

## Planning Development Management Committee

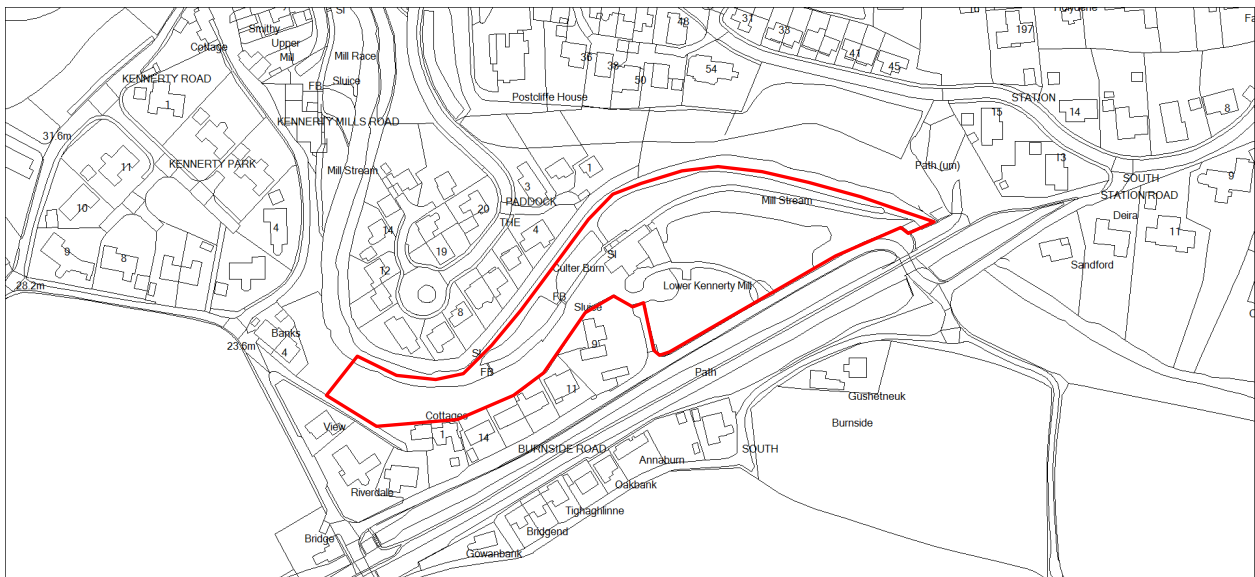
LOWER KENNERTY MILL, 8 BURNSIDE ROAD,  
PETERCULTER

ALTERATIONS AND EXTENSION TO FORM  
SWIMMING POOL / SAUNA / STEAM ROOM /  
CHANGING ROOM AND GARDEN STORE TO  
LOWER GROUND FLOOR, WITH KITCHEN /  
GARDEN ROOM AT GROUND FLOOR.

For: Client of Fitzgerald + Associates Ltd

Application Type : Listed Building Consent  
Application Ref. : P151767  
Application Date: 09/11/2015  
Officer: Ross McMahon  
Ward : Lower Deeside (M Boulton/A Malone/M  
Malik)

Advert : Listed Building  
Advertised on: 18/11/2015  
Committee Date: 17/03/2016  
Community Council : Comments



### RECOMMENDATION:

**Approve subject to conditions**

## **DESCRIPTION**

The application property is a former mill – now in domestic use – located to the north of Burnside Road and to the south-east of Culter Burn, comprising a category C listed, two-and-a-half storey dwelling of slate and granite construction. The site lies within a Residential Area as identified in the adopted Aberdeen Local Development Plan 2012.

## **RELEVANT HISTORY**

A corresponding detailed application for planning permission (ref. P151766) for the erection of an extension and alterations is currently under consideration by the Planning Authority.

## **PROPOSAL**

Listed building consent is sought for the erection of a two-storey side extension to the north-west (side) elevation of the property. The extension would accommodate a new swimming pool at ground floor/basement level and an open plan kitchen/living space at upper floor level, resulting in the removal of original granite walling to the existing east facing elevation of the property and a number of roof alterations.

Consent is also sought for the removal of a false east facing waterwheel and for the relocation of an existing timber arched doorway and door in its place.

Listed building Consent is also sought for various internal alterations to the property, including the removal of two windows to form access to the proposed extension at ground floor level, the erection of partitioning to the lower ground floor to create a changing room, steam room and sauna in connection with the proposed pool area. A specialist ventilation system is to be installed to facilitate the steam room, sauna and changing area, terminating in grille vents to the exterior of the north elevation 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=151767>

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

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee as a formal objection to the proposal has been received from the Culter Community Council and officers' recommendation is for approval.

Accordingly, the application falls out with the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Development Management** – No observations.

**Environmental Health** – No observations.

**Communities, Housing and Infrastructure (Flooding)** – No response.

**Community Council** – Object to the proposal, as submitted, on the following grounds: unsympathetic design not in keeping with the architectural integrity of the original building; concerns with the structural integrity of the building resulting from the formation of a swimming pool, sauna and steam room; requests that the site sub-strata is investigated; suggests that a separate building should be erected to facilitate the applicants requirements.

