

Statement in Response to Planning Appeal Ref LRB/P24146 Change of use of Commercial garage to form triple domestic garage with upper floor store and external access, , 36 Albyn Place, Aberdeen AB10 1YF

With reference to the Report of Handling lodged in response to the abovementioned application for Local Review and would take this opportunity to make the following comments.

We note the Report of Handling is watermarked DRAFT; however, we assume this is an error and have considered this version as the final statement.

It is agreed with the Planning Service that the key determining factors are as follows:

- Intended use of the ancillary building
- Reconstruction and the resultant impact on its historic nature
- Scale form of the proposed garage and its impact on the historic character.

Background

The application subject to the application for review relates to an application for full planning permission for the change of use of a commercial garage to form triple domestic garage with upper floor store and external access at 36 Albyn Place, Aberdeen (241416/DPP). A concurrent appeal for listed building consent (241415/LBC) is currently pending with the Directorate of Planning and Environmental Appeals.

With a change in working practices and a downturn in the commercial market in Aberdeen, and the availability of purpose-built office accommodation, there has been a reduced demand for office space within the traditional granite villas within the West End, as a result many former offices are now returning to their original residential use. This is the case at No.36 with recent planning consent for the change of use from commercial offices to residential use approved July 2020, Ref 220733/DPP. As part of this change the appellants, who reside at 36 Albyn Place and have undertaken considerable sympathetic works to return the property to its original form, are looking to make best use of the ancillary structures within their ownership creating secure parking and allowing the provision of an electric car charging point. This is of particular significance as there has been recent acts of deliberate fire raising in Aberdeen which has sadly seen a vehicle within the immediate area set alight.

The site subject of appeal relates to two semi derelict garages located to the rear of 35/36 Albyn Place which take access from Albyn Lane. The original villas were constructed in the mid nineteenth century with the garages added later. This is demonstrated by the OS map of 1923/24 which indicates only the garage at 36. The appeal site sits to the rear of the Albyn Place and is unseen from the main public view.

The garages are in very poor condition, with part of the garage to the east, No. 35, partially demolished as part of a Dangerous Buildings Notice Ref E22022 dated 15th December 2022. The garage structures have been variously altered over the years with a corrugated roof installed,

modern steel concertina door and part render finish. The buildings are in a dilapidated state and are an eyesore in the immediate area. Without some sort of intervention, it is likely the buildings will continue to degrade to a point where they are beyond any possible repair.

The wider Albyn Lane and Lanes area of the West End currently accommodate a wide variety of modern and traditional ancillary structures, ranging from single storey, 1 ½ storey and 2 storey, finished in a range of materials and include residential properties, garages, stores, commercial uses etc. Some examples are provided in Appendix 3 and can be viewed on a site visit. It is fair to say that the north side of the lane, where the appeal site is located, includes a range of older and new commercial and residential properties, many of which are two storey. Indeed, it is this variety which contributes to the overall character of the Lanes area.

The current proposal is for the continued use of the garage by the occupants of No.36 providing secure off-street parking and an EV point. The current proposal is for the reconstruction of the garages to create a 3-bay garage, please refer to the submitted plans. 2854-PG01-A & 2854-PG02-A. The three remaining walls of the original garage structure will be retained and incorporated into the new garage building. If there is any concern with regard to the structural integrity of the existing walls, the walls will be carefully removed and reconstructed in the exact location of the original walls and finished in render as per the drawings. It was confirmed to the Planning officer during a previous Planning approval 221477/DPP that remaining granite from the window cut down would remain on site and be reused in the repair of the garage. The boundary wall between the garages, which is currently unseen from public view, will be removed with the remainder of the granite rubble wall which divides the feu, which extends to some 64m, retained. The proposed gable frontage of the garage mirrors the existing gable frontage providing continuity in the rebuild. The proposed pitch of 50 degrees, only a 3 degree increase on the existing roof pitch of 47 degrees which would not be perceptible when viewed on site. The roof height has been marginally increased however, it has been designed to be lower than the immediate neighbouring property on the lane. The garages will provide a 3 bay garage and will include an EV charging point. The upper floor will be used for storage only, if there is any concern the use of this element can be restricted through an appropriate worded condition.

