

Planning Development Management Committee

1 & 2 ALBERT TERRACE GARDENS, PART OF
1,2,3 CARDEN TERRACE

ERECTION OF 2 BLOCKS (INCORPORATING 4
FLATS) WITH ASSOCIATED CAR PARKING
AND LANDSCAPING

For: DP Group with Scotus Investments Ltd

Application Type : Detailed Planning Permission

Application Ref. : P141587

Application Date: 17/10/2014

Officer: Dineke Brasier

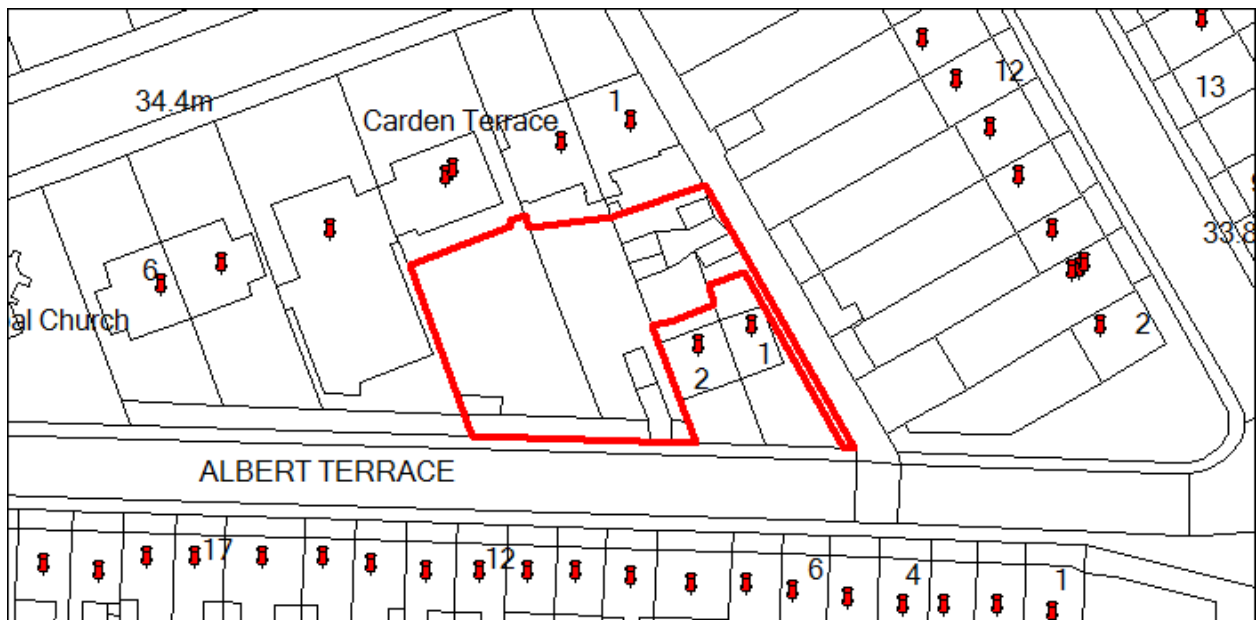
Ward : Hazlehead/Ashley/Queen's Cross(M
Greig/J Stewart/R Thomson/J Corall)

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

Advertised on: 14/01/2015

Committee Date: 19 March 2015

Community Council : Comments



RECOMMENDATION:

Refuse

DESCRIPTION

The site comprises and combines almost the whole of the rear gardens of 1, 2 and 3 Carden Terrace and 1 and 2 Albert Terrace Gardens, including a block of four existing garages. The site fronts onto Albert Terrace and Albert Walk – a narrow lane connecting Albert Terrace and Carden Terrace. It is mainly given over to soft landscaping and slopes up from Carden Terrace towards Albert Terrace. The existing rear gardens contain one vehicular access from Albert Terrace, which provides access to a parking area in the rear garden of 2 Carden Terrace. This part of the rear gardens is covered in gravel. Another vehicular access exists on Albert Walk. This access leads to four existing single garages. The boundary to Albert Terrace consists of an original granite wall. Just outside the curtilage is a row of large mature trees protected under Tree Preservation Order No.15. The rear gardens of 1, 2 and 3 Carden Terrace, although interconnected, are marked out by the existing granite boundary walls clearly marking out the original feus.

