

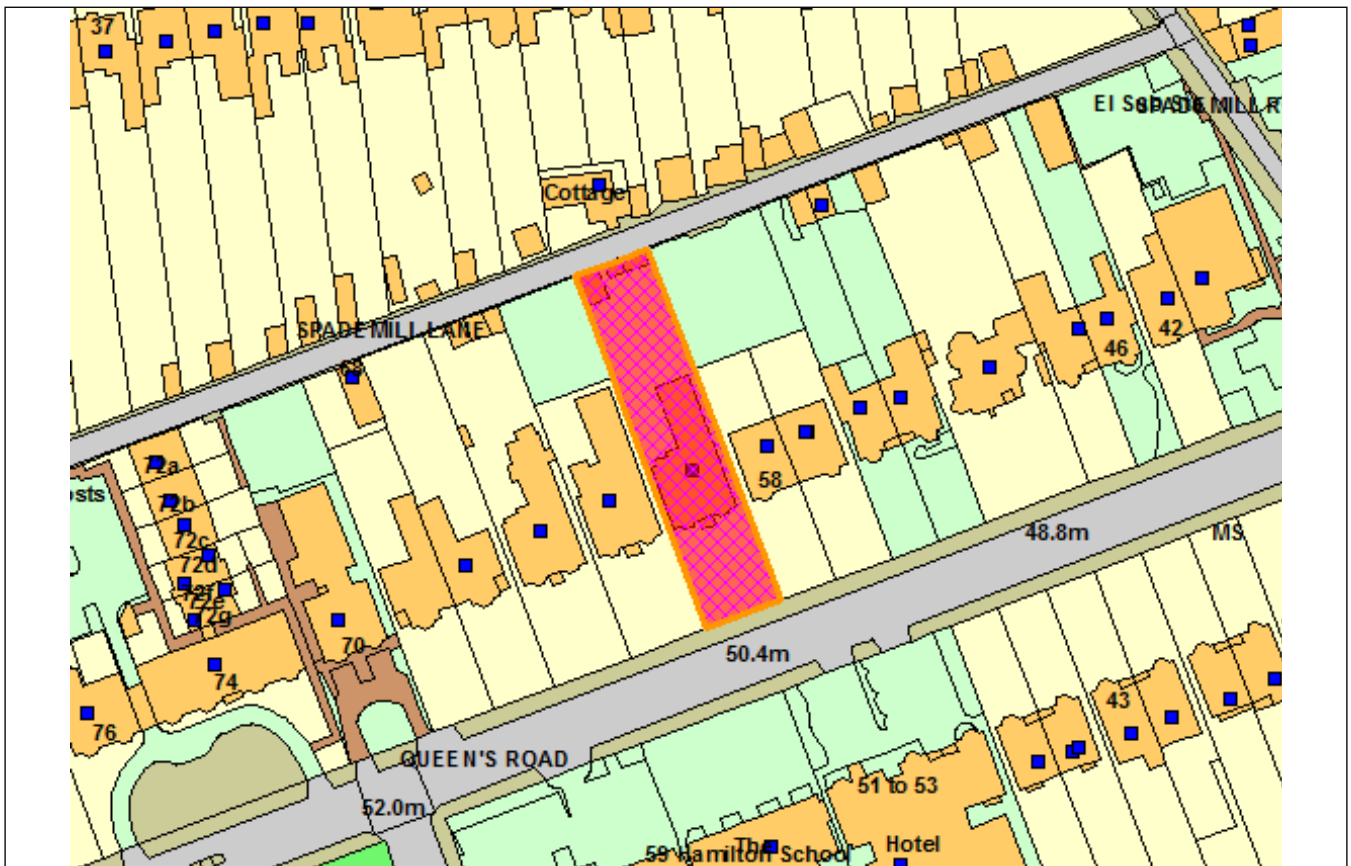


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 September 2018

Site Address:	60 Queen's Road, Aberdeen, AB15 4YE,
Application Description:	Change of use from residential flats (sui-generis) to office (class 4); erection of single-storey extension and two-storey extension to rear; formation of car parking to front and rear; replace external door; alterations to front and rear boundary walls including installation of railings and gates; erection of bin store; provision of external AC unit and associated landscaping
Application Ref:	180788/DPP
Application Type	Detailed Planning Permission
Application Date:	22 May 2018
Applicant:	Knight Property Group Limited
Ward:	Hazlehead/Ashley/Queens Cross
Community Council	Queen's Cross And Harlaw
Case Officer:	Jane Forbes



