

Public Document Pack



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

Also (as local members):- Councillors Grant and Noble.

Town House,
ABERDEEN 31 October 2016

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)** are requested to meet in on **FRIDAY, 4 NOVEMBER 2016 at 9.30 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 1 66 Tillydrone Avenue - Change of Use from 5 bedroom Dwelling (Class 9) to Six Bedroom HMO (Sui Generis), Replacement Roof, Replacement Windows to Rear Extension, Reduction of Window and Blocking up of Doo - 161003 (Pages 3 - 48)
- 2 14 the Chanonry - Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating class 10 (activities associated to a religious body) as part of ground floor, and Class 4 (Offices) at 2nd floor - 161152 (Pages 49 - 110)

- Note: (One) The Planning Officials in attendance on the visits can be contacted by mobile phone, the number is:- 07802 323986.
- (Two) The transport for the visits will depart the Town House from the Broad Street entrance at 9.30 prompt.

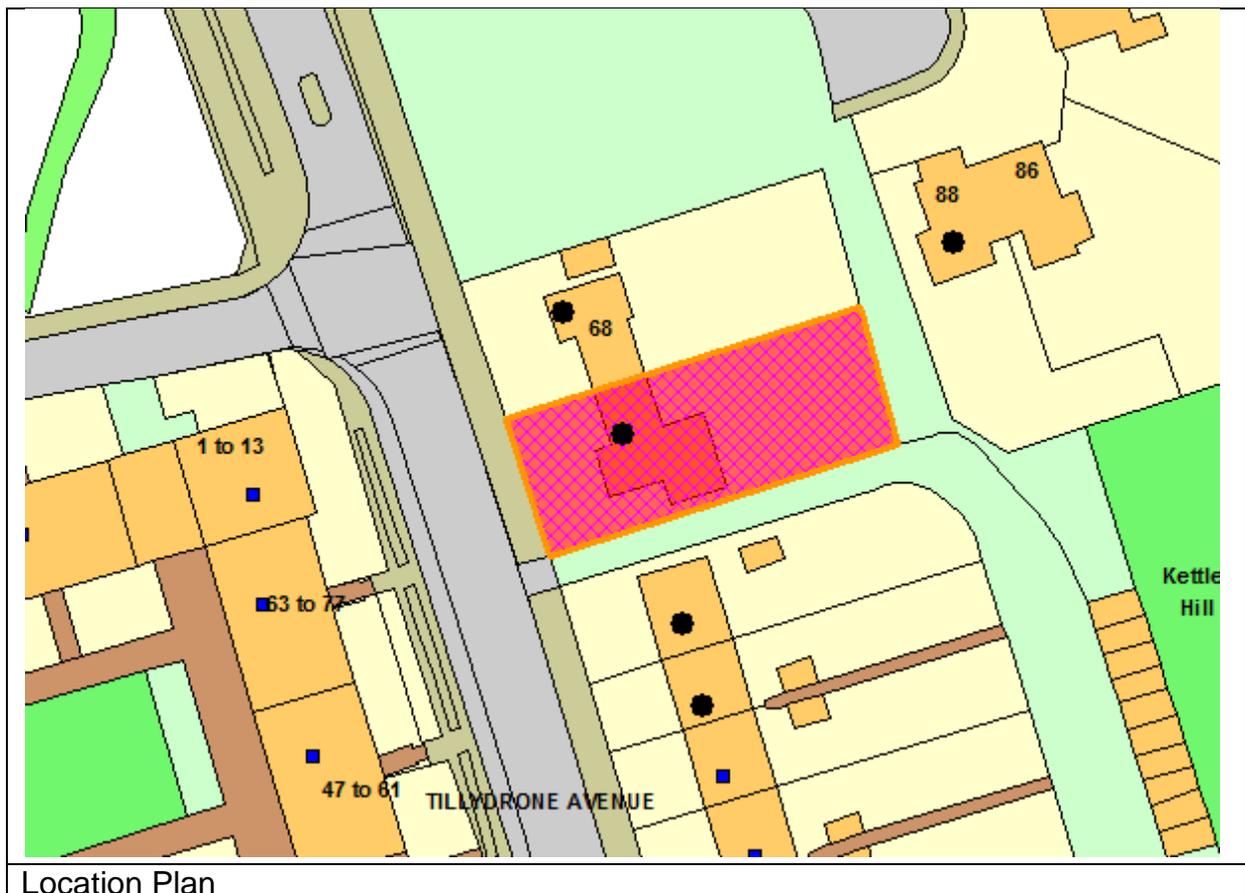
Should you require any further information about this agenda, please contact Mark Masson on 01224 522989 or email mmasson@aberdeencity.gov.uk

Planning Development Management Committee Detailed Planning Permission

161003/DPP: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis), replacement roof, replacement windows to rear extension, reduction of window and blocking up of door to rear extension at 66 Tillydrone Avenue, Aberdeen, AB24 2TN,

For: LOJJ (Scotland) Ltd

Application Date:	25 July 2016
Officer:	Karla Mann
Ward:	Tillydrone/Seaton/Old Aberdeen
Community Council:	Old Aberdeen
Advertisement:	Development affecting a Listed Building or Conservation Area (S60/S65)
Advertised Date:	17.08.2016 – 07.09.2016



Location Plan

RECOMMENDATION: Approve Conditionally

SITE DESCRIPTION

The site is a semi-detached 2 storey dwelling, dating from the 1920s, with existing single storey rear and side extension. The property has cream coloured harled walls and a slated hipped roof. The front elevation has a hipped gabled projection with ground floor bay window. The existing front garden is informally covered in gravel chips and used as a parking area. An access lane, leading to a garage court runs along the south boundary, and a gate provides pedestrian access from this lane to the rear garden.

The property is located within an identified residential area along Tillydrone Avenue and falls within the Old Aberdeen Conservation Area. Surrounding properties include: a row of terraced granite built two storey dwellings, constructed in the 1950s by the University, immediately to the south; four storey flats opposite; and large two storey detached dwellings to the north and east.

The property is within walking distance to the University of Aberdeen, and Tillydrone Avenue (the route to the Third Don Crossing) sees various bus stops nearby.

It is currently a residential dwelling that was previously used as a House of Multiple Occupation (HMO) with five bedrooms.

RELEVANT HISTORY

Application Number	Proposal	Decision Date
150402	Removal of single storey extension and chimney stack, erection of 2 storey side and rear extension and change of use from dwelling (class 9) to HMO (Sui Generis)	25.06.2016 Status: Refused
950767	House extension and alterations (including replacement windows)	12.06.1995 Status: Approved

DESCRIPTION OF PROPOSAL

Detailed Planning Permission is sought to change the use of the current 5 bedroom residential dwelling to a 6 Bedroom HMO and to replace the roof of the rear extension.

The internal layout of the property would be restructured to allow for an additional bedroom (totalling 6) and would include blocking a door on the north elevation of the extension and reducing the size of a window on the east elevation of the extension. These windows would be replaced with white PVCu, tilt and turn windows which will match in design to current PVCu windows to the rear.

Originally the rear extension roof was to be replaced with a lead look single ply membrane finish; however this has been amended to be replaced with blue/grey natural slate to match existing.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because the Old Aberdeen Community Council has objected to the proposals for change of use and replacement roof. The application also received 7 additional objections. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Consultee	Date of Comments	Comments Made
ACC - Roads Development Management Team	8 August 2016	<p>No Objection – Comments:</p> <p>ACC's supplementary guidance on the parking requirement for a 5 bedroom HMO in this area of the city is 0.5 spaces per bedroom i.e. 2.5 parking spaces would be required by ACC. One extra bedroom (6 bedrooms) would require 3 parking spaces by this calculation. Given the existing use and proposed use is a change which does not alter the parking requirement Roads officers do not foresee issues caused by an additional bedroom at the property.</p> <p>The HMO is located within a short walking distance of Aberdeen University and it is likely the HMO would be available to students attending the university. Public transport is also available on Tillydrone Avenue to a number of locations in Aberdeen. This high level of public transport accessibility (within a 400m walk) is acceptable to ACC. There are options available not to wholly rely upon private car use.</p>
Community Council	07 September 2016	<p>Objection</p> <p>The Old Aberdeen Community Council object to the application on the following grounds:</p>

1. Inadequate Parking:

The previous application 150402 to increase property to 9 no. bedrooms was refused due to insufficient parking and the need to enable a car to turn around on site. The proposal for 6 bedrooms would require 3 parking spaces and thus the existing parking provision is not enough to enable 3 spaces plus a turnaround area.

It was noted that there is no provision for covered parking bicycle parking, also an issue raised within previous application.

2. Inappropriate roofing material:

The proposed roofing material of 'lead look single ply roof membrane finish' would be unsympathetic to the property and the conservation area, especially as these are publically visible.

3. Excessive density of accommodation:

The creation of 6 bedrooms allows the possibility of considerably more than 6 tenants to be residing within the property. This could have an adverse impact on the residential amenity of the area, mainly due to increase level of noise and movement. Previous application 150402 was rejected on this basis.

4. Fire Safety

The back door of this property has been closed off, thus there is only one egress for all 6 bedrooms at the front door. This configuration could cause potential fire safety concerns.

REPRESENTATIONS

8 letters of objection have been received. The matters raised can be summarised as follows:-

- Increase in noise disturbance due to the increase in the number of bedrooms impacting on the character of surrounding area and wildlife

- Insufficient car parking to serve the residents and visitors to the property, resulting in displacement of existing car spaces for local residents;
- Detrimental to public safety by not allowing access and egress in forward gear onto busy main road;
- Increase of traffic which poses risk to children playing in the 'green' and area of garages behind numbers 54-64;
- Road safety issues from pedestrian use of the side road access lane;
- Intensive occupancy by virtue of HMO would be detrimental to the surrounding residential amenity;
- Balance might change from a community characterised by families to an area dominated by students;
- The removal of rear door would cause safety issues for occupiers and increase movement along the side lane for access to rear garage;
- The removal of rear door would fail to provide residential amenity for occupants;
- The proposal would set a precedent for similar applications, resulting in altering the composition of the community, with a significant increase in the number of students;

One objection was received which related to an extension and the introduction of 7 bedrooms, however this does not relate to this application and these issues are therefore not considered within the evaluation.

PLANNING POLICY

National Planning Policy and Guidance

Scottish Planning Policy

Historic Environment Scotland Policy Statement (HESPS)

Adopted Aberdeen Local Development Plan

Policy T2 – Managing the Transport Impacts of Development

Policy D1 – Architecture and Placemaking

Policy D5 – Built Heritage

Policy H1 – Residential Area

Proposed Aberdeen Local Development Plan

Policy T2 – Managing the Transport Impacts of Development

Policy D1 – Quality Placemaking by Design

Policy D4 – Historic Environment

Policy H1 – Residential Area

OTHER MATERIAL CONSIDERATIONS

Scottish Planning Series – Planning Circular 2/2012 (Houses in Multiple Occupation: Guidance on Planning Control and Licensing)

Supplementary Guidance

Householder Development Guide

Transport and Accessibility

Conservation Area Appraisal

Old Aberdeen Conservation Area Appraisal

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 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

Principle of the proposed change of use

The application site is situated in a residential area and thus any development is required to comply with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan. The relevant sections of Policy H1 states that proposals for residential development in residential areas will be approved in principle if it:

- Does not constitute over development; and
- Does not have an unacceptable impact on the character or amenity of the surrounding area;

The Council also has supplementary guidance relating to proposals for a change of use of a dwellinghouse to a House in Multiple Occupancy (HMO). This is contained within the Householder Development Guide. The relevant supplementary guidance states that the three main considerations in applications for change of use to an HMO are likely to be:

- Impact on pedestrian or road traffic safety;
- Impact on residential amenity (both for occupants of the property and those living in the surrounding area); and
- Whether or not there is an excessive concentration of HMO's in a given locality, cumulatively resulting in a material change in the character of that area.

In this case, the existing residential dwelling, which has previously been in use as a 5 bedroom HMO, would have its internal layout changed to accommodate one additional bedroom. It is considered that the addition of one extra room to a property would not constitute as overdevelopment or a material intensification of the use. However, issues of amenity, both for occupants of the HMO and neighbouring properties, need careful assessment. Additionally, the impact of the proposal on the character and appearance of the Old Aberdeen Conservation Area are considered in detail below.

Impact on the character and appearance of the surrounding area, including the Old Aberdeen Conservation Area:

The material originally proposed for the replacement roof to the extension has been changed during the application process at the request of officers. The originally proposed ply membrane material has been changed to a blue/grey natural slate to match the existing roof. To accommodate the slate the pitch of the roof has been

increased. This increases the proposed height of the extension from the existing height of 1.8m to a new height of c. 2.2m. The new design of the roof also changes the roof from a relatively flat roof to a single pitch, which is similar to the pitch of the roof of the original property. These proposed changes are felt to be in keeping and sensitive to the conservation area.

The proposed rainwater goods would be black UPVC with lead flashings; these are similar to what are on the current extension. The positioning of the rainwater pipe on the public west elevation has been considerate and placed in the corner of the extension and original building. These rainwater goods are common on relatively new extensions and it is not felt that it would be out of character within the conservation area.

It is therefore considered that, due to the agreed amendments, the proposal's design complies with Policy D1 and B4 of the Local Development Plan, and is unlikely to have an adverse effect on the character of the surrounding area or the Old Aberdeen Conservation Area.

Impact on the residential amenities of occupants and neighbouring properties

A significant issue in relation to this application is its impact on the residential amenities of neighbouring properties. The building has previously been in use as an HMO with five bedrooms, which does not require planning permission. However, under the current proposal, the number of bedrooms would be increased to 6, thus triggering the requirement for planning permission.

Issues were raised in relation to the number of bedrooms proposed in this change of use. As there are 6 double bedrooms proposed, it was highlighted that there is the potential to accommodate up to 12 people. Although this may be the case, this would be controlled at the HMO licensing stage and at planning stage we can only consider the number of bedrooms and not number of potential occupants.

Although not in the same use class - in planning terms - as a dwellinghouse, the use of a property as an HMO still fundamentally constitutes a residential use, albeit of an increased intensity compared to a standard single-family occupied dwelling. As a result of the intensified residential use of a property created by its conversion to an HMO, it is appreciated that there is likely to be some level of impact on the amenity of the surrounding area in terms of increased comings and goings to the property, both in terms of occupants and visitors, and an increased potential for the generation of noise. However, the property in question is located adjacent to a busy main road. As such it is likely that any noise generated by comings and goings is likely to be relatively insignificant compared to the noise generated from traffic using the road.

Due to its proximity to the University of Aberdeen, concerns were raised about student tenants and problems which they can often bring with regards to noise and disturbances. Although it is plausible that the student rental market may be targeted, this may not be the case and therefore should not be presumed. Even so, a number of issues were raised regarding the issues associated with student rentals.

Concerns were raised regarding possible noise generation from outdoor garden parties, again often associated with student accommodation. As with any property,

residential or HMO, there would always be the potential to experience outside parties, potentially to the nuisance of neighbours. However, it is felt that it is unlikely that noise of this nature would be generated on a regular basis and is just as likely to be created from a residential property with 6 bedrooms as with HMO's. In addition to this, one objection mentioned that there was the potential to use the roof as an outdoor seating area; however with the redesign of the roof, changing it from somewhat flat to a fully pitched roof, it is unlikely this would be possible.

