

Signed (authorised Officer(s)):

42 ALBYN PLACE, ABERDEEN

ALTERATIONS AND EXTENSION TO
FORM NEW OFFICE ACCOMMODATION

For: Quantum Claims

Application Type : Detailed Planning
Permission

Application Ref. : P140365

Application Date : 14/03/2014

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

Advertised on : 02/04/2014

Officer : Garfield Prentice

Creation Date : 14 November 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 located on the south side of Albyn Place, close to its junction with Queen's Cross and comprises a detached 1½ storey, plus basement, granite building. The front elevation is quite ornate with granite portico and granite faced dormers. The premises ground floor and basement level are currently used for offices, occupied by a company known as Broad Cairn, while the first floor is a residential flat. The rear garden contains four significant trees (Sycamore, Cherry, Copper Beech and Western Hemlock), three of which are located approximately midway between the building and the rear double garage (which abuts St. Swithin Row), the other being adjacent to the garage. The garage has a mansard roof with rooflights on the elevation facing the lane. There is a large tree at the front of the property, close to the front boundary. Informal car parking is available at the front of the property.

The site located within the Albyn Place and Rubislaw Conservation Area. To the west of the site is a rather ornate 2½ storey listed building currently occupied by Clydesdale Bank, while to the east is a 1½ storey office building occupied by Scottish Enterprise. Both properties have been extended, by 2 storey and single

storey extensions respectively. Adjacent to the garage at the rear is a residential property fronting on to St. Swithin Row.

RELEVANT HISTORY

None that is relevant to the consideration of this proposal.

PROPOSAL

Detailed planning permission is sought for the construction of a 3 storey extension to the rear of the building and the conversion of the first floor residential flat to provide additional office accommodation. The proposed extension would measure approximately 21.5 metres long by 12.5 metres and would attain a height of 9.5 metres. It would be of contemporary design and finished mostly in glass curtain walling on the side and rear elevations. Some areas of timber effect cladding and Chinese granite are also proposed. Grey K-Rend render and grey cladding panels are proposed on the north elevation. The link section between to the existing building and the new office accommodation would also be 3 storeys high (plus basement level) and would include toilet facilities and stairs to all floors.

It is proposed to provide a car parking area comprising 8 parking spaces within the rear part of the site, with motorcycle and cycle parking being within an existing garage located close to the rear lane. That garage would also be altered to permit access through it to the parking area. It is also proposed to alter the parking area at the front of the building. A semi-circular driveway and 5 parking spaces would be formed. No details of surface materials for the two parking areas and driveway have been provided.

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.=140365>

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

Tree Reports by Astell Associates and Enviro Centre
Design and Access Statement

CONSULTATIONS

Roads ProjectsTeam – In accordance with the current parking standards, the applicant should provide 1 parking space per 50sqm gross floor area (GFA). The proposed site could provide up to 28 parking spaces. It is noted that the applicant proposes to provide 18 parking spaces, a shortfall of 10 spaces. The

development is located with a controlled parking zone with pay and display parking facilities. Although the parking would be below the allowable level, given the site's good accessibility to public transport and proximity to the city centre, the shortfall in parking is acceptable. However, to mitigate the potential for additional parking pressure in the area it is requested that planning approval is conditional on the provision of measures to promote sustainable access to the development. As a minimum these should include the promotion of public transport and the city car club.

The applicant should provide 1 cycle parking space per 300sqm and 1 motorcycle parking space per 1,000sqm of GFA. Accordingly, at least 5 cycle spaces and 1 motorcycle space should be provided. The parking should be secure and shower and changing facilities should be provided for use by staff.

The disabled parking bay should be relocated to the front of the premises.

As the proposal is below the thresholds, no contribution will be required to the Strategic Transport Fund.

One point of access with restricted width would not be suitable at this location and thus the western access should be retained and additional parking at this location should be relocated.

The applicant should provide information about deliveries and refuse vehicles arrangements to the proposed site.

