

Planning Development Management Committee

FORMER POLICE STATION, MIDSTOCKET ROAD

CHANGE OF USE FROM FORMER POLICE STATION TO RESIDENTIAL ACCOMMODATION

For: Mr Stanley Wood

Application Type : Detailed Planning Permission	Advert : Section 60/65 - Dev aff
Application Ref. : P131363	LB/CA
Application Date: 13/09/2013	Advertised on: 25/09/2013
Officer: Paul Williamson	Committee Date: 28 November 2013
Ward : Midstocket/Rosemount (B Cormie/J Laing/F Forsyth)	Community Council : Comments



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The site to which this application relates comprises a single storey flat roofed building which was formerly used as a Police Station. The existing walls are of granite block construction, with white Upvc windows, and cast iron rainwater goods (painted grey). The property is located towards the eastern end of Midstocket Road, near its junctions with Beechgrove Terrace, Argyll Place, Craigie Loanings, and Rosemount Place.

In respect of neighbouring property, there is a small area of unused ground to the east, with 1 ½ storey properties beyond containing a mix of retail and residential flats. To the south is a bank at ground floor level, with two storeys of residential accommodation above. To the west is the four storey flatted development of Midstocket Mews, while to the north are the rear gardens and garages associated with Argyll Place.

Bus stops are located within 40 metres of the application site to the west on Midstocket Road.

RELEVANT HISTORY

14-16 Midstocket Road (Adjacent site to east)

94/0173 Shop on Ground Floor with Flat Above. Refused at Planning Committee on 25 April 1994.

94/1217 Shop on Ground Floor with storage above (1 ½ storey). Approved Conditionally on 4 August 1994. This was never implemented.

94/2165 Erection of 2 no. flats. Refused at Planning Committee on 29 November 1994.

PROPOSAL

Detailed Planning Permission is sought for the change of use of this former Police Station to form a one bedroomed residential unit. The submitted plans show the premise comprising of one bedroom, a living area, a shower room, and a kitchen.

In addition, the proposals show the provision of a spiral staircase leading up to roof level, to an area which would be utilised as roof garden/amenity space. This would be enclosed to the north and east by the provision of a 2.3 metre high screen wall, which would be clad with horizontal timber linings. To the southern edge of the roof garden would be a mild steel balustrade (painted grey). At the north eastern corner of the roof terrace would be a small sun lounge of approximately 8 square metres which would enclose the stair leading to the ground floor level.

The submitted plans show that a further external change would be the drop of window cill level to the site frontage to Midstocket Road. The new windows and doors would be timber painted white.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?131363>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the the Planning Development Management Committee because the application is being recommended for approval and has been the subject of a formal objection by the Rosemount/Mile End Community Council within whose area the application site falls. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objection. The surrounding streets can accommodate some on street car parking. In light of the constraints on internal space, no cycle parking shall be required in this instance.

Environmental Health – In principle there is no objection to the proposals, however due to the close proximity of the dwelling to the road and nearby junction, there are concerns over road traffic noise disturbance to future occupants. A suitable noise survey is required through a condition, to ascertain whether mitigation is required.

Enterprise, Planning & Infrastructure (Flooding) – No observations.

Rosemount and Mile End Community Council – Do not support the application for the following reasons:

- This is a very limited site, near a busy traffic junction, which offers no private parking facilities;
- The extension to the roof area raises doubts over fire safety;
- The roof terrace is not in keeping with the surrounding area; and,
- Raises a query over whether the adjacent land shall be incorporated into the proposals at a future date.

REPRESENTATIONS

Four letters of objection have been received. The objections raised relate to the following matters:

- 1) Loss of amenity/privacy;
- 2) A previous application for a two storey development was refused;
- 3) Lack of car parking;
- 4) Dangerous access from kitchen onto busy back lane;
- 5) No details supplied as to material finishes;
- 6) Noise impact on adjacent residential amenity;
- 7) The design would be out of character with the surrounding neighbourhood; and,
- 8) The proposal would be contrary to Local Development Plan policies D1 – Architecture and Placemaking, D4 – Aberdeens Granite Heritage, and H1 – Residential Areas;

The following matters raised are not material planning considerations:

- No right of access to adjacent garden for construction or maintenance;
- Two elevations are landlocked; and,
- Alleged flouting of legislation, and quality of previous developments

PLANNING POLICY

Scottish Planning Policy

Scottish Planning Policy states in paragraph 110 that “The historic environment is a key part of Scotland’s cultural heritage and it enhances national, regional and local distinctiveness, contributing to sustainable economic growth and regeneration. It is of particular importance for supporting the growth of tourism and leisure, and contributes to sustainable development through the energy and material invested in buildings, the scope for adaptation and reuse and the unique quality of historic environments which provide a sense of identity and continuity for communities. Planning authorities can help to safeguard historic assets through development plans and development management decisions. Paragraph 115 states “A proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. The design, materials, scale and siting of new development within a conservation area, and development outwith the conservation area that will impact on its appearance, character or setting, should be appropriate to the character and setting of the conservation area. Planning permission should normally be refused for development, including demolition, within a conservation area that fails to preserve or enhance the character or appearance of the area”.

Aberdeen Local Development Plan

Policy RT3 – Town, District and Neighbourhood Centres states that proposals for change of use from retail to non-retail use in town, district and neighbourhood centres will only be allowed if in compliance with five set criteria.

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

Policy D2 – Design and Amenity states that 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 public face to the street and a private face to an enclosed garden or court;
- 3) All residents shall have access to sitting out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the council; etc.

