

Public Document Pack



To: Councillor McRae, Convener; Councillor Bouse, Vice-Convener; and Councillors Alphonse, Boulton, Clark, Cooke, Copland, Farquhar, Lawrence, Macdonald, Radley, Tissera and Thomson.

Town House,
ABERDEEN 29 November 2023

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in **Committee Room 2 - Town House on THURSDAY, 7 DECEMBER 2023 at 10.00 am**. This is a hybrid meeting and Members may also attend remotely.

The meeting will be webcast and a live stream can be viewed on the Council's website. <https://aberdeen.public-i.tv/core/portal/home>

JENNI LAWSON
INTERIM CHIEF OFFICER – GOVERNANCE (LEGAL)

B U S I N E S S

MEMBERS PLEASE NOTE THAT ALL LETTERS OF REPRESENTATION ARE NOW AVAILABLE TO VIEW ONLINE. PLEASE CLICK ON THE LINK WITHIN THE RELEVANT COMMITTEE ITEM.

MOTION AGAINST OFFICER RECOMMENDATION

1.1. Motion Against Officer Recommendation - Procedural Note (Pages 5 - 6)

DETERMINATION OF URGENT BUSINESS

2.1. Determination of Urgent Business

DECLARATION OF INTERESTS AND TRANSPARENCY STATEMENTS

- 3.1. Members are requested to intimate any declarations of interest or connections

MINUTES OF PREVIOUS MEETINGS

- 4.1. Minute of Meeting of the Planning Development Management Committee of 2 November 2023 - for approval (Pages 7 - 38)
- 4.2. Minute of Meeting of the Planning Development Management Committee (Visits) of 8 November 2023 - for approval (Pages 39 - 46)

COMMITTEE PLANNER

- 5.1. Committee Planner (Pages 47 - 50)

GENERAL BUSINESS

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 6.1. Detailed Planning Permission for the erection of single storey extension, formation of patio, external steps, window/door replacement to rear; and installation of two new gates to front - 26 Rubislaw Den North Aberdeen (Pages 51 - 72)

Planning Reference – 230655

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Rebecca Kerr

- 6.2. Listed Building Consent for the erection of single storey extension, formation of patio, external steps, window/door replacement to rear; and installation of two new gates to front - 26 Rubislaw Den North Aberdeen (Pages 73 - 86)

Planning Reference – 230654

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Rebecca Kerr

- 6.3. Detailed Planning Permission for the change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people (Retrospective) - 8 Albury Mansions Aberdeen (Pages 87 - 98)

Planning Reference – 231157

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Samuel Smith

- 6.4. Detailed Planning Permission for the erection of shed to front (retrospective) - Upper Birchwood, 1 South Avenue Aberdeen (Pages 99 - 108)

Planning Reference – 231263

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Roy Brown

REPORTS

- 7.1. Representation Procedure - GOV/23/317 (Pages 109 - 122)

DATE OF NEXT MEETING

- 8.1. Thursday 18 January 2024

Integrated Impact Assessments related to reports on this agenda can be viewed [here](#)

To access the Service Updates for this Committee please click [here](#)

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain, Committee Officer, on 01224 067344 or email lymcbain@aberdeencity.gov.uk

Agenda Item 1.1

Members will recall from the planning training sessions held, that there is a statutory requirement through Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 for all planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. All Committee reports to Planning Development Management Committee are evaluated on this basis. It is important that the reasons for approval or refusal of all applications and any conditions to be attached are clear and based on valid planning grounds. This will ensure that applications are defensible at appeal and the Council is not exposed to an award of expenses.

Under Standing Order 29.11 the Convener can determine whether a motion or amendment is competent and may seek advice from officers in this regard. With the foregoing in mind the Convener has agreed to the formalisation of a procedure whereby any Member wishing to move against the officer recommendation on an application in a Committee report will be required to state clearly the relevant development plan policy(ies) and/or other material planning consideration(s) that form the basis of the motion against the recommendation and also explain why it is believed the application should be approved or refused on that basis. The Convener will usually call a short recess for discussion between officers and Members putting forward an alternative to the recommendation.

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 2 November 2023. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; and Councillors Alphonse, Boulton, Clark, Cooke, Copland, Farquhar, Greig (as substitute for Councillor Bouse), Lawrence (for articles 1 to 10), Macdonald, Radley, Tissera (for articles 1 to 6) and Thomson.

The agenda and reports associated with this minute can be found [here](#).

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

DECLARATIONS OF INTEREST OR CONNECTIONS

1. The Committee noted the following transparency statements:-
 - Councillor Boulton advised that in relation to item 6.3 (former Banks of Dee Nursing home), that her brother worked as a physiotherapist for Banks of Dee, however did not consider the connection required a declaration of interest, and indicated that she would remain in the meeting for consideration of the item.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 21 SEPTEMBER 2023

2. The Committee had before it the minute of the previous meeting of 21 September 2023 for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

3. The Committee had before it the committee business planner, as prepared by the Interim Chief Officer – Governance (Legal).

The Committee resolved:-

to note the planner.

SITE OF THE FORMER ABERDEEN MARKET AND 91-93 UNION STREET, ABERDEEN - 230704

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4. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the replacement of Aberdeen Market (including redevelopment of 91-93 Union Street) with mixed use development including retail (class 1A), food and drink (class 3), leisure (class 11), and landscaping / public open space including proposed pedestrian link from Union Street to The Green, and associated works, at the site of the former Aberdeen Market and 91-93 Union Street, Aberdeen, be approved subject to the following conditions:-

Conditions**(01) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

PRE-COMMENCEMENT OF OVERALL DEVELOPMENT**(02) GEO-ENVIRONMENTAL INVESTIGATION**

No development shall take place unless a scheme to deal with any contamination that may exist within the site has been submitted to and approved in writing by the planning authority. The scheme shall follow the procedures outlined in Planning Advice Note 33 (Development of Contaminated Land) and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 (Investigation of Potentially Contaminated Sites - Code of Practice) and other best practice guidance and include (i) an investigation to determine the nature and extent of contamination; (ii) a site-specific risk assessment; and (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed. Thereafter, the development shall not be brought into use unless (i) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and (ii) a report has been submitted to and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the site have been carried out, unless the planning authority has given written consent for a variation.

Reason – to ensure that the site is fit for its proposed use and to avoid any unacceptable risks to human health and the environment.

(03) ARCHAEOLOGY

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No development shall take place unless there has been submitted to and approved in writing by the planning authority an archaeological written scheme of investigation (WSI) and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works.

Should the archaeological works reveal the need for post excavation analysis, the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason – to safeguard and record the archaeological potential of the area.

(04) DRAINAGE

No development shall take place unless a further detailed scheme has been submitted to and approved in writing by the planning authority which specifies the proposals for the disposal of foul and surface water drainage.

Thereafter, the development shall not be brought into use unless the development has been implemented in accordance with the approved scheme and is available for use.

Reason – to safeguard water quality and to ensure that the development can be drained.

(05) SERVICE AREA – ACCESS

No development shall take place unless a swept path analysis for the internal service yard has been submitted to and approved in writing by the planning authority. The swept path analysis must demonstrate that the type of vehicles which are expected to use the area can enter and exit it satisfactorily.

Reason – to ensure road safety is not compromised.

(06) NO. 6 MARKET STREET

No development shall take place unless there has been submitted to and approved in writing by the planning authority a scheme for the reinstatement of the façade of No. 6 Market Street. The scheme shall include detailed specifications featuring –

- 1:10 elevation and section drawing detailing the proposed façade to Market Street elevation shopfront including the new column details and positioning of the balustrade

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- 1:10 elevation and section showing how the new building will abut 6 Market Street;
- a specification and sample of stone for the stone forming the new columns.
- details of the primary structural steel support at the rear and in goes of the façade
- details of fixings
- details of mortar
- a methodology for the take down and rebuilding of the façade

Thereafter development shall be undertaken in accordance with the approved scheme and unless otherwise agreed in writing the development shall not be brought into use unless the façade has been reinstated in accordance with the approved scheme.

Reason – to ensure an appropriately high quality, customised detailing commensurate with the civic scale and setting of the proposal.

(07) PREVENTION OF BIRD ROOSTING AND LOAFING

No development shall take place unless there has been submitted to and approved in writing by the planning authority a scheme to minimise the ability of birds to use the roofs and other parts of the building for nesting or loafing.

Thereafter, unless a written variation has been approved by the planning authority, the development shall not be brought into use unless the approved scheme has been implemented and is operational.

Reason – to minimise the nuisance from birds and to control the visual impact of any mitigation measures.

(08) LOW AND ZERO CARBON GENERATING TECHNOLOGIES

No development shall take place unless there has been submitted to and approved in writing by the planning authority a scheme detailing compliance with Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency) and associated Aberdeen Planning Guidance (or any superseding policy or guidance covering the same matter) of the Aberdeen Local Development Plan with regards to low and zero carbon generating technologies.

Thereafter, the development shall not be brought into use unless the approved scheme has been implemented and measures are available for use.

Reason – to ensure the development complies with requirements for reductions in carbon emissions.

PRE-COMMENCEMENT OF PARTICULAR ELEMENTS OF DEVELOPMENT

(09) EXTERNAL FINISHING MATERIALS (MAIN BUILDING)

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No development relating to the external finishing materials of the main building shall take place unless there has been submitted to and approved in writing by the planning authority a scheme which details the design and material specification for all external parts of the main building. The scheme shall include –

- A) Detailed design specification of all materials to be used on the external areas of the building.
- B) Elevational drawings clearly showing which materials are to be used on each part of the building.
- C) 1:20 construction drawings, showing the size of granite cladding panels to be used.
- D) 1:20 construction drawings, showing the detailing of points where there would be a change in the surface finishes (for example where glazed sections meet granite-clad sections).
- E) Detailed design specification of the custom ceramic frit design proposed for the curtain wall glazing.
- F) Detailed design specification of the custom artwork pattern proposed for the metal screening and totems.

Thereafter, the development shall be finished in accordance with the approved scheme unless a written variation has been approved by the planning authority.

Reason – to ensure appropriately high quality, customised detailing commensurate with the civic scale and setting of the proposal.

(10) EXTERNAL FINISHING MATERIALS (91-93 UNION STREET)

No development relating to the external finishing materials of 91-93 Union Street shall take place unless there has been submitted to and approved in writing by the planning authority a scheme specifying the design and material specifications of the Union Street and East Green elevations of the development. The scheme shall include –

- A) Detailed design specification of all materials to be used on the external areas of the building.
- B) Elevational drawings clearly showing which materials are to be used on each part of the building.
- C) Detailed design specification of the entrance canopy.
- D) Detailed design specification of the metal entrance gates.
- E) Detailed design specification of the internal structural support for the glass façade.
- F) Detailed design specification of the glazing arrangements, including dimensions of the glass panes.
- G) Detailed design specification of the custom ceramic frit design proposed for the curtain wall glazing.
- H) 1:20 construction drawings, showing the detailing of points where the glass façade would abut the adjacent buildings.

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Thereafter, the development shall be finished in accordance with the approved scheme unless a written variation has been approved by the planning authority.

Reason – to ensure an appropriately high quality, customised detailing commensurate with the civic scale and setting of the proposal.

(11) EXTERNAL HARD LANDSCAPING MATERIALS

No development in relation to the external hard landscaping shall take place unless there has been submitted to and approved in writing by the planning authority a scheme detailing the design and the material specification of all external hard landscaping areas for the proposed development. The scheme shall cover –

1. the entrance area between the building and Market Street
2. the external events space

Thereafter, unless a written variation has been approved by the planning authority, the development shall not be brought into use unless the development has been finished in accordance with the approved scheme.

Reason – to ensure an appropriately high quality, customised detailing commensurate with the civic scale and setting of the proposal.

PRE-OCCUPATION

(12) ODOUR IMPACT ASSESSMENT

No part of the building shall be brought into use for the purposes of class 3 (food and drink) use, or otherwise used for the cooking of hot food, unless there has been submitted to and approved in writing by the planning authority an odour impact assessment. The scheme shall be carried out by a competent person, in line with relevant guidance for example, the EMAQ guidance document ‘The Control of Odour and Noise from Commercial Kitchen Exhaust Systems’ (or equivalent as suitably demonstrated) and associated references. The assessment must include (but not be limited to) –

- an odour risk assessment based on the specific type and level of cooking activities to be undertaken,
- necessary extract rates and an explanation of how they have been established;
- prediction of the impacts at the nearest sensitive receptors and
- any required mitigation measures to; extract filter, neutralise, and disperse cooking fumes produced at the premises.
- demonstration of the effectiveness of any mitigation measure.

Thereafter, the development shall not be brought into use unless the mitigation measures have been implemented in accordance with the approved scheme and are operational.

Reason – to surrounding uses from cooking odours.

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(13) NOISE MITIGATION

No part of the building shall be brought into use unless there has been submitted to and approved in writing by the planning authority a noise assessment considering the impact on nearby residential properties (existing and consented) of noise from mechanical plant associated with the development. This assessment should:

- Be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note.
- Identify the likely sources of noise associated with the proposed development, including any equipment necessary to address the impact of cooking odours;
- Detail the noise mitigation measures to reduce noise from the likely noise sources to an acceptable level to reasonably protect the amenity of the occupants of the existing neighbouring residences.
- The methodology for the noise assessment should be submitted and agreed in writing with this Service in advance of the assessment

Thereafter, the building shall not be brought into use unless any identified mitigation measures have been implemented and are operational.

Reason – to protect residential properties from noise associated with the development.

(14) WATER EFFICIENCY

No part of the building shall be brought into use unless there has been submitted to and approved in writing by the planning authority a scheme detailing compliance with Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency) and associated supplementary guidance (or any superseding policy or guidance covering the same matter) of the Aberdeen Local Development Plan with regards to water efficiency measures. The scheme should consider the advice provided in CIRIA publication C723 (Water sensitive urban design in the UK) and specify the measures proposed to incorporate water saving technology into the development. Thereafter, the building shall not be brought into use unless the approved scheme has been fully implemented and identified measures are available for use.

Reason – to help avoid reductions in river water levels, which at times of low flow can have impacts on freshwater pearl mussel, one of the qualifying features of the River Dee Special Area of Conservation (SAC).

(15) EXTERNAL LIGHTING STRATEGY

No part of the building shall be brought into use unless there has been submitted to and approved in writing by the planning authority a scheme for the external lighting. The scheme shall include details of all external lighting of the building and its external areas, and any internal lighting designed to form part of the external elevation (for example

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lighting behind fritted glass). Thereafter, unless a written variation has been approved by the planning authority, the development shall not be brought into use unless the approved scheme has been implemented and is operational.

Reason – to ensure the development is satisfactorily integrated into the surrounding area.

(16) SERVICE AREA

No part of the building shall be brought into use unless the service area (including parking spaces) has been constructed and laid out in accordance with HFM drawing AMKT-HFM-ZZ-00-PL-A-02 100 (Rev.B) (or other such drawing as agreed for the purpose) and is available for use. Thereafter (i) no waste storage containers shall be stored outside the building other than when required to be available for collection, and (ii) the parking spaces shall be used for no purpose other than for the parking of vehicles belonging to those working at or visiting the building.

Reason – to ensure there is sufficient space for the storage of waste and parking for service vehicles.

(17) ACCESSIBLE PARKING SPACE

No part of the building shall be brought into use unless a scheme showing the location within the vicinity of the development of at least one accessible parking space for blue badge holders has been submitted to and approved in writing by the planning authority. Thereafter, unless otherwise agreed in writing with the planning authority, the building shall not be brought into use unless

- (i) the accessible parking space has been constructed and/or marked out and is available for use and any associated signs or road markings have been implemented, and
- (ii) a traffic regulation order (TRO) is in place to restrict the use of the parking spaces to blue badge holders only.

Reason – to ensure the development is as accessible as possible to those with a disability.

(18) CYCLE PARKING

No part of the building shall be brought into use unless a scheme has been submitted to and approved in writing by the planning authority showing –

- (i) the locations of short stay cycle parking facilities within the external area of the development or within the vicinity of the development; and
- (ii) a suitable level of long-stay staff cycle parking facilities within the internal area of the development.

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Thereafter, unless otherwise agreed in writing with the planning authority, the building shall not be brought into use unless all cycle parking in the approved scheme has been provided and is available for use.

Reason – to encourage travel to and from the development by bicycle.

(19) ONLINE TAKEAWAY DELIVERY DRIVER PARKING

No food service unit shall be brought into use unless a scheme of parking for online takeaway delivery drivers has been submitted to and approved in writing by the planning authority. The scheme shall show the location of reserved parking spaces within the vicinity of the development which can be used by delivery drivers collecting takeaway food from the development.

Thereafter, unless otherwise agreed in writing with the planning authority, no food service unit shall be brought into use unless

- (i) the reserved parking spaces have been constructed and/or marked out and are available for use and any associated signs or road markings have been implemented, and
- (ii) a traffic regulation order (TRO) is in place to restrict the use of the parking spaces to such users.

Reason – to minimise the potential for indiscriminate parking within the vicinity of the development.

ONGOING CONTROL

(20) RESTRICTION ON CLASS 11 (ASSEMBLY AND LEISURE) USE

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) and the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), the uses permitted within Class 11 (Assembly and Leisure) do not include dance hall, discotheque (better now known as night club) or casino.

Reason – to ensure as far as possible that the building offers an active frontage with uses which are active during the day and which contribute to the vitality and viability of the city centre.

(21) SERVICING HOURS

Service deliveries or collections at the building by heavy goods vehicles shall be restricted to 07:00 to 21:00 Monday to Saturday and 09:00 to 21:00 on Sundays, unless otherwise agreed in writing by the planning authority.

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Reason – to prevent any adverse impact on amenity because of deliveries and servicing occurring at unsociable hours.

(22) EXTERNAL TERRACE OPERATING HOURS

The external terrace located at first floor level shall not be used outside the hours of 07:00 to 23:00.

Reason – to prevent any unreasonable disturbance to the occupiers of nearby residential properties from the use of the terrace at unsociable hours.

The Committee heard from Matthew Easton, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee resolved:-

to approve the application conditionally with condition 12 amended to read:-

(12) ODOUR IMPACT ASSESSMENT

No part of the building shall be brought into use for the purposes of class 3 (food and drink) use, or otherwise used for the cooking of hot food, unless there has been submitted to and approved in writing by the planning authority an odour impact assessment. The scheme shall be carried out by a competent person, in line with relevant guidance for example, the EMAQ guidance document 'The Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (or equivalent as suitably demonstrated) and associated references. The assessment must include (but not be limited to) -

- an odour risk assessment based on the specific type and level of cooking activities to be undertaken;
- necessary extract rates and an explanation of how they have been established;
- prediction of the impacts at the nearest sensitive receptors and
- any required mitigation measures to; extract filter, neutralise, and disperse cooking fumes produced at the premises; and
- demonstrate of the effectiveness of any mitigation measure.

Thereafter, the development shall not be brought into use unless the mitigation measures have been implemented in accordance with the approved scheme and are operational.

Reason - to protect surrounding uses from cooking odours associated with the development

178 GEORGE STREET ABERDEEN - 230972

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5. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use from betting shop to adult gaming centre (sui generis) at 178 George Street Aberdeen, be approved subject to the following conditions:-

Conditions

(1) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(2) OPENING HOURS

The hereby approved use shall only operate between the hours of 7am and 12am (midnight) on any given day.

Reason: In order to preserve the amenity of neighbouring residential properties during more sensitive early morning hours.

(3) IMPLEMENTATION OF NOISE MITIGATION MEASURES

The hereby approved use shall not operate unless the noise mitigation measures recommended in the approved Noise Impact Assessment have been implemented. The mitigations measures shall include:

1. The separating floor between the premises and the property above shall (as a minimum) meet the specification and associated sound reduction criteria detailed in Appendix D;
2. During fitout, mechanical and electrical (M&E) structures affixed to the underside of the floor shall be checked to ensure they are secure and not likely to come loose causing holes and any new M&E penetrations shall be fully sealed up with mortar so flanking paths do not occur ;
3. Perimeter seals shall be installed around the frame of the external door and at the bottom to prevent unnecessary sound transmission to the outside. The door shall also incorporate an automatic closer system; and
4. The provisions in the Operational Management Plan (Appendix E) shall be adhered to throughout the lifetime of the development.

Reason: In order to preserve the amenity of neighbouring residential properties in relation to noise emissions.

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The Committee heard from Alex Ferguson, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Henry Hodgson, agent for the application, who spoke in support of the application and answered questions from Members.

The Convener moved, seconded by Councillor Macdonald:-

That the application be approved, with an amendment to condition 2 to read:-

The hereby approved use shall only operate between the hours of 7am and 10pm on any given day.

Reason: In order to preserve the amenity of neighbouring residential properties during the more sensitive late evening and early morning hours.

Councillor Boulton moved an amendment, seconded by Councillor Greig:-

That the application be refused due to conflict with Policies H2, WB3 Aberdeen Local Development Plan 2023, Policy 23 of NPF4 and the Aberdeen Interim Planning Guidance Harmony of Uses due to adverse impact on residents by virtue of the close proximity to residents of the premises caused by the coming and goings of patrons to and from the premises particularly in the evening due to noise disturbance generated by the use of the premises by patrons.

On a division, there voted – for the motion (9) – the Convener and Councillors Alphonse, Cooke, Copland, Farquhar, Macdonald, Radley, Thomson and Tissera – for the amendment (4) – Councillors Boulton, Clark, Greig and Lawrence.

The Committee resolved:-

to adopt the motion and therefore approve the application conditionally.

FORMER BANKS O' DEE NURSING HOME, ABBOTSWELL ROAD, ABERDEEN - 230685

6. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use of from class 8 (residential institutions) to form 24no. affordable flats, including formation/replacement of doors and windows; installation of cladding, and alterations to the car park and garden ground with associated works, at the former Banks O' Dee Nursing Home, Abbotswell Road, Aberdeen, be approved conditionally with a legal agreement.

Conditions

(1) DURATION OF PERMISSION

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The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(2) SCHEME FOR SAFE MEANS OF PEDESTRIAN ACCESS

The development hereby approved shall not be occupied unless a scheme for the safe means of pedestrian and wheelchair access to and from the site from Abbotswell Road has been submitted to and agreed in writing by the Planning Authority and thereafter the approved scheme has been implemented in accordance with the agreed details, prior to the occupation of the development.

Reason: In order to ensure that the development can be accessed safely by walking and wheeling.

(3) NOISE MITIGATION

The development hereby approved shall not be occupied unless the critical noise mitigation measures set out in the 'Mitigation' section on Pages 17-20 of the approved Noise Impact Assessment (Couper Acoustics - Ref: 1029212314 – V1, Date: 8 June 2022) have been implemented in full.

Reason: In order to protect the residents of the development from external sources of noise and to protect the operations and viability of neighbouring commercial uses.

(4) EXTERNAL FINISHING MATERIALS

No development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

Reason: In the interests of visual amenity.

(5) SOFT LANDSCAPING AND TREE PLANTING

No works in connection with the development hereby approved shall take place unless a scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority.

Details of the scheme shall include:

- (i) Existing landscape features and vegetation to be retained;

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- (ii) The location of new trees, shrubs, hedges, grassed areas;
- (iii) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (iv) An indication of existing trees, shrubs and hedges to be removed;
- (v) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed no later than the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

(6) HARD LANDSCAPING MATERIALS

No works in connection with the development hereby approved shall take place unless a scheme of hard landscaping works, including the surface materials to be used for all roads, car parking areas, footpaths and other areas of hard landscaping, has been submitted to and approved in writing by the Planning Authority. Thereafter no flat shall be occupied unless the works have taken place in accordance with the agreed details.

Reason: To ensure the use of satisfactory materials for the hard-landscaped aspects of the development.

(7) CAR PARKING

The development hereby approved shall not be occupied unless the car parking area has been laid out in accordance with the details shown on approved Bradley Craig Architects drawing D(0-)01 Revision H (Proposed Site Plan), or other such drawing as may be agreed in writing with the Planning Authority.

Reason: In order to ensure that sufficient car parking is provided for the development.

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(8) BOUNDARIES

The development hereby approved shall not be occupied unless a detailed scheme of site and plot boundary enclosures (including all fences and walls) for the entire development has been submitted to and approved in writing by the Planning Authority. Thereafter the boundary treatments shall be installed in accordance with the agreed details prior to occupation.

Reason: in order to preserve the character and amenity of the area.

(9) ELECTRIC VEHICLE CHARGING POINTS

The development hereby approved shall not be occupied unless details of all electric vehicle charging points to be installed in the car parking area have been submitted to, agreed in writing with, the Planning Authority and the charge points have thereafter been installed in accordance with the agreed details.

Reason: In order to ensure that sufficient electric vehicle charging points would be provided, thus encouraging the use of sustainably powered vehicles.

(10) TREE PROTECTION

No development in relation to the extension of the car park shall take place unless a detailed cross section and construction methodology for the areas of the extended car parking area that would be formed within the root protection areas of trees to be retained, as shown on the approved Tree Survey Site Plan drawing (Struan Dalglish Arboriculture – March 2023 - Appendix 1), has been submitted to and agreed in writing with the Planning Authority. Thereafter the works shall not take place other than in accordance with the agreed details. All other works within the site shall not take place other than in accordance with the tree protection details set out in sections 4.3 and 4.4 of the approved Tree Survey.

Reason: in order to ensure adequate protection for the trees on site during the construction of the development.

(11) DRAINAGE INFRASTRUCTURE

No development shall take place unless a scheme of all new drainage infrastructure, designed to meet the requirements of Sustainable Urban Drainage Systems, has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the agreed scheme.

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Reason: in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(12) WASTE MANAGEMENT

The development hereby approved shall not be occupied unless the bin store area shown on approved drawings D(0-)01 Revision H (Proposed Site Plan) and D(0-)05 Revision B (Proposed Elevations) has been constructed and the required bins (2 x 1280l general waste, 2 x 1280l mixed recycling and 1 x food waste container) have been installed and are made available for use by residents upon occupation.

Reason: In order to ensure that waste and recyclables generated by the development would be securely and hygienically stored pending collection.

(13) CYCLE PARKING

The development hereby approved shall not be occupied unless details of the cycle racks to be installed within the Ground Floor cycle store have been submitted to and approved in writing by the Planning Authority. Thereafter the cycle storage facility shall be provided as shown on approved drawing D(0-)02 Revision G (Proposed Ground Floor Plan) and with the approved racks installed prior to occupation.

Reason: In the interests of encouraging more sustainable and active modes of travel.

(14) RESIDENTIAL TRAVEL PACK

No unit shall be occupied unless a residential travel pack has been submitted to and approved in writing by the planning authority. Each residential travel pack shall identify details of different travel options available in the area in order to discourage the use of the private car. The approved travel pack shall be supplied to the occupants of every residential unit on occupation.