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site comprises a Category B listed building which lies within the Albyn Place/Rubislaw Conservation Area and forms a group listing along with 62 and 64 Queen's Road, with all three properties in most part identical. The property is a 2 storey plus attic, 3 bay granite villa, designed by John Rust and dating from 1901. The roof of the main part of the dwelling features a lantern at the apex of the roof. The timber sash and case windows to the frontage include small pane leaded and stained glass upper sashes. Rainwater goods are formed in cast iron. To the rear of each of the properties (No's. 60/62/64) is a granite built service wing, with slated roof, built off the eastern gable/elevation.

At the frontage are corniced square plan gate piers to Queen's Road, with a low coped rough faced granite wall between. There are two narrow vehicular openings of 3 metres in width at present. Within the front garden is a looped gravel driveway, with a central grassed area and single tree. The side boundary walls are approximately 1.5 metres in height and constructed from granite rubble with a granite cope.

To the rear of the building, adjacent to Spademill Lane, is a sizeable domestic garage constructed in blockwork and timber panelling. The majority of the remaining rear boundary is formed by a granite rubble wall, part of which includes brick off the wall head to accommodate the greenhouse and outbuilding constructed within the garden. The western boundary to the rear is formed by a 2.2 metre high granite rubble wall, while the eastern rear boundary is formed by a 1.5 metre high granite rubble wall with brick cope. The remainder of the area is laid as garden, and partially overgrown.

Relevant Planning History

Application Number	Proposal	Decision Date
150433 DPP	Change of use from residential to office use. Erection of 2 storey rear extension; Installation of railings and gates; and formation of car parking.	08.01.2016 Status: Approved
150434 LBC	Erection of 2 storey rear extension; Internal Alterations; Demolition of single garage and boundary wall (Partial); Installation of railings and gates; and formation of car parking.	24.12.2015 Status: Approved
161682/LBC	Alterations to windows involving replacement of existing timber single glazed sash units with new timber sash units incorporating double glazing and replacement rooflight	09.06.2017 Status: Refused
161683/DPP	Alterations to windows involving replacement of existing timber single glazed sash units with new timber sash units incorporating double glazing and replacement rooflights	26.05.2017 Status: Refused
170218/LBC	Erection of 2 storey rear extension; Alterations to listed building, including to floor levels, openings and layout; Installation of railings & gates; Demolition of outbuildings and parts of boundary walls; and Erection of new section of boundary wall	11.07.2017 Status: Refused
180814/LBC	Erection of single storey extension and two storey extension to rear; Internal alterations; Demolition of garage and outbuilding; Formation of car parking to front and rear to include alterations to boundary walls;	Status: Pending

Installation of railings and gates; Replacement external door; Replacement of 4 no. rooflights.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for a change of use from residential flats to Class 4 (Business). The proposal includes the erection of a single storey extension and a two storey extension to the rear of the property; the formation of car parking to the front and rear of the property and alterations to the boundary walls, including the installation of new railings and gates; the erection of a bin store and provision of an external AC unit; and associated landscaping within the front and rear gardens.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P8WWTMBZLP300>

The following documents have been submitted in support of the application –

- Design Statement

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it is being recommended for approval and has been the subject of formal timeous objection by Queens Cross and Harlaw Community Council, within whose area the application site falls.

CONSULTATIONS

ACC - Roads Development Management Team – The Roads Development Management team is satisfied with the proposed parking arrangements which include 17 car parking spaces and 2 motor cycle spaces. 2 of the bays are for disabled parking and 2 will have electric charging points. The Roads team advised that whilst there would be a shortfall of 3 parking spaces based on maximum parking standards for the site, this would be suitably mitigated given that the site lies within a controlled parking zone and is highly accessible by public transport, and the proposal includes a suitable level of cycle parking (short & long stay). Amended plans have seen the waste storage area relocated adjacent to the rear lane, and within an area easily accessed for refuse collection.

