

Signed (authorised Officer(s)):

55 CARDEN PLACE, ABERDEEN

PARTIAL DEMOLITION OF BOUNDARY WALL, REMOVAL AND REPLACEMENT OF 1 NO.TREE AND FORMATION OF 2 NO.PARKING SPACES

For: Salmac Ltd

Application Type : Detailed Planning Permission

Application Ref. : P140608

Application Date : 05/05/2014

Advert : Section 60/65 - Dev aff LB/CA

Advertised on : 21/05/2014

Officer : Andrew Miller

Creation Date : 27 August 2014

Ward: Hazlehead/Ashley/Queen's Cross(M Greig/J Stewart/R Thomson/J Corall)

Community Council: No response received

RECOMMENDATION:

Refuse

DESCRIPTION

The site forms the rear garden area of an end terraced 1½ storey granite built villa used as an office (Use Class 4) on Carden Place, backing on to Albyn Terrace Lane. The rear of the property contains an area of garden enclosed by a random granite rubble wall 1.6 metres in height with Seaton brick coping.

The building is category B listed, forming part of a larger category A listed building group and also falls within the Albyn Place/Rubislaw Conservation Area.

RELEVANT HISTORY

P140609 – Application for Listed Building Consent for partial demolition of wall and formation of two parking spaces. Currently pending consideration alongside this application.

PROPOSAL

Detailed planning permission is sought for the part demolition of the rear boundary wall and the provision of a parking area for two cars and turning area. To accommodate the works, the removal of a Crab Apple tree to the north of the site at the proposed entrance. The outbuilding within the rear garden area would also be demolished. Granite Setts would be used to pave the first two metres of the proposed new parking/access to Albyn Place Lane, whilst the remainder of the proposed parking area would be surfaced with gravel.

The opening of the proposed access would measure 4.5 metres wide, with a further section of wall to the west of the proposed access being reduced to an overall height of 1 metre, with the existing coping reused where the wall would be lowered. Two replacement trees would be planted to take account of the tree that would be lost.

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?ref.=140608>

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

CONSULTATIONS

Roads Projects Team – Following provision of a lowered wall to provide sufficient visibility, no objections.

Environmental Health – No observations.

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

Community Council – No response received.

REPRESENTATIONS

One letter of objection has been received. The objections raised relate to the following matters –

1. The proposals would damage the geometry of the end of Albyn Terrace Lane.
2. There would be a danger of vehicles colliding on a blind and very narrow corner at the west end of the lane
3. One of the most attractive trees on the lane would be removed.
4. Justification for in-garden parking is somewhat weak.
5. The case of a precedent from neighbouring properties should have been the subject of more rigorous scrutiny as those developments do destroy

the continuity of the boundary walls. However they are not as close to the dangerous corner as this proposal.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP)

Development should pay regard to the layout, design, materials, scale, siting and use of listed buildings, as well as their surrounding area's character and appearance. It also states development should either enhance or preserve the character or appearance of a conservation area.

Scottish Historic Environment Policy (SHEP)

Development should not adversely affect the special interest and character of Listed Buildings and Conservation Areas.

Managing Change in the Built Environment: Boundaries (MCBE)

Alterations or repairs to a historic boundary should protect its character. Walls and fences can be valuable in their own right as major elements in the design of a historic building and its setting, or in a broader streetscape or landscape.

Aberdeen Local Development Plan (ALDP)

D1 – Architecture and Placemaking

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, proportions, coupled with the physical characteristics of the surrounding area, will be considered in assessing that contribution.

D4 – Aberdeen's Granite Heritage

Consent will not be given for the demolition of granite-built garden or other boundary walls in conservation areas.

D5 – Built Heritage

Proposals affecting Conservation Areas will only be permitted if they comply with Scottish Planning Policy.

Other Relevant Material Considerations

The Council's Albyn Place and Rubislaw Conservation Area Appraisal and Management Plan (CAA) is a material consideration in this instance.

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 main considerations in this instance relate to the impact of the works on the appearance of the Listed Building and grouping as well as the surrounding Conservation Area and the implications on road safety.

Within the surrounding area, there are a number of properties (residential and commercial) that have parking areas within rear garden areas. The opening of boundary walls to accommodate these has been identified as a threat in the CAA. Policy D4 of the ALDP states that consent will not be given for the demolition of granite built garden walls or other boundary walls, whilst MCBE states that boundaries walls are major features within the historic environment and the lowering of walls to create better sightlines can be damaging to the character of a boundary, echoing the requirements of SHEP. In this instance, the proposals would result in a significant proportion of the rear boundary wall being lost, taking account of the required opening and lowering of wall to provide sufficient visibility. The proposed opening up of the boundary wall would have a negative impact on the listed building and terrace as it undermines the strong linear character of the rear lane boundary, which is largely intact at the rear of these properties. It would also adversely affect the wider Conservation Area.

The supporting statement provided with the application is noted, particularly the investigations of alternative schemes with this option being highlighted as the preferred option, as well as the justification of the works in helping the business expand and provide parking for lone female employees. The points raised in the objection are also noted.

The loss of the original tree to accommodate the proposals would be mitigated by the planting of two replacement trees – it being considered that in principle this is acceptable, given the net gain of an additional tree within the Conservation Area as a result of the replacement planting proposed.

It is considered that this substantial alteration to the rear wall to accommodate the proposed parking would be detrimental to the character of the listed building with which it is associated, the wider grouping of listed buildings and the surrounding Conservation Area. The provision of two parking spaces is unlikely

to have a significant impact on the expansion of any business operating from the premises that would outweigh the impact of the proposals on special interest of the listed building and the Conservation Area.

Accordingly the proposals are considered contrary to the requirements of policies D4 and D5 of the ALDP, SPP and the guidance contained with the CAA and Historic Scotland's MCBE and SHEP.

Policy D1 of the ALDP requires development to be designed with due consideration to its context and make a positive contribution to its setting. Taking account of the above considerations on the removal of the original fabric of the wall outline above, it is considered the proposed development does not accord with the requirements of policy D1.

The Council's Roads Projects Team required sufficient visibility splays to be provided (lowering of wall to 1 metre in height to the west of the proposed access for 6 metres) as well as the provision of a 4.5 metre wide opening. Following amendments of the proposals to meet these requirements, Roads Projects raised no objections to the proposed development. It is therefore considered that the proposals provide a suitable and safe access to the public highway.

In relation to point 5 of the objection received (see above) the premises adjacent to the site (number 53) is currently a breach of planning control and the Council are seeking to resolve this.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The substantial alteration to the rear wall to accommodate the proposed parking would be detrimental to the character and setting of this Category B listed building with which it is associated, the wider grouping of listed buildings and the surrounding Conservation Area as it undermines the strong linear character of the rear lane boundary, which is largely intact at the rear of the terrace of properties of which the listed building forms the end of. It would also adversely affect the wider Conservation Area. Accordingly, the proposals are contrary to the requirements of policies D1 – Architecture and Placemaking, D4 – Aberdeen's Granite Heritage and D5 – Built Heritage of the Aberdeen Local Development Plan 2012, Scottish Planning Policy and the guidance contained within the Albyn Place and Rubislaw Conservation Area Appraisal and Management Plan and Historic Scotland's Managing Change in the Built Environment: Boundaries and Scottish Historic Environment Policy.