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fao: Mr Mark Masson

ref: LRB/240268/DPP

24th July 2024

Dear Mr Masson

11 Victoria Street, Aberdeen AB10 1XB

Change of use from commercial office space into 2no. residential dwellings including formation of french doors from existing window opening, window enlargement to form new openings with Juliet balconies, replacement door and installation of rooflights (rear); reinstatement of railings and gate (front); formation of car parking (rear) and landscaping works with associated boundary treatment

Application Ref: 240268/DPP

Thank you for your letter of 11th July 2024 with attached 'Draft Report of Handling by Development Manager' document.

We were both very surprised and disappointed, that the planning department is still viewing this application with such negativity - especially since the Local Review Panel previously unanimously voted in favour of our earlier and very similar proposal. It was agreed that this scheme sought to bring good/high quality living accommodation to the heart of the inner city for which there is a well-recognised need. We are grateful to the councillors for this decision. It is clear that they appreciated a requirement for such conversions of empty commercial buildings, and for seeking to return them to provide quality residential living, thus allowing our city to be regenerated.

With regard to the report and to summarise - the main planning issues raised appear to be:

1. Assumed reduction in privacy to the rear 'mews' style property.
2. A questioning of the size of the (now) upstairs bedroom at the rear house.
3. A lack of private amenity space for the front house.
4. Safety of the rear lane for access to the rear house.

We are firmly of the opinion that this revised proposal would significantly improve the 'living experience' for both of the proposed properties. This would be achieved by giving much more privacy due to the 'boundaries' of each house being completely self-contained. And, in particular it would provide an improved daily living experience by introducing minor, but important changes the layout of the rear 'mews' property.

Looking at each matter raised in turn.

1. Privacy

The comments below are made with regard to House 2 - the house which fronts to the lane accessed from Albyn Place.

There is already approval for 2 fully glazed patio doors to the back this house. In the previous approved plan layout, a nearby adjacent communal path & entrance passed near to these doors which looked into a bedroom which was located on the ground floor.

It is felt that the new improved layout which includes moving the living accommodation to the ground floor and bedroom to the first floor (swapping them round to a more traditional arrangement) - provides greater privacy. And a self-contained path/garden and main entrance are now proposed which provide access to the rear property only, therefore also affording more privacy. This would ensure that only visitors to the property will be within the path/garden area, and not any occupants/visitors to house 1 as would have occurred with the earlier approved layout.

A new glass entrance door at the rear elevation of house 2 is proposed to maximise natural light within the new living space. This sought to address a previously negative comment from the planner regarding moving the living room downstairs. Although it should be noted, that in fact the daylighting light ratio met the requirements of the Building Regulations without the glazed door. But in a spirit of compromise and taking account of the current concerns being raised regarding privacy, this door glass could either be opaque or replaced/re-instated in solid timber. However, it is felt by the writer that there is really is no compromise of privacy - quite the reverse - now that the living/sleeping space in the house have been swapped. We feel there is FAR more privacy afforded by the current proposals.

The height of the garden fence between House 1 and House 2 garden areas at 1.2m was also noted as being sufficiently low to compromise privacy at the rear of House 2, both in terms of its private garden area and rear elevation at GF level. In principle the applicant would have no objection to the top of this fence being raised to a higher level by condition, should this be considered to be of merit.

2. Size of First Floor Bedroom

The comments below are made with regard to House 2 - the house which fronts to the lane accessed from Albyn Place.

The upstairs bedroom is now fairly large in terms of floor area (29.1sq m). An internal partition with a sliding pocketed door is included to enable this space to be opened up/closed down. This would allow occupants to have a flexible room that could be adjusted depending on requirements. The thoughts behind this included - home office/dressing room/pilates area/art studio etc ... which could then be closed off to provide a calmer sleeping space, away from one's desk, exercise area, piano or easel.

We feel this is the way of modern living - ie offering modern open flexible spaces rather than small boxed rooms ... and therefore, offers excellent quality habitation.

3. A Lack of Private Outdoor Amenity Space

The comments below are made with regard to House 1 - the house which fronts to Victoria Street.

The footprint of the external areas for the amenity of the front house are EXACTLY the same to the previously consented scheme. Which were agreed by the previous panel of councillors as being acceptable before unanimously supporting it at appeal.

However, again in a spirit of compromise we would be happy have the following proposals attached to any consent if their inclusion was thought to be of value.

A) Provide an area of planting of garden shrubs or hedging to the front of the property to screen the front garden from the pavement. This together with the already existing neighbours wall and front of the house would make a lovely 'hidden oasis' of a garden, which since it is west facing would be sunlight for most of the day.

And/or;

B) Re-purpose the rear parking area which is currently consented to provide space for a single car with EV charger and enclosed bike store, as a self contained private garden and sitting out space, which would be suitable for all activities normally associated with a garden, including sitting out and the growing of flowers/vegetables. In any case the bike storage could be retained whether or not the car parking space was to be omitted, giving an available area of 28.1sq m. Ultimately it is felt that it would be in the best interests of the property owners to be able to choose how to use this space, be it for vehicle parking or garden or some combination of both.

It is now proposed to access this space by walking round the block (a distance of some 70m) - as opposed to through the garden and internally via a corridor adjacent to House 2, with the resultant significant improvement in privacy this would provide (see Item 1 above). This garden space would therefore not be directly accessed from House 1 - this isn't unusual in inner city living. In fact it is not different in principal from an allotment garden. And as previously noted, Rubislaw Terrace Gardens are only 100 meters away.

The applicants/agent have consulted directly with Transport Management regarding the implications of the potential loss of a single parking space with car charging for House 1. They have responded by stating that due to the city centre location of both houses, and taking into account other factors, they would not object to the proposals should this come before them - a copy of the relevant correspondence is attached.

4. Safety of back lane

This was addressed at the last appeal. The councillors considered the nature of Albyn Lane which is served by street lighting at the time of the previous planning application. In light of the short distance from this lane to the rear garden (approximately 15m), in consideration of the location of the site within an area of the city which is considered safe, and also in consideration of the proposal to introduce lighting in the rear garden, it was agreed - again unanimously, that the access was acceptable.

It should also be noted that both houses would also be eligible for a city parking permit should residents wish to apply, enabling cars to be parked 'on street.' For House 1 this would perhaps be considered a safer option than using the rear parking space with lane access, and for house 2 the use of solely on street parking with pedestrian access via the rear lane would be unchanged from the currently consented proposals.

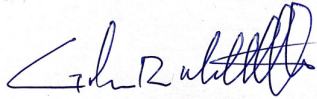
In light of the continuing debate regarding the acceptability of the proposals for this site, we wonder if it would be in the best interest of this project to have a site visit? This would allow all to see its potential, the quality of the living accommodation - easy to comprehend since the existing property is there to see, and just how light and airy both houses are. If it would be considered beneficial for a visit to take place on or before the appeal date of 26th August, this would be more than welcomed by the applicants. In summary, the applicant has viewed this development very much through the 'eyes of the occupants' and has invested real thought into planning into how people live these days - and what is considered the

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best 'quality/layout' in terms of living experience. We feel the current proposed changes to the floor plans are 'minor' with respect to those which have been previously unanimously approved.

Again, we would thank the councillors for seeing the 'bigger picture' in repurposing of commercial buildings which have been lying empty for many years - and bringing them back into the residential use for which they were originally built.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Graham Mitchell', written over a light grey rectangular background.

Graham Mitchell
RIBA RIAS

for and on behalf of

graham mitchell architects