The site is located within an existing residential area and the Albyn Place/ Rubislaw Conservation Area. 1, 2 and 3 Carden Terrace are Category C listed buildings, whilst the terrace 1 – 34 Albert Terrace is Category B listed.

RELEVANT HISTORY

None.

PROPOSAL

Planning consent is sought for the construction of two blocks of flats each containing two 2-bedroom flats; one on the ground floor and one on the first floor. This would result in a total of four 2-bedroom flats for the overall development.

The buildings have an identical design and measure 12.2m by 10m with a further projection of 2.5m by 6m on the rear elevation. The buildings would be 2 storeys high, have an eaves height of 4.3m and a ridge height of 7.7m. The front elevation contains three half dormers. The rear elevation would have another half dormer. The roof itself is pitched. Proposed materials are slate for the roof, roughcast for the walls with granite quoin stones and timber windows and doors.

The site would contain two vehicular accesses: the existing accesses off Albert Terrace and Albert Walk. This second access would be upgraded and widened. These road works also incorporate the creation of a footpath from the access to Albert Terrace, which would necessitate the demolition of a high traditional granite wall. The existing garages would be demolished. The majority of the site will be given over to hard surfacing to accommodate 15 car parking spaces and sufficient manoeuvring and turning spaces.

Note - The proposal also requires Listed Building Consent and Conservation Area Consent as part of the site is contained within the curtilage of listed

buildings and involves the removal of boundary walls between the gardens and existing garages, but these applications have not been submitted.

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=141587>

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

The application is supported by a Design Statement.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because 38 letters of objections and an objection from the Community Council were received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management Team – The application is for the erection of 2 blocks (incorporating 4 flats) with associated car parking and landscaping. In accordance with the Transport and Accessibility Supplementary Guidance 7 parking spaces would be required. It is noted that 15 spaces are proposed. The applicant should detail the reasons why this number of spaces is proposed quoting relevant information from the SG.

Parking spaces should be 5m by 2.5m and have a 6m aisle width. Parallel parking spaces should be 6m long.

In accordance with guidance, 1 secure long stay cycle parking space should be provided.

The applicant is to submit a swept path analysis of a refuse vehicle entering the site in a forward gear, manoeuvring to the refuse pick up points and exiting in forward gear.

As an absolute minimum, a footpath of 1.5m should be provided; from the drawings submitted it appears that this may not be achievable.

A visibility splay of 2.4m x 33m is required at the access junction.

Drainage proposals should be submitted.

Environmental Health - No objection, but recommends the following condition:-

- 1) Suitable means of waste storage, including recycling, is provided.

Enterprise, Planning & Infrastructure (Flooding) - It is not clear what kind of surface is proposed in the car park bays; the material to be used should be porous, (eg porous paviers like in the rest of the driveway). In this case, the gullies proposed in that area are probably redundant (except the ones in the

tarmac area). It is highlighted that the base for the porous pavement needs at least a 350mm depth clean crushed angular stone wrapped in a geotextile to get the appropriate performance.

Community Council – Queen’s Cross and Harlaw Community Council has objected to the proposal based on the following matters:

1. The proposal is clearly an overdevelopment of a high-amenity, protected garden area within a designated Conservation Area;
2. The development would have a negative impact on the general amenity of the Conservation Area and existing properties, and associated Listed Buildings;
3. The proposed buildings are poor in terms of design and choice of construction materials and would not fit well with the architectural style of the other buildings within the Conservation Area.
4. It is understood that the proposal would involve the destruction and removal of some mature trees which currently enjoy protected status.
5. Insufficient thought has been given to car parking and access arrangements for the site.