## **PLANNING POLICY**

### **National Policy and Guidance**

- Scottish Planning Policy (SPP)
- Scottish Historic Environment Policy (SHEP)

### **Aberdeen Local Development Plan**

- Policy D5 – Built Heritage

### **Other Material Considerations**

- Historic Environment Scotland's (HES): 'Managing Change in the Historic Environment – Extensions'
- Historic Environment Scotland's (HES): 'Managing Change in the Historic Environment – Roofs'
- Historic Environment Scotland's (HES): 'Managing Change in the Historic Environment – Walls'
- Historic Environment Scotland's (HES): 'Managing Change in the Historic Environment – Interiors'

## **Proposed Aberdeen Local Development Plan**

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

- D4 – Historic Environment (*D5 – Built Heritage in adopted LDP*).

## **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.

### **D5 – Built Heritage**

The overall size, scale and form of the proposed side extension are considered to be acceptable in relation to the existing dwelling and are of a high quality design which is considered to be sympathetic and complementary to the listed property and its setting generally. The proposed materials are considered to be acceptable and would replicate those found on the original property as far as reasonably practicable. The proposed extension is considered to be secondary to the original property by way of its overall height, scale and form and it is not considered that it would compromise the visual character or integrity of the property.

The overall design, scale, massing and materials of the proposed extension are considered to comply with Historic Environment Scotland's '*Managing Change in the Historic Environment – Extensions*' in that the extension would protect the character and appearance of the building; would be subordinate in scale and form; would be located on a secondary elevation and would be designed in a high-quality manner using appropriate materials.

The proposed roof alterations required to accommodate the extension, including the removal of an existing, unoriginal dormer, are considered to be relatively minor in nature and would not compromise the overall visual integrity of the building and as such, are considered to comply with Historic Environment Scotland's '*Managing Change in the Historic Environment – Roofs*'.

The removal of the 'false' east facing water wheel and replacement with a relocated external door and archway is considered to be an improvement to the property, removing unoriginal fabric whilst maintaining original elements that would otherwise be lost as part of the development. It is therefore not considered

that the proposed alterations would negatively affect the visual composition of the existing east facing wall, in accordance with Historic Environment Scotland's *'Managing Change in the Historic Environment – External Walls'*.

The location of the proposed wall vents to the north elevation of the property and are considered to be acceptable, and would not have a significant detrimental impact on the character or appearance of the listed building given that they would be sited on a discreet, non-public elevation not readily viewable from public, and would be inconspicuous when installed within the existing building fabric, in accordance with Historic Environment Scotland's *'Managing Change in the Historic Environment – External Walls'*. It has been found necessary to add a condition to the consent requesting further information specifying the external vent/grille products to be used.

The formation of additional rooms and erection of partition walls at lower ground floor level would have a neutral impact on the property and would utilise existing dilapidated spaces, allowing for a modern adaption of an existing floor layout. With the exception of the room containing the machinery associated with the original wheel (to be left as is), the alterations to the floor layout would not unduly compromise the original plan form of the property's main principle apartments, in accordance with Historic Environment Scotland's *'Managing Change in the Historic Environment – Interiors'*. Additionally, the erection of partitioning to the remainder of the lower ground floor is considered to be minimal, unobtrusive and would not unduly compromise the overall existing plan form of the property, allowing it to return to the original layout form in the future if required.

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

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. 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 representation and are regarded as unresolved issues to be determined at the Examination; and
- the relevance of these matters to the application under consideration.

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis. In relation to this particular application, proposed policies D5 (Built Heritage) substantively reiterate policies D4 (Historic Environment) of the adopted Aberdeen Local Development Plan and therefore raise no additional material considerations.

## **Matters Raised by the Community Council**

All matters raised in respect of design, scale, massing, use of materials etc. have been addressed in the evaluation sections of this report.

There is no statutory requirement for an applicant to submit information to the Planning Authority relating to the proposed building structure or potential structural implications associated with the development, or any subsequent complications relating to property maintenance that result from development. Separate legislation dictates the manner in which structure implications are assessed, such as via a building warrant etc.

Full regard has been given to all concerns raised in representations, but neither do they outweigh the policy position as detailed above, nor do they justify further amendments to the plans or refusal of the application

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASONS FOR RECOMMENDATION**

The proposal would comply with the relevant policies of Aberdeen Local Development Plan 2012, namely Policies D5 (Built Heritage) in that it would ensure the special architectural and historic character of the building which would be suitably maintained, and its appearance preserved and improved in line with the principles of Historic Environment Scotland's SHEP and associated 'Managing Change' guidance. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations – including the Proposed Aberdeen Local Development Plan – that would warrant refusal of the application.

## **CONDITIONS**

**it is recommended that approval is given subject to the following conditions:-**

(1) that no development shall take place until a sample of the granite proposed to the extension walls and slate to the proposed roof; and additionally, specification of all proposed venting and cast iron rainwater goods hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.