

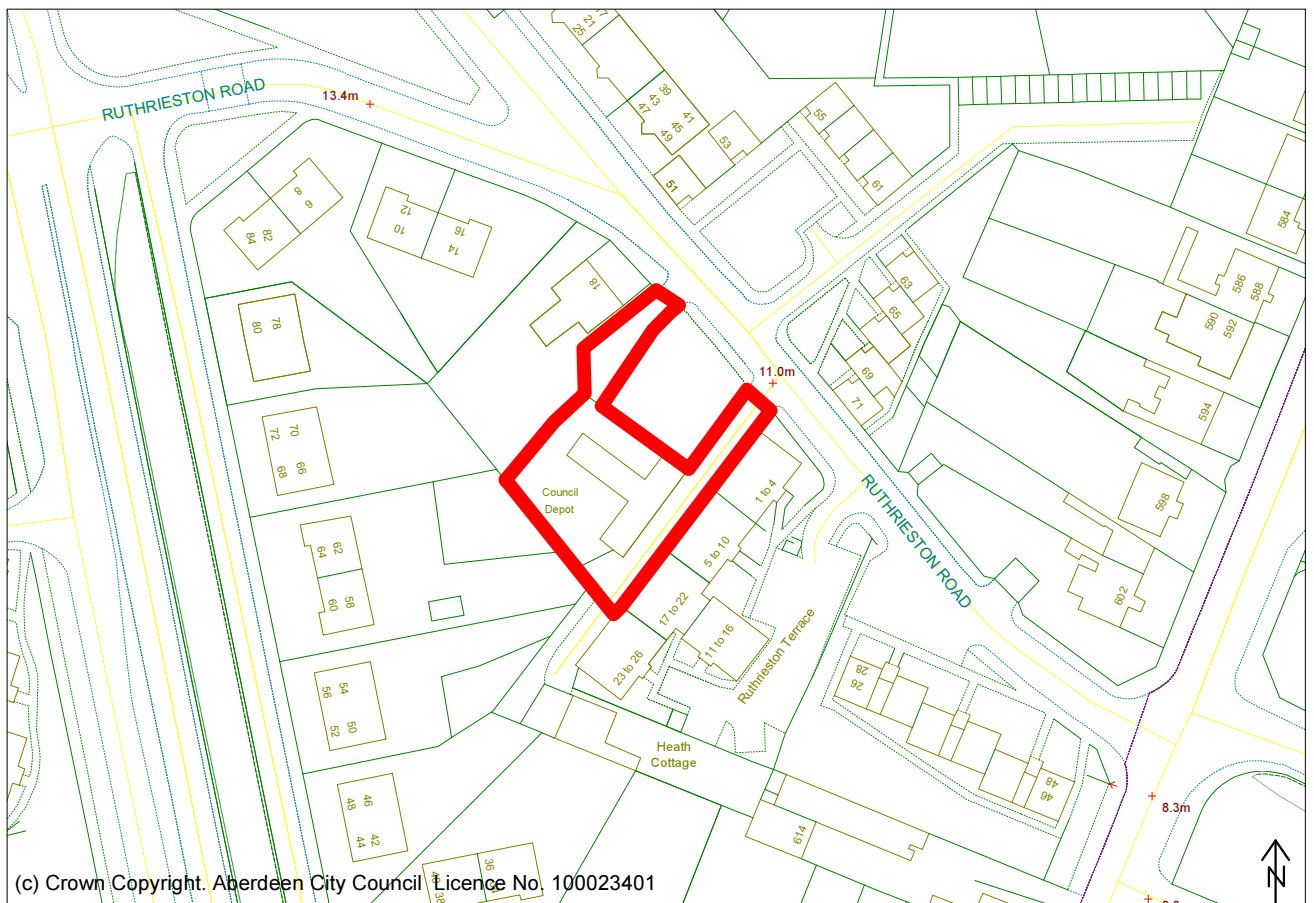
# RUTHRIESTON ROAD, ABERDEEN

## DEMOLITION OF VACANT COUNCIL DEPOT BUILDING AND ERECTION NEW FLATTED DEVELOPMENT [6 UNITS], AND ASSOCIATED CAR PARKING

