

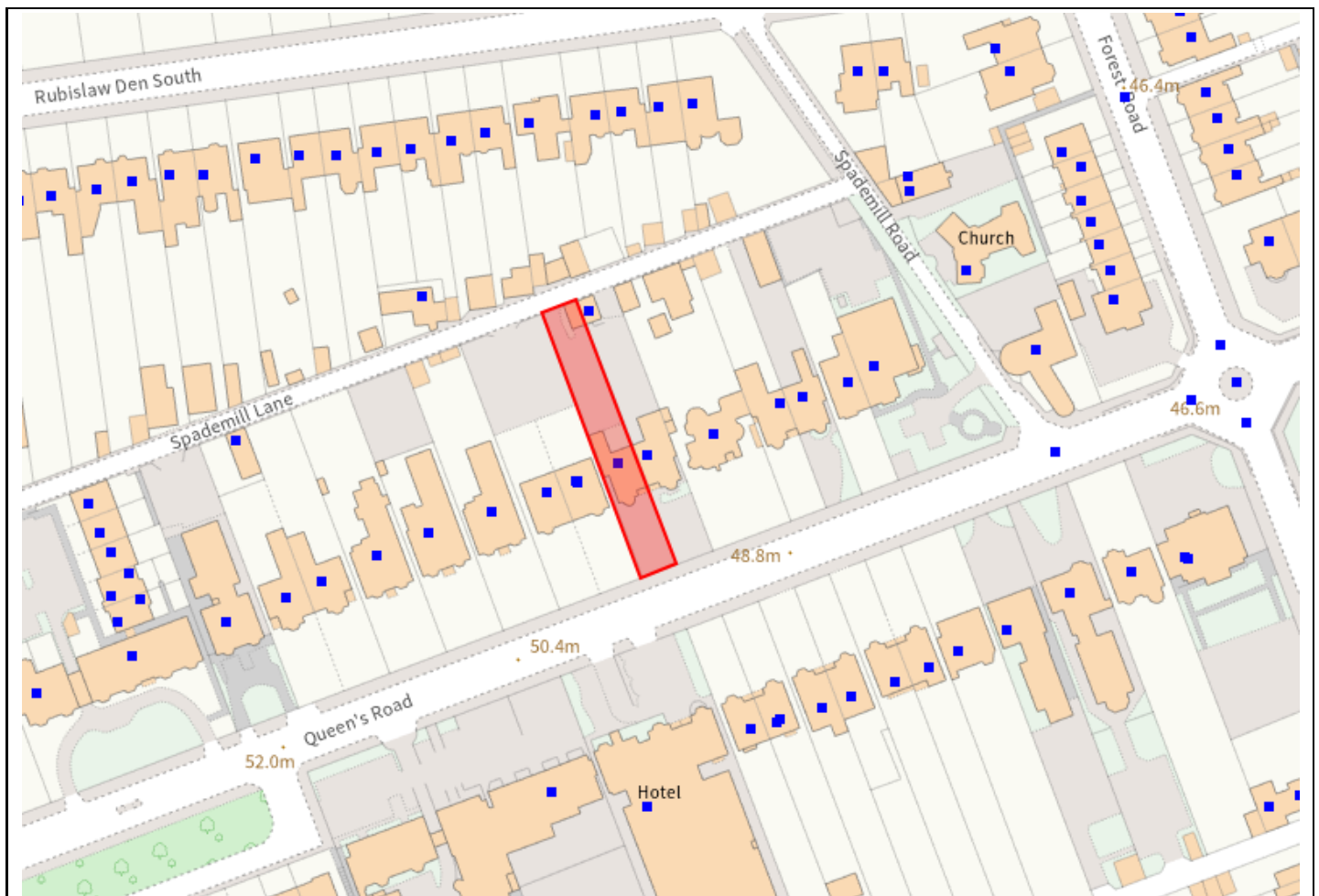


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 7 November 2024

<b>Site Address:</b>	54 Queen's Road, Aberdeen, AB15 4YE
<b>Application Description:</b>	Change of use to dwellinghouse (Class 9) including installation of fence to rear and associated landscaping front and rear
<b>Application Ref:</b>	240816/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	3 July 2024
<b>Applicant:</b>	AB Robb Investments Ltd
<b>Ward:</b>	Hazlehead/Queen's Cross/Countesswells
<b>Community Council:</b>	Queen's Cross and Harlaw



