



Planning Development Management Committee

Report by Development Management Manager

Committee Date: 19 June 2025

Site Address:	31 - 32 Albyn Place, Aberdeen, AB10 1YL
Application Description:	Change of use and conversion of fire damaged former office (class 4) to form 6no residential flats (sui generis), erection 2 storey extension with terraces, installation of 2 new dormers and formation of garden to the rear, reinstatement of fire damaged roof and dormers of No 32, formation of 3 car parking spaces, bin and cycle store and installation of new rooflights to the front
Application Ref:	241162/DPP
Application Type	Detailed Planning Permission
Application Date:	11 October 2024
Applicant:	Albyn Court Ltd
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Queen's Cross and Harlaw



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RECOMMENDATION

Approve Conditionally & Legal Agreement

APPLICATION BACKGROUND

Site Description

The property at 31-32 Albyn Place comprises a pair of semi-detached traditional granite-built dwellings, that were latterly converted and extended for office use. They are located within the Albyn Place and Rubislaw Conservation Area but are not covered by a listed designation. The property sits on a north – south orientation with the formal frontage to Albyn Place presenting 1½ storeys in height over a basement, but to the rear, due to levels, the buildings are 2½ storeys. 32 Albyn Place suffered significant fire damage and as a result the roof and some windows have been lost. The original doors and windows are still present within 31 Albyn Place. Metal railings are present on the stepped access to the front and the lightwells to the basement, but those on the low front boundary wall, were removed many years ago.

To the front on Albyn Place, the original grand in-out layout of the garden and vehicular access remains, with a large mature beech tree present that is covered by a Tree Preservation Order which also covers the other trees along Albyn Place, showing its significance within the streetscape.

To the rear is a cleared site, where a large brick extension previously stood and the remnants of the disused car park. The whole feu of the two buildings extends to 2520 sqm but this application site equates to 1596 sqm. The remainder of the plot has consent for four properties, accessed from Albyn Lane (application reference 230386/DPP).

The south side of Albyn Place is characterised by granite villas large extensions of varying quality and design, as a result of changes in the past from large private dwellings to office accommodation, particularly oil-related and professional service uses. Directly to the east at number 30, occupied by Albyn Medical Practice, is a large extension running approximately 14m along and built on the boundary wall and has a two storey blank gable facing into the application site. To the west, at 33 Albyn Place is another large extension currently in office use. The extension at 33 Albyn Place has ten large windows, spread across two levels and looking east into 31-32 Albyn Place.

Relevant Planning History

- 210311/DPP – Detailed planning permission for change of use from and conversion of offices (class 4) to form 16 no. residential flats (sui generis), including the removal of existing link to form separate buildings, various alterations, formation of parking to rear and installation of railings to front was appealed on the basis of non-determination of the application and was refused by Local Review Body on 21 April 2022.
- 220666/DPP – Detailed planning permission for change of use from class 4 (office) to form 2 no. residential dwellings, including demolition of office extension; alterations/replacement of windows; re-instatement/alterations of access doors; installation of replacement rooflights; gate replacement with associated works was approved under delegated powers on 17 August 2022 under delegated powers.
- 220670/CAC – Conservation area consent for substantial demolition of office extension was conditionally granted consent on 29 July 2022. The extension has now been demolished.
- 230386/DPP – Detailed planning permission for erection of 4 dwellinghouses with associated access, landscaping and car parking was approved conditionally on 19 January 2024 under delegated powers.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the change of use and conversion of 31-32 Albyn Place to form six residential flats and includes the reinstatement of the roof and dormers on the fire damaged building. The proposal would also include the formation of a two storey extension with terraces to the rear. The extension would extend around 6.6m in height, with a maximum projection of 5.5m from the building at lower ground floor level and 3m at ground floor level. Each property would have a private terrace, which diminishes in size, as you go up the building. The flats vary in size with the largest containing three bedrooms and measuring around 146 sqm and the smallest a two bedroom property, set within the attic space, measuring around 103 sqm. All have generously proportioned rooms.

