		· -			
ABERDEEN OITY COUNCIL					
Business Hub 4, Ground Floor North Marischal College, Broad Street ABERDEEN AB10 1AB					
Tel: 01224 523 470		•			
Fax: 01224 523 180					
Email: pi@aberdeencity.gov.	Email: pi@aberdeencity.gov.uk				
,					
Applications cannot be valida	ated until all necessary documentatio	n has been submitted and the requ	ilred fee has been paid.		
Thank you for completing this	s application form:				
ONLINE REFERENCE	000088067-006				
The online ref number is the when your form is validated.	unique reference for your online form Please quote this reference if you ne	n only. The Planning Authority will a sed to contact the Planning Authori	allocate an Application Number by about this application		
Applicant or Age	ent Details	•			
Are you an applicant, or an a on behalf of the applicant in c	gent? * (An agent Is an architect, cor connection with this application)	nsultant or someone else acting	Applicant 🗸 Agent		
Agent Details					
Please enter Agent details		•	,		
Company/Organisation:	Space Solutions	You must enter a Building Name or Number, or both:*			
Ref. Number:		Building Name:	Prospect III		
First Name: *	Ryan	Building Number:	23		
Last Name: *	Cathro	Address 1 (Street): *	Gernini Crescent		
Telephone Number: *		Address 2:	Technology Park		
Extension Number:		Town/City: *	Dundee		
Mobile Number:		Country: *	. UK		
Fax Number:		Postcode: *	DD2 1SW		
Email Address; *					
is the applicant an Individual	or an organisation/corporate entity?	•			
Individual Organis	ation/Corporate entity	.*			

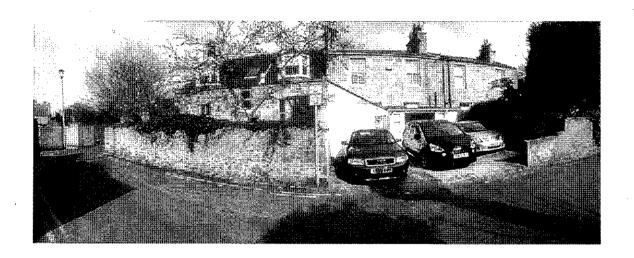
Applicant Deta	nils			
Please enter Applicant de	fails			
Title:		You must enter a Building Name or Number, or both:*		
Other Title:		Building Name:		
First Name:	ANDREW	Building Number:	55	
Last Name;	WALKER	Address 1 (Street): *	CARDEN PLACE	
Company/Organisation: *	SALMAC LTD	Address 2:		
Telephone Number:		Town/City: *	ABERDEEN	
Extension Number:	· .	Country: *	SCOTLAND	
Mobilè Number:		Postcode: *	AB10 1UN	
Fax Number:				
Email Address:				
Site Address D)etails			
Planning Authority:	Aberdeen City Council			
Full postal address of the	site (including postcode where availa	able):		
Address 1:	55 CARDEN PLACE	Address 5:		
Address 2:		Town/City/Settlement	ABERDEEN	
Address 3:		Post Code:	AB10 1UN	
Address 4:				
Please Identify/describe th	e location of the site or sites.		•	
		N-0-1		
			•	
Northing 805	866	Easting	392628	
Description of the Proposal				
Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: * (Max 500 characters)				
PARTIAL DEMOLITION OF BOUNDARY WALL, REMOVAL AND REPLACEMENT OF 1 NO. TREE AND FORMATION OF 2 NO. PARKING SPACES at 55 CARDEN PLACE, ABERDEEN				
	<u> </u>			

Type of Application
What type of application did you submit to the planning authority? *
Application for planning permission (including householder application but excluding application to work minerals).
Application for planning permission in principle.
Further application.
Application for approval of matters specified in conditions.
What does your review relate to? *
☑ Refusal Notice.
Grant of permission with Conditions imposed.
No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.
Statement of reasons for seeking review
You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)
Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.
You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.
PLEASE REFER TO APPEAL DOCUMENT ATTACHED THE IMPACT OF THE PROPOSED OPENING ON THE GROUPING OF LISTED BUILDINGS HAS BEEN SIGNIFICANTLY OVERSTATED THE BOUNDARY WALL IS MOST LIKELY MORE RECENT TO THE ORIGINAL BUILDING DUE TO THE POORER QUALITY AND NATURE OF CONSTRUTION. THERE IS NO 'STRONG LINEAR CHARACTER' AS REFERED TO IN THE REFUSAL NOTICE ANY LINEAR CHARACTER OF THE SITE BOUNDARY IS STILL MAINTAINED BY THE LOWERING ONLY OF THE WALL WHERE REQUIRED BY THE ABERDEEN CITY COUNCIL ROADS TEAM.
Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)
PLANNING APPEAL DOCUMENT DRAWINGS AS SUBMITTED TO PLANNING AUTHORITY TREE REPORT REFUSAL NOTICE CONSERVATION CONSULTATION RESPONSE ROADS PROJECTS TEAM CONSULTATION RESONSE
Application Details
Please provide details of the application and decision.
What is the application reference number? * P140608
What date was the application submitted to the planning authority? * 05/05/14
What date was the decision issued by the planning authority? * 10/09/14

Review Procedure
The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.
Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection.*
☐ Yes ☑ No
Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.
Please select a further procedure *
Inspection of the land subject of the appeal. (Further details below are not required)
Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)
INSPECTION REQUIRED TO ASSESS IMAPCT OF PROPOSALS IN RELATION TO CONSERVATION AREA
Please select a further procedure *
Holding one or more hearing sessions on specific matters
Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)
PROVIDE FORUM TO DISCUSS PROPOSALS
In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:
Can the site be clearly seen from a road or public land? *
Is it possible for the site to be accessed safely and without barriers to entry?* Yes No
The state of the s

Checklist - Applica	ation for Notice of Review	,
Please complete the following che Failure to submit all this information	ecklist to make sure you have provided all the necessary information in supply may result in your appeal being deemed invalid.	pport of your appeal.
Have you provided the name and	address of the applicant? *	✓ Yes ☐ No
Have you provided the date and r	eference number of the application which is the subject of this review? *	✓ Yes 🗔 No
If you are the agent, acting on bel address and indicated whether an should be sent to you or the appli	nalf of the applicant, have you provided details of your name and y notice or correspondence required in connection with the review cant? *	
		☑ Yes ☐ No ☐ N/A
Have you provided a statement se (or combination of procedures) yo	etting out your reasons for requiring a review and by what procedure u wish the review to be conducted? *	✓ Yes ☐ No
require to be taken into account in at a later date. It is therefore esse	you are seeking a review on your application. Your statement must set on determining your review. You may not have a further opportunity to addential that you submit with your notice of review, all necessary information by to consider as part of your review.	to your etatement of review
Please attach a copy of all docum drawings) which are now the subj	ents, material and evidence which you intend to rely on (e.g. plans and ect of this review *	✓ Yes ☐ No
planning condition or where it rela	a further application e.g. renewal of planning permission or modification, tes to an application for approval of matters specified in conditions, it is acroved plans and decision notice (if any) from the earlier consent.	variation or removal of a divisable to provide the
Declare - Notice of	Review	
I/We the applicant/agent certify the	at this is an application for review on the grounds stated.	
Declaration Name:	Ryan Cathro	•
Declaration Date:	02/10/2014	
Submission Date:	02/10/2014	





