

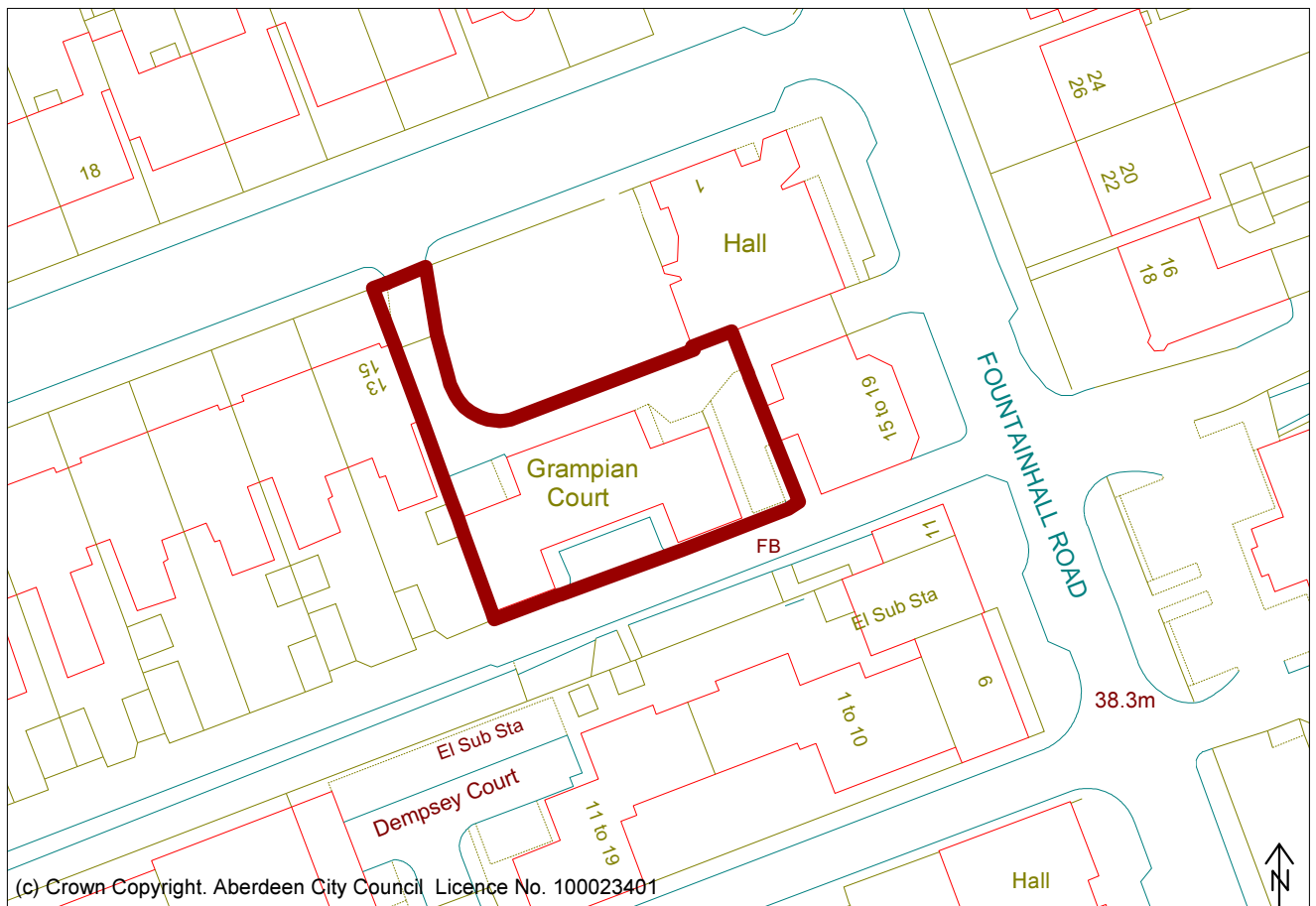
GRAMPIAN COURT, BEACONSFIELD
LANE, ABERDEEN

ERECT 12 NEW-BUILD FLATS AND
ASSOCIATED CAR PARKING ON SITE OF
EXISTING UN-OCCUPIED
HOTEL/RESIDENTIAL ACCOMMODATION
BUILDING TO BE DEMOLISHED