Other elements of the proposal include:

- Installation of two new peinded dormers to the rear.
- Formation of a garden area to the rear to include private for the lower ground floor flats and communal for the remaining four flats.
- Formation of bin stores to the front.
- Formation of cycle stores to the rear.
- Installation of new rooflights to the front.
- Installation of railings on the front wall.
- Formation of three parking spaces to the front.
- Construction of a retaining wall to level the rear garden, using the down takings of granite from the rear elevation.
- Replacement of fire damaged windows.
- Alterations to window openings to the rear to form doors.
- Reinstatement of feu boundary wall between 30 and 31 Albyn Place.

Amendments

- Extension at lower ground floor level reduced in length from 8m to 5.5m, at ground floor level from 4.1m to 3m and at 1st floor level catslide dormers off wall head to peinded dormers.
- Extension at lower ground floor level reduced in width from 12m to 10.5m, at ground floor level from 12m to 8.5m and at first floor level catslide dormers to peinded dormers.
- Amendments to garden proportions and layout.
- Addition of traditional railings to the front wall.
- Redesign of bin stores.
- Redesign and relocation of cycle stores to rear.
- Reuse of granite downtakings within retaining and rear feu walls.
- Reduction of proposed car parking provision from four,(with two additional potential spaces shown on the grass) down to three.

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=SKQ10JBZK5X00>

- Heritage Statement version 2 (April 2025)

- Supporting Planning Statement Version 3 (April 2025)
- Tree Survey (8 January 2025) Astell Associates.

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 formal objection from the Council in its capacity as roads authority.

Determination of the application therefore falls outwith the scheme of delegation.

CONSULTATIONS

Aberdeen City Council (ACC) Internal Consultees

ACC - Developer Obligations –

Secondary Education - £3,655

Healthcare Facilities - £5,002

Open Space – £1,243

Affordable Housing Requirement – This site is located within the affordable housing wavier area.

ACC - Roads Development Management Team –

Object to the proposal on the ground of insufficient on-site parking. Parking standards for six flats would be 1.5 spaces per unit. In this circumstance, given the site's location, accessibility to sustainable transports means and proposed cycle parking/storage, it is advised that one parking space per flat/unit (six total) would be considered acceptable level of provision. The most recent proposals for this application show the provision of three parking spaces which is a shortfall as per the standards stated above, which would not be considered acceptable. The applicant was advised that such hybrid volume of parking (three) would not be considered acceptable with concerns that this encourages future residents to 'think' they will get parked rather than getting an on-street parking permit, therefore the demand for only three spaces would be oversubscribed and potential for residents to rogue park within the front loop impacting access/egress for others within the site. It was advised most recently that the two options that could be allowed was for minimum one parking space per flat/unit (six total) or the provision of one disabled space only and effectively the site becomes a 'no car' development given its proximity to city centre, access to public transport and potential any parking accommodated within CPZ via permit. As the applicant has not amended the proposals, it required Roads Development Management to assess the application in its current form of 3 spaces which as per above is not acceptable.

The site is located in inner city boundary and lies within controlled parking zone (CPZ) N. This site would remain served by direct access onto the adopted footpath network along Albyn Place, which provides connectivity to the wider area and city centre. It is noted that the site would be served by on-road cycle lanes along Albyn Place which provide connection to further recommended cycle routes by Aberdeen City Council and Aberdeen Cycle Forum. Noted site would be well serviced by public transport provision given Albyn Place forms part of a regular bus route in and out of the city centre. The nearest bus stop is within 100m of the site.

It is noted that the site proposes to provide cycle parking/storage provision of the necessary volume of, one cycle space per unit (six total minimum). However, the proposed provision of storage is not considered to be fully secure for the likes of long term storage and should be fully covered and secured.

Note that the existing site access which allows an in/out operation would be retained and does not require alterations and as such is acceptable. If changes are proposed or required further detail would need to be submitted.

ACC - Waste And Recycling –

Do not object to the proposal but request that it is ensured the bin stores will be of appropriate dimensions to accommodate the bins for the site.

