

Ms Jacqui Thain,
Planning and Sustainable Development,
Aberdeen City Council
Ground Floor North
Marischal College
Broad Street
Aberdeen, AB10 1AB

Andrew H.R. Goldie,
276 Union Grove,
Aberdeen AB10 6TQ
24th June 2012

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Application 120703: Demolition of Existing Garage, and Erection of New Larger Garage with Upper Storage Space.

Dear Ms. Thain,

Following approaches from local residents and a subsequent site survey, I am writing on behalf of Queen's Cross & Harlaw Community Council in connection with the above proposal. The Community council has no objection in principle to the proposal to build a new garage to replace an existing structure (already demolished); however, we do have concerns over the *scale* of the proposed build within a designated Conservation Area, and on the effect that the build would have on both the general character of the area and on neighbouring properties. Our comments are as follows:-

- 1. From the drawings submitted, the proposed garage will occupy a footprint which would be almost seven times larger than the garage that it is designed to replace. In addition, the proposal would accommodate additional parking via a driveway to the side of the new building. The applicant has acknowledged (in correspondence and conversation) that in terms of parking provision, the build would exceed that normally required for a dwelling of this size, and he has indicated that some of the internal space is required for private storage purposes. The view of the Community Council is that, irrespective of private storage requirements, the sheer scale of the structure would be an over-development for a rear-garden area within a sensitive conservation area.
- 2. There is concern over the height of the proposed building. The design submitted by the applicant provides for an upper storage area above the ground-floor parking area. This makes the building significantly taller than surrounding structures (the applicant has stated the proposed garage would be 0.5m-1.1m higher at the apex than neighbouring garages to east and west). The view of the

Community Council is that the height of the proposed structure is excessive within the context of a designated conservation area.

- 3. In the absence of upper windows, there do not appear to be any over-looking issues with the proposal. However, both the height and scale of the proposed structure would ensure that it would be a significant visual intrusion with respect to neighbouring properties. The applicant has stated an intension to plant fruit trees on the north side of the proposed structure. If planted and grown to maturity, these may eventually provide some screening for neighbouring properties on Hamilton Place. The proposed garage would however, have a visual impact on properties on the other side of the access lane. While existing stone boundary walls provide a degree of mitigation for the ground floors of the properties on Craigie Park, the scale and height of the proposed build would be an inevitable visual intrusion on the rear-view from the upper floors. This would adversely affect the visual amenity of these properties.
- 4. This property is located within a designated Conservation Area. Protection afforded by such status applies not only to property frontages, but also to rear elevations, rear gardens and access lanes. Importantly, it also applies to the open spaces between buildings which contribute greatly to the character of the area. A concern of the Community Council is that Aberdeen's architectural heritage has been incrementally eroded in recent years by the approval of ever-larger rear-developments within conservation areas; and that such developments are reducing the attractive open spaces within areas which should be protected by Conservation area status. The view of the community Council therefore, is that this particular application (in current form) would be inappropriate for the setting, and would further undermine the Conservation Area.

The above summary is a fair reflection of the views of Queen's Cross and Harlaw Community Council, and we trust that you will give our comments due weight in the determination of this application. We are of the firm belief that this planning application (in current form) should be rejected for the reasons outlined above. Should Committee Members feel in any way inclined to doubt our assessment however, then we recommend that a site visit be undertaken to resolve matters.

Should you require clarification on any of the above points, please do not hesitate to contact me.

Yours sincerely,

Andrew Goldie

Planning Convenor, Queen's Cross & Harlaw Community Council.

Mr. R. & L. Canale
41 Hamilton Place
Aberdeen
AB15 4AX
11th June 2012

Enterprise, Planning & Infrastructure Aberdeen City Council Business Hub 4 Marischal College Broad Street ABERDEEN AB10 1AB

FAO Jacqui Thain

Dear Sirs

Project 515 - 41 Hamilton Place, Aberdeen, AB15 4AX - Proposed Garage Letter of Support

