

# Public Document Pack



To: Councillor Milne, Convener; and Councillors Cameron and Jaffrey.

Town House,  
ABERDEEN 26 January 2016

## **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL**

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in Committee Room 5 - Town House on **WEDNESDAY, 3 FEBRUARY 2016 at 10.00 am.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

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

- 1 Procedure Notice (Pages 5 - 6)

**COPIES OF THE RELEVANT PLANS / DRAWINGS ARE AVAILABLE FOR  
INSPECTION IN ADVANCE OF THE MEETING AND WILL BE DISPLAYED AT  
THE MEETING**

**TO REVIEW THE DECISION OF THE APPOINTED OFFICER TO REFUSE THE  
FOLLOWING APPLICATIONS**

#### **PLANNING ADVISER - LUCY GREENE**

- 2.1 Foggie Cottage, Baillieswells Road, Bieldside - Proposed Erection of 1.5 Storey Extension to Side and Rear of Existing Dwellinghouse, Formation of New Vehicular Access and Retrospective Change of Use of Agricultural Land to Private Garden Ground - 151542
- 2.2 Delegated Report and letters of objection (Pages 7 - 22)

- 2.3 Planning policies referred to in documents submitted (Pages 23 - 74)
- 2.4 Notice of Review with supporting information submitted by applicant / agent  
(Pages 75 - 118)
- 2.5 Additional representations received since submission of Notice of Review  
(Pages 119 - 122)
- 2.6 Determination - Reasons for decision  
Members, please note that reasons should be based against Development  
Plan policies and any other material considerations.
- 2.7 Consideration of conditions to be attached to the application - if Members  
are minded to over-turn the decision of the case officer

### **PLANNING ADVISOR - ROBERT FORBES**

- 3.1 Former Police Station - Midstocket Road - Proposed Conversion and  
Extension to Form One, 2 Bedroom Dwellinghouse - 151253
- 3.2 Delegated Report and letters of objection (Pages 123 - 138)
- 3.3 Planning policies referred to in documents submitted (Pages 139 - 238)
- 3.4 Notice of Review with supporting information submitted by applicant / agent  
(Pages 239 - 258)
- 3.5 Additional representations received since submission of Notice of Review  
(Pages 259 - 262)
- 3.6 Determination - Reasons for decision  
Members, please note that reasons should be based against Development  
Plan policies and any other material considerations.
- 3.7 Consideration of conditions to be attached to the application - if Members  
are minded to over-turn the decision of the case officer

### **PLANNING ADVISOR - ANDREW MILLER**

- 4.1 16 Cruickshank Crescent Bucksburn - Retrospective Planning Permission  
for Erection of Sunhouse and Decking



- 4.2 Delegated Report and Letters Of Objection (Pages 263 - 274)
- 4.3 Planning policies referred to in documents submitted (Pages 275 - 282)
- 4.4 Notice Of Review with supporting information submitted by applicant/agent  
(Pages 283 - 298)
- 4.5 Determination - Reasons for decision  
Members, please note that reasons should be based against Development  
Plan policies and any other material considerations.
- 4.6 Consideration of conditions to be attached to the application - if Members  
are minded to over-turn the decision of the case officer

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

Should you require any further information about this agenda, please contact Allison Swanson on [aswanson@aberdeencity.gov.uk](mailto:aswanson@aberdeencity.gov.uk) or telephone 01224 522822, or Lynsey McBain on [lymcbain@aberdeencity.gov.uk](mailto:lymcbain@aberdeencity.gov.uk) / tel 01224 522123

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## LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

### PROCEDURE NOTE

#### GENERAL

1. The Local Review Body of Aberdeen City Council (the LRB) must at all times comply with (one) the provisions of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 (the regulations), and (two) Aberdeen City Council's Standing Orders.
2. In dealing with a request for the review of a decision made by an appointed officer under the Scheme of Delegation adopted by the Council for the determination of "local" planning applications, the LRB acknowledge that the review process as set out in the regulations, shall be carried out in stages.
3. As the first stage and having considered the applicant's stated preference (if any) for the procedure to be followed, the LRB must decide how the case under review is to be determined.
4. Where the LRB consider that the review documents (as defined within the regulations) provide sufficient information to enable them to determine the review, they may (as the next stage in the process) proceed to do so without further procedure.
5. Should the LRB, however, consider that they are not in a position to determine the review without further procedure, they must then decide which one of (or combination of) the further procedures available to them in terms of the regulations should be pursued. The further procedures available are:-
  - (a) written submissions;
  - (b) the holding of one or more hearing sessions;
  - (c) an inspection of the site.
6. If the LRB do decide to seek further information or representations prior to the determination of the review, they will require, in addition to deciding the manner in which that further information/representations should be provided, to be specific about the nature of the information/representations sought and by whom it should be provided.
7. In adjourning a meeting to such date and time as it may then or later decide, the LRB shall take into account the procedures outlined within Part 4 of the regulations, which will require to be fully observed.

#### DETERMINATION OF REVIEW

8. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.

9. The starting point for the determination of the review by the LRB will be Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that:-
 

“where, in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise.”
10. In coming to a decision on the review before them, the LRB will require:-
  - (a) to consider the Development Plan position relating to the application proposal and reach a view as to whether the proposal accords with the Development Plan;
  - (b) to identify all other material considerations arising (if any) which may be relevant to the proposal;
  - (c) to weigh the Development Plan position against the other material considerations arising before deciding whether the Development Plan should or should not prevail in the circumstances.
11. In determining the review, the LRB will:-
  - (a) uphold the appointed officers determination, with or without amendments or additions to the reason for refusal; or
  - (b) overturn the appointed officer's decision and approve the application with or without appropriate conditions.
12. The LRB will give clear reasons for its decision in recognition that these will require to be intimated and publicised in full accordance with the regulations.

# Agenda Item 2.2

Signed (authorised Officer(s)):

FOGGIE COTTAGE, BAILLIESWELLS  
ROAD, BIELDSIDE

ERECTION OF 1.5 STOREY EXTENSION  
TO SIDE AND REAR OF EXISTING  
DWELLINGHOUSE, FORMATION OF NEW  
VEHICULAR ACCESS AND  
RETROSPECTIVE CHANGE OF USE OF  
AGRICULTURAL LAND TO PRIVATE  
GARDEN GROUND

For: Mr Michael Wilson

Application Type : Detailed Planning  
Permission

Application Ref. : P151542

Application Date : 23/09/2015

Advert :

Advertised on :

Officer : Alex Ferguson

Creation Date : 23 November 2015

Ward: Lower Deeside (M Boulton/A

Malone/M Malik)

Community Council: No comments

## RECOMMENDATION:

**Refuse**

## DESCRIPTION

This application relates to the curtilage of Foggie Cottage, a single storey detached dwellinghouse situated in a rural setting, on the western side of Baillieswells Road, approximately 800m northwest of the suburban northern side of Bielside. Foggie Cottage sits to the west of Baillieswells Road and immediately to the south of a small access road that serves two other residential properties situated approximately 130m to the west. Agricultural farmland surrounds Foggie Cottage's southern and western boundaries.

The application site encompasses the full 700sqm curtilage of Foggie Cottage as well as a surrounding buffer of land to the south and west which has at some stage in recent years been incorporated into the residential curtilage of Foggie Cottage, without receiving consent for change of use. The additional area of land which has been incorporated into the garden ground of the property equates to

circa 820sqm, giving the application site a footprint of approximately approximately 1520sqm.

The single storey cottage is constructed from granite rubble walls and a slate roof, although the walls are coated with a white harl. The c. 55sqm cottage has had numerous single storey extensions added to it at some point, with a 29sqm flat-roofed side extension to the west, an 18sqm flat-roofed extension built off the southern gable end and a 40sqm monopitch-roofed garage extension built on the eastern side of the rear extension. The dwellinghouse, including the various extensions, has a total built footprint of approximately 142sqm.

At present, the cottage is accessed by vehicles from the adjacent access road to the north, which serves a driveway and garage situated between the cottage and Baillieswells Road to the east.

The application site is zoned as Green Belt land in the Adopted Aberdeen Local Development Plan and the area of previously agricultural land that has been incorporated into the curtilage of the property is also zoned as Green Space Network.

## **RELEVANT HISTORY**

No relevant history.

## **PROPOSAL**

Detailed planning permission is sought for the refurbishment of the existing cottage, the erection of two extensions to the dwelling and for the retrospective change of use of an area of agricultural land to private garden ground.

### Cottage refurbishment

As part of the works, it is proposed to remove all of the existing single storey extensions and to refurbish the original cottage building, removing the white harled external wall finish to reveal the granite rubble walls in the process. The proposed alterations to the cottage do not require consent as they constitute Permitted Development.

### Extensions

It is proposed to erect a 1½ storey garage extension that would be connected to the southern gable end of the original cottage via a single storey glazed link. The double garage extension would have a rectangular footprint of 65sqm and a pitched roof design with a ridge height 800mm higher than that of the original cottage and a slightly lower eaves height. The garage would sit perpendicular to the cottage, with its gable ends on an east-west axis, rather than the cottage's

north-south axis. The extension would be finished with larch timber cladding and dark grey metal sheet roofing.

An extension is also proposed to the west of the northern end of the cottage. The extension would be similar in footprint (68sqm) and scale to the garage extension and would also be adjoined to the cottage via a single storey glazed link. The extension would have a pitched roof with a similar ridge height to that of the garage, approximately 800mm above that of the cottage. Half of the extension's eastern gable end would project north beyond the northern gable end of the existing cottage. The extension would be finished with a smooth grey cement render and natural roof slates. The extension would incorporate 3no pitched roof, larch-clad dormers on its south-facing elevation and 2no rooflights on its northern elevation.

#### Formation of new driveway and access onto Baillieswells Road

It is proposed to form a new vehicular access onto Baillieswells Road in the southeastern corner of the site. The access would lead to an area of hardstanding to the south of the proposed garage extension, which would allow for additional off-street parking outwith the garage, as well as ample turning space for cars to exit the property in a forward gear.

#### Retrospective change of use of agricultural land to private garden ground

The change of use retrospectively being applied for relates to a c. 10-15m wide 'buffer' to the south and west of the previous curtilage of the dwelling which equates to approximately 820sqm. This area of land was previously in use as agricultural farmland, part of a much larger surrounding field and archive images show that the land has been incorporated into the residential curtilage of the property at some point in recent years (since September 2011).

### **Supporting Documents**

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

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=151542>

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

- Design Statement

### **CONSULTATIONS**

**Roads Development Management** – Stated that the proposals for the new vehicular access onto Baillieswells Road were discussed at pre-application stage

and the access complies with the required visibility splays and would therefore not have a detrimental impact on road safety.

**Environmental Health** – No observations

**Communities, Housing and Infrastructure (Flooding)** – Comments were received from the Flooding team on 24 November 2015 requesting the total increase in hardstanding area. As the application is being recommended for refusal however, it is not considered necessary to request such information.

**Community Council** – No comments

## **REPRESENTATIONS**

Two letters of representation were received. The concerns raised in the letters can be summarised as follows:

- The proposed western extension would project too far north and could have a detrimental impact on road safety on both the adjacent access road and at the junction of the access road and Baillieswells Road;
- Access and visibility at the junction could be compromised by any new boundary walls;
- There is a telegraph pole situated adjacent to the proposed new build;
- The application site includes land not owned by the applicant.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan**

#### Policy D1 - Architecture and Placemaking

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

#### Policy D4 - Aberdeen's Granite Heritage

The City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured.

#### Policy NE1 – Green Space Network

The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.



### Policy NE2 – Green Belt

No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal.

The following exceptions apply to this policy:

- Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:
  - a) the development is within the boundary of the existing activity.
  - b) the development is small-scale.
  - c) the intensity of activity is not significantly increased.
  - d) any proposed built construction is ancillary to what exists.
- Proposals for extensions of existing buildings as part of a conversion or rehabilitation scheme will be permitted in the green belt provided:
  - a) the original building remains visually dominant;
  - b) the design of the extension is sympathetic to the original building in terms of massing, detailing and materials; and
  - c) the siting of the extension relates well to the setting of the original building.

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

The following policies of the Proposed ALDP substantively reiterate the above corresponding policies of the Adopted Local Development Plan:

- Policy D1 – Quality Placemaking by Design
- Policy D5 – Our Granite Heritage
- Policy NE1 – Green Space Network

Policy NE2 (Green Belt) of the Proposed Local Plan also substantively reiterates the corresponding policy of the Adopted Local Plan, but includes the provision for replacement dwellings on a one-for-one basis as well as stating that:

All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials. All developments in the Green Belt should have regard to other policies of the Local Development Plan in respect of landscape, trees and woodlands, natural heritage and pipelines and control of major accident hazards.

### **Supplementary Guidance – Householder Development Guide**

#### General principles

- Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling.
- The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.

#### Single storey extensions to detached dwellings

- The maximum dimensions of any single-storey extension will be determined on a site-specific basis.

## **EVALUATION**

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

#### Principle of development – Retrospective change of use

As part of the application, the applicant is applying for the retrospective change of use of a section of the neighbouring agricultural farmland for incorporation into the property's private garden ground. It is unknown when this c. 820sqm section of the adjacent field was incorporated into the property's rear garden area, although archive images show that the previous, smaller boundary was still in place in September 2011.

The section of land that has been incorporated into the garden of Foggie Cottage was previously used as agricultural land and the entirety of the application site is zoned in the Aberdeen Local Development Plan (ALDP) as Green Belt (Policy NE2) land and also as part of the Green Space Network (Policy NE1).

Policy NE1 (Green Space Network) states that: *The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.*

Although the retrospective works have resulted in the loss of an area designated as Green Space Network, the section of land in question was previously in use as the corner of a large agricultural field. Whilst the section of land did not offer any significant contribution in itself toward the wider Green Space Network in terms of wildlife, recreational, landscape or access value, it did form part of a larger, valuable area of the Green Space Network. Therefore, it is considered that the change of use of the land and its incorporation into the curtilage of

Foggie Cottage has had a slight detrimental impact on the character, if not the function, of the Green Space Network. However, it is not considered that the impact on the Green Space Network is significant enough to warrant the refusal of the application.

However, Policy NE2 (Green Belt) of the ALDP states that:

*Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:*

- a) the development is within the boundary of the existing activity.*
- b) the development is small-scale.*
- c) the intensity of activity is not significantly increased.*
- d) any proposed built construction is ancillary to what exists.*

The incorporation of the land into the curtilage of Foggie Cottage constitutes a material change in the use of the land, which is considered to be development in accordance with Section 26 of The Town and Country Planning (Scotland) Act 1997. As such, the retrospective works are contrary to Policy NE2 (Green Belt), as they involve development that is not within the boundary of the existing activity, or the previously existing activity in this case as the works have already been carried out.

The retrospective works involve the incorporation of a relatively large proportion of ground into the curtilage of Foggie Cottage. The previous curtilage of the property was approximately 700sqm and with the addition of the adjacent c. 820sqm section of farmland, the curtilage has more than doubled in size to approximately 1520sqm.

The increased curtilage of the cottage has caused some harm to the Green Belt by virtue of its impact on the rural character of the area. The landscaping of the original curtilage was complementary to the rural setting of this part of Baillieswells Road, which is surrounded by agricultural land to the north, south and west. The proximity of the property to Baillieswells Road also means that alterations are readily noticeable from public view and the increased curtilage of the property has given the site a more standard, suburban character whilst also resulting in the loss of a portion of valuable agricultural land, which it is desirable to preserve.

Were the retrospective increase in the curtilage of the dwelling to be permitted, this would set an undesirable precedent for similar developments to take place elsewhere within the city boundary and could lead to the incremental erosion of the green belt, an area of land which is protected by both national and local policy.

Principle of development – extension of the dwellinghouse

The application site is zoned as Green Belt land in the ALDP and Policy NE2 (Green Belt) therefore applies. Although the Green Belt policy predominantly aims to protect such land for purposes related to agriculture, woodland and forestry and recreational uses compatible with an agricultural or natural setting, it is noted that there are some exceptions. One of these exceptions is as follows:

*Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:*

- a) the development is within the boundary of the existing activity.*
- b) the development is small-scale.*
- c) the intensity of activity is not significantly increased.*
- d) any proposed built construction is ancillary to what exists.*

The proposed extensions to the dwelling would be wholly contained within the previously existing curtilage of the dwellinghouse, prior to the unauthorised enlargement of said curtilage. The new off-street car parking area and vehicular access onto Baillieswells Road proposed to be formed would, however, be located within the additional area of the site which does not have consent for a change of use. These elements of the proposals are therefore contrary to Policy NE2 as they would be situated outwith the boundary of the existing activity.

Although the policy refers to the extensions of existing buildings as part of a conversion or rehabilitation scheme (aimed predominantly at steading conversions for residential use), given the context of the site and the overarching aims of the policy, it is considered appropriate to assess the proposed extensions to the existing dwelling against this section of the policy in this instance, even though the works do not form part of a conversion. The relevant section of the policy states that:

*Proposals for extensions of existing buildings as part of a conversion or rehabilitation scheme will be permitted in the green belt provided:*

- a) the original building remains visually dominant;*
- b) the design of the extension is sympathetic to the original building in terms of massing, detailing and materials; and*
- c) the siting of the extension relates well to the setting of the original building.*

In assessing the compliance or otherwise of the proposed works against the above section of Policy NE2 relating to extensions to existing buildings, it is necessary to assess the design and scale of the proposed extensions:

*a) The original building shall remain visually dominant*

Both the southern and western extensions to the dwelling would have pitched roofs with ridge heights higher than that of the original cottage which is proposed

to remain. The existing cottage has a roof ridge height of 5.2m, whilst it is proposed for the extensions to have ridge heights of 6m, a relatively substantial 800mm increase. The western and southern extensions, not including the two glazed links, would have footprints of 68sqm and 65sqm respectively, in comparison to the 55sqm original cottage. Considering the increased ridge heights of the extensions, their relatively large massing and footprints and also their siting to either side of the cottage, the proposed works would clearly dominate the original building in a visual sense, which is contrary to criterion a) of the above section of Policy NE2 (Green Belt).

*b) The design of the extension shall be sympathetic to the original building in terms of massing, detailing and materials*

The ridge heights of both the extensions are considered to be too high in relation to the original dwellinghouse, as covered in the foregoing analysis. For this reason, it is considered that the massing of the extensions would not be sympathetic to that of the original cottage.

The single storey glazed link extensions are considered to be an appropriately scaled, visually attractive contemporary method of linking the original building with the new extensions. These elements are considered to have been designed with sufficient sympathy and regard to the context of the existing cottage. Furthermore, aside from the issue of the increased ridge height, it is considered that the proposed southern extension which would incorporate a double garage at ground floor level, has been successfully designed as a high quality, contemporary addition to the dwelling. The extension would have a similar, although slightly larger, footprint and pitched roof design to that of the original cottage. The lack of any dormers on the extension's roof would respect the single storey character of the original building and the use of external finishing materials such as Siberian Larch wall cladding and a dark grey metal roof covering would help to clearly define the extension as a contemporary addition to the dwellinghouse that would respect and not visually dominate the original, traditional cottage.

The proposed western extension to the dwellinghouse, however, is not considered to have been designed with as much sympathy for the original building as its southern counterpart. The western extension's northern elevation would project 3m beyond the existing northern gable end and building line of the existing cottage, which fronts onto an adjacent access road serving two other residential properties to the west. The projection of the extension beyond the established building line would increase its visual dominance and serve to overwhelm the appearance of the existing cottage. Furthermore, the extension with its slate pitched roof, smooth grey wall render and 3no dormer extensions on its southern elevation, would have the appearance of a standard suburban 1½ storey dwelling, with its design, massing, siting and materials having little sympathy for the rural vernacular design and scale of the traditional single storey granite rubble cottage to which it would adjoin.

*c) The siting of the extension shall relate well to the setting of the original building*

Whilst it is recognised that any worthwhile extension to the original dwelling would likely have an impact on its visual dominance given the small-scale nature of the cottage, it is also considered that the proposed extensions are not particularly well sited with regard to minimising their impact on the original building. The contemporary garage extension proposed to be built off the southern gable end of the cottage would block off any views of the cottage when approaching from the south, yet the views of the cottage would be relatively unaltered from the north and east. However, the extension to the west would be constructed with approximately half of its eastern gable end projecting beyond the northern gable end of the original cottage. This would result in an unnatural relationship between the two buildings and the projection of the extension beyond the established northern building line which fronts onto the adjacent access road, would only further serve to visually dominate the existing building. As a result, it is considered that the siting of the proposed western extension would not relate well to the setting of the original building, which is contrary to criterion c) of the section of Policy NE2 relating to extensions to existing buildings in the Green Belt.

The proposed works are considered to be contrary to the above applicable section of Policy NE2, given that the original building would not remain visually dominant and the proposed extensions are not considered to have been designed or sited sympathetically in relation to the existing cottage.

Assessment against Policy D1 (Architecture and Placemaking) and the Householder Development Guide

The proposals are also considered to be contrary to Policy D1 (Architecture and Placemaking) of the ALDP and the relevant supplementary guidance as contained in the Council's Householder Development Guide, given that the extensions would not be architecturally compatible - particularly in terms of scale and siting, but also in relation to design - with the original house and its rural setting. The general principles section of the Householder Development Guide states that:

- *Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling; and*
- *The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.*

For the aforementioned reasons, the proposed works are considered to be contrary to these principles of the Householder Development Guide, as well as Policy D1 (Architecture and Placemaking), which requires new development to be designed with due consideration for its context and make a positive contribution to its setting.

### Design Statement

A design statement has been submitted as part of the application. The statement makes reference to three precedent examples of extensions and alterations to other rural cottages where the ridge height and massing of the extensions are greater than that of the original building. It should be noted that these examples all relate to addresses in Aberdeenshire and are therefore outwith the Aberdeen City Council boundary.

### Retention and refurbishment of the existing granite cottage

There is no issue with the removal of the existing, non-original single storey extensions to the cottage and although the refurbishment of the cottage does not, in itself, require consent, the retention of the cottage is welcomed and in accordance with Policy D4 (Aberdeen's Granite Heritage) of the ALDP, which states that: *'The City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured.'*

### Impact on amenity

The application site is situated in the countryside, approximately 120m from the nearest dwellinghouse. The rural context of the site and the large separation distance to the nearest neighbouring property is sufficient to ensure that the proposed works would not have any impact on the existing amenity of any nearby properties, in accordance with the Householder Development Guide.

### New vehicular access onto Baillieswells Road and boundary walls

The Roads Development Management Team were consulted on the application and they did not raise any concerns regarding the proposed new access onto Baillieswells Road. Although new boundary walls are proposed, these would not exceed 1m in height and as a result, they do not require planning permission and would not have any impact on the required visibility splays to both the north and south of the access. Therefore, it is considered that the proposed works would not have any impact on vehicular safety.

### Concerns raised in letters of objection

The following concerns raised in the letters of representation received can be addressed as follows:

- The proposed western extension would project too far north and could have a detrimental impact on road safety on both the adjacent access road and at the junction of the access road and Baillieswells Road

The Council's Roads Development Management Team were consulted on the application and did not make any comment on the positioning of the western extension adjacent to the access road to the north. The proposed extension would be contained within the application site, would not project

directly up to the adjacent access road and this element of the proposals is therefore not considered to pose a risk to road safety.

- Access and visibility at the junction could be compromised by any new boundary walls

The agent for the application has confirmed that any new boundary walls would not exceed 1m in height and they would therefore not require planning consent. Furthermore, the Roads Development Management Team are satisfied that sufficient visibility splays would be in place for the new access onto Baillieswells Road to ensure that there would not be any detrimental impact on road safety.

- There is a telegraph pole situated adjacent to the proposed new build

This is not a material planning consideration and it cannot be taken into consideration in the determination of the application.

- The application site includes land not owned by the applicant

The agent for the application was informed of this and the application site boundary was subsequently revised and the neighbours re-notified.

#### Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to representation and is regarded as an unresolved issue to be determined at the Examination, and
- the relevance of these matters to the application under consideration

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination.

The foregoing can only be assessed on a case by case basis. In relation to this particular application, policies D1, D5 and NE1 of the Proposed Local Development Plan substantively reiterate the relevant corresponding policies of



the Adopted Local Plan. However, whilst Policy NE2 (Green Belt) also predominantly reiterates that of Policy NE2 of the current Local Plan, it is also worth noting that it includes an additional paragraph which states that:

*‘All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials.’*

The proposed works are considered to be contrary to the relevant policies of the Adopted Local Development Plan for the reasons given in the foregoing evaluation and there are no other material considerations – including the provisions of the Proposed Local Plan – that would otherwise warrant the approval of the application. Indeed, the additional caveat in Policy NE2 (Green Belt) of the Proposed Local Plan only serves to further reiterate the requirement for development in the Green Belt to be of the highest quality.

## **RECOMMENDATION**

### **Refuse**

## **REASONS FOR RECOMMENDATION**

The change of use of the previously agricultural land that has been incorporated into the curtilage of the existing dwelling is contrary to Policy NE2 (Green Belt) of the Aberdeen Local Development Plan as it is not within the boundary of the existing activity and the approval of such a change of use could set an undesirable precedent for further such developments in the future, which could lead to the incremental erosion of the Green Belt.

The proposed extensions are not considered to relate well to, or be designed with due consideration for, the existing single storey cottage to which they would adjoin. The extensions combined would have a significantly larger footprint than the original building, with higher roof ridge heights and a siting that would serve to visually dominate and overwhelm the cottage. Furthermore, the design and materials of the proposed western extension would not be sympathetic to the character of the original building and its traditional rural vernacular. As such the proposals are considered to be contrary to Policies NE2 (Green Belt) and D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan and the relevant supplementary guidance as contained within the Householder Development Guide. The proposals are also considered to be contrary to the relevant corresponding policies of the Proposed Aberdeen Local Development Plan.

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PI

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**From:** Neil Simpson [REDACTED]  
**Sent:** 16 October 2015 02:39  
**To:** PI  
**Subject:** Planning application number 151542

Dear Sirs,

We reside at Foggieton House on Baillieswells Road and our neighbour at Foggie Cottage (Mr Michael Wilson) has lodged a planning application with you under application number 151542.

We wish to raise an objection to this application as follows:

We have safety concerns due to the close proximity of the proposed additional buildings to our access road. This is the only route into our property and all traffic including school buses come up the road. The proximity of the new building to the road makes for tight access round a bend in the road and we have safety concerns for vehicles on this part of the road, especially in winter conditions.

We trust you will consider our concern as part of your process.

Yours faithfully

Neil Simpson

From: webmaster@aberdeencity.gov.uk  
Sent: 19 October 2015 10:44  
To: PI  
Subject: Planning Comment for 151542

Comment for Planning Application 151542

Name : Mrs. J Howard

Address : The Old Grange Foggieton

Baillieswells Road, Bielside

Telephone :

Email : [REDACTED]

type :

Comment : I object to the above planning application 151542 due to the following concerns:

I believe the new bedroom extension extends too far north and west over the existing driveway and that this positioning of the building could cause potential safety issues. The line of sight along the access road could be affected. The west end of the proposed building is close to an awkward bend on this road, the other side of which there is a deep ditch. The driveway takes access traffic including the school bus and delivery lorries to two properties. In winter it can be affected by snow and ice. The new build would overshadow the drive and could therefore remain icy creating a hazard to drivers.

Access/visibility could be compromised onto Bailliewells Road if any new boundary wall were any higher than existing wall and also if the corner onto the road were to become sharper.

There is a telegraph pole close to new build and would like to know how this would be addressed.

Though it may not be the intention of the applicants this proposal extends over land not owned by them.

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## **Policy D1- Quality Placemaking by Design**

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials.

Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

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

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

To further ensure there is a consistent approach to placemaking throughout the city, the Aberdeen Masterplan Process will be applied to larger sites within the city.

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## **Policy D1 – Architecture and Placemaking**

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

To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.

Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

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#### **Policy D4 - Aberdeen's Granite Heritage**

The City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured. Within conservation areas, neither conservation area consent nor planning permission will be given for the demolition or part removal of granite buildings (excepting those buildings that make an insignificant contribution to the character of the conservation area). Consent will not be given for the demolition of granite-built garden or other boundary walls in conservation areas. Where a large or locally significant granite building that is not listed or in a conservation area is demolished, the City Council will expect the original granite to be used on the principal elevations of the replacement building.

The City Council will seek to retain original setted streets and granite pavements in conservation areas, and elsewhere if they contribute significantly to a sense of place. Where the opportunities occur, greater use will be made of granite in resurfacing historic streets in the City Centre.

The City Council will seek to retain coach houses and other large granite-built outbuildings adjoining rear lanes in conservation areas and conversion to appropriate new uses will be encouraged.

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## **Policy D5 – Our Granite Heritage**

Throughout Aberdeen the Council seeks the retention and appropriate re-use, conversion and adaption of all granite features, structures and buildings, including setted streets, granite kerbs and granite boundary wall

Proposals to demolish any granite building, structure or feature, partially or completely, that is listed or within a Conservation Area will not be granted Planning Permission, Conservation Area Consent and Listed Building Consent unless the Local Authority is satisfied that the proposal to demolish meets Historic Scotland's Scottish Historic Environment Policy (SHEP) test for demolition.

Where the retention and re-use of a granite feature, building or structure, in whole or part, is unviable then the visible re-use of all of the original granite as a building material within the development site is required.

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## **Policy NE1 Green Space Network**

The Council will protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network, which is identified on the Proposals Map. Proposals for development that are likely to destroy or erode the character and/or function of the Green Space Network will not be permitted.

Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments should maintain and enhance the coherence of the network. In doing so, provision should be made for access across roads for wildlife and outdoor recreation.

Masterplanning of new developments should consider the existing areas of Green Space Network and identify new areas incorporating Green Space Network. Masterplans will determine the location, extent and configuration of the Green Space Network within the area, and its connectivity with the wider network.

Development which has a negative impact on existing wildlife habitats and connections, or other features of value to natural heritage, open space, landscape and recreation, should be mitigated through enhancement of the Green Space Network.

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## **Policy NE1 – Green Space Network**

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Masterplanning of new developments should determine the location and extent of the Green Space Network within these areas.

Development which has any impact on existing wildlife habitats, or connections between them, or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network.

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## **Policy NE2 Green Belt**

No development will be permitted in the Green Belt for purposes other than those essential for agriculture; woodland and forestry; recreational uses compatible with an agricultural or natural setting; mineral extraction/quarry restoration; or landscape renewal.

The following exceptions apply to this policy:

1 Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:

- a) The development is within the boundary of the existing activity;
- b) The development is small-scale;
- c) The intensity of activity is not significantly increased; and
- d) Any proposed built construction is ancillary to what exists.

2 Essential infrastructure (such as electronic communications infrastructure, electricity grid connections, transport proposals identified in the LDP or roads planned through the masterplanning of opportunity sites) will only be permitted if it cannot be accommodated anywhere other than the Green Belt.

3 Buildings in the Green Belt which have a historic or architectural interest, or a valuable traditional character, will be permitted to undergo an appropriate change of use which makes a worthwhile contribution to the visual character of the Green Belt. Please see relevant Supplementary Guidance on Conversion of Buildings in the Countryside for detailed requirements.

4 Proposals for extensions of existing buildings, as part of a conversion or rehabilitation scheme, will be permitted in the Green Belt provided:

- a) The original building remains visually dominant;
- b) The design of the extension is sympathetic to the original building in terms of massing, detailing and materials, and
- c) The siting of the extension relates well to the setting of the original building.

5 Replacement on a one-for-one basis of existing permanent houses currently in occupation will normally be permitted provided:

- It can be demonstrated to the Council that they have been in continuous occupation for at least 5 of the seven years immediately prior to the date of the application;
- The replacement house, except in exceptional circumstances (e.g. to improve a dangerous access), occupies the same site as the building it would replace. Where replacement houses are permitted on sites different from the original site, the original house will require to be removed;
- Replacement houses should be of a scale, design and external appearance that contributes to the visual character of the Green Belt.

All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials. All developments in the Green Belt should have regard to other policies of the Local Development Plan in respect of landscape, trees and woodlands, natural heritage and pipelines and control of major accident hazards.

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## **Policy NE2 – Green Belt**

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The following exceptions apply to this policy:

1. Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:
  - a) the development is within the boundary of the existing activity.
  - b) the development is small-scale.
  - c) the intensity of activity is not significantly increased.
  - d) any proposed built construction is ancillary to what exists.
2. Essential infrastructure, such as electronic communications infrastructure and electricity grid connections, transport proposals identified in the Local Development Plan, such as the Aberdeen Western Peripheral Route, as well as roads planned through the masterplanning of new housing and employment allocations, which cannot be accommodated other than in the green belt.
3. Buildings in the green belt which have a historic or architectural interest or traditional character that contributes to the landscape setting of the city will be permitted to undergo a change of use to private residential use or to a use which makes a worthwhile contribution to the amenity of the green belt, providing it has been demonstrated that the building is no longer suitable for the purpose for which it was originally designed. (See Supplementary Guidance on The Conversion of Steadings and other Non-residential Vernacular Buildings in the Countryside).
4. Proposals for extensions of existing buildings as part of a conversion or rehabilitation scheme will be permitted in the green belt provided:
  - a) the original building remains visually dominant;
  - b) the design of the extension is sympathetic to the original building in terms of massing, detailing and materials; and
  - c) the siting of the extension relates well to the setting of the original building.

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## Supplementary Guidance

### Topic: Householder Development Guide



## ▪ INTRODUCTION

Good quality design, careful siting and due consideration of scale are key to ensuring that domestic development does not erode the character and appearance of our residential areas. Poorly designed extensions and alterations to residential properties can have a significant impact on the character and appearance of a building which, when repeated over time, can have a significant cumulative impact upon the wider area. By ensuring that careful consideration is given to such works, and consistent standards applied, we can seek to retain the characteristics of the built environment which contribute towards the character and identity of an area, while also protecting the amenity enjoyed by residents.

## ▪ OVERALL OBJECTIVE

All extensions and alterations to residential properties should be well designed, with due regard for both their context and the design of the parent building. Such extensions and alterations should make a positive contribution to the design and appearance of a building, maintain the quality and character of the surrounding area, and respect the amenity of adjacent neighbours. This document seeks to facilitate good design and provide a sound basis for restricting inappropriate development, bringing together a number of existing pieces of supplementary guidance into a single document in the process.

## ▪ SCOPE OF GUIDANCE

The guidelines set out in this document shall apply, on a city-wide basis unless otherwise stated, to all domestic properties. In the case of dormer windows and roof extensions, the guidelines will also extend to originally residential properties now in non-domestic use. It should be noted that the guidance contained within this document will be applicable only to those development proposals which require an express grant of planning permission, and shall not apply where any proposal is exempted from the application process by virtue of relevant permitted development rights. Permitted Development is a term used for certain types of development which, by satisfying specified conditions, is automatically granted planning permission without the submission of an application to the planning authority.

This document supersedes existing supplementary guidance relating to *'Dormer Windows and Roof Extensions'*, *'Dwelling Extensions in Aberdeen City'*, *'Dwelling Extensions in Cove'* and *'Extensions forward of the Building Line'*. The guidelines set out in this supplementary guidance should, where relevant to the development proposal, be read in conjunction with the City Council's other published Supplementary Guidance and Technical Advice Notes.

## ▪ THE ROLE OF THE PLANNING SYSTEM

In coming to a decision on any planning application, the planning authority must determine that application in accordance with the development plan, unless '*material considerations*' indicate otherwise. At time of writing, the development plan comprises the Aberdeen Local Plan 2008 and the Aberdeen City and Shire Structure Plan 2009.

There are two main tests in deciding whether a consideration is material and relevant:

- ☐ It should serve or be related to the purpose of planning – it should therefore relate to the development and use of land; and
- ☐ It should fairly and reasonably relate to the particular application.

It is for the decision-maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the provisions of the development plan. As a result of changes to the planning system, made through the 2006 Planning etc. (Scotland) Act and associated regulations, Supplementary Guidance prepared and adopted in connection with a Local Development Plan will form part of the development plan.

It should be noted that the planning system does not exist to protect the interests of one person against the activities of another, although in some cases private interests may well coincide with the public interest. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.

## ▪ STATUTORY REQUIREMENTS

The definition of "development" is set out in the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, and is termed as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. There are various exemptions to this, details of which can be provided by the planning authority.

Permitted Development rights set out in the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended. This document, commonly termed the 'Permitted Development Order' or 'PD Order', sets out various works which will not require an express grant of planning permission, provided those works are carried out in accordance with certain criteria. Where it is intended to utilise these rights, we encourage householders to seek confirmation from the planning authority before any works are carried out. The permitted development rights available to any

particular property can vary depending on factors such as location within a conservation area, removal of such rights by condition placed on a past approval, or removal of such rights by a virtue of an Article 4 direction. The effect of such a Direction is to remove permitted development rights, thereby necessitating submission of a formal application for planning permission. All of Aberdeen's Conservation Areas are covered by Article 4 Directions, with the exception of Rosemount and Westburn (Conservation Area 11). Article 4 directions also apply to areas of areas of Kingswells and Burnbanks, which lie outwith any Conservation Area. Please contact the planning authority for further details.

Taking into account the above, householders considering any works to land or property, should ask the following questions;

1. Do these works constitute 'development' as set out in planning legislation?
2. If the works constitute 'development', can they be carried out as 'Permitted Development'?

The answers to these questions will determine whether a planning application is necessary for any works, though it is recommended that the Council be consulted in order to ensure that any interpretation of legislation is correct.

In assessing planning applications, there are a number of duties incumbent upon Aberdeen City Council as the planning authority. These are duties set out in relevant planning legislation, and include the following;

**Listed Buildings** – The authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

**Conservation Areas** – With respect to buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

**Trees** – The planning authority shall, in granting planning permission for any development, ensure adequate provision is made for the preservation or planting of trees. Furthermore the authority shall make tree preservation orders (TPOs) as it considers to be necessary in connection with the grant of any such permission.

**Protected Species** – Where there is reason to believe that protected species may be located within or adjacent to a development site, the Planning Authority may deem it necessary for an application to be accompanied by additional supporting information in order to allow proper assessment of any likely impact as a result of development. For further guidance in relation to protected species, applicants should consult the City Council's published Supplementary Guidance on **Natural Heritage**; and **Bats and Development**.



Where works would affect a listed building, it may be necessary to apply for a separate consent for those works, called Listed Building Consent. This consent is independent from ordinary planning permission, and may be required in addition to planning permission. Where both consents are necessary, the applicant must obtain both consents before work can begin.

In assessing any application for Listed Building Consent, the emphasis is placed on preserving the historic character of the building(s) in question. Applications can be made online via the Scottish Government's e-planning website ([www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk)) or direct to Aberdeen City Council using the application forms available on our own website. For advice on whether Listed Building Consent will be necessary for your proposal, please contact Aberdeen City Council's Development Management section on 01224 523 470 or by email via [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk). In considering proposals for Listed Building Consent, Conservation Area Consent or planning permission for development which may affect the historic environment, the planning authority will take into account Scottish Planning Policy (SPP), the Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment guidance note series published by Historic Scotland.

Planning legislation requires that certain applications are advertised in the local press. Applications for Listed Building Consent or planning applications that affect the setting of a listed building will be advertised, while those located within a Conservation Area may be advertised depending on the potential impact of the proposal. There is no charge to the applicant in such instances. Advertisement is also required where it has not been possible to issue notification because there are no properties on adjacent land, and for this the cost will be borne by the applicant.

#### ▪ GENERAL PRINCIPLES

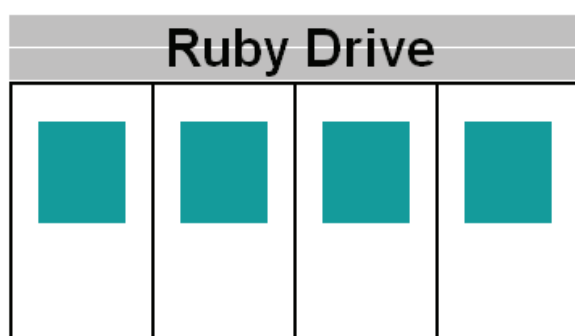
Elsewhere in this document, guidelines are set out in relation to specific types of development, such as house extensions, porches etc. In addition to those specific criteria, the following principles will be applied to **all** applications for householder development:

1. Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling.
2. Any extension or alteration should not result in a situation where amenity is 'borrowed' from an adjacent property. Significant adverse impact on privacy, daylight and general residential amenity will count against a development proposal.

3. Any existing extensions, dormers or other alterations which were approved prior to the introduction of this supplementary guidance will not be considered by the planning authority to provide justification for a development proposal which would otherwise fail to comply with the guidance set out in this document. This guidance is intended to improve the quality of design and effectively raise the design standards and ground rules against which proposals will be measured.
4. The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.
5. No more than 50% of the front or rear curtilage shall be covered by development.

## ▪ REAR & SIDE EXTENSIONS

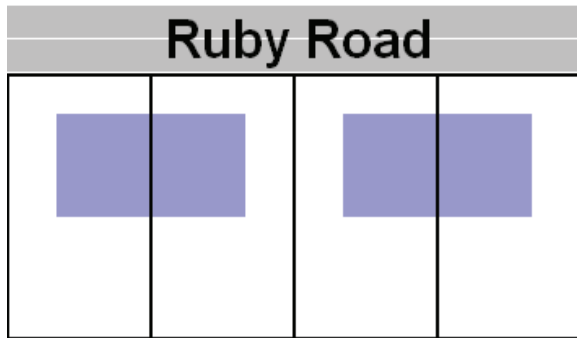
In addition to the design considerations noted above, the planning authority shall continue to apply guidelines relating to specific types of dwellings, as follows. Where dimensions are stated for projection of extensions, these should be measured from the rearmost original part of the main building, and should not include any store or outhouse which did not originally contain any internal living accommodation. Where an extension is proposed as part of a steading conversion, the proposal will be assessed primarily against the Council's published Supplementary Guidance on '*The Conversion of Steadings and other Non-residential Vernacular Buildings in the Countryside*'.



### 1. Detached Dwellings

- a) The maximum dimensions of any single-storey extension will be determined on a site-specific basis.
- b) On detached properties of 2 or more storeys, two storey extensions will generally be possible, subject to the considerations set out in the 'General Principles' section, above.

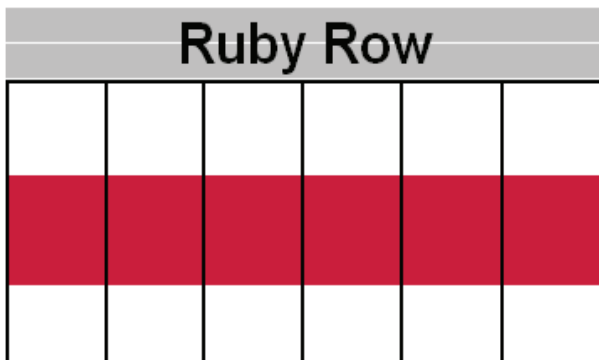
## 2. Semi-detached Dwellings



- a) Single storey extensions will be restricted to 4m in projection along the boundary shared with the other half of the semi-detached property. In all other cases, the maximum size of single storey extension will be determined on a site-specific basis, with due regard for the topography of the site and the relationship between buildings.

- b) On properties of 2 or more storeys, two storey extensions may be possible, subject to the design considerations set out in the 'General Principles' section, above. The projection of two-storey extensions will be restricted to 3m along the boundary shared with the other half of the semi-detached property.

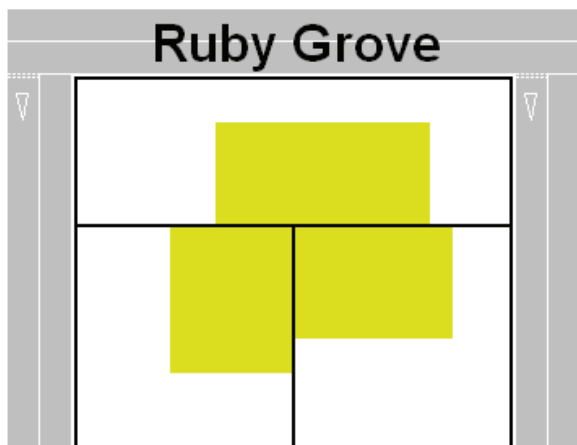
## 3. Conventional Terraced Dwellings



- (a) Single storey extensions to terraced dwellings will be restricted to 3m in projection along a mutual boundary.
- (b) Two storey extensions will normally be refused where the proposal runs along a mutual boundary. There will generally be limited scope for the addition of two-storey extensions to terraced properties.

- (c) Proposals for extensions to end-terrace properties will be subject to these standards unless it can be demonstrated that the specific circumstances of the site and the proposal justify a departure from the above.

## 4. Grouped Terraces



- (a) Extensions should not project forward of any established building line
- (b) Single-storey extensions to group terrace properties will be restricted to 3m in projection from the rear wall of the original dwelling
- (c) Two-storey extensions to grouped terrace properties will not normally be acceptable

## ▪ FRONT EXTENSIONS / PORCHES

The Council has developed the practice, when considering proposals for porch extensions in front of a formal building line, of limiting such structures to the minimum size necessary for protection from storms.

The practice which has become established is intended to preserve the consistent architectural form of a terrace, maintain an uncluttered street scene and to ensure that light and prospect are not lost to neighbouring properties. Recent changes to permitted development legislation allow the construction of porches in certain prescribed instances. In assessing applications of this nature, the following will apply;

- a) Front extensions of any type should be of a scale and design which is complementary to, and consistent with, the original dwelling. Modest porches will generally be acceptable, but these should not incorporate additional rooms (e.g. toilet, shower room), and should not detract from the design of the original building or the character of the street.
- b) In all cases, careful consideration will be given to (i) impact on adjacent property; (ii) visual impact; and (iii) the extent of any building line and the position of the adjacent buildings generally.
- c) Within a Conservation Area, it will not be permitted to add a front extension to any property which forms part of an established building line.
- d) Given the wide variety of house types across the city and the existence of 'dual-frontage' dwellings, it will be for the planning authority to determine which elevation forms the principal elevation of a dwelling for the purposes of this guidance.
- e) It may be permissible to incorporate bay windows on front elevations, subject to an appropriate restriction in depth and an acceptable design outcome which will complement the original property. The design and scale of such extensions should reflect that of the original dwelling, and should not be utilised as a means to secure significant internal floorspace.
- f) Any front extension should incorporate a substantial proportion of glazing, in order to minimise its massing and effect on the streetscape.

## ▪ DORMER WINDOWS AND ROOF EXTENSIONS

Recent changes to the Permitted Development rights available to householders allow for the addition of dormer windows (subject to criteria regarding position in relation to a road, distance from site boundaries etc) to properties outwith Conservation Areas. Nevertheless, such alterations can have a significant impact upon the character of a property and the wider streetscape, and so careful consideration of proposals remains important.

As a basic principle, new dormer windows or roof extensions should respect the scale of the building and they should not dominate or tend to overwhelm or unbalance the original roof. The purpose of this design guide is to assist those intending to form, alter or extend dormer windows in their property, in formulating proposals which are likely to be considered favourably by the planning authority. Situations may arise where the extent of new dormers or roof extensions will be considered excessive. There may also be situations where any form of roof extension or dormer will be considered inappropriate e.g. on a very shallow pitched roof with restricted internal headroom. It is recommended therefore that advice from the planning authority is obtained before submitting a formal application for any consent.

A series of general guidelines are outlined below, and are followed by further guidelines which will be applied to older properties of a traditional character and modern properties respectively.



Above: Examples of the variety of dormer types to be seen around Aberdeen

Below: Situation where roof pitch is too shallow to comfortably accept any type of dormer or roof extension



Example of a poorly designed roof extension – Dormers are too large, dominating the roof slope, and use of substantial infill panels and slated aprons contributes to bulky appearance

## **Dormer Windows: General Principles**

The following principles will normally apply in all cases:

- a) On traditional properties, original dormers must be retained and repaired, and their removal and/or replacement with larger or modern dormers will not be permitted;
- b) The removal of inappropriate earlier dormers and roof extensions, and their replacement by architecturally and historically accurate dormers will be actively encouraged;
- c) In terraces or blocks of properties of uniform design where there are no existing dormers, the construction of new dormers will not be supported on the front or other prominent elevations (e.g. fronting onto a road);
- d) On individual properties or in terraces where there are existing well-designed dormers and where there is adequate roof space, the construction of new dormers which match those existing may be acceptable. Additional dormers will not be permitted however, if this results in the roof appearing overcrowded. These dormers should be closely modelled in all their detail and in their position on the roof, on the existing good examples. They will normally be aligned with windows below;
- e) Box dormers will not be permitted anywhere on listed buildings, nor will the practice of linking existing dormers with vertical or inclined panels; and
- f) In the case of non-listed buildings in conservation areas, consideration may be given to the provision of linked panels between windows on the private side of the building, where the extension is not seen from any public area or is otherwise only visible from distant view. In such cases any linked panel should slope at a maximum of 75° to the horizontal.

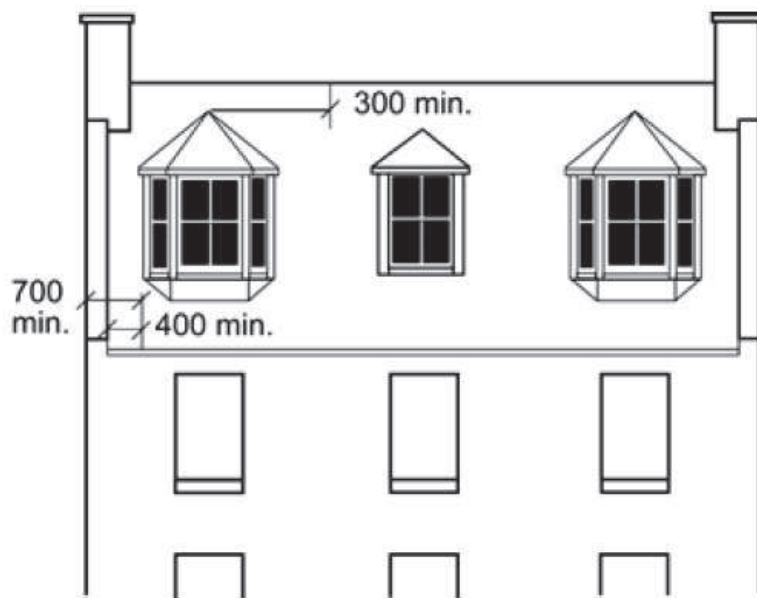


Non-traditional style dormers may be accepted on the rear of non-listed buildings in conservation areas, but generally not on the rear or any other elevations of listed buildings.

