



Strategic Place Planning

Report of Handling

Site Address:	Land To The Rear Of 44/46 Bedford Road, Aberdeen, AB24 3NX,
Application Description:	Erection of 6 residential flats with associated landscaping
Application Ref:	181541/DPP
Application Type:	Detailed Planning Permission
Application Date:	30 August 2018
Applicant:	George Taylor ASA
Ward:	Tillydrone/Seaton/Old Aberdeen
Community Council:	Froghall, Powis And Sunnybank
Case Officer:	Nicholas Lawrence

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises the garden / amenity area to numbers 44/46 Bedford Road that extends to approximately 332m² in area. The site is bounded to the west by 44/46 Bedford Road a 2½ storey end of terrace traditional granite building that formerly had a newsagent on the ground floor; the north by a brick boundary wall of some 1.2 metres in height abutting Bedford Place; east by numbers 55 and 57 Bedford Place; and the south by gardens to properties on Bedford Road and Erskine Street.

The area is characterised by residential development where no one design form or period of construction is dominant, albeit granite and slate roofed buildings are clearly prominent. The north side of Bedford Place is typified by 1½ storey, mansard roofed residential terraces; whereas, to the north of the site is a row of 2 storey terraced houses fronted in synthetic granite block; as well as a single 1½ more traditionally styled detached dwelling. The southern side of Bedford Place is largely similar; however, 2½ storey tenement fashioned blocks are present at the junctions of Bedford Place and streets running south-west.

In terms of designations the site falls within a residential area as shown on the Proposals Plan to the Aberdeen Local Development Plan 2017 (ALDP) to which policy H1 attaches.

Relevant Planning History

Application Number	Proposal	Decision Date
171410/DPP	Erection of 4 flats (over four floors) with associated car parking and landscaping	Refused at LRB 17.05.2018

180555/DPP	Erection of 4 residential flats with associated landscaping	Allowed at LRB 05.06.2018 subject to s75 Agreement
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APPLICATION DESCRIPTION

Description of Proposal

In brief, planning permission is sought for the erection of 6 flats over 3 storeys, located on the southern side of Bedford Place, close to its junction with Bedford Road. The site is currently overgrown garden ground associated with 44/46 Bedford Road. Pedestrian access (no vehicular parking provided) is taken off Bedford Road and via a gate also off Bedford Road to allow access to rear of the building, 6 cycle spaces and bin collection. Garden area is provided immediate to the west elevation of the proposed building.

The façade onto Bedford Place draws upon the traditional form and style of the neighbouring properties (numbers 55 and 55 Bedford Place); however, the rear white (southern elevation) has no architectural or aesthetic reference to the front of the building. It comprises, save 11 window openings (2 x stairwell; 6 x shower room; and 3 x bedroom) for the flats and protruding and stepped down stairwell. It is proposed that this elevation will be finished in a white. The net effect is a large wall, with limited punctuation and no architectural detailing and has the appearance of being 'bolted' onto the front to provide additional accommodation.

Application 180555/DPP provided for 4 flats again over 3 floors; however, the depth of the apartments was limited (save for the ground floor) to half of the depth of the building's footprint; whilst the current application seeks to follow the ground floor footprint across all floors, within 1.2 metres of the boundary to the neighbouring dwelling. The relationship of the proposed development to that addressed under application 180555/DPP is revealed when viewing Drawings PL-06 (Proposed South Elevation) and PL-03 (Proposed Ground Floor) to application 181541/DPP; and PL-05 Rev B (Proposed North and West Elevations) to application 180555/DPP.

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=PE7VTVBZGYK00>

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

- Design Statement

CONSULTATIONS

ACC - Roads Development Management Team – Recommend that the application is refused. Their response is discussed in greater detail below.

ACC - Waste Strategy Team – No objection

REPRESENTATIONS

2 written representations (objection) have been received. The matters raised can be summarised as follows:

- Current inadequacies of parking in the area
- Problems with sewage system
- An abundance of flats in the area / No need for flats

- Too many students in the area

PLANNING POLICY FRAMEWORK AND RELEVANT 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

- National Planning Framework 3
- Scottish Planning Policy (SPP)
- Creating Places
- Planning Advice Note 67 – Housing Quality

Aberdeen Local Development Plan 2017 (ALDP)

- H1 Residential Areas
- H5 Affordable Housing
- I1 Infrastructure Delivery and Planning Obligations
- D1 Quality Placemaking by Design
- T2 Managing the Transport Impact of Development
- T3 Sustainable and Active Travel
- R6 Waste Management Requirements for New Development

Supplementary Guidance

- Transport and Accessibility

EVALUATION

Main Issues

The main issues in this matter are; firstly, the principle of the proposed development and the 'fall-back' position; secondly, whether the development in its detailed form would harm the character and appearance of the area; thirdly, form of the building and impact upon amenity; and fourthly, adequacy of car parking. All issues have regard to the provisions of the Development Plan and other relevant material considerations.

