


OLD ABERDEEN COMMUNITY COUNCIL

Planning Liaison
2 Harrow Road
ABERDEEN
AB24 1UN



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

4th June 2014

Dear Sir,

**Application Number P140715, 39 Kings Crescent, Aberdeen AB24 3HP
Application for Change of Use from Residential to House in Multiple Occupation.**

Old Aberdeen Community Council wishes to object to the granting of this application for the following reasons: -

1. There already exists a disproportionate level of HMO provision within the immediate and wider local area and granting permission for a further 13 bed-sits would exacerbate the district's increasingly imbalanced demographics.
2. There are long-term outstanding planning applications related to this site which should be resolved before considering further applications.
3. The development would adversely affect the amenity of the area both for immediate neighbours and the wider community.
4. The application relates to a building with significant history (ref.1), which lies within the Old Aberdeen Conservation Area and the photographs recorded on the "Canmore" (ref. 2) show interiors worthy of preservation. The alterations required to install multiple en-suite facilities and fire prevention measures would have a serious negative impact on a heritage building.
5. The proposals represent over-development of the site and over-occupation of the building.
6. Vehicular access to the property is narrow, sited on a blind corner, opposite a side road and all on a narrow and busy carriageway. As such, it presents a high risk factor for pedestrian, cycle and vehicular accident given the traffic movements which would be generated by the proposed level of occupation.
7. No parking provision has been defined within the application. To meet the parking spaces required for a development with this level of occupation, if indeed this is physically possible within the site limits, would require major alterations to the property's front landscaping.
8. There is no lounge or other social area provision within the proposed development.
9. In addition to all the negative elements above, it also appears that a different use for the property is also being advertised (ref. 3), that of a child nursery. Old Aberdeen Community Council has no knowledge of planning permission or licensing being applied for or granted for such an enterprise and would object to the change of use on similar grounds to most of those above.

We also draw attention to the addition of a plan to those previously submitted with the application and that this has been done without notification or extension to the expiry for representations. This affects our point 7, but we continue to maintain that even the new proposals do not provide sufficient spaces for the number of residents proposed. In view of the already serious parking problems in the locality, we continue our objection on those grounds

We draw attention to the *Aberdeen Local Development Plan: Supplementary Guidance - Topic: Householder Development Guide*, page 26 (ref. 4). As this application fails on all three assessment points, we trust that the Planning Department will consider our points of objection favourably and recommend the refusal of this application by Aberdeen City Council.

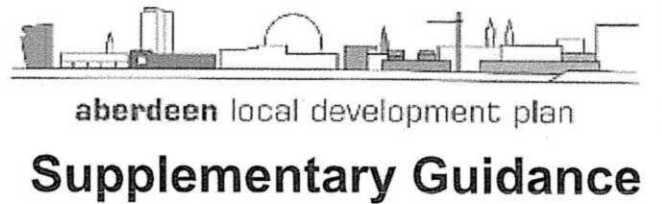
Yours sincerely,

George A. Wood

APPENDIX

References

1. The family home of Sir Ninian Comper (1864-1960), the noted architect and designer of the neighbouring chapel at St. Margaret's Convent.
2. <http://canmore.rcahms.gov.uk/en/site/296424/details/aberdeen+39+king+s+crescent/>
3. <http://www.kids-international.co.uk/>
- 4.



Topic: Householder Development Guide

Page 26

Proposals involving formation of an HMO as defined in this guidance will be assessed with regard to matters including, but not limited to, the following;

1. Any adverse impact upon pedestrian or road traffic safety as a result of increased pressure on car parking;
2. Significantly adverse impact upon residential amenity for any reason. This may include, but not be limited to, adequate provision of refuse storage space, appropriate provision of garden ground/amenity space, and an appropriate level of car parking.
3. An excessive concentration of HMOs in a given locality, cumulatively resulting in a material change in the character of that area. This will be assessed in consultation with the Council's HMO Unit within the Housing & Environment service, who hold relevant information on the location of existing licensed HMO properties.