## **Dormer Windows: Older properties of a traditional character**

### **1. Front Elevations**

- a) On the public elevations of older properties the Council will seek a traditional, historically accurate style of dormer window. In addition, all new dormers will have to be of an appropriate scale, i.e. a substantial area of the original roof must remain untouched and clearly visible around and between dormers. The main principles to be followed are:
- b) Existing original dormers should be retained or replaced on a "*like for like*" basis. Box dormer extensions will not normally be acceptable on the front elevations;
- c) The aggregate area of all dormers and/or dormer extensions should not dominate the original roof slope. New dormers should align with existing dormers and lower windows and doors;
- d) The front face of dormers will normally be fully glazed and aprons below the window will not be permitted unless below a traditional three faceted piended dormer;
- e) Dormers should not normally rise directly off the wallhead. In the case of stone buildings, dormers which rise off the inner edge of the wallhead will generally be acceptable. The position of the dormer on the roof is very important. Dormers which are positioned too high on the roof give the roof an unbalanced appearance
- f) The outer cheek of an end dormer should be positioned at least 700mm in from the face of the gable wall or 1000mm from the verge. Where there is tabling on top of the gable, the cheek should be at least 400mm in from the inside face of the tabling. It is never acceptable for a dormer haffit to be built off the gable or party wall; and
- g) The ridge of any new dormer should be at least 300mm below the ridge of the roof of the original building. If it is considered acceptable for the dormer ridge to be higher than this, it should not nevertheless, breach the ridge or disturb the ridge tile or flashing.



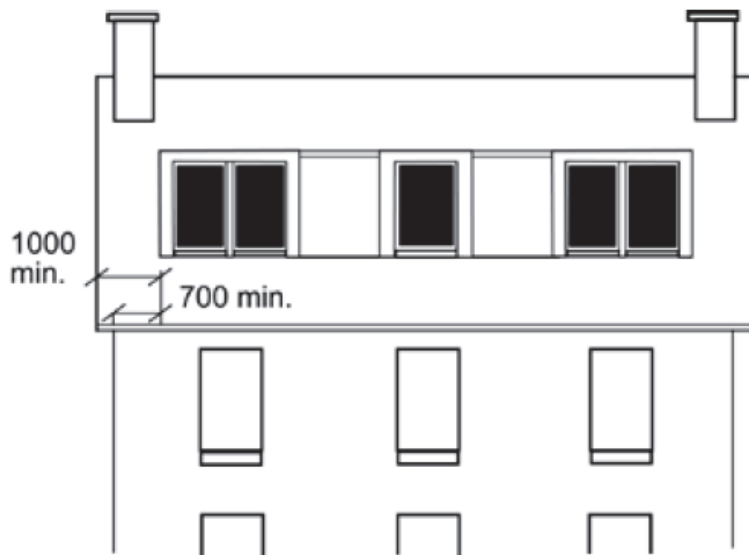
Piended dormers on typical Aberdeen tenement (linking dormers not acceptable on front elevations)

## 2. Rear Elevations and Exceptions

The guidelines for older properties may be relaxed where a property is situated between two properties which have existing box dormer extensions, or in a street where many such extensions have already been constructed. They may also be relaxed on the non-public (rear) side of a property. In such cases, and notwithstanding the design and finish of neighbouring development, the following minimum requirements will apply:

- a) The aggregate area of all dormer and/or dormer extensions should not dominate the original roof slope;
- b) Dormer haffits should be a minimum of 400mm in from the inside face of the gable tabling;
- c) The front face of dormer extensions should be a minimum of 400mm back from the front edge of the roof, but not so far back that the dormer appears to be pushed unnaturally up the roof slope.
- d) Flat roofs on box dormers should be a reasonable distance below the ridge;
- e) Windows should be located at both ends of box dormers;
- f) A small apron may be permitted below a rear window; and
- g) Solid panels between windows in box dormers may be permitted but should not dominate the dormer elevation.

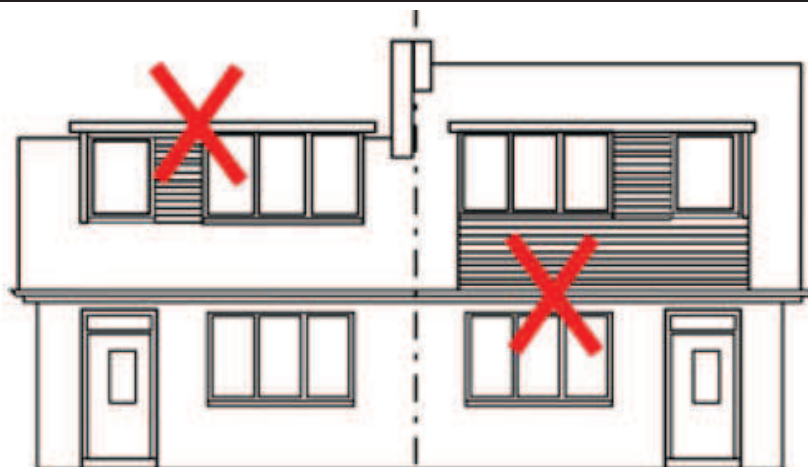




Flat roofed box dormer (normally only acceptable on rear elevations)

### Dormer Windows: Modern Properties

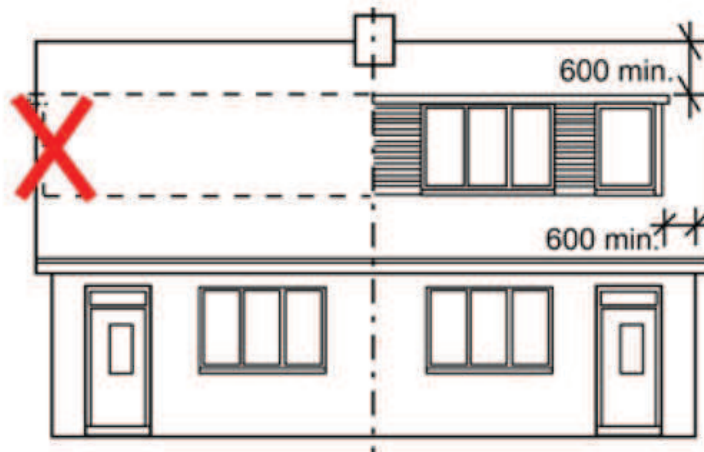
- a) Dormers and box dormer extensions have become common features in many modern housing areas, and the wide variety of designs of modern dwellings necessitates a greater flexibility in terms of design guidance. The amenity of other properties and the residential neighbourhood must however, still be protected, with the integrity of the building being retained after alteration. The following basic principles may be used to guide the design and scale of any new dormer extension:
- b) The dormer extension should not appear to dominate the original roofspace.
- c) The dormer extension should not be built directly off the front of the wallhead as the roof will then have the appearance of a full storey. On public elevations there should be no apron below the window, although a small apron may be acceptable on the rear or non-public elevations. Such an apron would be no more than three slates high or 300mm, whichever is the lesser;



Dormer extension should not extend to or breach ridge (roof too shallow)

Dormer extensions should not be built off front of wall head or include apron

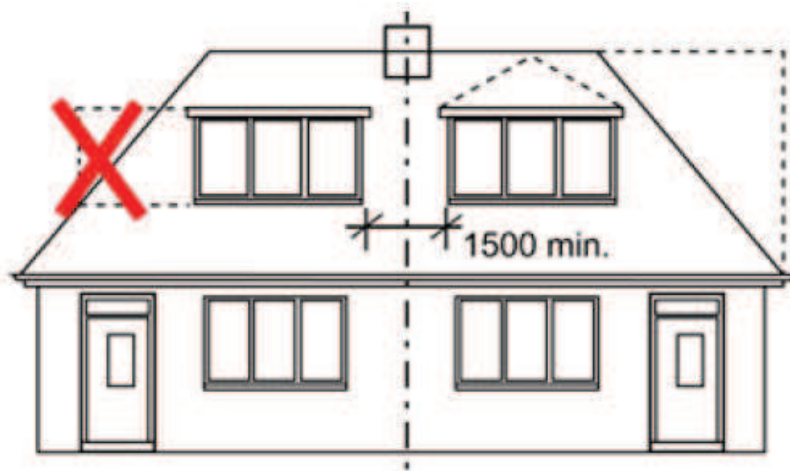
- d) The roof of the proposed extension should not extend to, or beyond the ridge of the existing roof, nor should it breach any hip. Dormer extensions cannot easily be formed in hipped roofs. Flat roofed extensions should generally be a minimum of 600mm below the existing ridge;
- e) The dormer extension should be a minimum of 600mm in from the gable. The dormer haftit should never be built off the gable or party walls, except perhaps in the situation of a small semi-detached house where the dormer extension may sometimes be built off the common boundary. In terrace situations, or where a detached or semi-detached bungalow is very long, dormer extensions should be kept about 1500mm apart (i.e. dormer haftits should be 750mm back from the mutual boundary) so as not to make the dormer appear continuous or near continuous;



Box dormer extension on small semi-detached house (in this case it is permissible to build up to the party wall). Dormers should not extend out to verge / roof edge.

- f) The outermost windows in dormer extensions should be positioned at the extremities of the dormer. Slated or other forms of solid panel will not normally be acceptable in these locations. In the exception to this situation, a dormer on a semi-detached house may have a solid panel adjacent to the common boundary when there is the possibility that the other half of the house may eventually be similarly extended in the foreseeable future. In this case the first part of the extension should be so designed as to ensure that the completed extension will eventually read as a single entity;
- g) There should be more glazing than solid on the face of any dormer extension.
- h) Box dormer extensions should generally have a horizontal proportion. This need not apply however, to flat roofed individual dormer windows which are fully glazed on the front;

- i) Finishes should match those of the original building and wherever possible the window proportion and arrangement should echo those on the floor below:
- j) The design of any new dormer extension should take account of the design of any adjoining dormer extension.

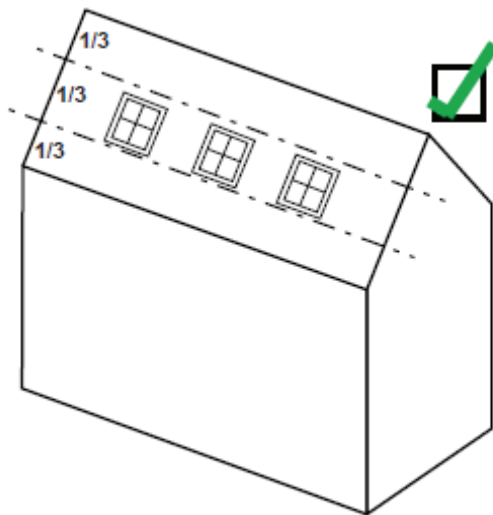


Flat roofed dormers on more traditional hipped roof house (Dormers should not breach hips. A pitched roof on this kind of dormer greatly increases its bulk). Extending roof to the gable on one side only is best avoided.

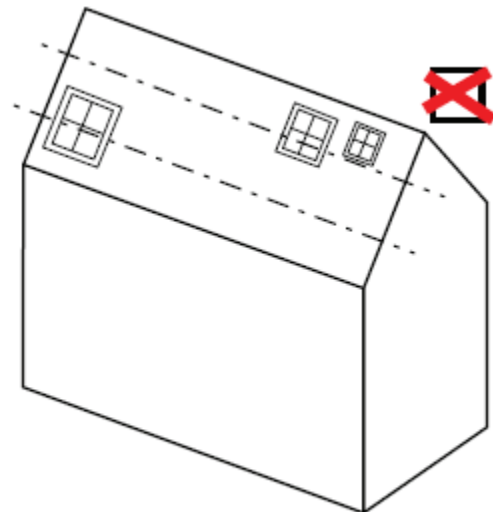
## ▪ ROOFLIGHTS

The installation of rooflights is a simple and cost effective method of allowing additional natural light and ventilation into an attic or roofspace. An excessive use of these rooflights can however, create visual clutter on a roof. Planning Permission is required for the installation of such rooflights on buildings in conservation areas and Listed Building Consent is required for proposals involving alteration of a listed building. When considering the installation of a rooflight, account should be taken of the following:-

- a) A rooflight provides considerably more light than a normal vertical window of the same dimension. Many rooflights installed are consequently, larger and more numerous than is really necessary. In a roofspace used only for storage, the smallest rooflight will generally be adequate;



Small rooflights in the middle third of roof space and evenly spaced.

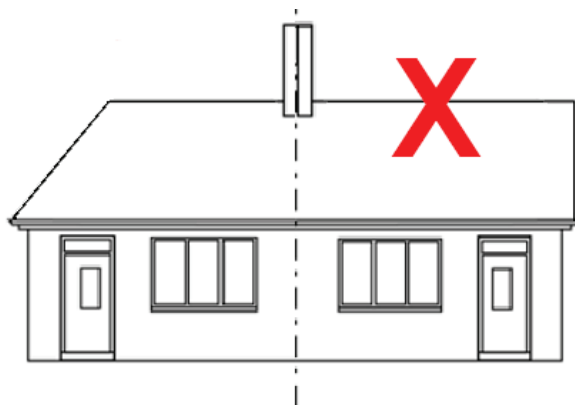


Rooflights too large and too close to eaves and verge. A variety of sizes, spacing and levels.

- b) Rooflights should have a conspicuously vertical proportion. Seen from ground level, the foreshortening effect will tend to reduce the apparent height of the window, giving it a more squat appearance;
- c) On older buildings, and particularly on listed buildings and buildings in conservation areas, a 'heritage' type of rooflight will be expected. This is of particular importance on public elevations. Even the addition of a central glazing bar to a rooflight can provide a more authentic appearance in such instances;
- d) Large timber or cast iron rooflights divided into several sections were frequently provided above stairwells. It is not ideal to replace these with a single-pane modern rooflight. If the original rooflight cannot be repaired, aluminum or steel patent glazing is a more satisfactory option; and

- e) For rooflights fitted into slated roofs, manufacturers can provide a special flashing with their rooflights to keep the projection of the rooflight above the plane of the slates to a minimum.
- f) There are available metal roof windows which have an authentic traditional appearance whilst meeting current standards for insulation and draught exclusion.

## ▪ OTHER FORMS OF DORMER WINDOW AND ROOF EXTENSION



### Hipped roof extensions

Modifying only one half of a hipped roof is likely to result in the roof having an unbalanced appearance. The practice of extending a hipped roof on one half of a pair of semi-detached houses to terminate at a raised gable will not generally be accepted unless;

- The other half of the building has already been altered in this way; **or**
- Such a proposal would not, as a

result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area.

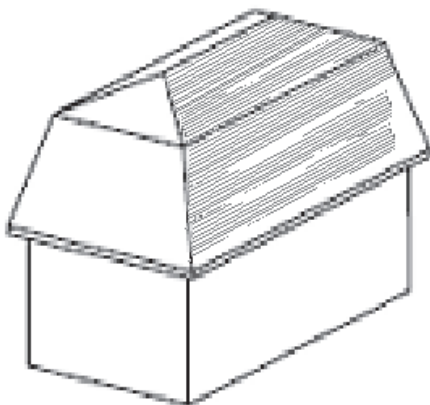
### Half dormer windows

Half dormer windows have the lower part of the window within the masonry wall, with the part in the roof space surrounded by masonry or timberwork. This type of window is usually quite narrow, vertical in proportion, and is appropriate when the floor is below the wall-head level.



### Wall-head gables

A wall-head gable commonly has a centre window, with flues passing each side within the masonry to a common central chimney. It would be essential for any such feature to be constructed in the same material as the wall below. (Both half dormer window and wall-head gables have a strong visual impact which could substantially alter the character of a building. They are therefore, unlikely to be acceptable on listed buildings, but might be accepted in conservation areas or on other older buildings of a traditional character.)



### Mansard Roofs

Mansard roofs are a common, even a somewhat overused method of obtaining additional attic floorspace having standard headroom overall. Mansard roofs tend to have a top heavy appearance on buildings which have only a single storey of masonry, and should be restricted to buildings of two or more masonry storeys. They will not normally be acceptable in semi-detached or terraced situations unless all the other properties in the

group are to be similarly altered at the same time. In effect, few situations will arise where an existing roof can readily be converted to a mansard roof.

On the occasions when a mansard roof solution is acceptable, considerable attention to detail is required to ensure that the altered roof is visually authentic. The following points should be observed:

- a) There should be no fascia at the eaves, nor should the mansard project forward of the masonry line;
- b) The mansard should be taken down to either a concealed lead gutter behind a masonry parapet, or to an "ogee" or half round cast iron gutter in line with the face of the masonry;
- c) The gables of the building should be extended up in the same material as the original gables, and should terminate at a masonry skew in the same profile as the mansard roof. It will not normally be acceptable to return the mansard roof across the gable with hipped corners;
- d) The lower slope of the roof should be inclined at no greater than 75° to the horizontal.

## ▪ OTHER DOMESTIC ALTERATIONS

### **Replacement Windows and Doors**

Windows and doors are important features of a building that contribute greatly to the character of the building and of the street in which the building stands. They are also increasingly subject to alteration or replacement. Householders are referred to the council's Supplementary Guidance entitled '*Guidance on the Repair and Replacement of Windows and Doors*'.

### **Satellite Dishes**

In all cases, microwave antennas should, as far as is practicable, be sited so as to minimise their visual impact and effect on the external appearance of a building. The cumulative effects of such seemingly minor additions can be significant, particularly within conservation areas and where installed on listed buildings. Permitted development rights exist for the installation of satellite dishes on dwellinghouses outwith Conservation Areas, provided any dish installed would not project more than 1m from the outer surface of an external wall, roof plane, roof ridge or chimney of the dwellinghouse.

For buildings containing flats, satellite dishes may only be installed without planning permission where the site;

1. Lies outwith any Conservation Area
2. Is not within the curtilage of a Listed Building
3. Would not protrude more than 1m from the outer surface of any wall, roof place, roof ridge or chimney.

Where planning permission is required for such works, the Council's duties in relation to listed buildings and conservation areas will be of relevance. Householders should also be aware that, irrespective of the Permitted Development rights set out above, a separate application for Listed Building Consent is likely to be required where installation is proposed within the curtilage of a listed building.

### **Decking**

Homeowners are often unaware that the formation of decking may require planning permission. It is therefore important to discuss any such proposals with the planning authority at an early stage to determine what consents may be necessary and to identify any potential issues with a proposal. The formation of decking will require planning permission in the following instances;

- Any part of the deck would be forward of a wall forming part of the principal elevation, or side elevation where that elevation fronts a road;
- The floor level of any deck or platform would exceed 0.5m in height;
- The combined height of the deck and any wall, fence, handrail or other structure attached to it, would exceed 2.5m;
- If located within a Conservation Area or within the curtilage of a Listed Building, the deck or platform would have a footprint exceeding 4 square metres

Raised decking can in many cases provide a desirable outdoor amenity space, but the impact upon adjacent properties should be given careful consideration. The raised surface of a deck may result in overlooking into neighbouring gardens and a consequent loss of privacy. Equally, enclosing raised decks with additional fencing can result in neighbours being faced with excessively tall boundary enclosures which can affect light in neighbouring gardens.

The following guidelines will be relevant to the assessment of proposals involving raised decking areas;

- a) Proposals should not result in an unacceptable loss of privacy for neighbouring residents.
- b) Proposals should not result in an adverse impact upon the amenity of adjacent dwellings, including both internal accommodation and external private amenity space.
- c) There will be a presumption against the formation of decking to the front of any property, or on any other prominent elevation where such works would adversely affect the visual amenity of the street scene.



### **Fences, Walls and Other Boundary Enclosures**

Boundary enclosures such as fences, gates and walls may not require planning permission, due to the permitted development rights which exist.

- a) Planning permission will always be required for such works to a listed building, or within the curtilage of a listed building.
- b) Planning permission will always be required for such works within a Conservation Area.
- c) Conservation Area Consent may be necessary for the demolition of boundary walls with conservation areas.
- d) In all instances, the scale and form of boundary enclosures should be appropriate to their context and should not detract from the street scene as a result of inappropriate visual impact.
- e) In all instances, proposals for boundary enclosures should not result in an unacceptable impact upon the amenity of neighbouring dwellings.

### **Driveways**

The Council's Supplementary Guidance on '*Transport and Accessibility*' provides guidance on situations where planning permission will be required for such works. This guidance also sets out criteria by which applications for parking areas in Conservation Areas and within the curtilage of Listed Buildings will be assessed.

Planning permission will be required in the following circumstances;

- The property is a flat;
- Construction work involves over 0.5 metres of earthworks (excavation or raising of ground level);
- The verge to the footway has grass over 2.5 metres wide;
- The driveway accesses on to a classified road;
- The property is a listed building or is situated in a conservation area.

Permission will not be granted for a driveway across an amenity area or roadside verge unless it would have no detrimental impact in road safety and would have no adverse effect on the amenity of the area (e.g. involves the loss of mature or semi-mature trees).

For more detailed guidance on proposals involving the formation of a driveway, please consult sections 8 and 9 of the Council's '*Transport and Accessibility*' Supplementary Guidance.

### **Microrenewables**

The term 'micro-renewables' refers to all forms of domestic micro-generation utilising a renewable form of energy. These come in a number of forms, and are increasingly common as the relevant technology evolves and becomes more widely available, efficient, and reliable.

The planning authority aims to encourage the use of micro-renewable technologies within the curtilage of domestic dwellinghouses. Careful consideration is required in relation to their positioning, however, in order to avoid undue prominence within the street scene, particularly within conservation areas and where proposals may affect the setting of a listed building. Installation of such equipment can in many cases be carried out by virtue of Permitted Development rights, which allow for improvements and alterations to dwellinghouses and other works within the curtilage of a dwellinghouse, provided the site is located outwith any designated Conservation Area and does not involve works within the curtilage of a Listed Building. At present there are no permitted development rights available for domestic microgeneration via the installation of wind turbines on a dwellinghouse. In most circumstances, planning permission will be required for the installation of wind turbines elsewhere within the curtilage of a domestic property.

#### ▪ **CHANGE OF USE FROM AMENITY SPACE TO GARDEN GROUND**

Amenity space and landscaping are valued assets within residential areas. They are common features in most housing developments and are provided for a number of reasons including –

- to improve the appearance of the area;
- to provide wildlife habitats, enhance ecology and often form part of sustainable urban drainage systems;
- to act as pedestrian routes through developments;
- to provide informal recreation areas;
- to provide good safety standards for drivers, cyclists and pedestrians in terms of road verges or visibility splays.

Many homeowners seek to purchase areas of such land from either the Council or a housing developer to enlarge their own gardens. In all circumstances this requires planning permission for a change of use from amenity ground to garden ground.

Prior to submitting a planning application it is advisable to contact the landowner to see if they would be willing to sell the particular piece of land. In the case of the Council land you should contact –

Asset Management  
Enterprise, Planning and Infrastructure

Business Hub 10  
Second Floor South  
Marischal College  
Broad Street  
AB10 1AB

It is also advisable to contact Planning and Sustainable Development prior to submitting your application for planning advice on acceptability of your proposal.

Planning applications will be assessed in the context of Policy H1 (Residential Areas) of the Aberdeen Local Development Plan which states that proposals for householder development will only be approved if they do not result in the loss of valuable open space. Each planning application for change of use is dealt with on its own individual merits, however in considering whether an application is acceptable the Council will assess the proposal against the following criteria –

- The proposal should not adversely affect amenity space which makes a worthwhile contribution to the character and amenity of the area or contains mature trees that make a significant contribution to the visual amenity of the wider neighbourhood. In most circumstances the amenity ground will make a contribution, however sometimes small incidental areas of ground make little contribution to the appearance of the neighbourhood. For instance it may be acceptable to include within garden ground secluded areas that are not visible from footpaths or roads and that do not make a contribution to the wider visual amenity of the area. Similarly it may be acceptable to include small corners of space that can be logically incorporated into garden ground by continuing existing fence lines.
- The proposal should not fragment or, if replicated, be likely to incrementally erode larger areas of public open space or landscaping.
- The proposal should not worsen or create a deficiency in recreational public open space in the area. The less amenity space there is in an area the more value is likely to be placed on the existing amenity space. The Open Space Audit identifies areas of the city where there is a deficiency and should this be the case there will be a presumption against the granting of planning permission.
- The proposal should not result in any loss of visual amenity including incorporating established landscaping features such as mature trees or trees that make a significant contribution to the area. It is unlikely the Council would support the incorporation and likely loss of such features, however in circumstances where it is acceptable replacement planting to compensate will normally be required.
- The proposal should not result in an irregular boundary layout that would be out of keeping with the otherwise uniform character of the area.

- The proposal should not result in the narrowing of footpath corridors or lead to a loss of important views along such footpaths, making them less inviting or safe to use.
- The proposal should not prejudice road or pedestrian safety. Areas of amenity space often function as visibility splays for roads and junctions.
- The proposal should not give rise to the setting of a precedent that would make it difficult to resist similar proposals in the future. Over time the cumulative impact of the loss of separate areas of ground can lead to the gradual erosion of amenity space, which is not in the public interest and can affect the overall amenity and appearance of the area.

#### ▪ **HOUSES IN MULTIPLE OCCUPATION (HMOs)**

Presently the term House in Multiple Occupation (HMO) is not one commonly associated with the planning system in Scotland. The term is not defined in planning legislation, though Scottish Government Circular 8/2009 does provide some advice on HMOs, suggesting that there may be a role for the planning system in managing HMOs where a material change in the use of a house or flat has taken place. Multiple occupancy can intensify pressure on amenity, particularly with regards to shared/mutual areas and car parking. It is therefore appropriate to ensure that appropriate provision is made prior to granting planning permission for an HMO.

A useful starting point is to clearly identify what constitutes an HMO for the purposes of this Supplementary Guidance. The planning system defines 'dwellinghouse' and 'flat' as detailed below;

*Flat "means a separate and self contained set of premises whether or not on the same floor and forming part of a building from some other part which it is divided horizontally."* Part 1 (2) Town and Country Planning (General Permitted Development) (Scotland) Order 1992)

A house is defined within class 9 (houses) under the Town and Country Planning (Use Classes) (Scotland) Order 1997. This allows for use as;

- a) *A house, other than a flat, whether or not as a sole or main residence, by-*
  - (i) *A single person or by people living together as a family; or*
  - (ii) *Not more than 5 residents living together including a household where care is provided for residents*
- b) *as a bed and breakfast establishment or guesthouse, where at any one time not more than 2 bedrooms are, or in the case of premises having less than 4 bedrooms, 1 bedroom is, used for that purpose.*

This means that, where more than 5 persons are living together, other than as a family, the premises would not fall within the definition of a 'dwellinghouse' for planning purposes. It is reasonable to use this same threshold as the point at which a material change in the use of premises has occurred, and an application for change of use to form an HMO would be necessary.

Where flats are concerned, planning legislation does not specify any number of residents above which premises will no longer be considered a 'flat' for planning purposes. Given the potential for increased pressure on amenity, particularly in shared/mutual areas and car parking, it is necessary for this guidance to set a threshold above which use will no longer be considered as a 'flat'. HMOs account for a significant proportion of the available rental accommodation in Aberdeen, and are particularly important in supporting the City's sizeable student population. In setting a threshold above which planning permission will be necessary, it is noted that any number of people may live together in a single property, provided they are part of the same family unit. Taking this into account, it is considered that 6 or more unrelated people living together in a flat would be materially different from family use. This will be the threshold used for the purposes of this guidance.

Planning permission will be required for change of use to a House in Multiple Occupation in the following instances;

- 1. The occupation of a house by 6 or more unrelated persons**
- 2. The occupation of a flat by 6 or more unrelated persons**

It is important to note that separate licensing requirements exist for the establishment of an HMO, irrespective of the planning-specific guidance set out in this document. The granting of planning permission does not remove any requirement to obtain the appropriate licence and vice versa. Furthermore, success in obtaining planning permission for use of premises as an HMO does not guarantee a successful license application. It should be noted that, while the term 'HMO' is common to both systems, it has a different meaning depending on the context in which it is used. For licensing purposes, an HMO is defined as any house or flat which is the principal residence of three or more people who are members of three or more families.

This guidance is intended to set the thresholds at which a house or flat will no longer be considered to be in domestic use and will be treated as a House in Multiple Occupation for planning purposes. Having identified where such changes of use take place, it is then necessary to set out the factors which will be considered in assessing any such application.

Proposals involving formation of an HMO as defined in this guidance will be assessed with regard to matters including, but not limited to, the following;

1. Any adverse impact upon pedestrian or road traffic safety as a result of increased pressure on car parking;
2. Significantly adverse impact upon residential amenity for any reason. This may include, but not be limited to, adequate provision of refuse storage space, appropriate provision of garden ground/amenity space, and an appropriate level of car parking.
3. An excessive concentration of HMOs in a given locality, cumulatively resulting in a material change in the character of that area. This will be assessed in consultation with the Council's HMO Unit within the Housing & Environment service, who hold relevant information on the location of existing licensed HMO properties.

Where it is not practicable for dedicated car parking to be provided alongside the development, a proposal must not exacerbate existing parking problems in the local area.

## APPENDIX A: GLOSSARY OF TERMS

**Amenity** - The attributes which create and influence the quality of life of individuals or communities.

**Amenity space** - Areas of open space such as gardens, balconies and roof terraces.

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

**Bay window** - a window or series of windows forming a bay in a room and projecting outward from the wall externally

**Boundary enclosure** – Boundary treatment such as a fence, wall, hedge, ditch or other physical feature which demonstrates the edges of a site or otherwise encloses parts of that site

**Building line** - The line formed by the frontages of buildings along a street. For the purposes of this guidance, this shall not generally include elements such as the front of any porches, canopies, garages or bay windows.

**Common boundary** – A boundary which is shared by residential properties on either side

**Conditions** – Planning conditions are applied to the grant of planning permission and limit and control the way in which a planning consent may be implemented. Such conditions can require works to be carried out in a certain way (e.g. restriction on opening hours or adherence to an approved tree management plan) or can require submission of further information in order to demonstrate the suitability of technical details (e.g. drainage or landscaping schemes for a new development)

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

**Conservation Area Consent** – Conservation Area Consent is required for proposals which involve the whole or substantial demolition of any unlisted building or structure in a Conservation Area. Conservation Area Consent is not required for the demolition of a building which has a volume of less than 115 cubic metres, or for the partial demolition of a building, or for minor alterations to gates, walls and fences within a Conservation Area. Demolition



works may, however, require planning permission, and so confirmation should be sought from the planning authority.

**Curtilage** - The land around, and belonging to, a house.

**Daylight** – Diffuse level of background light, distinct from direct sunlight

**Development Plan** – The “Development Plan” is a term used to incorporate both the current Local Plan/Local Development Plan and the current Structure Plan/Strategic Development Plan.

**Dormer Window** – Dormer windows are a means of creating useable space in the roof of a building by providing additional headroom.

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

**Fenestration** - The arrangement of the windows in a building.

**Gable** - The part of a wall that encloses the end of a pitched roof.

**Habitable rooms** - Includes bedrooms and living rooms, but does not include bathrooms, utility rooms, WCs or kitchens when not accompanied by dining facilities.

**Haffit** – The sides or ‘cheeks’ of a dormer window.

**Hipped Roof** – A four-sided roof having sloping ends as well as sloping sides

**Listed Building** – Working on behalf of Scottish Ministers, Historic Scotland inspectors identify buildings which are worthy of statutory protection. These are ‘Listed Buildings’. The criteria by which the Scottish Ministers define the necessary quality and character under the relevant legislation are broadly; Age and Rarity; Architectural Interest; and Close Historical Association

**Listed building Consent** – Listed Building Consent is obtained through an application process which is separate from, but runs parallel to, that by which planning permission is obtained. This separate regulatory mechanism allows planning authorities to ensure that changes to listed buildings are appropriate and sympathetic to the character of the building. Listed Building Consent must be obtained from the planning authority if you wish to demolish, alter or extend, either internally or externally, a listed building.

**Mansard Roof** – A four-sided roof having a double slope on all sides, with the lower slope much steeper than the upper.

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



**Permitted Development** - an aspect of the planning system which allows people to undertake specified forms of minor development under a deemed grant of planning permission, therefore removing the need to submit a planning application.

**Piended** – scots term for hipped (pronounced peended)

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

**Porch** - A covered shelter projecting in front of the entrance of a building.

**Roads Authority** - This is the term given to the Council in its role exercising statutory functions under Roads legislation. Where trunk roads are concerned, Transport Scotland is the relevant roads authority.

**Sunlight** – The sun's direct rays, as opposed to the background level of daylight

**Supplementary Guidance** – Supplementary Guidance is prepared by the planning authority in support of its Local Plan/Local Development Plan. These documents are generally intended to provide greater detail or more specific and focused guidance than might be practicable within the Plan itself.

**Tabling** – A raised horizontal surface or continuous band on an exterior wall; a stringcourse

**Tree Preservation Order** – The planning authority has the powers to make Tree Preservation Orders if it appears to them to be a) expedient in the interest of amenity and/or b) that the trees, groups of trees or woodlands are of a cultural or historical significance. The authority has duties to a) make such TPOs as appear to the authority to be necessary with any grant of planning permission; and b) from time to time to review any TPO and consider whether it is requisite to vary or revoke the TPO.

**Wallhead** – The uppermost section of an external wall.

## APPENDIX B: APPLICATION CHECKLIST GUIDE ☒ ☒

<b>Have you discussed the proposed works with your neighbours?</b>	
<b>Is planning permission required?</b> Remember, some works can be carried out as 'Permitted Development'	
<b>Is any other form of consent required for the works?</b>	
<b>Have you considered the appointment of an architect, planning consultant or other agent to act on your behalf?</b> Though not mandatory, this can be worthwhile as agents will be familiar with the planning system and should be able to provide the drawings and supporting information to the necessary standards.	
<b>Will any supporting information be necessary to enable the planning authority to make a full assessment of issues relevant to the proposal?</b> For example, are there trees or protected species within the site?	
<b>Is the building a Listed Building or within a Conservation Area?</b> If so, it is recommended that advice is sought from the planning authority prior to submission in order to gauge the potential impact on these designations.	
<b>Have you considered your proposal in relation to the guidance contained within the Householder Development Guide?</b> Any proposal for householder development will be assessed against this Supplementary Guidance	
<b>Is the proposed design consistent with the character of the property and the surrounding area?</b>	
<b>Would the development proposed result in any significant adverse impact on your neighbours in terms of loss of light, overshadowing and/or privacy?</b>	
<b>Would the proposed development result in an insufficient provision of amenity space/private garden?</b>	
<b>Have any changes to access and/or parking requirements been discussed with the Council in its role as Roads Authority?</b>	

## APPENDIX C: DAYLIGHT AND SUNLIGHT

### Daylight

It is appropriate to expect that new development will not adversely affect the daylighting of existing development. Residents should reasonably be able to expect good levels of daylighting within existing and proposed residential property.

A useful tool in assessing the potential impact of proposed development upon existing dwellings is the BRE Information Paper on 'Site Layout Planning for Daylight'. This document sets out techniques which can be applied as a means of assessing the impact of new development upon daylighting. These techniques should only be applied to "habitable rooms", which for the purposes of this guidance shall mean all rooms designed for living, eating or sleeping eg. lounges, bedrooms and dining rooms/areas. Kitchens without dining areas are not considered as habitable rooms.

For domestic extensions which adjoin the front or rear of a house, the 45° method will be applied in situations where the nearest side of the extension is perpendicular (at right-angles to) the window to be assessed. The 45° method is not valid for windows which directly face the proposed extension, or for buildings or extensions proposed opposite the window to be assessed. In such instances, the 25° method, also detailed below, may be appropriate.

It should be noted that these guidelines can only reasonably be applied to those buildings which themselves are good neighbours, standing a reasonable distance from the boundary and taking only their fair share of light. Existing windows which do not meet these criteria cannot normally expect the full level of protection. It is important to note that these tools will be used as and when the planning authority deems it appropriate due to a potential impact on daylight to an existing dwelling. The results of the relevant daylighting assessment will be a material consideration in the determination of an application, and should not be viewed in isolation as the sole determining factor.

#### **The 45° Method for daylight**

This method involves drawing 45° lines from the corner of a proposed building or extension in both plan and section views. If the shape formed by **both** of these lines would enclose the centre point of a window on an adjacent property, the daylighting to that window will be adversely affected.

### DIAGRAM 1: 45° METHOD

The line drawn at 45° would pass through the mid-point of the window on elevation drawing, but not on the plan. This extension would therefore satisfy the 45° method for daylighting assessment. Were the proposal to fail on both diagrams, it is likely there would be an adverse affect on daylight to the adjacent window of the neighbouring property.

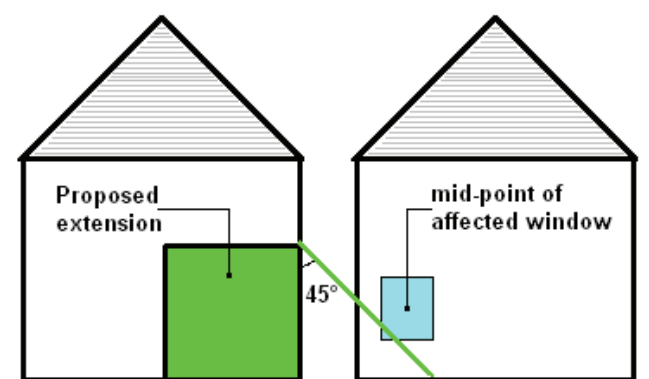


Fig A: Elevation view

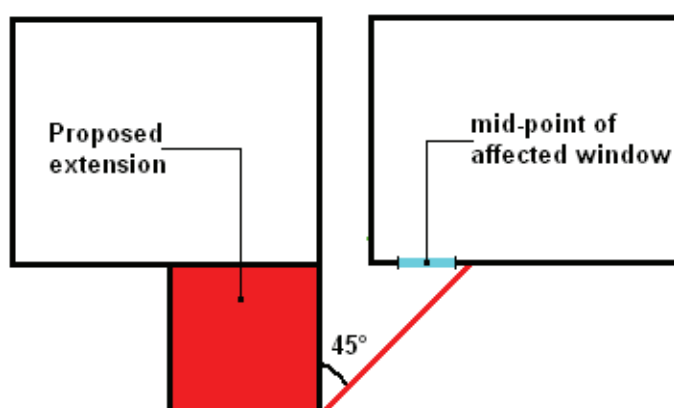


Fig B: Plan view

### The 25° Method

The 25° method should be applied in situations where existing windows would directly face the proposed building or extension. Firstly, a section should be drawn, taken from a view at right angles to the direction faced by the windows in question. On this section, a line should be drawn from the mid-point of the lowest window, 25° to the horizontal, towards the obstructing building or extension. If the proposed building or extension is entirely below this line, it is unlikely to have a substantial effect on the diffuse daylighting of the existing building. Where the 25 degree approach is not satisfied, it will be for the planning authority to make a judgement on the degree of impact upon an adjacent dwelling.

## DIAGRAM 2: 25° METHOD

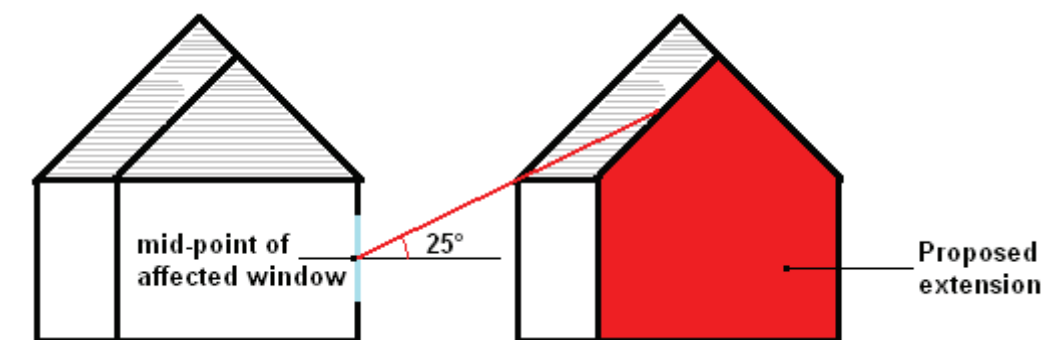


Fig A: Proposed extension may result in loss of daylight to adjacent window of a habitable room

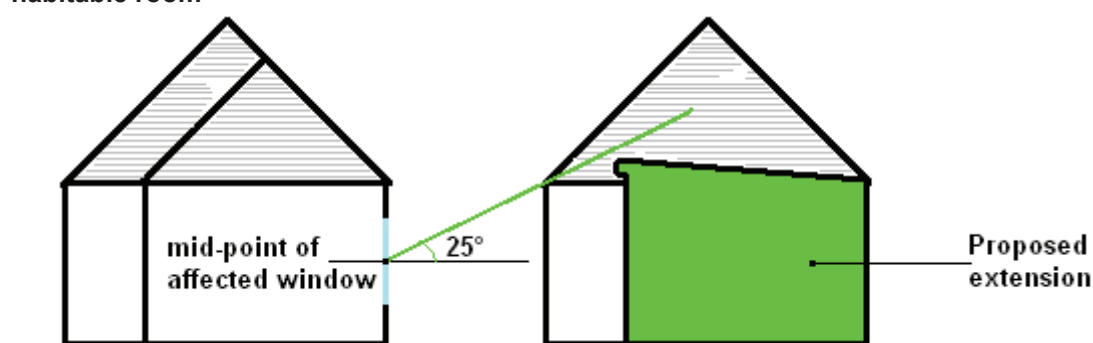


Fig B: Proposed extension would not result in loss of daylight to adjacent window of a habitable room

Both diagrams show line drawn from mid-point of affected window, at 25° to the horizontal.

## Sunlight

In many instances, extensions to residential property will have at least some effect on the level of direct sunlight which falls on adjacent land or buildings. Where such overshadowing is excessive, substantial areas of land or buildings may be in shade for large parts of the day, resulting in a significant impact on the level of amenity enjoyed by residents. It is therefore helpful to have some means by which an assessment of any potential overshadowing can be made.

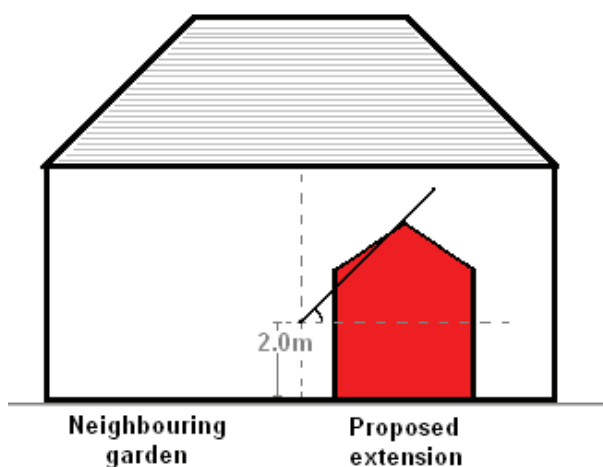
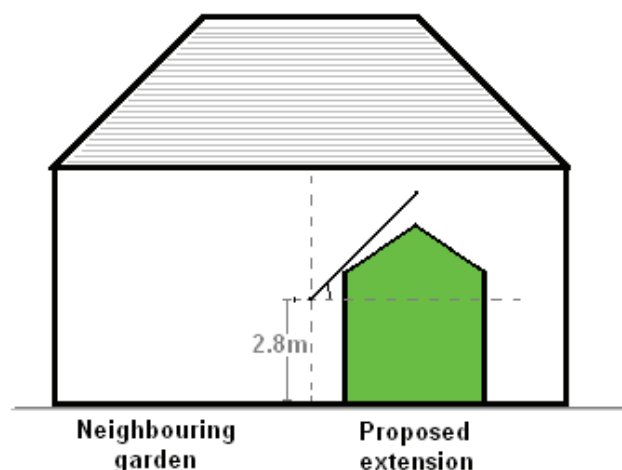
The method used involves drawing a line at 45 degrees to the horizontal. This line will begin at a point above ground level on the relevant boundary. The height above ground level will be determined by the orientation of the proposed building or structure relative to the affected space, as shown in the table opposite;

Orientation of extension relative to affected space	Height from which 45 degree line should be taken
N	4m
NE	3.5m
E	2.8m
SE	2.3m
S	2m
SW	2m
W	2.4m
NW	3.3m

This method is intended as a tool to assist case officers in their assessment of potential overshadowing, and it is important that this be applied sensibly and with due regard for the context of a particular site. Where a proposal is not able to satisfy the requirements of the relevant test, it will then be appropriate for officers to consider other factors relevant to the likely impact on amenity. These will include, but will not be limited to: the proportion of amenity space/garden affected; the position of the overshadowed area relative to windows (of habitable rooms) of an adjacent property; and the nature of the space affected (e.g. overshadowed driveway).

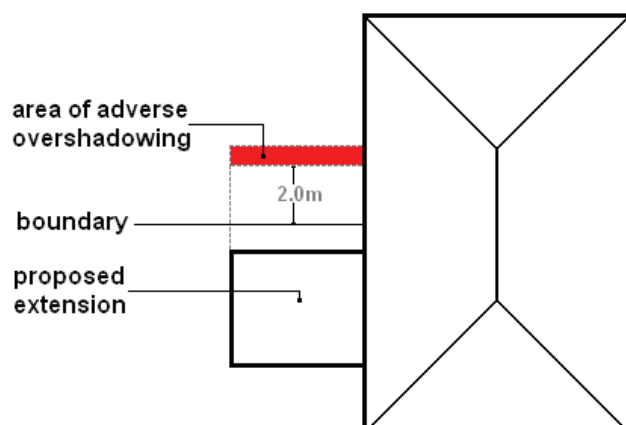
**Example 1:** In this example (right), the proposed extension would be located to the East of the neighbouring garden ground. A point 2.8m above ground level, on the site boundary, is found. From this point, a line is drawn at 45 degrees to the horizontal.

The diagram in Example 1 shows that the line drawn would not strike any part of the proposed extension, and therefore for the purposes of this test there would be no adverse affect on sunlight to the neighbouring garden.



**Example 2:** In this second example (left), the proposed extension would be constructed to the south of the adjacent garden ground. The same process is followed, but in this instance the line is drawn from a point 2m above ground level.

As the first diagram shows, the proposed extension would intersect the 45 degree line drawn. This suggests that there would be an area of adverse overshadowing in the neighbouring garden as a result of this proposal.



The second diagram demonstrates the area of adjacent garden ground which would be affected in plan view. This allows the case officer to make an assessment of the proportion of garden affected relative to the total useable garden area. As mentioned previously, the nature of the affected area will also be of relevance in

determining whether there is justification in allowing a proposal which does not satisfy the 45 degree test for sunlight. There will be instances where proposals will be approved on this basis.

## **Appendix D: Privacy**

New development should not result in significant adverse impact upon the privacy afforded to neighbouring residents, both within dwellings and in any private garden ground/amenity space. What constitutes an acceptable level of privacy will depend on a number of factors. The purpose of this guide is not to create a rigid standard which must be applied in all instances, but rather to set out the criteria which will be taken into account in determining the impact of a particular development.

It is common practice for new-build residential development to ensure a separation distance of 18m between windows where dwellings would be directly opposite one another. Given the application of this distance in designing the layout of new residential development, it would appear unreasonable to then apply this to residential extensions to those same properties.

Assessment of privacy within adjacent dwellings will therefore focus upon the context of a particular development site, taking into account the following factors:

- existing window-to-window distances and those characteristic of the surrounding area;
- any existing screening between the respective windows;
- appropriate additional screening proposed
- respective site levels
- the nature of the respective rooms (i.e. are windows to habitable rooms); and
- orientation of the respective buildings and windows.

Any windows at a distance of 18m or more will not be considered to be adversely affected through loss of privacy. At lesser distances, the factors stated above will be considered in order to determine the likely degree of impact on privacy. For the purposes of this guidance, habitable rooms constitute all rooms designed for living, eating or sleeping eg. lounges, bedrooms and dining rooms/areas.

Any windows to habitable rooms should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings. In these circumstances the windows of non-habitable rooms should be fitted with obscure glass.

The addition of balconies to existing residential dwellings will require careful consideration of their potential impact upon privacy. Such additions, if poorly considered, can result in significant overlooking into adjacent gardens. Any

proposed balcony which would result in direct overlooking of the private garden/amenity space of a neighbouring dwelling, to the detriment of neighbours' privacy, will not be supported by the planning authority.





Business Hub 4, Ground Floor North Marischal College, Broad Street ABERDEEN AB10 1AB

Tel: 01224 523 470

Fax: 01224 523 180

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

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000138531-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

## Applicant or Agent Details

Are you an applicant, or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

### Agent Details

Please enter Agent details

Company/Organisation:

Taylor Architecture and  
Building Consultancy Ltd

Ref. Number:

First Name: \*

Steven

Last Name: \*

Taylor

Telephone Number: \*

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

You must enter a Building Name or Number, or both:\*

Building Name:

Building Number:

22

Address 1 (Street): \*

Bacchante Way

Address 2:

Kingseat

Town/City: \*

Newmachar

Country: \*

UK

Postcode: \*

AB21 0AX

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Michael"/>
Last Name: *	<input type="text" value="Wilson"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text" value=""/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text" value=""/>

You must enter a Building Name or Number, or both:\*

Building Name:	<input type="text" value="Foggie Cottage"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Baillieswells Road"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Aberdeen City"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="AB159BS"/>

## Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
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Full postal address of the site (including postcode where available):

Address 1:	<input type="text" value="FOGGIE COTTAGE"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="BAILLIESWELLS ROAD"/>	Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="AB15 9BS"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="803761"/>	Easting	<input type="text" value="386920"/>
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## Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Erection of 1.5 Storey Extension to the Side and Rear of Existing Dwellinghouse, Formation of New Vehicular Access and Retrospective Change of Use of Agricultural Land to Private garden Ground

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

The Delegated Officer has determined refusal based on two main concerns. Erosion of the Greenbelt in relation to the Retrospective change of use from Agricultural use to Private Garden Ground, and the Size / Mass of the extensions. We disagree in this instance with the the Planning Departments views on the change of use in particularly the term undesirable precedence. We also disagree with the views concerning the design of the extensions. We see no detrimental impact on both counts.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? \*

☐ Yes ☒ No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Taylor Architecture and Building Consultant Ltd drawings EX101 Rev A, EX100 Rev A, PP100 Rev A, PP001 Rev A and PP002 Rev A. Foggie Cottage Design Statement Rev A

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

P151542

What date was the application submitted to the planning authority? \*

23/09/15

What date was the decision issued by the planning authority? \*

27/11/15

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.