External Consultees

Queen's Cross and Harlaw Community Council – No response received

REPRESENTATIONS

None

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

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 7 (Historic Assets and Places)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)
- Policy 24 (Digital Infrastructure)

Aberdeen Local Development Plan 2023

- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D4 (Landscape)

- Policy D6 (Historic Environment)
- Policy D7 (Our Granite Heritage)
- Policy NE2 (Green and Blue Infrastructure)
- Policy NE5 (Trees and Woodland)
- Policy R3 (New Waste Management Facilities)
- Policy R6 (Low and Zero Carbon Buildings and Water Efficiency)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy VC6 (West End Area)

Aberdeen Planning Guidance

- Amenity & Space Standards
- Landscape
- Materials
- Natural Heritage
- Open Space & Green Infrastructure
- Repair and Reinstatement of Cast Iron Railings
- Repair and Replacement of Windows and Doors
- Transport & Accessibility
- Trees & Woodlands

Other National Policy and Guidance

- Historic Environment Policy for Scotland
- Managing change in the historic environment – extensions, windows and doors

Other Material Considerations

- Albyn Place and Rubislaw Conservation Area Character Appraisal and Management Plan

EVALUATION

Key Determining Factors

- The acceptability of the conversion of the two vacant properties located within the West End Area, as defined in the Aberdeen Local Development Plan.
- The requirement to provide an appropriate level of amenity for future residents.
- The preservation or enhancement of the Albyn Place and Rubislaw Conservation Area.

Principle of Development

Within the Aberdeen Local Development Plan 2023 (ALDP) this site is covered by Policy VC6 (West End Area). This policy 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*”. It goes on to state that the principle of the change of use from office to residential will be supported, but that applications must take into account existing uses and avoid undue conflict on adjacent land uses and amenity. It must consider amenity for future users as well as existing residents in proximity to the site.

National Planning Framework 4 (NPF4) Policy 15 (Local Living and 20 Minute Neighbourhoods), promotes and encourages the application of the place principles and creates connected and

compact neighbourhoods, where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by sustainable modes of transport.

In terms of the proposed use, the surrounding context on Albyn Place is predominantly offices and commercial premises. The property is set back from the street on a consistent building line. There would be no conflict between the proposed uses and the existing surrounding uses. The properties are well sited, to connect into the city centre and future residents daily needs could be easily met within 20 minutes of the site. Consent was previously granted for the conversion of these two properties to two houses. As such the principle of residential development on this site is acceptable and welcomed, subject to compliance with other policies within the development plan including consideration being given to design, parking, conservation and amenity. The principle of residential use accords with policies Policy VC6 (West End Area) of the ALDP and Policy 15 (Local living and 20 minute neighbourhoods) of NPF4.

Amenity

Policy D2 (Amenity) of ALDP seeks to ensure that residents are offered an appropriate level of amenity in terms of sunlight, daylight, noise, air quality and immediate outlook. Residential development must also have an appropriate level of external amenity space. The policy also seeks to achieve a public face to the street and a private space to an enclosed garden or court, to ensure a sense of place and enclosure. Proposals must also meet minimum standards for internal floors space while also ensuring that refuse and recycling and cycle storage are integrated into the design.

External amenity space, through the provision of private or communal open space, can ensure opportunities for health and wellbeing, future adaptation and multiple uses. Gardens should provide a range of functions and residents in flats should have access to outdoor sitting out areas and ground floor flats should generally have private gardens of a minimum depth of 3m. Policy NE2 (Green and Blue Infrastructure) of the ALDP states that access to the outdoors for informal recreation contributes to everyday quality of life. Increased levels of physical activity outdoors can contribute to improved health and wellbeing, while access to high quality areas for outdoor recreation can make the city a more attractive place to live and work.

In terms of amenity within this proposal, the rear garden ground equates to a length of around 27m with the total area of around 720 sqm. The proposal would reinstate the rear garden and central feu boundary wall, resulting in the original garden layout being restored. Each of the lower ground floor flats would have two patios and private garden ground equating to around 114 sqm. The remaining 433 sqm would be given over to communal garden ground for the lower ground and ground floor flats. These flats would also have small terraces on the rear extension accessed from the lounges. Given the cumulation of the garden area to the rear, and the proposed private terraces and patios, there would be an appropriate amount of useable private and communal amenity space within the site.

Consideration of the potential impact of the proposed development, on adjacent land uses, is also required as part of the evaluation. Given the orientation of the proposed extension and the window placement, there would be no issues of overlooking into or out of the properties. The terraces have been designed to remove potential overlooking on those below by setting them in from the sides and front, and those adjacent with the introduction of a central opaque glass separation barrier, to ensure privacy is still afforded.