Where it is not practicable for dedicated car parking to be provided alongside the development, a proposal must not exacerbate existing parking problems.

CIRCULATION: -

ACC Development Management, Councillor A. May, Councillor J. Morrison, Councillor N. Morrison and OACC members.



OLD ABERDEEN HERITAGE SOCIETY

Development Management,
Enterprise, Planning & Infrastructure,
Aberdeen City Council,
Business Hub 4,
Marischal College

11 Greenbrae Crescent,
Denmore,
Bridge of Don,
Aberdeen
AB23 8LH

10th June 2014

Dear Sirs,

39 King's Crescent, Old Aberdeen
application for permission for change of use from dwelling house to house in multiple occupation
(Ref. 140715)

Old Aberdeen Heritage Society wishes to register a strong objection to this application on the following grounds:

- 1) This proposal, if approved, would result in a material change in the character of the King's Crescent part of the Old Aberdeen Conservation Area. King's Crescent is almost entirely residential, with a mixture of family homes and flats, housing permanent residents, which makes for an established and settled community. An HMO for 13 temporary residents, as proposed, would be a major change to the demographics and the dynamics, and thereby to the settled nature of this area.
- 2) There is, already, in the Spital, to the north and north-east of this property, an excessive concentration of HMOs which has had a hugely negative impact on the character of that area; every property to the north of St. Margaret's Convent up to the junction with Froghall Terrace and well beyond; on the east side of the Spital all the houses beyond no.24 up to the junction, and large blocks of HMOs in St. Peter Street.

Any planning permission for a further HMO of considerable size such as that proposed would have two pronounced effects:

- a) It would add to the negative impact of the overprovision of HMOs in the Spital area, which is bringing about a material change in the character of that area.
- b) It would extend that material change in to King's Crescent, an established residential area, and would, by virtue of the cumulative effect of this proposal added to the already existing excessive concentration in the Spital, result in a material change in the character of King's Crescent.

- 3) It would set a precedent for the rest of King's Crescent, hitherto an established residential area.
- 4) The parking provision of 4 spaces proposed for 13 occupants is inadequate, and would inevitably lead to a worsening of the already congested and extremely difficult parking situation locally.
- 5) The access/egress for this proposed HMO is dangerous, as it is situated on a corner behind high walls, where oncoming traffic can not see a vehicle emerging. To have many more cars using such an access simply poses an increased road safety risk both for vehicles and pedestrians.
- 6) A change in the use of this property for 13 residents (most likely temporary residents) would be detrimental to the residential amenity of the adjoining dwelling house and nearby homes by virtue of the increased levels of noise, traffic, and the loss of general residential amenity.
- 7) The proposed use is a gross overdevelopment of this fine dwelling house, once the childhood home of the renowned architect, Sir Ninian Comper.

This application, we contend, is completely inappropriate for this building, for this part of the Conservation Area, and for the residential amenity of neighbouring homes.

Most importantly, it is our view also, that it represents a development which would bring about a material and negative change in the character of the King's Crescent area by way of a cumulative, excessive concentration of HMOs added to those immediately to the north and north-east. This would be contrary to what the City Council endeavours to achieve.

The Society request on the above grounds, that the application be refused.

Yours sincerely,



B. McPetrie
Planning Secretary

PI

From: webmaster@aberdeencity.gov.uk
Sent: 31 May 2014 11:03
To: PI
Subject: Planning Comment for 140715

Comment for Planning Application 140715

Name : J Birchley

Address : 24 Spital, Aberdeen, AB24 3HS

Telephone :

Email : [REDACTED]

type :

Comment : I object to the above application due to overdensity, both within the building and the area. As a long standing resident of the area, with HMO's directly next door, the issues I have noted tend to arise when the residents are "crammed in". This occurs when there is not enough living/communal space provided within the building, like the proposed application. For example, management of tasks such as "who puts out the rubbish" is not addressed and becomes an issue for the community as a whole. Residents who smoke gather outside the doors of these properties causing noise and smoke pollution for the direct neighbours. Landlords are not located nearby. They do not carry out the early promises to monitor the impact their tenants have on the neighbourhood. It is left to the permanent residents to bear the negative effects of their unmanaged properties. Allowing another family residence be converted to HMO further negates Aberdeen City Council's pledge to keep Old Aberdeen a mixed community. Therefore I urge Aberdeen City Council to refuse this application.

