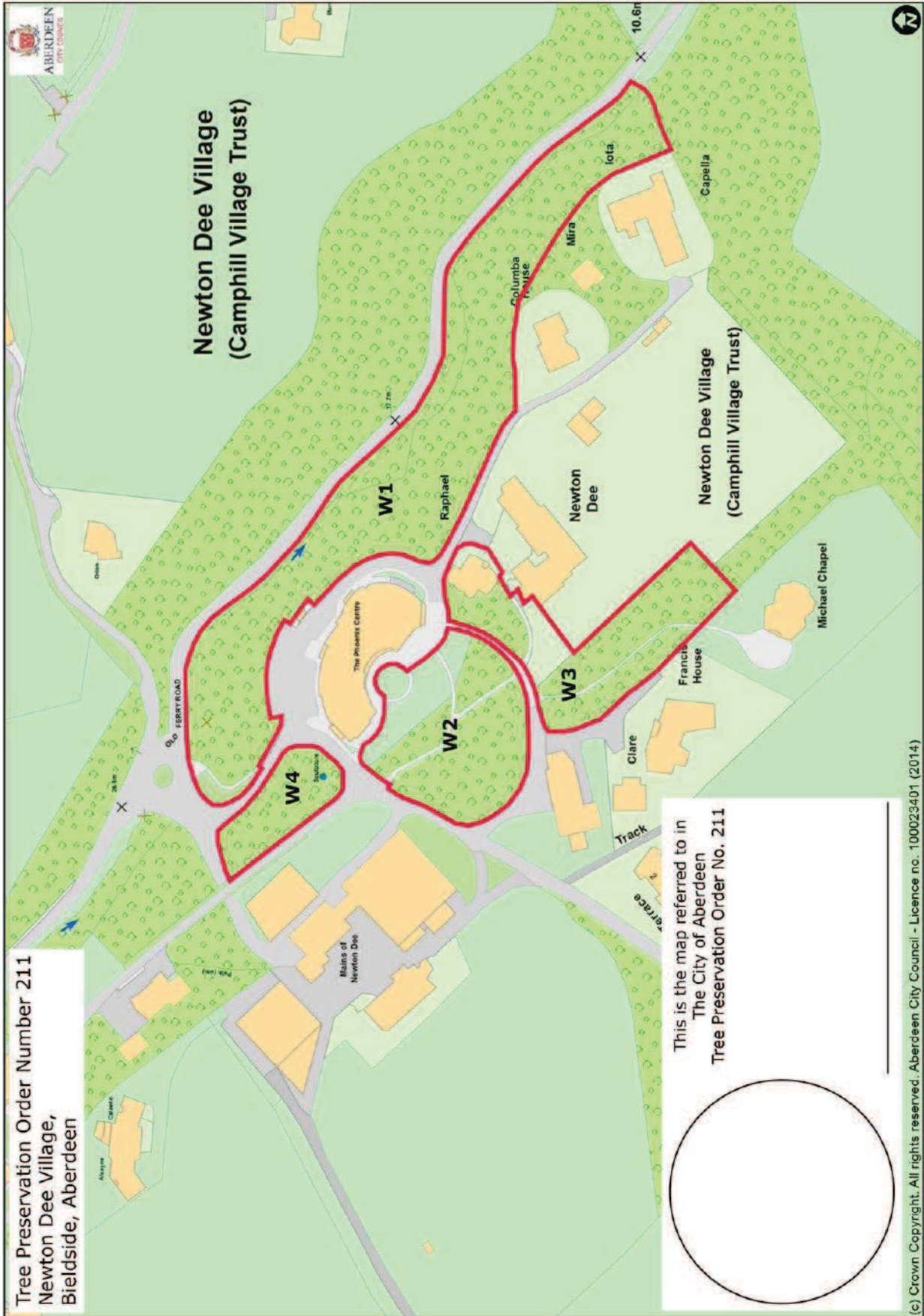


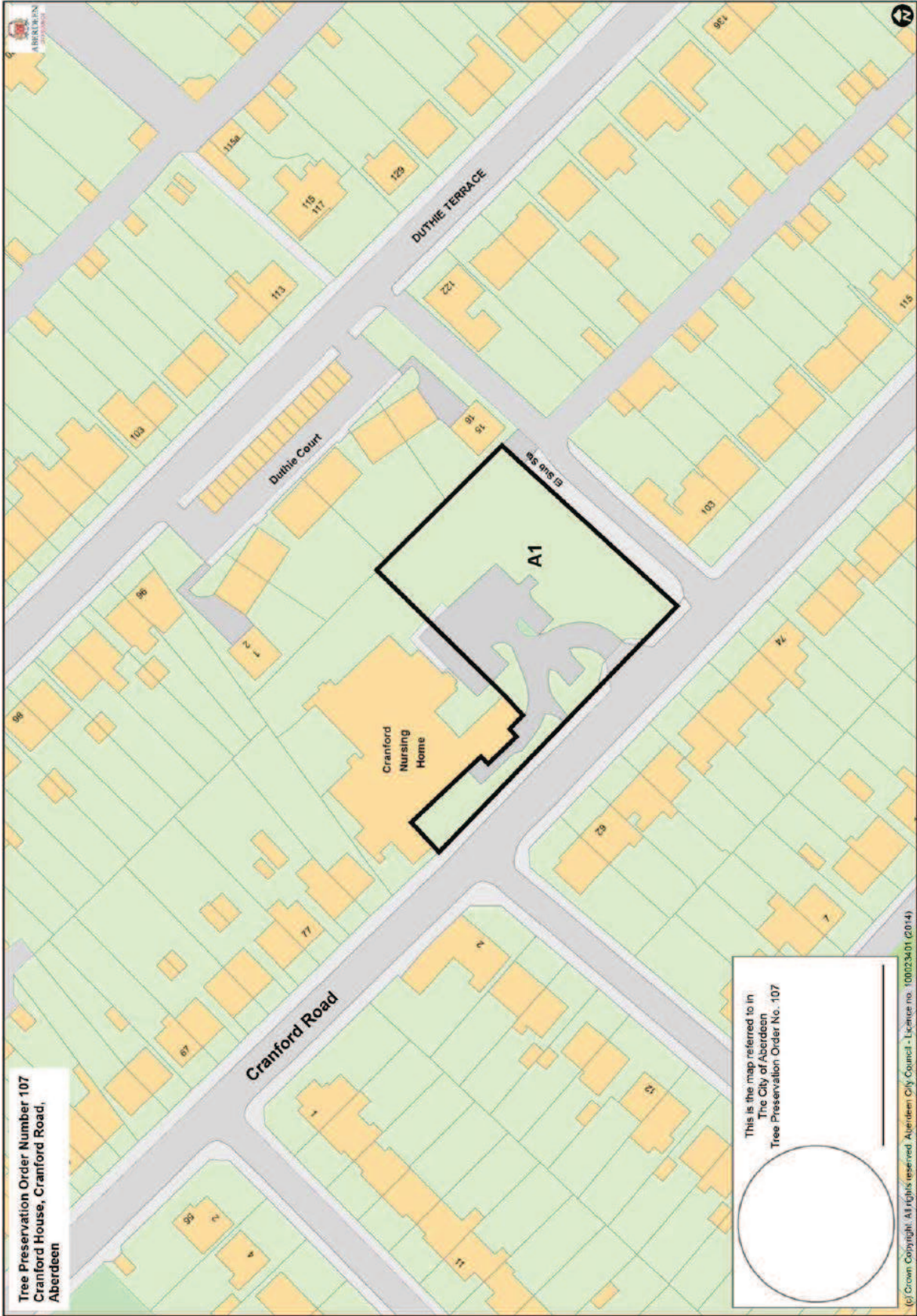
**Tree Preservation Order Number 