Please select a further procedure \*

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? \* (Max 500 characters)

A Site inspection should be carried out in order for the Review Body Members the ability to fully visualise the proposals and their true impact on the existing site context.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☐ Yes ☒ No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Access to the rear Garden should be arranged with the Applicant due to Family Pets being present. (2no. Dogs)

## Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Steven Taylor

Declaration Date: 08/12/2015

Submission Date: 08/12/2015

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Business Hub 4, Ground Floor North Marischal College, Broad Street ABERDEEN AB10 1AB

Tel: 01224 523 470

Fax: 01224 523 180

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

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Please enter Agent details

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Ref. Number:

First Name: \*

Steven

Last Name: \*

Taylor

Telephone Number: \*

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

You must enter a Building Name or Number, or both:\*

Building Name:

Building Number:

22

Address 1 (Street): \*

Bacchante Way

Address 2:

Kingseat

Town/City: \*

Newmachar

Country: \*

UK

Postcode: \*

AB21 0AX

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Michael"/>
Last Name: *	<input type="text" value="Wilson"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text" value=""/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
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Town/City: *	<input type="text" value="Aberdeen City"/>
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Address 4:	<input type="text"/>		

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Taylor Architecture and Building Consultant Ltd drawings EX101 Rev A, EX100 Rev A, PP100 Rev A, PP001 Rev A and PP002 Rev A. Foggie Cottage Design Statement Rev A

## Application Details

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P151542

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23/09/15

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27/11/15

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Is it possible for the site to be accessed safely and without barriers to entry? \*

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If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

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☒ Yes ☐ No

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Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Steven Taylor

Declaration Date: 08/12/2015

Submission Date: 08/12/2015

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# Design Statement

Extension and Alteration to Foggie Cottage  
Baillieswells Road  
Bieldside, Aberdeen, AB15 9BS



**Extension and Alteration to Foggie Cottage  
Baillieswells Road  
Bielside, Aberdeen, AB15 9BS**

This document is a design statement and planning in support of the application for the extension and alteration of Foggie Cottage, Baillieswells Road. The applicant has engaged the services of Taylor Architecture to act as their agent on the project.

Contents :

Site	1-2
Design	3-4
Precedent	5-6
Materials	7-8
Comparison	9-15





## Site

Foggie cottage is located on an accessible rural site off Baillieswells Road, Bieldside, Aberdeen. The site is accessed from Baillieswells Road.

Total Site Area - 1591 sqm

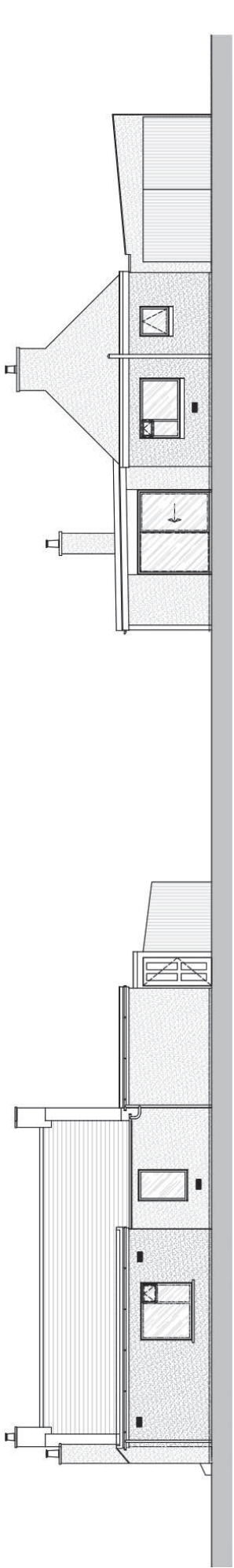
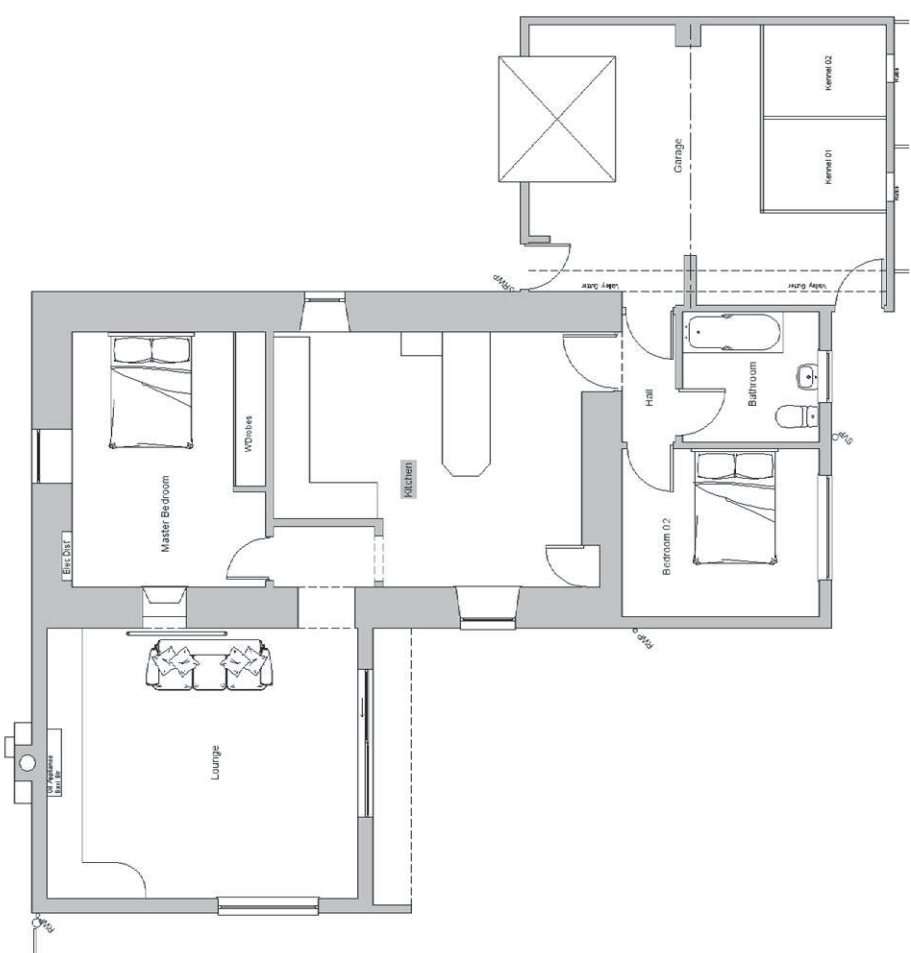
House Area - 204sqm

The existing accomodation -

### Ground FL

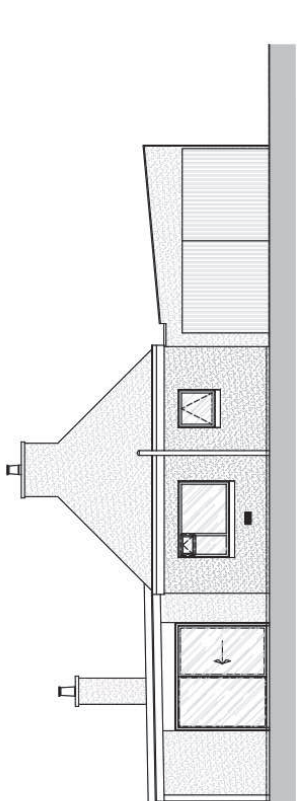
Vestibule area to Kitchen Dining, Through to Living Room and Master Bedroom  
2 bedrooms with shared Bathroom. Single Garage

The Existing Accomodation provides limited living arrangements to constitute a modern family home. Room sizes and orientation restrict properties ability to fulfil requirements of modern living. The Current flat roof extensions have been leaking recently, are of a poor build quality and dampness can be visible.



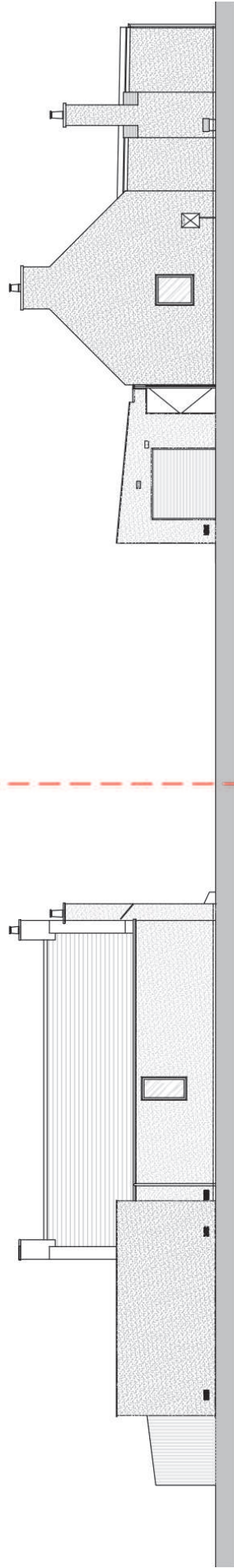
1 Ex. West Elevation

Scale: 1:100@A1



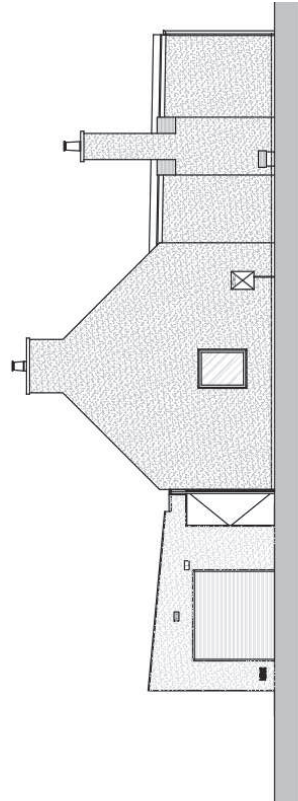
2 Ex. South Elevation

Scale: 1:100@A1



3 Ex. East Elevation

Scale: 1:100@A1



4 Ex. North Elevation

Scale: 1:100@A1





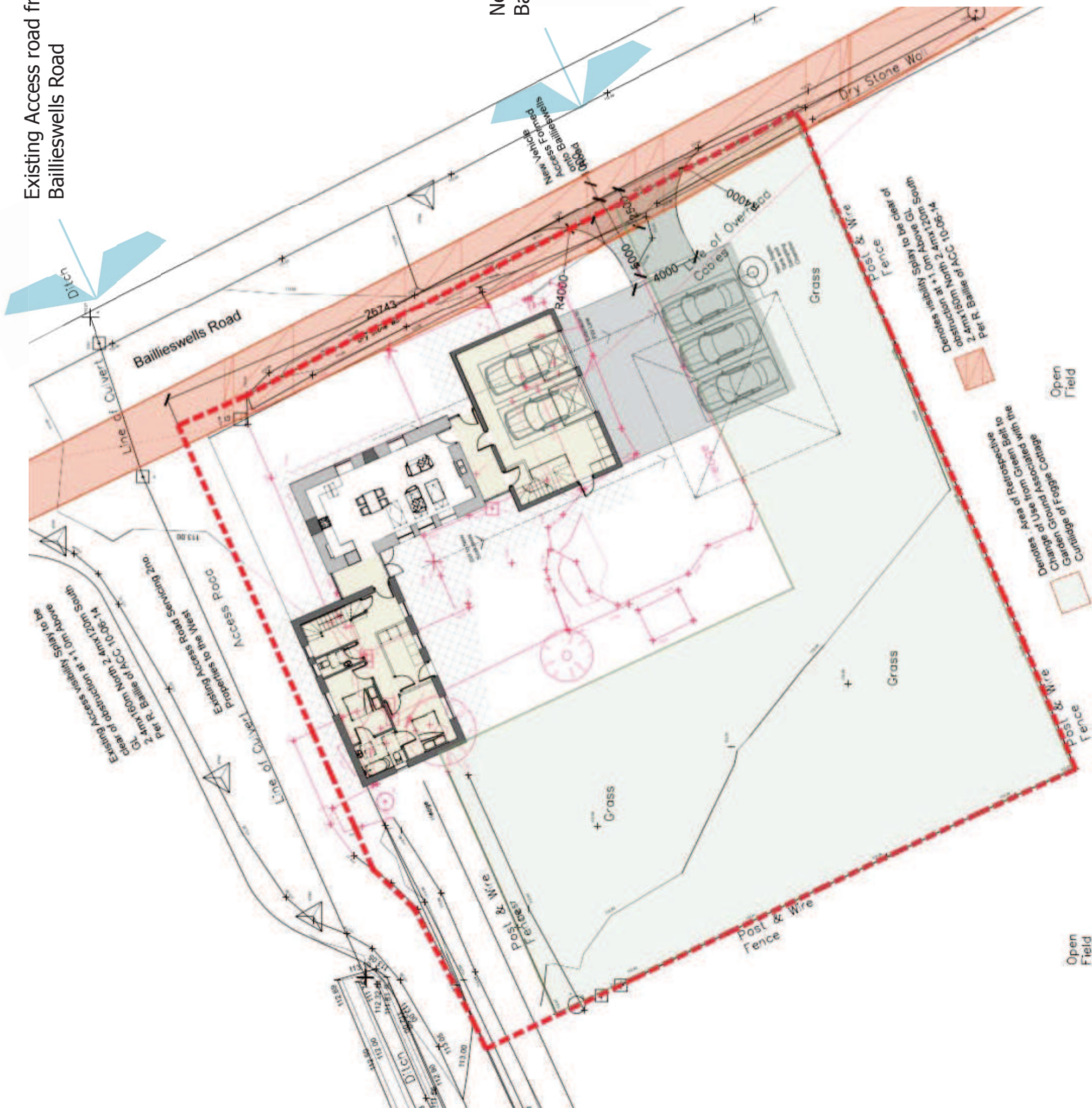
Existing Photographs





Existing Access road from  
Baillieswells Road

New Vehicle Access formed onto  
Baillieswells Road

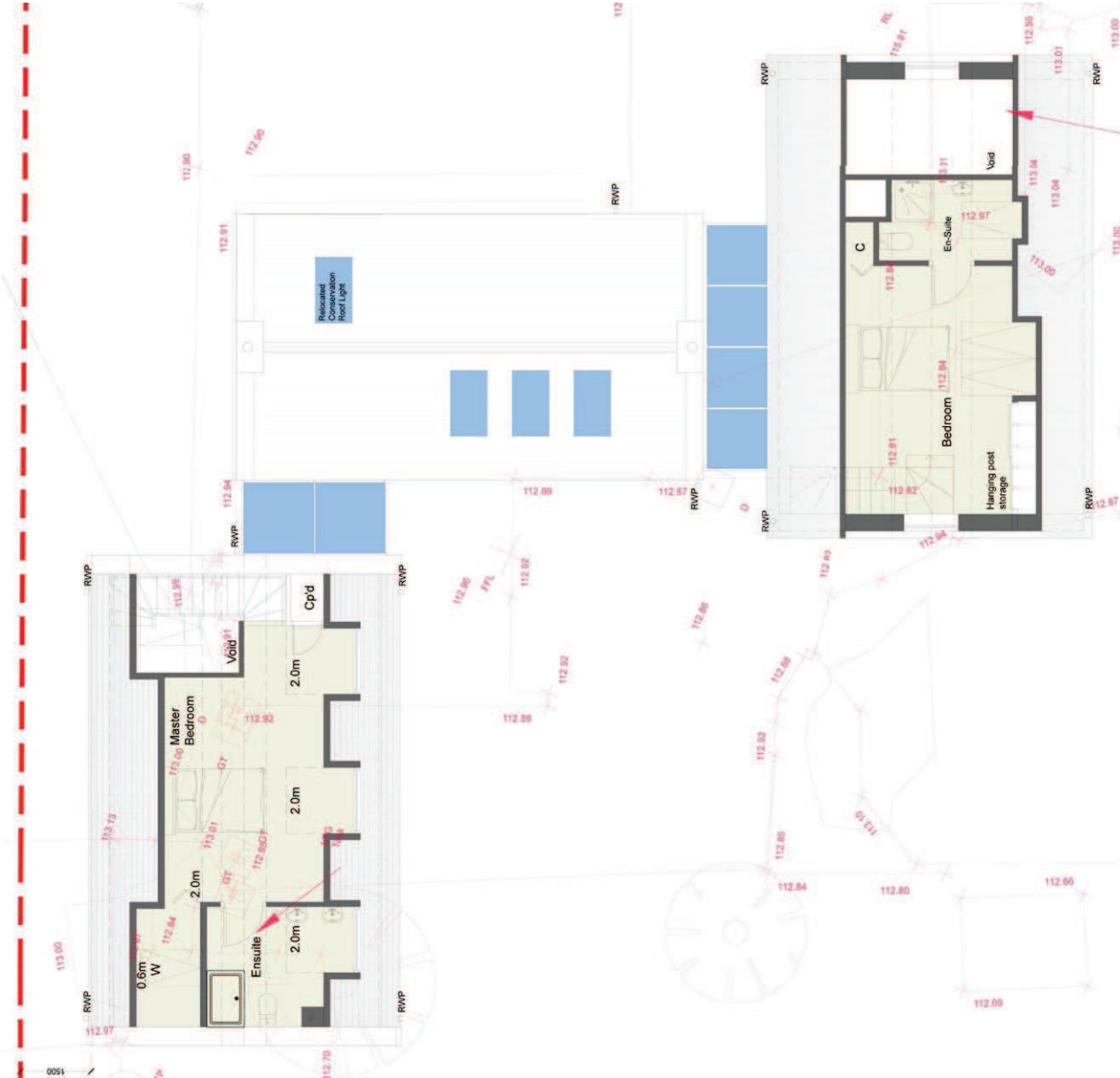
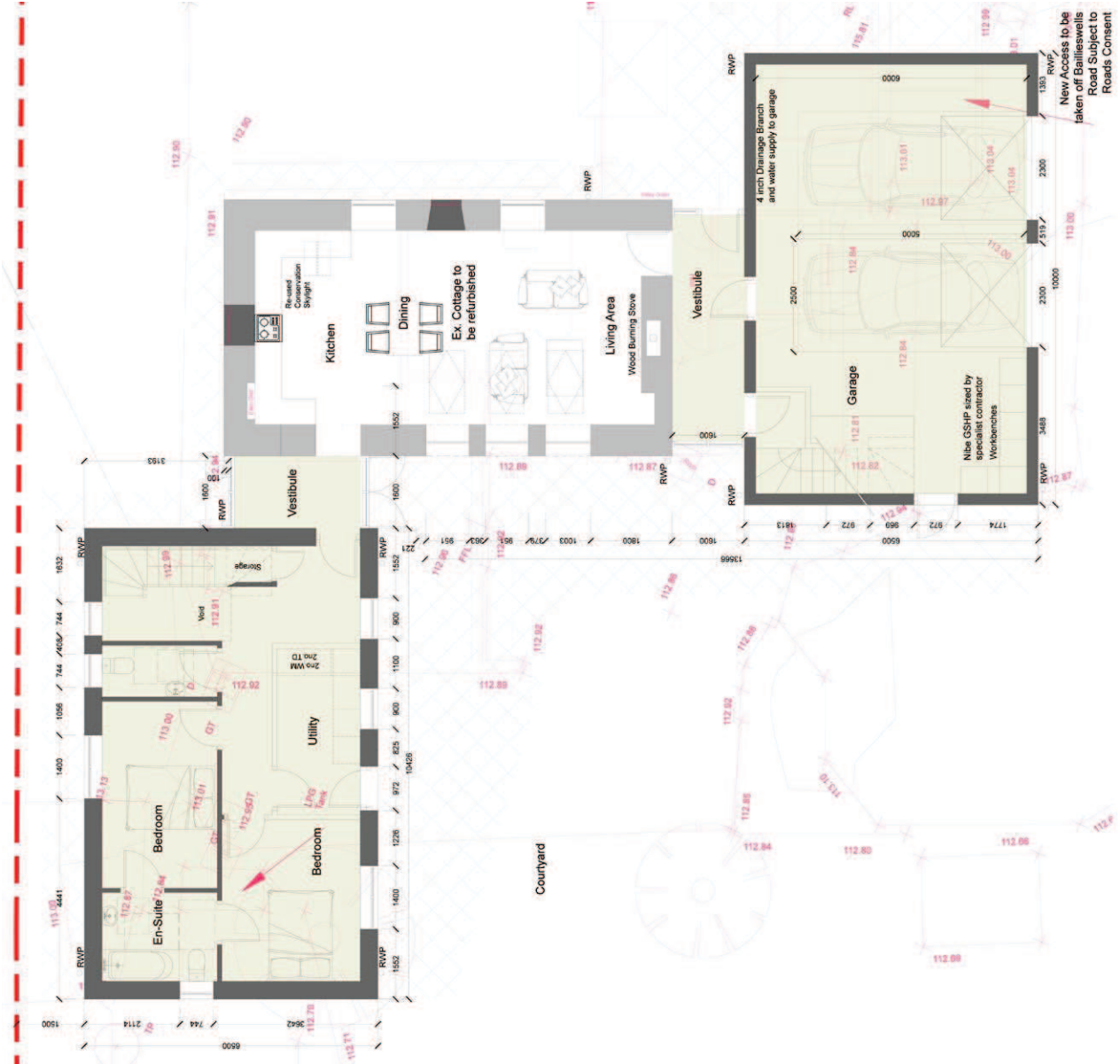




Proposed Accomodation -

- Ground FL
- 2 bedrooms
- 1 shared en-suite
- 1 Toilet
- Livingroom, Kitchen and Dining
- Utility Room
- Garage
- Storage/workbench area

- First FL
- Master Bedroom with en-suite
- Bedroom with en-suite





## Precedent



## Precedent 01

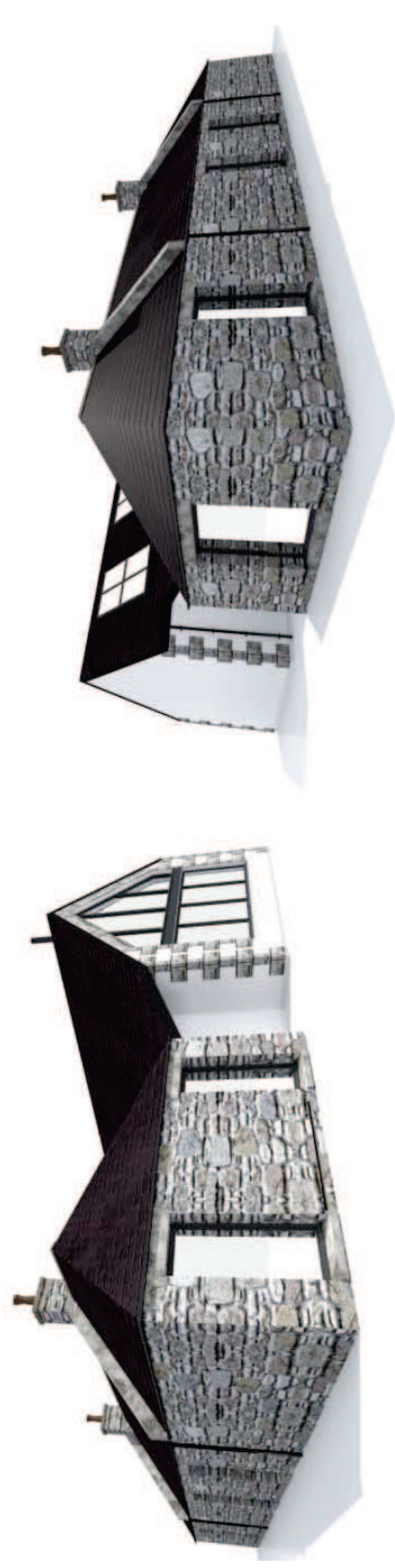
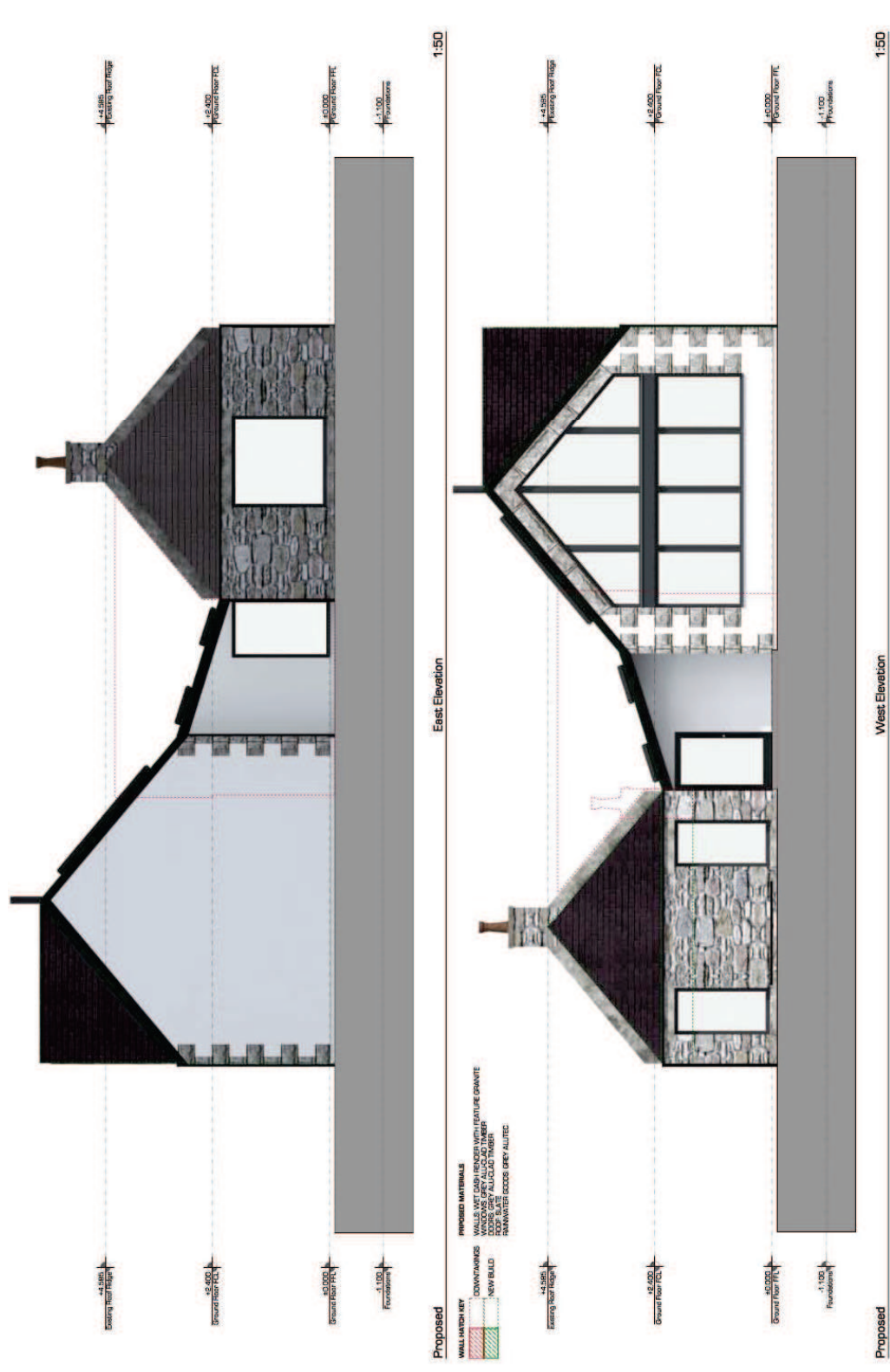
An existing farmhouse located in Drumoak which has 3 retro dormers which are facing the main road. Within our proposal the 3 dormers are facing away from the road.

The ridge and massing is greater than the existing cottage.



## Precedent 02

An existing farmhouse located in Aboyne (semi-detached)  
The ridge and massing is greater than the existing cottage.



## Precedent 03

An existing farmhouse planning approval App/2014/2490  
The ridge and massing is greater than the existing cottage.





**Precedent 05**  
 Example of defined link between existing and proposed.  
 It creates an aesthetic division and a physical buffer between the modern addition and the existing property.



**Precedent 06**  
 Example of defined link between existing and proposed.  
 It creates an aesthetic division and a physical buffer between the modern addition and the existing property



# Materials

The fenestrations and proportions of the dwelling have been choosen to match with historical representation of vernacular architecture.

The palette of materials aims to reflect the local character with a modern interpretation that will respect the climate and setting all materials (apart from the slate) will be sourced locally to reduce embodied energy and also provide for minimal life recycling due to the durability and life expentancy

The windows and possible openings shall be replaced and existing masonry to be patched as necessary using local stone and mortar elements.



A Siberian Larch board on board.



B Cupa Heavy 3 Slates



C Metal roof sheets



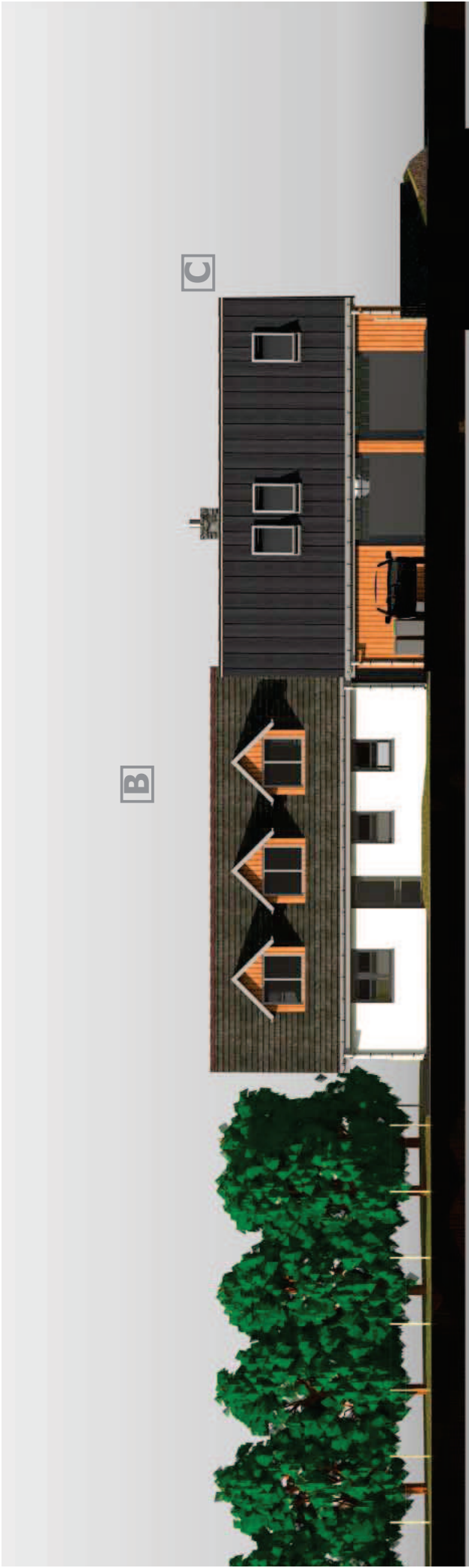
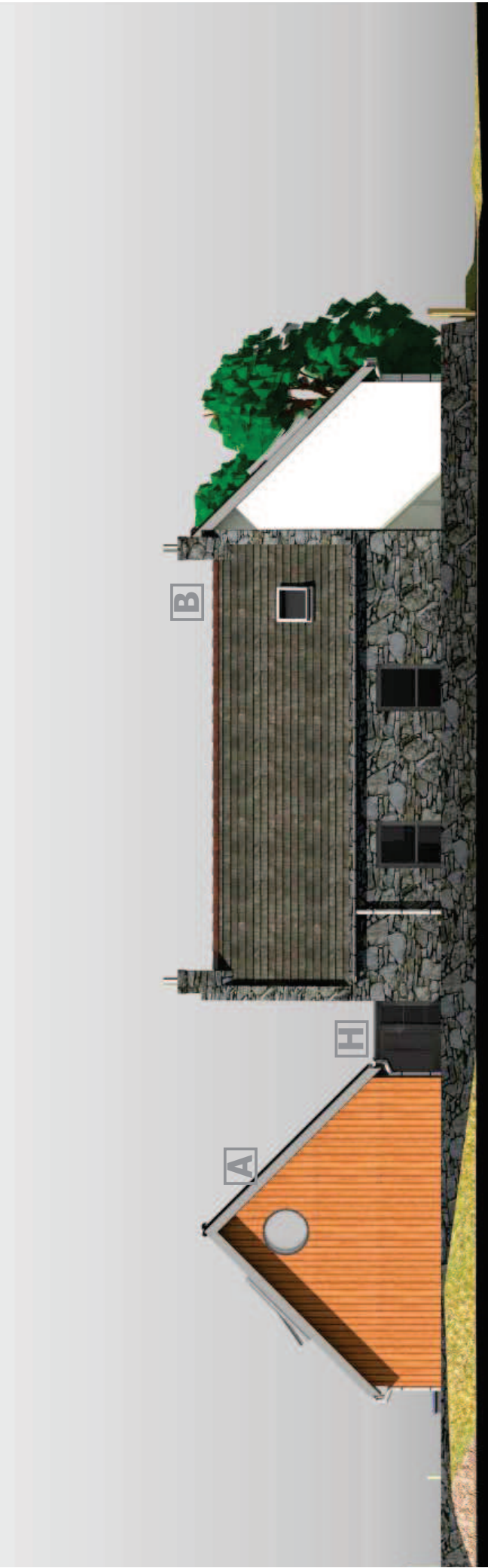
D Aluminium rain water pipe and roof gutter. Colour to be 7016.



E Aluminium roller shutter door. Colour to match roof



F Baumit Ivory Smooth grey cement render



H

F

E

D

C

B

A





A Siberian Larch board on board.



B Cupa Heavy 3 Slates



C Metal roof sheets



D Aluminium rain water pipe and roof gutter. Colour to be 7016.



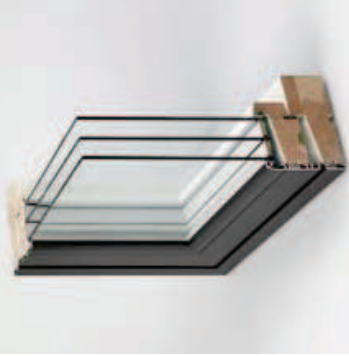
E Aluminium roller shutter door. Colour to match roof



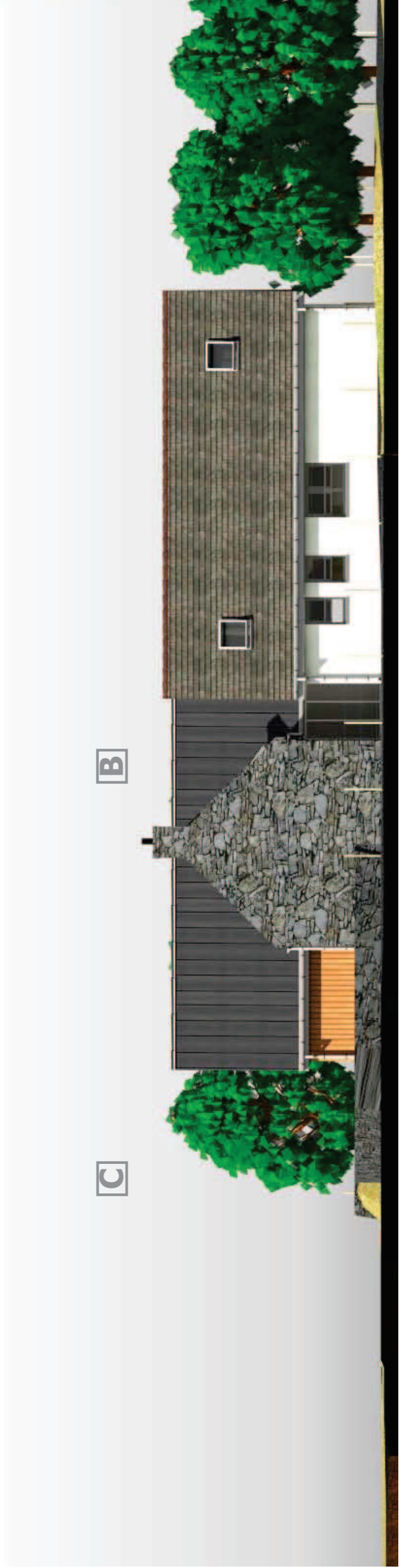
F Baunit Ivory Smooth grey cement render



G Granite rubble masonry.



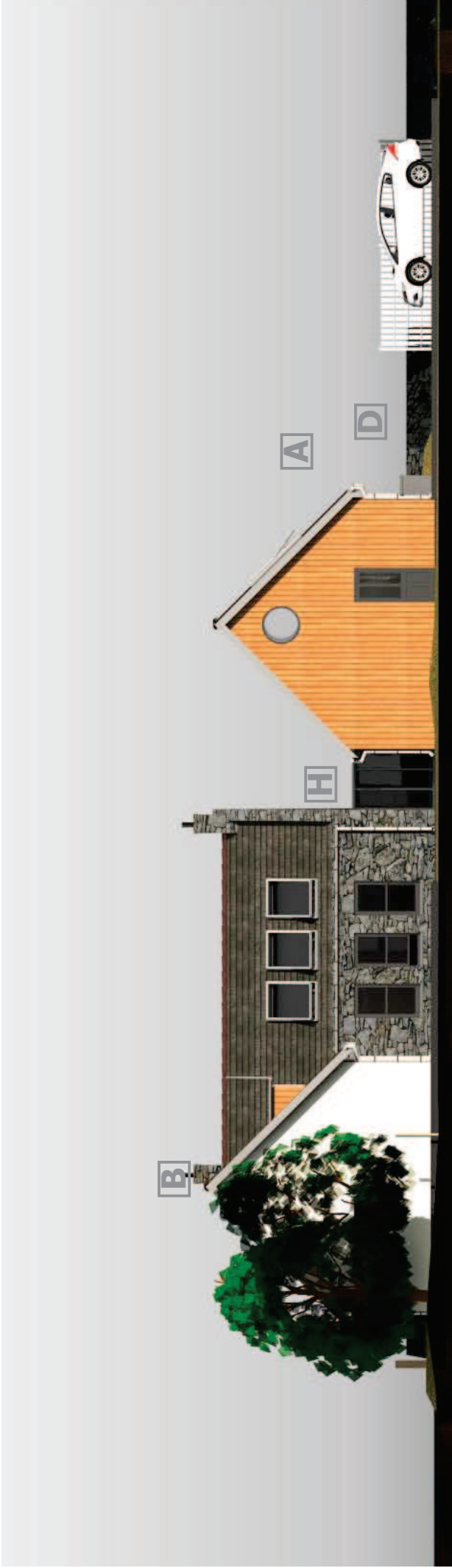
H Aluminium Clad windows and doors. Grey on outside and white on the inside.



F

G

H



A

B

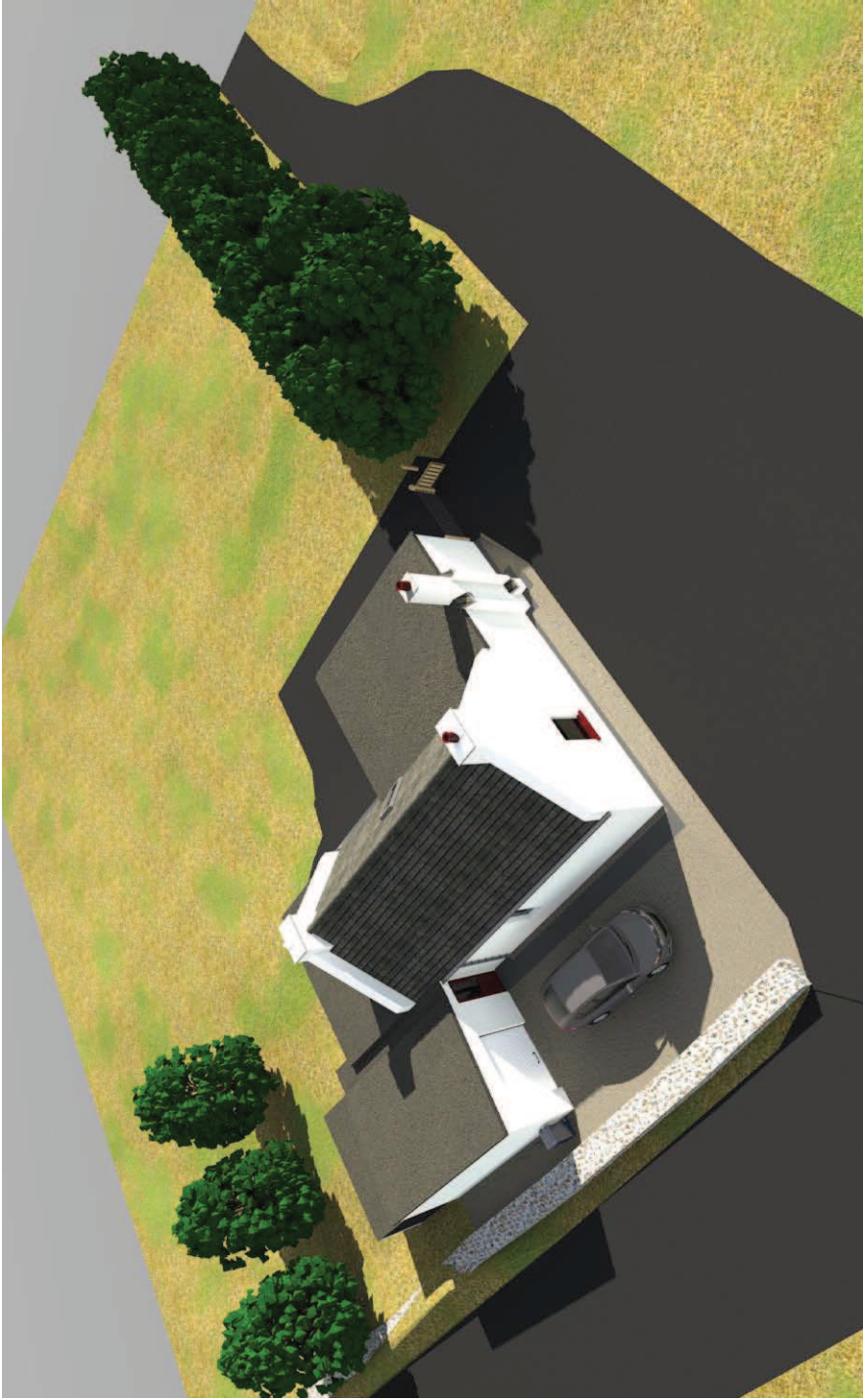
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Existing



Proposed





Existing



Proposed





Existing

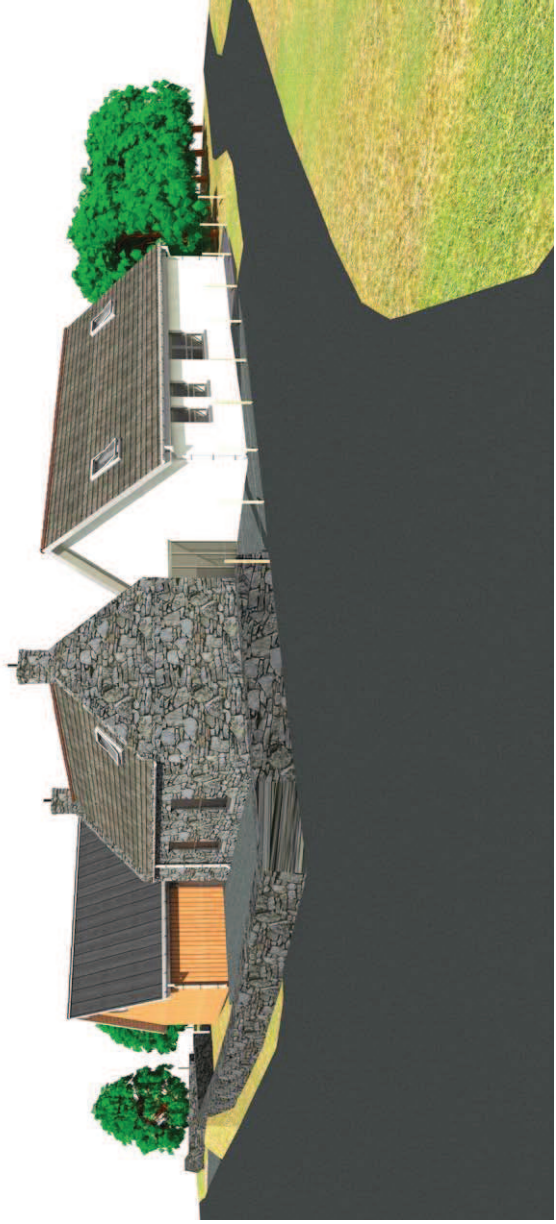
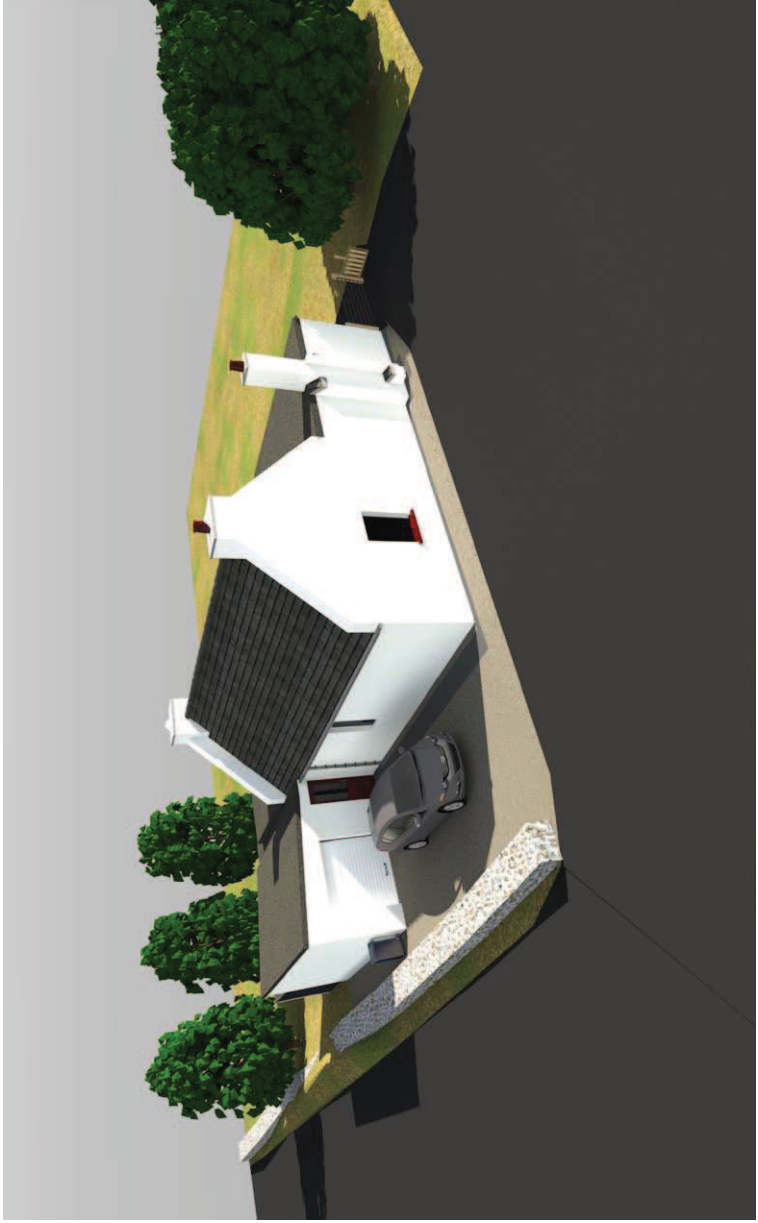