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

Environmental Health – No observations

Communities, Housing and Infrastructure (Flooding) – No observations

Community Council – No response received

REPRESENTATIONS

No letters of representation/objection/support have been received.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) is the statement of Scottish Government policy on land use planning and includes the Scottish Government's core principles for the operation of the planning system and concise subject planning policies. The subject planning policy relating to the historic environment is a relevant material consideration.

Scottish Historic Environment Policy (SHEP) is a relevant material consideration.

Aberdeen Local Development Plan

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.

Policy D5- Built Heritage

Proposals affecting conservation areas or 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.

Policy NE5 - Trees and Woodlands

There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

Proposed Aberdeen Local Development Plan

The following policies substantively reiterate policies in the adopted local plan as summarised above:

Policy D1 – Quality Placemaking by Design

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials.

Policy D4 – Historic Environment

The Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, SHEP, its own Supplementary Guidance and Conservation Area Character Appraisals and Management Plan. It will assess the impact of proposed development and support high quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings, conservation areas, archaeology, scheduled monument, historic gardens and designed landscapes.

Policy NE5 – Trees and Woodlands

There is a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation.

The policy below has been changed significantly from Policy BI3 of the adopted local development plan in that it introduces new consideration relating to the size, scale and design of development proposals and how such proposals would affect the special historic and architectural character of the area.

Policy B3 - West End Office Area

In the West End Office Area (as shown on the Proposals Map) proposals for change of use to office use or the expansion of existing office use will only be acceptable provided;

- a) the size, scale and design of development proposals respect the special historic and architectural character of the area and;
- b) the design meets all of the relevant criteria set out in the Historic Environment TAN, with regards to relationship to the existing building, context and modifications to existing extensions (see also the Design Policies).

Other Relevant Material Considerations

The Albyn Place/Rubislaw Conservation Area Appraisal is a relevant material consideration.

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

Policy BI3 – West End Offices

Policy BI3 supports changes of use to office use. The majority of the property is currently used for that purpose. The conversion of the residential flats to office use is supported by the policy. However, the policy relates to changes of use and is not directly relevant to the consideration of extensions to buildings.

Design and Scale of the Proposed Extension

Whilst the property at 42 Albyn Place is not listed, there are a significant proportion of listed buildings in the surrounding area, including the adjacent building at 1 Queen's Cross. The property remains mostly unaltered having not been extended. As such, the front and rear elevations have not changed from their original design and form. The buildings to either side of the site have been extended, 1 Queen's Cross by a 2 storey extension and 41 Albyn Place by a single storey pitched roof extension. It is acknowledged, as highlighted in the applicant's Design and Access Statement, that there is precedent for large rear extensions to properties in the surrounding area, these ranging from single storey to 3 storeys high. However, each planning application must be assessed and determined on its own merits, but with particular regard being paid to the specific

characteristics, scale and form of the original building and those immediately adjacent to it.

Policy D1 of the local development plan seeks to ensure all development is designed with due consideration for its context and make a positive contribution to its setting. In this case, the original building is 1½ storey high on its Albyn Place frontage and 2 storeys on its rear elevation. The applicant acknowledges in the Design and Access Statement the importance of the building and the need to give careful consideration to the design of the proposal, stating *"Whilst the existing property is not listed, it is still a fine example of a detached granite villa, set back from the street with a dominant front façade, typical of Albyn Place. As such the site is of both historical and architectural merit, therefore careful consideration has been input into the design process"*. Notwithstanding this statement, for the reasons explained below, insufficient analysis and consideration of the context and the impact on the historic environment has been given to the formulation of the proposal.

