



## Strategic Place Planning

Report of Handling

<b>Site Address:</b>	Wallace Whittle Ltd, 166 Great Western Road, Aberdeen, AB10 6QE
<b>Application Description:</b>	Change of use from offices to form residential flat including installation of replacement windows and doors; installation of roof lights and formation of patio doors from window opening with associated works
<b>Application Ref:</b>	221357/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	11 November 2022
<b>Applicant:</b>	Cito Cimo Properties Ltd.
<b>Ward:</b>	Hazlehead/Queen's Cross/Countesswells
<b>Community Council:</b>	Ashley And Broomhill
<b>Case Officer:</b>	Dineke Brasier

### **DECISION**

Refuse

### **APPLICATION BACKGROUND**

#### **Site Description**

The application site consists of a traditional two storey granite building with a later single storey flat roof rear extension with additional accommodation in the roof space and an enclosed rear garden. The ground floor is covered in cladding panels and incorporates modern, full height windows. The building is located on the corner of Chattan Place and Great Western Road. The ground floor and extension are currently occupied by offices, with residential flats on the upper floors, which are accessed through a door in the side elevation reached through a gate and narrow lane along the side of the building. The application relates to the single storey rear extension part of the building (166A Great Western Road).

The site falls within the Great Western Road Conservation Area and the Chattan Place neighbourhood centre.

#### **Relevant Planning History**

070211 – Proposed office extension – Approved on 2<sup>nd</sup> April 2007.

### **APPLICATION DESCRIPTION**

#### **Description of Proposal**

Change of use of the single storey flat roof extension from offices (class 4) to a two-bed flat (sui generis) with associated alterations, including installation of new windows and French doors in the rear elevation, new front door and roof lights. The existing pedestrian access and rear garden used by the existing upper floor flat (168 Great Western Road) would be shared by the proposed flat.

Additional rooflights would be added to the flat roof, and new windows and French doors installed on the northwest elevation, facing the shared garden area and a new front door.

### **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=RL6BKQBZLBD00>

### **CONSULTATIONS**

**ACC - Roads Development Management Team** – No objections. The site is in a sustainable location in relative close proximity to the city centre and a range of services. No on-site parking provided, which would be acceptable due to the site's sustainable location. Any resident has the option to apply for up to two resident parking permits, one of which should be fixed. The bin store and internal bike storage area are acceptable.

**ACC - Environmental Health** – No comments or observations.

**Ashley And Broomhill Community Council** – No response received.

### **REPRESENTATIONS**

1 neutral letter of representation has been received. The matters raised can be summarised as follows:

- Supportive of application;
- Raises concerns in relation to the proposed relocation of existing air conditioning unit to rear of building serving the offices. This currently has an adverse impact on the residential amenity of 10 Chattan Place, and the owner of that property, and Environmental Health, should be consulted on any potential new position of this air conditioning unit to ensure residential amenity is protected.

### **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.

#### **National Planning Policy and Guidance**

## National Planning Framework 4

National Planning Framework 4 (NPF4) was given final Parliamentary approval on 11th January 2023 and is anticipated to be adopted in February 2023. The weight to be given to NPF4 prior to its adoption is a matter for the decision maker. Although NPF4 has not yet been formally adopted it has now been approved by Parliament and is, therefore, now considered to be a significant material consideration in the assessment of planning applications. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 7 (Historic Assets and Places)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 16 (Quality Homes)

## **Development Plan**

### Aberdeen City and Shire Strategic Development Plan (2020)

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

### Aberdeen Local Development Plan (2017)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within five years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this five-year period. Therefore, where relevant, weight should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: “Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration.

The following policies are relevant –

- Policy D1 (Quality Placemaking by Design)
- Policy D4 (Historic Environment)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)
- Policy R6 (Waste Management Requirements for New Development)
- Policy NC6 (Town, District, Neighbourhood & Commercial Centres)

## **Supplementary Guidance**

Repair and Replacement of Windows and Doors  
Transport and Accessibility

## **Proposed Aberdeen Local Development Plan (2020)**

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. All the recommendations within the Report have been accepted and the modifications made to the PALDP were agreed by Full Council on 14 December 2022. The PALDP constitutes the Council's settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on the relevance of these matters to the application under consideration.