REPRESENTATIONS

38 letters of representation/objection/support have been received. The objections raised relate to the following matters –

Impact on listed buildings of Albert Terrace, Carden Terrace and the Conservation Area:

1. The design of the development due to the half dormers, shallow roofs, window proportions, positioning and proposed materials is inappropriate in the Conservation Area.
2. The proposed flats would be positioned on a higher level than the properties on Albert Terrace, further increasing their detrimental impact on this Victorian terrace.
3. A modern development would be out of place and detract substantially from the character and appearance of the listed buildings in Albert Terrace, which has been remarkably unchanged since it was completed in the mid 19th century. Development will have an unacceptable impact on the listed buildings of Carden Terrace
4. Proposal fails to respect the grain and pattern of existing feus. This is contrary to Aberdeen City Council’s Supplementary Guidance on Sub-division and Residential Curtilages.
5. Development would have an adverse impact on trees in Albert Terrace. No tree survey has been submitted.
6. Development would disrupt the fabric of the local community
7. Demolition and lowering of boundary walls in a conservation area and within the curtilage of listed buildings is contrary to policy D4 of Local Development Plan (LDP).
8. The development will have a harmful impact on the strip of land bordering Albert Terrace. This strip of land is maintained by the Albert Terrace

Residents Association and is planted with a selection of flowers, and is one of the few 'natural' green spaces.

9. Development would harm long views and vista along Albert Terrace.
10. The cobbles on Albert Terrace are already suffering from wear and tear and the construction traffic and extra traffic associated with these flats will compromise these even further. The cobbles are supposed to be protected under the Conservation Management Plan.
11. If approved, the development could set a precedent for further development in the area near the Terrace.

Impact on residential amenity of residents of Albert Terrace, Carden Terrace and the future occupiers of the proposed flats:

12. The development results in a significant loss of garden space of the properties at Carden Terrace and Albert Terrace Gardens, affecting the residential amenity of residents of these properties. This also includes the construction of the footpath in the side garden of 1 Albert Terrace Gardens.
13. Buildings would block sun light to windows in Albert Terrace and Carden Terrace
14. Height of the proposed development would have a dominating impact on properties on Albert Terrace.
15. Development would result in a loss of privacy to properties directly opposite the proposed flats.

Design of the proposed development:

16. Proposal constitutes overdevelopment of the site
 - a) Proposal does not include any meaningful open space other than space left over after development.
 - b) Overprovision of car parking. The proposal provides 15 parking spaces – 7 for new flats and 8 for existing buildings.
 - c) Not enough parking spaces serving the development as it is not clear if they also need to serve the properties at 1 and 2 Carden Terrace and 1 and 2 Albert Terrace Gardens.

Impact on road safety:

17. Additional traffic on Albert Walk in association with the construction of flats and an overprovision of car parking will result in road safety concerns as Albert Walk remains a single width lane and cannot accommodate such an increase in traffic.
18. Uncertainty as to whether visibility splays can be achieved on Albert Walk – even if boundary wall is moved.
19. Proposed footpath only runs from Albert Terrace to the site access and will not continue along the remainder of Albert Walk. This leaves the potential for conflict between pedestrians and cars on the remainder of Albert Walk.
20. There are insufficient parking spaces at Albert Terrace at present. The proposed development would further exacerbate this.

Other:

22. A lack of information is presented. A tree survey, cross sections and levels information are missing.

- 23.No application for listed building consent has been submitted.
- 24.No information has been provided in relation to refuse collection.
- 25.No need for development as Council's LDP states that there are enough brownfield sites to cope with the projected demand until 2023

PLANNING POLICY

Scottish Planning Policy:

Paragraphs 135 - 144 discuss the Scottish Government's approach in relation to development within the Historic Environment:

Siting and design of development should take account of all aspects of the historic environment. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. Proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area.

Scottish Historic Environment Policy:

Sets out Scottish Ministers' direction in relation to the Historic Environment: Scotland's historic environment should be managed in a sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value. Where change is proposed, it should be appropriate, carefully considered, authoritatively based, properly planned and executed. It is important that new developments are sensitive to historic character and attain high standards in design and construction, while recognising the portfolio of original building materials.

