

Public Document Pack



To: Councillor Boulton, Chairperson; and Councillors Clark and MacKenzie.

Town House,
ABERDEEN 10 August 2022

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in **Virtual - Remote Meeting on WEDNESDAY, 17 AUGUST 2022 at 10.00 am.**

Members of the public can view the proceedings using the link below. However must not activate their camera or microphone and must observe only. [Microsoft Teams Link](#)

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

1.1 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

Link to the [Local Development Plan](#)

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

PLANNING ADVISER - LUCY GREENE

2.1 **Kercallie Cottage, 8 Charles Place - Erection of First Floor Extension - Planning Reference 220267/DPP (Pages 7 - 26)**

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 220267.

2.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 27 - 44)

2.3 Planning Policies Referred to in Documents Submitted (Pages 45 - 46)

2.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 47 - 74)

2.5 Determination - Reasons for Decision

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

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

3.1 **Antrim Guest House, 157 Crown Street - Change of Use from Guest House to Form 3 Residential Flats Including Alterations and Addition of Window/Door Openings - Planning Reference 220423/DPP (Pages 75 - 96)**

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 220423.

3.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 97 - 128)

3.3 Planning Policies Referred to in Documents Submitted (Pages 129 - 130)

3.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 131 - 140)

3.5 Determination - Reasons for Decision

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

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

Website Address: www.aberdeencity.gov.uk

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

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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. The Committee clerk will confirm these reasons with the LRB, at the end of each case, in recognition that these will require to be intimated and publicised in full accordance with the regulations.

