



Registered with the Scottish Civic Trust  
Registered Charity Number SC003089  
Honorary Secretary: Mr A Struthers

Aberdeen Civic Society  
Co 6 Gauchhill Cottages  
Kinlore  
Aberdeenshire  
AB51 0X0

Tel: [REDACTED]  
info@aberdeencivicsociety.org.uk

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

21 November 2014

Dear Dr Bochel

Ref: 141587 - 1-2 Albert Terrace

The Society has considered the above applications and wishes to comment as follows:-

*This application concerns us greatly. It is wholly inappropriate for this conservation area. It is not in keeping with the street, or indeed the area's, character and would detract substantially from not just the amenity of the street and its current properties, but also permanently and negatively impact on the gardens of the properties on Carden Place in which it is proposed.*

*We strongly encourage the committee to refuse this application.*

We would be grateful if our representation could be given consideration.

Yours sincerely

Alastair Struthers

AHSS National Office  
Riddle's Court  
322 Lawnmarket  
Edinburgh  
EH1 2PG

T: 0131 557 0019  
F: 0131 557 0049  
E: nationaloffice@ahss.org.uk  
W: www.ahss.org.uk



THE ARCHITECTURAL  
HERITAGE SOCIETY  
OF SCOTLAND

*For the study and  
protection of Scottish  
architecture*

**PLEASE REPLY TO:**

**AHSS NORTH EAST GROUP**  
**Kelly Morrison - Cases Panel Secretary**

17 November 2014

**Planning & Sustainable Development**  
**Aberdeen City Council**  
Marischall College  
Broad Street  
Aberdeen  
AB10 1AB

**BY POST & EMAIL**

Dear Sirs,

**APPLICATION REF 141587 Albert Terrace/Carden Terrace, Aberdeen**

We refer to the above application for Detailed Planning Approval. Having considered the application at our most recent cases panel, the committee concluded that it could not support this proposal as currently presented.

The committee believes that the footprint of the development complete with the car parking provision has resulted in the loss of significant garden space, more importantly the garden space is 'left over' after the planning. The development and open space should all be planned and integrated to respect the grain and pattern of the surrounding buildings and streets; the proposal fails to do this. The buildings proposed are a mixture of one and one half storeys and two storeys, whereas the surrounding buildings are all single storeys with accommodation in the roof space. The proposal is therefore out of character and style with the surrounding area. In addition, any development within the curtilage of the Carden Place buildings should be subservient in scale to the main buildings in Carden Place, in the traditional manner.

The committee accepts that a building design solution may be traditional or contemporary, and it is believed this is a traditional approach. The committee believes that this traditional approach has seriously failed to produce a design commensurate with the quality of design in the buildings on Albert Terrace and Carden Terrace. Matters of composition, proportion, roof pitch, fenestration, details and materials all require significant reconsideration.

Yours faithfully

**John Coyne**  
Chairman AHSS North East Group Committee & Cases Panel Member

AHSS National Office  
Riddle's Court  
322 Lawnmarket  
Edinburgh  
EH1 2PG

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Planning & Sustainable Development  
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The committee accepts that a building design solution may be traditional or contemporary, and it is believed this is a traditional approach. The committee believes that this traditional approach has seriously failed to produce a design commensurate with the quality of design in the buildings on Albert Terrace and Carden Terrace. Matters of composition, proportion, roof pitch, fenestration, details and materials all require significant reconsideration.

Yours faithfully

PP

**John Coyne**

Chairman AHSS North East Group Committee & Cases Panel Member

President: Simon Green MA, FSA, FSA Scot

Chairman: Peter Drummond

The Architectural Heritage Society of Scotland (AHSS) is a registered charity: SC007554REG  
The Society is registered as a Company Limited by Guarantee: SC356726

PI

---

From: webmaster@aberdeencity.gov.uk  
Sent: 01 December 2014 22:07  
To: PI  
Subject: Planning Comment for 141587

Comment for Planning Application 141587

Name : ASHLEIGH BAIN  
Address : 2A CARDEN TERRACE  
ABERDEEN  
AB10 1US

Telephone :

Email : [REDACTED]

type :

Comment : I would like to object to the planning permission which has been submitted by DP as I live in flat 2a Carden Terrace and the proposed building will be in my current back garden.

After looking at the planning application I see that the proposed site is my back garden. It is my view that, as I live in the basement flat all natural light would be blocked to our flat. We would only see a new build when we looked out our window.

I object because I think that it would ruin the beautiful, victorian back garden we have here.

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PI

From: webmaster@aberdeencity.gov.uk  
Sent: 01 December 2014 22:30  
To: PI  
Subject: Planning Comment for 141587

Comment for Planning Application 141587

Name : jackie bain

Address : 2a Carden Terrace

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the proposed plan. Albert Lane is a lovely street and I feel a modern development would spoil the whole street. The granite buildings on carden terrace have beautiful gardens and as there is decreasing green space in the city centre it would be a real shame to have new flats destroying this, especially the trees. Building new flats so close to the granite buildings would block all the light into the back of these flats. As so many of these buildings are being turned into offices it would be a real shame to lose another residential building.