PLANNING APPEAL STATEMENT

APPEAL AGAINST REFUSAL OF PLANNING PERMISSION (REF P140608)

RY

ABERDEEN CITY COUNCIL

FOR

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

AT

55 CARDEN PLACE, ABERDEEN
ON BEHALF OF
SALMAC LTD



CONTENTS

- 1.0 Introduction
- 2.0 The Proposals
- 3.0 Planning Application
- 4.0 Relevant Planning Policy
- 5.0 Conclusion

DOCUMENTS

- A1. Planning Refusal Document
- A2. Aberdeen City Council Conservation Officer Memo
- A3. Aberdeen City Council Roads Projects Memo



1.0 INTRODUCTION

This planning appeal statement has been produced by Space Solutions on behalf of Salmac Ltd in relation to the refusal of an application for Full Planning Permission for the 'Partial demolition of boundary wall, removal and replacement of 1 no. Tree and formation of 2 no. Parking spaces, 55 Carden Place, Aberdeen' (Ref P140608). This application was refused under delegated powers by Aberdeen City Council on 10 September 2014. The reasons for refusal of the application were outlined in refusal notice as follows:

1. 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 Environment Policy.



2.0 THE PROPOSALS

55 CARDEN place, Aberdeen is a stone built domestic cottage built in the 19th century and forms part of a terrace of cottages running from Carden Place into Albert Terrace. Like many of the properties in the West End Office Zone the building has been converted to commercial use. The Historical interest of the building is derived from its character as one of the typical 19th Century cottages of Aberdeen as well as the assumed links to Archibald Simpson in the plan design.

This terrace of cottages are bounded to the rear by random rubble granite and lime mortar walls which whist defining the geometry of the lane there have been a significant amount of large openings and contemporary extension created on this boundary edge. The wall to the site is not a fine example of this construction with a both a mixture of brick/ granite copes as well as being compromised by the adjacent block addition to the neighbouring property which was formally a garage.

There is a widespread existing precedent for the development of parking within rear garden ground in both Albyn Terrace Lane and in adjacent streets and lanes with large openings and visibility splays throughout. The proposal therefore continues the well-established precedent for this development within the area.

The proposal is to develop 2no parking spaces within the rear garden of 55 Carden Place. To facilitate this a section of 4.5m of wall requires to be carefully removed by hand to allow a new access to the rear garden. A further additional section of wall requires to be lowered to allow visibility splays as instructed by Aberdeen City Council Roads Projects Team. An existing garden tree also requires to be felled however an additional two trees are proposed. Refer Astell Associates drawing CPA-1404-DR for Tree report and replacement planting.

An existing contemporary concrete block store building not referenced within the Historical Listing currently impacts visually on the existing wall within the site and is to be carefully taken down by hand to prevent any damage to the existing wall. By removing the store this also creates additional garden ground which mitigates the loss of grass area by the proposed parking.

There is a significant lack of off street parking in the area and within walking distance of the business which is currently impacting on the viability of operations.

The client also has significant concerns for their predominantly female workforce leaving the office during dark hours or during winter months and having to walk some distance to reach cars alone.

The provision of limited onsite parking is intended to mitigate these safety concerns whilst also maintaining the viability of the business moving forward.



Existing view from South West



Existing view from South East



Existing view from Carden Place



View from Albert Terrace

contemporary

adjacent to site.



3.0 PLANNING APPLICATION

During initial pre-application discussions the Planning Case Officer expressed concern over the loss of part of the traditional boundary wall and of a significant garden tree. It was also noted in this response that the initial proposals had been discussed with the Conservation Officer although we have not seen any written memo thereof. No other consultations were expressed at this time. During a subsequent meeting however on 17 March 2014 at Aberdeen City Council Offices the Planning Case Officer recommended an opening of 3.5m in the wall and noted that due to the existing precedent in both the lane and surrounding area that Aberdeen City Council would find it hard to refuse the proposals. The application was then subsequently submitted on this basis and validated on 5 May 2014. It should be noted at this point that during pre-application discussions with the Planning Case Officer no mention was made of any anticipated issues with the Road Projects Team.



opening

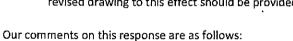
directly

Albyn Terrace Lane – Liner edge of lane broken up by large contemporary openings and garages.

3.1 CONSULTATION RESPONSE

The consultation response from the Roads Projects Team received on 22 May 2014 commented as follows

- Note that vehicular access to the proposed driveways is 3.5m wide. However In order to accommodate two car parking spaces, the access should be widened to at least 4.5m. A revised drawing to this effect should be provided.
- 2. The proposed access is required to provide the vehicular visibility splays of at least 2.4m X 33m.
- 3. I note that to improve visibility at the western end of the proposed access, section of wall would be lowered to 1m height for a distance of 900mm. However to achieve the visibility splays closer to 2.4m x 33m an additional sections of the existing wall would have to be lowered. I would advise that the wall should be lowered to 1m up to the distance of at least 6m at western end of the proposed access. A revised drawing to this effect should be provided.



1. Designing Streets: A Policy Statement for Scotland guidance notes that vehicular visibility splays of 2.4mx33m assumes a 25mph SSD (Stopping Sight Distance) on quiet lanes. As the corner at Albyn Terrace Lane is a 99deg corner there would be no possible way that a 25mph SSD would be appropriate in this situation. Alternatively we suggested that vehicular traffic would be crawling at a speed more in the region of 5-10mph at this point. This would significantly reduce the need for a potential visibility splay to a point where no lowered or a very limited section of lowered wall would be required as was originally proposed.



Albyn Terrace Lane – Liner edge of lane broken up by large contemporary openings and garages.



Albyn Terrace/ Carden Place – Loss of visual boundary to lane from Carden Place which is retained in the proposal.



Albyn Terrace/ Carden Place,— Large openings to existing stone walls visual from Carden Place.



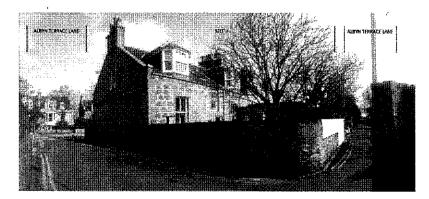
- 2. The nature of Albyn Terrace Lane is that it is a very quiet back lane with larger adjacent roads of Carden Place, Prince Arther Street and Albyn Terrace dealing with the majority of vehicular and pedestrian traffic. As the principle entrances to the properties in this area are from adjoining streets, and there is no formal footpath, the pedestrian traffic is also extremely limited in the lane. Vehicular traffic in the Lane is predominantly restricted to a limited amount of cars generally arriving in the morning and leaving in the evening without significant through traffic during the day.
- 3. There are numerous existing contemporary openings in the Lane which have adopted a large openings without any lowered section of wall to improve visibility. There are also existing garages at the East end of Albyn Terrace Lane which open out directly into the lane at the T junction with Prince Arthur Street without any visibility at all.