For: Jasmine Property Investments Ltd

Application Ref. : P120034
Application Date : 10/01/2012
Officer : Frances Swanston
Ward: Hazlehead/Ashley/Queen's Cross(J
Farquharson/M Greig/J Stewart/J West)

Advert : Section 60/65 - Dev
aff LB/CA
Advertised on : 01/02/2012
Committee Date : 5 March 2012
Community Council : Comments



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application site comprises the vacant hotel/residential accommodation building formerly known as the Grampian Court Hotel, fronting onto Beaconsfield Lane, close to the corner of Fountainhall Road. The property is a three storey building (9 metres in height) with a flat roof. The first two storeys are finished externally in a light brown render with the third storey set within a tiled mansard-style roof. The building comprises a central block with two smaller wings on either side, stepped forward of the entrance to the building on Beaconsfield Lane with a small area of parking immediately in front of the building (large enough to accommodate approximately 5 cars). Beaconsfield Lane is a private lane giving access to the rear properties of Beaconsfield Place, many of which have garages. The Burn of Rubislaw runs along the south side of the lane.

The building is bounded to the north by the car park associated with the Rubislaw Church Centre and by the church building itself to the north east, to the south by Beaconsfield Lane and the rear of the flats at Dempsey Court off Queens Lane North (the former Grampian TV Studio site), to the immediate east, by the rear of the flats at 15-19 Fountainhall Road and to the west, by the rear gardens and boundary wall of 13 and 15 Beaconsfield Place. The site falls within the Albyn/Rubislaw Conservation Area.

HISTORY

Conditional planning permission was granted in 1994 for the conversion of the hostel/hotel to form 12 flats and car parking (ref. 94/2801). This permission was never implemented.

PROPOSAL

Detailed planning permission is sought for the demolition of the existing vacant building and the erection of 12 new build flats; six 2-bedroom flats and six 3-bedroom flats, and associated car parking underneath the flats at ground floor level. The proposed building would be four storeys in height (approximately 11.5 metres) with the ground floor level accommodating 21 parking spaces and 6 bike storage spaces. The top storey would comprise two of the flats with associated roof terraces facing south.

The new building would be of a modern design and appearance with the pedestrian entrance to the building fronting onto the lane, with vehicular access take from Beaconsfield Place. The southern (lane) elevation is divided into four components; a central section with the entrance feature at ground floor level clad in granite, with a 'wing' either side finished in white render and a fourth storey set back from the edge of the building by 3 metres, finished in dark grey cladding panels with aluminium clad timber windows and screens. The north (Beaconsfield Place) elevation would mirror the four 'components' with the two side wings being entirely clad in granite with a small central section finished in white roughcast. The windows would be aluminium clad timber windows and screens with dark grey cladding panels. It is proposed to create four balconies on the north elevation, two of which would be 'Juliette' style balconies allowing windows to be opened but no outside area to stand in. There would be eight

balconies to the south elevation as well as an outside terraced area for the two flats on the top floor.

Vehicular access would be taken from Beaconsfield Place via an existing entrance used to access the car park belonging to the Rubislaw Church Centre. It is proposed to share the entrance with the church car park and to upgrade the entrance onto Beaconsfield Place.

REASON FOR REFERRAL TO SUB-COMMITTEE

13 letters of representation were received objecting to the application. The Queen's Cross Harlaw Community Council also objects to the development.

CONSULTATIONS

ROADS SECTION – The Roads Engineer is satisfied with the level of parking provided by the development. He acknowledges that the proposal would intensify the use of the existing access but does not consider that the likely number of vehicular trips in peak hours for the development would have a detrimental impact on the existing access junction or traffic flow on Beaconsfield Place. The Roads Engineer has concerns that pedestrian visibility to the left of the proposed access can not be achieved due to the height of the existing wall but accepts the applicant's proposal for a 'sett' crossing at the access point and the installation of speed cushions on the access road. However the Roads Engineer does not object to the proposal but requests two conditions be attached to any approval (1) requiring a Traffic Regulation Order to be submitted in order to extend the existing parking restriction to accommodate the access and (2) requiring a SUDS scheme to be submitted.