Considering the agreed determining factors:

- Intended use of the ancillary building

The garages originally formed part of the properties at 35/36 Albyn Place when they were first constructed and used in association with the villas when residential homes. When the properties were used as commercial offices the garages were used in association with that use. The appellants purchased the then vacant office in November 2023 with the garages forming part of that sale. Therefore, it is clear that the garages have been used in association with the properties at No.35/36 regardless of the use of these buildings.

A planning application for the change of use of 36 Albyn Place from office to residential homes was approved in July 2022, Ref 220733/DPP. At that time the Report of Handling recognised that the area had seen a rise in the number of offices lying vacant, largely as a result of the downturn in the oil

industry and an increase in the availability of purpose-built office accommodation elsewhere in the city. The change is reflected in the Council's vision for the West End Office Area, with Policy VC6 (West End Area) of the Aberdeen Local Development Plan now having a stronger focus on supporting a mix of uses. When no longer required for a commercial purpose, allowing these historic properties to revert to their original residential use supports fabric of the buildings and vibrancy of the wider area. Further, in allowing this change of use, it is only reasonable to allow the ancillary structures associated with the villa, in this case the garages , to also change their use in line with the main house.

The current proposal relates directly to this change, with No.36 now a residential property it is logical that the residents will seek to use the garages as ancillary to their homes. The appellant and his family looking to make best use of the ancillary buildings within their ownership while creating secure parking and an EV charger assorted with their house.

It is important to recognise that fundamentally nothing will change, the garages are within the ownership of No.36, whether this is a commercial use or now, a residential use. The garages originally formed part of the residential property. The Report of Handling asserts that the garages are "remote and function independently" from the house at No.36, this is clearly not the case. The application seeks a change of use from commercial to domestic specifically related to the property at No.36. While there is a small car park lying between the two sites there is nothing to prevent the garage and house being used in association with each other.

The Aberdeen Housing Holder Development guide provides guidance on a range of extensions and alterations associated with homes and relates to structures within a curtilage. However, there is nothing to hinder an ancillary building associated with a residential property being separate from the curtilage for example domestic garages or lock ups are commonplace in urban areas, these provide garage and storage facilities separate from the curtilage, such as this case.

The background to Policy V6 West End confirms the policy is to "encourage and promote the continual development of this area as a focus for a mix of uses including residential."

Policy V6 states

"The West End Area (as shown on the Proposals Map) comprises a mix of uses including residential, business (Class 4), food and drink (Class 3) and other commercial uses. In this area, the principle of change of use from office to residential will be supported. Applications for all development, including changes of use, must take into account existing uses and avoid undue conflict with the adjacent land uses and amenity."

In the current circumstance, the return to a domestic use of the garage which originally formed part of the residential properties will have a positive impact on the surrounding area making best use of existing buildings, supporting the use of 36 Albyn Place as a home by providing safe secure parking and an EV charging point, there is no conflict with the adjacent land uses and therefore the use of the garages for a domestic purpose associated with No.36 as a residential property supports Policy V6.

- Scale form of the proposed garage and its impact on the historic character and reconstruction and the resultant impact on its historic nature

These matters are interlinked and will be considered together. 35 and 36 Albyn Place are designated Category C listed. Historic Environment Scotland's listing description for 36 Albyn Place provides a helpful factual description of the properties and includes mention of the 4-bay double villas with Italianate detailing making mention of the gate piers and boundary walls to the north. There is no mention of the garages.

The Statement of Special Interest provided alongside the list description confirms the importance of the villas as part of the wider street scheme with the gates and walls to the north of the villas and the Italianate detailing being of interest. Again, no mention is made of the garages. All the elements of special interest are to the front of the main villas, none of these features are seen from the rear. As a result, the proposed reconstruction of the garages have no impact on any of the historic features of special interest.

The site subject of appeal is also included within the Albyn Place/Rubislaw Conservation Area. No 36 Albyn Place is located in character Area B of the Conservation Area (Queen's Road and the south side of Albyn Place). Albyn Place is described as having been developed as a set of high-quality houses set within their own large back gardens. However, while the Appraisal identifies a number of exemplar or particularly significant buildings in the area, 36 Albyn Place is not one of these.