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**From:** Peter Chalmers [REDACTED]  
**Sent:** 26 November 2014 18:02  
**To:** PI  
**Cc:** Jennifer Stewart; Martin Greig  
**Subject:** Planning Application 141578

Joan + Peter Chalmers

24 Albert Terrace, Aberdeen, A10 1XY

Development Management  
 Planning and Sustainable Development  
 Aberdeen City Council  
 Marischal College  
 Broad Street  
 Aberdeen Ab10 1AB

26<sup>th</sup> November 2014

**Planning Application 141578 Dated 25/11/2014 -  
 Erection of 4 Flats Fronting onto Albert Terrace, Aberdeen + Associated Car Parking**

We wish to object to the above application on the following grounds

1. The site is located in conservation area A and the list B houses on the south side of Albert Terrace are list B single storey houses with attic. Nos. 1-13 have basements and were constructed between 1848 and 1867.
2. The proposed development has no recognisable architectural merit and would be located in an "urban open space" (garden ground) and not a "gap site" as suggested and would be detrimental to the fundamental character of the existing outstanding conservation area.
3. There is a **lack of information shown** on the application drawings – levels on section should relate to a datum/TBM. and show existing ground level, proposed ground level, level at base of existing "listed" south boundary wall together with height of wall and the level of Albert Terrace.  
  
Location of telegraph poles in Albert Walk that prevent traffic passing and the mature trees located on the pavement at the Albert Walk/Carden Place junction should be shown.
4. 16 car parking spaces are to be created entering/exiting onto Albert Walk entitling the users to 32 resident's parking permits.  
Albert Walk is totally inadequate to cope with the existing traffic generated by the car parking provision located on the east side of the lane serving the Albert Street offices (40+ cars) and the through traffic.  
The part widening of the lane and the provision of a short length of footpath will undoubtedly help the situation. Unfortunately the footpath is located on the west side when most of the foot traffic approaches from east (Albert Street) No improvement is made for traffic/pedestrians entering from Carden Place and this lane will remain inadequate. Parking for residents of Albert Terrace has become a real problem and this proposal will exacerbate the situation.

- 5 We believe listed building consent would be required for the removal of the existing boundary walls within the proposed site.
- 6 The position of the existing trees located on the bank does not appear to be correct. An accurate tree survey should be submitted showing the exact location of the trees, canopy dimensions, proximity to existing wall and new building + services. Details of the measures to protect the tree root-balls and any required wayleaves should be confirmed.
- 7 No provision would appear to have been made for refuse storage and collection.
- 8 The proposal would appear not to take heed of Aberdeen Local Development Plan, Supplementary Guidance, "The sub-division and redevelopment of residential curtilages" – March 2012. and in particular
- "in conservation areas there will be a requirement that all elevations visible from the street should be finished in natural granite"
- "the use of rear lanes for shared pedestrian or vehicular access to dwellings in rear gardens is not considered acceptable"
- 9 Historic Buildings Council for Scotland, Albert Terrace Town Scheme, City of Aberdeen : File Number HFT/B/GA states:
- "The garage and car parking at the rear of 2 Carden Terrace reduces the quality of the conservation area and should not become a precedent."
- Nos. 1+2 Albert Terrace Gardens are excluded from the town scheme because they are considered to be making little contribution to the conservation area." – I would suggest that these properties should not be used as a precedent.

We trust the Committee will be mindful of our historic built heritage and vote to refuse this application.

Yours faithfully

Peter Chalmers  
24 Albert Terrace  
Aberdeen  
AB10 1XY

Joan Chalmers  
24 Albert Terrace  
Aberdeen  
AB10 1XY

P&SD Letters of Representation		
Application Number: 141587		
RECEIVED 27 NOV 2014		
Nor	Sou	MAp
Case Officer Initials: DJR		
Date Acknowledged: 2/12/14		

**From:** Peter Chalmers [REDACTED]  
**Sent:** 26 November 2014 18:02  
**To:** PI  
**Cc:** Jennifer Stewart; Martin Greig  
**Subject:** Planning Application 141578

Joan + Peter Chalmers

24 Albert Terrace, Aberdeen, A10 1XY

Development Management  
Planning and Sustainable Development  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen Ab10 1AB

26<sup>th</sup> November 2014

**Planning Application 141578 Dated 25/11/2014 -  
Erection of 4 Flats Fronting onto Albert Terrace, Aberdeen + Associated Car Parking**

We wish to object to the above application on the following grounds

1. The site is located in conservation area A and the list B houses on the south side of Albert Terrace are list B single storey houses with attic. Nos. 1-13 have basements and were constructed between 1848 and 1867.
2. The proposed development has no recognisable architectural merit and would be located in an "urban open space" (garden ground) and not a "gap site" as suggested and would be detrimental to the fundamental character of the existing outstanding conservation area.
3. There is a lack of information shown on the application drawings – levels on section should relate to a datum/TBM. and show existing ground level, proposed ground level, level at base of existing "listed" south boundary wall together with height of wall and the level of Albert Terrace.

Location of telegraph poles in Albert Walk that prevent traffic passing and the mature trees located on the pavement at the Albert Walk/Carden Place junction should be shown.

4. 16 car parking spaces are to be created entering/exiting onto Albert Walk entitling the users to 32 resident's parking permits.  
Albert Walk is totally inadequate to cope with the existing traffic generated by the car parking provision located on the east side of the lane serving the Albert Street offices (40+ cars) and the through traffic.  
The part widening of the lane and the provision of a short length of footpath will undoubtedly help the situation. Unfortunately the footpath is located on the west side when most of the foot traffic approaches from east (Albert Street) No improvement is made for traffic/pedestrians entering from Carden Place and this lane will remain inadequate. Parking for residents of Albert Terrace has become a real problem and this proposal will exacerbate the situation.



- 5 We believe **listed building consent** would be required for the removal of the existing boundary walls within the proposed site.
- 6 The position of the existing trees located on the bank does not appear to be correct. An **accurate tree survey** should be submitted showing the exact location of the trees, canopy dimensions, proximity to existing wall and new building + services. Details of the measures to protect the tree root-balls and any required wayleaves should be confirmed.
- 7 No provision would appear to have been made for **refuse storage** and collection.

