

# 1 - 5 SALISBURY TERRACE, ABERDEEN

PROPOSED FLATTED DEVELOPMENT  
COMPRISING 6 NUMBER FLATS  
TOGETHER WITH CHANGE OF USE  
FROM EXISTING 8 NUMBER LOCK-UP  
GARAGES

For: Drumrossie Land Development Co.

Application Ref. : P111831  
Application Date : 08/12/2011  
Officer : Gareth Allison  
Ward: Airyhall/Broomhill/Garthdee (I Yuill/A  
Taylor/G Townson)

Advert : Section 60/65 - Dev  
aff LB/CA  
Advertised on : 04/07/2012  
Committee Date : 14 September 2012  
Community Council : No response received



**RECOMMENDATION: Approve subject to conditions**

## **DESCRIPTION**

The application site is located on Salisbury Terrace at the south side junction onto Great Western Road, within the Great Western Road Conservation Area. The site currently incorporates 8 no. lock up garages, hardstanding turning area, and access from Salisbury Terrace. Directly to the north is a small area of open space with seating areas and landscaping. Directly to the south on Salisbury Terrace is a 4 storey flatted development. To the east of the site and within close proximity of the boundary is the gable end of 2 storey granite residential units. To the west, fronting onto Great Western Road is a 2 storey, category C listed, traditional granite dwelling, with a unique curved corner feature which addresses the junction from Great Western Road onto Salisbury Terrace. To the north of the site, fronting onto Great Western Road and facing the site is a row of 2 and 1/2 storey granite terraced dwellings.

## **HISTORY**

There is no site history relevant to this application.

## **PROPOSAL**

Change of Use: The application seeks permission for a change of use for the site from the existing use of garages to residential units. It is noted that there is no planning history for the site, which is zoned as Residential under the Aberdeen Local Development Plan.

Residential Development: It is proposed to provide a residential development consisting of 6 No. flats over 4 storeys. Ground floor level would provide 9 no. car-parking spaces; pedestrian access from Salisbury Terrace via covered entrance; secure communal store with cycle storage; and 1 No. 2 bedroom flat. The covered entrance would provide independent access to the ground floor flat, and further access to a communal hallway and stairway that would lead to the first floor; with access to 2 No. 2 bedroom flats; to the second floor with access to 2 No. 2 bedroom flats; and to the third floor with access to 1 No. 2 bedroom flat. External materials are indicated to consist of granite at ground floor and first floor level, with zinc cladding and white render at second floor level, and zinc cladding at third floor level. Private, individual amenity space would be provided for 5 No. flats by way of balconies or external terraces, with the exception of the flat at ground floor level which is not afforded any private space.

It is noted that following submission of original plans, the proposal has gone through various changes in terms of design, scale and massing. The application was subsequently re-advertised and neighbours were re-notified following submission of an amended scheme.

A design statement was submitted in support of the original proposal, the general principles of which remain applicable to the amended scheme.

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

There have been a total of 10 No. representations received in objection to the application and thus falls outwith the Council's Scheme of Delegation.

## **CONSULTATIONS**

|                        |                                    |
|------------------------|------------------------------------|
| ROADS SECTION –        | No objections                      |
| ENVIRONMENTAL HEALTH – | No objections subject to condition |
| COMMUNITY COUNCIL –    | No observations received           |

## **REPRESENTATIONS**

A total of 13 No. letters of representation have been received which object to the proposals; however it is noted that 10 No. were received in response to the originally submitted scheme. Following the re-advertising and re-notification of the amended scheme, a further 3 No. were received from individuals who had objected to the original scheme. The main planning considerations therein can be summarised as follows, and are addressed in full in the evaluation section below.

Scale, Design & Materials: The scale of the proposal is not in keeping with the surrounding area. The plans refer to a two storey façade but this is clearly four storeys fronting onto Great Western Road and the open space to the north of the site. The design and proposed materials are not consistent with other properties in the area, the setting of the nearby listed building or the wider conservation area. There would not be a private face to an enclosed garden or court, and no amenity space is provided for residents.

Impact on Privacy/Amenity: The development will result in a loss of privacy and amenity through terraces, balconies and windows, and natural light to adjoining hallways on the western gables and rear rooms on the south elevations. It would also reduce natural sun-light and would impact upon the privacy of 327 Great Western Road to the west. The development will have a detrimental impact on the small garden area to the north of the site, giving the impression that the garden area is connected to the ground floor flat. The plans do not clearly show what is proposed for this area.

Carparking & Traffic Generation: The proposal provides insufficient parking for the proposed residents and will subsequently have a significant impact on existing on-street parking pressures. The parking takes up more than 50% of the private court. Cars will have to reverse out onto Salisbury Terrace to exit the development. The developer should make contributions towards road improvements in the area.