ENVIRONMENTAL HEALTH –The Environmental Health Officer does not object to the application but requests a condition be attached controlling hours of construction and a further condition be attached to provide adequate bin storage areas and bins in order to prevent litter problems and any obstructions to pedestrians.

COMMUNITY COUNCIL – The Queen's Cross Harlaw Community Council acknowledge that the proposed building would be an improvement upon the existing but object to the proposed development on various grounds, which are summarised as follows:

- Concern over access and safety and increased traffic congestion with using the existing church car park access.
- The building style and appearance does not complement the surrounding conservation area mainly due to the external finishes proposed. The building's appearance would be enhanced with a granite finish.
- The height of the building would be 2.8 metres higher than the existing and 4 metres closer to residents on Beaconsfield Place. There would be significant over-shadowing and overlooking of the properties on the south side of Beaconsfield Place.

REPRESENTATIONS

13 letters of representation were received in total from 10 neighbouring properties. Whilst there is a general consensus that demolition of the existing building would be a positive move, all the letters object to the proposals for the reasons summarised as follows:

- Access and traffic issues: access lane too narrow, existing traffic congestion with church hall car park would be made worse, poor visibility westwards up Beaconsfield Place. It is recommended by some objectors, that access should be taken from Beaconsfield Lane instead.
- Building style and appearance are out of keeping with the character of conservation area in particular the lack of granite on principal elevations and the unsuitability of white render.
- Height and scale: the increase in height is unacceptable due to the impact it would have to 13 & 15 Beaconsfield Place given the proximity of the building to the rear of these properties.
- Concern over demolition and construction, and the impact this will have on the users of the lane/damage to adjoining walls.
- Illegal parking on Beaconsfield Lane
- Damage to the natural habitat of the North Burn or Rubislaw during development.

PLANNING POLICY

Aberdeen Local Development Plan

Policy H1 - Residential Areas - In summary, Within H1 areas and within new residential developments, proposals for new residential development will be approved in principle if it:

1. Does not constitute over development;
2. Does not have an unacceptable impact on the character or amenity of the surrounding area.

Policy D1 - Architecture and Placemaking - To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

Policy D2 – Design and Amenity - In order to ensure the provision of appropriate levels of amenity the following principles will be applied:

1. Privacy shall be designed into higher density housing.
2. Residential development shall have a public face to a street and a private face to an enclosed garden or court.

3. All residents shall have access to sitting-out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the Council.
4. When it is necessary to accommodate car parking within a private court, the parking must not dominate the space: as a guideline no more than 50% of any court should be taken up by parking spaces and access roads. Underground or decked parking will be expected in high density schemes.
5. Individual flats or houses within a development shall be designed to make the most of opportunities offered by the site for views and sunlight. Repeated standard units laid out with no regard for location or orientation are not acceptable.

Policy D3 - Sustainable and Active Travel - New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel.

Historic Scotland

Scottish Historic Environment Policy (SHEP) – Both Scottish Ministers and the planning authority are required to have regard to the desirability of preserving or enhancing the appearance of the conservation area in exercising their responsibilities under the planning legislation.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.

Planning Policy

The site falls within an area designated as H1 Residential in the Aberdeen Local Development Plan, albeit there are other uses in the immediate area. In summary, within H1 areas and within new residential developments, proposals will be approved in principle if it (1) does not constitute over development and (2) does not have an unacceptable impact on the character of the surrounding area. Whilst the proposed flatted development would have a larger footprint than the existing building and would be 2.8 metres higher, it fits well into the site and is not out of keeping with the higher density developments nearby at Dempsey Court or indeed the height of the surrounding buildings. The plans have been amended to reduce the building in width at first and second floor level to sit further away from the rear of the flats on Fountainhall Road. The additional storey is also set back from the edges of the building by 3 metres rather than having a more solid 4-storey block, thus reducing the potential impact upon neighbouring buildings; therefore the proposal does not constitute over-development of the site.