Managing Change in the Historic Environment: Boundaries:

Walls, fences and other boundary treatments form important elements in defining the character of historic buildings and conservation areas.

Aberdeen Local Development Plan

D1 – Architecture and Placemaking: New development must be designed with due consideration for its context and make a positive contribution to its setting.

D2 – Design and Amenity: In order to ensure the provision of appropriate levels of amenity the following principles will be applied:

- Privacy shall be designed into higher density housing;
- Residential development shall have a public face to a street and a private face to an enclosed garden or court;
- All residents shall have access to sitting-out areas;
- Car parking must not dominate the space. No more than 50% of any court should be taken up by parking spaces and access roads;

D4 – Aberdeen's Granite Heritage: Consent will not be given for the demolition of granite-built garden or other boundary walls in conservation areas.

D5 – Built Heritage: Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy;

H1 – Residential Areas: Within existing residential areas, proposals for new residential development will be approved in principle if it:

- Does not constitute overdevelopment;
- Does not have an unacceptable impact on the character or amenity of the surrounding area; and
- Complies with Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages

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 that contribute significantly to local amenity. Appropriate measures should be taken for the protection and long term management of existing trees. Buildings and services should be sited so as to minimise adverse impacts on existing and future trees and tree cover.

R6 – Waste Management Requirements for New Developments: Housing developments should have sufficient space for the storage of residual, recyclable and compostable waste.

R7 – Low and Zero Carbon Buildings: All new buildings must install low and zero-carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards.

Proposed Aberdeen Local Development Plan

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

D1 – Quality Placemaking by Design (*D1 – Architecture and Placemaking and D2 – Design and Amenity*)

D4 – Historic Environment (*D5 – Built Heritage*)

D5 – Our Granite Heritage (*D4 - Aberdeen's Granite Heritage*)

H1 – Residential Areas (*H1 – Residential Areas*)

NE5 – Trees and Woodlands (*NE5 – Trees and Woodlands*)

R6 – Waste Management Requirements for New Developments (*R6 – Waste Management Requirements for New Developments*)

R7 – Low and Zero Carbon Buildings, and Water Efficiency (*R7 – Low and Zero Carbon Buildings*)

Supplementary Guidance

Low and Zero Carbon Buildings – Sets out the methodology for developers to demonstrate compliance with policy R7 of the Aberdeen Local Development Plan (reduction of predicted carbon dioxide emissions of at least 15% below 2007 buildings standards).

The Subdivision and Redevelopment of Residential Curtilages – Establishes principles in relation to splitting of feus and residential development.

Transport and Accessibility – Provides guidance on parking standards for residential developments

Trees and Woodlands – Sets out requirements in relation to the submission of a Tree Survey, Tree Protection Plan, Arboricultural Method Statement and Tree Constraints Plan.

Other Relevant Material Considerations

Albyn Place and Rubislaw Conservation Area Appraisal
Conservation Area Character Appraisals and Management Plan

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

Principle of development:

The site is located within an existing residential area where, subject to compliance with all other relevant policies and criteria, residential development would be acceptable.

Impact on the character, appearance and setting of the listed buildings and Albyn Place/ Rubislaw Conservation Area:

Setting:

The site comprises part of the rear gardens of 1 and 2 Albert Terrace Gardens, and 1, 2 and 3 Carden Terrace. It is set within a sensitive historic location. It is within the Albyn Place/ Rubislaw Conservation Area; 1, 2 and 3 Carden Terrace are Category C listed buildings, and the dwellings on Albert Terrace opposite are B-listed.

