

Appendix 1 – PLA/20/063 Technical Advice Note (TAN) Development Along Lanes

Summary of responses and issues arising from public consultation held from Monday 11 November 2019 to Monday 9 December 2019

Key issue	Officers Response	Action as a result of Representation
1. Old Aberdeen Community Council		
<p>While the principle of the proposed policy is reasonable, we do have concerns that this Policy can be used to over-ride the Supplementary Guidance: 'The Sub-Division and Redevelopment of Residential Curtilages' and also SG: 'Householder Development Guide' which presently provide robust guidance on rights to privacy, garden space, daylight and sunlight.</p>	<p>All Supplementary Guidance (SG) is written as guidance encouraging the creation of high-quality design solutions, and this draft policy takes further steps to provide the parameters for quality development along lanes. Supplementary Guidance: The Sub-Division and Redevelopment of Residential Curtilages states that "Guidance is given to ensure curtilage splits and re-development proposals, when appropriate, will have a positive impact on the street-scene and surrounding area."</p> <p>The Draft TAN 'Development Along Lanes' supports the relevant SG's and goes further in the level of detail provided in order to provide parameters for appropriate design-led solutions in appropriate contexts. The 18-metre window to window distance, which is a typical suburban 'rule of thumb' is used with 'should' rather than a 'must'. Within the SG on Householder Development, the general principle of 'no more than 50% of the front or rear curtilage shall be covered by development', provides another benchmark design parameter to be used in evaluating a proposal as guidance only.</p>	<p>No revision required.</p>
<p>Para 2.3.3 proposes that "around 12m" is sufficient distance between windows in the main building and the mews redevelopment; however, 'SG The Sub-Division and</p>	<p>The noted SG states that there 'should be' 18 metre window to window distance of habitable rooms for a typically suburban layout. Within the city centre there are a great many places where such window to window distance is</p>	<p>No revision required.</p>

<p>Redevelopment of Residential Curtilages' para 3.4 calls for a minimum of 18m.</p>	<p>considerably less and where window size, design and position are to afford necessary privacy, daylight, sunlight, natural surveillance and a sense of community and place. The Draft TAN offers some flexibility in window to window distances and points to window design, landscape design etc as fundamentals.</p>	
<p>The Draft Policy does not consider the reduction of private garden that may occur with the creation of a mews residence;- reference para 3.1 of SG 'The Sub-Division and Redevelopment of Residential Curtilages' which states: "As a general guide, no more than a third of the total site area for each individual curtilage should be built upon".</p>	<p>The Draft TAN is for existing feus within the defined area (see Committee Report Appendix 3) and for new masterplanned sites where the place hierarchy will be planned for in order to appropriately accommodate this type of development as part of a broader mix of dwelling types contributing to sustainable communities and a positive sense of place. The consideration of a 'third' is a 'general guide' and each proposal to be assessed on its own merits within wide planning considerations. The suggestion of courtyard design, communal space, window distance etc all need to be factored in to determine development quality.</p>	<p>No revision required.</p>
<p>The Draft Policy has nothing to say about the importance of maintaining green space.</p>	<p>The Draft TAN is not advocating development on recognised 'greenspace' and would operate largely within the Bon Accord area and the defined parts of the Albyn Place and Rubislaw Conservation Area and for new masterplanned sites. All proposals should be assessed on their amenity give as part of the qualitative assessment and the promotion of soft landscaping is included and very much within a fundamental of creating successful places.</p>	<p>No revision required.</p>
<p>While the draft policy is focused on the City's West End, paragraph 1.2.6 leaves the door wide open for this document to be used throughout the city. We suggest that this should be much clearer; either it should cover the whole city or not. In its present configuration, this Policy is bound to become a</p>	<p>The Introduction to the Draft TAN (Section 1. Overview) provides the applicable geography for the document. However, should proposals come forward for a development along a lane elsewhere in the city the Draft TAN would be a benchmark of assessment. Officers have identified that the</p>	<p>No revision required.</p>

