

**From:** [REDACTED]  
**To:** [PI](#)  
**Subject:** Planning Comment for 151795  
**Date:** 26 November 2015 13:50:25

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Comment for Planning Application 151795  
Name : Robert Douglas  
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Aberdeen

Telephone :

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type :

Comment : the proposal for the development of an office building at 94 Queens Road lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance. The proposal also lacks compliance with policies contained within the proposed Aberdeen local Development Plan. If approved it will result in vehicular and pedestrian conflict; will greatly reduce the residential amenity currently enjoyed by surrounding properties; have a detrimental impact on the listed status of the building and those which are located in proximity to it; detract from the objectives of the Aberdeen City Centre Masterplan and will create a use which is very different from that of a house and uncharacteristic of the residential area. There is no locational requirement for an office in this location and with a number of properties being marketed in the West End Office Area there is no justification for the development of office accommodation within a residential area. For the reasons stated above I wish to object to this application in the strongest possible terms and respectfully request that it is refused.

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**From:** [REDACTED]  
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**Subject:** Planning Comment for 151795  
**Date:** 26 November 2015 10:42:34

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Comment for Planning Application 151795

Name : natasha douglas

Address : 92 Queens Road

Telephone : [REDACTED]

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type :

Comment :

The Head of Planning and Infrastructure

Aberdeen City Council

Business Hub 4

Marischal College, Broad Street

Aberdeen, AB10 1AB

26th November 2015

Dear Mr Gordon McIntosh

OBJECTION TO PLANNING APPLICATION REFERENCES:

151795 FOR THE CHANGE OF USE FROM RESIDENTIAL (CLASS 9) TO CLASS 4 (OFFICES) AND EXTENDED CAR PARKING TO REAR, AND  
1517956 PROPOSED DEMOLITION OF GARAGE

I am in receipt of a neighbour notification in respect of the above two applications for Planning Permission and listed building consent. Having reviewed the application, I write to object to the proposed development in the strongest possible terms and respectfully request that the application is refused.

The application is for the change of use from Class 9 Residential to Class 4 Offices at 94 Queens Road, Aberdeen. Nowhere on the drawings submitted is there any note of the square footage of the building. From measuring the scale drawings it is estimated to be 650sqm. Only 2 disabled car parking spaces are shown on the Proposed Site Layout drawing however, the Design and Access Statement submitted in support of application reference 1517956 states that 16 car parking spaces will be provided. Access to the rear car parking area is shown on the Proposed Site Layout drawing as being from a rear lane accessed from Anderson Drive and Bayview Road.

I have assessed the proposals against Development Plan policy as contained within the Aberdeen Local Development Plan 2012 (ALDP) and material considerations, as set out in Scottish Planning Policy (SPP). Having regard to these it is contended that the proposal is contrary to the ALDP and supplementary guidance for the reasons discussed below.

The ALDP identifies the site as lying within a residential area where ALDP policy H1 applies; it also lies within the Albyn Place and Rubislaw Conservation Area. ALDP policy H1 states that proposals for non residential uses within existing residential areas will be refused unless:

&#8226; they are considered complementary to residential use; or

&#8226; it is demonstrated that they would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

As the development would require the redevelopment of a residential curtilage the development proposal also requires to be assessed against supplementary guidance The Sub-division of

Residential Curtilages (March 2012) which it too lacks compliance with; whilst the guidance is specifically targeted at residential development it is applicable to other non residential types of development (paragraph 1.4).

Access to the development is proposed from a rear lane which is accessed from Anderson Drive. The lane was divided in two during the redevelopment of the Earls Court Hotel at 96 Queens Road to relieve road safety concerns. The eastern section of the lane provides access to 88, 90 and 92 Queens Road with the western section providing rear access to 94 Queens Road. There are no pavements or street lighting on this narrow lane. As the lane is private it is not served by gritting lorries in the winter making it impossible to access/ exit the lane during the winter months. The lane would provide the main access for vehicular traffic as well as pedestrians.

The Design and Access Statement incorrectly states that there are two vehicular access to the rear of the property. As discussed above the land was divided in two during the redevelopment of Earls Court Hotel and rear land access to 94 Queens Road is only possible from Anderson Drive.

The development of an office building in this location will undoubtedly increase traffic movements on the lane and will impact on its junction with Anderson Drive; which may in turn create vehicular conflict and increase waiting times at the Anderson Drive/ Queens Road round about. This raises significant concerns and would, due to the narrow width of the lane and lack of pedestrian footpaths, pose a significant hazard to both pedestrians and vehicles using the lane. This is compounded by the fact that there are no footpath links for pedestrians to use to access the proposed office building from the lane. The Sub-division and Redevelopment of Residential Curtilages guidance recognises that it is not acceptable for pedestrians to have to walk on the carriageway of rear lanes to access developments or for pedestrians to share access with vehicles, as it results in the creation of a pedestrian safety hazard.

Due to the width of the lane at this location it is not considered possible for the instillation of foot paths to make the proposal acceptable in road safety terms. Consequently if approved the proposal would have a detrimental impact on both pedestrian and vehicular safety. This is highlighted by Transport Scotland's objection to a previous proposal (application reference P131115) who objected to that proposal on the basis that 'The existing access to the parking area is too narrow to permit 2-way traffic and may potentially hinder traffic leaving the trunk road to the detriment of road safety'. Given the objection from Transport Scotland to the previous proposal I am surprised that Kamran Syed would support such an access proposal. No consideration has been given to pedestrian safety. As noted above the land is narrow with no street lighting or pavements. In addition to this the owner does not control land on either side to deliver pavements as part of their proposal. The significant increase in traffic movements on the lane, as a result of the proposed access arrangement, will firstly alter the residential character of the lane but also impact on pedestrian safety. A number of residents use the lane as a rear pedestrian route. As the lane is quiet a number of children from dwellings at Bayview Road use the lane to play in. This is especially true during school holiday times and is reflective of the residential area within which the property lies. Increasing traffic here will undoubtedly create road safety conflict and in doing so further erode the residential character of the conservation area.

By increasing traffic on the rear lane existing residents will be unable to safely use the lane should they chose to walk. This is at odds with Scottish Planning Policy which directs Local Authorities to support patterns of development that provide safe and convenient opportunities for walking and cycling. The proposal does not do this and should be refused.

Likewise, increased traffic on the lane will impact on the level of privacy currently enjoyed by home owners at 92 Queens Road and will impact on their ability to use their property especially their rear garden.

The Design and Access Statement notes that the applicant has asked for double yellow lines to be painted on the entrance of the vast majority of lanes to improve visibility. This is not within the applicants gift to control nor is it a benefit of the proposal. Should Aberdeen City Council's Roads Department consider double yellow lines are appropriate in such locations they would implement such works.

The Design and Access Statement further notes that the rear land is of similar size to all lanes in the west end of Aberdeen and is able to take two way traffic as demonstrated by the existing solution where the lane provides the only means of access and egress to the rear offices at 88 Queens Road and flats at 90 and 92 Queens Road. This statement is incorrect and misleading. 90 Queens Road is a single dwelling, access to it is taken directly at the front of the dwelling. As a neighbour and user of the lane I would confirm that it 2 way traffic is impossible. The land

measures approximately 2.3 meters. It is not wide enough to accommodate 2 way traffic. Should a vehicle use the lane and meet another vehicle, as frequently happens one or other car is required to reverse, either to the small residents car parking area at 92 Queens Road or onto Bayview Road. This situation is unsafe at present but would be compounded should the proposal be approved. Furthermore the average width of lanes in the west end is in excess of 6m more than three times the width of the rear access lane.

Worryingly The Design and Access Statement cites SPP 17 Planning For Transport which was superseded by Scottish Planning Policy in 2010; which has again been superseded by Scottish Planning Policy 2014 (SPP). The inability to cite current planning policy is concerning. When making decisions on development management SPP directs Local Authority to take account of the implications of development proposals on traffic, patterns of travel and road safety. SPP also directs Planning Authorities to consider place and the needs of people before the movement of motor vehicles. It is evident that the proposal would have a detrimental impact on both traffic and the levels of road safety currently enjoyed by residents, would put the private vehicle before the needs of pedestrians and as directed by SPP the proposal should be refused.

As a neighbouring owner, whilst not a planning matter, I have concerns regarding the maintenance of the rear lane; which would through intensified use require if the proposal were approved, more regular maintenance. At present there are 18 'shares' of the lane with some 'shares'; having more than 5 owners. As I am sure you will appreciate collating over 20 share holders is challenging and this has prevented general maintenance from occurring in the past.