For: Relsha Ltd

Application Ref. : P120107  
Application Date : 24/01/2012  
Officer : Matthew Easton  
Ward: Airyhall/Broomhill/Garthdee (J Wisely/  
Yuill/G Townson)

Advert :  
Advertised on :  
Committee Date : 22 March 2012  
Community Council : No Response



**RECOMMENDATION: Approve with Legal Agreement to secure affordable housing and suitable community infrastructure provisions.**

## **DESCRIPTION**

The site is a former Council Environment Services depot which extends to approximately 662sqm and is located on the south side of Ruthrieston Road.

The building consists of a T-shaped, detached single storey building with a pitched roof. It is of concrete block construction with harled finish and a slate roof. The depot incorporates a garage and workshop, store, office, toilets, shower room, wash room, and storage yard.

The site was also home to a small recycling point which closed sometime ago.

Access to the site is via a track leading from Ruthrieston Road to the northern boundary of the site or via a second longer track along the western boundary of the site.

The site is within a residential area which is characterised by 2 – 2½ storey flats and 2 storey terraced dwellinghouses.

To the immediate north of the site is an area of public open space which contains several trees. Beyond this is Ruthrieston Road and two storey terraced dwellinghouses.

To the west beyond the access track is the flats at Ruthrieston Terrace which are hard up against the track. They are predominately 2½ storeys in height but drop to 1½ storeys for the section closest to Ruthrieston Road.

To the east is a 1½ storey detached dwellinghouse and associated garden ground and to the south are gardens associated with 2 storey semi-detached dwellinghouses on South Anderson Drive.

## **HISTORY**

A planning application was submitted in May 2011 for a very similar development which proposed six 2 bedrooms and two 1 bedrooms flats. The application was on the agenda of the Development Management Sub-Committee meeting on 8<sup>th</sup> December 2011 with a recommended for refusal. However, it was withdrawn by the applicant prior to the committee date.

The reasons for the recommendation were that the proposal would have affected the residential amenity of surrounding properties due to its excessive height, would have failed to take account its context and adversely affect the visual amenity of the area and due to a lack of car parking.

The new application differs from the previous largely due to the reduction in the number of flats from eight to six, the reduced number of parking spaces and the design and height of the building.

## **PROPOSAL**

It is proposed to demolish the existing depot and construct a development of six flats with associated car parking.

The proposed new building would be located more or less in the same position as the east / west wing of the depot. It would be 20m in length and 10m wide. The building would be predominately three storeys (achieving a maximum height of 9.5m). The building would be divided into two more or less cube shaped blocks 9m x 10m x 9.5m with a 2.5m central glazed section between them which would accommodate front and rear access and the stairs.

The north and south elevations of each block would be largely finished in copper red composite cladding panels, framed by textured render walls coloured white. The south elevations would feature balconies which would be recessed into a void on the south elevations. They would be finished in timber decking and green tinted glass balustrades.

The gables of the building would be simple, finished in white textured render and including a central strip of copper red cladding panels incorporating bathroom windows. There would also be a gap within the wall where balconies are located. Each block would have a flat roof finished in insulated standing seam panels, coloured copper red. They would be set behind parapet walls which accommodate a dark grey gutter.

Overall, the building would have an undoubtedly modern appearance, reminiscent of Bauhaus architecture with its cubic shapes, flat roofs and use of white.

Internally, the flats would have a kitchen, lounge, bathroom and two bedrooms one of which would feature an en-suite bathroom. The balconies would be accessed via a folding door from the lounge.

The most northerly of the accesses to the site would be stopped up and landscaped. Access to the site would be via the existing access track to the west of the new building and alongside flats at Ruthrieston Terrace. This track would lead to a car park at the rear of the building where nine parking spaces would be provided along the southern boundary. A footpath would be provided between the parking spaces and the flats.

A bin store would be provided adjacent to the lane and cycle store would be provided at within the car park.

## **REASON FOR REFERRAL TO SUB-COMMITTEE**

The application is before the sub-committee for three reasons –

- The application site is within the ownership of Aberdeen City Council.
- More than five objections have been received to the proposal.