It was also noted in the objections that if this application was to be approved this had the potential to set a precedent for approving similar applications within the area and thus altering the balance of residents towards students and changing the character of the area. It should be noted that each planning application is decided on its own merits and is considered against the Local Development Plan and Supplementary Guidance (Householder Development Guide), within which it requires consideration of "excessive concentration of HMOs in a given locality, cumulatively resulting in a material change in the character of that area." However, through planning research and consultation with the HMO Licencing department it has been identified that there is one HMO Licence in vicinity of the site, at 70 Tillydrone Avenue, however as this will be 5 bedrooms or less it did not require planning permission and is considered to be a residential dwellinghouse in planning terms. It is therefore not considered that approval of this application would result in a change of character to the area as it would still be dominated by family housing/dwellinghouses.

With regards to the removal, and blocking up, of the rear door to accommodate the 6th bedroom, concerns were raised over the potential of increased external movement to access the back garden, rear lane and garages, thus causing nuisance to other residential properties and possible pedestrian safety. It is likely that tenants would be able to access the rear garden by means of a side access within their own property located between the south of the side extension and boundary fence. During a site visit, the planning case officer was able to walk along this side access. It is therefore felt that this is unlikely to cause any significant impact on neighbouring properties.

The blocking of the rear door also raised health and safety concerns in terms of fire access, however it has been confirmed that the windows on the east elevation will be designed, to incorporate a tilt and turn design to allow fire escape in line with building standards. It should also be noted that fire access and safety lies with Building Standards Officers and not with the planning authority.

It is therefore considered that the creation of a 6 bedroom HMO would be unlikely to conflict with the enjoyment of the existing residential amenity of neighbouring properties, nor change the character of the property and would not be contrary to policy H1 of the Aberdeen Local Development Plan and the Householder Development Guide.

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

With regards to parking on the property, Aberdeen City Council's Roads Management Team was consulted on the proposed use and was found to have no objections. It was clarified that following Supplementary Guidance on Transport and

Accessibility the creation of a 6 bedroom HMO would require 3 parking space, which is an increase of 0.5 spaces from the existing 5 bedroom HMO. Due to only the slight increase in parking need, according to the parking standards, it is considered that no additional on-site parking is required in this instance. It is also noted that public transport is highly accessible within the area (within 400m walk) and, where students to reside in the property, it is only a short distance walk from the University of Aberdeen. Again due to this, it is felt that the pressures of relying upon private car usage would be relieved and would support the acceptability of the proposal.

With regards to the need for a turnaround area within the front parking area of the property, as there would be no additional on-site parking required, as mentioned above and thus no additional traffic entering or leaving the site, the current parking arrangements would remain. Whilst acknowledging that the road is now busier as a result of the opening of the Third Don Crossing, roads officers have not raised an objection to the parking arrangements. The proposal is unlikely to cause any significant detrimental impact on public safety.

In light of consultations with the Roads Management Team it is considered that there is unlikely to be any significant impact on public highways, parking or pedestrian safety and thus the proposal is considered to comply with Policy T2 of the Aberdeen Local Development Plan and Supplementary Guidance within Transport and Accessibility.

Waste storage

A condition has been added with regard to the bin storage requirements and contact details have been provided as an informative, in order that sufficient bin storage facilities can be provided.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015 and the Reporter has now reported back. The proposed plan 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 comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The Reporters response does not affect policies in a manner that is relevant to this application. In relation to this particular application proposal policies in the Proposed LDP are not materially different from those in the adopted LDP.

Approval to adopt the LDP will be sought at Full Council meeting of 14th December. The actual adoption date is likely to be around the third week in January.

In relation to this particular application, Policies D1 *Architecture and Placemaking*, D4 *Historic Environment*, H1 *Residential Areas* and T2 *Managing the Transport Impacts of Development* substantively reiterates the guidance given from the policy

in the adopted Local Development Plan and the proposal is therefore acceptable in terms of both plans for the reasons previously given

RECOMMENDATION: Approve Conditionally

REASONS FOR RECOMMENDATION

The use of the premises as a House of Multiple Occupation (HMO) is not considered to result in any undue impact on the character and amenity of the property, or on the surrounding area. The proposed alterations to the roof, rear door and windows are felt to be considerate and would not cause any detrimental impact to the character of the conservation area and thus comply with policy D5 of the Aberdeen Local Development Plan (ALDP). The proposal would have no adverse impact on pedestrian or road safety, and it is considered that the proposed change of use would not result in an overprovision of HMO's, nor a material change in the character of the surrounding area. The proposals are therefore considered to accord with Policy H1 (Residential Development) of the ALDP, and the relevant content pertaining to HMOs in the Council's adopted Householder Development Guide. It is considered that the change of use would not result in a significant increase in traffic generated by occupants of the property and the proposals therefore comply with the aims of Policy T2 (Managing the Transport Impact of Development) of the ALDP. The proposed change of use and alterations are also considered to comply with the relevant corresponding policies of the Proposed Aberdeen Local Development Plan.

CONDITIONS

It is recommended that the application be approved subject to the following conditions:

- (1) A scheme for the storage of waste generated by the occupants of the HMO shall be submitted to and approved in writing by the planning authority within 2 months of the issue of the decision for the application. Thereafter the development shall be carried out in accordance with the details so agreed and the HMO shall not be occupied unless waste storage provision has been provided and is available for use – In order to preserve the existing amenity of the area.

INFORMATIVES

Waste Services Comments

The 6 residents will require the following facilities:

- An **additional 240l** wheeled general waste bin
- An **additional 240l** wheeled food waste/ food waste bin. In addition another kitchen caddy will be supplied for food waste
- **An additional black box and white bag for recycling** (Paper/Cardboard, Plastic Bottles, Tins, Cans and Glass jars and bottles). Please note that

the black box and white bag will be swapped for **1 x 240litre recycling** wheeled bin from 2017.

Please note that levels of provision may alter in line with changing service requirements across the city that corresponds to alterations in legislation. For example, recycling systems may be altered to accommodate co-mingled collections in due course.

It is pertinent to note that these services will be provided taking account of the following:

General points

- All the wheeled bins and black boxes/white bags must be presented at the kerbside of **only** on the collection day and removed from the kerbside as soon as possible. No containers should be permanently stored on the kerbside.
- **No excess** should be stored out with the containment provided. Information for extra waste uplift is available to residents at either www.aberdeencity.gov.uk/wasteaware or by phoning 08456 08 09 19.
- A path should be provided to the vehicle collection point which is level with bin stores. Pathways to the collection vehicles should be free of obstacles with provision of a slope should there be any gradient; so that any containment can be easily moved to the kerbside on collection days. Pathways should be suitably paved to allow bins to be moved safely.

In respect of any construction site signage it is important to note that in the interests of public safety, it is illegal to advertise on public highways, street furniture and lampposts. Any signage installed to direct visitors to the development requires to be authorised by the Planning Department. Anything installed out-with such approval could be classed as fly-posting and will incur action by Environment Officers.

Developers must contact Aberdeen City Council using the above details a minimum of two months before properties will be occupied. Bins MUST be on site prior to residents moving into properties. A purchase order can be raised with Aberdeen City Council using the above details. We will provide guidance in purchasing the bins.

It might be pertinent nearer the final stages of completion for a representative from Aberdeen City Council's waste team to assess the site to ensure that all of our considerations have been implemented. This will be undertaken by the Recycling Officer for that area. I ask that you contact us with a suitable date and time in the future.

Development Management
Planning and Sustainable Development
Aberdeen City Council
Business Hub 4, Marischal College
Broad Street
Aberdeen, AB10 1AB
HMOUnit@aberdeencity.gov.uk

107 High Street
Old Aberdeen
AB24 3EN

7th September, 2016

Dear Ms Mann

Planning application 161003 - 66 Tillydrone Ave; Change of use to 6 bedroom HMO

The Old Aberdeen Community Council wish to OBJECT to this planning application for the following reasons:

- Inadequate parking
- Inappropriate roofing material
- Excessive density of accommodation adjacent to family housing

We would also like to make the Committee aware that the Applicant appears to hold Council's due process in some contempt as they have been progressing steadily with the alterations requested in this planning application. Planning was made aware of significant ongoing alteration works at this property on 22 August, but work has continued unabated and the internal work (room division, plumbing, cabling) appears to be now complete, with just the work required to rebuild the roof yet to be started.

Inadequate parking

We note that the Roads Department have responded to this planning application with the comment 'No observation'. We consider this response to be inadequate as it fails to evaluate the situation on the ground and must therefore make the following observation:

Planning application 150402 for this property sought to increase the property to 9 beds. The Roads officer rejected the application as he considered the available parking as insufficient, particularly with reference to the location alongside a busy road and considered it essential that any parking facilities should enable a car to turn around on-site so as to ensure a driver did not attempt to reverse onto what was going to be a busy road, once the bridge was completed. It should be noted that the inadequate parking was the basis of the second reason identified within the Committee's decision notice for rejection of the application.

Although the bedroom numbers are now reduced to 6, this would still indicate a desirability to offer 3 parking spaces (ref. Supplementary Guidance Transport and Accessibility, March 2012), yet the current layout is only sufficient to provide one space with turning room.

It is also noted that there is no provision for covered bicycle parking - an issue raised by the Roads officer for the earlier application.

Inappropriate roofing material

The kitchen roof extension, currently comprises a slate pitched roof visible from the road, plus a further flat roof on the east side of the property, invisible from the road. – See photo below:



The application proposes to replace these two roof areas with a single pitched roof. Our only objection to this is that the application proposes that the roof; “be clad with lead look single ply roof membrane finish”. This may be an economical, modern material, but it is wholly unsympathetic to the property in question which is located within the Old Aberdeen Conservation Area.

As the west and south elevations of this roof are clearly visible from the public road, we consider that slate roofing should be retained, to match the existing roofing material on this property and all the others in the neighbourhood;- in compliance with the requirements to preserve and enhance the appearance of a property within a conservation area.

Excessive density of accommodation

The previous planning application 150402 was rejected on the basis of "adverse impact on the residential amenity of the area, mainly due to increased level of noise and movements". While this application, compared to the previous, has reduced the number of rooms to 6 (from 9), they are all double bedrooms thus considerably more than 6 tenants could be living here. We therefore contend that the negative impact, identified within the Committee's decision notice for rejection of the earlier application, still stands.

Yours sincerely

Dewi Morgan
Planning Officer and Webadmin
Old Aberdeen Community Council

88 Tillydrone Avenue
ABERDEEN
AB24 2TN

11 October 2016

Ms Karla Mann
Planning Department
Aberdeen City Council
Marischal College
Broad Street
ABERDEEN

Dear Ms Mann

Application Ref: 161003/DPP
66 Tillydrone Avenue, Aberdeen, AB24 2TN

We wish to object to the proposed HMO at 66 Tillydrone Avenue on the grounds of restricted parking around the above address as it is congested enough already with parking restrictions in and around the area. Also as it is in a conservation area and in a family orientated community this proposal will affect the area in general with possible noise.

We hope you will give this matter serious consideration as it is causing much concern among the residents concerned.

Yours faithfully

ALAN G WISEMAN
ELIZABETH M WISEMAN



This page is intentionally left blank

Comments for Planning Application 161003/DPP

Application Summary

Application Number: 161003/DPP

Address: 66 Tillydrone Avenue Aberdeen AB24 2TN

Proposal: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis) and replacement roof

Case Officer: Karla Mann

Customer Details

Name: Dr Helen Lynch

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The main concern would be the number of vehicles that would be associated with this property if 6 or more students were to live there, which would have implications for parking and for safety. This is a residential area with a lot of young children playing in the communal areas on the 'green' and by the garages behind the terrace 54-64. With the removal of parking space in front of the houses on the main road, parking is already tight for residents at the back, and there is already a lot of illegal parking on the pavement, making the exit very dangerous. Based on past experience, 6 students would bring with them 2 or 3 cars, and not necessarily be aware of the playing habits of children (or elderly cats) when driving them. It also looks from the plans as if the replacement roof and the pvc drainpipes will not be in keeping with the requirements of the conservation area. Having students living there is not the problem - this has been a property occupied by students in the past, and they've always been great neighbours. The change to an HMO, rather than a 5-bedroom dwelling that happens to be occupied by students, is the issue.

This page is intentionally left blank

Comments for Planning Application 161003/DPP

Application Summary

Application Number: 161003/DPP

Address: 66 Tillydrone Avenue Aberdeen AB24 2TN

Proposal: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis) and replacement roof

Case Officer: Karla Mann

Customer Details

Name: Dr Rodolfo Hernández

Address: 60 Tillydrone Avenue, Aberdeen AB24 2TN

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have just seen a new drawing have been submitted earlier today stating that the materials for the new roof will match existing ones.

In addition to my previous email, I have strong concerns about tenants not having direct access to the rear of the property. This would probably rise the number of people moving alongside the access to the back of the Tillydrone houses and access to the garages. I hope this can be revised.

Thank you,
Rodolfo Hernández

This page is intentionally left blank

Comments for Planning Application 161003/DPP

Application Summary

Application Number: 161003/DPP

Address: 66 Tillydrone Avenue Aberdeen AB24 2TN

Proposal: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis) and replacement roof

Case Officer: Karla Mann

Customer Details

Name: Dr Rodolfo Hernández

Address: 60 Tillydrone Avenue, Aberdeen AB24 2TN

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I write to you in reference to the planning permission for the house in 66 Tillydrone Avenue. There are a number of concerns about this application that I believe should be dealt with before the application can be approved.

The group of houses at Tillydrone Avenue has been a nice community for a long time. Last year I found myself talking with an old couple that came back to Aberdeen to receive a recognition from the University. They mentioned they lived in one of the Tillydrone houses between 1960s and 1990s and remembered the nice community environment their kids grew in. We would really like to maintain this community and family friendly environment. I believe the change from dwelling (Class 9) to six bedroom HMO (Sui Generis) will heavily affect the family and community environment of the Tillydrone houses. It takes a long time (years) to build up a community but a few wrong actions to destroy it.

The extension in the occupancy from 5 bedroom to six double bedrooms will rise the number of people living in the house as well as visitors. The plans (as well as the work that has already started in the site) show double bedrooms and therefore the number of people in the house could be up to 12! How can we be guaranteed this will not be the case?

On the building plans, it is not clear what material will be used to replace the existing roof. The roof should be replaced using similar materials to those originally used (slate roof and not any other material). This is a conservation area and the original character of the house should be preserved

It seems the new bedrooms layout in the ground floor blocks a direct way out from the kitchen area to the rear garden. This must surely have a negative effects on health and safety in particular

with more people living at or visiting the site.

The bushes as well as a tree at the rear and side of the garden have been cut. Presumably this is to gain access and be able to conduct the desired work. It should be noted that there is no plan to set any car parking space on site in addition to the places already there (at front of the property). This should be acknowledged and respected as a higher number of cars in the area would be unbearable.

For all this issues, I am afraid I cannot support this application.

Thank you very much.

Kind Regards,

Rodolfo Hernández

Comments for Planning Application 161003/DPP

Application Summary

Application Number: 161003/DPP

Address: 66 Tillydrone Avenue Aberdeen AB24 2TN

Proposal: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis) and replacement roof

Case Officer: Karla Mann

Customer Details

Name: Dr Rodolfo Hernández

Address: 60 Tillydrone Avenue, Aberdeen AB24 2TN

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have just seen a new drawing have been submitted earlier today stating that the materials for the new roof will match existing ones.

In addition to my previous email, I have strong concerns about tenants not having direct access to the rear of the property. This would probably rise the number of people moving alongside the access to the back of the Tillydrone houses and access to the garages. I hope this can be revised.

