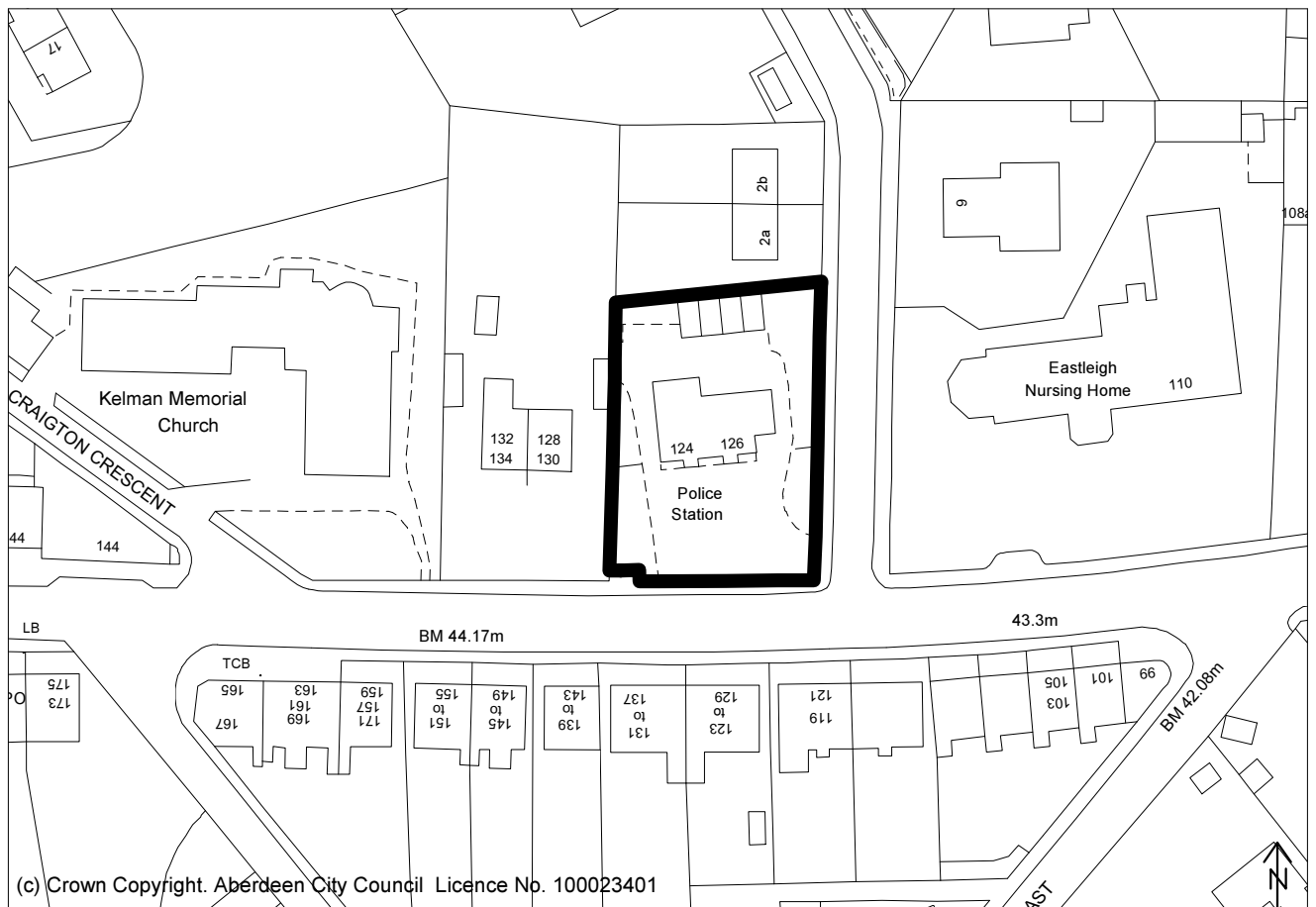


124 NORTH DEESIDE ROAD, PETERCULTER

PROPOSED RESIDENTIAL DEVELOPMENT  
COMPRISING DEMOLITION OF EXISTING  
BUILDING AND ERECTION OF 11 NO. NEW BUILD  
FLATS AND ASSOCIATED CAR PARKING

For: Peterhead Land Company

|  |                     |                   |                 |
|--|---------------------|-------------------|-----------------|
| Application Ref.                                 | : P111196           | Advert            | :               |
| Application Date                                 | : 10/08/2011        | Advertised on     | :               |
| Officer  | : Garfield Prentice | Committee Date    | : 19 April 2012 |
| Ward: Lower Deeside (M Boulton/A Malone/A Milne) |                     | Community Council | : Comments      |