- 8 The proposal would appear not to take heed of **Aberdeen Local Development Plan, Supplementary Guidance, "The sub-division and redevelopment of residential curtilages" – March 2012.** and in particular

"in conservation areas there will be a requirement that all elevations visible from the street should be finished in natural granite"

"the use of rear lanes for shared pedestrian or vehicular access to dwellings in rear gardens is not considered acceptable"

- 9 **Historic Buildings Council for Scotland, Albert Terrace Town Scheme, City of Aberdeen** : File Number HFT/B/GA states:

"The garage and car parking at the rear of 2 Carden Terrace reduces the quality of the conservation area and should not become a precedent."

Nos. 1+2 Albert Terrace Gardens are excluded from the town scheme because they are considered to be making little contribution to the conservation area." – I would suggest that these properties should not be used as a precedent.

We trust the Committee will be mindful of our historic built heritage and vote to refuse this application.

Yours faithfully

Peter Chalmers  
24 Albert Terrace  
Aberdeen  
AB10 1XY

Joan Chalmers  
24 Albert Terrace  
Aberdeen  
AB10 1XY

P&SD Letters of Representation		
Application Number: 14587		
RECEIVED 27 NOV 2014		
Nor	Sou	MAp
Case Officer Initials: DJR		
Date Acknowledged: 2/12/14		

Joan + Peter Chalmers

24 Albert Terrace, Aberdeen, A10 1XY

Development Management  
Planning and Sustainable Development  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen Ab10 1AB

26<sup>th</sup> November 2014

**Planning Application 141578 Dated 25/11/2014 -  
Erection of 4 Flats Fronting onto Albert Terrace, Aberdeen + Associated Car  
Parking**

We wish to object to the above application on the following grounds

1. The site is located in conservation area A and the list B houses on the south side of Albert Terrace are list B single storey houses with attic. Nos. 1-13 have basements and were constructed between 1848 and 1867.
2. The proposed development has no recognisable architectural merit and would be located in an "urban open space" (garden ground) and not a "gap site" as suggested and would be detrimental to the fundamental character of the existing outstanding conservation area.
3. There is a lack of information shown on the application drawings – levels on section should relate to a datum/TBM. and show existing ground level, proposed ground level, level at base of existing "listed" south boundary wall together with height of wall and the level of Albert Terrace.


Location of telegraph poles in Albert Walk that prevent traffic passing and the mature trees located on the pavement at the Albert Walk/Carden Place junction should be shown.

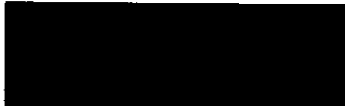
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5. We believe **listed building consent** would be required for the removal of the existing boundary walls within the proposed site.

- 6 The position of the existing trees located on the bank does not appear to be correct. An accurate tree survey should be submitted showing the exact location of the trees, canopy dimensions, proximity to existing wall and new building + services. Details of the measures to protect the tree root-balls and any required wayleaves should be confirmed.
- 7 No provision would appear to have been made for refuse storage and collection.
- 8 The proposal would appear not to take heed of Aberdeen Local Development Plan, Supplementary Guidance, "The sub-division and redevelopment of residential curtilages" – March 2012. and in particular
- "in conservation areas there will be a requirement that all elevations visible from the street should be finished in natural granite"
- "the use of rear lanes for shared pedestrian or vehicular access to dwellings in rear gardens is not considered acceptable"
- 9 **Historic Buildings Council for Scotland, Albert Terrace Town Scheme, City of Aberdeen : File Number HFT/B/GA states:**  
"The garage and car parking at the rear of 2 Garden Terrace reduces the quality of the coNservation area and should not become a precedent."
- Nos. 1+2 Albert Terrace Gardens are excluded from the town scheme because they are considered to be making little contribution to the conservation area." – I would suggest that these properties should not be used as a precedent.

We trust the Committee will be mindful of our historic built heritage and vote to refuse this application.

Yours faithfully

  
Peter Chalmers  
24 Albert Terrace  
Aberdeen  
AB10 1XY

  
Joan Chalmers  
24 Albert Terrace  
Aberdeen  
AB10 1XY

PI

---

**From:** Sandra Coles [REDACTED]  
**Sent:** 27 November 2014 16:48  
**To:** PI  
**Subject:** Objection to Planning Application 141587

Dear Sirs,

We wish to lodge an objection to the above planning application and our reasons are set out below.

- Albert Terrace is a Category A listed Terrace and its Victorian houses are Category B Listed. The Terrace is within Conservation Area A (Albyn Place and Rubislaw). This proposed modern development would ruin the whole aspect of the Terrace and should not be permitted.
- We recently replaced the conservatory at the rear of 19 Albert Terrace. Despite the fact the new conservatory we were expected to make significant changes to the plans resulting in additional expense. This was despite the original design of our replacement conservatory being of higher quality and more visually appealing. Yet we were still expected to make changes and meet the increased costs. When the planning process is so concerned with material improvements to existing structures at the rear of Albert Terrace properties, which are not visible from the Terrace, it seems to be totally inconsistent to allow new developments which would actually detract from the appearance of Albert Terrace and have no architectural merit to proceed,
- The proposed design and finish are totally out of character with Albert Terrace and the whole scheme is an over-development in an inner garden area.
- Parking is already a very significant problem in Albert Terrace. We are a single car household, yet we still regularly are unable to find a parking space on Albert Terrace. We have to pay for a parking permit we are regularly unable to use in our own street. The proposal will make an intolerable situation even worse. The application provides 15 spaces, but the area proposed for development is already used for parking by the residents of the Carden Terrace flats and involves the demolition of garages behind the Albert Terrace Gardens properties. Hence number of spaces for the four additional dwelling will be insufficient.
- The increased traffic flows and especially the construction traffic will further damage the setted terrace surface. The setts feature are mentioned in the Conservation Management Plan as needing protection. The setts are already in very bad condition and the surface is continuing to deteriorate.
- The flat foundations and the construction work will damage tree roots from the mature trees on the Bank. All these have "Tree Preservation Orders" (TPO's). The potential loss of these trees will detract from the appearance of the terrace and would results in the new flats being even more prominent.