Proposed





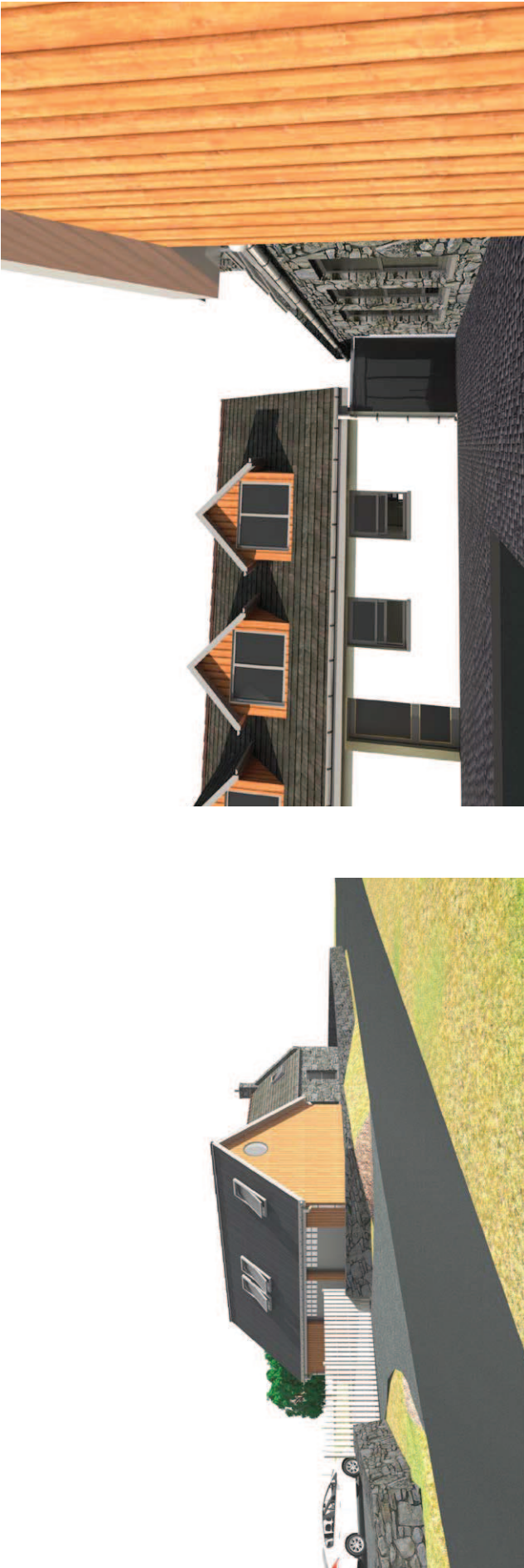
Existing



Proposed



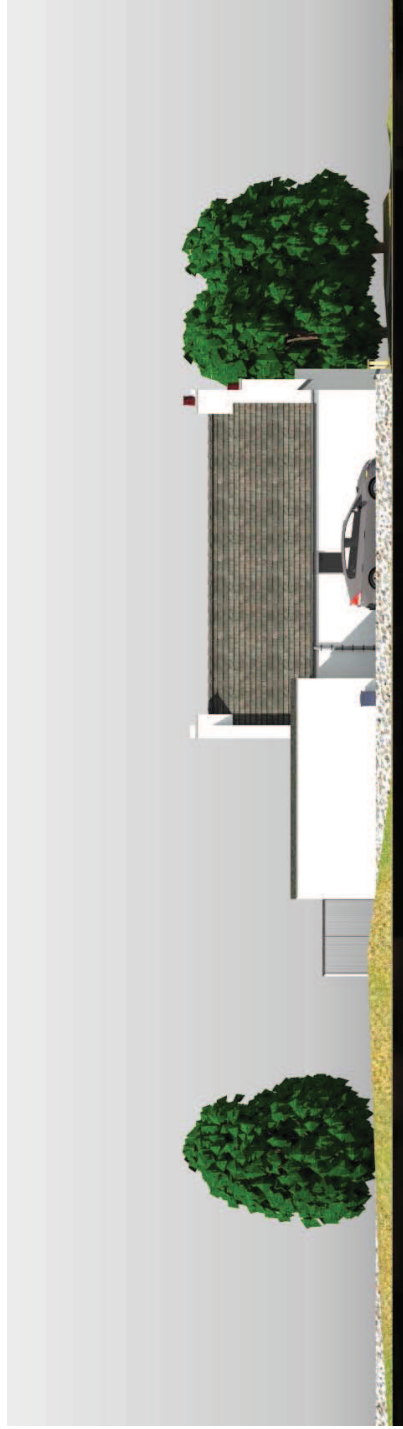
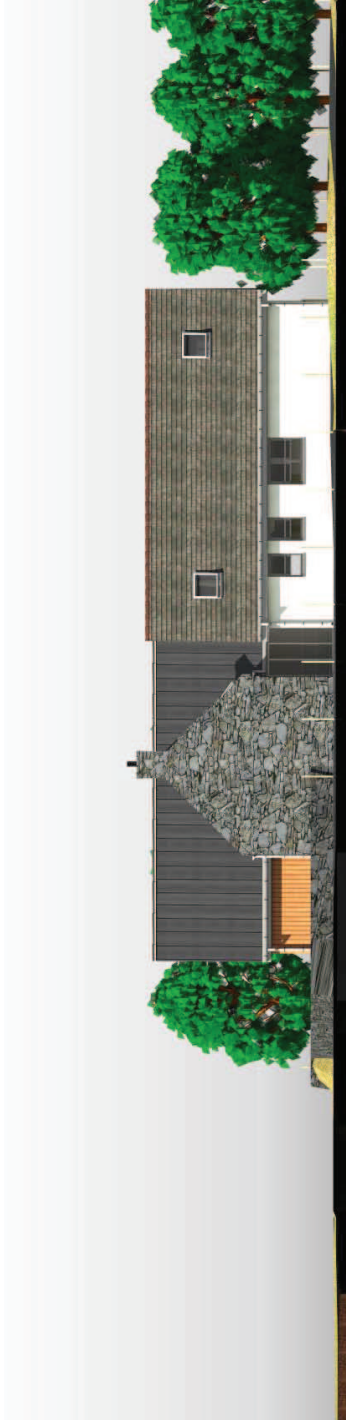
Proposed Illustrations



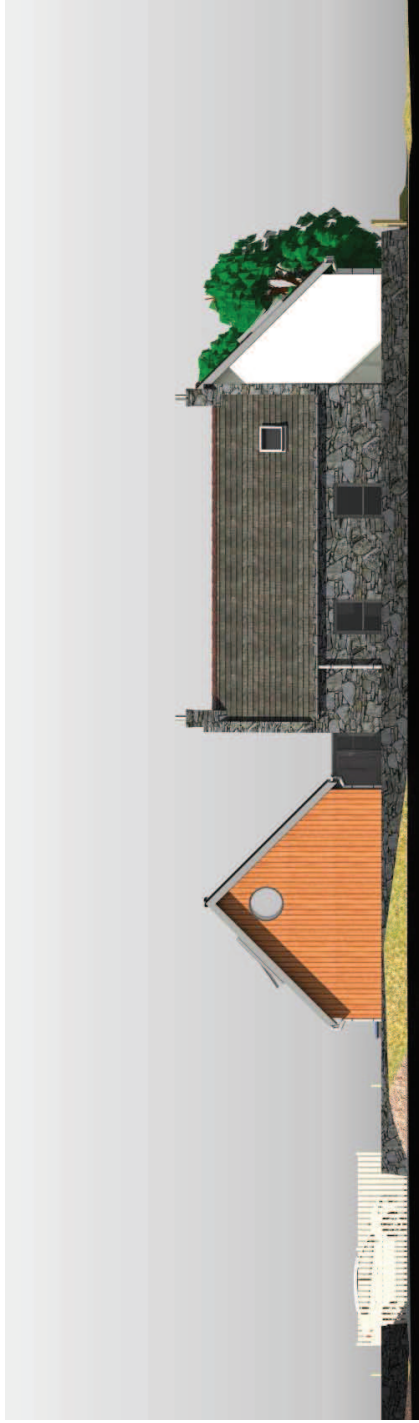




Existing & Proposed North Elevation

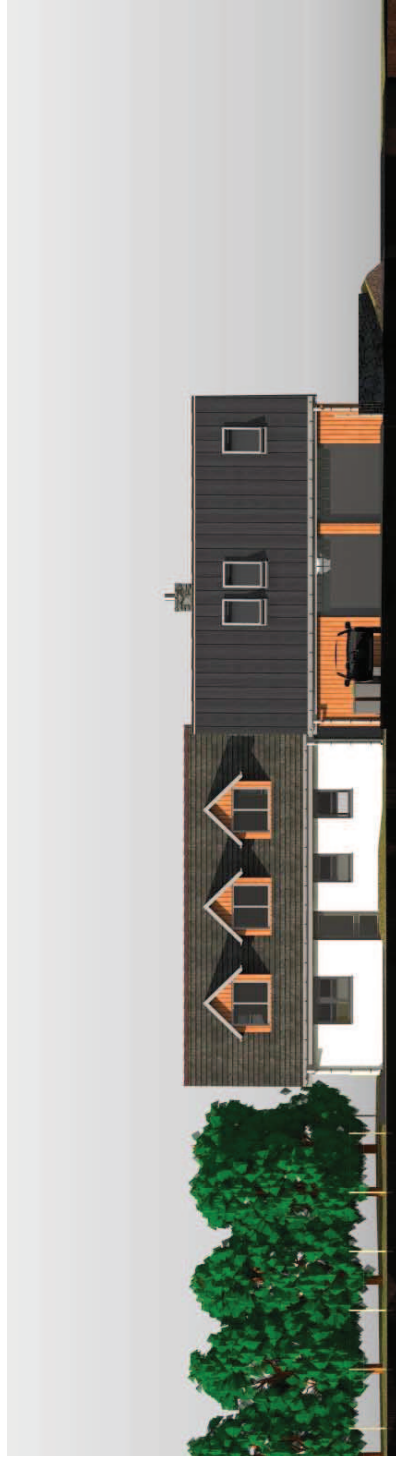


Existing & Proposed West Elevation

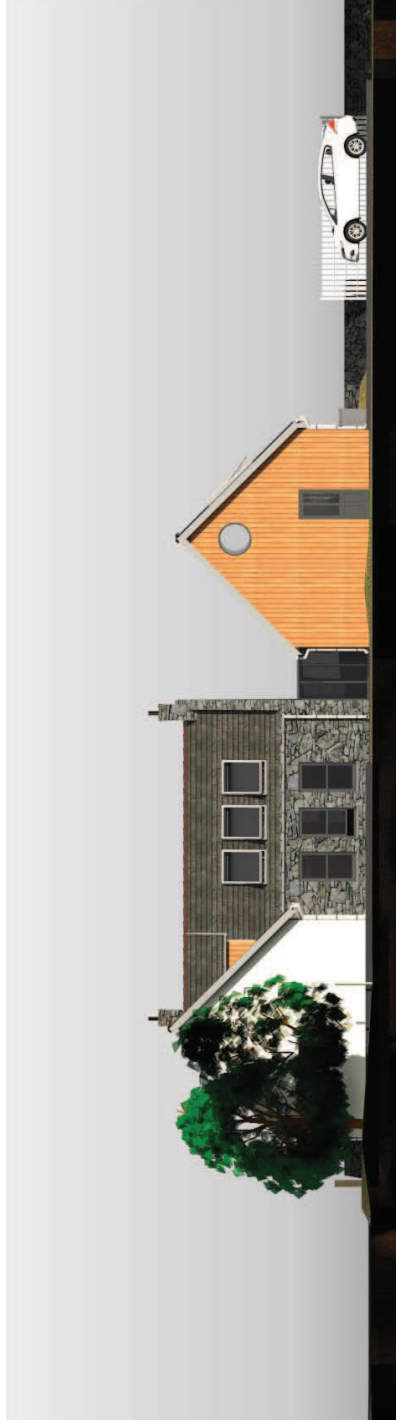




Existing & Proposed South Elevation



Existing & Proposed West Elevation



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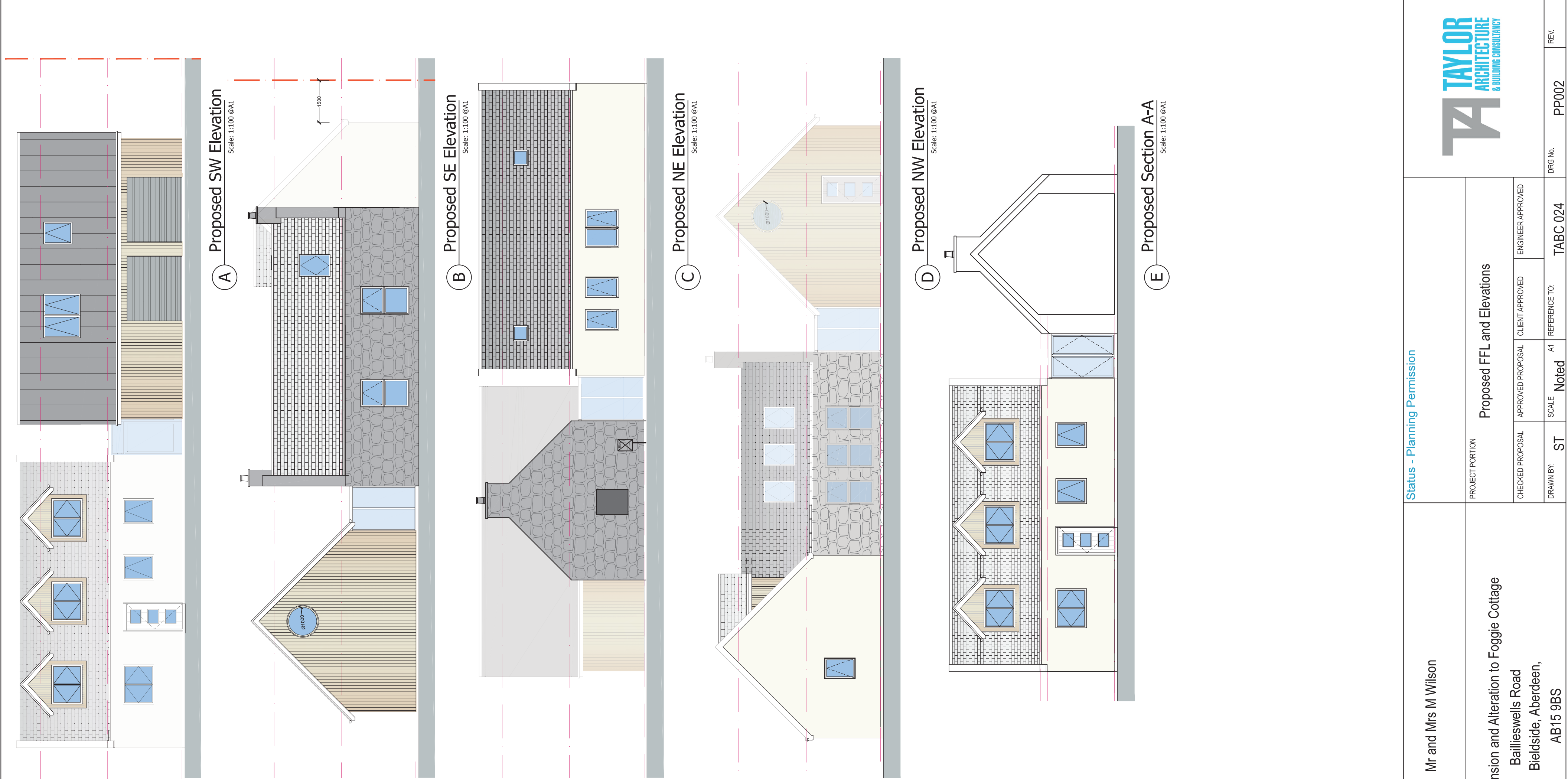




3

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REV. NO.	DESCRIPTION TO REVISION	REV. BY	DATE

CUSTOMER		Mr and Mrs M Wilson	
PROJECT		Proposed Extension and Alteration to Foggie Cottage Baillieswells Road Bieldside, Aberdeen, AB15 9BS	

Status - Planning Permission			
PROJECT PORTION			
Proposed FFL and Elevations			
CHECKED PROPOSAL	APPROVED PROPOSAL	CLIENT APPROVED	ENGINEER APPROVED
DRAWN BY: ST	SCALE: A1	REFERENCE TO: Noted	TABC 024
DRG No.	PP002	REV.	

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Dear Ms Swanson,

Further to your e mail of 11th December and our telephone conversation before Christmas regarding the planning application 151542 and appeal made by our neighbour Mr. Michael Wilson of Foggie Cottage I wish to make the following comment:-

In the 'Delegated Report' issued on 27th November 2015, in the paragraph summarising representations that had been made, the first point refers to the western extension projecting too far north, which could have a detrimental impact on road safety, on both the access road and Baillieswells Road. Whilst I still believe this to be true; no mention was made in the summary of my concern that the new build's western most cable end was far too close to an awkward bend in the private drive (access road) My family and I feel this is an even more important point and worthy of careful consideration by the planners. The drive is narrow and bordered on the northern side by a steep and at times deep ditch and the bend is not that easy to negotiate whilst driving, especially so in icy, snow or wet conditions. As well as residents cars the drive also carries larger vehicles, ie. the school bus and delivery lorries and vans. We believe that to position the new build so far to the west as well as the north would cause a potentially dangerous situation, not only to vehicles and their occupants but also to the building itself, which could be struck by passing traffic, especially so in skiddy conditions.

Point four of the Representations states that' the application site includes land not owned by the applicant.'

Although a site map showing a revised boundary was submitted to the council, this has not yet, to my knowledge, been legally established.

I trust the above comments will be taken into consideration in any further decisions which are taken.

Best regards

Jacqueline Howard

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For the Attention of Allison Swanson

**Planning Reference 151542**  
**Foggie Cottage, Baillieswells**

Thank you for your correspondence dated 5 January and we note the further comments from Jacqueline Howard

We disagree fully with the comments regarding roads safety. Access to and from Baillieswells road will be improved upon due to the formation of formal junction and removing the manoeuvres required to be carried out by the applicant. Aberdeen City Council Roads department agree with this and as such made no objection to Our site having an independent road access. The West Gable that has been referred to, is fully within the demise of the applicant inclusive of space to provide access round the gable so we see no reason as to how this could cause any additional safety concerns. The driveway to the neighbouring property is out with the application boundary so we don't feel that this should be a material consideration of our planning application when the roads team see no issues. However from what we can see there is more than enough space for safe access and egress for vehicles.

The applicant has commenced a process with ROS Keeper with regards to establishing the correct boundary line. The revised boundary line as issued on Rev A of the drawings lodged could be deemed to be the "worst case" scenario for the applicant. IE the boundary is further into the applicants land than shown on the title deeds they obtained at purchase. The process to firm this up is as a result of our clients deeds not aligning with those of the neighbours. The applicant has diligently sought to resolve this and also revised the drawings to show that the scheme still works should it be their deeds that are offset.

We trust this response is sufficient ,

Could you also provide us with a likely date for the Appeal to be presented to the LRB and which members will be involved.

Should you wish to discuss further please contact on the below



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# Agenda Item 3.2

Signed (authorised Officer(s)):

"FORMER POLICE STATION", MID  
STOCKET ROAD, ABERDEEN

"PROPOSED CONVERSION AND  
EXTENSION TO FORM ONE, 2 BEDROOM  
DWELLINGHOUSE".

For: Mr Stanley Wood

Application Type : Detailed Planning  
Permission

Application Ref. : P151253

Application Date : 28/07/2015

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

Advertised on : 19/08/2015

Officer : Paul Williamson

Creation Date : 5 October 2015

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

Community Council: Comments

## RECOMMENDATION:

### Refuse

## DESCRIPTION

The site to which this application relates comprises a single storey flat roofed building covering 51 square metres, which was formerly used as a Police Station. The existing walls are of granite block construction, with white Upvc windows, and cast iron rainwater goods (painted grey). The property is located within the Rosemount Conservation Area towards the eastern end of Midstocket Road, near its junctions with Beechgrove Terrace, Argyll Place, Craigie Loanings, and Rosemount Place.

In respect of neighbouring property, there is a small area of unused ground to the east, with 1 ½ storey properties beyond containing a mix of retail and residential flats. To the south is a bank at ground floor level, with two storeys of residential accommodation above. To the west is the four storey flatted development of Midstocket Mews, while to the north are the rear gardens and garages associated with Argyll Place.

Bus stops are located within 40 metres of the application site to the west on Midstocket Road.

## **RELEVANT HISTORY**

This site currently benefits from two separate planning approvals:

- A planning application (Ref: 131363) was considered by Members at the meeting of the Planning Development Management Committee (PDMC) on 28 November 2013. In that instance, the flat-roofed extension on the roof measured 4.2 by 2.1, thus covering approximately 8.8 square metres.
- A subsequent application (Ref:141246) was considered by Members at the meeting of the PDMC on 6 November 2014. In that instance, an enlarged sun lounge (beyond that previously approved) was to be erected in the north eastern corner of the roof terrace. It was to cover approximately 16.8 square metres (Approximately 4.3 x 3.9m) which would also enclose the stair leading to the ground floor level.

### 14-16 Midstocket Road (Adjacent site to east)

94/0173 Shop on Ground Floor with Flat Above. Refused at Planning Committee on 25 April 1994.

94/1217 Shop on Ground Floor with storage above (1 ½ storey). Approved Conditionally on 4 August 1994. This was never implemented.

94/2165 Erection of 2 no. flats. Refused at Planning Committee on 29 November 1994.

## **PROPOSAL**

Detailed Planning Permission is sought for the change of use of this former Police Station to form a two bedroomed residential unit. The submitted plans show the premise comprising a living room, bathroom, and a kitchen at ground floor level, with two bedrooms (covering approximately 28 square metres) at first floor level, leading out onto a small roof terrace.

As an amendment to the previously approved developments, the accommodation at first floor level would now be enclosed by a hipped slated roof covering the majority of the current roof area, apart from the roof terrace of approximately 8.3 square metres at the western end towards Midstocket Mews.

The proposal would also include a total of 3 no. conservation style rooflights, 2 of which would be located on the south facing roof plane, and 1 to the east facing roof plane. The new gable to the roof terrace would be clad with vertical timber linings, and would also include a white Upvc door.

The submitted plans also show a further external change which would see the cill level of the windows at the frontage to Midstocket Road dropped. To the north elevation, the level of the windows would also be dropped to accommodate the additional accommodation at first floor level. On the west elevation, the existing door would be built up to form a window.

The new windows and external door would be timber painted white.

### **Supporting Documents**

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

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=151253>

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

### **CONSULTATIONS**

**Roads Development Management**- No objection.

**Environmental Health** – No observations.

**Communities, Housing and Infrastructure (Flooding)** – No observations.

**Rosemount and Mile End Community Council** – Reiterated their previous stance that the size of the proposed development on this small compact building has increased again. They also made the following points:

- This is a limited site in size and offers no parking facilities at a busy junction;
- They consider that the roof area should not be built upon as this would impinge on the privacy of adjacent residents. They also consider that the extension will restrict the light available to adjacent ground and first floor apartments; and,
- The ownership of the land adjacent to the eastern gable of the building has not been established.

### **REPRESENTATIONS**

Four letters of representation/objection have been received. The objections raised relate to the following matters:

- The proposed balcony will provide a viewing platform which shall lead to overlooking into adjacent gardens on Argyll Place;
- The proposal has further increased the overall volume, including height, which results in the gross overdevelopment of this site;

- Lack of parking at a major busy junction;
- The garden ground to the east is mutual to the flat owners;
- The proposed window to the east cannot be built due to it being positioned on a boundary;
- One of the north elevation drawings, the proposed window on the eastern boundary wall, is omitted;
- The bathroom does not comply with Building Standards for Disabled Access; and,
- The amount of traffic noise and pollution would be unacceptable for anyone living in this accommodation.

## **PLANNING POLICY**

### **Scottish Planning Policy**

Scottish Planning Policy states in paragraph 110 that “The historic environment is a key part of Scotland’s cultural heritage and it enhances national, regional and local distinctiveness, contributing to sustainable economic growth and regeneration. It is of particular importance for supporting the growth of tourism and leisure, and contributes to sustainable development through the energy and material invested in buildings, the scope for adaptation and reuse and the unique quality of historic environments which provide a sense of identity and continuity for communities. Planning authorities can help to safeguard historic assets through development plans and development management decisions. Paragraph 115 states “A proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. The design, materials, scale and siting of new development within a conservation area, and development outwith the conservation area that will impact on its appearance, character or setting, should be appropriate to the character and setting of the conservation area. Planning permission should normally be refused for development, including demolition, within a conservation area that fails to preserve or enhance the character or appearance of the area”.

### **Aberdeen Local Development Plan**

Policy RT3 – Town, District and Neighbourhood Centres states that proposals for change of use from retail to non-retail use in town, district and neighbourhood centres will only be allowed if in compliance with five set criteria.

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



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

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

- 1) Privacy shall be designed into higher density housing;
- 2) Residential development shall have public face to the street and a private face to an enclosed garden or court;
- 3) All residents shall have access to sitting out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the council; etc.

Policy D4 – Aberdeen’s Granite Heritage states that the City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured.

Policy D5 – Built Heritage states that proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

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

- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment
- Policy D5 – Our Granite Heritage
- Policy NC6 – Town, District, Neighbourhood and Commercial Centres
- Policy T2 – Managing the Transport Impact of Development
- Policy T3 – Sustainable and Active Travel

#### **Supplementary Guidance**

##### Transport and Accessibility

#### **Other Relevant Material Considerations**

##### Technical Advice Note: The Repair and Replacement of Windows and Doors

This Technical Advice Note (TAN) addresses the repair and replacement of windows and doors and applies to all properties in the City, and specifically outlines the expectations for properties which are Listed Buildings and/or within a Conservation Area.

In considering applications for planning permission in Conservation Areas, the Council is required by law to pay special attention “to the desirability of preserving or enhancing the character or appearance of that area”.

With specific reference to replacement windows, the TAN specifically outlines that “new windows should be sensitively replaced in an environmentally sensitive way which is in keeping with the character of the original building and the quality of its design. It further adds that “modern windows and doors which are badly proportioned, the wrong type or incorrectly glazed should be restored to the original proportions wherever possible. Factory made standard windows whether in timber, aluminium, galvanised steel, plastic (upvc) or a composite are almost always damaging to the character and appearance of historic buildings”. Lastly the TAN also states that “On traditional buildings in Conservation Areas. Modern window designs will generally be inappropriate on elevations of the building which are visible from public areas”. It is also indicated that UPVC sash and case lookalikes would be acceptable on public elevations in Conservation Areas.

## **EVALUATION**

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

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

The application site is located within the “Town Centre” of Rosemount. As such proposal RT3 technically applies. However, as the site has never been in retail use, the conversion of this former Police Station to form a small residential unit would not result in any conflict with policy RT3.

As noted above, applications were approved by Members at the meeting of the Planning Development Management Committee on 28 November 2013 and 6 November 2014, for roof top extensions of 8.8 and 16.8 square metres respectively. The applicant has subsequently approached the planning service to increase the size of the accommodation upon the roof to approximately 28 square metres, therefore an increase of 66.6% on the previous 1<sup>st</sup> floor proposal. As acknowledged in the previous report, the existing building is not particularly inspiring, and adds little to the character of the wider Rosemount/Westburn Conservation Area. However, the provision of a substantially larger level of accommodation upon the roof (an increase of

11.2 square metres), with a different roof massing would result in a greater visual impact than the previous approvals.

At present, the height to the top of the parapet wall is 3.7 metres. As part of the proposals, the overall height to roof ridge level would be 6.4 metres in height in comparison to the previously approved development which was 5.6 metres. While the change in height is only 0.8 metres, it is the alteration to the design and massing which is considered to lead to a detriment to the visual amenity and the character of the Conservation Area. This is discussed in more detail below.

In respect of Scottish Planning Policy, in this instance, the proposal to introduce a much heavier and dominant feature upon the roof would result in a significant alternation to the two previously approved plans. It is acknowledged that there are a number of other buildings within Rosemount, and the Conservation Area which have slated hipped roofs. However, the shape of the building at the corner of Midstocket Road and the rear lane, does not necessarily lend itself to putting a more standard traditional hipped roof solution on the property. Furthermore the creation of the gable to provide the small roof terrace of approximately 8.8 metres would introduce an awkward feature which would be incongruous with comparable properties. Overall the design has contrived, bulky and awkward appearance. As such, it does not make a positive contribution to the visual amenity or character of the Rosemount Conservation Area. Accordingly, the proposal is considered to be contrary to SPP and Policies D1, D4, and D5 of the Local Development Plan.

As the site is effectively land-locked, there is no prospect of providing car parking, without the prospect of demolition, and providing accommodation above. This is unlikely to be acceptable from both a road safety perspective, and as a design solution. Furthermore, the Roads Officer has confirmed that he has no objection to this planning application, and the Council have already accepted the principle of residential use with no car parking in this location. The response from Environmental Health, indicated that they have no observations in this instance.

In respect of the proposed windows, the applicant has amended the proposals during the course of this application. As such, given that the proposal now includes the use of timber windows (painted white) and the use of Conservation Style velux rooflights, there is no longer a conflict with Policy D5 or the Council's Technical Advice Note (TAN), in this particular regard. As such details of the actual design and opening mechanisms to ensure complete compliance with the TAN could be adequately controlled by planning condition.

### Relevant Planning Matters Raised by the Community Council

In respect of the points raised within the objection from the Rosemount and Mile End Community Council, not already addressed above, the query with regard to the ownership of neighbouring land is not material, and notwithstanding it is not incorporated into the existing planning application site boundary in any case. The proposal is not considered to result in any detriment to adjacent privacy due to the presence of a 2.1 m high retaining wall to the north (towards the rear gardens of Argyll Place) and the separation distance to the windows of properties within Midstocket Mews (Approximately 14 metres).

### Relevant Planning Matters Raised in Written Submissions

Issues raised that have not been addressed above: initial inaccuracies on the submitted plans have subsequently been rectified; the issue of the east facing window and the ability to construct it, has in theory been resolved through an amendment to incorporate a velux window instead; and, the requirements of a building warrant are not a material consideration in the assessment of this planning application.

With regard to the suggestions that the amount of traffic noise and pollution would be unacceptable for anyone living in this accommodation, no objections were received from Environmental Health. Notwithstanding, the general principle of residential development has already been accepted.

The 1 ½ storey properties to the east (8-12 Midstocket Road), are estimated to have a ridge height of approximately 6.5 metres, while the scale of properties to the south (containing the bank), and Midstocket Mews to the west, are even larger still. It is not considered therefore that the proposal would have a level of impact in respect of over-shadowing or loss of daylight that would warrant the refusal of this application.

In summary, while the previous development proposals have been considered acceptable, the alternative proposals have resulted in a considerable detriment to the design. The previous application sought to provide a relatively lightweight construction onto a small proportion of the roof, in order to minimise the visual impact of the proposals. However in this instance, the provision of a considerable hipped element onto this building of irregular shape, results in a design which would draw greater attention to it, and in particular the new gable feature. It is not considered that the design is of any particular quality. As such, it is not considered that the development proposals would preserve or enhance the appearance of the Rosemount Conservation Area or the visual qualities of the area, and would therefore be contrary to Scottish Planning Policy, and the relevant policies of the Aberdeen Local Development Plan.

## Proposed Aberdeen Local Development Plan

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

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

The foregoing can only be assessed on a case by case basis. In relation to this particular application, the policies of the Proposed LDP largely reiterate those of the extant Plan, and therefore no new policy matters are raised.

## **RECOMMENDATION**

### **Refuse**

## **REASONS FOR RECOMMENDATION**

1) The proposed development does not comply with Policy D1 Architecture and Placemaking of the Adopted Local Development Plan in light of the scale and design of the proposed extension, and particularly the roof massing. This small building has significant limitations in respect of its potential for conversion and beneficial use. In this instance, considerable pressure is being put upon the building to accommodate an intensified residential occupation in comparison to previously approved applications. As such, the current proposals are in excess of what can realistically be achieved without having a detrimental visual impact upon the character of the wider area.

2) It is considered that due to its inappropriate design, the proposal would have a detrimental impact upon the setting of the Rosemount Conservation Area and would therefore not comply with Policy D5 Built Heritage of the Adopted Local Development Plan. The proposal if approved, would draw attention to an over-complicated roof/massing arrangement which would not respect the character of the wider Conservation Area, and thus be contrary to Scottish Planning Policy.



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IAIN STEPHEN  
4A & 4B MID-STOCKET ROAD  
ABERDEEN  
AB15 5NE

E-mail -

Our Ref LS/891/15  
18<sup>th</sup> August 2105

Aberdeen City Council  
Planning and Sustainable Development  
Marsichal College  
Broad Street  
Aberdeen  
AB10 1AB

COPY

Dear Sir/Madam

Re: Planning Application 151253  
Notification date 05 August 2015  
Old Police Station, Mid-Stocket Road, Aberdeen, AB15 5NE

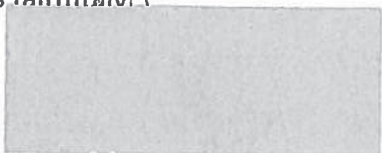
I have representations on the submitted application, 151253, and hereby object to the proposals on the following:

1. This is a 3<sup>rd</sup> application for this premises by the applicant, Mr Stanley Wood of 50 Angusfield Avenue, Aberdeen, this proposal has been further increased in overall volume including height to form a two storey dwelling of 2 bedrooms. This is now, in my opinion, gross over development considering the scale and lack of parking at a major junction of Mid-Stocket Road and Beechgrove Terrace. Previous applications applied for the garden area to the east, not belonging to the applicant, was approved for a single storey development, but refused for a two storey, which this application now is. Surely the precedent was set at that juncture.
2. The property boundaries are the external walls, as title, with no land to the east or north attached to the property. This garden ground to the east is mutual to the flat owners in common in every right to these properties only. The proposed window to the east elevations cannot be built on a boundary, as outlined in Building Standards. I appreciate that this matter may be under Building Standards, but if approved, Planning would be refused a Building Warrant in its present proposal. With both Planning and Building Standards under the same Directorship this must be considered at Planning stage and is relevant to the application under Planning for the above reasons.
3. The North Elevation for some reason has omitted the window on the east boundary wall.

4. The Bathroom as proposed does not comply under the Building Standards for disability access!

I request these points raised to be considered and request further notification to myself and other Notifiable Neighbours if any of the submitted plans are amended for further consideration, as are our rights.

Yours faithfully,

A rectangular grey box redacting the signature of the sender.

Iain G Stephen

10 Craigie Park  
Rosemount  
Aberdeen  
AB25 2SE  
21<sup>st</sup> August 2015.

Aberdeen City Council  
Planning Dept.  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Ref: Planning Application P151253 (Former Police Station Midstocket Road).

Dear Dr. Margaret Bochel.

I am writing to lodge my objection to the proposed plans (P151253) to increase in overall volume which includes the height of the building to form a two storey dwelling on the former Police Station on Midstocket Road.

The veranda overlooks the living accommodation of the residents of Midstocket Mews which in my opinion is totally unacceptable.

The residents privacy will be impaired should the council grant permission for this veranda to be part of the proposed plans.

In my opinion this is a gross overdevelopment considering the scale and lack of parking which is at a premium anywhere in this area of Midstocket Road; plus the amount of traffic noise and pollution would be totally unacceptable for anyone living in this accommodation.

In Mr Wood's previous application I pointed out that the garden area to the right of the former Police Station is mutual to the residents of the flats.

The window which is proposed on the End Elevation of the former Police Station cannot be granted as outlined in Building Standards which overlooks the garden area which is a mutual area for the residents of the flats.

As this is not indicated on the plans I was of the opinion that a "Disabled Access was a requirement for a bathroom under the present Building Standards if so this should be considered during the planning process.

I was under the impression that the public were given 21 days to respond from the date of the application which was the 5<sup>th</sup> August, this means the closing date for any response is the 26<sup>th</sup> not the 18<sup>th</sup> as indicated on the council planning website.

Yours faithfully

Willie Jaffray  
Resident of Rosemount

COPY

8 Mid Stocket Road

Aberdeen

AB15 5NE

20 August 2015

Dear Sirs,

RE. PLANNING APPLICATION 151253. (OLD POLICE STATION MID STOCKET ROAD AB15 5NE)

I have representations on the submitted application, 151253, and hereby lodge my objection to the proposals as follows:

1) This is the 3<sup>rd</sup> application for this premises by the applicant, Mr Stanley wood of 50 Angusfield Avenue, Aberdeen. This proposal has further increased in overall volume including height to form a two storey dwelling of 2 bedrooms. I feel that this is gross overdevelopment considering the scale and lack of parking at a major busy junction of Mid Stocket Road and Beechgrove Terrace. Previous applications applied for the garden area to the east which DOES NOT BELONG TO THE APPLICANT, were approved for a single storey development but refused for a two storey which this application now is. This precedent surely was set at that juncture.

2) The property boundaries are the external walls, as title, with no land to the east or north attached to the property. This garden ground to the east is mutual to the flat owners on common in every right to these properties only. The proposed window to the east elevation cannot be built on a boundary as outlined in Building Standards. I understand that this matter may be under Building Standards but if approved Planning would be refused a Building Warrant in its present proposal. With Planning and Building Standards being under the same Directorship this must be considered at Planning stage and is relevant to the application under Planning for the above reasons.

3) On the drawings the North Elevation has omitted the window on the east boundary wall.

4) The Bathroom as proposed does not comply under the Building Standards for disability access.

Please ensure that that the points made here on my objection are considered and I request further notification along with other notifiable neighbours if any submitted plans are amended for future consideration.

T.Main

COPY



9, Argyll Place,  
Aberdeen  
AB25 2HU

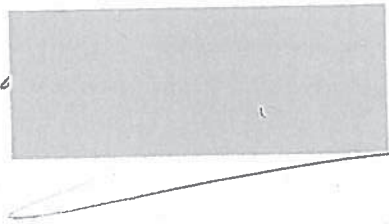
August 14<sup>th</sup> 2015

Dear Sir,

Application 151253, Conversion of the Former police office, Mid Stocket Rd. AB155NE

I object to the balcony which will provide a viewing platform for those wishing to look into the back gardens of the houses in Argyll Place. I suggest a high wall or fence should screen the view of the gardens, ie looking north.

Yours Sincerely,

A rectangular grey box redacting the signature, with a handwritten flourish or line extending from the bottom left corner.

COPY

ROSEMOUNT & MILE-END COMMUNITY COUNCIL

Head of Planning & Infrastructure  
Planning Department  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen AB10 1BW

14 August 2015.

Der Sir/Madam,

Planning Application P151253  
Former Police Station Midstocket Road Aberdeen

I refer to the above planning application which is now the third submitted since September 2013 for this site/building. The R&MECC would remind both the Planning Department & Committee this is again an increase in the size of the proposed development of this small compact building & site. The members of the R&MECC can however only submit views which have previously been highlighted & add further comment in relation to this latest application

- a) This is a limited site in size & offers no parking facilities at a busy road junction.
- b) It is our view that the roof area should not be built upon. This latest proposal is to build two bedrooms plus a seating area onto the present one level building. Such an extension will impinge on the privacy of some of the residents in the adjacent sheltered housing complex. Indeed an extension of this nature will restrict the light available to the ground & first floor apartments.
- c) In all our responses the Community Council has questioned the ownership of the land to the immediate East of the former Police Station. We have been unable to establish/confirm the history of this ground & equally our elected members have also been unsuccessful in this task. Perhaps the Planning Department can make this a priority before any decision is considered.

When the last planning application was approved by the City Council the members of the R&MECC as well as residents were appalled by the decision. It is time for the Planning Department & Committee to listen to the opinions of residents in this area who are directly affected by indiscriminate alterations to buildings which were never designed for such development.



G A Duncan

( On behalf of the Rosemount & Mile-End Community Council )

18 AUG 2015

COPY

## **Policy D1- Quality Placemaking by Design**

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials.

Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

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

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

To further ensure there is a consistent approach to placemaking throughout the city, the Aberdeen Masterplan Process will be applied to larger sites within the city.

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## **Policy D1 – Architecture and Placemaking**

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

To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.

Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.



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## **Policy D2 - Design and Amenity**

In order to ensure the provision of appropriate levels of amenity the following principles will be applied:

1. Privacy shall be designed into higher density housing.
2. Residential development shall have a public face to a street and a private face to an enclosed garden or court.
3. All residents shall have access to sitting-out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the Council.
4. When it is necessary to accommodate car parking within a private court, the parking must not dominate the space: as a guideline no more than 50% of any court should be taken up by parking spaces and access roads. Underground or decked parking will be expected in high density schemes.
5. Individual flats or houses within a development shall be designed to make the most of opportunities offered by the site for views and sunlight. Repeated standard units laid out with no regard for location or orientation are not acceptable.
6. Development proposals shall include measures to design out crime and design in safety.
7. External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

Development deemed to have an influence on public realm in the City Centre, Town, District or Neighbourhood Centres will make an agreed contribution to art or other enhancement of the public realm.

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## **Policy D4 – Historic Environment**

The Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, SHEP, its own Supplementary Guidance and Conservation Area Character Appraisals and Management Plan. It will assess the impact of proposed development and support high quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings, conservation areas, archaeology, scheduled monument, historic gardens and designed landscapes.

The physical in situ preservation of all scheduled monuments and archaeological sites will be supported. Developments that would adversely impact upon archaeological remains, including battlefields, of either national or local importance, or on their setting will only be permitted in exceptional circumstances, where there is no practical alternative site and where there are imperative reasons of over-riding public need.

In any such case, the applicant must at their own expense:

- take satisfactory steps to mitigate adverse development impacts; and
- where the preservation of the site in its original location is not possible, arrange for the full excavation and recording of the site in advance of development.

In those cases where this is not justifiable or feasible, provision should be made for excavation and record with an appropriate assessment and evaluation. The appropriate publication/curation of findings will be expected.

Further guidance can be found within the supplementary guidance and technical advice notes listed in Appendix 6.

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#### **Policy D4 - Aberdeen's Granite Heritage**

The City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured. Within conservation areas, neither conservation area consent nor planning permission will be given for the demolition or part removal of granite buildings (excepting those buildings that make an insignificant contribution to the character of the conservation area). Consent will not be given for the demolition of granite-built garden or other boundary walls in conservation areas. Where a large or locally significant granite building that is not listed or in a conservation area is demolished, the City Council will expect the original granite to be used on the principal elevations of the replacement building.

The City Council will seek to retain original setted streets and granite pavements in conservation areas, and elsewhere if they contribute significantly to a sense of place. Where the opportunities occur, greater use will be made of granite in resurfacing historic streets in the City Centre.

The City Council will seek to retain coach houses and other large granite-built outbuildings adjoining rear lanes in conservation areas and conversion to appropriate new uses will be encouraged.

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## **Policy D5 – Our Granite Heritage**

Throughout Aberdeen the Council seeks the retention and appropriate re-use, conversion and adaption of all granite features, structures and buildings, including setted streets, granite kerbs and granite boundary wall

Proposals to demolish any granite building, structure or feature, partially or completely, that is listed or within a Conservation Area will not be granted Planning Permission, Conservation Area Consent and Listed Building Consent unless the Local Authority is satisfied that the proposal to demolish meets Historic Scotland's Scottish Historic Environment Policy (SHEP) test for demolition.

Where the retention and re-use of a granite feature, building or structure, in whole or part, is unviable then the visible re-use of all of the original granite as a building material within the development site is required.

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## **Policy D5 – Built Heritage**

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

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

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

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



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## **Policy NC6 Town, District, Neighbourhood and Commercial Centres**

Retail is the preferred use within these designated centres, however a mix of uses is desirable. Proposals for changes of use from retail to non-retail use in town, district, neighbourhood and commercial centres will only be allowed if it meets all of the following criteria:

- 1 the proposed alternative use makes a positive contribution to the vitality and viability of the centre;
- 2 the proposed alternative use will not undermine the principal function of the centre in which it is located;
- 3 the applicants can demonstrate a lack of demand for continued retail use of the premises (applicants may be required to demonstrate what efforts have been made to secure a new retail use);
- 4 the proposed use caters for a local need;
- 5 the proposed use retains or creates a live and attractive shop frontage;
- 6 the new use does not create clustering of a particular use in the immediate vicinity; and
- 7 the alternative use does not conflict with the amenity of the neighbouring area.

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### **Policy RT3 - Town, District and Neighbourhood Centres**

Proposals for changes of use from retail to non-retail use in town, district and neighbourhood centres will only be allowed if:

1. The proposed alternative use makes a positive contribution to the vitality and viability of the shopping centre; and
2. The proposed alternative use will not undermine the principal retail function of the shopping centre or the shopping development in which it is located; and
3. The applicants can demonstrate a lack of demand for continued retail use of the premises (applicants may be required to demonstrate what efforts have been made to secure a new retail use since the property became vacant); and
4. The proposed use caters for a local need; and
5. The proposed use retains or creates a live and attractive shop frontage.

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

Commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.

Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in Supplementary Guidance Transport and Accessibility.

The development of new communities should be accompanied by an increase in local services and employment opportunities that reduce the need to travel and include integrated walking, cycling and public transport infrastructure to ensure that, where travel is necessary, sustainable modes are prioritised. Where sufficient sustainable transport links to and from new developments are not in place, developers will be required to provide such facilities or a suitable contribution towards implementation. Further information is contained in the relevant Supplementary Guidance detailed which should be read in conjunction with this policy.



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### **Policy T3 Sustainable and Active Travel**

New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, cycling and public transport penetration. Links between residential, employment, recreation and other facilities must be protected or improved for non-motorised transport users, making it quick, convenient and safe for people to travel by walking and cycling.

Street layouts will reflect the principles of Designing Streets and meet the minimum distances to services as set out in the supplementary guidance.

Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained at all times by the developer through provision of suitable alternative routes.

Recognising that there will still be instances in which people will require to travel by car, initiatives such as like car sharing, alternative fuel vehicles and Car Clubs will also be supported where appropriate.

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# Supplementary Guidance

## Topic: Transport and Accessibility

March 2012

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## 1. INTRODUCTION

Good transport connections are essential to the economic prosperity of Aberdeen and the quality of life of people living and working in the City. With an emphasis on ensuring that transport provision is considered from the very outset of a planning application, the Council is committed to developments that encourage sustainable travel.

This Supplementary Guidance on Transport and Accessibility aims to assist developers in the preparation of planning applications. This document examines a number of transport and accessibility issues that may have to be considered as part of a planning application and should be read in conjunction with the Aberdeen Local Development Plan and the Local Transport Strategy.



## **2. STANDARDS FOR ACCESSIBILITY AND PUBLIC TRANSPORT SERVICES**

The ability to access key services and facilities directly affects quality of life and is a major contributor to social inclusion. New and existing communities should be able to access services, facilities and jobs by walking, cycling and public transport.

Developments should be linked by the most direct, attractive, safe and secure pedestrian links possible to potential trip sources within 800 metres of the development.

Public transport should be available within 400 metres of the origins and destinations of trips within the development. Public transport provision should be at a frequency, times and to places that;

- Are at intervals of no more than 15 minutes, and ideally 10-12 minutes;
- Meet the needs of those without access to a car who would wish to access the development; and
- Provide an effective alternative for those that do have access to a car.

Developers will be required to provide for the appropriate level of service identified through a transport assessment, if this level will not be provided commercially by a bus operator.

In all cases developers should engage with the Council and relevant partners (such as Nestrans and public transport operators) at an early stage in the masterplan and/or planning application process to discuss the arrangements and requirements for providing new public transport services.

Accessibility Planning software, such as Accession, may be used as a tool to assess potential development locations and then guide decisions on development proposals. Accessibility planning involves measuring journey times to services and facilities and identifying the most suitable locations for new development or particular services and facilities. By measuring accessibility to services/facilities by public transport this process can also be used to improve the quality and availability of public transport to existing and future users or customers. In doing so, Accessibility Planning provides opportunities to improve social inclusion.

### **3. ACCESS AND PERMEABILITY**

The ability to access, move around and through the built and natural environment by walking and cycling is a major contributor to quality of life and, in particular, an individual's ability to freely access the services and facilities they need without using a vehicle. New development will be required to protect and enhance existing access rights including core paths, rights of way and paths within the wider network.

The Land Reform (Scotland) Act 2003 introduced the right of responsible non-motorised access to most land and inland water in Scotland. The Land Reform Act also introduced statutory duties on Aberdeen City Council requiring it to protect access rights, including core paths and other paths within the wider paths network. In addition, the Council has a duty under the Countryside (Scotland) Act 1967 to uphold access along any public right of way.

In planning the layout of new development, the Core Paths Plan (2009) and Open Space Strategy (2011) should be taken into account, including routes referred to as 'aspirational' in the Core Paths Plan. New development must be permeable to walkers and cyclists and should ensure that new routes are planned in accordance with the 5 C's – connected, convenient, comfortable, convivial and conspicuous – as referred to in the Aberdeen Local Transport Strategy 2008 - 2012.

The Aberdeen Outdoor Access Forum brings together key stakeholders involved with access to the outdoors. The Forum has an input to access provision relating to new development, and will assist the Council in the resolution of any outdoor access disputes where there are conflicts between the provision of new or improved access routes and neighbouring land uses.

Further guidance on the following access issues can be found in the documents listed below.

Standards for path construction	Lowland Path Construction: A Guide to Good Practice Paths for All (2001)
Standards for signage design	Signage Guidance for Outdoor Access: A Guide to Good Practice Paths for All (2009)
	Directional Signage Guidance for Paths Aberdeen City Council (2011)

#### **4. GUIDELINES & SPECIFICATIONS GUIDANCE**

The Council is undertaking a review of its 1998 publication “Guidelines and Specification for Roads within Residential and Industrial Developments” which sets out the technical requirements for designing new roads, parking facilities, and walking and cycling infrastructure. The review takes account of the Scottish Government’s Policy Statement Designing Streets (2010). The Council intends to publish a fully revised version of the technical guidelines in due course and officers are progressing this detailed work. In the meantime, the Local Development Plan has taken account of Designing Streets by including a Roads Descriptor’ Map which categorises the road network according to the principles of Designing Streets (see Figure 1 and 2 below). This will form part of the full review document but is being published as part of this Supplementary Guidance in order to guide the planning and delivery of different types of roads that the Council will expect to be provided to support new developments.

For the avoidance of any doubt, we would recommend that developers speak to the Roads Design Team at the earliest possible stage in the planning application process to determine an appropriate design and layout for development.



