



## OLD ABERDEEN HERITAGE SOCIETY

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Planning Dept  
Aberdeen City Council  
Marischal College  
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11<sup>th</sup> Oct 2016

Dear Sirs,

### 6, Cheyne Road - Kitchen extension and erection of ancillary garage

Although the Society has no objection to the proposed kitchen extension, we wish to lodge a firm objection to the proposed ancillary garage. Our objection is on the following grounds:-

① The proposed garage would mean the loss of a mature tree in the back garden, which is so close to the proposed building that any construction there would irrevocably damage its roots. The loss of this tree would be **in conflict with Policy NE5 ("Trees and Woodlands") of the Local Development Plan**, which states:-

*"There is a presumption against all activities and development that will result in the loss or damage to established trees that contribute significantly to nature conservation, landscape character or local amenity"*

It is our view that the existing tree does contribute significantly to all these, but in particular to the setting of the back garden of Cheyne Road, and the general contribution to the green landscape of this area, which is directly adjacent to and affecting the setting of the Old Aberdeen Conservation Area.

It should be noted that the Local Development Plan (p.38, 3.71) also makes an overarching point about **the contribution of all trees to the aims of sustainable development**, which is one of the City Council's main objectives.

This paragraph states:-

*"The protection and enhancement of tree and woodland cover contributes to the aims of sustainable development. Single trees, groups of trees, hedgerows and woodlands throughout Aberdeen all provide important benefits such as a healthier living environment, shade and shelter, and habitats for urban wildlife"*

This theme is enlarged upon in the Council's Supplementary Guidance documents, as follows:-

*"Trees help to filter pollutants ... ..soften landscape"*

and

*"The design and layout of the landscape of any development shall demonstrate that it is sustainable, through for example, the retention of trees, vegetation open spaces"*

(SG – "Landscape", para 7.10)

**The express commitment of the Council to the preservation of trees** is also evidenced further in the Supplementary Guidance:-

*“The presence of trees contributes to the character, cultural and natural heritage and attractiveness of an area. For this reason, the Council is committed to protecting trees where there is a threat of damage or removal”.* (SG – “Trees and Woodlands”)

*“All trees contributing to the character of the area must be retained”.* (SG – “Landscape” para 7.2)

*“Local Planning authorities have an express duty through the Planning Act to have regard to the preservation ..... of trees”.* (SG – “Landscape” para 9.2)

and finally, most importantly, as it refers particularly to redevelopment of back gardens:-

*“There will be a presumption in favour of retaining semi-mature trees either within the site or immediately adjacent to it, regardless of whether they are protected by a Tree Preservation Order or sited in a Conservation Area”.* (SG – “The Subdivision and Redevelopment of Residential Curtilages” para 6.1)

The current proposal for a second, and very large garage in the garden of No.6 Cheyne Road, would, we believe, entail the loss of a mature tree which does “contribute to the character and attractiveness of the area”. The removal of the tree would significantly detract from the setting of these gardens as seen from Harrow Road, and also to affect the setting of the boundary of the Old Aberdeen Conservation Area, where it is adjacent to the garden of No.6, namely the garden of No.88 Don Street.

It is not even as if there were any justification for the removal of this tree; the dwelling house at No.6 already has a large garage half way up the back garden – it is not as if this property lacked a garage. The construction of another garage of very considerable proportions can surely not be justified, particularly as it can only encourage the ownership and use of more cars, which is in conflict with the Council’s policies to reduce journeys by car and instead promote sustainable forms of travel.

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**The proposed garage would not comply with Policy H1 of the Local Development Plan,**  
because:-

- a) **It would have an unacceptable impact on the character of the surrounding area,** as the erection of such a very large garage, presenting a blank face, so close to the road, would have an overbearing effect on the surrounding area, which is at present characterised by leafy back gardens with one or two small garages amongst these, but not dominating the appearance of the road. The proposed garage would occupy almost as much width as the main house; in fact it appears on the plan to be more of the proportions of a small house, rather than a garage; somewhat over-sized in terms of a garage, (especially a second one), for a small property such as No.6 Cheyne Road.