Disruption: The construction of the development would cause noise pollution and a safety hazard for adjoining residents. Furthermore it would be in close proximity to existing residential units, which will cause issues with maintenance, and may affect access paths, drainage and foundations. The boundary wall separating the site from the existing residential units to the east is in mutual ownership, and the plans are unclear as to how this wall will be affected by the development.

Local Impact: The development would have an impact on nearby business operations and the ability to successfully lease buildings to tenants.

Precedent: Approval of the development would set an undesirable precedent within the area.

## **PLANNING POLICY**

### **1. Aberdeen Local Development Plan**

D1: Architecture & Placemaking: *New development must be designed with due consideration for its context and make a positive contribution to its setting in terms of 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. High buildings should respect the height and scale of their surroundings.*

D2: Design & Amenity: *Privacy shall be designed into higher density housing, with all residents having access to sitting-out areas by way of balconies, private gardens, terraces or communal garden. Underground or decked parking will be expected in high density schemes. Development proposals shall include measures to design out crime and design in safety. External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.*

D5: Built Heritage: *Proposals affecting Conservation Areas will only be permitted if they comply with Scottish Planning Policy. The Planning Authority has a duty to conserve and enhance the essential characteristics, aesthetics, archaeological and historical value and setting of the site.*

H1: Residential Area: *Development should not have an unacceptable impact on the character or amenity of the surrounding area; should not constitute over-development; or result in the loss of valuable areas of open space. It should be considered complementary to the existing residential uses and should cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.*

T2: Managing the Transport Impact of Development: *New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail the standards that different types of development should provide.*

R7: Low & 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 at least 15% below 2007 building standards. This percentage requirement will be increased as specified in Supplementary Guidance.*

### **2. Aberdeen City Council Supplementary Guidance**

- Subdivision and Redevelopment of Residential Curtilages;
- Transport and Accessibility; and
- Low and Zero Carbon Buildings

### **3. National Planning Policy Guidance**

Scottish Planning Policy: Housing: *The redevelopment of brownfield land within existing settlements should be encouraged.*

Scottish Planning Policy: Conservation Areas: *Development should preserve or enhance the character or appearance of the area.*

Scottish Planning Policy: Renewable Energy: *This provides information and guidance on implementing the targets for renewable energy sources.*  
Historic Scotland's Scottish Historic Environment Policy (SHEP): *This provides information and guidance on development affecting conservation areas and listed buildings.*

## **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. Section 64 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character of conservation areas. Following a detailed assessment of the site and the submitted plans, the subsequent conclusions have been reached.

### Existing Site: Principle of Residential Development

Originally a bowling green, the site's current use as garages is of little townscape merit and does not contribute positively to the conservation area. Its redevelopment offers an opportunity to make a strong design statement that celebrates this corner site whilst being respectful of the setting of the listed building on the opposite side. As it is located within an established residential area, the proposed use of residential development is considered acceptable, subject to compliance with all other relevant policies and guidance.

### Architecture & Placemaking

The Planning Authority is generally supportive and encouraging of contemporary design within conservation areas, providing it can preserve and/or enhance the character and amenity of the area, and does not over-dominate the existing valued built heritage. The proposed development does not attempt to specifically emulate the style and finish of the existing properties; rather it aims to achieve a modern contrast that is of sufficient quality to enhance the surrounding area.

Due to its sensitive location within the Great Western Road (GWR) Conservation Area and its impact on the listed building opposite, concerns were raised regarding the height, design and massing of the original proposal. Whilst the traditional properties on this section of GWR have very strong vertical emphasis in proportions and detailing, the proposed frontage had a significant horizontal emphasis, whilst the overall height and scale facing onto GWR was considered excessive and overly dominant. The proposed finishing scheme and materials were also considered to fall short of the quality that would be expected in a conservation area.

The proposal was subsequently amended to reduce the overall floor space, allowing the third and fourth storeys to be pulled back to provide a more appropriate step-up; from two storeys fronting directly onto Great Western Road to four storeys to tie in with the flatted development to the rear. The front building line would be located behind that of the existing properties to the east, with the

highest part of the second storey only slightly exceeding the eaves level of the properties to east, and lower than 327 GWR to the west. Whilst the third and fourth storeys exceed the wallhead height and ridgelines of both adjacent properties, it is noted that by stepping these storeys back, in particular the fourth storey, the cumulative impact is subsequently reduced.