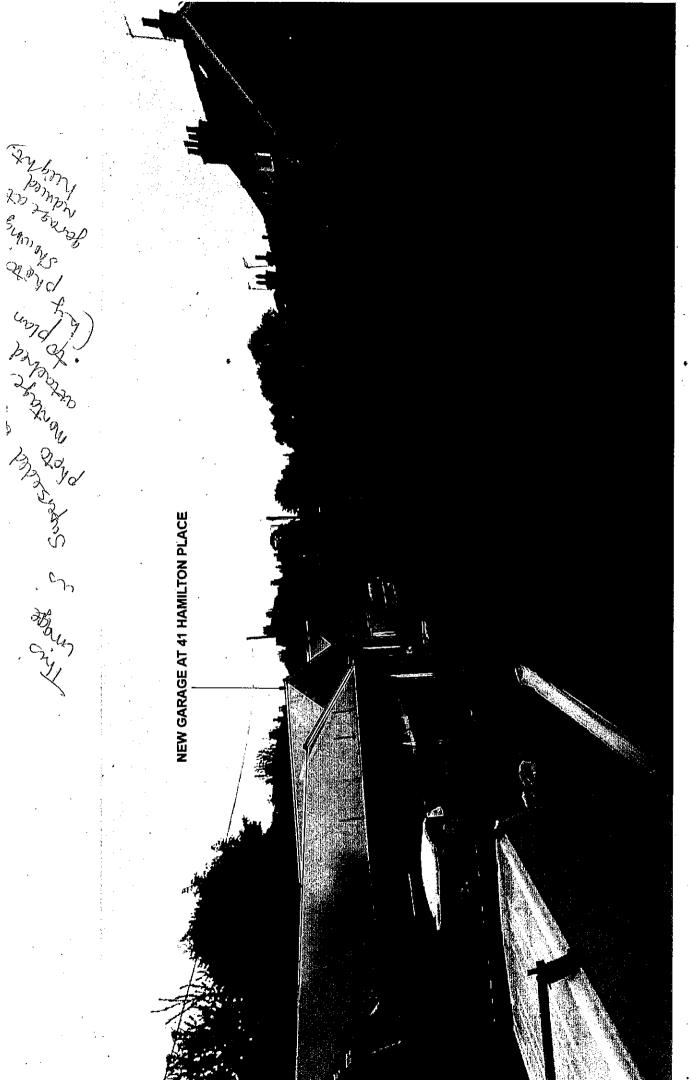
Please find a hard copy of the email and image sent today via email.

Yours faithfully

Raymond & Lynne Canale

Enc. Image & email





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From:

Sent:

11 June 2012 13:46

To:

'Jacqui Thain'

Subject:

RE: 41 Hamilton Place

Attachments: 41 hamilton garage photo match with note.jpg

Jacqui

Please find an updated image which identifies the garage to replace the image attached in the previous email. Can you please confirm receipt?

Thanks

Raymond Canale

From

Sent: 09 June 2012 12:33

To: 'Jacqui Thain'

Subject: 41 Hamilton Place

Jacqui

I have commissioned a 3dmodel / montage to illustrate the garage as part of the streetscape of the lane . The Montage uses the Google street view maps and professional software to combine. The image is extremely accurate, produced by one of the Directors of Max & Co., Leadside Road, Aberdeen. Max & Co supply 3d graphics, images and photo work to Police forces, Courts and the Oil industry..

In my opinion the montage illustrates that our proposed Garage would not have an adverse impact. As you will note you will see the relationship with the garage, setting back, the high boundary walls to the houses on Craigie Park, there is also a man in the photograph which gives a sense of scale to the walls.

I would be pleased if you could consider this as a letter of support and circulate this and the attached image.

Regards

Raymond Canale

Mr. R. & L. Canale
41 Hamilton Place
Aberdeen
AB15 4AX
7th June 2012

Enterprise, Planning & Infrastructure Aberdeen City Council Business Hub 4 Marischal College Broad Street ABERDEEN AB10 1AB

FAO Jacqui Thain

Dear Sirs

Project 515 - 41 Hamilton Place, Aberdeen, AB15 4AX - Proposed Garage Letter of Support

Further to recent discussions and advice that there have been a number of issues discussed in relation to objections to our application.

Firstly as mentioned, both my wife and myself are a bit perturbed that on advice from others, that the bulk of the objections may have been roused by one neighbour in particular. He had been wondering about in our garden advising the builders that the <u>consented</u> extension and removal of trees (conifers) was a disgrace and that a garage would never get permission as he was getting 8 objections lodged.

However other than that we would like to illustrate and highlight some of the key issues and facts below.

Siting and orientation

The garage is located back from the lane edge by an average of 2.7m

The face of garage to the lane is located approximately 25m from the rear elevations to the properties on Cragie Park which are to the South of the garage.