The Council's Albyn Place and Rubislaw Conservation Area Appraisal and Conservation Area Appraisals and Management Plan provide guidance as to the historic development in this area. This document sets out that the traditional pattern of development was single aspect, i.e. buildings fronting a road, with long rear gardens backing directly onto a lane from which often vehicular access was taken. This pattern is clearly visible in the immediate area, with properties on Albert Street taking vehicular access from Albert Walk, properties on Albert Terrace taking vehicular access from Rubislaw Terrace Lane, and properties on Carden Terrace backing onto Albert Terrace. This proposal would introduce a second building line on Albert Terrace that would distort this original pattern. The properties at 2 and 3 Carden Terrace would no longer directly back onto Albert

Terrace, but a new building line would be introduced. This would be out of character with the original building pattern within this conservation area to the detriment of its character and appearance and the setting of the listed buildings.

The two buildings would be set at an angle from Albert Terrace. This, again, is contrary to the general pattern of development within this area where buildings front directly onto the street. Furthermore, through integrating the back gardens into one site, the proposal removes the original feu pattern. Again, this would have an adverse impact on the pattern of development within the Conservation Area and the setting of the listed buildings. As such, the proposal is contrary to policy D5 (Built Heritage) of the Aberdeen Local Development Plan.

The proposal would involve integrating the back gardens of 1, 2 and 3 Carden Terrace, and 1 and 2 Albert Terrace Garden into a large development site. Currently, the gardens of 1, 2 and 3 Carden Terrace are separated by original granite boundary walls. These walls would be removed to open up the site to enable development. In addition, the existing high granite boundary wall running along the side of 2 Albert Terrace Garden fronting Albert Walk would be taken down, and rebuild closer to the property. Part of this wall would be lowered from 2m to 0.8m. Historic Scotland Document 'Managing Change in the Historic Environment: Boundaries' sets out that walls, fences and other boundary treatments are important elements in defining the character of historic buildings and conservation areas. In this area, the boundary walls contribute significantly to the character and appearance of the Albyn Place/ Rubislaw Conservation Area. Their removal and/ or lowering in height would have a significant detrimental impact on the character and appearance of the Conservation Area and the setting of the listed buildings. Policy D4 (Aberdeen's Granite History) clearly states that within Conservation Areas, the removal of granite boundary walls will be resisted. As such, the proposal is contrary to this policy, policy D5 (Built Heritage) and national policy as set out in Scottish Historic Environment Policy and detailed guidance set out in Managing Change in the Historic Environment: Boundaries.

Design:

The proposed buildings would measure approx. 12.3m by 10.1m with a further rear projection of 2.5m by 6.2m. The design suggests a two storey building with three half dormers in the front elevation and a further half dormer in the rear elevation. This is significantly higher than both the dwellings at 1 and 2 Albert Terrace Gardens and the dwellings at Albert Terrace, which are single storey with additional accommodation in the roof space. In addition, the latter are also set at a lower level.

The design of the two blocks does not reflect the prevailing character and architecture of buildings in this conservation area. The design is very bland and does not incorporate the specific design features, detailing or external finishes one would expect in this conservation area. Due to the wide span, the design suggests a very wide, nearly square building. As a result, the gables appear too wide, and the pitch of the roof is too shallow, at odds with all other buildings in the surrounding area. The arrangement, proportions and sizes of the windows

are not reflective of the traditional appearance of other buildings in the area. This poor design is set against the elegant, traditional design of Albert Terrace, and the more robust design of the buildings fronting Carden Terrace. The construction of such buildings would have a significant adverse impact on the setting of these listed buildings, and the character and appearance of the Conservation Area in general. Overall, it is considered that the design falls well short of the quality expected and required on such a prominent location in this historic setting.

Density:

The Subdivision and Redevelopment of Residential Curtilages Supplementary Guidance sets out that, rear gardens of both existing and proposed buildings following subdivision of a residential curtilage should have a length of 9m in the case of a two-storey building, and 11 metres in the case of a building of more than two storeys. The proposed development would significantly reduce the size of the rear gardens of 1, 2 and 3 Carden Terrace, and 1 and 2 Albert Terrace Gardens to far below these standards. All proposed and remaining gardens would fail to pass this test. In particular the rear garden of 2 Albert Terrace Garden would be reduced to an unacceptable length of 2m, while the properties at 1, 2 and 3 Carden Terrace would have rear gardens of between 3 and 6 metres. In addition to the failure to comply with the supplementary guidance, the resulting garden sizes would be significantly at odds with and detrimental to the prevailing character of the conservation area.