3.2 PROPOSALS AMENDED

Despite disagreeing with the Roads Team Consultation and challenging the response on the grounds above, we were advised by the case officer that the application would be refused on the following basis:

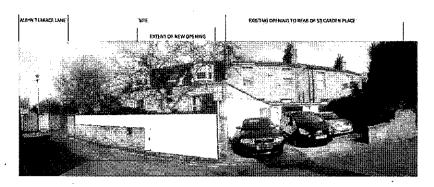
- If the existing proposals were retained as submitted with 3.5m opening the application would be refused on the basis of not satisfying the consultation response from the Roads Project Team.
- Amend the proposals to satisfy the Roads Team Consultation and the application would be refused on the basis of the impact on the Listed Building.

The decision was made with our client to amend the proposals to reflect the demands of the Road Projects Team to increase the opening to 4.5m wide and extend the lowered wall section to the west.

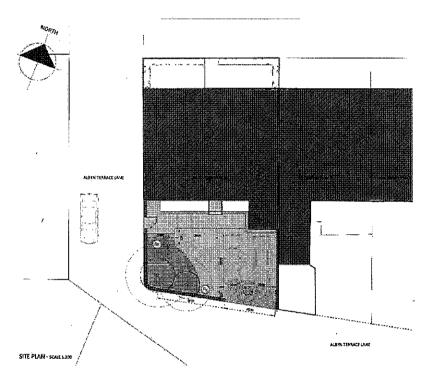


View from south - showing wall retained at full height to the west elevation and the rounded corner maintained which could be argued provides the most visually interesting and defining element of the wall and boundary to the lane. This is unaffected by the proposals and by lowering the wall and not removing for the visibility splay the linear character of the lane is not altered here.





View from south east - showing the majority of the boundary retained all but the required opening for vehicle access. The lowered wall still defines the boundary.



Proposed Site Plan NTS



3.3 REFUSAL OF PLANNING PERMISSION

The refusal notice contains a number of statements which we would comment on as follows:

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.'

- 1. Whist defining the geometry of the lane the wall to the site is not a fine example of this construction with both a mixture of brick/ granite copes as well as being compromised by the adjacent block addition to the neighbouring property which was formally a garage. It could also be argued the wall is a more recent addition then the original build due the method of construction and materials being of a poorer quality and workmanship.
- 2. We would argue that there is no strong linear character to the lane as referenced in the refusal document. There are currently a significant amount of large openings and contemporary extensions created on this boundary edge which have already eroded this edge. The boundary opposite also has a large opening to each property. We would in fact suggest that the liner edge is extremely weak and not impacted on in any great extent by the proposals.



4.0 RELEVANT PLANNING POLICY

Aberdeen Local Development Plan 2012

Contained with the Aberdeen Local Development Plan 2012 are key planning policies relevant to this proposal and referenced in the planning refusal document as listed below:

POLICY D1 - ARCHITECTURE AND PLACEMAKING

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.

To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

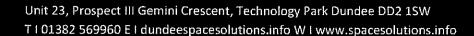
The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.

Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

It is noted within this document that car parks within rear gardens,' are permissible,' and that, 'layout will vary depending on site characteristics.' The majority of the 'guidelines' of this policy have been adhered to with any deviations only amended as demanded by the Roads Project Team regarding the width of the opening and lowered section of wall.

POLICY D4 - ABERDEEN'S GRANITE HERITAGE

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. Within conservation areas, neither conservation area consent nor planning permission will be given for the demolition or part removal of granite buildings (excepting those buildings that make an insignificant contribution to the character of the conservation area). Consent will not be given for the demolition of granite-built garden or other boundary walls in conservation areas. Where a large or locally significant granite building that is not listed or in a conservation area is demolished, the City Council will expect the original granite to be used on the principal elevations of the replacement building.





'The majority of listed buildings are adaptable and have met the needs of successive generations while retaining their character. Change should therefore be managed to protect a buildings special interest while enabling it to remain in active use. Each case must be judged on its own merits but in general terms listing rarely prevents adaption to modern requirements but ensures that work is done in a sensitive and informed manner.' (SHEP para 2 35)

Whilst the revised opening to the wall required by the Roads Team consultation response is larger than the original proposal we would argue that there is little impact on the Listed Building group. Care has been taken to retain the wall at full height to the west elevation and to maintain the rounded corner which could be argued provides the most visually interesting part of the wall. There is also an existing widespread precedent within the lane and adjoining area for this type of development and in the majority of instances these are a large number of recent examples with limited or no visibility splays which is contrary to the response received in this instance

The proposals therefore do not also erode this boundary to any further great extent. The opening has been minimised to the extents demanded by the Roads Project Team and the lowering of the wall only instead of removal clearly maintains the defined linear edge of the lane.

Whist defining the geometry of the lane the wall to the site is not a fine example of this construction with a both a mixture of brick/ granite copes as well as being compromised by the adjacent block addition to the neighbouring property which was formally a garage. It could also be argued that it is a more recent addition then the original build due the method of construction and materials being of a poorer quality.

Policy B13-West End Office Area

Whilst not referred to in the refusal document Policy B13 is relevant here as it supports commercial office development in the 'West End Office Area' in which 55 Carden Place lies. The policy states:

The area is a prestigious, high quality office location on the edge of the city centre, readily accessible by public transport and which also provides off street car parking and space for expansion'. The site currently is within this strategy but is not afforded off street parking. The proposal is for the provision of two spaces only and is fundamental to the ongoing viability of the business. Traffic management has also been considered in the provision of visibility splays to meet the requirements of the Roads Projects Team.



5.0 CONCLUSION

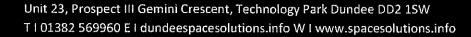
55 Carden Place provides the operations for our client's successful business within the West End Office Area. Continued viability requires the provision of a small amount of off street parking to support the business. They also have significant concerns for their predominantly female workforce leaving the office during dark hours or during winter months and having to walk some distance to reach cars alone.

It has been demonstrated in this document that the proposal to create parking at 55 Carden Place complies with relevant planning policy and where it has been argued that it does not within the refusal document there are sufficient policies within the Local Plan which contradict these such as policy B13 covering the West End Office Area. The proposals were amended to reflect the Technical consolation response from the Roads Project Team despite being unable to agree the relaxation of conditions which are in our opinion were excessive.

To summarise:

- Whilst the revised opening to the wall required by the Roads Team
 consultation response is larger than the original proposal we would
 argue that there is little impact on the Listed Building. There is little
 or no detriment to the character of the listed building as it could be
 argued the wall is a more recent addition then the original build due
 the method of construction and materials being of a poorer quality
 and workmanship.
- There is a significant precedent for large openings and contemporary and recent extensions created on this boundary and within the surrounding area where it would appear that a detriment to listing has not been considered an issue.
- It can be seen from the provided images or a Site inspection that there is no 'strong linear character' as referred to in the refusal document. The proposals therefore do not undermine this as stated.
- The openings proposed have been limited only to the dimensions demanded by the Roads Projects Team with the lowered section of wall for visibility still defining the boundary edge.

We believe that the reasons provided for refusal are not sound and would therefore respectfully request that this appeal be sustained with Full Planning Permission granted.