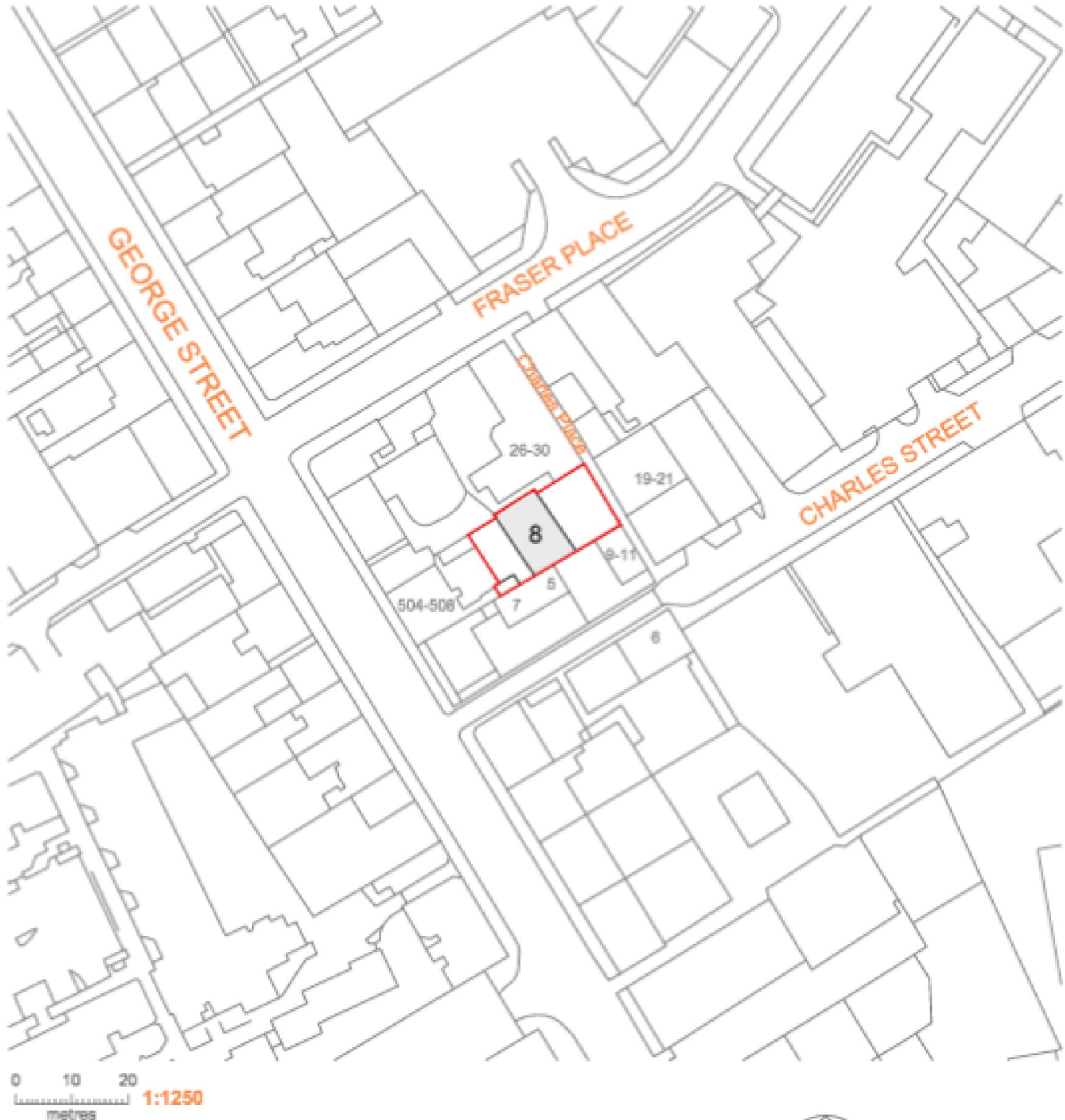


Local Review Body (LRB) 17th August 2022

**220267/DPP - Kercallie Cottage, 8 Charles Place
Erection of first floor extension**

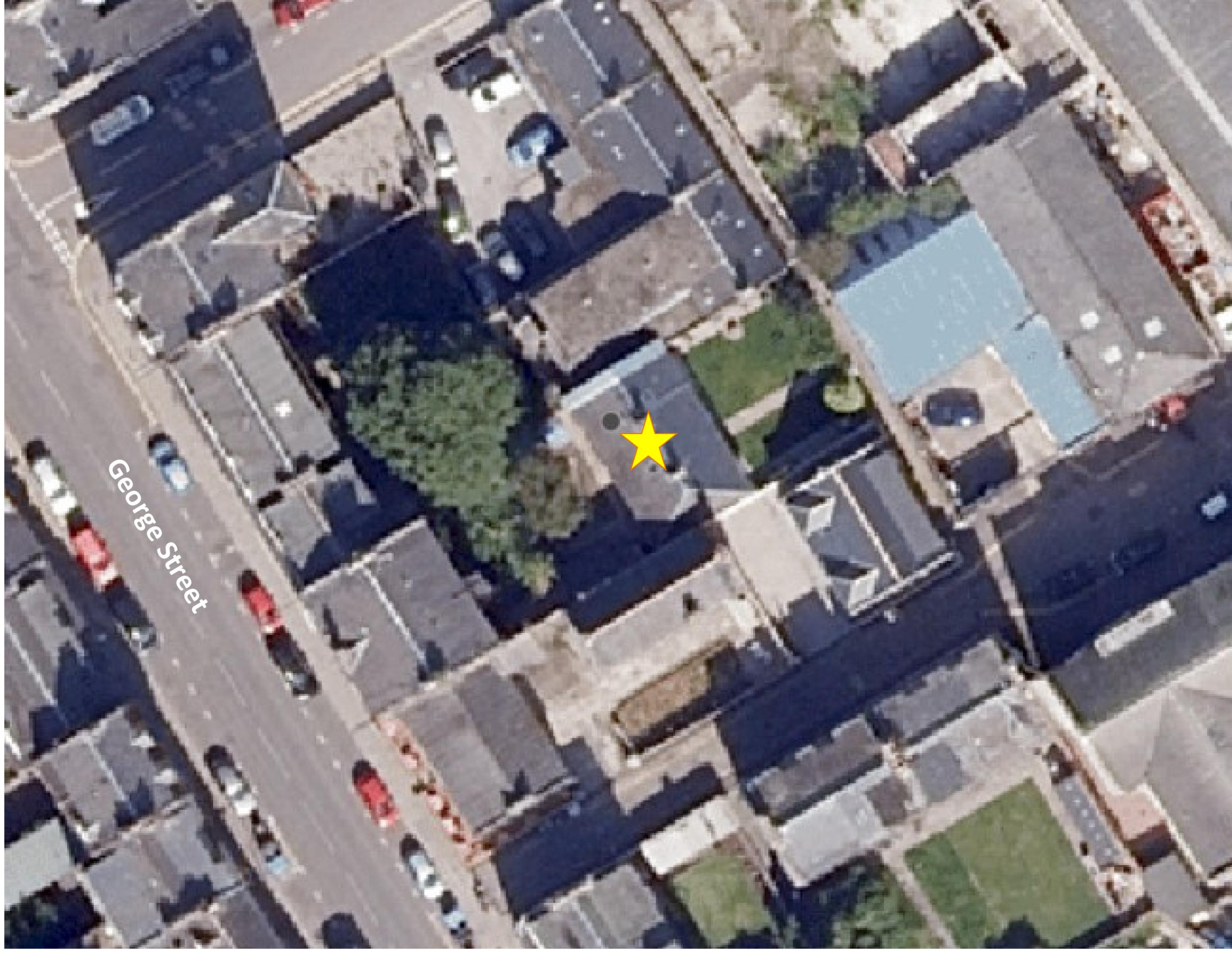
Lucy Greene, Planning Advisor

Location Plan



0 10 20
metres 1:1250

Aerial Photograph 2022



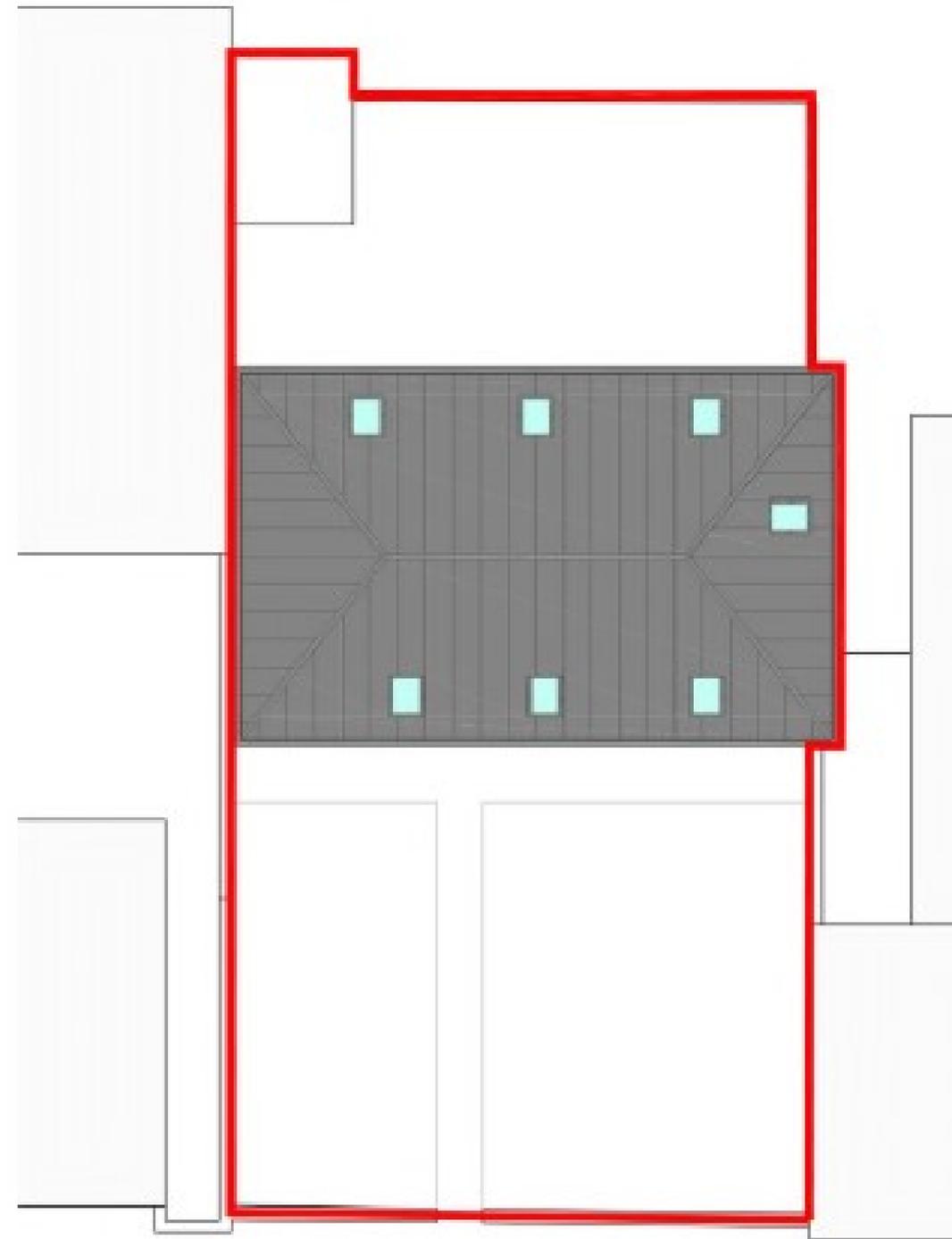
Google 3D 2022



from Charles Street



Site Plan, as proposed



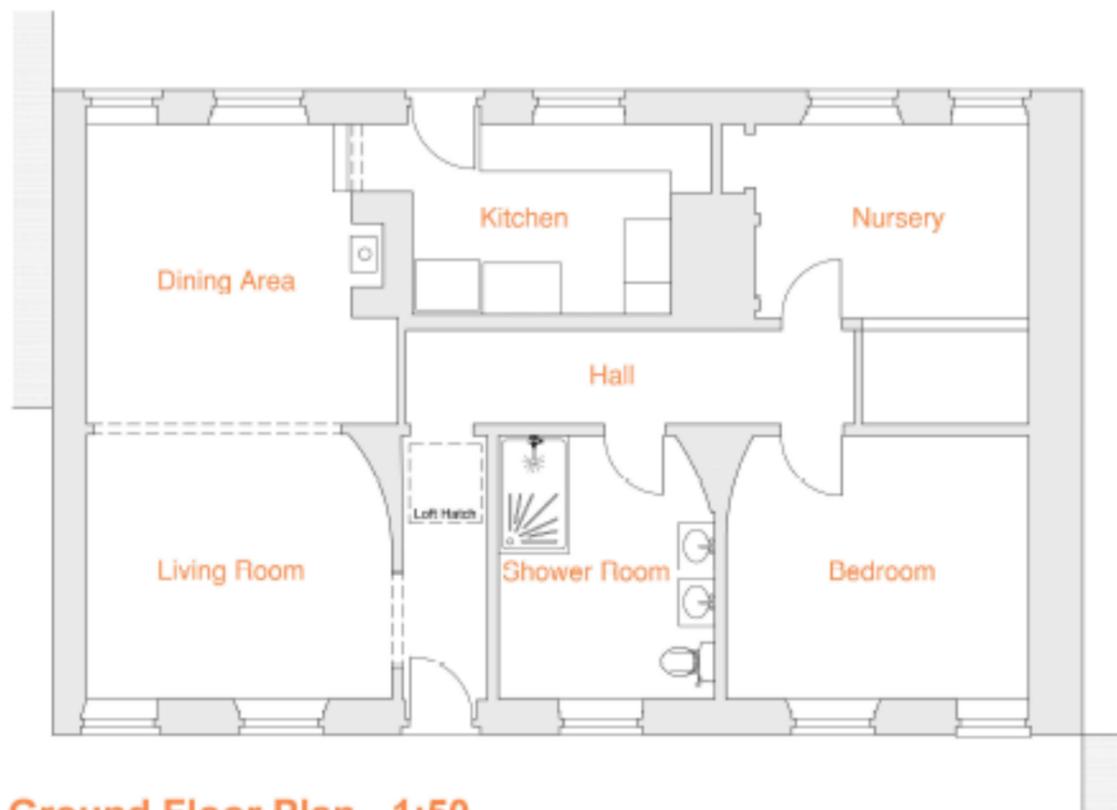
Site Plan - 1:200



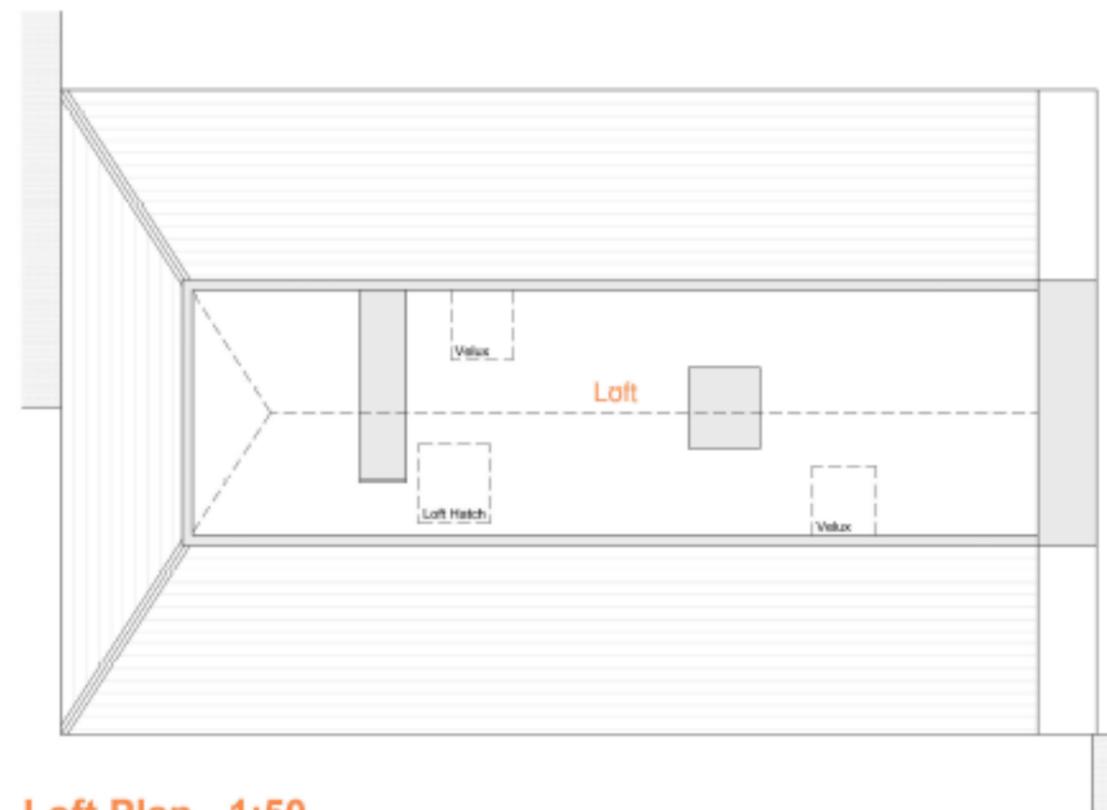
Floor Plans

As existing

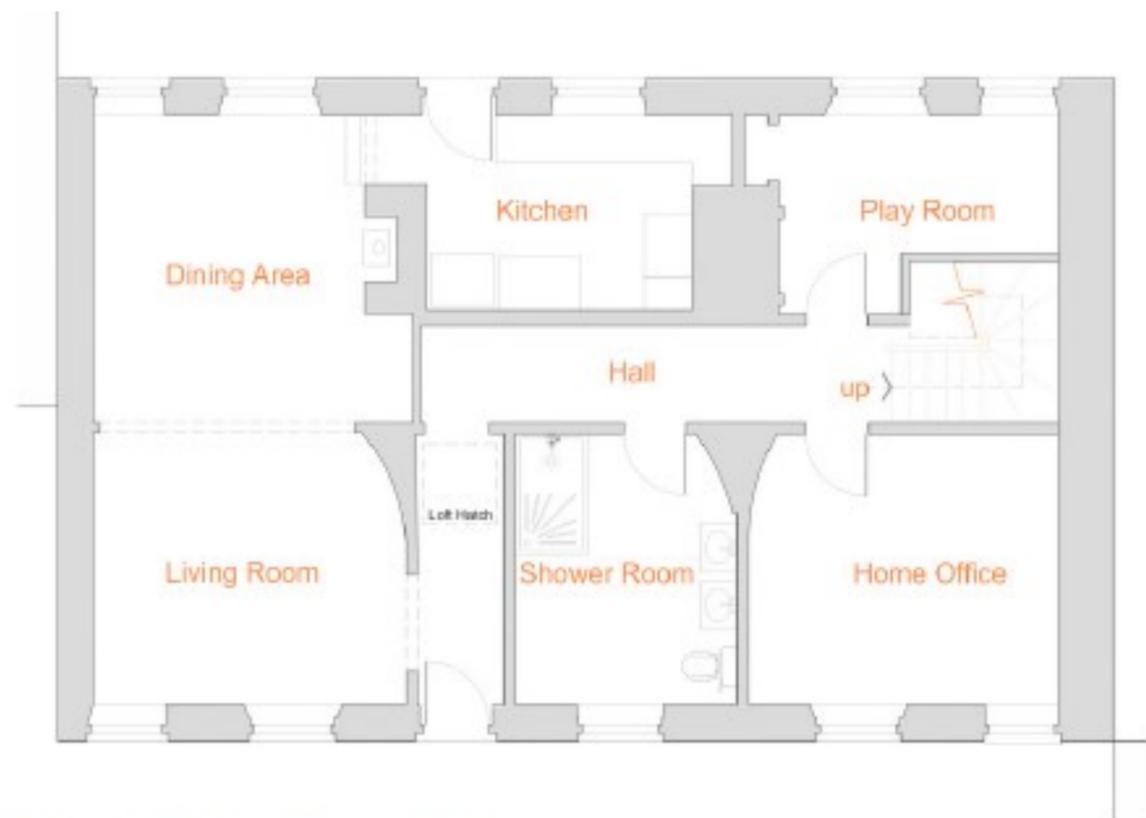
As proposed



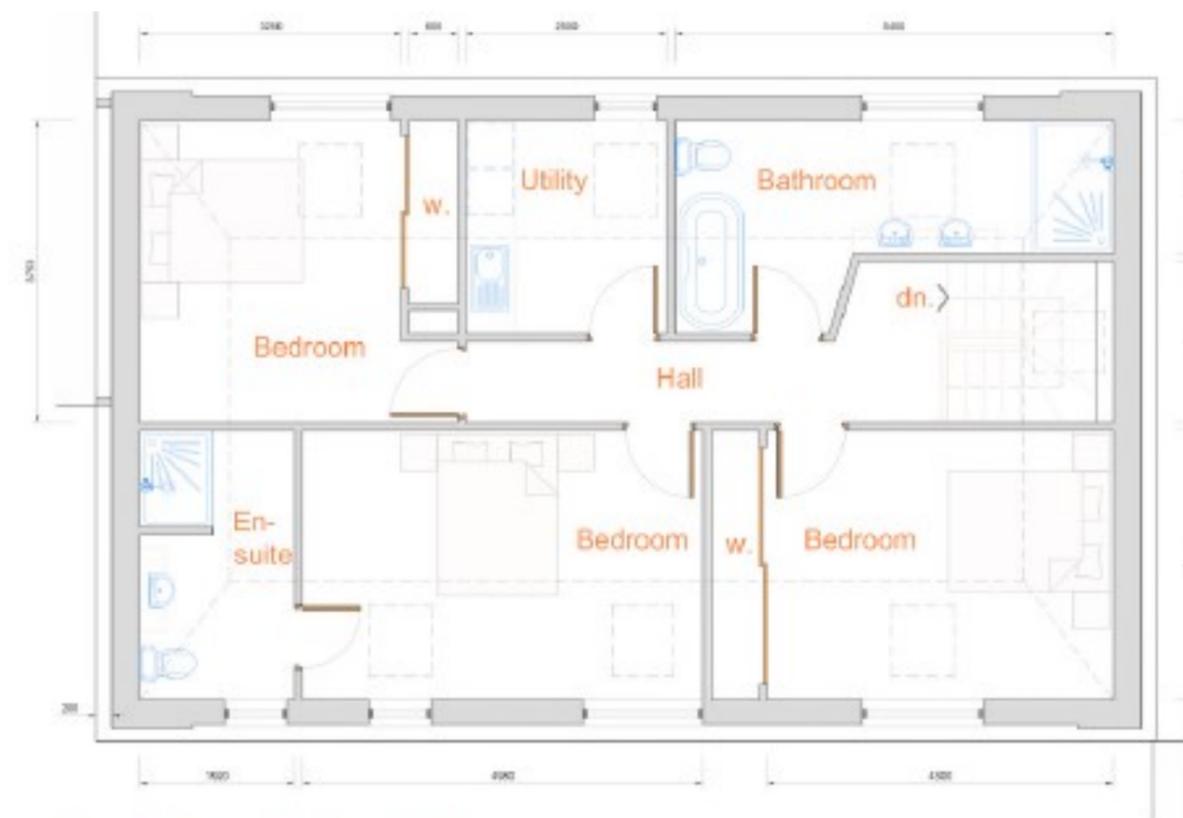
Ground Floor Plan - 1:50



Loft Plan - 1:50



Ground Floor Plan - 1:50

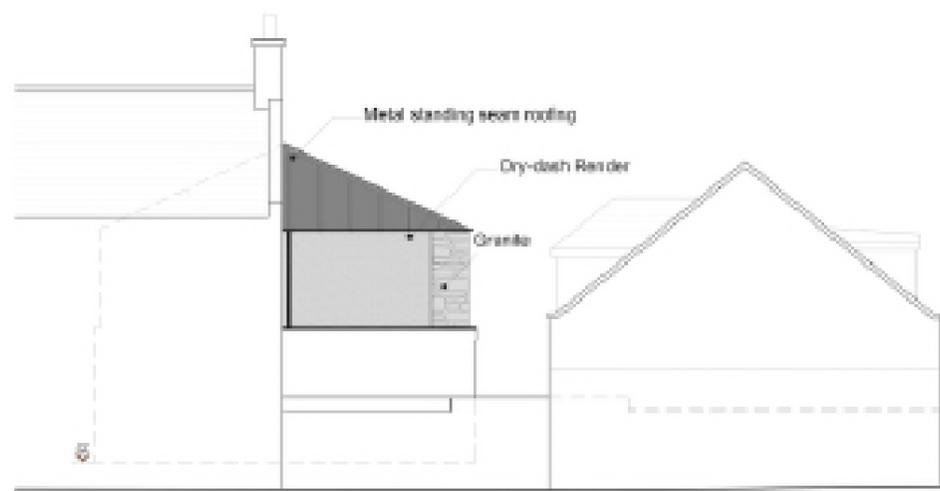


First Floor Plan - 1:50

Proposed Elevations



North East Elevation - 1:100



South East Elevation - 1:100

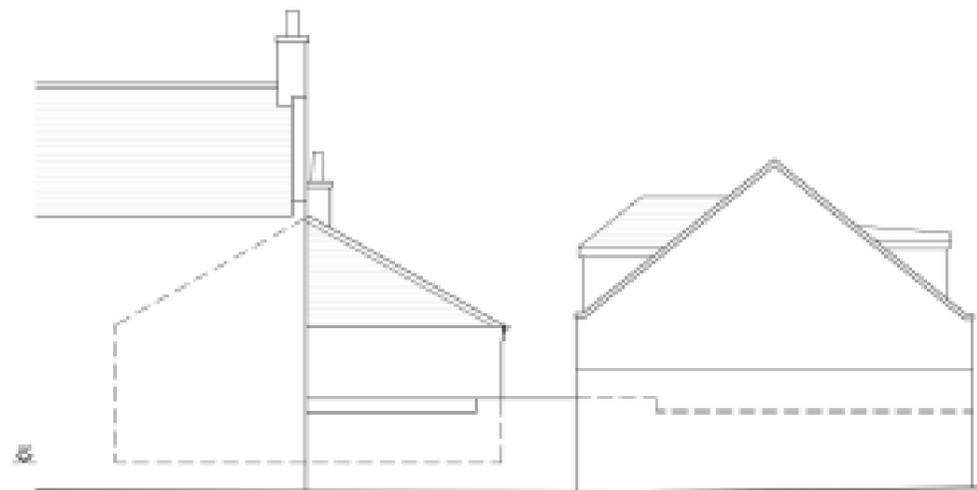


South West Elevation - 1:100

Existing Elevations



North East Elevation - 1:100

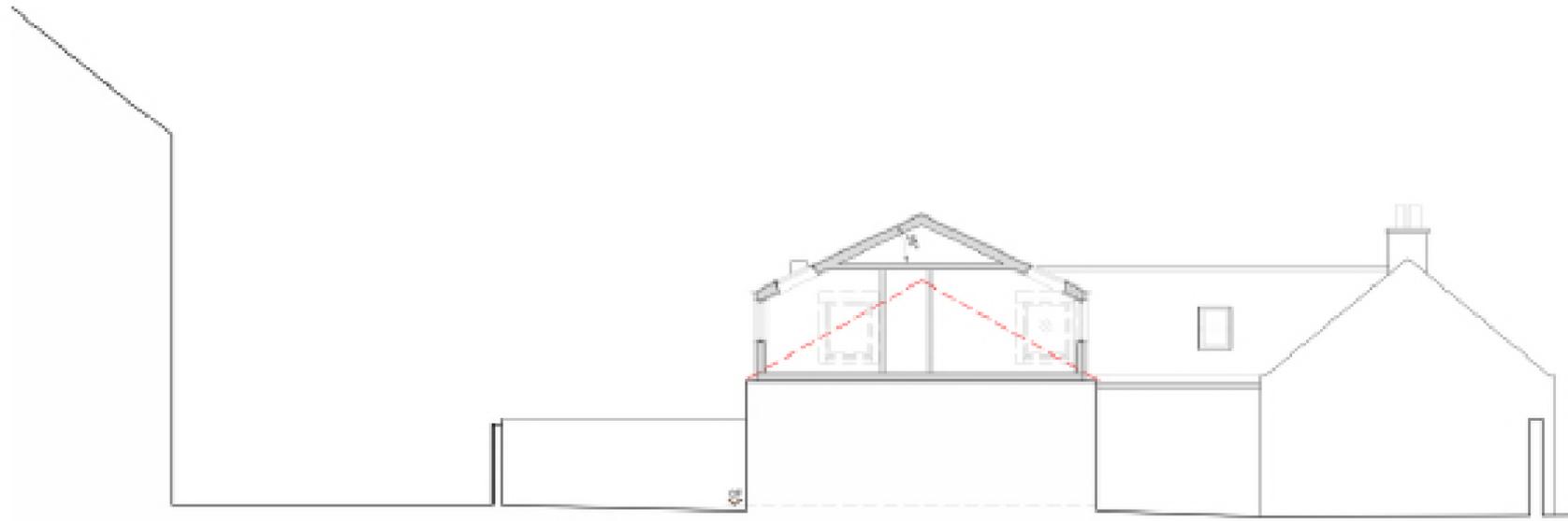


South East Elevation - 1:100

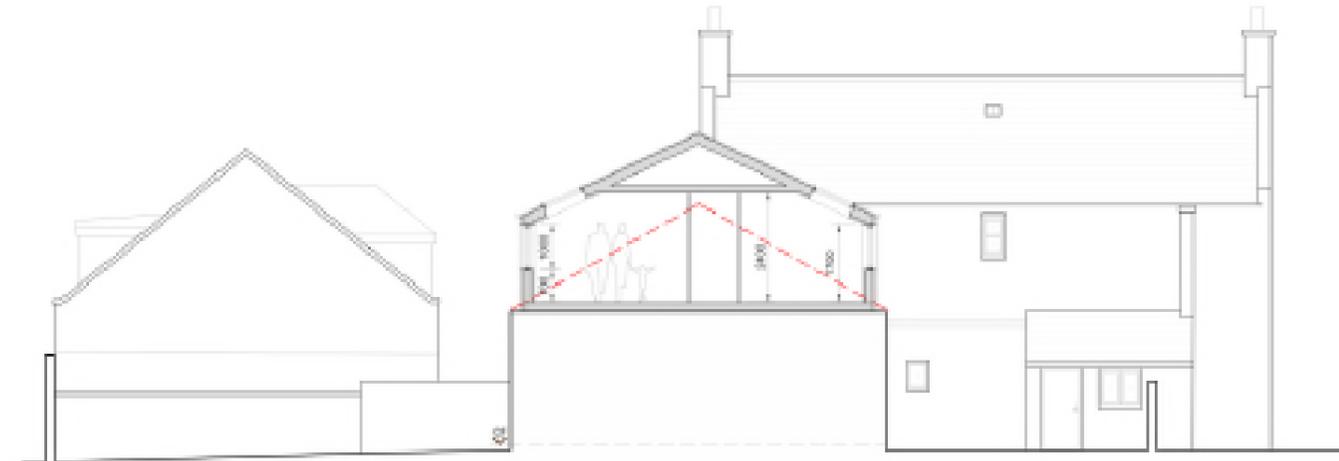


South West Elevation - 1:100

Sections – as proposed (below) and as existing (further below)

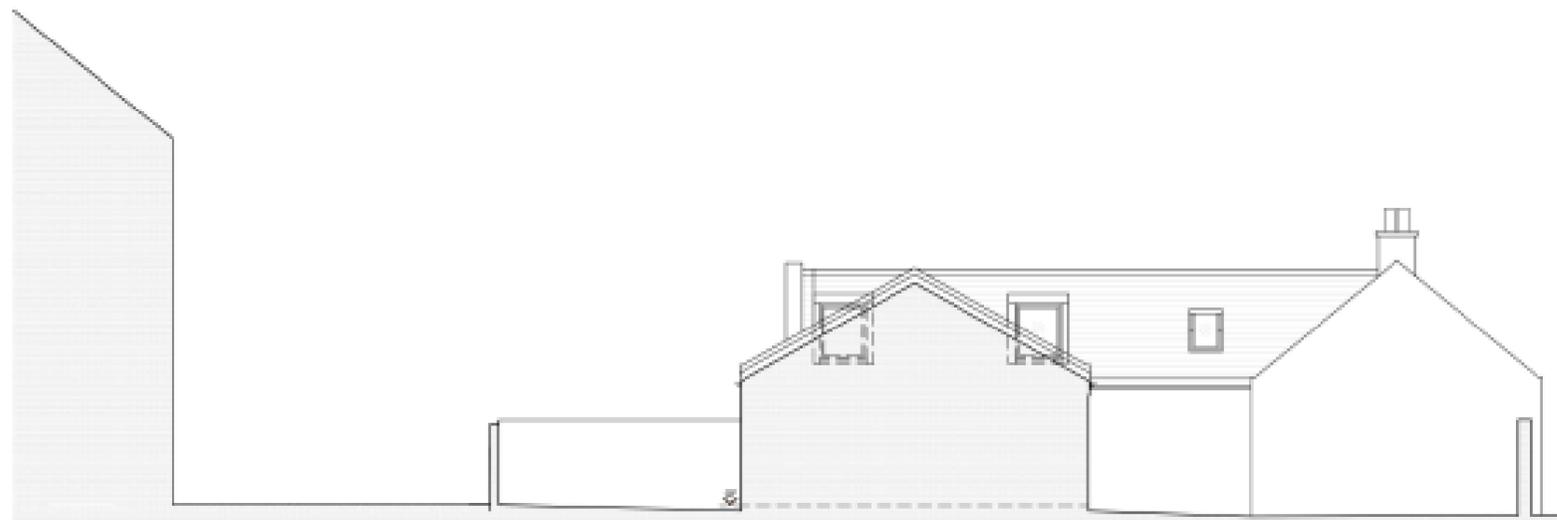


South East Section - 1:100



North West Section - 1:100

Page 15



South East Section - 1:100



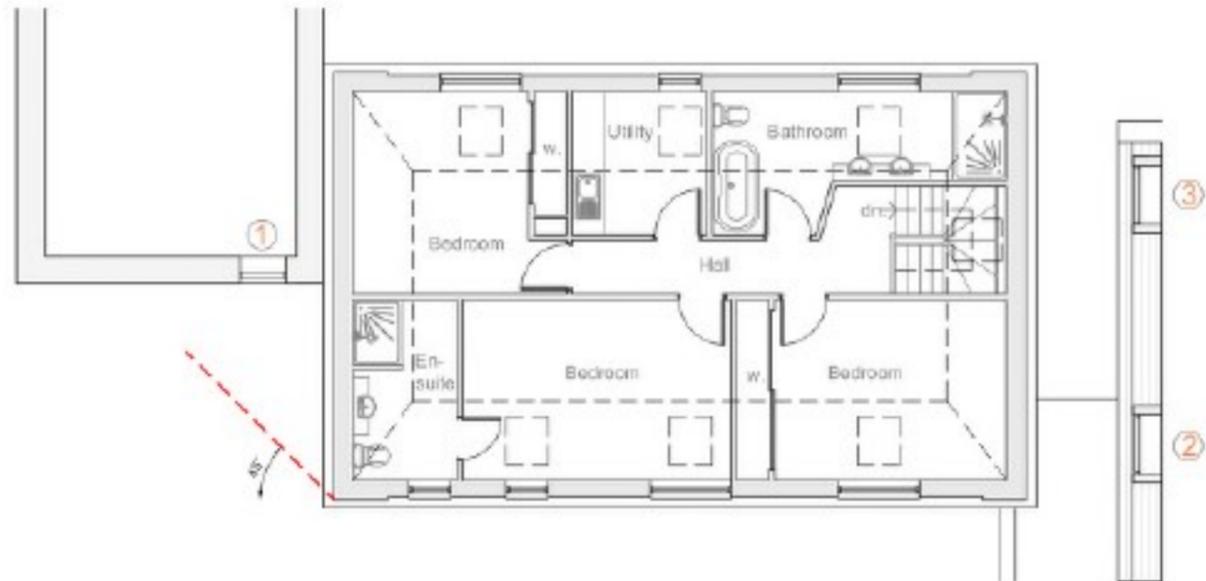
North West Section - 1:100



North East Elevation - 1:100



Front Visual



First Floor Plan - 1:100



Rear Visual

Reasons for Refusal

Stated in full in Report of Handling in Agenda. Key points:

- Design detailing and materials would lack architectural compatibility with original building
- Excessive scale and form would dominate the original building
- Upper storey would affect privacy, sunlight and daylight of neighbours and would be overbearing – privacy of flats at 506 George St, sunlight, daylight and outlook for staff flat at PDSA
- Contrary to Policy H2 and D1 in adopted plan and Householder SG
- Also contrary to H2, D1 and D2 (Amenity) in the Proposed Plan

Applicant's Case

- Impact on neighbour at PDSA (to north) has been resolved with $\frac{3}{4}$ storey , hipped roof and set back of upper storey from existing building
- Drawing demonstrates compliance with 25 and 45 degree rules
- Any development of this nature in a city centre may lead to reduction in amenity, however, proposals do not have significant detrimental impact.
- An additional storey inevitably adds height and mass
- Potential to add dormers do not work
- Materials are existing stonework from chimney, larch cladding, grey dry dash to end elevations and metal standing seam. All these are used extensively within the city – examples given
- There are a variety of building styles and materials in the area
- Examples provided of similar proposals, including 90 Loch Street

Policies – LDP 2017

Policy H2: Mixed Use

Policy H2 - Mixed Use Areas

Applications for development or change of use within Mixed Use Areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. Where new housing is proposed, a satisfactory residential environment should be created which should not impinge upon the viability or operation of existing businesses in the vicinity. Conversely, where new industrial, business or commercial uses are permitted, development should not adversely affect the amenity of people living and working in the area.