The Appraisal then goes on to describe the area within which 36 Albyn Place is located as having experienced many changes in back garden areas referring to the rear lanes being used for access. The Appraisal goes on to recognise that there have been a number of back lane developments of existing coach houses or the creation of new premises. These have typically taken the form of two storey developments which are usually accessed from Albyn Lane. Within the conservation area, the use of granite predominates, both ashlar and course, with the roof generally slate. Within Albyn Place, the back, lanes are characterised by wall /garage/features, with the diversity of buildings seen as a strength within the area.

Albyn Lane runs the full length of Albyn Place and includes a number of modern additions and alterations, particularly to the north of the lane, most notably, to the east No.34 includes a mews type house constructed on the heel of the pavement and includes dormer windows. No.32 and No.30 are small infill housing developments. As demonstrated in Appendix 3 there are a wide variety of buildings and garages within the lanes areas, there are of a variety of ages, uses, scale, design and finishings, however these all, in their own way contribute to the character of the area. While all development is considered on their individual merits, structures developments demonstrate the evolving nature of the area which has not detracted from the quality or historic character of the surrounding area.

The proposed development is for the reconstruction of the garages. The existing built form will be respected while making best use of the land providing secure parking, an EV charger and storage for

the residents of the main house. The design has been carefully considered, it is of a modest scale and reflects the established layout of the site and surrounding area. The building will be finished with reclaimed granite to the south/public elevation with the remaining elevations finished in a wet dash. The roof will be finished in natural slate with conservation style rainwater detailing. Conservation area velux will be included in the south, east and west elevations. The building, which is to the rear of the houses, will not impact on the character or appearance of the of the main house, Albyn Place or any of the features of special interest. The development is of a size and form which is in keeping with the lane, it is of smaller scale, with a roof ridge similar to the existing garage structure which has a lower roof than adjacent house. As a result, the proposed design will ensure the special architectural and historic interest of the main building and surrounding area will be preserved, indeed the reconstruction of the semi derelict garages will bring a positive contribution to the amenity of the area.

Considering the relevant policies and advice of relevance to the current proposal.

National Planning Framework 4

Provides several spatial principles, of relevance to the current proposal are:

- Conserving and recycling assets - The proposal makes productive use of an existing buildings and allows the provision of a secure EV charger.
- Local living - The small development supports the reuse of the main villa back to the original residential use, providing safe and secure parking within an area which has experienced anti-social behaviour.

The current proposal fully aligns with these spatial principles as it will result in the reuse of existing garages within the settlement boundary.

The development further meets the tests of successful places in that

- **Healthy:** Provides safe and secure parking for the residents.
- **Distinctive** – the proposed design responds to the site context, being of high-quality design and materials, complementing those of the existing streetscape and reinforcing the established pattern of development while having no adverse impact on important views,
- **Pleasant** – Reconstructs an unsightly and semi derelict building, making a positive impact on the adjoining uses, while not resulting in any invasion of privacy or overshadowing. Providing secure parking for the residents in an area which has been the subject of vandalism and anti-social behaviour
- **Connected:** Makes best use of a land and buildings in an urban location
- **Sustainable:** Represents the efficient use of land and buildings while allowing the provision of a secure EV charger in an area on the edge of the Aberdeen City LEZ.
- **Adaptable:** Provides adaptable ancillary accommodation for the main house.

Policy 7 Historic assets and Places

Policy Intent: To protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Policy Outcomes:

- The historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change.
- Redundant or neglected historic buildings are brought back into sustainable and productive uses.
- Recognise the social, environmental and economic value of the historic environment, to our economy and cultural identity.

Policy 7 (c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest

Response: In the current circumstances it is submitted that the garages which are currently in poor condition are an eye sore in the immediate area. The garages, which are a later addition and are of no special interest, have been significantly altered over the years. The garages are set some distance from the rear of the main villas and will not have any impact on the historic character of the houses or any feature of special interest.

The proposed development will result in redundant and neglected buildings being brought back into a productive use, which in turn supports the return to the original residential use of the main villa at No. 36 Albyn Place. The proposed garage will include an EV charger which supports the transition to net zero. The reconstruction of the garage will retain as much of the original walls as possible, with the side and rear walls retained. Much of the front facing wall facing the lane has already been removed due to damage with the opening of the large concertina doors, this will be reduced and finished with reclaimed granite. The building has been designed to respect the scale and form of the original garages. The proposed garage will be subservient in form to the main house while maintaining a similar form and scale to the built form in the immediate area, including the neighbouring property.