Reason - In order to reduce dependency on the private car for travel.

(15) BROADBAND CONNECTION

No unit shall be occupied unless a scheme for the provision of a full fibre broadband connection to each flat has been submitted to and approved in writing by the planning authority. Thereafter the scheme shall be implemented as approved and no flat shall be occupied unless provided with a full fibre broadband connection.

Reason: In order to provide all flats with access to high-speed communications infrastructure, in accordance with the requirements of Policy CI1 (Digital Infrastructure) of the Aberdeen Local Development Plan 2023.

(16) EXTERNAL LIGHTING

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The development hereby approved shall not be occupied unless a scheme for all external lighting within the development has been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme.

Reason: In the interests of public safety.

The Committee heard from Alex Ferguson, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

During the course of discussion of the application, Councillor Cooke advised that he was the Chairperson for the Integrated Joint Board (IJB). However he did not consider the connection required a declaration of interest, and indicated that he would remain in the meeting for consideration of the item.

Councillor Greig also advised that he was a member on the IJB. However he did not consider the connection required a declaration of interest, and indicated that he would remain in the meeting for consideration of the item.

Councillors Macdonald and Radley also advised that they were substitute members on the IJB. However they did not consider the connection required a declaration of interest, and indicated that they would remain in the meeting for consideration of the item.

The Convener also advised that he was employed with the Scottish Ambulance Service, however did not consider the connection required a declaration of interest, and indicated that he would remain in the meeting for consideration of the item.

The Committee then heard from Brian Winton, Iain Watson and Hazel Noble who all objected to the application.

The Committee then heard from Bradley Craig, agent for the application who spoke in support of the application.

The Convener moved, seconded by Councillor Greig:-

That the application be approved in line with the officer's recommendation.

Councillor Boulton moved as an amendment, seconded by Councillor Macdonald:-

That the application be refused for the following reasons.

In relation to T2 of the Aberdeen Local Development Plan (ALDP) 2023, the access road to the current site did not meet current guidelines for pedestrian footway width and segregation from the road carriageway and it does not guarantee a safe means of pedestrian access to the development. It would be contrary to Policy D2 (Amenity) of the ALDP 2023 and the associated interim Aberdeen Planning Guidance on Amenity and Space Standards due to the rooms in the building not providing an acceptable level of amenity to residents. Occupants of the development would be adversely affected by noise emissions

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from the neighbouring commercial uses, contrary to Policy WB3 of the ALDP and Policy 23 of NPF4.

On a division, there voted – for the motion (7) – the Convener and Councillors Alphonse, Cooke, Copland, Clark, Greig and Radley – for the amendment (6) – Councillors Boulton, Farquhar, Lawrence, Macdonald, Thomson and Tissera.

The Committee resolved:-

to adopt the motion and therefore approve the application conditionally with a legal agreement.

FORMER CULTS STATION, STATION ROAD ABERDEEN - 230772

7. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use from class 4 (business) to class 1A (shops and financial professional and other services) and class 3 (food and drink) with covered outdoor seating area including demolition of existing lean to extension and erection of single storey extension; alterations to a shop front; re-cladding; installation of doors, rooflights and roof repairs with associated car parking and other associated works, at the former Cults Station, Station Road Aberdeen, be approved subject to the following conditions:-

Conditions

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) NOISE IMPACT ASSESSMENT COMPLIANCE

That the use hereby approved shall not take place unless all mitigation measures recommended in the approved Noise & Odour Impact Assessment (Reference: TTG 151120B) have been implemented in full. These must include:

- a) the noise insulation measures detailed within section 3.6 and the related Appendix C – ‘Wall and Roof Construction Detail’;
- b) the noise and odour control measures detailed within section 6.2 and the related Appendix A (A4 to A5) – ‘Kitchen Extraction System Details’;

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- c) The proposed operating hours including the external area shall terminate at 2000 hours;
- d) strict adherence to the managerial controls detailed within section 4.14 and 6.3 and appendix K “Maintenance and Cleaning”.

Thereafter the mitigation measures, or similar as may be agreed in writing with the Planning Authority, shall remain in place for the duration of the use.

Reason: In order to preserve the amenity of neighbouring properties from noise and odour emissions from the proposed use.

(03) HOURS OF OPERATION

That the use hereby approved shall not operate out with the following hours:

Café (Class 3) and Outdoor Seating Area: Monday to Thursday 08:00 – 19:00 and Friday to Sunday 08:00 – 20:00 and Bicycle Shop (Class 1A Financial, professional and other services): Monday to Sunday 09:00 to 17:00.

Reason: In order to preserve the amenity of neighbouring properties.

(04) LITTER MANAGEMENT

That the use hereby approved shall not take place unless a litter and waste management plan for the site has been submitted to and agreed in writing by the Planning Authority, including detail on the provision of external litter bins for customer waste during hours of operation. Thereafter, the approved litter / waste management plan to be fully implemented in accordance with the agreed details and remain in place for the duration of the use.

Reason - In order to ensure suitable waste storage and collection arrangements are in place, including appropriate facilities for customers and to protect public health and the amenity of the area.

(05) PARKING, CYCLE PARKING AND EV CHARGING AS PER APPROVED PLANS

That the use hereby approved shall not occur unless all car parking, electric vehicle parking and cycle parking facilities have been constructed, drained, laid-out and demarcated and are available for use in accordance with approved drawing Site Plan 1012 Rev B, or such other drawing as may subsequently be submitted to and agreed in writing by the Planning Authority.

Reason: In the interests of public safety and provision of adequate car parking and the free flow of traffic.

(06) OUTDOOR SEATING AREA AS PER APPROVED PLAN

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That the use hereby approved shall not occur unless the outdoor seating area has been provided in accordance with approved drawings (Richard Dingwall Architects) 1012 Rev B and 1017 Rev B. No additional seating areas shall be provided without the express granting of planning permission by the Planning Authority.

Reason: In the interests of residential amenity.

(07) PEDESTRIAN/ VEHICLE ACCESS UPGRADES

That the use hereby approved shall occur unless works for the upgrading of the pedestrian and vehicular access to the site along Station Road as detailed on approved drawing Richard Dingwall Architects 1013 Rev A and 146779/sk1004 Rev A (as contained within the approved Roads Technical Note dated 28th September 2023 on our website) or such other drawings as may subsequently be submitted to and agreed in writing by the Planning Authority, have been implemented in full and in accordance with the agreed scheme. For avoidance of doubt this should include the following:

- signage advising that “pedestrians are on the road ahead”
- the provision of “slow” markings on the road at either side of the bend; and
- a change in surfacing materials to delineate the crossing points/ pedestrian routes.

Reason: In order to provide an appropriate standard of pedestrian access to the site and encourage the use of alternative and sustainable modes of travel.

(08) STAFF TRAVEL PLAN

That the use hereby approved shall not occur unless full details of a staff travel plan to include information on the accessibility of the site in terms of walking, cycling, and public transport have been submitted to and agreed in writing by the Planning Authority and thereafter the travel plan is displayed/distributed to all staff members in accordance with the approved details.

Reason: In order to encourage the use of alternative and sustainable modes of travel.

(09) LANDSCAPING AS PER APPROVED PLANS

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme (Richard Dingwall Architects drawing 1014 Rev B) and shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

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In addition, the use shall not take place unless the management and maintenance of the landscaping as shown on approved drawing Ref: 1014 Rev B is undertaken. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

(10) RESTRICTION OF USE CLASSES

That notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended) the premises shall not be used for any other purposes other than Class 1A (Shops and Financial, Professional and Other Services) and Class 3 (Food and Drink) as shown on approved Richard Dingwall Architects Drawing No: 1016 Rev B and no change between Use Classes is permitted within the areas highlighted on the approved plan without a specific grant of planning permission by the Planning Authority.

Reason: To enable the Planning Authority to consider the implications of any subsequent change of use on the amenity of the area.

(11) MATERIALS

That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the Planning Authority and thereafter the development shall be carried out in accordance with the details so agreed.

Reason: in the interests of visual amenity.

At this juncture, Councillor Boulton moved a procedural motion, seconded by Councillor Farquhar:-

That a site visit be held before determination of items 6.6 and 6.7 on the agenda.

On a division, there voted – for the procedural motion (7) – Councillors Boulton, Cooke, Copland, Clark, Farquhar, Greig and Thomson – against the procedural motion (5) – the Convener and Councillors Alphonse, Lawrence, Macdonald and Radley – absent from the vote (1) – Councillor Tissera.

The Convener advised that he would allow the representations to speak before adjourning for the site visit.

The Committee heard from Karin Robertson, who objected to the application.

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The Committee then heard from Murray Ritchie and Richard Dingwall (agent), who spoke in support of the application.

The Committee resolved:-

to adopt the procedural motion and therefore defer the application in order for a site visit to be undertaken on Wednesday 8 November 2023.

FORMER CULTS STATION, STATION ROAD ABERDEEN - RETENTION OF TAKEAWAY - 230922

8. The Committee the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the retention of a takeaway food kiosk and outdoor seating area with decking including change of use (temporary for 12 months), at the former Cults Railway Station, be approved subject to the following conditions:-

Conditions

(01) TEMPORARY PERMISSION

That planning permission is hereby granted for a temporary period only and shall cease to have effect on 1st November 2024 (the 'cessation date'). Prior to the cessation date, the application site shall be cleared of all works and development approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings and any temporary developments permitted under Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992) and reinstated in accordance with the agreed restoration scheme submitted to and approved in writing by the Planning Service under the terms of Condition 2 of this permission.

Reason: To enable the impact of the temporary development on the amenity of the surrounding area to be reviewed and to ensure the appropriate restoration of the site.

(02) SITE CLEARANCE

That at least two months prior to the cessation date of 1st November 2024, full details of a scheme for the restoration of the application site shall be submitted to and approved in writing by the Planning Service. Prior to the cessation of this permission the site shall be restored in accordance with the approved restoration scheme.

Reason: To ensure the timeous and appropriate restoration of the site following the expiry of this temporary permission, in the interests of the visual amenity of the area.

(03) COOKING ACTIVITIES – RESTRICTION

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That no cooking or frying operations (including but not limited to: deep fat frying, shallow frying, oven cooking, boiling, stewing, grilling, or broiling) shall be carried out on the premises.

Reason: in order to protect the amenity of neighbouring uses from cooking odours.

(04) LITTER MANAGEMENT PLAN – COMPLIANCE

That the proposals hereby granted planning permission shall be undertaken in accordance with the details outlined in the Litter Management Plan (Section 5.8 of the approved Supporting Statement Ref: 230922-01 dated 28th July 2023).

Reason - In order to ensure suitable waste storage and collection arrangements are in place, including appropriate facilities for customers and to protect public health and the amenity of the area.

(05) HOURS OF OPERATION

That the use hereby approved shall not operate outwith the hours of 08:00 to 19:00 Monday – Thursday, 08:00 to 20:00 Friday to Sunday (April to September) and 08:00 to 17:00 Monday – Saturday and 09:00 to 17:00 on a Sunday (October to March).

Reason: In order to preserve the amenity of neighbouring properties.

The Committee heard from Karin Robertson, who objected to the application.

The Committee then heard from Richard Dingwall, agent for the application, who spoke in support of the application.

At this juncture and in line with the decision taken in the previous item, the Committee deferred consideration of the application in order for a site visit to be undertaken on Wednesday 8 November 2023.

REAR OF 12 - 14 BROOMHILL ROAD, ABERDEEN - 230550

9. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use from amenity land to class 4 (business) including installation of fence and roller shutter doors associated with 16 Broomhill Road (part retrospective), at the rear Of 12 - 14 Broomhill Road, Aberdeen, be approved subject to the following conditions:-

Conditions

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(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) HOURS OF OPERATION

That the use hereby approved shall not operate outwith the hours of 8:00am and 5:00pm Monday – Friday.

Reason - to ensure no loss of amenity for surrounding properties and to align with the office hours of the business.

(03) EXTERNAL LIGHTING

That the use hereby approved shall not operate unless a lighting plan, with details, specifications and illumination levels, of all lighting to be installed within the site has been submitted to and approved in writing by the planning authority. Thereafter, the lighting shall be installed in accordance with that plan and not be altered, other than being removed, without agreement from the planning authority.

Rason - in order to ensure lighting does not impact on the general amenity of the surrounding residential area.

(04) EXTERNAL LIGHTING TIMES

That the lighting contained within the lighting plan, to be agreed under condition 2, shall not operate outwith the hours of 8:00am and 5:00pm Monday – Friday.

Reason - to ensure that light pollution from the development does not result in undue loss of amenity for surrounding properties.

(05) BIODIVERSITY

That the use hereby approved shall not operate unless the biodiversity enhancements as noted on plan reference 23021_004_pl, shall be implemented on site. Thereafter, these measures shall be retained in perpetuity.

Reason - in order to protect and enhance biodiversity, deliver positive effects from the development and strengthen nature networks.

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The Committee heard from Aoife Murphy, Senior Planner, who spoke in furtherance of the application and answered questions from Members.

The Committee then heard from Sue Allan, who objected to the application and asked that the application be refused.

The Committee resolved:-

to approve the application conditionally.

At this Juncture, the Convener proposed to suspend Standing Order 40.2 (Length of Meetings) to enable the meeting to continue beyond six hours.

The Committee agreed unanimously to suspend Standing Order 40.2.

259 UNION STREET ABERDEEN - 230246

10. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use from office to student accommodation (sui generis) including refurbishment and replacement of windows, alterations of vents and associated works, at 259 Union Street Aberdeen, be approved conditionally subject to a legal agreement.

Conditions**(01) Duration of Permission**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) Management Plan

That no part of the development hereby approved shall be occupied unless a management plan has been submitted and approved in writing by the planning authority and shall be fully implemented thereafter.

Reason: In the interests of ensuring the provision of adequate amenity for all residents.

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(03) Noise Mitigation Measures

That the development hereby approved shall not be occupied unless the noise mitigation measures have been installed in accordance with the conclusions and recommendations set out in the approved Noise Impact Assessment (The Airshed, AS 0820 06, dated 22 May 2023) and evidence of this installation has been provided to, and agreed in writing by, the Planning Authority. For avoidance of doubt this should include the following:

- (a) provision of MVHR to the units on the Union Street elevation as a minimum and application of mitigation achieving the required sound reduction detailed within the section 'Proposed Mitigation for Road traffic Noise' and table 5 of the report namely; windows 44dB Rwi and NO trickle ventilation. Or in the absence of MVHR system, the application of mitigation achieving the required sound reduction detailed within the section 'Proposed Mitigation for Road traffic Noise' and table 5 of the report namely; Trickle vents 45dB Dn,e. (in the open position) and windows 47dB Rwi. NB- where alternative mechanical ventilation is to be installed the noise level emissions from such equipment should comply with NR25 Night-time and NR 30 daytime within the proposed units.
- (b) Application of mitigation detailed within the section 'Proposed Mitigation Measures for Fixed Plant', table 6.2 and Appendix 6 of the report, namely, the scheme of window and ventilation measures to the various rooms on the rear elevation aligning with corresponding acoustic performance specified;
- (c) Application of mitigation detailed within the section 'Proposed Mitigation Measures for Airborne Sound (music)' and Appendix 1 of the report, namely, upgraded floor between the restaurant and the apartments to increase the mass of the floor to >180kg/m³ using the combination of materials and techniques specified therein.

Reason: to protect residents from unacceptable levels of noise.

(04) Bin Store

That the development hereby approved student accommodation shall not be occupied unless the bin store shown on approved drawings 4078_108b (Proposed Bin Store Details), or similar as may be agreed in writing with the Planning Authority, has been formed in accordance with the approved details and the necessary bins provided within it.

Reason: To ensure a satisfactory means for the storage and collection of waste.

(05) Cycle store

That the development hereby approved shall not be occupied unless the cycle store shown on approved drawing 3954 100 B (Proposed Basement and Ground Floor Plans)

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or similar as may be agreed in writing with the Planning Authority, has been formed in accordance with the approved details.

Reason: To encourage the use of sustainable and active modes of travel.

(06) Student accommodation use only

That the development hereby approved shall be occupied by students only. In this case students are defined as those persons attending higher education institutions within the City of Aberdeen.

Reason: The development is not suitable in planning terms for use as permanent, mainstream residential accommodation due to the inadequate level of amenity that would be afforded to residents as a result of the small floor areas of units which are acceptable, on balance, as short term accommodation. Furthermore, the developer obligations and affordable housing requirements for the development have been calculated on the basis of students occupying the development and would need reassessed in the event of any future occupation of the development by persons not in higher education.

(07) Communal Facilities

That none of the units hereby approved shall be occupied unless the common room which forms part of the approved development has been completed and is available for use by all residents.

Reason: In the interests of ensuring the provision of adequate amenity for all residents.

The Committee heard from Laura Robertson, Senior Planner, who spoke in furtherance of the application and answered questions from Members.

The Committee then heard from Baxter Allan, agent for the application, who spoke in support of the application and answered questions from Members.

The Committee resolved:-

to approve the application conditionally subject to a legal agreement.

PERSLEY CASTLE CARE HOME, MUGIEMOSS ROAD ABERDEEN - 230351

11. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Listed Building Consent for lowering of sills and installation of windows, at Persley Castle Care Home, Mugiemooss Road Aberdeen, be approved unconditionally.

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The Committee heard from Samuel Smith, Planner who spoke in furtherance of the application and answered questions from Members.

The Committee resolved:-

to approve the application unconditionally.

FLAT H, 287 KING STREET ABERDEEN - 231064

12. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people, at Flat H, 287 King Street Aberdeen, be approved subject to the following conditions:-

Conditions

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(2) TIME LIMIT FOR SHORT-TERM LET USE

The hereby approved use of the property as Short-Term Let accommodation shall expire 5 years following the date of the grant of permission as stated on this notice, unless a further planning permission has been granted for continued use of the property as Short-Term Let accommodation in the meantime. Should no further planning permission be granted then the property shall revert to mainstream residential use as a flat after the aforementioned 5-year period.

Reason: In order to allow the local housing need and demand situation and the local economic benefits derived from the use of the property as a Short Term Let to be reassessed in 5 years' time, to ensure that the loss of the property as residential accommodation would remain compliant with Policy 30 of NPF4.

The Committee heard from Samuel Smith, Planner, who spoke in furtherance of the application and answered questions from Members.

The Committee resolved:-

to approve the application conditionally.

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360 NORTH DEESIDE ROAD ABERDEEN - 230251

13. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the erection of 2 storey detached dwelling house with garage and associated works, at 360 North Deeside Road Aberdeen, be approved subject to the following conditions:-

Conditions

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) SAMPLE OF MATERIALS

No development shall commence until a scheme/samples detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the Planning Authority and thereafter the development shall be carried out in accordance with the details so agreed. For the avoidance of doubt, a sample panel of no less than 1.8m² with external finishing materials showing their proportionate relationship shall be erected on the application site.

Reason: In the interests of visual amenity.

(03) BOUNDARY TREATMENT

Prior to the commencement of development, a detailed scheme of site and plot boundary enclosures shall be submitted to and approved in writing by the Planning Authority, and thereafter the development shall be carried out in accordance with the details so agreed.

Reason: In the interest of visual amenity and to ensure sufficient privacy can be retained between the dwellings at 360 North Deeside Road and that hereby approved.

(04) NOISE SCREENING ASSESSMENT

Before the dwelling hereby approved is occupied, an assessment of the noise levels caused by road traffic using the A93 and Kirk Brae likely within the building shall be

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submitted to and approved in writing by the Planning Authority. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full.

Reason: In the interest of residential amenity.

(05) LOW AND ZERO CARBON BUILDING

No development associated with the residential dwelling hereby approved shall take place unless a scheme detailing compliance with the Aberdeen Planning Guidance: Resources for New Development has been submitted to and approved in writing by the Planning Authority. Thereafter the dwelling hereby approved shall not be occupied unless any recommended measures specified within that scheme for that unit for the reduction of carbon emissions have been implemented in full.

Reason: To ensure that the development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Aberdeen Planning Guidance: Resources for New Development.

The Committee heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Convener moved, seconded by Councillor Greig:-

That the application be approved conditionally in line with the officer's recommendation.

Councillor Boulton moved an amendment, seconded by Councillor Farquhar:-

That the application be refused in terms of T2 of the Aberdeen Local Development Plan 2023 as the access road to the current site does not meet current guidelines for pedestrian footway width and segregation from the road carriageway and it does not guarantee a safe means of pedestrian access to the development. It is contrary to Policy D2 (Amenity) of the ALDP 2023 and the associated interim Aberdeen Planning Guidance on Amenity and Space Standards due to the rooms in the building not providing an acceptable level of amenity to residents. Occupants of the development would be adversely affected by noise emissions from the neighbouring commercial uses, contrary to Policy WB3 of the ALDP and Policy 23 of NPF4.

On a division, there voted:- for the motion (6) – the Convener and Councillors Alphonse, Cooke, Copland, Greig and Radley – for the amendment (5) – Councillors Boulton, Clark, Farquhar, Macdonald and Thomson – absent from the division (2) – Councillors Lawrence and Tissera.

The Committee resolved:-

to adopt the motion and therefore approve the application conditionally.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

2 November 2023

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE ANNUAL EFFECTIVENESS REPORT - PLA/23/340

14. The Committee had before it a report by the Interim Chief Officer – Governance (Assurance), which presented the annual report of the Planning Development Management Committee to enable Members to provide comment on the data contained within.

The report recommended:-

that the Committee –

- (a) provide comments and observations on the data contained within the annual report; and
- (b) note the annual report of the Planning Development Management Committee.

The Committee resolved:-

to note the report.

- **Councillor Ciaran McRae, Convener**

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 8 November 2023. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor McRae, Convener; and Councillors Boulton, Clark, Cooke, Copland, Farquhar, Greig (as substitute for Councillor Bouse, the Vice Convener), Lawrence, Macdonald, Radley and Thomson.

The agenda and reports associated with this minute can be found [here](#).

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

FORMER CULTS RAILWAY STATION - 230772

1. With reference to article 7 of the minute of the Planning Development Management Committee of 2 November 2023, whereby it was agreed to hold a site visit before determination, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended**:-

That the application for Detailed Planning Permission for the change of use from class 4 (business) to class 1A (shops and financial professional and other services) and class 3 (food and drink) with covered outdoor seating area including demolition of existing lean to extension and erection of single storey extension; alterations to a shop front; re-cladding; installation of doors, rooflights and roof repairs with associated car parking and other associated works, at the former Cults Railway Station, be approved subject to the following conditions:-

Conditions

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) NOISE IMPACT ASSESSMENT COMPLIANCE

That the use hereby approved shall not take place unless all mitigation measures recommended in the approved Noise & Odour Impact Assessment (Reference: TTG 151120B) have been implemented in full. These must include:

- a) the noise insulation measures detailed within section 3.6 and the related Appendix C – ‘Wall and Roof Construction Detail’;

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8 November 2023

- b) the noise and odour control measures detailed within section 6.2 and the related Appendix A (A4 to A5) – ‘Kitchen Extraction System Details’;
- c) The proposed operating hours including the external area shall terminate at 2000 hours;
- d) strict adherence to the managerial controls detailed within section 4.14 and 6.3 and appendix K “Maintenance and Cleaning”.

Thereafter the mitigation measures, or similar as may be agreed in writing with the Planning Authority, shall remain in place for the duration of the use.

Reason: In order to preserve the amenity of neighbouring properties from noise and odour emissions from the proposed use.

(03) HOURS OF OPERATION

That the use hereby approved shall not operate out with the following hours:

Café (Class 3) and Outdoor Seating Area: Monday to Thursday 08:00 – 19:00 and Friday to Sunday 08:00 – 20:00 and Bicycle Shop (Class 1A Financial, professional and other services): Monday to Sunday 09:00 to 17:00.

Reason: In order to preserve the amenity of neighbouring properties.

(04) LITTER MANAGEMENT

That the use hereby approved shall not take place unless a litter and waste management plan for the site has been submitted to and agreed in writing by the planning authority, including detail on the provision of external litter bins for customer waste during hours of operation. Thereafter, the approved litter / waste management plan to be fully implemented in accordance with the agreed details and remain in place for the duration of the use.

Reason - In order to ensure suitable waste storage and collection arrangements are in place, including appropriate facilities for customers and to protect public health and the amenity of the area.

(05) PARKING, CYCLE PARKING AND EV CHARGING AS PER APPROVED PLANS

That the use hereby approved shall not occur unless all car parking, electric vehicle parking and cycle parking facilities have been constructed, drained, laid-out and demarcated and are available for use in accordance with approved drawing Site Plan 1012 Rev B, or such other drawing as may subsequently be submitted to and agreed in writing by the Planning Authority.

Reason: In the interests of public safety and provision of adequate car parking and the free flow of traffic.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

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(06) OUTDOOR SEATING AREA AS PER APPROVED PLAN

That the use hereby approved shall not occur unless the outdoor seating area has been provided in accordance with approved drawings (Richard Dingwall Architects) 1012 Rev B and 1017 Rev B. No additional seating areas shall be provided without the express granting of planning permission by the Planning Authority.

Reason: In the interests of residential amenity.

(07) PEDESTRIAN/ VEHICLE ACCESS UPGRADES

That the use hereby approved shall occur unless works for the upgrading of the pedestrian and vehicular access to the site along Station Road as detailed on approved drawing Richard Dingwall Architects 1013 Rev A and 146779/sk1004 Rev A (as contained within the approved Roads Technical Note dated 28th September 2023 on our website) or such other drawings as may subsequently be submitted to and agreed in writing by the Planning Authority, have been implemented in full and in accordance with the agreed scheme. For avoidance of doubt this should include the following:

- signage advising that “pedestrians are on the road ahead”
- the provision of “slow” markings on the road at either side of the bend; and
- a change in surfacing materials to delineate the crossing points/ pedestrian routes.

Reason: In order to provide an appropriate standard of pedestrian access to the site and encourage the use of alternative and sustainable modes of travel.

(08) STAFF TRAVEL PLAN

That the use hereby approved shall not occur unless full details of a staff travel plan to include information on the accessibility of the site in terms of walking, cycling, and public transport have been submitted to and agreed in writing by the Planning Authority and thereafter the travel plan is displayed/distributed to all staff members in accordance with the approved details.

Reason: In order to encourage the use of alternative and sustainable modes of travel.

(09) LANDSCAPING AS PER APPROVED PLANS

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme (Richard Dingwall Architects drawing 1014 Rev B) and shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

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diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

In addition, the use shall not take place unless the management and maintenance of the landscaping as shown on approved drawing Ref: 1014 Rev B is undertaken. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

(10) RESTRICTION OF USE CLASSES

That notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended) the premises shall not be used for any other purposes other than Class 1A (Shops and Financial, Professional and Other Services) and Class 3 (Food and Drink) as shown on approved Richard Dingwall Architects Drawing No: 1016 Rev B and no change between Use Classes is permitted within the areas highlighted on the approved plan without a specific grant of planning permission by the Planning Authority.