Figure 1 – Roads Descriptor Map

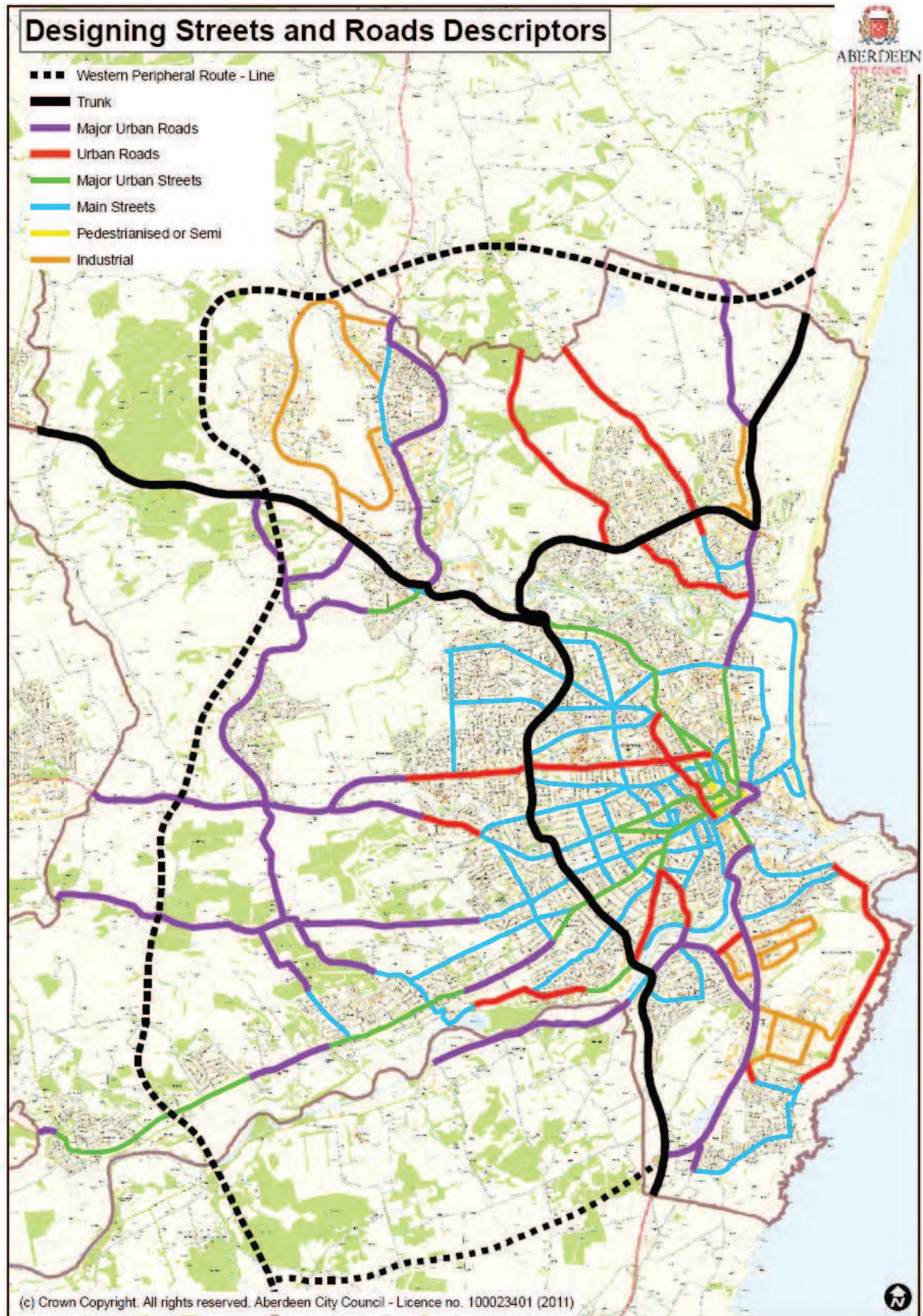
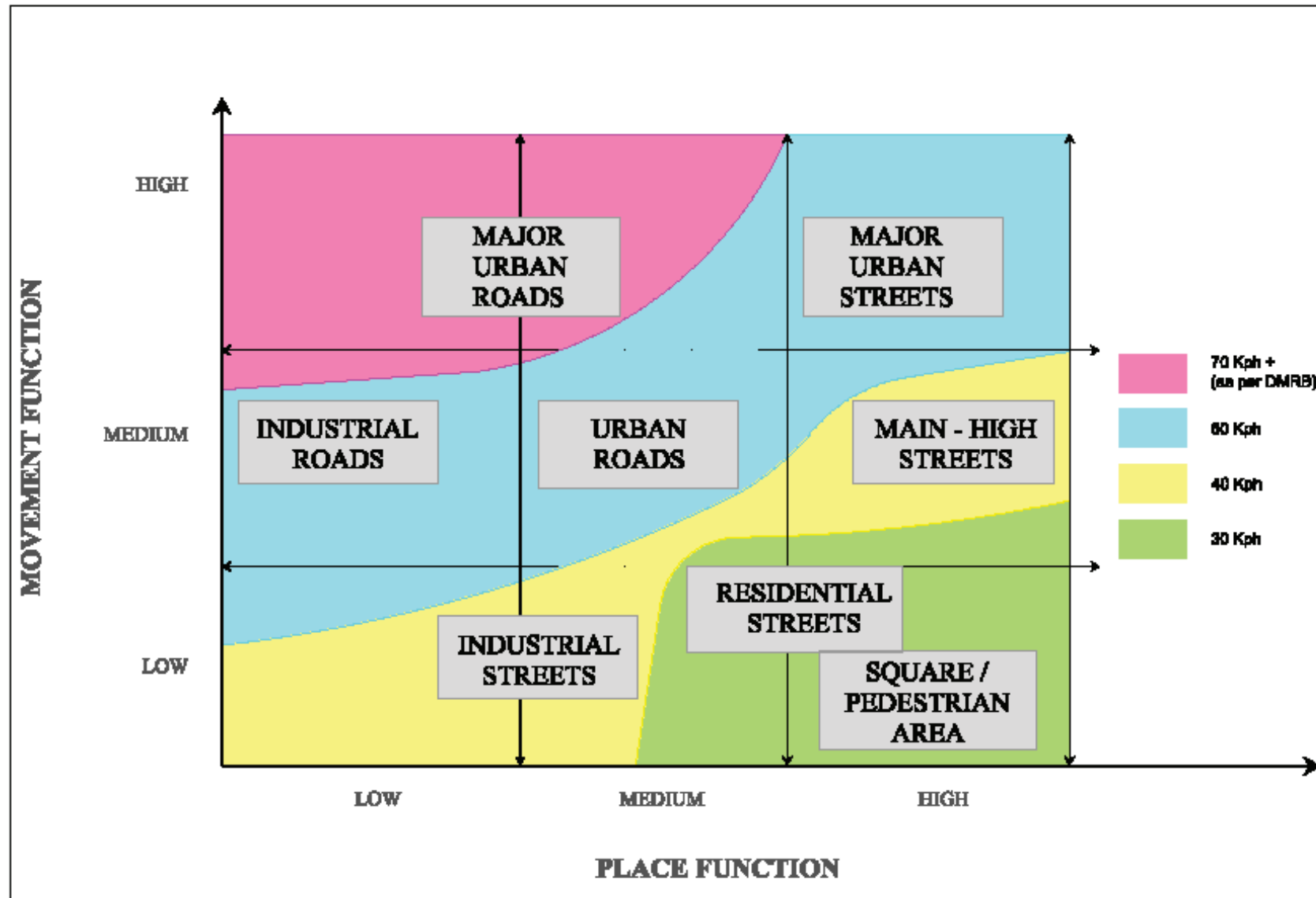


Figure 2 – Roads Descriptor Matrix



## **5. TRANSPORT ASSESSMENTS**

The majority of new development will have an impact on the transport network and these impacts must be identified and dealt with as early as possible in the planning process. Transport Assessments (TA) can help to identify and tackle these issues at the planning application stage.

The Infrastructure and Developer Contributions Manual Supplementary Guidance document identifies transport infrastructure required to support sites identified in the Local Development Plan. In addition, developers will be required to undertake a Transport Assessment to determine whether any further infrastructure or service improvements are required in order to support the development proposed.

The Scottish Government has published guidance on Transport Assessments (Transport Assessment and Implementation: A Guide, 2005) and developers should refer to this for more detailed information.

Transport Assessments will vary in size and complexity depending on the nature, size and possible effects of the development.

A Transport Assessment will be required for developments which exceed the following thresholds,:

- Food retail >1,000m<sup>2</sup> Gross Floor Area
- Non-food retail >1,000m<sup>2</sup> Gross Floor Area
- Cinemas and conference facilities >1,000m<sup>2</sup> Gross Floor Area
- Leisure facilities >1,000m<sup>2</sup> Gross Floor Area
- Business >2,500m<sup>2</sup> Gross Floor Area
- Industry >5,000m<sup>2</sup> Gross Floor Area
- Distribution and warehousing >10,000m<sup>2</sup> Gross Floor Area
- Hospitals >2,500m<sup>2</sup> Gross Floor Area
- Higher and further education >2,500m<sup>2</sup> Gross Floor Area
- Stadia >1,500 seats
- Housing >100 dwellings.

A Transport Assessment should provide a comprehensive and consistent review of all the potential transport impacts relating to a proposed development or redevelopment and its immediate vicinity. The TA should consider travel-related issues such as safety, trip generation, access junction design and new infrastructure required (such as new bus services or cycle lanes) before, during and following construction. Adverse traffic and accessibility issues should be addressed and, if appropriate, suitable mitigation measures identified.

The assessment should look at the accessibility of the site by different modes of travel. The objective should be to maximise sustainable travel by walking, cycling and public transport and only then to consider the impact of the residual car traffic. Developers will be expected to take a realistic approach to their assessment of how much travel will be capable of being attracted to sustainable modes and they should bear in mind the Council's traffic targets as set out in the Local Transport Strategy (2008) and detailed in the Local Transport Strategy Monitoring Paper (2009).



There are two ways to ensure that sustainable travel will be maximised. First, through careful attention to the design and layout of the development itself and giving priority to those on foot, cycling or using public transport ahead of car user requirements; secondly through measures to improve infrastructure and services to encourage sustainable travel within the catchment area of the development.

As a minimum, the Transport Assessment should include:

1. Details of the development:
  - The proposed land use;
  - Scale of the development, such as number of residential units or Gross Floor Area (GFA) and phasing of development;
  - Plans and drawings showing the proposed site layout, particularly the proposed pedestrian, cycle and vehicular access points into the site;
  - Servicing arrangements and emergency vehicle access; and
  - Parking provision (including disabled, cycle and motorcycle parking).
2. Existing transport conditions:
  - Walking and cycling routes and facilities;
  - Existing public transport services and infrastructure;
  - Operation of the local road network;
  - Recent traffic surveys; and
  - Accident history on the local road network.
3. Trip generation and distribution:
  - Calculation of the likely number of trips to and from the development by each transport mode throughout the day; and
  - Determination of which routes will be used to access the site.
4. Public transport, walking and cycling assessments:
  - Assessment of whether the current public transport services and walking and cycling infrastructure have sufficient capacity to accommodate the additional trips created by the development;
  - An assessment of the level of accessibility to services and facilities by public transport, walking and cycling, where possible using the Accession software tool; and
  - If levels of accessibility are not sufficient, details of new facilities/services to be provided as part of the development proposals, such as public transport improvements and improved footpath and cycle path linkages.
5. Proposals (in the form of a Travel Plan) to reduce the number of trips to the development:
  - Measures to reduce the need to travel (e.g. home working);
  - Measures to encourage the use of more sustainable travel options rather than single occupier car journeys (e.g. walking, cycling, public transport, car sharing); and
  - A proposed parking strategy.
6. Traffic Impact Assessments:
  - Assessment of whether the road network has sufficient capacity to accommodate the residual vehicular trips created by the development

- The transport impacts of site construction, including the requirements of abnormal loads in the construction, use and decommissioning of the present development;
- The transport impacts of freight or service operations;
- If the site of the proposed development has a current use or an extant planning permission with trip patterns/volumes, the net level of change that might arise out of the new proposals should be set out; and
- An identification of the mitigation measures that will be required to address those traffic impacts that are likely to cause concern.

## 6. TRAVEL PLANS

A Travel Plan is a generic title for a package of measures aimed at promoting more sustainable travel choices to and from a development, with an emphasis on reducing reliance on the private car, thereby lessening the impact on the surrounding road network. A Travel Plan may also be required to address a particular traffic or parking problem likely to come about as a result of development and to reduce harmful emissions from vehicles.

Travel Plans can also reduce the cost of business travel, promote healthy living among employees and residents and widen the potential labour pool to include those that do not have access to a car. Travel Plans can be financially beneficial for employers to implement, by reducing the number of car parking spaces required.

A Travel Plan will be required for developments which exceeds the following thresholds:

- Food retail >1,000m<sup>2</sup> Gross Floor Area
- Non-food retail >1,000m<sup>2</sup> Gross Floor Area
- Cinemas and conference facilities >1,000m<sup>2</sup> Gross Floor Area
- Leisure facilities >1,000m<sup>2</sup> Gross Floor Area
- Business >2,500m<sup>2</sup> Gross Floor Area
- Industry >5,000m<sup>2</sup> Gross Floor Area
- Distribution and warehousing >10,000m<sup>2</sup> Gross Floor Area
- Hospitals >2,500m<sup>2</sup> Gross Floor Area
- Higher and further education >2,500m<sup>2</sup> Gross Floor Area
- Stadia >1,500 seats
- Housing >100 dwellings.
- All schools.

Developments which fall below these thresholds are also encouraged to prepare Travel Plans in support of applications for development.

Travel Plans should be site-specific and measures and objectives should reflect the individual characteristics of a site as well as the trips likely to be generated by that development. They should contain a range of measures to ensure that the site is accessible by a variety of modes of transport, and that private car use to and from the site is discouraged via a combination of incentives and disincentives. Workplace Travel Plans can address commuter journeys to work, customer access, business travel and fleet management and they can encompass the movement of freight as well as people.

There may be opportunities to create informal or formal networks of organisations and businesses within defined areas known as Transport Management Organisations (TMOs). TMOs provide a forum for identifying and implementing measures that will improve travel conditions for companies, their employees, and the local community. Aberdeen City Council will work with Nestrans and the private sector to support and encourage the development of further TMOs across Aberdeen.

## What should the Travel Plan contain?

A number of conditions have been identified that must be in place in order for a Travel Plan to be successful:

- The appointment of a dedicated Travel Plan Co-ordinator to oversee implementation of the Plan;
  - Engagement with staff and residents to identify what would encourage them to change their travel behaviour;
  - The Plan should be based on the findings of a recent staff or residents travel survey and regular follow-up surveys should be undertaken to assess the Plan's progress and ensure it remains current;
  - The plan should include a comprehensive package of measures, including incentives and disincentives to bring about change;
  - The plan should be site-specific, tailored to suit the individual development;
  - The plan should set clear objectives and targets, with monitoring procedures identified;
  - A funding stream for new infrastructure, initiatives, promotion and marketing;
- and
- Senior management support and approval for the Plan.

Typical workplace travel plan measures include:

- Ensuring there are safe walking and cycling routes to the development;
- Providing safe cycle parking facilities near the entrance to the workplace;
- Providing showers and changing facilities for cyclists and pedestrians;
- Providing a dedicated bus for employees or entering into negotiations with bus companies to extend an existing bus service to serve the development ;
- Providing tele- and video-conferencing facilities to reduce the need for business travel;
- Providing a pool car or car club vehicle for employees who need the use of a car during the working day;
- Negotiating discounted public transport fares for employees;
- Car Park management such as deliberately limiting staff parking or charging staff for car parking;
- Establishing a car share scheme for employees and implementing priority parking spaces for car sharers;
- Introducing flexible working arrangements, such as home working and flexitime working;
- Introducing the HMRC's Salary Sacrifice Schemes for buses, bicycles and home computers;
- Raising awareness of the health, environmental and cost benefits of walking, cycling and using public transport;
- Raising awareness of public transport serving the site and making public transport maps, timetables and leaflets available to staff and visitors.

Residential Travel Plans should outline measures aimed at influencing the travel behaviour of new home owners to, from and within the development. These could include:

- Ensuring the development is well served by safe and pleasant walking and cycling routes;

- Entering into negotiations with bus operators to ensure that the development can be served by public transport if it is not at present;
- Distributing a welcome pack to new residents with maps showing local walking and cycling routes and local public transport maps, leaflets and timetables ;
- Providing a car club vehicle(s) for residents to use;
- Establishing a residents' car share scheme;
- Providing residents with 1 months' free public transport tickets or a voucher for discounted walking or cycling goods.

Leisure Travel Plans may also be required for developments likely to generate a large volume of visitor journeys. Measures could include innovative marketing campaigns and initiatives for encouraging sustainable travel, such as limiting, or charging for, car parking, and ensuring the development is well served by walking, cycling and public transport links.

A free online Travel Plan Builder is available ([www.aberdeencitytravelplans.co.uk](http://www.aberdeencitytravelplans.co.uk)) and officers in the Transportation Team are available to assist businesses and developers in the preparation of a Travel Plan.

### **Monitoring and Evaluation**

Travel Plans should identify effective monitoring techniques and these will be agreed with the Council. The Council will request updates from developers every two years on the implementation of the Travel Plan. Legal Agreements may be required or planning conditions may be placed on planning applications to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review. More detailed guidance on what is expected as part of a Travel Plan will be available in Travel Plans: A Guide for Developers which is being prepared and will be published in 2012.

## 7. PARKING

Parking policy is an essential component of the City Council's Local Transport Strategy. Parking price and availability can have a significant influence on the way that people choose to travel.

Adequate parking can enhance the attractiveness of an area for development and sufficient spaces are needed to prevent over-spill parking into surrounding areas especially if this will have a detrimental impact. On the other hand, the over-provision of parking spaces can involve large tracts of land and lead to increased land prices, reduce building densities and increase distances people must walk between adjacent land uses. Over-provision of parking can also reduce travel by alternative forms of transport.

Parking standards must therefore reflect a balance of conflicting objectives. The standards in this document have been informed by the evidence of existing parking demands and take account of the potential requirement for parking spaces in the future given other policy measures to encourage the use of alternatives to cars. They also take account of the Scottish Government's Scottish Planning Policy guidelines on parking standards.

The level of parking standards also relates to the location of the development. To encourage the use of alternatives to the car where accessibility is high by non-car modes, the maximum parking standards are lower. Three separate zones have been identified by the Council for the application of varying parking standards and these are described below and are shown in the map on Figure 3, page 18:

- **Zone 1** is highly accessible by public transport and the density of population relative to the mixture of land uses (retailing, employment etc) allows for a large proportion of pedestrian and cycle journeys. On-street parking, public off-street parking and park and ride opportunities are also available. These factors allow for the lowest maximum levels of parking associated with new developments.
- **Zone 2** is relatively accessible by public transport and pay and display parking is available in most parts of the area for short stay use.
- **Zone 3** provides the third and least restrictive maximum standards as the area is less accessible by public transport and the distance from main residential areas may preclude walking and cycling on a significant scale.

Whilst the Local Transport Strategy seeks to reduce the amount of unnecessary car use and dependency, it maintains the right of individuals to own and keep cars at a residence. In view of this, the parking standards for housing developments should be considered as guidelines. Where development proposals include the provision of off-street parking, the entitlement to on-street parking permits will be restricted. Within all zones where development proposals include parking provision that is less than the guidelines for that Zone, developers will be expected to provide suitable alternatives such as bus permits and membership to car clubs.

Different land use components in a mixed development should aim to share car parking provision when the demand for the different land uses is at different times of the day or week. For example, parking provision at a school in the daytime could be



used for community and leisure facilities at evenings and weekends. Equally, office car parking spaces could be used by neighbouring residents and visitors during evenings and weekends when the business premises are unoccupied.

## **LOW AND NO CAR HOUSING**

Aberdeen City Council will support and encourage low or no car housing, recognising the contribution this can have towards sustainable development, where there is evidence that car ownership and use will be low enough to justify proposals, and where public transport and other travel options are sufficient to allow residents to rely wholly on them.

It is vital that such development is located in an area of good existing public transport, cycle and pedestrian links, thus allowing a design that facilitates as many trips as possible to and from the development being made by modes other than the private car.

Such development is likely to be more successful in city centre locations, where there is already a high demand for car parking and good public transport links.

The Council will consider the following issues in determining proposals for low or no car housing:

- The development is mixed use and there are employment opportunities within walking and cycling distance of residential units;
- The development is linked to the main road network by well lit, safe and pleasant footways or paths for pedestrians;
- The development is within 400m of the local cycle network and there is adequate bicycle parking available; and
- There are at least 2 buses in each peak time quarter hour period serving, or stopping close by to, the development.

Where development proposals are specifically put forward as low or no car housing, the entitlement to on-street parking permits will be restricted.

The developer may also wish to establish a car club for the development, thus reducing the need for residents to own a private car in the first place. There will always be a requirement for a minimum amount of disabled parking within the site.

## **CAR CLUBS**

An alternative way for a developer to demonstrate a commitment to minimising car use is to enter into an agreement relating to a car club. Aberdeen City Council support, and will promote, the implementation and expansion of car clubs in Aberdeen City, especially in developments where there is significant potential to reduce the number of car trips.

A car club is a scheme whereby a vehicle or vehicles are shared by a particular community, with members typically paying an annual membership fee which then provides them with access to a car on a 'pay as you go' basis (with the individual usually paying for use per mile or per hour). Such a system allows members of the

club to enjoy all the advantages and conveniences of car travel without them having to own a car themselves.

Car club vehicles can act as pool vehicles for workplaces and can remove the need for householders in a residential development to own a car. Research shows that each car club vehicle typically replaces 6 private cars as club members refrain from buying or maintaining a second car or even choose not to own a car at all.

Car clubs provide a means to reduce the number of parking spaces required for new developments and can be used to retrofit existing developments, allowing them to adopt more of a 'Home Zone' style approach. By reducing or eliminating the need for onsite parking many new developments are made possible and their traffic impact minimised.

Developers may choose to set up a car club solely for their development or to pay for membership of an existing car club for all residents and/or employees of the development. For a residential development to have a self-contained car club, guidance suggests that there should be at least 200 units. Developments which are smaller, or which have a mix of uses, can still include car clubs, although these may need to be open to other subscribers in the immediate local area. Shared residential and business membership could be one approach, as use of the vehicles for business journeys is likely to be more in demand during working hours on weekdays and domestic usage is likely to be more pronounced in evenings and weekends.

In entering into a legal agreement to set up and/or promote a car club, the developer should ensure that the club is up and running from the very beginning of the occupation of the development. It should be offered to prospective members on favourable terms. A common requirement is free initial membership for three years. The developer should expect to contribute to the costs of setting up and promoting the club, as well as any traffic orders and works that might be necessary. The developer should guarantee the car club for a period of 10 years.

## **PARKING STANDARDS**

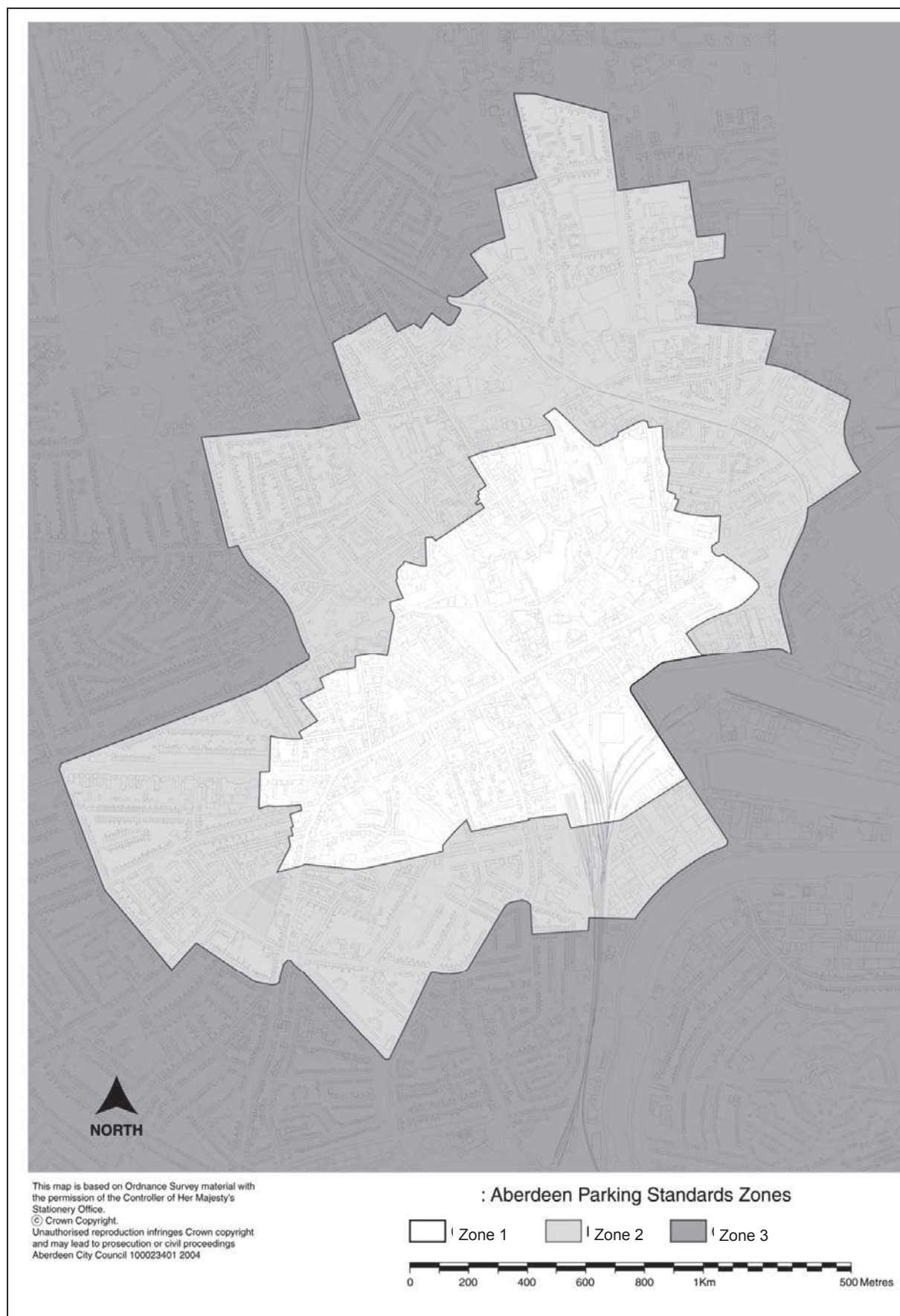
This section addresses the following:

- Non-residential parking (**maximum standards**)
- Residential parking (**guidelines**)
- Disabled Badge Holders' Parking (**requirements**)
- Delivery space (**guidelines**)

### **Car Parking Standards - Introduction**

Figure 3 below shows the areas covered by each of the 3 parking standard zones. Please note the boundaries shown are indicative and subject to change through any updates to the Local Transport Strategy.

Figure 3 – Zones for Parking Standards



For a change of use, developers should, in the first instance, take account of the standards shown in the following tables. This may mean increasing the number of spaces or possibly taking some away. Times of use of the existing and proposed land use(s) may be relevant to the need to provide extra parking. For instance a proposal for residential development in what is currently an office use may, on first consideration, require extra spaces. However, as residential parking demand tends to be mainly in an evening, it may be that the extra spaces could be accommodated elsewhere without road safety, amenity or other issues being raised.

If a site is redeveloped in its entirety with existing buildings demolished and the site cleared then developers should be guided by the standards in the following tables.

Many development proposals contain a variety of types of land uses. When assessing these applications the developer will be required to take account of the shared use of the site particularly if the different land uses are in use at different times of the day.

Where parking standards in the following tables relate to Gross Floor Area (GFA) this should be measured to the outside of the external walls of the development and will include all public and privately accessible areas.

Where it is proposed to extend an existing building (or other land use) parking provision should be based on the Gross Floor Area of the existing plus proposed building area.

Parking bays should generally be 2.5 x 5.0 metres with a 6.0 metre aisle width between bays. For nurseries or similar type of development where small children are to be dropped off, an extra 0.9 metres should be provided between spaces.

Where it is necessary to accommodate car parking within a private court, the parking must not dominate the space: no more than 50% of any court should be taken up by parking spaces and access roads. This figure is a guideline and the planning authority reserves the right to consider each case on its particular merits. In high density schemes it will be expected that underground or decked parking will be provided in order to achieve this.

In order to contribute to the Scottish Government's carbon reduction targets the Council will also encourage the provision of electric vehicle infrastructure as part of developments with associated off-street car parking.

## Non-residential car parking spaces – all maximum amounts

<b>1: RETAIL</b>			
<b>Land Use</b>	<b>City Centre</b>	<b>Inner City</b>	<b>Outer City</b>
Food retail outlets (>1000m2 GFA)	1 per 40m2	1 per 22m2	1 per 14m2
Non-food retail outlets (>1000m2 GFA)	1 per 50m2	1 per 30m2	1 per 20m2
Food/non-food retail outlets (<1000m2 GFA)	1 per 70m2	1 per 40m2	1 per 30m2
Motor trade (including vehicle display area, spares dept, servicing, tyre and exhaust centre)	0.5/1 staff; 1 per 50m2 vehicle display area; 1 per 50m2 spares department; 3/servicing bay, 2/tyre and exhaust bay	0.5/1 staff; 1 per 33m2 vehicle display area; 1 per 25m2 spares departments; 3/servicing bay, 2/tyre and exhaust bay	0.5/1 staff; 1 per 33m2 vehicle display area; 1 per 25m2 spares departments ; 3/servicing bay, 2/tyre and exhaust bay
Petrol Filling Stations (note retail element assessed separately)	1 per 2 staff	1 per 2 staff	1 per 2 staff

<b>2. FINANCE, PROFESSIONAL AND OTHER SERVICES</b>			
<b>Land use</b>	<b>City Centre</b>	<b>Inner City</b>	<b>Outer City</b>
<b>Banks, Building Societies, etc.</b>	1 per 90m2	1 per 62m2	1 per 40m2

<b>3. FOOD AND DRINK</b>			
<b>Land use</b>	<b>City Centre</b>	<b>Inner City</b>	<b>Outer City</b>
<b>Restaurants and cafes</b>	1 per 40m2	1 per 17m2	1 per 12.5m2
<b>Pubs/clubs/discos/bars</b>	1 per 40m2	1 per 25m2	1 per 12.5m2
<b>Take-away</b>	1 per 33m2	1 per 33m2	1 per 33m2
<b>Drive Through Restaurants – requires adequate queuing space</b>	1 per 10m2	1 per 10m2	1 per 10m2

<b>4. BUSINESS</b>			
<b>Land use</b>	<b>City Centre</b>	<b>Inner City</b>	<b>Outer City</b>
<b>Offices</b>	1 per 80m2	1 per 50m2	1 per 30m2

<b>5. GENERAL INDUSTRIAL</b>			
<b>Land use</b>	<b>City Centre</b>	<b>Inner City</b>	<b>Outer City</b>
<b>Industrial premises (excluding motor vehicle workshops)</b>	1 per 100m2	1 per 55m2	1 per 40m2

<b>6. STORAGE AND DISTRIBUTION</b>			
<b>Land use</b>	<b>City Centre</b>	<b>Inner City</b>	<b>Outer City</b>
<b>Warehousing – storage and distribution</b>	1 per 300m2	1 per 167m2	1 per 100m2
<b>Warehousing – wholesale trading</b>	1 per 100m2	1 per 72m2	1 per 50m2



7. HOTELS, HOSTELS			
Land use	City Centre	Inner City	Outer City
Hotels, boarding houses, guest houses, and motels (restaurant and conference facilities counted separately)	0.6 per bedroom	0.75 per bedroom	1 per bedroom

8. NON-RESIDENTIAL INSTITUTIONS			
Land use	City Centre	Inner City	Outer City
Nursery and Primary Schools	0.8 per staff	0.8 per staff	0.8 per staff
Higher and Further Education	0.5 per staff plus 1 per 15 students	0.5 per staff plus 1 per 15 students	0.5 per staff plus 1 per 15 students
Public Library	1 per 90m <sup>2</sup>	1 per 57m <sup>2</sup>	1 per 36m <sup>2</sup>
Public hall/Function room	1 per 50m <sup>2</sup>	1 per 27m <sup>2</sup>	1 per 18m <sup>2</sup>
Religious Institution	0.5 spaces per 10 seats	1 space per 10 seats	1 space per 10 seats
Medical Centres/Vets/Dentists	3 per consulting room plus 0.5 per staff	3 per consulting room plus 0.5 per staff	3 per consulting room plus 0.5 per staff
Hospitals	Merit (but will require Travel Plan)	Merit (but will require Travel Plan)	Merit (but will require Travel Plan)

9. ASSEMBLY AND LEISURE			
Land use	City Centre	Inner City	Outer City
Conference Centre	1 per 10 seats	1 per 7.5 seats	1 per 5 seats
Cinema/Concert hall/Theatre/Bingo hall	1 per 12 seats	1 per 8 seats	1 per 5 seats
Stadium	1 per 20 seats	1 per 20 seats	1 per 15 seats
Sports centre/facility	1 per 30m <sup>2</sup>	1 per 22m <sup>2</sup>	1 per 22m <sup>2</sup>

### Residential Car Parking Standards

These should be treated as **guidelines**, rather than maximums. The level of parking proposed in a new development will need to be agreed with the Planning Authority.

### Residential Car Parking Standards – all guidelines

DWELLINGS			
Land use	City Centre	Inner City	Outer City
Residential Dwellings	1.5 allocated space per dwelling	1.75 allocated space per dwelling	2 allocated spaces per dwelling (up to 3



	(up to 3 bedrooms), 2 per dwelling (4 or more bedrooms)	(up to 3 bedrooms), 2 per dwelling (4 bedrooms)	bedrooms), 3 per dwelling (4 bedrooms).
<b>1 bedroom flat (no designated spaces)</b>	1 per unit	1 per unit	1.5 per unit
<b>2 bedroom flat (no designated spaces)</b>	1.5 per unit	1.75 per unit	2 per unit
<b>3 bedroom flat (no designated spaces)</b>	1.5 per unit	1.75 per unit	2 per unit
<b>Housing Association/Social Housing (rented only)</b>	0.8 per unit	0.8 per unit	0.8 per unit
<b>Special Needs Housing</b>	1 per resident staff member plus 1 per 8 residents	1 per resident staff member plus 1 per 8 residents	1 per resident staff member plus 1 per 8 residents
<b>Sheltered Housing/Care Home/Nursing Home</b>	1 per resident staff member plus 1 per 8 residents	1 per resident staff member plus 1 per 3 residents	1 per resident staff member plus 1 per 3 residents
<b>Purpose Built Student Accommodation</b>	1 per resident staff member plus 1 per 10 students	1 per resident staff member plus 1 per 10 students	1 per resident staff member plus 1 per 10 students

### Disabled Badge Holders' Parking – all requirements

Reserved disabled parking should be provided as per the following table. Please note that these are minimum standards.

### Disabled Badge Holders Parking

	Car park size up to 200 spaces	Car park maximum standard size over 200 spaces
Employment Uses	1 space per disabled employee plus 2 spaces or 5% of the total number of spaces in the car park or whichever is greater	6 spaces plus 2% of the total number of spaces in the car park
Retail, Leisure and Recreation Uses	3 spaces or 6% of the total number of spaces in the car park or whichever is greater	4 spaces plus 4% of the total number of spaces in the car park

Spaces for drivers with a disability should generally be 2.5 x 5.0 metres with a 0.9 metre strip between adjacent spaces to allow access for wheelchairs. These spaces should, where possible, be located within 50 metres of the entrance to buildings to assist accessibility.

### Delivery/loading/unloading Parking Standards – all guidelines

These standards apply to spaces required for vehicles regularly and necessarily involved in the servicing of businesses or other buildings. It includes space for

commercial vehicles delivering goods or collecting goods from premises and space for loading and unloading.

Details of operational parking requirements should be considered as guidelines. Where no operational requirement is specified requirements will be considered on a case by case basis. However, it is important where possible that loading and other servicing facilities are provided on site to prevent delivery vehicles queuing or using on-street locations to load and unload.

### Delivery/loading and unloading parking standards

<b>1. RETAIL</b>	
Land Use	
Food retail outlets (>1000m2 GFA)	Assessed on merit
Non-food retail outlets (>1000m2 GFA)	Assessed on merit
Food/non-food retail outlets (<1000m2 GFA)	Assessed on merit
Motor trade (including vehicle display area, spares dept, servicing, tyre and exhaust centre)	Assessed on merit
<b>2. FINANCE, PROFESSIONAL AND OTHER SERVICES</b>	
Land Use	
Banks, Building Societies etc.	Assessed on merit
<b>3. FOOD AND DRINK</b>	
Land Use	
Restaurants and cafes	Assessed on merit
Pubs/clubs/discos/bars	Assessed on merit
Take-away	Assessed on merit
Drive Through Restaurants	Assessed on merit
<b>4. BUSINESS</b>	
Land Use	
Offices	Assessed on merit
<b>5. GENERAL INDUSTRIAL</b>	
Land Use	
Industrial premises (excluding motor vehicle workshops)	1 loading bay up to 500m2 GFA, 2 loading bays between 500m2 and 2500m2 GFA and 3 loading bays over 2500m2
<b>6. STORAGE AND DISTRIBUTION</b>	
Land Use	
Warehousing (storage and distribution and wholesale trading)	1 loading bay up to 500m2 GFA, 2 loading bays between 500m2 and 2500m2 GFA and 3 loading bays over 2500m2
<b>7. HOTELS, HOSTELS</b>	
Land Use	
Hotels, boarding houses, guest houses, and motels (restaurant and conference facilities counted separately)	1 loading bay, and coach spaces will be required for hotels with more than 50 bedrooms
<b>8. NON RESIDENTIAL INSTITUTIONS</b>	
Land use	
Nursery and Primary Schools	Pick-up/set down facilities for school buses and cars
Higher and Further Education	Pick-up/set down facilities for school buses and cars
Public Library	Space for mobile library van as appropriate

Public hall/Function room	Provision for a coach
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9. ASSEMBLY AND LEISURE	
Land Use	
Conference Centre	1 coach space per 50 seats
Cinema/Concert hall/Theatre/Bingo hall	A space for coaches/cars to pick up and set down as appropriate
Stadium	Provision for coaches-to be assessed with Travel Plan and accessibility
Sports centre/facility	Provision for coaches-to be assessed with Travel Plan and accessibility

## Motorcycle Parking Standards

Motorcycle parking should be considered early in the design process. Facilities should be conveniently located, adequately lit, well signed, secure and vandal proof. It is also important that facilities are not placed in dark recesses or at the rear of car parks where they are less likely to be used. They should be located as close as possible to building entrances, ideally overlooked from a building or in the clear view of pedestrians.

Wall loops or fixing devices anchored in or adjacent to the road can provide secure anchor points for motorcycles. These need to be robust in order to prevent them from being lifted out of the ground or cut with cutting tools. The anchor point should be compatible with a wide range of bike types and locking devices. A height of 600mm will accommodate a range of wheel sizes and helps prevent thieves from using the ground as leverage for bolt cutters and jacks. The anchor points should be located and designed in positions that do not pose a hazard to partially sighted or disabled people. Motorcycle bays may also be acceptable.

## Motorcycle Parking Standards – all minimums

Land use	Motorcycle parking provisions
1. RETAIL	
Food Retail Outlets (>500m2 GFA)	1 per 1500m2 with a minimum of 1 space for staff and 1 space for customers
Non-Food Retail Outlets (>500m2 GFA)	1 per 1500m2 with a minimum of 1 space for staff and 1 space for customers
Food/Non-Food Retail Outlets (<500m2 GFA)	1 space for staff and 1 space for customers
2. FINANCIAL, PROFESSIONAL AND OTHER SERVICES	
Banks, Building Societies, etc.	1 per 1200m2 with a minimum of 1 space for staff and 1 space for customers
3. FOOD AND DRINK	
Restaurants and cafes	1 per 300m2 public area with a minimum of 1 space for staff and 1 space for customers
Pubs and Winebars	
Fast food Takeaway	
4. BUSINESSES	
Offices	1 per 1000m2 for employees and 1 per 4000m2 for visitors
5. GENERAL INDUSTRIAL	
Industrial premises	1 per 2000m2 for employees and 1 per 8000m2 for visitors
6. STORAGE AND DISTRIBUTION	
Warehousing	1 per 6000m2 for employees and 1 per 16000m2 for visitors

7. HOTELS, HOSTELS	
Hotels, boarding houses, guest houses, and motels	1 per 15 bedrooms with a minimum of 1 space for customers and 1 space for staff
8. NON RESIDENTIAL INSTITUTIONS	
Primary School	1 per 8 staff with a minimum of 1
Secondary School	1 per 8 staff with a minimum of 1
College/University	1 per 8 staff with a minimum of 2
Medial Centre	1 per 25 parking spaces with a minimum of 1 space for staff and 1 space for customers.
9. ASSEMBLY AND LEISURE	
Public Library	1 per 25 parking spaces with a minimum of 1 space for staff and 1 space for customers.
Cinema/Concert Hall/Theatre/Bingo Hall	
Conference Centre	
Public Hall	
Stadium	
Sports Centre/facility	
10. RESIDENTIAL INSTITUTIONS	
Special Needs Housing	1 visitor space per 25 units with a minimum of 1 space and 1 space per 25 staff with a minimum of 1
Sheltered Housing/Care Home/Nursing Home	1 visitor space per 25 units with a minimum of 1 space and 1 space per 25 staff with a minimum of 1
Hospitals	Assessed individually - a Travel Plan will be required.
Purpose Built Student Accommodation	1 per 25 beds and 1 per 25 staff with a minimum of 1 space for staff and 1 space for students
Flats (<6)	1 space per 8 flats with a minimum of 1
Flats (7-10)	
Flats (11-15)	
Flats (15-25)	
Flats (26-30)	
Flats (31+)	

## Cycle Parking Standards

It is important that developers provide secure cycle parking at each new development, whether that be at a place of work or residence, so that individuals can make a choice of whether they wish to cycle to work with the knowledge that their bike will be secure at both ends of the journey.

This Guidance will be applied to:

- New developments and extensions to existing developments;
- Conversion of existing buildings involving a change of use; and
- Material changes of use

The location and provision of cycle parking facilities differs between short and long stay. Drawings submitted for a planning application should clearly indicate the number of spaces available for bicycles, and

For short stay:

- Precise location
- Design (usually Sheffield stand) as defined in 'Key Elements of Cycle Parking Provision'

For long stay:

- Internal building location or

- External location and design

### Short Stay Parking

Short stay cycle parking is for visitors and/ or customers. This type of facility should be located in a safe, convenient, accessible and prominent position, preferably on-site and adjacent to the entrance of a building, and an absolute maximum of 50m from the entrance. Buildings with more than one entrance should either have cycle parking readily accessible from every entrance, or a smaller number of facilities should be located at each entrance.

The facility should be well signed and either lit, or placed close to a source of light. If possible, it should be monitored by closed circuit television and be visible to on-site security staff. As weather protection for cycle parking is highly desirable developers will need to consider this at an early stage in the design of new developments. The facility should be located so as not to cause an obstruction to pedestrians or partially sighted people. For short stay parking, Sheffield stands are recommended for most types of development. Wall loops may be acceptable in certain circumstances, for instance in areas where pavement widths are restricted. It should be noted however that stands that support the bicycle by one wheel only are NOT satisfactory.

### Long Stay Parking

Long stay parking should be provided where cycle parking is required in excess of six hours, this includes residential, office and hotel developments. More secure facilities in the form of cycle cages or lockable compounds should be provided. These must be covered. Alternatively, secure compounds within buildings may be acceptable, provided they are located at ground level and are accessible. The compound must be under continuous supervision or have a shared key arrangement where each cyclist has a key to the outer door. Sheffield stands should also be provided within the bike store for increased security. On larger sites, small clusters of cycle parking facilities are preferable to large, central parking compounds.

Individual lockable facilities are a preference at residential developments, however there is a realisation that these will take up a greater footprint compared to a cycle compound. Aberdeen City Council will therefore look for flatted developments of six flats and under to contain individual lockable facilities at a ratio of one space per flat, which will take up approximately the same footprint as one car parking space. Where higher density developments take place with limited, or no car parking, the expectation is that the ratio of flats to cycle parking is also one to one.

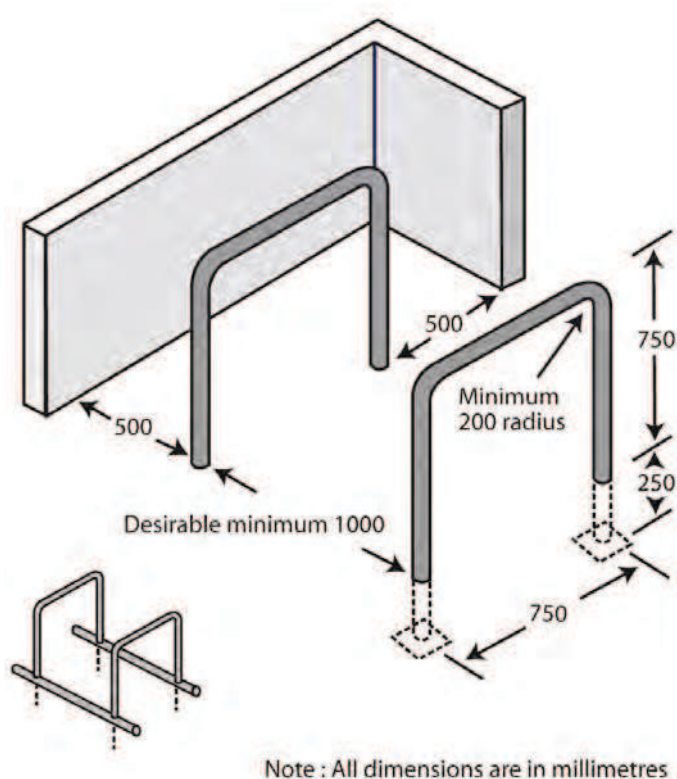
### Sheffield Stand Specifications

The material and finish of stands can vary greatly, and only the higher specification of stainless steel and galvanised, powder or nylon coated should be used.

Stands should be 750mm high and a minimum of 750mm long. The frame of the stand should have a minimum outer diameter of 42mm. A desirable minimum

distance of 1000mm should be provided between stands to accommodate two cycles per stand. Stand ends should either be embedded in concrete, bolted into the ground or welded to parallel bars at ground level to form a 'toast' rack system. Adequate space should be provided at either end of the stand to enable cycles to be easily removed. The diagram below indicates the necessary dimensions for Sheffield stands and the amount of space required around each stand.

Figure 4 – Sheffield Stand Dimensions



## Cycle Parking Standards

Please note that without exception, a minimum of two short stay stands, or four cycle parking spaces, should be provided with all types of use. Within the centre of town, if the entrance of a development is located within 50m of city centre cycle parking stands these can be included as part of the short stay cycle spaces required in the development quota.

Land use	Cycle parking provision
<b>1. RETAIL</b>	
Food Retail Outlets (>500m2 GFA)	1 per 250m2
Non-Food Retail Outlets (>500m2 GFA)	1 per 300m2
Food/Non-Food Retail Outlets (<500m2 gfa)	1 per 300m2
<b>2. FINANCIAL, PROFESSIONAL AND OTHER SERVICES</b>	
Banks, Building Societies, etc.	1 per 250m2
<b>3. FOOD AND DRINK</b>	
Restaurants and cafes	1 per 10 staff; 1 per 20 seats
Pubs and Winebars	1 per 100m2
Fast food Takeaway	1 per 50m2



<b>4. BUSINESSES</b>	
Offices	1 per 300m2
<b>5. GENERAL INDUSTRIAL</b>	
Industrial premises	1 per 500m2
<b>6. STORAGE AND DISTRIBUTION</b>	
Warehousing	1 per 1000m2
<b>7. HOTELS, HOSTELS</b>	
Hotels, boarding houses, guest houses, and motels	1 per 10 staff
<b>8. NON RESIDENTIAL INSTITUTIONS</b>	
Primary School	1 per 10 staff or students
Secondary School	1 per 10 staff or students
College/University	1 per 8 staff or students
Medical Centre	1 per 20 staff plus 1 per 20 staff for visitors
<b>9. ASSEMBLY AND LEISURE</b>	
Public Library	1 per 20 staff plus 1 per 10 staff for visitors
Cinema/Concert Hall/Theatre/Bingo Hall	1 per 10 staff plus 1 per 20 peak period visitors
Conference Centre	1 per 50 seats for staff plus 1 per 50 seats for visitors
Public Hall	1 per 10 staff plus 1 per 20 peak period visitors
Stadium	1 per 10 staff plus 1 per 20 peak period visitors
Sports Centre/facility	1 per 10 staff plus 1 per 20 peak period visitors
<b>10. RESIDENTIAL INSTITUTIONS</b>	
Special Needs Housing	1 per 10 staff
Sheltered Housing/Care Home/Nursing Home	1 per 10 staff
Hospitals	1 per 20 staff plus 1 per 20 staff for visitors
Purpose Built Student Accommodation	1 per 3 students
Flats (<6)	1 per flat
Flats (7-10)	1 per 1 flats
Flats (11-15)	1 per 1 flats
Flats (15-25)	1 per 1 flats
Flats (26-30)	1 per 1 flats
Flats (31+)	1 per 1 flats

Where a planning application for the intensification of an existing use or a change of use is made, there could be a need to provide additional cycle parking on the site in line with the standards. If there is no room for facilities to be provided on-site, the planning authority may ask for appropriate facilities to be provided off-site. Such provision should be within 50 metres of the development.

## **8. PARKING IN CONSERVATION AREAS**

### **Introduction**

Large parts of Aberdeen, mainly to the south and west of the city centre, have been designated as conservation areas in order to protect and, where possible, enhance their architectural character and environmental amenity.

The typical layout of most of these areas consists of broad streets, often tree lined, occasionally having service roads and gardens between the street and the buildings. The buildings may vary in size and style, but generally they have small front gardens and long walled gardens to the rear, frequently accessed from a rear lane running parallel to the street.

The increasing demand for off street parking brought about by ever expanding car ownership, and the introduction of traffic management schemes, generates pressure for car parking in garden areas, both to the front and rear of commercial and residential properties in conservation areas.

### **Statutory and Other Requirements**

In conservation areas, planning permission is required to form a car park within a front or rear garden, and in some situations, conservation area consent may also be required where the proposals entail demolition work. Planning permission is also required to form a car park within the curtilage of a listed building, whilst listed building consent is required if any structure within the curtilage of a listed building is to be altered or removed. In all cases, including those where no planning or listed building consents are required, there is a requirement to apply to the City Council to form a footway crossing. Applicants should contact the Planning Authority at the earliest opportunity.

Trees in conservation areas are statutorily protected, and their removal without prior consent from the Council constitutes an offence, as does the removal of any tree that is protected by a tree preservation order. Consent is also required before any work, such as lopping or thinning, is carried out to a protected tree.

### **Removal of existing parking spaces**

Whilst generally the pressure from property owners is to create additional car parking space, there may be an occasion when an owner will wish to convert existing parking space back to landscaping. Residents will be encouraged to restore private car parking in conservation areas to its original use as garden space, to help restore the character of an area. The condition to this is that the planning authority must be satisfied that any loss of off-street parking will not have a detrimental effect on road safety.

### **PARKING IN FRONT GARDENS**

The conversion of front gardens for car parking will only be permitted where:

- the site is outwith the West End Office Area;
- rear garden parking is not an option;
- where there are no implications for road safety;

- where there is no impact on significant street or garden trees; and
- where on-street parking is readily available in the vicinity.

Other situations will be considered on their own merit, but with the provision that the garden will have to be large enough to take a single car whilst leaving a reasonable space between the parked car and the house, and at least 50% of the garden ground for soft landscaping. A detailed list of the criteria for assessing proposals for new driveways are set out below.

### **Road Safety**

All applications to form a driveway must be assessed against road safety standards to ensure they do not present hazards to other road users or pedestrians.

