

Public Document Pack



To: Councillor Boulton, Chairperson; and Councillors Avril MacKenzie and Mason.

Town House,
ABERDEEN, 26 July 2018

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 2 - Town House** on **THURSDAY, 2 AUGUST 2018 at 2.00 pm.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

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**

**MEMBERS PLEASE NOTE THAT THE FOLLOWING LINK WILL TAKE YOU TO
THE LOCAL DEVELOPMENT PLAN.**

[Local Development Plan](#)

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

PLANNING ADVISER - GAVIN EVANS

- 2 83 Blenheim Place - Erection of 1.5 storey garage with storage space at upper level (P171486)
- 3 Delegated Report, Decision Notice and Letters of Representation (Pages 7 - 18)

Members, please note that the relevant plans can be viewed online:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P0ZYGWBZHX100>

4 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

National Planning Policy and Guidance

- Scottish Planning Policy (SPP)
- Historic Environment Scotland Policy Statement (HESPS)

Aberdeen Local Development Plan (ALDP) (2017)

- Policy H1 – Residential Areas
- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment
- Policy NE5 – Trees and Woodlands
- Policy T2 – Managing the Transport Impact of Development

Supplementary Guidance and Technical Advice Notes

- The Householder Development Guide
- Transport and Accessibility

Other Material Planning Considerations

- Aberdeen City Conservation Area Character appraisal and Management Plan - Albyn Place / Rubislaw.

The policies can be viewed at the following link:-

<https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan>

5 Notice of Review with Supporting Information and Initial Application Submitted by Applicant / Agent (Pages 19 - 40)

6 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

7 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

PLANNING ADVISER - ROBERT FORBES

8 Land at Rear of 44-46 Bedford Road - Erection of 4 residential flats with associated landscaping

- 9 Delegated Report, Decision Notice and Letters of Representation including Consultee Comments (Pages 41 - 72)

Members, please note that the relevant plans can be viewed online:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P6RD5PBZKJC00>

- 10 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

Aberdeen Local Development Plan (2017)

- Policy D1: Quality Placemaking by Design;
- Policy T2: Managing the Transport Impact of New Development;
- Policy T3: Sustainable and Active Travel
- Policy H1: Residential Areas;
- Policy NE6: Flooding, Drainage and Water Quality;
- Policy R6: Waste Management Requirements for New Development;
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency; and
- Policy CI1: Digital Infrastructure

Supplementary Guidance and Technical Advice Notes

- The Sub-Division and Redevelopment of Residential Curtilages;
- Transport and Accessibility;
- Flooding, Drainage and Water Quality; and
- Resources for New Development

The policies can be viewed at the following link:-

<https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan>

- 11 Notice of Review with Supporting Information and Initial Application Submitted by Applicant / Agent (Pages 73 - 88)

- 12 Determination - Reasons for Decision

- 13 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

Should you require any further information about this agenda, please contact Steph Dunsmuir - sdunsmuir@aberdeencity.gov.uk or 01224 522503

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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. Once a notice of review has been submitted interested parties (defined as statutory consultees or other parties who have made, and have not withdrawn, representations in connection with the application) will be consulted on the Notice and will have the right to make further representations within 14 days.
Any representations:
 - made by any party other than the interested parties as defined above (including those objectors or Community Councils that did not make timeous representation on the application before its delegated determination by the appointed officer) or
 - made outwith the 14 day period representation period referred to abovecannot and will not be considered by the Local Review Body in determining the Review.
5. 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.
6. 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.

7. 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.
8. 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

9. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.
10. 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.”
11. 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.
12. 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**.
13. 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.

	Strategic Place Planning
	Report of Handling

Site Address:	83 Blenheim Place, Aberdeen, AB25 2DZ.
Application Description:	Erection of 1.5 storey garage with storage space at upper level
Application Reference:	171486/DPP
Application Type	Detailed Planning Permission
Application Date:	18 December 2017
Applicant:	Mr Derek Rettie
Ward:	Hazlehead/Ashley/Queens Cross
Community Council	Queen's Cross And Harlaw
Case Officer:	Sheila Robertson

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application relates to a 1½ storey traditional granite terraced dwelling house, its principal elevation facing north east, located within the Albyn Place/Rubislaw Conservation Area. There is a long narrow rear garden, screened by 1.8m high boundary walls, with access to Blenheim Lane, with a single, pitched roofed garage located within the north-west corner, measuring 3.4m in width, 5.8m in length and 3.7m in height to roof ridge. Finishing materials include corrugated asbestos sheeting. There is a garden shed and area of paving located to the south-east of the garage, accessed from the lane by a set of double timber gates. There is an ornamental Eucalyptus tree, offset and to the rear of the garage, close to the south eastern boundary wall. The section of rear lane, which extends northwards from Blenheim House to Desswood Place, is characterised by a variety of domestic garages, all single storey, of various design, materials and era and mainly longstanding.

Relevant Planning History

None relevant to the determination of this application.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought to replace the garage with one of greater dimensions and with storage accommodation above. The garage would extend across the full width of the plot, involving removal of the remaining boundary wall and gates, and be 900mm longer than existing, giving a footprint of 6.7m in width x 6.6m in length. The roof would be dual pitched, with the roof ridge running parallel to the lane and 5m in height. Finishing materials would include horizontal

Siberian larch timber cladding to the front and rear elevations, smooth grey render to the base course, off white wet dash render to the gables and a natural slate roof. The steel roller garage door would be 5m in width, with a window and pass door to the rear (east) elevation, and 2 heritage style roof lights to the lane elevation. The upper floor of the garage would be used for storage. An existing double rear entry gate and remaining section of the rear boundary wall to the lane would be removed.

Following advice from the Planning Service, amended plans were submitted – the overall height of the roof has been reduced by 550mm (with a subsequent drop in the roof pitch) and an external spiral staircase giving access to the upper floor has been removed from the proposal. The original submission proposed that the gable would face the lane however the applicant has since decided to re-orientate the roof, although no reason has been provided to support or explain this amendment, which was neither requested nor welcomed by the Planning Service.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at: <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P0ZYGWBZHX100>

CONSULTATIONS

None required.

REPRESENTATIONS

A letter has been received in support of the proposal.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

National Planning Policy and Guidance

- Scottish Planning Policy (SPP)
- Historic Environment Scotland Policy Statement (HESPS)

Aberdeen Local Development Plan (ALDP) (2017)

- Policy H1 – Residential Areas
- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment
- Policy NE5 – Trees and Woodlands
- Policy T2 – Managing the Transport Impact of Development

Supplementary Guidance and Technical Advice Notes

- The Householder Development Guide
- Transport and Accessibility

Other Material Planning Considerations

- Aberdeen City Conservation Area Character appraisal and Management Plan - Albyn Place / Rubislaw.

EVALUATION

Principle of Development

Whilst the principle of demolition of the existing garage and provision of a free-standing building within the curtilage of a residential property for purposes incidental to the enjoyment of the dwelling is normally acceptable within a residentially-zoned area such as this (under Policy H1: Residential Areas of the ALDP), proposals must also be assessed in terms of factors such as design, appearance and its location, its impact on the character and amenity of the area and effects on residential character and amenity.

Design and Scale

Policy H1 (Residential Areas) of the Aberdeen Local Development Plan states householder development must not have an unacceptable impact on the character and amenity of the surrounding residential area. There is also recently adopted guidance relating to the erection of domestic garages contained in Section 3.1.6 "Outbuildings" of the Householder Development Guide, which expects that such ancillary buildings should be subordinate in scale to the dwelling house, and, where highly visible and especially in Conservation Areas (in which the application site is located), should be of a scale that respects the prevalent context of the surrounding area.

Certain elements of the proposal are considered to be acceptable in terms of the Supplementary Guidance. The garage would have a finished footprint of 44.2sq.m in comparison to the existing garage which has a floor area of 20sq.m. This would result in a rise in built site coverage from 41% to 48% which, although high, is considered acceptable within the context of surrounding properties. The rear garden is deemed sufficiently generous to support a structure of such footprint and approximately 74% of the original rear garden would remain undeveloped, which complies with the aforementioned policy requiring at least 50% of the rear garden space to remain undeveloped. The proposed garage would be subservient to the original dwelling house in terms of both floor space and height. The SG supports the principle of providing upper floor accommodation provided it is contained entirely within the roof space, to retain the impression of being single storey in height. This is achieved in this instance and access to the attic space (although not detailed on the submitted plan) will presumably be by means of an internal stair, since an external stair would not be permitted by the guidance, and has already been removed from the submitted plans. The proposed materials would represent an improvement on existing.

Although the dimensions would result in the proposed garage being the largest structure within this section of the lane, in terms of both footprint and height, and it would be of substantially greater dimensions than the original garage and surrounding garages, it could still be considered to be of acceptable domestic scale in terms of its dimensions given modern day standards and expectations for such structures.

The prevalent roof profile within this section of the lane is shallow pitched with the gable facing the lane. Historically, traditional outbuildings within rear gardens generally presented their gable to the lane elevation. Although there is a double garage to the immediate opposite side of the lane, which features a roof orientation as proposed, it is however only single storey with a very shallow pitch of roof, barely visible above the wall head when viewed from street level. It is considered that, in this locale where the garages are of modest scale, the orientation of the roof parallel to the street would exaggerate the increased footprint and height of the proposed garage and increase its visual dominance within the streetscape, resulting in an imposing and overpowering building, out of character with its surroundings, thereby dominating the lane, to the detriment of visual character and residential amenity. A gable end on roof presentation is the preferred roof profile

where it is important to minimise the massing of a structure as is the case in this situation where the proposed garage would be substantially larger in terms of all neighbouring garages. Many of the immediate garages are longstanding, with the likelihood of similar applications for replacement garages in the near future which, if approved, could result in a continuous line of garage roofs lining both sides of the lane, which would result in an oppressive impact and cumulative erosion of the character of the area. It is therefore considered that the proposal fails to consider the context of the surrounding area, does not make a positive contribution to the setting of the house/area and would dominate the streetscape, thereby resulting in an unacceptable impact on the visual character of the area, contrary to the aims of both Policy D1 (Quality Placemaking by Design) and Policy H1 (Residential Areas).

Impact on residential amenity.

The proposed garage would be located sufficiently distant so as not to result in any impact in terms of loss of day light to neighbouring windows, would have no substantial impact in terms of overshadowing, being located a suitable distance from neighbours main areas of useable garden ground and no loss of privacy from either the window or rooflights.

Trees

Policy NE5 – Trees and Woodlands of the ALDP states that there is a presumption against all activities and development that will result in the loss of or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation. The replacement garage would require the removal of an existing mature tree – a non-native Eucalyptus, however given its location, set approximately 7.7m back from the heel of the lane, and that the tree is only publicly visible from the lane, its contribution to the visual amenity of the wider neighbourhood is limited. Removal of this tree would thus not be significantly contrary to Policy NE5 – Trees and Woodlands of the ALDP.

Transport and Accessibility Supplementary Guidance

With regards to the above guidance relating to new or replacement garages, the proposal complies with the minimum criteria set out in the above guidance with regards to internal/external and entry door dimensions. It is therefore considered suitable for its purpose as a double garage and would result in an increase on current off street parking provision.

