

Signed (authorised Officer(s)): 6 ALBERT STREET, ABERDEEN

**EXTENSION TO EXISTING OFFICE TO PROVIDE  
ADDITIONAL OFFICE AND SUPPORT  
ACCOMMODATION**

For: Russell Gibson Financial Management

Application Type : Detailed Planning Permission

Application Ref. : P140714

Application Date : 13/05/2014

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

Advertised on : 28/06/2014

Officer : Sally Wood

Creation Date : 21 July 2014

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

Community Council: No response received

**RECOMMENDATION:**

Refuse

**DESCRIPTION**

Located at the west end of Union Street on Albert Street, this building is a Category B listed building, and is also designated as a group Category A listing with other properties within Albert Street (including numbers 2-18 (even numbers) Albert Street). The site also lies within the Albyn Place/Rubislaw Conservation Area.

The building consists of granite walls and natural slate roof. The building is single storey in height with attic and basement level. The building lies within a terrace. The building fronts onto Albert Street, and its rear elevation can be seen from Albert Walk which is a lane to the rear of the site.

**RELEVANT HISTORY**

A5/0360 Demolition of part of boundary wall and outbuilding and alterations to form car park in rear garden. Approved subject to conditions, both listed building consent and planning permission (combined), 06.07.2005.

**PROPOSAL**

Detailed planning permission is sought for an extension to the rear of the building. The proposed extension seeks consent for accommodation over three levels. At basement level the extension would measure approximately 5.0 x 6.0 metres (at the widest point).

The ground floor element would be linked with a corridor, which would be over two floors, which would measure 2.5 metres long by 2.1 metres wide. The main extension just beyond the link would be 6.6 metres wide by 14.9 metres length (ground floor level), whilst at first floor, would also be an office extension projecting from the 'link' extension which would measure 5.55 metres long by 4.575 metres wide. In addition to the first floor office a roof terrace is proposed above the ground floor extension, which would include walling around the perimeter at a height of 1.1 metres.

### **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=140714>  
On accepting the disclaimer enter the application reference quoted on the first page of this report.

### **CONSULTATIONS**

**Roads Projects Team** – the existing floor area is approximately 175 sq. m. and it is noted that 127 sq.m. (approximately) of floorspace is proposed. In accordance with the current car parking standards the applicant could provide 1 space per 50- sq.m of gross floor area, which equates to 6 spaces. Noted that the plans propose 4 car spaces, however in reality 3 spaces could be provided, therefore there is a shortfall of 3 car parking spaces. The development is located just outside of the city centre and is within a controlled parking zone. Although the site has a shortfall in parking, given the site's good accessibility to public transportation and proximity to city centre, the proposed shortfall in parking is acceptable. However, in order to mitigate the potential for additional parking pressure require the introduction of measures such as promotion of public transport & the city car club

Satisfied that 6 cycle parking spaces are proposed.

No contribution will be required to the Strategic Transport Fund (STF) as per the Supplementary Guidance.

Note that currently the site has been served by a vehicular access on Albert Walk and the applicant plans to remove an existing wall. Support the proposal to remove the wall as it would improve visibility.

Note that Albert Walk is maintained by the City Council and any damage to the lane during construction should be reinstated to the satisfaction of the Council.

A Drainage Impact Assessment (DIA) in line with SUDS principles should be submitted.

The submitted Travel Plan is acceptable but the applicant should be advised that the information gathered by the surveys and the targets set along with the results of the audits should be submitted to Aberdeen City Council for further comments.

**Environmental Health** – stated, no observations

**Enterprise, Planning & Infrastructure (Flooding)** - stated, no observations

**Community Council** – no response received

## **REPRESENTATIONS**

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

1. No other extensions on Albert Street are taller than single storey in height;
2. The proposed cladding is not in keeping with the stonework of the listed building;
3. Objections to the imposing nature of the proposal adjacent to the boundary and the massing, height and presence of the first floor element; particularly given the narrow garden area of the adjacent feu;
4. Adverse impact on daylight;
5. Impact on privacy and overlooking;
6. Concern of privacy and overlooking from the proposed terrace at first floor.

## **PLANNING POLICY**

### **National Policy and Guidance**

#### Scottish Planning Policy

This states that in determining applications for planning permission or listed building consent, special regard should be had for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.

#### Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

The planning authority is required to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

#### Historic Scotland's Scottish Historic Environment Policy (SHEP)

States that the planning authority must pay special attention to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

## **Aberdeen Local Development Plan**

### Policy D1 Architecture and Placemaking

Ensures that high standards of design are achieved through a number of considerations, including context, to ensure that the setting of the proposed development and its design is acceptable.

### Policy D5 - Built Heritage

Proposals affecting Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

### Policy BI3 – West End Offices

In this area (shown on the Proposals Map), applications for change of use for office purposes will be given favourable consideration.

## **Supplementary Guidance**

Historic Scotland: Managing Change in the Historic Environment (leaflet series): Extensions; Roofs; Setting.

## **Other material planning considerations**

Interim Supplementary Guidance : Conservation Area Character Appraisal and Management Plan, including the Conservation Area Character Appraisal – Albyn Place and Rubislaw, July 2013

## **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

### Listing

This building is a Category B listed building, and dates back to the mid 1800's. The building also forms part of the Category A group of listed buildings, including 2-18 Albert Street (even numbers), amongst others. The listing notes that the

Street is similar in style to other Archibald Simpson developments, and is a good example of the "Aberdeen Cottage", developed from the Butt and ben from the 1820s. Usually with 2 main rooms on the ground floor, a smaller room tucked behind and further accommodation in the attic, lit by dormers. The corncicing of the door and window openings combined with ashlar finish and eaves blocking course unify the terrace.

## Discussion

### Impact on the Listed Building and the Character of Conservation Area

6 Albert Street is a Category B listed building and located within the Albyn Place/Rubislaw Conservation Area. Circa 1850s and an example of an Aberdeen Cottage, the building is single storey in height with basement and attic levels. The terrace that it sits within is characterised by such uniformity, and apart from 4 Albert Street which has a single storey extension to the rear, much of it has remained unaltered in terms of extensions.

The proposed rear extension would be over three levels and would greatly increase the development on this feu and would result in over 50% of the rear garden being built upon. It is considered that the proposed extension would not preserve the setting, but rather it would have an adverse impact on the listed building, and the terrace (which is Group A listed), by eroding the historic feu pattern because the extension would erode the spatial relationship of the building to the original garden, as it would extend full width and obscure views of the existing rear elevation. This is contrary to the key principles of Historic Scotland's Managing Change Guidance on Extensions and Setting.

The Council's Interim Supplementary Guidance: Conservation Area Character Appraisals and Management Plan, July 2013 is a material consideration in the assessment of this application. The Strategic Overview and Management Plan includes specific reference to rear extensions in the West End Office Area, which is where this site is located. It states that buildings within the west end come under considerable pressure for new or enlarged extensions, and notes that in relation to rear extensions:

- Any extension should allow the listed building to be understood and appreciated;
- The form, scale, design and materials of any proposed development should complement and relate to the principal building and not normally exceed 30% of the original rear garden size.
- Where an extension is centrally positioned across the rear of the listed building it should not normally extend more than 70% of the feu width; and
- It should respect the location of existing windows and doors.
- In general extensions should not be greater than single storey in height above ground level (excluding sub basement level if present) unless: (i) the design is of an exceptionally high quality with reference to scale,

- massing, materials, detail and setting and/or (ii) it can be demonstrated to the satisfaction of the local planning authority that a larger extension is required to act as enabling development to secure the long term viability of the listed building.
- The Guidance continues to note that rear extensions do not impact solely on the principal listed building, but also on the wider terrace. Any proposed development will be assessed in terms of its impact on the adjoining listed buildings and on the terrace as a whole.

Assessing the proposed extension against these principles it is evident that the proposed extension fails to comply with the Interim Supplementary Guidance (ISG). The extension would obscure the rear elevation of the listed building and the traditional dormer, which is a feature of properties along this terrace, as evident from Albert Walk. The flat roof and 'bulky' nature of the extension is considered at odds with the fineness of the granite building in terms of proportions, and would obscure the eaves height and part of the roofline of the building.

The extension would exceed more than 30% of the original rear garden size. It would be 14.9 metres long excluding the link corridor, which if taken into account would overall account for 17.4 metres, whereas the original building is 10.6 metres in length. It would occupy the whole width of the feu. The existing original rear garden size is some 220.5 square metres, the ground area of the extension accounts for some 114.84, this equates to 52% of the original garden size. Not only would the extension be significantly larger than the existing office building, it would also occupy more than half of the rear garden, which is clearly in breach of the 30% referred to in the ISG.