### **Definitions of Road Types**

A **Classified Road** is a highway which has been identified as being of importance for the movement of traffic. Classifications given are Class A, B or C, and any new access onto a classified road requires planning permission. **Primary Distributor Roads** form the primary network for the urban area and comprise trunk roads and important classified roads. All **Trunk Roads** are Class A. **District Distributor Roads** may be class A, B or C whilst **Local Distributor Roads** may be Class B or C, but are generally unclassified. Trunk Roads and Primary Routes are shown in the Finalised Aberdeen Local Plan in the Additional City Wide Proposals maps.

### **Access onto Classified Roads**

There is a presumption against granting planning permission for a driveway onto a trunk road or primary distributor road. On district distributor roads there is also a presumption against granting consent for driveways, but this may be relaxed provided the proposal meets road safety criteria, and vehicles are able to enter and exit the parking area in forward gear. Local distributor roads are treated similarly to district distributors but without the requirement to enter and exit in forward gear.

### **Visibility**

Driveways must be positioned to allow adequate visibility, particularly on busy pedestrian routes, in accordance with national standards.

### **Proximity to Road Junctions**

Driveways will not normally be closer to a junction than 15 metres, although this may be relaxed if the road is lightly trafficked.

### **Footpath Crossings**

No more than one footpath crossing per property will be permitted, except in situations where a large house may have a long frontage when an 'in' and 'out' may be acceptable.

### **Driveways**

Driveways must be at least 5.0 metres in length, and new houses must have a driveway of at least 6.0 metres. Where, however, a driveway is more than 7.0 metres long, it must be at least 10.0 metres in length to prevent the possibility

of two cars being parked, with the second car overhanging the footpath. The gradient of the driveway must not normally exceed 1:20, although 1:15 may be acceptable in some circumstances, depending on the surface texture employed. The first two metres of the driveway adjacent to the footpath must not be surfaced with loose material such as gravel, to prevent material being carried onto the footpath or roadway. The driveway must be drained internally, with no surface water discharging onto the roadway. A driveway might not be permitted if it is accessed from a 'Pay and Display Area', or via a parking lay-by, where the lay-by is regularly occupied.

### **Planning Criteria in relation to Parking in Front Gardens**

Planning criteria considered when assessing whether consent may be granted for parking in front gardens of listed buildings or buildings in conservation areas. Similar criteria apply to front gardens of flats.

#### **General Criteria**

1. No more than 35% of the front garden area may be given over for the combined parking area, driveway and any turning area, or 50% if footpaths and other hard surfaced areas are included. At least 50% of the garden area should be left in topsoil to permit soft landscaping.
2. Where the property originally had cast iron railings, their reinstatement will be encouraged to lessen the impact of parked cars, failing which some other form of enclosure will be required, or appropriate soft landscaping.
3. The formation of the access driveway or parking area must not result in the loss of any street trees or significant garden trees.
4. Consent will not be granted where the property has a rear garden area, suitable for parking, which is accessible from a rear lane or side street.
5. Where the garden is owned by more than one resident, owners will not be permitted a separate driveway and parking area each unless they can be achieved without fragmenting the garden or unduly reducing on-street parking. A communal driveway and parking area may be permissible provided they occupy no more than 35% of the front garden, or 50% if footpaths and other hard surfaced areas are included.
6. Where the building is in multiple ownership, the formation of an access driveway for one or more owners should not result in any of the remaining owners having no opportunity to park in the street adjacent to their property.
7. Consent will not normally be granted for parking in garden areas in front of tenement flats.

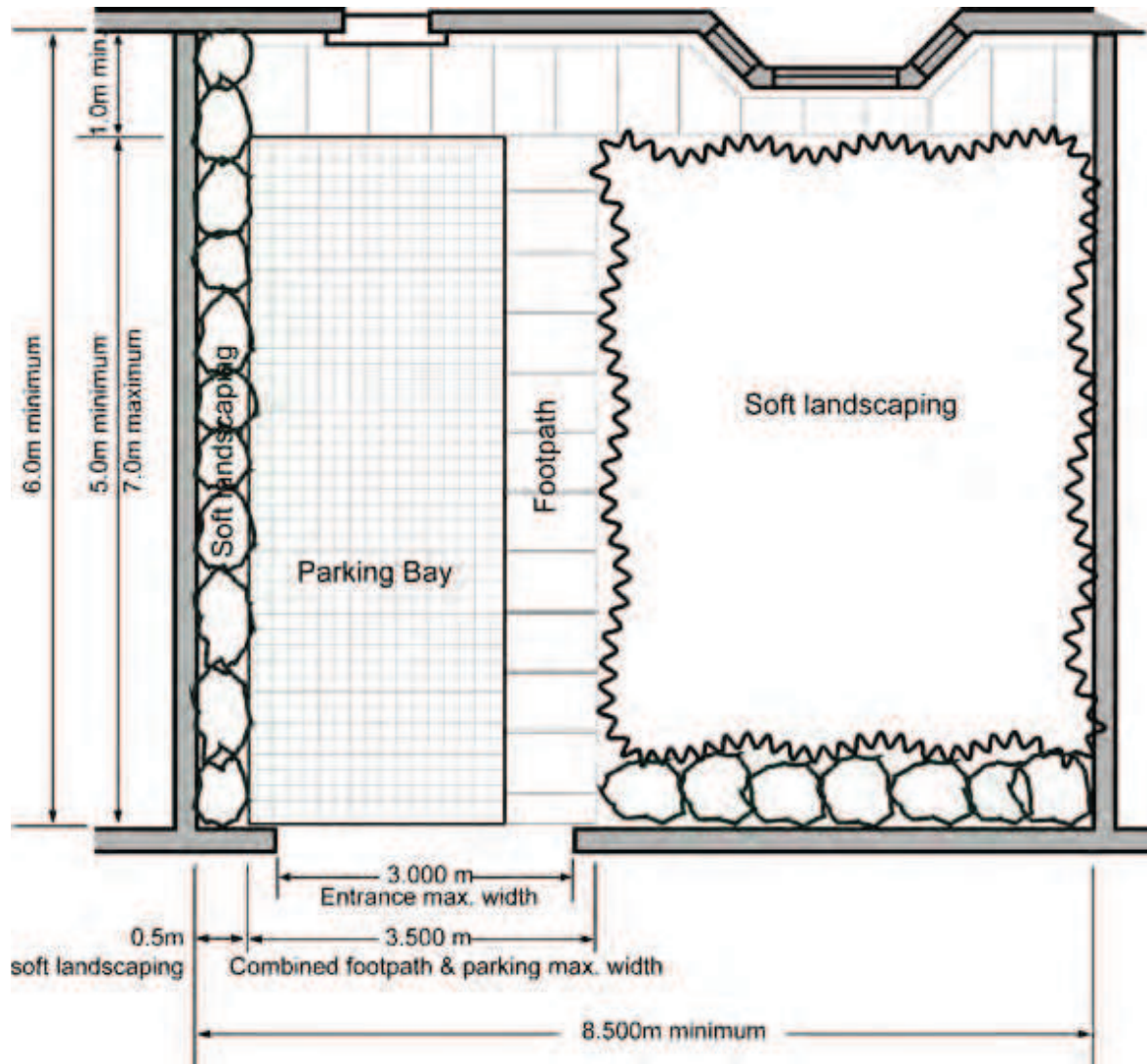
#### **Situations where classification of road and location of driveway permits reversing out from the parking area**

1. The parking area should be no closer to the front wall of the property than 1.0 metre.
2. The driveway must be no wider than 3.0 metres, or 3.5 metres if combined with the footpath.

#### **Situations where classification of road permits garden parking provided it can be entered and exited in forward gear**

1. The parking and turning areas should be no closer to the front wall of the property than 1.0 metre.
2. The design of any turning area should be such that it can be used only for turning and not as additional parking area.

3. Suitable landscaping should be provided to screen both parking and turning areas, and generally to soften the intrusive effect of cars parked in front of the property.



Sketch layout of smallest front garden capable of accepting a single car parking space whilst retaining 50% garden ground for soft landscaping.

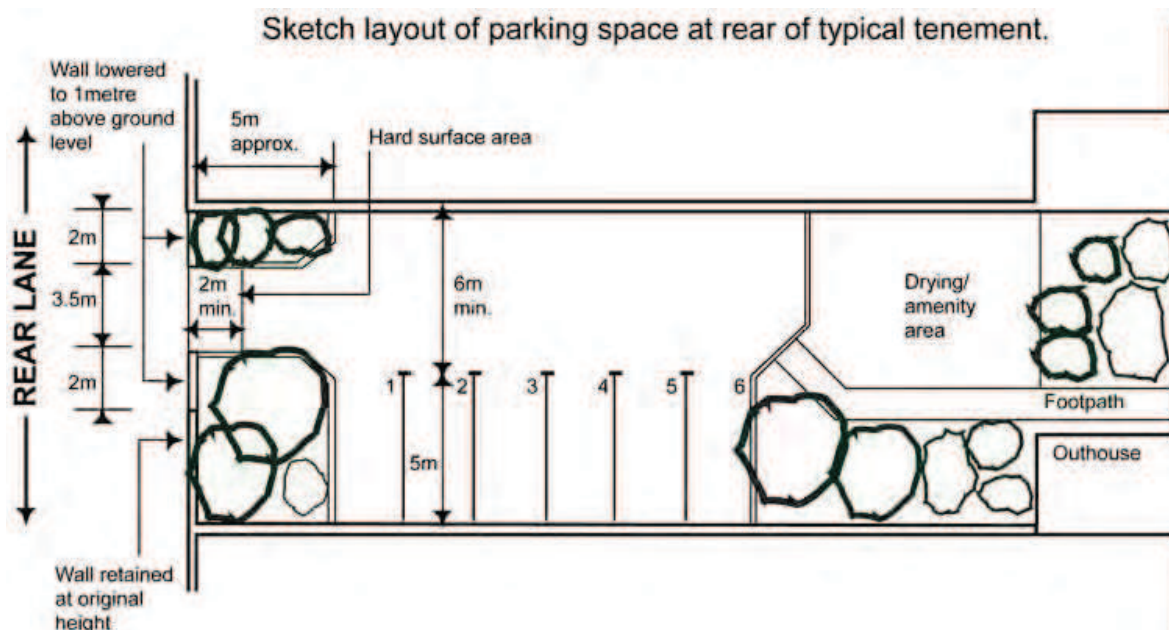
Total area + 51m<sup>2</sup>approx

Total area of landscaping = 25m<sup>2</sup>approx



## PARKING IN REAR GARDENS

In certain areas of the City, where rear lanes provide access to back gardens, it may be acceptable to convert part of these back gardens to car parks. In order to preserve as much as possible of the amenity provided by these gardens, the area given over to parking will be the minimum required to provide no more than one car space for each flat, and the treatment of other areas, including boundary walls, landscaped areas and screen planting, will require careful consideration. In the case of houses, or houses which have been subdivided into a small number of flats, it may be easier to provide parking space, as most rear gardens will be able to accommodate a small number of cars, whilst still leaving a good proportion of garden ground unaffected.



### General requirements for Parking areas in Gardens

1. The car park should be internally drained and should incorporate Sustainable Urban Drainage Systems to deal with surface water run off.
2. Parking spaces should be delineated on the site.

### Parking Layout in Rear Gardens

Where car parks in rear areas are permissible, their layout will vary depending on the site characteristics and parking requirements. A high priority is placed on retaining significant trees, original outbuildings such as stables or coach houses, boundary features such as granite walling and even changes in level which add interest to the site.

Parking bays should be 5.0 metres by 2.5 metres, and access aisles around 6.0 metres wide. Adequate space should be allowed to permit turning entirely within the site. A generous space of around 5.0 metres should be allowed between the parking area and the rear lane to permit adequate landscaping, and for trees to develop without threatening boundary walls.





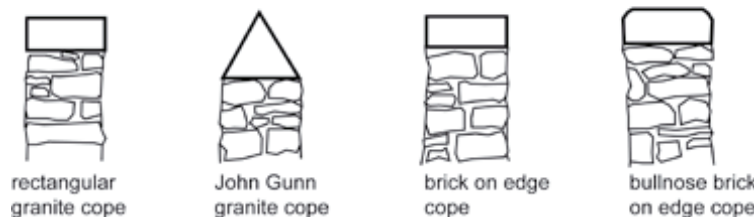
## Surfacing of Parking Areas

An area of granite setts or other similar finish is required at the entrance to the car park, to provide an identifiable boundary between the lane and the car park and to retain any loose materials which may be used to surface the car park. The parking surface may be constructed in a variety of durable materials such as block pavers, tarmac or gravel. Water bound materials such as clay and sand based hoggin or granite dust are temporary measures which are not acceptable. Where the surface of the parking area is to be gravel, the length of granite setts or similar material at the entrance to the car park must be at least 2metres, to prevent gravel being dragged onto the public road or lane.

## Rear Boundary Walls

Boundary walls are generally around two metres high, built of granite pinnings or granite rubble, usually left exposed but occasionally harled. They will normally have a granite or red brick-on- edge coping. Openings formed in rear boundary walls should be of a width of around 3.5 metres to allow vehicular access. A length of boundary wall on each side of the opening will likely have to be reduced in height to permit visibility in each direction for parking areas serving commercial premises or more than a single residential unit. Beyond this the wall must step back up to its original height, to provide a degree of screening of the car park. Materials matching the original should be used in any alterations to boundary walls.

### COMMON TYPES OF COPE



## **Gates**

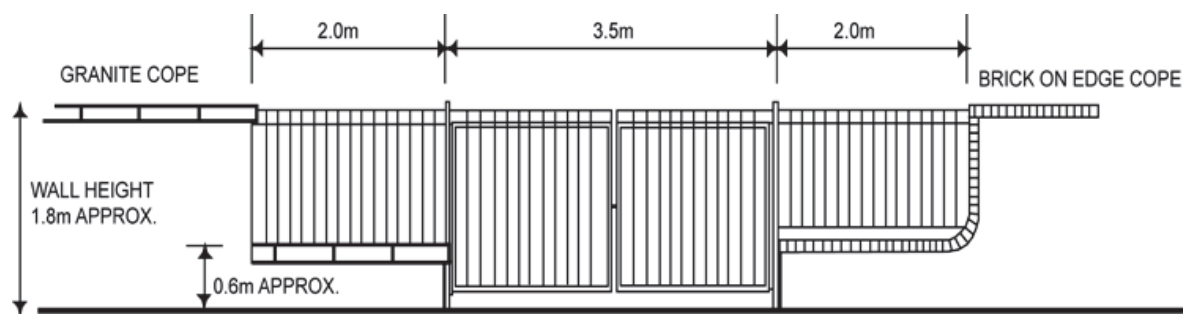
Close-boarded timber pedestrian pass gates, or vehicular gates to a single residential unit, either stained or painted and constructed to the same height as the boundary wall, are a common feature of these lanes, and provide reasonable security and privacy. Cast and wrought iron or mild steel gates can be used at entrances to commercial premises or flatted developments, and can be effectively employed in conjunction with railings on top of an adjacent lowered wall. Ornate scrollwork is however, alien to Aberdeen's special architectural character, particularly in the context of rear or service lanes, and ought to be avoided. Gates must always open into the garden rather than into the lane.

## **Trees and Landscaping in Rear Gardens**

Where rear garden ground is to be given over for car parking there will be an inevitable loss of amenity space, or potential amenity space where the ground in question has been neglected. This type of space is of great importance for visual stimulation, wildlife, air quality, sustainable drainage, and practical and leisure uses such as clothes drying or simply gardening and sitting outdoors. The area given over for parking should therefore, be kept to an absolute minimum. In order that garden ground remains the dominant feature of the garden it is suggested that no more than 45%-50% be given over for parking and other areas of hard surfacing, although these percentages may increase slightly in flatted situations to allow one parking space per flat. Where consent is given for the formation of parking area in garden ground, it will be a condition of that consent, that the remainder of the garden will be landscaped in accordance with an approved scheme. It is a normal requirement of such conditions that the landscaping be maintained for a period of five years following the implementation of the landscaping.

The Council has a statutory duty to have regard to the preservation of existing trees and to require the planting of new trees in appropriate circumstances. In that respect it should be noted that trees within conservation areas are statutorily protected, and that it is an offence to remove a protected tree before express consent has been granted by the City Council. A tree survey is required if there are any trees over 75mm in diameter at chest height. Existing trees contribute greatly to the attractiveness and character of a locality, and must be retained and protected from any damaging construction activities. An area no less than half the tree height or canopy spread, whichever is the greater, (British Standard 5837; Trees in Relation to Construction), must be kept free of any disturbance such as changes in ground levels, excavation and compaction. Where there is insufficient space to comply with the British Standard, encroachment into the protected area will be permissible only if it can be demonstrated to the satisfaction of the planning authority, that the proposal can be carried out in a manner which will not cause damage to the trees, or detrimentally affect their setting.

The council will normally require the planting of new trees as part of proposals for the landscaping of parking areas. Such trees can be particularly effective when planted just inside the feu, near the rear lane. The species of tree chosen should be the largest type suitable for the particular site, as these will tend to produce the greatest impact and environmental benefits. Native species of trees should be used where suitable.



**Alternative methods of finishing lowered walls at rear parking areas**

## **Lock-up Garages in Rear Gardens**

The formation of lock-up garages off rear lanes, serving houses or a small number of flats, can usually be achieved satisfactorily. The design and positioning of the garage should be given careful consideration, particularly with regard to the effect the garage will have on the appearance of the lane. Where, as in most situations, the garage opens onto the lane, the outer wall of the garage should be on the same line as the garden wall, and not recessed back from it, as this helps to maintain the delineation of the lane. This may affect the choice of garage door as it is not acceptable for the door to encroach onto the lane as it is opened.

The formation of ranks of garages in the rear gardens of tenements has an extremely detrimental effect on the appearance of rear garden areas, and will not normally be permitted. They occupy more garden ground than simple parking spaces. They also protrude above garden walls and cannot easily be screened by trees or other landscaping measures. It is virtually impossible to recreate any sense of enclosure in these situations, and the turning space in front of the garages tend to become desolate areas which attract vandalism. Additionally the formation of banks of garages can greatly increase the built footprint of the feu to the extent that it could push it over the 33% maximum area which is generally considered permissible to be developed.

## **9. DRIVEWAYS GUIDE**

These guidelines have been prepared to advise householders on the consents that are required from the Council if they are proposing to build a driveway.

In seeking consent for a new driveway applicants (householders) should note that it is possible that up to three separate consents may be required including:

- Planning Permission (Town and Country Planning Scotland Act 1997 [as amended by the Planning etc Scotland Act 2006])
- Road Consent (Roads Scotland Act 1984)
- Landlord's Consent

### **Planning Permission**

Reasons for requiring planning permission include:

- The property is a flat;
- construction work involves over 0.5 metres of earthworks [excavation or raising of ground level];
- the verge to the footway has grass over 2.5 metres wide;
- the driveway accesses on to a classified road\*;
- the property is a listed building or is situated in a conservation area.

Permission will not be granted for a driveway across an amenity area or road side verge unless it would produce a demonstrable improvement in road safety and have no adverse effect on the amenity of the area.

\*Local authorities are obliged to consult Transport Scotland, the trunk road authority, when they receive planning applications for any development that lies within 67 metres of the trunk road or where there may be any impact on traffic using the trunk road network.

### **Roads Consent**

Permission will always be required from the Council for the installation of a driveway. If the driveway is the subject of a planning application then roads issues will be dealt with as part of the planning process, otherwise an application is made direct to the Roads Authority for permission to construct the access. Applications which affect the trunk road network may be referred to Transport Scotland for a recommendation.

The following conditions should be met to comply with the Roads Authority requirements and standards. These conditions apply to all driveway applications, including those that do not require an application for planning permission.

### **Length of the Driveway**

The length of the driveway must be a minimum of 5 metres. This is considered to be the minimum length which will accommodate the average car, without overhanging the footway. Vehicles that overhang the footway cause a road safety hazard to pedestrians, especially young children and those with a disability.

Driveways in new houses must have a minimum length of 6 metres. If a driveway application is longer than 7 metres, it must then be at least 10 metres long. This requirement is to prevent two cars parking with the second car overhanging the footway.

These standards are set for the average length of car and it is noted that some smaller cars are less than this standard. However once permission is granted the Council has no control over what type of car might use the driveway and it must therefore consider not only the existing use, but also the future use of the site. Driveways, which do not meet the minimum specified length of 5 metres, will be refused.

### **Visibility**

Driveways must be positioned to enable the required visibility, including pedestrian visibility, to be achieved in accordance with National Standards. Visibility is particularly important on popular pedestrian routes and near schools. A driveway should also meet the public road at right angles and a vehicle should be able to enter and exit the driveway at right angles to the road, so that a driver can see clearly in both directions without having to turn round excessively. Driveways which do not meet the minimum requirements for visibility will be refused.

### **Distance from a Junction**

Driveways should be a minimum of 15 metres from a junction, although there may be circumstances where this may be relaxed on lightly trafficked roads.

### **Number of Footway Crossings per Property**

In general only one footway crossing per property is allowed. This is to avoid a proliferation of crossings, causing a road safety hazard to pedestrians. In some situations this may be relaxed, for example at large houses with a long frontage where an “in” and an “out” may be permitted. Where properties have suitable existing facilities at the rear of the property it is unlikely that permission will be granted for further crossings at the front of the building.

### **Access from Parking Lay-bys**

A driveway will not generally be permitted if access is taken from a parking lay-by, which is regularly in use. Similarly access from a “Pay and Display” area may also be refused.

### **Gradient**

The gradient of a driveway should generally not exceed 1 in 20 although this may be relaxed in certain circumstances to a maximum of 1 in 15, provided suitable measures such as nonslip surfacing are employed. It is acknowledged that a parked vehicle could slide on a gradient greater than 1 in 15, and gradients greater 1 in 15 will not therefore be permitted.

## **Drainage**

A driveway should be internally drained with no surface water discharging on to the public road. This is to prevent any flooding on the public road, with ice perhaps forming in the winter.

## **Construction of the Footway Crossing**

A driveway must be served by a footway crossing constructed by the City Council to ensure that it is constructed to a suitable standard and that any services under the footway have suitable protection.

Loose material e.g. stone chippings must not be used to surface the first 2 metres of the driveway adjacent to the footway. Only one footway crossing will be allowed per property to avoid any impact on road safety. The normal width of a footway crossing is 3 metres but this may be increased to 6 metres for a double driveway.

The applicant is responsible for the payment of all works involved.

## **Landlords/Other Consents**

In addition Superior's or Landlord's consent may be required for the Works. Solicitor's advice should be sought on this matter. Where the Council owns the property, the Council's consent as landlord will be required. Where the property was previously in the ownership of the Council, there may also be a requirement to seek "Superior's Consent" from the Council for the Works. This should be obtained before work commences.

Where a change of use of private or public open space is required please contact the council.

## **Driveway application to Enterprise, Planning and Infrastructure**

An application for a driveway should be made to Enterprise, Planning and Infrastructure. Staff will give advice on what is required for a driveway and whether the driveway will require a planning application. If no planning application is required they will advise if the driveway is acceptable with regard to council standards. For further information please contact:

Planning and Sustainable Development  
Enterprise, Planning & Infrastructure  
Aberdeen City Council  
Business Hub 4  
Ground Floor North  
Marischal College  
Broad Street  
Aberdeen, AB10 1AB  
Tel: 01224 523470, Fax: 01224 636181  
Email [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk)

Some of the questions that will require to be answered are:

Is the property a council house?



Is the property a flat?

Is the driveway to be at right angles to the road?

Is the driveway to be a minimum of 5 metres long?

All applications must include a suitable plan clearly showing the location of the proposed driveway and the dimensions along with the construction details. All applications must satisfy the standards described above or the application may be rejected.

## **10. AUTOMATIC TELLER MACHINES (“CASH MACHINES”)**

The location of ATMs has implications for road safety and parking. Ideally auto-tellers should be located along active building frontages in public areas where there is a high level of pedestrian movements and passive surveillance. These may be at main shopping streets, supermarkets, neighbourhood shopping areas or bank premises, but other locations may be acceptable. This guidance clarifies where new ATMs may be provided.

The suitability of new ATMs will be considered on the following criteria:

- The level of pedestrian movements;
- Positioning of the ATM in relation to active building frontages and passive surveillance;
- Width of pavements around the proposed ATM;
- The availability of parking adjacent to the proposed sites where there is no obstruction to surrounding uses or driveways;
- Appearance of the ATM and impact on the surrounding built and natural environment.

The auto-teller should not be positioned adjacent to or near junctions or bends in the road or in areas where there is poor visibility. The provision of a proposed ATM should not cause obstruction to existing pedestrian movements.

In addition, there shall be a presumption against granting planning permission for automatic telling machines where it can be clearly demonstrated:

- a) that the width of the footpavement in the vicinity of the machine is restricted in relation to the observed level of pedestrian movements along that section, and may furthermore be restricted by the presence of bus stops or light controlled pedestrian crossings, such that the congestion created by persons standing at the machine may cause an obstruction to the free flow of pedestrian movement along the footpavement.
- b) that the machine is to be located within 3 metres of the corner of the building at a street junction where persons standing at the machine may cause an obstruction to the free flow of pedestrian movement along the converging footpavements.
- c) that the machine is to be located where it is not readily visible from a public thoroughfare or is in an area poorly lit.
- d) that the installation of the machine would be too detrimental to the external appearance of the property or would result in the loss of, or unsatisfactory alteration to, an internal feature of architectural or historical importance.

## Relevant Links:

Aberdeen City Council Directional Signage Guidance for Paths 2011

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=39148&slD=3159>

Aberdeen City Council Travel Plan Builder

<http://www.aberdeencitytravelplans.co.uk>

Aberdeen Local Transport Strategy (2008-2012)

[http://www.aberdeencity.gov.uk/web/files/sl\\_Planning/local\\_transport\\_strategy08.pdf](http://www.aberdeencity.gov.uk/web/files/sl_Planning/local_transport_strategy08.pdf)

Aberdeen Local Transport Strategy (2008 -2012) Monitoring Update Paper 2009

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=25606&slD=2866>

Aberdeen Outdoor Access Forum

[http://www.aberdeencity.gov.uk/planning\\_environment/environment/core\\_paths/pla\\_o outdooraccessforum.asp](http://www.aberdeencity.gov.uk/planning_environment/environment/core_paths/pla_o outdooraccessforum.asp)

Aberdeen Core Paths Plan 2009

[http://www.aberdeencity.gov.uk/planning\\_environment/environment/core\\_paths/pla\\_c orepaths.asp](http://www.aberdeencity.gov.uk/planning_environment/environment/core_paths/pla_c orepaths.asp)

Designing Streets: A Policy Statement for Scotland 2010

<http://www.scotland.gov.uk/Resource/Doc/307126/0096540.pdf>

First Group Plc Aberdeen

<http://www.firstgroup.com/ukbus/aberdeen/>

Lowland Path Construction: A guide to Good Practice 2001

[http://www.pathsforall.org.uk/component/option,com\\_docman/Itemid,69/gid,101/task,doc\\_details/](http://www.pathsforall.org.uk/component/option,com_docman/Itemid,69/gid,101/task,doc_details/)

Nestrans – The Transport Strategy for Aberdeen City and Shire

<http://www.nestrans.org.uk/home.html>

Signage Guidance for Outdoor Access: A Guide to Good Practice 2009

[http://www.pathsforall.org.uk/component/option,com\\_docman/Itemid,69/gid,106/task,doc\\_details/](http://www.pathsforall.org.uk/component/option,com_docman/Itemid,69/gid,106/task,doc_details/)

Stagecoach Bus

<http://www.stagecoachbus.com/>

Transport Assessments and Implementation: A Guide 2005

<http://www.scotland.gov.uk/Publications/2005/08/1792325/23264>

For help with **language / interpreting** and other formats of communication support, please contact:

ভাষা/ইন্টারপ্রেটিং এবং অন্যান্য ফরম্যাটের  
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## Technical Advice Note (TAN)

Title: The Repair and Replacement of  
Windows and Doors

Date: 19 March 2013



# Technical Advice Note

## The Repair and Replacement of Windows and Doors



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## 1. Introduction

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

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

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

A Further Reading list is provided at the rear of the guide (Section 11), along with a Glossary (Section 10) to explain terms which may not be familiar. The TAN does not include guidance on new dormer windows or rooflights, as these are covered separately within the Householder Development Guide Supplementary Guidance, available at: [www.aberdeencity.gov.uk/localdevelopmentplan](http://www.aberdeencity.gov.uk/localdevelopmentplan).



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

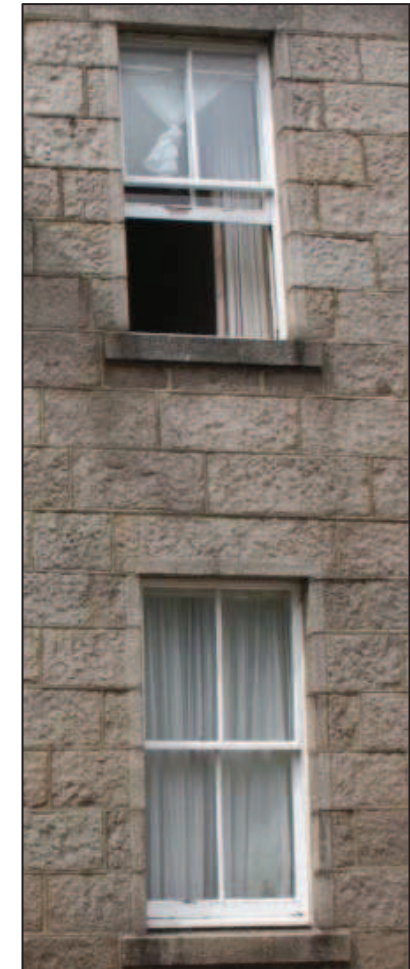
## 2. Thinking About Change

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

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

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

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



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

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

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

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

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

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



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

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

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



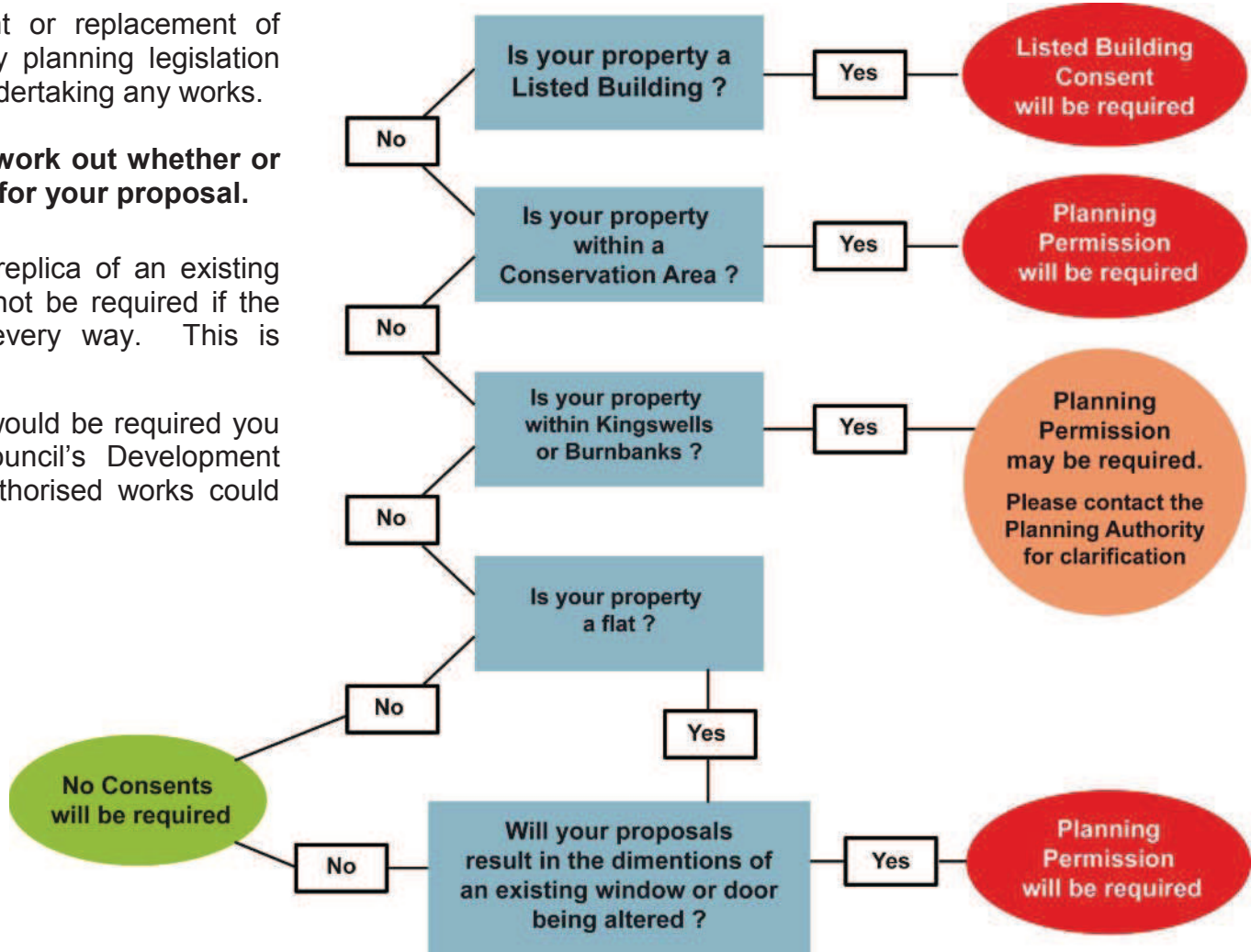
#### 4. Do I Need Consent?

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

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

If your proposals are for an exact replica of an existing window or door then consent may not be required if the proposals match the existing in every way. This is discussed further in Section 5.

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





## 4.1 Building Regulations

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

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

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

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

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

## 4.2 Bats

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

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

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

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

### 5.1 Listed Buildings

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

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

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

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

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



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

Original or historic windows, doors and doorways in Listed Buildings must be repaired and restored rather than replaced. Only in exceptional circumstances will replacement windows and doors be permitted, and these replacements must match the originals in terms of appearance and material as far as is reasonably possible. Consent to replace original windows or doors on Listed Buildings will only be given when it can be demonstrated to the satisfaction of the Council that they are beyond economic repair, and evidence of this will be required as part of any application. This evidence should take the form of a Professional Survey, further details on which are provided in Appendix 1.

## 5.2 Conservation Areas

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

If your property is not a Listed Building but is located within a Conservation Area then you will require Planning Permission to alter or replace windows or doors other than on a “like for like” basis (as described in Section 5.1). If your property is both a Listed Building and located in a Conservation Area then you will need to apply for both Listed Building Consent and Planning Permission. These requirements apply to both modern and older, traditional, properties.

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



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

Conservation Areas, Planning Permission will be required in addition to Listed Building Consent. For buildings which are located within Conservation Areas (but are not Listed Buildings), the Council's preference is for original windows and doors to be repaired and restored wherever possible.

### 5.3 Other Areas of Special Control

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

#### Burnbanks and Kingswells

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

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

#### Flats

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

## 6. Repair, Upgrade and Replacement

### 6.1 Retain and Repair

If you are considering new windows or doors, it is first worth checking whether replacing your existing windows/doors would be appropriate, or indeed necessary. Windows and doors can almost always be improved by being repaired, even if they are in very poor condition. Repair is also preferred in terms of sustainability as it reduces the requirement for new raw materials and energy.

#### Traditional Windows and Doors

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

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

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



*Examples of rectangular panes and curved glass*

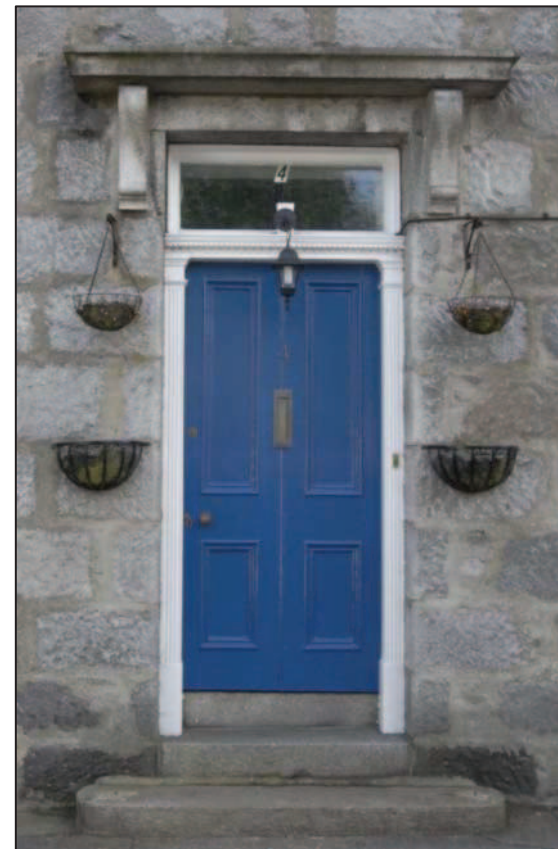


Traditional external doors and doorways are usually of solid timber frame construction with inset panelling retained by mouldings. Throughout the 18<sup>th</sup> and 19<sup>th</sup> centuries panelled doors became standard for the main entrance of most types of building. In Aberdeen this was typically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

Traditional windows and doors are extremely durable and when properly maintained can last for centuries - many in Aberdeen are already well over 100 years old. In contrast, some modern windows can need replacing after just 20 years. Traditional windows and doors are generally made from good quality, durable, timber from mature trees which is of a much better quality than timber which is generally economically available today from sustainable sources. It therefore makes sense to retain and repair original windows, doors and doorways rather than to replace them with new timber which may not last as long and may be more susceptible to decay.

Original or historic windows, doors and doorways in Listed Buildings must be repaired and restored rather than replaced. Only in exceptional circumstances will replacement windows and doors be permitted, and these replacements must match the originals in terms of appearance and material as far as is reasonably possible. For buildings which are located within Conservation Areas, the Council's preference is also for original windows and doors to be repaired and restored wherever possible.

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



*4 panelled door with associated door ironmongery / furniture*



## 6.2 Upgrading Traditional Windows and Doors

Replacing existing 'single glazed' timber windows and original timber doors with new 'double glazed' windows and uPVC / composite doors is often promoted as a means of fighting heat loss, draughts, dust ingress and providing improvements to sound insulation and security. Traditional windows and doors can however be upgraded at a lower cost to bring these same benefits, whilst still retaining the original features and style which gives character to your building.

### Energy Efficiency

By the nature of their construction many older buildings are prone to heat loss through cracks and gaps which develop as building elements move and settle over time. Although this natural settlement helps to properly ventilate the building, often these draughts result in heat loss which can be uncomfortable for occupiers.

Draughts around older windows and doors (including key holes and letter boxes) can be a source of air leakage, and **draught-proofing** is one of the best ways to improve comfort and reduce energy use, with little or no change to a building's appearance.

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

Draught-proofing can also improve noise insulation, reduce dust ingress and make sash and case windows easier to slide up and down. Curtains lined with a layer of heavy material can also help reduce heat loss from a room and cut draughts.

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



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

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

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

For more information about improving energy efficiency in traditional properties a number of Historic Scotland's publications are included in the Further Reading List at the end of this document (Section 11).

### Security

To improve the security of traditional sash and case windows additional sash locks can easily be fitted to the meeting rails to improve the security of the window when closed. Timber blocks and / or sash stops can also be fitted to restrict the size of openings.

Additional security measures on doors can also be easily incorporated without affecting the character of a door, for example extra mortice locks, rimlocks or bolts.



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

### 6.3 Replacing Windows and Doors

The principles in this Section are especially relevant where Planning Permission or Listed Building Consent is required, but should also be considered as 'best practice' for all properties throughout the City, even when consent is not required.

The most appropriate windows and doors for a property are likely to be those which were originally designed for it. Instances will however exist where original features will have deteriorated to such a state that replacement is the only viable option. Complete replacement of traditional windows and doors should however only be contemplated where the features to be replaced have deteriorated beyond economic repair, i.e. it would be unviable to repair and replacement is the only option remaining.

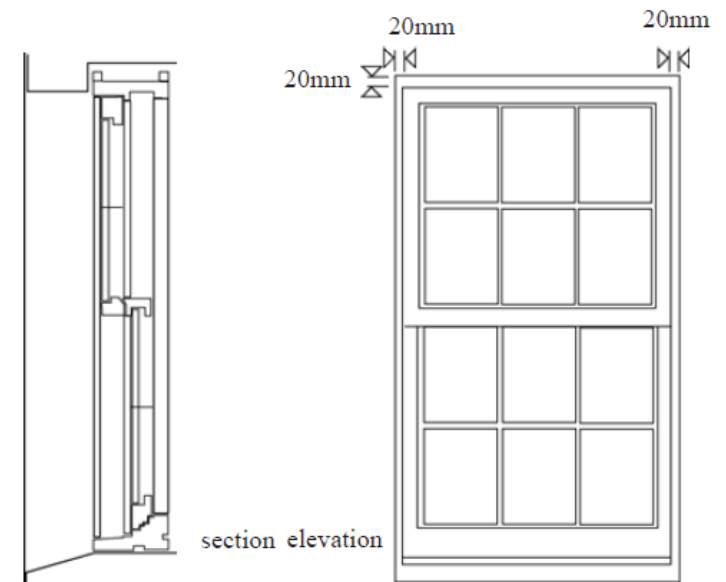
The reinstatement of the original types and arrangements of windows and doors will be encouraged. Modern windows and doors which are badly proportioned, the wrong type or incorrectly glazed should be restored to the original proportions wherever possible. If there is no indication what the original windows or doors were like, then authentic historic precedents can often be found on neighbouring properties.

#### Windows

Where there is no alternative to replacement, new windows should be sensitively replaced in an environmentally sensitive way which is in keeping with the character of the original building and the quality of its design.

The original proportions of window openings should be retained to ensure the architectural integrity of the building is not compromised. Where any original glazing survives, every effort should be made to retain or to salvage as much as possible for re-use.

The relative proportions of the upper and lower sashes of new windows in Listed Buildings must be the same as in the original windows, as should the size of timber sections. Replacement windows should be fitted in the same plane, be made up from timber sections of the same profile and dimensions, and have the



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

Factory made standard windows, whether in timber, aluminium, galvanised steel, plastic (uPVC) or a composite are almost always damaging to the character and appearance of historic buildings and will not be appropriate for Listed Buildings. In Listed Buildings joiner-made timber replacements will generally be the only type of replacement window which will be accepted.

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

Consent for replacement windows on Listed Buildings or public elevations in a Conservation Area which reproduce the astragal pattern but open in a different manner will always be refused, as will consent for those where the astragals are merely applied to the surface of, or are sandwiched between, the panes of double glazing. Where astragals are required, they must be kept slender to match the thickness of the original astragals, particularly in multiple pane sashes.

Where glazing beads are required they should be wedge shaped to match a putty fillet, and taper from 10mm at the glass to less than 2mm at the outside. The edge of the bead must be flush with, or kept slightly back from, the face of the sash. It must never project out from the face of the sash, or an unacceptable shadow line will be created around each pane of glass.



*Discreet means of achieving ventilation will be required for Listed Buildings and on public elevations in Conservation Areas*

The dimensions of replacement window astragals should use original sash windows as the model. Typically astragals may only be 17-19mm wide. In Listed Buildings, where the interior of the building can often be as important as the exterior, the internal profile of the astragals must not be over-simplified, but should reproduce traditional moulding appropriate to the period and detail of the building. Astragals must carry through the sash to completely separate each pane of glass.

Glazing in sash windows on Listed Buildings should preferably be retained in position with traditional putty or modern butyl based putty, which is always preferred to timber beads.

In both Listed Buildings and Conservation Areas there will be a strong presumption in favour of retaining stained or decorative leaded glass and etched glass in replacement proposals. Proposals to use wired glass, obscured glass, louvered glass or extract fans in windows on Listed Buildings or on public elevations in Conservation Areas will not generally be considered acceptable.

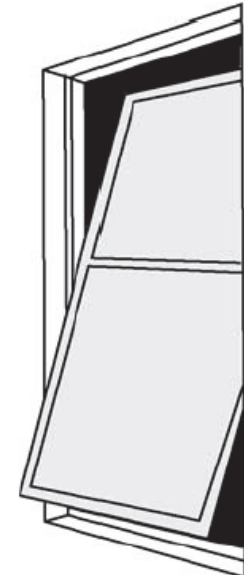
On traditional buildings in Conservation Areas, modern window designs will generally be inappropriate on elevations of the building which are visible from public areas.

Sash and case “lookalike” windows, which closely match the detailing and appearance of a traditional sash and case window, but may employ a different opening mechanism, may be acceptable in Conservation Areas.

“Lookalike” windows will normally be formed in timber and will have upper and lower sashes of the same size as those in the window they are to replace. It is of vital importance that the upper sash is stepped out in front of the lower sash in profile, with the meeting rails fully overlapping as seen in elevation, such that the window when closed, is virtually indistinguishable from a traditional sash and



*Acceptable type of 'lookalike' in a Conservation Area*



*Not acceptable as a 'lookalike' in a Conservation Area*



case window. White uPVC vertical sliding windows may be acceptable as 'lookalike' replacements for windows in Conservation Areas provided that proposals with through / embedded astragals comply with original dimensions. No planted astragals will be accepted on elevations in Conservation Areas which are visible from public areas.

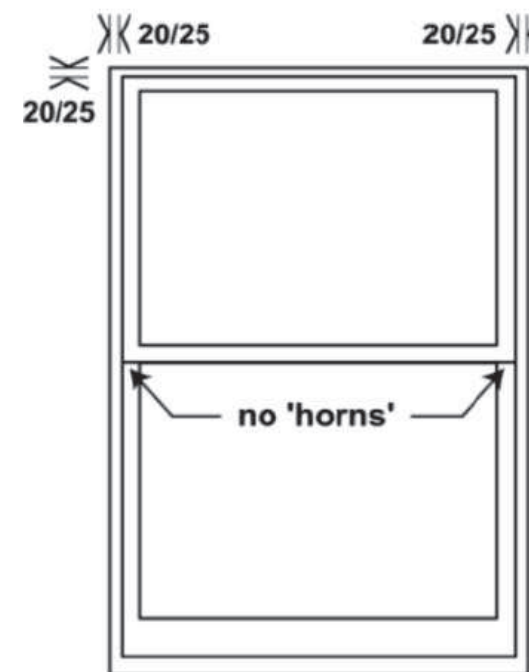
Where uPVC "lookalike" windows are to be used they should fully replicate the significant features of timber sash and case windows. Such features would include:

- no more than 25mm of the outer window frame should be visible at the top and sides, once the window has been fitted into the masonry opening.
- the meeting rails must fully overlap.
- the bottom rail of the lower sash must be at least 75mm high.
- the glass must be recessed from the front face of the sash by at least 10mm..

The Council may choose to be more flexible when considering applications for replacement windows and doors in Conservation Areas which are not visible from the street or are only visible from a private court.

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

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



*Elevation of sash & case  
'lookalike' windows with no 'horns'*



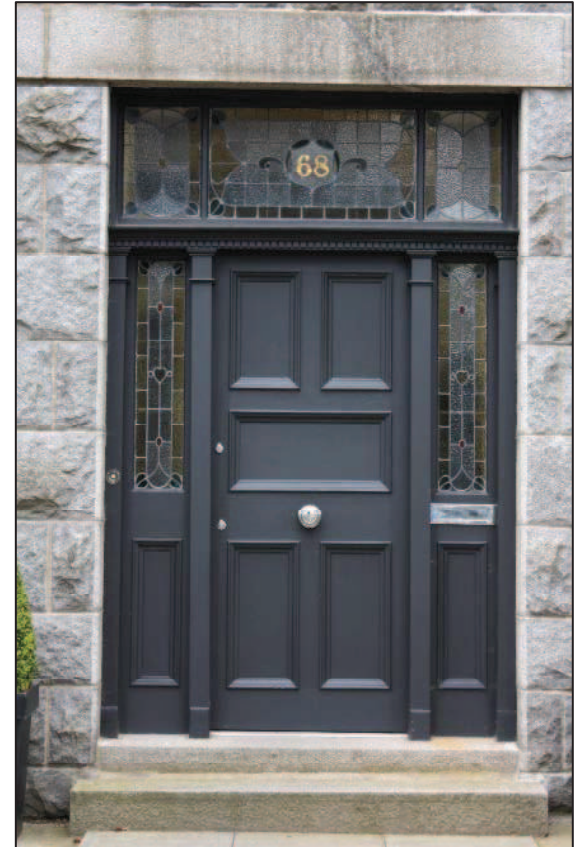
## Doors

Where there is no alternative to the replacement of an original door, new elements must match the original as far as possible when the property is a Listed Building or is visible from a public area within a Conservation Area. The new door should match the original in terms of proportion, profile and material, and reuse historic glass where this contributes to a building's character. If the property forms part of a group of uniform design, then any replacement should make reference to those of the neighbouring properties in style, design and size. Joiner-made replicas will be strongly encouraged in Conservation Areas and will be a requirement for Listed Buildings.

Composite door solutions may be appropriate on public elevations in Conservation Areas depending on the specified design proposed. Composite, aluminium and uPVC solutions will never be acceptable on Listed Buildings. Only on non-public elevations in Conservation Areas will uPVC, aluminium or doors from DIY chain stores be acceptable. Doors from DIY chain stores and flush plywood doors with mouldings applied to resemble panelling will not be acceptable substitutes on Listed Buildings or on public elevations in Conservation Areas. Replacement doors with a stained or varnished finish, and those which introduce asymmetrical elements, integral fanlights, inappropriate glazing or panelled patterns, will also be rejected.

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

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



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

## Colour Palette

As white is the colour of most existing sash and case windows in Aberdeen, this is the colour which new windows will generally require to be in order to encourage uniformity.

This will be particularly important in tenements where the use of a uniform window colour helps give the building an architectural cohesion it may otherwise lack.

Other colours will only be agreed to in exceptional circumstances.

Doors should be painted in an appropriate dark and muted colour, and bright glosses and white paint avoided.

Stained or varnished wood finishes will generally be unacceptable, except on non-public elevations in Conservation Areas.