- The drawings appear to show that the old Victorian boundary wall would be lowered to give the flats a view across to Albert Terrace. The boundary wall is also listed and should not be destroyed in this manner. This is exacerbated by the potential damage to the mature trees.

Yours faithfully,

Paul & Sandra Coles

19 Albert Terrace,

Aberdeen,

AB10 1XY

Date:- 27-11-2014

P&SD Letters of Representation		
Application Number: 141587		
RECEIVED 28 NOV 2014		
Nor	Sou	Map
Case Officer Initials: DIB		
Date Acknowledged: 2/12/14		

PI

---

From: Lynn Newby [REDACTED]  
Sent: 26 November 2014 11:21  
To: PI  
Subject: Objection to Planning Application 141587

Dear Sirs,

I wish to lodge an objection to the above Application for the following reasons set out below.

1. Albert Terrace is a heritage site which should remain the same. From a review of the plans, the new flats look to have no architectural merit, and would add nothing positive to the Terrace. Chip finish render has no place on any proposed building in the Terrace.
2. The houses on the Terrace face north. There is not much light already coming into the front room windows and the construction of these two story flats will further reduce light, making our main living rooms even darker.
3. The view from my front room is the same as it would have been for the last 150 years, with a view over the roofs of Carden Place to the Spire of the church beyond. This building will seriously impact my home and its character. If the front of my house is so important that I can make no changes to it, why can planning permission be given to build flats which will negatively impact the Terrace views and ambience? it makes a mockery of the Listing of the Terrace.
4. The wall, trees and bank are listed. I notice in the plans that the developer wishes to make another pathway through the wall. Surely this is against the conditions of the listings. I cannot believe that in the construction of these flats the wall, trees and their roots will not be damaged. the flats sit too close to the wall for this to be possible.
5. the construction of these four flats does nothing to alleviate national housing demand, nor does it support the councils wishes to increase town living. it is a developer wishing to make a cheap buck at the expense of one of the most important heritage sites in Aberdeen and the council should prove its commitment to preserving this special area of Aberdeen by refusing this planning application.

Yours Faithfully,

Lynn and Richard Newby  
13 Albert Terrace  
Aberdeen  
AB10 1XY

**From:** Len and Carol [REDACTED]  
**Sent:** 21 November 2014 13:17  
**To:** PI  
**Subject:** Objection to Planning Application 141587  
**Importance:** High

Dear Sirs,

Reference the above Application, I wish to lodge my objection based on the following:-

#### 1.0 GENERAL:-

- This Application would completely spoil one of Aberdeen's much loved and cherished streets. Albert Terrace was recently named by the Press & Journal as one of the 10 reasons why Aberdeen had been *unfairly* nominated as Scotland's ugliest city. Follow the Link to <https://www.pressandjournal.co.uk/fp/lifestyle/name-it/377455/eight-reasons-aberdeen-isnt-uks-ugliest-city/> Reason number 8 is given as Albert Terrace which the P&J says is most certainly worthy of ..." a beautiful Street award"...
- This ugly modern development is totally at odds with the character of the street. If allowed to go ahead, it would indeed, give substance to the claim recently refuted by the Press and Journal.

#### 2.0 HISTORIC LISTING AND HERITAGE:-

- Albert Terrace itself is in Conservation Area A and is a Category A Listed Street. The early Victorian houses in it are Category B listed. Also, a stone's throw from this proposal in Albert Terrace is St Mary's (Tartan) Kirk which is, itself, Category A Listed.

#### 3.0 ABERDEEN CITY CONSERVATION AREA CHARACTER APPRAISALS & MANAGEMENT PLAN:-

- This proposed Development contravenes many of the principles set out in Aberdeen City Council's Document entitled:- "*Aberdeen City Conservation Area Character Appraisals and Management Plan*". I believe that the latter Document has been fully ratified by ACC.

Hence, to quote from the Document:-

- *Section 2.1 Working Assumptions:-*  
.....Aberdeen City has a statutory duty to protect and enhance the historic environment.....
  - *Clearly, this proposed development will neither protect nor enhance.*
- Albert Terrace lies within Albyn Place and Rubislaw Character Area A and as such is one of the earliest planned developments in the City which began circa 1819. Hence the materials of construction reflect that era of development. *Section 3.2.2* states that... *materials within Conservation Area A, as a whole are Granite, both course and ashlar.....*
  - *This proposed development does not conform to that standard.*
- *Section 4 Management*, (p52) of the Character Appraisal for Albyn Place and Rubislaw lists, as one of the *Threats* in the SWOT analysis as, quote..... "*unsympathetic development that does not reflect or relate to the character of the Character Area*".....unquote.

