

Signed (authorised Officer(s)):

64 QUEENS ROAD, ABERDEEN

FORMATION OF CAR PARKING (5 SPACES) TO THE FRONT OF THE PROPERTY (RETROSPECTIVE)

For: Mr Graham Wood

Application Type : Detailed Planning Permission
Application Ref. : P141393
Application Date : 25/09/2014
Advert : Section 60/65 - Dev aff LB/CA
Advertised on : 08/10/2014
Officer : Gavin Clark
Creation Date : 16 December
Ward: Hazlehead/Ashley/Queen's Cross(M Greig/J Stewart/R Thomson/J Corall)
Community Council: No response received

RECOMMENDATION: Refuse

DESCRIPTION

The application property is a two and a half storey detached property (currently used as offices) located within the west end. The existing property is finished in granite, with a slate roof and is Category "B" listed and is located within the Albyn Place/ Rubislaw Conservation Area. The surrounding area is mixed use in nature and includes offices, hotels and residential properties. An area of parking has been formed to the front of the property, and garden ground located to the rear.

RELEVANT HISTORY

None

PROPOSAL

The proposal relates to the retrospective formation of a parking area (incorporating five parking spaces) to the front of the property. The proposal also includes the retrospective formation of small areas of landscaping to the front and side of the parking area and the formation of granite setts to the front of the property.

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.=141393>

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

CONSULTATIONS

Roads Projects Team: requested that the applicant justify the additional car parking spaces for the site and that clear directional arrows or signage should be installed and shown. A revised drawing to this effect was requested, although this was not received. Should planning permission be approved this could be requested via an adequate planning condition.

Environmental Health: no observations

Communities, Housing and Infrastructure (Flooding): recommended changing the tarmac surface to porous paviour, in order to not create an additional run-off water flow.

Community Council: no response received.

REPRESENTATIONS

One letter of objection has been received. The objection raised related to the following matters –

- That the proposal is contrary to the policies of the Aberdeen Local Development Plan and would set an undesirable precedent for future development; and
- The hedge should be re-introduced to soften the frontage.

PLANNING POLICY

National Policy and Guidance

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997: the planning authority is required to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

Scottish Planning Policy – Historic Environment: change should be managed to protect a building's special interest while enabling it to remain in active use.

Historic Scotland's Scottish Historic Environment Policy (SHEP): provides guidance on alterations and extensions to listed buildings and development within conservation areas.

Aberdeen Local Development Plan

Policy BI3: West End Office Area: states that the development of associated front gardens to car parks and driveways, and the subsequent erosion of associated landscaping will not be permitted. The reinstatement and restoration of car parks to front gardens will be encouraged by the Council.

Policy D5: Built Heritage: states that proposals affecting Conservation Areas and Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

Supplementary Guidance

Transport and Accessibility

Emerging Aberdeen Local Development Plan

Policy D4: Historic Environment: states that the Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, SHEP, its own Supplementary Guidance and Conservation Area Character Appraisals and Management Plan. It will assess the impact of proposed development and support high quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings, conservation areas, archaeology, scheduled monument, historic gardens and designed landscapes.

Policy B3: West End Office Areas: states that the re-development of front gardens to provide car parks and driveways, and the subsequent erosion of associated landscaping, will not be permitted. The Council will support the principle of reinstating and restoring front gardens and cast iron railings.

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.

The proposal involves the retrospective formation of a car parking area (with associated landscaping) to the front of an office building on Queen's Road. Policy BI3 (West End Office Areas) states that the development of front gardens to car parks will not be permitted. The applicants contended that "the proposals are simply a remodelling and reconfiguring of the previous historic landscape area to the property". The planning authority does not consider this to be the case. The previous driveway was an in/out driveway, with a small element of hard standing to the front of the building, while the sole purpose of the current application is to provide five parking spaces to the front of the property. For the above reasoning, the proposal is considered to be contrary to the general principle of Policy BI3 (West End Office Areas) of the ALDP. The proposal has also seen the erosion of a landscaped area to the front of the property which is not permitted.

The Council's Supplementary Planning Guidance on Transport and Accessibility also advises that the conversion of front gardens will only be permitted where the site is outwith the West End Office Area, where the rear garden is not an option and where on-street parking is not available within the vicinity. The property is located within the west end office area, the rear garden ground could be converted into parking (similar to adjacent properties) and on-street parking is available on Queens Road. The proposal fails to accord with the Transport and Accessibility Supplementary Planning Guidance.

The applicants have argued that the works "*comprise solely the remodelling of the existing driveway, car parking and landscape features to the front of the property to form a smaller driveway, car parking and revised hard and soft landscaped areas.*" This may have been the case, with a driveway that could accommodate one or two cars; however the current application seeks to form a large area of hard standing to the front of the property that never previously existed. The larger area of hard standing negatively impacts on the character and appearance of the conservation area, and is certainly a far more negative development compared to what previously existed on site (the gravel driveway and considerable grassed area). The proposed development does not respect the character and appearance of either the listed building or the wider conservation area. As a result of the above the proposal fails to accord with Scottish Planning Policy and Policy D5 (Built Heritage) of the Aberdeen Local Development Plan.

The proposal has been assessed by colleagues in the Roads Projects Team, who have raised no objection to the proposal, subject to the submission of further information in relation to directional signage (which could be covered via an adequate planning condition). In this instance there are no material planning considerations that would warrant approval of planning permission.

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, the policies in the Proposed ALDP substantively reiterate those in the adopted local development plan and the proposal is unacceptable in terms of both plans for the reasons already previously given.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

1. The proposal fails to accord with Policy BI3 (West End Areas) of the Aberdeen Local Development Plan or Policy B3 (West End Areas) of the emerging local development plan, which advises that the formation of car parking and the erosion of associated landscaping will not be permitted; and
2. The proposal fails to accord with Scottish Planning Policy, Policy D5 (Built Heritage) of the Aberdeen Local Development Plan or Policy D4 (Historic Environment) of the emerging local development plan in that the proposal would have a negative impact on the character and appearance of both the Category "B" listed building and the wider conservation area.
3. The proposal fails to accord with the Transport and Accessibility Supplementary Planning Guidance as the proposal is located within the West End Office Area, the proposal applicant could located car parking to the rear of the property, and adequate on-street parking could be provided on Queen's Road.