It is unclear from the drawing how many carparking spaces are to be delivered with only 2 disabled spaces legible on the drawing. However the Design and Access Statement submitted in support of the Listed Building Consent states 16 car parking spaces will be provided including 2 disabled spaces, 4 spaces would be provided to the front of the dwelling. Supplementary Guidance Topic: Transport and Accessibility (March 2012) states, in keeping with guidance contained in SPP, that for developments within the outer zone, with which the site is located, requires 1 car parking space per 30sqm of office space. The proposal would require a minimum of 22 car parking spaces. The proposal fails to deliver this. Living in a neighbouring property with a similarly sized rear garden I do not consider it possible to accommodate the level of car parking required for office use even considering the opportunity for car parking to the front of the dwelling without having a detrimental impact on the setting of neighbouring listed buildings. As a neighbouring resident I am concerned that vehicles from the proposed office would use the resident's car parking spaces at 96 and 92 Queens Road to park their vehicles during the day. Whilst there is on street car parking available on Queens Road it is heavily used throughout the day Monday to Friday, and the shortfall in car parking spaces would place further pressure on them which would inconvenience residents. In addition to this parking on the southern side of Queens Road restricts the ability of vehicles being able to access Anderson Drive which further adds to vehicle waiting times. Allowing as development in this area with a shortfall of car parking spaces will only add to this problem.

I am other concerns regarding the impact of the proposed change of use on traffic on Anderson Drive and the local road network. As shown in the Proposed Site Layout Drawing the principle vehicular access to the building would be from Anderson Drive. As you are no doubt aware this is a heavily congested road; even with the addition of the AWPR this road will remain congested. As far as I can see from your website the applicant has not submitted a Transport Impact Assessment to identify the impact of traffic from the proposal into the local road network and any mitigation measures required to make the proposal acceptable in roads safety terms. In the absence of such information I remain concerned that peak am and pm waiting times at both Anderson Drive and the local road network will be unacceptable.

I note from the website that the applicant has not submitted a Waste Management Plan. I am concerned having previously been disturbed at antisocial hours by commercial refuse collections that a similar situation will arise. Queens Road experiences traffic congestion during the week resulting in tailbacks with refuse vehicles collect waste. To avoid this some commercial refuse vehicles collect waste at 5am resulting in noise disturbance to neighbouring properties. Should the council be minded to grant consent for this development I would ask that a condition is placed on any consent requiring refuse to be collected after 7am in the interests of maintaining residential amenity.

From the proposed site layout plan it is understood that a waste storage area is to be located to the rear of the building however, there has been no provision made refuse vehicles to collect waste nor has a swept path analysis been submitted. Due to the width of the lane refuse vehicles will be

unable to access the rear of the property. Furthermore there is no turning space available for refuse vehicles in the proposed car park. Consequently refuse vehicles would be required to collect waste from the front of the property on Queens Road. Due to the residential nature of the area such vehicles would only be permitted to collect waste after 7/7.30am; as a result of noise associated with such vehicles. Their presence on Queens Road at this time, in close proximity to the Anderson Drive/ Queens Road roundabout, will have a detrimental impact on traffic flows at this roundabout and will increase waiting times which, given the scale of traffic at this roundabout, is undesirable. A Waste Management Plan should be submitted by the applicant in order to ensure their proposals for refuse collection is acceptable.

The proposed plans show that more than 50% of the garden area will be lost for car parking albeit no exact car parking spaces are shown on the drawing. Car parking will dominate the amenity space to the rear of the property. This is uncharacteristic of dwellings located in the local area all of which enjoy large gardens. The loss of garden ground to create a car park is alien to the character of development and as such the proposal lacks compliance with The Sub-division and Redevelopment of Residential Curtilages (March 2012) which presumes against development which states that car parking must not dominate amenity space and presumes against development that is alien to the density, character and pattern of development in the residential area.

The loss of garden ground to accommodate car parking is considered to have a detrimental impact on both the setting of the 94 Queens Road which is category B listed and the conservation area where a number of listed buildings lie. Like other listed buildings in proximity to 94 Queens Road these buildings enjoy large rear gardens which provide amenity space for residents. The loss of the garden to create car parking is at odds with this and will have a detrimental impact of the listed status of neighbouring properties including 92, 90 and 88 Queens Road.

Whilst it is accepted that the proposed office building would lie in proximity to 88 Queens Road and the West End Office Area it must be recognised that the property lies outwith the West End Office Area, which ends at 70 Queens Road (currently being marketed for Class 4 use). 94 Queens Road lies outwith the West End Office Area within a residential area that has a high standard of appearance and amenity, both in the attractive tree lined street and in the spacious rear gardens. The introduction of a non residential use in this area would erode the character of and amenity of the residential area. The use of the dwelling as an office would result in regular arrivals of staff and visitors, either at the front or through the car park at the rear, where they would be next to the private gardens on each side.

The proposed use of the building as an office would be very different from that as a house and it would detract from the amenity of neighbouring residents. Residents would be aware of the coming and going of people and cars in the proposed car park which would be visible from both garden areas and also habitable windows. This increased level of activity compared to what would be expected of a domestic garden would adversely affect the amenity enjoyed by residents, especially in the summer months when residents would hope to enjoy the use of their gardens without disturbance.

The privacy currently enjoyed by residents would also be reduced. Residents of 92 Queens Road would be directly looked upon by an increase in people coming and going from the car park who would be able to look into the garden area of 92 Queens Road. In addition to this, the residents would be further disturbed by the increase in traffic movements to the rear lane. This would cause nuisance, further erode the levels of privacy currently enjoyed and would impact on the safety of those residents who frequently use the rear access to walk to Bayview Road. Likewise office staff from W.A Fairhurst also use the rear land to access their building and an increase of over 20 cars would impact on their safety also. The loss of privacy conflicts with guidance contained in The Sub-division and Redevelopment of Residential Curtilages (March 2012) which presumes against developments that would reduce privacy currently enjoyed by residents.

The proposed layout plan shows that a number of trees, which are protected by Tree Preservation Order will be lost to accommodate car parking areas. Trees make a valuable contribution to the landscape setting and this is especially true of the Albyn Place and Rubislaw Conservation Area, where 94 Queens Road lies. Trees contribute to the character of the conservation area as well as the setting of 94 Queens Road and the listed buildings located in proximity to 94 Queens Road. Both The Sub-division and Redevelopment of Residential Curtilages (March 2012) and policy NE5 of the ALDP presume against development that would result in the loss of established trees that contribute to the landscape character or local amenity. As such, the proposal lacks compliance with the above policy and guidance.

No evidence has been provided by the applicant to indicate that the applicant needs to be located within a residential area. If the applicant seeks to be located within the west end there are currently a number of properties being marketed within the West End Office Area that can satisfy their requirements, without encroaching into a residential area. 70 Queens Road continues to be marketed by FG Burnett having previously been marketed by CBRE. 9 Queens Road, currently home to Anderson Anderson Brown who are moving to Prime 4 in Kingswells is currently being marketed by CBRE. IONA Energy at 20 Queens Road is currently being marketed by FG Burnett and AB Robb. All of these properties are of comparable scale to 94 Queens Road however, are located within the West End Office Area and are considered best placed to accommodate Class 4 use. In addition to these properties, there are other properties in the West End Office Area Currently being marketed by agents. Outwith the West End Office Area there are a number of sites are currently being marketed for Class 4 use including: ABZ, D2, Aberdeen Energy and Innovation Parks, Access, Balmoral Business Park, The Gateway Business Park, Arnhall Business Park, Kingshill Business Park and Prime 4 to name but a few. This is not forgetting the number of built properties currently being marketed for Class 4 use. Of paramount importance is the ongoing developments at The Silver Fin, Marschall Square and The Capital. All three of these buildings are currently under construction and have yet to secure a tenant. All three of these buildings are better placed to accommodate office use and in doing so deliver the objectives of the Aberdeen City Centre Master Plan; who's key objective is to bring people back into the city centre. Enabling office development within a residential area is at odds with this Masterplan and should not be supported. According it is considered that Class 4 use best placed in the above areas outwith residential areas. Given the number of properties available in proximity to 94 Queens Road, outwith the residential area, it is evident that should the applicant wish to locate in the west end there is sufficient properties available on the market to satisfy their requirements without resulting in a detrimental impact on a residential area.

The Design and Access Statement submitted in support of application reference 1517956 states that there is a strong demand for Office use in the west end of Aberdeen;. As noted above, there are a number of properties within the West End Office Area of similar size which, despite being marketed for considerable periods of time (some for over 2 years) have yet to secure tenants. That coupled with the well documented down turn in the Oil Industry, which has notably reduced demand for office use, does not demonstrate that there is a strong demand;. The Design and Access Statement is evidently ill-informed with no information to support the sweeping statements made in it.

Whilst it is recognised that the dwelling is currently on the market it has not been on the market for a sufficient period of time to demonstrate that there is no interest in the property for continued residential use. Recent analysis of residential sales trends in Aberdeen undertaken by Savills highlight that despite the downturn in the oil industry and change to LBTT there are no difficulties selling dwellings valued over and above £1 million pounds; indeed sales have not declined compared to the same period last year. The difficulty is properties priced between £350,000 and £700,000. Dwellings of a similar price to 94 Queens Road have sold recently. Savills have however, noted that sellers need to be realistic of a price that can be achieved. It may be that the owner of 94 Queens Road is being unrealistic of what price can be achieved for his home. Likewise, had the property been presented more attractively it may have already been sold. One can only assume that the owner is hoping to achieve a consent for office use as it would have a higher end value than for residential sale. Despite this there is a lack of evidence to suggest that there is no interest in the property for continued residential use.