The following policies are relevant –

- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D6 (Historic Environment)
- Policy D8 (Windows and Doors)
- Policy R5 (Waste Management Requirements in New Developments)
- Policy VC8 (Town, District, Neighbourhood and Commercial Centres)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

## **EVALUATION**

### **Principle of Development**

The site is located in the Chattan Place neighbourhood centre, and policy NC6 (Town, District, Neighbourhood and Commercial Centres) of the 2017 Aberdeen Local Development Plan applies. This policy is aimed at protecting existing retail provision and considering proposals for a change of use from retail (class 1) to other non-retail uses. In this case, the existing rear extension is used by an office-based company (class 4) and the proposal would thus not result in a change of use from retail to non-retail and no conflict with policy NC6. The remainder of this policy is therefore not relevant.

Given the site is located within a small neighbourhood centre and is relatively close to the city centre, there is a range of shops and services within walking distance. It would therefore meet the criteria as set out in draft NPF4 policy 15 (Local living and 20-minute neighbourhoods) which emphasises the creation of neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home.

The main issues to be addressed in the evaluation are therefore the general impact of the proposal on the character and appearance of the surrounding area, with special consideration of its position within the Great Western Road Conservation Area, and its impact on existing residential amenity and the quality of living environment created through the proposal.

### **Residential amenity**

#### Neighbouring properties

The impact on residential amenity needs to be considered in two ways:

1. The impact of the proposal on residents of existing nearby properties; and
2. The quality of the living accommodation resulting from the proposed change of use.

In relation to the first, the site is located in an area which has a mixed character, with some commercial office and retail uses on the ground floor and residential on the upper floors, and solely residential buildings in close proximity. 10 Chattan Place to the west is immediately adjacent

to the application property and is a one and a half storey dwelling with enclosed rear garden. To the north is a small office development in Chattan Mews. To the east are one and a half storey dwellings. To the south is the remainder of the building subject of this application that includes a mix of office (class 4) and residential uses. The proposal, due to the low intensity of the proposed use as a single two bed flat, would not result in any adverse impacts on the residential amenity of neighbouring properties. There would be no direct overlooking of any neighbouring properties, nor would there be any overshadowing.

#### Proposed flat

Policy D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan sets out that not all development will be of a scale to make a significant placemaking impact, however all good design and detail adds to the attractiveness of the built and natural environment and careful consideration is key. It refers to the six essential qualities of placemaking: distinctive; welcoming; safe and pleasant; easy to move around; adaptable; and resource efficient. In the supporting text to this policy, it provides examples of how these essential qualities should be met in good development. This policy is substantively reiterated in policy D1 (Quality Placemaking) of the 2020 Proposed Local Development Plan (PLDP). Policy D2 (Amenity) of the PLDP also applies. This policy sets out that '*amenity has an influence on the quality of life of individuals and communities. Poor amenity can have detrimental impacts on health and wellbeing. Buildings must be fit for purpose and meet the needs of users and occupiers.*' The policy continues with providing a list of criteria to ensure all development will provide an acceptable level of amenity.

In this case, the flat would be accessed from Great Western Road through a narrow lane running past the northeast elevation of the building. It would have a front door, but this would not be immediately onto the street. Furthermore, given that the structure is currently a rear extension, it would have no public face to the street, which in turn would reduce the outlook for the property. It is acknowledged that the flat would have access to a private, enclosed rear garden. Windows and doors in the rear elevation would provide natural daylight and an outlook over the rear garden to a living area and the two bedrooms. However, due to the depth of the extension and the layout of the unit proposed, this outlook would be limited to these rooms only. The only other source of natural daylight serving the dining, kitchen and circulation areas would be through rooflights with no windows in any of the other elevations. It should be noted that the rear elevation would be facing northeast and that direct sunlight into the property would thus be extremely limited. As such, it is considered that the proposed development would not provide an acceptable standard of living accommodation in line with policy D1 (Quality Placemaking by Design) of the ALDP and policy D2 (Amenity) of the PLDP.