APPLICATION REF NO P140608

PLANNING & SUSTAINABLE DEVELOPMENT Business Hub 4, Marischal College, Broad Street, ABERDEEN. AB10 1AB

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Refusal of Planning Permission

Space Solutions Prospect III 23 Gemini Crescent Technology Park Dundee DD2 1SW

on behalf of Salmac Ltd

With reference to your application validly received on 5 May 2014 for Planning Permission under the above mentioned Act for the following development, viz:-

PARTIAL DEMOLITION OF BOUNDARY WALL, REMOVAL AND REPLACEMENT OF 1 NO.TREE AND FORMATION OF 2 NO.PARKING SPACES at 55 Carden Place, Aberdeen

the Council in exercise of their powers under the above mentioned Act hereby REFUSE Planning Permission for the said development as specified in the application form and the plan(s) and documents docketed as relative thereto and numbered as follows:-

001 Rev A, 002 Rev A, 005 Rev B, 006 Rev B, CPA-1404-DR

The reasons on which the Council has based this decision are as follows:-

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

GORDON McINTOSH DIRECTOR



Unit 23, Prospect III Gemini Crescent, Technology Park Dundee DD2 1SW T I 01382 569960 E I dundeespacesolutions.info W I www.spacesolutions.info

APPLICATION REF NO P140608

Continuation,

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 Scotlish Historic Environment Policy.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- 001 Rev A, 002 Rev A, 005 Rev B, 006 Rev B, CPA-1404-DR

Date of Signing 10 September 2014

Dr Margaret Bochel

Head of Planning and Sustainable Development Enc.

Gordon Mointosh Corporate Director Unit 23, Prospect III Gemini Crescent, Technology Park Dundee DD2 1SW T I 01382 569960 E I dundeespacesolutions.info W I www.spacesolutions.info

MEMO

Masterplanning, Design & Conservation Planning & Sustainable Development

Enterprise Planning & Infrastructure

Business Hub 4, Ground Floor North, Marischal College



То	Andrew Miller Planning & Infrastructure		
From	Bridget Turnbull, Senior Planner (Masterplanning, Design & Conservation)		
Email	bturnbull@aberdeencity.gov.uk	Date 19/06/2014	
Tel.	01224 523953	Our Ref.	
Fax.	-	Your Ref. P140609 (ZLF)	

Application Reference Number	P140609
Application Type	Listed Building Consent
Address	55 Carden Place, Aberdeen
Description	Partial demolition of boundary wall to form opening, demolition of existing storage building and formation of 2 No.parking spaces
Designation(s)	Listed Building (B lbcat) Albyn Place/Rubislaw Conservation Area
Relevant Policies & Guidance	Scottish Historic Environment Policy Managing Change in the Historic Environment: Boundaries Aberdeen Local Development Plan Policy D4 Aberdeen's Granite Heritage Policy D5 Built Heritage Conservation Area Character Appraisals and Management Plan Interim Planning Advice

Andrew

Thank you for consulting me on this application. I have the following comments to make in relation to the historic environment:

Context

31-55 Carden Place is a category B listed terrace, dating from the 19th century with number 55 being at the terrace's western end. Its small rear garden is bounded by traditional granite boundary walls to the west and south. Access to the rear is by virtue of a pedestrian gate on the western boundary.

Together with Albyn Place, Albert Terrace and Victoria Street, Carden Place forms a triangle of some of the earliest planned development in the area, that are group listed as category A. The terrace, including its boundaries, makes an important contribution

Gordon McIntosh Corporate Director



to Albyn Place/Rubislaw Conservation Area, as identified in the recent character appraisal. "The north side of"...Rubislaw terrace Lane..." backs to the residential street of Albert Terrace and comprises a high stone coursed rubble wall with pedestrian access gates and single storey garages in a variety of materials and styles "

Proposal

The proposal is to remove a section of the southern boundary wall to create two car parking spaces. An 800mm pier of residual granite wall would remain between the proposed parking and the adjoining property, number 53, whose rear boundary wall has been largely removed.

Policy

Managing Change in the Historic Environment: Boundaries, that underpins SHEP, identifies that "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" (5.1). All alterations to historic boundaries should respect their character and it also highlights that the "lowering of walls to create better sightlines can be damaging to the character of the boundary" (5.1).

The Conservation Area character appraisal (Conservation Area Character Appraisals and Management Plan Interim Planning Advice 2013) also identifies rear lane boundary walls as being a key feature that contributes to the Conservation Area A and one that needs to be retained. Across the whole of the Conservation Area one of the weaknesses and threats identified was the "Loss of the original pattern and boundary walls of back land development due to car parking ...".

Conclusion

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.

Whilst I appreciate that consent has been given in the past to boundary openings on the south side of the lane, to the rear of Albyn Terrace, and indeed to the adjoining property, 53 Carden Place, the current policy guidance is quite clear that significant boundary walls should be protected. In my opinion this application should be refused on the grounds of its adverse impact on the listed building and Albyn Place/Rubislaw Conservation Area.

Kind Regards

Bridget Turnbull Senior Planner Masterplanning, Design & Conservation



MEMO



To Andrew Miller Planning & Infrastructure	Andrew Miller	Date	20/05/2014
	Your Ref.	P140608 (ZLF)	
		Our Ref.	TR/KS/1/51/2
From	Roads Projects	1	
Email Dial Fax	Kasyed@aberdeencity.gov.uk 01224 523426		

Roads Projects
Enterprise, Planning &
Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen AB10 1AB

Planning Application No. P140608
55 Carden Place, Aberdeen
Partial demolition of boundary wall, removal and replacement of 1 No.tree and formation of 2 No.parking spaces

I have considered the above planning application and have the following observations:

1 Development Proposal

- 1.1 I note that the applicant plans to form a driveway spaces to accommodate two car parking spaces. The proposal involves the partial demolition of a boundary wall.
- 1.2 I note that vehicular access to the proposed driveways is 3.5m wide. However In order to accommodate two car parking spaces, the access should be widened to at least 4.5m. A revised drawing to this effect should be provided.
- 1.3 The proposed access is required to provide the vehicular visibility splays of at least 2.4m X 33m.
- 1.4 I note that to improve visibility at the western end of the proposed access, section of wall would be lowered to 1m height for a distance of 900mm. However to achieve the visibility splays closer to 2.4m x 33m an additional sections of the existing wall would have to be lowered. I would advise that the wall should be lowered to 1m up to the distance of at least 6m at western end of the proposed access. A revised drawing to this effect should be provided.

Conclusion

A revised drawing incorporating the above comments should be submitted before I am able to provide my final comments on this application.

