

# Public Document Pack



To: Councillor Milne, Convener; and Councillors Crockett and Lawrence.

Town House,  
ABERDEEN, 03 October 2014

## **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL**

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in Committee Room 2 - Town House on **MONDAY, 13 OCTOBER 2014 at 2.00 pm.**

JANE G. MACEACHRAN  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **BUSINESS**

- 1 Procedure Notice (Pages 1 - 2)

**COPIES OF THE RELEVANT PLANS / DRAWINGS ARE AVAILABLE FOR INSPECTION IN ADVANCE OF THE MEETING AND WILL BE DISPLAYED AT THE MEETING**

**TO REVIEW THE DECISION OF THE APPOINTED OFFICER TO REFUSE THE FOLLOWING APPLICATIONS**

- 2 10 Stoneyhill Terrace, Covebay - Proposed Replacement Windows - P140452

## **PLANNING ADVISER - ROBERT FORBES**

- 2.1 Delegated Report (Pages 3 - 8)
- 2.2 Planning policies referred to in documents submitted (Pages 9 - 12)  
A Guide to Conservation Areas in Scotland is available here - <http://www.scotland.gov.uk/Resource/Doc/37428/0009675.pdf>  
  
The Historic Scotland Scottish Historic Environment Policy is available here – <http://www.historic-scotland.gov.uk/shep-dec2011.pdf>  
  
The Technical Advice Note - Repair and Replacement of Windows and Doors is available here - <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=49290&SID=14394>
- 2.3 Notice of Review with supporting information submitted by applicant / agent (Pages 13 - 24)
- 2.4 Determination - Reasons for decision  
Members, please note that reasons should be based against Development Plan policies and any other material considerations.
- 2.5 Consideration of conditions to be attached to the application - if Members are minded to over-turn the decision of the case officer
- 3 111 Malcolm Road, Peterculter - Erection of Garage with Ancillary Accommodation at Upper Level - P131351

## **PLANNING ADVISER - PAUL WILLIAMSON**

- 3.1 Delegated Report (Pages 25 - 30)
- 3.2 Planning policies referred to in documents submitted (Pages 31 - 32)  
The Supplementary Guidance - Householder Development Guide is available here - <http://committees.aberdeencity.gov.uk/documents/s40737/Supplementary%20Guidance%20-%20Householder%20Development%20Guide.pdf>
- 3.3 Notice of Review with supporting information submitted by applicant / agent (Pages 33 - 56)

3.4 Determination - Reasons for decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

3.5 Consideration of conditions to be attached to the application - if Members are minded to over-turn the decision of the case officer

Website Address: [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Should you require any further information about this agenda, please contact Martin Allan, tel. (52)3057 or email [mallan@aberdeencity.gov.uk](mailto:mallan@aberdeencity.gov.uk)

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## LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

### PROCEDURE NOTE

#### GENERAL

1. The Local Review Body of Aberdeen City Council (the LRB) must at all times comply with (one) the provisions of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 (the regulations), and (two) Aberdeen City Council's Standing Orders.
2. In dealing with a request for the review of a decision made by an appointed officer under the Scheme of Delegation adopted by the Council for the determination of "local" planning applications, the LRB acknowledge that the review process as set out in the regulations, shall be carried out in stages.
3. As the first stage and having considered the applicant's stated preference (if any) for the procedure to be followed, the LRB must decide how the case under review is to be determined.
4. Where the LRB consider that the review documents (as defined within the regulations) provide sufficient information to enable them to determine the review, they may (as the next stage in the process) proceed to do so without further procedure.
5. Should the LRB, however, consider that they are not in a position to determine the review without further procedure, they must then decide which one of (or combination of) the further procedures available to them in terms of the regulations should be pursued. The further procedures available are:-
  - (a) written submissions;
  - (b) the holding of one or more hearing sessions;
  - (c) an inspection of the site.
6. If the LRB do decide to seek further information or representations prior to the determination of the review, they will require, in addition to deciding the manner in which that further information/representations should be provided, to be specific about the nature of the information/representations sought and by whom it should be provided.
7. In adjourning a meeting to such date and time as it may then or later decide, the LRB shall take into account the procedures outlined within Part 4 of the regulations, which will require to be fully observed.