Reason: To enable the Planning Authority to consider the implications of any subsequent change of use on the amenity of the area.

(11) MATERIALS

That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the Planning Authority and thereafter the development shall be carried out in accordance with the details so agreed.

Reason: in the interests of visual amenity.

Following the site visit, Members returned to deliberate the application and heard from Gavin Clark, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Convener moved, seconded by Councillor Greig:-

That the application be approved conditionally with amendments to conditions 7 and 11 to read:-

07) PEDESTRIAN/ VEHICLE ACCESS UPGRADES

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

8 November 2023

That the use hereby approved shall not occur unless works for the upgrading of the pedestrian and vehicular access to the site along Station Road as detailed on approved drawing Richard Dingwall Architects 1013 Rev A and 146779/sk1004 Rev A (as contained within the approved Roads Technical Note dated 28th September 2023 on our website) or such other drawings as may subsequently be submitted to and agreed in writing by the Planning Authority, have been implemented in full and in accordance with the agreed scheme. For avoidance of doubt this should include the following:

- signage advising that “pedestrians are on the road ahead”
- the provision of “slow” markings on the road at either side of the bend; and
- a change in surfacing materials to delineate the crossing points/ pedestrian routes.

Reason: In order to provide an appropriate standard of pedestrian access to the site and encourage the use of alternative and sustainable modes of travel

(11) MATERIALS

That no development shall take place unless a scheme detailing all external finishing materials to the roof, walls and external areas, including the paving area adjacent to the Deeside Way of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

Reason: in the interests of visual amenity.

Councillor Boulton, moved as an amendment seconded by Councillor Thomson:-

That the application be refused for the following reasons:-

1. That the proposal would be contrary to Policy T2 Sustainable Transport of the Aberdeen Local Development Plan (ALDP) and would create an additional road safety hazard by virtue of the additional pedestrian movements and traffic movements generated along Station Road and the lack of a safe off road footway to the proposed café/bike shop and to the former Deeside line due the requirement for pedestrians to walk on the road carriageway and across the proposed parking area; and
2. The proposal would be contrary to Policy H1 and T2 of the ALDP and would have an adverse impact on residential amenity by virtue of the additional noise and disturbance to adjoining residents caused by patrons using the property during opening hours and additional traffic movements to the premises along Station Road.

On a division, there voted – for the motion (8) – the Convener; and Councillors Cooke, Copland, Clark, Farquhar, Greig, Macdonald and Radley – for the amendment (3) – Councillors Boulton, Lawrence and Thomson.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

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The Committee resolved:-

to adopt the motion and therefore approve the application conditionally.

FORMER CULTS RAILWAY STATION RETENTION OF TAKEAWAY (12 MONTHS) - 230922

2. With reference to article 8 of the minute of the Planning Development Management Committee of 2 November 2023, whereby it was agreed to hold a site visit before determination, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for Detailed Planning Permission for the retention of a takeaway food kiosk and outdoor seating area with decking including change of use (temporary for 12 months), at the former Cults Railway Station, be approved subject to the following conditions:-

Conditions

(01) TEMPORARY PERMISSION

That planning permission is hereby granted for a temporary period only and shall cease to have effect on 1st November 2024 (the 'cessation date'). Prior to the cessation date, the application site shall be cleared of all works and development approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings and any temporary developments permitted under Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992) and reinstated in accordance with the agreed restoration scheme submitted to and approved in writing by the Planning Service under the terms of Condition 2 of this permission.

Reason: To enable the impact of the temporary development on the amenity of the surrounding area to be reviewed and to ensure the appropriate restoration of the site.

(02) SITE CLEARANCE

That at least two months prior to the cessation date of 1st November 2024, full details of a scheme for the restoration of the application site shall be submitted to and approved in writing by the Planning Service. Prior to the cessation of this permission the site shall be restored in accordance with the approved restoration scheme.

Reason: To ensure the timeous and appropriate restoration of the site following the expiry of this temporary permission, in the interests of the visual amenity of the area.

(03) COOKING ACTIVITIES – RESTRICTION

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

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That no cooking or frying operations (including but not limited to: deep fat frying, shallow frying, oven cooking, boiling, stewing, grilling, or broiling) shall be carried out on the premises.

Reason: in order to protect the amenity of neighbouring uses from cooking odours.

(04) LITTER MANAGEMENT PLAN – COMPLIANCE

That the proposals hereby granted planning permission shall be undertaken in accordance with the details outlined in the Litter Management Plan (Section 5.8 of the approved Supporting Statement Ref: 230922-01 dated 28th July 2023).

Reason - In order to ensure suitable waste storage and collection arrangements are in place, including appropriate facilities for customers and to protect public health and the amenity of the area.

(05) HOURS OF OPERATION

That the use hereby approved shall not operate outwith the hours of 08:00 to 19:00 Monday – Thursday, 08:00 to 20:00 Friday to Sunday (April to September) and 08:00 to 17:00 Monday – Saturday and 09:00 to 17:00 on a Sunday (October to March).

Reason: In order to preserve the amenity of neighbouring properties.

Following the site visit, Members returned to deliberate the application and heard from Gavin Clark, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Convener moved, seconded by Councillor Greig:-

That the application be approved conditionally in line with the officer's recommendation.

Councillor Boulton, moved as an amendment seconded by Councillor Thomson:-

That the application be refused for the following reasons:-

3. That the proposal would be contrary to Policy T2 Sustainable Transport of the Aberdeen Local Development Plan (ALDP) and would create an additional road safety hazard by virtue of the additional pedestrian movements and traffic movements generated along Station Road and the lack of a safe off road footway to the proposed café/bike shop and to the former Deeside line due the requirement for pedestrians to walk on the road carriageway and across the proposed parking area; and
4. The proposal would be contrary to Policy H1 and T2 of the ALDP and would have an adverse impact on residential amenity by virtue of the additional noise and disturbance to adjoining residents caused by patrons using the property during

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

8 November 2023

opening hours and additional traffic movements to the premises along Station Road.

On a division, there voted – for the motion (8) – the Convener; and Councillors Cooke, Copland, Clark, Farquhar, Greig, Macdonald and Radley – for the amendment (3) – Councillors Boulton, Lawrence and Thomson.

The Committee resolved:-

to adopt the motion and therefore approve the application conditionally.

- **Councillor Ciaran McRae, Convener**

	A	B	C	D	E	F	G	H	I
1	PLANNING DEVELOPMENT MANAGEMENT COMMITTEE BUSINESS PLANNER The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting for the calendar year.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3			07 December 2023						
4	Procedure for Representations	At the meeting of PDMC on 3 November 2022, a new draft procedure was agreed for allowing representations to speak at Committee. It was agreed to instruct the Chief Officer – Strategic Place Planning to report back to the Committee on the effectiveness of the Procedure by December 2023.	On agenda	Elena Plews/ Fiona Closs	Strategic Place Planning	Place	5		
5	26 Rubislaw Den North - 230665 and Listed Building Consent - 230654	To approve or refuse the application for erection of single storey extension, window replacement to rear; and installation of two new gates to front	On agenda	Rebecca Kerr	Strategic Place Planning	Place	1		
6	8 Albury Mansions - 231157	To approve or refuse the application for change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people (Retrospective)	On agenda	Samuel Smith	Strategic Place Planning	Place	1		
7	Upper Birchwood, 1 South Avenue - 231263	To approve or refuse the application for erection of shed to the front (retrospective)	On agenda	Roy Brown	Strategic Place Planning	Place	1		
8			18 January 2024						
9	18 Bon Accord Square - 231179	To approve or refuse the application for change of use from class 4 (office) to class 7 (guest house)		Gavin Clark	Strategic Place Planning		1		
10			15 February 2024						

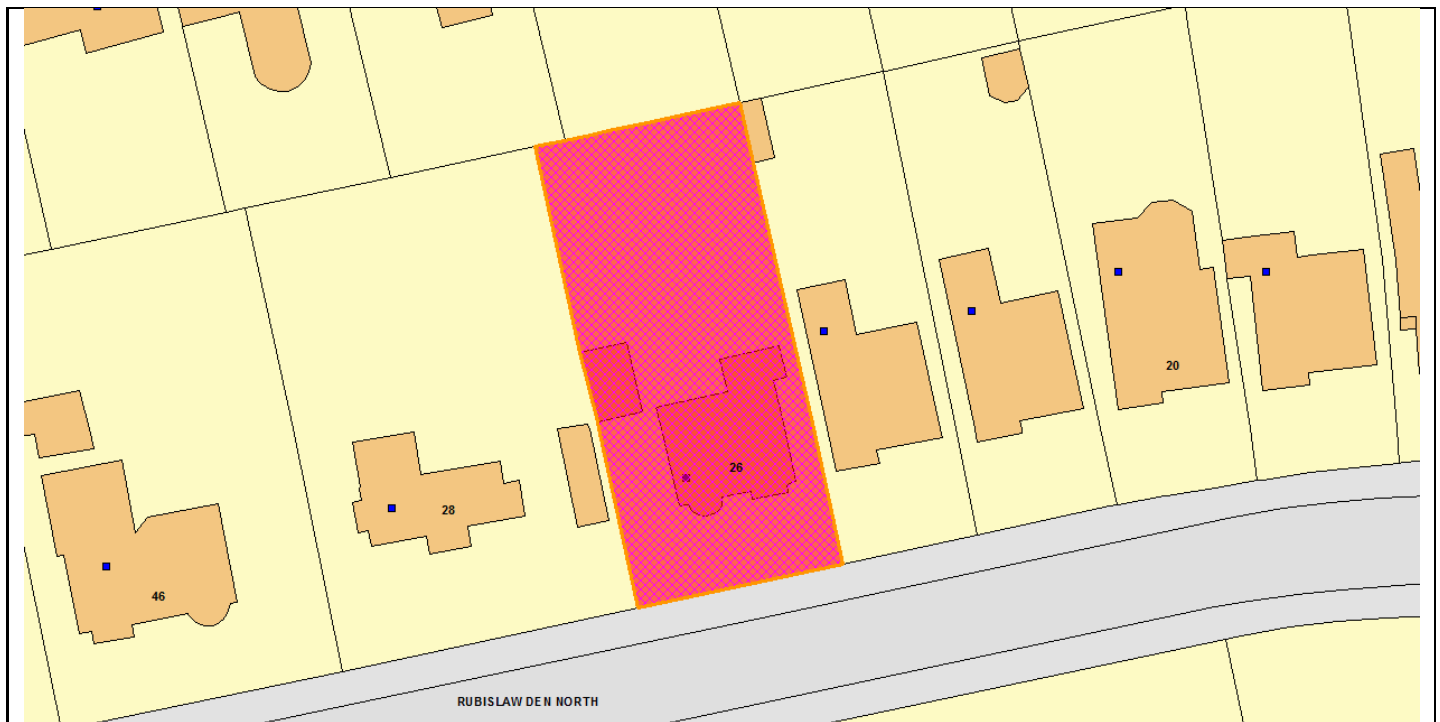
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	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
11									
12			14 March 2024						
13			18 April 2024						
14			16 May 2024						
15			20 June 2024						
16			22 August 2024						
17			19 September 2024						
18			07 November 2024						
19			05 December 2024						
20	Draft Aberdeen Guidance - Wind Turbine	At the Council meeting on 3 November 2023, it was agreed to instruct the Chief Officer - Strategic Place Planning to update the draft Aberdeen Planning Guidance on Wind Turbine Development in light of consultation responses received and the policy shift within NPF4 and incorporate it within draft Aberdeen Planning Guidance on Renewable Energy Development, a draft of which should be reported to the Planning Development Management Committee within 12 months.		David Dunne	Strategic Place Planning	Place	5		
21			Future applications to PDMC (date of meeting yet to be finalised).						

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
22	Summerhill Church Stronsay Drive - 220990	To approve or refuse the application for redevelopment of church and manse site for residential development (14 dwellings)		Lucy Greene	Strategic Place Planning	Place	1		
23	Land At Greenferns Sites OP28 & OP33	To approve or refuse the application for Residential-led, mixed use development comprising approximately 1,650 homes, employment use, a neighbourhood centre comprising local retail and commercial provision, leisure and community uses and associated infrastructure including new and upgraded access roads, landscaping, open space and engineering works		Gavin Clark	Strategic Place Planning	Place	1		
24	56 Park Road - 221074	To approve or refuse the application for the erection of 30 flats		Robert Forbes	Strategic Place Planning	Place	1		
25	Woodend - Culter House Road - 210889	To approve or refuse the application for erection of 19no. self-build dwelling houses with associated landscaping, access and infrastructure		Dineke Brasier	Strategic Place Planning	Place	1		
26	Rosehill House, Ashgrove Rd West - 230414	To approve or refuse the application for McDonald's Restaurant with drive thru		Lucy Greene	Strategic Place Planning	Place	1		
27	Waterton House Abereen - 230297	To approve or refuse the application for PPP for 16 residential plots		Lucy Greene	Strategic Place Planning	Place	1		
28	Aberdeen Grammar School FP's Club, 86 Queens Road - 211806	To approve or refuse the application for erection of 3no. villas, 4no. apartments and 2no. maisonette apartments with associated works		Jane Forbes	Strategic Place Planning	Place	1		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
29	Land at Persley Croft, Parkway - 231134	To approve or refuse the application for Battery energy storage system (BESS) development with a capacity up to 49.9MW including erection of welfare unit, substation and fencing; demolition of an existing buildings and associated Infrastructure		Matthew Easton	Strategic Place Planning	Place	1		
30	Mugiemoss Road - 230955	To approve or refuse the application for installation of EV charging station and associated works		Robert Forbes	Strategic Place Planning	Place	1		
31	Oscar Road Torry - 231300	To approve or refuse the application for erection of 20 dwellings (12 houses and 8 flats)		Robert Forbes	Strategic Place Planning	Place	1		
32	Land at Rigifa, Cove Road - 231336	To approve or refuse the application for the erection of battery storage units with associated infrastructure, control building, switch room, inverter containers, lighting, fencing and associated works including access road		Gavin Clark	Strategic Place Planning	Place	1		

 <p>ABERDEEN CITY COUNCIL</p>	Planning Development Management Committee
	Report by Development Management Manager
	Committee Date: 7 December 2023

Site Address:	26 Rubislaw Den North, Aberdeen, AB15 4AN
Application Description:	Erection of single storey extension, formation of patio, external steps, window/door replacement to rear; and installation of two new gates to front
Application Ref:	230655/DPP
Application Type	Detailed Planning Permission
Application Date:	30 May 2023
Applicant:	Mr George Stewart
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Queen's Cross and Harlaw
Case Officer:	Rebecca Kerr



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND**Site Description**

The application site is located to the north west of the city within the established residential neighbourhood of the West End. The application site is located on the north side of the street, approximately 220m east of the junction with Forest Road. The application site lies within the Albyn Place and Rubislaw Conservation Area. The application site comprises a two-storey detached dwelling which is category 'C' listed and its principal elevation faces south onto Rubislaw Den North.

The building is a substantial 3-bay villa, designed by George Sutherland and Clement George in circa 1927. The building is finished in tooled coursed ashlar granite, with contrasting pink granite dressings to margins, eaves course, projecting cills to 1st floor, and overhanging eaves detail. The buildings' principal elevation also features, bipartite and tripartite windows to upper floor, 5-light canted window with stylised crenellated parapets to ground floor of bays to left and right, and a symmetrical deeply chamfered central entrance doorway. The building has predominantly white one-over-one traditional timber sash and case windows and square-plan gatepiers and low rough-faced coped granite boundary walls to front, with granite rubble walls to remainder of plot. The building has an existing rear extension/outshoot positioned off the north-east corner of the main house, which is original to the house.

The building is sited in a generous plot totalling c.1021sqm, with an existing single storey, pitched roof, garage to the west, and driveway finished in stone gravel. The site is bound to the front by Rubislaw Den North, and on all other remaining three sides by neighbouring properties – 24 Rubislaw Den North to the east, 28 Rubislaw Den North to the west and the rear curtilage of 29 Morningfield Road to the north.

Relevant Planning History

861164 – Alterations to detached dwelling; Approved 17/08/1986.

101712 – Remove 6 Cypress because they are too large and blocking light. Crown lift 1 Cypress because it is blocking light and to promote health. Remove broken and hung up limbs from 9 Cypress to avoid accidents 1 Cypress to be reduced by a third because it is too large and blocking light. Tidy up lower branches from 1 Cypress to tidy up and promote health; approved 29/11/2010.

170995/TCA – Works to 15 Protected Trees; T1 - T15 - Conifer - Fell as unstable; approved 14/12/2017.

220945/TCA – Works to 3 Protected Trees; T1 - T3 - Cypress - Remove due to safety concerns/interfering with phonelines; approved 10/08/2022.

230654/LBC – Erection of single storey extension, formation of raised patio, external steps, and window replacement to rear; and installation of two new gates to front; currently pending consideration to be determined by Planning Development Management Committee.

APPLICATION DESCRIPTION

Description of Proposal

The application seeks detailed planning permission for the erection of a single-storey rear extension, to be formed off the existing rear extension/outshoot located on the north-east corner of the dwelling. The proposed extension has an overall footprint of c.76sqm and would provide c.56sqm of additional accommodation for use as a new kitchen. The old kitchen within the existing rear extension/outshoot would provide a utility room on the main ground floor. In terms of overall dimensions, the proposed extension would project c. 10m from the rear (north) elevation, to a width of 9.5m and overall height of 3.5m to highest point of the roof. Owing to the design of the proposed extension featuring an overhanging canopy roof detail on the north and west elevations, the footprint of the proposed extension would be c. 8.9m projection (length) by 6.4m width and 3.1m height to eaves/overhang.

The extension is of contemporary design and features large frameless glazed windows and a set of double sliding patio doors are proposed on the west and north elevations, with remainder to be granite stone walling. The extension is flat roof design, featuring a corten steel overhanging canopy roof detail, parapet gutter and 'green' roof. The flat roof is also proposed to include a large rooflight. The extension is offset c.1.3m from the nearest mutual boundary which it shares with its nearest neighbour 24 Rubislaw Den North, located to the east. This offset aligns with the positioning of the existing rear outshoot, and the eastern elevation would comprise a granite stone wall and no window openings. The granite stone is proposed to be from local reclaimed sources, comprising predominantly grey colour with pink details to corners/openings, tooled flat face finish, blocks sized at c.330x600mm with three c.100x100mm offcuts in between to reflect 'Aberdeen Bond' coursing as per the existing dwelling, with off-white natural hydraulic lime flush pointed mortar.

Due to the nature and location of the proposed extension and in order to accommodate for the existing site levels, access to the proposed extension would be through a series of steps formed internally within the existing rear outshoot. This would result in the ground floor level of the proposed extension being slightly lower (c.1.0m) than the existing ground floor level of the existing dwelling. Externally there are a series of new stone steps which would allow access down to a paved lower terrace on the west elevation of the proposed extension. Finishing materials are ashlar grey and pink granite walling, frameless glass, corten steel (copper tone colour) and dark grey membrane roofing materials.

The application also proposes installation of new gates to the driveway and a repositioned pedestrian gate. The pedestrian gate would be centrally aligned in the existing low granite boundary wall to the principal elevation (south), formed through means of a new opening. Granite from the new opening would be reused to block up the original pedestrian opening located in the south-east corner of the plot. The driveway gates are proposed to be widened to meet the needs of modern vehicles, and include proposed removal of a c.450mm section of granite wall.

The application includes proposed replacement of existing patio doors and a new centre-hung aluminium-clad timber rooflight (c. 550 x 780 mm, dark grey), and new aluminium-clad sliding patio doors (c. 1.8 m width by 2.0 m, dark grey), both located on the west elevation of the existing rear outshoot.

Amendments

Plans have been amended since original submission to include the following:

- The overall scale of the proposed extension has reduced, from c.11.2m to 10.0m in length (including c.1.2m projecting canopy).
- The proposed material finish on the east elevation of the extension was amended from render to ashlar granite, however this was not at the request of the Planning Service. The intention is to use granite from reclaimed sources.
- A series of biodiversity enhancements were added to the rear garden, including specification of pollinator planting.
- Granite reuse was requested for the blocking up of the original pedestrian gate opening alongside clarification the new opening would not affect the overall structural integrity of the granite boundary wall.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RV9TQABZJYL00>

- Tree Survey Report
- Preliminary Bat Roost Assessment
- Window Condition Survey (*June 2023*)
- Design Statement (*May 2023*)
- Visualisations (*November 2023*)

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it is recommended for approval and has received more than 6 timeous letters of objection, and is subject to a formal timeous objection by the local Community Council, therefore in accordance with the Council's Scheme of Delegation the application requires determination at Planning Development Management Committee.

CONSULTATIONS

ACC - Roads Development Management Team – No objection or concerns with the proposal.

Queen's Cross and Harlaw Community Council – Object to the application on the basis of the following reasons:

- The scale of the proposed rear extension will protrude beyond the established building line of houses on this section of the street.
- Would harm the character and amenity of the Conservation Area.
- Will set a precedent for others to follow which may compromise the integrity of the principles set out in the Conservation Area Appraisals and Management Plan.
- Kindly request the Committee conduct a site visit prior to any decision being made.

REPRESENTATIONS

A total of 15 representations have been received, 9 objecting and 6 in support. The matters raised are summarised below:

Object

Site conditions, boundary wall, trees and landscaping

- Some of the submitted drawings are insufficiently detailed, contain inaccuracies and lack dimensions which is misleading, in relation to site levels in particular and the alignment of where the extension meets with the existing house.
- Mutual boundary wall between No. 24 and No. 26 is around 1.5m high, however because of the topography the wall effectively acts as a retaining wall and the ground level at No. 26 is about 1.0m above the ground level at No. 24 in some areas. Significant ground work will be required to raise the ground levels, which in turn will affect the loading on the boundary wall and risk its collapse.
- Additional trees were felled in 2022 in relation to application 220945/TCA and the applicant has erected an unauthorised close-boarded fence above the existing stone wall, in excess of 2.5m high as viewed from No. 24 neighbouring property.
- Potential impact on roots of tree adjacent to proposed raised patio, indicating this tree will be felled.
- Drainage pipes lie under the footprint of the proposed extension which continues through neighbouring gardens to ultimately lead to the Den Burn, and there is risk of damage to integrity of the burn from the development, however no indication has been provided of how adequate drainage will be preserved.

Design, scale, materials and impact on the historic environment

- Excessive size, scale and height of extension in relation to the property, exceeding one storey in height, would extend 11m in length beyond the established building line along this section of the street, and, would enlarge the footprint of the house by over 50%.
- Unwelcome precedent for similar developments to the rear of listed buildings and threaten the integrity of the Council's Conservation Area Appraisals and Management Plan.
- Adverse impact on surrounding listed buildings and their curtilages. Proposal is out of character and would harm the general amenity of the conservation area, particularly the starkness of the floor-to-ceiling windows and extending flat roof.
- Aesthetics of the proposed extension are alien and unsympathetic to the characteristic styles of the listed buildings on the street.
- Proposed extension does not utilise the topography of the garden, drawings are misleading and show extension as sunken into the garden but this is not the case and it will dominate the rear of the building and the garden.
- Large flat roof and overhanging sections does not suit the character of the original dwelling.
- The proposed materials and finishes are inappropriate for the character of the area and out of keeping with the granite building, in particular the rendered eastern wall.
- Remodelling the interior of the property has already begun without grant of listed building consent.
- Benefits of solar gain are overstated given the extension faces west and is predominantly overshadowed by the original house for most of the day.

Residential Amenity

- East elevation of the extension in excess of 4m above garden level at No. 24 and would dominate outlook given its proximity to the mutual boundary wall.
- The site of the proposed extension is clearly visible from and adversely impacts on general

visual amenity of surrounding properties to the north.

- Loss of privacy to property to north in Morningfield Road, kitchens are usually the busiest room in houses and there will be continual loss of privacy, exacerbated by floor to ceiling glazing.
- No opportunity for screening to the north due to level differences between gardens, magnified by the previous felling of trees.

Other

- The applicant has a history of property development and the proposed creation of a multi-generational home is questionable.
- Request that the Committee conducts a site visit prior to any decision being made.
- Planning department should perform a site visit and have drawings corrected to reflect the scale of development.

Support

Design, scale and impact on the historic environment

- The kitchen facilities in Rubislaw Den houses are inadequate in today's modern world. The proposed extension is a good addition to the property, would integrate well with the garden levels and not impact the rear of the house, creating a wonderful family home.
- Really nice to see some good planning and modernisation put into these old houses. The proposed works are thoughtful and sympathetic to its original style, and the extension is separate enough to show the distinction to the original house. The proposal maintains the character and original features of the listed building at same time as modernising and upgrading the house to meet current living standards – through its use of granite, glass and the environmentally progressive green roof.
- There are a range of house styles and ages in the immediate vicinity, including many with much larger rear extensions, e.g. circa 20m extension at No. 9 Rubislaw Den North. Size and proportions here are much more in keeping in comparison and this design would preserve the character of conservation area.
- No. 26 is much simpler design, with more later Art Deco features inside which give it a more “modern” feel. At time of construction it would have been seen by some as out of place amongst the existing villas, but is now a jewel of the street. Art Deco houses generally have a flat roof and glazed openings to the garden, and the new extension carries this concept, particularly with the sustainable green roof.

Privacy

- Would provide more privacy from the raised decking at neighbouring property No. 24, which appears to be uPVC and unauthorised.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Development Plan

National Planning Framework 4 (NPF4)

- Policy 1 (Tackling the Climate and Nature Crisis)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 7 (Historic Assets and Places)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan 2023 (ALDP)

- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D6 (Historic Environment)
- Policy D7 (Our Granite Heritage)
- Policy D8 (Windows and Doors)
- Policy H1 (Residential Areas)
- Policy NE3 (Our Natural Heritage)
- Policy NE5 (Trees and Woodland)
- Policy T3 (Parking)

Aberdeen Planning Guidance (APG)

- Householder Development Guide
- Materials
- Transport and Accessibility
- Trees and Woodlands
- Natural Heritage

Other National Policy and Guidance

- Historic Environment Policy Scotland (HEPS)
- Managing Change in the Historic Environment Guidance
 - Extensions
 - Windows
 - Boundaries
 - Setting

Other Material Considerations

- Albyn Place and Rubislaw Conservation Area Character Appraisal (July 2013)
- British Research Establishment's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice'

EVALUATION

National Planning Framework 4

In respect to NPF4, consideration must be given to Policy 1 (Tackling the Climate and Nature Crisis); Policy 2 (Climate Mitigation and Adaptation); Policy 3 (Biodiversity); Policy 6 (Forestry, Woodland and Trees); Policy 7 (Historic Assets and Places); Policy 14 (Design, Quality and Place); and Section (g) of Policy 16 (Quality Homes). Policy 1 gives significant weight to the global climate and nature crises in order to ensure that it is recognised as a priority in all plans and decisions and Policy 2 states that emissions from new development are minimised as far as possible. Policy 3 seeks to protect and enhance biodiversity and natural assets. Policy 6 states development must protect trees. Policy 7 seeks to protect and enhance the historic environment, and development will only be supported where it preserves the character, special architectural interest and setting of listed buildings, preserve and enhance the character and appearance of conservation areas and ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained. Policy 14 and section (g) of Policy 16 advises that proposals, including householder development, will be supported where they contribute to successful places and do not have a detrimental impact on the character or environmental quality of the home or the surrounding area, including any neighbouring properties.