## **CONSULTATIONS**

### **ROADS SECTION –**

- Twelve off-street parking spaces should be provided, however willing to accept nine spaces as the proposal has very good access to public transport. Adequate covered cycle parking has been provided.
- The access lane is not adopted by Aberdeen City Council. The surface of the lane is below standard and should be surfaced to an acceptable standard. The principles set out in *Designing Streets* should apply to the design of the access road.
- Roads consent is required for the reinstatement of the redundant access.
- The site should be internally drained with no surface water discharging onto the public road.

**ENVIRONMENTAL HEALTH –** As this site was formerly a Council Depot the potential for contaminated land to be present should be considered. Given the apparent former use of the site, it may be that a desk study looking at past process would be sufficient.

However, if concerns are then raised, a best practice contaminated land assessment should be carried out in order to determine whether previous usage has caused the land to be contaminated.

The applicant should contact the Council's Waste Team in relation to refuse storage and disposal.

**COMMUNITY COUNCIL –** No response received.

- **PLANNING GAIN –** Contributions are also sought towards affordable housing (25%), provision of community facilities, recreation, libraries, core path network and strategic transport fund. Education contributions if any are still to be confirmed.

## **REPRESENTATIONS**

Eight letters of representation have been received from people living in the surrounding area. In summary they raise the following issues –

- The proposed flats are too high in relation to properties in the surrounding area and would restrict the amount of day light to existing buildings.
- The access lane would be too narrow and does not feature a pavement for its full-length, which is dangerous.

- The use of the access lane would lead to increased noise, pollution and result in accidents. A crash barrier should be installed.
- The existing access from Ruthrieston Road should be used and not the access lane as proposed.
- There is poor pedestrian access and no lighting.
- No provision has been made for visitor parking and parking on Ruthrieston road restricts traffic.
- Residents would have to take their own bins to the street, concern that this would not be carried out and lead to pest issues.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan (2012)**

Policy I1 (Infrastructure Delivery and Developer Contributions) – Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of development proposed. The Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Policy T2 (Managing the Transport Impact of Development) – New developments will need to demonstrate that sufficient measures have been taken to minimise traffic generated.

Policy D1 (Architecture and Placemaking) – To ensure high standard 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 spaces around buildings, including streets, squares, open space, landscape and boundary treatments, will be considered in assessing that contribution.

Policy D2 (Design and Amenity) – Privacy shall be designed into higher density housing, residential development will have a public face to the street and private face to an enclosed garden or court, residents shall have access to sitting out areas, car parking should not dominate, opportunities should be made of views and sunlight, measures should be included to design out crime and external lighting shall take into account amenity and the effects of light spillage.

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. Street layouts will reflect the principles of *Designing Streets* and will minimum distances to services.

Policy H1 (Residential Areas) – Within existing residential areas, proposals for new residential development will be approved in principle if it does not constitute overdevelopment; does not have an unacceptable impact on the character or

amenity of the surrounding area; does not result in the loss of valuable areas of open space and complies with supplementary guidance on curtilage splits.

Policy H5 (Affordable Housing) – Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

Policy R2 (Degraded and Contaminated Land) – All land that is degraded or contaminated shall be restored, reclaimed or remediated to a level suitable for its proposed use.

Policy R6 (Waste Management Requirements for New Development) – Housing developments should have sufficient space for the storage of residual, recyclable and compostable wastes. Flatted developments will require communal facilities that allow for the separate storage and collection of the materials.

Policy R7 (Low and Zero Carbon Buildings) – All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted CO<sub>2</sub> emissions by at least 15% below building standards.

### ***Supplementary Guidance***

Transport and Accessibility Supplementary Guidance – Two-bedrooms flats should provide 2 car parking spaces per flat, although these are guidelines only.

### ***National Guidance***

Designing Streets – Provides Scottish Government policy and guidance on good residential street design.

## **EVALUATION**

The site is within an area zoned as residential within the adopted local plan where residential uses are acceptable in principle, providing the application is satisfactory in terms of other relevant local plan policies.