- *Clearly, this proposed development does not reflect or relate to the character of the area.*
- Section 3.3, page 35 (Public Realm) of Character Area A deals with Vistas and Street Views. Quote:-....."The nature of the streetscape allows for long views and vistas along the length of the streets"....unquote.
  - *It is clear that this obtrusive and out of character development would spoil this much loved streetscape – especially from the East end of the Terrace.*
- Finally, in respect of the Conservation Management Plan, it is worth quoting some apposite paragraphs from sections 1.2 and 1.3 (Strategic Introduction) Quote:-.... "A Conservation Area is defined in **legislation** as an area of special architectural or historic interest, the character of which it is desirable to preserve or enhance (Planning – Listed Buildings and Conservation areas – Scotland Act 1997).".....and "It is not only buildings that are of architectural or historical interest in a conservation area, but also the spaces between them such as the streets, open spaces and the public realm,.....planning is therefore directed at maintaining the integrity of an entire area".....
  - *Clearly, this development is the opposite of these concepts and objectives.*

#### 4.0 OTHER MATTERS RELATING TO THIS APPLICATION:-

- Parking, access and egress from this site will be dangerous and will compromise road safety. Albert Walk is already used as a 'rat-run' to avoid the traffic lights on Albert Street/ Carden Place. There have been several close incidents in this narrow lane and this development would greatly increase the risk of a vehicular or vehicle/pedestrian accident.
- In a previous Planning Application for 5 Carden Terrace, the old Victorian heritage wall was breached *without* planning consent. After much agitation by Residents and Councillors, the developers were made to re-instate the opening in the wall using the original material and traditional methods. This Application (ie 141587), shows another opening in this valuable heritage wall.
  - *This is unacceptable.*
- If the Drawings of the side elevation are to scale, it appears that the old Victorian heritage wall would be lowered to give the proposed new Flats a view across into Albert Terrace.
  - *Destruction of an old Victorian wall in this manner would be entirely unacceptable.*
- Parking in Albert Terrace for both Residents, local businesses and shoppers is at maximum capacity. The development of these Flats, albeit with some minimal parking will exacerbate an already very difficult situation.
- The Albert Terrace Bank, even though it is owned mainly by the owners of Carden Terrace, is tended by the Residents of Albert Terrace on a voluntary basis. The Bank is kept tidy in order to protect the native Spring flowers that grow there ( primroses, wild garlic, bluebells and native daffodils). In the Summer, the bank naturalises to give cover to native fauna. These efforts have been encouraged by ACC over the years and have been a significant factor in impressing the Britain in Bloom judges who, on an annual basis, meet with the Residents Association and walk down The Terrace ( *please refer to Mr Mike Chalmers and Steven Shaw of ACC for validation of this valuable contribution to Aberdeen Flora and Fauna*). If this development goes ahead, the voluntary activity on this much cherished green space within the City will cease.

In conclusion, I believe that the foregoing clearly demonstrates that this Development is *totally unsuitable* for this area and should be *rejected*.

Yours Faithfully,

Mr L.Coote, Eur Ing, CEng, MIMechE.



PI

**From:** Theresa Hunt [REDACTED]  
**Sent:** 02 December 2014 15:42  
**To:** PI  
**Subject:** Application reference 141587 - Proposed residential development at Albert Terrace/Carden Terrace, Aberdeen (ESS/1025/00469)  
**Attachments:** Engrossed Letter of Objection.PDF

Dear Sirs

We refer to the above and attach a letter of objection in respect of the above application on behalf of our clients, Esson Properties Ltd. Kindly acknowledge safe receipt. A hard copy will follow in the post.

Yours sincerely

Theresa

Theresa Hunt  
Senior Associate  
Burness Paull LLP

Direct Dial: [REDACTED]  
Mobile: [REDACTED]  
Email: [REDACTED]



As large employer of the year, we like to take care of everyone. Season's Greetings.

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Your Ref: P141587

Our Ref: ESS/1025/000469/EFB/PMR/KS

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**Burness Paull**

2 December 2014

Dear Sirs

**ESSON PROPERTIES LTD**

**OBJECTION TO APPLICATION REFERENCE P141587**

**PROPOSED RESIDENTIAL DEVELOPMENT AT ALBERT TERRACE, ABERDEEN**

We are instructed by our client, Esson Properties Ltd, to object to the above application by DP Group with Scotus Investments Ltd for the erection of two blocks (incorporating four flats) with associated car parking and landscaping on land next to 1 and 2 Albert Terrace and forming part of 1, 2 and 3 Carden Terrace, Aberdeen.

Our client received notification of the application by notice dated 11 November 2014 informing them that the deadline for representations on the application is 2 December 2014. This letter of objection is therefore timeous.

Our client owns 10 Albert Street, 4 Carden Terrace and 5 Carden Place, which are used as their own offices or rented out as offices to tenants.

Our client wishes to object to the application on the basis that:

- it constitutes over development of the site;
  - it will have an unacceptable impact on the surrounding conservation area and listed buildings;
- and

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- the use of Albert Walk as an access gives rise to serious road safety concerns.

### Application Site

The application site currently comprises five domestic garages, four of which are accessed from Albert Walk, and one of which is accessed from Albert Terrace. Two thirds of the site is laid out as landscaping and green space with areas of "chips" to create hardstanding around the garage which is accessed from Albert Terrace.

### Development Plan

The application requires to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan comprises the Aberdeen City and Shire Strategic Development Plan 2014 (SDP) and the Aberdeen Local Development Plan 2012 (LDP).

The strategic vision for the City and Shire area in terms of the SDP is to *"be an even more attractive, prosperous and sustainable European city region and an excellent place to live, visit and do business"*. In light of this, one of the SDP objectives is to make sure new development maintains and improves the region's important built, natural and cultural assets. The SDP acknowledges that the built environment is a valuable resource, and that sites which contribute to the built and historical environment are just as sensitive as sites which contribute to the natural environment. The SDP advises that these sites should be protected from the negative effects of development.