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The application site comprises a late 19<sup>th</sup> century granite-built two-storey (plus attic) building on the northern side of Queen's Road. The Category B-Listed building was originally built as a dwellinghouse. It is currently vacant but has been in long-standing office use. The building is semi-detached and adjoins 52 Queen's Road to its east. The southeast facing principal elevation of both buildings mirror each other and each have wide recessed doorways and decorative granite bays rising through the floors. Both buildings are currently amalgamated by door openings in the attic and ground floors. The application site is in the Albyn Place and Rubislaw Conservation Area and the grandeur of the principal elevation and its siting within the established set-back building line on Queen's Road contributes to the character and appearance of the conservation area.

Both the front and rear curtilage of the building is predominantly hard surfaced and is used as car parking provision. There is a shared vehicle access onto Queen's Road with 52 Queen's Road at the front of the building. To the rear, there is a separate vehicular access and a garage outbuilding which fronts the rear onto Spademill Lane.

### **Relevant Planning History**

On 10 October 2024, the associated listed building consent (Ref: 240814/LBC) was granted under delegated powers for internal alterations to partitions to the building to sub-divide the building from 52 Queen's Road and form the residential dwelling proposed.

Equivalent planning and listed building consent applications (Refs: 240817/LBC and 240818/DPP) have been submitted for the change of use of 52 Queen's Road to a dwellinghouse (Class 9), and associated alterations, fencing and landscaping. These applications have been approved, but have not been implemented.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Detailed Planning Permission is sought for the change of use of the building to a dwellinghouse (Class 9) including, the installation of fencing to rear and associated landscaping front and rear. No external alterations to the building are proposed.

In the front curtilage, an approximate 60sqm area between the parking area and southeast boundary of the site would be converted from a hard surfaced parking area into soft landscaped curtilage. The proposed front curtilage design would mirror that of the approved layout for the change of use of 52 Queen's Road (Ref: 240818/DPP).

The rear curtilage, which is currently predominantly hard surfaced as car park, would be landscaped into a rear garden with substantial areas of soft landscaping, areas of planting and would include a path. The 2m high grey-painted timber fence would divide part of the rear curtilage with its rear parking area. The existing garage outbuilding would remain and would be unchanged.

The site would retain the vehicular access shared with 52 Queen's Road at the front of the property and the existing rear access. As part of the proposed changes to the layout, there would be three parking spaces at the front of the property and one at the rear.

## Amendments

In agreement with the applicant, the application has been revised since submission in that:

- The total car parking area would be reduced in both the front and rear curtilage and additional areas of soft landscaping within the proposed residential curtilage would be incorporated into the proposal.
- There was initially space for six parking spaces in the front curtilage and approximately two parking spaces at the rear. As revised, there would be three parking space in the front of the property and one in the rear.

## Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SFY9Q1BZH8000>

- Photographic Record of No 54.

## 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 objection from the Roads Authority.

## CONSULTATIONS

**ACC - Roads Development Management Team** – Objection - The site is located in the outer city, in controlled parking zone X.

The proposed use as a 4 bedroom dwelling has an associated requirement of 3 parking spaces. It is noted that the rear is amended to include a garden, but also retain some parking, whilst the large driveway to the front is also retained. Our standards state:

*"Where properties have suitable existing facilities at the rear of the property it is unlikely that permission will be granted for further crossings at the front of the building"*

Our standards also stipulate that typically only one site access is permitted where the frontage of a property does not exceed 30m, which appears to be the case here. There is a rear building labelled as an outbuilding which has a large door (suitable to admit car access) onto the lane which was likely a garage historically. As such, the property potentially had 5 spaces (3 to the front, 1 in the rear garden, and the outbuilding).