The site is considered as brownfield and its redevelopment is to be welcomed as it is more sustainable than using greenfield land. It also benefits the local neighbourhood as residents are likely to use existing local services such as shops and public transport, helping to sustain these services.

### **Site Layout, Design and Amenity**

The surrounding area is characterised by terraced dwellinghouses of 1½ or 2 storeys and flats of 2 or 2½ storeys. The proposed building would be 3 storeys high however this is considered to be acceptable in terms of its context. It would be set back from the street and framed between the existing buildings which face Ruthrieston Road. Its presence would also be softened by the existing trees between the street and the site of the new building. In this context it is considered

that the proposed building size and height would be acceptable and would not be obtrusive.

The building would have an undoubtedly modern appearance, reminiscent of Bauhaus architecture with its cubic shapes, flat roofs and use of white. Concern has been raised with how it would fit in with the surrounding area. There is however no predominant type of building in the surrounding area, there being a variety of styles which date from the 1930s, 1960s and mid 1990s, all of which are generally unremarkable from an architectural or streetscape perspective.

Given the surrounding environment, it is considered that a contemporary design approach in terms of style and appearance would be entirely acceptable and would contribute architectural and visual interest to the neighbourhood in a positive way in accordance with design policies D1 and D2 of the ALDP.

### **Residential Amenity**

The building would be positioned at an angle, rotated towards the south, in relation to the flats on Ruthrieston Terrace. This helps with the level of daylight as the mass of the new building would be further away and not directly facing the windows of the existing flats. The height of the building and use of a flat roof behind a parapet wall would also help reduce any impact. As a result, any impact upon daylight to the flats on Ruthrieston Terrace would be minimal, if at all.

The existing depot has a wall running parallel to the flats, which provides a relatively poor outlook, albeit the building is only one storey high. It is considered that the new development would provide the same quality of outlook from these flats as the new building although being higher than the existing depot, would be slightly further away, have less mass facing the flats and having been turned on its axis, providing a more open aspect from the existing flats.

In terms of the four-in-a-block flats on South Anderson Drive, although the proposed building would be readily visible across the gardens from the back of these flats, the distance involved (between 40m – 55m) would result in no impact upon the daylight which reaches these properties.

In terms of any privacy implications that the development may have, all the main windows of the proposed flats look either to the south towards the gardens of properties on South Anderson Drive or north towards the open space and Ruthrieston Road itself. The South Anderson Drive properties are 40m -55m away and those on the opposite side of Ruthrieston Road are between 50m – 65m away, well beyond the minimum 18m which is generally used for window to window distances. The flats on Ruthrieston Terrace would be unaffected as the only windows which would face in that direction would relate to bathrooms.

Areas of grass would be provided around the building which would provide residents with outdoor space. This in combination with the balconies / terrace for the each of the flats is considered acceptable for the size of development proposed. The public open space at the front of the site would also provide a pleasant outlook for the flats.

## **Accessibility**

It is not considered that the volume of traffic generated by the development would lead to unreasonable disturbance to nearby residents. The road would provide access to nine parking spaces and Heath Cottage, movements to and from which would be spread throughout the day and be of a relatively low frequency. The width of the lane is 4.5m which is adequate to allow two cars to pass each other and the short length of the lane would result in low traffic speeds. Furthermore, given that the access road already exists and would have been used by vehicles operating from the depot (along with the direct access onto Ruthrieston Road) it is considered an acceptable situation.

The Council's roads service are satisfied with the route of the access road, however it should be brought up to an acceptable standard. It is unlikely that vehicles would cause a hazard to pedestrians who are likely to be well aware of any vehicle movements on the road. Policy D3 of the ALDP and *Designing Streets* encourages innovative traffic calming through the use of shared surfaces and the design of the roadway rather than through traditional traffic calming solutions. A solution which accords with *Designing Streets* is likely to be achievable at this site. A condition has been attached requiring further details of such a scheme should approval be granted.

The small scale of the development and low traffic levels which it would have an insignificant impact upon traffic levels in the area and on local junctions. The proposal complies with Policy T2.

## **Parking**

The Council's car parking guidelines suggest that 12 off-street car parking spaces should be provided at the development site. Although below the number suggested by the guidelines, nine spaces at a ratio of 1.5 spaces per flat is considered acceptable by the Roads Service at this location.