The proposed flats would vary in size, with the largest containing three bedrooms and measuring around 146 sqm and the smallest a two bedroom flat measuring around 103 sqm in size, set within the attic space. All proposed flats would have generously proportioned rooms.

The light entering the property to the rear is particularly good given the south facing orientation and the open aspect. On the north elevation, the basement level flats would have limited light. Four bedrooms (two in each flat) would be lit by lightwells. To the front a small area of grass is proposed to move parking away from said lightwells and allow in more light. The rooms would be generously proportioned and the rear living spaces and further bedrooms would be bright, due to their south orientation and with a pleasant outlook over their own private garden ground. As such the proposed development would allow for an appropriate amenity for future users which is deemed acceptable level for this historic redevelopment, in this location. Finally the site would include the necessary refuse and recycling provision and cycle storage. As such the proposal complies with Policy D2 (Amenity) as well as the Aberdeen Planning Guidance (APG) on Amenity and Space Standards.

Layout, siting and design and matters relating to conservation

The proposal includes the following alterations:

To the rear –

- Three storey extension over both properties projecting 5.5m at lower ground floor and 3m at ground floor level.
- Glass balustrades to terraces.
- Removal of one traditional dormer and construction of 2 peinded dormers at roof level to allow access onto the small terrace.
- Alteration of 2no windows within the ground floor bays to form double doors
- Reinstatement of fire damaged roof and bay window.
- Installation two new windows at ground floor level between existing bays and proposed extension.
- Erection cycle stores to the rear.
- Formation of rear garden area, including patios and retaining wall.

To the front –

- Replacement rooflights to front.
- Replace fire damaged roof and dormer to match existing.
- Installation of railings to wall.
- Formation of three parking spaces to the front of the properties set within the existing hardstanding area.

The levels and the fact that the rear of the site has a separate consent for residential development result in some challenges for the proposed development. The application site would be accessed from Albyn Place only, with no opportunity for parking or access to the rear. Reviewing the historic plans, it demonstrates that the front garden is one of the few remaining gardens with the historic curved in and out layout on Albyn Place, the rest have been significantly eroded over time. This front feu plays an important part in the character of the Albyn Place and Rubislaw Conservation Area and would remain unaltered as part of the scheme.

Policy 14 (Design, Quality and Place) of NPF4 encourages, promotes and facilitates well designed development that make successful places by taking a design-led approach. Policy D1 (Quality Placemaking) states development must be of a high standard, create sustainable and successful places and have a strong and distinctive sense of place, which is a result of detailed context appraisal. This policy also encourages resource efficiency and the reuse of existing buildings. The resource efficiency point is reiterated within NPF4 Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) which encourages, promotes and facilitates the reuse of brownfield, vacant

and derelict land and empty buildings, and to help reduce the need for greenfield development. Proposals are also required to ensure high quality architecture, materials and craftsmanship, well considered layout including open space and public realm and sustainable transport opportunities. Managing Change in the Historic Environment Extensions states that Extensions:

- must protect the character and appearance of the building;
- should be subordinate in scale and form;
- should be located on a secondary elevation;
- must be designed in a high-quality manner using appropriate materials.

The proposed extension to the rear has evolved through the planning application process with significant changes being made to its scale, massing and design. The extension would have a maximum projection of 5.5m at lower ground floor level, 3m at ground floor level and a new peinded dormer at first floor level with small terrace beyond. In terms of width, at lower ground floor level this would measure around 10.5m, at ground floor level around 8.5m and at first floor level the terrace area would measure around 7m. This shows that the extension would diminish in width and depth as it gets higher up the building. These dimensions would result in an extension that would sit comfortably on the rear elevation, between the bay windows and as a result be subordinate in scale and form to the original building.

The design is contemporary in approach would sit comfortably on the rear elevation of the building. The proposed materials are zinc, frameless glass balustrades and natural slates to the new dormers and offer a positive contrast to the granite of the existing buildings, and are deemed appropriate for the site and its context. As such the proposal is in accordance with Policy 14 (Design, Quality and Place) of NPF, Policy D1 (Quality Placemaking) of the ALDP and Historic Environment Scotland's, Managing Change in the Historic Environment Extensions.