The applicant was asked why they are retaining two accesses and why they have an overprovision of parking. The response stated that the rear access is not unsafe, that it is existing, and they are reducing parking on the site relative to the current use. These statements are correct and not in dispute. However, as this is a new planning application with significant landscaping occurring to the rear, and as there are no mitigatory circumstances as to why this dwelling should have an overprovision of parking, nor why it should retain an unnecessary number of accesses, Roads Development Management have to apply modern standards to the assessment of the application. It should also be noted that the existing use requires more parking, so a reduction is mandatory to

make this acceptable as a dwellinghouse from an RDM perspective. It is not clear as to why, when reducing the parking anyway, it was not reduced to an appropriate amount.

Electric vehicle charging is shown to the front. This is acceptable.

In summary, Roads Development Management would object to this application. There is a presumption against providing both front and rear access for parking to a dwellinghouse - particularly when there is a proposed overprovision of parking, rendering one of the accesses redundant.

**ACC - Waste and Recycling** - Aberdeen City Council intend to provide the waste and recycling services upon completion. Bins must be presented onto Spademill Lane on day of collection. Developers must contact Aberdeen City Council a minimum of one month before properties will be occupied to ensure that bins are on-site prior to residents moving into the properties and to give enough time to allow the development to be added to the refuse vehicle routes. Other general advice regarding waste storage has been provided.

**ACC - Environmental Health** – No objection provided any necessary sound insulation measures are incorporated into the design of the house to ensure that, under reasonable circumstances, the indoor ambient noise levels for dwellings criteria detailed in BS 8233:2014 are met, namely 35 dB (LAeq) within living/bedrooms during the daytime (07:00 to 23:00) and 30 dB (LAeq) within bedrooms during the night (23:00 to 07:00).

#### Construction Noise

To protect the amenity of neighbouring properties/occupants, development works (including site/ground preparation, demolition, and construction) causing noise beyond the site boundary should not occur outside the following hours:

- Monday to Friday 0700 hours to 1900 hours
- Saturday 0800 hours to 1300 hours.

**Scottish Water** – No objection.

**Queen's Cross and Harlaw Community Council** – No response received.

#### REPRESENTATIONS

None.

#### MATERIAL CONSIDERATIONS

##### **Legislative Requirements**

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

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

## **Development Plan**

### National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 7 (Historic Assets and Places)
- Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 16 (Quality Homes)

### Aberdeen Local Development Plan 2023 (ALDP)

- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D6 (Historic Environment)
- Policy D5 (Landscape Design)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy VC6 (West End Area)
- Policy WB3 (Noise)

### **Aberdeen Planning Guidance**

- Amenity and Space Standards
- Noise
- Transport and Accessibility

### **Other National Policy and Guidance**

- Historic Environment Policy for Scotland

## **EVALUATION**

### **Climate Change, Biodiversity and the Re-use of the Building**

Policy 1 (Tackling the Climate and Nature Crises) of National Planning Framework 4 (NPF4) requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals whilst Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) of NPF4 seeks to support

development proposals resulting in the sustainable reuse of brownfield land and the principle of re-using existing buildings and minimising demolition is also reflected in the objectives of Policy 12 (Zero Waste) of NPF4.

The proposed change of use to a single dwellinghouse, with no requirement for demolition, no external alteration to the building and minor alterations within the curtilage, would have minimal impact on the global climate and nature crises. The development would re-use the embodied energy of the historic building and the dwellinghouse would be located on a brownfield site. The proposal would contribute, albeit in a limited way, towards addressing housing need, assisting in reducing future pressure on releasing greenfield land for housing elsewhere.

Policy 15 (Local Living and 20 Minute Neighbourhoods) of NPF4 states development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, it states that consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development into the surrounding area. This includes local access to sustainable modes of transport, employment, shopping, health and social care facilities, open space and recreational facilities. The dwellinghouse would be located in a sustainable and accessible location. Given the mixed use character of the West End Area, the proximity of schools, employment and health and care facilities, there is a significant variety of uses within reasonable distance of the site which are accessible by walking, wheeling or cycling. The site is also located adjacent to a bus route to the city centre. The proposal would contribute to local living and accords with the principles of Policy 15 of the ALDP.