**RECOMMENDATION: To approve the application, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into a binding agreement with the Council to secure the planning gain contribution**

## **DESCRIPTION**

The site located on the north side of North Deeside Road on corner of School Road and comprises a traditional 2 storey detached granite building which was previously used as a police station. The building is set approximately 18 metres back from the public road with most of the area to the front being used as a car park. Access to the car park is gained via an entrance at the corner of North Deeside Road and School Road. There are a number of medium sized trees within the site – two next to the east boundary, three adjacent to the west boundary and one in each of the rear corners. To the rear of the building is a group of 4 garages with shallow mono-pitched roofs. The area around the garages is hard surfaced. To the rear and elevated some 5 metres above the site is a house, the gable end of which faces towards the site. To the west are two semi-detached houses contained within a building of similar design, scale and materials as the vacant police station. To the east and across School Road is a large 1½ storey building comprising a care home. On the opposite side of North Deeside Road is a row of 1½ and 2 storey residential properties.

## **PROPOSAL**

Detailed planning permission is sought for the a proposed residential development involving the demolition of the existing building and the erection of a new building comprising 11 flats (10 two-bedroom and 1 one-bedroom flats) and associated car parking. This is an amended proposal. Permission was originally sought for 12 two-bedroom flats. The result is a slightly smaller building, both in terms of the scale of the wing fronting School Road and the overall footprint of the building. The location of the car entrance was also adjusted to meet the requirements of the roads officer.

Following demolition of the existing granite building it is proposed to construct a traditionally designed, L-shaped building, generally in the same position as the existing structure. It would be a mix of 2, 2½ and 3 storeys high. The building would be 25.5 metre long on the elevation facing North Deeside Road and 17.5 metres on the elevation facing School Road. It would attain a maximum height of 10.8 metres. The building would be located approximately 20 metres from the boundary with North Deeside Road, 4 metres from School Road and 6 metres at the nearest point from the rear boundary. The walls of the building would be finished in wetdash with feature stone/facing block surrounds to windows and basecourse. Natural slates would be used on the roof. It is proposed to install timber framed mock sash and case windows.

It is proposed to provide 16 car parking spaces at the front of the building. The existing entrance would be blocked up and a new entrance formed a little further up School Road. Areas of landscaping would be provided next to the west boundary and next to the corner with the two public roads. To the rear of the building a communal garden would be provided. The existing trees next to the east and west boundaries would be removed. It is proposed to plant 4 new trees at the front of the site.

A design statement has been submitted by the applicant in support of the application.

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

The application has been referred to the Sub-committee because the proposal has attracted an objection from Culter Community Council. Accordingly, it falls outside the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**ROADS SECTION** – It is proposed to provide 16 car parking spaces, a ratio of 1.5 spaces per flat. This level of parking is acceptable. The proposed development has adequate accessibility to public transport and adequate pedestrian access facilities will be provided. Vehicular access into the site will be taken from School Road. Adequate visibility can be achieved at the proposed junction. However, a minimum access road gradient of 5.5% must be maintained. A drainage proposal for the site in line with SUDS principles should be submitted to the Council for approval.

**ENVIRONMENTAL HEALTH** – there is no objection to the proposal. However it is requested that suitable conditions be applied relating to the submission of a noise assessment report, restricting the hours of construction and for the provision of adequate bin storage areas.

**COMMUNITY COUNCIL** – Culter Community Council highlights that this is the fourth planning application for this site in just over a year. It points out that over the years there has been a steady decline in the number of sites providing a diversity of business, retail and service provision in Culter, which is of concern to the Community Council. The loss of business/retail sites to residential use has resulted in a large over-provision of 1 and 2 bedroom flats and a decline in the number of businesses in the retail centre. The Community Council strongly objects to any proposals which increase the imbalance in the housing stock in the district centre and Peterculter as a whole, by providing even more 1 and 2 bedroom flats. Concern is raised at the substantial increase in the footprint arising from the proposed development, making it obtrusive and cramped. The proposed 3 storeys would make the development even more obtrusive. It would stand one storey higher than all the neighbouring properties. The size of the flats would be likely to attract retired or professional people rather than families. The drawings do not show all the driveways/entrances from adjacent properties on School Road. The Community Council also objects because of the number of parking spaces could lead to overspill parking onto School Road or North Deeside Road and concerns over public and road safety, for example a blind corner and the proximity of the entrance to Eastleigh Nursing Home and its car park. It is also highlighted that School Road is the main access to Culter Primary School.

## **REPRESENTATIONS**

Four letters of objection have been received. The main issues and objections raised can be summarised as follows.