The extension occupies 100% of the width of the feu, which is significantly greater than the 70% referred to in the ISG. The width reduces the openness of the rear aspect. The extension would wholly obliterate the position of windows and doors, particularly when viewed from Albert Walk. Due to the height of the extension it would effectively remove the traditional dormer, which is a characteristic of the wider terrace, and pay no respect to the scale of the original building in terms of eaves height, which is a feature which unifies the terraces.

The extension is greater than single storey. Due to its bulkiness (flat roof, chunky banding), it is not considered to be of an exceptionally high quality design. There is no evidence that it is required to act as enabling development, rather its purpose is for additional office accommodation for the existing occupier. The proposal therefore also fails to accord with the ISG in respect of height.

The proposed extension, taking into account the above considerations, by virtue of its mass, scale and design, would not preserve the setting of the listed buildings but instead would have a significant adverse impact on the listed buildings in the vicinity and also substantially undermine the character of Albyn

Place and Rubislaw Conservation Area. The proposed development is therefore considered to neither enhance nor conserve the character and/or appearance of the conservation area, or have an acceptable impact on the Category- B listed building or the Category A group of listed buildings. The extension would be clearly viewed from Albert Walk. It is considered that the proposal does not accord with the Interim Supplementary Guidance, or Scottish Planning Policy, Scottish Historic Environment Policy, and policies D1 (Architecture and Placemaking) and D5 (Built Heritage) of the Aberdeen Local Development Plan.

### Scale and Design of Extension

The scale and mass of the extension are such that the proposal would result in the overdevelopment of the site, and dominate the original building, and the wider terrace. The length of the extension is considerably longer than the original building, it is as wide as the feu, and would be taller than single storey in height. This scale and mass would therefore hide the rear traditional dormer window, pay little regard to the eaves level, which is a unifying feature of the terrace, and would appear bulky against the roof line. Due to its width and length it would occupy more than half the rear feu, which would have been originally the rear garden.

The extension to the rear of number 4 Albert Street demonstrates the harm that can occur by such long and wide extensions. It is single storey in height only, but hides the rear elevation of the property and the original feu, in contrast the application seeks permission for a much taller extension. Furthermore, planning policies and guidance have evolved since the building of the extension at number 4 Albert Street.

It is considered that the scale and length of the extension would dominate the original building to an unacceptable level, and the wider terrace, and would result in the overdevelopment of the site. The extension would be substantially larger than any other extension/properties in the vicinity of the site. The proposal does not accord with Policy D1 (Architecture and Placemaking) of the Local Development Plan.

### Impact on Amenity

The extension by virtue of its height and design would have an over-bearing impact on 8 Albert Walk. It would cause loss of light to a number of the rear windows, and would cause over-looking concerns from the 'link' corridor and the terrace above. Whilst the neighbouring premises are commercial in nature, as opposed to residential, it is nevertheless considered that the proposed rear extension would have a negative impact on the adjacent property. Discussions did take place with the agent for this proposal to seek a single storey extension, with no upper floor or roof terrace to overcome these concerns, as well as a reduction in the length and width.

In terms of impact on number 4 Albert Street, it is considered that due to the existence of a ground floor extension to the rear of that property, and the position of the first floor extension as part of this proposal, that the proposed development would not have an adverse impact on number 4 by way of loss of light or privacy.

The rear extension as proposed would have an adverse impact causing over-shadowing to the neighbouring premises, 89 Albert Street, it is therefore considered that the proposal has not been designed with due consideration for its context or in relation to neighbouring properties.

### Access and Car Parking

It is noted that the Roads Projects Team have no objections to the proposal on the basis of access and car parking, although would seek measures to promote alternatives to car use, including Travel Plan, car club, etc. In addition the cycle spaces could be secured by condition.