In this case, the proposed householder development seeks to adapt an existing detached dwelling and extend the level of living accommodation to provide enhanced kitchen facilities. This ensures that existing housing stock is suitably maintained, upgraded and adaptable for different owners. This would in turn contribute to sustainable use of land and resources, and continued use of the granite listed building for future generations. The proposed development also includes consideration of energy usage to be conscious of reducing energy consumption – all in accordance with the aims of Policies 1 and 2 of NPF4. The proposed development is for householder development which as per Section (c) of Policy 3 of NPF4 they are excluded from this requirement. Nevertheless, the proposed development has included a number of biodiversity enhancements to the rear garden curtilage and there would be substantial garden ground both to the front and rear, which would remain, contributing to the retention of natural spaces and opportunities for planting. Measures include bird/bat boxes, 'green' roof design and pollinator planting. As such, the intent of Policy 3 of NPF4 has been satisfied. All other policies highlighted will be considered in the subsequent paragraphs, where relevant.

Principle of Development

The application property lies in an area zoned in the ALDP proposals map as a 'residential area' and is covered by Policy H1 (Residential Areas). Policy H1 states that a proposal for householder development will be approved in principle if it:

1. does not constitute over-development;
2. does not have an adverse impact to residential amenity and the character and appearance of an area; and
3. does not result in the loss of open space.

The proposed development relates to an existing residential dwelling, with all works contained within the residential curtilage, therefore there would be no loss of open space. The remaining issues are assessed in the evaluation below.

Design, Scale and Siting

In respect of over-development, consideration will be given to criteria 1 of Policy H1 (Residential Areas), and Policy D2 (Amenity) of the ALDP, and the 'Householder Development Guide' APG. Policy D2 (Amenity) advises that developments should ensure minimum standards for internal floor space and private external amenity space in terms of quantity and quality and the APG sets out the considerations to be taken into account in the assessment of householder development proposals, which advises that the built footprint of the dwelling house as extended should not exceed twice that of the original dwelling and that no more than 50% of the front or rear curtilage should be covered by development. To determine the effect the proposal will have on the character of the area, in respect to design, scale and siting, it is necessary to assess the proposal in the context of Policy D1 (Quality Placemaking) of the ALDP. Policy D1 of the ALDP states that all development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture and materials. 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. While, NPF4 Policy 14 (Design, Quality and Place) and NPF4 Policy 16 (Quality Homes) requires householder proposals to not have a detrimental impact on the character or environmental quality of the home, surrounding area or on any neighbouring properties.

Proposed Extension

The proposed new extension would increase the footprint of the original dwelling (c.186sqm) by an additional c.56sqm overall (excluding canopy overhang), which is considered to be a suitable scale of extension for the generous plot (c.1073sqm) and in proportion to the existing dwelling. Whilst it is acknowledged that the extension is of a large size, the built footprint does not exceed twice that of the existing dwelling. With regard to plot ratio and area covered by development, around 83% of the rear/side plot would remain undeveloped. As a result of development within the rear/side curtilage would increase approximately from 7% to 17%, with substantial garden ground remaining. Therefore, the proposed scale of the extension and quantity of private external amenity space complies with Policy D2 of the ALDP and the site would not be over-developed in accordance with criteria 1 of Policy H1 of the ALDP. Further to Policy D1 of the ALDP, the Householder Development Guide APG sets out the considerations to be taken into account for such proposals and outlines that proposals for extensions must be architecturally compatible in design and scale to both the existing dwelling and the character of the surrounding area. General principles outline that extensions should not overwhelm or dominate the original form or appearance of the dwelling, should be visually subservient (in terms of height, massing and scale) and materials should be chosen to complement the original building.

The proposed extension would be solely contained to the rear, which ensures the massing is well recessed into the plot as a whole and it would not be visible from any public vantage points. In terms of overall design, the proposed extension is considered to have been designed to a high standard, being a bespoke, contemporary and site-specific design which has taken due consideration of its context, in accordance with Policy D1 of the ALDP. The contemporary design chosen successfully offers a 'deferential contrast' approach to extending the existing dwelling, and maintains a clear distinction between the historic and modern elements. This design approach is outlined in the Managing Change in the Historic Environment Guidance on Extensions and in this instance the proposed extension, whilst fairly large in its footprint, clearly reads as a new element which does not try to compete with the main house. This is created primarily by the use of large sheet glazing and 'green' roof. The overall massing and form of the extension has been designed and orientated so that the additional living accommodation is situated on as low a level as practically possible. The justification for this is that the existing kitchen and utility facilities are inadequate for the applicants use and relocating the kitchen to the proposed extension is designed to maximise connection to the garden and better reflect modern living requirements. Whilst it could be argued that the internal layout of the existing dwelling could have been remodelled to enhance

the size of the kitchen facilities, the application must be assessed on its own merits and in terms of its impact.

The ground floor level of the proposed extension would sit slightly lower than that of the main dwelling, by c.1.0m, which is considered to emphasise the break between the modern extension and the traditional dwelling, as well as enhancing connection of the house to the garden. It is accepted that the level difference between the rear of the dwelling and the majority of the rear garden ground would make more conventional extensions problematic. However, it is felt that both the design and positioning of the proposed extension has taken due consideration of the existing site levels and general topography and relationship to the main dwelling. In order to take account of the site levels and to position the proposed extension as low down in the plot as possible, a series of steps are required to gain access to the kitchen extension. Externally these steps are formed immediately alongside the extension and are considered acceptable in terms of their design and siting. The proposed extension is determined to be single storey in volume which is considered to respect the scale of the main dwelling whilst remaining ancillary. Furthermore, the proposed height of the extension, at c. 3.4m is not considered to be excessive. Amendments were sought during assessment of the application to seek to reduce the overall scale of the extension slightly and this has been done through a c.1.2m reduction in the projection. Whilst it is recognised that the proposed extension is of a substantial size and scale, which projects to c.10m, the extension respects the scale of the original dwelling and sits comfortably in the rear curtilage. There is considered to be suitable c.2.6m distance between the closest points of the proposed extension (east elevation) and the nearest neighbouring dwellings (west elevation of existing two-storey rear outshoot) at No. 24 Rubislaw Den North to protect amenity, as discussed further in the evaluation below.

All of the proposed finishing materials are acceptable, ensuring the works would suitably match and complement the existing dwelling and would not conflict with the considerations of the Materials APG. The utilisation of a 'flat' low pitch 'green roof' and the use of natural granite has been chosen to sit well alongside the existing dwelling. The 'green' roof helps to reduce the height, scale and massing of the extension, soften the overall appearance to minimise visual impact, and allow it to blend with the surrounding garden setting. It should be noted that the specific use of granite on the east elevation was as a result of an amendment to the proposal. Solar gain has also been a consideration, with the majority of the glazing facing west. Whilst it is acknowledged that the extension is not south facing and would be in shadow from the main house for some parts of the day, the orientation and positioning of the proposed extension maximises potential solar gain. Large sheet glazing and contemporary roof designs such as those proposed are considered to be consistent with modern materials for extensions.

The proposed level of development, design, scale and siting of the extension is consistent with the considerations of the Materials APG, in that it accords with the general principles. In light of all the above, the proposed extension and its overall finish is determined to be acceptable and compatible with the existing detached dwelling and the context of its plot, it would not result in overdevelopment and would have no adverse impact on the character of the area.

Proposed Front Boundary Wall Alterations

The application also proposes installation of new gates to the driveway and a repositioned pedestrian gate. The pedestrian gate would be centrally aligned in the existing low granite boundary wall to the principal elevation (south), formed through means of a new opening. Granite from the new opening would be reused in order to block up the original pedestrian opening located in the south-east corner of the plot. The driveway gates are proposed to be widened to meet the needs of modern vehicles, through removal of a small section (c.450mm) of boundary wall to the west of the driveway opening. Further to Policy D1 of the ALDP and NPF4 Policy14 consideration will also be given to the Managing Change in the Historic Environment Guidance on 'Boundaries' states that walls are important element in defining the character of historic buildings, conservation

areas, often using local building materials and their key characteristics should be understood and protected during any proposed works. Granite boundary walls are also considered to contribute towards the historic character and key characteristics of the Albyn Place and Rubislaw Conservation Area.

In evaluating this aspect of the proposal and its potential acceptability, the precise location of where the opening is to be formed and the extent of the opening must be considered. In this particular scenario, the desire to centrally locate the pedestrian access gate so that it aligns with the main entrance door behind is understood, and could be argued as logical given the off-set nature of the existing pedestrian gate to the eastern end of the low front boundary wall, particularly in relation to the existing entrance door. In addition, the widened driveway entrance and removal of c.450mm of granite walling is to provide vehicular access for modern cars, which is considered to be reasonable given both the size of the existing driveway opening and comparing this with the width of other driveway openings on the street, many of which are wider. The new wall opening and widened driveway opening are located in the front wall, and thus will be prominent in the context of the street. However, the relative width and size of the new and widened openings are considered to be minimal. In addition, recognising the overall composition of the wall, it is considered that the proposed removal of historic fabric has been kept to a minimum, with detailing of the new opening to match the existing.

In conclusion, the proposed wall alterations and new access gates are consistent with the existing character, appropriately reuse granite duntakings on site, and would not be considered to cause adverse harm to the character of the conservation area. A suitable condition would be applied, if granted, that design details for the new gates would need to be submitted for approval by the Planning Service.

Proposed New Windows and Patio Doors

The final element of the proposed development is the installation of replacement patio doors and one rooflight located on the west elevation of the existing rear outshoot. In addition to Policy D1 of the ALDP and NPF4 Policy 14, Policy D8 (Windows and Doors) of the ALDP, the Managing Change in the Historic Environment Guidance on 'Windows' and the considerations of the 'Repair and Replacement of Windows and Doors' APG are relevant and all outline the preference for repair of historic and original windows over replacement. With regard to the principle of replacing the windows and doors, an assessment is based on a tiered approach, which begins with the presumption for repair and refurbishment over replacement, in circumstances where such windows/doors are considered to be original and/or of historic interest. If not, their replacement with an appropriate design and material is deemed acceptable. In this case, supporting information and a site visit to the property to assess the proposal, confirms that the existing timber patio doors and rooflight are not considered to be original, and thus not of any historic merit, as such the principle of replacements is acceptable. In terms of design, both the proposed replacement designs are also acceptable. The proposed replacement rooflight is to match the dimensions and colour (dark grey) of the existing, comprising an aluminium-clad timber window. The patio doors are also proposed to be aluminium-clad timber, with the size of the opening to remain the same. Both replacements are also contained solely to the rear and not publicly visible.

Summary

Overall, the proposal, with respect to the three elements outlined above, are acceptable and comply with criteria 1 and the relevant part of criteria 2 of Policy H1, Policy D1, Policy D2 and Policy D8 of the ALDP and the relevant APG's and the aims of HEPS and the guidance on 'Extensions' and 'Windows', in that the proposed extension does not result in over-development of the dwelling or site, neither the extension, the wall alterations or new windows and patio doors would have a detrimental impact on the character or environmental quality of the home, surrounding area or on any neighbouring properties and finally, there would be no loss of original windows. The proposal also accords with Policy 14(g) of NPF4, for the reasons above and

because extending an existing property contributes to investment in existing housing stock and has been designed to be consistent with the 6 qualities of successful places, in particular that places and buildings are 'Adaptable', as per Policy 14(b) of NPF4. Policy 16 of NPF4 is also satisfied.

Historic Environment

Following on from the assessment of the design, scale and siting, consideration must now turn to the historic environment in order to ascertain if there would be any impact on the listed building or the surrounding conservation area. Policy D6 (Historic Environment) of the ALDP states that the Council should protect, preserve and enhance the historic environment in line with national and local policies and guidance. NPF4 Policy 7 (Historic Assets and Places) advises that; (a) proposals should be informed by national policy and guidance on managing change in the historic environment; (c) proposals for the alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting; (d) proposals in conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced and (e) proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including boundary walls and trees are retained. HEPS outlines the key policy considerations for making decisions about works that affect listed buildings, notably HEP2 and HEP4. The former seeks to ensure that the historic environment is secured for present and future generations, while the latter requires that any changes to assets and their context should be managed in a way that protects the historic environment. Furthermore, the Managing Change Guidance on 'Setting' highlights that setting of historic features often extends beyond the individual property's curtilage into a broader townscape and heritage context.

The application dwelling is located at the north-western extent of the Albyn Place and Rubislaw conservation area, within character area 'D – Rubislaw Den', as outlined in the Conservation Area Character Appraisal. This area is characterised by large and substantial, ornate detached houses, typically set within large plots. The houses in this area are late 19th and early 20th century and were developed by prominent architects of the time, who were often employed to produce daring and unique designed to reflect the prosperity and personality of clients. Common features include the use of bay windows, wide doorways and low granite boundary walls. In terms of weaknesses and threats identified in the Appraisal of relevance to consider in the assessment of this application, it notes the following:

- *Loss of vegetation in the front courtyard and rear gardens due to car parking and extensions*
- *Loss of the original pattern of development and boundary walls of back land development due to car parking and extensions*
- *Unsympathetic development that does not reflect or relate to the character of the character area*
- *Removal of boundary walls*

Proposed Extension

The overall design merits of the proposal and its acceptability in this regard has been outlined above. As such, this section will focus on the potential impact on the character and appearance of the conservation area and setting of the listed building. Regarding the size and scale of the proposed extension in relation to the area, it is acknowledged that a number of other properties in the Rubislaw Den area have been extended to the rear, some of which are of substantial scale. In addition, owing to the historical development of the area, it also exhibits a variety of architectural styles and there is not considered to be an obviously defined or consistent building line. However, each application must be assessed on its own merits with regard to the impact on the conservation

area and setting of the listed building. In line with the guidance on extensions, the proposal offers a successful 'deferential contrast' approach to extending the existing dwelling. There is considered to be a clear distinction between the historic and modern elements and the extension does not try to compete with the main house. In fact, in this specific case the extension remains ancillary, and the main listed building retains primacy and visual dominance. Contemporary elements are considered sympathetic to the setting of listed buildings where they are appropriately detailed and considered, such as the use of reflective large sheet glazing and 'green' roofs, emphasising the contrast between old and new, and reflecting changes in modern living and architectural styles. As such the proposed extension has a positive contribution to its setting. Furthermore in assessing the potential level of public harm to the conservation area, given the design of the proposed extension is of acceptable and high quality and is well contained within the rear curtilage on the property, there would be no adverse impacts on the character and appearance of the conservation area.

Proposed Front Boundary Wall Alterations

As outlined above, threats to and loss of boundary walls in the creation of car parking and extensions are to be resisted to avoid unnecessary harm to the character of conservation areas in Aberdeen. Furthermore, as per section (e) of NPF4 Policy 7 (Historic Assets and Places) all proposals in conservation areas must ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including boundary walls and trees are retained. Therefore, for the proposed works to be considered acceptable, it must be fully justified and take due consideration of the potential harmful impacts on the character of the conservation area. In the context of this specific application, whilst the loss of a small portion of boundary wall has been suitably justified (as discussed above) the proposal is also required to comply with Policy D7 (Our Granite Heritage) of the ALDP in order to protect the special character of the listed building. Policy D7 specifically seeks the retention and reuse of all granite features and that all granite dountakings are suitably reused on site. In terms of the potential impact of the loss of historic fabric on the composition of the boundary wall, given that the dountakings of granite from the new opening will be reused to block up the existing pedestrian entry, this is not considered to adversely affect the character of the area, setting or special interest of the listed building. Submitted plans indicate that the wall opening and blocking up will be formed and finished in materials to match that of the existing wall, to ensure its integrity is maintained and that the development suitably complies with the expectations of Policy D7 of the ALDP. This determines that the proposed wall alterations and new access gates, subject to details of the design, are and will be consistent with and not have an adverse impact on either the setting of the listed building or the character and appearance of the conservation area in accordance with Policy 7 of NPF4, Proposed construction methodology is considered to be sympathetic to the listed building and appropriately reuses granite dountakings on site in accordance with Policies D6 and D7 of the ALDP.

Proposed New Windows and Patio Doors

Both the principle of replacements and new design is acceptable in this instance, for the above reasons. The existing timber patio doors and rooflight are not considered to be original, and thus not of any historic merit, with all proposed works designed to suitably match existing. This determines that the proposed works would also suitably preserve the historic environment and setting of the listed building in accordance with Policy D6, Policy D8 of the ALDP, the 'Repair and Replacement of Windows and Doors' APG, and the principles of HEPS and Managing Change in the Historic Environment guidance on 'Windows'.

Summary

Overall, the proposed development is considered suitable in respect to scale, design and detailing and seeks to preserve the character and appearance of the conservation area and setting of the listed building – in accordance with the aims Policy D6 of the ALDP, the associated APG, Policy 7 of NPF4, HEPS and associated its guidance on Setting and Windows.

Residential Amenity

In respect of residential amenity, criteria 2 of Policy H1 (Residential Areas), Policy D2 (Amenity) of the ALDP, and the 'Householder Development Guide' APG all advise that no extension should result in a situation where the amenity of any neighbouring properties would be adversely affected with regard to impact on privacy, daylight, general amenity, immediate outlook, and that quantity and quality of internal floorspace and private external amenity space should be ensured.

The proposed extension is located at a sufficient distance from the neighbouring properties 28 Rubislaw Den to the west (c.14m distance to mutual boundary wall) and any property on Morningfield Road to the north (c.16m distance to nearest mutual boundary), to determine that there are no adverse impacts with regard to overshadowing or loss of light. With regard to the nearest neighbouring property to the east, 24 Rubislaw Den North, calculations (45 degree method) indicate that the line does not cross the midpoint of any windows on the rear elevation of the neighbouring property and as such, daylighting would not be affected by the proposed extension. As outlined above, the proposed extension is c. 3.4m in height overall, which is not considered to be excessive. However, due to the nature and location of the works relative to this neighbouring property, and in particular the relationship to site levels, it is recognised that the resulting eastern wall for the proposed extension would sit at a higher level relative to this property. The respective garden ground between No. 26 and No. 24 has a c.1.0m difference, and therefore the proposed extension would extend up to a height of c.4.2m high (at the highest point) as viewed from the neighbouring property at No. 24. The magnitude of this impact and whether it is considered to be overbearing must therefore be assessed.

The neighbouring dwelling has an existing two-storey rear outshoot which projects c.5.0m from the rear building line of the main house, and as such a c.5.5m portion of the proposed extension would be visible beyond this existing two-storey outshoot. The neighbouring property's rear garden curtilage is substantial in size at approximately 340sqm and contains a sizeable raised decking area on the eastern side of the property. In addition, the eastern wall of the proposed extension is set back c.1.5m off the boundary, and is c.2.5m away from the nearest wall of the neighbouring dwelling. Therefore, whilst it is recognised that the resulting east wall of the proposed extension is higher than would be the case should there be no difference in site levels, nevertheless it is considered that the property has generous private amenity space to the rear for the enjoyment of residents, and such areas are located reasonable distance away from the proposed extension so that the impact of the proposed extension is not of an adverse or overbearing nature. Whilst it is recognised that fencing options were initially proposed along this mutual boundary, it is the view that such fencing would not be consistent with the prevalent character of the rubble granite walling typical of the surrounding conservation area. Whilst the placement of fencing along this mutual boundary would arguably conceal more of the proposed extension from view, it is unnecessary given the eastern elevation of the extension features an ashlar granite wall with no windows, and would be set back off the mutual boundary by c.1.0m. Any fencing could in fact lead to a worse situation in this respect, and should there be a desire to enhance this boundary and provide more screening, natural hedging and mature shrub planting would be recommended.

In terms of privacy, due to the location of the extension relative to other neighbouring properties, there are considered to be no privacy concerns. There are no windows placed on the eastern wall which would face the nearest neighbour at No. 24 and all other windows located on the north and west elevations would face directly into the applicants own rear garden. Furthermore, the relative window-window distance from the proposed extension to the neighbouring dwelling to the north at 31 Morningfield Road is c.33m which would preserve existing levels of privacy. Due to the elevated nature of the neighbouring properties to the north, there is arguably already some degree of overlooking into the applicants own garden, and therefore the proposed extension is not considered to alter or exacerbate privacy concerns for any neighbouring properties.

Overall, the proposed extension suitably complies with Policy H1 and Policy D2 of the ALDP ensuring that there is no adverse impact on surrounding residential amenity.

Trees, Natural Heritage and Landscaping

NPF4 Policy 3 (Biodiversity) seeks to protect and enhance biodiversity and natural assets. In line with this, Policy NE3 (Our Natural Heritage) of the ALDP states that development should not have a detrimental impact on sites, habitats or species protected by law or natural heritage designation. As such, the Council's Natural Environment Policy Team requested that a preliminary bat roost assessment should be undertaken on the part of the building affected by the extension (i.e. the roof of the existing rear outshoot). This survey was subsequently submitted and found to be acceptable, with no further survey or mitigation for bats required. However, it was advised that the applicant should consider proposals for overall biodiversity enhancements as part of the works, especially for bats, considering the location provides great feeding habitat but few roosting opportunities. As per NPF4 Policy 3, all scales of development can usually include additional benefits for biodiversity. As a result, it is recognised that the revised scheme proposes the installation of bat slates to the existing garage roof, and installation of 6 bird boxes to the rear gable wall of the existing garage, which would be a benefit to biodiversity. In addition, revised plans have indicated that the proposed planting scheme for the garden features wildflower and pollinator species, heathers, fruit trees and a reeded area – to complement the existing mature shrub planting on the south-eastern boundary and the existing replacement trees along the rear (north) boundary wall. Replacement trees were planted after recent tree works application (220945/TCA) and include Japanese acer and birch trees. As such, in terms of overall landscaping and biodiversity, the existing garden will be enhanced and minimal contouring is proposed to accommodate the new extension – in accordance with NPF4 Policy 3, Policy NE3 of the ALDP and associated APG.

With regard to trees, both NPF4 Policy 6 (Forestry, Woodland and Trees) and Policy NE5 (Trees and Woodland) of the ALDP seek to protect and expand forests, woodland and trees and development should not result in the loss of, or damage to, trees and woodland. The Council's Natural Environment Policy Team advised that records indicate previous tree work application(s) has agreed to the removal of trees within the rear garden, which as a result has removed any conflict with the proposed development and remaining tree stock. However, given the proximity to existing trees a tree survey, arboricultural impact assessment and tree protection plan are required, these should include consideration to access for construction. The aforementioned surveys were subsequently submitted, assessed and found to be acceptable, with a recommendation for a condition applied to any consent that the recommendations contained within the tree survey report, including tree protection are implemented prior to work commencing on site. Therefore, the proposal complies with NPF4 Policy 6, Policy NE5 of the ALDP and associated APG. The proposal also accords with section (e) of NPF4 Policy 7 (Historic Assets and Places) as no trees are lost.

Parking

Policy T3 (Parking) of the ALDP outlines that all development must include sufficient measures to accommodate transport impacts and parking requirements, commensurate with the scale and anticipated impact. The proposal does not alter the existing number of bedrooms, which as per the considerations of the 'Transport and Accessibility' APG retains the same associated parking requirement of 3 spaces. Roads Development Management Team advised that the site is located in the outer city and lies within controlled parking zone (CPZ) X. As the proposal would not increase the number of associated bedrooms within the dwelling, there is no impact on the required parking provision. It is confirmed that the site does provide adequate parking in the form of an existing garage and driveway extents, in which there are no alterations proposed to. Furthermore, parking in the area is both on and off street with ample parking at residential

dwelling and off street parking available. As such, the proposed development is considered to be suitably served by parking commensurate to the size of dwelling, in compliance with Policy T3 of the ALDP. Should any widening of the existing dropped kerb be required in order to accommodate the slightly widened driveway, a separate application would be required to the relevant Service and a suitable advisory note in this regard is appended in the event permission is granted.

Matters Raised by Community Council

- *The scale of the proposed rear extension will protrude beyond the established building line of houses on this section of the street.*
- *Harming the character and amenity of the Conservation Area.*
- *Will set a precedent for others to follow which may compromise the integrity of the principles set out in the Conservation Area Appraisals and Management Plan.*
- *Kindly request the Committee conduct a site visit prior to any decision being made.*

The above comments have been suitably addressed in the 'Design, Scale and Siting' and 'Historic Environment' sections of the above evaluation. With regard to precedent, and notwithstanding every application is assessed on its own merits, precedent is considered to be a legitimate planning consideration in circumstances where there is the potential for cumulative impacts to arise. In this instance there are considered to be a number of other previously consented rear extensions within the conservation area and therefore the proposed application is not considered to represent an adverse precedent in planning terms. Furthermore, the 'differential contrast' design approach is supported by Historic Environment 'Managing Change' guidance on 'Extensions' which would also be in line with opportunities presented in the Albyn Place and Rubislaw Conservation Area Appraisals and Management Plan – specifically for completion of design and access statement and context appraisal for new developments, and, high quality extensions that respect, complement and add to the character of the Conservation Area. Finally, comments with regard to site visit by Committee are noted.

Matters Raised in Representations

The aforementioned comments in support for the proposed development and its design are noted, however, these matters are considered to have been fully discussed in the above evaluation and therefore will not be discussed further here. The matters raised in representations which object to the proposal or raise other matters will be addressed below.