A Heritage Statement was submitted in January 2025 which highlights the fact that the proposal relates to Aberdeen cottage residential dwellings which are considerably more domestic in scale than their immediate neighbours. 31-32 Albyn Place are rare examples of cottage style terraces. It goes on to state that the rear elevation architectural value is degraded with the removal of the previous link and that part is damaged by fire. The proposal does not seek to alter the external form of 31 and 32 Albyn Place beyond the new extension. The previous large brick extension and its link to the traditional properties was removed as part of a previous application for the site, which has left an area of damage stonework on 31 Albyn Place adjacent to the bay window. There is also area of damage at 32 Albyn Place as a result of a fire a few years ago.

Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP both stipulate that development must protect and enhance the historic environment. Furthermore, new developments must be designed to respect the character, appearance and setting of the historic environment and protect the special architectural or historic interest of conservation areas, and in this case the Albyn Place and Rubislaw Conservation Area. The proposed changes are compatible with the design and materials of the existing building and respect the historic status of the buildings and the conservation area as a whole. The front of the property as well as the front garden area would remain unaltered, except for the installation of railings on the existing granite plinth, which would be a positive addition to this historic feu. As such the proposed changes would not impact on the character of the conservation area to the front. The proposed changes to the rear, as highlighted above, are appropriate in design, scale, form and materials and would address the impacts of the fire-damaged wall. The other alterations including the proposed reinstatement of the boundary wall and the garden ground would also be positive additions. As such the proposed changes to the rear would sit comfortably within its surroundings, thereby preserving and to a limited extent enhancing the character and appearance of the conservation area.

Policy D7 (Our Granite Heritage) of the ALDP seek the retention and appropriate reuse of granite structures, buildings and features. It goes on to say that proposals to demolish will not normally be granted planning permission unless every effort has been made to retain it, that it is no longer of special interest, it is essential to delivering significant benefits to economic growth or the wider community or its repair and reuse is not economically viable. The proposal includes the removal of a 90 sqm area of granite from the rear elevation, which is classed as an alteration rather than demolition. This granite removal is also to allow for the erection of the proposed extension. The previous extension had connected via two links to the rear elevation, with some enlarged openings being present. The removal of said links has left some damage to the wall and which is not of high aesthetic quality. This coupled with the fact that 32 Albyn Place was fire damaged a number of years ago and both have been vacant for even longer, the reuse of these buildings is very important for the surrounding area and the character of the conservation area. As such it is deemed acceptable to permit the removal of part of the rear elevation to facilitate the reuse of these prominent buildings with the Albyn Place and Rubislaw Conservation Area. Policy D7 also seeks to ensure that any granite down takings is retained and reused on the site. In this instance this would be done acceptably in the form of a retaining wall, and part of the central reinstated feu wall, in the rear garden. Given this, the proposal meets the requirements of Policy D7 Our Granite Heritage of the ALDP.

Trees

Policy NE5 (Trees and Woodland) confirms development should not result in the loss of or damage to trees and that development should seek to increase tree cover. To the front of 31-32 Albyn Place there is a mature copper beech that the tree survey has identified as category A. This tree is covered by a tree preservation order and makes a significant contribution to the townscape and the Conservation Area. This tree would be unaffected by the proposal.

To the rear there are 7 trees within the rear feu. The tree survey makes recommendations on tree protection measures which should be implemented. The proposal also includes the planting of additional trees. It is recommended that conditions are applied to the grant of planning permission to secure further details of the hard and soft landscaping and to ensure protection of said trees within the development site.

Transport, access and parking

Policy 13 (Sustainable Transport) of NPF4, encourages and promotes development that prioritise the active travel hierarchy of walking, wheeling, cycling and public transport, and this is carried forward into ALDP Policy T2 (Sustainable Transport) which states, development should minimise traffic generation and be accessible by a range of transport modes with an emphasis on active and sustainable transport. In terms of this site, it is located around 580m from the City Centre boundary, as defined in the ALDP, and is easily accessible by walking and cycling. There is a regular bus route into and from the city centre along Albyn Place. This site sits within the inner city boundary as defined by the Transport and Accessibility Aberdeen Planning Guidance (APG). Policy T3 (Parking) states low or no car developments are encouraged but where not possible, development shall comply with parking standards.

The nearest bus stop is within 100m of the site and Holburn Junction at the west end of Union Street around 640m away. ACC Roads Development Management Team have confirmed that the site has excellent connections in terms of walking, wheeling and public transport, both into and out of the city.