In addressing the nature crisis referred to in Policy 1, Policy 3 (Biodiversity) of NPF4 is also relevance. This policy requires proposals for local development to include appropriate measures to conserve, restore and enhance biodiversity. The proposed layout would include the removal of hard surfaces and incorporate soft landscaped areas of front and rear garden ground with edge planting proposed, which would provide areas to enhance biodiversity. To ensure biodiversity enhancement would be provided, the recommendation includes a condition to require a landscape and biodiversity enhancement scheme based on this layout to be submitted to, and approved in writing by the planning authority, prior to the change of use. Recommended biodiversity enhancement measures are added as an advisory note for the applicant.

Commensurate with the scale of development proposed, the proposal would give sufficient weight to the global climate and nature crises, it would minimise lifecycle greenhouse gas emissions and it would enhance biodiversity, in accordance with Policies 1, 2, 3 and 9 of NPF4.

### **Aberdeen Local Development Plan Zoning**

The application site is zoned as Policy VC6 (West End Area) of the ALDP. The area identified as Policy VC6 (West End) is centred around Queen's Road, Carden Place and Albyn Place and comprises a mix of offices, residential, schools, hotels and a hospital. Many residential properties are located within close proximity to the application site, including along Queen's Road and to the north of the site across Spademill Lane on Rubislaw Den South, which is zoned under Policy H1 (Residential Areas) of the ALDP.

Policy 16 (Quality Homes) of NPF4 states that development proposals for new homes on land allocated for housing in LDPs will be supported. Policy VC6 of the ALDP states that in the area, the principle of change of use from office to residential will be supported. As such, the principle of the change of use to a residential dwelling from an office accords with this policy in principle. However, the policy also requires all development, including changes of use, to take into account existing uses and avoid undue conflict with the adjacent land uses and amenity, and to respect the

special historic and architectural character of the West End. These matters are considered under the following headings.

#### Impact on Adjacent Uses and Amenity

The 'Qualities of Successful Places' referred to in Policy 14 (Design, Quality and Place) of NPF4 and the 'Qualities of Successful Placemaking' referred to in Policy D1 (Quality Placemaking) of the ALDP seeks development to be safe and pleasant, in terms of avoiding unacceptable impacts on adjoining uses, including invasion of privacy and in terms of noise. Policy D2 (Amenity) of the ALDP seeks to ensure that ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook.

Given the reduced scale and intensity of the development relative to its most recent office use, the proposed dwelling would not adversely affect the amenity of the existing uses, nor the approved use of 52 Queen's Road, in terms of noise and privacy.

Policy 23 (Health and Safety) of NPF4 states that the agent of change principle applies to noise sensitive development. The proposed residential development would be a 'noise sensitive development' in terms of Section 41A of the Town and Country Planning (Scotland) Act 1997, as amended. This requires the planning authority to take particular account of whether the development includes sufficient measures to mitigate, minimise or manage the effect of noise between the development and any existing businesses in the vicinity of the development. Section 41A states that a planning authority may not, as a condition of granting planning permission for a noise-sensitive development, impose on a noise source additional costs relating to acoustic design measures to mitigate, minimise or manage the effects of noise.

Whilst there are business uses in the area, including offices adjacent to the property and a hotel and restaurant (Malmaison) located opposite the site, c.50m to the southeast, there are no noise-generating businesses within close proximity of the development which could be adversely affected by this change of use. The Environmental Health Service have been consulted and have not objected to the application, nor have they raised that it would be necessary for a noise impact assessment to be submitted, other than recommending that any necessary sound insulation measures are incorporated into the design of the house. Taking into account the surrounding uses, there is no identifiable risk of nearby businesses being harmed in terms of the agent of change principle, in accordance with Policy 23 of NPF4.

The development would not adversely affect existing uses and would avoid undue conflict with the adjacent land uses and amenity, in accordance with Policies 14 of NPF4, D1 and D2 of the ALDP, and thus Policy VC6 of the ALDP.

#### Impact on Historic and Architectural Character of the West End

Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) of NPF4 states that development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Policy D6 (Historic Environment) of the ALDP states that there will be a presumption in favour of the retention and appropriate reuse of historic environment assets that contribute positively to Aberdeen's character. Policy D7 (Our Granite Heritage) of the ALDP states that the council seeks the retention and appropriate re-use, conversion and adaption of all historic granite buildings. As such, the principle of retaining and re-using this vacant historic granite building is in accordance with these policies in principle.