Furthermore, it would not respond adequately to the site context nor, as a single, independent residential unit set to the rear of the main building, would it reinforce established patterns of development, which is characterised by residential properties with both a public face fronting onto Great Western Road or the neighbouring streets and a private face to a rear garden area, or at least a door to the side of the building. In addition, the main entrance into the unit would be reached through a narrow lane running along the northeast elevation of the premises, set back from Great Western Road. It is considered that this would not form an attractive or well-defined entrance into the flat, nor would it provide a street frontage for the development. It is thus considered that the proposal would not meet the criteria for 'distinctive' or 'welcoming' development as set out in policy D1 (Quality Placemaking by Design) of the ALDP, or D1 (Quality Placemaking) of the PLDP, nor would it meet the criteria for the six qualities of successful places as set out in policy 14 (Design, quality and place) of the Draft NPF4.

#### **Impact on the Great Western Road Conservation Area**

The site is located in the Great Western Road Conservation Area and policy D4 (Historic Environment) of the 2017 Aberdeen Local Development Plan applies. This policy sets out that the

Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, SHEP (now Historic Environment Policy for Scotland – HEPS) and its own guidance. SPP in paragraph 143 sets out that proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance. Policy 7 (Historic assets and places) of the draft NPF4 sets out that development proposals in conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced.

In this case, alterations to the building include the installation of a total of five rooflights in the existing flat roof of the single storey extension; replacement of two modern upvc windows and single door to the rear with two windows, one of which would be full height and replace an existing door, and a set of double doors; and the installation of a new front door. All of these would be finished in upvc. It is considered that in this instance, the replacement of windows and door to the rear made of non-traditional materials and fenestration pattern with doors and windows of a similar non-traditional fenestration pattern and non-traditional materials would have a neutral impact on the property. This is due to their position in the rear elevation of the modern extension. The existing upvc emergency exit door in the front elevation of the extension is proposed to be replaced with a different upvc door. Again, due to its position in the modern extension, and due to its location significantly set back from, and not clearly visible from Great Western Road, this would not have an adverse impact on the character and appearance of the conservation area. Finally, as with the other external alterations to the building, the installation of rooflights in the modern rear extension would not have a detrimental impact on the original part of the building. Taking together, it is considered that all proposed external alterations to the building would have a neutral impact on the character and appearance of the conservation area in compliance with the policies set out above.

### **Parking**

The proposal would not provide any on-site parking. The site is located within a controlled parking area and residents would be able to apply for on-street parking permits. Due to its sustainable location within walking distance to the city centre and close proximity to a number of bus stops, shops and services, a no-car development would be acceptable in this instance.

Safe, secure and covered cycle parking would be provided in the unit and this would be acceptable.

### **Waste**

Sufficient space would be located in the lane running up to the front door for the required number of bins. This would be acceptable.

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

The relevant PALDP policies substantively reiterate those in the adopted ALDP and therefore the proposal is not acceptable in terms of both plans for the reasons previously given.

Policy D2 (Amenity) is a new policy that focuses on providing an acceptable level of amenity for all existing and new development. This policy has been discussed in detail above.

### **DECISION**

Refuse

### **REASON FOR DECISION**

The proposed change of use of the existing single storey rear office extension to a residential flat

is considered not to provide an acceptable level of residential amenity due to its single-aspect nature resulting in a limited outlook from the building, and limited levels of direct sunlight receipt into the dwelling. It is considered that the proposed conversion would not respond well to the site context due to its position to the rear of the main building and public street, resulting in a property that would not have a public face to the street and would be accessed through a narrow lane to the side of the existing building. This would be contrary to the established pattern of development, which consists of buildings fronting onto Great Western Road and neighbouring roads with a private face to the rear. As such, the proposal is considered not to sufficiently address the six qualities of successful placemaking, or the six qualities of successful places.

The proposal is therefore considered to be contrary to the requirements of Policy D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan; Policies D1 (Quality Placemaking) and D2 (Amenity) of the 2020 Proposed Aberdeen Local Development Plan; and Policy 14 (Design, Quality and Place) of the draft NPF4.