Impact on character of Conservation Area

The Conservation Area Appraisal for this area has identified the presence of *“Unsympathetic development of large residential garages”* and *“Unsympathetic development that does not reflect or relate to the character of the area”* as being a threat to the character of all Conservation Areas. As described above, the proposal fails to contribute to the preservation and enhancement of the Conservation Area, as required by Policy D4 (Historic Environment) of the ALDP as it would erode the character of the Conservation Area by introducing a visually disruptive feature to the streetscape, at odds with the prevailing character and appearance of garages within the lane, and altering the existing balance and character of this part of the Conservation Area, to its detriment.

Equalities Impact Assessment

An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics. In coming to this assessment the Planning Authority has had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010, to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Summary

The applicant has been advised that the proposed garage would be acceptable were the roof to be reorientated; which would not compromise the amount of accommodation achievable at upper level, and would minimise the massing created by its greater dimensions. The original submission proposed that the gable face the lane, however the applicant changed the roof orientation during assessment of the application but has not given any reason for the change or why he is unwilling to consider reorientation of the roof as requested and wishes the amended application to be determined as submitted. The applicant has cited as a precedent for approval of this application, a recently approved garage at 58 Fountainhall Road (Ref 171462). Although its height and roof profile would be similar to the application under assessment, an application requires to be determined on a site specific basis and in this instance the proposal was considered acceptable in the context of its locale, where its compatibility with a neighbouring garage and the general characteristics of the surrounding area were a material consideration in its approval,

While the proposed garage relates to an existing residential use and is generally compliant with Policy H1 in terms of dimensions, the orientation of the roof exaggerates the massing of the structure within the streetscape, resulting in a garage that would not comply with the guidelines contained in Section 3.1.6 "Outbuildings" of the adopted Supplementary Guidance: Householder Development Guide, which requires that where highly visible and especially in conservation areas, detached garages should be of a scale and design that respects the prevalent context of the surrounding area. The roof orientation would exaggerate the scale of the proposed garage and thereby increase its visual dominance within the streetscape, resulting in an imposing and overpowering building, out of character with its surroundings, thereby dominating the lane, to the detriment of visual character and residential amenity, thereby failing to demonstrate due regard for its context or make a positive contribution to its residential setting, contrary to Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) of the Aberdeen Local Plan. SPP states proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area. For the above reasons, the proposed garage has not been designed with due consideration to its context, and would negatively affect the character of the Albyn Place/Rubislaw Conservation Area, thus conflicting with Policy D5, HESPS and SPP. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations that would warrant approval of the application.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed garage fails to comply with the guidelines contained in Section 3.1.6 "Outbuildings" of the Supplementary Guidance: Householder Development Guide, and with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan, by virtue of its roof profile and orientation, which would exacerbate its massing within the streetscape, resulting in a dominant and obtrusive structure out of keeping with the locale, thereby having a detrimental impact on the character and visual amenity of the surrounding residential area. Approval would risk setting an unwelcome precedent for further unsympathetic replacement garages within this part of Conservation Area, contrary to the aims of the Albyn Place/Rubislaw Conservation Area Character Appraisal and which, if replicated, could lead to a significant cumulative erosion of the Conservation Area's character and appearance. Furthermore, it would fail to demonstrate due regard for its context and would have a negative impact on the character of the Albyn Place/Rubislaw Conservation Area, contrary to Policy D4 (Historic Environment) of the Aberdeen Local Development Plan, Historic Environment Scotland Policy Statement (HESPS) and Scottish Planning Policy (SPP). It is considered that the proposal does not accord with the

provisions of the Development Plan and that there are no material planning considerations that would warrant approval of this application.

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997 **Detailed Planning Permission**

Mark Anderson
marchitects limited
20 Campie Road
Musselburgh
United Kingdom
EH21 6QG

on behalf of **Mr Derek Rettie**

With reference to your application validly received on 18 December 2017 for the following development:-

**Erection of 1.5 storey garage with storage space at upper level
at 83 Blenheim Place, Aberdeen**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
	Location Plan
189-0-03 REV 1.	Site Layout (Other)
189-0-01 REV 6.	Elevations and Floor Plans

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

The proposed garage fails to comply with the guidelines contained in Section 3.1.6 "Outbuildings" of the Supplementary Guidance: Householder Development Guide, and with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan, by virtue of its roof profile and orientation,

which would exacerbate its massing within the streetscape, resulting in a dominant and obtrusive structure out of keeping with the locale, thereby having a detrimental impact on the character and visual amenity of the surrounding residential area. Approval would risk setting an unwelcome precedent for further unsympathetic replacement garages within this part of Conservation Area, contrary to the aims of the Albyn Place/Rubislaw Conservation Area Character Appraisal and which, if replicated, could lead to a significant cumulative erosion of the Conservation Area's character and appearance. Furthermore, it would fail to demonstrate due regard for its context and would have a negative impact on the character of the Albyn Place/Rubislaw Conservation Area, contrary to Policy D4 (Historic Environment) of the Aberdeen Local Development Plan, Historic Environment Scotland Policy Statement (HESPS) and Scottish Planning Policy (SPP). It is considered that the proposal does not accord with the provisions of the Development Plan and that there are no material planning considerations that would warrant approval of this application.

Date of Signing 16 April 2018



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any 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 www.eplanning.scot.

Notices of review submitted by post should be sent to Planning and Sustainable Development (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused 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 that 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.

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Comments for Planning Application 171486/DPP

Application Summary

Application Number: 171486/DPP

Address: 83 Blenheim Place Aberdeen AB25 2DZ

Proposal: Erection of 1.5 storey garage with storage space at upper level

Case Officer: Sheila Robertson

Customer Details

Name: Mr Nigel Wood. LLB NP

Address: 79 Blenheim Place Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I wish to strongly support Mr Retties application.

I was surprised to hear from him that he was encountering resistance from Planning due to the scale of the proposal . The briefest of tours of our mutual rear lane and that behind Osborne Place revealed many substantial and recent garage developments , the scale of which is either similar or more substantial than this proposal. Among these are garages of 1.5 stories or more. Indeed several garage sites are currently being developed.

I can supply photographs of existing garages in the lane

Mr Retties current garage is well beyond its useful life and the proposed garage would enhance and not detract from the streetscape.

I strongly feel consistency of treatment commends the grant of this application and hope it will receive favourable consideration

Thank you

N R Wood LLB NP

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100078691-005

The online reference 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:	<input type="text" value="marchitects limited"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Mark"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Anderson"/>	Building Number:	<input type="text" value="20"/>
Telephone Number: *	<input type="text" value="07968002337"/>	Address 1 (Street): *	<input type="text" value="Campie Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Musselburgh"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="eh216gg"/>
Email Address: *	<input type="text" value="manderson@marchitectsltd.com"/>		

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"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Derek"/>	Building Number: <input type="text" value="83"/>
Last Name: *	<input type="text" value="Rettie"/>	Address 1 (Street): * <input type="text" value="Blenheim Place"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="AB25 2DZ"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="admin@ashleyhouseaberdeen.co.uk"/>	

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="83 BLENHEIM PLACE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB25 2DZ"/>

Please identify/describe the location of the site or sites

Northings	<input type="text" value="806040"/>	Easting	<input type="text" value="392441"/>
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Description of Proposal

Please provide a description of your 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 garage with storage space at upper level at 83 Blenheim Place, Aberdeen

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 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 applicant can demonstrate the proposed development complies with the guidelines contained in Section 3.1.6 "Outbuildings" of the Supplementary Guidance: Householder Development Guide, and with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan; and pays due regard for its context and the character of the Albyn Place/Rubislaw Conservation Area, Policy D4 (Historic Environment) of the Aberdeen Local Development Plan.

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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)

189-20-01-Grounds for appeal and supporting documentation Drawings: 189-0-01 revision 6, 189-0-02, 189-0-03 revision 1, 189-location plan 171486-Refusal notice, 171486-Application form, 171486-report on handling,

Application Details

Please provide details of the application and decision.

What is the application reference number? *

171486/DPP

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

18/12/2017

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

16/04/2018

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 a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

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 will give the review body a greater understanding of range and types of outbuildings contributing to the context and character of the conservation area, and the proposed garage's impact.

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

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: Mr Mark Anderson

Declaration Date: 18/06/2018

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GROUNDNS FOR APPEAL: PLANNING APPLICATION REF NO. 171486/DPP

Erection of 1.5 storey garage with storage space at upper level at 83 Blenheim Place, Aberdeen

The following document sets out the grounds for appeal against the above refusal dated 16th April 2018. Its is split into two parts addressing the reasons for decision outlined in the refusal document. Photographs and letters of support area appended as supporting documentation.

Part A.

REASON FOR DECISION

The proposed garage fails to comply with the guidelines contained in Section 3.1.6“Outbuildings” of the Supplementary Guidance: Householder Development Guide, and with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan, by virtue of its roof profile and orientation, which would exacerbate its massing within the streetscape, resulting in a dominant and obtrusive structure out of keeping with the locale, thereby having a detrimental impact on the character and visual amenity of the surrounding residential area.

GROUNDNS FOR APPEAL

We refer to the guidelines contained in Section 3.1.6“Outbuildings” of the Supplementary Guidance: Householder Development Guide and with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan and state:

1. The proposed outbuilding is subordinate in scale to the dwelling-house.
2. A second storey is to be accommodated wholly within a pitched roof-space, but the outbuilding retains the impression of being single storey in height matching the eaves height of the existing garage it will replace. Access to the upper floor is situated internally. The proposals are not for a 1.5 storey structure.
3. The new outbuilding has a roof form reflective of many outbuildings found in the Lane. The roof form and orientation proposed is reflective of a roof type found within the surrounding area. It both reflects and responds to the site context of the back-street location, being an already established roof form within the Lane
4. The proposed garage is of a scale and design that respects the prevalent context of the surrounding area. Its massing is no greater than many examples of garage outbuildings within the rear Lane.
5. The roof profile reinforces established patterns of development within the lane, the haphazard nature of which gives the area its character. The character of the lane is a sum of its parts, of different forms and scale of development built over a period of time following no formal pattern within the context of the Lane and width of rear feus.
6. The roof profile and orientation reflect the existing local styles and urban form of the Lane This rear Lane has a strong and distinctive backstreet sense of place with a mix forms of garages and outbuilding addressing it. The proposed garage would be of a form already precededent and which contributes to this sense of place.

In conclusion,

1. We dispute that the roof profile and orientation would dominate the streetscape, rather it would compliment the mix of forms that, along its entire length, give the Lane its backstreet character. (Rear of Fountainhall Road and Blenheim Place.)
2. The roof profile and orientation are not foreign and thus would not have a negative impact on the surrounding areas character and visual amenity. It reflects existing characteristics of garages within surrounding residential area.

Part B

REASON FOR DECISION

Approval would risk setting an unwelcome precedent for further unsympathetic replacement garages within this part of Conservation Area, contrary to the aims of the Albyn Place/Rubislaw Conservation Area Character Appraisal and which, if replicated, could lead to a significant cumulative erosion of the Conservation Area's character and appearance.

Furthermore, it would fail to demonstrate due regard for its context and would have a negative impact on the character of the Albyn Place/Rubislaw Conservation Area, contrary to Policy D4 (Historic Environment) of the Aberdeen Local Development Plan, Historic Environment Scotland Policy Statement (HESPS) and Scottish Planning Policy (SPP).