Thank you,

Rodolfo Hernández

This page is intentionally left blank

Comments for Planning Application 161003/DPP

Application Summary

Application Number: 161003/DPP

Address: 66 Tillydrone Avenue Aberdeen AB24 2TN

Proposal: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis) and replacement roof

Case Officer: Karla Mann

Customer Details

Name: Dr Tim Smith

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. It would change the character of this quiet residential area. The 18 houses within this conservation area are currently all family homes with the exception of 2 small commercial lets.

2. All the residents have been tolerant of the disturbance caused by one of these commercial lets occupied by university students. We are obviously very concerned that there is potential for increased noise causing a public nuisance to our neighbourhood.

3. There is already a shortage of parking due to the alterations to the road for the 3rd Don Crossing and it is more than likely that the parking problem will be exacerbated.

4. If this planning application is approved there is the danger that it will be setting a precedent and the Council would find it difficult to refuse similar applications in the future.

This page is intentionally left blank

Evgenia Tschritzi

From: Méadhbh and JB [REDACTED]
Sent: 06 September 2016 19:00
To: PI; Jean-Baptiste Gramain
Subject: Objection to planning application 161003/DPP

Dear Sir/Madam,

We are writing in objection to the proposed plans for 66 Tillydrone Avenue, planning application number 161003/DPP.

We live in 68 Tillydrone Avenue which is the house adjoining number 66 and so the proposed plans would affect us greatly.

We are aware that the plans are to extend the house so that it will contain 7 bedrooms.

We are currently living in a nice area with young families and a pleasant community spirit. This is likely to change if the balance of residents swings towards young students who change every year.

We are also concerned about the physical changes that such an extension would bring. Our two houses are semi-detached and very similar. They are old houses dating from the 1920's and are an integral part of the Old Aberdeen Conservation Area. As such, the extension planned would destroy the lovely symmetry of the houses, as well as be a clear overdevelopment of the site. If the house next door is extended then our house will also lose a lot of its charm, not only from an aesthetic point of view. We will also suffer from a loss of sunlight in our garden as a result of increasing the size of the property next door.

In agreement with the Old Aberdeen Heritage Society, we are writing to object to the application, for the following additional reasons:

1. The plan would involve removing the slates from the roof on the extension to the South side, and replacing them with an artificial "lead look single ply roof membrane finish". This would be completely out of character with the rest of the house, and unacceptable on a pitched roof on the front and side of a traditional house in a Conservation Area.
2. A 7 bedroomed HMO (that is, a house occupied by 7 unrelated adults) would clearly generate a lot of comings and goings, and especially late at night, with student parties, etc. All this would bring with it the associated noise disturbance. When there was a (smaller) HMO there in the past, there was a lot of disturbance from noisy parties, in the house throughout the year, and in the garden on summer nights, and that would affect us particularly, both as directly adjoining neighbours, and as parents of a 19 month old.
3. A house with 7 adults in it would also generate extra traffic and parking problems, and this is something which would directly affect everybody in the area.

We thank you for taking the time to consider our objections, and we hope that you will consider opposing the project.

Kind regards,

Comments for Planning Application 161003/DPP

Application Summary

Application Number: 161003/DPP

Address: 66 Tillydrone Avenue Aberdeen AB24 2TN

Proposal: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis) and replacement roof

Case Officer: Karla Mann

Customer Details

Name: Mr Zainuddin Adnan

Address: 54 Tillydrone Avenue, Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This property is within a quite family residential area. The conversion will increase the number of tenants and will affect the serenity of the surrounding.

Noise and parking outside this property are the major factor. Even now we find it difficult to manoeuvre from the side lane onto the main road when park vehicle outside the property blocking the view from oncoming vehicle.

Noise will drive and scare away the wild life especially deer which feed from the back woody area.

This page is intentionally left blank

Comments for Planning Application 161003/DPP

Application Summary

Application Number: 161003/DPP

Address: 66 Tillydrone Avenue Aberdeen AB24 2TN

Proposal: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis) and replacement roof

Case Officer: Karla Mann

Customer Details

Name: Mrs Kamariah Ismail

Address: 54 Tillydrone Avenue, Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object due to the noise it will create with multiple tenancy. It was distressing with the previous HMO especially with neighbours who have small children.

Tenants would sit on the roof top and make a lot of noise. There would be parking provision problems if potentially there are 6 tenants with 6 cars.

This is a residential area with a very nice community who has small children playing safely at the rear of the houses. The increase of cars would cause health and safety issues.

This page is intentionally left blank

Comments for Planning Application 161003/DPP

Application Summary

Application Number: 161003/DPP

Address: 66 Tillydrone Avenue Aberdeen AB24 2TN

Proposal: Change of use from 5 bedroom dwelling (Class 9) to six bedroom HMO (Sui Generis) and replacement roof

Case Officer: Karla Mann

Customer Details

Name: Ms Hannah Lynch

Address: Kittybrewster depot, 38 Powis Terrace, Aberdeen AB24 3rf

Comment Details

Commenter Type: Council Employee

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Residential Amenity

Comment: Waste Services response regarding application 161003: 66 Tillydrone Avenue

The 7 residents will require the following facilities:

- An additional 240l wheeled general waste bin
- An additional 240l wheeled food waste/ food waste bin. In addition another kitchen caddy, biobags and information will be supplied for food waste
- An additional black box and white bag for recycling (Paper/Cardboard, Plastic Bottles, Tins, Cans and Glass jars and bottles). Please note that the black box and white bag will be swapped for 1 x 240litre recycling wheeled bin from 2017.

It is pertinent to note that these services will be provided taking account of the following:

General points

- All the wheeled bins and black boxes/white bags must be presented at the kerbside of Tillydrone Avenue only on the collection day and removed from the kerbside as soon as possible. No containers should be permanently stored on the kerbside.
- No excess should be stored out with the containment provided. Information for extra waste uplift is available to residents at either www.aberdeencity.gov.uk/wasteaware or by phoning 08456 08 09 19.
- A path should be provided to the vehicle collection point which is level with bin stores. Pathways to the collection vehicles should be free of obstacles with provision of a slope should there be any gradient; so that any containment can be easily moved to the kerbside on collection days. Pathways should be suitably paved to allow bins to be moved safely.

Developers must contact Aberdeen City Council using the above details a minimum of two months before properties will be occupied. Bins MUST be on site prior to residents moving into properties.

It might be pertinent nearer the final stages of completion for a representative from Aberdeen City Council's waste team to assess the site to ensure that all of our considerations have been implemented. This will be undertaken by the Recycling Officer for that area.

Dear Ms Mann,

Further to the Old Aberdeen Community Council's submission on 7th September, we wish to add supplementary comments as follows;

It has been brought to our attention that the back door of this property has been closed off, thus there is only one egress for all 6 bedrooms – the front door.

We note that on the ground floor there are two double bedrooms to the rear of the property. Their only egress route is through:-

1. A communal hall
2. A communal kitchen
3. Communal living room
4. Central hall
5. The front door

We draw your attention to Scottish Government guidance document: "Practical fire safety guidance for small premises providing sleeping accommodation" dated July2010.

On page 35 we find the following:

"156. An inner room is a room where access to a circulation route can only be achieved by passing through another room (see fig 3). The following conditions should apply:

- An access room should not be of a higher fire risk than an inner room, particularly where the inner room is used as a bedroom. For example, it would be unsuitable for the access room to be a kitchen where the inner room is a bedroom".

Could you please bring this to the attention of the appropriate building control officers for their immediate consideration, as the room configuration in this application would seem to run completely counter to this guidance.

~~~~~

It has also been brought to our attention that the original, two part door (which matches its semi-detached other half) has been replaced with a single panel door.

While the original door is traditionally made, the replacement is a formed flat structure with a bit of moulding stuck to the surface. We can see no necessity for such a change, it was not part of the planning application and we ask that the original door should be reinstated.

Yours sincerely

Dewi Morgan

Planning Officer and Webadmin  
**Old Aberdeen Community Council**  
107 High St  
Old Aberdeen AB24 3EN

This page is intentionally left blank

Dear Ms Mann,

Further to the Old Aberdeen Community Council's submission on 7<sup>th</sup> September, we wish to add supplementary comments as follows;

It has been brought to our attention that the back door of this property has been closed off, thus there is only one egress for all 6 bedrooms – the front door.

We note that on the ground floor there are two double bedrooms to the rear of the property. Their only egress route is through:-

1. A communal hall
2. A communal kitchen
3. Communal living room
4. Central hall
5. The front door

We draw your attention to Scottish Government guidance document: "Practical fire safety guidance for small premises providing sleeping accommodation" dated July2010.

On page 35 we find the following:

"156. An inner room is a room where access to a circulation route can only be achieved by passing through another room (see fig 3). The following conditions should apply:

- An access room should not be of a higher fire risk than an inner room, particularly where the inner room is used as a bedroom. For example, it would be unsuitable for the access room to be a kitchen where the inner room is a bedroom".

Could you please bring this to the attention of the appropriate building control officers for their immediate consideration, as the room configuration in this application would seem to run completely counter to this guidance.

~~~~~

It has also been brought to our attention that the original, two part door (which matches its semi-detached other half) has been replaced with a single panel door.

While the original door is traditionally made, the replacement is a formed flat structure with a bit of moulding stuck to the surface. We can see no necessity for such a change, it was not part of the planning application and we ask that the original door should be reinstated.

Yours sincerely

Dewi Morgan

Planning Officer and Webadmin
Old Aberdeen Community Council
107 High St
Old Aberdeen AB24 3EN

This page is intentionally left blank



OLD ABERDEEN HERITAGE SOCIETY

11 Greenbrae Crescent
Denmore
Bridge of Don
Aberdeen
AB23 8LH

Planning Dept
Aberdeen City Council
Marischal College

11th Oct 2016

Dear Sirs,

66 Tillydrone Avenue, Old Aberdeen Conservation Area

Proposal for change of use from dwelling house to 6 bedroomed HMO,

for replacement roof, for blocking up of part of rear window and the entire rear door

The Society wishes to object strongly to this proposal on the following grounds, on which we shall expand later:-

- ① It would be detrimental to the residential amenity of neighbouring homes by virtue of the intensive occupancy and increased potential for noise disturbance commonly associated with HMOs, thus creating a clash of lifestyles with the existing neighbourhood.
- ② It would also have an unacceptable impact on the character of the surrounding area, which is almost exclusively a quiet one of family homes.
- ③ It would not provide adequate parking according to Council standards, and so would exacerbate the already serious parking problems in the area.
- ④ It would be prejudicial to public safety by not allowing adequate space for parked cars to enter and exit in forward gear, on to what is now an extremely busy road.
- ⑤ There is a real risk of creating a precedent for further HMOs in this area of family homes, much to its detriment.
- ⑥ There is already one HMO, only about 50 yards or so away, and to allow another would represent a change in the character of the area, away from one characterised by family homes.
- ⑦ It would present road safety issues in relation to greatly increased pedestrian use of access lane, for access to back garden, due to blocking up of rear door.
- ⑧ It would present a serious fire hazard for occupants.
- ⑨ It would fail to provide basic residential amenity for the occupants, by removing access to the back garden.

(1) Detrimental to Residential Amenity of Neighbouring Homes

The very nature of HMOs is that intensive occupancy of this kind does have **increased potential for noise disturbance**. Clearly 6 unrelated adults, each, perhaps with their own set of family, friends and visitors, will create a significant increase on the number of comings and goings, gatherings, and, indeed parties, some of which are likely to be late at night, and could attract considerable numbers of people. There have, indeed, been problems at this property in the past, when a slightly smaller HMO (before it reversed back to being a dwelling-house) caused nuisance for neighbours with noisy parties, particularly those held in the garden, which could be into the late evening or night. Clearly this caused problems for parents trying to get children to sleep, etc. It was a relief to local residents, therefore, when this house ceased to function as an HMO, and once more acquired the status of a dwelling-house only.

We wish to support local residents in their plea to the Council not to allow it to become an HMO again. There is a clear potential for a clash of lifestyles here, where the surrounding homes are (all but one) exclusively quiet family homes, many with young children. Clearly, the impact on the family in the adjoining house would be even greater.

In the view of the foregoing, we hold that this application to create a 6 bedroomed HMO **would be contrary to the following policies and guidance:-**

Policy H1 - Residential Areas

- because the proposal would be likely to have “an unacceptable impact on the amenity of the surrounding area.”
- because it would not comply with Supplementary Guidance on House Extensions (see below).

Householder Development Guide

- because (p.24) - “Multiple occupancy can intensify pressure on amenity.”
- because there is clear potential for a “significantly adverse impact upon residential amenity” (p.26). This is borne out by previous experience of the property as a smaller HMO, and by experience of the one HMO in the near vicinity.
- because there would be an over-concentration of HMOs in a small group of family homes, cumulatively resulting in a change in the character of that area (p.26).

(2) Unacceptable Impact on the Character of the Surrounding Area

The Old Aberdeen Conservation Character Appraisal makes special mention (p.28) of this group of family homes on Tillydrone Avenue; first the semi-detached and terraced pink and grey granite houses, “of a traditional design with Arts and Crafts influence” (“a small residential development” built by the University to house its staff), and then nos. 66 & 68, which date from 1924, and were built by Major Hay of Seaton Estate.

These granite houses which surround nos. 66 & 68 are mentioned again (p.74) in the SWOT analysis of this “Old Aberdeen Heart” Character area:- they are specifically commended as

“strengths” in terms of character of this part of the Conservation Area:- “the Arts and Crafts influenced Tillydrone Avenue residential properties”.

This is, then, quite clearly a residential area made up of a group of family homes of traditional design, with traditional gardens, and still occupied, almost exclusively, by families, mostly with children. This makes for a distinctive and cohesive community.

The current proposal, we hold, would undermine the settled, residential character of the area, by increasing the proportion of temporary residents in this distinctive community of family homes.

It would also undermine the quiet nature of this small community, in terms of the potential for noise disturbance of all kinds, as discussed earlier, due to the more intensive form of occupancy, by 6 unrelated adults, with all their separate visiting families, friends and visitors, which would be on a much greater scale than that generated by a single family.

With regard to the special cohesive community that characterises this group of Tillydrone houses at present, and the threat to that character from the introduction of a substantial HMO, we would refer to the Scottish Government’s Planning Circular 2/2012 (page 1), which cites among “the range of potential problems associated with high concentrations of HMOs” the problem which arises when there is “a high number of transient residents leading to less community cohesion.”

This in turn makes reference to two Government reports which demonstrate this. One by the Department for Communities and Local Government (a report on HMOs), and a Universities UK report, which express concern about this trend.

Lastly, we would refer again to the Council’s Old Aberdeen Character Appraisal, where it notes as a “Threat” to the character of the area (p.75):-

“Increasing density of HMOs” in this Character Area of Old Aberdeen.

No. 66, Tillydrone Avenue is one of a community of family houses, grouped around and beside a “village green”; these houses share the same character - that of settled family homes in a peaceful environment.

The current proposal for a 6 bedroomed HMO would have a significant and, we hold, unacceptable impact on this character.

It would therefore not comply with the requirements of Policy H1 of the LDP.

(3) Inadequate Parking provided

Council parking standards require 0.5 spaces for each bedroom, and therefore 3 spaces should be provided. The application proposes only 2.

This would exacerbate an already serious problem with inadequate parking provision in the area. It has to be said also, that it is the common experience of residents living in the vicinity of an HMO such as this, that students do, very often bring cars with them, regardless of

whether the landlord discourages, or even forbids this. We understand, also, that any clause in a lease forbidding tenants to bring cars, would be legally unenforceable.

The proposal would therefore, we hold be contrary to:

Policy T2 - which sets out parking standards which would require 3 parking spaces.