ACC - Waste Strategy Team – No objection. Advised that the business premises would have a legal duty of care with regards the waste they produce, and that the business operating from the premises would have responsibility for the appropriate management and disposal of their waste. Suggested that the proposed bin store should be located nearer the entrance of the rear car park to avoid collection vehicles having to reverse either in or out of the car park.

ACC - Environmental Health – No objection. Recommended a condition be applied if the application is recommended for approval, whereby an appropriate noise impact assessment should be carried out to establish the noise levels of the AC units, any likely impact on neighbouring occupants, and whether any mitigation measures are necessary.

ACC - Communities, Housing and Infrastructure (Flooding) – No objection. Provided advice on sustainable urban drainage options for the site.

Queens Cross and Harlaw Community Council – Objection raised. The Community Council objected to the proposal on the basis that the proposal does not contribute or enhance the area, as required by the Planning regulations. They stated that the proposal “detracts substantially from the surrounding residential area as it will inevitably add yet another large billboard advertising vacant office space”, and “as an important entrance for businessmen into Aberdeen, Queens Road begins to make Aberdeen look a rather depressing and unattractive place to start up a new venture”. Suggest that “it would make more sense to leave the houses as they are on Queens Road and entice businesses to open offices on Union Street”.

REPRESENTATIONS

None, other than the aforementioned objection received from the Queen’s Cross and Harlaw Community Council.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

Scottish Planning Policy (SPP)

Historic Environment Scotland Policy Statement (HESPS)

Managing Change in the Historic Environment - Guidance notes on ‘Extensions’ and ‘Boundaries’

Aberdeen Local Development Plan (2017)

B3: West End Office Area

D1: Quality Placemaking by Design

D4: Historic Environment

T2: Managing the Transport Impact of Development

T3: Sustainable and Active Travel

Supplementary Guidance and Technical Advice Notes

TAN: Repair or Replacement of Cast Iron Railings

EVALUATION

Background to Proposal

The property at No 60 Queen’s Road was most recently in residential use, but has lain vacant since 2014. Planning permission and listed building consent were granted in January 2016 and December 2015 respectively, to convert the property for office use and for an extensive 2 storey rear extension, with car parking to the front and rear. These permissions remain valid, with development work having been formally initiated in May 2016. The application site has been marketed for office use over a period of 2 years, however with no uptake and a general reduction in office demand across the city in recent time the applicant has indicated their intention to now occupy the refurbished property for their own business use, and as a result is seeking permission for a more modest development of the site than was previously approved.

Principle of Development

The application site lies within the West End Office area (Policy B3), where there is a clear mix of uses including offices, residential properties, schools and hotels. The Aberdeen City Local Development Plan 2017 clearly identifies the West End Office Area as a 'prestigious high quality office location on the edge of the city centre, readily accessible by public transport, which also provides off-street car-parking and space for expansion'. Whilst the Community Council raised concerns with regards the proposed change of use from residential to office in this location, Policy B3 outlines that the Council 'will encourage and promote the continued development of this area as a focus for office development'.

Policy B3 suggests that the principle of a change of use to office is only acceptable if the proposed development is in-keeping with the character of the area, and takes into account the design and context of the existing building. It states that any new development proposals must ensure that existing residential amenity is protected and whilst it does not support the re-development of front gardens to provide car parks and driveways, it outlines that access to properties from rear lanes may be acceptable if satisfactory access arrangements can be provided.

In this instance it is considered that the proposed change of use to office would not prejudice the existing mix of uses currently operating within the neighbourhood, where office/commercial use is predominant, and where the application site already lies between two properties in office use. Taking this into account the proposal would not appear to compromise existing residential amenity within the surrounding area.