It is considered that the proposal does not accord with the provisions of the Development Plan and that there are no material planning considerations that would warrant approval of this application.

GROUND'S FOR APPEAL

1. Precedent:

Planning Consent 17/1462/DPP

1.5 storey replacement garage with a roof pitch towards the lane.

58 Fountainhall Road, Aberdeen

28th February 2018

Email from Aberdeen City Council addressing the above precedent on the 7th March 2018 states:

"We have to assess an application on its own merits within the context of the application site – no other garages within this section of the rear lane are 2 storey, the examples cited in the lane are single storey with very shallow pitched roofs, built well before the current guidance on garages and therefore can't be used as precedents. This garage will be the first 2 storey garage in this lane and its design has to be correct in terms of the historical context and current policy and shouldn't result in a very dominant structure within the lane, which the roof presentation as proposed will achieve, as it will be used as a template or bench mark for any future new replacement garages in this lane. Given that the majority of garages here are fairly old I would expect several applications in the near future for their replacements. There would be the possibility, if all new garages in this lane were to follow the roof profile as proposed, that a continuous wall of roofs facing the lane with no spacing in between could be created, detrimental to the character of the conservation area. The approval of the garage in Fountainhall Road is irrelevant and cannot be used as a precedent – it's not in the same lane and the site circumstances are different – it matched the roof profile and height of the next but one garage, and will be separated by a fairly recent similar height of garage with a gable end on presentation, therefore approval of this application wouldn't result in a continuous mass of garage roofs joining up and facing the lane."

Our email response to Aberdeen City Council on the 7th March 2018 states:

“In response to the points raised:

1. The proposed garage is not 2 storeys. Arguably it is single storey as the eaves line matches that of the existing single garage.

2. We refer to our earlier email regarding historical context and to the current mix of roof forms evident in this and the upper part of the lane that are other than gable fronted. Gable fronted garages although common are not the predominant roof form and are one of a mix of forms in evidence. The proposed roof form compliments this mix, a mix which enhances the backstreet character of the conservation area. Insisting on gable fronted garages would lead to uniformity and banality and as such would not.

3. With reference to your concern that approval of this development would in some way serve as a template, and that a wall of continuous roofs could result, the current proposals are not built up to the boundary and are inboard of the boundary walls each side of the feu. Therefore, if similar developments were constructed there would be spaces between them. It also reasonable to assume that future garage developments adjacent to the applicant's, if each are determined in terms of their context (i.e. in this instance adjacent to a front facing slope and as below, a front facing slope), may have to take a different form and be controlled as such in order to preserve the character of the conservation area.

4. Accordingly, the applicant's opinion is that the planning consent 171462/DPP is indeed valid as a precedent. The lane is the same although divided into upper and lower sections serving both Fountainhall Road and Blenheim Place. Both of these streets are not considered different because they are crossed by Desswood Place. Such differentiation would appear to be spurious. If as stated previously your view that the character of garages in the immediate area is that they are presented gable end on to the lane then he questions why this roof form was permitted in this location, especially as it was next to a similar height garage with end on presentation?”

2. Context and Character,

In response to the reasons for refusal that the proposal would fail to demonstrate due regard for its context and would have a negative impact on the character of the Albyn Place/Rubislaw Conservation Area please refer to page 41 of the *Aberdeen City Conservation Area Character Appraisal July 2013*, where it states:

“Parking within the area takes the form of on street parking to the front of properties and rear access to garages off back lanes. The back lanes typically comprise high boundary walls built of coursed or rubble stone, topped with brick or coping stones. There are a number of garage styles and forms but most are modest in scale and built of stone, granite or brick with low pitched or mono-pitched roofs. The garages have either slate or asbestos roof coverings. The garages are typically neat and small in proportion. The back lanes show a high degree of vegetation which overflows from the back gardens of properties.”

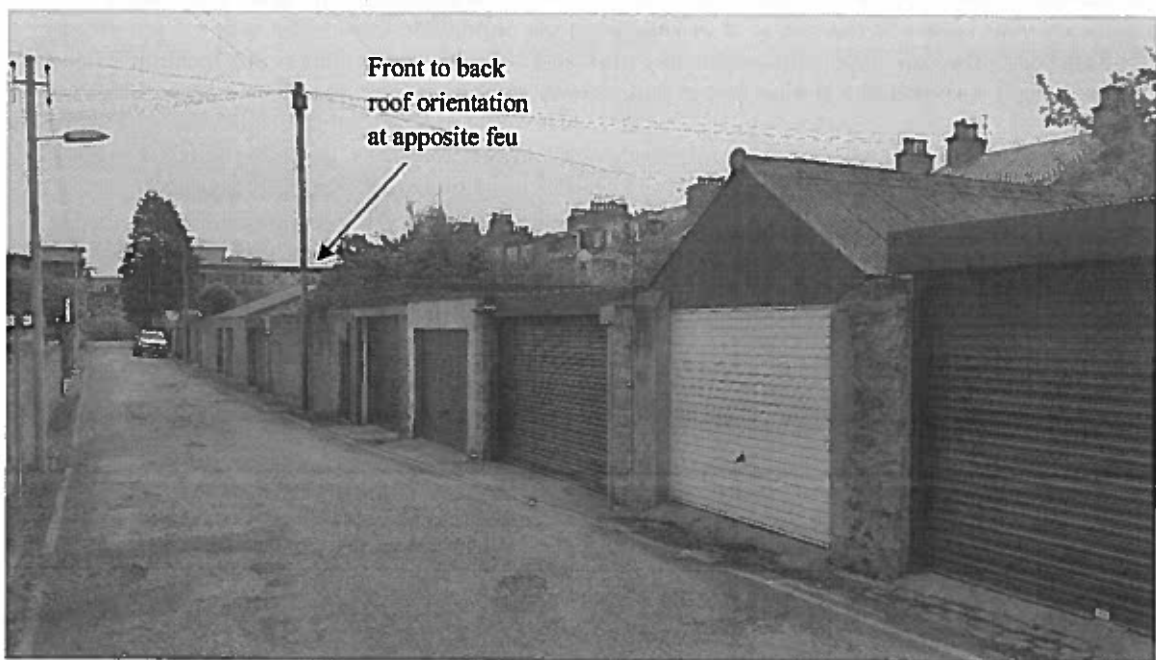
Within this document it is acknowledged that there are “a number of garage styles and forms” within the Albyn Place/ Rubislaw Conservation area of “low pitched or mono pitched roofs”. It does not stipulate that a particular orientation is prevalent and, as stated previously, a front to back orientation of low pitched roof is not out of character within the area. Hence the roof orientation proposed does indeed demonstrate due regard for its context and would not have a negative impact on the character of the conservation area. Furthermore, the design respects the character, appearance and setting of this historic setting, as set out above.

Supporting documentation:

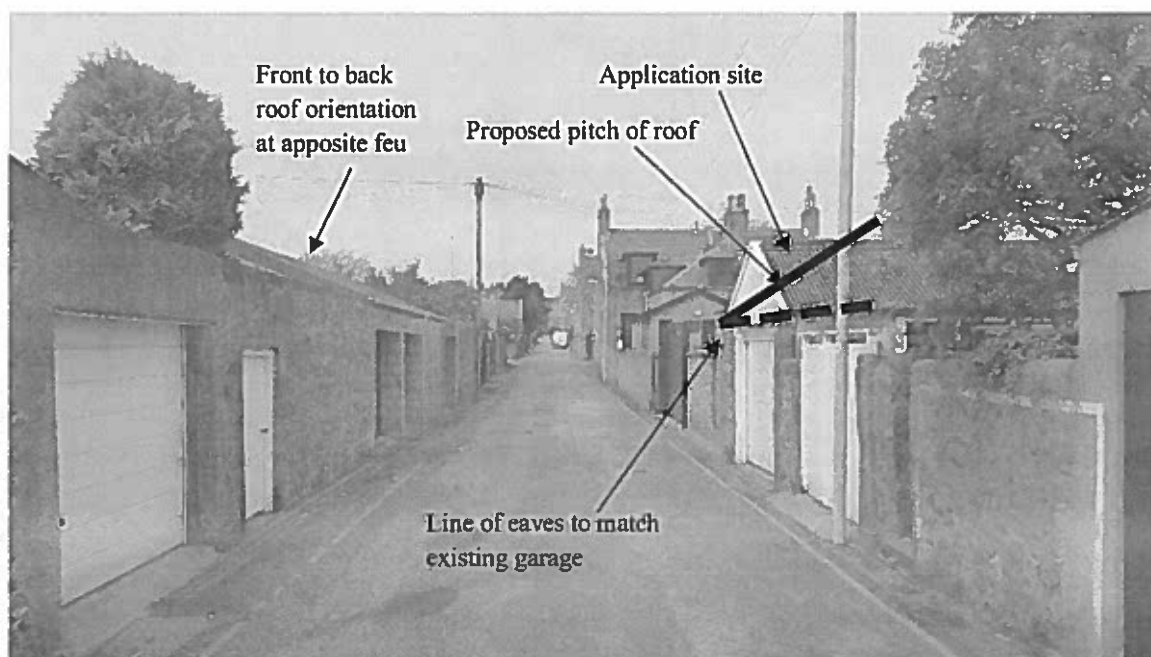
Photographs



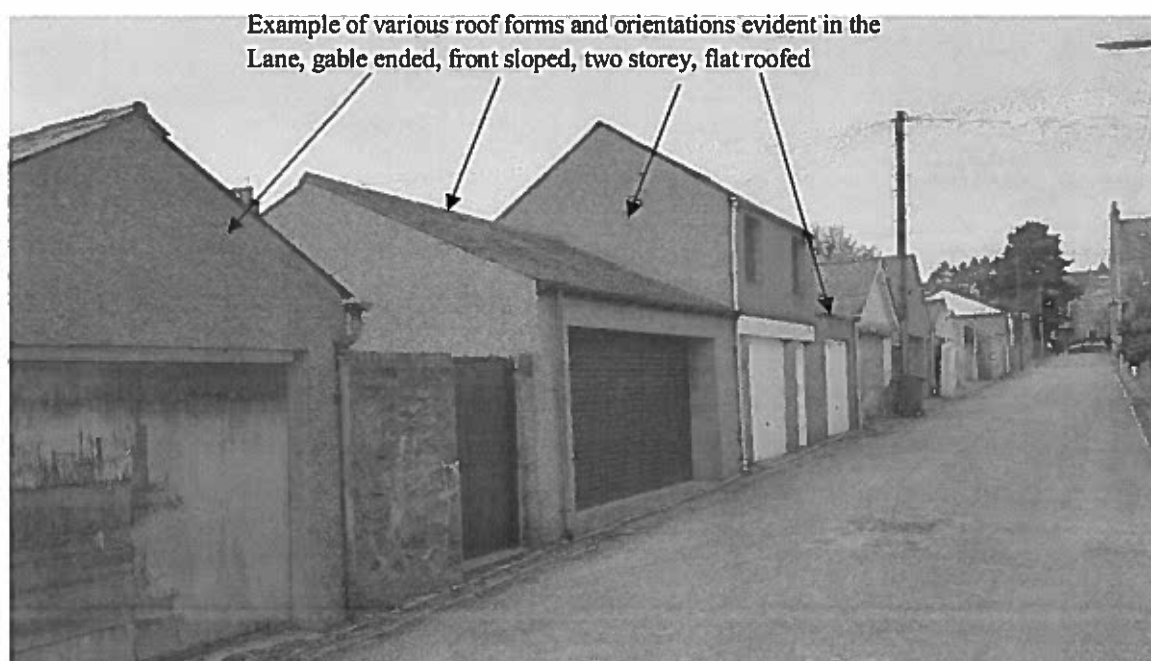
View south-west from Desswood Place



View south-east from Desswood Place

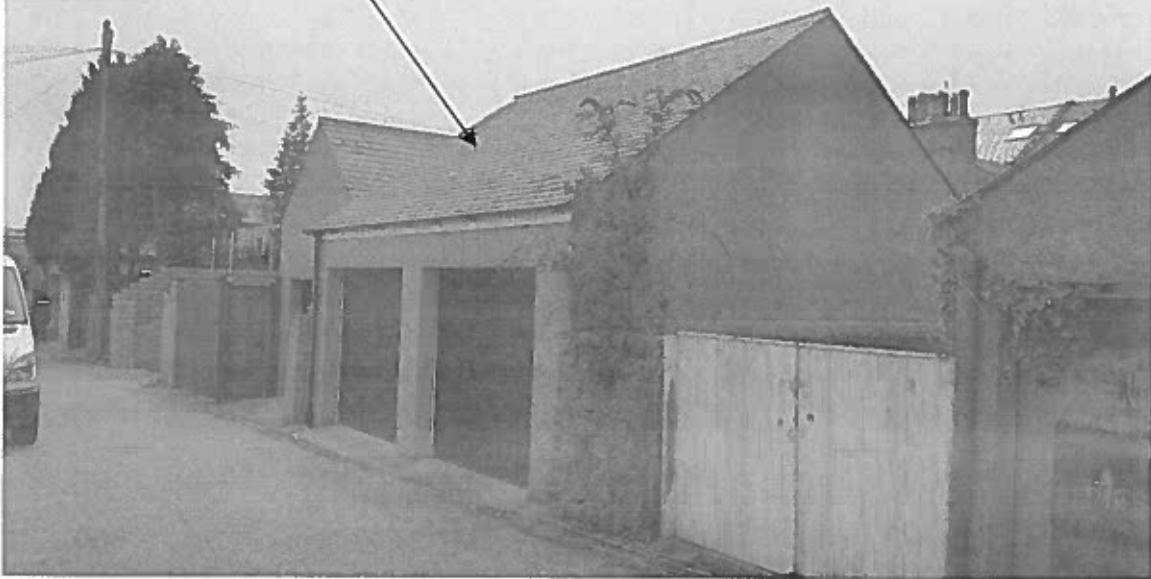


View north towards Desswood Place showing application site.

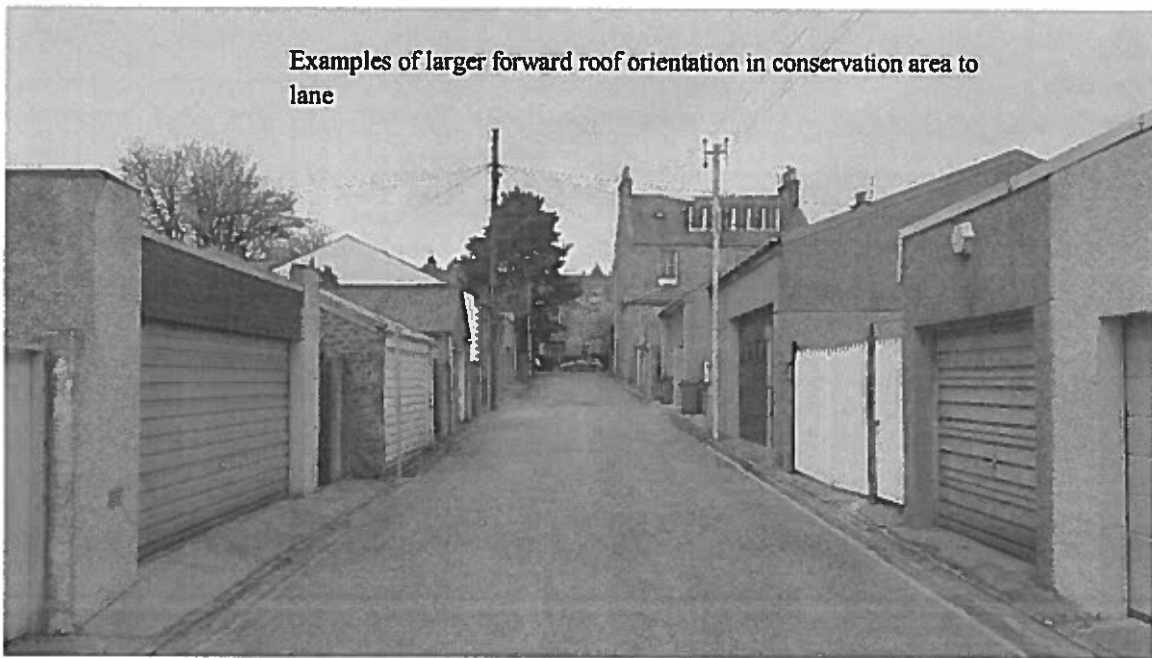


View north towards Hamilton Place

Example of recent development with forward facing roof orientation.



View south-east towards Desswood Place



View north towards Hamilton Place

Letters of support

77Blenheim Place
Aberdeen
AB25 2DZ

19 May 2018

Dear Derek

Proposed Garage At 83 Blenheim Place (Planning Application 171485/DPP)

With regard to your letter to neighbours regarding the seemingly arbitrary and capricious rejection by the Council of the above the above Application, I would like to offer you my support.

The points you make are all ones with which I totally agree. The existing garages abutting the lane are a motley collection, most of poor appearance. Some abut directly on the lane, others are set back. Some have ridged roofs, some mono pitch. The garage opposite yours, built in recent years, has the roof ridge parallel to the lane. As you say, several garages on the upper half of the lane, have structures above them: one, at least, was built last year. If the Council are trying to preserve some sort of Victorian integrity to the lane, they are 100 years too late!

I have looked at your drawings and agree that the building's appearance is attractive. I wish you all the best with your appeal of this daft decision.

Kind regards

Alasdair Campbell

81 Blenheim Place
Aberdeen
AB25 2DZ
21-05-2018

Dear Mr Rettie,

I am writing to you reference the proposed new double garage at 83 Blenheim Place, planning application: 171485/DPP.

I have studied the plans for this new double garage, a desirable feature is the pitch of the roof in that it aligns with the pitch of the house roofs in the area. My view is that this new building would be a marked improvement on the existing single garage arrangement and seems to comply with section 69 planning (listed buildings and conservation areas) act;

Whereby a conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance (section 69 planning (listed buildings and conservation areas) act)

In my opinion the proposed new double garage would not only preserve the character, but would also enhance the appearance of the conservation area as a whole. I cannot see how the new double garage would devalue the existing conservation area, all that said I am surprised that the council have not granted planning permission.

You have my full support in the construction of the new double garage as outlined in your planning application, should you require any further support please revert.

Best Regards

John Jago MSc Ceng (IET)

From: S F Wood <[redacted]>
Sent: Wednesday, May 30, 2018 12:33:52 PM
To: [redacted]
Subject: Planning Application : 171486/DPP 83 Blenheim Place

Dear Mr Rettie

I wish to register my support for your appeal against refusal of your application for planning permission for a new garage .

It appears to me from the plans that this would represent a cogent improvement to the streetscape and replace a visually unappealing and delapidated building .

Despite what is stated in the refusal decision , any precedent has already been set and there are many examples of one and a half storey garages within 500 metres in the very same rear lane

Indeed some are currently under construction and are assumed to have received consent.

There seems an illogical distinction between the lane consents to the north and south of Desswood Place , with the former presenting many examples of new garages with scales way beyond your proposal and the orientation of which is identical to your proposal .

It is difficult to see how such a distinction can be justified .

I am happy for you to include these comments with your appeal submissions

N R Wood
79 Blenheim Place
Aberdeen
AB25 2DZ

Sent from my iPhone

Aberdeen May 24 2018

Dr Peter Faber
85 Blenheim Place
Aberdeen AB25 2DZ

Aberdeen City Council, Planning Department

To Whom it May Concern,

It has come to my attention that my neighbour Mr Derek Rettie at Blenheim Place 83, has had his revised planning application for a new garage refused. I have subsequently looked at the council website and read through the paperwork relating to the planning application.

I am surprised that the revised application has been rejected. I have no objection to the revised plans which are a scaled down version of the initial proposal e.g. roof line lowered to 5m (current garage 3.7 m) and no windows overlooking my property. The revised application would not result in a structure interfering with neither the privacy of my garden or sunlight. The gardens are South-West facing and at the time of day the sun reaches the gardens, it is high in the sky. A slightly taller garage would therefore not block any sunlight. I am disappointed to see the council has rejected my neighbour's application as the present structure is an eyesore and the pitch of the roof and current drainage from his old garage is contributing to dampness of the shared wall of my adjoining garage.

Additionally, taking a short stroll down the back lane of Blenheim Place it becomes immediately clear there is no consistency in the outlay of the garages facing the lane - neither in width, height or pitch of roof

In summary, I have therefore no hesitation in accepting and encouraging the council to approve the revised plans for my neighbour's garage

Yours sincerely



Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100078691-001

The online reference 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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Demolish existing garage and boundary wall and fence, erect garage

Has the work already been started and/ or completed? *

☒ No ☐ Yes - Started ☐ Yes – Completed

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:	marchitects limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Mark	Building Name:	
Last Name: *	Anderson	Building Number:	20
Telephone Number: *	07968002337	Address 1 (Street): *	Campie Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Musselburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	eh21 6qq
Email Address: *	manderson@marchitectsltd.com		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Derek	Building Number:	83
Last Name: *	Rettie	Address 1 (Street): *	Blenheim Pplace
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	AB25 2DZ
Fax Number:			
Email Address: *	admin@ashleyhouseaberdeen.co.uk		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

83 BLENHEIM PLACE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB25 2DZ

Please identify/describe the location of the site or sites

Northing

806040

Easting

392441

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☒ Yes ☐ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

2

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mark Anderson

On behalf of: Mr Derek Rettie

Date: 15/12/2017

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☒ Existing and proposed floor plans.
- ☒ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☒ Roof plan.
- ☒ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☐ Yes ☒ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Mark Anderson


Declaration Date: 15/12/2017

Payment Details

Online payment: ABSP00002321

Payment date: 15/12/2017 09:09:00

Created: 15/12/2017 09:09

	Strategic Place Planning
	Report of Handling

Site Address:	Land To The Rear Of 44/46 Bedford Road, Aberdeen, AB24 3LH,
Application Description:	Erection of 4 residential flats with associated landscaping
Application Reference:	180555/DPP
Application Type:	Detailed Planning Permission
Application Date:	6 April 2018
Applicant:	George Taylor ASA
Ward:	Tillydrone/Seaton/Old Aberdeen
Community Council:	Froghall, Powis and Sunnybank
Case Officer:	Gavin Clark

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

On the eastern side of Bedford Road, at its junction with Bedford Place, extending to approximately 332sqm and representing the existing curtilage of 44/46 Bedford Road, comprising: a 2½ storey end-terrace building of traditional granite construction, which incorporates a small newsagent/grocer at ground floor level (now vacant) and box-dormers in its roof space; to the rear of this building lies an area of garden ground, set approximately 1m below the level of Bedford Place and enclosed by a granite rubble boundary wall measuring 1.2m from pavement level. This rear garden contains no notable trees or landscaping, beyond overgrown shrubs and small trees. The southern boundary to the adjoining property at 42 Bedford Road is defined by a brick boundary wall of approximately 1.2m.