(4) Prejudicial to Public Safety

There would be inadequate space for cars to enter and exit in forward gear on to Tillydrone Avenue, now a main District Distributor road associated with the new 3rd Don Crossing. Certainly more than one car parked there could not do this, and we believe that it could be impossible even for one.

This would be contrary to Policy T2 also.

(5) Risk of Setting Precedent

There is a very real risk of a precedent being created for similar developments in areas which are almost exclusively made up only of family homes, and in such close proximity (this one being surrounded by family homes). If the planning authority were to grant permission for this development, we believe that it would make it difficult to refuse future applications, and so open the door for other property developers to buy up family homes, and apply to turn them in to similar HMOs, or even larger ones, to the detriment of settled residential communities such as this, where the balance of a settled residential community could be lost completely.

Concern about precedent is very much a valid reason for refusal, as has been evidenced in decisions by the Scottish Government Reporter in decisions on planning appeals. In particular, the need to avoid setting a precedent was part of the Reporter's reasoning in refusing a recent planning application at 17, University Road, Old Aberdeen (ref. P151150, DPEA ref. PPA-100-2073).

(6) Over-concentration of HMOs in vicinity

As explained, there is already one HMO at the edge of this group of family homes, and there have been problems with noise disturbance there, because of the intensification of use and a clash of lifestyles. Unfortunately, planning permission was not required in that instance, because it was just one bedroom short of the level at which it needed planning consent.

Two HMOs, then, in this small circle of homes would be very much an over-concentration, cumulatively resulting in a change to the character of the area.

This would be contrary to the guidance given in the Householder Development Guide (p.26) with regard to applications for change of use to HMO.

(7) **Road Safety issues relating to lane**

As a result of the complete blocking up of the only door to the back garden, the occupants of the proposed HMO would be unable to gain access to their own back garden from the house, but would be forced to go out the front door on the main pavement of Tillydrone Avenue, down the lane between Nos. 64 and 66, and round the corner to the back gate. (the only actual access to the back garden – the unauthorised removal of the mature hedge to the south, and removal of the fence for building contractors’ vans to gain access does not make that side of the garden an access point)

It should be noted at this point that No. 66 Tillydrone Avenue has been advertised for some time for rent on the Geraghty-Gibb website (though recently termed “not currently available”) as a property with an HMO licence, (which it does not yet have, and may not be granted), and, also that much is made of the claim that it has a “Private Garden al fresco Area”

Prospective occupants, who, given the proximity to Aberdeen University are most likely to be students, would surely take this to suggest that this garden would provide the opportunity to sit outside with friends, have gatherings, parties, barbecues etc. They would take on the rental in the expectation of this.

The reality, however, is that no direct access to the garden would be available, and that in order to use the garden for leisure or gatherings of any kind, the occupants and their visitors would have to make regular, and perhaps constant use of the private side lane.

Laying aside the legal question of whether the owners/occupants of No.66 have any legal right to use this lane as access (and this is questionable), it is quite clear that an increase in pedestrian use of what is essentially a vehicular access to garages for the occupants of Nos 54 to 64, would pose road safety issues.

Such road safety hazards would be especially acute on occasions when the occupants of the proposed HMO held parties/barbecues, etc, when large numbers of young people attending such an event at this property, as well as their hosts, would have to go up and down the lane with food/drink/other party essentials just to get from house to garden or vice versa; not to mention other basics such as access to washing or toilet facilities.

It has to be said, given residents’ experience of similar situations across Old Aberdeen, that these parties can, and do, in fact sometimes spill out on to adjoining lanes, and in this case this is all the more likely, given that people would be going to and fro there anyway, as a matter of necessity.

All the above factors, would, we hold, pose **a significant road safety issue**, with a **potential clash between vehicles and pedestrians on this narrow private lane**.

It is relevant here to take note of the City Council’s Supplementary Guidance on the Redevelopment of Residential Curtilages, which contains some clear planning objectives which are relevant in other similar situations.

We refer to Section 7.1 of that Guidance:-

“It will not normally be acceptable for pedestrian access to be shared with vehicles eg. where pedestrians have to walk on the carriageway of rear lanes or public roads to gain access to the development”

The blocking up of the rear door in the proposed development would bring about exactly such an unacceptable situation, contrary to this Guidance.

(8) **Fire Hazard for Occupants**

At this point it ought to be pointed out that this planning application is retrospective in nature, because the applicants have already, without permission, blocked off the back door to the house, and part of one of the back windows. They have already replaced the rear windows.

If this application were granted permission, there would be **no emergency exit** from the two bedrooms at the rear of the one-storey extension, in the event of a fire starting in the kitchen, as the only way to exit the house by a door would be through that kitchen, and the only other possible exit would be via the bedroom windows, but as these are not of a design for fire exit, there would be no escape route.

Policy D1 of the new Local Development Plan requires that all development proposals must be "safe and pleasant".

The Council's "Spatial Strategy" also requires that new development proves "an attractive and safe environment".

Clearly then, the current application fails to comply with the Council's planning policies, as well as the requirements of the Fire Service, and the HMO licencing regulations.

(9) **Residential Amenity of Occupants**

Removal of direct access to the back garden by blocking up of the only rear door, would, as described earlier, fail to provide a basic residential amenity for the occupants.

We refer to Policy D2 of the Local Development Plan, which states:-

"All residents shall have access to sitting out areas"

This refers to direct access, not access via a main road and lane not in their ownership, to their back garden. This proposal clearly fails to comply with this provision of **Policy D2**.

* * *

At this point, the Society would wish to express concern that not only has the aforementioned work at the rear of the house been carried out without the requisite planning permission, but also that mature hedges at the front, and all along the south boundary of this house and garden, and a mature tree at the south-west corner of the back garden, have been cut down without permission. As this is part of the Old Aberdeen Conservation Area, there should have been an application to the City Council for any such works.

The effect of these draconian measures has been to ruin the setting of both house and garden, and the character and appearance of the surrounding Conservation Area. The back garden is now completely open to the lane, with no hedge or fence, and has been turned into a parking area for contractors' vans and lorries.

The Society would ask that **the City Council require that the applicants reinstate the fence** the full length of the south boundary of the property, **and also re-plant as hedge similar to that which they have cut down**, such as beech or some other native species, to be advised by the Council's Tree Officer.

We also wish to draw attention to **the unauthorised replacement of the front door** of this house. We wish to object in the strongest terms to this illegal development, and **would request that the Planning Committee require an enforcement order** be served on the applicants to **reinstate the original double door** of this 1920s period house.

Further Material Considerations

To conclude, we should like to look at the planning history of the site which is, of course, a material consideration:-

Although the current proposal is for 3 fewer bedrooms than the one refused by the Council in June 2015 (ref. P150402), many of the points made, and the reasons for refusal still stand:-

- (1) We believe that there would still be "an intensification of use to an unacceptable level whereby there would be an adverse impact on the residential amenity of the area, mainly due to an increased level of noise and movements."
- (2) We hold that there would still be "inadequate provision of car parking spaces required for the size of the proposed development."

Further, the proposal "would not allow cars to enter and exit Tillydrone Avenue in forward gear as required due to the increased traffic levels."

* * * * *

For all the reasons discussed in this letter, we would urge the City Council to refuse this application.

Yours sincerely,



(Mrs). B. McPetrie
Planning Secretary

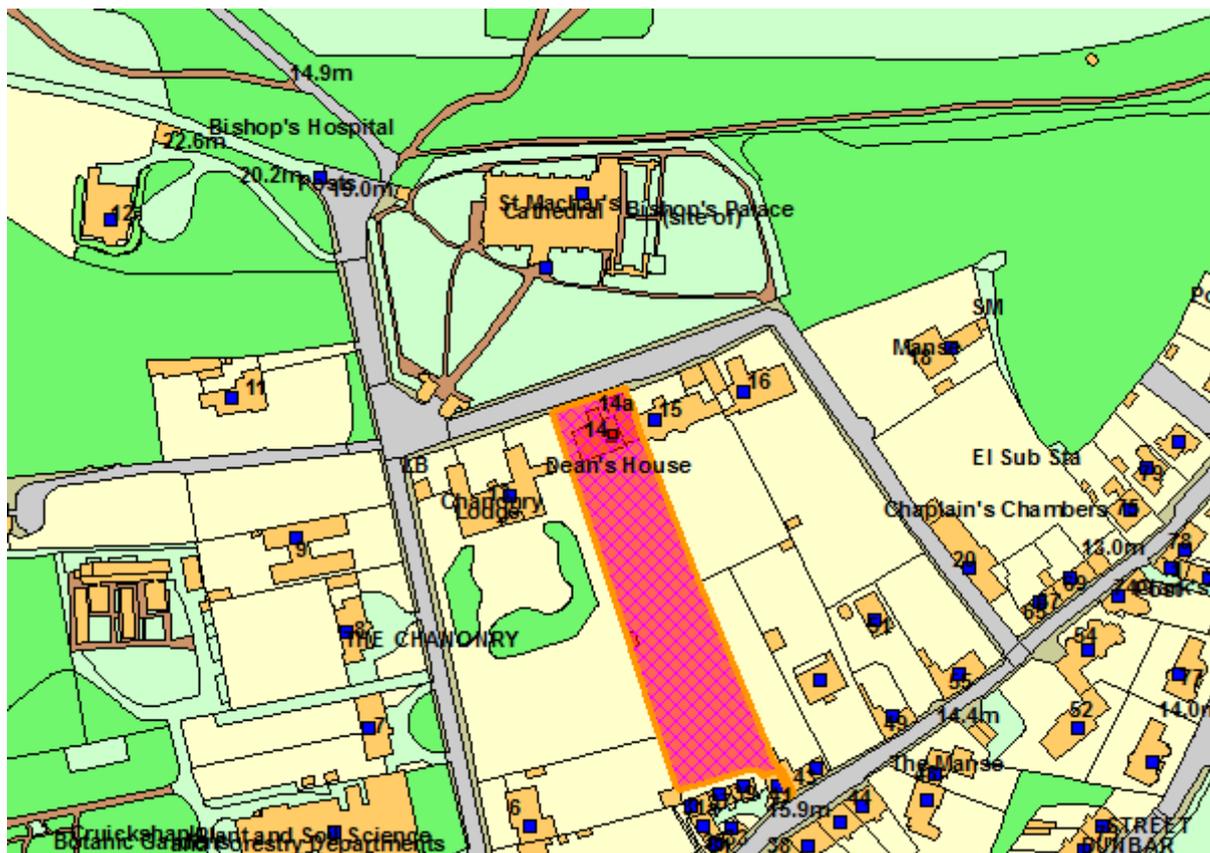
This page is intentionally left blank

Planning Development Management Committee Detailed Planning Permission

161152/DPP: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and Class 4 (offices) at 2nd floor at 14 The Chanonry, Aberdeen, AB24 1RP

For: The RC Diocese of Aberdeen

Application Date:	8 August 2016
Officer:	Alex Ferguson
Ward:	Tillydrone/Seaton/Old Aberdeen
Community Council:	Old Aberdeen
Advertisement:	N/A
Advertised Date:	N/A



Location Plan

RECOMMENDATION: Approve Conditionally

SITE DESCRIPTION

The property is a traditional 2½ storey detached granite and slate pitched-roof building situated on the southern side of the Chanonry, directly opposite St Machar's Cathedral to the north.

The original 18th Century section of the building (14 Chanonry) lies on an east/west axis and has a 19th Century addition (14A Chanonry) at its eastern end in the form of a 2½ storey front and side extension with gable-end facing north onto the street. Presumably previously in use as two separate dwellings, the two parts of the building have at some point been amalgamated into one large dwellinghouse, although both elements of the building are Category B-Listed in their own right.

The application site lies within the Old Aberdeen Conservation Area and the circa 3,800sqm plot incorporates a large rear garden area which extends over 100m to the south toward St Machar Drive. The surrounding area is predominantly residential in nature, bound to the east and west by large residential plots.

The property has a driveway accessed from the Chanonry in its north western corner. The driveway has space for 3 cars to be parked off-street, with 1 in front of the dwelling and 2 between the side of the building and the western boundary wall.

RELEVANT HISTORY

161151/LBC – This listed building consent application for the change of use associated with the current planning application was withdrawn by the applicant after it was confirmed that the proposed works would not involve any physical alterations to the fabric of the listed building – the change of use element does not require listed building consent.

DESCRIPTION OF PROPOSAL

The proposal is to convert four rooms on the third floor (in the roofspace) of the building to office rooms, as well as one room on the ground floor to a 'Parish Room', to be used in conjunction with the Diocese of Aberdeen. The Bishop of the Diocese would use the remainder of the building as his official residence.

The four rooms on the top floor would be used by 2 full-time staff, 2 part-time staff and 2 priests to carry out administrative tasks in support of the activities and functions of the Bishop and the Diocese. The Bishop is looking to relocate from his current residence at 3 Queen's Cross, where the staff are also currently based.

The Parish Room at ground floor level would host monthly talks for approximately 25 people and weekly Prayer groups, consisting of approximately 6-10 people.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

- Supporting Statement

REASON FOR REFERRAL TO COMMITTEE

The Old Aberdeen Community Council objected to the application unless certain criteria are applied – one of which (in relation to the provision of additional off-street car parking) is not proposed. Therefore, in accordance with the Council’s Scheme of Delegation, as the Community Council has objected, the application has been referred to the Committee for determination. Furthermore, 14 letters of objection to the application were received from members of the public, which would have required the application to be determined by the Committee regardless of the Community Council objection.

CONSULTATIONS

Consultee	Date of Comments	Comments Made
ACC - Roads Development Management Team	13 October 2016	<ul style="list-style-type: none"> • Based on part of the ground floor being used as class 10 space, 1 parking space is required. However, as the site is easy accessible via public transport (there is a bus stop across the road), and due to the site being within a CPZ this shortfall is acceptable. • Based on the first floor comprising of a 3 bedroom dwelling 2 parking spaces are required. However, due to the sites continued use as dwelling, additional space requirements cannot be added retrospectively, therefore the shortfall is acceptable. • Based on the estimated floor area of 170m² (measured using the scale on the floor plan drawing), 6 parking spaces are required to accommodate the second floor office. Again, due to the accessibility of the site, as well as the office staff likely working during the operational hours of the CPZ the shortfall is deemed acceptable. <p>No objection to the application.</p>
Old Aberdeen Community Council	12 September 2016	<p>OACC support the application provided that:</p> <ul style="list-style-type: none"> • Further car parking spaces would be provided within the grounds of the property; • The application is not used as a

precedent to allow future applications to convert additional floor area of No. 14 Chanonry to Class 4 use;

- The application is not used as a precedent to allow future applications for the conversion of any other Chanonry property to Class 4 use; and
- The application may not be used as a precedent for converting the interior of the listed building in a manner which would detract from its use as a domestic property.

The OACC object to the proposals if all of the above criteria are not applied to any recommendation to grant consent.