It ought to be noted, at this juncture, that approval of a garage of these proportions, and this siting, could pave the way for a further application, some time in the future, for permission to convert the said garage into a dwelling house. It might then be difficult for the Council to refuse such an application, given that a building was already in place on that spot. This, we believe, is an important consideration, and another reason for this application to be rejected.

b) It would not comply with the Council's Supplementary Guidance on Curtilage Splits – as referred to later in this submission.

3

The proposed garage would not be in accordance with Policy D1 of the Local Development Plan, because –

- a) It is not designed with due consideration for its context, being out of proportion to any nearby examples of garages; being sited so close to the road as to dominate the appearance of the surrounding area of back gardens, which all face on to Harrow Road; and being significantly different, in its relationship to house and garden, from any other garage in the road.
- b) It does not make a positive contribution to its setting, presenting a large area of blank walled, utilitarian building so close to the boundary with Harrow Road, with no redeeming features.

4

The proposed garage would not comply with Policy D5 (Built Heritage) of the Local Development Plan, which states that proposals affecting Conservation Areas will only be permitted if they comply with Scottish Planning Policy.

Although No.6 Cheyne Road is not strictly within the Conservation Area, it nevertheless shares a boundary with it, where the back garden of No.88 Don Street, in Old Aberdeen Conservation Area, meets the boundary of the back garden of No.6 Cheyne Road. A view from within the Conservation Area in Don Street, looking down the boundary wall of No 88, along Harrow Road, would, we believe, bring into view the sight of a most unprepossessing utilitarian garage, with the large industrial style garage door facing ahead, dominating the scene.

Scottish Planning Policy (para 144) requires that:-

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

We hold that the proposed garage, by nature of its excessive size, its utilitarian design, and its inappropriate siting, would dominate and detract from the setting and thus the character and appearance of the adjacent Old Aberdeen Conservation Area.

The proposal would therefore neither preserve nor enhance the character and appearance of the conservation area, and so would not comply with para 144 of SPP.

5

The proposed garage does not comply with the Supplementary Guidance on the Sub-division and Redevelopment of Residential Curtilages.

Para 1.4 of this document notes that elements of this guidance are applicable to types of development (other than dwellings) within the curtilage of an existing dwelling. The current proposal, we hold, is essentially covered by this Guidance.

According to Section 5, therefore, the proposed garage is not acceptable as it:-

Does not accord with the general form of development in the locality (5.1)

Does not complement the scale of surrounding garages

6

**The proposed garage does not comply with the Supplementary Guidance on Householder Development.**

Para 3.1.4 of this Guidance, as included in the proposed Local Development Plan, which is shortly to be adopted, (and is a material consideration), comprises a section on “Ancillary Buildings, including garages, sheds, greenhouses, etc ”.

This section of the Guidance requires that:-

- (i) *“Buildings within the residential curtilage should be subordinate in scale and floor area to the main house”*

The proposed ancillary garage, however, is virtually the same height as the main house. This surely cannot qualify as “subordinate” in scale, and so would not comply with this Guidance.

- (ii) *“Ancillary buildings should not have a negative impact on the character of the surrounding area”* and

- (iii) *“Proposals will be assessed for their impact on the amenity of the area”*

The proposed garage would, we hold, have a negative impact on both the character and the amenity of the area as outlined earlier. Of particular concern is the dominating effect of such a large garage so close to Harrow Road, its blank, utilitarian face to that road, and the view of its gable walls when looking east or west along Harrow Road, and its utilitarian materials (in particular the garage door). It would also be out of keeping with the surrounding context and the general form of development in the locality. It would therefore not comply with this Guidance.

7

**Precedent**

As mentioned in the SG on Curtilage Splits, but also as a general material consideration, it is, of course, important to take account of the need to avoid setting a precedent.

It is our view that to allow a development such as this, would set an undesirable precedent. The length of this garage would not only dominate this back garden’s public face to the street, but, if replicated in other gardens, would have a cumulatively harmful effect on the character of the area. Further, to allow two large garages in this modest garden could set a precedent whereby it would difficult to refuse a second garage in each of the other back gardens in this road, and this too would have a detrimental effect on the character of the area, by reducing the amount of garden ground and greenery visible from the public face to Harrow Road, and producing a new building line not in keeping with the existing pattern of development.

\* \* \*

For all the foregoing reasons, we would request that the current planning application be refused.

Yours faithfully



Planning Secretary