184**  
**Lochside Road, Denmore Park,**  
**Bridge of Don, Aberdeen**

This is the map referred to in  
 The City of Aberdeen  
 Tree Preservation Order No. 184

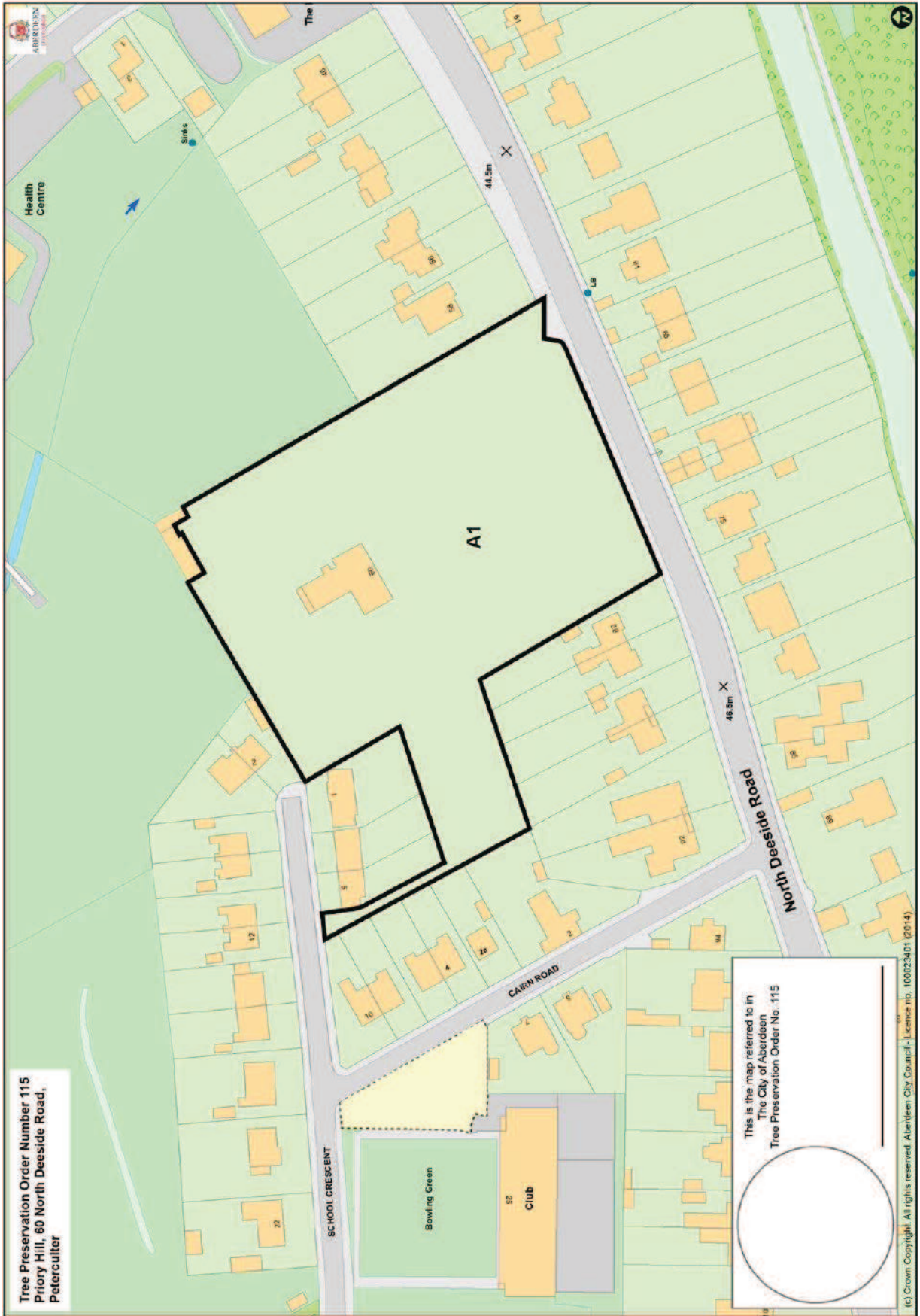
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