The garage is orientated to present the gable to the lane and is under 75% of the width of the plot. Several garages in the lane use 100% of the plot width.

Design

The garage is designed as single storey with a traditional roof pitch angle. The roof truss area is for use as storage.

The overall height to the ridge is approx 50cm higher than the pitched roof garage to the East and 110cm higher than the garage to the West.

The length of garage is longer than a standard domestic garage to suit our needs, however the garden is unusually long 62m (over 200 feet) and is not typical of plot sizes in the West End.

/contd.

Adjacent Properties

Houses to Craigie Park have their amenity space to towards the rear lane. The properties have high granite walls 2.4 - 2.5m (around 8 - 9 feet) to the rear lane affording no visual break

The houses are of 1.5 storey design and generally have 1 rear upper bedroom window

Community Council

After a meeting with the Community council member Andrew Goldie, he did a number of times express concern that the garage was a prelude to some form of future residential use.

This is absolutely not the case and I confirmed to him that I would be more than happy to have planning conditions restricting the use of the garage or formation of windows. I did point out clearly the overall height of the garage in relation to adjacent garages and the height of the boundary enclosure walls to the properties on Craigie Park.

Additionally I did clarify to him this is not a "development" in the sense of a commercial venture but our new family home, there seemed to be a perception this was a commercial development.

We have lived in the Midstocket area for 16 years and plan to be in Hamilton Place for probably the next 20 years, our office is close by in Rosemount.

Conclusions

In our opinion the siting of the garage in relation to the houses at a distance of around 25m has no impact to the properties on Cragie Park. For instance the LPA look for a distance of 18m in opposing window situations, which is a considerably more onerous situation

Day lighting, Privacy and preservation of amenity are not at risk to the occupants, noting that the garage is located to the North of all of these properties.

The garage would not be visible to the occupants on the ground floor or immediate amenity space to the rear of the dwellings. The properties have high enclosure walls, with broken glass to the top emphasises "fortress" approach and visual disconnection the occupants have with the rear lane.

The garage would be readily visible from the 1st floor single dormer windows of the properties (presumably a rear bedroom), however all other garages on the lane would be similarly visible.

We are aware that the garage is long, however the remaining amenity space is still more than the majority of dwellings enjoy in the West End area.

We hope that the LPA will support our application.

Yours faithfully,

Raymond & Lynne Canale

cc. Andrew Goldie,

Mr. R. & L. Canale 41 Hamilton Place Aberdeen AB15 4AX 7th June 2012

Andrew Goldie
Queens Cross / Harlaw Community Council
276 Union Grove
ABERDEEN
AB10 6TQ

Dear Sir

Project 515 - 41 Hamilton Place, Aberdeen, AB15 4AX - Proposed Garage

Subsequent to out meeting yesterday I have attached a copy of a letter of support for our garage. In the interests of forming a balanced view I have afforded you our thoughts and issues on the extension, after all you are currently our community councillor as well.

I have intimated to the department various issues we have had with one particular neighbour on Craigie Park, and also that we have no problem at all with conditions being placed on a consent.

Had the design of the garage compromised anyone's amenity, daylight or privacy we would have not lodged it, we have taken into account the surrounding structures, enclosure walls, orientation and the diversity of design.

I did find it a little sad to be termed as a developer who was going to possibly re-apply for consents to turn the garage into a house, although you didn't realise I was the applicant, owner and agent until afterwards.

I have lived in the West End since 1970, being a pupil at Mile End School, living in, Desswood Place and latterly Midstocket Road, my office is in Rosemount. Our new home is to be at 41 Hamilton Place and I trust that can now be taken at face value.

As explained yesterday the garage is designed to suit both our needs for garaging and storage. The buildings, landscaping and tree planting will be to a high standard when completed.

If you have issues that you feel are unresolved or require additional information, I would ask you to contact me at the office on 640006

Yours faithfully,

Raymond Canale

Cc Jaqui Thain, LPA

Judith Thorpe

To:

"jacthain@aberdeencity.gov.uk" <jacthain@aberdeencity.gov.uk>

Date:

12/06/2012 08:07

Subject:

New Garage at 41 Hamilton Place for Mr. & Mrs. Canale, Ref 120703

Dear Jacqui,

My name is Mark Palmer and I live at 43 Hamilton Place, one of the two direct neighbours of Mr and Mrs Canale.