The proposed extension, at 3 storeys high, would be out of keeping with the existing building in terms of its scale and massing and would have a very uneasy and incongruous relationship with the existing building. Although mostly hidden from view from Albyn Place, it would be partially visible from St. Swithin Street across the car parking of the adjacent property and thus its scale and massing would be clearly discernible from a public place. The extension would dominate and overwhelm the existing building, being of substantially larger massing and footprint than the existing property. Contrary to the applicant's assertion in the Design and Access Statement, the proposal cannot reasonably or legitimately be described as being subservient to the existing building. The height, massing and detailing of the 'link' section and how it would connect to the existing building (i.e. above wallhead level) is wholly inappropriate and would have a detrimental impact on the appearance of the original building. Most of the extensions in the locality are linked to the existing buildings below wallhead level, this being a more satisfactory design solution. Where 3 storey extensions have been permitted on Albyn Place, they relate to considerably larger original buildings, generally substantial 2 or 2½ storey properties and where rear ground levels permit such an extension.

Whilst the principle of contemporary design for extensions to properties in the conservation area is acceptable, in this case the failing of the proposal in terms of scale, massing and form are such that the proposal does not respect its context, nor would it make a positive contribution to character of the area. Rather, the proposal would have a negative impact, contrary to the terms of Policy D1 of the local development plan. Further, the scale and massing of the extension and its proximity to the adjacent property at 41 Albyn Place would be somewhat dominating and overwhelming for the occupants of that building.

Impact on the Character of the Conservation

The site is located within the Albyn Place and Rubislaw Conservation Area. Albyn Place was originally built on the lands of Rubislaw, owned by James Skene who commissioned Archibald Elliot to prepare a scheme for Aberdeen based on the New Town in Edinburgh. Albyn Place is characterised as a wide tree lined avenue with large and distinguished detached granite villas set back from the road in their own substantial grounds. Many of the buildings are relatively plain with little ornate detail. The properties on the application site and the adjacent site (1 Queen's Cross) are notable exceptions having quite ornate frontages. A large number of the buildings have been converted to office use with a substantial number being extended to the rear. Albyn Place and the eastern part of Queen's Road, in particular, are characterised by this pattern of the development.

SPP and SHEP seek to ensure that the character and appearance of conservations areas are preserved or enhanced. Indeed, there is statutory duty on planning authorities under section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 for the desirability to preserve or enhance the character of conservation areas. The property remains mostly unaltered having not been extended. As such, the front and rear elevations have not changed from their original design and form. It is acknowledged that the existing character of the Albyn Place and Rubislaw Conservation Area is one of a substantial number of commercial premises, many of which have been altered and extended over time. For that reason, it is considered that, in principle, the property can be extended, provided such an extension would be of appropriate scale, massing, form, design and relationship to the existing and adjacent buildings. As noted above, the proposed extension, at 3 storeys high, would be out of keeping with the existing building in terms of its scale and massing and would have a very uneasy and incongruous relationship with the existing building. The proposal would not preserve the character or appearance of the conservation area and thus is contrary to SPP, SHEP and Policy D5 of the local development plan.

The proposal would result in the loss of the majority of the rear garden and the loss of at least two of the four trees. The trees are protected by virtue of being within a conservation area. A 19 metre high Western Hemlock tree and a 9 metre high Cherry tree would be directly affected by the proposal. The Tree Report submitted by the applicant also indicates that a 13 metre high Sycamore tree next to the boundary should be felled. The loss of the trees would have localised impact on the character of the area, but would not significantly affect the overall character of the conservation area. Whilst, the loss of garden ground would have an adverse impact, the prevailing character of the surrounding area is one of significant areas of car parking to the rear of the majority of buildings. In that regard, the provision of car parking would not significantly impact on the character of the conservation area.

The alterations to the front parking area would have a small positive impact on the appearance and setting of the building. The current appearance of that area is less than ideal and detracts from the appearance of this part of the conservation area. Whilst, the new arrangements would improve the frontage, it would be at the cost of a significant area of hardstanding.