Site layout:

Policy D2 (Design and Amenity) of the Aberdeen Local Development Plan sets out that parking must not dominate any site layout. As a guide, no more than 50% of any court should be taken up by parking spaces and access roads. In this case, it is clear that the area between 1, 2 and 3 Carden Terrace and the proposed buildings would be dominated by parking spaces and the access roads, occupying a large proportion of that area. This impact is even further emphasised by the hard surfacing leading up to the new buildings from the access road and the parking spaces. Some soft landscaping is introduced on the Carden Terrace side of the development and at the extreme rear of the site. This landscaping appears to be the pieces of land left over after satisfying the requirements for parking and access rather than an integral piece of the development. Due to this extensive use of hard landscaping, the proposal is contrary to the requirements of this policy.

Impact on residential amenity for existing properties and new flats:

Loss of light:

At present, the area surrounding 1 and 2 Albert Terrace Gardens is relatively open. The proposed two buildings are stepped back from Albert Terrace. The proposed building nearest 2 Albert Terrace Gardens would project 6m beyond the rear elevation of this small dwelling. The gable on the proposed east elevation would have an eaves height of 5.5m and a ridge height of 7.8m. The building would be located very close to 2 Albert Terrace Garden, and would leave a gap of 0.5m to the boundary with this property. 2 Albert Terrace Garden itself is a small 1.5 storey semi-detached dwelling. It is considered that the proposal

would have an imposing impact and would result in a loss of light to the rear windows of 2 Albert Terrace Gardens to the detriment of the residential amenity of this property.

The buildings would be on the north side of Albert Terrace, and as a result, would not contribute to a significant loss of sun light to these properties.

Loss of privacy:

The flats contain a side facing window in the east elevation of the first floor flats, serving a bedroom. In the case of the building nearest the existing Albert Terrace Gardens properties, this window would look straight over their private rear outdoor amenity area, and would offer potential of looking directly down into the living accommodation of these two properties. This would result in a significant loss of privacy to these properties.

Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages sets out that a distance of 18m should be maintained between facing windows to ensure adequate levels of privacy are maintained. In this case, the distance between the rear elevations of the proposed buildings and the existing buildings at 2 and 3 Carden Terrace vary between 14m and 19.5, with the majority of the rear façades of the proposed buildings being nearer than 18m to the properties on 2 and 3 Carden Terrace. Windows in the rear elevation of the proposed buildings serve a kitchen, study and bedroom. It can be considered that the distance between the proposed buildings and the existing properties 2 and 3 Carden Terrace is too small, and that this could result in a significant loss of privacy to both occupiers of these existing and proposed buildings.

Provision of amenity space:

The proposal would result in a significant reduction in the rear and side gardens of 1 and 2 Albert Terrace Gardens from respectively approx. 64m² to 25m² and approx. 80m² to 16m². Furthermore, no clear boundary treatment is indicated to show satisfactory levels of privacy for the occupants of these properties within their gardens. The rear gardens appear to be integrated into the overall layout of the site, which, as the two properties are traditional semi-detached dwellings is wholly inappropriate and offers an inadequate level of outdoor amenity space for these existing dwellings.

As discussed above, the site layout is dominated by hard surfacing required for the construction of parking spaces and an access road. This results in piecemeal provision of small areas of landscaping that can be used as outdoor amenity space. The existing flats at 1 and 2 Carden Terrace will retain direct access to a small strip of grass. However, this area is significantly reduced and in the case of 2 Carden Terrace can be perceived as a 'token' strip of outdoor amenity space. 3 Carden Terrace is closely located to an area of grass located adjacent to the western proposed building. This amenity area measures approx. 80m² and provides some level of amenity to the occupants of both 3 Carden Terrace and this proposed new building. However, taking account of the fact that this space would be shared by a significant number of people, this is a not a large area. There would be no direct access from the proposed eastern building to any

outdoor amenity space, but residents would need to cross the car park to get to any type of amenity space.