In terms of application reference 1517956 my concerns relate to the impact that removing a garage to enable a car park to be created will have on the setting of the listed buildings at 94, 92 Queen's road 90. The Design and Access Statement submitted in support of the application fails to comply with Planning Advice Note 68 Design Statements and does not explain why removal of the garage is the best solution. In discussing the immediate neighbours the Design and Access statement fails to acknowledge that 94 Queen's Road sits between a number of residential properties including flatted properties at Earls Court, 92 Queen's Road, 90 Queen's Road and 89 Queen's Road.

The Design and Access Statement states that the size of property in that location is now totally unsuitable as a house. There are significant costs required for the upkeep of the building and to cover running costs;. Issue is taken with this statement. I would highlight that number 90 Queens Road is currently used in its entirety as a residential dwelling, as are a number of other properties located in Queen's Road, Bayview Road, Rubislaw Den North, Rubislaw South and Forrest Road. Indeed 50 Queens Road was recently converted from flats into a residential dwelling. To say that the dwelling is unsuitable as a house is not only misinformed but misleading.

Furthermore the Design and Access Statement recognises costs required for upkeep and maintenance of the dwelling. It is naive of the owner, to purchase such a dwelling, do limited maintenance to it, and be surprised at general maintenance costs. Unfortunately any property of that age, listed or otherwise will require maintenance. To use that as justification for a change of use beggersbelieve. Maintenance and running costs will not disappear if the dwelling is used for office use.

The statement stated that there have been no viewings. As a neighbouring resident I am surprised at this statement as myself and a number of residents have observed viewings taking place. As noted above, it can only be assumed that the owner has unrealistic expectations of a sell price. Had the property been marketed for a realistic value it may well have sold. Indeed, as mentioned properties over £1million are not proving difficult to sell; a number of £2million pound houses have sold recently in the area.

The statement goes on to note that the building cannot be altered to accommodate a flatted development as it would compromise the integrity of the building. Again issue is taken with this statement. Firstly the owner had no issue in submitting a planning application for an office development in 2013 which significantly altered the internal space of the building. Secondly, there are neighbouring examples (Earls Court, 92 and 89 Queens Road) of such homes which have successfully been altered to accommodate a flatted development. As such it is contended that the property could be sympathetically altered.

The Design and Access Statement makes reference to the building being able to accommodate wheelchair users however, the plans submitted in support of the application fail to acknowledge external and also internal alterations that would be required in order to make the building DDA compliant. The proposal fails to acknowledge Planning Advice Note 78 Inclusive Design (PAN 78) which provides guidance on inclusive design.

To conclude it is evident that the proposal for the development of an office building at 94 Queens Road lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance. The proposal also lacks compliance with policies contained within the proposed Aberdeen local Development Plan. If approved it will result in vehicular and pedestrian conflict; will greatly reduce the residential amenity currently enjoyed by surrounding properties; have a detrimental impact on the listed status of the building and those which are located in proximity to it; detract from the objectives of the Aberdeen City Centre Masterplan and will create a use which is very different from that of a house and uncharacteristic of the residential area. There is no locational requirement for an office in this location and with a number of properties being marketed in the West End Office Area there is no justification for the development of office accommodation within a residential area. For the reasons stated above I wish to object to this application in the strongest possible terms and respectfully request that it is refused.

Yours sincerely

Natasha Douglas  
MA (Hons) MRTPI

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**From:** [REDACTED]  
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**Subject:** Planning Comment for 151795  
**Date:** 23 December 2015 21:26:03

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Comment for Planning Application 151795  
Name : Mr M Forbes  
Address : 224 Great Western Road, Aberdeen,  
AB106PD

Telephone : [REDACTED]  
Email : [REDACTED]  
type :

Comment : I have watched with some interest over the past 6-9 months as to the status of the property at No.94 Queen's Road, which has been marketed &#8216;for sale&#8217; on the Aberdeen Solicitor&#8217;s Property Centre website and note that the owner would appear to have failed to find a buyer. This is not surprising given the high value, listed status and sheer scale of the villa which is well beyond the means of your typical family and given the current economic difficulties is not a suitable dwelling for modern family living.

I write in support of the principle of the proposed development and specifically the change of use to office space, as I consider the nature of the conversion being proposed to be desirable in terms of safeguarding in a viable manner the long term retention of, and future integrity and character of this important listed building.

The proposed office use would in my view exist happily in this location without causing any loss of amenity or impact to the surrounding residential dwellings. Evidence to support this exists from the current Fairhurst Consulting Engineer&#8217;s office (No.88), Aberdeen Grammar FP Club (No. 86) which happily co-exist&#8217;s in nearby villa&#8217;s. Indeed historically, the current dwelling under consideration co-existed directly adjacent to the former Earl&#8217;s Court Hotel commercial operation, before it was more recently converted to high quality flats.

I would also consider the historically consented application P091229 for Fairhurst Consulting Engineer&#8217;s office (No.88) to be relevant to the determination of this application, in so far as this permitted the creation of a sizeable new rear lane office car park which gained access via same rear lane location being proposed in this application. Whilst acknowledging that No.88 was already at that time a functioning office, it had no onsite parking and therefore nil onsite vehicle movements which would in my view have been the principle concern in terms of impacting upon neighbouring residential amenity. The application was granted consent and in the intervening years, even with the introduction of temporary office extensions has happily co-existed adjacent to the flats at No.92 and the applicant&#8217;s property at No.94, without impacting upon their amenity.

I therefore hope that this important listed building can have it&#8217;s long term future safeguarded through the creation of new office accommodation which would provide employment opportunities within the heart of the city, as opposed to the many unsustainable modern edge of town office spaces which continue to be built across the city.

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**From:** [REDACTED]  
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Comment for Planning Application 151795

Name : kathryn fraser

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(2 Queens Rd

AB10 4YQ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : In agreement with the other owners of flats in (2 Queens Rd ,I write to object to the proposed development in the strongest possible terms and respectfully request that the application is refused.

I have assessed the proposals against Development Plan policy as contained within the Aberdeen Local Development Plan 2012 (ALDP) and material considerations, as set out in Scottish Planning Policy (SPP). Having regard to these it is contended that the proposal is contrary to the ALDP and supplementary guidance for the reasons discussed below.

The proposal lacks compliance with ALDP policy H1. Access to the proposal would be taken from the rear lane; which is narrow. This would increase traffic, result in vehicular and pedestrian conflict, create road safety concerns and erode privacy that is currently enjoyed by residents at 92 Queens Road. As such the proposal would result in conflict nuisance and prevent residents from enjoying their property.

Access to the development is proposed from a rear lane which is accessed from Anderson Drive. The lane was divided in two during the redevelopment of the Earls Court Hotel at 96 Queens Road to relieve road safety concerns. The eastern section of the lane provides access to 88, 90 and 92 Queens Road with the western section providing rear access to 94 Queens Road. There are no pavements or street lighting on this narrow lane. As the lane is private it is not served by gritting lorries in the winter making it impossible to access/ exit the lane during the winter months. The lane would provide the main access for vehicular traffic as well as pedestrians.

The applicant does not own all of the lane required to accommodate access proposals.

The Design and Access Statement incorrectly states that there are two vehicular access to the rear of the property. As discussed above, the lane was divided in two during the redevelopment of Earls Court Hotel and rear land access to 94 Queens Road is only possible from Anderson Drive.

The proposal will increase traffic movements on the lane and will impact on its junction with Anderson Drive; which may in turn create vehicular conflict and increase waiting times at the Anderson Drive/ Queens Road round about.

The proposal would due to the narrow width of the lane and lack of pedestrian footpaths, pose a significant hazard to both pedestrians and vehicles using the lane. The Sub-division and Redevelopment of Residential Curtilages guidance recognises that it is not acceptable for pedestrians to have to walk on the carriageway of rear lanes to access developments or for pedestrians to share access with vehicles, as it results in the creation of a pedestrian safety hazard. The proposal further lacks compliance with ALDP.

Transport Scotland's objection to a previous proposal (application reference P131115) who objected to that proposal on the basis that 'The existing access to the parking area is too narrow to permit 2-way traffic and may potentially hinder traffic leaving the trunk road to the detriment of road safety'. Given the objection from Transport Scotland to the previous proposal I am surprised that Kamran Syed would support such an access proposal. No consideration has been given to pedestrian safety.

The significant increase in traffic movements on the lane, as a result of the proposed access arrangement, will firstly alter the residential character of the lane but also impact on pedestrian safety.

By increasing traffic on the rear lane existing residents will be unable to safely use the lane should they chose to walk. This is at odds with Scottish Planning Policy which directs Local Authorities to support patterns of development that provide safe and convenient opportunities for walking and cycling. The proposal does not do this and should be refused.

Increased traffic on the lane will impact on the level of privacy currently enjoyed by home owners at 92 Queens Road and will impact on their ability to use their property especially their rear garden. The lane measures approximately 2.3 meters. It is not wide enough to accommodate 2 way traffic.

Should a vehicle use the lane and meet another vehicle, as frequently happens one or other car is required to reverse, either to the small residents car parking area at 92 Queens Road or onto Bayview Road. This situation is unsafe at present but would be compounded should the proposal be approved.