Site conditions, boundary wall, trees and landscaping

- *Mutual boundary wall between No. 24 and No. 26 is around 1.5m high, however because of the topography the wall effectively acts as a retaining wall and the ground level at No. 26 is about 1.0m above the ground level at No. 24 in some areas. Significant ground work will be required to raise the ground levels, which in turn will affect the loading on the boundary wall and risk its collapse.*
- *Some of the submitted drawings are insufficiently detailed, contain inaccuracies and lack dimensions which is misleading, in relation to site levels in particular and the alignment of where the extension meets with the existing house.*

Drawings have been revised and updated accordingly to clarify site levels, positioning of the extension relative to the house, how access will be formed internally to account for level difference and to include the entire plot. Following receipt of revised plans, the site level difference between the two properties is considered to be accurately represented and additional cross-sectional drawings were requested to aid assessment of the proposal in this regard. Minimal groundwork is proposed to accommodate the proposed extension, and the applicant has confirmed that the

structural integrity of the boundary wall will be maintained. Furthermore, technical considerations in the specific regard would be subject to subsequent assessment by Building Standards. As outlined above in the 'Residential Amenity' section, whilst it is recognised that the resulting east wall of the proposed extension is higher than would be the case should there be no difference in site levels, nevertheless the property has generous private amenity space to the rear for the enjoyment of residents, and the proposed extension is located reasonable distance away so that the impact is not considered to be adverse or overbearing in nature.

- *Additional trees were felled in 2022 in relation to application 220945/TCA and the applicant has erected an unauthorised close-boarded fence above the existing stone wall, in excess of 2.5m high as viewed from No. 24 neighbouring property.*
- *Potential impact on roots of tree adjacent to proposed raised patio, indicating this tree will be felled.*

It is recognised that fencing was initially proposed along the eastern mutual boundary, to be placed above the existing granite rubble wall, however, these have since been removed from the proposal and therefore no longer form part of the consideration. As a result of the submitted tree survey and arboricultural impact assessment, the raised patio area has been removed from the proposal, with surrounding ground conditions and the open jointed boulder wall to remain in situ. This will allow for the required root protection area to remain unaffected by the proposed extension, however a suitable condition will be applied to any consent with regard to tree protection during construction. The external steps have also now been relocated to be adjacent to the west elevation of the proposed extension, outside of the root protection zone.

- *Drainage pipes lie under the footprint of the proposed extension which continues through neighbouring gardens to ultimately lead to the Den Burn, and there is risk of damage to integrity of the burn from the development, however no indication has been provided of how adequate drainage will be preserved.*

Revised plans have been submitted which indicate the positioning of the existing culvert within the rear garden ground. Revised proposals include a c.1.2m reduction in the length of the proposed extension which also alleviates any conflict with the culvert and provides a minimum c.1.3m buffer between the proposed foundations and the nearest point of the culvert (north-west corner of the proposed extension).

Design, scale, materials and impact on the historic environment

- *Excessive size, scale and height of extension in relation to the property, exceeding one storey in height, would extend 11m in length beyond the established building line along this section of the street, and, would enlarge the footprint of the house by over 50%.*
- *Unwelcome precedent for similar developments to the rear of listed buildings and threaten the integrity of the Council's Conservation Area Appraisals and Management Plan.*
- *Adverse impact on surrounding listed buildings and their curtilages. Proposal is out of character and would harm the general amenity of the conservation area, particularly the starkness of the floor-to-ceiling windows and extending flat roof.*
- *Aesthetics of the proposed extension are alien and unsympathetic to the characteristic styles of the listed buildings on the street.*
- *Proposed extension does not utilise the topography of the garden, drawings are misleading and show extension as sunken into the garden but this is not the case and it will dominate the rear of the building and the garden.*
- *Large flat roof and overhanging sections does not suit the character of the original dwelling.*
- *The proposed materials and finishes are inappropriate for the character of the area and out of keeping with the granite building, in particular the rendered eastern wall.*

- *Benefits of solar gain are overstated given the extension faces west and is predominantly overshadowed by the original house for most of the day.*

It is considered that the above comments have been suitably addressed in 'Design, Scale and Siting' section of the above evaluation. The proposed material finish for the eastern wall has been amended to ashlar granite, in colour, coursing and block size to match the existing house. The overall material palette is considered to have been designed to be both complementary and offer a positive differential contrast with the original building, with high quality modern materials. Furthermore, as mentioned in the above evaluation, whilst it is acknowledged that the extension is not south facing and some of the time it would be in shadow from the main house, nevertheless the orientation and positioning of the proposed extension has maximises any potential solar gain due to its location and aspect in the plot.

- *Remodelling the interior of the property has already begun without grant of listed building consent.*

Alterations to internal areas will be fully considered in the corresponding listed building consent application (230654/LBC). At the time of the site visit, whilst it was evident that some interior alterations had begun, this was not considered to extend beyond redecoration and removal of old boiler/bathroom fittings.

Residential Amenity

- *East elevation of the extension in excess of 4m above garden level at No. 24 and would dominate outlook given its proximity to the mutual boundary wall.*
- *The site of the proposed extension is clearly visible from and adversely impacts on general visual amenity of surrounding properties to the north.*
- *Massive loss of privacy to property to north in Morningfield Road. as the proposed extension is for a kitchen that is usually the busiest room in houses and there will be continual loss of privacy for parties, exacerbated by floor to ceiling glazing.*
- *No opportunity for screening to the north due to level differences between garden to the north, magnified by the previous felling of trees.*

The above comments are considered to have been satisfactorily addressed in the 'Residential Amenity' section of the above evaluation. It is recognised that the east wall of the proposed extension is higher than would be the case should there be no difference in site levels, nevertheless it is considered that the property has generous private amenity space to the rear for the enjoyment of residents, and the proposed extension is located reasonable distance away so that the impact is not considered to be adverse or overbearing in nature. Furthermore, the relative distances to neighbouring properties to the north is considered to avoid any impacts on privacy or general visual amenity. The overall living accommodation of the main house is generous, therefore any perceived intensification of use from the proposed kitchen extension from occupants is not considered to be an amenity concern. Previous tree felling was authorised and appropriate replacement tree planting has already been undertaken which in time will improve natural screening as the trees mature, however this is not a specific requirement with regard to privacy. As noted above, the relative distance between the proposed extension and neighbouring properties to the north is considered to avoid any impacts on privacy.

Other

- *The applicant has a history of property development and the proposed creation of a multi-generational home is questionable.*
- *Request that the Committee conducts a site visit prior to any decision being made.*

- *Planning department should perform a site visit and have drawings corrected to reflect the scale of development.*

The first comment is not considered to be a material planning consideration. Comments noted with regard to site visit by Committee. A full site visit by the Planning Officer was conducted on 26 June 2023 and as discussed above, certain additional drawings and surveys were submitted to aid assessment of the proposal.

Support

- *Would provide more privacy from the raised decking at neighbouring property No. 24, which appears to be uPVC and unauthorised.*

There does not appear to be a record of planning consent for the raised decking and the Planning Service is unaware of how long this has been in situ. Regardless, this is not a material planning consideration for this application, but a separate issue.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed development is considered to be architecturally compatible with the original dwelling in terms of design, siting, scale, form, height and use of complementary materials – which complies with National Planning Framework 4 (NPF4) Policies 14 (Design, Quality and Place) and 16 (Quality Homes); with Policy D1 (Quality Placemaking); and Policy H1 (Residential Areas) of the Aberdeen Local Development Plan (ALDP) 2023; and with associated ‘Householder Development Guide’, and ‘Materials’ Aberdeen Planning Guidance (APG).

The proposed development has taken due regard for its impact on the character and general visual amenity of the Albyn Place and Rubislaw Conservation Area, in relation to both the original dwelling, its plot, and setting of the category ‘C’ listed building – in compliance with NPF4 Policies 7 (Historic Assets and Places); 14 (Design, Quality and Place); and 16 (Quality Homes); with Historic Environment Policy Scotland (HEPS); associated Historic Environment Scotland Managing Change guidance; and with Policies D6 (Historic Environment); D7 (Our Granite Heritage); and D8 (Windows and Doors) of the ALDP; with the ‘Repair and Replacement of Windows and Doors’ APG; and the Albyn Place and Rubislaw Conservation Area Character Appraisal (July 2013).

As a result of development, the site would not be overdeveloped, substantial quantity of private external amenity space would remain in accordance with NPF4 Policies 14 (Design, Quality and Place), and 16 (Quality Homes); and with Policies D2 (Amenity) and H1 (Residential Areas) of the ALDP and associated ‘Householder Development Guide’ APG. The proposal would have no adverse impact on the residential amenity afforded to any neighbouring properties in terms of overshadowing, daylight/sunlight receipt, overbearing, or outlook, and privacy is suitably maintained.

The proposed development would not adversely impact on any protected species or root protection areas of any trees, and includes suitable biodiversity enhancements – in compliance with NPF4 Policies 3 (Biodiversity) and 6 (Forestry, Woodland and Trees) Policies NE3 (Our Natural Heritage), NE5 (Trees and Woodland) of the ALDP, and with associated ‘Trees and Woodlands’; and ‘Natural Heritage’ Aberdeen Planning Guidance. The proposed development has

no adverse impact on road safety or parking requirements in accordance with Policy T3 (Parking) of the ALDP and associated 'Transport and Accessibility' APG.

Furthermore, the proposed development has taken due cognisance of adapting the existing dwelling for future use through principles of sustainable design and opportunities to maximise solar gain in accordance with the aims of National Planning Framework Policies 1 (Tackling the Climate and Nature Crisis); 2 (Climate Mitigation and Adaptation); 14 (Design, Quality and Place); and 16 (Quality Homes).

CONDITIONS

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

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason – In accordance with section 58 (duration of planning permission) of the 1997 act.

(02) TREE PROTECTION

No works in connection with the development hereby approved shall commence unless a tree protection plan has been submitted to and approved in writing by the planning authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).
- c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason – In order to ensure adequate protection for the trees on site during the construction of the development.

(03) MATERIALS

No works in connection with the development hereby approved shall commence unless a sample and details of the specification and colour of all the wall and roof materials, to be used in the external finish for the approved development have been submitted to and approved in writing by

the planning authority. The extension shall not be brought into use unless the external finish has been applied in accordance with the approved details.

Reason – In order to safeguard the special architectural character and historic interest of this listed building and in the interests of preserving or enhancing the character or appearance of the conservation area.

(04) GATE DETAIL

Prior to the commencement of the development hereby approved an elevation drawing of the proposed gates to be located on the south elevation, as indicated on Drawing No. 315P - 301B, shall be submitted to and approved in writing by the planning authority. Thereafter, the gates shall be installed in accordance with the approved details.

Reason – In order to maintain the character and amenity of the surrounding residential area, safeguard the special architectural character and historic interest of this listed building and in the interests of preserving or enhancing the character or appearance of the conservation area.

ADVISORY NOTES FOR APPLICANT

(01) Footway crossing

The creation of any extended footway crossing shall require to be constructed by Aberdeen City Council Roads Maintenance Unit and the applicant/resident shall require to contact them 6 weeks prior to the works to get an estimation and programme the works.

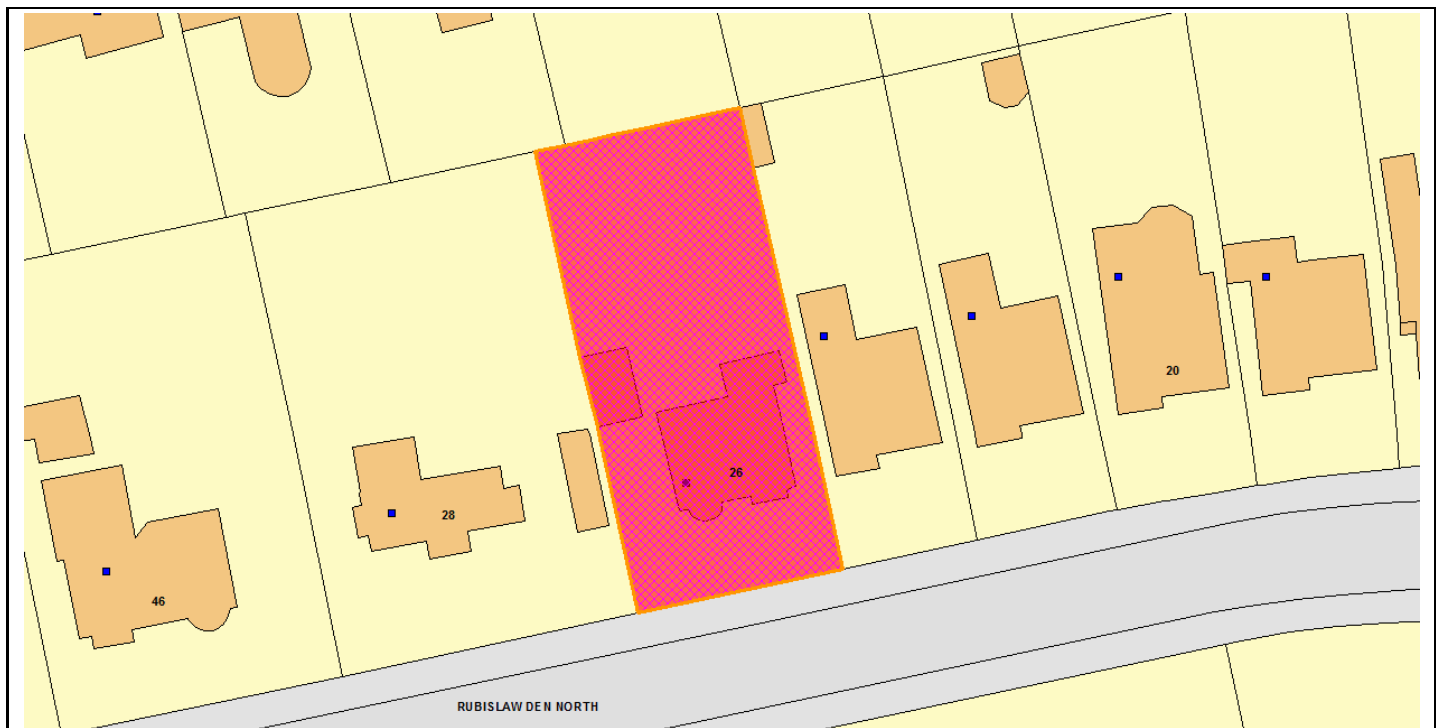
They can be contacted on 03000 200 292 or footwaycrossings@aberdeencity.gov.uk at <https://www.aberdeencity.gov.uk/services/roads-transport-and-parking/apply-dropped-kerb-or-driveway> or if an applicant wishes to use an alternative contractor they will be required to follow the standard procedures set out for private developers who wish to undertake works within a Public Road.

An application form for Permission to Excavate in a Road for reasons other than installing private apparatus can be found via the following link:- https://www.aberdeencity.gov.uk/sites/default/files/2019-01/Preferred%20Contractor_3.pdf

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 <p>ABERDEEN CITY COUNCIL</p>	Planning Development Management Committee
	Report by Development Management Manager
	Committee Date: 7 December 2023

Site Address:	26 Rubislaw Den North, Aberdeen, AB15 4AN
Application Description:	Erection of single storey extension, formation of patio, external steps, window/door replacement to rear; and installation of two new gates to front
Application Ref:	230654/LBC
Application Type	Listed Building Consent
Application Date:	2 June 2023
Applicant:	Mr George Stewart
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Queen's Cross and Harlaw
Case Officer:	Rebecca Kerr



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND**Site Description**

The application site is located to the north west of the city within the established residential neighbourhood of the West End. The application site is located on the north side of the street, approximately 220m east of the junction with Forest Road. The application site lies within the Albyn Place and Rubislaw Conservation Area.

The application site comprises a two-storey detached dwelling which is category 'C' listed and its principal elevation faces south onto Rubislaw Den North. The building is a substantial 3-bay villa, designed by George Sutherland and Clement George in circa 1927. The building is finished in tooled coursed ashlar granite, with contrasting pink granite dressings to margins, eaves course, projecting cills to 1st floor, and overhanging eaves detail. The buildings' principal elevation also features, bipartite and tripartite windows to upper floor, 5-light canted window with stylised crenellated parapets to ground floor of bays to left and right, and a symmetrical deeply chamfered central entrance doorway. The building has predominantly white one-over-one traditional timber sash and case windows and square-plan gatepiers and low rough-faced coped granite boundary walls to front, with granite rubble walls to remainder of plot. The building has an existing rear extension/outshoot positioned off the north-east corner of the main house, which is original to the house.

The building is sited in a generous plot totalling c.1021sqm, with an existing single storey, pitched roof, garage to the west, and driveway finished in stone gravel. The site is bound to the front by Rubislaw Den North, and on all other remaining three sides by neighbouring properties – 24 Rubislaw Den North to the east, 28 Rubislaw Den North to the west and the rear curtilage of 29 Morningfield Road to the north.

Relevant Planning History

861164 – Alterations to detached dwelling; Approved 17/08/1986.

101712 – Remove 6 Cypress because they are too large and blocking light. Crown lift 1 Cypress because it is blocking light and to promote health. Remove broken and hung up limbs from 9 Cypress to avoid accidents 1 Cypress to be reduced by a third because it is too large and blocking light. Tidy up lower branches from 1 Cypress to tidy up and promote health; approved 29/11/2010.

170995/TCA – Works to 15 Protected Trees; T1 - T15 - Conifer - Fell as unstable; approved 14/12/2017.

220945/TCA – Works to 3 Protected Trees; T1 - T3 - Cypress - Remove due to safety concerns/interfering with phonelines; approved 10/08/2022.

230655/DPP – Erection of single storey extension, formation of raised patio, external steps, and window replacement to rear; and installation of two new gates to front; currently pending consideration to be determined by Planning Development Management Committee.

APPLICATION DESCRIPTION

Description of Proposal

The application seeks listed building consent for the erection of a single-storey rear extension, to be formed off the existing rear extension/outshoot located on the north-east corner of the dwelling. The proposed extension has an overall footprint of c.76sqm and would provide c.56sqm of additional accommodation for use as a new kitchen. The site of the old kitchen within the existing rear extension/outshoot would provide a utility room on the main ground floor, with redundant boiler fittings removed. Proposed internal alterations include formation of a new door opening within the existing offshoot to the rear, created through the widening and lengthening of an existing window opening, which would in turn provide stepped access to the proposed new kitchen extension. In terms of overall dimensions for the proposed extension, it would project c. 10m from the rear (north) elevation, to a width of 9.5m and overall height of 3.5m to highest point of the roof. Owing to the design of the proposed extension featuring an overhanging canopy roof detail on the north and west elevations, the footprint of the proposed extension would be c. 8.9m projection (length) by 6.4m width and 3.1m height to eaves/overhang.

The extension is of contemporary design and features large frameless glazed windows and a set of double sliding patio doors are proposed on the west and north elevations, with remainder to be granite stone walling. The extension is flat roof design, featuring a corten steel overhanging canopy roof detail, parapet gutter and 'green' roof. The flat roof is also proposed to include a large rooflight. The extension is offset c.1.3m from the nearest mutual boundary which it shares with its nearest neighbour 24 Rubislaw Den North, located to the east. This offset aligns with the positioning of the existing rear outshoot, and the eastern elevation would comprise a granite stone wall and no window openings. The granite stone is proposed to be from local reclaimed sources, comprising predominantly grey colour with pink details to corners/openings, tooled flat face finish, blocks sized at c.330x600mm with three c.100x100mm offcuts in between to reflect 'Aberdeen Bond' coursing as per the existing dwelling, with off-white natural hydraulic lime flush pointed mortar.

Due to the nature and location of the proposed extension and in order to accommodate for the existing site levels, access to the proposed extension would be through a series of steps formed internally within the existing rear outshoot. This would result in the ground floor level of the proposed extension being slightly lower (c.1.0m) than the existing ground floor level of the existing dwelling. Externally there are a series of new stone steps which would allow access down to a paved lower terrace on the west elevation of the proposed extension. Finishing materials are ashlar grey and pink granite walling, frameless glass, corten steel (copper tone colour) and dark grey membrane roofing materials.

The application proposes installation of new gates to the driveway and a repositioned pedestrian gate. The pedestrian gate would be centrally aligned in the existing low granite boundary wall to the principal elevation (south), formed through means of a new opening. Granite from the new opening would be reused to block up the original pedestrian opening located in the south-east corner of the plot. The driveway gates are proposed to be widened to meet the needs of modern vehicles, and include proposed removal of a c.450mm section of granite wall.

The application includes proposed replacement of existing patio doors and a new centre-hung aluminium-clad timber rooflight (c. 550 x 780 mm, dark grey), and new aluminium-clad sliding patio doors (c. 1.8 m width by 2.0 m, dark grey), both located on the west elevation of the existing rear outshoot. Finally, the application also includes alterations to two fireplaces on the ground floor of the existing house to accommodate wood burners, and redecoration of the property.

Amendments

Plans have been amended since original submission to include the following:

- The overall scale of the proposed extension has reduced, from c.11.2m to 10.0m in length (including c.1.2m projecting canopy).
- The proposed material finish on the east elevation of the extension was amended from render to ashlar granite, however this was not at the request of the Planning Service. The intention is to use granite from reclaimed sources.
- A series of biodiversity enhancements were added to the rear garden, including specification of pollinator planting.
- Granite reuse was requested for the blocking up of the original pedestrian gate opening alongside clarification the new opening would not affect the overall structural integrity of the granite boundary wall.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RV9TPXBZJYC00>

- Window Condition Survey (*June 2023*)
- Design Statement (*May 2023*)
- Visualisations (*November 2023*)

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it is recommended for approval and has received more than 6 timeous letters of objection, therefore in accordance with the Council's Scheme of Delegation the application requires determination at Planning Development Management Committee.

CONSULTATIONS

Queen's Cross and Harlaw Community Council – No comments received in response to this application, however have objected to the corresponding 230655/DPP application.

REPRESENTATIONS

A total of 11 representations have been received, 7 objecting to the proposed development and 4 in support. The matters raised are summarised below:

Object

Site conditions, boundary wall, trees and landscaping

- Mutual boundary wall between No. 24 and No. 26 is around 1.5m high, however because of the topography the wall effectively acts as a retaining wall and the ground level at No. 26 is about 1.0m above the ground level at No. 24 in some areas. Significant ground work will be required to raise the ground levels, which in turn will affect the loading on the boundary wall and risk its collapse.
- Additional trees were felled in 2022 in relation to application 220945/TCA and the applicant has erected an unauthorised close-boarded fence above the existing stone wall, in excess of 2.5m high as viewed from No. 24 neighbouring property.

- Potential impact on roots of tree adjacent to proposed raised patio, indicating this tree will be felled.
- Drainage pipes lie under the footprint of the proposed extension which continues through neighbouring gardens to ultimately lead to the Den Burn, and there is risk of damage to integrity of the burn from the development, however no indication has been provided of how adequate drainage will be preserved.
- Some of the submitted drawings are insufficiently detailed, contain inaccuracies and lack dimensions which is misleading, in relation to site levels in particular and the alignment of where the extension meets with the existing house.

Design, scale, materials and impact on the historic environment

- Excessive size, scale and height of extension in relation to the property, exceeding one storey in height, would extend 11m in length beyond the established building line along this section of the street, and, would enlarge the footprint of the house by over 50%.
- Unwelcome precedent for similar developments to the rear of listed buildings and threaten the integrity of the Council's Conservation Area Appraisals and Management Plan.
- Adverse impact on surrounding listed buildings and their curtilages. Proposal is out of character and would harm the general amenity of the conservation area, particularly the starkness of the floor-to-ceiling windows and extending flat roof.
- Aesthetics of the proposed extension are alien and unsympathetic to the characteristic styles of the listed buildings on the street.
- Proposed extension does not utilise the topography of the garden, drawings are misleading and show the extension as sunken into the garden but this is not the case and it will dominate the rear of the building and the garden.
- Large flat roof and overhanging sections does not suit the character of the original dwelling.
- The proposed materials and finishes are inappropriate for the character of the area and out of keeping with the granite building, in particular the rendered eastern wall.
- Remodelling the interior of the property has already begun without grant of listed building consent.
- Benefits of solar gain are overstated given the extension faces west and is predominantly overshadowed by the original house for most of the day.

Residential Amenity

- East elevation of the extension in excess of 4m above garden level at No. 24 and would dominate outlook given its proximity to the mutual boundary wall.
- The site of the proposed extension is clearly visible from and adversely impacts on general visual amenity of surrounding properties to the north.
- Loss of privacy to property to north in Morningfield Road, kitchens are usually the busiest room in houses and there will be continual loss of privacy, exacerbated by floor to ceiling glazing.
- No opportunity for screening to the north due to level differences between gardens, magnified by the previous felling of trees.

Other

- The applicant has a history of property development and the proposed creation of a multi-generational home is questionable.
- Request that the Committee conducts a site visit prior to any decision being made.
- Planning department should perform a site visit and have drawings corrected to reflect the scale of development.

Support

Design, scale and impact on the historic environment

- House was built for the Esslemont family who were responsible for bringing new trends here during the era of the department store and had a bold approach to merchandising. The form and detailing of the house they built is reflective of this approach, with more refined and simpler features than most Victorian mansions, perhaps because it was built much later. The proposed design embraces this thinking and is completely in character with the house and conservation ethos.
- Impressed by the way the proposal fuses the original house with more modern appearance of extension and use of bay windows and it's a desirable contemporary addition in line with the changing direction of housing which occurred in the 20s/30s as well as today.
- The interior is quite simple, modern and Art Deco-ish so the proposed extension fits well with this style and hope this gets approval.
- There are many Victorian houses in this conservation area and different styles on Rubislaw Den North which have had extensions build in a modern style.
- There is a large garden to accommodate the size and it would allow for better interaction and aspect to the rear.
- Extension has been well designed in terms of quality, scale and sustainable materials, which will blend with the surrounding houses.
- Conservation areas should preserve heritage but also allow for an expression of current architectural design when being extended, conservation should not exclude development.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Development Plan

National Planning Framework 4

- Policy 7 (Historic Assets and Places)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan 2023

- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)
- Policy D7 (Our Granite Heritage)
- Policy D8 (Windows and Doors)

Aberdeen Planning Guidance (APG)

- Householder Development Guide
- Materials

Other National Policy and Guidance

- Historic Environment Policy Scotland
- Managing Change in the Historic Environment Guidance
 - Extensions
 - Windows
 - Boundaries
 - Interiors
 - Setting

Other Material Considerations

- Albyn Place and Rubislaw Conservation Area Character Appraisal (July 2013)

EVALUATION**Principle of Development and National Planning Framework 4**

The proposed development is contained within the curtilage of the existing dwelling, which is in private residential use. All development is related to householder development to extend, alter and renovate the existing dwelling and is therefore acceptable in principle, subject to according with relevant planning policy and guidance. The application site comprises a category 'C' listed building and within the Albyn Place and Rubislaw Conservation Area and therefore must be considered against, Policy D1 (Quality Placemaking) and Policy D6 (Historic Environment) of the Aberdeen Local Development Plan 2023 (ALDP), National Planning Framework 4 (NPF4) Policy 7 (Historic Assets and Places) and Historic Environment Policy for Scotland (HEPS), which all serve to protect, preserve, and enhance the historic environment.