I write in support of the proposed development of both the house and the garage.

My wife and I did a similar project in the last few years improving both the house and rebuilding the existing garage. We encountered no objections from any of our neighbours.

Having viewed the plans for the new garage, it appears that it is of a similar design and size to our garage. Given the varying designs of the existing garages on the lane, I feel that there has been a reasonable precedent set for the proposed development.

We have found the tradesmen on site to be extremely considerate and sympathetic to those around them during the house works. As direct neighbours, and one of the two most directly affected by the development and build, I hope that this letter of support is given it's appropriate weighting during your consideration of the case.

Yours sincerely,

Dr Mark Palmer

Sent from my iPad

Judith Thorpe
Director
Thorpe Molloy Recruitment Ltd
38 Albyn Place Aberdeen AB10 1YN
T: -

www.thorpemolloy.com

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50 Craigie Park Aberdeen AB25 2SE

26th May, 2012

Attention Jacqui Thain
Aberdeen City Council
Planning & Sustainable Development Dept.
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Dear Madam,

Application 120077 - extension to house at 41 Hamilton Place Application 120703 - proposed new garage development

I refer to the above. Firstly I wonder why you have been appointed to deal with the second application for the above address given the building of the extension - the subject of the first application - is still in the early stages. I would have thought it more prudent, cost effective and sensible that one officer deal with both and given that my wife and I were assured the garage was not being removed when we visited the Planning Department am anything but happy about the way this matter has been handled. It would appear that appointing two planning officers for two applications for one property is done to frustrate and confuse neighbours and anyone who is likely to object.

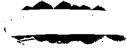
That said, I echo the comments of my wife's letter to Alan Simpson with whom she has had a few telephone discussions regarding the first application.

I am appalled that the Planning Committee can and have allowed the original application to sail through given the report prepared by Alan Simpson is not the full picture. It would appear that Mr Canale, as an architect, has omitted essential features from plans given it was in his best interests not to advise neighbours of his full intentions from the outset.

The plans for the garage development greatly concern me. The scale is beyond belief, both in actual size and, more importantly, height. Like my wife, I feel it is only a matter of time before a further application is submitted to allow for a window above the double doors to allow the "upstairs" space to be utilised. A construction of this size will totally dominate the lane and is open to use as additional accommodation, business use etc.

I therefore lodge my objection to Application 120703 in the strongest terms possible and trust the Planning Department will use its powers to ensure that a normal sized garage is erected not a bungalow in all but name!!

Yours faithfully,



Keith S Swankie

Attention Jacqui Thain
Aberdeen City Council
Planning & Sustainable Development Dept.
Marischal College
Broad Street
ABERDEEN
AB10 1AB

25th May, 2012

Copy letter to Alan Simpson attached in connection with

Application 120077 - extension to house at 41 Hamilton Place Application 120703 - proposed new garage development

25th May 2012

Attention Alan Simpson, Esq.,
Aberdeen City Council
Planning & Sustainable Development Dept.
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Dear Mr. Simpson,

Application 120077 - extension to house at 41 Hamilton Place Application 120703 - proposed new garage development

I refer to the above and to our recent telephone conversations regarding the works currently ongoing at 41 Hamilton Place. As previously explained, I have no problem with the owners in Hamilton Place extending their properties provided the proposed extension meets the current planning criteria, but I do have an interest in developments at the foot of their long gardens as this directly impacts on the properties at the opposite side of the lane i.e. in Craigie Park.

Along with my husband, Evisited the planning department and, as previously explained, was assured by a member of staff that there was no plan to remove the original garage but, given the size of the proposed extension, the wall to the lane would have to be removed. Neither was there any mention of removal of trees (it is a Conservation Area), and on that basis, my husband and I did not lodge any objection to the first application as we understood the lane would be virtually unaffected by the proposed development.

From our previous discussions over the telephone I understand that your original recommendation for the extension to be approved was based on the drawings submitted by Canale Associates —drawing 1001 (copy attached) clearly depicts the proposed extension and shows six trees - five appear to be in the garden of No. 41 and one overhanging from No. 39, along with the original single garage facing onto the lane. Your report, in which you recommend approval unconditionally, indicates that the extension will be well shaded from the back by the trees. From our discussions I understood you thought this to be the case and indeed you indicated to me that as the property was within a Conservation Area you thought permission would have had to have been sought for the removal of the large trees within the garden.