The average width of lanes in the west end is in excess of 6m more than three times the width of the rear access lane.

When making decisions on development management SPP directs the Local Authority to take account of the implications of development proposals on traffic, patterns of travel and road safety. SPP also directs Planning Authorities to consider place and the needs of people before the movement of motor vehicles. It is evident that the proposal would have a detrimental impact on both traffic and the levels of road safety currently enjoyed by residents, would put the private vehicle before the needs of pedestrians and as directed by SPP the proposal should be refused. I have concerns regarding the ongoing maintenance of the lane. Which will be put under pressure as a result of this proposal.

Supplementary Guidance Topic: Transport and Accessibility (March 2012) states, in keeping with guidance contained in SPP, that for developments within the outer zone, with which the site is located, requires 1 car parking space per 30sqm of office space. The proposal would require a minimum of 22 car parking spaces. The proposal fails to deliver this.

The proposal may result in non-residents using car parking spaces at 96 and 92 Queens Road to park their vehicles during the day.

The proposal will further pressure the already heavily used on street car parking.

The proposal will have a detrimental impact on traffic at Anderson Drive and Bayview Road and increase vehicle waiting times.

There are no proposals to show how waste will be collected.

More than 50% of the garden area will be lost for car parking. Car parking will dominate the amenity space to the rear of the property. This is uncharacteristic of dwellings located in the local area all of which enjoy large gardens.

The loss of garden ground to create a car park is alien to the character of development and as such the proposal lacks compliance with The Sub-division and Redevelopment of Residential Curtilages (March 2012) which presumes against development which states that car parking must not dominate amenity space and presumes against development that is alien to the density, character and pattern of development in the residential area.

The loss of garden ground to accommodate car parking is considered to have a detrimental impact on both the setting of the 94 Queens Road which is category B listed and the conservation area where a number of listed buildings lie. Like other listed buildings in proximity to 94 Queens Road these buildings enjoy large rear gardens which provide amenity space for residents.

94 Queens Road lies outwith the West End Office Area within a residential area that has a high standard of appearance and amenity, both in the attractive tree lined street and in the spacious rear gardens. The introduction of a non residential use in this area would erode the character of and amenity of the residential area.

The use of the dwelling as an office would result in regular arrivals of staff and visitors, either at the front or through the car park at the rear, where they would be next to the private gardens on each side.

The proposed use of the building as an office would be very different from that as a house and it would detract from the amenity of neighbouring residents. Residents would be aware of the coming and going of people and cars in the proposed car park; which would be visible from both garden areas and also habitable windows. This increased level of activity compared to what would be expected of a domestic garden would adversely affect the amenity enjoyed by residents, especially in the summer months when residents would hope to enjoy the use of their gardens without disturbance.

The privacy currently enjoyed by residents would also be reduced. Residents of 92 Queens Road would be directly looked upon by an increase in people coming and going from the car park who would be able to look into the garden area of 92 Queens Road. In addition to this, the residents would be further disturbed by the increase in traffic movements to the rear lane. This would cause nuisance, further erode the levels of privacy currently enjoyed and would impact on the safety of those residents who frequently use the rear access to walk to Bayview Road. The loss of privacy conflicts with guidance contained in The Sub-division and Redevelopment of Residential Curtilages (March 2012) which presumes against developments that would reduce privacy currently enjoyed by residents.

The proposed layout plan shows that a number of trees, which are protected by Tree Preservation Order will be lost to accommodate car parking areas. Trees make a valuable contribution to the landscape setting and this is especially true of the Albyn Place and Rubislaw Conservation Area, where 94 Queens Road lies. Both The Sub-division and Redevelopment of Residential Curtilages (March 2012) and policy NE5 of the ALDP presume against development that would result in the loss of established trees that contribute to the landscape character or local amenity. As such, the

proposal lacks compliance with the above policy and guidance.

No evidence has been provided by the applicant to indicate that the applicant needs to be located within a residential area.

If the applicant seeks to be located within the west end there are currently a number of properties being marketed within the West End Office Area that can satisfy their requirements, without encroaching into a residential area. 70 Queens Road continues to be marketed by FG Burnett having previously been marketed by CBRE. 9 Queens Road, currently home to Anderson Anderson Brown who are moving to Prime 4 in Kingswells is currently being marketed by CBRE. IONA Energy at 20 Queens Road is currently being marketed by FG Burnett and AB Robb. All of these properties are of comparable scale to 94 Queens Road however, are located within the West End Office Area and are considered best placed to accommodate Class 4 use. In addition to these properties, there are other properties in the West End Office Area currently being marketed by agents. Outwith the West End Office Area there are a number of sites currently being marketed for Class 4 use including: ABZ, D2, Aberdeen Energy and Innovation Parks, Access, Balmoral Business Park, The Gateway Business Park, Arnhall Business Park, Kingshill Business Park and Prime 4 to name but a few. This is not forgetting the number of built properties currently being marketed for Class 4 use. Of paramount importance is the ongoing developments at The Silver Fin, Marschall Square and The Capital. All three of these buildings are currently under construction and have yet to secure a tenant. Proposal lacks compliance with the objectives of the Aberdeen City Centre Master Plan; who's key objective is to bring people back into the city centre. Enabling office development within a residential area is at odds with this Masterplan and should not be supported. Whilst it is recognised that the dwelling is currently on the market it has not been on the market for a sufficient period of time to demonstrate that there is no interest in the property for continued residential use.

The Design and Access Statement noted that there have been no viewings. As a neighbouring resident I have observed viewings taking place.

The Design and Access Statement submitted in support of the application fails to comply with Planning Advice Note 68 Design Statements and does not explain why removal of the garage is the best solution.

In discussing the immediate neighbours the Design and Access statement fails to acknowledge that 94 Queen's Road sits between a number of residential properties including flatted properties at Earls Court, 92 Queen's Road, 90 Queen's Road and 89 Queen's Road. The Design and Access Statement states that 'the size of property in that location is now totally unsuitable as a house. There are significant costs required for the upkeep of the building and to cover running costs'. Issue is taken with this statement. I would highlight that number 90 Queens Road is currently used in its entirety as a residential dwelling, as are a number of other properties located in Queen's Road, Bayview Road, Rubislaw Den North, Rubislaw South and Forrest Road. Indeed 50 Queens Road was recently converted from flats into a residential dwelling. To say that the dwelling is unsuitable as a house is not only misinformed but misleading. The Design and Access Statement recognises costs required for upkeep and maintenance of the dwelling. Maintenance and running costs will not disappear if the dwelling is used for office use. The building could be sympathetically altered to accommodate flats and thereby retain its residential use.

The proposal fails to acknowledge Planning Advice Note 78 Inclusive Design (PAN 78) which provides guidance on inclusive design.

To conclude it is evident that the proposal for the development of an office building at 94 Queens Road lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance. The proposal also lacks compliance with policies contained within the proposed Aberdeen local Development Plan. If approved it will result in vehicular and pedestrian conflict; will greatly reduce the residential amenity currently enjoyed by surrounding properties; have a detrimental impact on the listed status of the building and those which are located in proximity to it; detract from the objectives of the Aberdeen City Centre Masterplan and will create a use which is very different from that of a house and uncharacteristic of the residential area. There is no locational requirement for an office in this location and with a number of properties being marketed in the West End Office Area there is no justification for the development of office accommodation within a residential area. For the reasons stated above I wish to object to this application in the strongest possible terms and respectfully request that it is refused.

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**From:** [REDACTED]  
**To:** [PI](#)  
**Subject:** Planning Comment for 151795  
**Date:** 26 November 2015 14:26:41

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Comment for Planning Application 151795

Name : Joyce Lamb  
Address : Homelands  
Golfview Road  
Bielside  
Aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : I wish to object to the application. The development of an office building at 94 Queens Road lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance. The proposal also lacks compliance with policies contained within the proposed Aberdeen local Development Plan. If approved it will result in vehicular and pedestrian conflict; will greatly reduce the residential amenity currently enjoyed by surrounding properties; have a detrimental impact on the listed status of the building and those which are located in proximity to it; detract from the objectives of the Aberdeen City Centre Masterplan and will create a use which is very different from that of a house and uncharacteristic of the residential area. There is no locational requirement for an office in this location and with a number of properties being marketed in the West End Office Area there is no justification for the development of office accommodation within a residential area. For the reasons stated above I wish to object to this application in the strongest possible terms and respectfully request that it is refused.

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**From:** [REDACTED]  
**To:** [PI](#)  
**Subject:** Planning Comment for 151795  
**Date:** 09 December 2015 18:34:40

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Comment for Planning Application 151795

Name : Donald Shaw

Address : 11 Belvidere Street  
Aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : My wife and I wish to object to this planning application.

The proposal for the development of an office building at 94 Queens Road lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance. The proposal also lacks compliance with policies contained within the proposed Aberdeen local Development Plan. If approved it will result in vehicular and pedestrian conflict; will greatly reduce the residential amenity currently enjoyed by surrounding properties; have a detrimental impact on the listed status of the building and those which are located in proximity to it; detract from the objectives of the Aberdeen City Centre Masterplan and will create a use which is very different from that of a house and uncharacteristic of the residential area. There is no locational requirement for an office in this location and with a number of properties being marketed in the West End Office Area there is no justification for the development of office accommodation within a residential area. For the reasons stated above I wish to object to this application in the strongest possible terms and respectfully request that it is refused.