However, in considering the access and car parking, it is noted that the remainder of the wall would be demolished to make space for an addition car within the rear feu. This alteration would require planning permission as it is not permitted development, as well as listed building consent. In terms of planning permission, the removal of the wall which runs parallel with Albert Walk and part way into the feu contributes to the character of the Conservation Area and assists to define the historical feu. The Strategic Overview and Management Plan clearly state that a weakness within Conservation Areas is the loss of the original development pattern and boundary walls due to backland developments, car parking and rear extensions. The deterioration of back lanes, including the removal of boundary walls to make way for car parking, is considered a threat to the historic character of the conservation area. New development within the conservation area should preserve patterns of development and building lines as these features all contribute to an area's form and special character. The removal of the wall is therefore considered unacceptable due to the impact that it would have on the setting of the listed building and the character of the Conservation Area, it should be borne in mind that the rear feu can be clearly seen from Albert Walk.

### Other

One letter of representation was received in connection with the application which raised a number of points, and each one is responded to below.

1. There are no other extensions on Albert Street of this scale. It is considered contrary to planning policy for the reasons mentioned in this report.



2. Condition could seek appropriate materials, however, it is judged that the scale, mass and design of the extension are inappropriate.
3. Concerns are raised within this report with regards to the impact of the proposal and its relationship with the neighbouring properties.
4. Points 4, 5 and 6 and are referred to in this report. Although the adjacent properties are commercial in nature, as opposed to residential, it is nevertheless considered that the proposal would have an adverse impact, due to its height and projection, through over-shadowing. Furthermore, the glazed two storey link and roof terrace would raise concerns of privacy.

In addition to the above considerations, the application was accompanied with a 'Planning and Design Statement', and further correspondence was received from the agent (e-mail 16.07.14). The main points are summarised below, with a response as follows:

1. "In our design of the extension, we have carefully considered the architectural and historic merit of the building and ensured that the proposed extension respects and enhances this. Paragraph 143 of SPP 2014 (Conservation Areas) states that 'proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.' We do not believe that the proposed extension at 6 Albert Street will adversely impact on the character or appearance of the Albyn Place / Rubislaw Conservation Area, for the reasons outlined in the submitted Design and Access Statement."

Response: It is considered that the proposal is inappropriate due to its design, scale and mass. It would obscure the rear elevation of the property and occupy more than 50% of the rear garden. It pays little respect to the traditional dormer or eaves height, which are unifying features within the terrace. It is considered that it would have an adverse impact on the Conservation Area, as it would erode the rear feu which can be clearly seen from Albert Walk.

2. "Unclear as to how we are impacting on the existing roofline (*sic*)– as the proposals have been considered in relation to existing features (roof line of extension does not extend above line of existing dormers) and does not protrude above the ridge to impact on the front elevation of the terrace".

Response: The extension obscures the eaves, which are a unifying feature of the terrace. It would result in alterations to the dormer window to create a doorway, which would be obscured by the extension. Due to the bulky nature of the extension it would adversely impact on the rear elevation, and the wider terrace. Although it would not be discernible from the front elevation, quite clearly the site can be viewed from Albert Walk.

The Conservation Appraisals make reference to the importance of rear lanes.

3. "Unclear as to why a second storey is not permitted, the Conservation Area Guidance states that 'In general extensions should not be greater than a single storey', but taking into account the proposed high quality extension and business case, should a second storey not be considered."

Response: It is considered that the extension is not of a suitable high quality design, it is overly high, wide and long. It would obscure the eaves details and the dormer window, which would require to be altered. The extension would appear as an alien feature in the terrace, where there are no other similar extensions. The extension would also have an adverse impact on the amenity of the neighbouring premises. It lacks the refinement of the existing terrace and obscures many of the features which make the building, and the wider terrace, unique in terms of Conservation Area and listing status.

4. "In relation to the 70% recommended width...the site is very narrow. The guidance states 'it should not normally exceed more than 70%'"

Response: occupying the full width of the feu will lead to the loss of the traditional feu pattern within the wider terrace, as it would 'read' in conjunction with number 4, as just one large area built on. Approval of such a wide extension could set a precedent, and erode the historic feu. The rear area would have been the garden to the original 'cottage', an extension of the width proposed would undermine the historical importance of such a feature, which contributes to the character of the wider conservation area. A more modest extension could be built, and clearly this would not provide the level of accommodation sought, however the harm to the historic building and conservation are considered to far outweigh this.