When the work commenced, however, imagine my surprise when the first thing to be removed was the garage and, when coming back from holiday last weekend, I find the large tree at the right hand side of the garden has been removed and the lamp post decommissioned and about to be pulled down. Obviously, not what we had been led to believe by your Department! You kindly gave me the number for the lighting department and when I telephoned that department a Mr. Collie indicated that the original plans allowed for the removal of the wall, garage, and the lamp post which would have been left in a dangerous position in the middle of the development site, all to allow the builders

access to the back of the house for the building of the extension - per the first application!

Can I respectfully ask why these matters were not mentioned in the planning application and why the planning department were therefore not providing those issued with neighbourhood notices or those who viewed the plans, with accurate information regarding the proposed development? It would appear to me that unconditional planning approval has been granted by the Planning Department on the basis of a flawed report as Mr. Canale had every intention of removing trees, demolishing the wall, garage and lamppost from the outset. Was this conveniently not mentioned to neighbours so that they did not oppose the first application? The lack of transparency and bias towards the applicant is worrying to say the least.

You will recall you did explain that although no permission was required to knock down the existing garage, another application would be required to be lodged for a replacement to be built. This was duly received yesterday.

Can I please have an explanation as to why this application not only appears to be being dealt with by someone else, but also appears to be in a different ward! The first application pertains to Hazlehead/Ashley/Queens Cross which would be correct but the second application - the new one for the garage development - gives the ward as Midstocket and Rosemount. Surely something is not right and it seems ludicrous that one officer deals with the proposed extension to the house whilst another deals with the garage at the same address!!

The plans for the garage development, which as previously explained are of more interest to me than the extension to the house, show up another few anomalies which gravely concern me, my husband, and our Craigie Park neighbours. The site plan on drawing 1001 quite clearly shows the six trees, whilst the site plan on drawing 1002 (copy attached) shows only one small tree which, given its close proximity to the boundary of the new extension, may well also have to be removed. I would appreciate an explanation given that your original report when you recommended approval of the extension to the house, categorically states that the trees to the rear of the property will screen the size of the house extension. Given the applicant obviously had every intention of removing the existing garage and trees to facilitate the building of his extension, was the unconditional planning approval, granted by the Planning Committee on the basis of your report, fair and just?

The size of the garage in the new application is of huge concern. Whilst no dimensions are given, it is obvious from the drawing which shows the south elevation that the proposed garage development is going to be higher than the garage at No. 43 and seems from the lower drawing on that page to be some four times larger than the single garage which was demolished. Given that the Council's policy is to prevent developments which could eventually be turned into separate housing or a "granny annexe" in gardens of existing properties, Estrongly feel that this should be modified to a smaller scale development and not approved in its present format. The present format given the height, would allow for a further application, perhaps sometime in the future, to allow the formation of a window above the double doors to the lane to form an "upstairs" space above the garaged cars. This could be utilised for various purposes unrelated to the garaging of one or two cars and this is unacceptable to us as residents of Craigie Park, bearing in mind, the garage development is much closer to our houses than it is to the applicant's property.

Whilst appreciating that a new garage will now have to be built since the builders working on the extension to the property have demolished the existing garage, I feel that it should be stipulated that it has to be of a similar size and **not**, if the plans are accurate, some monstrosity, around four times the size of the former garage. It should be built to a similar height to that which was removed or at least no higher than the triple garage at No. 43 in order to preserve the amenity of our area.