Policies – LDP 2017

Policy H1: Relates to new residential developments (excerpt)

Policy H1 - Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new development and householder development will be approved in principle if it:

- 1 does not constitute over development;
- 2 does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3 does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and
- 4 complies with Supplementary Guidance.

Householder Development Guide

General Principles

1. Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.
2. No extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity will count against a development proposal.

No specific guidance on adding storey - two storey extensions to two storey buildings may be acceptable, subject to criteria.

D1: Quality Placemaking by Design

All dev't must *“ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials”*.

Proposals will be assessed against the following six essential qualities:

- Distinctive
- Welcoming
- Safe and pleasant
- Easy to move around
- Adaptable
- Resource-efficient

Evaluation

- **Primacy of Development Plan**
- **The Planning Act requires all applications to be determined in accordance with Development Plan unless material considerations indicate otherwise**
- **Careful assessment, each application treated on its merits**

Basis for Decision

Zoning:

How would it affect the character of the building and area and the relevant supplementary guidance?

What is the impact on amenity of occupiers of neighbouring staff flat and other residential uses ?

1. Does the proposal comply with the Development Plan when considered as a whole?

2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?

Decision – state clear reasons for decision

Thank you
Questions ?

Lucy Greene (Planning Advisor): lgreene@aberdeencity.gov.uk

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 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
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Site Address:	Kercallie Cottage, 8 Charles Place, Aberdeen, AB25 3TW
Application Description:	Erection of first floor extension
Application Ref:	220267/DPP
Application Type:	Detailed Planning Permission
Application Date:	3 March 2022
Applicant:	Mr Darko Kresic & Ms Karine Franck
Ward:	George Street/Harbour
Community Council:	George Street
Case Officer:	Roy Brown

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises a single-storey granite-built dwellinghouse and its front and rear curtilage in a residential area. The dwellinghouse has a northeast facing principal elevation.

The immediate surrounding area is particularly dense in nature, with the site bounded by Charles Place, a pedestrian lane, to the northeast; residential dwellings (5 and 7 Charles Street) and a 7-bedroom HMO property (9 Charles Street) to the southeast; the residential flats of 506 George Street to the southwest and the PDSA Pet Hospital (30 Fraser Place), which has staff living accommodation in its upper floor to the north.

The building does not front a road as its principal elevation is screened from Charles Place by way of c.2m high boundary treatment. The dwellinghouse is visible from public areas on Charles Street to the southeast beyond the residential curtilage of 9 Charles Street to the southeast and beyond 30 Fraser Place from Fraser Place to the northwest.

Relevant Planning History

None.

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought for the erection of an upper storey extension above the original dwelling to become two storeys in form with a hipped roof.

The resulting dwelling would be increased in height by c.4m, would have a maximum and ridge height of c.7m and a resulting eaves height of c.5.2m. The extension would be c.13m in width and c.7.8m in length (c.0.4m less than the length of the original dwelling).

The walls of the extension would be finished in timber cladding, drydash render and granite; its windows would be framed in, and its fasciae and soffits would be finished in, grey uPVC; and its roof would be finished in grey standing seam metal cladding.

Amendments

None.

Supporting Documents

All drawings and the supporting document listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R86CCSBZL5R00>

Planning Statement (Prepared by JV Carroll)

Sets out the site context, the proposals and justifies the development against planning policies and guidance, as well as the comments that have been provided by the Planning Service prior to the determination of the application.

CONSULTATIONS

Roads Development Management Team – No objection or roads related concerns.

George Street Community Council – No response received.

REPRESENTATIONS

None

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.

Development Plan

Aberdeen City and Shire Strategic Development Plan 2020

The current Strategic Development Plan for Aberdeen City and Shire was approved by Scottish Ministers in September 2020 and forms the strategic component of the Development Plan. No issues of strategic or cross boundary significance have been identified.

Aberdeen Local Development Plan 2017 (ALDP)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within 5 years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this 5-year period. The Proposed Aberdeen Local Development Plan 2020 has been submitted to the Planning & Environmental Appeals Division at the Scottish Government in July 2021. The formal examination in public of the Proposed Local Development Plan 2020 has commenced with reporters appointed.

Material consideration will be given to the Proposed Local Development Plan 2020, in the context of the progress of its examination, in the assessment of planning applications.

Given the extant local development plan is beyond its five-year review period consideration, where relevant, weight should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: “Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration”.

The following policies are relevant –

Policy H2 – Mixed Use Areas
 Policy D1 – Quality Placemaking by Design
 Policy D5 – Our Granite Heritage

Supplementary Guidance (SG)

The Householder Development Guide (HDG)

Proposed Aberdeen Local Development Plan 2020

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The Proposed ALDP constitutes the Council’s settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis.

The following policies are relevant –

Policy H2 – Mixed Use Areas
 Policy D1 – Quality Placemaking
 Policy D2 – Amenity
 Policy D7 – Our Granite Heritage

EVALUATION

Principle of Development

The application site is zoned within a mixed-use area under Policy H2 – Mixed Use Areas of the Aberdeen Local Development Plan 2017 and relates to householder development. Development would accord with this policy in principle if it takes into account the existing uses and character of the surrounding area and avoids undue conflict with the adjacent land uses and amenity. These issues are considered below.

Design and Scale

To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1 of the ALDP. This policy recognises that not all development will be of a scale that makes a significant placemaking impact but recognises that good design and detail adds to the attractiveness of the built environment.

The Supplementary Guidance: The Householder Development Guide, relevant in the assessment of this extension states that *'Proposals for extensions ... should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.'*

In this instance, the proposed roof extension would serve to dominate the scale and form of the original dwelling as it would result in the dwellinghouse having a two-storey hipped roofed form with a significantly raised eaves and ridge heights whereas the original dwellinghouse is of a single storey hipped roofed form, resulting in the height of the dwellinghouse being more than doubled by the proposal. Furthermore, the building is historic, having been a very small terrace of three small buildings, as such this extension would serve to dominate the original building and result in the loss of the original architectural character and form of the existing dwellinghouse.

Notwithstanding the re-use of original granite, which is welcomed and accords with the principles of Policy D5 of the ALDP, the finish and detailing of the proposed roof extension would have little consistency in that the building would retain its original granite walls at ground floor level, and the extension would comprise timber cladding, smooth drydash render, metal standing seam roof cladding with reclaimed granite features. The quantity of these materials would have minimal consistency in terms of colour, texture, materials and detailing, which would detract from the architectural integrity of the dwellinghouse. In the context of the surrounding area, the introduction and extensive use of larch timber cladding at the upper storey level would appear somewhat jarring and inconsistent with its historic character. Additionally, the proposed windows would not be of proportions or design that would relate to those of the floor below, further impacting the character of the existing dwelling.

Whilst the extension would be publicly visible in the context of Charles Street adjacent to buildings of varying finishing materials, the extension would not be of design, detailing, scale, form and materials that would be consistent with the original building and thus would detract from the character and visual amenity of the surrounding area, in conflict with Policies D1 and H2 of the ALDP and the HDG.

Amenity

In terms of privacy, the proposed extension would have three bedrooms windows facing the southwest which would be c.14m from the rear elevation of the flats in 506 George Street and just c.6m from the curtilage of these properties. Given there are no windows at first floor level at this location currently, the proposal would introduce direct overlooking into the windows of the flats and their residential curtilage from the southeast, which would be detrimental to the privacy and thus the residential amenity of these properties.

The proposed extension would be erected and constructed at a distance of just c.2m from the dormer windows of the living room and bedroom of one of the staff flats in the PDSA Hospital to the north. Given the proximity of the proposed extension to these windows, the presence of the extension would have a significant adverse impact on the outlook, and thus amenity, afforded to the occupants of this accommodation, in conflict with Policies H2 and D1 of the ALDP and the HDG.

With respect to background daylight and sunlight, using the 45-degree and 25-degree sunlight and daylight methods in the HDG, the Planning Service has established that the proposed extension would furthermore adversely affect the level of background daylight into these dormer windows given the c.2m distance and height of the development relative to these windows. Additionally, the proposal would adversely affect the existing level of outlook and sunlight afforded to the ground floor bedroom on the southwest elevation of 9 Charles Street given the increased height the dwelling and the orientation of the development to the west of the affected window.

Finally, the proposed extension would adversely affect the existing level of sunlight afforded to the curtilage of 9 Charles Street. The formation of the upper storey southeast facing gable would result in three two-storey walls bounding this curtilage would be particularly overbearing on this space. Given 9 Charles Street has a large number of residents and this is the primary outdoor space afforded to this property, it would detract from the residential amenity afforded to this properties.

It has been established using the 45-degree daylight and sunlight methods that the proposed extension would not adversely affect the level of background daylight afforded to 7 Charles Street, notably its first-floor northeast facing window. Nevertheless, the proposed upper storey extension would adversely impact on the privacy, sunlight and background daylight of neighbouring residential properties as well as being overbearing to neighbouring residential curtilage. The impact on the privacy afforded to the flats of 506 George Street, in particular, would be significantly detrimental to the existing level of residential amenity. The proposed upper storey extension would therefore significantly and adversely affect the existing amenity of the adjacent uses, in conflict with Policies H2 and D1 of the ALDP and the HDG.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 substantively reiterate those in the adopted Local Development Plan and the proposal is unacceptable in terms of both Plans for the reasons previously given.

Matters Raised in the Supporting Statement

The justification for the design in the Supporting Statement in terms of the materials proposed and the consideration of the wider Aberdeen context in choosing these is noted, as well as the consideration of thermal efficiency. Nevertheless, as explained above, the design, detailing, scale and materials are considered to not be architecturally compatible with this dwellinghouse in the context of the surrounding area, and as such, the extension is considered to conflict with the relevant planning policies of the ALDP and the HDG.

With respect to the comparisons of this development to the upper storey extension that was erected at 90 Loch Street, it must be noted that every planning application being assessed on its own merits. Furthermore, that development is of a particularly different context given this is a householder development, the roof extension more than doubles the height of, and thus dominates the original dwelling and, for the reasons set out above, the detailing and finish is not consistent with the architectural character of the original building and its surrounding context.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

By way of its design, detailing and materials which would not be consistent with the architectural character of the original building and its excessive scale and form which would serve to dominate the original building, the proposed upper storey extension would be architecturally incompatible

with the original dwelling and would detract from the character and visual amenity of the surrounding area.

Furthermore, the proposed upper storey extension would adversely impact the existing level of privacy, sunlight and background daylight of neighbouring residential properties as well as be overbearing to neighbouring residential curtilage. The impact on the privacy afforded to the flats of 506 George Street and on the sunlight, background daylight and outlook afforded to the staff flat of the PDSA Hospital which is in very close proximity to the extension, in particular, would be significantly detrimental to their existing level of residential amenity. The proposed upper storey extension would therefore significantly adversely affect the existing amenity of the adjacent uses.

The proposed extension would therefore conflict with Policies H2 – Mixed Use Areas and D1 – Quality Placemaking by Design of the Aberdeen Local Development Plan 2017; the Supplementary Guidance: ‘The Householder Development Guide’; and Policies H2 – Mixed Use Areas, D1 – Quality Placemaking and D2 - Amenity of the Proposed Aberdeen Local Development Plan 2020.



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 100539284-001

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)

First floor extension to existing single storey dwelling

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:	J.V. Carroll, Chartered Architectural Technologists		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Ross	Building Name:	Inverden House
Last Name: *	Clarihew	Building Number:	<input type="text"/>
Telephone Number: *	01224 643106	Address 1 (Street): *	Queens Lane North
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Aberdeen
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	AB15 4DF
Email Address: *	info@jvcarroll.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	Kercallie Cottage
First Name: *	Darko Kresic	Building Number:	8
Last Name: *	& Ms Karine Franck	Address 1 (Street): *	Charles Place
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Aberdeen
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	AB25 3TW
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

KERCALLIE COTTAGE

Address 2:

8 CHARLES PLACE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB25 3TW

Please identify/describe the location of the site or sites

Northing

807150

Easting

393648

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.

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: Ross Clarihew

On behalf of: Mr Darko Kresic & Ms Karine Franck

Date: 03/03/2022

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 Ross Clarihew

Declaration Date: 03/03/2022

Payment Details

Online payment: ABSP00008000
Payment date: 03/03/2022 14:38:00

Created: 03/03/2022 14:39

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Ross Clarihew
J.V. Carroll, Chartered Architectural Technologists
Inverden House
Queens Lane North
Aberdeen
Scotland
AB15 4DF

on behalf of **Mr Darko Kresic & Ms Karine Franck**

With reference to your application validly received on 3 March 2022 for the following development:-

Erection of first floor extension at Kercallie Cottage, 8 Charles Place

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
F:33 - 04	First Floor Plan and Sections (Proposed)
F:33 - 05 A	Location Plan
F:33 - 03 A	Elevations and Floor Plans (Proposed)

DETAILS OF ANY VARIATION MADE TO THE ORIGINAL APPLICATION

None.

REASON FOR DECISION

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

By way of its design, detailing and materials which would not be consistent with the architectural character of the original building and its excessive scale and form which would serve to dominate the original building, the proposed upper storey extension would be architecturally incompatible with the original dwelling and would detract from the character and visual amenity of the surrounding area.

Furthermore, the proposed upper storey extension would adversely impact the existing level of privacy, sunlight and background daylight of neighbouring residential properties as well as be overbearing to neighbouring residential curtilage. The impact on the privacy afforded to the flats of 506 George Street and on the sunlight, background daylight and outlook afforded to the staff flat of the PDSA Hospital which is in very close proximity to the extension, in particular, would be significantly detrimental to their existing level of residential amenity. The proposed upper storey extension would therefore significantly adversely affect the existing amenity of the adjacent uses.

The proposed extension would therefore conflict with Policies H2 - Mixed Use Areas and D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan 2017; the Supplementary Guidance: 'The Householder Development Guide'; and Policies H2 - Mixed Use Areas, D1 - Quality Placemaking and D2 - Amenity of the Proposed Aberdeen Local Development Plan 2020.

Date of Signing 16 June 2022



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

RIGHT OF APPEAL

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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Consultee Comments for Planning Application 220267/DPP

Application Summary

Application Number: 220267/DPP

Address: Kercallie Cottage 8 Charles Place Aberdeen AB25 3TW

Proposal: Erection of first floor extension to front and rear

Case Officer: Roy Brown

Consultee Details

Name: Mr scott lynch

Address: Marischal College, Gallowgate, Aberdeen AB10 1YS

Email: Not Available

On Behalf Of: ACC - Roads Development Management Team

Comments

I note that this application is for the erection of a first floor extension to the front and rear of 8 Charles Place. The site is located in the inner city, in controlled parking zone W.

The proposals would see the property increase in size from 2 bedrooms to 3, leaving the required parking provision unchanged.

The proposals will not alter the existing parking provision.

As such, there are no Roads concerns with this proposal.

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Aberdeen Local Development Plan (ALDP)

[Aberdeen Local Development Plan | Aberdeen City Council](#)

- Policy H2 – Mixed Use Areas
- Policy D5 – Our Granite Heritage
- Policy H1 – Residential Areas
- Policy D1 - Quality Placemaking by Design

Supplementary Guidance

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

Other Material Considerations

Proposed Aberdeen Local Development Plan (2020)

<https://www.aberdeencity.gov.uk/services/planning-and-building/local-development-plan/aberdeen-local-development-plan/aberdeen-local-development-plan-review#3678>

In particular, policies:

Policy H2 – Mixed Use Areas

Policy D1 – Quality Placemaking

Policy D2 – Amenity

Policy D7 – Our Granite Heritage

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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 100539284-004

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 T Agent

Agent Details

Please enter Agent details

Company/Organisation:	J.V. Carroll, Chartered Architectural Technologists		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ross	Building Name:	Inverden House
Last Name: *	Clarihew	Building Number:	
Telephone Number: *	01224 643106	Address 1 (Street): *	Queens Lane North
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB15 4DF
Email Address: *	info@jvcarroll.co.uk		

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

T 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" value="Kercallie Cottage"/>
First Name: *	<input type="text" value="Darko Kresic &"/>	Building Number:	<input type="text" value="8"/>
Last Name: *	<input type="text" value="Ms Karine Franck"/>	Address 1 (Street): *	<input type="text" value="Charles 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="SCOTLAND"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB25 3TW"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

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="KERCALLIE COTTAGE"/>
Address 2:	<input type="text" value="8 CHARLES PLACE"/>
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 3TW"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="807150"/>	Easting	<input type="text" value="393648"/>
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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)

First floor extension to existing single storey dwelling

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.