#### DETERMINATION OF REVIEW

8. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.

9. The starting point for the determination of the review by the LRB will be Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that:-

“where, in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise.”
10. In coming to a decision on the review before them, the LRB will require:-
  - (a) to consider the Development Plan position relating to the application proposal and reach a view as to whether the proposal accords with the Development Plan;
  - (b) to identify all other material considerations arising (if any) which may be relevant to the proposal;
  - (c) to weigh the Development Plan position against the other material considerations arising before deciding whether the Development Plan should or should not prevail in the circumstances.
11. In determining the review, the LRB will:-
  - (a) uphold the appointed officers determination, with or without amendments or additions to the reason for refusal; or
  - (b) overturn the appointed officer's decision and approve the application with or without appropriate conditions.
12. The LRB will give clear reasons for its decision in recognition that these will require to be intimated and publicised in full accordance with the regulations.

# Agenda Item 2.1

Signed (authorised Officer(s)):

10 STONEYHILL TERRACE, COVE BAY  
PROPOSED REPLACEMENT WINDOWS

For: Miss Stalker

Application Type : Detailed Planning  
Permission

Application Ref. : P140452

Application Date : 28/03/2014

Advert : Section 60/65 - Dev aff  
LB/CA

Advertised on : 16/04/2014

Officer : Linda Speers

Creation Date : 3 July 2014

Ward: Kincorth/Nigg/Cove (N Cooney/C  
Mccaig/A Finlayson)

Community Council: Comments

## RECOMMENDATION:

### Refuse

### DESCRIPTION

The application site is located on the south side of Stoneyhill Terrace. The terrace is situated on a hill sloping down in an easterly direction. The property is a detached 1.5 storey granite / harled dwelling with slate pitched roof. The front of the property has a garage attached and a driveway. There are 2 single flat roof dormer windows with original single glazed timber sash and case windows split into 16.no panes and a further timber sash and case window at ground floor level. The rear elevation has a glazed porch giving access to the rear garden which is circa 700mm lower than the property. At first floor level is a box dormer with 3no. large windows, all brown PVC. The rear of the property over looks Cove Bay to the south and east and the adjacent land is green belt. The rear garden is enclosed a low boundary wall circa 1000mm high.

The property lies within the Cove Bay Conservation Area. The area is characterised by a wide variety of house styles

## **RELEVANT HISTORY**

There is no planning history attached to the site.

## **PROPOSAL**

Planning Permission is sought to replace all the windows to the property on the front and rear elevation. The white painted timber sash and case windows to the front elevation to be replaced with double glazed rosewood PVC tilt and turn windows with sandwiched astrals between the glazing dividing the upper section into 8 small panes. The rear elevation windows to be replaced with double glazed rosewood PVC casement windows with sandwiched astrals to the upper section of the first floor windows.

## **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140452>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

## **CONSULTATIONS**

**Roads Projects Team** – No observations

**Environmental Health** – No observations

**Enterprise, Planning & Infrastructure (Flooding)** – No observations

**Community Council** – Comments Received as follows:

- Any alterations should be in keeping with the Conservation Area.

## **REPRESENTATIONS**

No letters of representation/objection/support have been received.

## **PLANNING POLICY**

### National Policy and Guidance

- **Scottish Planning Policy**  
Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Current SHEP policy provides further detail.
- **Historic Scotland - Scottish Historic Environment Policy (SHEP)**  
Conservation Areas are defined as 'areas of special architectural or historic interest, the character or appearance of which, it is desirable to preserve or enhance'.



## Aberdeen Local Development Plan 2012

- **Policy H1 - Residential Areas**

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

1. Does not constitute over development;
2. Does not have an unacceptable impact on the character or amenity of the surrounding area; and
3. Complies with the Supplementary Guidance relating to the Householder Development Guide.

- **Policy D5 – Built Heritage**

Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

### Supplementary Guidance

- **TAN: The Repair and Replacement of Windows and Doors**

The replacement of windows and doors in Conservation Areas which are not identical to the originals requires planning permission.

### **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) 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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas.