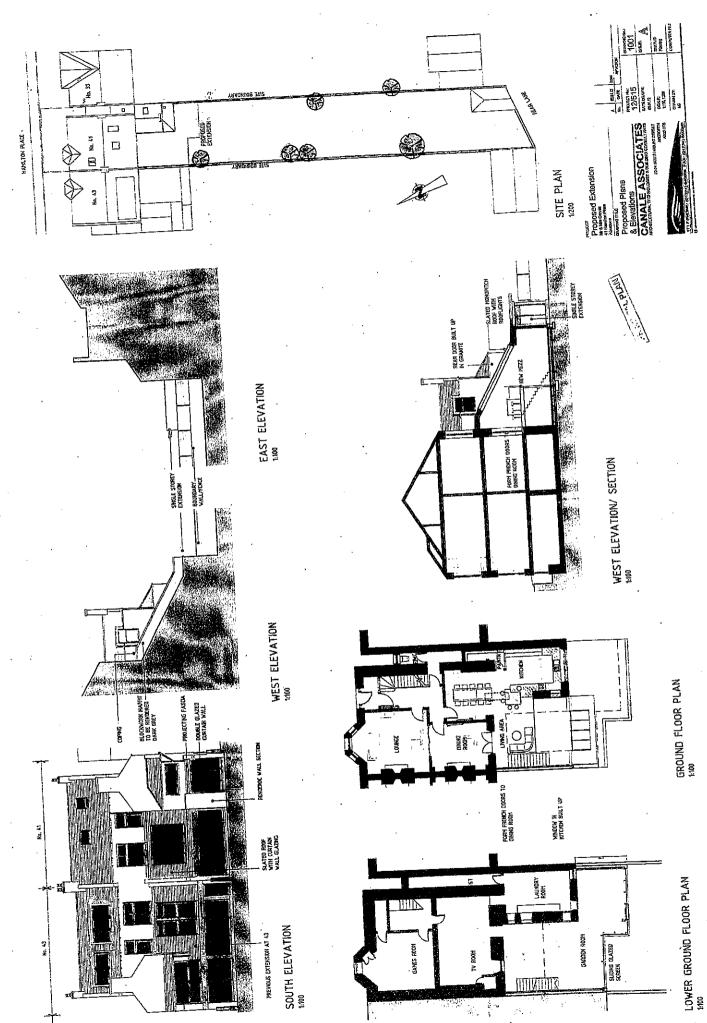
Why anyone can justify proposing plans for such an enormous garage, together with a run-in with the possibility of accommodating at least another two or three vehicles in a purely residential area is quite beyond me. This potentially smacks of a car business being operated from the lane. Surely the Planning Department has the remit to exercise some control over such developments to prevent large garages in narrow lanes which can eventually be turned into business premises or separate housing?

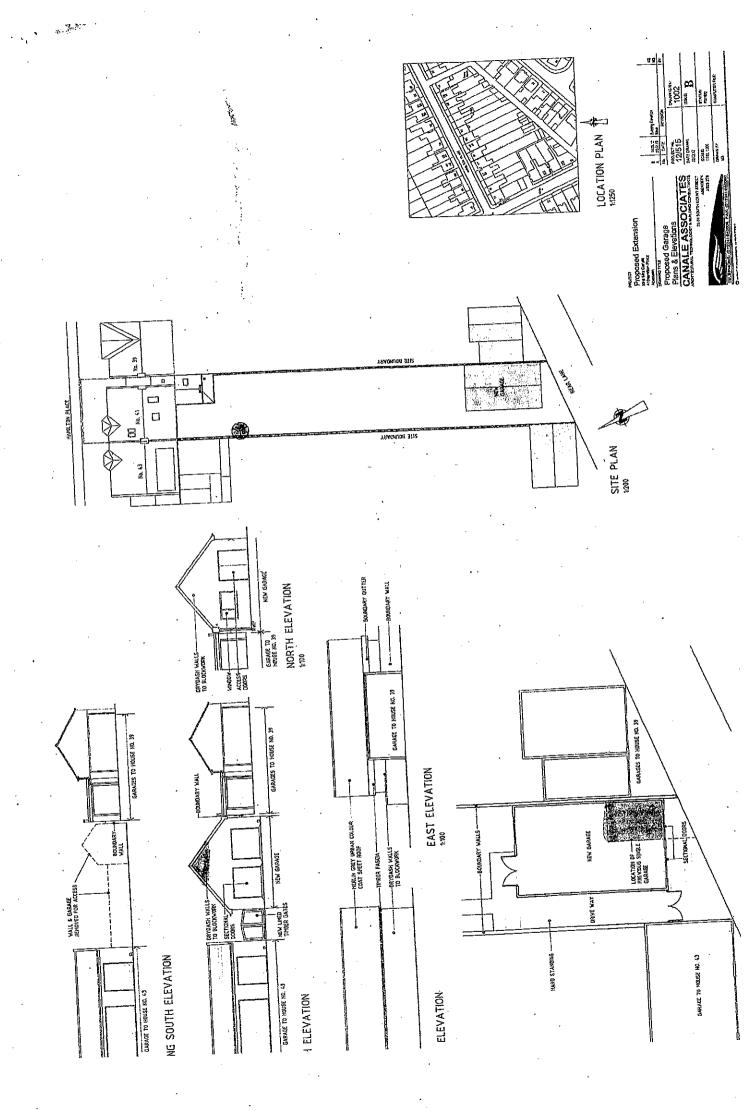
I therefore lodge my objection to application 120703 in its present form on the grounds of the size, especially the height of the proposed garage.