In addition, the design of the new buildings does not include any integration of private outdoor amenity space such as balconies. Overall, it is considered that the amount of outdoor amenity space provided is not satisfactory to serve a development of this size, especially when taking account of the reduced levels of available amenity space for the existing buildings at 1, 2 and 3 Carden Terrace.

On these grounds, the proposal does not comply with policy D2 (Design and Amenity) of the Aberdeen Local Development Plan.

Impact on mature trees:

The boundary with Albert Terrace is made up of a high granite wall with a mature hedge behind and a row of large mature trees in the verge of the road. These trees are protected under Tree Preservation Order no. 15. No Tree Survey or other information in relation to these trees has been submitted by the applicant.

The Councils Arboricultural Officer highlights that it is likely that the footprint of the proposed buildings would impact on the root protection area of these trees potentially to the detriment of their health. Policy NE5 (Trees and Woodlands) carries a presumption against all activities and development that would result in the loss or damage to established trees that contribute significantly to local amenity. As these trees are protected under a Tree Preservation Order, their importance in relation to local amenity is established. As such, in the absence of further information, it is considered that the proposal is contrary to the requirements of NE5 (Trees and Woodlands) and Trees and Woodlands SG.

Notwithstanding any potential damage to the trees resultant from the development itself, it is also considered that the presence of the trees would impact on the residential amenity of the proposed buildings. The tree line is very mature and in the summer carries a large and thick canopy. A number of these trees would be closely located to the front windows of the proposed building, resulting in potentially dark rooms. This presents a future danger to the trees as potential residents would be likely to want them thinned or removed to improve their outlook and levels of natural light to their living accommodation.

Impact on highway conditions, especially in relation to parking, access and servicing:

The site plan shows 15 parking spaces accessed through an improved access onto Albert Walk – a narrow lane running between Carden Terrace and Albert Terrace. The site is located within the Outer City, and as such a maximum of 1.75 parking spaces per flat could be provided. This would result in 7 parking spaces for the proposed new development. However, the proposal involves the removal of existing garages and parking spaces for the Albert Terrace Gardens dwellings and 1 and 2 Carden Terrace. 2 and 3 Carden Terrace retain parking spaces to the front.

The applicant does not clarify how many properties the parking area needs to serve. Assuming that at a minimum this area would serve the proposed new flats, the properties at 1 and 2 Albert Terrace Gardens and 1 Carden Terrace (taking account of the existing parking provision to the front at 2 and 3 Carden Terrace), this would consist of 10 residential units. The proposed parking provision would then be 1.5 per residential unit, which appears acceptable in this sustainable location close to bus routes and the city centre.

Albert Terrace residents have expressed concerns regarding additional pressure for on-street parking in this street, which is already inadequate. It is considered that the proposal incorporates sufficient parking spaces to enable on-site parking, and as such should not result in further pressure on on-street parking in the surrounding area.

The proposal should allow for at least one secured, covered bicycle parking space per flat as set out in the Transport and Accessibility SG. This provision – although indicated in the submitted Design Statement – is not shown on any of the plans.

Roads Development Management Team raised doubts as to the suitability of the access road to enable a refuse vehicle to enter and exit the site in a forward gear. Further information would need to be submitted.

Concerns have been issued by residents regarding an increase in traffic levels on Albert Walk and Albert Terrace, including construction traffic facilitating the development. Albert Walk is a narrow lane with various car parks and vehicular accesses from rear gardens. As a result, cars drive relatively slow, and an increase in traffic levels is not necessarily a concern.

Although some of these issues could be resolved, necessary information has not been submitted with this information, and as such, in the absence of this information, the proposal does not comply with criteria as set out in the Transport and Accessibility Supplementary Guidance in relation to bicycle parking and accessibility of the site for refuse vehicles.