Kamran Syed

Technical Officer (Roads Project)

Gordon McIntosh Corporate Director



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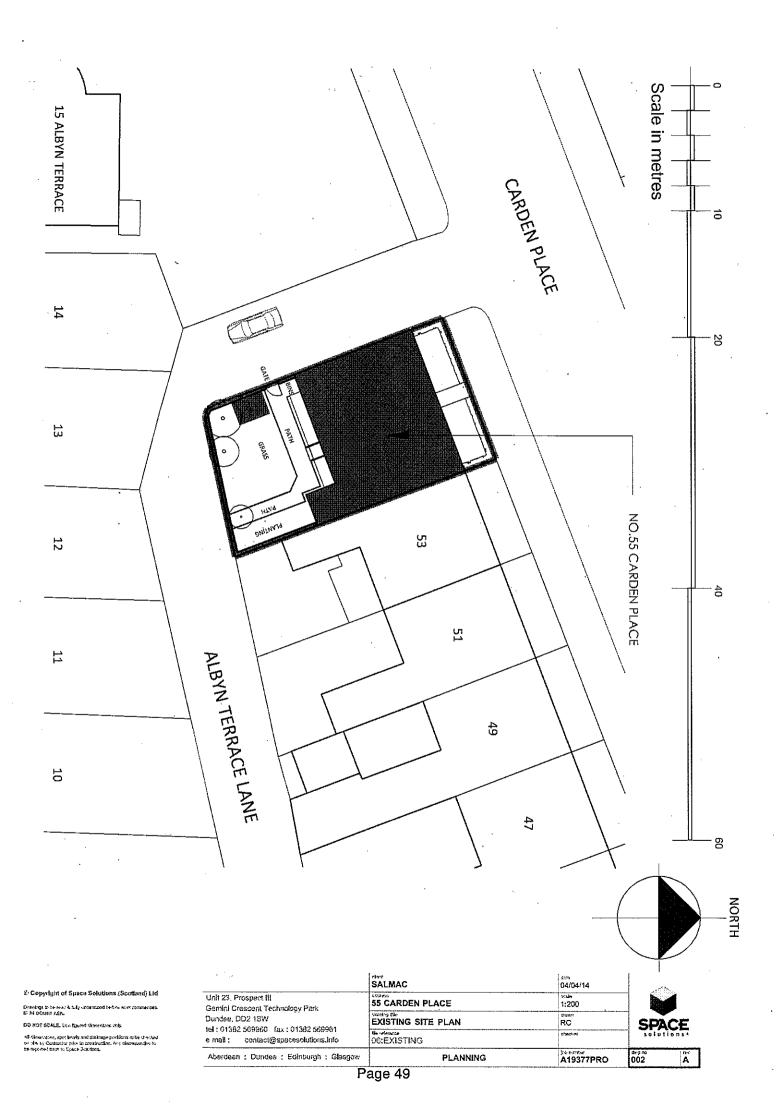
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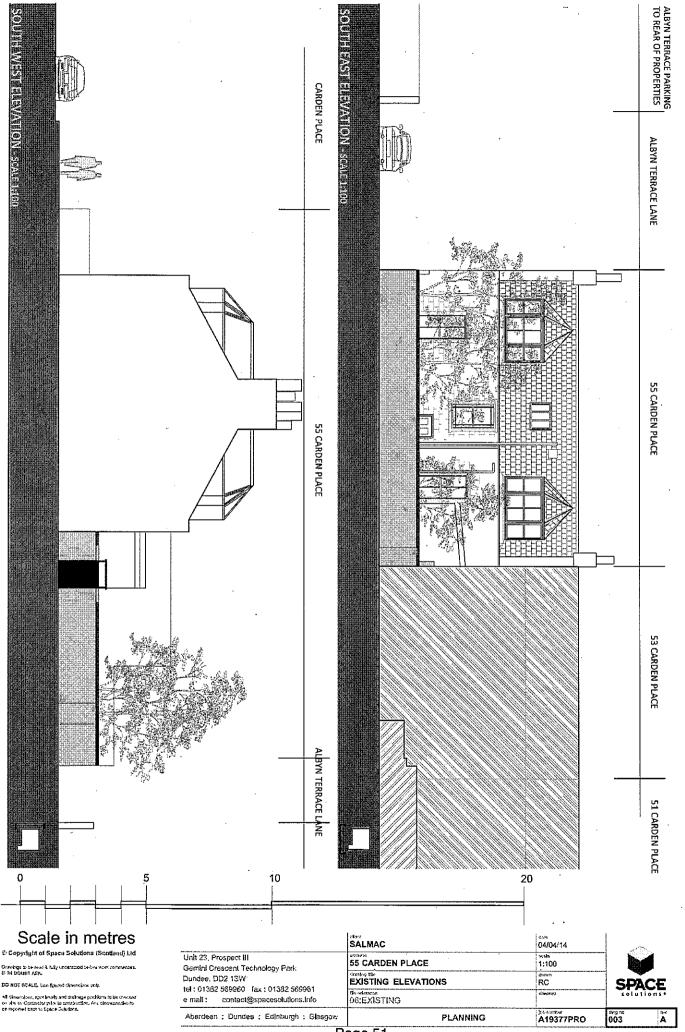