As it appears Jacqui Thain is the officer dealing with the application for the garage development, I have sent a copy of this letter to her.

Yours sincerely

Sheila Swankie Copy plans attached





44 Craigie Park Aberdeen AB25 2SE 30th May 2012

Ms J Thain
Aberdeen City Council
Planning Reception
Planning & Sustainable Development
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Ms Thain

PLANNING APPLICATION 120703
41 HAMILTON PLACE ABERDEEN AB15 4AX

<u>Erection of Garage and formation of gates driveway.</u>

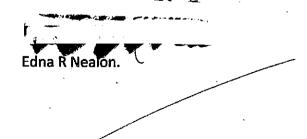
I wish to object to the above application.

The size and height of the proposed garage would appear to far exceed what one would expect for a standard domestic garage albeit one accommodating 2/3 cars. My fear is that this proposed building could easily at a future date be adapted into a living space and /or premises suitable for office accommodation.

The proposed gates driveway could give access to at least 3 more vehicles.

This property has already been granted permission to build a large extension incorporating a games room, a tv room, a garden room and a laundry room, so why so large a garage is required is questionable.

I would be grateful if my objection is considered. Thank you, Yours faithfully



28th May, 2012.

Attention Ms. Jacqui Thain
Aberdeen City Council
Planning & Sustainable Development Dept.
Marischal College
Broad Street
ABERDEEN
AB10 1AB

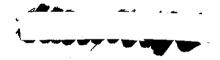
Dear Madam,

Application 120703 - proposed new garage

I refer to the above and wish to lodge my objection to the proposed application.

Whilst having no problem with the applicant building a new garage, I am deeply concerned regarding the size of the proposed structure, especially the height which will impact greatly on the lane onto which it will face. I feel something smaller would be more appropriate in this location and therefore trust the application, in its present form, will not be granted.

Yours faithfully,



Norma C Herd

<webmaster@aberdeencity.gov.uk>

To:

<pi@aberdeencity.gov.uk>

Date:

25/05/2012 20:09

Subject:

Planning Comment for 120703

Comment for Planning Application 120703

Name : Vicki Mearns Address : 48 Craigie Park

Telephone (

Email :

type:

Comment: I do not like this because it invades my privacy. Come around and look at the current view from my back garden with a digital photograph / then consider the proposed development (garage height). You need to visualise this to appreciate it is wrong. I hope you make the effort to do this and then make your decision.

<webmaster@aberdeencity.gov.uk>

To:

<pi@aberdeencitv.gov.uk>

Date:

25/05/2012 20:01

Subject:

Planning Comment for 120703

Comment for Planning Application 120703 Name : Richard Moggach Cullen Mearns

Address: 48 Craigie Park

Aberdeen

Telephone

Email : f

Comment: I object to the height of the garage development at the proposed location. It is not in keeping with the height of the other garages at the end of the garden next to the road. More importantly for me i do not want the sun blocked or people looking into my kitchen and back garden. Apparently the light on the street is being moved. How can this happen with no consultation? They can build the garage at that height closer to their own home further up their own drive not at the end right next to mine...i am sure that would not be appropriate for them and it certainly is'nt appropriate for myself and our neighbours.

<webmaster@aberdeencity.gov.uk>

To:

<pi@aberdeencity.gov.uk>

Date:

24/05/2012 15:25

Subject:

Planning Comment for 120703

Comment for Planning Application 120703

Name : Adrian & Dodd

Address: 46 Craigie Park

Aberdeen AB25 2SE

Telephone (

Email (type:

Comment: Dear Sir/Madam

We do not object to the erection of a new garage. However, we do object to the height of the proposed garage. The garage height will be higher than the new garage that was built by Number 43 Hamilton Place - the originally planned height of the 41 Hamilton Place garage was higher but there were objections (quite rightly so!) and the height was reduced. The new garage will overlook our back garden, substantially blocking our view. Looking at the scale drawing, this appears to look more like a house than a garage and could potentially be turned into a house/office with windows directly looking into our bedroom. We also have grave concerns that a garage of this height will devalue our house.

Yours faithfully, Adrian and Anna Todd