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**From:** [REDACTED]  
**To:** [PI](#)  
**Subject:** Planning Comment for 151795  
**Date:** 04 December 2015 11:01:58

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Comment for Planning Application 151795

Name : Clark Sutherland

Address : Boghead

Hill of Fetternear

Inverurie

Aberdeenshire

AB51 5JY

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : It is evident that the proposal for the development of an office building at 94 Queens Road lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance. The proposal also lacks compliance with policies contained within the proposed Aberdeen local Development Plan. If approved it will result in vehicular and pedestrian conflict; will greatly reduce the residential amenity currently enjoyed by surrounding properties; have a detrimental impact on the listed status of the building and those which are located in proximity to it; detract from the objectives of the Aberdeen City Centre Masterplan and will create a use which is very different from that of a house and uncharacteristic of the residential area. There is no locational requirement for an office in this location and with a number of properties being marketed in the West End Office Area there is no justification for the development of office accommodation within a residential area. For the reasons stated above I wish to object to this application in the strongest possible terms and respectfully request that it is refused.

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**From:** [REDACTED]  
**To:** [PI](#)  
**Subject:** Planning Comment for 151795  
**Date:** 01 December 2015 10:54:24

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Comment for Planning Application 151795

Name : Colin Shaw

Address : 44a View Terrace  
Aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : I write to object to the proposed development in the strongest possible terms and respectfully request that the application is refused.

I have assessed the proposals against Development Plan policy as contained within the Aberdeen Local Development Plan 2012 (ALDP) and material considerations, as set out in Scottish Planning Policy (SPP). Having regard to these it is contended that the proposal is contrary to the ALDP and supplementary guidance for the reasons discussed below.

1. The proposal lacks compliance with ALDP policy H1. Access to the proposal would be taken from the rear lane; which is narrow. This would increase traffic, result in vehicular and pedestrian conflict, create road safety concerns and erode privacy that is currently enjoyed by residents at 92 Queens Road. As such the proposal would result in conflict nuisance and prevent residents from enjoying their property.
2. Access to the development is proposed from a rear lane which is accessed from Anderson Drive. The lane was divided in two during the redevelopment of the Earls Court Hotel at 96 Queens Road to relieve road safety concerns. The eastern section of the lane provides access to 88, 90 and 92 Queens Road with the western section providing rear access to 94 Queens Road. There are no pavements or street lighting on this narrow lane. As the lane is private it is not served by gritting lorries in the winter making it impossible to access/ exit the lane during the winter months. The lane would provide the main access for vehicular traffic as well as pedestrians.
3. The applicant does not own all of the lane required to accommodate access proposals.
4. The Design and Access Statement incorrectly states that there are two vehicular access to the rear of the property. As discussed above, the lane was divided in two during the redevelopment of Earls Court Hotel and rear land access to 94 Queens Road is only possible from Anderson Drive.
5. The proposal will increase traffic movements on the lane and will impact on its junction with Anderson Drive; which may in turn create vehicular conflict and increase waiting times at the Anderson Drive/ Queens Road round about.
6. The proposal would due to the narrow width of the lane and lack of pedestrian footpaths, pose a significant hazard to both pedestrians and vehicles using the lane. The Sub-division and Redevelopment of Residential Curtilages guidance recognises that it is not acceptable for pedestrians to have to walk on the carriageway of rear lanes to access developments or for pedestrians to share access with vehicles, as it results in the creation of a pedestrian safety hazard. The proposal further lacks compliance with ALDP.
7. Transport Scotland's objection to a previous proposal (application reference P131115) who objected to that proposal on the basis that 'The existing access to the parking area is too narrow to permit 2-way traffic and may potentially hinder traffic leaving the trunk road to the detriment of road safety'. Given the objection from Transport Scotland to the previous proposal I am surprised that Kamran Syed would support such an access proposal. No consideration has been given to pedestrian safety.
8. The significant increase in traffic movements on the lane, as a result of the proposed access arrangement, will firstly alter the residential character of the lane but also impact on pedestrian safety.
9. By increasing traffic on the rear lane existing residents will be unable to safely use the lane should they chose to walk. This is at odds with Scottish Planning Policy which directs Local Authorities to support patterns of development that provide safe and convenient opportunities for walking and cycling. The proposal does not do this and should be refused.
10. Increased traffic on the lane will impact on the level of privacy currently enjoyed by home owners at 92 Queens Road and will impact on their ability to use their property especially their rear garden.
11. The lane measures approximately 2.3 meters. It is not wide enough to accommodate 2 way traffic. Should a vehicle use the lane and meet another vehicle, as frequently happens one or other

car is required to reverse, either to the small residents car parking area at 92 Queens Road or onto Bayview Road. This situation is unsafe at present but would be compounded should the proposal be approved.

12. The average width of lanes in the west end is in excess of 6m more than three times the width of the rear access lane.

13. When making decisions on development management SPP directs the Local Authority to take account of the implications of development proposals on traffic, patterns of travel and road safety. SPP also directs Planning Authorities to consider place and the needs of people before the movement of motor vehicles. It is evident that the proposal would have a detrimental impact on both traffic and the levels of road safety currently enjoyed by residents, would put the private vehicle before the needs of pedestrians and as directed by SPP the proposal should be refused.

14. I have concerns regarding the ongoing maintenance of the lane. Which will be put under pressure as a result of this proposal.

15. Supplementary Guidance Topic: Transport and Accessibility (March 2012) states, in keeping with guidance contained in SPP, that for developments within the outer zone, with which the site is located, requires 1 car parking space per 30sqm of office space. The proposal would require a minimum of 22 car parking spaces. The proposal fails to deliver this.

16. The proposal may result in non-residents using car parking spaces at 96 and 92 Queens Road to park their vehicles during the day.

17. The proposal will further pressure the already heavily used on street car parking.

18. The proposal will have a detrimental impact on traffic at Anderson Drive and Bayview Road and increase vehicle waiting times.

19. There are no proposals to show how waste will be collected.

20. More than 50% of the garden area will be lost for car parking. Car parking will dominate the amenity space to the rear of the property. This is uncharacteristic of dwellings located in the local area all of which enjoy large gardens.

21. The loss of garden ground to create a car park is alien to the character of development and as such the proposal lacks compliance with The Sub-division and Redevelopment of Residential Curtilages (March 2012) which presumes against development which states that car parking must not dominate amenity space and presumes against development that is alien to the density, character and pattern of development in the residential area.

22. The loss of garden ground to accommodate car parking is considered to have a detrimental impact on both the setting of the 94 Queens Road which is category B listed and the conservation area where a number of listed buildings lie. Like other listed buildings in proximity to 94 Queens Road these buildings enjoy large rear gardens which provide amenity space for residents.

23. 94 Queens Road lies outwith the West End Office Area within a residential area that has a high standard of appearance and amenity, both in the attractive tree lined street and in the spacious rear gardens. The introduction of a non residential use in this area would erode the character of and amenity of the residential area.

24. The use of the dwelling as an office would result in regular arrivals of staff and visitors, either at the front or through the car park at the rear, where they would be next to the private gardens on each side.

25. The proposed use of the building as an office would be very different from that as a house and it would detract from the amenity of neighbouring residents. Residents would be aware of the coming and going of people and cars in the proposed car park; which would be visible from both garden areas and also habitable windows. This increased level of activity compared to what would be expected of a domestic garden would adversely affect the amenity enjoyed by residents, especially in the summer months when residents would hope to enjoy the use of their gardens without disturbance.

26. The privacy currently enjoyed by residents would also be reduced. Residents of 92 Queens Road would be directly looked upon by an increase in people coming and going from the car park who would be able to look into the garden area of 92 Queens Road. In addition to this, the residents would be further disturbed by the increase in traffic movements to the rear lane. This would cause nuisance, further erode the levels of privacy currently enjoyed and would impact on the safety of those residents who frequently use the rear access to walk to Bayview Road. The loss of privacy conflicts with guidance contained in The Sub-division and Redevelopment of Residential Curtilages (March 2012) which presumes against developments that would reduce privacy currently enjoyed by residents.

27. The proposed layout plan shows that a number of trees, which are protected by Tree Preservation Order will be lost to accommodate car parking areas. Trees make a valuable contribution to the landscape setting and this is especially true of the Albyn Place and Rubislaw Conservation Area, where 94 Queens Road lies. Both The Sub-division and Redevelopment of Residential Curtilages (March 2012) and policy NE5 of the ALDP presume against development that would result in the loss of established trees that contribute to the landscape character or local amenity. As such, the proposal lacks compliance with the above policy and guidance.

28. No evidence has been provided by the applicant to indicate that the applicant needs to be located within a residential area.