REPRESENTATIONS

16 letters of representation were received. 14 of the letters state objections to the application, while two are in support of the proposals, provided the change of use would only apply to certain parts of the building and not set a precedent for the wholesale change of residential dwellings on the Chanonry for business use in the future. The concerns raised in the letters of objection can be summarised as follows:

- Inadequate off-street car parking provision would result in an increase in on-street parking in an already area already suffering from on-street parking congestion, thus having have a detrimental impact on the character and amenity of the area;
- The proposed change of use would have a detrimental impact on the character and amenity of the residential area by way of introducing a non-residential use to the property (and would thus be contrary to Policy H1 of the ALDP);
- The area is zoned as wholly residential and non-residential uses are not permitted;
- The proposals would have a detrimental impact on the character of the Old Aberdeen Conservation Area;
- The approval of the proposed change of use would set an undesirable precedent for further applications to be approved on the street;
- The increased traffic pressure would be detrimental to road and pedestrian safety;
- The development would pose a threat to the preservation of the key characteristics of The Chanonry, as outlined in the City Council's Old Aberdeen Conservation Area Character Appraisal;
- The site notice erected outside the application property contained an incorrect description;

- Proposals for a part change of use elsewhere on the Chanonry have been refused planning permission in the past (7 Chanonry in 1987);
- The use of the property as a Bishop's residence would increase visitor numbers and events would occur at weekends and evenings.
- The proposals would be contrary to Policies D3 (Sustainable and Active Travel and T2 (Managing the Transport Impact of Development) as no measures such as encouraging the use of alternatives to car travel have been proposed;
- There is a title deed restriction for all properties on the Chanonry which prevents any property on the street being used for any purpose other than as a residential dwelling.

PLANNING POLICY

Scottish Planning Policy (SPP)

Historic Environment Scotland Policy Statement (HESPS)

Aberdeen Local Development Plan 2012 (ALDP)

- Policy H1 (Residential Areas)
- Policy D5 (Built Heritage)
- Policy D3 (Sustainable and Active Travel)
- Policy T2 (Managing the Transport Impact of Development)

Proposed Aberdeen Local Development Plan (PALDP)

- Policy H1 (Residential Areas)
- Policy D4 (Historic Environment)
- Policy T2 (Managing the Transport impact of Development)
- Policy T3 (Sustainable and Active Travel)

Old Aberdeen Conservation Area Character Appraisal

Supplementary Guidance – Transport and Accessibility

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 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.

Policy Context

The application site lies within a residential area, as zoned in the Adopted Aberdeen Local Development Plan (ALDP). Policy H1 (Residential Areas) of the Adopted ALDP states that:

Within existing residential areas, proposals for non-residential uses will be refused unless:

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

The site also lies within the Old Aberdeen Conservation Area and as such, any development in this area also requires to be assessed against Policy D5 (Built Heritage) of the ALDP. Policy D5 requires development within conservation areas to comply with Scottish Planning Policy and in doing so, such proposals must either preserve or enhance the character and appearance of the conservation area.

It is therefore considered that main factors in assessing the appropriateness of the proposed part change of use of the building for office (Class 4) and religious activities associated to a religious body (Class 10) is acceptable, are whether the proposed development would have a detrimental impact on the character or amenity of the residential area, or upon the character or appearance of the Old Aberdeen Conservation Area.

Impact on the character and amenity of the area

It is important to note that the proposed use of the rooms at the top floor of the building as office space would not constitute an office in a traditional sense as it would not form a separate planning unit from the remainder of the dwelling and would be used on a small scale, associated with the functions of the resident Bishop. It is considered that given the office space would be wholly contained within the existing unit and could only be accessed via the remainder of the house, the potential for this space to be used in future by a more intensified, traditional Class 4 office occupant, separate to the principal residential function of the building is minimal, as significant physical alterations would be required which would need listed building consent and planning permission. Whilst the conversion of a whole residential building to an office, or the creation of a self-contained, separate office unit within the curtilage of such a property would not likely be supported, it is considered in this instance that the circumstances of the office space and how it would be used would not have a detrimental impact on the character or amenity of the area.

The applicant has confirmed that there are two full-time staff likely to be using the office space, as well as two part-time staff and two priests, on occasion. Office use itself would not have a detrimental impact on the amenity of the area by way of noise emissions or other such disturbances to neighbouring properties, although it is acknowledged that an increase in the number of people visiting the property could have an impact on the residential character of the area. Whilst the low number of staff using the office space is not likely to have any significant impact in this regard, the change of use of one of the ground floor rooms to allow for gatherings incidental to the functions of the Bishop and the Diocese would increase visitor numbers to the property.

The applicant has confirmed in the supporting statement that they envisage social and evening functions taking place at the property, with the larger social functions taking place on an infrequent basis (approximately twice a year). These functions concern the wider use of the property than just the ground floor Parish Room

proposed and could be carried out by any resident in their own home without requiring planning consent. As such, it is not considered that these events are a material planning consideration in the determination of this application.

Smaller more frequent events are proposed however which would likely take place in the designated Parish Room. These would include monthly talks (average attendance of approximately 25) and weekly Prayer Groups (average attendance of 6-10 people). The increased number of visitors to the property would have some impact on the nature of the street. However, unlike a solely residential street where such visitor numbers may be immediately noticeable and therefore alter the character of the area, it is important to note the high frequency of footfall on the street from visitors to the adjacent St Machar Cathedral and Seaton Park. Regular visitors and passers-by form part of the character of the area and it is considered that the proposed office space and Parish Room would be of a sufficiently small scale and of a nature associated to the principal residential function to ensure that they would not have a significant detrimental impact on either the character or amenity of the area, in accordance with Policy H1 (Residential Areas) of the ALDP.

Impact on the character and appearance of the conservation area

This application seeks consent for the part change of use of sections of the building only and no external alterations to either the building or the wider property are proposed. Therefore, it is considered that the proposed development would preserve the appearance of the conservation area, in accordance with Scottish Planning Policy. It is, however, accepted that whilst not involving any physical alterations, the use of a building can contribute to the character of a conservation area, if not its appearance.

Aside from the office space, the proposed Parish Room at ground floor level would be used for a variety of functions in relation to the Bishop's activities, as mentioned previously. The size of the dwellings and associated plots of the majority of the properties on Chanonry are considerably larger than that of a typical dwellinghouse and as such, social gatherings would be easier to accommodate within such a plot without having significant detriment to the area. Furthermore, St Machar Cathedral is a major tourist attraction for Aberdeen and it sits directly opposite the application site, with the popular Seaton Park just beyond. The result is a street with a high footfall, frequented by visitors and passers-by on a daily basis, year round. Therefore, although the majority of the properties on the street are residential in nature, it is considered that the amount of floorspace within the building proposed to be used as office space and a parish room associated with the resident's work would be of a sufficiently small scale to ensure that the increased intensity of activity would not be significant enough to impact detrimentally upon, or alter the character of, the conservation area.

Subject to conditions, the proposed development is therefore considered to preserve both the character and appearance of the conservation area, in accordance with the general principles of Scottish Planning Policy and thus by default, Policy D5 (Built Heritage) of the Adopted Aberdeen Local Development Plan.

Impact on the character of the listed building

The proposed part-change of use does not involve any physical alterations to the fabric of the listed building and it is not considered that the proposals would have any detrimental impact on the special character of the listed building, nor upon its setting. Any future proposals to carry out physical works to the building would require listed building consent.

Conditions

In order to ensure that the office use of the top floor of the building remains associated to the resident occupying the building and therefore of a suitably small scale and intensity so as not to have a detrimental impact on the character and amenity of the area, it is considered appropriate to attach conditions which restrict the use of the office space to the rooms identified in the approved drawings and also to restrict the use of the office space to be ancillary to the functions of the applicant, the Roman Catholic Diocese of Aberdeen.

Whilst personalised conditions restricting the use of a building (or part thereof) are not normally used, it is considered necessary in this instance to attach such a condition as the specific details pertaining to the applicant's requirements ensure that the intensity of the use would be of an appropriate scale for this residential area. It is important that the planning authority retains a level of control over the use of the proposed office rooms in order that any future proposal by another party to intensify the office use would be assessed accordingly.

As no physical alterations are proposed either internally or externally, the top floor office space would only be accessed via the remainder of the dwelling and not via a separate access. This element is important in ensuring that the office space remains suitably associated to the functions of the resident. Whilst it may be usually be appropriate to add a condition which ensures that the office element remains within the same planning unit as the remainder of the dwelling, in this instance the application relates to a listed building and it would not be possible to separate the office space from the remainder of the dwelling without requiring further consent from the planning authority. Therefore, a suitable level of control is retained in this regard and it is not considered necessary to add a condition to this effect.

Parking and sustainable methods of transport

The property at present has 3 off-street car parking spaces and is eligible for 2 on-street parking permits. The area lies within a Controlled Parking Zone (CPZ) and there is pay-and-display on-street car parking provision opposite the building and elsewhere on the Chanonry, adjacent to Seaton Park. The Roads Development Management Team has evaluated the proposed mixed-use development and considers that given the close proximity of the site to public transport links and the site being located within a CPZ, the level of parking available to the property at present is appropriate for the proposed development.

Policy D3 (Sustainable and Active Travel) of the ALDP requires new development to be designed in order to minimise travel by private car and to encourage active travel, whilst Policy T2 (Managing the Transport Impact of Development) requires new developments to demonstrate that sufficient measures have been taken to minimise traffic generated. Whilst such measures have not been proposed as part of the application, a condition has been attached requiring a suitable cycle parking facility

to be agreed upon and put in place prior to the occupation of the rooms in question, in order to encourage cycling and to reduce the amount of car journeys made to the address.

The number and frequency of visitors to the property is unlikely to be particularly high, especially for the office element and it is considered that the proximity of St Machar Drive to the application site would encourage the use of public and sustainable transport, that the amount of parking spaces available to the property is adequate and that the proposals would not have a significant impact on the existing on-street parking situation.

Concerns raised by the Old Aberdeen Community Council

The OACC stated their support for the proposals on the basis that the four conditions be met as part of any approval. The conditions can be assessed as follows:

- Further car parking spaces should be provided within the grounds of the property
In accordance with the applicable ALDP policies and the Council's supplementary guidance, it was considered that the number of parking spaces available to the property (both on and off-street) is suitable for the proposed development. No additional off-street car parking spaces are proposed as part of this application and indeed, the formation of any additional spaces may have a detrimental impact on the character and appearance of the conservation area and the setting of the listed building. Additional spaces have therefore not been requested.
- The application is not used as a precedent to allow future applications to convert additional floor area of No. 14 Chanonry to Class 4 use
The proposed development is considered to be acceptable due to the small scale of the proposed floor space and operations. A condition has been attached to any consent which restricts the change of use element to the rooms shown on the approved drawings.
- The application is not used as a precedent to allow future applications for the conversion of any other Chanonry property to Class 4 use
It is considered that the circumstances in this application mean that the small scale office use, associated with the principal residential function of the building, wholly contained within the same planning unit at No. 14 Chanonry would be appropriate. Whilst every application is assessed on its own merits, it is considered that the conversion of a whole property on the Chanonry from residential to Class 4 office use would most likely not be appropriate and it is not considered that a precedent for such development would be set by the granting of consent in this instance.
- The application may not be used as a precedent for converting the interior of the listed building in a manner which would detract from its use as a domestic property
No physical alterations to either the interior or exterior of the building are proposed, either as part of this application or any other planning/listed building consent application. Any future proposals for such would be assessed on their

own merits and any works deemed to have a detrimental impact on the character of the listed building would be unlikely to be supported by the Council.

Points raised in letters of objection

Concerns raised by objectors in relation to the following issues have been addressed in the foregoing evaluation:

- Inadequate off-street car parking provision;
- Impact on the character and amenity of the residential area by way of introducing a non-residential use;
- Impact on the character of the Old Aberdeen Conservation Area;
- Impact on pedestrian safety;
- The use of the property as a Bishop's residence would increase visitor numbers and events would occur at weekends and evenings.

The remaining concerns can be addressed as follows:

- The area is zoned as wholly residential and non-residential uses are not permitted
The area is zoned in the Aberdeen Local Development Plan as a 'Residential Area' and is thus covered by Policy H1 (Residential Areas). Policy H1 supports non-residential uses in residential areas provided they are complementary to, or would not adversely affect the amenity of, the residential area.
- The approval of the proposed change of use would set an undesirable precedent for further applications to be approved on the street
Each planning application is assessed on its own merits. The proposed change of use in this instance would allow for administration duties associated with the activities of the applicant to be carried out on a small scale, without diminishing the residential nature of the property or having detriment to the character or amenity of the area, in accordance with the relevant policies of the ALDP.
- The development would pose a threat to the preservation of the key characteristics of The Chanonry, as outlined in the City Council's Old Aberdeen Conservation Area Character Appraisal
The Old Aberdeen Conservation Area Character Appraisal makes reference to 'The Chanonry development', describing it as 'residential properties set in spacious walled grounds.' Whilst it is acknowledged that the change of use of the entire building at 14 Chanonry to a non-residential use could have a detrimental impact on the character of the area, the small-scale nature of the part-change of use proposed in this application would see the property's principal function remain as a residential dwelling and it is considered that the proposed development would not pose a threat to the preservation of the key characteristics of The Chanonry, as outlined in the Old Aberdeen Conservation Area Character Appraisal.

- The site notice erected outside the application property contained an incorrect description
The public notice erected at the site was actually for a corresponding listed building consent application which was subsequently withdrawn as the applicant is not proposing to carry out any physical alterations to the building. Therefore listed building consent is not required. It was deemed by the Council, as planning authority, that the planning application did not require to be advertised and no site notice was placed for this application, although it is acknowledged that the placing of an advert for the listed building consent application could have led to confusion amongst members of the public.
- Proposals for a part change of use elsewhere on the Chanonry have been refused planning permission in the past (7 Chanonry in 1987)
The application for No. 7 Chanonry was made some 29 years ago and the Council's planning policies and guidance have changed significantly in that time. The current proposal is for office space associated to the resident of the building, with that space to be wholly contained within the same planning unit, only accessible through the rest of the dwelling and not a self-contained unit.
- There is a title deed restriction for all properties on the Chanonry which prevents any property on the street being used for any purpose other than as a residential dwelling
Title deed restrictions do not constitute a material planning consideration and instead constitute a civic legal matter over which the Council has no control in the planning process.
- The increased traffic pressure would be detrimental to road and pedestrian safety
The street is already relatively heavily trafficked with vehicles and pedestrians due to the amount of visitors to St Machar Cathedral and Seaton Park. The proposed use would be of a relatively small scale and intensity and would not result in a significant increase in vehicles using the street to the extent where it would be detrimental to road or pedestrian safety.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015 and the Reporter has now reported back. The proposed plan 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 comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The Reporter's response does not affect policies in a manner that is relevant to this application. In relation to this particular application proposal policies in the Proposed LDP are not materially different from those in the adopted LDP.

Approval to adopt the LDP will be sought at Full Council meeting of 14th December. The actual adoption date is likely to be around the third week in January.

RECOMMENDATION: Approve Conditionally

REASONS FOR RECOMMENDATION

The proposed change of use of parts of the building for office and public room uses associated with the operational requirements of the Diocese of Aberdeen, whose Bishop would live at the property, would be of a sufficiently small scale and intensity of use to ensure that they would not have a detrimental impact either the character or amenity of the surrounding area, in accordance with Policy H1 (Residential Areas) of the Adopted Aberdeen Local Development Plan (ALDP). No physical alterations to the building are proposed and it is therefore considered that the character of the listed building and the wider Old Aberdeen Conservation Area would be maintained, in accordance with the principles of Scottish Planning Policy, Historic Environment Scotland's Policy Statement and Policy D5 (Built Heritage) of the ALDP. The site is in close proximity to good public transport links and subject to a condition requiring secure cycle storage provision, it is considered that the proposed development would not result in significant on-street car parking issues and would encourage the use of public transport, in accordance with Policies D3 (Sustainable and Active Travel) and T2 (Managing the Transport Impact of Development) of the ALDP. The proposed change of use is also considered to comply with the relevant corresponding policies (H1, D4, T2 and T3) of the Proposed Aberdeen Local Development Plan.