Flooding and Drainage:

The site plan indicates the use of permeable paviers in the area leading up to the buildings. The drainage plan further shows a number of man holes and gullies. In general, this scheme is acceptable, but would need some alterations to incorporate permeable paviers for the parking spaces as well. However, the basis of the drainage plan as submitted is acceptable and complies with requirements for policy NE6 (Flooding and Drainage).

Matters raised by the Community Council:

The Queen's Cross and Harlaw Community Council objects to the scheme. All of the issues raised by the Community Council have been addressed in the sections above.

Other matters raised in representations:

The residents in Albert Terrace currently maintain the verge on the north side of Albert Terrace directly fronting onto the proposed development. Concerns have been raised that this small green area will be destroyed following construction works. This area is not a designated urban green space, and the loss of the existing flowers is not a material planning consideration. However, as the trees on this verge are covered by a Tree Preservation Order, the area surrounded it is warranted some informal protection as the development can not endanger these trees.

An objection has been raised stating that there is no need for the proposed development as sufficient brownfield sites have been allocated in the Adopted Local Plan to accommodate sufficient residential development up until 2023. Even though sufficient sites for residential development have been allocated through the local development plan process, this does not preclude any windfall sites coming forward. This site would be considered a 'windfall' site in the local development plan, and its location within an existing residential area means that the principle of residential development would be acceptable. However, as argued above, the proposed development subject of this application is highly unsuitable for this site and the surrounding area.

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

The foregoing can only be assessed on a case by case basis. In relation to this particular application no new issues were raised.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

1. That the proposal would be significantly detrimental to the character and appearance of the Albyn Place/Rubislaw Conservation areas and the setting of the adjacent listed buildings due to its inappropriate and poor design, the integration of feus resulting in the loss of the historic feu pattern, the removal of interfeu and boundary walls and through the introduction of a second building line facing Albert Terrace. This is contrary to Scottish Planning

Policy, Scottish Historic Environment Policy, Historic Scotland Document 'Managing Change in the Historic Environment: Boundaries', the requirements of policies D1 (Architecture and Placemaking), D4 (Aberdeen's Granite Heritage) and D5 (Built Heritage) of the Aberdeen Local Development Plan and policies D1 (Quality Placemaking by Design) and D4 (Historic Environment), D5 (Our Granite Heritage) of the Proposed Local Development Plan, and the Subdivision and Redevelopment of Residential Curtilages Supplementary Guidance;

2. That the proposal would result in a site layout dominated by hard surfacing between the proposed new buildings and 1, 2 and 3 Carden Terrace, and providing inadequate provision of outdoor amenity space for the entire development, both the new and existing buildings at 1, 2 and 3 Carden Terrace and 1 and 2 Albert Terrace Gardens and is consequently an over development of the site. This is contrary to the requirements of policy D2 (Design and Amenity) of the Aberdeen Local Development Plan and policy D1 (Quality Design by Placemaking) of the Proposed Local Development Plan;
3. That the development would have a detrimental impact on the residential amenity of adjacent properties due to a loss of light to 2 Albert Terrace Gardens, and a loss of privacy to 2 and 3 Carden Terrace and the rear gardens of 1 and 2 Albert Terrace Gardens. This is contrary to the requirements of policy H1 (Residential Areas) of the Aberdeen Local Development Plan, policy H1 (Residential Areas) of the Proposed Local Development Plan and the Subdivision and Redevelopment of Residential Curtilages Supplementary Guidance;
4. That the applicant has failed to provide sufficient information regarding the potential impact of the development on the health of the trees covered under Tree Preservation Order No.15 on the boundary of the site with Albert Terrace. This is contrary to the requirements of policy NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan, policy NE5 (Trees and Woodlands) of the Proposed Local Development Plan and the Trees and Woodlands Supplementary Guidance.

Dr Margaret Bochel

Head of Planning and Sustainable Development.