The northern side of Bedford Place is characterised by 1½ storey, mansard roofed terraces of dwellinghouses. However, immediately opposite the application site is a row of 2-storey terraced houses, fronted with synthetic granite block; as well as a single 1½ more traditionally styled detached granite dwellinghouse. The southern side of Bedford Place is largely similar; however 2½ storey tenement-style blocks are present at the junctions of Bedford Place and streets running south-west. The blank gable of one such block abuts the south-eastern end of the application site.

Relevant Planning History

Planning permission (Ref: 171410/DPP) was refused in January 2018 for the erection of four flats (over four floors) with associated car parking and landscaping. The reasons for refusal were that:
1. The development has not been designed with due consideration for its context, with a roof design that does not complement the character and appearance of the surrounding area, and the use of materials which are not readily found in the surrounding area. The proposal would also provide inadequate amenity space for proposed residents and would have an adverse impact on

the amenity afforded to properties in the surrounding area. As a result the proposal fails to accord with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan and its associated Supplementary Guidance: The Sub-Division and Redevelopment of Residential Curtilages;

2. Insufficient information has been submitted with regards to the provision of visibility splays, the width of parking bays and to indicate that vehicles could enter and exit the site safely in a forward gear. As a result the proposal fails to accord with Policy T2: Managing the Transport Impact of New Development of the Aberdeen Local Development Plan and the associated Supplementary Guidance: Transport and Accessibility; and

3. The applicants have failed to demonstrate that adequate waste provision would be provided within the sites curtilage, and as a result the proposal does not accord with Policy R6: Waste Management Requirements for New Development of the Aberdeen Local Development Plan and its associated Supplementary Guidance: Resources for New Development.

The applicants sought review of the decision via the Local Review Body (LRB). The decision of the LRB, on 17th May 2018, upheld that earlier decision to refuse the application.

Planning permission (Ref: P141664) for an older scheme is currently pending the issue of the decision notice, which is to follow the conclusion of a legal agreement. This proposes the erection of a 3½ storey serviced apartment development (eight units), with associated car parking. Although a willingness to approve the application was reached in April 2015 the legal agreement has not yet been concluded. In coming to the positive conclusion the proposed serviced apartments were considered to be acceptable in this predominantly residential area, having no significant detrimental impact on the existing uses surrounding the application site. The report of handling acknowledged that the area of garden ground was limited and would not satisfy the Council's minimum standards for dwelling houses/flats, however it was recognised that serviced apartments are a pseudo-residential use which have a higher degree of turnover in occupation and are arguably somewhere between residential flats and hotels – thus the requirement to benefit from external amenity space in line with more permanent residential uses was reduced.

A further historic application in January 2014 (Ref: P140090) sought detailed planning permission for 8 flats, again within the rear garden of 44 Bedford Road. This application was refused under delegated powers on 31st March 2014, on the basis that it would: represent an over-development of the site; have an adverse impact on amenity arising from the loss of private garden space and the under-provision of garden space for the new development; the design would not relate well to its surroundings; some windows within the building would have limited opportunity for natural light; and there would be a significant shortfall in car parking provision. Following that refusal, the applicants sought review of the decision via the Local Review Body (LRB). The decision of the LRB, on 4th July 2014, upheld that earlier decision to refuse the application.

APPLICATION DESCRIPTION

Description of Proposal

Consent is sought for the erection of four flats over three storeys, located on the southern side of Bedford Place, close to its junction of Bedford Road. The site is currently occupied as overgrown garden ground associated with the flats located at 44/46 Bedford Road. Access to the property would be taken from Bedford Road, with no parking associated with the development. Four cycle parking spaces would be provided within the rear curtilage of the property; with access to these (and the bin storage area) being taken from an access sitting immediately adjacent to the proposed building. The garden ground associated with the flats would be located adjacent. Materials proposed include slats, white render with granite on the front and part of the site elevations and grey timber framed windows and doors.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:
<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P6RD5PBZKJC00>

The following documents have been submitted in support of the application –

Design Statement: Neil Rothnie Architects: April 2018: this document provides details of the proposed development, as well as a site context, appraisal, concept, details of the proposed plans, sustainability, transportation issues and a conclusion/ summary.

CONSULTATIONS

ACC - Flooding and Coastal Protection – No objection; advise of a risk of surface water flooding and recommend the use of permeable materials and rainwater harvesting.

ACC - Environmental Health – No objection; advise of informatives on site noise and dust management.

Scottish Water – No objection; advise of sufficient capacity at both water and waste water treatment works.

ACC - Roads Development Management Team – No objection. Discuss issues such as walking/ cycling, public transport, parking and refuse storage, see below.

ACC - Waste Strategy Team – Advise of the waste management requirements for the proposed development.

REPRESENTATIONS

6 objections have been received, summarised as follows:

1. impact on residential amenity of properties in the surrounding area;
2. over development of the site;
3. poor integration of the proposed structure with nearby buildings;
4. traffic/ parking concerns; and
5. noise concerns.

Non-material planning matters raised (and will therefore not be discussed again in this report) relate to: the number of student type developments in the surrounding area; and that the proposal should be used as a form of social/ affordable housing, providing benefits to the local community.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Aberdeen Local Development Plan (2017)

- Policy D1: Quality Placemaking by Design;
- Policy T2: Managing the Transport Impact of New Development;

- Policy T3: Sustainable and Active Travel
- Policy H1: Residential Areas;
- Policy NE6: Flooding, Drainage and Water Quality;
- Policy R6: Waste Management Requirements for New Development;
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency; and
- Policy CI1: Digital Infrastructure

Supplementary Guidance and Technical Advice Notes

- The Sub-Division and Redevelopment of Residential Curtilages;
- Transport and Accessibility;
- Flooding, Drainage and Water Quality; and
- Resources for New Development

EVALUATION

Principle of Development

The site is within a predominantly residential area, zoned as such in the Aberdeen Local Development Plan - Policy H1 (Residential Areas). H1 allows for residential development, provided the proposal: does not constitute over development of the plot; does not have an unacceptable impact on the character and appearance of the surrounding area; would not result in the loss of valued or valuable areas of open space; and complies with any relevant Supplementary Guidance (SG), in this instance the Sub-Division and Redevelopment of Residential Curtilages. Whether the proposal complies with the aforementioned policy and SG will be discussed in the below evaluation.

Siting and Design

The proposed building would be orientated to face onto Bedford Place, with the basement element occupying the majority of the depth of the plot (tying in with the depth of the adjacent property, which also has a deep rear garden). However, the first and second floors would only be roughly half this depth, except for the proposed stairwell. This arrangement would provide a rather peculiar massing and form in the context of the surrounding area; where “half” a building would be visible from Bedford Road, at its junction with Bedford Place; a feature not found in the surrounding area and providing a structure of little positive architectural merit when viewed side on. The proposed rear elevation would also provide a relatively blank aspect, that is of little architectural merit and which would provide a poor architectural aspect when viewed from the garden areas of the properties on Bedford Road. The lack of windows also ensure large, 3 storey high blank elevations which are not considered to be appropriate, and which are not a common feature in the surrounding area. The lack of a roof (it appears that only a small element of the roof would be visible from the rear elevation) is also not considered appropriate for the site’s context. As a result, it is not considered that the development has not been designed with due consideration for its context, and would therefore fail to comply with Policy D1. It is, however, noted that the proposed northern elevation would replicate the overall general design of the streetscape, with windows which line through to the adjoining building, and utilising a granite finish.

The proposed private garden is positioned to the side of the blocks ‘half gable’, measuring 13m x 10.9m and extending to approx. 144 sqm; an arrangement not found in the surrounding area. This area is also proposed to be used by the existing tenemental flats within the upper floors of 44/46 Bedford Road.

Garden Ground

The proposal would result in approximately 43% of the plot being developed (taking the red line boundary and excluding the existing tenemental building). The proposed amenity space arrangement is not common in the surrounding area, with garden ground to be located to the side

of a building almost up to the rear site boundary (the ground floor rear elevation would be located approximately 1.4m from the rear boundary). The red line boundary indicates that all of the garden ground would be associated with the new residential development, leading to no rear garden ground for the existing tenemental flats. The proposal would therefore fail to comply with Supplementary Guidance: The Sub-Division and Redevelopment of Residential Curtilages, which advises that new residential development should not borrow amenity from, or prejudice the development of adjacent land. This guidance also states that properties of two storeys or more should have rear gardens extending to 11m, this would not be provided. The level of garden ground associated with the proposed development is therefore not considered to be appropriate, and this element of the proposal would fail to comply with Policy H1 and its associated Supplementary Guidance.

As discussed in the “siting and design” section above, it is also considered that the design of the proposed gable and roof, which would be highly visible from Bedford Place, would not respect the character or the appearance of the surrounding residential area.

Relationship with pattern of development and Amenity

The established pattern of development in the surrounding area is that of buildings positioned close to the pavement's edge, with large private gardens laid out to the rear. The rear garden of the adjacent no.42 Bedford Road is currently afforded an open aspect to the north-east, which would be partially obscured by the presence of the proposed building. Issues with regards to the level of amenity space have been discussed above.

Privacy

It is also noted that the proposed development would have slightly less of an impact on privacy than the previously refused proposal, given that no habitable windows on the upper floors would overlook the garden ground of properties to the rear (the only windows would serve the hallway and stairwell), it is however noted that the windows on the side elevation would be located approximately 15m from the rear elevation of the properties at 44/46 Bedford Road. The SG states that garden ground “*must not be directly overlooked by windows of habitable rooms of adjoining residential properties*”. That is what would occur from the windows in the existing tenement. The window-to-window distance of approximately 19m with the properties on the opposite side of Bedford Place, which is considered to be acceptable.

Parking/ Transportation

It is noted that the site is located within a Controlled Parking Zone (Zone RR – which operates between 10am and 4pm Monday- Friday). SG also states that “*car parking provision should be in line with Council Standards*”. New developments must be accessible by a range of transportation modes, with an emphasis on active and sustainable travel, and the internal layout of development must prioritise walking, cycling and public transport penetration. The proposal has been subject to consultation with colleagues in Roads Development Management (RDM), who have noted that there are good walking and cycling links locally, and there are bus stops in both directions within 100m.