CONDITIONS

- 1) That the office use hereby approved shall be restricted to the rooms on the top floor of the building identified in drawing number 4074-GA-302 and these rooms shall only be used in connection with providing administrative support for the activities and functions of the applicant, The Roman Catholic Diocese of Aberdeen.

Reason – In order that the primary residential function of the building is retained and that the office use remains associated with that use and of a sufficiently small scale to protect the character and amenity of the area.

- 2) That the Class 10 use hereby approved shall be restricted to the Parish Room at ground floor level as identified in drawing number 4074-GA-300 and this room shall only be used in connection with the activities and function of the applicant, The Roman Catholic Diocese of Aberdeen.

Reason – In order that the primary residential function of the building is retained and that the Class 10 use remains associated with the functions of

the resident and of a sufficiently small scale to protect the character and amenity of the area.

- 3) That the rooms hereby granted planning permission for change of use shall not be occupied unless a scheme detailing cycle parking provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme.

Reason – In the interests of encouraging more sustainable modes of travel.

This page is intentionally left blank

Development Management Planning and Sustainable Development Aberdeen City Council Business Hub 4, Marischal College Broad Street, Aberdeen AB10 1AB	107 High Street Old Aberdeen AB24 3EN webadmin@oldaberdeen.org.uk Tel 01224 485 506 12 th September 2016
--	---

Dear Mr Ferguson

Planning application 161152 regarding 14 The Chanonry – conversion of top floor to Class 4 use

Many members of the Old Aberdeen community have expressed strong concerns about the impact of this proposal. Their concerns are centred upon:

- Impact on precedent
- Impact on parking
- Impact on traffic

This proposed change of use from domestic to business would, on principle, normally be unacceptable in a historic conservation area rated as H1 Residential.

We note in particular that change of use from domestic to business is not, in principle, acceptable in a historic conservation area rated as H1 Residential which excludes business use.

We note that Aberdeen City Council rejected an application for change of use to Class 4 for a similar domestic property - no.7 The Chanonry, on 1st October 1987 on the grounds of:

1. Detrimental to the character and amenity of the area by reason of the introduction of a commercial use into a wholly residential area
2. Be contrary to the Council's Conservation Area policy
3. Be prejudicial to public safety by reason of the likely increase in traffic generation in The Chanonry which is a residential street incapable of coping with additional traffic flows
4. Have a deleterious effect on the listed building in particular and the conservation area in general.

The OACC considers that nothing has changed between 1987 and 2016 that could change any of those arguments. *However*, this application is for an ecclesiastic office rather than a commercial use and the OACC has noted that this specific application echoes the original medieval use of this street and could be considered exceptional.

OACC are therefore prepared to support this application provided the following qualifications can be built into any approval:

- i) That further car parking spaces (not to exceed a total of a further 6 spaces) will be provided within the grounds of the property.
- ii) That this application may not be used as a precedent for any future application by this or any other applicant to convert additional floor area of no.14 The Chanonry to Class 4 use
- iii) That this application may not be used as a precedent for any future application by this or any other applicant to convert any other property within The Chanonry to Class 4 use

- iv) That this application may not be used as a precedent for converting any part of the interior of this Category B listed building in a manner that would detract from its use as a domestic property.

If ACC deems that it is not appropriate, or practical, to introduce such qualifications to help meet the concerns of the community, then the OACC must OBJECT to this proposal as it currently stands.

Yours sincerely

Dewi Morgan
For Old Aberdeen Community Council

8 The Chanonry
Aberdeen AB24 1RN
4 September 2016

Planning Department
Aberdeen City Council
Marischal College
Broad Street
Aberdeen

Dear Sir or Madam,

Planning application to convert 14 The Chanonry from residential premises to offices

I am writing to object to the above planning application on the following grounds:

- 1) Converting 14 The Chanonry to offices would set a very dangerous precedent which could lead to The Chanonry being filled with offices, as has already happened in many parts of the city. The Chanonry is a very important part of the conservation area, and for it to lose its residential character would be a very retrograde step.
- 2) It is painfully evident that there is insufficient parking in the vicinity of 14 The Chanonry to handle normal office activities, let alone the many meetings that will be held there.

Accordingly I trust that the planning application will be refused and the character of the Chanonry will not be spoiled.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Andrew W. Jamieson.

This page is intentionally left blank



PLEASE REPLY TO:
AHSS NORTH EAST GROUP
Kelly Morrison – Secretary
c/o 57 Gladstone Place, Aberdeen AB10 6UX

22 September 2016

For attention of Alex Ferguson
Planning and Sustainable Development
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

BY EMAIL

Dear Sirs,

Planning Application Ref: 161152

Site Address: 14 The Chanonry, Old Aberdeen AB24 1RP

Description: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and class 4 (offices) at 2nd floor.

As a heritage organisation, The Architectural Heritage Society of Scotland is supportive of any initiatives aimed at retaining historic buildings in use in an appropriate and complementary manner.

Having considered the application at our most-recent Cases Panel, we concluded that we could not support the proposals as presented, and as such we object. This decision is made on the following grounds:

- **Limited information was included in the Application;** therefore, the impact of the proposal cannot be adequately assessed, particularly in relation to the nature of the proposed uses.
- **Detrimental to the character of the Old Aberdeen Conservation Area.** The proposed change of use would also mean a material change of use of the surrounding largely-residential area, which is unacceptable, in accordance with the local authority's own guidelines.
- **Negative impact on amenity.** Introducing a class 4 use into a residential area is not compatible with other uses in the area, in accordance with the local authority's own guideline.
- **It might set an undesirable precedent.** If approved against the backdrop of the above, it would be difficult to reject similar applications in the future.

- **Negative impact on parking, road safety and vehicular traffic.** No provisions to mitigate adverse effects of increased activity from office use.

- **Possible negative affect on a Listed Building.** Whilst this representation mainly deals with the principle of the proposed change of use, and its potential effect, one cannot help to think whether the proposal, if accepted, would result in internal changes to the property which is a listed building, and any future creation of car park spaces.

From the above, we conclude that the proposals are not in accordance with the policy of the Scottish Government nor local authority policies and guidelines, and as such we are unable to support the proposals as they stand.

Please refer to the attached report for details of the basis of our views.

We would welcome the opportunity to review the further proposals for this property in due course.

I trust this is sufficient for your purposes.

Yours faithfully,

David Ballok
On behalf of AHSS North East Group Cases Panel

Evgenia Tschritzi

From: [REDACTED]
Sent: 02 September 2016 11:44
To: PI
Subject: Planning application 161152

I would like to comment on the application by the Catholic Diocese of Aberdeen for permission to use the premises at 14 The Chanonry as offices and meeting rooms. As a former resident in Old Aberdeen I would ask the planning Department and Planning Committee to consider very carefully the precedent they would be setting in granting this application. The Chanonry is a residential area of historic importance and granting this application would open the door to many more applications for commercial use which would eventually destroy the unique atmosphere of The Chanonry. Old Aberdeen is a jewel in the crown of the city and I hope the application will be refused.

Mrs Caroline Gimingham
9 Florence Court
402 North Deeside Road
Cults
Aberdeen AB 15 9 TD

Sent from my iPad

This page is intentionally left blank

Comments for Planning Application 161152/DPP

Application Summary

Application Number: 161152/DPP

Address: 14 The Chanonry Aberdeen AB24 1RP

Proposal: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and Class 4 (offices) at 2nd floor.

Case Officer: Alex Ferguson

Customer Details

Name: Mr David Craik

Address: 111-113 High Street Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would have a number of objections:

- 1) This is a family neighbourhood not a business district
- 2) On street parking is sparse for residents and visitors without providing for additional workers
- 3) Further traffic would add additional dangers for pedestrians and existing users into an already precarious area.
- 4) What is to prevent other businesses following suit?

Thanks

David

This page is intentionally left blank

Comments for Planning Application 161152/DPP

Application Summary

Application Number: 161152/DPP

Address: 14 The Chanonry Aberdeen AB24 1RP

Proposal: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and Class 4 (offices) at 2nd floor.

Case Officer: Alex Ferguson

Customer Details

Name: Mrs Elizabeth Hepburn

Address: 4 St Machar Place Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It would be very unfortunate to spoil the character of the chanonry in the heart of a conservation area by change of use to office accommodation. This would set a very unfortunate precedent which could lead to further such applications for similar change of use of other houses in the chanonry being allowed.

This page is intentionally left blank

17th August 2016

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

Dear Sir,
**Planning Application 161152/DPP
14 Chanonry, ABERDEEN AB24 1RP
Change of use to Class 4 Business**

I wish to comment on this application as follows: -

1. The proposed development represents change which would remove a family dwelling from the housing stock in an area which is currently totally domestic in character. Granting of this change of use would set a precedent for other dwellings in the area to be converted for commercial purposes, something which would lead to a detrimental change to the character of this conservation area.
2. The extent and nature of the alterations necessary to facilitate this change of use remain unspecified and press reports issued by the applicant, indicate use beyond that of a basic office, to include gatherings of parishioners. It is disingenuous not to recognise that the proposed change of use, even to a simple office, would result in increased staff, visitor and delivery access needs, over that generated by a dwelling, all in an area unsuited to additional road usage and poorly served by public transport.
3. The proposed change of use to an office, or other class 4 business, will create additional car parking requirements over that of the current domestic dwelling. Such requirements cannot be met on site, or in the Chanonry area where parking is already at a premium for visitors attracted to the premier ecclesiastical gem of the North-East. Should this development be granted permission, it will lead to a conflict of interest with visitors to the Chanonry area and further blight Aberdeen's potential for tourist revenue.

For the above reasons, I would ask that this application be refused.

Yours faithfully,

[REDACTED]

This page is intentionally left blank

6 THE CHANONRY, OLD ABERDEEN, AB24 1RP

TEL. [REDACTED]

22nd September, 2016

Planning and Sustainable Development,
Business Unit 4,
Marischal College.
Aberdeen AB10 1AB.

Ref. 161152/DPP

Dear Sirs

14, The Chanonry, Old Aberdeen

It is very difficult to live in a small community, such as Old Aberdeen, and be opposed to planning applications involving long standing neighbours. We do not have any objection to the proposal for the new occupant of No. 14 to live and work there, nor do we have any concern about others working from there as well.

We are, however, concerned that the houses might cease, permanently, to be classed as "residential" and need to be described as a "business".

During the 1980's, when the University of Aberdeen was required by the University Grants Committee, to sell the houses that they owned in the Charanry, care was taken to ensure that families would continue to occupy this area. In making this decision, they were allowing "The Charanry" to continue the history of this area.

Over the years many of the new occupiers have gone to great lengths to maintain and improve their houses and to care for the generously sized gardens.

2.

The concern is that if one house is allowed to be used for business purposes, and has an official "change of use" then, inevitably a precedent is set. Any future 'house for sale' is a potential business property.

There is not a shortage of office accommodation in Aberdeen - there is, in fact a great deal of office space available. It does seem, therefore unnecessary to risk this conservation area.

As we said earlier, we have no objection to the suggested new arrangement per se and we hope that somehow a 'middle way' can be achieved.

Yours faithfully,



This page is intentionally left blank

Evgenia Tsichritzi

From: HAZEL CHRISTIE [REDACTED]
Sent: 23 September 2016 14:15
To: PI
Subject: Planning application 161152 regarding 14 The Chanonry - OBJECTION

To:
Development Management
Planning and Sustainable Development
Aberdeen City Council

From:
Mrs Hazel Christie
1 Thoms Court
Old Aberdeen
AB24 3ED

Dear Sir/Madam,

Planning application 161152 regarding 14 The Chanonry

I am writing to OBJECT to the above application.

I believe that the introduction of office use to a residential property in a conservation residential area would be detrimental to the whole area in general. It would set a dangerous precedent as there are a number of large properties in the area which could also be converted to office space.

The impact on traffic in the area appears to be significant;

- 7 people per day plus
- 10 people per week plus
- 25 people per month.

Which adds up to potentially an additional 200+ visitors to the area per month.

This part of The Chanonry is a one-way street so all the traffic would have to travel around to Don Street and up to St Machar Drive to exit the area. I believe this additional traffic would be detrimental to these streets and pose an additional safety risk to the area. Don Street in particular is narrow and cobbled by Bede House before rejoining St Machar Drive.

Kind regards
Mrs H Christie

This page is intentionally left blank

Planning Dept
Marischal College
Broad St
Aberdeen

8 Harrow Road
Old Aberdeen
AB24 4UF
22nd Sept 2016

Dear Sir,

14 The Chanonry - proposed part change of use from dwelling-house to business use

I wish to register a strong objection to the above proposal.

The Chanonry is a jewel in the crown of Aberdeen; a corner of the city with a unique character – just a Cathedral church surrounded by beautiful family homes, mostly Georgian manses, set in peaceful surroundings. This is a wholly residential area with no trace of commerce, and as such, there is a very real air of timelessness about it.

To introduce any form of business use, let alone a suite of 4 offices and meeting accommodation, would greatly detract from the character of the area, partly because of the extra traffic and parked vehicles, but also because of the office signage which would surely have to be erected.

Much more serious, however, would be the effect such a development would have on the character of The Chanonry as a whole, for without question, a precedent would have been set if this were permitted, and more such developments would follow, as the Council would be unable to refuse subsequent applications for part or full office use.

In a fairly short space of time, The Chanonry could become just another commercial or business area, like Queen's Road or similar.

This corner of Old Aberdeen is far too special for this to be allowed to happen.

I would therefore urge the Council to preserve the unique character of The Chanonry by refusing this application.

Yours faithfully,



Muriel Mackechnie

This page is intentionally left blank



Alex Ferguson,
Planning Dept,
Aberdeen City Council

11, Greenbrae Crescent,
Denmore,
Bridge of Don,
Aberdeen
AB23 8LH

22nd September 2016

Dear Mr. Ferguson,

14, The Chanonry, Old Aberdeen
(Planning application ref. 161152)

Proposed Change of Use of Dwelling house to incorporate Business Use
with 4 offices, and Meeting Room

The Society wishes to register a strong objection to this application.

Our objection is based on the following grounds, (which we shall expand on later), in that this proposal would:-

- (1) Be **detrimental to the character** of the **Old Aberdeen Conservation Area**, and so would fail to meet the statutory requirement to preserve or enhance that character.
- (2) Create **an undesirable precedent**, whereby further, similar, applications for properties in The Chanonry could not be refused, leading to a fundamental change in the character of this unique corner of the Conservation Area, and also in the character and setting of this superb enclave of listed buildings, which as a whole, have been assigned Category 'A' Group Listing. This change of character, in both cases, would be severely detrimental to both the character and appearance of this, Aberdeen's no.1 Outstanding Conservation Area.
- (3) Be **contrary to Policy H1** of the Local Development Plan.
- (4) **Exacerbate the existing traffic and parking problems in the area.**
- (5) **Pose a threat to the preservation of the key characteristics of The Chanonry** as outlined and commended in the City Council's new guidance issued specifically for Old Aberdeen - the **Old Aberdeen Conservation Area Character Appraisal** (Dec. 2015)
- (6) Most importantly, it would be **contrary to what has been the City Council's settled view** on proposals such as this for office use within the Chanonry, as evidenced in the firm refusal of the last such application, for part business use at no.7 The Chanonry.