APPEAL STATEMENT ATTACHED.

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)

1) Planning Appeal Statement 2) F3301 - Existing survey drawing 3) F3303A - Sketch Proposal 4) F3304 - Daylighting drawing
5) F3305A - Site & Location Plans

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

220267/DPP

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

03/03/2022

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

16/06/2022

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)

WE FEEL A SITE VISIT MAY BE BENEFICIAL IN ORDER THE APPEAL BODY CAN APPRECIATE THE SECLUDED NATURE OF THE SITE.

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

Can the site be clearly seen from a road or public land? * Yes No

Is it possible for the site to be accessed safely and without barriers to entry? * Yes No

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

The site has a locked gate entrance with boundary treatments making access difficult, without a pre-arranged arrangement.

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 Ross Clarihew

Declaration Date: 06/07/2022

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**PROPOSED ALTERATIONS & EXTENSION TO FORM ADDITIONAL STOREY
AT 8 CHARLES PLACE, ABERDEEN
MR DARIO KRESIC & MS KARINE FRANCK**



PLANNING APPEAL STATEMENT

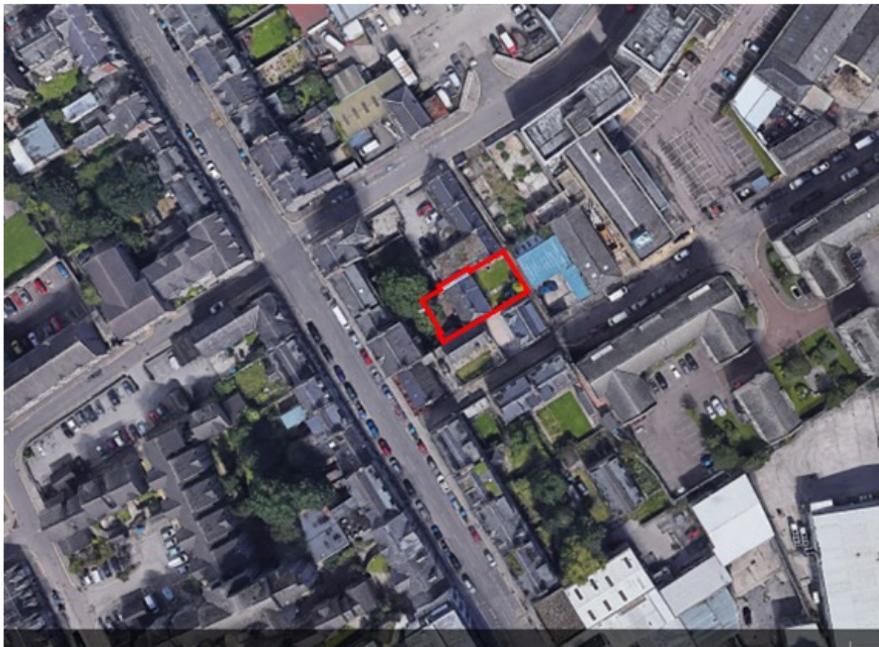


J V CARROLL
Chartered Architectural Technologist
Building Design Consultants

**INVERDEN HOUSE, QUEENS LANE NORTH, ABERDEEN, AB15 4DF
t: 01224-643 106 e: info@jvcarroll.co.uk**

1.0 INTRODUCTION

- 1.1 Householder Planning Permission was sought for the formation of an additional storey to the existing dwellinghouse, to create further accommodation to this current single storey house. The end design would provide a storey & 3/4 dwelling.
- 1.2 All accommodation is currently over a single level which includes two bedrooms. There is an open plan living / dining space, bathroom, small kitchen, but no utility room, and the roofspace is currently used as a storage space and does not possess enough height to be converted into any form of accommodation.
- 1.3 The dwelling is situated on a secluded site in a city centre location, just off the main thoroughfare of George Street. The property sits on a sizable plot, which is detailed later in this statement along with the plot ratio.
- 1.4 The appeal site is located within a mixed-use area and is surrounded by a combination of residential and commercial premises.
- 1.5 The application was seeking additional accommodation for this young family who have invested substantially in the current building and site, since taking ownership several years back, to make this a lovely family home and vastly improve its appearance.
- 1.6 Planning Permission was refused (220267/DPP) on 16th June 2022.
- 1.7 This statement will provide the basis of our appeal to the Local Review Body. The appeal is being made as we disagree with the view of the planning authority on this proposal and would ask that further consideration be given to the site context and a more proactive view to the proposal.



2.0 APPRAISAL

STAGE 1:

Applicants Name: Mr Dario Kresic & Ms Karine Franck

Design Brief: To design extension creating a second storey to provide additional accommodation

Site Details: 8 Charles Place, Aberdeen, AB25 3TW

Total Site area = 312 sq.m. Plot Ratio = 35%

Grid Ref = [NJ 93649 07151](#)

- 2.1 The site is located on Charles Place, connecting Fraser Place to the North with Charles Street to the South. Charles Place is a pedestrian access, rather than a road for vehicle traffic and runs parallel with George Street, which lies approximately 25m to the East. The surrounding area contains a mixture of residential & commercial buildings.
- 2.2 This statement has been prepared and submitted in support of our appeal to the Local Review Body for application (220267/DPP) which was determined on 16th June 2022.
- 2.3 The Planning authority have detailed their concerns / reasons for refusal within the refusal document and the Report of Handling.
- 2.4 Below is a brief summary of their reasons for refusal;
- Design, detailing & materials not consistent with architectural character of the original building.
 - Detracts from the character and visual amenity of the surrounding area.
 - Affects amenity of neighbouring properties.
 - Scale and form excessive.
- 2.3 Topography – The site is generally very level, with the front garden containing pathways/grass and the rear containing a hard standing rear yard area.
- 2.4 The appeal site extends to some 312 sq.m. and houses the property and associated domestic garden space. The site is already serviced by the usual utilities such as gas, electric, BT etc as well as being connected to the combined drainage / sewer system. The site is bounded all around by masonry walls and timber fences.

- 2.5 Access to the site is taken directly from Charles Place, a pedestrianised lane. Charles Place can be accessed from either Charles Street or Fraser Place. There are no other properties accessed from Charles Place, with the neighbouring building to the North, occupied by PDSA being accessed via Fraser Place. Whilst the building to the Southeast is accessed from Charles Street.



**Application site highlighted in red*

3.0 PLANNING

STAGE 2:

3.1 There is no other recent planning history on this site.

3.2 **Aberdeen Local Development Plan (2017) (ALDP)**

- Policy H2: Mixed use areas
- Policy D1: Quality Placemaking by Design
- Policy D2 - Amenity
- Policy D5: Our Granite Heritage
- Householder Development Guide

3.3 Pre-Application Discussion:

We understand pre-application was carried out by a previous agent, prior to this practice being appointed and we understand comments were raised about various elements. A suggestion was made by the Planning authority at this time that dormers to the first floor may be acceptable, however there is not sufficient height in the existing roofspace to cater for this, nor would a large box dormer sit well on the roofscape of the current building and would most likely make the elevation look “top heavy”.

We have taken our own fresh view on the proposal, and it is our belief that the application presented complies with the above stated Policies.

4.0 DESIGN PRINCIPLES

STAGE 3:

- 4.1 Establishing the design principles, by studying the site and context appraisal, has enabled us to make informed decisions of the rules to be applied to the site. The design of the extension takes consideration of the principles contained within policies for housing, but also reflects and compliments the elements of existing buildings in the surrounding area, as well as buildings which have been approved/constructed recently in the nearby area and set a form of precedent for this project.

The proposed extension will be a simple and modern construction with the use of native timber cladding, dry-dash render and re-used granite as the external cladding facade. The North East & South East front corners of the building will feature re-used granite from the chimney downtakings, which will be a link between the original building below and addition above. Native Scottish larch cladding will be used between the corner sections of granite. The elevations to the North West & South East will have a grey granite dry-dash render finish. The roof will be finished in a standing seam metal cladding, dark grey in colour.

The extension proposed at first floor to create the additional accommodation will not be a full height storey but instead a $\frac{3}{4}$ storey in order to restrict the overall height and mass of the building. This will be a purpose-built timber kit design with high levels of thermal insulation to all elements to ensure the dwelling is both thermally & cost efficient. This is imperative with the current high energy prices and cost of living crisis, whilst also future proofing the property against the coming energy efficiency targets for the new & existing building stock.

There is little continuity between the style of the surrounding buildings, with most featuring various material types. This design, with the use of the materials stated, will complement the existing architecture in the surrounding area and that of the existing structure.

- 4.2 Maintenance

The extension will be constructed from minimal maintenance products and the uPVC windows will ensure that the frames retain their appearance without further cost to the occupants. The render will retain its dark colour without any further maintenance, whilst the timber cladding requires no maintenance and will be allowed to weather naturally. Finally, the metal roof cladding again will require to ongoing maintenance.

4.3 Construction / Energy Efficiency:

Current building standard requirements ensure that all new building works will meet a high level of thermal comfort. These proposals will at minimum meet this level of thermal efficiency; with the external wall construction consisting of the external cladding finish, 140mm timber framed walls with high levels of insulation board between and over the kit followed by battens and plasterboard on the inside face to ensure optimum air tightness to the building envelope. Similarly, the roof will be insulated in a similar fashion as a continuous “blanket” of insulation to retain the heat and reduce ongoing running costs.

4.4 Lighting

Low level unobtrusive lighting to be provided around the dwelling to reduce glare and unnecessary lighting pollution. All lighting within the extension will be low energy type, however natural daylight should be utilized whenever possible and this has been incorporated into the design by the addition of velux roof windows to the bedrooms, aswell as the main windows themselves.

4.5 Water / Foul & Surface Water Drainage

All rainwater and foul drainage connected into existing combined drainage / sewer system.

4.6 Boundary Enclosures

The site is currently bounded by masonry walls and timber fencing, which will be unaffected by these works.

5.0 DESIGN SOLUTION

5.1 Local Styles

The application in context with its surroundings gives way to this having a rather “open to interpretation” view. By that we suggest there appears to be no fixed ‘local style’ in vicinity of the application site. There is a mixture of 2,3,4 & 5 storey buildings within approx. 70m of the site. These examples are shown on the forthcoming pages under the Materials section. 8 Charles Place is the only single storey building in the immediate area.

5.2 Daylight/Sunlight

A major part of the final design solution was how the new extension affected the daylight/sunlight levels to existing neighboring properties. As development in built up areas such as this, can have a substantial effect on the amenity enjoyed by neighbouring properties unless considered from the early stages of the design process.

The building that would have potentially been the most affected was the PDSA, Pet Hospital building at 26-30 Fraser Place to the North. However, with some thought into the design we have been able to overcome this issue by satisfying the guidance set out by the local authority on this matter. As well as the PDSA building, the same applies to the buildings at 5-7 & 9 Charles Street, which again we were able to show compliance with.

In order to negate any issues with the loss of amenity, we have offset the first floor wall back from the existing wallhead and designed a hipped end roof to both side elevations which is shown in drawing: F33:04. The new extension eaves wallhead is restricted in height at the first floor to form a storey & $\frac{3}{4}$ design, rather than a full two storey's in order to keep the overall height down and any potential impact to the neighbouring properties. The said drawing clearly shows compliance with the 25 & 45 degree methods, laid out within Aberdeen City Council guidance, thus a sufficient level daylight to neighboring properties would be maintained.

Whilst it is acknowledged that any development of this nature in a city centre location may lead to some reduction in amenity, this application clearly demonstrates that the proposal would not constitute having a “significant detrimental impact” on the daylight/sunlight levels enjoyed by the neighbouring properties.

5.3 Materials

The design makes use of several different materials, which all complement the existing structure. Whilst we note the Planning Authorities comments regarding the selection of multiple materials, we would like to elaborate on the material choices. The design sets out to respect the existing granite stonework of the existing building, taking heed of Policy D5 – Our Granite Heritage. Furthermore, it is proposed to retain & re-use granite doughtings from the chimneyhead of the original building and re-use at each corner of the new extension, as a link between new and old. This is a sustainable choice, in comparison to importing an alternative and also meets the guidance set out by the local policies and guidance on this matter.

The remainder of the front and rear elevation walls will consist of native Scottish larch cladding. Timber cladding is a sustainable material and is used throughout the country on a wide variety of project types. It is also commonly found in new constructions in Aberdeen, and over time once weathered corresponds with the grey granite very well. The return side elevations will be a simple grey granite chip dry dash render to blend in with the granite below and adjacent at the new first floor level.

Finally, the roof is proposed to be finished in a metal standing seam cladding. This material has also been used extensively throughout the country and here in Aberdeen. The use of this modern material will give the building a sleek and more contemporary feel, clearly defining the upper level as an addition and the lower granite as the original. This material also reflects Aberdeen’ historic context, where lead roofing with protruding wood core rolls were commonplace. The use of grey modern ‘standing- seam’ metal cladding replicates the aesthetic of the lead and the wood core roll joints which adds visual interest to the cladding, helping to break up the appearance of large areas over an elevation. Grey or dark grey cladding in any form tends to sit well within the Aberdeen context and contribute towards our ‘sense of place’, whether that be replicating lead or traditional slated roofs.

Please see illustrations below of similar types of materials to those selected for this proposal. For further material details please refer to the full planning permission application drawings.



a) Grey upvc d/g windows.



b) Scotlarch cladding.



c) Grey standing seam metal cladding.



d) Granite chip render.

Below are some examples of materials in the immediate & local area of the application site, as well as demonstrating the local styles and the multiple storey nature of the buildings;



a) Two storey building immediately to the South East, 9-11 Charles Street. Modern dry-dash render & fystone.



b) Two storey building immediately to South West, 5-7 Charles Street. Granite lower walls and harling above. Similarities to appeal site with varying lower & upper wall finishes.



c) Two storey building to the North East, 26-30 Fraser Place with a mixture of materials.



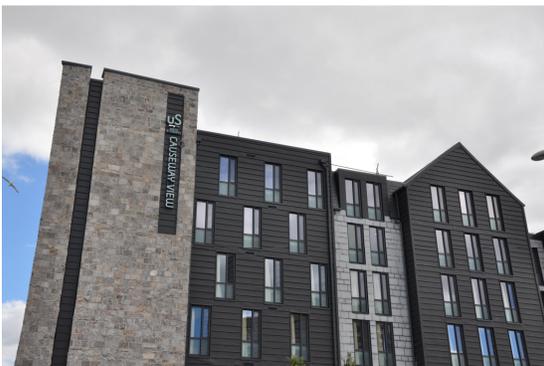
d) Four storey building to South East on Charles Street.



e) Five storey building on George Street, within 75m of application site with multiple materials used.



f) Three storey building at 90 Loch Street, in the local vicinity. Very relevant due to added storey & material selection.



g) Causewayend Student Accommodation with use of metal standing seams cladding.

5.0 RESPONSE TO PLANNING REFUSAL

We believe the appeal before you presents justification for the Planning Refusal to be overturned in favour of an approval. Whilst we respect the view of the Planning authority, we also completely disagree with their assessment of this application and their subsequent justification. We will elaborate on their various concerns below;

SCALE & MASS

The Planning authority have suggested that the proposed extension should be visually subservient to the original building in terms of height, mass & scale. When adding an additional storey to an existing building, increasing its height & mass is unavoidable. However, a development of this form is not uncommon. We believe the reference to the mass and scale within their “*guidance*”, would more apply to adding extensions elsewhere to an existing dwelling.

The Planning report references the height being increased by 4 meters. This is completely incorrect; the overall height increase is only 1.58m. This is clearly shown on our submitted drawings. Every effort has been made to soften the extension at the upper level, and we would highlight that the upper level has been set in from the existing wall line around all elevations. The hipped end design softens the view also, as opposed to having full gable ends. The design is such that the new upper storey is not full height, again to restrict height and the scale of the building. The end design proposed has been reduced and contained to ensure the massing of the building is not excessive and out of proportion with the current building or surroundings. We have explored the potential of adding dormers to the existing roof, but there is not sufficient height to achieve this, and this option is a non-starter.

We had referenced a previously approved application at 90 Loch Street as an example where an additional storey had been added above an existing traditional building. However, we are disappointed that this comparison is being dismissed by the Planning authority, despite their obvious similarities regarding scale and materials choices. The development mentioned is no less subservient than the appeal site and is in a far more prominent location? The appeal site is secluded from view almost completely, whilst 90 Loch Street site on a busy street adjacent to city centre shopping centres and the cities College building.

Final point on this matter, we would note that 90 Loch Street is also located within a densely built area, which has not prohibited development in that instance. Adding an additional storey to a current building does not appear to be controversial elsewhere in the City either, with this practice itself on numerous occasions having taken a single storey bungalow for example and adding a storey above it.

MATERIALS & VISUAL APPEARANCE

The Planning authority have also said the materials choices are not suitable for the existing building nor surrounding area. This has surprised us greatly. The use of materials such as larch cladding, standing seam metal roofing is extremely popular at present, including on extended properties and they can correspond very well with existing traditional materials such as granite. See photo (a) in Appendix 8 on the forthcoming pages.

It is also worth noting and re-emphasising that the appeal site is extremely secluded from view, not within a conservation area and is situated within an area where the external fabric of buildings is extremely varied and of no fixed style. We are not looking at a regulated street of single storey houses, all with granite frontages and slated roofs.

See photo (b) in Appendix 8 for an example where an extension has been added to a property within a Conservation Area, fronting a public view (side lane), far more so than the appeal site, which has been granted by the Planning authority. Whilst this example does not contain multiple materials, how can the use of the standing seam cladding throughout be acceptable in this instance and respect its surroundings and that of the Conservation Area? This extension also dominates this side of the house in mass & scale. The surrounding buildings are all traditional granite dwellings with slated roofs.

To revisit the building at 90 Loch Street again, which contains the original lower levels in granite stonework and the upper areas in standing seam cladding. We believe this to be a good example aesthetically of how an additional storey can be added without detracting from the original structure. This building has been used as an example by Aberdeen City Council themselves in a Materials Guidance document regarding the potential and acceptable use of metal cladding.

The examples could be endless and for that reason we will not be drawing this statement out longer than required, as we feel it should be recognised quite clearly that the materials chosen complement the existing structure and its surroundings.