Although predating approval of the SDP, the LDP shares its strategic vision, and seeks to make Aberdeen City an attractive place to live, while protecting its existing assets.

In terms of the LDP, the application site falls within a residential area and abuts the edge of the West End Office Area. Albert Walk, along which access to the proposed development is to be taken, marks the boundary between the residential and office zones. The LDP makes it clear that the site is located within the Albyn Place/Rubislaw Conservation Area, for which a Conservation Area Appraisal will be produced.

Although Policy H1 – Residential Areas supports new residential development within existing residential areas, this is not unqualified support. Proposals still require to be assessed to ensure that they:-

- 1 Do not constitute over development; and
- 2 Do not have an unacceptable impact on the character or amenity of the surrounding area.

Each of these points is considered in turn below, followed by consideration of our client's concerns in respect of road safety.

### *Over development of the application site*

This part of Albert Terrace is typified by semi-detached properties in large gardens or terraced properties. Generally, the properties in the area do not exceed 1 1/2 storeys in height. To the west of the application site the building line is hidden by the mature tree cover and a high boundary wall which encloses the garden grounds of detached or semi detached properties which face onto Carden Place. Our client acknowledges that some of the properties in the area have been converted into flats and offices, but such conversions have left the built form largely unaltered. There are no new or purpose built blocks of flats in the immediate vicinity of the application site.

The prevailing development pattern within the area of the application site is described in the Albyn Place/Rubislaw Conservation Area Character Appraisal as being

*"...structured and linear, with main thoroughfares and back lanes running east to west, cross sectioned with those running north to south. The style of properties and the density ensures there is a strong urban form."* (emphasis added)

Should the application be approved, where no residential properties exist at present, and in the proposed form of 2 storey flats, a higher density of residential development would result, contrary to the strong urban form and character which typifies the Conservation Area.

The proposed two 2 storey blocks of flats will result in a design which is not in keeping with the structured pattern of built development along Albert Terrace/Carden Place. The layout shows a built development line which is staggered from the edge of Albert Terrace for both of the proposed blocks, neither of which ties into the existing residential houses which will remain at 1/2 Albert Terrace Gardens or the extension to the offices at the rear of 4 Carden Terrace.

Sufficient useable garden ground requires to be provided for residents of the proposed flats. Policy NE4 – Open Space Provision in New Development requires the provision of at least 28 square metres of open space per person. The supporting Supplementary Guidance to the Policy states that open space must not simply be located on the parts of a site that are less attractive to build on, and that the indicative minimum sizes of open space are designed to ensure that Space Left Over After Planning (SLOAP) does not form part of a development's open space provision.

Policy D2 – Design and Amenity sets out a number of principles to ensure the provision of appropriate levels of amenity. One principle is that residential development should have a private face to an enclosed garden or court and that, where it is necessary to accommodate car parking within a private court, the parking must not dominate the space. As a guideline, no more than 50 per cent of any court should be taken up by parking space and access roads.

The plans submitted with the application show limited open spaces adjacent to the parking areas. The areas indicated are remote from the residential flats proposed in the southern most block and, as such, are unlikely to be attractive to residents. There is no private garden area as advocated by Policy D2, and a large part of the limited open space which is provided is associated with the car parking and hardstanding areas. The proposals do not appear to include any meaningful open space provision on site other than SLOAP. This leads to the conclusion that the site is being overdeveloped.

The proposals require to accommodate 1.75 car parking spaces per each 2 bedroom flat given the application site lies within the Inner City Zone as identified in the Supplementary Guidance on Transport and Accessibility. The proposals show the required 7 parking spaces associated with the flatted development, along with an additional 8 spaces for "use by neighbouring residents and/or offices". The Design Statement indicates these additional 8 spaces will be provided on an allocated basis, but it is not clear to whom. The overprovision of car parking is not sufficiently justified in terms of Policy T2 and the related supplementary guidance, and means that the Policy D2 requirement, that no more than 50 percent of the court to be taken up by parking space, is not met.

It is submitted that the application constitutes overdevelopment as the proposals conflict with the established character of the area and provides insufficient useable private garden ground. The proposal conflicts with Policies H1, NE4, T2 and D2.

#### *Impact on character and amenity*

Policy D4 – Aberdeen's Granite Heritage, contains a prohibition on the demolition of granite boundary walls in conservation areas. Part of the applications site's boundary wall is proposed to be demolished to provide access into the application site and to create the new footpath along Albert Walk to the site entrance. This is contrary to Policy D4.

Further protection to built heritage is set out in Policy D5. Proposals affecting conservation areas, or listed buildings, will only be permitted if they comply with Scottish Planning Policy. In respect of conservation areas, Scottish Planning Policy 2014 (SPP) states that:

*"Proposals for development within conservation areas, and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area."*

The Conservation Area Character Appraisal identifies a number of threats to the Albyn Place/Rubislaw Conservation Area, including

- *"Loss of the original pattern of development and boundary walls of back land development due to car parking and extensions;"*

- *"Loss of vegetation in the front courtyard and rear gardens due to car parking and extensions;"* and
- *"Unsympathetic development that does not reflect or relate to the character of the character area."*

The proposed development is of a type which has been specifically identified as a threat to the integrity of the Conservation Area. The proposals deviate from the pattern of development in the area for the reasons already stated, constituting overdevelopment of the site, and will cause a significant loss of landscaped open ground. For these reasons, it is submitted that the proposed development does not preserve or enhance the character and appearance of the Conservation Area as is required by SPP, and is not therefore supported by Policy D5.