Reviewing the historic plans, it demonstrates that the front garden is one of the few remaining gardens with the historic curved in/ out layout on Albyn Place, the rest have been significantly eroded over time. The initial scheme proposed changes to the front feu which would have resulted

in a negative impact on both the setting of the house and the conservation area as a whole. The supporting statement confirms that the landscape value of the site is the long distance views along Albyn Place. Furthermore the tree to the front is covered by a TPO that includes the whole of the street, showing the importance of this vista within the streetscape.

The proposal includes three parking space to the front of the property. It is noted that the front feu, is the only option for off street parking due to no access being available from the rear lane because of an existing consent to develop that part of the original feus of 31-32 Albyn Place. The original proposal included six spaces but due to a number of factors including impact on the conservation area, potential impact on the protected tree and issues with manoeuvrability due to lack of space, these could not be accommodated successfully.

The proposal has been subsequently revisited and would now provide three parking spaces to the front of the building. The spaces would have 3m between each of them, allowing for clear access to the stairs and the dimensions of the parking spaces would be in accordance with the Transport and Accessibility APG. The proposed three spaces could be accommodated successfully without alterations to the feu, without any detrimental impact on the special character of the conservation area or impact on the tree covered by the Tree Preservation Order. The agent has confirmed within the planning statement that the shortfall of three spaces as a result of the redesign, could be made up with car club payments which could be dealt with through a Legal Agreement. Roads Development Management have advised they are concerned that this encourages future residents to 'think' they will get parked rather than getting an on-street parking permit. Therefore the demand for only three spaces would be oversubscribed and potential for residents to rogue park within the front loop impacting access/egress for others within the site. It was advised most recently that the two options that could be allowed was for minimum one parking space per flat/unit (six total) or the provision of one disabled space only and effectively the site becomes a 'no car' development given its proximity to city centre, access to public transport and potential any parking accommodated within CPZ via permit. To ensure the avoidance of ad hoc parking it is recommended that a condition be applied to the planning permission seeking details and thereafter implementation of measures to prevent this from occurring.

The proposal would result in the redevelopment of two vacant buildings, one of which suffered significant fire damage, the character of the conservation area would be preserved and the shortfall in parking has not been highlighted as a road safety risk. Although the proposed parking provision does not meet the Council's maximum parking requirements, or the Roads Development Management compromise position of six parking spaces, and as such is not aligned with the expectations Transport & Accessibility APG, it meets an aim of Policy T3 of the ALDP of supporting a low car development in a suitable location, close to the city centre. Given the wider benefits of bringing these buildings back into use, increasing the number of people living close to the city centre and the improvements it would deliver to the character and appearance of the conservation area, it is considered that these outweigh the under-provision of on-site parking.

In terms of cycle storage, secure, undercover storage would be provided for six cycles, these would be located within the rear garden adjacent to the boundary wall, three on each side. The cycle storage would be constructed in wood and of a simple, appropriate design. It is unclear whether they are fully lockable and secure and as such a condition is recommended to ensure compliance with this element of the policy.

Replacement windows

Policy D8 (Windows and Doors) of the ALDP and its Repair and Replacement of Windows and Doors APG both state that historic windows and doors should be retained, repaired and restored. Three of the windows were destroyed in the fire and it has been confirmed that they would be like

for like replacements. Furthermore though situated within a conservation area, the buildings are not covered by a listed designation. Sections have been provided showing the proportions, sliding mechanism and hidden trickle ventilation and as such are acceptable. Given the changes in permitted development rights that took place earlier this year, the replacement of the remaining front windows would require to go through the separate prior notification process. Based on the information submitted, those on the back elevation could be altered without consent.

Waste provision

Waste and Recycling have confirmed that they are satisfied with both the bin storage and bin set down space for collection day. As such the waste provision for the site is satisfactory and in accordance with Policy R5 (Waste Management Requirements for New Developments) of ALDP.

Climate adaptation

NPF4 Policy 1 (Tackling the Climate and Nature Crisis) aims to encourage, promote and facilitate development that addresses the global climate and nature crisis, and Policy 2 (Climate Mitigation and Adaptation) encourages developments to minimise emissions and adapt to the current and future impacts of climate change. Policy 3 (Biodiversity) of NPF4 seeks to reverse biodiversity loss and deliver positive effects from development. Furthermore, Policy NE3 (Our Natural Heritage) of ALDP states development will be expected to demonstrate it safeguards and/or enhances biodiversity.