In order to comply with parking standards (as provided within the Transport and Accessibility Supplementary Guidance) the proposal would normally require 6 off-street parking spaces; however, the proposal is being progressed as a development that does not provide any parking within the curtilage of the site. RDM note that each property would be entitled to 2 on-street parking permits, which would add to the existing parking pressures within the area. Council records indicate that 93 permits have been issued in Zone RR, 7 of which have been issued to properties on Bedford Place, indicating that there may be some capacity for further permits in the area. However, in order to mitigate against the lack of parking spaces within the site, measures would be required by way of cycle parking (which has been adequately provided by way of 4 secure cycle spaces). In addition, to support developments such as this, vehicular contributions

towards “Car Club” should be sought in order to promote existing provision, or the introduction of additional provision in the area. The nearest existing cars are located on Orchard Place/ Street, approximately 700m from the application site boundary and at the Kittybrewster Depot approximately 480m. The applicant would be required to discuss this matter further with colleagues in Transport Strategy (usually provided at £400 per flat – although this could be more if an additional car is to be provided). To date no indication of provision of these facilities have been provided, and this matter would need to be resolved were consent to be granted. Subsequently, there is currently a conflict with Policy T2: Managing the Transport Impact of New Development and the associated SG: Transport and Accessibility.

Cycle parking for 4 bicycles has been identified in accordance with the associated Transport and Accessibility Supplementary Guidance. These would be secure, covered and lockable and provided to the rear of the building. The proposal is also located within close proximity to bus routes and is within walking distance of the city centre. As a result, the proposal would comply with Policy T3: Sustainable and Active Travel.

Waste Management Requirements for New Development

All new development should have sufficient space for the storage of general waste, recyclable materials and compostable waste where appropriate. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Refuse facilities have been shown to the rear of the building and would be located approximately 10m from the side entrance to the building. The proposal has been assessed as appropriate by colleagues in Waste Management and as a result the proposal is considered to comply with Policy R6: Waste Management Requirements for New Development and its associated SG.

Low/ Zero Carbon Developments

All new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology. Whilst no details have been submitted in this regard, this matter could be controlled via an appropriately worded planning condition to ensure compliance with Policy R7: Low and Zero Carbon Buildings and the associated Supplementary Guidance: Resources for New Development.

Digital Infrastructure

All new residential development will be expected to have access to modern, up-to-date high-speed communications infrastructure. The proposal is located within a primarily residential area, which currently has access to said infrastructure. The proposal would therefore comply with Policy C11: Digital Infrastructure.

Matters Raised in Letters of Representation

The matters raised in relation to impact on residential amenity of properties in the surrounding area has been discussed earlier in this report. As insufficient amenity space would be provided within the sites curtilage (for both properties) it is considered that the proposal would result in over development of the plot. No significant road safety concerns have been raised by colleagues in RDM, and it is considered that there would be sufficient parking facilities in the surrounding area to accommodate the development in addition to contributions to car club (although it is noted that this issue has not yet been adequately resolved).

Conclusion

Whilst residential use is consistent with the character of the area, the detailed characteristics of this proposal are not acceptable, such that: it would have an unacceptable impact on the character and amenity of the surrounding area and of future residents, contrary to the provisions of Policy H1 (Residential Areas) of the ALDP. It is also considered that the proposal would not be consistent

with the established pattern of development in the wider area, due to the unique gable/roof design and projecting rear element, providing the appearance of “half” a building.

The proposal would also be viewed prominently from adjacent rear gardens, having an adverse impact on these spaces, appearing as a dominant and poorly integrated with the prevailing design character. The proposal would also result in all garden ground being removed from the adjacent tenement flats (according to the site plan) and the proposal would fail to provide sufficient amenity space in order to comply with associated Supplementary Guidance relating to curtilage splits.

Taking the above into account, whilst there are some positives to the scheme, with regards to the design of the principal elevation, the proposal is considered to fail to comply with Policy D1 (Quality Placemaking by Design) and the associated Supplementary Guidance: Sub-Division and Redevelopment of Residential Curtilages as well as with Policy T2: Managing the Transport Impact of Development and its associated Supplementary Guidance: Transport and Accessibility of the Aberdeen Local Development Plan.

In this instance there are no material planning considerations that would warrant approval of planning permission. The proposal is therefore recommended for refusal of the reasons below.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

1. The development has not been designed with due consideration for its context, with a gable/roof design that does not complement the character and appearance of the surrounding area, particularly when viewed from the side and rear elevations, and a development built close to the rear boundary of the site, a feature which is not commonplace in the surrounding area. The proposal would also provide inadequate, poor quality, poorly sited and overlooked amenity space for proposed residents and would have an adverse impact on the amenity afforded to properties in the surrounding area. As a result the proposal fails to accord with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan and its associated Supplementary Guidance: The Sub-Division and Redevelopment of Residential Curtilages. There are no material planning considerations that would warrant approval of consent in this instance.
2. No confirmation of acceptance has been submitted with regards to the provision of car-club membership for the proposed development. The proposal currently fails to comply with Policy T2: Managing the Transport Impact of Development and its associated Supplementary Guidance: Transport and Accessibility of the Aberdeen Local Development Plan.

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DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997 Detailed Planning Permission

Neil Rothnie Architects
73 Huntly Street
Aberdeen
United Kingdom
AB10 7TE

on behalf of **George Taylor ASA**

With reference to your application validly received on 6 April 2018 for the following development:-

Erection of 4 residential flats with associated landscaping at Land To The Rear Of 44/46 Bedford Road, Aberdeen

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
PL-09 Rev A	Visualisations (Proposed)
PL-00 Rev A	Location Plan
PL-01 Rev B	Location and Site Plan
PL-03 Rev B	Ground Floor Plan (Proposed)
PL-04 Rev B	First/ Second Floor Plans (Proposed)
PL-05 Rev B	North/ West Elevations (Proposed)
PL-06 Rev B	South Elevation (Proposed)
PL-07 Rev A	Sections (Proposed)

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

1. The development has not been designed with due consideration for its context, with a gable/roof design that does not complement the character and appearance of the surrounding area, particularly when viewed from the side and rear elevations, and a development built close to the rear boundary of the site, a feature which is not commonplace in the surrounding area. The proposal would also provide inadequate, poor quality, poorly sited and overlooked amenity space for proposed residents and would have an adverse impact on the amenity afforded to properties in the surrounding area. As a result the proposal fails to accord with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan and its associated Supplementary Guidance: The Sub-Division and Redevelopment of Residential Curtilages. There are no material planning considerations that would warrant approval of consent in this instance.
2. No confirmation of acceptance has been submitted with regards to the provision of car-club membership for the proposed development. The proposal therefore currently fails to comply with Policy T2: Managing the Transport Impact of Development and its associated Supplementary Guidance: Transport and Accessibility of the Aberdeen Local Development Plan.

Date of Signing 5 June 2018



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any 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 www.eplanning.scot.

Notices of review submitted by post should be sent to Strategic Place Planning (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused 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 that 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.

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25 Farburn Terrace
Dyce
Aberdeen
AB21 7DR

30th April 2018

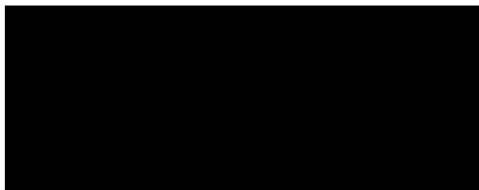
Planning Department
Aberdeen City Council
Marischal College
Aberdeen

Dear Sirs or Madam

**Planning Application 44/46 Bedford Road, Aberdeen.
Ref 180555**

I object to the planning application for flats due to the lack of parking.

Yours faithfully

A large black rectangular box redacting the signature of Gavin Farquhar.

Gavin Farquhar

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Comments for Planning Application 180555/DPP

Application Summary

Application Number: 180555/DPP

Address: Land To The Rear Of 44/46 Bedford Road Aberdeen AB24 3LH

Proposal: Erection of 4 residential flats with associated landscaping

Case Officer: Gavin Clark

Customer Details

Name: Mr philip bond

Address: 21 davidson place aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:in my opinion there are to many student flats in this area

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Comments for Planning Application 180555/DPP

Application Summary

Application Number: 180555/DPP

Address: Land To The Rear Of 44/46 Bedford Road Aberdeen AB24 3LH

Proposal: Erection of 4 residential flats with associated landscaping

Case Officer: Gavin Clark

Customer Details

Name: Mr Alexander Ross

Address: 5 McIntosh Walk Dyce Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this proposed development for the following reasons.

This area of the city has suffered from overdevelopment in recent years which has not only had a negative impact on the character of the area but has also lead to an increase in traffic congestion and noise. Local amenities are already stretched and this development would only add to this.

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Comments for Planning Application 180555/DPP

Application Summary

Application Number: 180555/DPP

Address: Land To The Rear Of 44/46 Bedford Road Aberdeen AB24 3LH

Proposal: Erection of 4 residential flats with associated landscaping

Case Officer: Gavin Clark

Customer Details

Name: Mr Euan Cuthbert

Address: 45 Dunlin Road Cove Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this development on the basis that this area is already heavily built up with both residential and commercial property which in turn contributes to the very bad congestion in the area and on Bedford Road in particular. With the KittyBrewster retail park being adjacent to the proposed development, this in my view will only exacerbate the problem further.

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Comments for Planning Application 180555/DPP

Application Summary

Application Number: 180555/DPP

Address: Land To The Rear Of 44/46 Bedford Road Aberdeen AB24 3LH

Proposal: Erection of 4 residential flats with associated landscaping

Case Officer: Gavin Clark

Customer Details

Name: Mr Michael Murray

Address: 37 Straik Place, Westhill AB32 6TN

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this development on the following grounds. To many student type development already in the area. It would add more congestion to traffic in the area.

Footnote. Surely it would make more sense to have affordable type housing using local housing associations as landlords. If we must have development in built up areas it should be more accessible with registered social landlords being involved. That way the whole community benefits.

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Comments for Planning Application 180555/DPP

Application Summary

Application Number: 180555/DPP

Address: Land To The Rear Of 44/46 Bedford Road Aberdeen AB24 3LH

Proposal: Erection of 4 residential flats with associated landscaping

Case Officer: Gavin Clark

Customer Details

Name: Dr Bill Harrison

Address: 16 Summer Place Dyce Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application. Reasons: (i) unacceptable effect on the residential amenity of nearby properties; (ii) overdevelopment of site; (iii) poor integration of the proposed structure with nearby buildings.

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Aberdeen City Council – Development Management Consultation Request

From: Gavin Clark	Date: 10 April 2018
Email: gaclark@aberdeencity.gov.uk	Ref: 180555/DPP
Tel.: 01224 522321	Expiry Date: 1 May 2018

Detailed Planning Permission

**180555/DPP: Erection of 4 residential flats with associated landscaping at
Land To The Rear Of 44/46 Bedford Road
Aberdeen
AB24 3LH**

All plans and supporting documentation available at the following link:

<https://publicaccess.aberdeencity.gov.uk/online-application/applicationDetails.do?activeTab=summary&keyVal=P6RD5PBZKJC00>

Please select one of the following

No observations/comments.	
Would make the following comments (please specify below).	✓
Would recommend the following conditions are included with any grant of consent.	
Would recommend the following comments are taken into consideration in the determination of the application.	
Object to the application (please specify reasons below).	