5. "In relation to the 30% recommended length, have included a justification in our design and planning statement, which demonstrates why this is unworkable for this particular site. The guidance states that the length should 'not normally exceed 30%'. A 30% extension would not provide sufficient desk space to allow the business to expand effectively. The cost of building an extension of this size compared to the productive output, unfortunately does not stack up."

- Response: the 30% is not the length of the extension, but the size per ratio of the rear feu. The Interim Supplementary Guidance states that the form, scale, design and materials of any proposed development should complement and relate to the principal building and not normally exceed 30% of the original rear garden size. The proposed extension would

occupy some 52%. This is more than half of the original rear garden. The impact on the historical feu, setting of the listed building, and terrace, and the impact on the Conservation Area far outweigh the applicants desire to extend the premises by so much. The proposed extension would almost double the existing floorspace.

6. "Policy BI3 – West End Office Area aims to encourage and promote the continual development of office development in the area. As stated in our supporting information, specifically the letter by the applicant dated 29<sup>th</sup> April 2014, the applicant is keen to stay in their current accommodation and this proposed extension will allow them to do so."

Response: the Council supports the West End Office Area, however, any proposed development must also consider its setting and other policies contained within the Development Plan. Whilst in principle an extension may be acceptable, the proposed extension is considered excessive in terms of scale and massing, and the applicant's desire to extend does not outweigh the impact that the proposal would have on the setting of the listed building, the setting of the group of Category A listed buildings, or the character of the Conservation Area. There is a statutory duty placed on planning authorities to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses and protect the character and appearance of Conservation Areas.

7. "The client was keen to remove the wall adjacent to the lane to allow for safer entry/egress from the car park, but understands the importance of retaining these features. We will amend the plans so that the wall shall remain as existing. For confirmation, the tree is not to be removed."

Response: in order to accommodate the proposal as submitted both the wall and tree would have to be removed. The removal of the wall is resisted by the Planning Authority.

## Conclusion

The proposed development would have an adverse impact on the character of the conservation area and the setting of the listed building (Category B) and the wider group of listed buildings within the terrace (Category A) due to its scale, mass and design. The proposal, therefore, does not comply with the Interim Supplementary Guidance Conservation Area Character Appraisals and Management Plan, July 2013, Scottish Planning Policy, Scottish Historic Environment Policy, or Policies D1 (Placemaking and Design) and D5 (Built Heritage) of the Local Development Plan. The proposal would also have an adverse impact on amenity of the adjacent building within the terrace, number 8

Albert Street, through over-shadowing and overbearance of the extension due to its scale, and loss of privacy.

## **RECOMMENDATION**

Refuse

## **REASONS FOR RECOMMENDATION**

The proposed rear extension due to its scale and mass is contrary to the Interim Supplementary Guidance Conservation Area Character Appraisals and Management Plan, July 2013, which is a material consideration for extensions within Conservation Areas, and Scottish Planning Policy, Scottish Historic Environment Policy, and Local Development Plan Policies D1 (Placemaking and Architecture) and D5 (Built Heritage), and Managing Change: Extensions (Historic Scotland). In particular, the extension is overly long, wide and high, and obscures many of the features of the building, which is Category B listed, including dormer window, windows, and the eaves. Due to the design of the rear extension, being bulky, it would appear as an alien feature, particularly at first floor level within the terrace obscuring the eaves which is a unifying feature of the terrace and the traditional dormer window. The proposal would not preserve the setting of the listed building nor would it preserve the character of the Conservation Area from within public areas of which it would be visible.

The proposed demolition of the boundary wall to accommodate additional car parking is considered unacceptable. The wall, which runs parallel with Albert Walk and part way into the feu, contributes to the character of the Conservation Area and defines the historical feu. The deterioration of back lanes and removal of boundary walls would have an adverse impact on the setting of the listed building and would not preserve or enhance the character of the Conservation Area, contrary to the Interim Supplementary Guidance Conservation Area Character Appraisals and Management Plan, July 2013, Scottish Planning Policy, Scottish Historic Environment Policy, Local Development Plan Policy D5 (Built Heritage), and Managing Change: Setting (Historic Scotland).

The proposal, if approved, would set an undesirable precedent for similar developments in the Albyn Place/ Rubislaw Conservation Area that would adversely affect and undermine the special character of the area as a result of the impact on the rear lane and rear feus, and on the terrace of listed buildings.