Finally, the Planning authority have made comment regarding window proportions and alignment with the windows below. Again, to use 90 Loch Street as a direct comparison, our situation would appear little different to the approval of that building. See Appendix 7 which demonstrates the alignment of the windows and how we have designed the proposal. Given the amount of ground floor windows it made it difficult to have all windows completely aligned, which we don't believe is necessary. However, the said Appendix should highlight that this aspect has been considered in the design process.

AMENITY

The issue of the loss of amenity has been used as a reason for the refusal of this proposal. Firstly, we will look at overlooking created by this extension.

The concerns of the Planning authority were the building to the rear of the appeal site at 506 George Street. From the rear of the appeal building to the rear face of 506 George Street is 14m. This distance is considerable, given the city centre location, in a built-up area. Overlooking is surely unavoidable in built up areas, with flat windows looking directly across to other buildings throughout the city. Granted, these are quite often historic situations, but it is also accepted in new build situations, otherwise nothing would ever be developed in areas such as this. Two of the rear windows serve a bathroom and utility room, therefore it could be conditioned that these be obscure, if desired by the Planning authority. This would leave the end bedroom which is unlikely to have a direct line of sight to the windows of 506 George Street due to trees, outbuildings & alignment of the windows. The residents of 506 George Street currently overlook our client's property to the rear, as do the dormer windows of the PDSA building which overlook directly into our clients private garden space. Whilst we acknowledge these concerns, it would seem unfair when the adjacent buildings cannot be deemed "***good neighbours***" themselves on these topics.

Secondly, we will consider the comments regarding the lack of sunlight / daylight apparently caused by this proposal. We have demonstrated quite clearly on drawing F:33:04 that our proposal does comply with their 25 / 45 degree methods and our proposal has specifically been designed with this in mind.

The Planning authority report mentions the proposal adversely affecting the background daylight of the two dormer windows of the PDSA building to the North West. However the North East Elevation on drawing F:33:04 shows the 25 degree line being projected from the mid-point of the said dormers and not intersecting with the extension. Similarly, we have demonstrated that the 45 degree method shows compliance for the gable end window of the building at 5-7 Charles Street, which is actually recognised in the planning report.

Thirdly and finally, the report advises that the proposal will cause a loss of privacy, sunlight & background daylight to the HMO property at 9 Charles Street. We would again make the point that similarly 9 Charles Street has an element of overlooking into our client's property. It is worth noting that the two sets of windows do not have a direct line of site into each other's windows. If looking south from the front south east upper window of the appeal building, you could overlook the outdoor space of 9 Charles Street, however it is apparent this area is not used for any other purpose than car parking. See photo (c) in Appendix 8.

It is recognised that some overshadowing will take place in this car parking area to No. 9 Charles Street. However, this situation is made no worse by this proposal and is already in place due to the building at 5-7 Charles Street and even the buildings beyond on George Street. Albeit the approval of 9 Charles Street was granted despite this. We do not feel our client's proposal should be penalized for making the situation no worse. Please refer to Appendix 9 where we demonstrate the shadow cast with and without our appeal building in place. This exercise demonstrates that the shadow cast by our building makes this situation no worse than what currently exists.

To conclude our response to the issues raised regarding amenity. It is acknowledged that given the density and constrained nature of this city centre location, the amenity of existing neighbouring residential properties may be altered by the proposal, however given the mitigations measures explained and designed into the proposal, it should not be considered that the proposal will not have a significant enough detrimental impact on the residential amenity such as to warrant the refusal of the application. We have come across similar conclusions reached by the Planning authority on applications such as this and would ask that a similar transparent approach be taken in this case, given the detailed justification provided.

6.0 CONCLUSION

In summary, we believe the submitted Planning documentation along with the contents of this Appeal Statement sets out grounds for the overturn and approval of the proposal to 8 Charles Place.

It is our opinion that the matter of materials & visual appearance has been considered, justified and should present no issues to the Planning authority. The main issues, again in our opinion, would be that of the Scale/Mass and Amenity. We believe Section 5 more than elaborates on each of these topics, providing justification and further detail on our findings after what has been a lengthy design process. The following bullet points should streamline the contents & findings of this report;

- Materials complement both the existing building and surrounding buildings where possible.
- “Mishmash” of different materials and styles on adjacent buildings.
- Materials choices used throughout city, on many occasions with multiple materials which have all been accepted by the Planning authority at some stage.
- Extension has been designed to limit effect on neighbouring properties amenity, this has dictated roof design, eaves height and footprint size.
- Neighbouring buildings cannot be deemed “good neighbours”, and for that reason cannot be afforded the full protection of local authority guidelines. This is a fact stated in the Householder Development Guide.
- Site extremely secluded with very limited public view.
- Not within a Conservation Area, listed or protected in anyway.
- No public / neighbour objections.

7.0 APPENDIX

7.A.



Images demonstrating the alignment of the new first floor windows with those existing at ground floor level.

8.0 APPENDIX

8.A.

Example of larch cladding, standing seam roofing and traditional granite stonework working well in conjunction with each other.



8.B.

Example of an extension added in Aberdeen's West End, within a Conservation Area, with the use of standing seam cladding and an extension dominating rear/side aspect.



8.C.

Photo of outdoor space at 9 Charles Street, which is used solely for car parking.



9.0 APPENDIX

Shadow cast of building at 5-7 Charles Street on to 9 Charles Street, without the appeal site building shown in order to demonstrate what shadow cast currently exists.



12 Noon



6pm

Existing shadow cast of appeal building on 9 Charles Street, without upper storey added.



12 Noon



6pm

Shadow cast of appeal building at 8 Charles Place, with proposed storey added, but without shadows cast from 5-7 Charles Street. As you can see the shadow cost is marginally more intrusive than the existing example above. However, this clearly demonstrates that the top example casts a far greater shadow than the limited shadow cast of the appeal site.



12 Noon



6pm

Proposed shadow cast throughout the day with upper storey added to appeal site, including 5-7 Charles Street.



9 am



12 Noon



3 pm



6pm

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Local Review Body (LRB) 17 August 2022

**220423/DPP - 157 Crown Street, Antrim Guest House
Change of use from guest house to form 3 residential flats
including alterations and addition of window/door openings**

Lucy Greene, Planning Advisor

Location Plan



Aerial Photography 2019



Google 3D 2022



Google 3D 2022

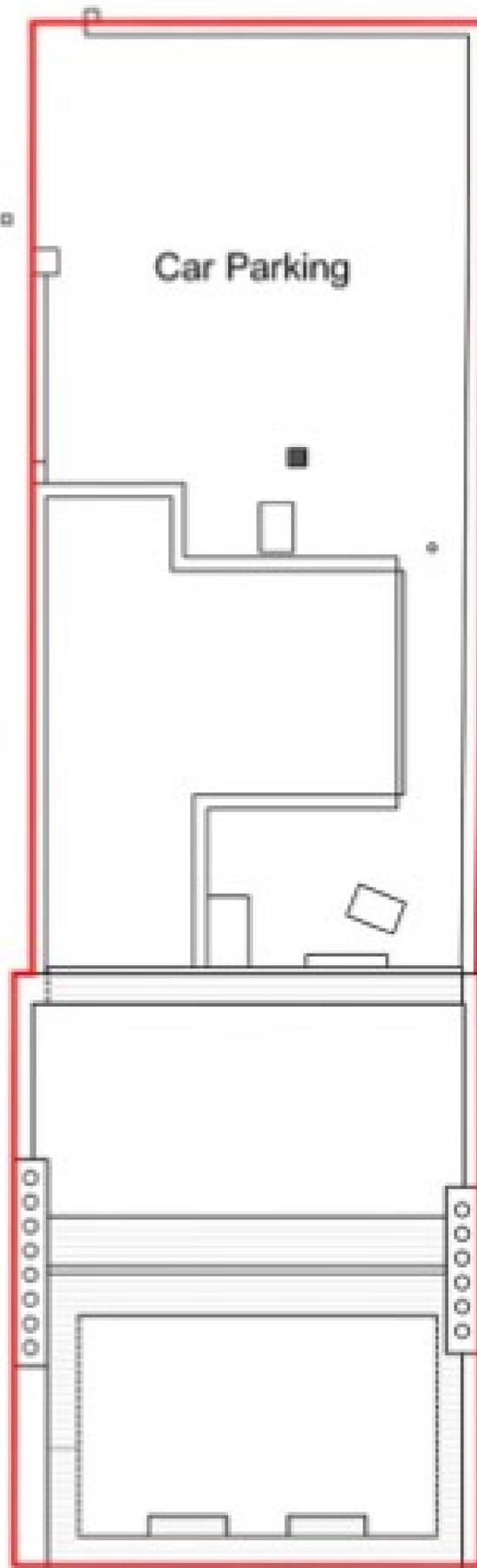




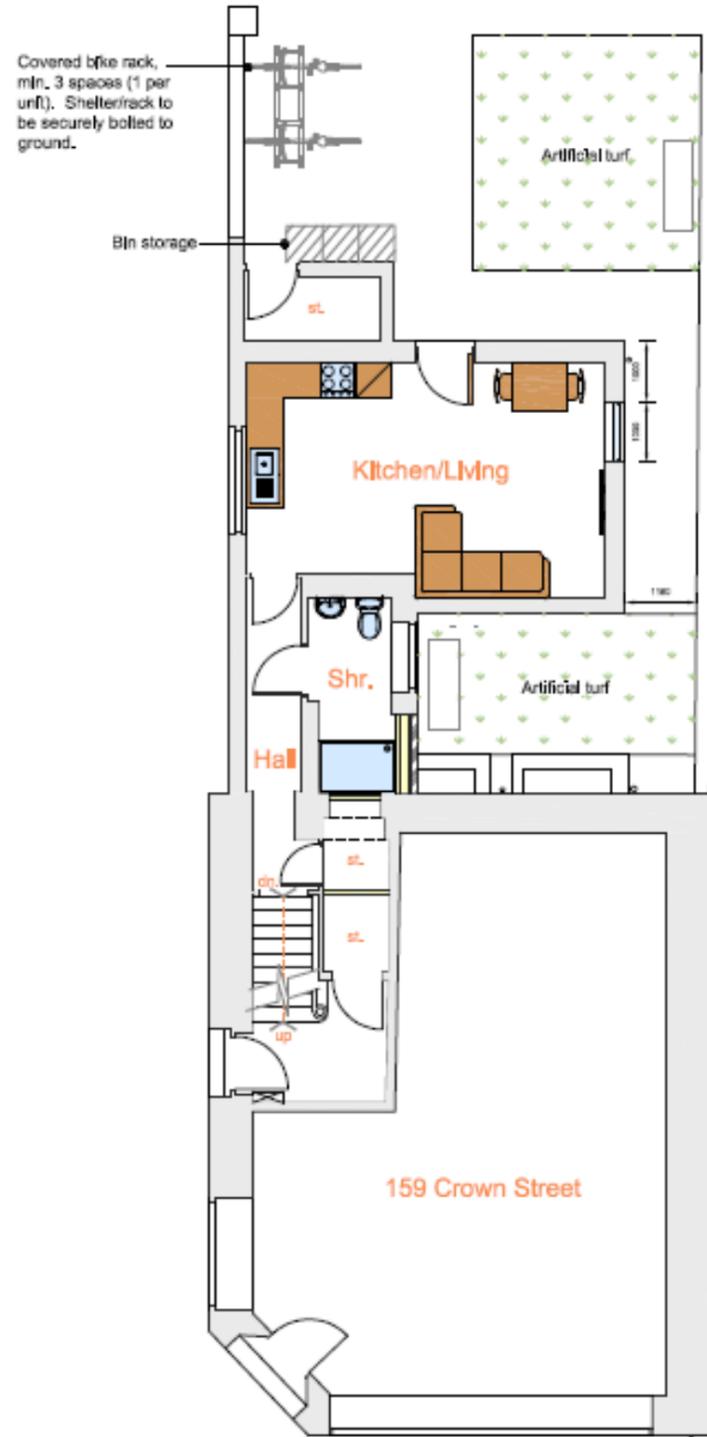
Bon Accord Crescent/ Crown St Conservation Area



Site Plan

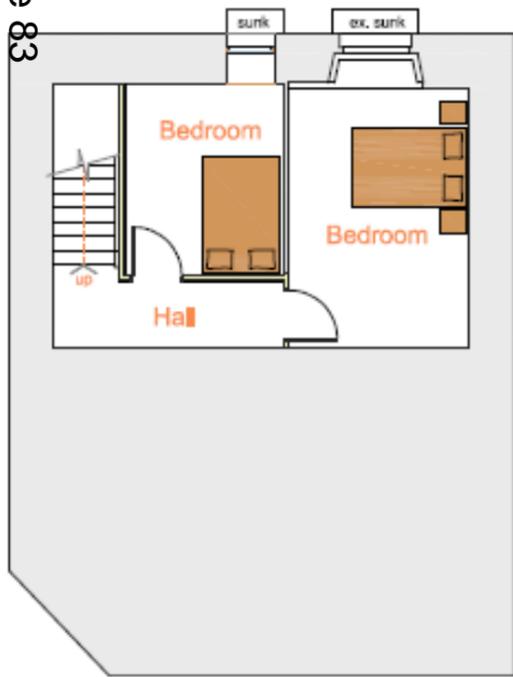


Proposed Floor Plans



**Ground / Lower Floor
- 1:100**

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Basement - 1:100

Existing Floor Plans & section

Existing External Finishes:-

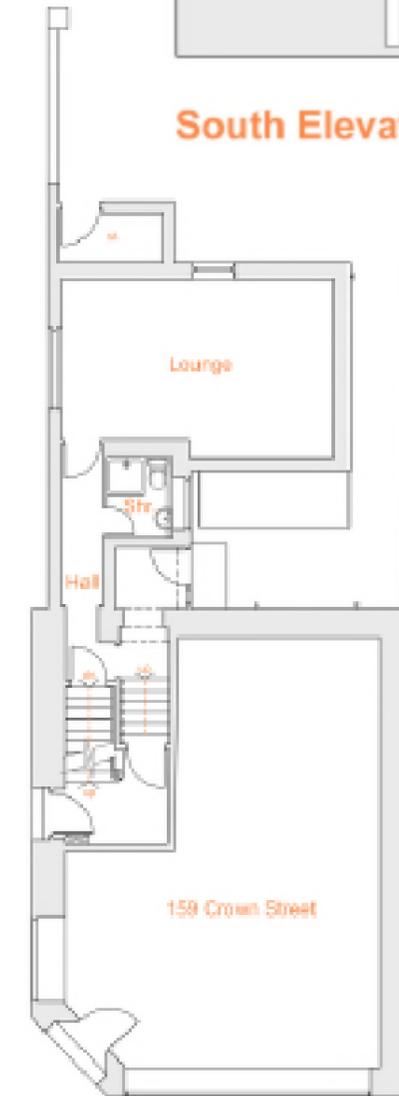
- Walls:-** Granite coursing to main building
Brown dry-dash render to rear annex
- Roof:-** Natural slates to main building & dormer fronts/halfits
Felt flat roofs to dormers and rear annex
- Rainwater goods:-** White uPVC half round gutters and downpipes
- Windows:-** White uPVC windows
- Doors:-** White uPVC door to rear annex
Brown timber door with fan light to North Elevation



Basement



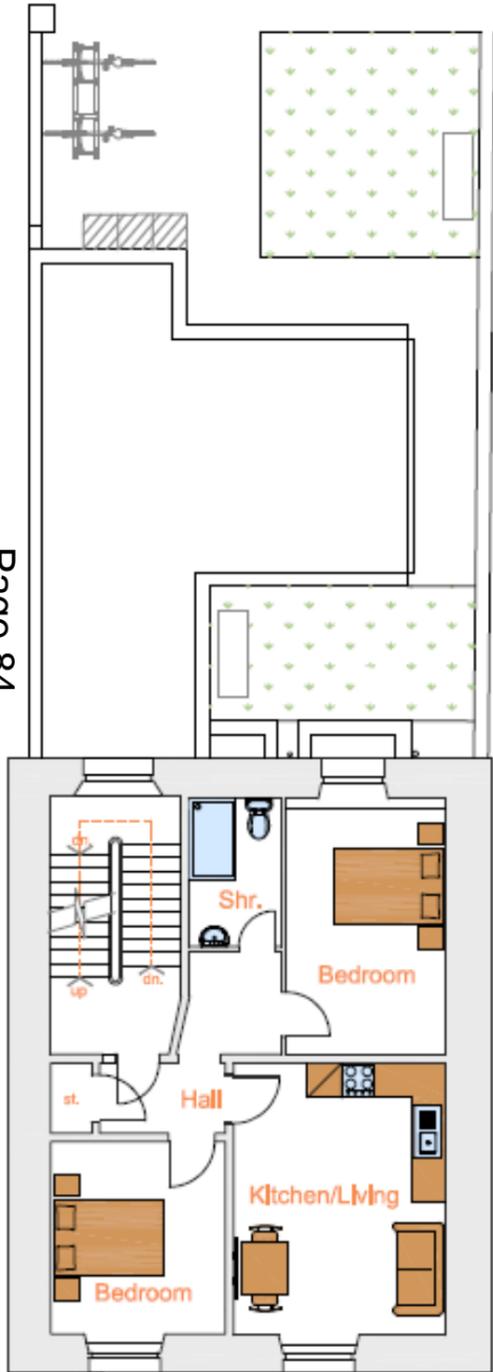
South Elevation



Ground / Lower Floor

Proposed Floor Plans

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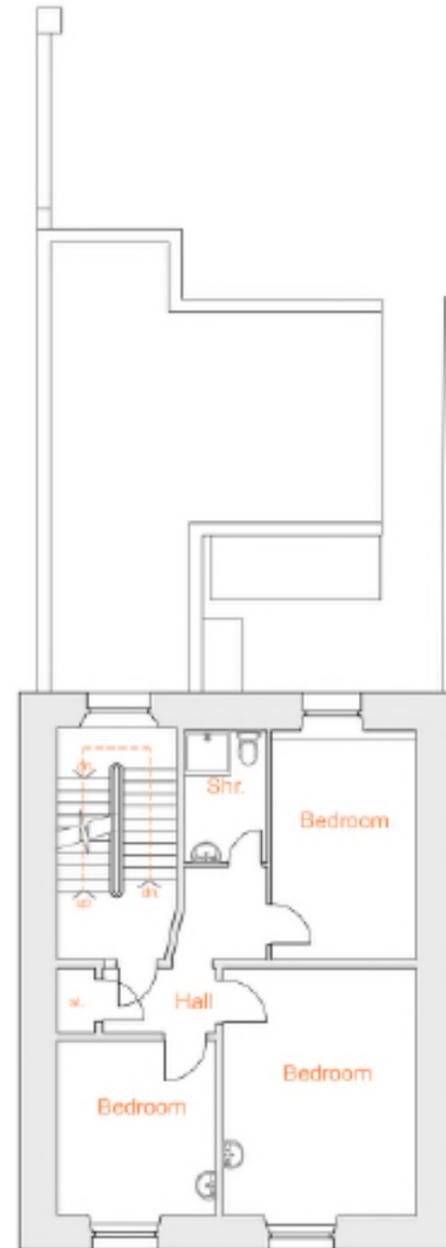