Therefore, it is submitted that proposal achieves the Policy outcomes as it will bring back into a productive use a neglected building, in turn this will make a positive contribution to the wider area. The proposed building has been designed to respect the buildings of special interest while preserving the character and setting of the area. Finally, the reuse of the garages supports the recent change of use of No.36 back to a residential use, which in turn helps support the vibrancy of the West End.

Therefore, the proposal complies with Policy 7.

Policy (Brownfield Development, Vacant and Derelict Land and Empty Buildings)

Policy Intent is stated as “To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.’

Policy 9(a) supports development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings, whether permanent or temporary, will be supported.

Response: Clearly, the reuse of the existing garages bringing the buildings back into a productive use complies with Policy 9.

Therefore, it is submitted that the proposal complies with the spatial principles and relevant policies of NPF4.

Historic Environment Policy Scotland

Provides a policy statement which directs decision-making that affects the historic environment looking to ensure that changes to specific assets and their context are managed in a way that protects the historic environment.

HEP1 Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breath and cultural significance.

HEP4 Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

HEP5 Confirms that decisions affecting the Historic Environment should contribute to the sustainable development of communities and place.

A core principle of SHEP recognises that change is inevitable, and change is necessary for places to thrive.

Manging Change in the Historic Environment- Demolition of Listed Buildings.

The definition of demolition being provided as “total or substantial loss of a listed building”. It is submitted that the current building will be demolition of the of the garages rather the reconstruction of the structures. However, in considering this advice the following matters have been considered:

- Is the building no longer of special interest?

Response - from a review of the list description and the Statement of Special Interest, it is clear that the main villa along with the Italianate detailing and the gate piers and boundary walls to

the north are the features of special historic interest. The garages subject of the current appeal, which are later additions, are set to the rear of the main buildings as a result the proposed reconstructed garage will not impact these historic features.

The garages are clearly in very poor condition, as demonstrated by the dangerous building notice Ref E22022 which resulted in part of the garage structure being removed. The garages have been much altered over the years with raised gables, corrugated roof installed, modern steel concertina door installed and render finish over a mixture of materials including granite, brick & concrete block work. Part of the east section of the building has been substantially removed including the roof for safety reasons.

There is no specific mention of the garages in the list description or the Statement of Special Interest, this may be due to the fact that they are later additions. Therefore, it is submitted that the garages are of no special interest.

- Is the building capable of meaningful repair?

Response: It is submitted that the current proposal represents the meaningful repair, with the remaining external walls retained, the built form maintained, and a new structurally sound building constructed.

In the current circumstances the granite villas at 35/36 Albyn Place are of considerable historic interest within the street and contribute to the conservation area. The garages subject of the appeal lie to the rear of Albyn Place and are unseen from main public view. The proposed replacement garage will front onto the service lane, will be of subservient scale while maintaining a similar form and profile to existing structures along the lane, which helps to reinforce the established built form. The reuse of the structure will provide safe and secure parking allowing an EV charger to be provided for the residents resulting in an active use for the building which in turn contributes to sustainable development, supporting the return of the main villa to its original residential use.

Therefore, while total demolition is not proposed, it is submitted that the proposal complies with the advice of HES in that what remains of the original structure will be reused creating a new garage structure which reflects the use, built form, scale and nature of the lane and the existing ancillary buildings which face onto the lane. The proposed garage will not harm the character or appearance of the listed building or the conservation area as it is set some distance from the main house and is away from main public view. The reconstructed garage will continue to be subservient in scale and maintains a similar form and profile to the existing garages on site which in turn will reinforce the built form within the lanes. Indeed, it is submitted that the reconstruction of the garages will have a positive impact on the area with the removal of unsightly dilapidated buildings.

Aberdeen City Local Development Plan

Policy D6 Historic Environment requires that

“Development must protect, preserve and enhance Aberdeen’s historic environment, including its historic fabric.