Further to the above, a break in materials was introduced to differentiate between the individual stories, with a vertical emphasis to the glazing layout throughout the development in order to relate to the architectural rhythm of the surroundings. Efforts were made to address and celebrate the corner site with unique detailing on the first, second and third stories in an attempt to add balance to the architectural presence of 327 GWR opposite. Additional features, such as the vertical glazing break between the second and third storey on the western elevation, provide additional modern design elements which also further emphasise the stepping-up of the building from GWR towards the rear. The proposed finishes, as amended and when viewed in line with the changes made to the overall scale and massing, are considered to represent a satisfactory combination for the nature of the proposal. It is noted however that the use of white render on the westerly facing elevation is not acceptable on account of its location in the Conservation Area. A light coloured render is considered acceptable in principle, and precise details can be controlled through condition.

#### Privacy

In line with Council guidance, directly facing windows should have a minimum separation distance of 18 metres. However, for windows that are separated by a 90 degree angle between the extension of façade planes, the minimum separation distance is 2 metres. Windows to habitable rooms (defined as living, sleeping and eating areas) should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings.

The proposal includes 10 No. windows on the eastern elevation, all of which would subsequently face neighbouring garden ground. However, the following points are noted:

- None of the windows would service habitable rooms;
- 2 No. would service kitchen windows (1 No. at second storey and 1 No. at third storey), the rest servicing bathrooms or ensuites;
- They would be a minimum of 5 metres from the boundary and approximately 14.5 metres from the nearest point of the closest property;
- All the windows would be at 90 degrees to the windows of the adjacent properties; and
- They would measure 0.9 metres wide by 0.6 metres high, with a cill height of 1.5 metres from floor level.

On consideration of the above it is considered that the windows do not conflict with Council guidance and would not result in a detrimental impact on privacy of neighbours. By way of design (size and cill height) it is clear that the kitchen windows are intended to provide internal spaces with natural light and to reduce any potential for overlooking of rear garden areas. The bathroom and ensuite windows can be controlled through condition to ensure obscure glazing is

installed. By way of distances and locations, there would be no impact on privacy from any windows on the north elevations, being more than 24 metres from any property, or the west elevations being more than 19 metres from 327 GWR. The southerly facing windows would have no more of an impact on garden ground than existing windows on rear elevations of the adjacent buildings.

### Amenity

Guidance states that residential development should have a public face to the street and a private face to an enclosed garden or court; with all residents having access to sitting out areas, which can be provided by way of balcony in constrained situations. It is noted firstly that this is guidance which can be applied to all forms of residential development across the city. In this instance, all of the proposed flats, with the exception of the ground floor flat and 1 No. of the first floor flats, have access to balconies or private roof terraces. Given the restrictive nature of the site, it would be unreasonable to refuse the application solely on the grounds that 2 No. of 6 No. flats fail to provide such amenity space. Public amenity space is located directly adjacent to the site which residents would have full access to. The provision of an internal court yard within the development would only serve to reduce the ability to provide in-site car-parking and as such it is acknowledged that the proposed amenity areas are the maximum that could be provided in the circumstances.

It is noted that there would be an impact on the amenity of neighbouring properties as a result of the proposed roof terraces, however given the location of these it is not considered that the level of this impact would be detrimental, given that a degree of impact will be inevitable with any residential development in close proximity to existing dwellings. Furthermore, with the control of external materials through condition, it can be ensured that the terrace screening on the eastern boundary at second and third floor is suitably obscure.

### Design & Amenity: Daylight & Sunlight

With the proposed development being in close proximity to existing properties, there will also be a level of impact on the amount of daylight and sunlight currently received by these properties. However, on account of the site orientation; the natural arc of the sun; and the location of both the proposed development and the existing property to the east; such an impact would be limited to late afternoon and evening time, with the greatest impact coming from overshadowing/lack of direct sunlight, rather than loss of daylight. Furthermore the impact on the windows on the western gable end of the adjacent property would not be considered a material concern given that the windows on this gable end are not habitable rooms, and the resultant daylight levels would be no different than those currently experienced in the majority of houses within the surrounding area, where gable ends are located closely together.

### Impact on the Historic Environment

In line with the changes that have been made to the scheme, and notwithstanding being larger in scale than adjacent properties and with clear contemporary design principles, it is not considered that the proposed scheme would have a negative impact on the wider area, thereby preserving the existing

character of the conservation area. Furthermore the redevelopment of the site would be seen to enhance this character through the removal and replacement of the existing garages, which would be seen to effectively detract from the area, with an active residential development. The setting of the listed building at 327 GWR would not be materially affected by the development given the distance between the two, with both buildings having distinct, individual character. Whilst the corner detailing of the proposed scheme would add balance and reflection between the two, it is not considered that the new scheme would in any way materially detract from the listed building or its setting.