First Floor - 1:100

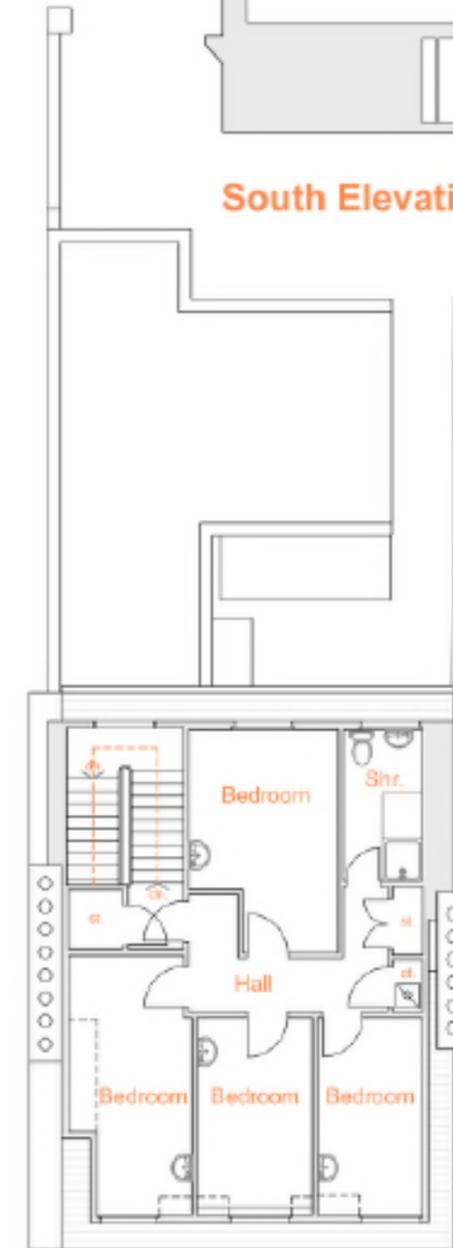


Second Floor - 1:100

Existing Floor Plans & section



First Floor



Second Floor

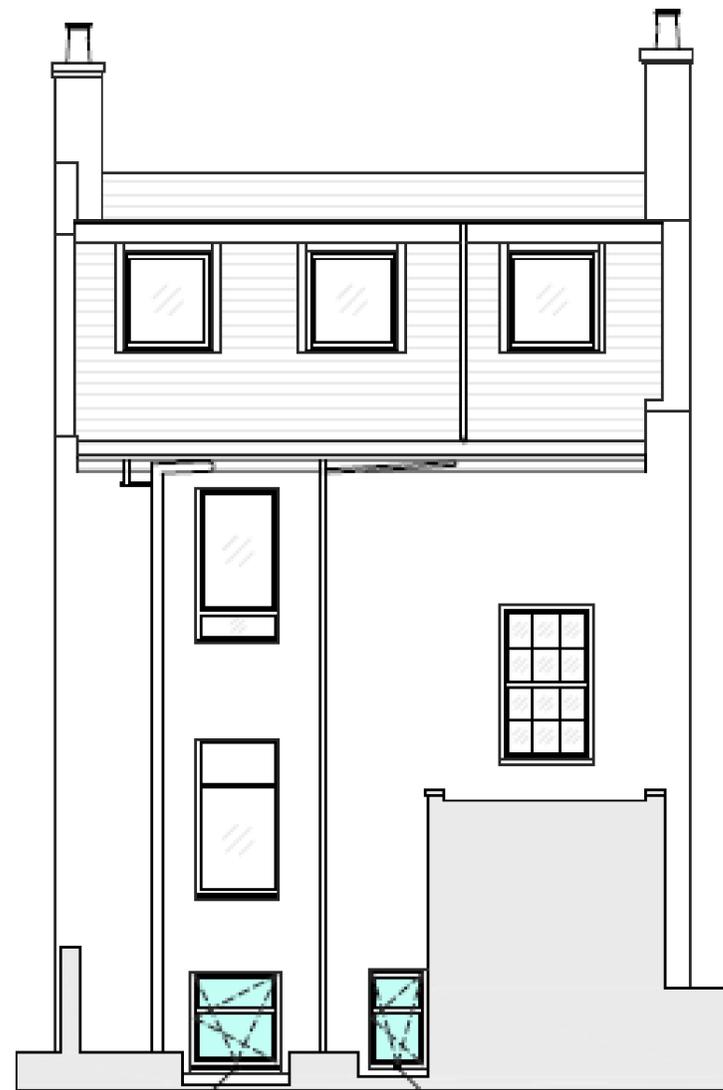


South Elevation

Proposed Elevations

Existing Elevations

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New tilt & turn white uPVC window (1200x1250mm)
New tilt & turn white uPVC window (760x1300mm)

East Elevation (main building) - 1:100



New grey composite door (1000x2100mm)

East Elevation - 1:100



East Elevation (main building)

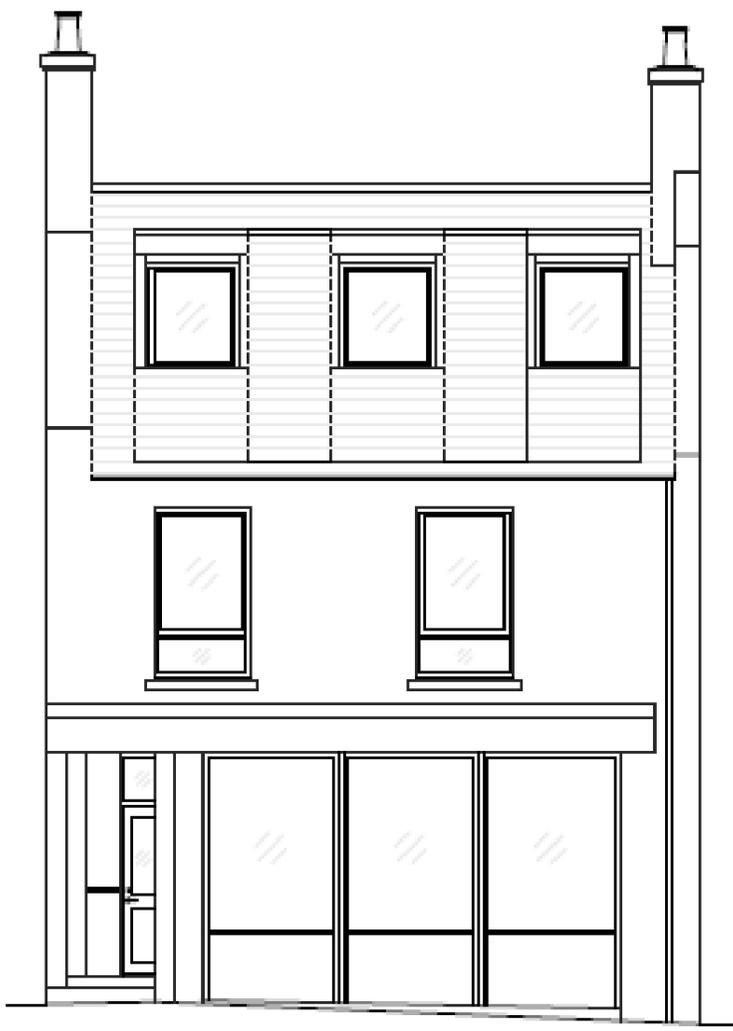
East Elevation

Street Elevations (no changes)

Page 86



North Elevation - 1:100



West Elevation - 1:100

Reasons for Refusal

Stated in full in Report of Handling in Agenda. Key points:

- Unacceptable level of residential amenity
- Unacceptable low level of sunlight, daylight and outlook to ground and basement level flat
- Proposed rear curtilage not of quality and area
- Conflict with policies H1 (Residential Areas), D1 (Quality Placemaking by Design) in the adopted plan.
- Conflict with policies H1 (Residential Areas), D1 (Quality Placemaking), D2 (Amenity) and WB1 (Healthy Developments) of the Proposed Plan 2020.

Applicant's Case

- Do not wish to challenge the 25 degree rule interpretation, however, this is not new build
- Revisions introduced communal amenity space. The area near basement windows could be allocated in the ground / basement flat to ensure privacy
- Built around 1900, accommodation has been provided within basement for some time, with two windows in existence (owners accommodation)
- Down turn in oil and gas has led to closure of guesthouse
- Alternative layouts have been considered, if basement cannot be used due to amenity, the space is redundant – 60m² and currently used.
- Project not viable with two flats
- Many similar garden flats exist in city.

Policies – LDP 2017

Policy H1: Relates to new residential developments (excerpt)

Policy H1 - Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new development and householder development will be approved in principle if it:

- 1 does not constitute over development;
- 2 does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3 does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and
- 4 complies with Supplementary Guidance.

Householder Design Guide

The 25° Method

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

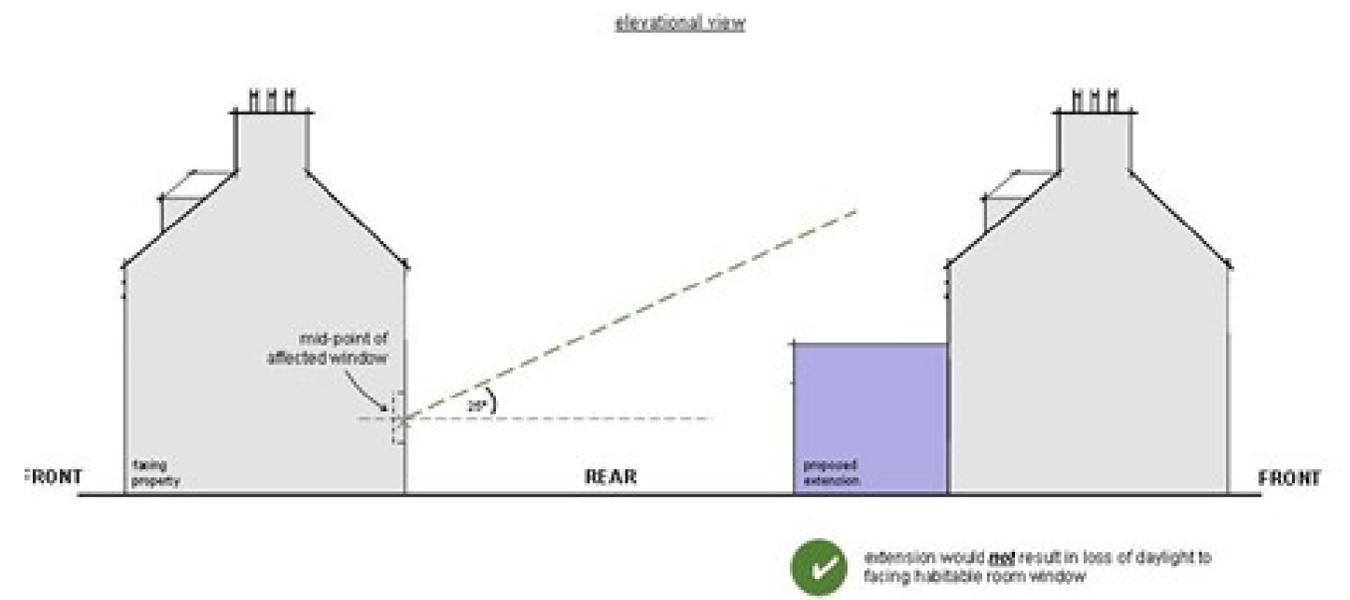


Fig C: The 25° Method Elevation view

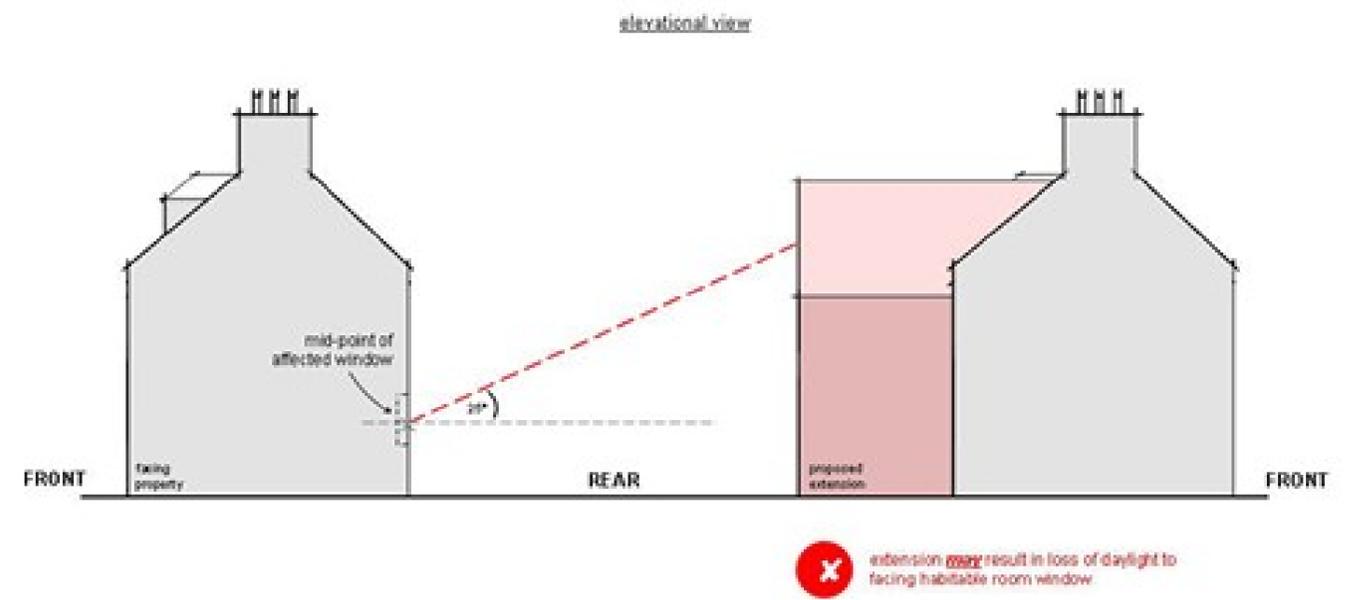


Fig D: The 25° Method, Proposed extension may result in loss of daylight to adjacent window of a habitable room

D1: Quality Placemaking by Design

All dev't must *“ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials”*.

Proposals will be assessed against the following six essential qualities:

- Distinctive
- Welcoming
- Safe and pleasant
- Easy to move around
- Adaptable
- Resource-efficient

Policies – LDP 2017

- D1: Quality Placemaking by Design
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel
- T5: Noise – Noise Sensitive Development
- R6: Waste Management Requirements for New Development
- CI1: Digital Infrastructure

Policies – Proposed Plan 2020

- D2: Amenity

- WB1: Healthy Developments

Policy WB1 – Healthy Developments

Developments are required to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote physical and mental wellbeing.

- H1 : Residential Areas (as per ALDP)

- D1: Design (as per ALDP)

Policy D2 – Amenity

In order to ensure provision of amenity the following principles will be applied.

Development will be designed to:

- make the most of any opportunities offered by the site to optimise views and sunlight through appropriate siting, layout and orientation;
- ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook;

- have a public face to the street to ensure natural surveillance, and active street frontages;
- ensure that refuse and recycling facilities, cycle storage, low and zero carbon technology, plant and services are sensitively integrated into the design;
- ensure that external lighting minimises light spillage into adjoining areas and the sky.

Residential developments will also:

- ensure that occupiers are afforded adequate levels of privacy;
- ensure minimum standards for internal floor space and private external amenity space in terms of quantity and quality;
- provide no less than 50% usable amenity space where it is necessary to provide car-parking within a private court. Underground and/or decked parking will be expected in higher density schemes;
- ensure minimal shading of external private and public spaces;
- ensure all residents have access to usable private/ semi-private open spaces and sitting-out areas provided by way of balconies, terraces, private or communal gardens;
- have a private face to an enclosed garden or court to ensure a sense of safety and enclosure.

Evaluation

- **Primacy of Development Plan**
- **The Planning Act requires all applications to be determined in accordance with Development Plan unless material considerations indicate otherwise**
- **Careful assessment, each application treated on its merits**

Basis for Decision

Zoning: Do members consider that the proposed development would comply with Policy H1 on Residential Areas and in particular would it provide an acceptable level of residential amenity?

Other considerations, including: Access, parking, refuse collection, various alterations, noise, boundary treatments.

- 1. Does the proposal comply with the Development Plan when considered as a whole?**
- 2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?**

Decision – state clear reasons for decision



Thank you
Questions ?

Lucy Greene (Planning Advisor): lgreene@aberdeencity.gov.uk

 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
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Site Address:	Antrim Guest House, 157 Crown Street, Aberdeen, AB11 6HT
Application Description:	Change of use from guest house to form 3 residential flats including alterations and addition of window/door openings
Application Ref:	220423/DPP
Application Type:	Detailed Planning Permission
Application Date:	31 March 2022
Applicant:	Lina Stone Ltd
Ward:	Torry/Ferryhill
Community Council:	Ferryhill and Ruthrieston
Case Officer:	Roy Brown

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises a 2½ storey granite-built tenement building and its associated grounds to the rear in an inner-city residential area.

The building is used as both an 8-bedroom guest house across its basement, ground, first and second storeys. A separate commercial unit is located on the ground floor in use as a beauty salon operated by ‘Glam Salon Boutique.’

The building has a southwest principal elevation that fronts Crown Street, a northwest side elevation that fronts Wellington Place and adjoins residential flats to the southeast. Residential flats, 21 Wellington Place, bound the curtilage to the northeast.

At the rear of the site is a modern single storey extension, a lean-to shed, hard surfaced curtilage which is partially used as a parking area, which is accessed from Wellington Place to the north.

Relevant Planning History

None.

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought for the change of use and sub-division of the existing guest house to three residential flats.

The flats would comprise:

- A two-bedroom maisonette flat over the ground and basement level which would have two bedrooms at basement level and its kitchen/living room at ground-floor level in the existing rear extension. It would be accessed via the rear elevation of the rear extension via a new entrance door opening.
- A two-bedroom flat on the first floor with a kitchen/living room with its window on the southwest elevation.
- A two-bedroom flat in the roof space of the second floor with a kitchen/living room with its window on the northeast elevation.