Evaluation of Main Issues

Principle of the Proposed Development

ALDP policy H1 addresses those parts of the City designated as residential areas and in principle will support new residential development where, in part, it does not constitute overdevelopment and does not have an unacceptable impact on the character and appearance of the area, together with compliance with other policies of the ALDP.

The fall-back position (i.e. what the applicant can undertake without recourse to a further planning application) is set by application 180555/DPP. Although the permission has yet to be issued (i.e.

subject to completion of a legal agreement) it does indicate a scheme accepted by the Council following a Local Review Body decision (i.e. 3 storeys limited to the front part of the building footprint fronting Bedford Place).

Therefore, the principle of the residential development is accepted, subject to meeting the requirements of the ALDP and national policy guidance.

Affect upon the Character and Appearance of the Area

The character of an area is more than the visual flow and type of buildings and their associated materials; it also embraces the juxtapositions between buildings, their setting and the spaces they create or harm. Any development ranging from adaptation through to new build of whatever scale should not be considered in isolation and must be informed by the immediate and wider context.

The area is characterised by residential development ranging from 1½ through to 2½ storeys in height, primarily of granite construction positioned close to the pavement edge with large gardens to the rear. 2½ storey dwellings sit to the immediate east of the application site and roads to the south west (e.g. 55 and 57 Bedford Place; Elmfield Avenue and Erskine Street).

In terms of the proposal's scale, a number of buildings in the immediate and wider area are comparable in height to that proposed and provide accommodation across a similar number of levels. However, these are of a different mass and relationship to the surrounding area (i.e. sit next to each other in front of large gardens). Therefore, the height of the building would not appear unusual in the area.

On the issue of design; the ALDP under policy D1 draws upon the approach that good design is indivisible from good planning within the key policy principles of SPP that *planning should take every opportunity to create high quality places by taking a design-led approach*.

The front elevation of the building draws upon elements of the traditional neighbouring residences in terms of ridge height, eaves level, fashioned in granite with a slate roof covering, fenestration and dormers (albeit the dormers and windows onto Bedford Place are somewhat unbalanced – unlike the neighbouring properties).

However, the rear elevation lacks any relationship to the front elevation, it's disjointed and there is no sense of design cohesiveness. The rear elevation appears as a sheer white rendered elevation, which is emphasised by limited punctuation (i.e. 11 window openings – 2 x stairwell windows; 6 x shower room windows; and 3 x bedroom windows) lowered stairwell and accommodation blocks either side (see Drawing PL-06 Proposed South Elevation). In graphic terms it reads as another building akin to a modern standard apartment building bolted onto a facsimile of a traditional granite building and is not a quality of design sought within the ALDP and national guidance, and is a design with no positive response to context and consequently harms the character of the area. The result is a quantum of development allowing for its proximity to the sites boundary with other properties which is not characteristic of the area and thereby harm its cohesiveness. As such the proposal is contrary to policies D1 and H1 of the ALDP and national guidance.

The Agent has described the accommodation as the Applicants 'product'. It would appear that the scheme looks to shoehorn too much 'product' into the development which has resulted in conflict with the policies of the ALDP; whereas the 'product' can be accommodated as under application 180555/DPP to the satisfaction of the Council.

Form of the building and impact upon amenity

It is accepted that privacy and the protection of general amenity constitutes a material consideration in the decision-taking process and is an important design objective in ensuring that residents of properties bounding any development site and those occupying new development feel at ease within and outwith their accommodation (e.g. garden / private amenity areas).

This position is reflected as part of the requirement to create safe and pleasant places set within ALDP policy D1 (i.e. avoid unacceptable impacts on adjoining uses) and policy H1, that in part, seeks to ensure that all development will not have an unacceptable impact on the amenity of the surrounding area. At the national level the need to maintain and respect amenity is referenced within SPP.

In this instance, it is the mass of the rear aspect of the proposed building and its relationship to the garden / private amenity area of number 42 Bedford Road that is at issue. There is a recognition that within tight urban environments there will be a degree of proximity between buildings and private areas, which is typified by terraces of properties with gardens behind, thereby creating private amenity areas set away from dwellings (e.g. along Bedford Place, Erskine and Bedford Roads that frame the site). Indeed, the conflict of proximity of buildings to private amenity areas is clearly recognised by the applicant as a negative aspect as under application 180555/DPP the first and second floors were set back from the boundary to the garden of 42 Bedford Road by some 5.4 metres.

The current proposal envisages 'pulling out' the south exterior wall to align with that of the ground floor south elevation. The net result is the creation of an 11.4 metre tall wall only 1.2 metres from the boundary to the neighbours garden (0.60 of a metre from the stairwell to the boundary). The boundary of the building fronts the most private area of the garden to 42 Bedford Place and consequently the height, form, mass and proximity to private amenity areas would be oppressive and harmful to the amenity afforded to this aspect of neighbouring dwellings. This aspect of the proposal is therefore contrary to policies D1 and H1 of the ALDP, together with national policy guidance.