COMMENTS

With regard to the above detailed planning permission application, an environmental health assessment was carried out. The following areas have been evaluated and the associated comments are considered appropriate:

Environmental Noise and Air Quality

I note the proposed development is not located within a noise management area, or within or adjacent to an air quality management area. I also note the proposal does not include parking spaces. A recent visit to the site in relation to a previous application for planning permission (reference 171410/DPP) was conducted. As a result, no further assessments or conditions were requested. However, I would recommend the following as advisory notes:

1. Noise from Site/Ground Preparation and Construction Works

In order to protect the amenity of the occupants of the neighbouring residences and prevent any potential noise nuisance caused by site/ground preparation and

construction works; work with an element of noise emitted beyond the site boundary should not occur outside the following times:

- 07:00 to 19:00 Monday to Friday and
- 08:00 to 13:00 on Saturdays

2. Dust management during site/ground preparation and construction works

Due to the location of the proposed development, the occupants of surrounding existing residential properties are exposed to risk of dust impacting on amenity during the works.

I am however of the opinion that provision of suitable mitigation measures can address this. Mitigation measures should include: use of water sprays during any demolition and construction processes on site and on roads, as well as the control of stockpiled materials.

Responding Officer: K. Nolan
Date: 17/04/2018

MEMO



To	G Clark Planning & Infrastructure	Date	10/04/18
		Your Ref.	180555
		Our Ref.	
From	Flooding		
Email	pa.flooding@aberdeencity.gov.uk		
Dial	01224 53 2387		
Fax			

ABERDEEN
CITY COUNCIL
Flooding
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 11 ,
2nd Floor West,
Marischal College
Broad Street
Aberdeen AB10 1AB

Planning application no.180555

ACC Flood Team have no objections to make on this application. However we would like to make the applicant aware that there is a risk of surface water flooding at the rear of the site. We would strongly recommend the use of permeable materials where suitable in the design and rainwater harvesting.

Regards
Katy Joy Goodall - Flooding & Coastal

Bernadette Marjoram

Interim Corporate Director

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MEMO



ABERDEEN
CITY COUNCIL

To	Gavin Clark Planning & Infrastructure	Date	23/04/2018
		Your Ref.	180555/DPP
		Our Ref.	
From	Roads Projects		
Email	micowie@aberdeencity.gov.uk		
Dial	01224 523761		
Fax			

Strategic Place Planning

Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Aberdeen
AB10 1AB

Tel 03000 200 291
Minicom 01224 522381
DX 529451, Aberdeen 9
www.aberdeencity.gov.uk

Planning Application No. 180555/DPP – Erection of 4 residential flats with associated landscaping at land to the rear of 44/46 Bedford Road, Aberdeen AB24 3LH.

I have considered the above planning application and have the following observations:

1 Development Proposal

- 1.1 I note this proposal is for the erection of 4 residential flats on land to the rear of 44/46 Bedford Road and will front Bedford Place, Aberdeen.
- 1.2 I note that the site is located within the outer city and sits within a controlled parking zone (Zone RR) which operates 10am-4pm; Mon-Fri.

2 Walking and Cycling

- 2.1 This site is well serviced by a network of public footpaths connecting to the wider area with destinations such as University of Aberdeen, Kittybrewster Retail Park in readily walkable distances.
- 2.2 I can confirm that the site is considered to be well served for cyclists with access to various nearby cycle routes. Existing on-street cycle lanes can be found along Bedford Road as well as National Cycle Route 1 traveling along College Bounds/Hight Street located some 600m away which has direct links through the whole City and City Centre.

3 Public Transport

- 3.1 The site shall be well served by Public Transport with Bedford Road forming part of several bus routes connecting the University of Aberdeen and the wider city at regular intervals.
- 3.2 Bus stops when heading in either direction can be found on Bedford Road within 100m.

4 Parking

- 4.1 As per ACC supplementary guidance, a maximum of 1.5 spaces should be provided per unit, equating to 6 parking spaces. However, the applicant proposes to provide no associated off-street car parking.
- 4.2 As the site is located within a controlled parking zone, each property would be entitled to apply for a maximum of 2 on-street parking permits which would add to the existing parking pressures within this area.
- 4.3 Should this site be considered for a 'no-car' development mitigatory measures would require to be in place such as sufficient cycle parking provision, which I can confirm has been identified and this should also be secure and sheltered. In addition, to support residents too either have one or no vehicle contributions to 'Car Club' should be sought in order to promote existing provision or the introduction of additional provision in the area. Figures for this can be obtained from Alan Simpson within the Transport Strategy Team, I would urge the applicant to open discussions with Alan who can be contacted on either (01224) 522756 or alansimpson@aberdeencity.gov.uk.

5 Refuse

- 5.1 I note the location of the proposed bin site and would advise that the acceptable distance for containers to be transported by collectors should be no more than 15m for a two-wheeled bin and 10m for a four-wheeled bin. Additionally, residents should not be required to carry waste/refuse more than 30m from the flat entrance to the storage point.

6 Conclusion

- 6.1 Should mitigatory measures be conditioned as part of this application, Roads Development Management would accept this to be a 'no-car' development and therefore have no objection to this application.

Michael Cowie
Engineering Officer
Roads Development Management

Aberdeen City Council – Development Management Consultation Request

From: Gavin Clark	Date: 10 April 2018
Email: gaclark@aberdeencity.gov.uk	Ref: 180555/DPP
Tel.: 01224 522321	Expiry Date: 1 May 2018

Detailed Planning Permission

**180555/DPP: Erection of 4 residential flats with associated landscaping at
Land To The Rear Of 44/46 Bedford Road
Aberdeen
AB24 3LH**

All plans and supporting documentation available at the following link:

<https://publicaccess.aberdeencity.gov.uk/online-application/applicationDetails.do?activeTab=summary&keyVal=P6RD5PBZKJC00>

Please select one of the following

No observations/comments.	
Would make the following comments (please specify below).	Y
Would recommend the following conditions are included with any grant of consent.	Y
Would recommend the following comments are taken into consideration in the determination of the application.	Y
Object to the application (please specify reasons below).	

COMMENTS

Waste Services response regarding application 180555: 44-46 Bedford rd

As I understand, the development will consist of **4** flatted properties.

I have consulted with colleagues across the waste operations team. I can confirm that Aberdeen City Council intend to provide the following services upon building completion.

Please note the information provided below by Waste Services is independent of the outcome of the planning application, which is being determined by the planning authority.

The **4** flats will be provided with:

- **1 x 660l general waste containers**
- **1 x 660l mixed recycling containers**
- **1 x food waste container for each bin store (each flat will receive a kitchen caddy, bioliners and associated information)**

The following costs will be charged to the developer:

- **Each 660l bin cost £283.60**
- **Each food waste container cost £514.49**

No garden waste will be provided for **flat residences** as it is assumed grounds will be maintained as part of a service charge for the building and undertaken by a commercial contractor.

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

Specific concerns

- Could the developer provide the **distance** between the proposed bin storage area and to the kerb of Bedford place?
- Developer to ensure **access maintained** in front of garden path as noted that current layout is street parking and this could potentially block access for moving bins in and out of site.

General points

- **No excess** should be stored outwith the containment provided. Information for extra waste uplift is available to residents at either www.aberdeencity.gov.uk/wasteaware or by phoning 03000 200 292.
- Further information can be found in the Waste Supplementary Guidance available at:
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=74584&slD=14394>
- If the bin store will be **locked and/ or a barrier** to the car park, **8 Keys** must be provided for each store, providing access to the different collection crews and Recycling Officer for monitoring contamination. These should be dispatched to the Waste Team.

Developers must contact Aberdeen City Council a minimum of two months before properties will be occupied. Bins **MUST** be on site prior to residents moving into properties. A Purchase Order should be raised with Aberdeen City Council using the above details and we will provide further guidance for purchasing the bins.

In the final stages of completion, a representative from Aberdeen City Council's Waste team will assess the site to ensure that all of our considerations have been implemented.

Responding Officer: Hannah Lynch

Date: 10.04.2018

Email: halynch@yahoo.co.uk

Ext: 87627

Please note: Unless agreed with the Case Officer, should no response be received by the expiry date specified above it will be assumed your Service has no comments to make.

Should further information be required, please let the Case Officer know as soon as possible in order for the information to be requested to allow timeous determination of the application.

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 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://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title		Ref No.	
Forename		Forename	
Surname		Surname	
Company Name	GEORGE TAYLOR ASA	Company Name	NEW KOTHAWLE ARCHITECTS
Building No./Name		Building No./Name	73
Address Line 1	C/O ALFENT.	Address Line 1	HUNTLY STREET
Address Line 2		Address Line 2	
Town/City		Town/City	ABERDEEN
Postcode		Postcode	AB10 1TE
Telephone		Telephone	01224 624724
Mobile		Mobile	—
Fax		Fax	—
Email		Email	neil@neilrothnie.co.uk

3. Application Details	
Planning authority	ABERDEEN CITY COUNCIL
Planning authority's application reference number	180555
Site address	<div style="border: 1px solid black; padding: 10px; min-height: 100px;"> LAND TO REAR OF 44/46 BEDFORD ROAD / BEDFORD PLACE, ABERDEEN. </div>
Description of proposed development	<div style="border: 1px solid black; padding: 10px; min-height: 50px;"> ERECTION OF 4 NO FLATS. </div>

Date of application

6th APRIL 2018

Date of decision (if any)

5th JUNE 2018

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:

N/A

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.

REFER TO SUPPORTING STATEMENT FOR FULL EXPLANATION:

FOLLOWING PREVIOUS REFUSAL, CONSIDERABLE WORK AND DISCUSSION WITH THE PLANNING OFFICER HAS GONE INTO AMENDING THE PREVIOUS SCHEME

WE CONSIDER THAT WHAT IS NOW PROPOSED DEALS WITH ALL PREVIOUS CONCERNS AND SHOULD NOW BE APPROVED

THE REASONS NOW GIVEN BY THE PLANNING OFFICER ARE INCONSISTENT

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 your 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.

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

ORIGINAL PLANNING APPLICATION: FORM, SUPPORTING STATEMENT +
DRAWINGS
REFUSAL OF PLANNING PERMISSION.

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.

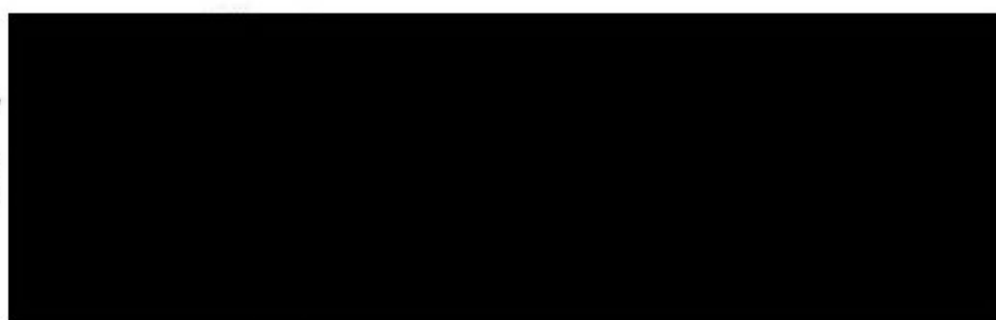


Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, 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:

NEIL ROTHANIE

Date:

26th JUNE 2018

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

Proposed Flatted Development, To Rear of 44/46 Bedford Road/ Bedford Place, Aberdeen.