There will be a presumption in favour of the retention and appropriate reuse of historic environment, historic assets, and heritage assets that contribute positively to Aberdeen's character."

It is submitted that the proposed reconstructed garages are compatible with the existing villa and the existing ancillary properties which currently face onto Albyn Lane. The scale, massing and materials are similar to those in the immediate area. The palette of materials reflects the surrounding area and includes the reuse of the existing granite on the main elevation, the variety of materials assists in reducing the massing to the street.

The renovation will bring a net improvement to the lane with the removal of an unsightly dilapidated buildings, allowing new secure parking associated with the main villa which has recently been converted back to a residential use, which in turn supports the vitality of the wider area.

As demonstrated in Appendix 3 there are a wide variety of garages within the lanes areas, these demonstrate a variety of age, use, scale, design and finishings, however all, in their own way, contribute to the character of the area. The previous alterations and infill developments demonstrate the evolving nature of the area which has not detracted from the quality or historic character of the surrounding area.

Therefore, overall, it is submitted that the proposal will preserve and enhance Aberdeen's historic environment and therefore complies with Policy D6.

Policy 7 Our Granite Heritage requires that

"The retention and appropriate re-use, conversion and adaption of all historic granite buildings, structures and features, including setted streets, granite kerbs and granite boundary walls.

Proposals to demolish any granite building, structure or feature, partially or completely, will not normally be granted planning permission, conservation area consent or listed building consent.

Any listed building; structure or feature in the curtilage of a listed building; or any unlisted building, structure or feature in a Conservation Area, may only be demolished where:

- evidence is provided to demonstrate that every effort has been made to retain it, and:
- It is no longer of special interest or cultural significance; or
- It is incapable of meaningful repair; or it can be demonstrated the demolition is essential to delivering significant benefits to economic growth or the wider community; or
- Its repair and reuse is not economically viable and that it has been marketed in an open and transparent manner.

To be clear, the current application is for the reconstruction of the garages. In their current form the buildings are of no special interest, the garages are in a very poor condition, with part of the building having been removed for health and safety reasons. The buildings have been altered over

the years with little of the original structure remaining. The garages are of no special interest or cultural significance.

The proposal will result in the meaningful repair with the reconstruction of the garages on the same site. The remaining walls will be reused with new garage structure built which replicates the form and character of the existing garages. Care has been taken with the design to ensure no detrimental impact on the surrounding area. The resultant garage will be of a form, scale and design appropriate to the lanes location, being subservient to the main villa and of similar scale to the neighbouring buildings. It was confirmed to the Planning officer during a previous Planning approval 221477/DPP that remaining granite from the window cut down would remain on site and be reused in the repair of the garage.

In terms of the loss of a small part of the feu boundaries, it should be recognised that there are many examples in the surrounding streets where the historic feu has been amended in order to allow new development examples can be seen at:

- No 2 Albyn Place
- No 26 Albyn Place
- No 31 / 32 Albyn Place
- Albyn Hospital No 21 Albyn Place
- Albyn School 17 – 23 Queens Road
- No 40 Queens Road
- Malmaison Hotel 49 – 53 Queens Road
- Chester Hotel 55 – 63 Queens Road
- No 68 Queens Road
- No 80 Queens Road

As confirmed by SHEP, change is inevitable, these earlier changes have not had a significant impact on the quality of the historic environment. The vast majority of the feu will be retained, only a small part, already unseen, will be removed. At any point in the future, if appropriate this can be reinstated. A marking could be made within the garage floor as a record to show the location of the hidden wall.

Therefore, it is submitted that the proposal complies with Policy D7.

Development Along Lanes, A Technical Advice Note

This document provides advice to those looking to develop in the lanes, by implication recognising that development is appropriate.