In order to establish whether the principle of the proposal is acceptable, the design detail must also be considered. The proposed rear extensions are deemed to be of a scale and design which suitably respects the special historic and architectural character of the property and of the wider area, and the proposed formation of a new vehicular entrance to the rear with hardstanding for car parking can be delivered with appropriate and safe access arrangements off Spademill Lane. The proposal includes the redevelopment and reconfiguration of the existing front garden and driveway/parking arrangement, with the delivery of a more formal layout to include 4 car parking spaces and landscaping. Policy B3 does not support the redevelopment of front gardens to provide car parks and driveways, however in this instance whilst the proposal would see a more formal arrangement implemented, there is clearly an existing gravel drive and informal parking arrangement within the front garden of the property. Furthermore, taking into account that the application site forms part of a grouping of three near identical properties, which includes No's 62 and 64 Queen's Road, both of which have very similar parking/landscaped layouts within their front gardens, it is considered that the proposed re-development of the front garden has some merit in that it will further promote the connection between this 'group' of three properties. Finally, it should be noted that consent was granted and remains valid for the formation of a car park layout as currently proposed.

Taking all of the above into account, whilst acknowledging that not all aspects of the proposal fully comply with the requirements of Policy B3, it is nevertheless considered that on balance, and bearing in mind that extant permissions already allow for a far more extensive, large scale development of the site, the general principle of the proposed development is acceptable, subject to more detailed design considerations.

Design, Scale and Impact of Development

In terms of assessing the proposal against Policy D1 (Quality Placemaking by Design), the design of the proposed development is considered within the context of the site and surrounding area, with the aim of securing a positive contribution to the setting. Factors such as siting, scale, massing, colour, materials and orientation are amongst those considered in assessing such contribution. Both proposed extensions would be located to the rear (north) of the property, on a secondary elevation with the least possible impact on the setting of the building. The proposed single storey conservatory

extension would project a maximum 5.2 metres from the rear building line of the property (northern elevation), at a width of 4.5 metres, and constitutes a relatively modest development, with a high level of glazing and slated roof to match existing. The 2 storey extension proposed to the rear elevation of the original 'service wing' would project 3.7 metres, at a width of 6.7 metres, and with a ridge height of 7.2 metres, thus ensuring it does not breach the outline of the existing building, with a clear differentiation between the existing rear wing and the proposed extension being retained. Whilst the previous applications sought extensions with an overall floorspace of some 334m², it is worth noting that this revised proposal would see the delivery of a far more modest scale of development of 59m². The contemporary design allows a visual break between the traditional granite building and the proposed extensions, and the range of materials being proposed are of a high quality, with a combination of finishes to include rainscreen panelling, smooth render, timber framed windows and doors, and slated roof to match existing dwelling. Appropriate conditions have been applied requiring the submission of samples of materials for prior approval.

The proposal also comprises alterations to the front and rear boundary walls, the formation of car parking to the rear, and a more formal area of parking to the front. As already mentioned, there are extant consents in place for such alterations to be carried out on site and it is worth noting there has been no substantive change in policy since these consents were granted. In assessing this proposal, consideration has also been given to the existing arrangements at No's 62 and 64 Queen's Road, where very similar areas of hardstanding and formal car parking have been delivered within the front and rear gardens of these properties, and where all three properties, including No 60, form a distinct grouping. Taking all of this into account, it is considered that in the context of the site, the neighbouring properties and the surrounding area, the proposed alterations would in this instance be deemed acceptable.

Finally, the proposal also includes some minor development works including the replacement of an external door, installation of air conditioning units and the erection of a bin store. Following discussion with regards the proposed siting of the air conditioning units, they have been relocated from the rear boundary of the site to a location along the western boundary of the site, and at minimum distance of some 30 metres from any residential property. A condition has been applied which seeks the submission of a noise impact assessment which will establish the noise level of the AC units and whether any mitigation measures are required prior to occupation. The proposed door and bin store are of an acceptable scale, design and material finish, and deemed appropriate in terms of the setting of the listed building and the surrounding area.

Taking all of the above into account, it is considered that the proposed development would be suitably in accordance with the requirements of Policy D1 (Quality Placemaking by Design) of the Aberdeen City Local Development Plan.