Policy 7 (Historic Assets and Places) of NPF4 states that development proposals for the alteration of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Likewise, it states that development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. In this instance, no external alterations are proposed to the building or the listed boundary walls around the building.

The Albyn Place and Rubislaw Conservation Area Character Appraisal identifies the 'loss of vegetation in the front courtyard and rear gardens due to car parking' as a weakness to the character of this conservation area. In the front curtilage, an approximate 60sqm area between the parking area and southeast boundary of the site would be converted from a hard surfaced parking area into soft landscaped residential curtilage and the proposed layout would mirror the approved front garden layout of 52 Queen's Road. The development would replace the rear car park with a rear garden, which would include varied areas of soft and hard landscaping. There would resultantly only be one parking space at the rear. Whilst a fence is proposed within the curtilage, which is not a boundary feature that is consistent with the historic character of the building, the fence would be located centrally within the garden rather than form boundary treatment and it would have minimal impact on the visual amenity of the streetscape. Taking into account the finalised landscaping and biodiversity enhancement details which would be ensured through an appropriately worded planning condition, the proposed landscape design would be an enhancement to the character and appearance of the streetscape of both Queen's Road and Spademill Lane.

The proposal would be an enhancement to the setting of the listed building and the character and appearance of the Albyn Place and Rubislaw Conservation Area, in accordance with Policies 7 (Historic Assets and Places) and 14 (Design, Quality and Place) of NPF4, as well as Policies D1 (Quality Placemaking), D6 (Historic Environment) and D7 (Our Granite Heritage) of the ALDP, HEPS, and the aims of the Albyn Place and Rubislaw Conservation Area Character Appraisal.

#### Summary – Policies 16 (Quality Homes) of NPF4 and VC6 (West End Area) of the ALDP

For the reasons set out above, the change of use of this office to a dwellinghouse would take into account existing uses, avoid undue conflict with the adjacent land uses and amenity and would respect the special historic and architectural character of the West End. The development is thus in full accordance with Policy 16 (Quality Homes) of NPF4 and Policy VC6 (West End Areas) of the ALDP.

#### **Residential Amenity of the Proposed Dwelling**

Policies 14 (Design, Quality and Place) of NPF4, and D1 (Quality Placemaking) and D2 (Amenity) of the ALDP also require the proposed dwellinghouse itself to have an acceptable level of residential amenity in relation to privacy, daylight, sunlight, noise, air quality and immediate outlook. It also requires the development to meet minimum standards of internal floor space and private external amenity space.

The Amenity and Space Standards of the Aberdeen Planning Guidance requires four-bedroom dwellings to have a floorspace of 100sqm. The proposed dwelling would have a floorspace of approximately 390sqm, which would thus be well in excess of the minimum space standard. It would incorporate an acceptable street frontage onto Queen's Road and a private garden to its rear. An approximate 18m long section of the rear curtilage would be fully enclosed by the existing boundary wall and the proposed 2m high fence. Noting the rear garden is to the north of building, the length of the rear curtilage (excluding the parking area) would be sufficient to ensure acceptable levels of sunlight into the garden. The building itself has a dual aspect with a public



face onto Queen's Road and an orientation which would provide good levels of daylight, sunlight and outlook to the front (south) and rear (north) elevations. The building is set back from the front road, which would mitigate significant exposure to traffic noise and pollution.

It is recognised that the development would share a vehicular access with the transient employees of the existing office use at 52 Queen's Road (assuming that the 240818/DPP for the change of use of that building is not implemented), which could result in a degree of disturbance for the occupants of the dwelling. It is also recognised that the rear garden would not be fully screened from the elevated positions of the neighbouring buildings, including 52 Queen's Road.

Nevertheless, the proposed garden for the dwellinghouse would be of a sufficient size and be adequately enclosed to enable an adequate level of privacy to be afforded to the dwelling, appropriate for its urban context. The dwelling would have significant internal floorspace and would include acceptable levels of privacy, sunlight, noise, air quality, daylight and would include a private residential garden to the rear, which cumulatively would afford the dwelling with an acceptable level of residential amenity, in accordance with Policies 14 (Design, Quality and Place) of NPF4 and D1 (Quality Placemaking) and D2 (Amenity) of the ALDP and the Amenity and Space Standards Aberdeen Planning Guidance.