The site has good access to public transport with the no. 1 and 2 (Red Line) bus routes passing on Holburn Street approximately 100m away, in accordance with Policy D3.

## **Other Matters**

- The site has the potential to have been contaminated due to its former use as a Council depot. Policy R2 requires land to be remediated before development and therefore a condition has been attached which requires investigations to take place prior to any development commencing.
- All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted CO<sub>2</sub> emissions by at least 15% below building standards. A condition has been attached which requires the developer to provide details of compliance with this prior to development commencing.
- Bin stores have been provided at the front of the property and residents would be required to take their wheelie bin to the end of the lane in order for it to be



collected. This would be distance of approximately 21m which is considered acceptable.

- In accordance with Policy H5 the proposal is subject to 25% affordable housing requirement which would take the form of a financial contribution rather than on-site provision. Contributions are also sought towards provision of community facilities, recreation, libraries, core path network and strategic transport fund in accordance with Policy I1. Whether or not there would be a requirement for contributions towards education are yet to be finalised. Both the affordable housing and other contributions would be secured through a legal agreement.

## **RECOMMENDATION**

**Approve with Legal Agreement to secure affordable housing and suitable community infrastructure provisions.**

## **REASONS FOR RECOMMENDATION**

Redevelopment of the site is welcomed and residential development is considered acceptable in principle. The scale, massing, position and design of the building are acceptable given the surrounding context and there would be minimal if any impact upon existing properties in the area in terms of residential amenity. The proposed access to the site is acceptable, subject to an acceptable design for a shared surface being approved. Details of drainage proposals and measures to deal with contamination have been conditioned as they are regarded as issues which there should be no serious difficulties in addressing.

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

(1) that no development shall take place unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of the shared surface layout proposed for the access lane including street furniture, lighting, materials and hard and soft landscaping for the entire development hereby granted planning permission. None of the units hereby granted planning permission shall be occupied unless the said works have been implemented in accordance the approved scheme - in order to ensure a suitable access to the development for pedestrians and vehicles and to ensure a suitable level of visual amenity is achieved.

(2) that no development shall take place unless it is carried out in full accordance with a scheme to deal with contamination on the site that has been approved in writing by the planning authority.

The scheme shall follow the procedures outlined in Planning Advice Note 33 Development of Contaminated Land and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 Investigation of Potentially Contaminated Sites - Code of Practice and other best practice guidance and shall include:

1. an investigation to determine the nature and extent of contamination,

2. a site-specific risk assessment,
3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

No building(s) on the development site shall be occupied unless

1. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and
2. a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation.

- reason: in order to ensure that the site is fit for human occupation

(3) 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.

(4) that no development shall take place unless a scheme detailing the external lighting proposed for the development has been submitted to and approved in writing by the planning authority. Thereafter none of the units hereby approved shall be occupied unless the external lighting has been installed in complete accordance with the said scheme and is operational - in the interest of public safety and the amenity of the area.

(5) that no development shall take place unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been approved in writing by the planning authority. Thereafter none of the units hereby approved shall be occupied unless the equipment has been installed in accordance with those approved details and is operational - to ensure the development complies with the requirement for on-site carbon emissions contained in Scottish Planning Policy (SPP) and specified in the the City Council's relevant published Supplementary Planning Guidance, 'Reducing Carbon Emissions In New Development'.

(6) that no development shall take place unless a scheme detailing the cycle storage provision shown on drawings 101(Rev.E) has been submitted to and approved in writing by the planning authority. Thereafter none of the units hereby

approved shall be occupied unless the cycle storage has been installed in complete accordance with the said scheme - in the interests of encouraging more sustainable modes of travel.

(7) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(8) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion 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 - in the interests of the amenity of the area.

(9) that the development hereby approved shall not be occupied unless the car parking area hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 101(Rev.C) 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.

(10) that none of the units hereby approved shall be occupied unless the refuse stores have been provided in accordance with drawings 101(Rev.E) and 102 of the plans or such other drawing as may subsequently be submitted and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of public health.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.