

Signed (authorised Officer(s)):

21 ASHLEY PARK LANE, ABERDEEN

EXTENSION TO PREMISES TO PROVIDE  
RE-LOCATED OFFICE SPACE AND  
ARCHIVE

For: Mr Alan Ross

Application Type : Detailed Planning  
Permission

Application Ref. : P150025

Application Date : 07/01/2015

Advert :

Advertised on :

Officer : Gavin Clark

Creation Date : 23 April 2015

Ward:

Community Council: No response received

**RECOMMENDATION: Refuse**

## **DESCRIPTION**

The application site is located on the western end of Ashley Park Lane, a cul-de-sac that runs between and parallel to Ashley Park South and Great Western Road and consists of a garage building with associated car parking to the side. The building is a pre-fabricated industrial style unit with a rectangular footprint and pitched roof, finished in profile metal sheeting. To the east of the building is a surfaced yard which is used for the parking of associated vehicles. There are a number of domestic garages located to the east in a linear form, five of which are in the control of the applicant.

The surrounding area is predominantly residential in nature, and includes granite-built residential properties on all sides. The site is located immediately adjacent to the Great Western Road Conservation Area.

## **RELEVANT HISTORY**

Planning permission (Ref: 141345) was approved in November 2014 for a single storey extension to the garage to provide ancillary office accommodation.

Planning permission (Ref: 98/0074) was refused in March 1998 for the relocation of the office and storage facility on the grounds (1) that the proposal was contrary to the Councils policy on Back Lane Businesses as set out in paragraph 4.2.8. of the adopted Local Plan because it would result in the expansion and the

intensification of a non-conforming use in a back lane location in close proximity to domestic properties to the detriment of existing residential amenity and (2) the proposal would by virtue of its failure to accommodate additional off street parking to serve the new extension, result in overdevelopment of the site and in doing so would contravene the Council's adopted Car Parking Standards. In addition, it would result in the loss of existing on-site parking provision all to the detriment of road safety, public safety and the free flow of traffic in Ashley Park Lane.

## **PROPOSAL**

The application seeks detailed planning permission for the erection of a two storey extension on the eastern elevation of the building, on land currently used for parking/storing vehicles. The building would measure approximately 4m x 21.5m and would have an overall height of approximately 6m. The building would be located 3m from the application site boundary. The ground floor of the extension would include a reception, office space, toilet facilities and a stairwell at ground floor level, as well as an archive, stairwell and canteen at first floor level. The building would be finished in grey cladding and would include glazing on the front (south) elevation.

## **Supporting Documents**

All drawings relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref.=150025>

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

## **CONSULTATIONS**

**Roads Development Management** - have advised that they would not object to the application, are content that adequate car parking could be provided within the building, to the side and within the lock-ups to compensate for the intensification in use brought about by the extension to the building.

**Environmental Health** – no observations.

**Communities, Housing and Infrastructure (Flooding)** – no observations

**Community Council** – no response received.

## **REPRESENTATIONS**

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

1. That the proposal would constitute over development in a predominantly residential area;
2. That the proposed extension would remove a significant amount of car parking space from the yard, exacerbating the problem in the surrounding area;
3. That the proposal would have an unacceptable impact on the levels of privacy afforded to neighbouring properties; and
4. The scale of development would obstruct a significant amount of daylight from neighbouring properties.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan**

Policy D1: Architecture and Placemaking: states that, to ensure high standards of design, new development must be designed with due consideration for its context, and make a positive contribution to its setting.

Policy H1: Residential Areas: states that, within existing residential areas, proposals for non-residential uses will be refused unless: they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or nuisance to the enjoyment of existing residential amenity.