- The existing building is an attractive traditional structure that enhances the appearance of the main village street
- The proposed building would significantly degrade the appearance of the area

- The design of the building is not in keeping with the local architecture and neighbourhood
- The size of the proposed building and the large number of flats
- A 3 storey building is not in keeping with the other nearby buildings and would dominate the area
- Car parking is likely to be insufficient leading to greater demand for on-street parking
- Concerns over the safety of children using School Road
- Loss of privacy for adjacent residents
- Loss of sunlight
- Overshadowing of the adjacent property
- Inconsistencies with regard to which trees would remain after the building would be completed (design statement does not tie up with drawings)

## **PLANNING POLICY**

### **Aberdeen Local Development Plan**

#### 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.

#### 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, (4) when necessary to accommodate car parking within a private court the parking must not dominate the space, (5) individual flats or houses shall be designed to make the most of opportunities offered by the site for views and sunlight, (6) development proposals shall include measures to design out crime and design in safety and (7) external lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

#### Policy D4 - Aberdeen's Granite Heritage

The City Council will encourage the retention of granite buildings throughout the city, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured. Where a large or locally significant granite building that is not listed or in a conservation area is demolished, the City Council will expect the original granite to be used on the principal elevations of the replacement building.

#### Policy H1 - Residential Areas

Within existing residential areas 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, (3) does not result in the loss of valuable and valued areas of open space, (4) complies with Supplementary Guidance on Curtilage Splits.

#### 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 carbon dioxide emissions by a least 15% below 2007 building standards.

## EVALUATION

Section 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise. As the proposal does not raise any strategic issues, the application will be assessed primarily in terms of the relevant policies in the local development plan. SPP states sets out the Government's core principles that underpin the modernised planning system. It states "*The system should be genuinely **plan-led**....*" and "*There should be a clear focus on the **quality of outcomes**, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment*". SPP also states that the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places. Furthermore, the aim should be to create places with a distinct character and identity. SPP also states that planning authorities should take a positive approach to development. It is in this context that the application requires to be assessed. The Aberdeen Local Development Plan identifies the site as residential. Accordingly, the principle of residential use on the site is acceptable. The Community Council has expressed concerns regarding the decline in the number of sites providing a diversity of business, retail and service provision within Peterculter. However, the application site was not used for those purposes (it was a Police station) and residential use is considered to be an appropriate alternative use. The Community Council has objected to the imbalance in the housing stock arising due to the over-provision of 1 and 2 bedroom flats. However, there are no planning policies that set targets for particular types of residential accommodation or that control the balance between different accommodation types in any specific area. Each proposal is considered on its own merits.

It is acknowledged that the proposal would involve the demolition of a granite building. Policy D4 of the local development plan encourages the retention of granite buildings, in particular large or locally significant buildings. Whilst the majority of buildings fronting North Deeside Road are constructed of granite, in this case the property is not a large building nor is it considered to be locally significant. Thus its demolition would not be contrary to Policy D4.

The design statement submitted by the applicant draws attention to the fact that the proposal "*recognises the prominent corner location by increasing the scale of the development to 3 storeys and forming a gable to the more important streetscape*". It states further that "*the design attempts to break up the scale of the building by varying heights and dormer treatment and to convey a sense of a large Scottish house with adjustments and extensions built over time*". Notwithstanding, the proposed building would be rather prominent in the streetscape due to its size relative to neighbouring buildings, its location on a corner site and the light coloured render walls. However, the centre of Peterculter and in particular North Deeside Road is characterised by a wide variety of buildings designs, sizes and heights. Indeed, it is this variety in the built form that

contributes to the charm and character of the village centre. The design of the proposed building is of a high standard, reflecting traditional Scottish architecture. It would be a well proportioned and detailed building with good quality finishing materials, although precise details of colours, type of stonework would be subject agreement by means of a planning condition. The position of the proposed building, being similar to that of the existing structure, is acceptable in that it would maintain the existing building line on the north side of the street. The size of the proposed building has been reduced from the original proposal and as a result would not be an overdevelopment of the site. It is therefore considered that the proposal would not be detrimental to the character of the locality and would comply with the objective of Policy D1 of the local development plan.

With regard to Policy D2 of the local development plan the proposal is generally compliant with the criteria contained therein. The privacy of residents has been taken into account in the design of the development. All flats would have a public face to a street and the majority would have a private face to an enclosed garden. All residents would have access to sitting-out areas, primarily but not exclusively to the rear of the building. Most of the flats would have a south facing aspect, thus making most of the available sunlight. Although the car parking area would dominate the front part of the site, contrary to aim of Policy D2, this is an existing situation and for that reason this aspect of the proposal is acceptable.