29. If the applicant seeks to be located within the west end there are currently a number of properties being marketed within the West End Office Area that can satisfy their requirements, without encroaching into a residential area. 70 Queens Road continues to be marketed by FG Burnett having previously been marketed by CBRE. 9 Queens Road, currently home to Anderson Anderson Brown who are moving to Prime 4 in Kingswells is currently being marketed by CBRE. IONA Energy at 20 Queens Road is currently being marketed by FG Burnett and AB Robb. All of these properties are of comparable scale to 94 Queens Road however, are located within the West End Office Area and are considered best placed to accommodate Class 4 use. In addition to these properties, there are other properties in the West End Office Area Currently being marketed by agents. Outwith the West End Office Area there are a number of sites are currently being marketed for Class 4 use including: ABZ, D2, Aberdeen Energy and Innovation Parks, Access, Balmoral Business Park, The Gateway Business Park, Arnhall Business Park, Kingshill Business Park and Prime 4 to name but a few. This is not forgetting the number of built properties currently being marketed for Class 4 use. Of paramount importance is the ongoing developments at The Silver Fin, Marschall Square and The Capital. All three of these buildings are currently under construction and have yet to secure a tenant.

30. Proposal lacks compliance with the objectives of the Aberdeen City Centre Master Plan; who's key objective is to bring people back into the city centre. Enabling office development within a residential area is at odds with this Masterplan and should not be supported.

31. Whilst it is recognised that the dwelling is currently on the market it has not been on the market for a sufficient period of time to demonstrate that there is no interest in the property for continued residential use.

32. The Design and Access Statement noted that there have been no viewings. As a neighbouring resident I have observed viewings taking place.

33. The Design and Access Statement submitted in support of the application fails to comply with Planning Advice Note 68 Design Statements and does not explain why removal of the garage is the best solution.

34. In discussing the immediate neighbours the Design and Access statement fails to acknowledge that 94 Queen's Road sits between a number of residential properties including flatted properties at Earls Court, 92 Queen's Road, 90 Queen's Road and 89 Queen's Road.

35. The Design and Access Statement states that the size of property in that location is now totally unsuitable as a house. There are significant costs required for the upkeep of the building and to cover running costs. Issue is taken with this statement. I would highlight that number 90 Queens Road is currently used in its entirety as a residential dwelling, as are a number of other properties located in Queen's Road, Bayview Road, Rubislaw Den North, Rubislaw South and Forrest Road. Indeed 50 Queens Road was recently converted from flats into a residential dwelling. To say that the dwelling is unsuitable as a house is not only misinformed but misleading.

36. The Design and Access Statement recognises costs required for upkeep and maintenance of the dwelling. Maintenance and running costs will not disappear if the dwelling is used for office use.

37. The building could be sympathetically altered to accommodate flats and thereby retain its residential use.

38. The proposal fails to acknowledge Planning Advice Note 78 Inclusive Design (PAN 78) which provides guidance on inclusive design.

To conclude it is evident that the proposal for the development of an office building at 94 Queens Road lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance. The proposal also lacks compliance with policies contained within the proposed Aberdeen local Development Plan. If approved it will result in vehicular and pedestrian conflict; will greatly reduce the residential amenity currently enjoyed by surrounding properties; have a detrimental impact on the listed status of the building and those which are located in proximity to it; detract from the objectives of the Aberdeen City Centre Masterplan and will create a use which is very different from that of a house and uncharacteristic of the residential area. There is no locational requirement for an office in this location and with a number of properties being marketed in the West End Office Area there is no justification for the development of office accommodation within a residential area. For the reasons stated above I wish to object to this application in the strongest possible terms and respectfully request that it is refused.

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**From:** [REDACTED]  
**To:** [PI](#)  
**Subject:** Planning Comment for 151795  
**Date:** 22 December 2015 16:16:25

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Comment for Planning Application 151795

Name : Alan J Nicoll  
Address : 12 Bayview Road  
Aberdeen

Telephone : [REDACTED]  
Email : [REDACTED]  
type :  
Comment :

I would like to express my support for the proposed change of use to offices at 94 Queens Road, Aberdeen. I know the property and that it includes within its title the lane from Bayview Road to Anderson Drive and the proposals relating to access to any car park at the rear and egress from the car park at the rear make sense provided the lane is one way; to all users.

The driveway to the front of the house is not particularly suitable for access and egress given its proximity to the roundabout intersecting with Anderson Drive and it is therefore more sensible to seek access from the rear.

As a proprietor of a property in Bayview Road for in excess of 25 years I cannot see the benefit of maintaining an office policy for offices only to exist to the east of Bayview Road when in fact there are already two commercial buildings, namely the Grammar FP Club and Fairhursts building located to the west. It seems to make sense to extend the west-end policy to 94 Queens Road. Some of the intermediate properties are already flatted and it is unlikely that with multiple ownership agreement would be reached to seek a change of use for these so the current policy is likely to be adhered to for these properties.

As a proprietor of a nearby property I would find it preferential to have offices rather than flats in 94 Queens Road and in the current market it seems most unlikely that a residential property of that size will sell both because of the depressed nature of the Aberdeen market due to a turndown in oil and gas and due to the high rates of Land and Buildings Transaction Tax payable for a building of the value of 94 Queens Road.

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The Head of Planning and Infrastructure  
Aberdeen City Council  
Business Hub 4  
Marischal College, Broad Street  
Aberdeen, AB10 1AB

26 November 2014

Dear Mr Gordon McIntosh

**OBJECTION TO PLANNING APPLICATION REFERENCES:**

**151795 FOR THE CHANGE OF USE FROM RESIDENTIAL (CLASS 9) TO CLASS 4 (OFFICES)  
AND EXTENDED CAR PARKING TO REAR, AND**

**151796 PROPOSED DEMOLITION OF GARAGE**

I am in receipt of a neighbour notification in respect of the above two applications for Planning Permission and listed building consent. Having reviewed the application, I write to object to the proposed development in the strongest possible terms and respectfully request that the application is refused.

The application is for the change of use from Class 9 Residential to Class 4 Offices at 94 Queens Road, Aberdeen. Nowhere on the drawings submitted is there any note of the square footage of the building. From measuring the scale drawings it is estimated to be 650sqm. Only 2 disabled car parking spaces are shown on the Proposed Site Layout drawing however, the Design and Access Statement submitted in support of application reference 151796 states that 16 car parking spaces will be provided. Access to the rear car parking area is shown on the Proposed Site Layout drawing as being from a rear lane accessed from Anderson Drive and Bayview Road.

I have assessed the proposals against Development Plan policy as contained within the Aberdeen Local Development Plan 2012 (ALDP) and material considerations, as set out in Scottish Planning Policy (SPP). Having regard to these it is contended that the proposal is contrary to the ALDP and supplementary guidance for the reasons discussed below.

The ALDP identifies the site as lying within a residential area where ALDP policy H1 applies; it also lies within the Albyn Place and Rubislaw Conservation Area. ALDP policy H1 states that proposals for non residential uses within existing residential areas will be refused unless:

- they are considered complementary to residential use; or

- it is demonstrated that they would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

As the development would require the redevelopment of a residential curtilage the development proposal also requires to be assessed against supplementary guidance The Sub-division of Residential Curtilages (March 2012) which it too lacks compliance with; whilst the guidance is specifically targeted at residential development it is applicable to other non residential types of development (paragraph 1.4).

Access to the development is proposed from a rear lane which is accessed from Anderson Drive. The lane was divided in two during the redevelopment of the Earls Court Hotel at 96 Queens Road to relieve road safety concerns. The eastern section of the lane provides access to 88, 90 and 92 Queens Road with the western section providing rear access to 94 Queens Road. There are no pavements or street lighting on this narrow lane. As the lane is private it is not served by gritting lorries in the winter making it impossible to access/ exit the lane during the winter months. The lane would provide the main access for vehicular traffic as well as pedestrians.

The Design and Access Statement incorrectly states that there are two vehicular access to the rear of the property. As discussed above, the lane was divided in two during the redevelopment of Earls Court Hotel and rear land access to 94 Queens Road is only possible from Anderson Drive.

The development of an office building in this location will undoubtedly increase traffic movements on the lane and will impact on its junction with Anderson Drive; which may in turn create vehicular conflict and increase waiting times at the Anderson Drive/ Queens Road round about. This raises significant concerns and would, due to the narrow width of the lane and lack of pedestrian footpaths, pose a significant hazard to both pedestrians and vehicles using the lane. This is compounded by the fact that there are no footpath links for pedestrians to use to access the proposed office building from the lane. The Sub-division and Redevelopment of Residential Curtilages guidance recognises that it is not acceptable for pedestrians to have to walk on the carriageway of rear lanes to access developments or for pedestrians to share access with vehicles, as it results in the creation of a pedestrian safety hazard.