### **Proposed Aberdeen Local Development Plan**

- Policy D1: Quality Placemaking by Design; and
- Policy H1: Residential Areas

## **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.

## **Principle of Development**

The application site is located within an area zoned as “residential” in the Aberdeen Local Development Plan. The corresponding policy H1 sets out that within such areas proposals for non-residential uses will be refused unless they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or nuisance to existing residential amenity. A commercial garage has existed on this site for many years and whilst such a use is not considered to be complementary to residential use, it has nevertheless been established. Accordingly, this application requires to be assessed on the basis of whether the expansion of the building and the intensification of the use would conflict with or nuisance to the existing residential amenity.

The site is located in a predominantly residential area and the development would involve the intensification of this non-residential use. The existing garage covers a floor area of approximately 303 sqm and would see an increase in the floor area associated with the garage of 56% arising from the provision of an additional 172 sqm over two floors.

Whilst it is noted that there would be only a marginal increase in the floor area for vehicle repairs (which would see the existing office space vacated and removed to the extension), by increasing the size of the building to such an extent (taking both floors into account) it is reasonable to conclude that the business activity and use of the premises would intensify. The floor space within the workshop and thus its capacity to accommodate vehicles for repair would be increased. Further, the extension would occupy part of an area currently used for parking and storing vehicles. As a result, there is the potential for the displaced vehicles to be parked in the lane. There are no parking restrictions in the lane. It is reasonable to assume that overspill parking would occur, which could result in access to the domestic garages in the lane being blocked, to the detriment of the amenity of the residents in the locality. The intensification of the activity of the site, the potential additional vehicles movements that would occur and the potential overspill parking on the lane cumulatively would negatively impact on the residential character and amenity of the surrounding area to an unacceptable degree. As a result the proposed development does not accord with Policy H1 (Residential Areas) of the ALDP.

## **Design**

The proposal would see the installation of a two storey extension that would be finished in grey cladding and would include elements of glazing. The proposal would include materials that complement the character and appearance of the existing building and it is assessed that the design has been undertaken with due consideration for its context. The proposed design therefore accords with the general terms of Policy D1 (Architecture and Placemaking) of the ALDP.

The proposal has also been assessed in terms of potential impact on neighbouring properties, including those lying adjacent in Ashley Park Lane. The windows at ground floor level would be obscured by a large fence and the high level window at first floor level would provide light into a proposed canteen. It is considered that any impact on privacy/ overlooking would be negligible and not to such an extent as to warrant refusal of planning permission. In addition, the agent has provided drawings indicating that the overbearing impact of the proposed extension would not be to such a degree as to warrant refusal of planning permission. Any overshadowing in the rear gardens would be negligible and only for small periods of the day.

### **Roads Issues**

The Council's Roads Officer has not objected to the planning application. However, it should be noted that the loss of car parking (five spaces to the side of the building) have not been compensated for elsewhere within the site, which could result in further indiscriminate car parking on the surrounding road network and on the back lane leading to the business.

### **Letters of Objection/ Conclusion**

The issues raised in the letters of representation have mostly been addressed in the above evaluation. It was concluded that there would be the potential for overspill parking, restricting the use of domestic garages on the lane to the detriment of residents in the surrounding area, thus impacting on residential amenity. Daylighting, privacy and the scale of the proposed extension have also been discussed in greater detail above.

For the reasoning mentioned above the proposed development is considered to be unacceptable. Other material considerations do not outweigh the proposals failure to accord with Policy H1 (Residential Areas) and is therefore recommended for refusal.

### **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 relevant policies within the proposed ALDP are similar to those of the adopted ALDP; therefore no further evaluation is required in respect of the proposed ALDP.

## **RECOMMENDATION**

### **Refuse**

## **REASONS FOR RECOMMENDATION**

That the proposal is contrary to Policy H1 Residential Areas of the Aberdeen Local Development Plan because it would result in the expansion and the intensification of a non-conforming use in a back lane location in close proximity to domestic properties to the detriment of the existing residential amenity. The loss of existing on-site parking would be likely to result in overspill parking occurring on the lane, to the detriment of the existing residential amenity.