Within the Conservation Area, the south side of Albert Terrace contains a number of B listed buildings. Numbers 1 to 4 Carden Place, which back onto the application site, are C listed buildings and St Mary's Church, on the corner of Albert Terrace and Carden Place, is a Category A listed building. The Design Statement does not consider these listed buildings in any detail and therefore does not demonstrate that the setting and amenity of the listed buildings are not compromised by the proposed development. The layout plans appear to show some of the car parking spaces abutting the boundary of the properties at Carden Place with little or no screening proposed. This will impact on the appearance, character and setting of the listed buildings, and the Conservation Area as a whole, which could set a precedent for inappropriate back land development.

As is typical within the Conservation Area, the boundary of the application site with Albert Terrace is delineated by a line of mature trees and a granite boundary wall. Another existing wall marks the boundary between the application site and Albert Walk, along which there are number of further mature, or semi-mature, trees.

Trees within a Conservation Area are automatically protected from development unless or until planning permission is granted. Policy NE5 establishes a presumption against all development that will result in the loss of, or damage to, established trees, and Policy D6 notes that development should avoid adverse impacts upon existing landscape features, including boundary features.

It is not clear from the documents submitted with the application what is proposed to happen in respect of the trees in and around the application site. If access is to be provided from both Albert Terrace and Albert Walk, and Albert Walk is to be widened as shown in the drawings, it would appear to be inevitable that a number of trees would be required to be removed. However, contrary to the guidance, no tree survey is submitted in support of the application.

The application is contrary to Policies D4, D5, NE5 and D6 in terms of the impact on the Conservation Area, nearby listed buildings and protected trees.

### *Road safety concerns*

Access to the proposed development is to be taken along Albert Walk, which is a single vehicle width access lane, which marks the boundary of the West End Office Area. Policy B13 - West End Office Area is relevant to this application insofar as it affects the use of Albert Walk. Policy B13 states that where there is scope to access properties from rear lanes (i.e. Albert Walk) this will only be considered acceptable if a safe means of pedestrian and vehicular access can be provided and satisfactory traffic management measures are in place.

Our client's access to their office at 10 Albert Street is opposite the proposed access to the application site. Our client employs 5 people in their office. A separate company has offices in the lower ground/basement (10A Albert Street) which employs 4 others. All those working at No 10 and 10A use the car park. Our client already has concerns about roads safety in respect of accessing their own car park from Albert Walk. These concerns will be heightened with the creation of a flatted development, with associated additional traffic, in conjunction with the over provision of car parking for other unspecified users, should the application be approved.

There will be an almost four fold increase in use of the Albert Walk - from access being taken to 4 garages, to access being taken to 15 parking places - should the application be approved. The entrance to the application site is in close proximity to 8 other properties which take access to/from Albert Walk. The access arrangements require to be critically examined to ensure that there is no impact on the safe use of Albert Walk for those who currently access their properties.

The plans submitted with the application show the demolition of the wall along Albert Walk to create a wider entrance into the application site from Albert Walk with visibility splays. The removal of the wall and creation of visibility splays at the entrance do not assist in making the access road acceptable for the level of development proposed. Albert Walk is still a single vehicle width access lane which does not allow sufficient room for two vehicles to pass. Furthermore, it is not clear what height the remaining wall to the north of the access will be and whether that will enable sufficient visibility when driving out of the site down Albert Walk to Carden Place.

There is currently no footpath along Albert Walk. The proposals include installation of a footpath from the junction of Albert Terrace/Albert Walk to the newly enlarged site entrance. The footpath requires the removal of the existing boundary wall along Albert Walk and would appear to come very close to No 1 Albert Terrace Gardens. Whilst the applicant may own the land required to create the footpath, it does not mean that the implications of the new path on the amenity of No 1 Albert Terrace Gardens cannot be considered. No mention is made of the impact of the footpath on No 1 Albert Terrace Gardens in the Design Statement.

Whilst the applicants propose to create a new footpath between the junction of Albert Terrace/Albert Walk, no footpath is proposed along the length of Albert Walk from the site entrance to Carden Place. This length of Albert Walk is therefore to be shared between pedestrians and vehicles, which leaves the potential for there to be conflict between pedestrians and traffic heading from the application site to Carden Place.

Conclusion

It is submitted that the proposed development is inappropriate for the Conservation Area location, where the strictest development standards should be imposed. The protection, conservation and, where possible, enhancement of the historic built environment is a key element of the development plan, and any application for development that is inconsistent with this should be opposed. It is submitted that the proposed development would constitute overdevelopment of the application site, and would have a negative impact on the character and amenity of the area, contrary to a number of LDP policies. The use of Albert Walk as the main vehicular access to the development also gives rise to serious road safety concerns.

Since the application contravenes the terms of the development plan, and no material considerations have been put forward justifying departing from the plan, the application requires to be refused.

We trust that the points raised in this letter will be taken into account in determining this application in due course.

Kindly acknowledge safe receipt.

Yours faithfully

  
for and on behalf of Burness Paul LLP

Direct Dial 

Email 



**From:** Len and Carol [REDACTED]  
**Sent:** 09 December 2014 16:01  
**To:** PI  
**Cc:** Dineke Brasier; Jennifer Stewart; 'Lynn Cargill'  
**Subject:** ATRA Objection to Planning Application 141587.  
**Attachments:** Albert Tce Bank Green Space and Annual Flowering Initiatives..doc

Dear Sirs,

Following information from Councillor Stewart, I believe the deadline for lodging objections to the above Planning Application was extended to 10<sup>th</sup> December.

I have previously submitted my own personal Objection, but as Secretary of the *Albert Terrace Residents Association (ATRA)*, I have a duty to separately represent the views of our Residents in this matter.

You will have already received detailed Objections from many of our Residents, the contents of which, contain very relevant and cogent points for you to consider.