Due to the width of the lane at this location it is not considered possible for the instillation of foot paths to make the proposal acceptable in road safety terms. Consequently if approved the proposal would have a detrimental impact on both pedestrian and vehicular safety. This is highlighted by Transport Scotland's objection to a previous proposal (application reference P131115) who objected to that proposal on the basis that *'The existing access to the parking area is too narrow to permit 2-way traffic and may potentially hinder traffic leaving the trunk road to the detriment of road safety'*. Given the objection from Transport Scotland to the previous proposal I am surprised that Kamran Syed would support such an access proposal. No consideration has been given to pedestrian safety. As noted above, the lane is narrow with no street lighting or pavements. In addition to this, the owner does not control land on either side to deliver pavements as part of their proposal. The significant increase in traffic movements on the lane, as a result of the proposed access arrangement, will firstly alter the residential character of the lane but also impact on pedestrian safety. A number of residents use the lane as a rear pedestrian route. As the lane is quiet a number of children from dwellings at Bayview Road use the lane to play in. This is especially true during school holiday times and is reflective of the residential area within which the property lies. Increasing traffic here will undoubtedly create road safety conflict and in doing so further erode the residential character of the conservation area.

By increasing traffic on the rear lane existing residents will be unable to safely use the lane should they chose to walk. This is at odds with Scottish Planning Policy which directs Local Authorities to support patterns of development that provide safe and convenient opportunities for walking and cycling. The proposal does not do this and should be refused.

Likewise, increased traffic on the lane will impact on the level of privacy currently enjoyed by home owners at 92 Queens Road and will impact on their ability to use their property especially their rear garden.

The Design and Access Statement notes that the applicant has asked for double yellow lines to be painted on the entrance of the vast majority of lanes to improve visibility. This is not within the applicants gift to control nor is it a benefit of the proposal. Should Aberdeen City Council's Roads Department consider double yellow lines are appropriate in such locations they would implement such works.

The Design and Access Statement further notes that the rear land is of similar size to *'all lanes in the west end of Aberdeen and is able to take two way traffic as demonstrated by the existing solution where the lane provides the only means of access and egress to the rear offices at 88 Queens Road and flats at 90 and 92 Queens Road'*. This statement is incorrect and misleading. 90 Queens Road is a single dwelling, access to it is taken directly at the front of the dwelling. As a neighbour and user of the lane I would confirm that it 2 way traffic is impossible. The lane measures approximately 2.3 meters. It is not wide enough to accommodate 2 way traffic. Should a vehicle use the lane and meet another vehicle, as frequently happens one or other car is required to reverse, either to the small residents car parking area at 92 Queens Road or onto Bayview Road. This situation is unsafe at present but would be compounded should the proposal be approved. Furthermore the average width of lanes in the west end is in excess of 6m more than three times the width of the rear access lane.

Worryingly The Design and Access Statement cites SPP 17 Planning For Transport which was superseded by Scottish Planning Policy in 2010; which has again been superseded by Scottish Planning Policy 2014 (SPP). The inability to cite current planning policy is concerning. When making decisions on development management SPP directs the Local Authority to take account of the implications of development proposals on traffic, patterns of travel and road safety. SPP also directs Planning Authorities to consider place and the needs of people before the movement of motor vehicles. It is evident that the proposal would have a detrimental impact on both traffic and the levels of road safety currently enjoyed by residents, would put the private vehicle before the needs of pedestrians and as directed by SPP the proposal should be refused.

As a neighbouring owner, whilst not a planning matter, I have concerns regarding the maintenance of the rear lane; which would through intensified use require if the proposal were approved, more regular maintenance. At present there are 18 'shares' of the lane with some 'shares' having more than 5 owners. As I am sure you will appreciate collating over 20 share holders is challenging and this has prevented general maintenance from occurring in the past.

It is unclear from the drawing how many carparking spaces are to be delivered with only 2 disabled spaces legible on the drawing. However the Design and Access Statement submitted in support of the Listed Building Consent states 16 car parking spaces will be provided including 2 disabled spaces, 4 spaces would be provided to the front of the dwelling. Supplementary Guidance Topic: Transport and Accessibility (March 2012) states, in keeping with guidance contained in SPP, that for

developments within the outer zone, with which the site is located, requires 1 car parking space per 30sqm of office space. The proposal would require a minimum of 22 car parking spaces. The proposal fails to deliver this. Living in a neighbouring property with a similarly sized rear garden I do not consider it possible to accommodate the level of car parking required for office use even considering the opportunity for car parking to the front of the dwelling without having a detrimental impact on the setting of neighbouring listed buildings. As a neighbouring resident I am concerned that vehicles from the proposed office would use the resident's car parking spaces at 96 and 92 Queens Road to park their vehicles during the day. Whilst there is on street car parking available on Queens Road it is heavily used throughout the day Monday to Friday, and the shortfall in car parking spaces would place further pressure on them which would inconvenience residents. In addition to this parking on the southern side of Queens Road restricts the ability of vehicles being able to access Anderson Drive which further adds to vehicle waiting times. Allowing as development in this area with a shortfall of car parking spaces will only add to this problem.

I am also concerned regarding the impact of the proposed change of use on traffic on Anderson Drive and the local road network. As shown in the Proposed Site Layout Drawing the principle vehicular access to the building would be from Anderson Drive and Bayview Road. As you are no doubt aware Anderson Drive is a heavily congested road; even with the addition of the AWPR this road will remain congested. As far as I can see from your website the applicant has not submitted a Transport Impact Assessment to identify the impact of traffic from the proposal into the local road network and any mitigation measures required to make the proposal acceptable in roads safety terms. In the absence of such information I remain concerned that peak am and pm waiting times at both Anderson Drive and the local road network will be unacceptable.

I note from the website that the applicant has not submitted a Waste Management Plan. I am concerned having previously been disturbed at antisocial hours by commercial refuse collections that a similar situation will arise. Queens Road experiences traffic congestion during the week resulting in tailbacks with refuse vehicles collect waste. To avoid this some commercial refuse vehicles collect waste at 5am resulting in noise disturbance to neighbouring properties. Should the council be minded to grant consent for this development I would ask that a condition is placed on any consent requiring refuse to be collected after 7am in the interests of maintaining residential amenity.

From the proposed site layout plan it is understood that a waste storage area is to be located to the rear of the building however, there has been no provision made refuse vehicles to collect waste nor has a swept path analysis been submitted. Due to the width of the lane refuse vehicles will be unable to access the rear of the property. Furthermore there is no turning space available for refuse vehicles in the proposed car park. Consequently refuse vehicles would be required to collect waste from the front of the property on Queens Road. Due to the residential nature of the area such vehicles would only be permitted to collect waste after 7/7.30am; as a result of noise associated with such vehicles. Their presence on Queens Road at this time, in close proximity to the Anderson Drive/ Queens Road roundabout, will have a detrimental impact on traffic flows at this roundabout and will increase waiting times which, given the scale of traffic at this roundabout, is undesirable. A Waste Management Plan should be submitted by the applicant in order to ensure their proposals for refuse collection is acceptable.

The proposed plans show that more than 50% of the garden area will be lost for car parking. Car parking will dominate the amenity space to the rear of the property. This is uncharacteristic of dwellings located in the local area all of which enjoy large gardens. The loss of garden ground to create a car park is alien to the character of development and as such the proposal lacks compliance with The Sub-division and Redevelopment of Residential Curtilages (March 2012) which presumes against development which states that car parking must not dominate amenity space and presumes

against development that is alien to the density, character and pattern of development in the residential area.

The loss of garden ground to accommodate car parking is considered to have a detrimental impact on both the setting of the 94 Queens Road which is category B listed and the conservation area where a number of listed buildings lie. Like other listed buildings in proximity to 94 Queens Road these buildings enjoy large rear gardens which provide amenity space for residents. The loss of the garden to create car parking is at odds with this and will have a detrimental impact of the listed status of neighbouring properties including 92, 90 and 88 Queens Road.

Whilst it is accepted that the proposed office building would lie in proximity to 88 Queens Road and the West End Office Area it must be recognised that the property lies outwith the West End Office Area, which ends at 70 Queens Road (currently being marketed for Class 4 use). 94 Queens Road lies outwith the West End Office Area within a residential area that has a high standard of appearance and amenity, both in the attractive tree lined street and in the spacious rear gardens. The introduction of a non residential use in this area would erode the character of and amenity of the residential area. The use of the dwelling as an office would result in regular arrivals of staff and visitors, either at the front or through the car park at the rear, where they would be next to the private gardens on each side.

The proposed use of the building as an office would be very different from that as a house and it would detract from the amenity of neighbouring residents. Residents would be aware of the coming and going of people and cars in the proposed car park; which would be visible from both garden areas and also habitable windows. This increased level of activity compared to what would be expected of a domestic garden would adversely affect the amenity enjoyed by residents, especially in the summer months when residents would hope to enjoy the use of their gardens without disturbance.

The privacy currently enjoyed by residents would also be reduced. Residents of 92 Queens Road would be directly looked upon by an increase in people coming and going from the car park who would be able to look into the garden area of 92 Queens Road. In addition to this, the residents would be further disturbed by the increase in traffic movements to the rear lane. This would cause nuisance, further erode the levels of privacy currently enjoyed and would impact on the safety of those residents who frequently use the rear access to walk to Bayview Road. The loss of privacy conflicts with guidance contained in The Sub-division and Redevelopment of Residential Curtilages (March 2012) which presumes against developments that would reduce privacy currently enjoyed by residents.