Para 1.4.5 acknowledges that while residential use might be more suited, other uses are also acceptable. In the current circumstances the garages will be returned to a residential use, therefore the principle of the domestic garage is supported. The advice recommends a number of steps in

bringing forward plans to develop within the lanes, these have been adhered to by the appellants architect and include,

- Step 1. Find out what was there before - in the current circumstances we know what is on site currently, the proposal is to reconstruct the shape, form and use of the existing structures.
- Step 2. Record and evaluate - The design has been carefully developed to reflect the garages currently on site and the neighbouring property. The existing garage walls will be reconstructed with the front/public elevation finished with reclaimed granite with the remaining elevations finished in a wet dash. The current 2.6m high concertina door will be reduced down to a 2.25m high door. The current ceiling height of 2.9m will be reduced down to 2.8m. The roof will be finished in natural slate with conservation style rainwater detailing. Conservation area velux will be included in the south, east and west elevations. The proposed stair will be unseen from public view. The building, which is to the rear of the houses, will not impact on the character or appearance of the of the main house, Albyn Place or any of the features of special interest. The development is of a size and form which is in keeping with the lane, it is of smaller scale, with a roof ridge similar to the existing garage structure which is lower roof than adjacent house. As a result, the proposed design will ensure the special architectural and historic interest of the main building and surrounding area will be preserved
- Step 3. Window to Window distances - there is no issue of overlooking or loss of privacy or amenity for neighbouring properties.
- Step 4. Amenity - the proposal is for the continued use of the site for a garage and therefore no issue of amenity.
- Step 5. How Accessible is the proposed site - there are no issues with accessibility.
- Step 6. Built Form - As stated the built form reconstructs the existing buildings.

Therefore, it is submitted that the proposal follows the advice provided by the Development in Lanes.

The Report of Handling further refers to guidance on Householder Development, this notes that garages are “traditionally” single storey, however, goes on to confirm that an additional storey can be accommodated. The proposed garage does not include dormer windows, rather conservation style velux are proposed. The access to the upper floor is from an external stair, however again this is unseen from public view and will have no impact on the overall appearance of the garage. In addition, there are examples of external stairs within the immediate vicinity of the application site external access stairs can be viewed to the rear of 33, 35 & 36 Albyn Place and 80/82 & 84/86 Stanley Street.

The reconstructed garage has been designed with care, it remains subordinate to the main villa at No.36, the building looks to replicate the developments within the immediate area and gives the appearance of a single storey building, while the access is external, this is unseen from public view. The scale and design reflect the neighbouring building, although it must be appreciated that the area includes a range of building types and designs. The reconstruction will have a positive impact on the immediate area, by removing an existing semi derelict building which has become an eye sore.

Therefore, on balance the proposal complies with the guidance provided by The Householder Development Guide.

Transport and Parking

There is no objection from the Roads Development Management Team to the proposal.

As stated the site is currently garages, this use will continue and as such the site will not create any additional parking. The existing house is well placed for active travel routes. The proposed garage will allow for the provision of a secure EV charger and therefore supports sustainable transport.

Albyn Place and Rubislaw Conservation Area.

The appeal site sits within the Albyn Place/Rubislaw Conservation Area. The Conservation Area Appraisal makes reference to the rear lanes being used for access. The Appraisal recognises that there have been a number of back lane developments of existing coach houses or the creating of new premises. These have typically taken the form of two storey developments which are usually accessed from Albyn Lane.

Within the conservation area, the use of granite predominates, both ashlar and course, with the roof generally slate. Within Albyn Place, the back lanes are characterised by wall /garage/features, with the diversity of buildings seen as a strength within the area.

Within Albyn Lane there have been a number of alterations and extensions, and infill development, particularly to the north of the lane. The current proposal will continue the scale, nature and form of buildings within the rear lane. While the reuse of the dilapidated building will bring a net environmental and visual improvement to the area.

Response to Comments in The Supporting Statement

The current non determination appeal was lodged in frustration at the lack of progress with the planning application. The application was lodged on the 4th of December 2024, despite numerous telephone calls, which went unanswered and additional email requests to the Planning officer no progress had been made. While the pressures in the Planning Service are appreciated, in this instance the allocated Planning officer knows the property well having been involved in ten planning applications from 2022 to date. All applicants must have a reasonable expectation that an application will be dealt with efficiently and within reasonable a timeframe. Further frustration was felt by the applicant when in an email reply from the Planning officer dated 20th January 2025 noted that she would not discuss any matters of the application until such time as she had received Roads Department comments, the online portal notes that the Roads Department had issued their response a month earlier on the 20th December and had no comments or objections to the proposal.