Physical alterations associated with the proposal include:

- The blocking up of an existing door opening on the southeast elevation of the rear extension with dry dash render;
- The installation of a (1m x 1m) skylight on the rear dormer.
- The installation of a (1m x 1m) window on the south elevation of the rear extension.
- The formation a door opening on the northeast elevation of the rear extension with a (cm x 2.1m) grey composite door.
- The enlargement of two basement level windows on the rear elevation of the main building to form a 1.2m x 1.25m white uPVC framed window and a (0.76m x 1.3m) white uPVC framed window. These would serve the bedrooms of the ground / basement level flat.
- The installation of two areas of artificial turf, outdoor seating bin storage and three covered bicycle parking spaces in the curtilage.

The existing lean-to shed in the curtilage of the application site would be removed as part of the proposal. The demolition of this building does not require express planning permission as it would be 'permitted development' within the provisions of Class 70 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended.

For clarity, the proposal does not include any changes to the ground floor commercial unit, 'Glam Salon Boutique.'

Amendments

The application has been revised by the applicant so that only one car parking space would be provided; cycle storage; bin storage and artificial turf would be included at the rear of the building.

The initial proposal incorporated two parking spaces and no physical changes to the curtilage.

Supporting Documents

All drawings can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R9LYNVBZM4000>

CONSULTATIONS

Roads Development Management Team – No objection – No observations following the revisions to include only one parking space and cycle storage spaces.

Environmental Health Service – No objection, provided any necessary sound insulation measures are incorporated into the design of the flats. This is to ensure that under reasonable circumstances, bearing in mind the location of the proposal, internal noise levels do not exceed BS 8233:2014 which establishes basic criteria for dwellings as follows: noise for dwellings indoors and inside bedrooms i.e., LAeq of 35dB (day) and 30dB (night) respectively.

Waste and Recycling Team – No objection – Initial concern that the bin storage was not included on the plans has been addressed through it being shown on the revised plans. They are in agreement that if the Planning Service was minded to approve the application, a condition could be imposed requiring finalised details of the bin storage.

Ferryhill and Ruthrieston Community Council – This Community Council is not currently established.

REPRESENTATIONS

None.

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.

Development Plan

Aberdeen City and Shire Strategic Development Plan 2020

The current Strategic Development Plan for Aberdeen City and Shire was approved by Scottish Ministers in September 2020 and forms the strategic component of the Development Plan. No issues of strategic or cross boundary significance have been identified.

Aberdeen Local Development Plan 2017

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within 5 years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this 5-year period. The Proposed Aberdeen Local Development Plan 2020 has been submitted to the Planning & Environmental Appeals Division at the Scottish Government in July 2021. The formal examination in public of the Proposed Local Development Plan 2020 has commenced with reporters appointed. Material consideration will be given to the Proposed Local Development Plan 2020, in the context of the progress of its examination, in the assessment of planning applications.

Given the extant local development plan is beyond its five-year review period consideration, where relevant, weight should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: "Where relevant policies in a development plan are out-of-date or the plan does not contain

policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration”.

The following policies are relevant –

Policy H1 – Residential Areas
Policy D1 – Quality Placemaking by Design
Policy CI1 – Digital Infrastructure
Policy T2 – Managing the Transport Impact of Development
Policy T3 – Sustainable and Active Travel
Policy T5 - Noise
Policy R6 – Waste Management Requirements for New Development
Policy CI1 - Digital Infrastructure

Supplementary Guidance (SG)

Transport and Accessibility
Resources for New Development
The Householder Development Guide

Proposed Aberdeen Local Development Plan 2020

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The Proposed ALDP constitutes the Council’s settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis.

The following policies are relevant –

Policy H1 – Residential Areas
Policy D1 – Quality Placemaking
Policy T2 – Sustainable and Active Travel
Policy T3 – Parking
Policy WB1 – Healthy Developments
Policy WB3 - Noise
Policy R6 – Waste Management Requirements for New Development
Policy CI1 - Digital Infrastructure

EVALUATION

Principle of Development

The application site is located in a residential area, under Policy H1 of the ALDP, and the proposal relates to residential development. Residential development would accord with this policy in principle if it does not constitute over development, adversely affect the character and amenity of

the surrounding area, does not result in the loss of valued open space, and it complies with the Supplementary Guidance, in this case the Householder Development Guide (HDG).

As this proposal would concern development that would be located in the existing private curtilage of the application site, it would not result in the loss of publicly valued open space.

The other issues are assessed in the below evaluation.

Residential Amenity of the Proposed Flats

Background Daylight, Sunlight and Outlook

The qualities of placemaking referred to in Policy D1 expects that new development should be inclusive in its design and incorporate appropriate lighting.

The bedrooms of the proposed basement / ground floor flat are both located at basement level. The basement floor level is c.1.3m below the natural ground floor level adjacent to the elevation. Once the existing shed has been removed, as shown on the proposed plans, the enlarged windows would be c.2.9m from the west elevation of the rear extension and the mid-point of the enlarged windows of these windows would be c.3m below the top of the rear extension.

The ALDP uses the BRE 25-degree method in the Householder Development Guide SG to consider the impact of structures on the level of sunlight and background daylight afforded to the nearby windows of habitable rooms, those designed for living, eating or sleeping (e.g. lounges, bedrooms and dining rooms/areas).

Using the 25-degree method, given the proximity of the existing rear extension and the sill level of the windows would be below the natural ground level, and furthermore that the extension projects to the rear in close proximity to the north of the windows, it is established that these bedroom windows would be afforded inadequate levels of background daylight. Accentuated by its north-easterly orientation, the rooms would also be afforded inadequate levels of sunlight. The windows would be afforded an insufficient outlook given the sill height and the presence of the extension to the east and north of the windows.

The proposed 1st and 2nd storey flats would incorporate sufficient levels of sunlight and daylight, a dual aspect and all habitable rooms in each flat having sufficiently sized glazing. The siting of habitable rooms on the southwest side of the building would accord with the aims of the Resources for New Development SG in terms of maximising solar gain.

However, because of the insufficient residential amenity afforded to the ground and basement floor flat by way of the insufficient background daylight, sunlight and outlook of its bedrooms, the proposal would conflict with Policies H1 and D1 of the ALDP

Had the Planning Service been minded to recommend approval based on the proposed plans, it would have been subject to a condition requiring the shed to be removed and for the window alterations to be implemented in accordance with the proposed plans prior to the occupation of this flat. Without these alterations, there would be even lesser levels of sunlight and background daylight, and thus even lesser residential amenity afforded to the flat.

Privacy

The proposal incorporates areas of outdoor amenity space in the curtilage for the flats by way of incorporating artificial grass and seating. However, no additional boundary treatment is proposed.

Because of this, the curtilage with artificial grass between the rear elevation of the main building and the extension would be communal. Given the bedroom windows for the ground and basement level flat bound this curtilage, these windows would be overlooked from this curtilage to the detriment of the amenity of this flat. It would also be likely to discourage the usage of the space from the upper storey flats in the block. Furthermore, as no additional boundary treatment is proposed on the northeast and northwest boundaries, the curtilage would be particularly exposed and afforded negligible privacy from Wellington Place, which would limit the amenity afforded by the provision of the space. Had the Planning Service been minded to grant planning permission, it would have been subject to a condition requiring details of, and the installation of, boundary treatment, prior to the occupation of the units, to ensure there was sufficient privacy for the proposed residential curtilage.

Notwithstanding the above, it is considered that the flats would be afforded sufficient levels of privacy. The southwest orientated windows of the upper storey flats would be c.19m from the upper storey residential flats on the western side of Crown Street, which would be sufficiently distant whereby the proposed flats would not be overlooked from those properties by any significant degree. There are no windows on the west elevation of 21 Wellington Place and as such, these flats would not be overlooked from the east. Notwithstanding the living room / kitchen window on the south elevation of the ground floor / basement level flat would be visible from the rear curtilage of 163 Crown Street given the relatively low height (c.1.5m) of the boundary wall between the window and that curtilage, as the rear curtilage of 163 Crown Street is used solely as a car park rather than usable garden ground, this would have minimal impact on the privacy of the ground floor flat.

Noise

It is recognised that the flats are in close proximity to a busy junction and that the north facing window of the ground floor flat would immediately bound the footway of Wellington Place. Given the proximity to noise from traffic, the proposed flats would be at risk of noise exposure at levels that would exceed the requirements of the Noise SG. The Environmental Health Service have been consulted and have advised that they would not object provided any necessary sound insulation measures are incorporated into the proposal.

As such, had the Planning Service been minded to grant planning permission, it would have been subject to a planning condition requiring the submission of a Noise Impact Assessment and, if necessary, details of noise mitigation measures, to ensure that the flats would not be exposed to unacceptable levels of noise, in the interests of the amenity and to ensure compliance with Policy T5 of the ALDP and the Noise SG.

Residential Amenity of the Proposed Flats – Summary

Paragraph 3.75 of the ALDP states that the *'vision for Aberdeen as a place which offers a high quality of life requires us to create sustainable communities in which amenity is maintained to a high level.'*

Notwithstanding the risk of significant noise exposure and insufficient levels of privacy could be addressed by way of appropriately worded conditions, both bedrooms of the proposed ground and basement level flat would be afforded unacceptably low levels of sunlight, background daylight and outlook.

These are the only bedrooms serving the flat. In terms of other habitable rooms, there is only a single kitchen / living room serving the flat. Whilst the provision of an outdoor space in the rear curtilage would be beneficial to the residents, it is nevertheless recognised that the space is minor in terms of its area and, even if boundary treatment was provided, it would be in close proximity to

a busy public road, and therefore significant noise exposure. It is therefore considered to be of an insufficient quality.

For these reasons, the proposed ground and basement level flat would be afforded an insufficient level of residential amenity. As such, the proposal would conflict with Paragraph 3.75 and with Policies H1 and D1 of the ALDP.

It is acknowledged that the basement level has been previously used as a bedroom for the existing guest house and, as it has been used as such, one may argue that that the proposed flat would be acceptable. It must be highlighted that as a guestroom, the same standards of residential amenity would not be expected given the limited time the occupants would spend in the room. If this was used as ancillary residential accommodation by the previous occupant, it must be also highlighted that this was at their discretion given there are 8 bedrooms in the existing premises as well as a habitable space in the rear extension, which could have instead been used as ancillary residential accommodation. Given the proposed sub-division of the site, the prospective occupant of the ground and basement level flat would not have such an option, given there would only be two bedrooms and a living / kitchen room.

Impact on the Residential Amenity of the Surrounding Area

The flats would not result in any adverse overlooking to neighbouring residential properties in that the the southwest facing windows of the proposed flats would be a sufficient c.19m distance from the nearest windows on the flats at the western side of Crown Street; the upper storey windows on the rear elevation of the main building would face over the curtilage of the application site towards the solid gable end of 21 Wellington Place; and the south facing kitchen / living room window of the ground floor / basement level flat would face onto the car park of 163 Crown Street. As such, the proposal would not adversely affect the existing level of privacy afforded to the neighbouring residential properties.

The proposed flats would be a 'noise sensitive development' in terms of Section 41A of the Town and Country Planning (Scotland) Act 1997, as amended. This requires the planning authority to take particular account of whether the development includes sufficient measures to mitigate, minimise or manage the effect of noise between the development and any existing cultural venues or facilities (including in particular, but not limited to, live music venues), or dwellings or businesses in the vicinity of the development. The proposal is not located within close proximity to any existing noise generating cultural venues and facilities and thus there is negligible risk of conflict between the proposed flats and such sites in terms of noise exposure.

The proposal would not adversely affect the residential amenity of the surrounding residential properties, in accordance with Policies H1 and D1 of the ALDP.

Transportation

Policy T2 states that commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.

Given its inner-city location in very close proximity to the city centre, the site is accessible to a range of sustainable transport modes in terms of bus, pedestrian, cycle routes, as well as being less than 300m walk from the train station.

The plans indicate that a 'minimum of 3' cycle parking stands would be provided in the rear curtilage of the site. It is noted that it would comprise a covered bike rack. Had the Planning Authority been minded to grant planning permission, it would have been subject to a condition requiring no change of use to occur until the submission of, and approval in writing by the Planning

Authority, of finalised details of secure cycle storage and thereafter for the storage to be implemented in accordance with the approved details, to ensure that the cycle storage would be implemented in accordance with the requirements of the Transport and Accessibility SG, to ensure that they sufficiently incentivise the use of sustainable transportation methods and compliance with Policy T3 of the ALDP.

Using the Parking Standards in the 'Transport and Accessibility' SG, it would be expected that the flats would be provided with a maximum of 4 parking spaces. The existing use as an 8-bedroom guest house would have a maximum requirement of 8 parking spaces. The site is accessible to sustainable and public transportation methods and is in very close proximity to the city centre, as well the bus and train stations. The SG states that the Parking Standards are to be applied as 'maxima' as opposed to a minimum requirement.

Because of the lesser number of spaces permitted for the proposal in the Parking Standards compared to the existing use and there are few street parking spaces within close proximity to the site, it considered that this proposal would be likely to generate less parking demand than the existing use.

Given its inner-city location with access to public sustainable transportation and city centre amenities, it is considered that the limited parking provision would be acceptable. Given the limited immediate access to on-street parking provision, the proposed flats would have an insignificant impact on the existing level of on-street parking provision in the wider area. The proposal would therefore accord with Policy T2 of the ALDP.

Open Space Accessibility

Using data from the Open Space Audit 2010, the proposed flats would be within adequate distances of all types of open spaces in the accessibility standards in the 'Open Space Provision and Green Space' SG other than being within 800m of allotments as it would be c.910m from the nearest allotment. Given the inner city location, the proximity of varying types of open space and it is less than 300m from a large neighbourhood open space, Bon Accord Terrace Gardens, to the west, the existing provision of open space in the area would be acceptable for the proposed flats and the proposal would accord with the aims of Policy NE4 – Open Space Provision in New Development of the ALDP.

Visual Impact of Proposed External Alterations

To determine the effect of the proposed alterations on the character of the area it is necessary to assess it in the context of Policy D1 of the ALDP. This policy recognises that not all development will be of a scale that makes a significant placemaking impact but recognises that good design and detail adds to the attractiveness of the built environment.

With the exception of the enlargement of the window openings on the rear elevation of the original building, the proposed alterations would primarily affect the modern interventions at the rear the building in terms of the unsympathetic extension and rear dormer, which have a negligible contribution to the character and visual amenity of the surrounding area. The enlarged windows would not be proportionate to the other windows in the building and would have negligible impact on the visual amenity of the surrounding area. The materials proposed would be consistent with the existing architectural character of the building the modern extensions. The proposed bin storage and cycle parking area would be minor in terms of their scale and would be acceptably sited at the rear of the building.

The introduction of a 'front door' on the rear elevation of the rear extension rather than principal elevation or street facing north elevation of the original building would be inconsistent with the original architectural character of the building. However, given its close proximity and visibility from

the public road and the access to the site, it would not serve to adversely impact the character and visual amenity of the surrounding area by any significant degree.

The proposed artificial grass and outdoor seating would cover the existing hard surface, which would soften the appearance of the curtilage, which would be a slight enhancement on the streetscape.

As such, these alterations would have negligible impact on the character and visual amenity of the surrounding area, in accordance with Policies D1 and H1 of the ALDP.

Digital Infrastructure

Given its inner-city location, the proposed flats would have access to the same level of modern, up-to-date high-speed digital infrastructure as the surrounding area, in accordance with the Policy C11 – Digital Infrastructure of the adopted ALDP.

Waste Storage and Collection

The proposed plans show that the proposal would be afforded sufficient space for bin storage in the curtilage which could be conveniently moved onto Wellington Place on collection day. However, it is unclear from the plans if the dimensions of the bin storage would be sufficiently large enough to accord with the requirements of the Resources for New Development SG.

As such, had the Planning Service been minded to grant planning permission, it would have been subject to a condition requiring finalised details of the waste storage, to ensure the proposal incorporated sufficient bin storage, in accordance with Policy R6 and the 'Resources for New Development' SG.

Proposed Aberdeen Local Development Plan

Policy D2 – Amenity of the Proposed ALDP requires development to be designed to '*ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook*'.

Policy WB1 – Healthy Developments of the Proposed ALDP requires development to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote physical and mental wellbeing.

As explained above, given the insufficient level of residential amenity that would be afforded to the ground and basement level flat because of the inadequate levels of sunlight, daylight and outlook that would be afforded to the bedrooms, the proposal would conflict with the aims of Policies D2 and WB1 of the Proposed ALDP.

Otherwise, in relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 substantively reiterate those in the adopted Local Development Plan and the proposal is considered unacceptable in terms of both Plans for the reasons previously given.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposal would conflict with the vision for Aberdeen as a place which offers a high quality of life by way of creating sustainable communities in which amenity is maintained to a high level in that the proposal would not be afforded an acceptable level of residential amenity. This is because

both bedrooms of the proposed ground and basement level flat would be afforded unacceptably low levels of sunlight, background daylight and outlook. In the context that these are the only bedrooms serving the flat; there is only one other habitable room serving the flat, a single kitchen / living room; and the proposed rear curtilage is not of a significant quality and area, the proposed ground and basement level flat would be afforded an insufficient level of residential amenity.

The proposed change of use to three flats would therefore conflict with Policies H1 – Residential Areas, D1 – Quality Placemaking by Design of the Aberdeen Local Development Plan 2017 and Policies H1 – Residential Areas, D1 – Quality Placemaking, D2 – Amenity and WB1 – Healthy Developments of the Proposed Aberdeen Local Development Plan 2020.



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 100549665-001

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.