Policy D6 (Historic Environment) of the ALDP and NPF4 Policy 7 (Historic Assets and Places) advise that the historic environment shall be protected, preserved and enhanced. In addition, NPF4 Policy 7 (Historic Assets and Places) further advises that; (a) proposals should be informed by national policy and guidance on managing change in the historic environment; (c) proposals for the alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting; (d) proposals in conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced and (e) proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including boundary walls and trees are retained. HEPS outlines the key policy considerations for making decisions about works that affect listed buildings, notably HEP2 and HEP4. The former seeks to ensure that the historic environment is secured for present and future generations, while the latter requires that any changes to assets and their context should be managed in a way that protects the historic environment. Furthermore, the Managing Change in the Historic Environment Guidance on 'Setting' highlights that setting of historic features often extends beyond the individual property's curtilage into a broader townscape and heritage context. Policy D1 (Quality Placemaking) of the ALDP is also required to determine the effect the proposal and its design has on respecting the special interest of the listed building, which stipulates that all development must ensure high standards of design, detail, architecture, craftsmanship and materials that contribute towards successful placemaking and an attractive built environment. The above issues are the principle matters to be assessed in the evaluation of this application.

Impact on the Historic Environment

The application dwelling is located at the north-western extent of the Albyn Place and Rubislaw conservation area, within character area 'D – Rubislaw Den', as outlined in the Conservation Area Character Appraisal. This area is characterised by large and substantial, ornate detached houses, typically set within large plots. The houses in this area are late 19th and early 20th century and were developed by prominent architects of the time, who were often employed to produce daring and unique designed to reflect the prosperity and personality of clients. Common features include the use of bay windows, wide doorways and low granite boundary walls. In terms of weaknesses and threats identified in the Appraisal of relevance to consider in the assessment of this application, it notes the following:

- *Loss of vegetation in the front courtyard and rear gardens due to car parking and extensions*
- *Loss of the original pattern of development and boundary walls of back land development due to car parking and extensions*
- *Unsympathetic development that does not reflect or relate to the character of the character area*
- *Removal of boundary walls*

Proposed Extension

The proposed extension would solely be contained to the rear, which ensures its massing is well recessed into the plot as a whole and it would not be visible from any public vantage points – thus preserving the streetscape setting and special interest of the listed building and the wider character of the conservation area. With regard to the overall size and scale of the proposed extension, it is acknowledged that a number of other properties in the Rubislaw Den part of the conservation area have been extended to the rear, some of which are of substantial scale. In addition, owing to the historical development of this part of the conservation area, it also exhibits a variety of architectural styles and there is not considered to be an obviously defined or consistent building line – due to the variety and bespoke nature of detached houses and villas set within large plots. The overall massing and form of the extension has been designed and orientated so that the additional living accommodation is situated on as low a level as practically possible. The justification for this is that the existing kitchen and utility facilities are inadequate for the applicants use and relocating the kitchen to the proposed extension is designed to maximise connection to the garden and better reflect modern living requirements. Whilst it could be argued that the internal layout of the existing dwelling could be remodelled to enhance the size of the kitchen facilities without extending the listed building, the application must be assessed on its own merits in terms of its impact on the special interest of the listed building and character of the conservation area.

In terms of overall design, the proposed extension is considered to have been designed to a high standard, being a bespoke, contemporary and site-specific design which has taken due consideration of its context within the conservation area and the special interest of the listed building. In line with the guidance on extensions, the proposal offers a successful 'deferential contrast' approach to extending the existing dwelling. Whilst the proposed extension is fairly large in its footprint, it is nevertheless considered to read as a new element and has a clear distinction between the historic and modern – created primarily by the use of large sheet glazing and 'green' roof. This ensures that the extension does not try to compete with the main house, and in this specific case the extension remains ancillary to it, retaining both primacy, visual dominance and the special interest of the listed building. Contemporary elements are considered sympathetic to extending listed buildings and for new development in conservation areas, where they are appropriately detailed and considered, such as the use of reflective large sheet glazing and 'green' roofs, emphasising the contrast between old and new, and reflecting changes in modern living and architectural styles. As such the proposed extension is considered to have a positive contribution

to the setting and character of the listed building, and due to its location to the rear is not considered to adversely impact on the character of appearance of the conservation area.

Furthermore, the ground floor level of the proposed extension would sit slightly lower than that of the main dwelling, by c.1.0m, which is considered to emphasise the break between the modern extension and the traditional dwelling, as well as enhancing connection between the house and garden. It is accepted that the level difference between the rear of the dwelling and the majority of the rear garden ground would make more conventional extensions problematic. In order to take account of the site levels and to position the proposed extension as low down in the plot as possible, a series of steps are required to gain access to the kitchen extension. Externally these steps are formed immediately alongside the extension and are considered acceptable in terms of their design and siting. Both the design and positioning of the proposed extension has taken due consideration of the existing site levels, general topography of the garden and relationship to the listed building. The proposed extension is considered to be single storey in volume which respects the scale of the main dwelling and the proposed height of the extension (c. 3.4m) is not considered to be excessive. Amendments were sought during assessment of the application to seek to reduce the overall scale of the extension slightly and this has been done through a c.1.2m reduction in the projection. Whilst it is recognised that the proposed extension is of a substantial size and scale, which projects to c.9.0m, the extension sits comfortably in the rear curtilage, respecting the setting and special interest of the listed building and its conservation area context.

In terms of finishing materials, the utilisation of a 'flat' low pitch 'green roof' and the use of natural granite has been chosen to respect the special character of the listed building. The 'green' roof helps to reduce the height, scale and massing of the extension, softens the overall appearance to minimise visual impact, allowing it to blend with the surrounding garden setting and respect the character of the conservation area. Large sheet glazing and contemporary roof designs such as those proposed are considered to be consistent with modern materials for extensions. Therefore, all of the proposed finishing materials are considered to be acceptable to ensure the works would suitably complement the listed building, preserve its special interest and setting, and are both consistent with the 'Materials' APG and suitable for use in conservation areas. It should be noted that the specific use of granite on the east elevation was as a result of an amendment to the proposal.

Overall, the proposed extension is considered to be of suitable scale, design and detailing to preserve the character, special architectural interest and setting of the listed building, and protects the character and appearance of the conservation area – in accordance with the aims of Policy 7 (Historic Assets and Places) of NPF4, HEPS, associated Managing Change guidance, and with, Policies D1 (Quality Placemaking) and D6 (Historic Environment) of the ALDP.

Proposed Front Boundary Wall Alterations

The application also proposes installation of new gates to the driveway and a repositioned pedestrian gate. The pedestrian gate would be centrally aligned in the existing low granite boundary wall to the principal elevation (south), formed through means of a new opening. Granite from the new opening would be reused in order to block up the original pedestrian opening located in the south-east corner of the plot. The driveway gates are proposed to be widened to meet the needs of modern vehicles, through removal of a small section (c.450mm) of boundary wall to the west of the driveway opening. Policy D7 (Our Granite Heritage) of the ALDP seeks the retention and appropriate re-use of all granite features, including boundary walls. The Managing Change Guidance on 'Boundaries' states that walls are important element in defining the character of historic buildings, conservation areas, often using local building materials and their key characteristics should be understood and protected during any proposed works. The formation of new openings needs to be considered in light of the overall composition of the wall and removal of historic fabric kept to a minimum, with detailing of the new opening to match the existing. Granite boundary walls are considered to contribute towards the historic character and key characteristics

of the Albyn Place and Rubislaw Conservation Areas and threats to and loss of boundary walls in the creation of car parking and extensions are to be resisted to avoid unnecessary harm to the historic environment.

In evaluating this proposal and the potential acceptability of the wall alterations, the precise location of where the opening is to be formed and the extent of the opening must be considered. In this particular scenario, the desire to centrally locate the pedestrian access gate so that it aligns with the main entrance door behind is understood, and could be argued as logical given the off-set nature of the existing pedestrian gate to the eastern end of the low front boundary wall, particularly in relation to the existing entrance door. This central and logical positioning also reflects with the simplicity of the architectural ethos expressed in the listed building. In addition, the widened driveway entrance and removal of c.450mm of granite walling is to provide vehicular access for modern cars, which is considered to be reasonable given both the size of the existing driveway opening and comparing this with the width of other driveway openings on the street, many of which are wider. The new wall opening and widened driveway opening are located in the front wall, and thus will be prominent in the context of the street and thus the conservation area. However, the relative width and size of the new and widened openings are considered to be minimal with regard to any loss of historic fabric and would not harm the special interest of the listed building nor the appearance of the conservation area. Whilst the loss of a small portion of boundary wall has been suitably justified, it is also required to ensure that all granite duntakings are suitably reused on site to be considered to fully comply with Policy D7. Given that the duntakings of granite from the new opening will be reused to block up the existing pedestrian entry, this is not considered to adversely affect the special interest of the listed building. Submitted plans indicate that the wall opening and blocking up will be formed and finished in materials to match that of the existing wall, to ensure its integrity is maintained and that the development suitably complies with the expectations of Policy D7.

In conclusion, the proposed wall alterations and new access gates preserve the special interest of the listed building, maintains the character and appearance of the conservation area, and appropriately reuses granite duntakings on site, in accordance with NPF4 Policy 7 (Historic Assets and Places), Policy D1 (Quality Placemaking), D6 (Historic Environment), and D7 (Our Granite Heritage) of the ALDP, and with associated HES guidance. A suitable condition will also be applied to this consent for submission of design details for the new gates.

Proposed New Windows and Patio Doors

The proposed development includes installation of replacement patio doors and one rooflight located on the west elevation of the existing rear outshoot. Policy D8 (Windows and Doors) of the ALDP, HES Managing Change in the Historic Environment guidance, and the considerations of the 'Repair and Replacement of Windows and Doors' APG all outline the preference for repair of historic and original windows over replacement. With regard to the principle of replacing the windows and door under consideration for this specific application, assessment is based on a tiered approach, which begins with the presumption for repair and refurbishment over replacement, in circumstances where such windows/doors are considered to be original and/or of historic interest. If not, their replacement with an appropriate design and material is deemed acceptable. In this case, supporting information and a site visit to the property to assess the proposal, confirms that the existing timber patio doors and rooflight are not considered to be original, and thus not considered to contribute to the special interest of the listed building. Taking this into consideration, determines that the principle of replacements is acceptable in this instance. In terms of design, both the proposed replacement designs are considered to be acceptable. The proposed replacement rooflight is to match the dimensions and colour (dark grey) of the existing, comprising an aluminium-clad timber window. The patio doors are also proposed to be aluminium-clad timber, with the size of the opening to remain the same. Both replacements are also contained solely to the rear and not publicly visible from the conservation area.

Overall, the proposed new windows and doors are considered to have been suitably designed, detailed, and justified to preserve the setting and special interest of the listed building and the wider character and appearance of the conservation area – in accordance with NPF4 Policy 7 (Historic Assets and Places), the aims of HEPS, Managing Change guidance on ‘Windows’, Policies D1 (Quality Placemaking), D6 (Historic Environment), and D8 (Window and Doors) of the ALDP, and the ‘Repair and Replacement of Windows and Doors’ APG.

Proposed Internal Alterations

Historic Environment Scotland Managing Change Guidance on ‘Interiors’ states that proposals for interior alteration should always seek to protect the character of the building and when planning new openings it is important to take account of the historic layout and design. In terms of internal alterations, the proposal includes installation a new utility room, alongside a new c.1.5m wide wall opening to the rear for access to the proposed new kitchen extension, and minor alterations/upgrades to two ground floor fireplaces. In context of the overall development, the proposed internal alterations are considered to be small in scale, which would allow for renovations to the existing property and provide access to the proposed new rear extension on an appropriate and justified basis.

The fireplace alterations are considered to be on a repair and upgrade basis, allowing replacement tiles, hearths, and reinstating wood burner functionality. The proposed internal alterations represent an appropriate balance between renovating and adapting an existing listed building without any significant adverse impacts to the historic fabric. In fact, seeking to reconfigure the existing internal layout to accommodate an enlarged kitchen would have the potential to more extensively alter the internal layout, and therefore it is considered that the proposal has been designed to suitably respect the special character of the listed building and keep alterations to a minimum. The location of the proposed rear wall opening comprises an area which is largely occupied by an existing rear window, with the upper lintel level to remain unaltered and as such the proposed removal of granite stone is considered to be minimal and acceptable in this instance. A suitable condition is proposed to ensure any granite duntakings are suitably reused on site, as per the case for the boundary wall alterations, which is anticipated to be used in the construction of the proposed extension.

As a result of development, the overall room proportions and the original plan form of the listed building would remain unaltered and would therefore preserve the special character of the listed building. In summary, the proposed renovations would allow for the continued use of the property as residential, whilst at the same time being designed to meet modern day living standards, which would suitably secure the future of the listed building and its adaptability, and protect the special character of the listed building and is consistent with HES Managing Change Guidance on ‘Interiors’ and in accordance with NPF4 Policy 7 (Historic Assets and Places), the aims of HEPS and Policy D6 (Historic Environment) of the ALDP.

Matters Raised in Representations

It is considered that the majority of the matters raised in representations have been assessed and considered under the corresponding planning application (230655/DPP). Only the matters which are considered to be material to the assessment of the listed building consent application will be discussed below. The comments in support of the proposed development are noted.

Site conditions, boundary wall, trees and landscaping

- *Mutual boundary wall between No. 24 and No. 26 is around 1.5m high, however because of the topography the wall effectively acts as a retaining wall and the ground level at No. 26 is about 1.0m above the ground level at No. 24 in some areas. Significant ground work will be required to raise the ground levels, which in turn will affect the loading on the boundary wall*

and risk its collapse.

Following receipt of revised plans, the site level difference between the two properties is considered to be accurately represented and additional cross-sectional drawings were requested to aid assessment of the proposal in this regard. Minimal groundwork is proposed to accommodate the proposed extension, and the applicant has confirmed that the structural integrity of the boundary wall will be maintained. Furthermore, technical considerations in the specific regard would be subject to subsequent assessment by Building Standards.

Design, scale, materials and impact on the historic environment

- *Excessive size, scale and height of extension in relation to the property, exceeding one storey in height, would extend 11m in length beyond the established building line along this section of the street, and, would enlarge the footprint of the house by over 50%.*
- *Unwelcome precedent for similar developments to the rear of listed buildings and threaten the integrity of the Council's Conservation Area Appraisals and Management Plan.*
- *Adverse impact on surrounding listed buildings and their curtilages. Proposal is out of character and would harm the general amenity of the conservation area, particularly the starkness of the floor-to-ceiling windows and extending flat roof.*
- *Aesthetics of the proposed extension are alien and unsympathetic to the characteristic styles of the listed buildings on the street.*
- *Proposed extension does not utilise the topography of the garden, drawings are misleading and show extension as sunken into the garden but this is not the case and it will dominate the rear of the building and the garden.*
- *Large flat roof and overhanging sections does not suit the character of the original dwelling.*
- *The proposed materials and finishes are inappropriate for the character of the area and out of keeping with the granite building, in particular the rendered eastern wall.*
- *Remodelling the interior of the property has already begun without grant of listed building consent.*

It is considered that the above comments have been suitably addressed in the above evaluation. At the time of the site visit, whilst it was evident that some interior alterations had begun, this was not considered to extend beyond redecoration and removal of old boiler/bathroom fittings. Furthermore, the proposed material finish for the eastern wall has been amended to ashlar granite, in colour, coursing and block size to match the existing house. The overall material palette is considered to have been designed to be both complementary and offer a positive differential contrast with the original building, with high quality modern materials suitable for their conservation area and listed building context.

Other

- *Request that the Committee conducts a site visit prior to any decision being made.*
- *Planning department should perform a site visit and have drawings corrected to reflect the scale of development.*

Comments noted. A full site visit by the Planning Officer was conducted on 26 June 2023 and as discussed above, certain additional drawings and surveys were submitted to aid assessment of the proposal.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed development is considered to be architecturally compatible with the listed building in terms of design, siting, scale, form, height and use of complementary materials – which complies with National Planning Framework 4 (NPF4) Policies 14 (Design, Quality and Place); with Policy D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023 (ALDP); and with associated 'Householder Development Guide', and 'Materials' Aberdeen Planning Guidance (APG). The proposed development has taken due regard for its impact on the special interest and architectural character of the listed building, and the character, appearance and general visual amenity of the Albyn Place and Rubislaw Conservation Area, in relation to both the original dwelling, its plot, and the setting of the listed building – in compliance with NPF4 Policies 7 (Historic Assets and Places) and 14 (Design, Quality and Place); Historic Environment Policy Scotland (HEPS); the associated Historic Environment Scotland Managing Change guidance; Policies D6 (Historic Environment); D7 (Our Granite Heritage); and D8 (Windows and Doors) of the ALDP; the 'Repair and Replacement of Windows and Doors' APG; and finally the Albyn Place and Rubislaw Conservation Area Character Appraisal (July 2013).

Furthermore, the proposed development has taken due cognisance of adapting the existing listed building for future use through principles of sustainable and 'differential contrast' design in accordance with the aforementioned policies, with specific regard to Historic Environment Scotland Managing Change guidance on 'Extensions'.

CONDITIONS

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

(01) MATERIALS

No works in connection with the development hereby approved shall commence unless a sample and details of the specification and colour of all the wall and roof materials, to be used in the external finish for the approved development have been submitted to and approved in writing by the planning authority. The extension shall not be brought into use unless the external finish has been applied in accordance with the approved details.

Reason – In order to safeguard the special architectural character and historic interest of this listed building and in the interests of preserving or enhancing the character or appearance of the conservation area.

(02) GATE DETAIL

Prior to the commencement of the development hereby approved an elevation detail drawing of the proposed gates to be located on the south elevation, as indicated on Drawing No. 315P - 301B, shall be submitted to and approved in writing by the planning authority. Thereafter, the gates shall be installed in accordance with the approved details.

Reason – In order to maintain the character and amenity of the surrounding residential area, safeguard the special architectural character and historic interest of this listed building and in the interests of preserving or enhancing the character or appearance of the conservation area.

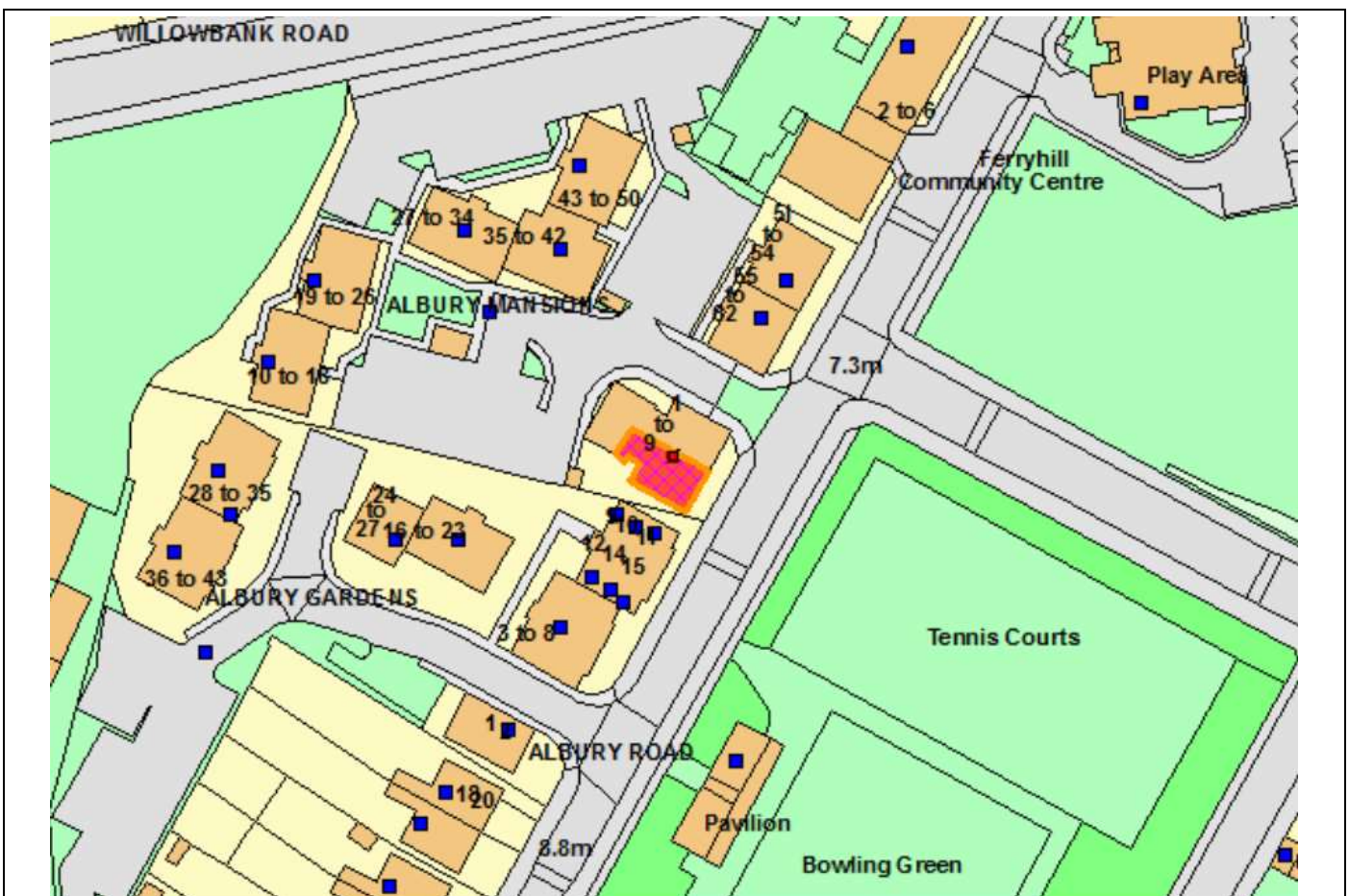
(03) GRANITE REUSE

No development shall take unless details of and a methodology statement for the reuse of the granite duntakings in the construction/ finishing of the new development have been submitted to and approved in writing by the planning authority. Thereafter prior to the development hereby approved being brought into use, the details as agreed shall be implemented in full.

Reason – In the interests of retaining historic granite on the site and ensuring compliance with Policy D7 (Our Granite Heritage) of the Aberdeen Local Development Plan 2023 and in the interest of preserving the special character and setting of the Albyn Place and Rubislaw Conservation Area.

 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Planning Development Management Committee</h2>
	<p>Report by Development Management Manager</p>
	<p>Committee Date:</p>

Site Address:	8 Albury Mansions, Aberdeen, AB11 6TJ,
Application Description:	Change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people (Retrospective)
Application Ref:	231157/DPP
Application Type	Detailed Planning Permission
Application Date:	18 September 2023
Applicant:	Investment
Ward:	Torry/Ferryhill
Community Council:	Ferryhill And Ruthrieston
Case Officer:	Sam Smith



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site relates to a second (top) floor flat within a three-storey detached tenement building of modern construction, within the wider development at Albury Mansions, which is understood to have been constructed in the late 1990s. The principal elevation of the building fronts east onto Albury Road and forms the main portion of the building, with an extended section of the building to the west, with a central stairwell separating the flats within the two parts of the building. To the rear of the site sits the carpark shared with the wider residential development. The application building is bound by the access road into Albury Mansions to the north and bordered to the south by the residential development at Albury Gardens. The property is accessed of a communal landing shared with flats 7 and 9, and is accessed through two doors from the landing into the hallway of the flat. The property comprises two double bedrooms to the rear looking towards the car park, a lounge and kitchen to the east looking towards Albury Road and the tennis courts beyond and a central bathroom and storage cupboard. No other flats in the building are known to operate as Short Term Lets at present.

Relevant Planning History

None

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought, retrospectively, for the change of use of the property from a residential flat to Short Term Let (STL) accommodation (both sui generis).

The applicant advises that the maximum occupancy for the two-bedroom STL would be 4 persons at any one time, with a minimum stay duration of 5 nights. The property would be operated as an STL on a permanent basis and according to the applicant, has already been operating as an STL since January 2018. Customers of the property would have access to one parking space in the communal parking area to the rear of the site as well as controlled paid parking along Albury Road and the property would be cleaned after each stay.

Amendments

None.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S1664UBZFP00>

- STL Checklist
- Supporting Letter
- Supporting Statement

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because ten timeous letters of representation that express objection to the proposal have been received. As such, the application falls out with the Scheme of Delegation as per point 1. V.

CONSULTATIONS

ACC – Roads Development Management Team – No objection to the proposal. The site is located within controlled parking zone H and in the inner city boundary. The existing and proposed use have similar parking requirements and the site has 1 parking space which is to remain.

ACC – Environmental Health – No concerns or observations.

ACC – Waste And Recycling – No objection. The proposed development is classified as commercial and will therefore receive a business waste collection. Customers of the STL could continue to utilise existing communal domestic general waste and recycling bins located on the site within the car park. Further information is included as an Advisory Note for the applicant to be aware of.

Ferryhill and Ruthrieston Community Council – No comments received.

REPRESENTATIONS

Ten representations have been received in objection to the proposal. The matters raised can be summarised as follows –

1. Safety/security - if the property is used as a short term let multiple guest would have access to key fobs and the security code which would be given to seven sets of residents per week. There is the additional potential for guests to keep the fobs instead of taking them back for future use.
2. Potential noise and precedent – The development is quiet at present and if this short term let was permitted, it would set a dangerous precedent and present emotional distress. One application may not present significant risk to the development, but a precedent could be set changing the character of the development and affect future resale values.
3. Application property – Residents in the block on the other side of Albury Mansions to the north have noted disturbance by previous tenants gathering outside the communal block at night and sitting on the wall outside of the neighbouring block, chatting loudly, drinking, smoking and taking phone calls.
4. Upkeep – The large throughput of guests would create extra cost/repair delays due to guests not having a vested interest in the communal areas as well as insurance premiums.
5. Parking – potential issues with guests using the car park and potentially having larger work vehicles.
6. Occupancy – The apartments are best suited for couples or young families and the property may not be a suitable size for four occupants.
7. Societal benefit – longer term renters and permanent residents add value to social fabric of the development which short term renters would not do this.
8. The application should be marked as retrospective.
9. Title deeds – a short term let would be in breach of the title deeds and should not be used as a business.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 30 (Tourism)

Aberdeen Local Development Plan 2023 (ALDP)

- Policy H1 (Residential Areas)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy VC2 (Tourism and Culture)

Other National Policy and Guidance

- Scottish Government publications:
 - Circular 1/2023: [Short-Term Lets and Planning](#)
 - Short Term Lets: [Business and regulatory impact assessment – November 2021](#)
 - Scottish Government – [Research into the impact of short-term lets on communities across Scotland – October 2019](#)

EVALUATION

Tackling the Climate and Nature Crises, Climate mitigation and Biodiversity

Policy 1 (Tackling the Climate and Nature Crises) of National Planning Framework 4 (NPF4) requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. Policy 3 (Biodiversity) of NPF4 requires proposals for local development to include measures to conserve, restore and enhance biodiversity, proportionate to the nature and scale of development.