### **Transport and Accessibility**

Policy 13 (Sustainable Transport) of NPF4 promotes and encourages the use of sustainable and active modes of travel where possible, as opposed to private vehicle trips. Policy T2 (Sustainable Transport) of the ALDP states that new developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, wheeling, cycling and public transport.

The application site is a highly accessible location in terms of both active and sustainable travel. Queen's Road is a bus route which is a main thoroughfare into the city centre. The nearest bus stop is only 18m from the front of the property, in accordance with Policy T2 of the ALDP, which requires development to be within 400m of the nearest bus stop. As explained above, there are a range of uses within walking, wheeling and cycling distance of the site and the development would accord with the principles of local living. There would be ample opportunity for accommodating secure cycle storage on the site.

Policy T3 of the ALDP requires the number of parking spaces to comply with the Parking Standards in the Transport and Accessibility Aberdeen Planning Guidance. Paragraph 11.24 of the ALDP states that the Council '*recognises that parking is an essential facility for many developments but will ensure that the level of parking complements its commitment to sustainable transport, through reducing emissions and congestion.*'

In this case, the Parking Standards require the proposed development to have no more than three parking spaces. Including the existing garage, five parking spaces are proposed, the development would conflict with this guidance and Policy T3 of the ALDP. One of the grounds of the ACC Roads Development Management Team objection is because of this proposed over-provision of parking.

As a change of use from an office use to a single dwellinghouse, the development would significantly reduce the level of traffic to and from the site relative to the existing situation. The vast majority of the parking spaces on the site would be removed as part of this development. An adequate level of garden ground has been proposed, which would provide an acceptable level of residential amenity for the future occupants and its landscape design would enhance the character and appearance of the conservation area. The level of parking provision proposed would be

proportionate to the significant size of this dwelling in terms of its floorspace and as a property on Queen's Road. Many of the large dwellinghouses in the area, including on Queen's Road, Rubislaw Den North and Rubislaw Den South have large parking areas and entrances to the front of properties. Acknowledging the existing number of parking spaces on this site, the level of parking provision proposed would be a significant betterment and would not detract from the character and appearance of the surrounding area by any significant degree.

Policy T3 (Parking) of the ALDP and the Transport and Accessibility Aberdeen Planning Guidance also require new developments to install appropriate electric vehicle charging infrastructure. The development would include an electric vehicle charging point in the front curtilage, in accordance with this policy and guidance.

The Transport and Accessibility Aberdeen Planning Guidance states: *'In general, only one footway crossing per property is permitted. In some situations this may be relaxed, for example at large houses with a frontage in excess of 30m where an "in" and an "out" may be permitted. Where properties have suitable existing facilities at the rear of the property it is unlikely that permission will be granted for further crossings at the front of the building.'*

The ACC Roads Development Management Team have stated that *'our standards also stipulate that typically only one site access is permitted where the frontage of a property does not exceed 30m, which appears to be the case here.'* One of the grounds of the ACC Roads Development Management objection is that *'there are no mitigatory circumstances as to ... why it should retain an unnecessary number of accesses'*.

It must be noted that the Aberdeen Planning Guidance does not state that typically only one site access is permitted, it states that *'in general, only one footway crossing per property is permitted'*. In this instance, the site would be served by only one footway crossing. This is the footway crossing on Queen's Road. There is no footway crossing to the rear because there is no footway on Spademill Lane. The presence of two accesses would have no conflict with the Transport and Accessibility Aberdeen Planning Guidance.