*I do not intend to itemise these again as they stand on their own merits.*

However, on seeking the views of the other Residents, two key issues stand out, viz:-

**1. *The Highly Detrimental Impact on this Heritage Street.***

- Albert Terrace is one of Aberdeen's best loved heritage streets. The Terrace is Category A Listed and the early Victorian houses within it are Category B.
- It was recently named by the Press & Journal as, *quote...."worthy of a beautiful street award"....unquote.*
- Frequently, school parties and students of architecture tour the Terrace, as do tourists in the Summer months.
- Office workers, during their lunch break stroll down the Terrace or enjoy the benches at the West end or the bench half way down on the bank.
- I have a photograph from Aberdeen University Library from the *George Washington Wilson Photographic Archive* taken between 1890 and 1910, which shows that Albert Terrace has hardly changed since the Terrace was completed in circa 1860. This is the charm of the street and it deserves full protection from unsympathetic development.
- Hence, if this development is allowed to go ahead, it would totally change the character of the streetscape. This would be a tragedy not just for the Residents but for Aberdeen as a whole.

**2. *Environmental Impact on Albert Terrace Bank.***

- The Albert Terrace Bank is owned by the owners of Carden Terrace but this valuable green space is tended by volunteers from Albert Terrace.
- The Bank is kept tidy in order to protect the native Spring flowers that grow there ( Primroses, wild garlic, bluebells and daffodils).

- In the Summer, the Bank is left to naturalise to give cover to native fauna – particularly birds.
- Some photos of this valuable green space are attached together with the other initiatives instigated by the Residents to enhance the street.
- ATRA's efforts have been widely recognised and encouraged by Council officials responsible for the Environment and Britain-in-Bloom, in particular.
- If this development were to go ahead, there would be a highly detrimental impact on the Bank. Construction activity would trample over the Spring flowering areas and damage would occur to the roots of the protected trees on the Bank. Voluntary activity would cease and the Bank would revert to an unkempt state – a great loss to the local environment.

Yours faithfully,

Mr L. Coote, *(Secretary, Albert Terrace Residents Association)*

## *Albert Terrace Residents Association*

### *Albert Terrace Bank Green Space and Annual Flowering Initiative*

#### **1.0 Background:-**

- *Albert Terrace Residents Association (ATRA)* was formed 25 years ago in 1989 and had its 25 year Anniversary in June.
- *The 'Terrace'* is a very close Community. Almost everyone knows all the other Residents and they are all very proud of their Victorian Terrace which was built between 1843 and circa 1860.
- Every year the Residents contribute to the cost of the Hanging Baskets for the Terrace.



**Photo: Albert Terrace Summer Baskets**

- We have also 'adopted' and fund the municipal Planters at the West End of *The Terrace* and plant these up twice a year with Spring flowers and bulbs and then with Summer bedding plants:-



**Photo: West End of Albert Terrace - Adopted Tubs.**

## 2.0 Albert Terrace 'Bank'.

- ATRA has also, for many years, looked after the 'orphan' grass bank opposite the Terrace.
- In the Autumn, volunteers trim and clear the bank and add to the stock of Spring bulbs and flowers. The emphasis is on indigenous plants such as primroses, bluebells, wild garlic etc but daffodils are also planted.



*Photo: Albert Terrace Bank being trimmed & cleared in Autumn.*



*Photo: Early Spring daffodils and crocus*



*Photo: Early Spring Primroses and Bluebells.*



*Photo: Albert Terrace Bank Later in Spring.*

- This year, we worked closely with the Council to install 3 additional planters on the bank so that we could add some summer colour to this area. The tubs are planted with hebes and also summer bedding for colour. In the Autumn we add Spring flowering as we do for the larger Planters at the west end of the Terrace. All this is funded from the Albert Terrace residents themselves.



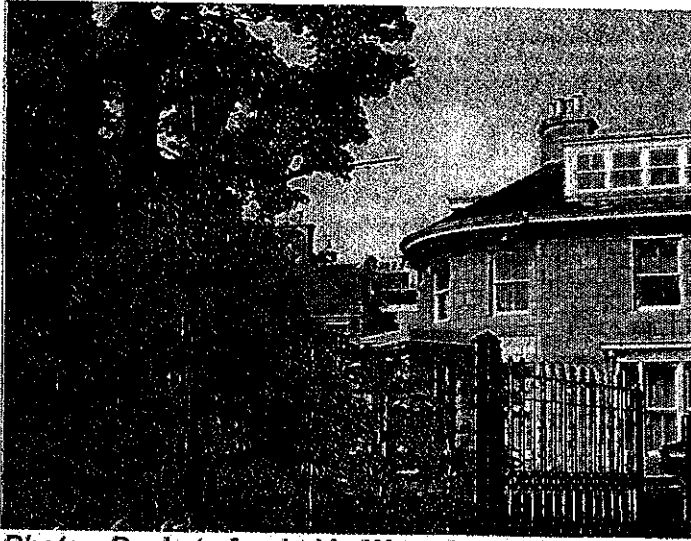
*Photo: Albert Terrace – Additional new planter*

### **3.0 Involvement with Adjacent Businesses:-**

- Over a number of years we have persuaded local businesses to fund baskets in their own streets, ie
  - In Waverley Place and Prince Arthur Street.
  - This gives 'floral continuity' from Prince Arthur Street, down Albert Terrace into Waverley Place



*Photo:- Baskets in Prince Arthur Street funded by local Businesses.*



*Photo:- Baskets funded in Waverley Place by Simmons International.*

- ATRA arranges the Baskets on behalf of the Businesses. They pay but ATRA acts on their behalf.