*Replacement windows will generally require to be white*

## 7 Inserting New and Blocking Up Old

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

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

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

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

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

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



*Example of blocked up windows in Ferryhill*

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

The following charts have been produced for general guidance purposes only. Proposals will still require to demonstrate satisfactory detailed designs and implementation methods. The charts should only be read in the context of the advice provided within the rest of this TAN. Any queries should be directed to the Council's Development Management Section.

### Windows

	Listed Buildings	Conservation Areas: Public Elevations	Conservation Areas: Non-Public Elevations
Joiner made timber sash and case	✓	✓	✓
Retaining historic or original stained / decorative leaded glass and etched glass	✓	✓	✓
Through astragals	✓	✓	✓
uPVC sash and case 'lookalikes'	X	✓	✓
Planted astragals	X	X	✓

### Doors and Doorways

	Listed Buildings	Conservation Areas: Public Elevations	Conservation Areas: Non-Public Elevations
Joiner made timber panelled door	✓	✓	✓
Composite Door	X	✓	✓
uPVC / aluminium / DIY chain store door	X	X	✓
Flush (e.g. plywood) doors with mouldings applied	X	X	✓



Examples of windows and doors to avoid on Listed Buildings and on public elevations in Conservation Areas



## 9. What To Do Next

Applications for Planning Permission and / or Listed Building Consent can be made online via the Scottish Government's e-planning website: [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk)

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

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

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

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

### Submission Requirements

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



#### For further information please contact:

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

Telephone: 01224 523470

Fax: 01224 523180

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



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

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

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

### **Sources of Assistance**

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

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

## 10. Glossary

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 11. Further Reading

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

## Appendix 1: Professional Survey

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

### What should be in a survey?

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

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

### **Ventilation**

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

### **Safety from Collision**

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

### **Safety Glass**

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

### **Thermal Insulation**

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

### **Protective Barriers**

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



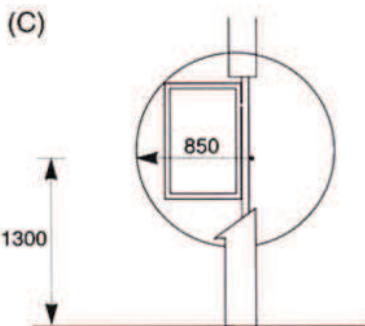
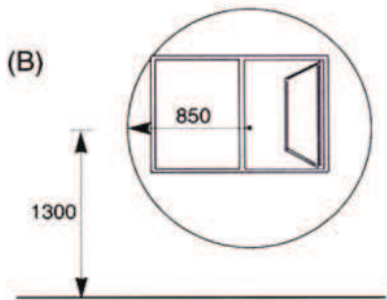
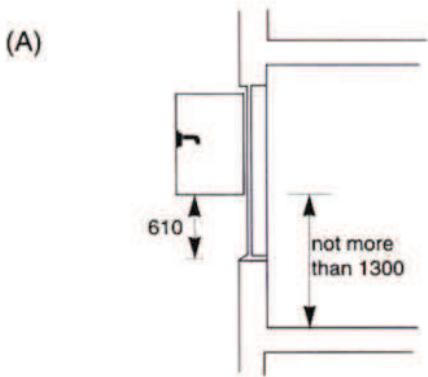
### Emergency Escape Windows

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

### Safe Cleaning

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

All dimensions are in mm.



- (A) downwards reach through an opening light
- (B) side reach through an opening light
- (C) reach for cleaning an open window with easy-clean hinges

**For Further Information Please Contact:**

Planning and Sustainable Development  
Enterprise, Planning & Infrastructure  
Aberdeen City Council  
Business Hub 4  
Ground Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB  
Telephone: 01224 523470  
Fax: 01224 523180  
Email: [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk)

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Agenda Item 3.4  
**MANTELL RITCHIE**  
**CHARTERED ARCHITECTS**  
(Formerly Meldrum & Mantell)

Principal - Michael Ritchie, MSc, B.Arch, RIBA, ARIAS  
Consultant - Henry J.L. Mantell, Dip Arch, RIBA, FRIAS

**FAO: Paul Williamson**  
Senior Planner  
Aberdeen City Council  
Business Hub 4, Ground Floor North  
Marischal College  
Broad Street  
Aberdeen AB10 1AB

Our Ref: 13071.MR.SM

Your Ref:

Date: 04 December 2015

Dear Sir

**Former Police Station, Mid Stocket Road, Aberdeen**  
**Proposed Conversion to Dwellinghouse**  
**Application Ref No. P151253**

We refer to the above refused application and can confirm we have submitted a Notice of Review application. With this in mind, we enclose herewith the following for your attention:-

1. Copy of the Notice of Review Form
2. Copy of the letter which accompanied the application.
3. Copy of Approved Drawing for Adjacent Site

We understand you already have copies of Drawing Nos. 13071 08 and 08F.

Yours faithfully

[Redacted Signature]

Encs



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# Aberdeenshire Council

## NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)  
IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)  
(SCOTLAND) REGULATIONS 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form.**  
**Failure to supply all the relevant information could invalidate your notice of review.**

Use BLOCK CAPITALS if completing in manuscript

### Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

### Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

Mark this box to confirm all contact should be  
through this representative: ☒

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes ☒ No ☐

Application reference number

Site address

Description of proposed  
development

Date of application

Date of decision (if any)

**Note.** This notice must be served on the Local Review Body within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.



**Nature of application**

- |  |                                     |
|--|-------------------------------------|
| 1. Application for planning permission (including householder application)   | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle  | <input type="checkbox"/>            |
| 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) | <input type="checkbox"/>            |
| 4. Application for approval of matters specified in conditions   | <input type="checkbox"/>            |

**Reasons for seeking review**

- |   |                                     |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer  | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/>            |
| 3. Conditions imposed on consent by appointed officer   | <input type="checkbox"/>            |

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- |   |                                     |
|---|-------------------------------------|
| 1. Further written submissions                                    | <input type="checkbox"/>            |
| 2. One or more hearing sessions                                   | <input checked="" type="checkbox"/> |
| 3. Site inspection  | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/>            |

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

We feel a hearing is necessary to provide us the opportunity to put forward our case for the development as the reasons for refusal are subjective rather than objective - design issues rather than planning issues.

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

**Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you will not have a further opportunity to add to your statement of review at a later date unless specifically requested to do so by the Local Review Body. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see additional sheet

As you will note from the guidance accompanying this form, you must not raise any matter which was not before the planning authority at the time the decision you are appealing against was made unless, you can demonstrate that the matter could not have been raised at that time or, that it not being raised was due to exceptional circumstances.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it could not have been raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

#### List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

- Copy of Drawing No. 13071 08 - As was submitted to planning officer for comments prior to supporting actual application.
- Copy of Drawing No. 13071 08F - As submitted for planning approval subsequent to some minor amendments.
- Copy of Approved Drawing for Garden Ground Adjacent to Former Police Station

**Note.** The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It will also be published on the Council's website.

## Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

---

## Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the Local Review Body to review the application as set out on this form and in the supporting documents.

Signed



Date

03 December 2015

---

The completed form and documents should be sent to:

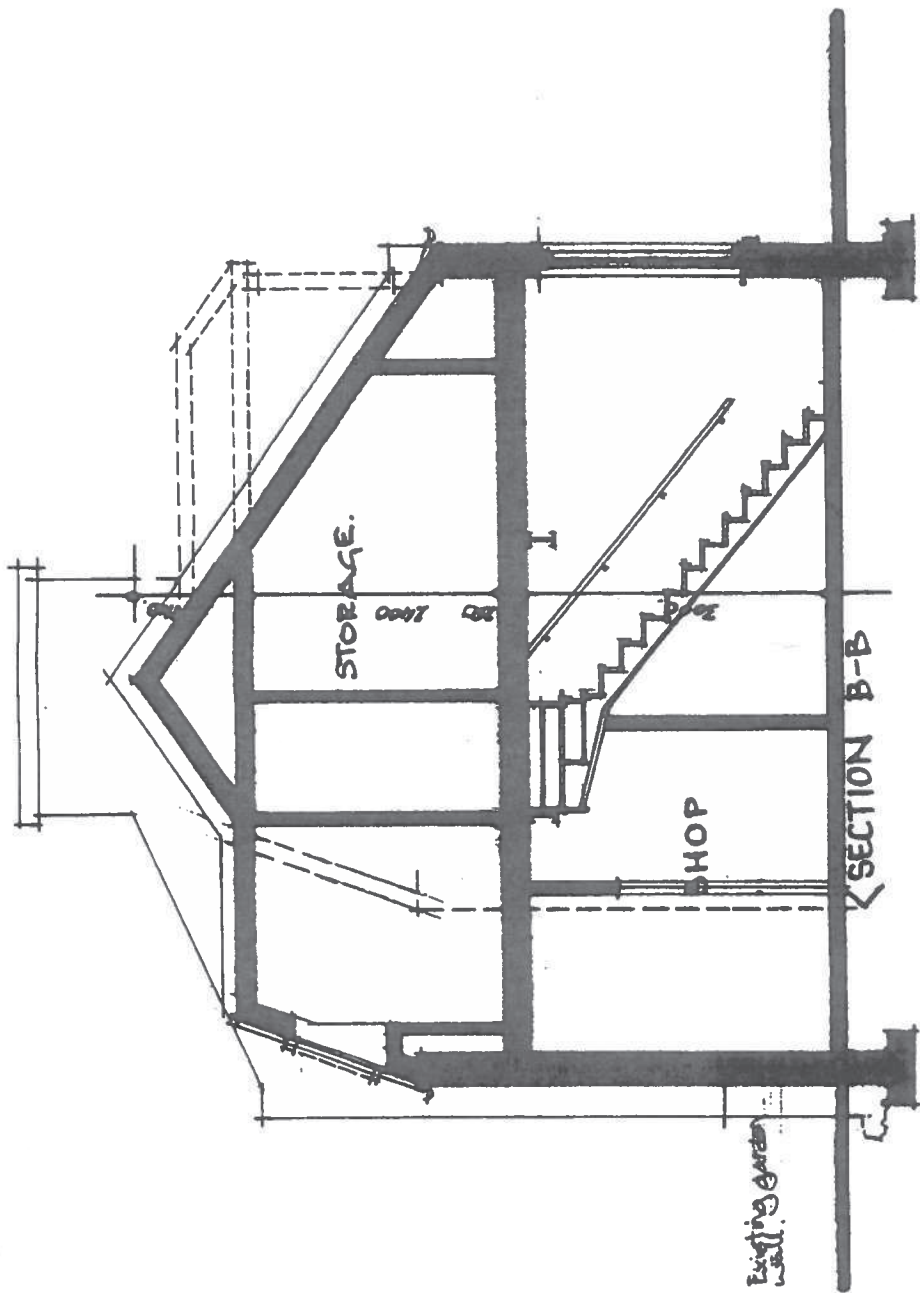
Head of Legal and Governance,  
Corporate Services,  
Aberdeenshire Council,  
Woodhill House,  
Westburn Road,  
Aberdeen,  
AB16 5GB

Email: [committee.services@aberdeenshire.gov.uk](mailto:committee.services@aberdeenshire.gov.uk)

Telephone: 01224 665117

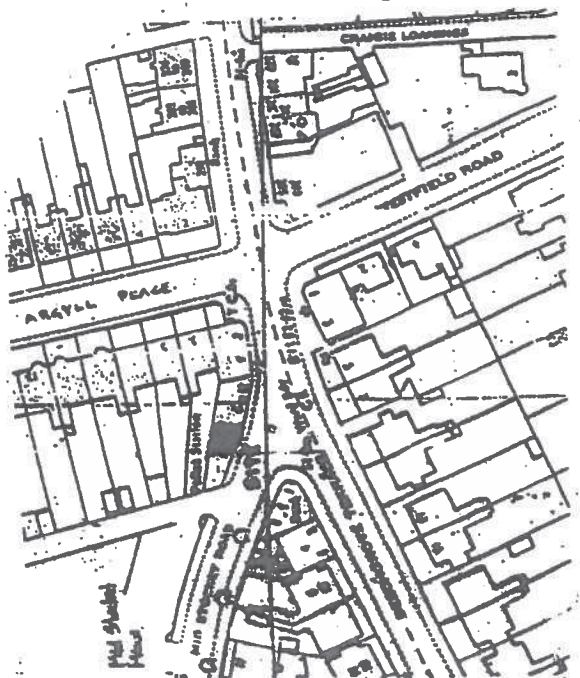
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94/1217



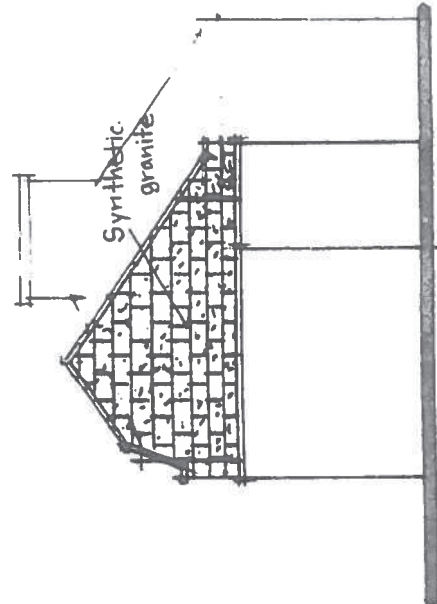
SECTION A-A

LOCATION PLAN 1:1250

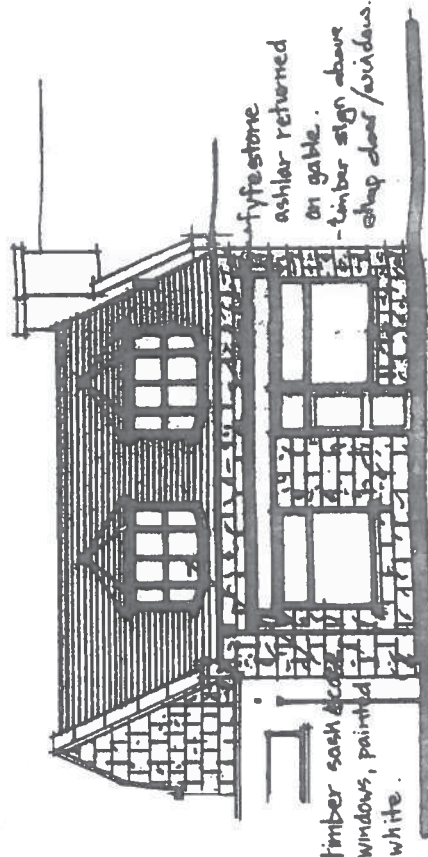


Affected owners/occupiers:-  
 Granjon Police, Queens Street, Aberdeen  
 N. Rabb, 3 Argyll Place, Aberdeen  
 M. Kerr, " " " " " "  
 P. Holmes, " " " " " "  
 A. Christie, 87, Newburgh Crescent 8 of Don (No 8 Mid Stocket)  
 John Dawson, 87, Newburgh Crescent 12, Mid Stocket Road  
 Rubislaw Financial Services, 12, Mid Stocket Road  
 N. Burnett, 10, Mid Stocket Road, Aberdeen  
 P. Ferguson, " " " " " "  
 F. Williamson, " " " " " "  
 R. Armstrong, " " " " " "  
 K. Murray, " " " " " "  
 R. Murray, " " " " " "  
 E. McLeish, " " " " " "  
 R. McLeish, " " " " " "  
 M. Ferguson, " " " " " "  
 M. Ferguson, " " " " " "  
 L. Bryden, " " " " " "  
 L. Callan, " " " " " "  
 J. Davis, " " " " " "  
 H. Peterson, " " " " " "  
 H. Shaver, " " " " " "

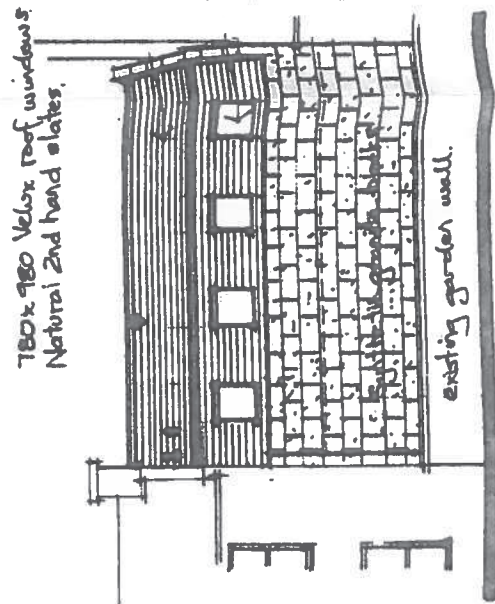
CITY OF ABERDEEN  
 PLANNING COMMITTEE  
**CONDITIONAL**  
**PLANNING**  
**APPROVAL**



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Erection of shop & storage 14-16, Mid Stocket Rd, Abdn. For: Iain Stephen esq.	
Proposed elevations.	
Scale: 1/50, 1/100	Date: May 1994
WILLIAM F FORBES Architectural Consultant 3 Fairview Grove Bridge of Don ABERDEEN O224 824079	



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P151253 - Former Police Station, Mid Stocket Road, Aberdeen

We submitted a planning application for conversion of the former police station to a 3-apartment dwellinghouse in 2014 (the third apartment being a Sun Lounge on the roof of the existing building) with a small roof terrace for amenity purposes. The design of the Sun Lounge was agreed further to various discussions with the planning department. This application was recommended for approval and approved at Area Committee in November 2014 - Planning Ref No. P141246. However at the Area Committee, some of the Ward and Local Councillors proposed that the development would be preferable with a traditional pitched slate roof.

As a result of the adverse comments at Area Committee, and neighbouring proprietors saying the proposals would result in a carbuncle of a development, the joint owners determined to review their proposals and to submit a more appropriate design (supported by a potential purchaser).

Prior to submitting amended proposals, we submitted a preliminary sketch plan with a pitched roof, retaining the small terrace, and with the roof space being for storage. The planning officer commented that these proposals could more than likely be supported. We enclose a copy of this drawing - Drawing No. 13071 08.

On further review we determined, in conjunction with the owners, to put accommodation in the roof space whilst retaining the small roof terrace. These proposals were then submitted for planning permission. The proposals are similar in scale to the original approval being for a 3 apartment dwelling.

We have amended the submission drawings further based on comments of the planning officer and to our mind the final scheme will fit in and be appropriate for the Conservation Area. In addition there are numerous other properties in the Conservation Area of a similar style and scale. We also propose the use of local materials, details, etc to be in keeping with Conservation Area.

Interestingly planning permission was granted for a storey and three quarters shop with store over on the immediately adjacent garden ground next to the former police station in 1994 - Planning Ref No. 94/1217 (copy of plan enclosed).

During the planning process the ongoing observations and suggested amendments for ongoing review from the planning officer were seen as positive improvements; e.g Conservation style rooflights, omission of partial drop windows to Mid Stocket Road, confirmation of window details at reveals. The planning officer therefore did not seem to have concerns with the general finishes and details it was only the scale of development, in their opinion, that was in question. The scale to our mind is suitable as the roof massing is similar to Nos. 4-12 Mid Stocket Road and the earlier planning approval from 1994 (referred to previously) and on review of other proposals in the Conservation Area the final design is very much in keeping.

Throughout the planning process and the original approval the roof terrace has been retained as the amenity space for the dwelling.

Conscious of Policies D1 (Architecture and Placemaking) and D5 (Built Heritage) the final design in our opinion meets these criteria based on previous approvals in terms of massing, design, materials, etc.

The Roads Service have no objections to the development.

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**PLANNING & SUSTAINABLE DEVELOPMENT**  
Communities, Housing and Infrastructure  
Business Hub 4, Marischal College, Broad Street,  
ABERDEEN. AB10 1AB

## **THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

### **Refusal of Planning Permission**

Mantell Ritchie  
27A Hight Street  
Banff  
AB45 1AN

on behalf of **Mr Stanley Wood**

With reference to your application validly received on 28 July 2015 for Planning Permission under the above mentioned Act for the following development, viz:-

**"PROPOSED CONVERSION AND EXTENSION TO FORM ONE, 2 BEDROOM DWELLINGHOUSE".**  
at **"Former Police Station", Mid Stocket Road, Aberdeen**

the Council in exercise of their powers under the above mentioned Act hereby REFUSE Planning Permission for the said development as specified in the application form and the plan(s) and documents docketed as relative thereto and numbered as follows:-

Site Location Plan, Site Layout Plan, Floor Plans and Elevations 13071  
08 Rev F

The reasons on which the Council has based this decision are as follows:-

1) The proposed development does not comply with Policy D1 Architecture and Placemaking of the Adopted Local Development Plan in light of the scale and design of the proposed extension, and particularly the roof massing. This small building has significant limitations in respect of its potential for conversion and beneficial use. In this instance, considerable pressure is being put upon the building to accommodate an intensified residential occupation in comparison to previously approved applications. As such, the current proposals are in excess of what can realistically be achieved without having a detrimental visual impact upon the character of the wider area.

PETE LEONARD  
DIRECTOR

**Continuation**

2)It is considered that due to its inappropriate design, the proposal would have a detrimental impact upon the setting of the Rosemount Conservation Area and would therefore not comply with Policy D5 Built Heritage of the Adopted Local Development Plan. The proposal if approved, would draw attention to an over-complicated roof/massing arrangement which would not respect the character of the wider

Conservation Area, and thus be contrary to Scottish Planning Policy.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- Site Location Plan, Site Layout Plan, Floor Plans and Elevations 13071 08 Rev F

**Date of Signing 9 October 2015**



**Daniel Lewis**  
Development Management Manager

Enc.

PETE LEONARD  
DIRECTOR

**NB. EXTREMELY IMPORTANT INFORMATION RELATED TO THIS REFUSAL OF  
PLANNING APPROVAL**

The applicant has the right to have the decision to refuse the application reviewed by the planning authority and further details are given in Form attached below.

Regulation 28(4)(a)

Form 1

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

*Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions*

1. If the applicant is aggrieved by the decision of the planning authority to –
  - a. refuse planning permission for the proposed development;
  - b. to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
  - c. to grant planning permission or approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at <http://eplanning.scotland.gov.uk/>.

Notices of review submitted by post should be sent to –

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

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

PETE LEONARD  
DIRECTOR

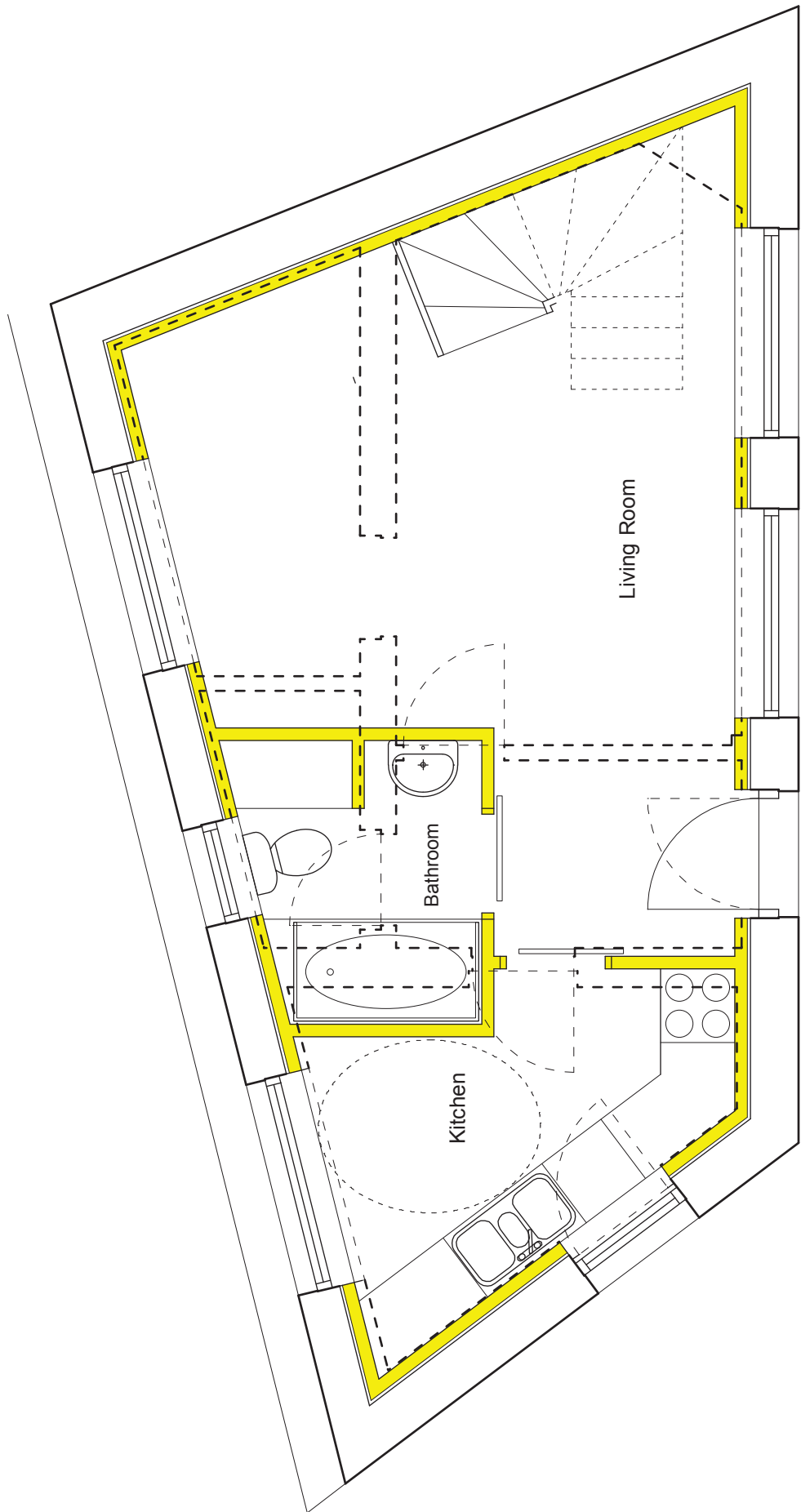


PETE LEONARD  
DIRECTOR

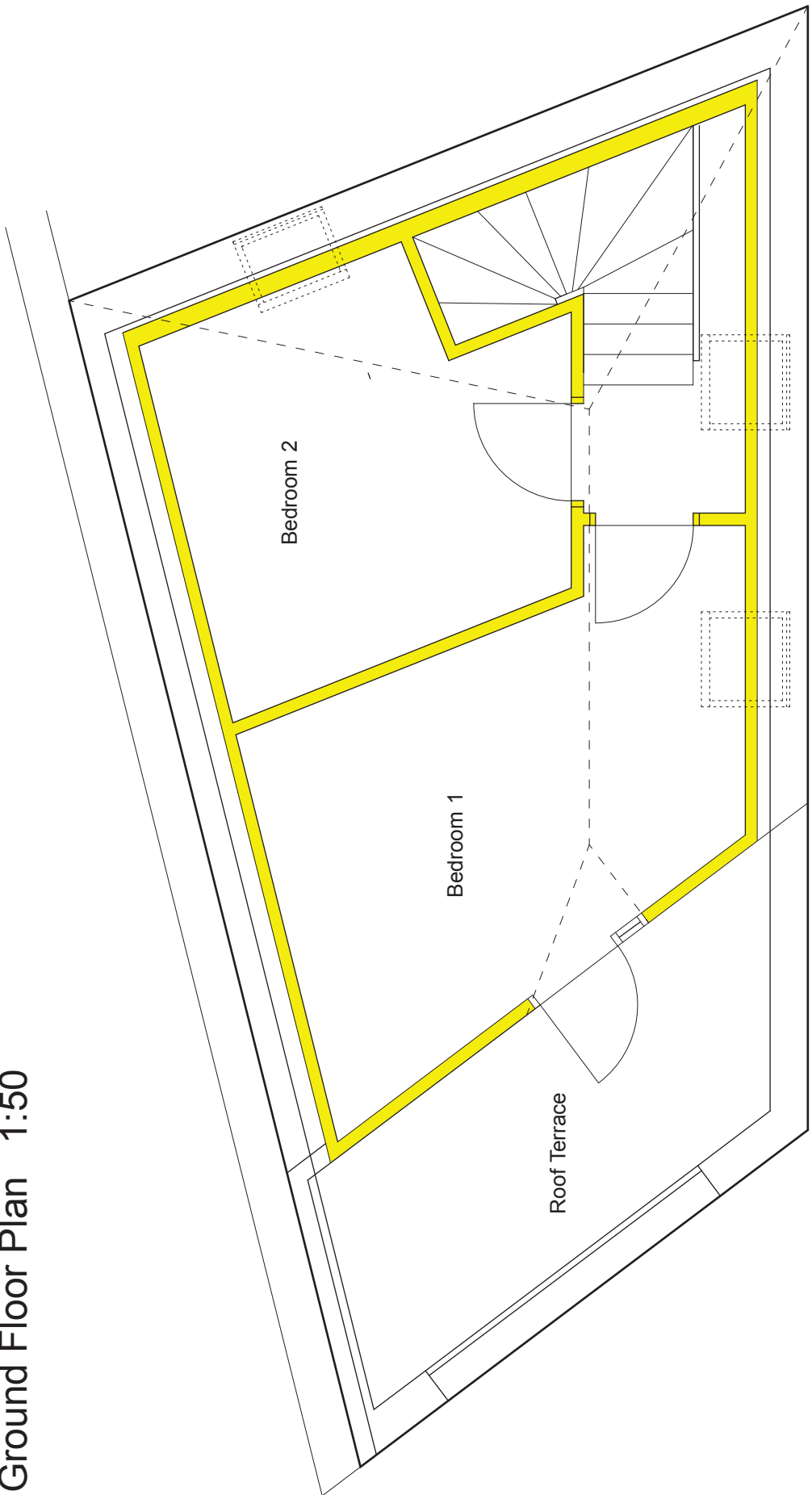


Location Plan 1:2000

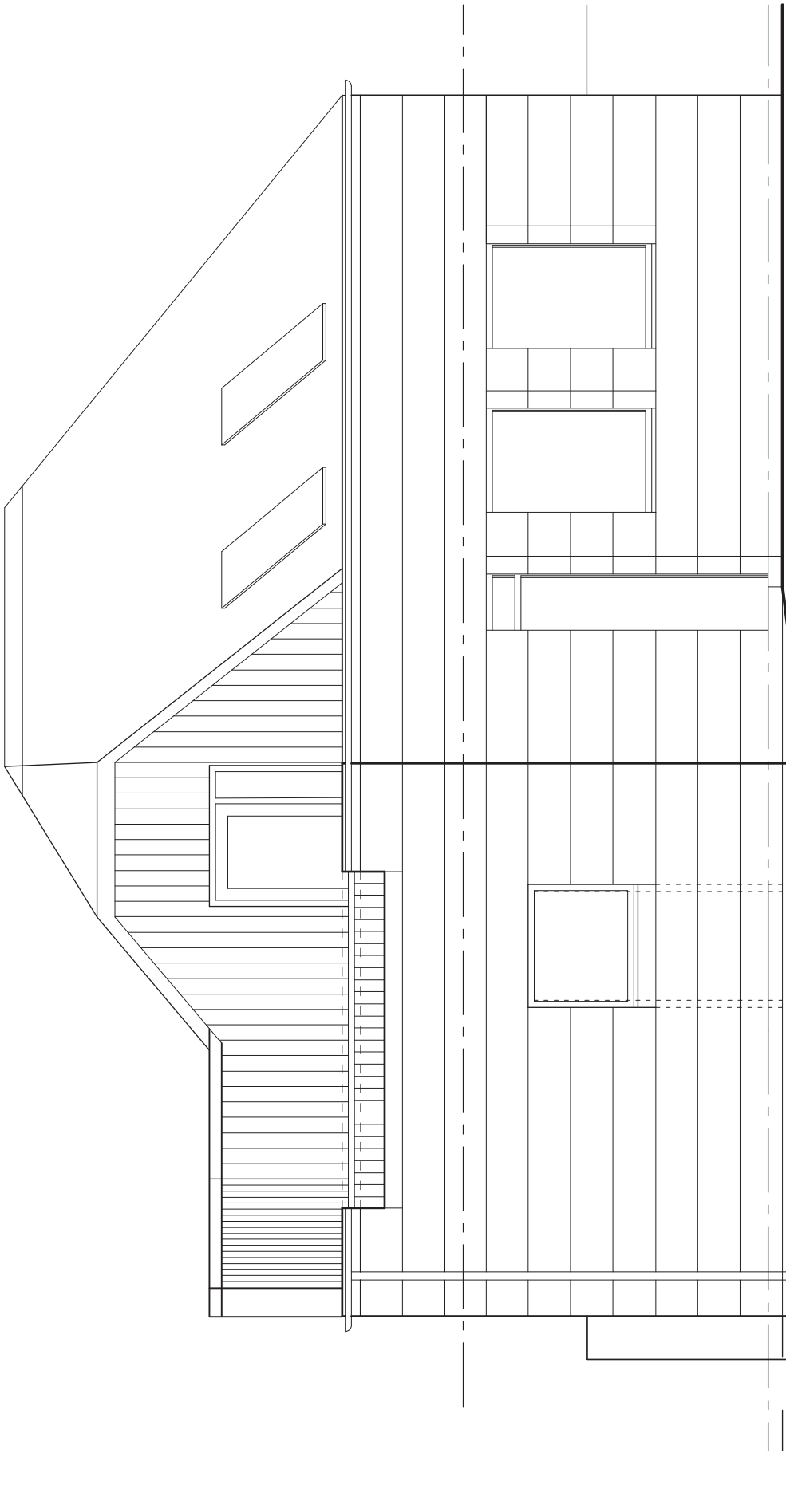
Ground Floor Plan 1:50



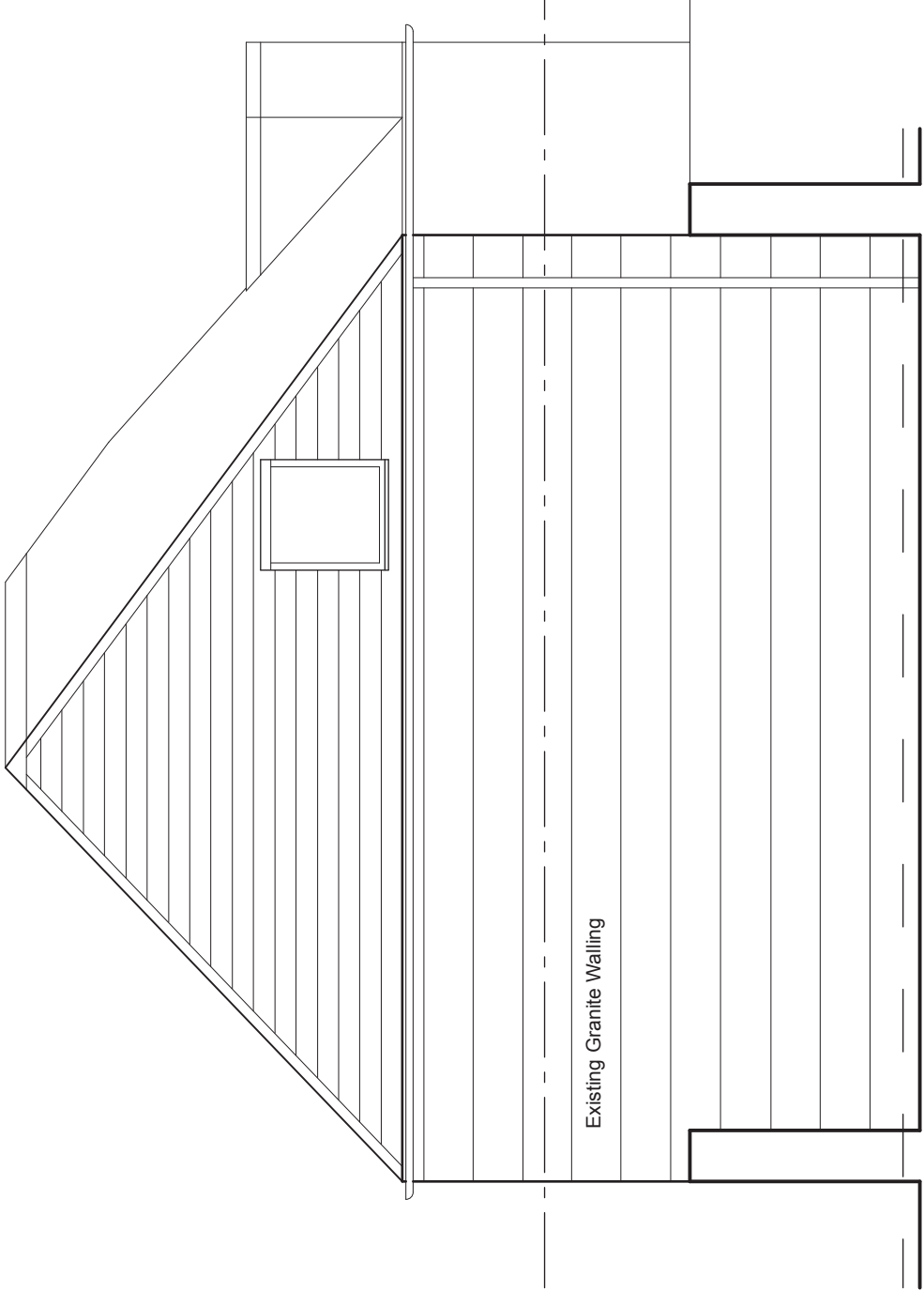
First Floor Plan 1:50



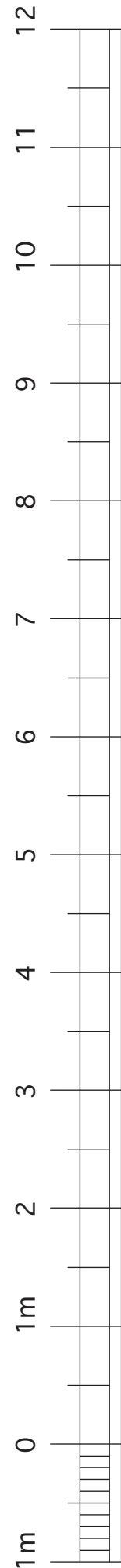
West Elevation 1:50



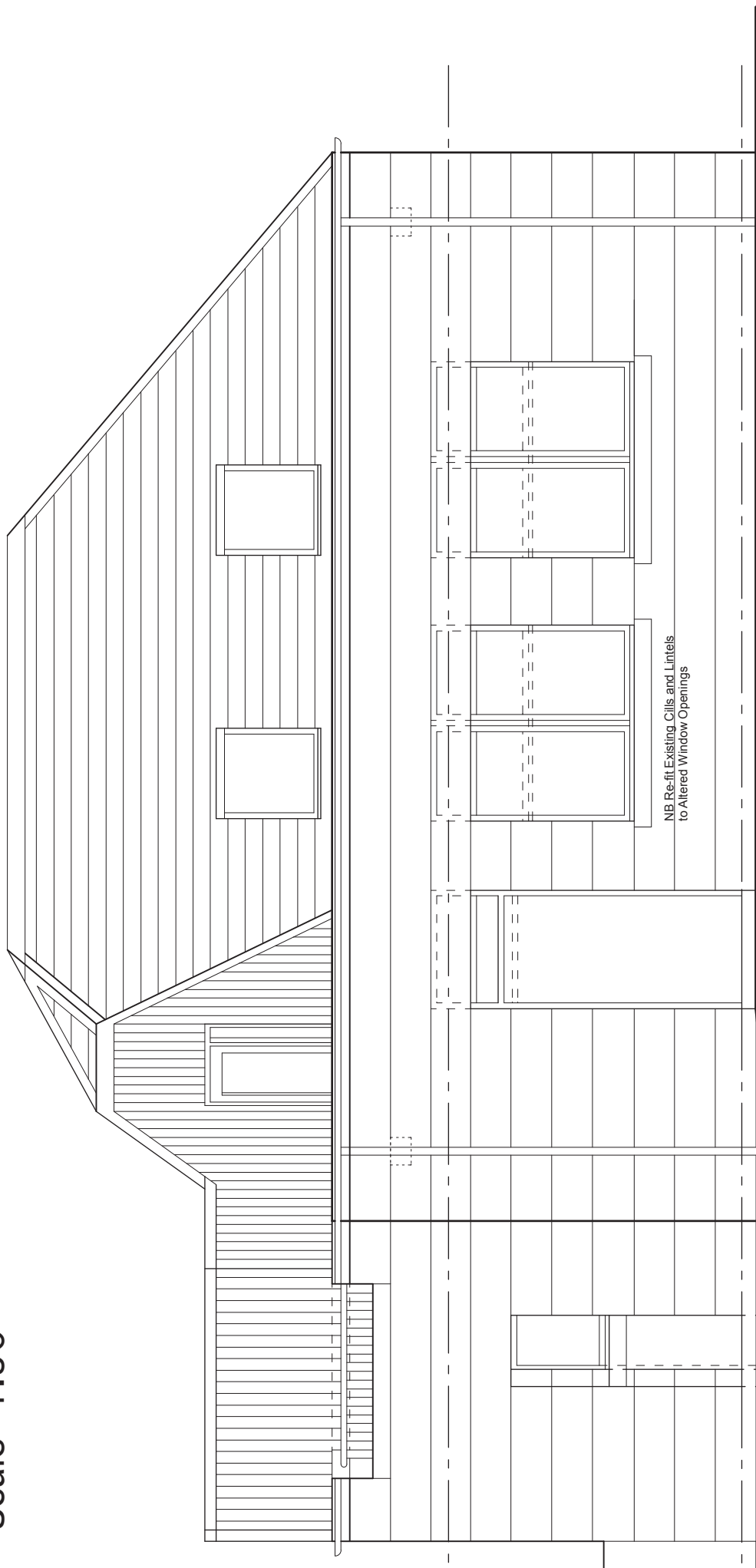
East Elevation 1:50



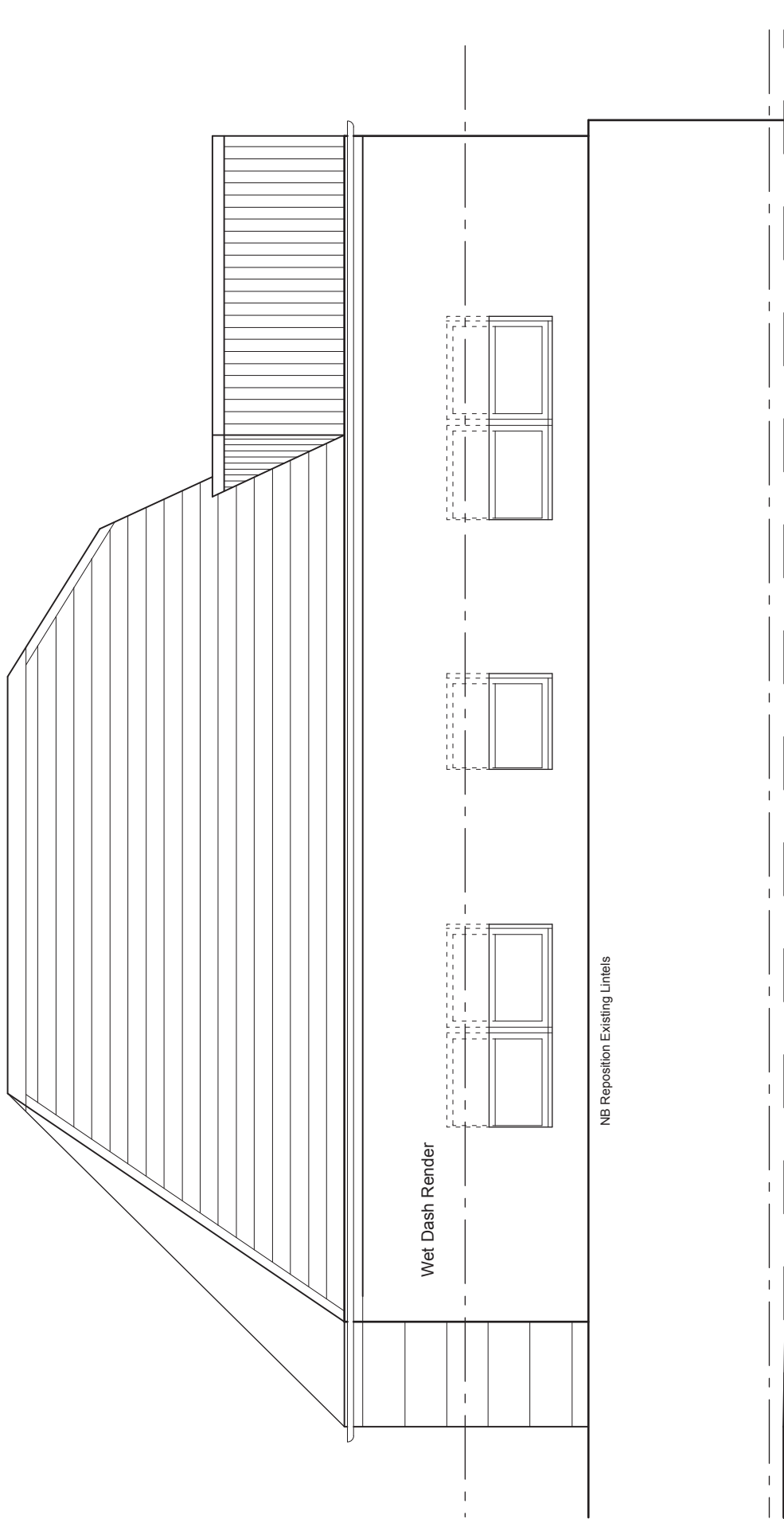
Scale 1:50



South Elevation 1:50



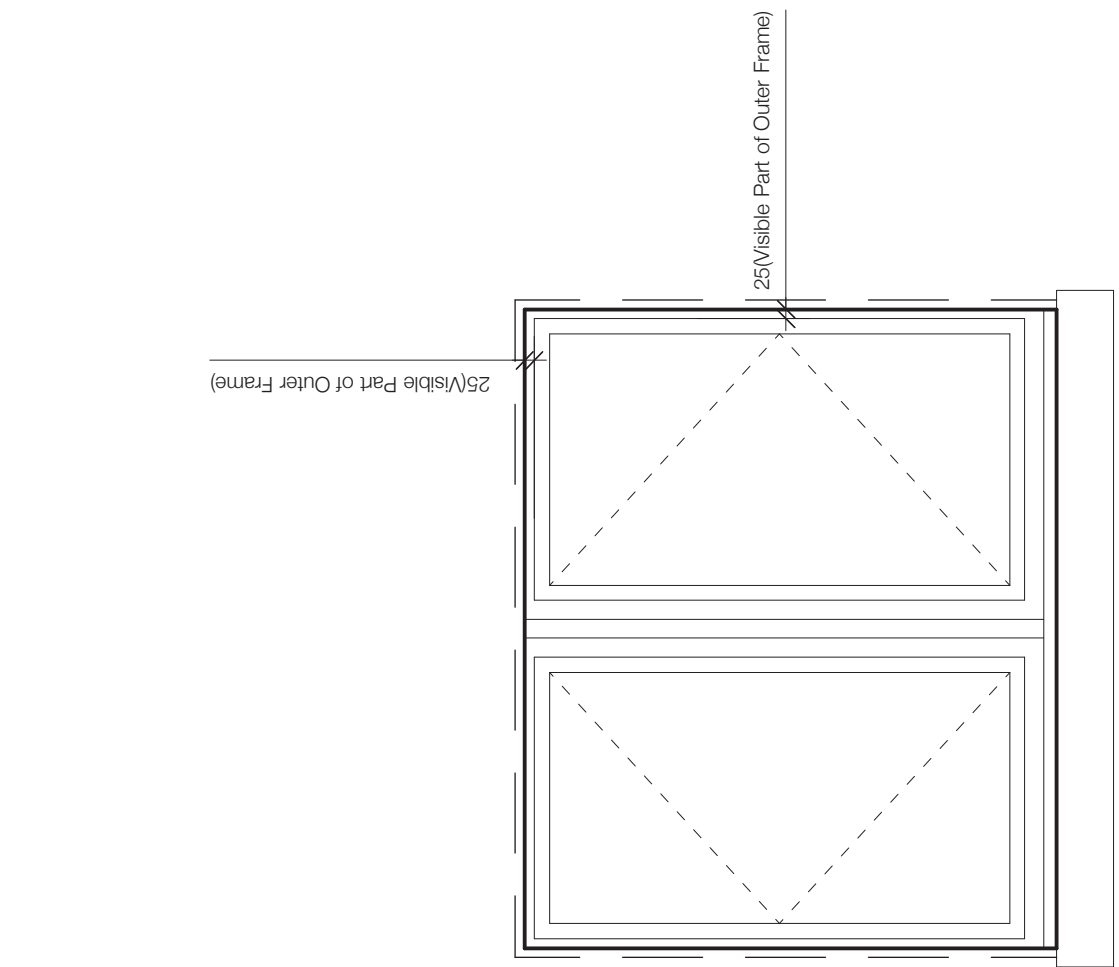
North Elevation 1:50



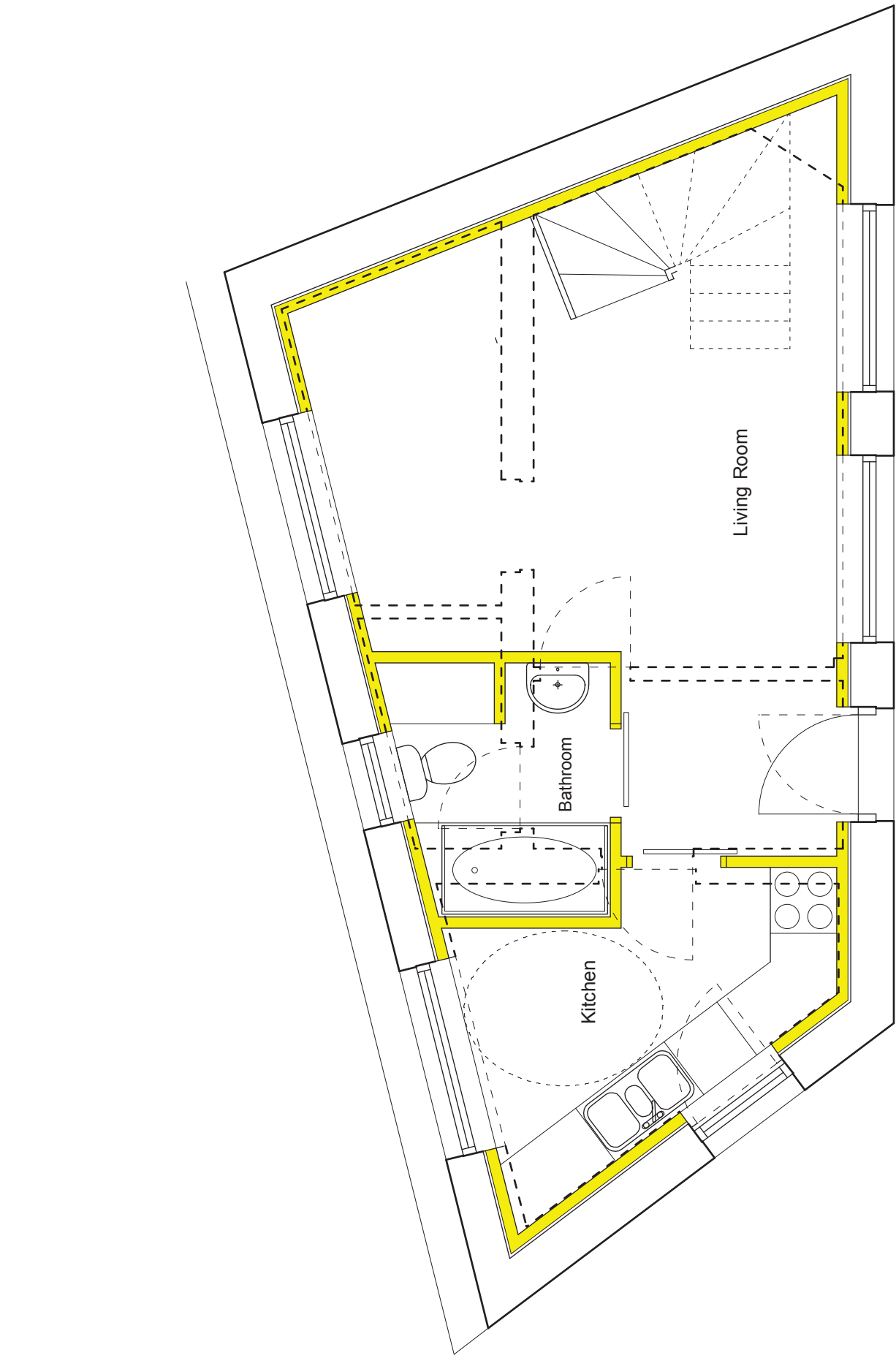
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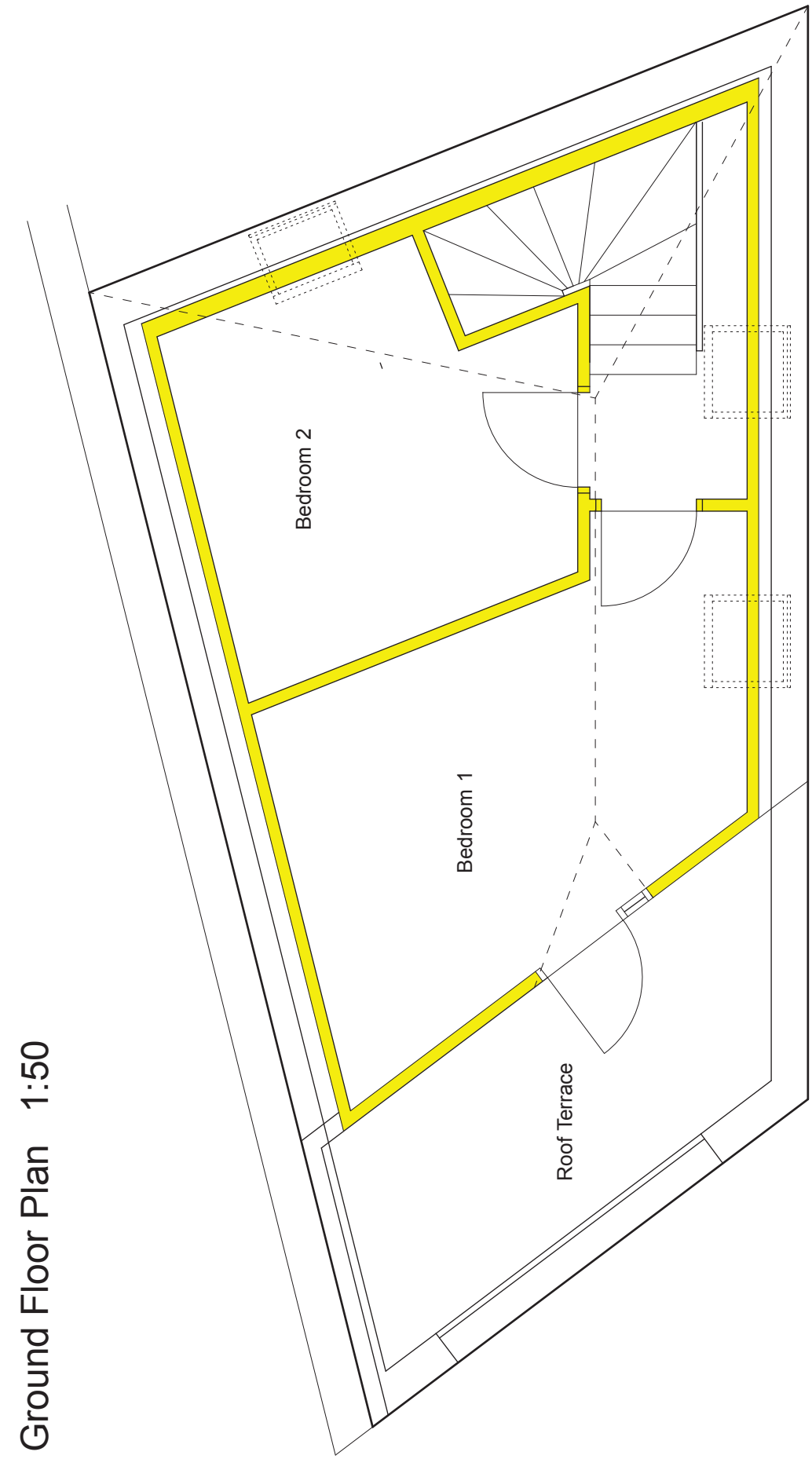
Location Plan 1:2000