To expand on these points:-

(1) **Would be detrimental to the character of the Old Aberdeen Conservation Area**

(a) We have two concerns about the effect that this application would have on the **physical character** and appearance of the Conservation Area:-

- (i) First, while there is as yet no proposal to make structural alterations to the house, a change of use to business would certainly require the erection of a signboard, detailing the name of the building, the organisation which was housed there, their contact details, emblem etc., as is customary outside business establishments. Permission for such a sign would be difficult to refuse if change of use were permitted, and it is our view that such a sign would conflict with the domestic character and appearance of what has always been a family home.
- (ii) Although no parking in front of the house has been specifically applied for at this stage, it is clear that there would be times when staff would need to rely on parking in the front garden in order to find a parking space. Parking of 2 or 3 cars there could significantly affect the setting of this house, obscuring important features, which would have a detrimental effect on the setting of this listed building, and, indeed, on the setting and character of this part of the Conservation Area.

(b) **The character of a conservation area, however, is not just about physical appearance.** Just as important is the atmosphere, or ‘feel’ of a place, which is intimately tied up with the use to which it is put.

In the case of no.14, The Chanonry, we hold, its character as a private family home, with only the few comings and goings associated with that, would be lost if much of it were converted to business use, as a workplace, with employees coming and going, along with various visitors, meetings and larger gatherings.

There also has to be concern about possible expansion of business activities, as although such expansion is not currently envisaged by the applicants / prospective purchasers, it has not been expressly ruled out. More to the point, if this house were to change hands in future years, the permission for business use would remain, while the new owners might very well make a much more intensive, and more commercial, use of the building than that envisaged by the current applicants, thus having an even greater impact on the character of this house, and so, also, on this part of the Conservation Area.

Any change in the character of this family home is bound to have an impact on the ‘feel’ of the surrounding Conservation Area. Once a business use is introduced, and a home becomes to a large extent an office/workplace, the wholly domestic atmosphere of The Chanonry is gone, and its unique character is lost. Granting permission for this change of use would therefore, we hold, conflict with the Council’s statutory duty to preserve or enhance that character.

- (2) **Would create an undesirable and dangerous precedent**, whereby further, similar, applications for other houses in The Chanonry could not be refused, and homes could start to be converted to offices or combined homes/offices, with all the accompanying traffic and corporate signage, and the wholly residential and tranquil character of this unique gem of a street would be lost.

It is easy to imagine the attraction of The Chanonry to various wholly commercial businesses as a most desirable and prestigious location for their main office, or a combined company headquarters and home. No doubt the large back gardens would also appeal as a perfect venue for “corporate entertainment”, such as large garden parties (and associated traffic).

If just one house in the Chanonry were given permission to incorporate significant business use, this, we feel, would be enough for other prospective purchasers to feel that they could justify demanding a similar change of use for another Chanonry house on sale. How could the council refuse? Why should the first be a special case? No doubt other organisations could put forward reasons why their proposed office use, or combined home/office use, was a special case. What reasons could be advanced by the planning authority for refusing a similar application, other than a preference for one sort of business over another? If the use was still the same - part home, and part suite of offices, - surely the Council would not be able to refuse a similar application?

There is, we believe, a very real risk of setting an undesirable precedent here, leading to further similar developments, and a resulting cumulative impact which could destroy utterly the character for which The Chanonry is renowned. Streets of fine mansions in the west end of the city have already been converted to streets of offices and commerce, with gardens (or more often driveways) sporting corporate signage of every shape, size and design.

This is the fate which, we believe, could sooner or later befall The Chanonry if once a change of use to office is allowed, for the Council can surely not rule that no future Planning Committee view this as a precedent.

If a precedent were set, then, we could see the gradual, but steady, destruction of the very essence of The Chanonry; its air of gracious domesticity and tranquillity lost, irretrievably, to the serious detriment of our heritage, not only in Old Aberdeen, and the whole city, but also in Scotland as a whole.

The unique character of The Chanonry is precious beyond words. Visitors to Old Aberdeen are immediately enchanted by its atmosphere when they encounter this peaceful oasis, far removed from the busy High Street and noisy St. Machar Drive. Here is an exceptionally beautiful and historic area, which seems untouched by the modern world of commerce, with a truly timeless quality. This is The Chanonry that generations of Aberdonians have come to know and love, but also one which is extremely vulnerable to change, and the granting of the current application could mark the beginning of the end of The Chanonry as we know it.

(3) **Would be contrary to Policy H1 of the Local Development Plan**

In short, we do not regard the proposed use as fulfilling the requirement of Policy H1 to be complementary to residential use, but rather as a business use incidentally juxtaposed with a residential use, which is a different matter.

We also have concerns that the proposed business use would cause conflict with the enjoyment of existing residential amenity in terms of pressure on parking in the area, and impact on vehicle movement in a congested area, when larger gatherings took place.

(4) **Would exacerbate the existing traffic and parking problems in the area**

(a) **Traffic**

It could be said that any development which would create extra traffic (at times considerable in volume) in an already confined area, is bordering on the unsafe.

No. 14 is situated in the most congested part of The Chanonry, a narrow mediaeval road which turns two corners in its short length. Approaching from St. Machar Drive, there is no through road straight ahead, as it leads only to the foot of Tillydrone Road, a picturesque mediaeval road, (more like a rural lane), open only to pedestrians and cyclists. The section of The Chanonry to the right, which includes no.14, is short and busy, and the last stretch, round the corner once again, is even more constricted. It is important to note here, that although cars can turn right on to Don Street here, coaches can not leave The Chanonry by this route (as some who try, find out to their cost!) as it is not possible for a coach to negotiate the corner with narrow Don Street. Accordingly, coaches have to leave The Chanonry by the way they came, back up to St. Machar Drive. To do this, coaches (often the large touring versions) have a fair bit of manoeuvring to do, and this is only possible in the area in front of the Gatehouses to the Cathedral, and the adjoining spaces, one of which is the area in front of no.14. When a coach, (or coaches), is only part of a much wider massing of vehicles attending an event such as a wedding, there can be quite some difficulty traffic-wise. Individual coaches bringing tourists to the Cathedral, though very frequent, are usually less of a problem, but when two arrive at once, there is congestion once again.

The point here is that although The Chanonry can indeed be peaceful for much of the time, at other times there are very considerable difficulties with traffic issues, and much of the congestion, due to the mediaeval road configuration, happens to be in the area just beside no.14. An increase in traffic, resulting from a change of use at no.14, would be bound to cause a corresponding increase in problems, which in turn raises issues of road safety.

It should be noted that there are actually quite a number of occasions during the year when a very large volume of vehicles are drawn to The Chanonry, in connection with large scale events or special services at the Cathedral. Clearly, there are a lot of weddings, some of which involve coaches as well as guests' cars, but there are also other events which generate huge volumes of traffic, such as major concerts, like those given by the Bach Choir, when there can be over 500 people (including choir, orchestra and audience members) travelling to this part of The Chanonry all at roughly the same time.

In spite of a certain amount of car-sharing, which does help, this can have a huge impact on this confined spot. Even just on rehearsal afternoons or evenings, there can be over 130 choir and orchestra members arriving at The Cathedral. If this sort of event were to coincide with one of the gatherings at the proposed Diocesan Centre at no.14, an already difficult traffic situation could be much worsened.

(b) **Parking Problems**

There is also the fundamental issue of whether an application for change of use demonstrates a capacity to accommodate adequate parking for that use. The current application, however, shows no parking provision, which has to be a concern. Not only would there be the parking requirements of regular non-resident staff to take into consideration, but the requirements of other visitors from across the Diocese, and those attending meetings or lectures, are important considerations.

Another concern is that there seems to be no indication from the applicants / prospective purchasers as to how the parking requirements of the 50 to 100 guests at events such as the New Year Gathering or Summer Garden Party would be accommodated.

In connection with this is the question of what would happen if a Garden Party at no.14 happened to coincide with, say, a wedding, a funeral or memorial service at St. Machar's Cathedral, not an unlikely situation. To have two major events drawing considerable volumes of traffic, most of which would require parking, on the same afternoon, for instance, could cause serious disruption, both in terms of traffic congestion and in terms of pressure on parking in the vicinity.

To sum up, we believe that in a confined area such as The Chanonry, with such a huge pressure on parking at times, and associated traffic issues, it would seem wholly inappropriate, and indeed detrimental to local amenity, to introduce a new use to the area which would exacerbate that pressure.

- (5) **The Old Aberdeen Conservation Area Character Appraisal**, approved by the City Council in December 2015, outlines the key characteristics of The Chanonry, and the proposal for change of use at no.14 is, we hold, not in keeping with those characteristics. This guidance document states (p.27) that:

“The Chanonry ... is now characterised by large, mainly detached Georgian, and some 19th century, residential properties set in large gardens and bounded by impressive walls.”

Further on in this document, (p.38), the residential nature of the Chanonry is identified as one of the key features which characterise the “Old Aberdeen Heart” section of the Conservation Area, its historic heart.

The current proposal for change of use to business use clearly would not preserve the established character of The Chanonry, and so would, according to the Character Appraisal, conflict with the Council's aim to preserve and enhance the character of Conservation Areas.

(6) **Planning History**

Given that the question of precedent is highly relevant to this application, and given that the character of The Chanonry as a whole is therefore a major consideration, we submit that the Planning History not only of this property, but also of other homes in The Chanonry, is of great importance.

The last time an application was made for change of use to office or business use in The Chanonry was as far back as 1987, when there was an application similar to the one currently under consideration. That application was for **no.7, The Chanonry**.

The proposal was for change of use to allow only two ground floor rooms in this dwelling house to be used as offices for a period of 5 years only. The applicant would make the property his home, and gave an assurance that it would revert to a dwelling house only, after 5 years had elapsed.

The Director of Planning Control stressed that even though the proposal might have a limited impact on the area, **“its approval would create a precedent for applicants of a similar nature”**, and recommended that the application be refused.

At their meeting of 1st October 1987, the Planning Committee resolved to refuse that application on the grounds that the proposal, if implemented, would:

- (1) *“be detrimental to the amenity and character of the area by reason of the introduction of a commercial use into a wholly residential area.”*
- (2) *“be contrary to the Council’s Conservation Area Policy.”*
- (3) *“be prejudicial to public safety by reason of the likely increase in traffic generation in The Chanonry, which is a residential street incapable of coping with additional traffic flows.”*
- (4) *“have a deleterious effect both on the listed building in particular and on the Conservation Area in general.”*

It is clear that **it was the Council’s settled view** that such a use was **in conflict with the character of The Chanonry**. One of the many objectors to the proposal observed that:

“Previous attempts to introduce business and commercial premises into the conservation area of Old Aberdeen have been successfully resisted, because this residential area is of unique interest both to Aberdonians and to tourists.”

We submit that **the reason we still have this wonderful street of unique character** is largely due to the strength of purpose shown by the Council in 1987, when they resolved to refuse that application for change of use to office, and to preserve the character of The Chanonry as one of family homes; purely residential. This is why we still have this treasure today; why, in the words of another objector in 1987:-

“these large old houses have been spared the office development which has blighted other imposing streets in Aberdeen.”

Her letter goes on to say that:-

“a change of use to allow for office development and accommodation is not acceptable, whoever or whatever that organisation may be. To allow this ... would be to create an unjustifiable precedent.”

Finally, from yet another objector at that time, came the following:-

“The Chanonry is a residential area of exceptional character ... knit with our City’s history, a place of dignity and beauty ... Granting of permission could be the first step to destroying the unique character of a cherished part of our City’s life. Don’t allow it, I beg you all.”

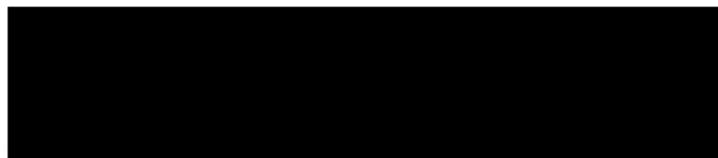
* * * * *

The recognition of the risk of creating a precedent, and the consequences of such a move was clearly at the forefront of concerns not only of local residents, but also many such as the last correspondent quoted, who lived at the far end of Aberdeen, but whose love for this unique corner of Old Aberdeen was such that he was moved to make this plea.

Old Aberdeen Heritage Society holds that the situation is no different today. The Chanonry is still a cherished part of our City’s life, and the introduction of any form or extent of business use, however limited, could set a precedent which could, indeed, be the first step to destroying the character of this unique historic gem of a street.

We therefore entreat the Council once again to confirm its settled view on the importance of preserving the character of The Chanonry, and refuse the application for change of use at no.14.

Yours sincerely,



(Mrs) B. McPetrie
Planning Secretary

This page is intentionally left blank

24 Spital
Old Aberdeen
AB24 3HS

29 August 2016

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

Dear Sir/Madam

14 Chanonry, Old Aberdeen AB24
Change of Use from residential (class 8) to Business (class 4)

I wish to object to the above application for the following reasons:

Compatibility with other uses in the area and Precedent

This property is within a residential area and its current use as a residential property should be maintained. Should the planning department allow this change of use, it would be obliged to allow other properties within the location to also be changed from residential to business as a precedent would have been set.

Impact on amenity

The use of the property as a business premises, will by definition have employees and visitors. Given the nature of the business (religious) it would be expected that whilst some "working" will be during normal working hours some will take place during outside normal working hours and thus intruded on local resident's lives and their enjoyment of their properties.

Effect on a conservation area

This part of the Old Aberdeen conservation area has been described as the Jewel in the Crown of Aberdeen and should be kept as such, without the intrusion of a business. A business will affect the tranquillity of the area and one where people go to for quiet contemplation.

Sustainability and Impact on parking

The property is not located to the proposed resident's place of work, nor is it on a bus route to it (Huntly Street). The workers in the offices will have to bring cars and it may be that the existing parking within the property will have to expand into the garden to accommodate them.

I urge you to refuse the above application on these grounds

Yours sincerely


Patrick Birchley

This page is intentionally left blank

Comments for Planning Application 161152/DPP

Application Summary

Application Number: 161152/DPP

Address: 14 The Chanonry Aberdeen AB24 1RP

Proposal: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and Class 4 (offices) at 2nd floor.

Case Officer: Alex Ferguson

Customer Details

Name: Mr Richard Harwood

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear sir / Madam.

I would like to make an objection to the following planning application.

Aberdeen planning applications 161152 regarding 14 The Chanonry

On the lack of information regarding use and population of the planned offices.

I believe that this change of use will have a detrimental effect on the amenity and character of the area with regards to the extra parking required by the staff and visitors transport. There are double yellow lines outside number 14 and very little parking available in the private ground of the property.

The introduction of a business in a solely residential historic area will send the wrong message to other groups looking for a prestigious address for their company.

Since this would be the Bishops residence it will more than likely also mean further visitors and events during the weekends and evenings causing further disruption and congestion outside and in surrounding areas.

A similar application for this area was submitted and refused in 1987 and nothing has changed since and therefore this objection should stand.

Regards

Richard Harwood

This page is intentionally left blank

Application for change of use for 14, The Chanonry

Ref.no 161152

It seems that the plan by the R.C. Diocese is to have office rooms on the top floor and a meeting room below.

This, of course would not create a dwelling house but instead a daytime place for business whatever its nature and others would see similar possibilities for the buildings in the vicinity.

We moved into our home when we married in 1960. It fronts on King Street and its right walls are at the bottom of the cul-de-sac of Cheyne Road. It is in a direct line with St Machar Cathedral. We have enjoyed walking the narrow streets of Old Aberdeen and know them well. There should be a minimum of parking.

The rectangle containing these old buildings is a jewel in our city. The High Street by its very nature would be a better choice for this application.

Bill and Rosemary Baxter,



This page is intentionally left blank

Comments for Planning Application 161152/DPP

Application Summary

Application Number: 161152/DPP

Address: 14 The Chanonry Aberdeen AB24 1RP

Proposal: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and Class 4 (offices) at 2nd floor.