IMPORTANT NOTICE: This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.

27, FROGHALL ROAD,
ABERDEEN,
AB24 3JL.

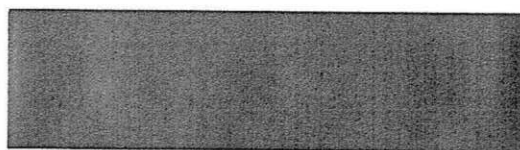
5-6-2014

DEAR SIR,

I WRITE WITH REGARD TO APPLICATION
140715 - PROPOSED CHANGE TO H.M.O. I FEEL
VERY STRONGLY THAT NO PERMISSION SHOULD BE
GRANTED TO MR. HOQUE AS HE HAS NOT ADDRESSED
OUTSTANDING ISSUES WITH REFERENCE TO THE LISTED
STATUS OF 39, KINGS CRESCENT WHICH HE HAS
BLATENTLY IGNORED. I ALSO HAVE CONCERNS
REGARDING ADEQUATE PARKING FACILITIES AND ANY
EXTERNAL CHANGE WHICH HE MAY INTEND. I
BELIEVE HE HAS ANOTHER H.M.O. IN THE AREA WHICH
IS NOT KEPT UP TO STANDARD WHICH DOES NOT BODE
WELL FOR THIS PROPOSAL.

I HOPE MY CONCERNS WILL BE CONSIDERED
AND ADDRESSED.

YOURS FAITHFULLY,



PI

From: webmaster@aberdeencity.gov.uk
Sent: 05 June 2014 14:14
To: PI
Subject: Planning Comment for 140715

Comment for Planning Application 140715

Name : Richard & Teresa Harwood

Address : 37 Kings Crescent

Aberdeen

AB24 3HP

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : 5 June 2014

Dear Sir/Madam,

Re: Application Number P140715

39 Kings Crescent, Aberdeen AB24 3HP

Application for Change of Use from Residential to House in Multiple Occupation

We wish to object to the granting of this application for the following reasons.

• There are several planning applications related to this site which to date have not been resolved:

- Application No .101949 30 November 2010

Erection of new garden wall on South elevation

This wall has been built using non recommended materials despite the Application being Refused on two counts.

Application No. 120204 10 February 2012

Erection of greenhouse, raised decking and external steps to lawns, formation of retaining walls and alteration to boundary wall

This work has been carried out despite the Application not being granted.

We have already advised the planning department that the erection of the decking and creation of a raised walkway has enabled all who use them to have a clear view into our bedroom and living area.

- Application No. 120205 10 February 2012

Remove cap from both entrance gate pillars, enlarge left hand pillar to match right hand pillar, apply granite cladding to both pillars and finish with granite cap, provide and fit sliding gate.

This work has not been carried out.

• The granting of this change of use application will likely mean that our privacy will be further invaded; 13 people plus friends would have access to the decking at all times of the day and night, causing a huge increase in noise and invasion of privacy.

These applications must be resolved before considering a Change of Use.

• Safety - It will increase the risk for pedestrian/vehicle accident.

Kings Crescent/Spital is a busy narrow road and bus route. Vehicle access/egress to the property is via a steep, narrow and winding driveway and is sited on a blind corner opposite St Peter Street which will get busier due to the additional accommodation developments (110+ Student Studios and 28 Flats) currently being built on St Peter Street.