The proposed layout plan shows that a number of trees, which are protected by Tree Preservation Order will be lost to accommodate car parking areas. Trees make a valuable contribution to the landscape setting and this is especially true of the Albyn Place and Rubislaw Conservation Area, where 94 Queens Road lies. Trees contribute to the character of the conservation area as well as the setting of 94 Queens Road and the listed buildings located in proximity to 94 Queens Road. Both The Sub-division and Redevelopment of Residential Curtilages (March 2012) and policy NE5 of the ALDP presume against development that would result in the loss of established trees that contribute to the landscape character or local amenity. As such, the proposal lacks compliance with the above policy and guidance.

No evidence has been provided by the applicant to indicate that the applicant needs to be located within a residential area. If the applicant seeks to be located within the west end there are currently a number of properties being marketed within the West End Office Area that can satisfy their requirements, without encroaching into a residential area. 70 Queens Road continues to be marketed by FG Burnett having previously been marketed by CBRE. 9 Queens Road, currently home to Anderson Anderson Brown who are moving to Prime 4 in Kingswells is currently being marketed by CBRE. IONA Energy at 20 Queens Road is currently being marketed by FG Burnett and AB Robb. All of these properties are of comparable scale to 94 Queens Road however, are located within the West End Office Area and are considered best placed to accommodate Class 4 use. In addition to these properties, there are other properties in the West End Office Area Currently being marketed by agents. Outwith the West End Office Area there are a number of sites are currently being marketed for Class 4 use including: ABZ, D2, Aberdeen Energy and Innovation Parks, Access, Balmoral Business Park, The Gateway Business Park, Arnhall Business Park, Kingshill Business Park and Prime 4 to name but a few. This is not forgetting the number of built properties currently being marketed for Class 4 use. Of paramount importance is the ongoing developments at The Silver Fin, Marschall Square and The Capital. All three of these buildings are currently under construction and have yet to secure a tenant. All three of these buildings are better placed to accommodate office use and in doing so deliver the objectives of the Aberdeen City Centre Master Plan; who's key objective is to bring people back into the city centre. Enabling office development within a residential area is at odds with this Masterplan and should not be supported. According it is considered that Class 4 use best placed in the above areas outwith residential areas. Given the number of properties available in proximity to 94 Queens Road, outwith the residential area, it is evident that should the applicant wish to locate in the west end there is sufficient properties available on the market to satisfy their requirements without resulting in a detrimental impact on a residential area.

The Design and Access Statement submitted in support of application reference 1517956 states that there is '*strong demand for Office use in the west end of Aberdeen*'. As noted above, there are a number of properties within the West End Office Area of similar size which, despite being marketed for considerable periods of time (some for over 2 years) have yet to secure tenants. That coupled with the well documented down turn in the Oil Industry, which has notably reduced demand for office use, does not demonstrate that there is a 'strong demand'. The Design and Access Statement is evidently ill-informed with no information to support the sweeping statements made in it.

Whilst it is recognised that the dwelling is currently on the market it has not been on the market for a sufficient period of time to demonstrate that there is no interest in the property for continued residential use. Recent analysis of residential sales trends in Aberdeen undertaken by Savills highlight that despite the downturn in the oil industry and change to LBTT there are no difficulties selling dwellings valued over and above £1 million pounds; indeed sales have not declined compared to the same period last year. Dwellings of a similar price to 94 Queens Road have sold recently. Savills have however, noted that sellers need to be realistic of a price that can be achieved. It may be that the owner of 94 Queens Road is being unrealistic of what price can be achieved for his home. Likewise, had the property been presented more attractively it may have already been sold. One can only assume that the owner is hoping to achieve a consent for office use as it would have a higher end value than for residential sale. Despite this there is a lack of evidence to suggest that there is no interest in the property for continued residential use.

The Design and Access Statement noted that there have been no viewings. As a neighbouring resident I am surprised at this statement as myself and a number of residents have observed viewings taking place. As noted above, it can only be assumed that the owner has unrealistic expectations of a sell price. Had the property been marketed for a realistic value it may well have sold. Indeed, as mentioned properties over £1million are not proving difficult to sell; a number of 'million pound' houses have sold recently in the area.

In terms of application reference 151796 my concerns relate to the impact that removing a garage to enable a car park to be created will have on the setting of the listed buildings at 96, 94, 92 Queen's road 90. The Design and Access Statement submitted in support of the application fails to comply with Planning Advice Note 68 Design Statements and does not explain why removal of the garage is the best solution. In discussing the immediate neighbours the Design and Access statement fails to acknowledge that 94 Queen's Road sits between a number of residential properties including flatted properties at Earls Court, 92 Queen's Road, 90 Queen's Road and 89 Queen's Road.

The Design and Access Statement states that *'the size of property in that location is now totally unsuitable as a house. There are significant costs required for the upkeep of the building and to cover running costs'*. Issue is taken with this statement. I would highlight that number 90 Queens Road is currently used in its entirety as a residential dwelling, as are a number of other properties located in Queen's Road, Bayview Road, Rubislaw Den North, Rubislaw South and Forrest Road. Indeed 50 Queens Road was recently converted from flats into a residential dwelling. To say that the dwelling is unsuitable as a house is not only misinformed but misleading. Furthermore, the Design and Access Statement recognises costs required for upkeep and maintenance of the dwelling. It is naive of the owner, to purchase such a dwelling, do limited maintenance to it, and be surprised at general maintenance costs. Unfortunately any property of that age, listed or otherwise will require maintenance. To use that as justification for a change of use beggersbelieve. Maintenance and running costs will not disappear if the dwelling is used for office use.

The statement goes on to note that the building cannot be altered to accommodate a flatted development as it would compromise the integrity of the building. Again issue is taken with this statement. Firstly the owner had no issue in submitting a planning application for an office development in 2013 which significantly altered the internal space of the building. Secondly, there are neighbouring examples (Earls Court, 92 and 89 Queens Road) of such properties which have successfully been altered to accommodate a flatted development. As such, it is contended that the property could be sympathetically altered.

The Design and Access Statement makes reference to the building being able to accommodate wheelchair users however, the plans submitted in support of the application fail to acknowledge external and also internal alterations that would be required in order to make the building DDA compliant. The proposal fails to acknowledge Planning Advice Note 78 Inclusive Design (PAN 78) which provides guidance on inclusive design.

To conclude it is evident that the proposal for the development of an office building at 94 Queens Road lacks compliance with SPP, PAN 78, PAN 68 ALDP policy H1, NE5 and supplementary guidance. The proposal also lacks compliance with policies contained within the proposed Aberdeen local Development Plan. If approved it will result in vehicular and pedestrian conflict; will greatly reduce the residential amenity currently enjoyed by surrounding properties; have a detrimental impact on the listed status of the building and those which are located in proximity to it; detract from the objectives of the Aberdeen City Centre Masterplan and will create a use which is very different from that of a house and uncharacteristic of the residential area. There is no locational requirement for an office in this location and with a number of properties being marketed in the West End Office Area there is no justification for the development of office accommodation within a residential area. For the reasons stated above I wish to object to this application in the strongest possible terms and respectfully request that it is refused.

Yours sincerely



Natasha Douglas

MA (Hons) MRTPI

P&SD Letters of Representation		
Application Number:		
RECEIVED 30 NOV 2015		
Nor	So...	MAp
Case Officer Initials:		
Date Acknowledged:		

**From:** [REDACTED]  
**To:** [PI](#)  
**Subject:** 94 Queens Road - Change of Use to Offices  
**Date:** 08 December 2015 22:01:29

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I have strong objections to the proposed Change of Use of the above residential property to office premises.

This property is within a Conservation Area completely surrounded by Listed Buildings all of which are Residential with large rear gardens at Nos 90, 92 and 94 Queens Road and at the residences on Earls Court Gardens overlooking the rear of 94 Queens Road. 96 Queens Road (Earls Court) is a development of residential apartments immediately adjacent to the west.

It is proposed that access to a car park for 16 vehicles at the rear of No 94 will be by way of the private single track lane leading to / from Bayview Road. This lane is approximately 2 metres wide and is used on a regular basis by pedestrians whose safety would be endangered by an increase in traffic flow. In addition it is impossible for any large vehicle such as a bin lorry or any other commercial / maintenance vehicle to enter the lane or to negotiate the twist at the rear of 88 and 90 Queens Road. Cars entering the lane to park at 94 and finding it full will use our car park at 92 as a turning area and this would seriously affect the privacy of and disturb the residents of 92 who use their rear garden for recreational purposes. This is not acceptable. I have paid in the past sums of money to upgrade this lane to the present standard and an increase in traffic flow will only increase my financial liability to ongoing maintenance caused by damage from car owners who take no part in maintenance costs.

I have read the comprehensive and detailed objection by my neighbour Natasha Douglas and I agree with these points in every respect. I ask you to refer to these objections and to consider these as part of my objection and representative of the five owners of 92 Queens Road.

As a resident at this address for 23 years I ask that this proposal be rejected in its entirety and that common sense in addition to legitimate planning objections be applied to this unrealistic and undesirable proposal. This nature of this little residential oasis within a Conservation Area must be preserved.

R W Strachan FRICS  
Flat 4  
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AB15 4YQ