The Climate Change (Scotland) Act 2009 requires planning authorities to act in a way best calculated to contribute to the delivery of the emissions targets in the Act and in a way that it considers is most sustainable. SPP advises "*The design of new development should address the causes of climate change by minimising carbon and other greenhouse gas emissions*". In addition to the use of microgenerating and renewable energy systems, SPP highlights the significant contribution that energy efficient designed buildings can make towards reducing emissions. The Council's SPG requires new developments to incorporate on-site low and zero carbon equipment contributing at least an extra 15% reduction in CO2 emissions beyond the 2007 Building Regulations carbon dioxide emissions standard. The applicant has not provided any details or calculations of how carbon dioxide emissions would be reduced. Notwithstanding, it is considered that this issue can be addressed satisfactorily by applying a condition to the planning permission requiring the submission of the necessary details and the implementation of appropriate measures.

There are 7 trees on the site, of which 5 trees would be removed, those being the trees along the side boundaries. It is proposed to plant 4 replacement trees at the front the site. Details of the species and size of the replacement trees together with the landscaping of the site would be the subject of a condition attached to the planning permission. It is considered that the front area of the development can be appropriately landscaped to reduce, to some extent, the visual impact of the extensive car parking area.

It is proposed to provide 16 parking spaces within the site. The Council's roads officer is satisfied with the level of parking provision. There is no reason to expect that there would be any significant overspill parking onto adjacent streets. The location of the entrance off School Road is acceptable and represents an improvement on the existing situation. The proposed development has adequate accessibility to public transport (there is a bus stop immediately adjacent to the site). Adequate pedestrian access facilities would be provided. Notwithstanding

the concerns of the Community Council, the roads officer has raised no concerns regarding public safety or the additional number of vehicles on the local road network. It is unlikely that the additional traffic would cause any significant congestion or delay on the adjacent roads.

The potential effects the proposal could have on residential amenity include the impacts on privacy, daylight/sunlight, noise disturbance and light pollution. In terms of privacy, the window to window separation in relation to the properties on the opposite side of North Deeside Road would be substantially greater than the Council's minimum requirement and thus there would be no loss of privacy for those residents. The proposed building would sit some 5 metres below that of the adjacent house to the north. With regard to the impact on the occupants of that house, the closest facing windows in the proposed building would be at ground and first floor level and thus below the level of the adjacent house and thus there would be no overlooking. The two bedroom windows at second floor level facing towards the adjacent property would be at least 10 metres from the boundary and would result only in some overlooking of the adjacent garden. Two more windows would be further away and do not relate to living accommodation. Accordingly, it is considered there would be no significant impact on the privacy of the residents of that property. There would be no significant impact on the privacy of the occupants of the properties to the west of the site. The proposal would have no significant impact on the amount of daylight or sunlight reaching any of the neighbouring properties. It is unlikely that the amount of activity on the site would generate any noticeable noise disturbance, especially when compared to the noise arising from traffic using the busy North Deeside Road. As no details of external lighting have been provided, it is recommended that such information is secured and thus the lighting controlled by means of a planning condition.

As the planning application was lodged in the summer of last year the affordable housing and planning gain requirements were assessed in the context of the policy that existed at that time. As a result, there is no requirement for providing affordable housing. The applicant has agreed to pay the planning gain contribution which would be used to support library, recreation and community facilities. The contributions would be secured by means of a legal agreement.

## **RECOMMENDATION**

**To approve the application, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into a binding agreement with the Council to secure the planning gain contribution**

## **REASONS FOR RECOMMENDATION**

The application site is designated as residential in the Aberdeen Local Development Plan. Thus the principle of a residential development on the site is acceptable. The proposal complies with the relevant policies in the local development plan. The design, scale and layout of the development are acceptable. The quality of the design of the buildings would be of a high standard. The proposal would not impact significantly on residential amenity or public safety.

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

(1) 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. 1012D 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.

(2) 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.

(3) 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.

(4) 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.

(5) That none of the units hereby granted planning permission shall be occupied unless a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel.

(6) that the building(s) hereby approved shall not be brought into use 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 and unless the equipment has been installed in accordance with those approved details - to ensure this development complies with 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'.

(7) 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.

(8) that no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme - in the interest of residential amenity and public safety.

(9) that no development shall take place unless there has been submitted to and agreed in writing by the planning authority a noise assessment report by a suitably qualified noise consultant that ascertains the impact on the occupants of the proposed development arising from noise generated by traffic on North Deeside Road. The noise assessment report shall be in accordance with Planning Advice Note (PAN) 1/2011 'Planning and Noise' and its accompanying Technical Advice Note and shall identify the likely sources of noise and indicate the measures to reasonably protect the amenity of the occupants of the development from all such sources of noise that have been identified – in the interests of residential amenity.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.