Due consideration has been given to whether there are any other material planning considerations as to why this property having two accesses would be unacceptable. As noted by the ACC Roads Development Management Team, the applicant was asked why they are retaining two accesses and why they have an overprovision of parking. The response stated that the rear access is not unsafe, that it is existing, and they are reducing parking on the site relative to the current use. ACC Roads Development Management Team consultation response states that statements are correct and not in dispute. There are thus no identified road safety concerns with respect to there being two accesses to this dwelling. The two accesses to the site exist already and significantly more traffic is likely to enter and exit the site from both accesses in its current office use. As such, in its proposed use, there would be a reduced level of vehicular activity and there would thus be less vehicles entering and exiting from these accesses. From this, it can be deduced that there would thus be less road safety risk as a result of this proposal than its existing use.

There are no material planning considerations that warrant refusal on the basis that two existing vehicular accesses and the existing garage to the site would be retained. The development would not adversely affect road safety and the level of parking on the site would be acceptable in this particular instance, as set out above. The grounds for the ACC Roads Development Management objection, whilst a material planning consideration, is not to a degree that warrants refusal.

It can be noted that the applicant was given the opportunity to address the objection the of ACC Roads Development Management Team to remove the rear access. In consultation with ACC Roads Development Management Team, it had been suggested a revision to the application to

remove the access and reinstate a granite boundary wall to enclose the boundary on Spademill Lane (sympathetic to the site context of being a B-Listed Building within the Albyn Place and Rubislaw Conservation Area). However, the applicant chose not to submit such a revision.

In summary, the development would result in less traffic than the existing use as an office, there would be significantly less parking spaces on the site, the proposed development would be accessible by a range of transport modes, with an emphasis on active and sustainable transport. It accords with the principles of local living. The proposal thus accords with the aims of Policies 13 and 15 of NPF4 and T2 of the ALDP. The singular conflict with Policy T3 of the ALDP and the Transport and Accessibility Aberdeen Planning Guidance in terms of the number of parking spaces being two more than the maximum permitted is not to such a degree that it warrants the refusal of planning permission, taking all other material planning considerations into account. Likewise, there are no material planning considerations that warrant refusal on the basis that two existing vehicular accesses and the existing garage to the site would be retained. The grounds for the ACC Roads Development Management objection, whilst a material planning consideration, do not warrant refusal, taking all other material planning considerations into account.

### **Waste Storage and Collection**

Policy 12 (Zero Waste) of NPF4 seeks development to reduce, reuse or recycle materials. Policy R5 (Waste Management Requirements for New Development) of the ALDP requires all new developments to have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. The proposal has identified an appropriate area within the rear curtilage for this purpose and bins would be collected from Spademill Lane. ACC Waste and Recycling Team have been consulted and have raised no concern with the proposed waste and collection arrangements. The development therefore accords with Policy R5 of the ALDP.

### **RECOMMENDATION**

Approve Conditionally

### **REASON FOR RECOMMENDATION**

The proposed change of use of this office building to a dwellinghouse is in full accordance with Policy VC6 (West End Areas) of the Aberdeen Local Development Plan 2023 (ALDP) as it would take into account existing uses, avoid undue conflict with the adjacent land uses and amenity and would respect the special historic and architectural character of the West End. The development would thus comply with Policy 16 (Quality Homes) of National Planning Framework 4 (NPF4)

The proposed dwellinghouse would be afforded an acceptable level of residential amenity and would not adversely affect the amenity, or conflict with the adjacent uses, in accordance with Policies 14 (Design, Quality and Place) of NPF4, D1 (Quality Placemaking) and D2 (Amenity) of the ALDP and the Amenity and Space Standards Aberdeen Planning Guidance (APG).

Likewise, the proposal would be an enhancement to the setting of this listed building and the character and appearance of the Albyn Place and Rubislaw Conservation Area. The principle of retaining and re-using this vacant historic granite building is in full accordance with these policies and the removal of car parking areas and reinstatement of landscaped garden ground would be in full accordance with Policies 7 (Historic Assets and Places) and 14 (Design, Quality and Place) of NPF4, as well as Policies D1 (Quality Placemaking), D4 (Landscape Design), D6 (Historic Environment) and D7 (Our Granite Heritage) of the ALDP, the Historic Environment Policy for Scotland, and the aims of the Albyn Place and Rubislaw Conservation Area Character Appraisal.

The development would have sufficient space for the storage of waste and recyclables, in accordance with Policy R5 (Waste Management Requirements in New Development) of the ALDP.