Impact on the setting of the Adjacent Listed Building

The property to the west of the application site is a Category B listed building, dating from 1865. It was listed in 1984. Currently in use by Clydesdale Bank, it was designed for George Washington Wilson, who was the first Photographer Royal. A 2 storey flat-roofed extension was added in the mid 1990s. The proposed extension at No. 42 would be located in close proximity to 1 Queen's Cross and would be seen to sit behind that property when viewed from St. Swithin Street. It would be seen mostly in the context of the extension to 1 Queen's Cross, rather than the original building. It is considered the proposal would have only a limited impact on the setting of the listed building.

Car parking, Access and Accessibility

The proposal was revised to retain the two accesses off Albyn Place, as requested by the Roads Projects Team. A consequence of that revision is the number of car parking spaces has been reduced to 13 parking spaces. That level of car parking would be less than 50% of the maximum number of spaces allowable by the Council's car parking standards. However, the site is located within a controlled parking zone with pay and display parking. This would discourage parking in the surrounding streets by occupants of the development. The site is close to the city centre and is accessible by public transport. For these reasons the proposed level of car parking would be acceptable.

Impact on Residential Amenity

The site backs on to St. Swithin Row beyond which are the residential properties fronting St. Swithin Street. Whilst the proposed extension would result in the building being closer to those properties the separation distance would be sufficient to ensure there would be no significant impact on the amenity of the residents. There would be no loss of privacy for residents and no impact on sunlight and daylight reaching the properties. The provision of car parking would have some impact on the residence immediately adjacent to the site due to the increase activity and disturbance arising from manoeuvring vehicles. However, the impact would be limited due to the presence of a boundary wall.

Impact on Trees

The proposal would result in the loss of two trees, a 19 metre high Western Hemlock tree and a 9 metre high Cherry tree would be directly affected by the proposal. The Tree Report submitted by the applicant also indicates that a 13 metre high Sycamore tree next to the boundary should be felled. The stage of maturity and the height of the trees are such that they contribute to the character and amenity of the local area. The removal of the Western Hemlock has already

been approved under an application for tree work (ref. P130749). The loss of the other two trees would have a negative impact on the area, contrary to Policy NE5 of the local development plan.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration.

In relation to this particular application the following policies are of relevance. Of these Policies D1, D4 and NE5 substantively reiterate policies in the adopted local plan. Policy B3 introduces new consideration relating to the size, scale and design of development proposals and how such proposals would affect the special historic and architectural character of the area.

Policy D1 – Quality Placemaking by Design

Policy D4 – Historic Environment

Policy B3 - West End Office Area

Policy NE5 – Trees and Woodlands

The same reasons as set out above in relation to the relevant policies of the adopted local development plan, the proposed development would be contrary to Policies D1, D4 and NE5 of the Proposed Local Development Plan. The proposal would also be contrary to Policy B3 because the inappropriate and excessive scale, massing and form of the proposed extension would not respect the special historic and architectural character of the area.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

(1) That the proposal, if approved, would be detrimental to and thus not preserve or enhance the character of Conservation Area 4 (Albyn Place/ Rubislaw) due to

the inappropriate and excessive scale, massing and form of the proposed extension, contrary to Scottish Planning Policy, Scottish Historic Environment Policy and Policies D1 (Architecture and Placemaking) and D5 (Built Heritage) of the Aberdeen Local Development Plan and Policies D1 (Quality Placemaking by Design), D4 (Historic Environment) and NE5 (Trees and Woodlands) of the Proposed Aberdeen Local Development Plan.

(2) That the proposal, if approved, would result in the loss of two additional trees, not previously granted for removal, which would be to the detriment of the character, amenity and appearance of the local area, contrary to Policy NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan.

(3) That the proposal, if approved, would be contrary to Policy B3 West End Office Area of the Proposed Aberdeen Local Development Plan due to its adverse impact on the character of the conservation area arising from the inappropriate and excessive scale, massing and form of the proposed extension.

(4) That the proposal, if approved, would set an undesirable precedent for similar developments in Conservation Area 4 (Albyn Place/ Rubislaw) that would significantly adversely affect and undermine the special character of the area.