The proposed development, comprising the change of use of an existing property, with no associated external alterations, is sufficiently small-scale such that it would not make any material difference to the global climate and nature crises nor to climate mitigation and adaptation, nor are

there any opportunities to minimise greenhouse gas emissions given the nature of the proposals. Therefore the proposals are compliant with Policies 1 and 2 of NPF4. The proposed development would be wholly internal, small-scale and does not offer the opportunity for any biodiversity gain and the proposals are thus considered to be acceptable, despite some minor tension with Policy 3 of NPF4.

Provision of Short Term Let accommodation and impacts on character & amenity

Policy 30 (Tourism), paragraph (e) of National Planning Framework 4 (NPF4) states:

e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or*
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits*

Policy H1 (Residential Areas) of the ALDP states:

Within existing residential areas, proposals for non-residential uses will be supported if:

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

Impact on character and amenity of the area

The application property is situated within a residential area as zoned in the ALDP Proposals Map, with an overall quiet suburban character of a residential street, with the exception of the Albury Community Sports Hub on the other side of Albury Road. The city centre boundary sits c. 120m to the north and business and shops along Holburn Street 500m to the west. There are also a number of existing guest houses to the south along Bon-Accord Street and other areas of Ferryhill. Given the small-scale nature of the property, comprising a two-bed unit with a proposed maximum occupancy of four people at any one time, its use as an STL would be unlikely to result in a significant increase in activity or coming and goings, compared to mainstream residential use, therefore the proposal is unlikely to have a significant impact on the character of the area. Additionally, no external alterations are proposed, therefore it is considered that the character of the area would be preserved.

In terms of impacts on amenity, the property shares an entrance door and stairwell with eight other properties, all of which are in use as mainstream residential flats. In general, it is considered that the use of properties as STL's within residential flatted buildings could result in increased harm to the amenity of neighbouring properties, beyond that which would typically be expected from a property in mainstream residential use, particularly due to the following:

- the potential for noise from increased coming and goings via the communal entrance and stairwell due to frequent customer turnovers (check-ins and check-outs) and cleaning between occupancies;
- the potential for noise from customer activities within the property, particularly in the quieter, more sensitive late evening and early morning periods – especially if used as a 'party flat';
- the potential for the disturbance of privacy and the perceived impact on safety resulting from the use of communal areas (including gardens) by transient persons unknown to permanent residents.

The property is located on the top floor and would therefore result in guests using the full extent of the internal amenity space, passing each other property in the block when accessing it. The application property shares a landing with two other properties on the top floor. As direct neighbours the comings and goings on the landing may be noted over and above the movement of residents on the floor below. The modern construction of the concrete staircase combined with the double door entrance into each property means that the movement in the building would not be excessively noisy and the building contains nine flats, presenting an existing high level of movement from residents within the stairwell. Further to this, the minimum stay for guests would be five days, presenting a low frequency of new guests arriving and leaving with luggage. The noise transmission within the building would thus likely only be heard when in use by guests from the flats directly to the side and below, with no properties sitting above. In this instance, the proposed STL is a two-bedroom flat with a stated maximum occupancy of four people and minimum stay for guests being five days. It is thus considered unlikely that the flat would be used for the hosting of parties or other events of an anti-social nature that could harm the amenity of neighbouring properties in terms of noise from activities within the property during the more sensitive late night and early morning periods. Further to this, the applicant has advised that guests will be given the building rules which will be required to adhere to and a procedure to deal with complaints. Such activities could nevertheless take place in the property if operated as mainstream residential accommodation and the use of this property as an STL is not considered to present significant noise transmission above what can be expected from its use as a mainstream residential property.

In relation to the outdoor communal area, there is a car park to the rear shared by all residents of the wider development resulting in the general existing levels of comings and goings being relatively high. The use of this space by transient customers staying at the property on a short-term basis would not be likely to have any material impact on the amenity of the residents of the development. It is therefore considered that the impacts on amenity from the use of the property as an STL would most likely arise from the increased probability of noise emissions affecting the occupants of the other flats from arrivals and departures by customers, via noise transmission from the communal hallway, and to the impact on safety and security (either actual or perceived) from the use of the communal entrance and hallway by transient non-residents.

It is considered that the small-scale of the application property (with a maximum of 4 customers when in use and periods of time when the property will likely not be in use), combined with the modern construction of the building, the number of other properties in the block and wider development, and the surrounding context of the area, would be sufficient to ensure that its use as an STL would not cause any significant harm to the amenity of the neighbouring mainstream residential properties within the building, beyond the impacts to amenity which could occur if the properties were to remain in / revert to mainstream residential use. Although a reduction in safety and security for the permanent residents in the building resulting from the use of the property as an STL could occur, it is considered that any such reduction would be relatively minor and mitigated by appropriate management of the properties as outlined in the supporting statement – ensuring that the risk of actual harm to safety and security would be low. The granting of permission for the application property would result in one flat out of nine being in STL use and therefore the majority of flats in the building would remain in mainstream residential use.

It is therefore considered that the use of the property as an STL would not cause significant harm to either the character or amenity of the area, in accordance with Policy 30(e)(i) of NPF4 and Policy H2 of the ALDP.

Provision of Short Term Let tourist accommodation and local economic benefits

Policy VC2 (Tourism and Culture) of the ALDP states that:

‘Proposals for new, or expansion of existing, visitor attractions and facilities capable of strengthening the appeal and attraction of Aberdeen to a wide range of visitors will be supported.

Proposals should complement existing visitor facilities and be sequentially located in the city centre, or on a site allocated for that use in this Plan, unless activity and locality specific issues demonstrate that this is impracticable.’

The use of the property as an STL offers a different type of visitor accommodation to hotels and guesthouses that can be more attractive for certain visitors, particularly families and business travellers / contract workers who may be staying in the city for several weeks. The Scottish Government’s publication on ‘Short Term Lets: Business and regulatory impact assessment’ from November 2021 states:

‘Short-term lets make an important contribution to the tourist economy because they can:

- a) offer visitors a unique tourist experience through a host's local knowledge, increasing the attractiveness of Scotland as a place to visit,*
- b) offer accommodation in places not served by hotels and hostels, for example, and therefore help with dispersal of visitors from "hotspot" areas,*
- c) offer more affordable accommodation, helping to attract tourists that may have a lower budget, and*
- d) provide additional capacity to accommodate tourist or other visitor demand in areas with a high demand over a short period of time (for example, to accommodate tourists during the Edinburgh Festival or the Open golf tournament).’*

Although it is not possible to precisely quantify or demonstrate the local economic benefits that would be derived from the use of the application property as an STL, as required by Policy 30(e)(ii) of NPF4, given the likely use of the property by tourists and/or business travellers it is envisaged that customers of the property would be likely to spend money in the local tourism and hospitality sectors, to the benefit of those businesses. This is backed up in general terms by the Scottish Government’s ‘Research into the impact of short-term lets on communities across Scotland’ publication, produced in October 2019, which states in Key Findings - Chapter 5:

‘The positive impacts of STLs most commonly identified related to the local economic impacts associated with the tourism sector.’

Given that the proposal would comprise a tourism facility that would not be in the city centre, the proposal would have tensions with Policy VC2 (Tourism and Culture) of the ALDP. In assessing the magnitude of this tension, it is acknowledged that the site sits a short distance (c. 120m) outside the city centre boundary and customers of the STL would be within easy walking distance of the many businesses and amenities in the city centre, as well as a 10 minute walk from the city’s main bus and railway stations. In this context, and on the basis that it would not adversely affect the character and amenity of the surrounding area, an STL use in this location would be suitable on a limited scale. Acknowledging its sustainable location and accessibility from the city centre, the small scale of the proposal and there are currently few properties in and/or proposed to be in STL use in the area, on balance, the proposed STL use would be compliant with the aims of Policy VC2 (Tourism and Culture) of the ALDP in that it would not undermine the sequential spatial strategy to direct visitor facilities into the city centre by any significant degree.

Although housing is in need in Aberdeen, there is not currently understood to be any significant pressure placed on local housing need from the amount of STL's in Aberdeen, as is experienced elsewhere in Scotland (for example Edinburgh and the Highlands & Islands in particular), therefore it is considered that the loss of residential accommodation resulting from the use of the property as an STL would not have any significant impact on local housing need – ensuring that the proposals are generally compliant with the aims of Policy 30(e)(ii) of NPF4.

However, it is recognised that housing need and demand can be subject to significant change over time, as demonstrated by such matters being periodically reviewed and quantified through Housing Need and Demand Assessments and addressed through the Development Plan process.

In relation to the duration of planning permissions for Short Term Lets, the Scottish Government Circular 1/2023 (Short-Term Lets and Planning) notes that:

4.14 Planning authorities can impose a condition when granting planning permission to require the permitted use to be discontinued after a specified period – this is known as “planning permission granted for a limited period”.

4.15 Planning authorities may consider applying a discontinuation condition of 10 years, or such other time period as they consider appropriate, when granting planning permission for short term letting in a control area (or outside, if they see fit).

The grant of planning permission for the use of the property as an STL on a permanent basis would result in the permanent loss of residential accommodation in a sustainable location. As such, it is considered necessary in this instance, if permission is granted, for a time-limited period of five years to be applied, which is the time period between the publication of Housing Need and Demand Assessments:

- To ensure that local housing need, demand and supply can be considered for any future applications for the continued use of the property as an STL;
- To allow for the site to be automatically returned to residential use upon the expiry of the permission (unless a new consent is granted in the meantime); and
- To further consider the demonstrable local economic benefits of the property's use as an STL at the time of any further planning application.

Transport & Accessibility

Policy 13 (Sustainable Transport) on NPF4 and Policy T2 (Sustainable Transport) of the ALDP all promote and encourage the use of sustainable and active modes of travel where possible, as opposed to private vehicle trips. Policy T3 (Parking) of the ALDP is supportive of low or no car development in suitable locations where there is adequate access to active travel and public transport options.

The application property is situated outwith, but reasonably close to, the city centre (as defined in the ALDP Proposals Map). As such, the city centre is within walking distance of the property, as are the city's main bus and railway stations and bus routes from Union Street and Crown Street. The property sits approximately 500m away from the nearest bus stop, however, as the property is within easy walking distance to the city centre, this route is not required for sustainable and easy access into the city. Customers would be able to utilise one space of the on-site shared parking and paid on-street car parking but nevertheless it is anticipated that the majority of customers staying at the property on a short-term basis would be tourists or business travellers, the majority of whom could reasonably be expected to arrive in the city by plane, train or bus and access the property

sustainably, not generating any traffic or requiring any car parking. The proposals are therefore compliant with Policies 13 of NPF4 and T2 and T3 of the ALDP.

Waste Management

Policy 12 (Zero Waste) of NPF4 and Policy R5 (Waste Management Requirements for New Development) of the ALDP both require developments that generate waste and/or recyclables to have sufficient space for the appropriate storage and subsequent collection of that waste and recyclable materials. Although the property would be a business and would therefore not pay Council Tax, customers of the STL would be able to utilise existing on-street domestic general waste and mixed recycling bins situated in the communal car park. The Council's Waste & Recycling Service have advised that the customers of the property could utilise the existing domestic bins, subject to the applicant paying a financial contribution towards the collection of the waste, via a business waste contract with the Council, in lieu of not paying Council Tax. Therefore waste and recyclables generated by the customers of the property can be adequately stored and collected and an advisory note has been added for the applicant to be aware of in relation to entering into the required business waste contract with the Council. The proposals are therefore acceptable in accordance with Policies 12 of NPF4 and R5 of the ALDP.

Representations

1. *Safety/security – if the property is used as a short term let multiple guest would have access to key fobs and the security code being given to seven sets of residents per week. There is the additional potential for guests to keep the fobs instead of taking them back for future use.*

The impact on safety and security has been assessed in the report above and is anticipated to be addressed through appropriate management of the property. The management procedure of the property as a short term let is not a material planning matter and the concerns raised have therefore not formed part of the assessment of this application.

2. *Potential Noise and Precedent – The development is quiet at present and if this short term let was permitted, it would set a dangerous precedent and present emotional distress. One application may not present significant risk to the development, but a precedent could be set changing the character of the development and affect future resale values.*

It is noted that this property has been in operation as a short term let since January 2018 and the formal granting of planning permission would not have any impact on the existing conditions and noise levels of the site. In relation to setting a precedent for STLs, the cumulative impact of this type of use is assessed where there are multiple STLs in a block or area and as such, will be reviewed for any future applications in the building. The applicant has also advised that there have been no noise complaints for this property since its operation in 2018.

3. *Application Property – Residents in the block on the other side of Albury Mansions to the north have noted disturbance by previous tenants gathering outside the communal block at night and sitting on the wall outside of the neighbouring block, chatting loudly, drinking, smoking and taking phone calls.*

There is a potential for noise transmissions and concerns to safety and security of the site with transient guests. This consideration has been assessed above and can be addressed through appropriate management of the property.

4. *Upkeep – The large throughput of guests would create extra cost/repair delays due to guests not having a vested interest in the communal areas as well as insurance premiums.*

The management of the property is not a material planning matter and has therefore not formed part of the assessment of this application.

- 5. Parking – potential issues with guests using the car park and potentially having larger work vehicles.*

It is anticipated that visitors to the property will use the parking space in the same way any other resident would use it. The use of the car park and communal facilities has been assessed in the report above.

- 6. Occupancy – The apartments are best suited for couples or young families and the property may not be a suitable size for four occupants.*

The property is considered to be of a sufficient size to accommodate four occupants without overcrowding the property and it is further anticipated that when operated as a STL, it would not always be booked out at full capacity.

- 7. Societal benefit – longer term renters and permanent residents add value to social fabric of the development which short term renters would not do this.*

The impact of transient guests coming and going from the property has been assessed above in the report. As the site is shared by the wider development of approximately 61 properties, the presence of transient guests for this property is not considered to adversely impact the character of the site. The cumulative impact of multiple STLs within a block would be assessed through any potential forthcoming applications.

- 8. The application should be marked as retrospective.*

The application description has been amended to mark the application as retrospective.

- 9. Title Deeds – a short term let would be in breach of the title deeds and should not be used as a business.*

Matters relating to land ownership and title deed restrictions do not constitute material planning considerations thus we cannot take them into account in the assessment of the application.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed change of use of an existing property, with no associated external alterations, is sufficiently small-scale such that it would not make any material difference to the global climate and nature crises nor to climate mitigation and adaptation, nor are there any opportunities to minimise greenhouse gas emissions given the nature of the proposals, therefore the proposed development is compliant with Policies 1 (Tackling the Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) of NPF4. There is no opportunity to enhance on-site biodiversity, therefore the proposals are acceptable, despite some minor tension with Policy 3 (Biodiversity) of NPF4.

Due to the context of the surrounding area, the size of the property and the stated maximum occupancy, it is considered that its use as Short Term Let (STL) accommodation would not have a significant adverse impact on the character or amenity of the area, nor on the amenity of the immediate neighbouring properties within the application building, beyond what could typically be expected if it were to be used as permanent mainstream residential accommodation as the proposal would introduce one STL out of nine properties in a block of modern construction. The proposal is therefore in accordance with Policy H2 (Mixed Use Areas) of the Aberdeen Local Development Plan 2023 (ALDP). The property's use as an STL would likely provide some local economic benefits, potentially to the tourism and hospitality sectors, without causing any significant harm to local housing need through the loss of residential accommodation, in accordance with Policy 30 (Tourism) of National Planning Framework 4 (NPF4). The development would provide tourist accommodation within walking distance of the city centre and in a sustainably accessible location to the city's main bus and railway stations, in accordance with Policy 13 (Sustainable Transport) of NPF4 and Policies T2 (Sustainable Transport) and T3 (Parking) of the ALDP. Whilst the site is considered on balance to be sustainably accessible, the location outside of the city centre boundary does pose some tension with Policy VC2 (Tourism) of the ALDP which seeks to steer this development to the centre. However, on balance with other planning matters this is not considered to weigh sufficiently against the proposal, given the properties close proximity to the city centre boundary. The development has sufficient means for the adequate storage and collection of any waste and recyclables generated, in accordance with Policy 12 (Zero Waste) of NPF4 and Policy R5 (Waste Management Requirements for New Development) of the ALDP.

CONDITIONS

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(2) TIME LIMIT FOR SHORT-TERM LET USE

The hereby approved use of the property as Short-Term Let accommodation shall expire 5 years following the date of the grant of permission as stated on this notice, unless a further planning permission has been granted for continued use of the property as Short-Term Let accommodation in the meantime. Should no further planning permission be granted then the property shall revert to mainstream residential use as a flat after the aforementioned 5-year period.

Reason: In order to allow the local housing need and demand situation and the local economic benefits derived from the use of the property as a Short Term Let to be reassessed in 5 years' time, to ensure that the loss of the property as residential accommodation would remain compliant with Policy 30 of NPF4.

ADVISORY NOTES FOR APPLICANT

(1) COMMERCIAL USE OF COMMUNAL DOMESTIC ON-STREET BINS

As Short Term Let accommodation comprises a commercial use, business rates are payable by the operator, rather than Council Tax. In the absence of a Council Tax payment which would cover the cost of the collection of waste from the on-street bins, the operator is required to enter into a contract

with Aberdeen City Council's Business Waste & Recycling team, to enable the lawful use of the on-street bins by customers of the property, if they haven't done so already.

Further information is available on the Council's website at:

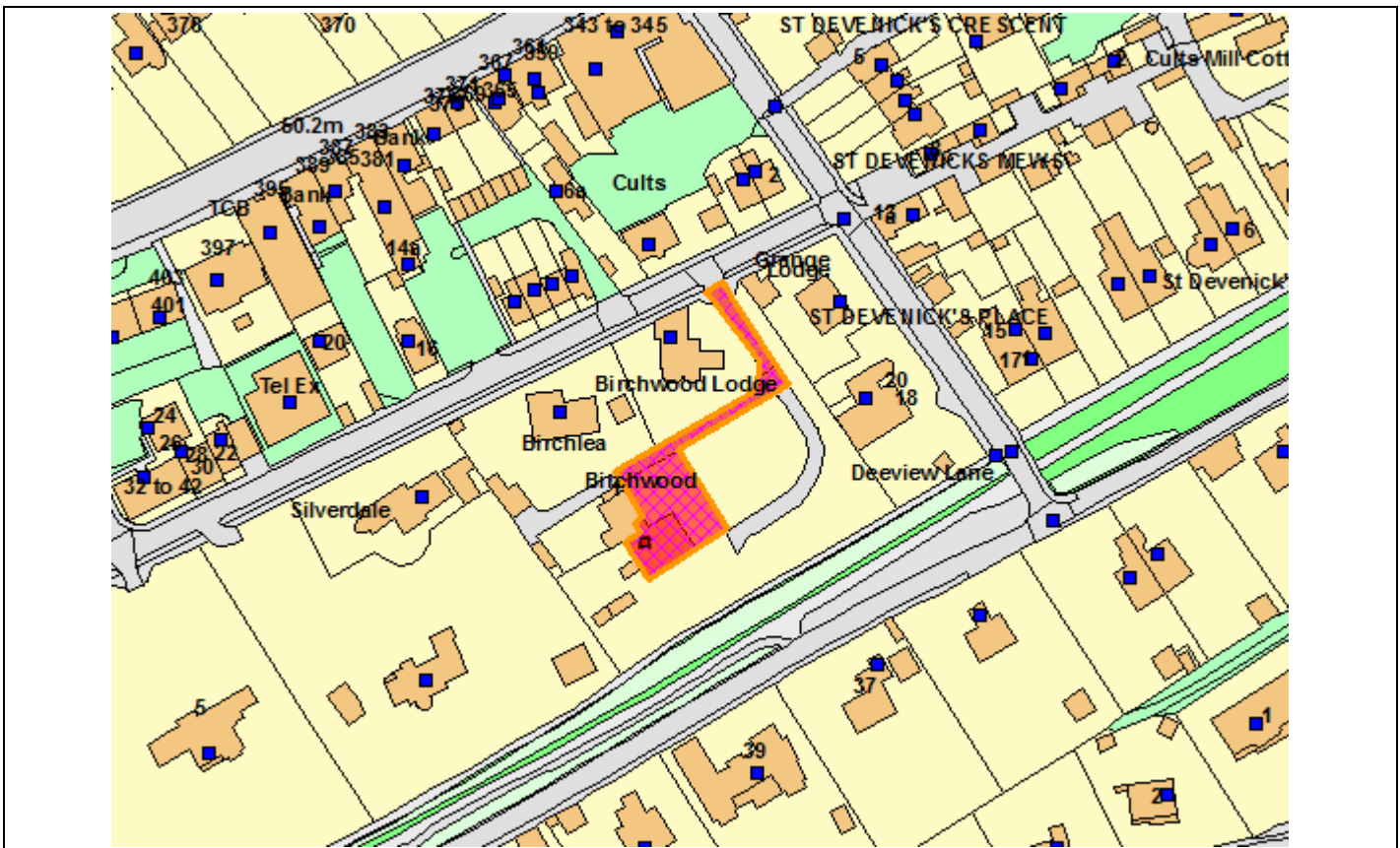
<https://www.aberdeencity.gov.uk/services/bins-waste-and-recycling/business-waste>

The operator can contact the Council's Business Waste & Recycling team at:

businesswaste@aberdeencity.gov.uk

 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Planning Development Management Committee</h2> <p style="margin: 5px 0 0 0;">Report by Development Management Manager</p> <p style="margin: 5px 0 0 0;">Committee Date: 7th December 2023</p>
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Site Address:	Upper Birchwood 1 South Avenue, Aberdeen, AB15 9LP
Application Description:	Erection of shed to front (retrospective)
Application Ref:	231263/DPP
Application Type	Detailed Planning Permission
Application Date:	13 October 2023
Applicant:	Mr Stuart Spearrit
Ward:	Lower Deeside
Community Council:	Cults, Bieldside and Milltimber
Case Officer:	Roy Brown



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site comprises an upper storey residential flat within a late 19th century granite-built building comprising three flats, an area of residential curtilage to the northeast of the building and a shared driveway. The site is located in the established residential area of Cults and is accessed from South Avenue to the north. The neighbouring two residential flats in the building are located on its ground floor.

The total curtilage of the three flats covers an area of approximately 1 acre. Residential dwellings bound the site to the southwest, northwest and northeast, while the Deeside Way sits to the southeast. Like many of the detached residential dwellinghouses to the north of the Deeside Way in the area and along Lower Deeside generally, the original building has a southeast facing principal elevation orientated towards the Deeside Way. The immediate surrounding area, particularly along the southern side of South Avenue, is characterised by the presence of detached dwellinghouses, many of which are set within substantial residential curtilages.

Whilst much of the wider curtilage is maintained as a lawn, there are many trees of varying species within the wider curtilage which are protected by Tree Preservation Order (TPO) 157.

The area to which the application relates extends to 45m² and is set within an area of curtilage which is 'private' in its appearance. It relates to the applicant's upper flat and has been formed by way of the presence of a timber fence (permitted under the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended) and the formation of a hard surface (through the granting of Planning Permission Ref: 221070/DPP on appeal). A lime tree (T30) is located at the northern end of this area. A shed has recently been erected at the southern end of the area without the necessary planning permission and is thus unauthorised.

Relevant Planning History

A planning application (Ref: 220410/DPP) was submitted on the 30th March 2022 which retrospectively sought planning permission for the resurfacing of the external amenity area to form parking/turning area to the northeast of Birchwood. It was withdrawn on the 15th August 2022.

Planning permission (Ref: 221313/DPP) was granted retrospectively on the 7th January 2023 for the formation of hardstanding to the southwest of the building in the area of curtilage associated with one of the neighbouring ground floor flats, Birchwood House.

Planning permission (Ref: 221070/DPP) was granted retrospectively on the 15th March 2023 following a successful appeal to the Scottish Ministers for the resurfacing of the external amenity area to form a parking/turning space and patio area to the northeast of Birchwood. It was granted subject to a condition requiring that the ground around the Lime Tree (T30) within the application site would be de-compacted.

On the 16th October 2023, a Tree Works application (Ref: 231175/TPO) granted works to several trees in TPO 157 and refused the proposed felling of the aforementioned lime tree (T30). In 2021, a Tree Works application (Ref: 211571/TPO) granted the removal of one diseased lime tree on the site and refused the proposed removal of several other trees on the site.

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought retrospectively for the erection of a domestic shed in the residential curtilage (private garden area) to the northeast of Birchwood. The shed building has a shallow sloped roof with a maximum height of c.2m and an eaves height of c.1.9m. Its built footprint covers an area of c.4sqm (c.3.7m in length and c.1.2m in width) and due to its overhanging roof the overall width of the structure is c.2m. It is primarily finished in timber linings which are painted grey. It has a shed door on its southwest facing elevation and a hatch on its northwest facing elevation. The shed is within the area partially enclosed by the existing 1.96m high fence.

Amendments

None.

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=S2DDPWZGJ600>

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it is being recommended for approval and has been the subject of six or more timeous letters of representation (following advertisement and/or notification) that express objection or concern about the proposal.

CONSULTATIONS

Cults, Bielside and Milltimber Community Council – No response received.

REPRESENTATIONS

The application has been the subject of six objections. The matters raised are summarised below:

- The shed adversely affects the residential amenity of the adjacent residential dwellings in terms of privacy, noise and disturbance, light pollution and outlook. The siting of the development is considered un-neighbourly and anti-social as it is forward of the east-facing windows of the ground floor residential flat. It is noted that the outbuildings serving the other flats are not located near the building.
- Concerns that it is used as a bar used to serve alcoholic beverages to guests, encouraging antisocial behaviour. It is stated that the building is serviced.
- The structures on the site are considered to adversely affect the character and visual amenity of the surrounding area.
- The shed and other structures are considered over-development.
- The proposal would conflict with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan and the Supplementary Guidance: The Householder Development Guide. It is considered that the shed is located to the front of the building.

- The statement in the application form that the applicant did know that permission was required is disputed. Concern that this is another application on the site which is being submitted retrospectively.
- Concerns about the impact on the trees as it appears the shed is within the Zones of Influence of trees T26 and T30.
- Matters relating to the Land Ownership Certificate that was initially submitted with the application and discrepancies on the application form.
- Matters relating to the existing hard surface which is used by the applicant and an existing unauthorised trellis (which is located on the western fence adjacent to the shed).
- Concern about future development and activity which may take place on the site.
- Civil matters relating to rights of access and sewer connections.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Development Plan

National Planning Framework 4 (NPF4)

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan 2023 (ALDP)

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy NE5 (Trees and Woodland)

Aberdeen Planning Guidance (APG)

- Householder Development Guide
- Trees and Woodland

EVALUATION

Principle of Development

The determining issues in the assessment of this application are its assessment against the relevant aforementioned policies of the Development Plan.