The rear area which is a cleared site where the large brick extension previously stood, would be given over to garden ground. It would incorporate grass, planting and soft landscaping areas which would support local water attenuation and biodiversity. It is recommended that a condition be applied to the grant of planning permission requiring the submission of full details of the landscaping proposals, hardstanding areas and planting provision to ensure it is appropriately laid out with suitable species and uses. The location of the site, in relation to the City Centre allows for good accessibility for walking and cycling as well as good connectivity to the bus network and as such reduces the reliance of cars. Finally the reuse of two historic buildings thus being more resource efficient and reducing the need for the reuse of greenfield land is supported. As such the proposal is in accordance with policy 1 (Tackling the Climate and Nature Crisis), policy 2 (Climate Mitigation and Adaptation) and policy 3 (Biodiversity) of NPF4 and Policy NE3 (Our Natural Heritage) of ALDP.

Legal Agreement Heads of Terms

Secondary Education
Healthcare Facilities
Open Space
Car Club contributions equivalent to the three parking space shortfall.

RECOMMENDATION

Approve Conditionally & Legal Agreement

REASON FOR RECOMMENDATION

The proposed change of use to residential use is supported by Policy VC6 (West End Area) of the Aberdeen Local Development Plan 2023 (ALDP). All of the flats would be of generous proportions with good bright outlook to the south. The proposal demonstrates an appropriate level of amenity in terms of sunlight, daylight, and immediate outlook and has a public face to the street and a private spaces to an enclosed garden, patios and terraces to the rear. Subject to further details

being provided, appropriate bin storage and set down areas would be provided. The proposal is thus in accordance with Policy D2 (Amenity), Policy VC6 (West End Area), Policy R5 (Waste Management Requirements for New Developments) of the ALDP and Amenity and Space Standards Aberdeen Planning Guidance (APG).

Although the proposed parking provision does not meet the Council's maximum parking requirements, and as such is not aligned with the expectations Transport & Accessibility APG, it meets an aim of Policy T3 of the ALDP of supporting a low car development in a suitable location, close to the city centre. Given the wider benefits of bringing these buildings back into use, increasing the number of people living close to the city centre and the improvements it would deliver to the character and appearance of the conservation area, it is considered that these outweigh the under-provision of on-site parking. The cycle storage and ingress and egress of the site are all acceptable and as such the proposal is in accordance with Policy 13 (Sustainable Transport) of NPF4, Policies T2 (Sustainable Transport) and Policy T3 (Parking) of the ALDP and Transport and Accessibility APG.

The proposal is of a high design quality that has given careful consideration as a design-led response to its context. Part of an historical feu boundary would be reinstated by building a new wall and railings would be reinstated to the front. The proposed extension is appropriately sited and of an acceptable design, form and scale and as such sits comfortably on the rear of the properties and would not impact on the character of the conservation area. The granite dowlings would be used in an appropriate form within the site. Furthermore the redevelopment of a large area of hardstanding to the rear benefits the surrounding area visually and thus preserves and the character and appearance of the conservation area. Given the above the proposal is in accordance with Policy 7 (Historic Assets and Places) of National Planning Framework 4 (NPF4), Policy D6 (Historic Environment) and Policy D7 (Our Granite Heritage) of the ALDP and Historic Environment Policy for Scotland.

Given its location within the site, the design, scale and orientation of the extension, the scheme would not have a significantly adverse impact on the amenity of occupants of surrounding properties. The design is of a high quality, is appropriately planned and would use materials suitable for the location within the conservation area and as such the proposal is in accordance with policies Policy 14 (Design, Quality and Place) of NPF4, Policy D1 (Quality Placemaking) of the ALDP and Materials APG.