In terms of the impact of the proposal upon the character and amenity of the surrounding area, there is no doubt that the proposed flats would change the appearance of the site and would have a visual impact and impact upon the character of the conservation area at this location. Approval of the application would see the removal of an unattractive building that has been vacant for a

number of years. The new building would have a bigger footprint and would be higher than the existing building, but would still tie in to the heights of the surrounding buildings. The new building would be more attractive in terms of design and appearance to the existing and as such, whilst the development would alter the appearance of the conservation area at this location, none of these changes would have an unacceptable impact upon the character of the conservation area or the amenity of the area. The site is surrounded by a variety of building styles and the site is not viewed solely as a continuation of the traditional properties along Beaconsfield Place. The development has been designed with due consideration for its context and makes a positive contribution to its setting, in accordance with Policy D1.

In terms of Policy D2, it is accepted that the site is fairly restricted in terms of offering residents an enclosed garden or court, but provision has been made through the use of balconies and two roof terraces to allow access to open areas, whilst not compromising privacy. The flats have been designed to make the most of opportunities offered by the site for views and sunlight without compromising neighbour's amenity. In terms of Policy D3 the Roads Engineer is satisfied with the level of car and cycle parking provided. In addition, the application site is close to public transport routes on Fountainhall Road.

Issues raised by the letters of objection

(1) Access and traffic issues - The Roads Engineer in his assessment of the application is satisfied that the 21 parking spaces provided are sufficient to meet Council parking standards. He states that whilst the access arrangements are not ideal, they are acceptable and the installation of the 'sett' entrance and speed cushions would calm traffic down and reduce the risk of unnecessary vehicular speeding at the proposed access. The Engineer acknowledges that the proposal would intensify the use of the existing access but does not consider the likely number of vehicular trips in peak hours for the development would have a detrimental impact on the existing access junction or traffic flow on Beaconsfield Place.

(2) Building style and appearance - The proposed building is modern. It is surrounded by a variety of building types and styles; the traditional granite terraced villas of Beaconsfield Place, the rear elevations of the recent flats built at Dempsey Court and the Rubislaw Church Centre and car park - all of which fall within the Albyn/Rubislaw Conservation Area. The site does not allow itself to be a continuation of the Beaconsfield Place terraces due to the site being set back off the road and as such an attempt to continue a terraced -style design would look awkward. Instead the design of the building is modern and stand-alone. The applicants have altered the north elevation to include a greater proportion of granite on the elevation, which adds a degree of uniformity to the streetscape. Therefore whilst the letters of representation have concern over the appearance of the building, efforts have been made to add a degree of uniformity with the greater use of granite, whilst maintaining a stand-alone design. The proposed building would improve the appearance of the site.

(3) Height and scale - The increase in height of the new building is still similar to the heights of the surrounding buildings and does not overly-dominate the setting, even though it is higher than the existing building. The fourth storey has been set back from the edge thus lessening its impact. The areas where the new

building would have most impact upon adjoining properties are at either end (east and west). Amended plans were submitted setting the east elevation further away from the rear elevation of the Fountainhall Road flats. Initially it was proposed to be some 4 metres from the windows and as such there would have been a loss of daylight to the flats. However, the applicant amended to plans to set the first and second floor 5.5 metres back thus allowing a sufficient level of light to reach the neighbouring windows.

In terms of the adjoining properties at 13-15 Beaconsfield Place, the building line would move 4 metres further north than the existing and 4 metres closer to the rear of these properties. There are already windows facing these properties in the Grampian Court building. It was initially proposed to create small balconies for the flats on the north west corner, but the plans have been amended to create 'Juliette' style balcony windows, which are not big enough to stand out on, thus reducing the impact upon 13-15 Beaconsfield Place. It is acknowledged that the visual impact of the new building would be greater than that of the existing as it would be 4 metres closer, with a greater proportion of side wall running along the communal boundary. However the impact of this would not be to such an extent as to warrant refusal of the application.

(4) Concern over demolition/damage to adjoining wall – It is proposed to attach a condition relating to the hours of construction to minimise the impact of the construction of the development on neighbour residents. In terms of the potential blocking the lane during development; the lane is private and as such the Roads Authority cannot enforce restrictions on the lane. The issue of potential damage to property is a legal matter and not one that can be addressed through this planning application.