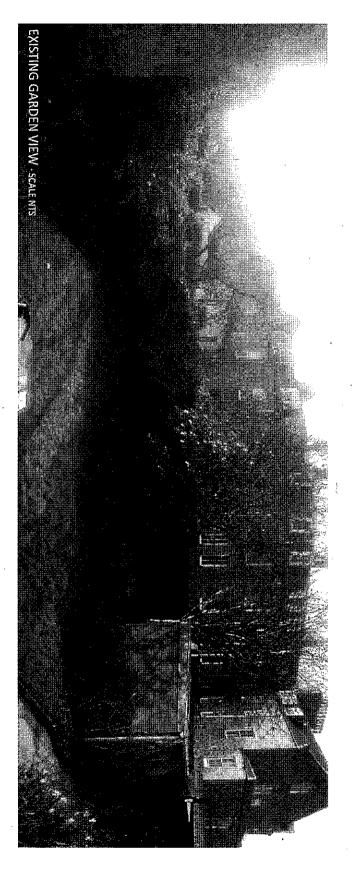
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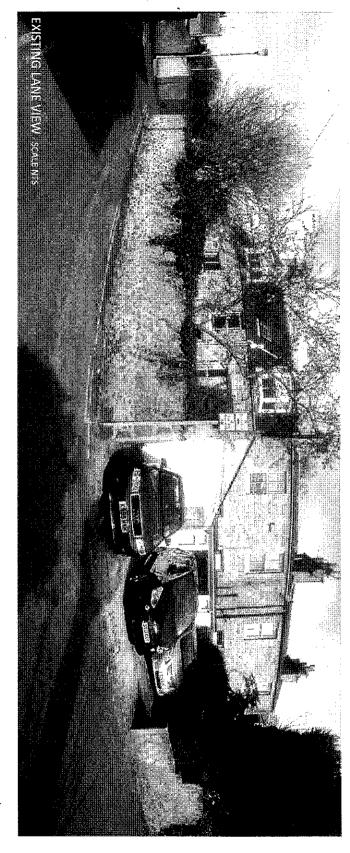
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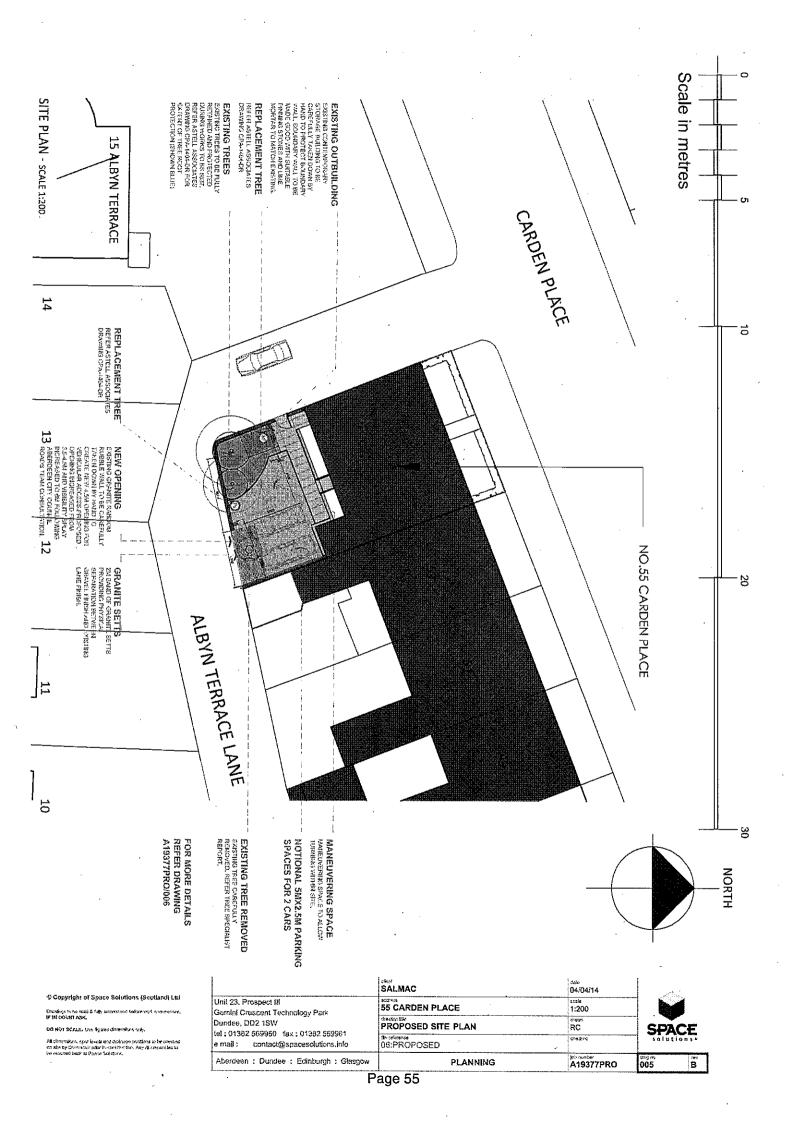
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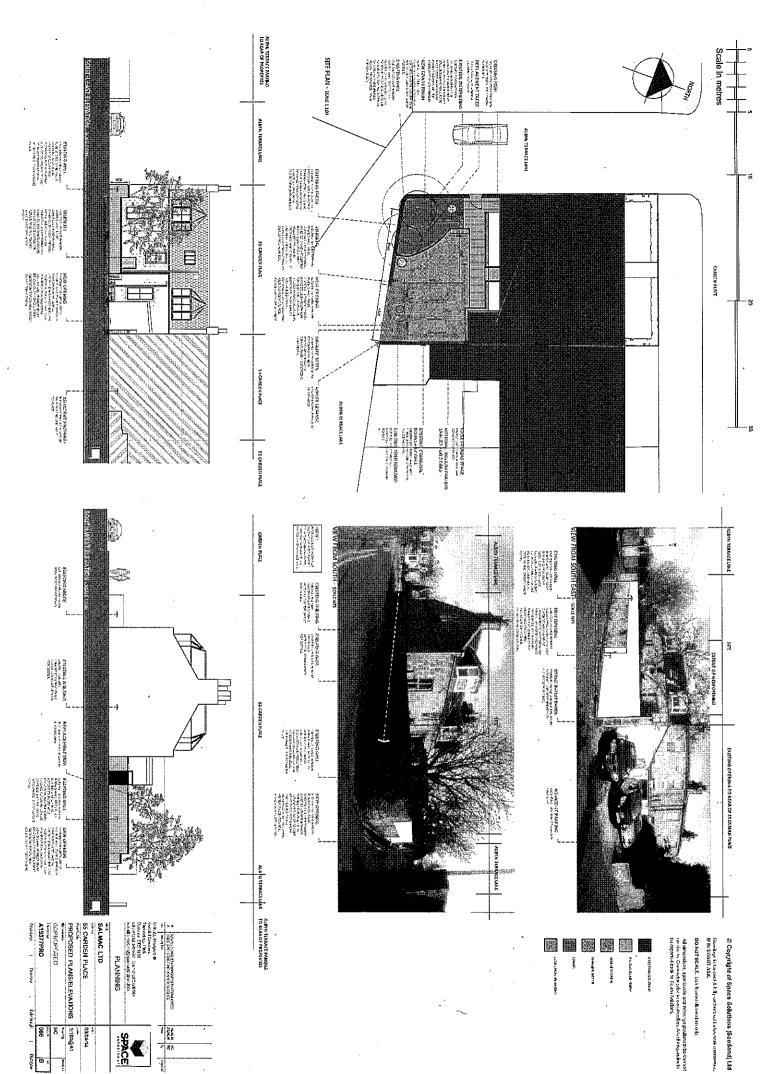
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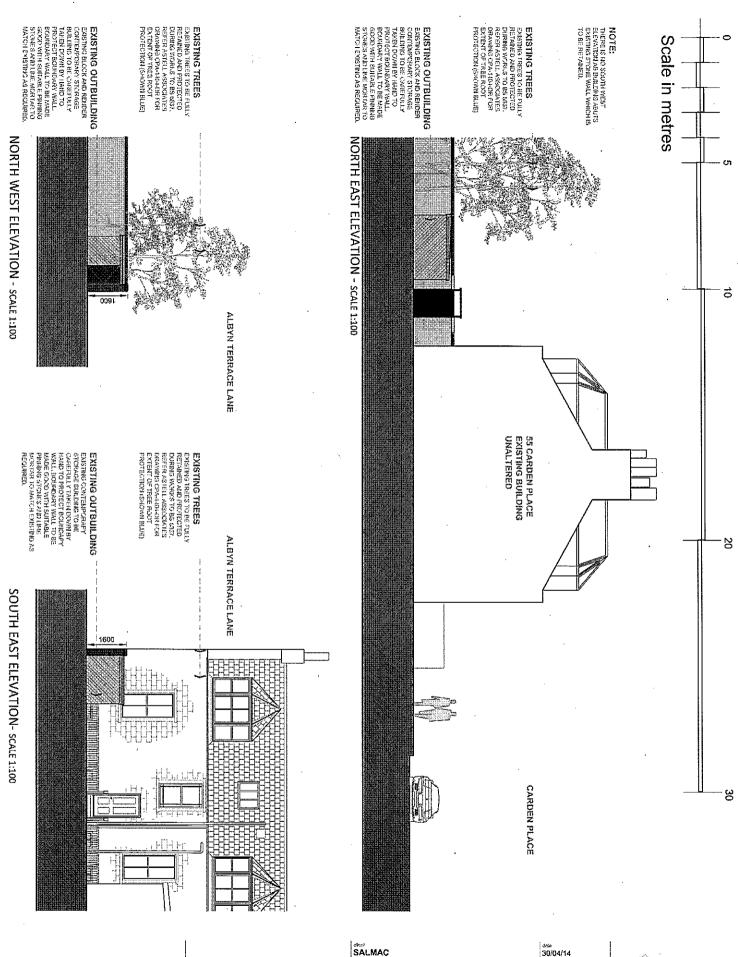
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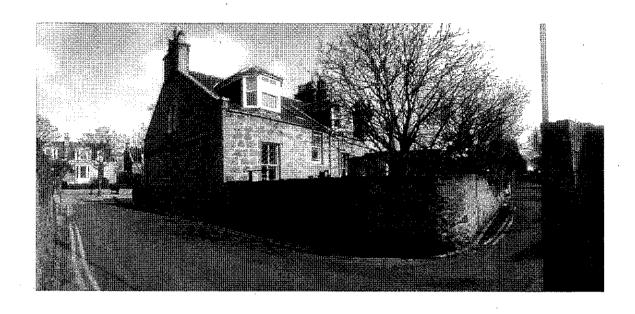
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Aberdeen : Dundee : Edinburgh : Glasgow	PLANNING	A19377PRO