With regards comments related to vandalism, deliberate fire raising was experienced in the area with a vehicle set alight on Albert Street. The Council describes this as one incident which is not in close proximity. For clarity Albert Street is a short walk to Albyn Lane, approx. 400m distance. The vehicle was parked in an open office car park similar to the surrounding area of the application site. The Police Scotland report for The Queens Cross and Harlaw Community Council confirms 21 crimes were recorded in the area in February 2025, increasing to 34 crimes recorded in March 2025, please refer to Appendix 1 and 2. These included anti-social behaviour, vandalism and an attempted theft of a vehicle from Albyn Grove. This information has been included to demonstrate the need for residents to have safe and secure parking associated with their home.

The Planning Service have commented that there are parking spaces to the front of the house. With respect this is a busy main road with significant road and pedestrian traffic passing at all hours. The appellant owns high value cars for which he requires secure parking. This is not an unreasonable aspiration. Council policy encourages the mixed-use nature of the area, to encourage residents to live in the city centre ancillary facilities, such as secure parking, must be provided.

In terms of the proposed reconstruction, the appellant will make every effort to retain the existing walls and is confident this can be achieved. However, if it is not possible careful removal and rebuild will be undertaken. Again, this demonstrates the appellants commitment to a high-quality development which respects the surrounding area.

Precedent, all planning applications are considered on their own merit. Any possible issue of cumulative impact will be assessed as and when individual planning applications are considered.

Conclusion

At present the existing garages are in a very poor condition, with the eastern garage already partially demolished due to health and safety concerns. The existing garages which are a later addition to the properties at 35/36 Albyn Place are not mentioned in the list description or the Statement of Special Interest. The garages have been much altered over the years and as a result they are of little if any special interest. The reconstructed garage has been designed to be subservient in scale while maintaining a similar form and profile to the existing garages on site, this in turn will reinforce the built form within the lanes. The garages are located to the rear of Albyn Place, set some distance from the main villas, and are substantially unseen from main public view and as a result will not impact any feature of special architectural or historic interest.

The proposed change of use will, in effect, maintain the status quo, the garages remain associated with the main villas at No.36/35 regardless of use. The reuse and reconstruction of the garage is proposed as part of the wider reuse of No.36 returning the property to its original residential function, this use is supported by Aberdeen City Council ensuring the vibrancy of the West End. The residents are looking to make best use of the ancillary structures within their ownership allowing the residents to benefit from safe and secure parking. The proposed garage will include an EV charger which supports the transition to net zero, which supports the wider goals of the Scottish Government.

The proposed reconstructed garage will be architecturally compatible in design and scale with the original garages and the surrounding context. The garage will be similar in scale to the neighbouring house while remaining subservient to the original villa at No.36. The wider Albyn Lane and Lanes area of the West End currently accommodate a wide variety of modern and traditional ancillary structures, ranging from single storey, 1 ½ storey and 2 storey, finished in a range of materials and include residential properties, garages, stores, commercial uses etc. The north side of the lane, where the appeal site is located, includes a range of older and new commercial and residential properties, many of which are two storey. Indeed, it is this variety which contributes to the overall character of the Lanes area.

While the reconstruction will require some down taking, the external walls will be reconstructed with the original granite incorporated into the final build. Granite retained on site from previously approved house alterations will be reused within the proposal. The majority of the granite rubble boundary wall between the properties will be retained with only a small section, currently unseen from public view, removed. The garages are of little special interest given their current condition and the alterations and down takings which have occurred over the years, in fact the dilapidated buildings are an eyesore and detract from the area. As a result, the proposal will bring a net improvement while supporting the main villa at No 36 to a return to a residential use.

The proposed reconstruction of the garages will preserve the historic character of the area. The proposal has no detrimental impact on the character or environmental quality of the listed building or surrounding conservation area by virtue of size, design and materials and is considered to comply with the relevant policies of National Planning Framework 4, Aberdeen Local Development Plan, including the various guidance and advice, Scottish Historic Environment Policy and as a result we respectfully request that the appeal is upheld and planning consent granted.

Appendix 1 Police Scotland report for The Queens Cross and Harlaw Community Council Feb 2025

Appendix 2 Police Scotland report for The Queens Cross and Harlaw Community Council March 2025

Appendix 3 Examples of garages within the Lanes of Conservation Area