(5) Illegal parking on Beaconsfield Lane - Concern is expressed by the letters of objection regarding the illegal parking taking place on Beaconsfield Lane. The lane is in private ownership and as such is not adopted by the Council and has no parking restrictions. There is concern that the development will lead to more cars parking on the lane to the detriment of the owners of the lane.

The applicant is providing 21 on-site parking spaces which meet the Council's parking standards. It is not considered that approval of this application would impact significantly on parking on the lane as sufficient spaces have been provided. It is not possible to resolve the issue of illegal parking through this planning application (1) because the application site falls outwith the lane and access is to be taken from Beaconsfield Place and (2) it is not the responsibility of the developer (although the owner of the site most likely has a right of access over the lane). Under the Roads (Scotland) Act 1984 in order for a private road to be adopted, it requires the majority of owners who front onto the road to be in agreement to make a request to the local authority for the road to be adopted. If accepted, the owners of the lane would be responsible for the entire cost of bringing the road up to standard.

Similarly, the local authority has statutory powers to put parking restrictions on private roads, such as double yellow lines, but the majority of owners of the lane would need to be in agreement, make a formal request to the Council and would be liable for all costs involved. The parking restrictions would then apply to anyone wishing to park in the lane.

(6) Natural habitat

Whilst the North Burn of Rubislaw and the nearby trees along the lane fall outwith the application site, due to the close proximity of the burn to the application site (less than 6 metres across Beaconsfield Lane) it is recommended that a condition be attached to any approval requiring the applicant to produce a construction method statement, in consultation with SEPA dealing with soils, earth movements, waste, fuels and surface water run off on site during the construction to safeguard water qualities in the adjacent Burn of Rubislaw and the protection of the environment in this locality.

Conclusion

Approval of the application would result in the demolition of an unattractive, empty building set within an attractive conservation area. There is general agreement amongst the neighbouring residents who submitted letters of representation that the redevelopment of the site and the removal of the existing building is a welcomed move, however, issues mainly over access, parking and design are causing concern.

Amendments have been made by the applicant to take account of the issues raised by objectors; greater use of granite on the Beaconsfield Place elevation, a reduction in width lessening the impact upon the Fountainhall Road flats and alterations to the balconies to reduce the impact of the windows upon 13-15 Beaconsfield Place, as well as road safety measures at the access point. In terms of the access and parking issues, the applicant would provide the required number of parking spaces in accordance with Council guidelines. The Roads Engineer is satisfied that with the measures proposed to the access, including the speed cushions and sett access are acceptable to allow safe use of the junction.

Taking all of the above into consideration, the proposal would not detract from the character of the conservation area in accordance with SHEP and would enhance the appearance and amenity of the general area. Whilst there would be a visual impact upon the immediate neighbours, this would not be to such an extent as to warrant refusal. The proposal has been designed with due consideration for its context, and would make a positive contribution to its setting if approved. As such the application accords with Policies H1, D1, D2 and D3 of the Aberdeen Local Development Plan and SHEP.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal has been designed with due consideration for its context, and make a positive contribution to its setting. The proposal would not detract from the character of the conservation area and would enhance the appearance and amenity of the general area. The proposal meets the Council's car parking and access standards and as such the application accords with Policies H1, D1, D2 and D3 of the Aberdeen Local Development Plan and SHEP.

it is recommended that approval is granted with the following condition(s):

- (1) that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.
- (2) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. L(00)31 I of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.
- (3) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of public health.
- (4) That none of the units hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing no. L(00)31 I have been provided - in the interests of encouraging more sustainable modes of travel.
- (5) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:
 - (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
 - (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
 - (c) at any time on Sundays,except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.
- (6) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.
- (7) that prior to the commencement of works on site that a detailed Construction Method Statement is agreed with the Planning Authority in consultation with

SEPA which should set out the measures for dealing with soils, earth movements, waste, fuels and surface water run off on site during the construction phase and shall be implemented in full during construction operations on site – in order to safeguard water qualities in the adjacent Burn of Rubislaw and in the interests of amenity and protection of the environment in this locality.

Dr Margaret Bochel

Head of Planning and Sustainable Development.