The proposed change of use to a single dwellinghouse, with no requirement for demolition, no external alteration to the building and minor alterations within the curtilage, would have minimal impact on the global climate and nature crises. The development would re-use the embodied energy of the historic building. The proposed dwellinghouse would be located in a sustainable and accessible brownfield site in close proximity to a range of uses in the West End and would therefore accord with the principles of local living and '20 minute neighbourhoods'. Subject to a condition requiring a scheme of the finalised landscape design and biodiversity enhancement measures, commensurate with the scale of development proposed, the proposal would give sufficient weight to the global climate and nature crises, it would minimise lifecycle greenhouse gas emissions and it would enhance biodiversity, in accordance with Policies 1 (Tackling the Climate and Nature Crises), 2 (Climate Mitigation, and Adaptation), 3 (Biodiversity) and 9 (Brownfield, Vacant and Derelict Land and Empty Building) and 15 (Local Living and 20 Minute Neighbourhoods) of NPF4.

The proposed use would result in less traffic than the existing use as an office, there would be significantly less parking spaces on the site as a result of the development, and it would be accessible by a range of transport modes, with an emphasis on active and sustainable transport. The proposal thus accords with the aims of Policies 13 (Sustainable Transport) of NPF4 and T2 (Sustainable Transport) of the ALDP. The singular conflict with Policy T3 (Parking) and the Transport and Accessibility Aberdeen Planning Guidance in terms of the number of parking spaces being two more than the maximum permitted is not to such a degree that it warrants the refusal of planning permission, taking all other material planning considerations into account. Likewise, the grounds for the ACC Roads Development Management objection, whilst a material planning consideration, do not warrant refusal, taking all other material planning considerations into account.

## **CONDITIONS**

### **(01) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

### **(02) BIODIVERSITY AND LANDSCAPING ENHANCEMENTS**

That no development shall take place unless a scheme of soft and hard landscaping proposals and biodiversity enhancement measures has been submitted to, and approved in writing by the planning authority. Details of the scheme shall include:

- i. Existing landscape features and vegetation to be retained.
- ii. The location of new trees, shrubs, hedges, grassed areas.
- iii. A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- iv. The location, design and materials of all hard landscaping works.
- v. All proposed biodiversity enhancement measures.

All soft and hard landscaping proposals and biodiversity enhancement measures shall be carried out in accordance with the approved scheme and shall be completed prior to the occupation of the

dwellinghouse. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of the same size and species to those originally required to be planted, or of a similar size and species to be agreed in writing by the planning authority.

Reason - To ensure the implementation of a satisfactory scheme of landscaping and biodiversity enhancements which will help to integrate the proposed development into the local landscape, in the interests of the character and appearance of the conservation area and tackling the climate and nature crises.

### (03) LAYOUT OF CURTILAGE

That the dwellinghouse hereby approved shall not be occupied unless the front and rear garden ground layout and boundary treatment within the curtilage as shown on Drawing SP02 REV C has been implemented in full in accordance with the approved plan and the scheme of soft and hard landscaping proposals and biodiversity enhancement measures referred to in Condition 1.

Reason: In the interests of the historic environment, the character and visual amenity of the surrounding area, to ensure a satisfactory residential environment is created for the occupants of the dwelling and to ensure there would not be an excessive provision of car parking.

### **ADVISORY NOTES FOR APPLICANT**

#### (01) Details in Condition (02)

In providing the details referred to in Condition 2), the following recommendations are made:

- To maximise biodiversity value, native planting with a range of wildflowers, shrubs and trees should be provided. A small pond or water feature would boost biodiversity would be suitable. Night scented flowers can also boost nocturnal wildlife into the space.
- Where possible, impermeable surfaces should be avoided. Grasscrete paving would be appropriate in the rear parking area.
- Opportunities should be explored to utilise SUDs to assist with the infiltration of surface water run-off.

#### (02) Construction Noise

To protect the amenity of neighbouring properties/occupants, development works (including site/ground preparation, demolition, and construction) causing noise beyond the site boundary should not occur outside the following hours:

- Monday to Friday 0700 hours to 1900 hours
- Saturday 0800 hours to 1300 hours.