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CONSERVATION/ DESIGN STATEMENT

55 CARDEN PLACE
SPACE SOLUTIONS FOR SALMAC LTD



Summary

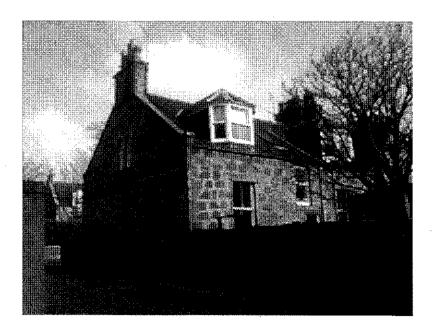
55 CARDEN place, Aberdeen is a stone built domestic cottage built in the 19th century and forms part of a terrace of cottages running from Carden Place into Albert Terrace. Like many of the properties in the West End Office Zone the building has been converted to commercial use.

Area History

The area encompasses development mostly from the second phase of Aberdeen's growth, from 1820 to 1900. Prior to 1820 the area was known as the Freedom Lands and consisted of open countryside with a handful of small hamlets, small farms and the occasional mansion with rough access routes running to and from Aberdeen.

The Historical interest of the building is derived from its character as one of the typical 19th Century cottages of Aberdeen as well as the assumed links to Archibald Simpson in the plan design.

Aberdeen City Conservation Area Character Appraisal Strategic Overview and Management Plan does not call for a design statement however the following will be based on Planning Advice Note 68 Design Statements and is intended to highlight the significance and impact of the proposals on both the Conservation area and listed building





Contents

Listing

Description

National/Local Policy

Justification of the Proposals

The Proposals

Appendix



Background

Listing

55 Carden Place, Aberdeen was listed Category B in 1967 but also forms part of a larger A group listing



55 Carden Place

Listing Description

Historic Scotland - Aberdeen City Of Council and the Aberdeen Burgh.

The building forms part of a larger A Group listing with 1-23 Albert Street, 2-18 Albert Street, 1-34 Albert Terrace and 1 Prince Arthur Street, 2-16 Albyn Place, 1-6 Rubislaw Place and 21 and 23 Waverley Place, 7-11 Victoria Street, 17 Victoria Street, 19 Victoria Street, 21-59 Victoria Street and 181 Skene Street, 18-28 Victoria Street and 2, 6, 10 and 16 Waverley Place and 30-56 Victoria Street

A continuation of 1-34 Albert Terrace and 1 Prince Arthur Street, 31-55 Carden Place and 2 and 4 Prince Arthur Street are typical of the 19th century cottage terraces of Aberdeen. The attics are lit by canted dormers windows, materials usually granite rubble or ashlar (as employed here), the cornicing and consoles over the door and window openings unify the row. The adjacent Albert Terrace was designed by Archibald Simpson. Although the architect for Carden Place is not known it seems likely that Simpson influenced the architect, or that his plans were re-worked to suit this site. The initials GH, George Hall, the builder during this phase of the work, appear on the eaves course of No 47 flanked by the date.



Albert Terrace

Description

55 Carden Place was completed primarily by Mackenzie and McMillan, circa 1881. The building form is a single storey, 3 bay cottage with attic and basement accommodation. Tooled coursed granite ashlar finely finished to margins. Base course; pilastered timber doorways some with fretwork timber lintel; letterbox fanlights; doorways and windows corniced with consoles; panelled timber doors, some 2-leaf; panelled aprons to ground floor windows; long and short quoins; eaves course; predominantly canted dormers to attic, some later additions. PRINCIPAL ELEVATION to Carden Place: 3-bay; doorway to centre of principal floor flanked to left and right by single window 4-pane timber sash and case windows. Canted dormers to either side of central bipartite rectangular dormer to centre bay



Albert Street



Rubislaw Terrace



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WINDOWS: Predominantly 4-pane timber sash and case windows with some modern glazing to dormer windows.

ROOFS: Grey slate roof with lead ridges.

STONE DETAILS: Coped stone skews with blocked skewputts. Corniced gablehead and ridge stacks with circular and octagonal cans.

RAINWATER GOODS - Cast-iron

BOUNDARY WALLS AND RAILINGS: Low level hedge to NW elevation boundary. Granite rubble coped walls with mixture of brick and granite copes

A-Group with 1-23 Albert Street, 2-18 Albert Street, 1-34 Albert Terrace and 1 Prince Arthur Street, 2-16 Albyn Place, 1-6 Rubislaw Place and 21 and 23 Waverley Place, 7-11 Victoria Street, 17 Victoria Street, 19 Victoria Street, 21-59 Victoria Street and 181 Skene Street, 18-28 Victoria Street and 2, 6, 10 and 16 Waverley Place and 30-56 Victoria Street (see separate listings).

Planning Policy

The area of Carden Place was designated as part of the Albyn Place/ Rubislaw Conservation Area in July 1968 and was extended in March 1975 and January 1978.

Despite not specifically mentioning 55 Carden Place, the policy describes the characteristics of the buildings within the Conservation Area as Character Area A.

The area forms a triangle of some of the earliest planned development in this area. It comprises a mixture of Aberdeen Cottage residential dwellings on Victoria Street, Albert Terrace and Carden Place and a number of terrace buildings which are now office accommodation. The area is home to Rubislaw Terrace and Queen's Terrace Gardens and two listed churches. A scheme was developed in 1819 by Archibald Elliot consisting of a mixture of linked houses, terraced houses and open space. Only the southern section proceeded and the scheme was revised a number of times before it was completed. Skene, working in conjunction with Archibald Simpson, developed Albyn Place (1820) which took shape over a period of 20 years.



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Aberdeen City Conservation Area Character Appraisal Strategic Overview and Management Plan is intended to add more detail, where required, to Scottish Planning Policy as set out in the Scottish Historic Environment Policy (2011), and to policies within the Aberdeen Local Development Plan 2012 specifically Policy D4 – Aberdeen's Granite Heritage and D5 – Built Heritage (Appendix 1).

The proposals should also be considered as part of memorandum of guidance on listed buildings and conservation areas sections; 1.8.1 car parking in garden ground; 1.8.2 boundary walls, railings, gates and gate piers & 1.8.3 steps, footpaths and drives.



Albyn Terrace Lane – Contemporary openings and garages widespread.

Justification of the Proposals

There is a significant lack of off street parking in the area and within walking distance of the site which can especially be a concern during winter or dark hours.

The client also has concerns for their predominantly female workforce leaving the office during dark hours or during the winter and having to walk some distance to reach cars alone.

The provision of limited onsite parking is intended to mitigate these concerns whilst also aiding the development of the business moving forward

There is a widespread existing precedent for this type of development both in Albyn Terrace Lane and in adjacent streets and lanes.