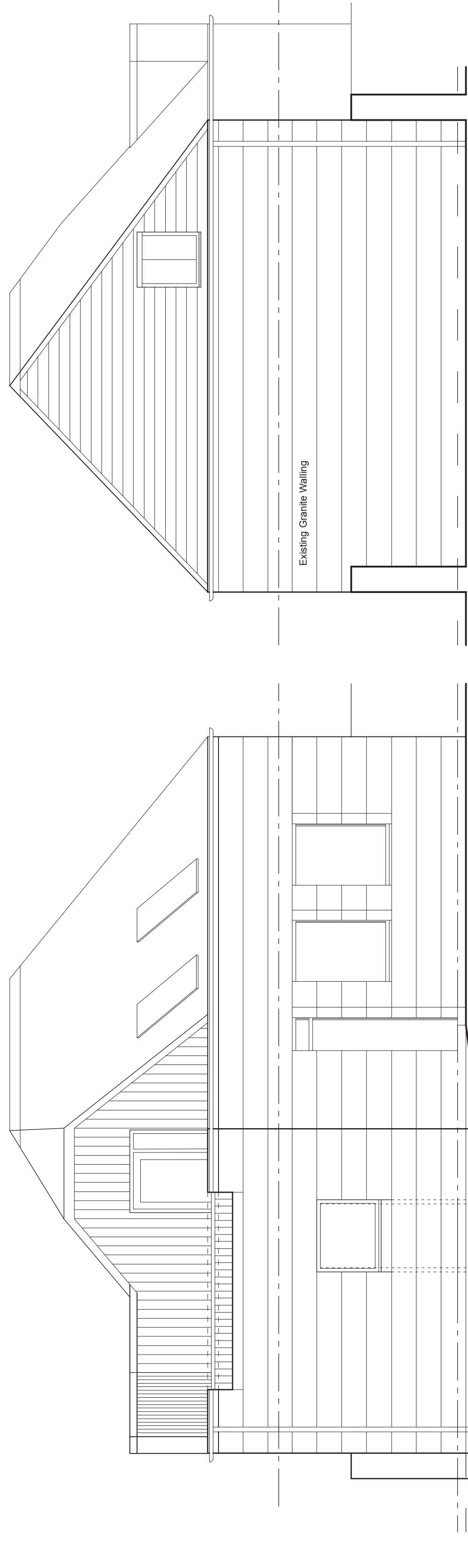
Typical Window Detail 1:20



Ground Floor Plan 1:50



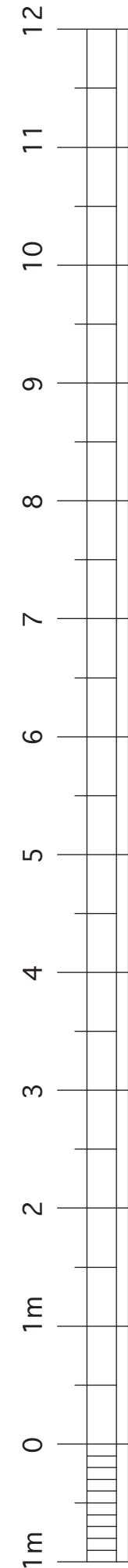
First Floor Plan 1:50



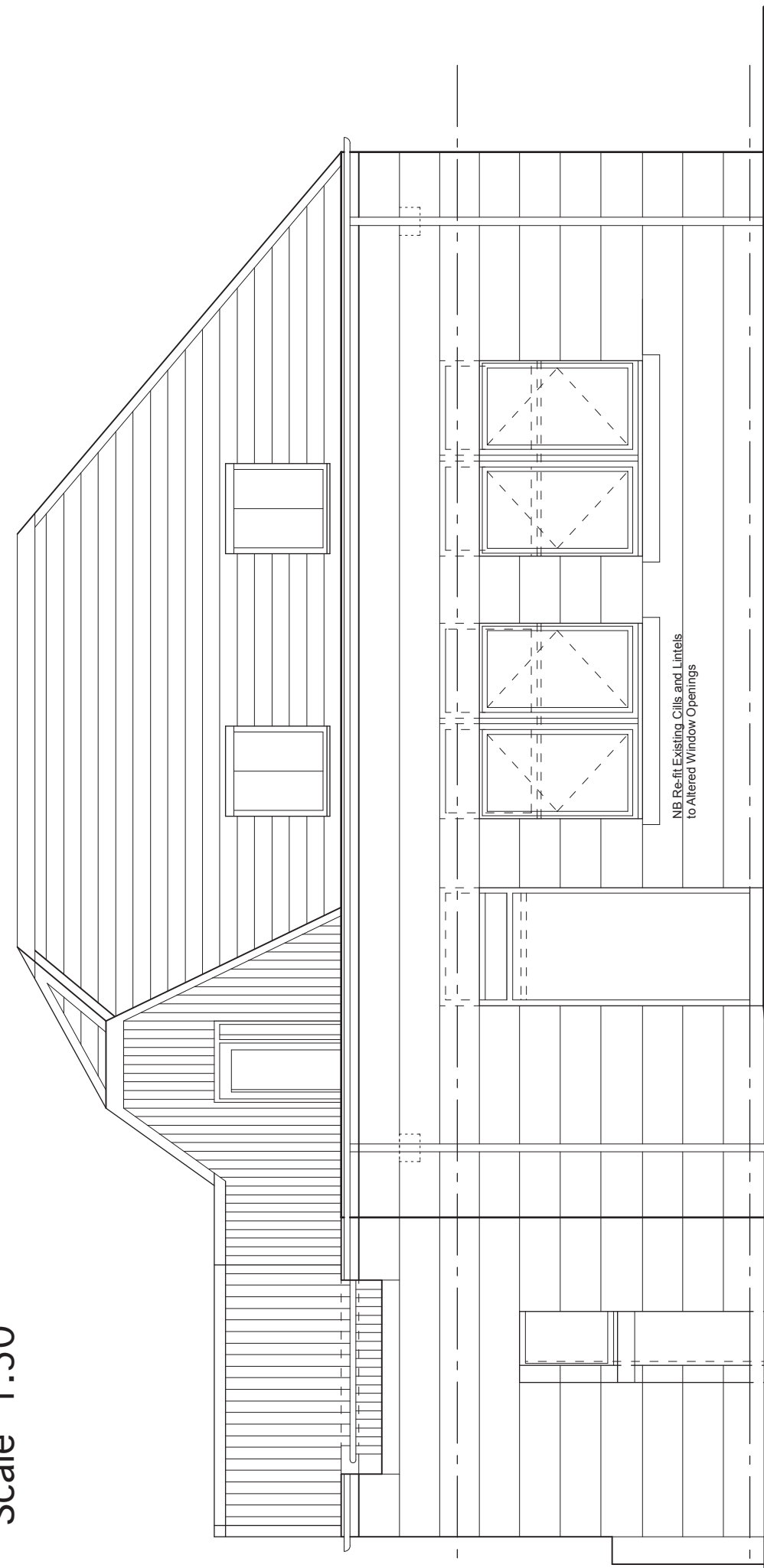
West Elevation 1:50



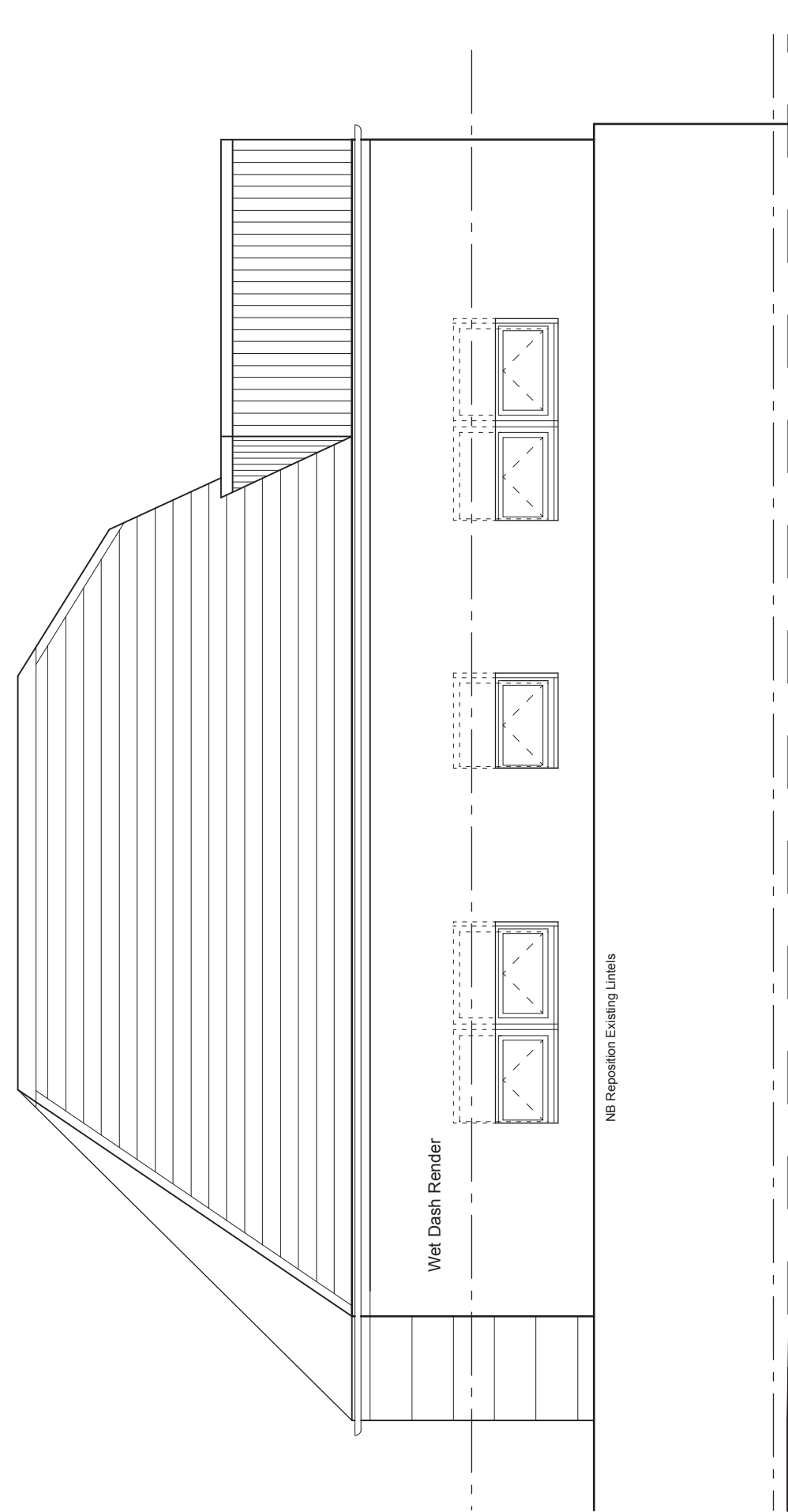
East Elevation 1:50



Scale 1:50



South Elevation 1:50



North Elevation 1:50



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# Agenda Item 3.5

**From:** Macdonald, Dr Alister G.  
**Sent:** 14 December 2015 11:48  
**To:** LocalReviewBody  
**Subject:** planning ref 151253

This is to reiterate my previous objection to the "roof garden" aspect of the proposed development. A simple conversion to a small dwelling unit without the eccentric roof feature would be reasonable, although the location is very congested. Yours Sincerely,  
Alister Macdonald of 9, Argyll Place. AB25 2HU



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Dear Madam,

I refer to your letter of 5th January 2015 and can confirm that we have no comments to make on the additional representation.

With this in mind, we look forward to receiving confirmation of the date of the review meeting.

Kind regards

Secretary



27A High Street  
BANFF  
AB45 1AN  
Tel: 01261 812267 Fax: 01261 812554  
Email: [admin@mantellritchie.co.uk](mailto:admin@mantellritchie.co.uk)  
Website: <http://www.mantellritchie.com>

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# Agenda Item 4.2

Signed (authorised Officer(s)):

16 CRUICKSHANK CRESCENT,  
ABERDEEN

RETROSPECTIVE PLANNING  
PERMISSION FOR ERECTION OF  
SUNHOUSE AND DECKING.

For: Mr Brian Mitchell

Application Type : Detailed Planning  
Permission

Application Ref. : P151339

Application Date : 02/09/2015

Advert :

Advertised on :

Officer : Linda Speers

Creation Date : 22 October 2015

Ward: Dyce/Bucksburn/Danestone(B  
Crockett/G Lawrence/N MacGregor/G  
Samarai)

Community Council: No comments

## **RECOMMENDATION:**

### **Refuse**

### **DESCRIPTION**

The application site is located on the west side of Cruickshank Crescent, on a corner plot adjacent to the junction with Marischal Gardens. The site consists of a 2-storey end terrace dwelling house which has been extended from its south-facing gable. The property has front and rear gardens, both of which are finished with a hard surface. The rear garden is narrow, 'v' shaped and enclosed with a timber fence of circa 1500mm high. It includes a timber shed and drying area. A small area at the front of the house is paved while the remainder of the area to the front and side is formed as a driveway. The site is sloping and falls to the north. The east boundary fronting the road is enclosed with a privet hedge of 1600-1700mm high, while the north and west is bound by a wall of circa 1100mm. The current plot coverage is 7% of the total 368sqm plot.

## **RELEVANT HISTORY**

A7/0741: Planning Permission - House extension, erection of domestic garage, and formation of driveway.

Approved Unconditionally in 2007.

## **PROPOSAL**

Permission is retrospectively sought for the erection of a sun house and raised deck in a prominent position at the front of the property. The sun house would be positioned in the southerly corner of the site, adjacent to the junction with Marischal Gardens. As the site is sloping the sun house would be placed on a level raised deck circa 450mm high. The sun house would measure a maximum of 3.8m wide and 3.3m deep, with a pitched roof of 2.8m high. The raised deck would project a further 1m to the front of the sun house. The sun house and decking would all be finished in timber with bitumen felt roof. The combined footprint of both would be approximately 18sqm.

## **Supporting Documents**

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

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=151339>

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

## **CONSULTATIONS**

**Roads Development Management** – Comments Received – No objection

**Environmental Health** – No observation

**Flooding** – No observation

**Community Council** – No comments

## **REPRESENTATIONS**

3no. letters of objection have been received from the owner/occupier at 1 Marischal Gardens. The objections raised relate to the following matters –

1. Planning Permission: Summer House constructed without permission or consulting neighbours
2. Safety: Concerns for road safety and visibility on the nearby junction.
3. View: Loss of view from front window. Summer house could have been positioned in better location.

## **PLANNING POLICY**

## Aberdeen Local Development Plan 2012

- **Policy D1 - Architecture and Placemaking**

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

- **Policy H1 - Residential Areas**

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

1. Does not constitute over development;
2. Does not have an unacceptable impact on the character or amenity of the surrounding area; and
3. Complies with Supplementary Guidance contained in the Householder Development Guide.

### Supplementary guidance

- **Householder Development Guide**

The householder development guide relating to:

Outhouse:

There are no specific guidelines relating to erection of domestic sheds/outhouses, however all development is expected to be architecturally compatible in design and scale with the original house and its surrounding area. Materials should be complimentary to the original building. Any development should not overwhelm or dominate the original form or appearance of the dwelling house. No more than 50% of the rear garden should be covered by development. No development should result in a situation where neighbouring residential amenity is detrimentally impacted.

### Other Material Consideration

- **Proposed Aberdeen Local Development Plan**

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

Policy D1- Quality Placemaking by Design



All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials.

#### Policy H1 - Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new development and householder development will be approved in principle if it:

1. Does not constitute over development;
2. Does not have an unacceptable impact on the character or amenity of the surrounding area;
3. Does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and
4. Complies with Supplementary Guidance

### **EVALUATION**

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

All development should be well designed, with due regard for both its context and the design of the parent building. The proposed ancillary accommodation which has been described as a sun house would sit in a prominent position, forward of the building line and boldly arranged with a public viewpoint on the junction with the Marischal Gardens and Cruickshank Crescent. As the site is sloping the sun house would be placed on a raised deck elevating it further while oddly facing north, away from the best opportunity for direct sunlight. Despite the existing boundary treatment the sun house would have a dramatic visual effect to the surrounding streets. The footprint (18sqm) in principal is not unusual for such ancillary accommodation but such structures would typically be located to the rear of the site in a less obtrusive position. The overall site coverage would be marginally increased by the development; rising to 12%, which is considered acceptable, with sufficient useable ground retained after development. In terms of loss of privacy, daylighting and overshadowing, the neighbouring properties are a sufficient distance from the proposed development with no such impact. Notwithstanding this, the proposal is considered alien in the current location; it would be unduly prominent both in the context of this site and in the surrounding street scene, detracting from the appearance of the host dwelling and resulting in a detriment impact on the character and visual amenity of the wider residential area.

In the interests of preserving the character and amenity of the existing property and the wider streetscape, and having had regard to the position of the sun house relative to its surroundings, it is concluded that the proposal fails to comply

with policies D1 and H1 of the Aberdeen Local Development Plan 2012 and The aspirations of the associated Householder Development Guide supplementary guidance.

### Proposed Aberdeen Local Development Plan

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

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

The foregoing can only be assessed on a case by case basis. In relation to this particular application, Policy D1 and H1 in the Proposed ALDP substantively reiterate the corresponding policies of the adopted local development plan and therefore there is no fundamental shift in the applicable policy context. The proposal is therefore not acceptable in terms of either the adopted Local Development Plan or the Proposed Plan, for the reasons previously given.

### Points raised in letter of objection:

Retrospective planning permission has been applied for and the relevant neighbours have been notified accordingly. Any further action will be dependent on the outcome of this application and, in the event of refusal, on consideration of the expediency of any enforcement action.

Roads have assessed the application and confirmed that the proposed sun house would not interfere with the visibility splay of Marischal Gardens / Cruickshank Crescent. Therefore there is no road safety issue.

Loss of view is not a material planning consideration.

## **RECOMMENDATION**

### **Refuse**

#### **REASONS FOR RECOMMENDATION**

The proposed sun house and raised deck do not comply with Aberdeen Local Development Plan Policy D1 (Architecture and Placemaking) and H1 (Residential Areas), nor with the related Household Development Guide, as the unduly prominent position of the structure relative to the existing house and its conspicuous presence in the wider streetscape is inconsistent with the existing character of the area. The proposal does not demonstrate due regard for that existing context, and would not make a positive contribution to its setting, resulting in an unacceptable impact on the character and visual amenity of the surrounding area.

By virtue of the above the application does not comply with policy D1 (Quality Placemaking by Design) and H1 (Residential Areas) in the Proposed Aberdeen Local Development Plan.

PI

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 29 September 2015 19:44  
**To:** PI  
**Subject:** Planning Comment for 151339

Comment for Planning Application 151339

Name : L McLean

Address : 1 Marischal Gardens

Bucksburn

Aberdeen

AB21 9BX

Telephone :

Email : [lormorr@hotmail.co.uk](mailto:lormorr@hotmail.co.uk)

type :

Comment : Obstructs the view from oncoming traffic coming round the corner of a very busy residential street.

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PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 29 September 2015 19:51  
**To:** PI  
**Subject:** Planning Comment for 151339

Comment for Planning Application 151339

Name : Mr McLean  
Address : 1 Marischal Gardens  
Bucksburn  
Aberdeen  
AB21 9BX

Telephone :  
Email : [duncanmclean@hotmail.co.uk](mailto:duncanmclean@hotmail.co.uk)  
type :

Comment : Summerhouse was constructed without any planning permission. Previous extension built and as far as we know we never got any notices of the proposed development.

IMPORTANT NOTICE: This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.



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PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 29 September 2015 19:41  
**To:** PI  
**Subject:** Planning Comment for 151339

Comment for Planning Application 151339

Name : D McLean  
Address : 1 Marischal Gardens  
Bucksburn  
Aberdeen  
AB21 9BX

Telephone :

Email : [duncanmclean@hotmail.co.uk](mailto:duncanmclean@hotmail.co.uk)

type :

Comment : The "summerhouse" completely blocks view out of front window. The applicant has plenty of room next to his house where he could have put it but has built it on the very corner of the property.

Also blocks view of traffic coming round the corner.

Summer house was constructed without any consultation with neighbours.

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## **Policy D1 – Architecture and Placemaking**

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

To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.

Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

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## **Policy H1 – Residential Areas**

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

1. Does not constitute overdevelopment
2. Does not have an unacceptable impact on the character or amenity of the surrounding area
3. Does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010
4. Complies with Supplementary Guidance on Curtilage Splits; and
5. Complies with Supplementary Guidance on House Extensions

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

1. They are considered complementary to residential use
2. It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity



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## **Policy D1- Quality Placemaking by Design**

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials.

Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

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

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

To further ensure there is a consistent approach to placemaking throughout the city, the Aberdeen Masterplan Process will be applied to larger sites within the city.

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## **Policy H1 Residential Areas**

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new development and householder development will be approved in principle if it:

- 1 does not constitute over development;
- 2 does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3 does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and
- 4 complies with Supplementary Guidance.

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.

Any proposed loss of Local Shops or Community facilities would need to comply with the relevant policies Policy CF1 Existing Community Sites and Facilities and Policy NC7 Local Shop Units.

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## NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments  
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013  
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	BRIAN	Forename	
Surname	MITCHELL	Surname	
Company Name		Company Name	
Building No./Name	16	Building No./Name	
Address Line 1	CRUICKSHANK	Address Line 1	
Address Line 2	CRESCENT	Address Line 2	
Town/City	BUCKSBURN	Town/City	
Postcode	AB21 9BT	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
<b>3. Application Details</b>			
Planning authority		ABERDEEN CITY COUNCIL	
Planning authority's application reference number		P151339	
Site address			
<div style="display: flex; justify-content: space-between;"> <div> 16 CRUICKSHANK CRESCENT  BUCKSBURN  ABERDEEN  AB21 9BT. </div> <div style="border: 1px solid black; padding: 5px; text-align: center;"> RECEIVED  23 NOV 2015 </div> </div>			
Description of proposed development			
ERECTION OF SUN HOUSE.			



Date of application

2<sup>ND</sup> SEPT

Date of decision (if any)

4-11-15

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

#### 4. Nature of Application

Application for planning permission (including householder application)

☒

Application for planning permission in principle

☐

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

☐

Application for approval of matters specified in conditions

☐

#### 5. Reasons for seeking review

Refusal of application by appointed officer

☒

Failure by appointed officer to determine the application within the period allowed for determination of the application

☐

Conditions imposed on consent by appointed officer

☐

#### 6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

☐

One or more hearing sessions

☐

Site inspection

☒

Assessment of review documents only, with no further procedure

☐

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

#### 7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?

☒

Is it possible for the site to be accessed safely, and without barriers to entry?

☒

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

I WOULD LIKE TO BE ON SITE WHEN REVIEW BODY MAKES SITE VISIT.

## 8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

IT WAS BROUGHT TO MY ATTENTION BY OUR ARCHITECT, WHEN I EXTENDED OUR PROPERTY, THAT THERE ARE 2 BUILDING LINES IN CRUICKSHANK CRESCENT. I FEEL THAT THIS SUNHOUSE WILL IMPROVE MY PROPERTY AND THE SURROUNDING AREA. IT IS NOT BLOCKING ANY OF MY NEIGHBOURS' VIEWS FROM THEIR PROPERTY NOR DETRIMENTAL TO THE CHARACTER OF THE STREET. THERE ARE OTHER PROPERTIES IN THE STREET WHICH HAVE PUT UP SHEDS AND EXTENSIONS OUTWITH THE BUILDING LINE. ALSO THERE ARE HOUSES WITH OVERGROWN TREES IN FRONT OF THEM WHICH ARE UNSIGHTLY BUT LEFT TO GET OUT OF CONTROL. IT IS A QUIET RESIDENTIAL STREET AND NOT OBSTRUCTING ANY TRAFFIC, SO WOULD SEEK YOUR APPROVAL TO THIS REQUEST.

Have you raised any matters which were not before the appointed officer at the time your application was determined?

Yes ☐ No ☒

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

I SPOKE TO JOHN LINKATER STANDARDS INSPECTOR HE SAID IF I MOVED SHED 1 MTR CLEAR ALL ROUND HE WOULD NOT HAVE ANY OBJECTION SO I MOVED SHED TO GIVE ME THAT CLEARANCE.

### 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

ROAD PROJECT MEMO  
FLOOR PLANS AND ELEVATIONS.  
SITE LAYOUT AND LOCATION PLAN.

**Note.** The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

### 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form



Statement of your reasons for requesting a review



All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.



**Note.** Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

### DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

BRIAN MITCHELL

Date:

18-11-15

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.



P151339. Site Visit



View from Macisduff gardens.







View from Churchfields Crescent



\* Road Junction





*\* Entrance to dwelling on Cavendish Crescent.*





\* View from site looking South



\* Main dwelling with Extension to gable





\* Ken V-shaped garden

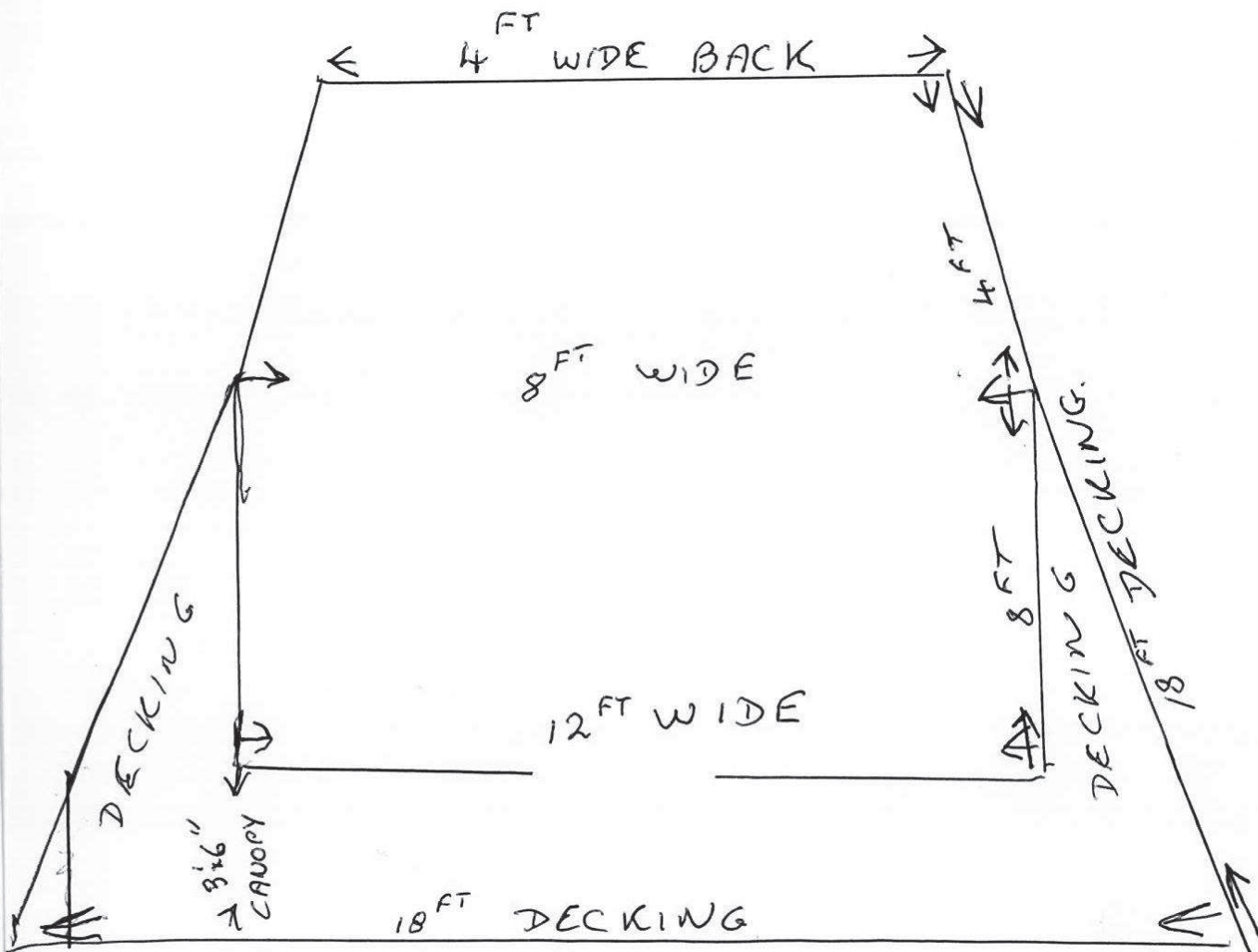






\* View of 450m Deeling.

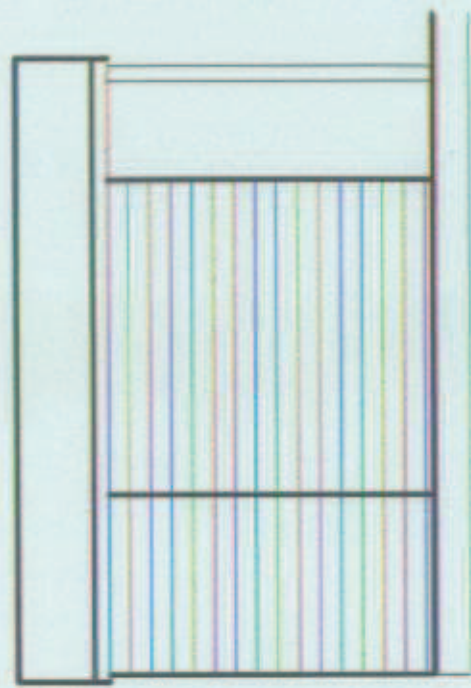
ENQUIRY-129094.  
 SUN HOUSE. TIMBER CONSTRUCTION.  
 SHED 9<sup>FT</sup> HIGH  
 DECKING 1<sup>FT</sup> 1/4<sup>"</sup> HIGH.



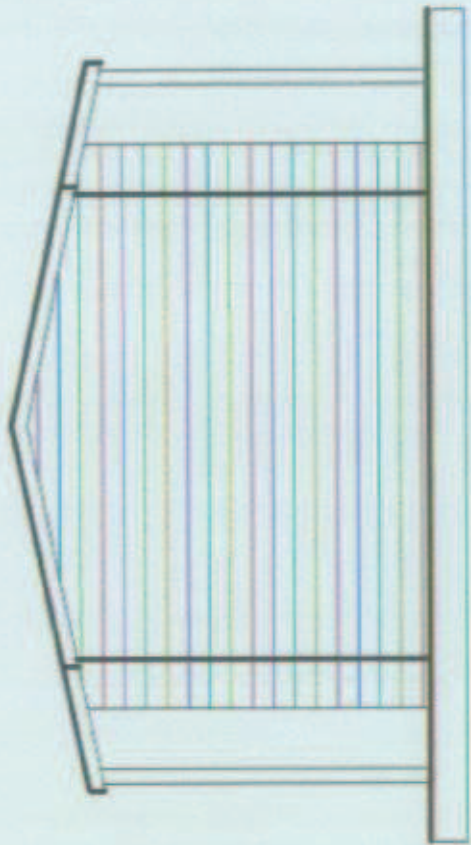
PRINCIPAL PLAN

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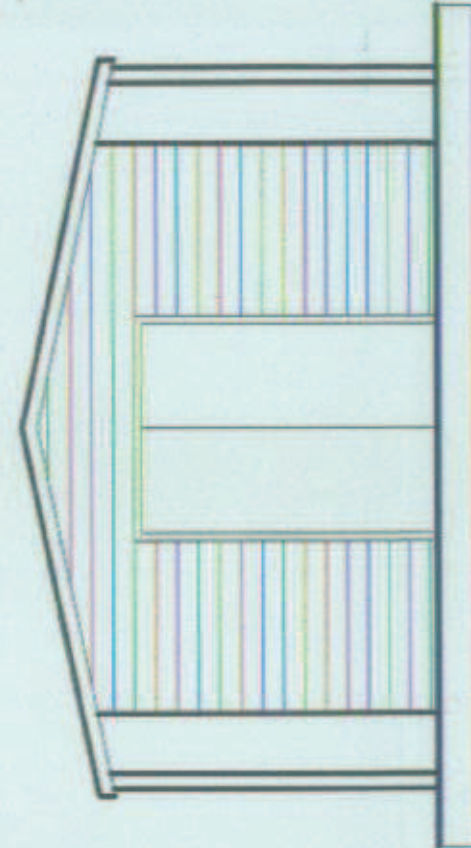




East Elevation



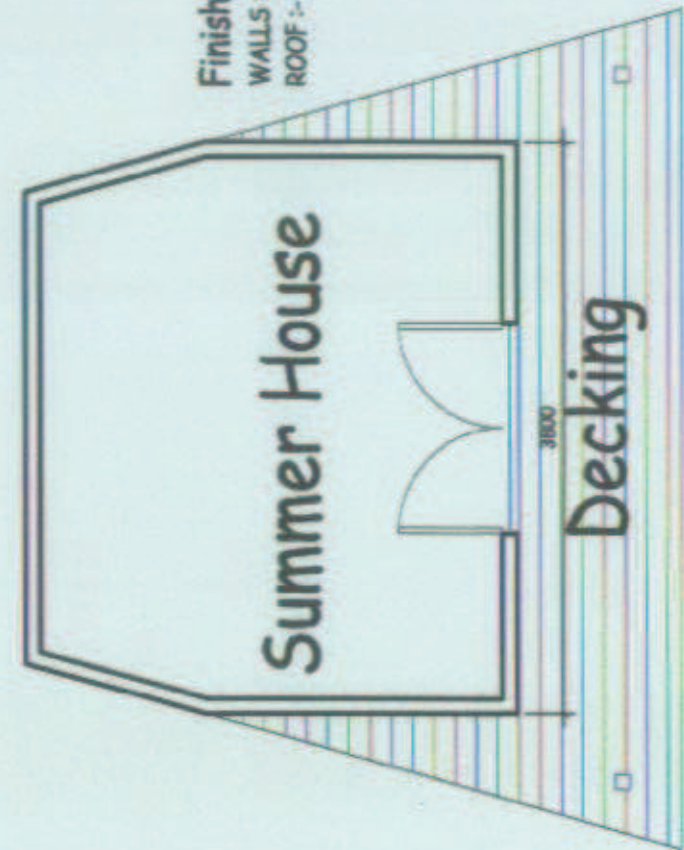
South Elevation



North Elevation 1:50



West Elevation

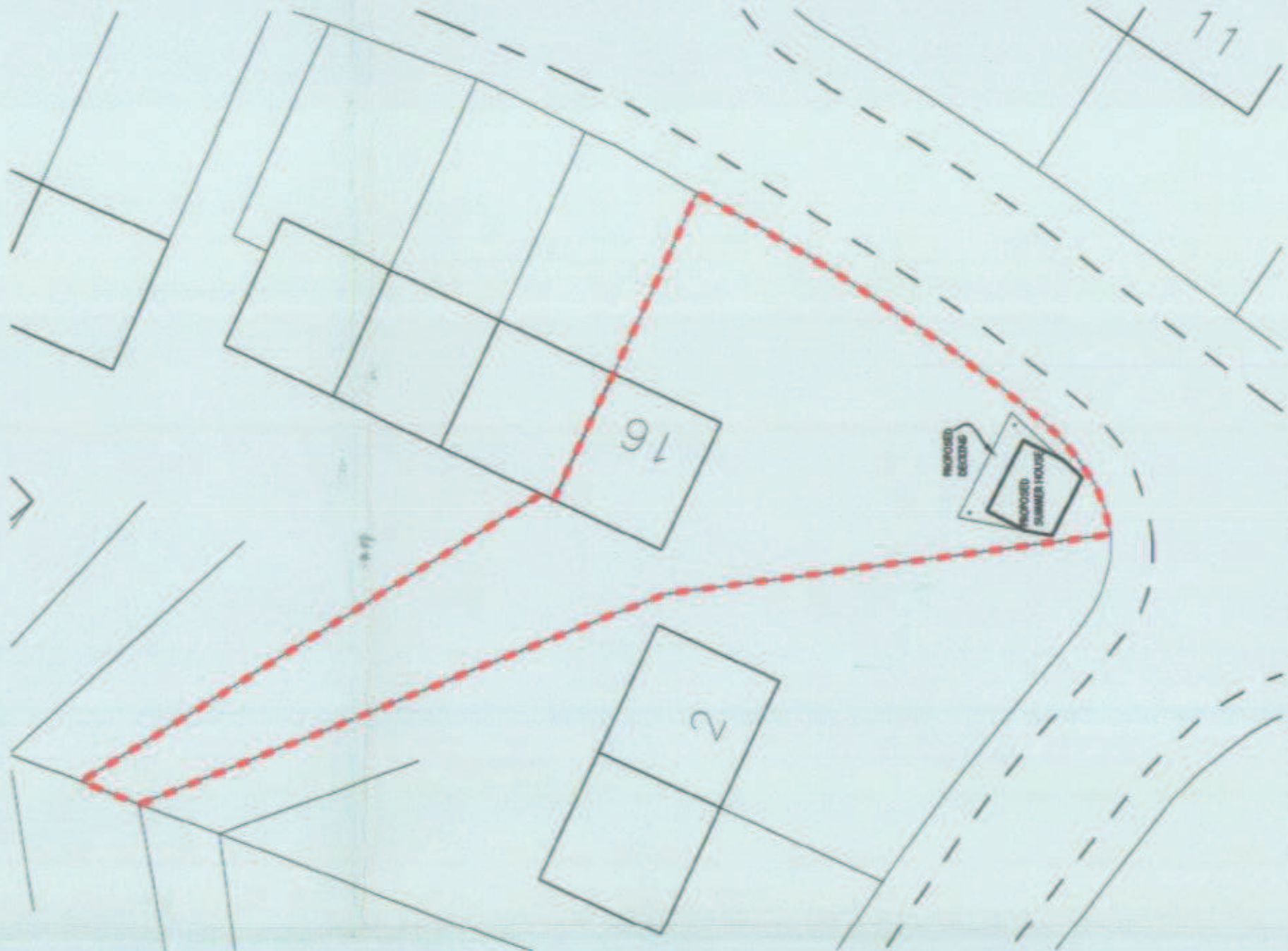


Floor Plan Scale 1:50.

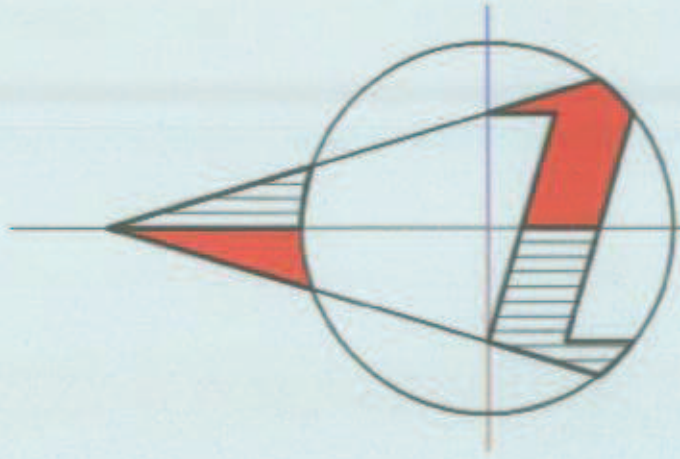
Finishes :-  
WALLS :- Timber linings to receive stain finish  
ROOF :- Bitumen impregnated roofing felt.



LOCATION PLAN Scale 1:1250.



SITE LAYOUT PLAN Scale 1:250.



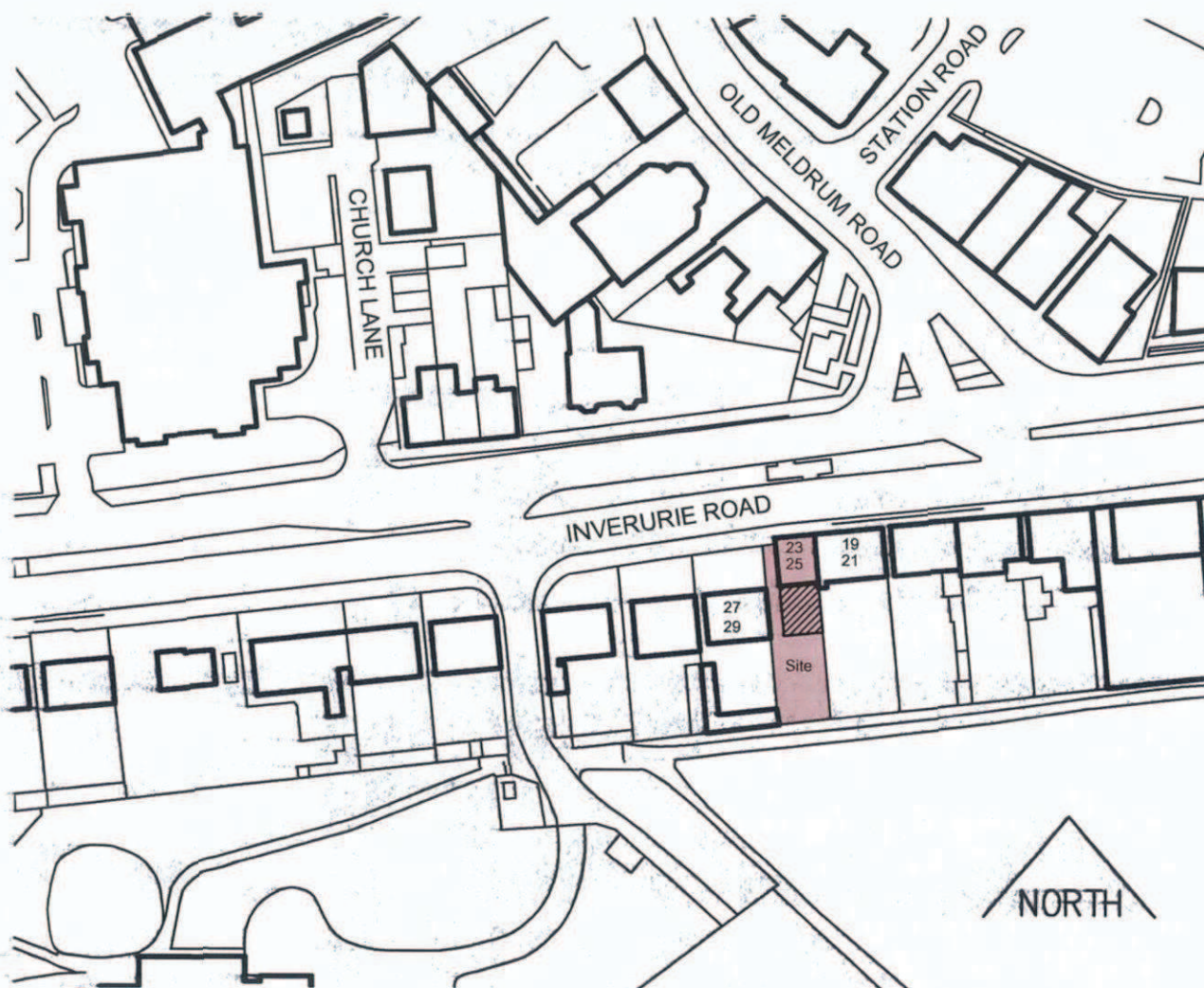
Crown copyright and database right. All rights reserved. Ordnance Survey licence no 100049616

PROPOSED SUMMER HOUSE AT :-  
16, CRUICKSHANK CRESCENT  
BUCKSBURN  
ABERDEEN FOR :-  
MR BRIAN MITCHELL.  
PLANNING REF P151339.

PRINCIPAL PLAN



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## LOCATION PLAN 1:1250

neil rothnie architects



NEIL ROTHNIE ARCHITECTS LTD  
ARCHITECTS AND DESIGN CONSULTANTS  
116 ROSEMOUNT PLACE, ABERDEEN, AB25 2YW  
TEL 01224 624724 FAX 01224 649394  
info@neilrothnie.co.uk www.neilrothnie.co.uk

PRINCIPAL PLAN

REV NO.	DESCRIPTION	DATE
CLIENT	CATER CORPORATION LTD	
PROJECT	23-25 INVERURIE ROAD, BUCKSBURN	
CONTENT	LOCATION PLAN	
SCALE	1:1250	DATE APRIL 2013
JOB REFERENCE	DRAWING	REV
3039	05	

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