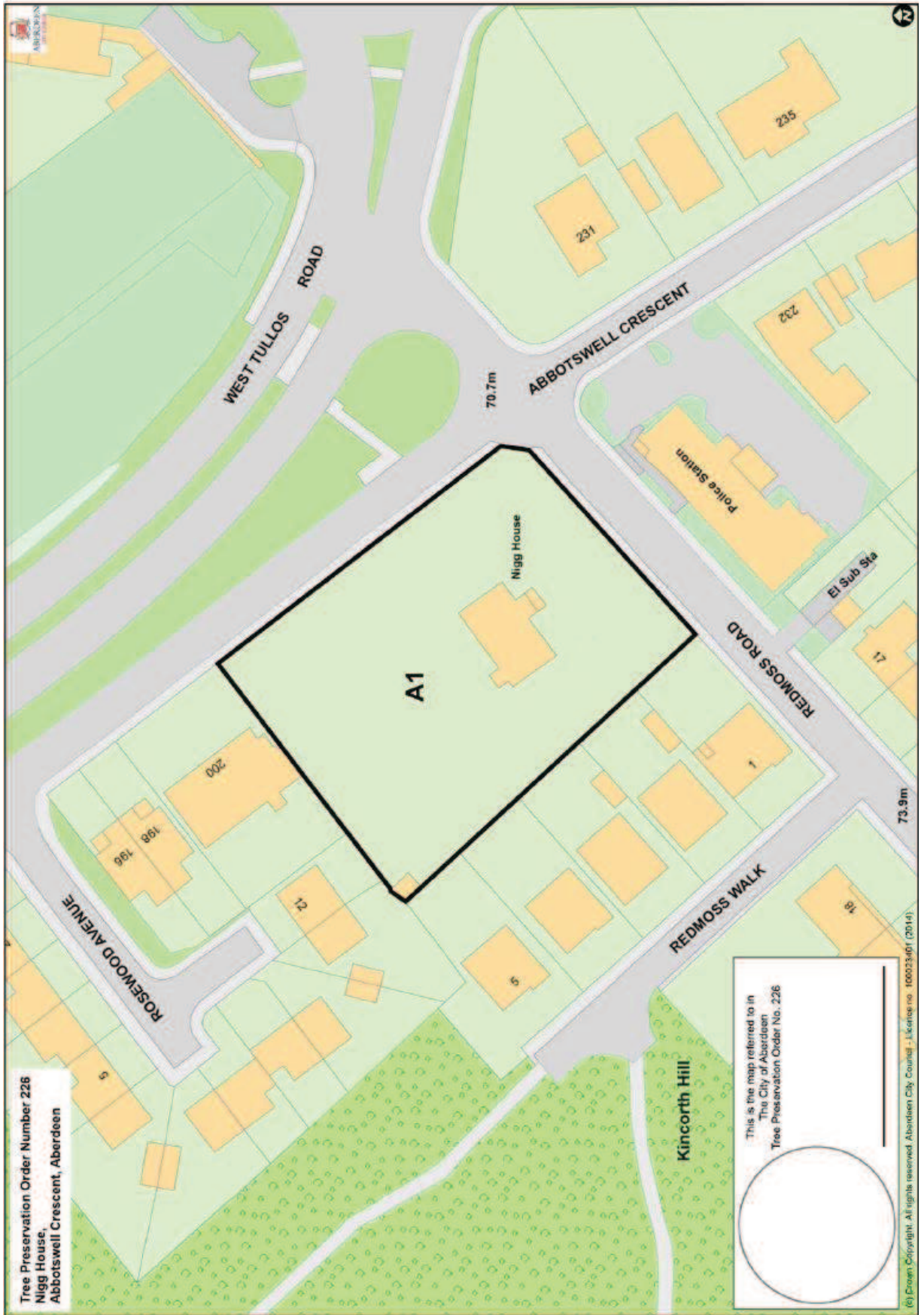












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