In turn, the quantum of the proposal represents an over development of the buildings footprint contrary to part of the qualifying criteria to ALDP policy H1.

Adequacy of Parking

Supplementary Guidance (SG) *Transport and Accessibility* supports ALDP policies T2 and T3 and includes advice on the level of car parking. The Roads Development Management Team provided advice to the Applicant following application 180555/DPP that an application for further flats would not be supported as on-street parking is finite and more flats would lead to more parking pressures in an already congested area by indiscriminate parking.

The SG requires that a maximum of 1.5 spaces should be provided per unit, equating to 9 parking spaces. However, the Applicant proposes no associated off-street car parking. As the site is located within a Controlled Parking Zone (CPZ), each unit would be entitled to a maximum of 2 on-street parking permits, which could add a maximum of 12 cars to the existing parking pressures within this area. Furthermore, several nearby streets (i.e. easy walking distance of the site) are outside the CPZ, so it is far more likely that residents would simply park on these already congested streets.

In terms of low / no car development the SG requires via a travel plan that significant measures will be undertaken to minimise the number of cars expected to travel to/from the site and that *there will be no adverse impact on the amenity of neighbouring sites through increasing on-street parking pressures*. In this case there is no way to minimise the number of cars owned by the

residents, and this in turn will have an adverse impact on the amenity of neighbouring streets through an increase in on-street parking pressure.

The proposal, having factored in the 'approved' scheme, would result in a net detriment to the area in terms of parking and as such would have an adverse impact on the amenity of neighbouring streets through an increase in on-street parking pressure.ve an adverse impact. The proposal is therefore contrary to ALDP polices T2 and T3, together with the SG.

Other Issues

Affordable Housing / Obligations

The site is outside the defined city centre boundary and therefore the affordable housing requirement attaches to the proposed development.

ALDP policy H5 requires that in all developments of 5 or more units that no less than 25% of the total number of units as affordable housing. On small residential development site it may be impractical to provide the requisite number of affordable units on site and in such events a commuted sum can applied. In this particular case an off-site contribution by way of a commuted sum equates to £47,500.00. There is also a requirement to provide £2,635.00 towards primary education in connection with Sunnybank Primary.

Type of Occupants

Whilst the Design Statement makes a series of references to either student occupation of the building and its proximity to Aberdeen University permission is sought for a residential use. Consequently, it can be occupied by a range of persons that includes students. There is no justification to limit the occupancy of the proposed building to all persons other than students.

Adequacy of Infrastructure

There is no indication from Scottish Water that the scheme will result in problems with the sewerage network.

CONCLUDING COMMENTS AND REASON FOR RECOMMENDATION

Whilst the principle of the proposed development is deemed acceptable, it is considered that the proposal with particular regard to the southern aspect of the scheme (i.e. rear section) lacks architectural integrity and quality, constitutes an overdevelopment of the buildings footprint and in turn will harm the character and appearance of the area. The form, mass, scale and proximity of the development will adversely harm the amenity afforded neighbouring residents. The proposed development is therefore contrary to policies D1 and H1 of the Aberdeen Local Development Plan 2017 and policy guidance set with Scottish Planning Policy and Planning Advice Note 67.

In addition, the no car approach adopted by the applicant will have an adverse impact on the amenity of neighbouring sites through increasing on-street parking pressures and the proposal is therefore in conflict with policies T2 and T3, together with the associated Supplementary Guidance (Transport and Accessibility) to the Aberdeen Local Development Plan 2017.

REASONS FOR REFUSAL

1.

The proposed development by reason of the quantum of development, design, form, scale, mass and proximity to neighbouring properties and their amenity areas has not had due regard to delivering a high quality scheme with respect to its context and the proposed development will therefore harm the character and appearance of the area contrary to policies D1 and H1 of the Aberdeen Local Development Plan 2017, together with national policy guidance within Scottish Planning Policy and Planning Advice Note 67.

2.

The proposed development by reason of the quantum of development, design, form, scale, mass and proximity to the site boundary will be oppressive and harmful to the private amenity afforded to neighbouring dwellings, which in turn represents an overdevelopment of the buildings footprint contrary to policies D1 and H1 of the Aberdeen Local Development Plan 2017, together with national policy guidance within Scottish Planning Policy and Planning Advice Note 67.

3.

The no car approach adopted by the applicant will have an adverse impact on the amenity of neighbouring sites through increasing on-street parking pressures and the proposal is therefore in conflict with policies T2 and T3, together with the associated Supplementary Guidance (Transport and Accessibility) to the Aberdeen Local Development Plan 2017.