Case Officer: Alex Ferguson

Customer Details

Name: Mr Robert Hamilton

Address: 85 Don Street Old Aberdeen Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this proposal. This is a very important and sensitive historical part of Aberdeen which is in the heart of the conservation area and zoned as wholly residential. The introduction of commercial property into this area must be strongly resisted to prevent a precedent being set no matter who the occupier is. This change of usage runs counter to the Council's own Conservation Policy.

There is virtually no parking in this area which is already well used by visitors to Seaton Park, St Machars Cathedral and Cruickshank Botanic Garden throughout the week. To add more cars to this area is unsustainable. The parking at the side of this house would only take one car safely so there is not parking space for the six office workers, residents and visitors to this office property. It is immaterial that some do not currently drive. This comment is so ingenious that the reassurance that no further development is planned should be taken with a pinch of salt. No development might be planned today, what about tomorrow?

The increased traffic flow and congestion is also unacceptable. The proposers already cite the use by the University Principal but do not mention that the Cathedral Kirk also conduct service, hold meetings and put on concerts regularly, to add more functions of over a hundred people with their cars is not acceptable.

Both the Chanonry and the narrow one way Don Street are used by thousands of pedestrians, mostly students, daily. Additional traffic pressure is both detrimental to safety as well as disruptive to residents.

I object strongly to this application.

This page is intentionally left blank

Comments for Planning Application 161152/DPP

Application Summary

Application Number: 161152/DPP

Address: 14 The Chanonry Aberdeen AB24 1RP

Proposal: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and Class 4 (offices) at 2nd floor.

Case Officer: Alex Ferguson

Customer Details

Name: Mr Stuart Patterson

Address: 1 Cheyne Road Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to a residential property becoming what is essentially a commercial enterprise. (Office). Residential options (non HMO) are already at a premium in this part of town and should be preserved. I do not like to see such a precedent being set.

This page is intentionally left blank

Comments for Planning Application 161152/DPP

Application Summary

Application Number: 161152/DPP

Address: 14 The Chanonry Aberdeen AB24 1RP

Proposal: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and Class 4 (offices) at 2nd floor.

Case Officer: Alex Ferguson

Customer Details

Name: Mrs Susan Spence

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Dear Sirs.

Application Ref: 161152/DPP

14 The Chanonry Aberdeen AB24 1RP

Change of Use from Class 4 (residential) to Class 8 (business)

I refer to the above application.

I am supportive of the idea of a limited change of use of No 14 with the provisos below: -

- That the grant makes it clear that the property is principally for residential use with the change to business use being limited to around 63m² of the uppermost floor and one room on the ground floor of the property .I believe that the Council has the authority to impose this conditionality; and

- that the Council makes it clear that any additional parking later applied for should be limited to 2

spaces and any changes required to accommodate the additional vehicles are in keeping with the appearance of the property.

I appreciate that changes to parking do not form part of this application but there is obviously an intention to apply for additional parking at a later stage. It would have been helpful to understand what is planned for the property before being asked to make representations .I am very concerned about unintended consequences of accepting what appears on first reading to be a limited change of use of part of the property.

My reservations about a blanket change of use of the building are as follow :-

Affect on the Conservation Area - If the change is not limited to part of the house then I believe it would have a detrimental affect on the Conservation Area.

Business use of the whole of No 14 would be inappropriate within area B, the heart of Old Aberdeen Conservation area, and in particular the Chanonry as characterized in the Aberdeen City Conservation Area Character Appraisals and Management Plan. :-

" The Chanonry Development - residential properties set in spacious walled grounds ...
St. Machars Cathedral and its setting ...
Distinguished gateways ..."

It would also be out of step with the " H1 - Residential " use prescribed for the building within the Local Development Plan.

That plan allows other use which is complementary to the residential use of the property .A limited change to allow some Church Offices to sit alongside the Bishop's home fits these criteria but these limited changes would need to be embedded in conditions of grant.

Precedent - If the change of use is granted without restriction then the Precedent is set for more of the residential heart of the Old Aberdeen conservation area to become businesses or offices bearing in mind the requirement within the planning framework to treat citizens fairly.
I think that would be an unfortunate consequence where sufficient conditionality embedded in the grant would protect the nature of the area.

Procedural flaws - some of the detail of the application and the documents attached to it appear inconsistent and I am not convinced that the planning process has been fully complied with as a result.

1. The notice posted on the lamppost outside number 14 on 24th August refers to change of Use to Class 2 rather than Class 4 and has no date entered by which comments are to be submitted. I do not believe that this constitutes competent notice

2. Reference in all the notices is made to a change of use from Class 8. I would have thought that should be class 9?

3. One room on the Existing Ground Floor Plan is labelled as a " Parish Office". I believe this has for the past 12 years at least been a bedroom. This is consequently a change which is not being properly described or made clear to anyone commenting who has not been in the house .

4. Under the heading "Access and Parking" on the Application it is stated that there is no parking on the property. This is incorrect. There is space for 3/4 cars in the driveway of No 14 with 2 residents parking permits available for on street parking.

If this grant is made under the appropriate conditions as outlined then I believe that this would allow good use of No 14 The Chanonry without an adverse effect on its nature within the conservation area.

Yours faithfully,

Susan A. Spence

This page is intentionally left blank



PLEASE REPLY TO:
AHSS NORTH EAST GROUP
Kelly Morrison – Secretary
c/o 57 Gladstone Place, Aberdeen AB10 6UX

21 September 2016

Planning Application Ref: 161152

Site Address: 14 The Chanonry, Old Aberdeen AB24 1RP

Description: Part change of use from class 9 (residential) to mixed use, associated to the Diocese of Aberdeen, incorporating: class 10 (activities associated to a religious body) at part of ground floor, and class 4 (offices) at 2nd floor.

Objection

1. The Society wishes to object to the proposal on the following grounds:

- Limited information was included in the Application; therefore, the impact of the proposal cannot be adequately assessed, particularly in relation to the nature of the proposed uses.
- Detrimental to the character of the Old Aberdeen Conservation Area. The proposed change of use would also mean a material change of use of the surrounding largely-residential area, which is unacceptable, in accordance with the local authority's own guidelines.
- Negative impact on amenity. Introducing a class 4 use into a residential area is not compatible with other uses in the area, in accordance with the local authority's own guideline.
- It might set an undesirable precedent. If approved against the backdrop of the above, it would be difficult to reject similar applications in the future.
- Negative impact on parking, road safety and vehicular traffic. No provisions to mitigate adverse effects of increased activity from office use.
- Possible negative affect on a Listed Building. Whilst this representation mainly deals with the principle of the proposed change of use, and its potential effect, one cannot help to think whether the proposal, if accepted, would result in internal changes to the property which is a listed building, and any future creation of car park spaces.

It would seem reasonable to conclude that the proposal is not in accordance with the policy of the Scottish Government and local guidance.

Introduction

2. In 1987 a change of use application (87/1229) to allow two ground floor rooms in 7 The Chanonry to be used as offices for five years was refused on the grounds that 'the proposal, if implemented, would (1) be detrimental to the amenity and character of the area by reason of introduction of a commercial use into a wholly residential area; (2) be contrary to the Council's Conservation Area policy; (3) be prejudicial to public safety by reason of the likely increase in traffic generation in The Chanonry which is a residential street incapable of coping with additional traffic flows; and (4) have a deleterious effect both on the listed building in particular and on the Conservation Area in general'.

3. The Architectural Heritage Society of Scotland (AHSS) objected to the 1987 application and at this point we see no reason to deviate from that position. It is appreciated that the current proposal was submitted on behalf of the Bishop of Aberdeen (not by a businessman, as in 1987), and the property would continue to function as a residential building with the exception of the four rooms on the uppermost floor and part of the ground floor. There is an argument that the proposal would be acceptable if it was granted on the condition that it is in place while the Bishop of Aberdeen or the RC Diocese of Aberdeen owns the property and lapses once the property changes hands. However, one could entertain a doubt as to how one could then justify the refusal of similar applications in the future as this could discriminate against non-religious bodies (or other religious bodies) who would apply for class 4 use in this area to carry out business activities. It could be argued that the fact that the 'business' in this case is the Diocese of Aberdeen is, insofar as the class 4 (offices) part of the Application is concerned, irrelevant. The Society has no objection to the proposed class 10 use.

Scottish Planning Policy

4. Scottish Local Authorities, in the exercise of their planning functions, are under a statutory obligation to preserve or enhance the character or appearance of a conservation area.¹ Scottish Government policy further elaborates this statutory obligation. One of the stated aims of the Scottish Planning Policy (SPP) is 'to achieve the right development in the right place; it is not to allow development at any cost'². In relation to proposals for business and industrial uses SPP requires that proposals 'should take into account surrounding sensitive uses, areas of particular natural sensitivity or interest and local amenity, and make a positive contribution towards placemaking'³. There is a recognition that change, which means more than alterations to the fabric of the building, should be managed sensibly: 'The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.'⁴ Accordingly, SPP expects that 'proposals for development within conservation areas (...) should preserve or enhance the character and appearance of the conservation area.'⁵
5. We do not consider that the Application follows the above principles. To put it simply, insofar as the class 4 use is concerned, it is not the right development in the right place. Even if the proposal had no adverse impact on the building or the appreciation thereof (which is doubtful), it would more than likely to have an adverse impact on the character of the conservation area which would go against the requirement that proposals 'should take into account surrounding sensitive uses (...) and local amenity'. It also makes no provisions in relation to sustainable transport and travel patterns.

The Application is not in accordance with Scottish Planning Policy.

Scottish Historic Environment Policy

6. Conservation areas are living places and change may be necessary; however, it also must be carefully managed to protect the character and appearance of conservation areas. Scottish Government planning advice recognises that, in order to realise their potential, 'many of them need to continue to adapt and develop in response to the modern-day needs and aspirations of living and working communities'⁶.
7. The Scottish Historic Environment Policy (SHEP) provides further guidance whilst recognising that the 'protection of the historic environment is not about preventing change', but that any change 'should be managed intelligently and with understanding, to achieve the best

¹ Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, s 64(1).

² Scottish Government, *Scottish Planning Policy* (2014) para 28.

³ *ibid* para 108.

⁴ *ibid* para 141.

⁵ *ibid* para 143.

⁶ Scottish Executive, *Conservation Area Management* (PAN 71, 2004), 4.

outcome for the historic environment and for the people of Scotland'⁷. There seems to be a presumption against change of use. One of the key principles to take into account when considering the impact of proposals is to 'ensure that any proposed change of use is necessary'⁸. If the full impact of any proposed action cannot be adequately assessed change should be avoided.⁹

8. The Application is silent on whether the change of use would lead to alterations to the interior (such as the installation of fire doors), which would, presumably, require a Listed Building Consent. There is no indication on the attached plans as to which ground floor rooms would be class 10 use.

The Application contains insufficient information and accordingly, its impact on the historic environment cannot be adequately assessed.

Aberdeen Local Development Plan

9. The property is a category B listed building and lies within the Old Aberdeen Conservation Area which has a mixture of uses; however, The Chanonry, the immediate area within which the property lies, is wholly residential (with the exception of St Machar's Cathedral). According to the conservation area character appraisal The Chanonry is 'now characterised by large, mainly detached Georgian and some 19th century, residential properties set in large gardens and bounded by impressive walls'¹⁰. A number of policies of the Aberdeen Local Development Plan may be relevant.
10. *Policy H1 Residential Areas* states that proposals for non-residential uses within existing residential areas will be refused unless:
 1. they are considered complementary to residential use; or
 2. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.¹¹
11. The Supporting Statement notes that 'the intended "office" use of the top-most floor of the building is principally to provide necessary administrative functions in support of the Bishop's various pastoral activities. It is, perhaps, a unique situation and is not a "normal" office/commercial use in the usual sense of that term.' While the applicants' point is not entirely without merit one could reasonably argue that a possible definition of normal office use 'in the usual sense of that term' is 'providing administrative functions in support of' the various activities of the particular organisation's senior officer – the fact that organisation in question is a religious one (it could be a charitable one) and the executive in question is a bishop (could very well be a CEO of a charitable body) is of no consequence. There is nothing in the legislation which appears to support applicants' assertion that, inasmuch as the class 4 use concerned, the administrative activities carried out by religious bodies are unique or unusual. However, if the proposed use is indeed unique, or particular to religious organisations, then the second floor 'office' should be covered by the class 10 (non-residential institutions) use¹² – which would not be objectionable.
12. The onus is on the applicants to demonstrate that their proposals meet the criteria set out in the Local Development Plan. Having considered the Application (and the Supporting Statement attached thereto) it seems that there is some difficulty in arriving to the conclusion that the proposed class 4 office use could be carried out without any detrimental impact on the character or amenity of the area.

Introducing a class 4 office use into this residential area is not compatible with other uses in the area.

⁷ Historic Scotland, *Scottish Historic Environment Policy* (2011) para 1.8.

⁸ *ibid* para 1.34.

⁹ *ibid*.

¹⁰ Aberdeen City Council, *Conservation Area Character Appraisals and Management Plan: Old Aberdeen* (2015), 27.

¹¹ Aberdeen City Council, *Aberdeen Local Development Plan* (2012) 37.

¹² Town and Country Planning (Use Classes) (Scotland) Order 1997, SI 1997/3061, sch 1, para 10(g).

13. According to *Policy D5 Built Heritage*, 'Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.'¹³

The Application is not in accordance with this policy. (See paragraph 5.)

14. Travel and transport related policies, including supplementary guidance, might also be relevant. *Policy T2 Managing the Transport Impact of Development* notes that, 'New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.' *Policy D3 Sustainable and Active Travel* requires new development to 'minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel'. Developments are also required to ensure 'that opportunities for sustainable and active travel are both protected and improved' and prioritise walking, cycling and public transport over car and other motorised vehicles.¹⁴ *The Supplementary Guidance - Transport and Accessibility (2012)* expects developers to take account of the standards shown in the non-residential car parking spaces table. The times of use may also be relevant as to whether or not extra parking is needed.¹⁵

15. According to the Application it was suggested during the Pre-Application Discussion that a separate application should be submitted for additional car-parking, yet there is no proposal to create any parking spaces, even though the application form states that there are no existing parking spaces on the site. The Supporting Statement however clarifies that there are in fact 'approximately' three parking spaces which will be retained. We note that the staffing level would be the full time equivalent of three employees and, as not all of *current* members of staff are car drivers, the three parking spaces are considered to be sufficient. Nevertheless, measures encouraging the use of alternatives to cars (such as cycling by providing cycle parking spaces¹⁶) would be welcomed.

16. The site is located with a controlled parking zone with pay and display parking facilities. According to the Supporting Statement the anticipated the scale and frequency of the larger events is 'broadly similar to those which are held at the University Principal's residence'. It is doubtful whether or not this statement is in favour of the application, as the area has limited capacity to accommodate large number of vehicles. One could reasonably assume that there would be increased traffic and problems with parking, both of which would negatively affect road safety and the amenity of the residential area.

The proposal provides no measures, such as encouraging the use of alternatives to cars, to mitigate possible adverse effects on vehicular traffic, fails to consider the issue of parking and the wider negative impact on road safety and the amenity. The Application is not in accordance with Policy T2 Managing the Transport Impact of Development, Policy D3 Sustainable and Active Travel and Supplementary Guidance - Transport and Accessibility.

¹³ Aberdeen City Council (n 11) 31.

¹⁴ *ibid* 30.

¹⁵ Aberdeen City Council, *Supplementary Guidance - Transport and Accessibility* (2012) 19.

¹⁶ Aberdeen City Council, *Supplementary Guidance - Transport and Accessibility* (2012) 25.