<p>contentious issue during planning applications – as has been found with other SGs or TANs that were developed to address the needs of the city centre.</p>	<p>most likely places to see development along lanes are within the Bon Accord area of the city centre and eastern parts of the Albyn Place and Rubislaw Conservation Area, as well as new masterplanned areas. This, however, does not preclude opportunities elsewhere that can follow the parameters in the draft and offer an appropriate context specific response. The map of the proposed geographical area will be appended to the document if approved by Planning Development Management Committee.</p>	
<p>If this Policy has been raised to address the specific issues arising in the West End, this should be clarified in the title and the specific area should be delineated, either by means of a map, or as a list of streets. If it is to apply to all the city, then specific reference to the West End is inappropriate other than within the context of providing examples.</p>	<p>Response as above. The map is to be appended to the document if the Draft TAN is approved by the Council's Planning Development Management Committee.</p>	<p>Mapped area provided.</p>
<p>The implications on waste storage resulting from sub-division of a terraced property between main building and mews building has not been considered. In this scenario, it is unlikely that the occupants of the main building will be able to deploy their wheelie-bins to the back lane, therefore bins will end up stored at the front, or on the pavement where there is no front garden space. This will have a serious negative impact on the visual presentation of the street and could be even worse if the main building has been subdivided into flats, thus resulting in multiple bins of each category.</p>	<p>Waste storage and collection is a fundamental design consideration. In the recently approved planning applications for development along Bon Accord Crescent, the design solutions have considered communal waste collection points integral to a comprehensive approach to feu redevelopment which is reliant on collection from the lane. In certain urban locations on-street communal waste collection facilities/'eurobins' are used to remove the need for individual wheelie bins per property, and with a significant increase in recyclable collection across the city. Indeed, a consideration of amenity, and not exhaustive, includes external and internal amenity space, including storage.</p>	<p>Commentary on waste collection provided.</p>
<p>Paragraph 1.4.2 makes little sense. Sentence(s) should be re-written for greater clarity.</p>	<p>Noted, the text revised to read - <i>'Today there is a greater understanding and appreciation that the complete form</i></p>	<p>Text clarified.</p>

	<i>of an historic development within its feu, and the social order reflected through architecture and craftsmanship, is just as important as the retention and preservation of the front elevation. Any addition to and beyond the original building envelope must be thoughtfully proposed to enhance the building and the feu as an entity.'</i>	
The term 'angled windows' in para 2.3.2 needs defining	The term 'angled window' is a window set at an angle to the façade in order not to compromise privacy and amenity of an adjoining or nearby property.	Explanation of what is meant by 'angled-windows' provided in revised text.
To maintain consistency, the phraseology of para. 2.4.4; "Proposals along unadopted lanes are unlikely to be adopted", should be repeated in Part 3.q, in place of "... less likelihood...".	Noted, the text revised to read – <i>'Proposals along a lane adopted by Aberdeen City Council, meaning that the lane is maintained by the Council to an acceptable standard which offer direct unhindered access for waste collection etc. are preferred, otherwise the proposal will need to meet the waste management travel distances. In addition, if a lane is unadopted by the Council, its surface condition, lighting levels and uncontrolled parking, as well as the uses along its length, will have a fundamental bearing on the quality of the environment for residential use. Proposals along unadopted lanes are therefore unlikely to be supported.'</i>	Text revised for consistency.
2. Dr W.A. Brogden, Architectural Historian, Author & Academic		
'Approve of your draft document and can only commend it.'	Comment noted and welcomed.	No action required.
3. Historic Environment Scotland		
We welcome the preparation of this policy on development along lanes and consider it clearly sets out the Council's	Comments noted and welcomed.	Section 1.4.4 revised to state the 'Historic

<p>approach for residential mews buildings in the areas that it covers. We also welcome the aspiration for design solutions to be improved in light of the issues identified in Section 1.4.1 of the document. Overall, the approaches set out in terms of guidance for applicants and decision-makers alike should aid in delivering development that is sensitive to its place and adds to the character of these areas.</p>		<p>Environment Policy for Scotland’.</p>
<p>Simply as a point of clarification, in Section 1.4.4 there is reference to “Historic Environment Scotland’s Historic Environment Policy (HEPS)” whereas this should be referred to as the Historic Environment Policy for Scotland. While this policy statement was published by Historic Environment Scotland it belongs to everyone. It therefore covers all those making decisions that could affect the historic environment and sits alongside Scottish Government national policies for addressing land use matters and decisions.</p>	<p>Comment noted and welcomed.</p>	<p>Section 1.4.4 revised to state the 'Historic Environment Policy for Scotland’.</p>
<p>4. Scottish Water</p>		
<p>Developers would be advised to submit Pre-Development Enquiries at their earliest convenience to Scottish Water to permit an accurate assessment of our current ability to service proposed sites. Pre and post development flows and other factors (such as the use of pumping stations) will determine existing capacity within both the immediate water and wastewater networks in particular. Water and Drainage Impact Assessments may be needed for some or all of the sites above. Where network mitigation is identified following these assessments, upgrade works must be funded and carried out by developers. Scottish Water can contribute to upgrade works via Reasonable Cost Contributions. However, it should be noted that in some cases where</p>	<p>Comments noted and welcomed</p>	<p>Text revised to encourage engagement with Scottish Water at an early stage in the development process.</p> <p>Text revised to note that surface water and sewerage must be separated in new development in any context.</p>

significant upgrades are identified, all costs may not be fully recoverable. In addition to the above and for the Development along the Lanes document, it should be noted that Scottish Water may need access to service the sewerage system draining the proposed developments. It is likely that the sewer for older properties will be combined (foul/surface water) and that the portion of surface water should be removed from the sewerage system as part of the development process.