The proposal comprises householder development. Policy 16 (Quality Homes) g) of National Planning Framework 4 (NPF4) states that householder development proposals will be supported where they:

- i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

The application site is zoned as Policy H1 (Residential Areas) in the Proposals Map of the Aberdeen Local Development Plan 2023 (ALDP). This policy states that within such areas, proposals for new householder development will be approved in principle if it:

1. does not constitute over-development; and
2. does not have an adverse impact to residential amenity and the character and appearance of an area; and
3. does not result in the loss of open space.

As this proposal concerns householder development that is located in existing residential curtilage, it would not result in the loss of open space. The impact of the householder development on the character and visual amenity of the surrounding area, the impact of this householder development on the existing levels of residential amenity afforded to the surrounding residential dwellings are assessed under the headings below.

Residential Amenity

Policy 16 (Quality Homes) g) ii. and the Qualities of Successful Places referred to in Policy 14 (Design, Quality and Place) of NPF4 as well as Policies H1 (Residential Areas), the Qualities of Successful Placemaking referred to in D1 (Quality Placemaking) and D2 (Amenity) require this development to not adversely affect the amenity afforded to the neighbouring residential dwellings.

It is recognised that the building would be forward of the northeast facing windows serving one of the ground floor flats, that is not in the applicant's ownership. It has been established using the 25-degree and 45-degree methods set out in the Householder Development Guide Aberdeen Planning Guidance (APG) at a maximum height of c.2m and a distance of c.5.8m from Birchwood's north east elevation, the development would be of a height and distance from the building's eastern elevation whereby it would not impact on existing levels of sunlight and background daylight afforded to those windows. Furthermore, it would thus not impact the level of sunlight and daylight afforded to any other neighbouring residential dwelling or residential curtilage.

Whilst it is recognised, and indeed it has been raised in the representations, that the proposed development is located relatively close to the building and the windows of the ground floor flat, relative to the significant size of the residential curtilage of the three flats and it being a small domestic shed of minor scale and massing, the domestic building is not itself of a design, scale and massing whereby it is overbearing or detracts from its outlook in any significant manner.

The proposal would not adversely affect the privacy afforded to any neighbouring residential dwelling. There are no windows within the structure and thus it would not result in the overlooking of neighbouring residential dwellings or curtilage. It is largely screened by the fence (permitted under the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended), albeit it is recognised that structure causes harm to the outlook of the ground floor flat.

As a built structure, this shed does not result in noise generation whereby it disturbs neighbours. It has been noted in the representations that this structure is anticipated to be used as a 'bar' for entertaining guests and indeed its design with a hatch and a shelf suggests that it has the appearance as such. It is noted that the presence of this structure may encourage further activity in this part of the residential curtilage, taking into account that a hard surface area referred to as a 'bbq area' was granted by Planning Permission Ref: 221070/DPP, the intensity and nature of activity from the presence of this shed in this space is not materially different to had it not existed previously. As a householder development, planning permission is sought for the erection of this domestic shed which, like the land on which it is located, is for any purpose that is incidental to the enjoyment of the existing dwelling, therefore no change of use is proposed. As such, the development does not itself enable or result in an intensity of use or activity that is materially different to the use of the land as residential curtilage, whereby the residential amenity of the neighbouring flats would be materially affected.

The shed is of a design, minor scale and siting that does not adversely affect the existing residential amenity of the surrounding area to any significant degree, in accordance with the aims of Policies 14 (Design, Quality and Place) and 16 (Quality Homes) of NPF4, Policies H1 (Residential Areas), D1 (Quality Placemaking) and D2 (Amenity) of the ALDP.

Impact on the Character and Visual Amenity of the Surrounding Area

To determine the effect of the proposal on the character and visual amenity of the surrounding area it also is necessary to assess it in the context of Policy 14 (Design, Quality and Place) of NPF4 and Policy D1 (Quality Placemaking) of the ALDP. Policy 14 states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy D1 of the ALDP requires all development to ensure high standards of design, create sustainable and successful places and have a strong and distinctive sense of place which is a result of detailed contextual appraisal.

The shed is of a minor scale, height and massing in that it has a maximum height of c.2m and it has a footprint of c.4.5sqm and is thus evidently subordinate in scale to the original building. The shed accords with the specific design principles for outbuildings in the Householder Development Guide APG in that it is subordinate in scale to the dwellinghouse, single storey in height, scale and massing and furthermore it is not forward of the front building line, the southeast elevation, of the original building. As such, and as it used for a domestic purpose, it does not constitute overdevelopment. Taking into account the substantial scale of the original building and that, including the shared driveway and other curtilages the site covers a total area of approximately 1 acre, the vast majority of which is undeveloped, the shed would not result in more than 50% of the front and rear garden ground being covered by development, in accordance with the APG.

The building is of design, form and finishing materials, timber linings, which are complementary to its domestic setting within existing residential curtilage. In terms of its siting, the shed is set back from, and thus does not detract from the character of the historic southeast facing principal elevation of the building. Whilst it is acknowledged that many of the domestic structures serving the neighbouring flats are contained to the southwest of the building, the presence of this shed being at the northeast side of the building would not in itself result in visual harm in the context of the original building, taking into account that a hard surface and driveway already exists in this space. The building is particularly minor in its scale and massing relative to 1.96m high fence enclosure, from which it is also screened. That structure is permitted under the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, albeit a structure that is somewhat incongruous in its appearance to its setting. The shed is not readily visible from any public vantage point, taking into account that the ground level of the Deeside Way itself is substantially lower than that of the application site.

By way of its design, scale, materials, and siting, the shed does not adversely affect the character and visual amenity of the original building or the surrounding residential area, in accordance with the aims of Policies 14 (Design, Quality and Place) and 16 (Quality Homes) of NPF4 and D1 (Quality Placemaking) and H1 (Residential Areas) of the ALDP.

Trees

Paragraph b) i. of Policy 6 (Forestry, Woodland and Trees) of NPF4 states that development proposals will not be supported where they will result in any loss of ancient woodlands, ancient and veteran trees, or adversely impact on their ecological condition. Policy NE5 (Trees and Woodland) of the ALDP states that development should not result in the loss of, or damage to, trees and that buildings and infrastructure should be sited to allow adequate space for a tree's natural development, taking into account the predicted mature height, canopy spread and future rooting environment.

In this instance, the shed is located c.13m from a sycamore tree (T26) and c.15.6m from a lime tree (T30), which based on the information submitted is beyond the Root Protection Areas of these trees. However, taking into account the potential mature heights of the trees – 20m for T30 and 21m for T26, it is understood that the shed falls within the Zone of Influence of these trees.

Taking into account the distance from these trees, the small scale and footprint of the structure and its location on an existing hard surface, it is considered that the shed has not, and would not result in the damage or loss of these trees, or any other trees within TPO 157. The proposal therefore accords with Policies 6 (Forestry, Woodland and Tree) of NPF4 and NE5 (Trees and Woodland) of the ALDP.

Tackling the Climate and Nature Crises

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change.

As the shed would not result in the damage or loss of any trees, as it comprises the erection of a timber shed building within a residential curtilage, it is of a sufficiently small-scale that it does not have any material impact on the global climate and nature crises, climate mitigation and adaptation. Furthermore, there are no opportunities that can be identified to minimise greenhouse gas emissions given the nature of the proposal.

Policy 3 (Biodiversity) of NPF4 requires development proposals to contribute to the enhancement of biodiversity. Whilst no biodiversity conservation, restoration and enhancement measures have been included in this application, this policy excludes householder development from having to include these. Nevertheless, the shed would not have any adverse impact on biodiversity, particularly in that it has not, nor would it affect the health and long-term retention of the nearby trees.

The proposal would therefore comply with the aims of Policies 1 (Tackling the Climate and Nature Crises), 2 (Climate Mitigation and Adaptation) and 3 (Biodiversity) of NPF4.

Matters Raised in the Representations

The relevant matters relating to residential amenity in terms of privacy, noise, and outlook, as well as the use of the building have been addressed in the above evaluation. Permission is

retrospectively sought for a building that to be used for a domestic purpose and no change of use has been sought. The function of the space as an area where time would be spent by the occupants of the upper floor flat has already been established through presence of the existing hard surface and boundary enclosure.

The impacts on the character and visual amenity of the surrounding area and trees, and whether the development would constitute over-development have been assessed in the evaluation. It should be noted that the Supplementary Guidance: The Householder Development Guide referred to in the representations has been superseded. The adopted Householder Development Guide APG is of relevance.

Potential disturbance and anti-social behaviour which may occur in the area are matters which could be addressed through noise or antisocial behaviour legislation and/or by the police. The right of access to services is not a material planning consideration and is a civil matter between the relevant parties. The external lights referred to in the representation do not require planning permission and are not included in this application.

The matters relating to the existing hard surface on the site is not relevant in the assessment of this application. Planning permission for the hard surface was granted at appeal to Scottish Ministers. The matter raised relating to the unauthorised trellis located on top of the fence between the east elevation of the building and the shed is the subject of a separate planning enforcement investigation and is not of relevance to the assessment of this application, which is considering the development in the context that this structure is not authorised.

Since the representation was received, the applicant has submitted an application form and a valid Land Ownership Certificate confirming that they do not own all the land within the red line boundary and they have certified that they have served notice on all other owners of any part of the land to which the application relates, as required by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, as amended. It is the responsibility of the applicant to ensure that the information they submit is correct. It is not for the planning authority to probe the legitimacy of this information.

The accuracy of the statement in the application form that the applicant was not aware that planning permission was required for the development is noted. However, it has no impact on the outcome of this planning application and it is not for the planning authority to dispute this statement.

Potential future activity, development or structures in the curtilage are not material in the assessment of this application. Any future proposals, should they require planning permission, would be assessed on their own merits.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The shed is of a design, scale and massing that does not adversely affect the existing residential amenity of the surrounding area, notably in terms of the level of sunlight, daylight, outlook and privacy afforded to the ground floor flats in the adjacent building. By way of its design, scale, materials, and siting, the shed does not adversely affect the character and visual amenity of the original building or the surrounding residential area. The proposal therefore accords with the aims of Policies 14 (Design, Quality and Place) and 16 (Quality Homes) of National Planning Framework 4 (NPF4) and Policies H1 (Residential Areas), D1 (Quality Placemaking) and D2

(Amenity) of the Aberdeen Local Development Plan 2023 (ALDP); and the aims of the Householder Development Guide Aberdeen Planning Guidance (APG).

Taking into account the distance from existing trees, the small scale and footprint of the structure and its location on an existing hard surface, it is considered that the shed has not, and would not result in the damage or loss of any trees in the area, notably those subject to Tree Preservation Order 157. The proposal therefore accords with the aims of Policies 6 (Forestry, Woodland and Tree) of NPF4 and NE5 (Trees and Woodland) of the ALDP; and the Trees and Woodlands APG.

The proposal is sufficiently small-scale that it does not have a significant impact on the global climate and nature crises, nor to climate mitigation and adaptation. The shed would not have any adverse impact on biodiversity, particularly in that it has not, nor would it affect the health and long-term retention of the nearby trees. It therefore complies with the aims of Policies 1 (Tackling the Climate and Nature Crises), 2 (Climate Mitigation and Adaptation) and 3 (Biodiversity) of NPF4.

CONDITIONS

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

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ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management Committee
DATE	7 December 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Representation Procedure
REPORT NUMBER	GOV/23/317
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	Elena Plews and Fiona Closs
TERMS OF REFERENCE	General delegations 8.7

1. PURPOSE OF REPORT

- 1.1 To provide an update to Committee on the operation of the representation procedure which was approved by Planning Development Management Committee (PDMC) on 3 November 2022 and to seek approval for the procedure to be updated as outlined at 3.2 of the report.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Notes how the representation procedure has operated since December 2022;
- 2.2 Approves the updated Procedure and Guidance notes at Appendix 1;
- 2.3 Notes that the updated Procedure and Guidance notes will take effect from after today's meeting and will apply to all future Planning Development Management Committees;
- 2.4 Instructs the Chief Officer – Strategic Place Planning to keep the Procedure and Guidance notes under review and to make any minor amendments which are deemed necessary; and
- 2.5 Instructs the Chief Officer – Strategic Place Planning to report back to the Committee after 12 months if any material changes are required to the Procedure and/or Guidance notes.

3. CURRENT SITUATION

3.1 Since the representation procedure was approved by PDMC on 3 November 2022 a total of 42 applications have been considered by the Committee with a total of 80 representations having been made in respect of some of those applications between December 2022 – November 2023. Members will be aware that some applications have attracted more speakers than others. A table with a further breakdown of applications and speakers is available at Appendix 2 of this Report. The procedure has allowed greater access to the planning decision making process by members of the public, applicants and ward members. This has enabled the Committee to obtain a more in depth understanding of the issues affecting applicants, objectors and supporters. The changes which are recommended will ensure continuation of this representation process by applicants and members of the public whilst ensuring that Committee business is dealt with efficiently. It is recommended that the Chief Officer – Strategic Place Planning keeps the procedure under review and reports back to the Committee after 12 months if material changes are required to the procedure. This is to ensure that the procedure can be amended and improved as necessary.

3.2 The changes which are recommended are as follows:

- To expedite Committee business, it is recommended that the procedure is amended to limit the number of speakers on behalf of supporters and objectors to five on each side. Requests would be dealt with on a first come first served basis by making a request to make a representation to Committee Services. A group may wish to appoint a spokesperson. The applicant or their agent and ward members would continue to be able to make a representation at PDMC, irrespective of the number of speakers in support or against the application.
- The existing procedure sets out that those wishing to make representations to PDMC require to notify Committee Services by 5pm on the Monday prior to the relevant Committee meeting. In order to allow those wishing to make representations more time to indicate their desire to make a representation at PDMC it is recommended that the procedure is amended to require notification to Committee Services by 12 noon on the Tuesday prior to the relevant Committee meeting.
- It is recommended that agents or proxies continue to be allowed to read prepared statements on behalf of those eligible to speak but who are unable to attend the Committee meeting however it is recommended that any Council officer does not read out prepared statements on behalf of any party. This is to ensure fairness and transparency to all parties.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications of adopting the updated Procedure. The limit on the number of speakers which is proposed will ensure that PDMC business is expedited and that the impact on resources will be minimised.

5. LEGAL IMPLICATIONS

- 5.1 It is important that all Interested Parties and applicants are given the same opportunity to make verbal representations to the Committee to ensure a fair, open and transparent decision making process.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications of adopting this Procedure.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No significant risks identified			N/A
Compliance	Procedure is required to comply with requirements of the Code of Conduct	Procedure and guidance notes drafted to comply with requirements of the Code of Conduct.	L	Yes
Operational	Impact on the efficient running of PDMC if there is a lot of interested parties wanting to speak at PDMC.	Procedure has been updated to limit the amount of speakers in an attempt to minimise the impact on the efficient running of PDMC whilst balancing the interests of those wishing to make representations.	L	Yes

		Interested parties have limited time to make their representations.		
Financial	No significant risks identified			N/A
Reputational	No significant risks identified			N/A
Environment / Climate	No significant risks identified			N/A

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2023-2024</u>	
Impact of Report	
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	The proposals in this report have no impact on the Council Delivery
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous Economy Stretch Outcomes	The Council aims to support improvement in the local economy to ensure a high quality of life for all people in Aberdeen. This report seeks to ensure that all people in Aberdeen are able to make representations on planning applications.
Prosperous People Stretch Outcomes	The Council is committed to improving the key life outcomes of all people in Aberdeen. This report seeks to ensure that all citizens of Aberdeen are able to partake in the planning process.
Prosperous Place Stretch Outcomes	The Council is committed to ensuring that Aberdeen is a welcoming place to invest, live and visit, operating to the highest environmental standards. This report provides information in relation to making representations at PDMC.
Regional and City Strategies	N/A

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Stage 1 Integrated Impact Assessment complete.
Data Protection Impact Assessment	Not required.
Other	None

10. BACKGROUND PAPERS

10.1 Planning Development Management Committee Report COM/22/252 reported on 3 November 2022 –

[Representations at PDMC report.pdf \(aberdeencity.gov.uk\)](#)
[Previous procedure note.](#)

11. APPENDICES

11.1 Appendix 1 – Procedure for making representations at PDMC and associated guidance notes.

11.2 Appendix 2 – Table showing breakdown of speakers and applications between December 2022 – November 2023.

12. REPORT AUTHOR CONTACT DETAILS

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APPENDIX 1

Procedure Note on representations at Planning Development Management Committee

This note accompanies the report reviewing the procedure for representations to be made at the Planning Development Management Committee in respect of planning and other related applications by Elected Members, applicants and their agents, objectors/other interested parties who have submitted a representation during the application process.

To comply with the requirements of the Councillors' Code of Conduct all interested parties must have equal opportunity to make a representation.

Any party who wishes to make a representation at Planning Development Management Committee in respect of a planning application will require to submit a request to Committee Services (email to lymcbain@aberdeencity.gov.uk) no later than 12 noon on the Tuesday before the day of the Committee meeting. Planning Development Management Committee meetings are held at the Town House, Aberdeen and are also live streamed. Those who are eligible to make a representation and have registered with Committee Services in time will be allowed to either appear in person at the Town House or virtually via MS Teams. Parties should make clear in their request to Committee Services whether they intend to appear personally or virtually.

No more than five persons will be heard on behalf of each of the supporters or objectors in addition to the applicant/their agent. Requests to make a representation at PDMC will be dealt with on a first come first served basis by making a request as outlined above to Committee Services. Each party will be allowed a maximum of 3 minutes for local applications or other non-planning applications (e.g. listed building consents) OR 5 minutes for major applications to address the Committee.

Where an applicant is employing an agent but also wishes to speak themselves, that is acceptable but only 1 time slot is allocated (i.e. 3 or 5 minutes in total to be shared).

A Guidance Note providing further information on this procedure is available. Parties should not seek to repeat their written statements submitted as part of the planning process and should focus on the main points of their submission or representation. The applicant/agent should summarise their application during their representation. No new information can be introduced at this stage. Parties can read from a prepared statement and are advised to check how long it takes to read to ensure that their representation is no longer than 3 or 5 minutes as applicable.

The Convenor will ask the Planning Officer to give their presentation on the application and the Committee may then ask questions of the Planning Officer. Any parties wishing to make a representation will thereafter be asked to present their representation to the Committee in the following order:

- Community Council
- External Consultees
- Objectors
- Supporters
- Elected Members of Aberdeen City Council for the associated Ward where the application is located, who are not members of the Planning Development Management Committee (such Elected Members should withdraw from the meeting after making their presentation)

- Applicant/Agent

The Committee will be able to ask questions of the spokesperson for each group on conclusion of each respective representation, however no cross-examination between parties will be allowed. The Committee will also be able to ask questions of the Planning Officer on conclusion of each respective representation if necessary to address any queries arising as a result of matters raised in the representations. No questions may be asked of Committee Members or Council Officers by eligible parties. Members of PDMC will then debate the application before making a decision.

Guidance on making representations at Planning Development Management Committee

Introduction

This Guidance Note tells you how the Council will deal with representations at the Planning Development Management Committee (PDMC).

Who Can Attend and Speak at Committee?

Applicants/their agents and/or objectors/other interested parties along with elected members for the ward within which the application is located and consultees who have submitted a representation¹ during the application process will be eligible to speak at PDMC. These parties will be allowed to speak provided they have registered their intent to do so in line with this guidance note.

PDMC will be conducted as a hybrid meeting. The meeting will take place in the Town House, Aberdeen. The meeting will also be live streamed. Those wishing to make representations at PDMC and who are eligible to speak and have registered their intent to do so in line with this guidance note are welcome to either attend at the Town House to do so, or to appear virtually via MS Teams.

Whilst there is no obligation to speak if you do not wish to, any eligible party wishing to make verbal representations to PDMC, **must confirm their intention to do so by sending an email to Committee Services to the following address lymcbain@aberdeencity.gov.uk no later than 12 noon on the Tuesday prior to the date of the Committee meeting; parties who do not do so will not be permitted to speak.**

No more than five persons will be heard on behalf of either the supporters or objectors. Requests to make a representation at PDMC will be dealt with on a first come first served basis by making a request as outlined above to Committee Services. Each party will be allowed to address the Committee for a maximum of 3 minutes for local applications or other non-planning applications (e.g. listed building consents) OR 5 minutes for major applications..

Where an applicant is employing an agent but also wishes to speak themselves, that is acceptable but only 1 time slot is allocated (i.e. 3 or 5 minutes in total).

Agents or proxies may read prepared statements on behalf of people eligible to speak who are unable to attend the meeting – the normal time limits outlined above will apply. However, people who are unable to attend in person cannot transfer the time which they would have been allotted to other parties for their own use. Council Officers or Elected Members will not read prepared statements on behalf of any party who cannot attend the meeting.

E-mails to the Council requesting the opportunity to speak should clearly specify:-

- (i) the planning application reference number;
- (ii) the proposed development and its location;
- (iii) name and address of the person making the request to address the Committee and on whose behalf;
- (iv) a daytime contact telephone number and reserve number if possible;
- (v) the date; and
- (vi) whether the person who will speak at the Committee will appear personally at the Town House or via MS Teams.

No cross-examination between parties will be allowed but any speaker must be prepared to answer any relevant questions from Committee Members.

No materials (e.g. letters, documents, photos, video etc) may be circulated or displayed by prospective speakers either at the Committee meeting or in advance of it as they cannot be legally taken into account by the Committee in reaching a decision.

No new matters shall be raised through any address to Committee, points should be limited to matters already raised in formal representations or the application submission.

Instructions or requests from the Convenor of the Committee must be adhered to by all eligible parties; failure to do so may result in the opportunity for public speaking being withdrawn for that item. All speakers should be respectful and polite and the Convenor can exercise discretion in this regard in terms of whether to allow speakers to continue.

The right to speak applies only in relation to statutory applications (eg planning permission, listed building consent, conservation area consent etc) and there is no opportunity for public speaking for reports on other matters eg. masterplans, planning briefs, planning guidance or policy etc or where the Council is not the decision-making authority (e.g. responses to consultation documents). Requests to speak on reports such as these are done through the Council's deputation request procedure. [Deputation request link.](#)

Please note that meetings will be publicly live streamed as well as recorded and made available online. Accordingly, by indicating you wish to speak at the meeting, please be aware that you are also agreeing to your representation being streamed, recorded and made available online.

What Will Happen at the Meeting?

At the beginning of the meeting, the Committee Officer will outline the procedures to be followed. The Committee will consider each application in turn. The case officer or appointed officer will make a presentation addressing the determining issues accompanied by PowerPoint slides. Any late information, amendments or corrections will be reported at this time. Committee Members may ask questions of officers following the presentation.

Following the officer's presentation the order of registered eligible parties being heard will be as follows:-

- The Community Council for the relevant application;
- External Consultees;
- Third parties objecting to an application;
- Third parties supporting an application;
- Elected Members of Aberdeen City Council for the associated Ward where the application is, who are not members of the PDMC (such Elected Members should withdraw from the meeting after making their presentation); &
- Applicants or their agents.

The Convenor will individually invite those who have confirmed in advance that they wish to speak in respect of the application to make their presentation, after which they may be questioned by Committee Members (no questions may be asked of Committee Members or Council Officers by eligible parties). The Committee will also be able to ask questions of the Planning Officer and any other relevant officers on conclusion of each respective representation if necessary to address any queries arising as a result of matters raised in the representations.

After all the representations have been heard, the members of the Committee will then proceed to consider and determine the application and no further representation may be made by members of the public to the Committee.

What Can I Say and How Long Can I Speak?

Representations on planning applications must be made on the basis of valid planning matters only. Certain matters are **not** normally material planning considerations and will not be taken into account by the Council when deciding on a planning application. These include:-

- Devaluation of property;
- Loss of view;
- Hours of construction;
- Commercial / Business competition;
- Moral and religious issues;
- Matters which relate to other regulatory regimes e.g. Licensing, Data Protection, Building Standards;
- Matters which relate to safety, noise or disruption during construction;
- Civil matters such as the ownership of land or a right of access;
- Perceived Health and Safety risks.

It is not possible to list all the matters with which planning is legitimately concerned. The following are the kind of matters the Committee can take into account before it makes a decision:-

- Council's local development plan and guidance;
- Scottish Government policy and advice;
- Views of statutory and other consultees;
- Planning site history;
- Impact on residential amenity (loss of natural light, loss of privacy, overdevelopment, etc.);
- Quality of the design;
- Impact on the built and natural environment;
- Accessibility, parking and road safety issues;
- Sustainable drainage, flood impact and contaminated land issues;
- Compatibility with other land uses in the area;
- Operational characteristics of the proposals (noise, hours of operation, odour, etc.);
- Loss of trees and landscaping issues; and
- Degree to which an unacceptable proposal can be made acceptable by imposing conditions.

Table showing speakers and applications at PDMC between December 2022 – November 2023

December 2022

6.1	2 speakers
6.2	2 speakers

Two applications in total with 4 speakers in total

January 2023

6.1	1 speaker
6.2	2 speakers
7.1	1 speaker
7.2	0 speakers

Four applications in total with 4 speakers

February 2023

6.1	1 speaker
6.2	2 speakers
7.1	3 speakers

Three applications in total with 6 speakers

March 2023

6.1	4 speakers
6.2	0 speakers

Two applications in total with 4 speakers

April 2023

6.1	2 speakers
6.2	0 speakers
6.3	1 speaker
6.4	3 speakers
6.5	1 speaker

Five applications with 7 speakers in total.

1 June 2023

6.1	7 speakers
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6.2	3 speakers
-----	------------

Two application with 10 speakers in total

29 June 2023

6.1	3 speakers
6.2	3 speakers
6.3	0 speakers
6.4	3 speakers
6.5	0 speakers
6.6	2 speakers
6.7	1 speakers
6.8	0 speakers
7.1	9 speakers

Nine report with 21 speakers

August 2023

6.1	8 speakers
6.2	1 speaker
6.3	3 speakers
6.4	0 speakers

Four applications with 12 speakers in total

September 2023

6.1	0
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One application with 0 speakers

November 2023

6.1	0 speakers
6.2	1 speakers
6.3	4 speakers
6.4	0 speakers
6.5	0 speakers
6.6	3 speakers
6.7	2 speakers
6.8	1 speaker
6.9	1 speaker
6.10	0 speakers

Ten applications with 12 speakers in total.

In total 42 applications have been considered with 80 speakers.