#### Transport Impact

The proposal has been fully evaluated by the Council's Roads Engineers in line with current standards. It is noted that existing on-street parking in the area is heavily restricted. Furthermore the proposed development offers 9 No. parking spaces; a shortfall of 3 No. spaces in line with the current parking standard. However the Roads Engineer is satisfied that the proposed ratio of 1.5 parking per flat is acceptable, given that the development site has very good access to public transportation, and the applicant is providing 100% cycle provision by way of 6 No. secure cycle storage stands. Furthermore the 1.5 ratio has been applied consistently to other developments in this area, and there is no reason in this instance to deviate from this practice in this instance. Drainage details are not specified, but these can also be controlled through condition. In line with this, the Roads Engineer has no objections to the proposal. The proposal does not meet any criteria that would require contributions to be made by the developer.

#### Reducing Carbon Emissions in New Development

Under requirements of Policy R7, the applicant is required to meet the on-site carbon emissions standards within the development as set out in the Council's Supplementary Guidance. A condition is attached to require the submission of a Technical Statement which clearly sets out details of this achievement, in accordance with these requirements.

#### Letters of Representation

The concerns noted regarding scale, design, materials, privacy, amenity, sun-light, day-light, car-parking, traffic generation have all been discussed above. The remaining concerns are addressed as follows.

#### Impact on Open Space

There are clear concerns regarding the impact that the development may have on the area of open space to the north of the building. However it must be acknowledged that this piece of open space is unique by way of its layout and location between GWR and a brownfield site. It has also been accepted that the primary context of the application site is GWR rather than Salisbury Terrace, and any development within the application site should therefore address GWR. On accepting this principle, it would then be unreasonable to expect any new development to avoid having any impact on the area of open space. The area is not private space and therefore the development does not breach any policy position in terms of over-looking such an area.



### Local Impact

Any development will result in varying levels of disturbance during the construction process, however such an impact would be short term and would not justify refusal of development. Construction hours can be restricted and controlled through condition. Any issues relating to maintenance of existing buildings or impact on boundary walls, access paths, drainage and foundations are private matters between the respective land owners, and are not material planning considerations. Likewise the potential impact that the building may have on the leasing situation of nearby properties is not a material consideration in this determination.

### Conclusion

There is no doubt that this application proposes a large building, located on a key corner site of a street that is typified by two storey traditional granite dwellings. The proposal is of larger scale than existing dwellings, and would have a degree of impact on local amenity and the open space to the front. However, balanced against this it is noted that the applicant has endeavoured to make changes to reduce the overall scale and massing to provide a final scheme that could be considered to be of sufficient quality for its location and setting. When viewed together, the changes made are considered to be of adequate weight to reduce the visual dominance and massing of the proposal to a satisfactory level; allowing the redevelopment of a brownfield site with a unit that would sit well within the conservation area; would not be detrimental to the setting of the listed building opposite; and would preserve the residential character and amenity within the area. All issues of car-parking and access have been satisfactorily addressed.

For these reasons, the Council is satisfied that the proposed development is acceptable, subject to relevant conditions, under provisions of the relevant policies of the Aberdeen Local Development Plan; the Council's supplementary guidance; Scottish Planning Policy; and other national advice and guidance on the siting and design of new development and the Historic Environment. Approval of the application would not be seen to set an undesirable precedent. No other relevant material considerations are considered to outweigh this policy position, and so it is recommended that the application is approved subject to the appropriate conditions.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASONS FOR RECOMMENDATION**

The proposed development is considered to be acceptable under policies D1, D2, D5, H1, T2 & R7 of the Aberdeen Local Development Plan; supplementary guidance; Scottish Planning Policy; and national guidelines on development affecting the Historic Environment. The overall design, scale and massing of the development are considered to be appropriate for its context and setting, with acceptable levels of amenity for both existing and proposed residents; actively retaining the residential character and amenity of the area. The proposal would result in the redevelopment of a brownfield site with a scheme that would sit well

within the conservation area and would not be detrimental to the setting of the listed building opposite. All issues of car-parking and access have been satisfactorily addressed.

Full consideration has been given to all concerns raised in representations, but neither do they outweigh the policy position as detailed above, nor do they justify further amendments to the plans or refusal of the application. All other relevant material considerations have been considered, and in line with these it is recommended that the application be approved subject to appropriate conditions.

**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 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.

(3) that no development shall take place unless details showing the bathroom and ensuite windows, in the east facing elevation of the building hereby approved, to be fitted with obscure glass, have been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the windows have been installed in complete accordance with the said scheme - in the interests of protecting the privacy of adjoining residential properties.

(4) that, except as the Planning Authority may otherwise agree in writing, in order to protect the residents of the surrounding domestic properties from any potential noise nuisance arising from the proposed demolition and building works, construction works should not occur:

(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 the cycle storage facilities as shown on drawing no. 1010 rev A have been provided - in the interests of encouraging more sustainable modes of travel.

(6) that the building 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 'Low and Zero Carbon Buildings'.

(7) 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.

(8) 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. 1010 rev A 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.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.