NOTICE OF REVIEW SUPPORTING STATEMENT

A revised application for Planning Permission for the erection of 4 flats to the rear of 44-46 Bedford Road was refused by Aberdeen City Council on 5th June 2018.

We wish to appeal against this decision to Refuse Application Reference 180555/DPP

Our proposal is to erect 4 [mainstream] flats over 4 storeys to the rear of the existing tenement to 44/46 Bedford Road as it extends along Bedford Place. This application was revised following the previous refusal to take account of the reasons for refusal. **Considerable work has gone in to discuss this with the Planning Department and other consultees to arrive at a solution which we consider deals with these reasons.** These amendments included the removal of car parking ; accepted by the Roads Department, refuse storage is now clearly shown and the four flats are proposed over three storeys rather than the previous four. This allows the windows to align with the tenement adjacent

We hope to demonstrate that the application meets the requirements of the local plan and should be approved.

The reasons for refusal as given are;

1. The development has not been designed with due consideration for its context, with a gable/roof design that does not complement the character and appearance of the surrounding area, particularly when viewed from the side and rear elevations, and a development built close to the rear boundary of the site, a feature which is not commonplace in the surrounding area. The proposal would also provide inadequate, poor quality, poorly sited and overlooked amenity space for the proposed residents and would have an adverse impact on the amenity afforded to properties in the surrounding area. As a result the proposal fails to accord with Policies H1 (Residential Areas, and D1 (Quality Placemaking by Design) and the Aberdeen Local Plan and its associated Supplementary Guidance; The Sub-Division and Redevelopment of Residential Curtilages. There are no material planning considerations that would warrant approval of consent in this instance
2. No confirmation of acceptance has been submitted with regards to the provision of car-club membership for the proposed development. The proposal therefore fails to comply with Policy T2; Managing the Transport Impact of Development and its associated Supplementary Guidance; Transport and Accessibility of the Aberdeen Local development Plan

As this site has been the subject of a previous application, refusal and Local Review Body, we intend to keep this brief and to deal with the second point first ; **WE WOULD CONFIRM ACCEPTANCE OF THE CAR CLUB MEMBERSHIP!!**

Having dealt with all or any of the previous concerns and reasons for refusal the main issue is that the Planners do not like the garden provision to these flats. They have not commented on the location and overall size of the building [consent was granted previously for 8no. serviced flats; which had an almost identical site coverage]. There will be garden ground between the new block and the existing tenement to Bedford Road. This will be shared between the flats in both. There is a 1.65m [5'6"] high wall along Bedford Place which will screen this garden ground from all but the tallest or the nosey. This is NOT unusual, it does not *fail*, it is simply a response to the circumstances , which are not uncommon in many corner locations.

The other point of concern relates to the design and *gable/roof design... when viewed from the side and rear elevations*. When have we ever been concerned with side and rear elevations which are only seen by people living in the tenements behind this proposal. Even in the Planning Department's own guidance on development of housing and extensions recognises this has having less importance [e.g the Dormer Design guide allows larger dormers to the rear of properties compared to those on public or front elevations]

The comment about the development being close to the rear boundary shows inconsistency. The approval of the 8no. serviced flats [141664] on this site allowed this same arrangement of building to boundary **and** is over a longer distance [along the boundary] than what is proposed now.

CONCLUSION/SUMMARY ; Flats [residential use]are appropriate on this site as the proposals are surrounded by well established residential flats. The development of this site will create flats which reflects the aspirations of Aberdeen City Council and what we understand to be emerging policies which will seek to encourage more residential units within the City Centre. Whilst this site does not fall within the defined city centre, small developments such as these contribute and provide choice for purchasers and prospective occupiers. Having dealt with most of the concerns raised in the previous application the reasons now given for refusal would appear to be inconsistent.



Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100076472-003

The online reference 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.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed flatted development of 4 flats on existing gap site.

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

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:	Neil Rothnie Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Euan	Building Name:	
Last Name: *	Davidson	Building Number:	73
Telephone Number: *	01224626724	Address 1 (Street): *	Huntly Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB10 7TE
Email Address: *	euan@neilrothnie.co.uk		

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

☐ Individual ☒ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Care of Neil Rothnie Architects
First Name: *		Building Number:	73
Last Name: *		Address 1 (Street): *	Huntly Street
Company/Organisation	George Taylor ASA	Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	AB10 1TE
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

Land To The Rear Of 44/46 Bedford Road

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB24 3LH

Please identify/describe the location of the site or sites

Northing

807753

Easting

393587

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☒ Meeting ☒ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Refer to letter of support for details.

Title:

Mr

Other title:

First Name:

Gavin

Last Name:

Clark

Correspondence Reference
Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

330.00

Please state the measurement type used:

☐

Hectares (ha)

☒

Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Residential

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐

Yes

☒

No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐

Yes

☒

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

☒

Yes

☐

No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒

Yes – connecting to public drainage network

☐

No – proposing to make private drainage arrangements

☐

Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

☒

Yes

☐

No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☒ Yes
☐ No, using a private water supply
☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

Rear of development on hard standing area. See drawings and supporting statement.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☒ Yes ☐ No

How many units do you propose in total? *

4

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Euan Davidson

On behalf of: George Taylor ASA

Date: 06/04/2018

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☒ Cross sections.

☒ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☒ Photographs and/or photomontages.

☒ Other.

If Other, please specify: * (Max 500 characters)

Supporting design statement.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☒ Yes ☐ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Euan Davidson

Declaration Date: 24/11/2017



Proposed Flatted Development, To Rear of 44/46 Bedford Road/ Bedford Place, Aberdeen. Re-submission

SUPPORTING DESIGN STATEMENT-

1. PROJECT ; To erect 4 no. new build, mainstream flats
2. ADDRESS; Land to rear of 44/46 Bedford Road/ Bedford Place Aberdeen. AB24 3NS
3. BRIEF DESCRIPTION ; To erect 4no. new build, mainstream flats to the rear of the existing tenement to 44/46 Bedford Road as it extends along Bedford Place
4. SITE AREA ; 330 sq m
5. LOCAL AUTHORITY ; Aberdeen City Council
6. CLIENT ; ASA
7. ARCHITECT ; Neil Rothnie Architects
8. CONTEXT : The client/applicant owns the existing flats and ground that form the tenement at 44/46 Bedford Road. Planning Permission for 8 no. serviced apartments with associated parking [ref 141664] has been recommended for approval awaiting agreement on a S.7. We are aware that the S.75 is now in the process of being finalised.

The site sits within a residential area with traditional tenements predominant; the existing 3 storey tenement sits to the north west, to the corner of Bedford Road and Bedford Place with Bedford Place running along the north east boundary and the gable of 57 Bedford Place forms the south east boundary. The rear garden to 42 Bedford Road forms the north west boundary. Generally existing tenements are 3 storeys as 2 full storeys with a mansard roof. There is a relatively modern block of flats to the opposite side of Bedford Place to the corner of Bedford Road, which is 4 storeys high consisting of 3 full storeys and a mansard (rather brutal). To the opposite side of Bedford Place there is a traditional 1½ storey detached house and then 2 storey post war terraced houses. The wider area is generally 3 storey traditional tenements. The aforementioned Planning application placed a block abutting and matching the tenement, 57 Bedford Place with parking and garden ground formed between the new-build block and the existing tenement, 44/46 Bedford Road. A Planning application for 4no. mainstream flats [ref 171410] was submitted in November 2017 and subsequently refused in January 2018 with the reasons given as design, inadequate amenity space resulting in adverse impact on properties in the surrounding area, insufficient information on visibility splays and waste provision. Subsequently, we, as agents, had discussions and meetings with the Planning officer to establish if there were alternative layouts and designs which would deal with their concerns. The design, now submitted, was deemed as the "least worst" of various options, with the Planners concluding that they could not support any mainstream flats on this site as they still "had concerns regarding the level of amenity ground". This statement has prompted our client to advance the S.75 for the 8no. serviced flat scheme, which has a larger [30%] footprint than that now applied for

9. APPRAISAL; The site falls within a Residential (H1) zoning. The willingness to approve the 8no. serviced apartments established that development [of that area and height] was accepted in such a location i.e. footprint of some 133 sq m or coverage of available site of some 40%. From discussions with the Planning officer we established that the limited area or access to amenity space was the reason why a mainstream flatted development was not accepted on this site. The requirement for parking also meant

the removal of any garden ground or as undercroft parking a design solution which was equally unacceptable. A position has now been agreed with the Roads Department to remove parking from within the site based on mitigating by contribution towards Car Club. This, in turn allows a greater area of amenity [garden] ground between the existing and new-build blocks. The configuration within the block reduces the overall numbers of storeys from four to three which allows windows to align with the adjoin tenement. The proposed represents a development which is 70% of the serviced flat application or put another way reduction of 30% [footprint and volume].

10. CONCEPT ; The concept is fairly simple as the section/profile of the proposed new-build [tenement] follows that of the adjoining tenement, 57 Bedford Place to the street frontage. With flats on three floors this avoids undercroft parking with associated ponds or the like [dead frontage]. A well screened garden is readily accessible by the occupiers of the flats. Lounge and bedroom windows face the street to the upper floors. One flat to the ground floor has one bedroom window which faces the extreme west end of the garden to the adjacent tenement [to Bedford Road] and this can be screened relatively easily by a small fence on top of the existing boundary wall. However it is worth noting that this is a very long garden and the area at this end is particularly badly maintained which demonstrates that this part of the garden is never used.
11. PLAN and ELEVATIONS ; please refer to drawings forming this application. It should be noted that good quality materials such as natural granite to the street frontage /return and natural slate to roofs are proposed as it is considered appropriate to maintain a high standard of design in such a context. This is not dissimilar to other flatted developments e.g. 46 Nelson St where new flats have been introduced within a traditional tenemental streetscape and there are other examples where similar developments have been successfully completed.
12. SUSTAINABILITY ;Refuse storage is provided to the new flats in the rear patio area. These bins will provide recycling to meet current requirements
13. TRANSPORT ; The site is within walking distance of Aberdeen University. The site is also within walking distance of George Street and bus routes which gives access to the city centre from which it would be possible to get access to practically any other destination within the city. There are also shops within a walkable distance and the Kittybrewster Shopping area provides a range of larger retail outlets as well as some hot food outlets. Cycle parking spaces would be provided to the rear patio area to comply with requirements of safe and secure parking.
14. CONCLUSION/SUMMARY ; Flats [residential use] are appropriate on this site as the proposals are surrounded by well established residential flats. It is our opinion that the layout (and heights) of the attached design are appropriate for this site [similar frontage to the proposal which has a willingness to approve]. Flats have been designed to take into account any impact on the gardens to the rear of the site through overlooking. The resultant number of flats is less than the above and we see this as an opportunity for a considered development in an area where residential use predominates and also where the likely purchasers and ultimate occupants will enjoy the proximity to Aberdeen University and good access to Aberdeen City Centre. The development of this site will create flats which reflects the aspirations of Aberdeen City Council and what we understand to be emerging policies which will seek to encourage more residential units within the City Centre. Whilst this site does not fall within the defined city centre, small developments such as these contribute and provide choice for purchasers and prospective occupiers.