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)

Change of use from current guest house to form 3 No. flats, including alterations & addition of window/door openings

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

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:	J.V. Carroll, Chartered Architectural Technologists		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Ross	Building Name:	Inverden House
Last Name: *	Clarihew	Building Number:	<input type="text"/>
Telephone Number: *	01224 643106	Address 1 (Street): *	Queens Lane North
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Aberdeen
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	AB15 4DF
Email Address: *	info@jvcarroll.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	Kevin	Building Name:	<input type="text"/>
First Name: *	Coronel	Building Number:	292
Last Name: *	<input type="text"/>	Address 1 (Street): *	Bath Street
Company/Organisation	LIMA STONE LTD	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	GLASGOW
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	G2 4JR
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

ANTRIM GUEST HOUSE

Address 2:

157 CROWN STREET

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB11 6HT

Please identify/describe the location of the site or sites

Northing

805566

Easting

394009

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

229.00

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)

Guest house

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.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ≤ Yes T No</p> <p>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.</p>
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 2</p> <p>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</p> <p>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).</p>
<p>Water Supply and Drainage Arrangements</p> <p>Will your proposal require new or altered water supply or drainage arrangements? * ≤ Yes T No</p>
<p>Do your proposals make provision for sustainable drainage of surface water?? * ≤ Yes T No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p>T Yes</p> <p>≤ No, using a private water supply</p> <p>≤ No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<p>Assessment of Flood Risk</p> <p>Is the site within an area of known risk of flooding? * ≤ Yes T No ≤ Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * ≤ Yes T No ≤ Don't Know</p>
<p>Trees</p> <p>Are there any trees on or adjacent to the application site? * ≤ Yes T No</p> <p>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.</p>
<p>Waste Storage and Collection</p> <p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * T Yes ≤ No</p>

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

Location of bin storage & collection point noted on attached plans.

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? *

3

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

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] 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;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr Thomas Hetherington

Address:

157, Crown Street, ABERDEEN, SCOTLAND, AB11 6HT

Date of Service of Notice: *

31/03/2022

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed:

Ross Clarihew

On behalf of:

LIMA STONE LTD

Date:

31/03/2022

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)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Design Statement or Design and Access Statement. *	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	≤	<input type="checkbox"/>	N/A
A Flood Risk Assessment. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	T	<input type="checkbox"/>	N/A
Drainage/SUDS layout. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Transport Assessment or Travel Plan	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	T	<input type="checkbox"/>	N/A
Contaminated Land Assessment. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	T	<input type="checkbox"/>	N/A
Habitat Survey. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Processing Agreement. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	T	<input type="checkbox"/>	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 Ross Clarihew

Declaration Date: 31/03/2022

Payment Details

Online payment: ABSP00008120

Payment date: 31/03/2022 12:49:00

Created: 31/03/2022 12:49

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Ross Clarihew
J.V. Carroll, Chartered Architectural Technologists
Inverden House
Queens Lane North
Aberdeen
Scotland
AB15 4DF

on behalf of **Lina Stone Ltd**

With reference to your application validly received on 31 March 2022 for the following development:-

Change of use from guest house to form 3 residential flats including alterations and addition of window/door openings at Antrim Guest House, 157 Crown Street

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:

<u>Drawing Number</u>	<u>Drawing Type</u>
N:12 - 02	Location Plan
N:12 - 04 B	Elevations, Sections and Floor Plans (Proposed)

DETAILS OF ANY VARIATION MADE TO THE ORIGINAL APPLICATION

The application has been revised by the applicant so that only one car parking space would be provided; cycle storage; bin storage and artificial turf would be included at the rear of the building.

The initial proposal incorporated two parking spaces and no physical changes to the curtilage.

REASON FOR DECISION

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

The proposal would conflict with the vision for Aberdeen as a place which offers a high quality of life by way of creating sustainable communities in which amenity is maintained to a high level in that the proposal would not be afforded an acceptable level of residential amenity. This is because both bedrooms of the proposed ground and basement level flat would be afforded unacceptably low levels of sunlight, background daylight and outlook. In the context that these are the only bedrooms serving the flat; there is only one other habitable room serving the flat, a single kitchen / living room; and the proposed rear curtilage is not of a significant quality and area, the proposed ground and basement level flat would be afforded an insufficient level of residential amenity.

The proposed change of use to three flats would therefore conflict with Policies H1 - Residential Areas, D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan 2017 and Policies H1 - Residential Areas, D1 - Quality Placemaking, D2 - Amenity and WB1 - Healthy Developments of the Proposed Aberdeen Local Development Plan 2020.

Date of Signing 11 July 2022



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

RIGHT OF APPEAL

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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Consultee Comments for Planning Application 220423/DPP

Application Summary

Application Number: 220423/DPP

Address: Antrim Guest House 157 Crown Street Aberdeen AB11 6HT

Proposal: Change of use from guest house to form 3 no. residential flats including alterations and addition of window/door openings

Case Officer: Roy Brown

Consultee Details

Name: Mr Michael Cowie

Address: Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB

Email: Not Available

On Behalf Of: ACC - Roads Development Management Team

Comments

It is noted this application for change of use from guest house to form 3no. residential flats including alterations and addition of window/door openings at Antrim Guest House, 157 Crown Street, Aberdeen AB11 6HT.

It is noted the site is located in the inner city and lies within controlled parking zone (CPZ) H.

It is noted that potential future residents would have direct access onto the adopted footpath network on Crown Street which provides connectivity the wider area and city centre to the north, in turn such provision shall provide connection to the nearest public transport provision which is on Crown Street (bus stops located within 150m of the site). In terms of localised cycle provision, it is noted that Crown Street forms part of 'National Cycle Route 1' and this route shall provide connection to various other routes across the city.

It is noted that as per ACC supplementary guidance, the associated parking standard is 1.5 spaces per flat which in this case would equate to a provision of 5 spaces (4.5 spaces). However, it is noted that there is a current associated parking provision of 2no. spaces which is proposed to be retained which is accessed via Wellington Place, how would these be allocated? And it is advised that as per the site layout one of the associated spaces which is at an angle would not be accepted and should be a more perpendicular with other spaces and not take access/egress at such an angle.

Additionally, given the site is located within a CPZ future residents would be entitled to apply for on-street parking permits which would compensate for any shortfall on associated parking and would not be considered to have a detrimental impact to the parking in this CPZ. Also, given such parking control measures there is no scope for indiscriminate parking.

It is noted the inclusion of a proposed bike rack, such provision should provide cycle parking/storage for each unit (minimum 1 space per unit), this also requires to be secure and sheltered. Applicant requires to revise or confirm this.

In terms of waste storage/collection this is noted to be via the existing car parking access off Wellington Place and is confirmed acceptable in order to serve future residents and collection by ACC refuse team.

There is some outstanding information and revisions required as part of this application, upon receipt of such Roads Development Management shall be better placed to make further or final comment on this application.

RE: Extension of Time Request - 157 Crown Street (Ref: 220423)



Michael Cowie

To  Roy Brown



06/06/2022

 Follow up. Start by 07 June 2022. Due by 07 June 2022.

Idox CICO

+ Get more add-ins

Evening Roy

I can confirm that RDM have no further observations in regard to this application given the removal of 1no. existing parking space and adequate cycle parking/storage provided.

Therefore, there is no objections to this proposal and application.

Regards,
Michael



Michael Cowie | Engineer

Aberdeen City Council | Roads Development Management | Place |
Strategic Place Planning

Marischal College (Ground Floor North) | Broad Street | Aberdeen |
AB10 1AB

Direct Dial: 01224 523761

www.aberdeencity.gov.uk | Twitter: @AberdeenCC |

Facebook.com/AberdeenCC

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Aberdeen City Council – Development Management Team Consultation Request

Case Officer: Roy Brown	To: ACC - Waste And Recycling
E-mail: roybrown@aberdeencity.gov.uk	Date Sent: 1 April 2022
Tel.: 01224 522453	Respond by: 22 April 2022

Application Type: Detailed Planning Permission
Application Address: Antrim Guest House 157 Crown Street Aberdeen AB11 6HT
Proposal Description: Change of use from guest house to form 3 no. residential flats including alterations and addition of window/door openings
Application Reference: 220423/DPP
Consultation Reference: DC/ACC/R9NPFKBZ01C02

To view the plans and supporting documentation associated with the application please [follow this link](#).

In the case of pre-application enquires please login at <https://publicaccess.aberdeencity.gov.uk> and in 'Consultation Search' enter the consultation reference (shown above) into the 'Letter Reference' field and then click 'Search'.

Unless agreed with the case officer, should no response be received by the respond by 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.

Response

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).	Y

COMMENTS

Waste Services response regarding application **220423 Antrim Guest House**

As I understand, the development will consist of 3 Residential Flats

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.

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

Specific Points:

- We recommend these flats use the on street bins located outside 161 Crown Street.
- The waste collection area looks to be tight for pulling bins to waste vehicle when second car will be parked in car park.

General points

- All the waste containers must be presented on the kerbside only on the collection day and must be removed from the kerbside as soon as possible. No containers should be permanently stored on the kerbside.
- No excess should be stored out with the containment provided. Information for extra waste uplift is available to residents at either www.aberdeencity.gov.uk/wasteaware or by phoning 03000 200 292.
- Further information can be found in the Waste Supplementary Guidance available at: <https://www.aberdeencity.gov.uk/sites/default/files/2020-07/7.1.PolicySG.ResourcesForNewDevelopmentUpdateJuly2020.pdf>

Developers must contact Aberdeen City Council a minimum of ONE month 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.

Responding Officer: L Todd

Date: 11/04/2022

Email: wasteplanning@aberdeencity.gov.uk

RE: Consultee Comments for Planning Application 220423/DP...



WastePlanning

To Roy Brown



Thu 12:52

Follow up. Start by 08 July 2022. Due by 08 July 2022.

Idox CICO

+ Get more add-ins

Hi Roy,

Yes I would be happy to accepted on this basis



Laura Todd | Technical Support Officer – Planning & Performance
Aberdeen City Council | Waste & Recycling | Operations | Operations and Protective Services
Altens East Recycling Resource Facility | Hareness Place | Altens Industrial Estate |
Aberdeen | AB12 3GX

Tel: 03000 200 292

www.aberdeencity.gov.uk | Twitter: @AberdeenCC | Facebook.com/AberdeenCC

From: Roy Brown <RoyBrown@aberdeencity.gov.uk>

Sent: 07 July 2022 11:33

To: WastePlanning <WastePlanning@aberdeencity.gov.uk>

Subject: RE: Consultee Comments for Planning Application 220423/DPP - 157 Crown Street

Hi Laura,

There would be space in the curtilage regardless for suitably sized bin storage so if we were minded to approve, we could impose a condition requiring finalised details of the bin storage.

Thanks,

Roy

From: WastePlanning <WastePlanning@aberdeencity.gov.uk>

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Aberdeen City Council – Development Management Team Consultation Request

Case Officer: Roy Brown	To: ACC - Environmental Health
E-mail: roybrown@aberdeencity.gov.uk	Date Sent: 1 April 2022
Tel.: 01224 522453	Respond by: 22 April 2022

Application Type: Detailed Planning Permission
Application Address: Antrim Guest House 157 Crown Street Aberdeen AB11 6HT
Proposal Description: Change of use from guest house to form 3 no. residential flats including alterations and addition of window/door openings
Application Reference: 220423/DPP
Consultation Reference: DC/ACC/R9NPFBBZ01C02

To view the plans and supporting documentation associated with the application please [follow this link](#).

In the case of pre-application enquires please login at <https://publicaccess.aberdeencity.gov.uk> and in 'Consultation Search' enter the consultation reference (shown above) into the 'Letter Reference' field and then click 'Search'.

Unless agreed with the case officer, should no response be received by the respond by 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.

Response

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

Regarding 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 reasonable and proportionate.

Environmental Noise

I have no objection to approval of this application provided any necessary sound insulation measures are incorporated into the design of the flats. This is to ensure that under reasonable circumstances, bearing in mind the location of the proposal, internal noise levels do not exceed BS 8233:2014 which establishes basic criteria for dwellings as follows: noise for dwellings indoors and inside bedrooms i.e., LAeq of 35dB (day) and 30dB (night) respectively.

Responding Officer: Barbara Armstrong-Hill

Date: 12 April 2022

Email: bahill@aberdeencity.gov.uk

Ext: 2064

Application 220423/DPP – 157 Crown Street, Antrim Guest House

Aberdeen Local Development Plan (ALDP)

- H1 – Residential Areas
- D1 - Quality Placemaking by Design
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel
- T5: Noise
- R6: Waste Management Requirements for New Development
- C11 – Digital Infrastructure

https://www.aberdeencity.gov.uk/sites/default/files/LDP_WS_20170328.pdf

Supplementary Guidance

The Householder Development Guide (HDG)

Resources for New Development SG

Transport and Accessibility SG

[Supplementary guidance and technical advice | Aberdeen City Council](#)

Other Material Considerations

Proposed Aberdeen Local Development Plan (2020)

<https://www.aberdeencity.gov.uk/services/planning-and-building/local-development-plan/aberdeen-local-development-plan/aberdeen-local-development-plan-review#3678>

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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 100549665-004

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 **T** Agent

Agent Details

Please enter Agent details

Company/Organisation:	J.V. Carroll, Chartered Architectural Technologists		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ross	Building Name:	Inverden House
Last Name: *	Clarihew	Building Number:	
Telephone Number: *	01224 643106	Address 1 (Street): *	Queens Lane North
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB15 4DF
Email Address: *	info@jvcarroll.co.uk		

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

≤ Individual **T** 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" value="Kevin"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Coronel"/>	Building Number:	<input type="text" value="292"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Bath Street"/>
Company/Organisation	<input type="text" value="LIMA STONE LTD"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G2 4JR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

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="ANTRIM GUEST HOUSE"/>
Address 2:	<input type="text" value="157 CROWN STREET"/>
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="AB11 6HT"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="805566"/>	Easting	<input type="text" value="394009"/>
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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)

Change of use from guest house to form 3 residential flats including alterations and addition of window/door openings at Antrim Guest House, 157 Crown Street

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.

PLEASE REFER TO APPEAL STATEMENT ATTACHED.

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)

1) APPEAL STATEMENT. 2) ORIGINAL DESIGN STATEMENT. 3) EXISTING DRAWING; N:12:01. 4) SITE PLANS; N:12:02. 4) PROPOSED DRAWING; N:12:04B.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

220423/DPP

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

31/03/2022

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

11/07/2022

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

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

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

Yes No

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

Yes No

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

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 Ross Clarihew

Declaration Date: 18/07/2022

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**PROPOSED CHANGE OF USE OF GUEST HOUSE (CLASS 7) TO FORM 3 FLATS
(SUI GENERIS) AT 157 CROWN STREET, ABERDEEN, AB11 6HT
FOR LIMA STONE LTD**



**APPEAL STATEMENT
(APP REF: 220423/DPP)**



J V CARROLL

Chartered Architectural Technologist
Building Design Consultants

INVERDEN HOUSE, QUEENS LANE NORTH, ABERDEEN, AB15 4DF
t: 01224-643 106 e: info@jvcarroll.co.uk

1.0 SUMMARY OF APPEAL TO LOCAL REVIEW BODY

- 1.1 This Appeal Statement has been prepared following the Refusal of Application (220423/DPP). This Statement should be considered along with the submitted Design Statement and accompanying drawings. However, this Statement will refer strictly to the points at hand and the issues raised, to avoid unnecessary repetition.
- 1.2 Following discussions with the Planning Authority and the reading to the Report of Handling, it is quite clear that the main and only issue with the approval of this application, subject to other mentioned Conditions, is the amenity provided to the ground/basement floor flat.
- 1.3 The Planning Authority have advised that the two upper flats satisfy their requirements regarding amenity, design etc.
- 1.4 The Roads and Environmental Health Departments have advised they are satisfied with the proposal, subject to Conditions being attributed as described in the Planning Authority report.
- 1.5 We note the Planning Authorities concerns regarding the amenity provided to the lower flat, specifically the daylight/sunlight afforded to the bedrooms in the basement area. We do not wish to challenge their interpretation of the 25-degree rule here, which has been applied correctly. We are fully aware that if this were a new build development then this would not be acceptable.
- 1.6 A revised drawing was submitted following the initial submission of the application to provide communal amenity areas to the rear of the building. This provides the flat occupants with some greenspace and outdoor sitting. The areas could be allocated in such a way that the ground/basement flat was allocated the area immediately to the rear of the building to maintain privacy to the bedroom windows adjacent, with the upper flats sharing the main rear area.
- 1.7 157 Crown Street is a traditional granite building which was likely built circa 1900. Accommodation has been provided over all levels, including the basement for some time. Whilst the top floor has been formed out of the original roofspace by the introduction of box dormers front & rear, it appears the basement level has always existed, and two windows have always been in place on the rear granite elevation.
- 1.8 The most recent use, a Guest House, had operated for the past 20 something years but since the major downturn in the oil & gas industry locally in the past few years, which in turn had a substantial effect on businesses such as this, the decision was taken by the current owners to close the doors of the business as it was no longer sustainable.

- 1.9 The ground and basement levels were used by the owners as their private accommodation. The bedrooms to first and second floor levels were guest rooms.
- 1.10 The basement area currently provides bedroom space and was used as the main bedroom for the current owners/operators of the Guest House. We note mention in the Planning Authority report that the operators could have used one of the other bedrooms instead, however that would have meant one less bedroom to let which was not sustainable in the market.
- 1.11 Following some initial feedback from the Planning Authority, on submission of the application, we prepared an alternative layout by relocating the bedrooms to the rear ground floor space and moving the living room & kitchen into the basement area. The Planning official then advised this would not be an improvement as you tend to spend more time in a living room than a bedroom and require potentially more amenity there. We therefore left the layout as was proposed.
- 1.12 The above point did leave us with the conundrum.....if this cannot be a bedroom or living / kitchen space, then this will make this level redundant. This is an area of some 60 sq.m. currently in use and if this Decision is upheld, it will create an issue with the sustainable use of this floorspace.
- 1.13 This would also compromise the whole redevelopment of the building. Our clients, whom have an agreement in Principle for purchase, subject to receiving Full Planning Permission, would not proceed with only two units as the project is just not viable.
- 1.14 We would hope the conversion and new use of buildings such as Guest House's would be looked at favorably, in order to re-use this traditional granite building and safeguard its future.
- 1.15 The city is lined with empty commercial units, old guest houses etc which are crying out for a new lease of life. Under this proposal we would hope that can be provided to 157 Crown Street.
- 1.16 There are many, many examples where amenity to existing flats in the housing stock to do not meet the current guidelines regarding amenity levels. However, this does not stop them being occupied, sold and let.
- 1.17 There are also many "garden" or basement flats, with similar situations as 157 Crown Street throughout the city. Some have always existed, whilst others have been converted over the years.

- 1.18 Finally, the property has sat on the market for some time with little interest, with our client's offer being the first concrete offer followed up by this subsequent application. If a residential use cannot be applied to the entire building, in order to make the project sustainable, then it is difficult to see a way forward. The need for an alternative use does not seem to exist, such as commercial. Offices are in plentiful supply throughout the city with very low rentals on offer.
- 1.19 In summary, we seek the overturn of the Planning Authority's decision to refuse this application on the basis of the points laid out on the prior pages. We acknowledge their reasons for refusal and their mention of potential Conditions to be implemented in the case of an approval in order to ensure all matters on amenity are implemented for the good of the future occupants of the building.