• Parking in the vicinity is already under severe pressure and will be exacerbated by the developments in St Peter Street. Parking provision for 4 vehicles is inadequate (as per the recently added Proposed Site Plan). In such a restricted space where turning will be difficult, it is likely that a driver may be forced to reverse down onto the blind corner at the exit as a result of an inappropriately parked vehicle.

In addition, the driveway is unusable during winter weather, when the current residents resort to parking in the street.

• There are no fire escapes shown in the proposal.

• Old Aberdeen and in particular Kings Crescent/Spital already has an excessive number of HMO's. Consequently the character of this area is rapidly changing where transient tenants with no vested interest in the area already outnumber the resident families.

We urge you to refuse this application in order to preserve the property, grounds and the vicinity which forms a valuable part of the heritage of Old Aberdeen from a further decline.

IMPORTANT NOTICE: This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.

P&SD Letters of Representation		
Application Number: 110715		
RECEIVED 06 JUN 2014		
Nor	<input checked="" type="checkbox"/>	Soa
Case Officer Initials	GAC	
Date Acknowledged	11/06/14	

PI

From: webmaster@aberdeencity.gov.uk
Sent: 05 June 2014 14:19
To: PI
Subject: Planning Comment for 140715

Comment for Planning Application 140715

Name : Edward Harwood
Address : 37 King's Crescent
AB24 3HP

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : 5 June 2014

Dear Sir/Madam,

Re: Application Number P140715
39 Kings Crescent, Aberdeen AB24 3HP
Application for Change of Use from Residential to House in Multiple
Occupation

I wish to object to the granting of this application for the following reasons.

• There are several planning applications related to this site which to date have not been resolved:

- Application No .101949 30 November 2010

Erection of new garden wall on South elevation

This wall has been built using non recommended materials despite the Application being Refused on two counts.

● Application No. 120204 10 February 2012

Erection of greenhouse, raised decking and external steps to lawns, formation of retaining walls and alteration to boundary wall

This work has been carried out despite the Application not being granted.

The planning department have been advised that the erection of the decking and creation of a raised walkway has enabled all who use them to have a clear view into our bedroom and living area.

- Application No. 120205 10 February 2012

Remove cap from both entrance gate pillars, enlarge left hand pillar to match right hand pillar, apply granite cladding to both pillars and finish with granite cap, provide and fit sliding gate.

This work has not been carried out.

• The granting of this change of use application will likely mean that our privacy will be further invaded; 13 people plus friends would have access to the decking at all times of the day and night, causing a huge increase in noise and invasion of privacy.

These applications must be resolved before considering a Change of Use.

• Safety - It will increase the risk for pedestrian/vehicle accident.

Kings Crescent/Spital is a busy narrow road and bus route. Vehicle access/egress to the property is via a steep, narrow and winding driveway and is sited on a blind corner opposite St Peter Street which will get busier due to the additional accommodation developments (110+ Student Studios and 28 Flats) currently being built on St Peter Street.

• Parking in the vicinity is already under severe pressure and will be exacerbated by the developments in St Peter Street. Parking provision for 4 vehicles is inadequate (as per the recently added Proposed Site Plan). In such a restricted space where turning will be difficult, it is likely that a driver may be forced to reverse down onto the blind corner at the exit as a result of an inappropriately parked vehicle.

In addition, the driveway is unusable during winter weather, when the current residents resort to parking in the street.

• There are no fire escapes shown in the proposal.

• Old Aberdeen and in particular Kings Crescent/Spital already has an excessive number of HMO's. Consequently the character of this area is rapidly changing where transient tenants with no vested interest in the area already outnumber the resident families.

We urge you to refuse this application in order to preserve the property, grounds and the vicinity which forms a valuable part of the heritage of Old Aberdeen from a further decline.

IMPORTANT NOTICE: This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.

P&SD Letters of Recommendation		
Application Number: 140715		
RECEIVED 06 JUN 2014		
Nor	<input checked="" type="checkbox"/>	Sou
Case Officer Initials: GAC		
Date Acknowledged: 11/06/14		