

Site Address:	85 Blenheim Place, Aberdeen, AB25 2DZ.
Application Description:	Replacement of roller shutter access gate (retrospective)
Application Ref:	181008/DPP
Application Type:	Detailed Planning Permission
Application Date:	19 June 2018
Applicant:	Mr Peter Faber
Ward:	Hazlehead/Ashley/Queens Cross
Community Council:	Queen's Cross and Harlaw
Case Officer:	Linda Speers

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site relates to an end-terrace 2-storey traditional granite property on the western side of Blenheim Place within the Albyn Place/Rubislaw Conservation Area. The rear garden is fully enclosed and stretches 23m long and 10m wide and includes a twin garage and an area of hardstanding all of which directly access the rear lane.

Relevant Planning History

Planning permission (Ref: 180691/DPP) was approved in June 2018 to extend and raise the roof height of the adjacent garage. In addition, planning permission (Ref: 150791) was approved in July 2015 for the erection of a single storey extension to the rear of the dwelling. The original boundary wall on the rear lane was removed and replaced with a sliding timber gate post 2009; there is no planning records indicating consent was approved for this, and the works are therefore unauthorised.

APPLICATION DESCRIPTION

Description of Proposal

Retrospective consent for the installation of a roller shutter gate, located on the rear boundary of the property, accessed via the rear lane. The gate is finished in black coated steel with the enclosure finished in a black timber.

Supporting Documents

All drawings can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PAKSDUBZMLC00>

CONSULTATIONS

ACC - Roads Development Management Team – no observations.

REPRESENTATIONS

None

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)

Aberdeen Local Development Plan 2017 (ADLP)

Policy H1: Residential Areas

Policy D1: Quality Placemaking by Design

Policy D4: Historic Environment

Supplementary Guidance (SG)

Householder Development Guide (HDG)

Aberdeen City Conservation Area Character Appraisals and Management Plan

Albyn Place/ Rubislaw Conservation Area Character Appraisal

EVALUATION

The application site is located within an area zoned for residential (Policy H1) within the ADLP and within the Albyn Place/Rubislaw Conservation Area and relates to householder development. The proposal would comply with this policy in principle if it does not constitute over-development; the character and amenity of the surrounding conservation area is not adversely affected; and it complies with associated SG, in this case the HDG. Policy D1 and D4 requires all development to have high quality design that respects the character, appearance and setting of the historic environment.

The retrospective alterations relate to a gated entrance on the rear lane of an existing property in the Albyn Place / Rubislaw Conservation Area. The aim of the HDG is to promote in all cases *'good quality design, careful siting and due consideration of scale, context and design of the parent building are key to ensuring that development does not erode the character and appearance of our residential areas* and furthermore the emphasis on good design particularly in the city's Conservation Area is cited in 'The Aberdeen City Conservation Area Character Appraisals and Management Plan' which states that efforts to *'control the design and type of development within the conservation area, ensuring it is sympathetic and of high quality. Ensure the appropriate use of materials with regard to longevity and sustainability to protect and enhance the character and quality of the conservation area in the long term'*

The roller shutter structure is a freestanding feature electrically operated and measures 2.6m high; it sits 0.9m higher than the existing surrounding boundary walls. The height of the roller shutter is considered visually dominant; towering above the original boundary walls and appears unusual within its context, traditionally in this location a gated entrance would be timber, inward opening and consistent with the original wall height. While the location of the roller shutter is limited to a rear lane which includes a variety of enclosures and garages; typically, a roller shutter of this nature is associated with fronting a garage. The property includes a double garage on the rear lane and the addition of the freestanding roller shutter gate adjacent is conspicuous; furthermore, there is no justification for its presence. The design, scale and proportions of the roller shutter are considered inappropriate and not of a design which is suitable for a historic conservation area. The installation of this kind of modern roller shutter is a part of the incremental damage through small changes which undermine the historic character of the Conservation Area. It fits within the threat to the Conservation Area highlighted by the Conservation Area Character Appraisal – *“Unsympathetic development that does not reflect or relate to the character of the character area”*.

At some stage since 2009; the applicant has removed the original boundary wall and formed an opening presumably for car access; part of the garden has been converted to hardstanding and a sliding gate fitted to the opening. Recently, the sliding gate has been replaced with a roller shutter gate. The retrospective development is unauthorised and the loss of boundary walls in Conservation Areas should be avoided.

The property lies within the Albyn Place and Rubislaw Conservation Area and Historic Environment Scotland Policy Statement (HESPS) must be referred to in determination of the application. HESPS states that the planning authority must pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area when determining applications. It is therefore considered that the roller shutter gate would have an adverse effect on the character of the Conservation Area and ultimately result in the loss of special architectural interest. Approval of this application would create an undesirable precedent for similar proposals resulting in further erosion of the traditional character, therefore the application is recommended for refusal as it does not comply with this policy and Policy D4 (Historic Environment).

In this instance and for the reasons outlined above the proposal is considered to impact negatively; the design and appearance would not make a positive contribution to the setting and would have unacceptable impact on the character or amenity of the surrounding area; and is therefore contrary to the guidelines set out in the Conservation Area management plan and Scottish Planning Policy, Policy H1 (Residential Areas), Policy D4 (Historic Environment) and Policy D1 (Quality Placemaking by Design) and the relevant Supplementary Guidance.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

1. The proposal is contrary to Historic Environment Scotland Policy Statement, Scottish Planning Policy, Policy D4 (Historic Environment) of the Aberdeen Local Development Plan 2017 as the proposed roller shutter gate, due to its size, design and materials do not enhance nor preserve the character of the Albyn Place and Rubislaw Conservation Area;

2. The proposal is contrary to Policy D1 (Quality Placemaking by Design) and H1 (Residential Areas) of the Aberdeen Local Development Plan 2017 and the Supplementary guidance - Householder Development Guide; the proposed roller shutter gate, due to its inappropriate size, design and materials do not make a positive contribution to the setting and would have unacceptable impact on both the character and visual amenity of the surrounding area; and
3. Approval of this application would create an undesirable precedent for similar proposals resulting in further erosion of the traditional character of the conservation area.