Roads and Parking Considerations

The proposed hardstanding to the front and rear of the property, which will provide vehicle, motorcycle and covered cycle parking for the proposed office use, with access off Queens' Road and Spademill Lane, is considered acceptable in this instance. The Roads Development Management team assessed the proposal and whilst seeking the submission of amended plans to include 2 disabled parking bays, they raised no objection and were generally satisfied with the level of vehicle and secure cycle parking provision which would be delivered on site. They were also satisfied that the proposed access/exit arrangements were appropriate. Whilst acknowledging that there would be a shortfall of 3 parking spaces based on maximum standards, they advised that this level of parking would be acceptable based on the provision of short and long stay cycle parking facilities and taking into account the central location of the site, which lies within a controlled parking zone and is highly accessible by public transport. As such the proposal is deemed suitably compliant with the requirements of Policy T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel).

Impact on the Listed Building/Conservation Area

Historic Environment Scotland Policy Statement (HESPS) outlines the need to support proposals which involve alterations or adaptations to historic buildings which either sustain or enhance their beneficial use, and do not affect their special interest, whilst Policy D4 (Historic Environment) states that there will be a presumption in favour of the retention and reuse of listed buildings and buildings within conservation areas that contribute to their character. Scottish Planning Policy states that 'change to a listed building should be managed to protect its special interest while enabling it to remain in active use' and in evaluating development proposals affecting a listed building 'special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest.' Historic Scotland's Managing Change in Historic Environment guidance notes on Extensions and Boundaries outline specific criteria which should be addressed when considering such development proposals.

In this instance, and taking into account the impact which the proposal would have on this Category B listed property, it is considered that the scale, siting, design and materials of the proposed development are acceptable, with sufficient recognition of the special character and appearance of the building. The proposed extensions would be located on secondary (rear) elevations and would remain very much subordinate in scale and form to the original building. The impact of the proposed development on the overall setting of the listed property and on those properties neighbouring the site is deemed acceptable. Whilst acknowledging that the proposed extensions would be visible from Spademill Lane, any visual impact would be minimal and unlikely to affect the character or appearance of the conservation area within which the property lies.

The proposal includes the introduction of a more formal car parking layout to the front of the property as well as to the rear, the creation of a new opening off Spademill Lane, and the re-introduction of railings to the front and rear boundaries. Historic Scotland's Managing Change in Historic Environment guidance note on 'Boundaries' outlines that new openings should be consistent with existing design, with a minimum of historic fabric lost and any new opening detailed to match existing ones; whilst if openings are widened, this should not affect the coherence and relationship with other buildings.

In this instance, the existing openings along the front boundary are particularly narrow and the proposed widening by 500mm is considered proportionate, whilst also tying in with the entrance arrangements for the neighbouring property at No 62. Likewise, the proposed railings would be in mild steel, and whilst in most instances cast iron is the preferred material; it is recognised that the railings would be fixed in a traditional manner and are of an appropriate design which is compatible with the character of the property and again in-keeping with the neighbouring property at No 62. The proposed formation of an entrance to the rear of the site, accessed off Spademill Lane is deemed appropriate in terms of supporting the reuse of the building, and suitable care has been given to the scale, design and material finish of the new opening and associated railings. With all of this in mind it is considered that the proposals would not be contrary to the expectations of the guidance note on Boundaries, and whilst not entirely compliant with the Council's TAN on the Repair or Replacement of Cast Iron Railings, on balance, this feature would still reflect a traditional design and fitting, and would not detract from the character of the building or the wider conservation area.

Whilst the proposed development would involve a degree of intervention to the original fabric of the building, it is nevertheless considered that the alterations are relatively minor and the proposed extensions of a scale and design which would ensure that the special character and appearance of the building is not adversely affected and suitably protected. Taking all of the above into account it is considered that whilst the proposed development may not fully comply with the relevant Historic Scotland's Managing Change in Historic Environment guidance notes, it would be suitably in accordance with the overall expectations of HESPS and Scottish Planning Policy and with the requirements of Policy D4.

Other Matters Raised in Representation

Queens Cross and Harlaw Community Council raised concerns relating to the principle of a change of use to office, and this has been addressed in the evaluation above. Concerns were also raised by the Community Council with regards the impact which billboard advertising has on Queen's Road, however this issue is not a material consideration in the determination of this application.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed change of use to office (Class 4) is considered to be an appropriate use for this site which lies within the West End Office Area. The proposed development is deemed to be subservient to and designed with due consideration for the listed building, whilst supporting its long-term use, and would have minimal impact on the character or appearance of the Albyn Place/Rubislaw Conservation Area within which it lies.