Policy D4 – Aberdeen’s Granite Heritage states that 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.

Policy D5 – Built Heritage states that proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

Supplementary Guidance

Transport and Accessibility

Other Relevant Material Considerations

None relevant to this application.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) 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 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

The application site is located within the Town Centre of Rosemount. As such proposal RT3 technically applies. However, as the site is already out of retail use, the conversion of this former Police Station to form a small residential unit would not result in any conflict with policy RT3.

At the outset, it is acknowledged that design is a very subjective matter. In this instance, the existing building is not particularly inspiring, and adds little to the character of the wider Rosemount/Westburn Conservation Area, which the site is within, yet on the boundary of. Accordingly, given that the building has become redundant for its originally designed purpose, consideration must be given to the sustainable re-use of this property which is also supported through Scottish Planning Policy. In one other instance in the City, a single storey former Police Station on Fonthill Road has been demolished, and replaced with a two storey flatted development (of 3 no. units). However, in this case, the site is substantially smaller, and such a scale of development would not be appropriate in light of the scale of adjacent property. The applicant has come forward with a rather novel way of re-occupying the property, and through providing a small roof-top terrace, thus providing an area of amenity for future residents through a contemporary design. At present, the height to the top of the parapet wall is 3.7 metres. As part of the proposals, the overall height including the two enclosing walls to the north and east would be 5.6 metres in height. Such an increase in

height is not considered to lead to a significant detriment to either the visual amenity nor the character of the area. The 1 ½ storey properties to the east (8-12 Midstocket Road), are estimated to have a ridge height of approximately 6.5 metres, while the scale of properties to the south (containing the bank), and Midstocket Mews to the west, are even larger still. It is not considered therefore that the proposal would have a level of impact in respect of over-shadowing or loss of daylight that would warrant the refusal of this application.

In respect of Scottish Planning Policy, it is clear in identifying that “a proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance”, and can therefore be granted. In this instance, while not to liking of objectors, the use of timber linings in enclosing two sides of the proposed roof terrace, helps to illustrate that the works are an extension to the heavier original granite materials below. Given the scale of surrounding buildings, the proposals while contemporary would not be out of scale with surrounding properties. The shape of the building at the corner of Midstocket Road and the rear lane, would not necessarily lend itself to putting a more traditional hipped roof solution on the property, and would most likely end up having a greater height to ridge than is currently proposed. Accordingly, the proposal is therefore considered to accord with SPP and Policies D1, D4, and D5 of the Local Development Plan.

In relation to the remaining policies of the development plan, the proposal does provide access to sitting out areas through the formation of the roof garden. The provision of 2.3 metre high boundary treatments to the east and north elevations would effectively enclose this roof garden and prevent overlooking to the adjacent land to the east, and the rear gardens of Argyll Place to the north. Therefore, the only areas that could be seen would be onto Midstocket Road itself, and across the road junction to Beechgrove Terrace. This would therefore accord with the requirements of Policy D2.

As the site is effectively land-locked, there is no prospect of providing car parking, without the prospect of demolition, and providing accommodation above. This is unlikely to be acceptable from both a road safety perspective, and design solution. Furthermore, the Roads Officer has confirmed that he has no objection to this planning application, and acknowledges that parking would have to be accommodated on-street. Turning to the response from Environmental Health, they have outlined that there is a requirement for a noise survey in light of the proximity to a busy junction. This can be effectively controlled by planning condition, with development being dependant upon a positive response.

Relevant Planning Matters Raised by the Community Council

In respect of the points raised within the objection from the Rosemount and Mile End Community Council not already addressed above, the concerns in respect of fire safety shall be dealt with through the separate Building Warrant process. The query with regard to the neighbouring land is not material at this time, as it is not incorporated into the existing planning application site boundary. Therefore any potential future application would be assessed on its own merits, and against the policies of the Development Plan at that time.

Relevant Planning Matters Raised in Written Submissions

Turning to the issues raised within the objections received, that have not all been addressed above, the door from the kitchen is an existing access point, and no objection has been received from Roads in respect of public safety. Additional details of the materials have been submitted by the applicant to allow an assessment of their acceptability. The proposal would not be contrary to policy D4 of the Local Development Plan, as the granite building would be retained.

In summary, the proposal which would see the re-use of the existing building, and the provision of a roof terrace through a contemporary design solution is considered to comply with Scottish Planning Policy, and the relevant policies of the Aberdeen Local Development Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

That the proposal to convert a vacated former police station in order to form a one bedroomed residential property is considered to accord with policies D1, D2, D4, and D5 of the Aberdeen Local Development Plan. In addition, while incorporating a contemporary element, the proposed development is considered to be of sufficient quality for its location within the Rosemount/Westburn Conservation Area, and would sustain the character of the area.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) That no development pursuant to this planning permission shall take place nor shall the building be occupied unless there has been submitted to and approved in writing for the purpose by the Planning Authority an assessment of the noise levels likely within the building, unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full - in the interests of residential amenity.

(2) that no development shall take place unless a scheme detailing all external finishing materials to the roof terrace 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.

(3) that no development shall commence until full details of the replacement window(s) hereby approved (including detailed cross section(s)) has been submitted to and approved by the Planning Authority. The visible part of the outer frame of the front windows hereby approved shall not exceed 25 mm in

width at the top and sides of the window opening with the remainder of the frame being concealed behind the masonry window check, unless the planning authority has given prior written approval for a variation. Thereafter, the windows shall be implemented in accordance with the approved plans - in order to preserve the character of the conservation area.

Dr Margaret Bochel

Head of Planning and Sustainable Development.