The ACC Strategic Overview and Management Plan whilst expressly stating front gardens should be devoid of parking except in isolated situations the document does not expressly deter parking to rear gardens. This should however be considered in the context of the preservation of the character of the conservation area and the listed building which has been paramount in the development of the proposals.



Albyn Terrace Lane – Contemporary openings and garages widespread.



Albyn Terrace/ Carden Place – Loss of visual boundary to lane from Carden Place.



Rubislaw Terrace Lane – Contemporary openings and garages widespread.



The Proposals

The proposal to develop parking within the rear garden of 55 Carden Place requires careful consideration as not to materially impact on the character of the listed building and Conservation Area as a whole.

The rear garden is bounded by a random rubble granite and lime mortar wall which whist clearly defining the geometry of the lane and boundary is not a fine example of this construction. Whilst describing the wall within the historical listing it also does not describe this as a fine example of this construction.

The wall encompasses both a mixture of brick and granite copes as well as being compromised by the adjacent block addition to the neighbouring property which was formally a garage.

The walls to the rear of the properties in Albyn Terrace Lane are also of a significantly poorer quality in terms of materials and workmanship compared to that of the granite construction of the buildings and that of walls to front gardens in the area.

That being said the wall visually defines the geometry of Albyn Terrace Lane and creates a visual barrier of the rear garden from Carden Place which has been lost to the adjacent property (shown opposite).

Early proposals investigated the widening of the existing gate to facilitate entry for vehicles however the visual impact from the street was deemed to be too significant.

The proposals involve the provision of 2 number car parking spaces with a smaller adjacent space to allow manoeuvring within the site to facilitate front entry and exit.

A 3.5m section of the existing random rubble wall will be carefully removed by hand to allow a new access to the rear garden. An existing garden tree also requires to be felled. Refer Astell Associates drawing CPA-1404-DR for Tree report and replacement planting.

An existing contemporary concrete block store building not reference within the Historical Listing currently impacts visually on the existing wall within the site and is to be carefully taken down by hand to prevent any damage to the existing wall. By removing the store this also creates additional garden ground which mitigates the loss of grass area by the proposed parking.



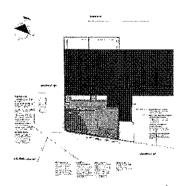
Existing view from South West



Existing view from South East



Albyn Terrace/ Carden Place – Large openings to existing stone walls visual from Carden Place.



Site Plan Proposed



Aberdeen Council Supplementary Guidance - Topic: Transport and

Accessibility - March

A high priority is placed on retaining significant trees, outbuildings and boundary features such as granite walling.

The guidance places a high importance on tree retention however despite consideration of a number of alternative options the removal of 1 tree is fundamental to enable the proposal.

Whilst clearly an established tree the proposed Crab-apple to be felled it can be argued is not a hugely significant tree in both the context of the garden and the lane due to the sparse canopy and the greater significance of the remaining two trees.

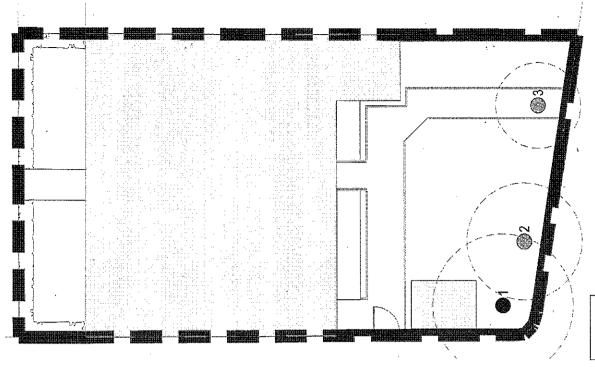
The proposals also incorporate the planting of two new trees to replace the tree to be felled. For details refer Astell Associates drawing CPA-1404-DR

The proposed landscaped area shown on drawing A19377PRO-L005 has been allocated to protect the route structure of the two existing trees to be retained. Measure will also be put in place to protect the trees during the works.

In line with ACC Supplementary Guidance a 2m wide section of granite sets is proposed to separate the road and new parking finish. The proposed granite gravel chip finish to the parking area is intended to create a softer less permanent finish which complements the existing house and wall materials. The gravel finish is also used to facilitate self-draining with no transfer to the adjacent road.

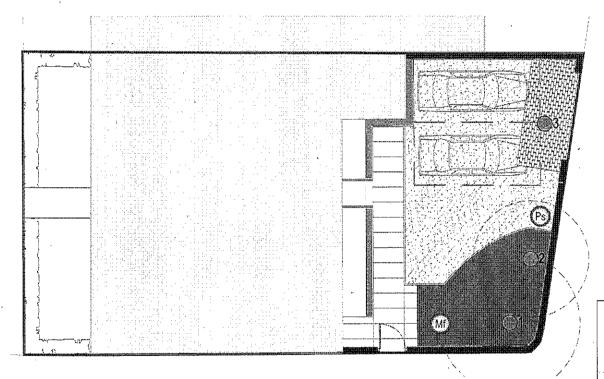
The guidance also states that openings formed in rear boundary walls should be of a width of around 3500mm with a length of walls either side lowered to allow visibility. In an effort to retain as much of the existing wall as possible the proposed opening has been kept to 3500mm with a lowered section to one side only to increase visibility. It was important to retain the existing inbands/ outbands to the corner of the adjacent property which not only define the geometry of the properties but are an integral element of the visual quality of the wall.

For greater detail of the proposals please refer drawings A19377-005-006



Arboricultural Assessment

- Category A Trees
- Category B Trees
- Category C Trees
 - Category R Trees



Tree Protection & Management

Trees to retain

Fell for health and safety Fell for development

Root Protection area

55 Carden Place, Aberdeen

This is the rear garden of 55 Carden Place which lies adjacent to the back lane and is separated from it by a boundary wall. There are three trees/shrubs in the area, a Rowan, a Lilac and a Flowering Crab Apple.

It is proposed to make an entrance/exit for car parking through the wall, and make a hard standing in the existing garden area. One tree, Crab Apple 3, will be felled for the proposal.

Two trees are to be planted as replacement trees for the tree to be felled.

Mf Malus floribunda

Ps Prunus sargentii 2.5m - 2.8m 3.5m - 4.1m

	economic activities of ferrible or february	Dia at	Can	ору Г	kadiu	ıs (m)	Height	RΡΔ				
No	Species	1.5M (cm)	N	5	E	W	, ,	(m)	Age Ci	lass	Description	Action
1	Rowan (sorbus spp)	23	3	3	1	3	4	2.8	sm	b	Multi-stemmed from 1.5 m, tree is one-sided to the south and south-west appears healthy.	Retain
2	Lilac (syringa vulgaris)	14, 14, 11	3	3	3	1	4	2.3	m	¢	Tree has blown over in the past, and is leaning on wall. Twin stemmed from .5 m and 3 stemmed from .75 m. One branch grows along the wall to the north-east. Tree appears healthy.	Retain
3	Craboppie (Malus eleyi)	14	3	3	2	2	4	1.7	sm	τ	This ornamental tree has a spreading, sparse canopy. There is some bark damage to the Ball Ball Ball Ball Ball Ball Ball Bal	Fell for driveway





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CSant.	Space Solutions Ltd
Date:	14th April 2014
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