The proposal is considered to be suitably compliant with Policy D1 (Quality Placemaking by Design), T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of Aberdeen City Local Development Plan (2017), and whilst acknowledging that the proposed development may not address all aspects of Policy B3 (West End Office Areas) or Historic Scotland's Managing Change in Historic Environment guidance note on 'Boundaries', it is considered that on balance, the proposed development would suitably accord with the general principle of Policy B3, and with the overall expectations of Historic Environment Scotland Policy Statement and Scottish Planning Policy, and with the requirements of Policy D4 (Historic Environment).

CONDITIONS

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

(1) that no development shall take place unless samples of all external finishing materials to the roof and walls of the development hereby approved have been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

Reason: to ensure that the visual amenity of the area is maintained.

(2) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. A_200 Rev D of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the parking of cars ancillary to the development and use thereby granted approval.

Reason:- to ensure that public safety and the free flow of traffic is not compromised.

(3) that the development hereby granted planning permission shall not be occupied unless the cycle storage facilities as shown on drawing number A_200 Rev D, or such other drawing as may subsequently be submitted and approved in writing by the planning authority, have been provided

Reason: - in the interests of encouraging more sustainable modes of travel.

(4) that all planting, seeding and turfing comprised in the approved scheme of landscaping as shown on drawing No's. A700 Rev A and A701 Rev A, or such other drawing as may subsequently be submitted and approved in writing by the planning authority, shall be carried out no later than the first planting season following 1st occupation of the development and any trees or plants which within a period of 5 years from the 1st occupation of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority

Reason:- in the interests of maintaining the amenity of the area.

(5) that prior to occupation, an appropriate noise assessment is undertaken by a suitably qualified noise consultant to predict likely noise impact associated with plant equipment (ie air conditioning units) on neighbouring properties and any necessary control measures. The assessment should (a) be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note; (b) identify whether noise mitigation measures are required to reduce noise from the noise sources to an acceptable level, in order to reasonably protect the amenity of the occupants of the existing neighbouring properties; (c) The methodology for the noise assessment should be submitted and agreed in writing with ACC Environmental Health officers in advance of the assessment.

Reason:- in the interests of maintaining the amenity of the area.

ADVISORY NOTES FOR APPLICANT

ACC Waste Services

Advised that the developer must obtain a Trade Waste Agreement with the waste company they select and any residential bins must be removed from site. If ACC Waste Services provide a trade waste service for this site, the bin store location should be nearer the entrance to the car park to avoid the collection vehicle having to either reverse in or out of the car park.

Provided the following general comments:

- Business premises need to be provided with a bin store to allocate, within the property, the waste and recycling bins.
- Commercial waste bins cannot be stored on the street any day of the week as per Council Policy 2009 (Obstructions- Commercial Waste Bins). Infringement on the Council Policy can lead to a fine of £500 per bin as adopted by the Enterprise, Strategic Planning and Infrastructure Committee on 29th August 2013.
- There are many waste contract collection providers operating in Aberdeen and each one provides different collection of waste and recycling services. For this reason, business premises need to liaise with their waste contract collection to ensure the correct management of their waste.
- Business premises have a legal Duty of Care covering all the waste they produce. This means that it is the Business premises responsibility to manage and dispose of any waste correctly.
- The Waste (Scotland) 2012 requires that **all businesses** from 1st January 2014 are required to separate paper, cardboard, glass, plastic and metals for recycling. Some businesses will additionally be required to separate their food waste (where food waste >5kg per week).
- General tips for site and hopefully the chosen waste collection contractor will detail this but for access, the following is needed:
 - An area of hard standing at storage and collections point(s)

- Dropped kerb at proposed bin collection point
- Yellow lines in front of bin collection point
- Bin storage areas to ideally be provided with a gulley and wash down facility for the interest of hygiene.

ACC Flooding Team

Recommended the use of permeable materials and rain water harvesting where suitable in the design.