In terms of climate adaptation and biodiversity improvements, the proposal would include the removal of a large area of hardstanding and provides soft landscaping. The location of the site, in relation to the city centre allows for good accessibility for walking, cycling and wheeling as well as good connectivity to the bus network and as such reduces the reliance of cars. The landscaped garden detail has been condition to ensure an appropriate mix of planting, uses and design. As such the proposal is in accordance with policy 1 (Tackling the Climate and Nature Crisis), policy 2 (Climate Mitigation and Adaptation), Policy 3 (Biodiversity) of NPF4 as well as policies D4 (Landscape) and Policy R6 (Low and Zero Carbon Buildings and Water Efficiency) 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) TREE PROTECTION

That no development shall take place unless a detailed tree protection plan has been submitted to and approved in writing by the Planning Authority and thereafter any recommended measures specified within that plan shall be implemented in full. Such plan should take account of the detailed construction methods proposed/ required and associated risks to existing trees.

Reason - in order to ensure adequate protection for the trees onsite during the construction of the development.

(3) REAR BOUDNARY WALL

That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority details (method of construction, materials, coursing, mortar mix and coping) of the proposed boundary walls within the rear garden area, running north/south between the properties and east/west, as shown on drawing no. 3612/F21 Rev C (titled Landscape). Thereafter none of the residential flats shall be occupied unless the walls have been constructed and completed in full accordance with the said details.

Reason: In order to preserve the special character of the Albyn Place/ Rubislaw Conservation Area.

(4) LANDSCAPING

That no development shall take place unless full details of the landscaping proposals, hardstanding areas, footpaths, steps and all planting have been submitted to and approved in writing by the Planning Authority. Thereafter, the work shall be carried out in accordance with Condition (5) - Planting.

Reason - in order to preserve the character and appearance of the Albyn Place/ Rubislaw Conservation Area.

(5) PLANTING

That all proposed planting, seeding and turfing shall be carried out no later than the first planting season following first occupation of the development and any trees or plants which within a period of 5 years from the first occupation of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

Reason: in the interests of maintaining the amenity of the area

(6) CYCLE STORE

That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority details of the cycle stores, including the locking mechanism. Thereafter none of the residential flats shall be occupied unless the cycle stores have been provided in accordance with the approved details.

Reason – in the interests of encouraging sustainable travel through the provision of secure cycle stores.

(7) REPOINTING AND GRANITE REPAIR

Prior to any stonework repair or repointing of the buildings taking place details of the mortar and methods to be used shall be submitted to and agreed in writing by the planning authority. Thereafter, the work shall be carried out in accordance with the approved details.

Reason - in order to preserve the character and appearance of the Albyn Place/ Rubislaw Conservation Area.

(8) OPAQUE GLASS BARRIER

That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority details of the opaque glass barrier between terraces, including height, design and detailing. Thereafter none of the residential flats shall be occupied unless the glass barriers have been installed in accordance with the approved details.

Reason - in order to preserve the character and appearance of the Albyn Place/ Rubislaw Conservation Area.

(9) BIN STORES

That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority details of the bin stores. Thereafter none of the residential flats shall be occupied unless the bin stores have been provided in accordance with the approved details.

Reason – in order to ensure bin stores are of an appropriate size and design to accommodate the bins .

(10) FRONT FEU

The no development shall take place unless there has been submitted to and approved in writing by the Planning Authority details of physical measures to permanently prevent vehicles from parking on the grassed area within the front curtilage. Thereafter none of the residential flats shall be occupied unless the approved measures haven implemented in full.

Reason - in order to prevent indiscriminate parking within the curtilage of the property and to preserve the character and appearance of the Albyn Place/ Rubislaw Conservation Area.

(11) REUSE OF GRANITE DOWNTAKINGS

That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority details (method of construction, location, coursing, height and mortar mix) of the proposed reuse of granite downtakings within the rear garden. Thereafter none of the residential flats shall be occupied unless the wall(s) have been constructed and completed in full accordance with the said details.

Reason: In order to preserve the special character of the Albyn Place/ Rubislaw Conservation Area.

(12) PARKING PROVISION

Prior to the occupation of any of the residential flats, the three parking shall spaces to be provided and laid out in accordance with drawing no. 3612/F21 Rev C and thereafter retained in perpetuity.

Reason - in order to prevent indiscriminate parking within the curtilage of the property.

(13) EXTERNAL FINISHING MATERIALS

That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority details of the external finishing materials, including samples for the proposed extension and any replacement materials including slates and granite. Thereafter none of the residential flats shall be occupied unless the approved materials have been implemented in full.

Reason - in order to preserve the character and appearance of the Albyn Place/ Rubislaw Conservation Area.