The supplementary guidance states where there is no alternative to replacement; new windows should be sensitively replaced in an environmentally sensitive way which is in keeping with the character of the original building and the quality of its design. The property may be described as a modern build but encompasses many traditional features and details such as white painted timber sash and case windows, granite façade and slate roof with tabling. This property has a distinctive façade which is not repeated in the adjoining neighbouring properties. It is one of the very few remaining properties with a timber sash and case window on this terrace.

The proposed complete replacement of the sash and case window design with rosewood PVC tilt and turn window with sandwiched astragals is insensitive and unfitting to this property. The unnecessary loss of the sash and case design on a

public elevation in a Conservation Area is contrary to supplementary guidelines. The guidelines promote refusing applications which reproduce the astragal pattern but open in a different manner and those where the astragals are merely applied to the surface of, or are sandwiched between, the panes of double glazing. An uPVC sash and case lookalike, replicating the significant features would be considered acceptable for this location but this option was rejected by the applicant in favour for tilt and turn design. The rear window style is acceptable as they are a non public elevation and not visible from the road and in keeping with the current style of window.

It has been acknowledged that the Cove Conservation Area has been subjected to a great deal of modernisation in particular window and door replacements and the area lacks continuity. Notwithstanding this extra care should be taken to protect the remaining properties that present traditional features in accordance with guidelines. Adjacent to Stoneyhill Terrace is a row of traditional cottages on Seaview Terrace which bestow the original character of the area. The applicants property reflects a little of this character through the original white painted timber sash and case window and therefore worthy of retaining. The proposed windows to the front elevation are considered inappropriate in terms of design, opening mechanism and colour; they are not in keeping with the character of the building. The approval of this application would create an undesirable precedent for similar proposals resulting in further erosion of the traditional character of other properties and the wider conservation area. The proposal does not accord the supplementary guidance: TAN – The Repair and Replacement of Windows and Doors or with Policy D5 and H1 of the Aberdeen Local Development Plan 2012.

The property lies within the Cove Bay Conservation Area and Historic Scotland 'Scottish Historic Environment Policy' (SHEP) must be referred to in determination of the application. SHEP 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 proposal would have an adverse effect on the character of the Conservation area and ultimately 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.

## **RECOMMENDATION**

### **Refuse**

## **REASONS FOR RECOMMENDATION**

(1) The proposal is contrary to both Scottish Historic Environment Policy and Policy D5 of the Aberdeen Local Development Plan 2012 as the replacement windows do not preserve the character of the Cove Bay Conservation Area. The design, opening mechanism and colour are inappropriate and contrary to the

guidance contained in supplementary guidance: TAN – The Repair and Replacement of Windows and Doors

(2) Approval of this application would create an undesirable precedent for similar proposals resulting in further erosion of the traditional character of the conservation area.

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## **Policy D5 – Built Heritage**

Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy. In relation to development affecting archaeological resources further details are set out in Supplementary Guidance on Archaeology and Planning.

Planning permission for development that would have an adverse effect on the character or setting of a site listed in the inventory of gardens and design landscapes in Scotland or in any additional to the inventory will be refused unless:

1. The objectives of designation and the overall integrity and character of the designated areas will not be compromised; or
2. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, economic and strategic benefit of national importance.

In both cases mitigation and appropriate measures shall be taken to conserve and enhance the essential characteristics, aesthetics, archaeological and historical value and setting of the site.

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## **Policy H1 – Residential Areas**

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

1. Does not constitute overdevelopment
2. Does not have an unacceptable impact on the character or amenity of the surrounding area
3. Does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010
4. Complies with Supplementary Guidance on Curtilage Splits; and
5. Complies with Supplementary Guidance on House Extensions

Within existing residential areas, proposals for non-residential uses will be refused unless:

1. They are considered complementary to residential use
2. It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity

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## NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments  
 The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013  
 The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MISS	Ref No.	
Forename	K	Forename	
Surname	STALKER	Surname	
Company Name		Company Name	CRSMITH
Building No./Name	10	Building No./Name	
Address Line 1	STONEHILL TERRACE	Address Line 1	GARDENERS STREET
Address Line 2		Address Line 2	
Town/City	COVE	Town/City	EDINBURGH
Postcode	AB12 3UE	Postcode	EH12 0RN
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	ABERDEEN CITY COUNCIL		
Planning authority's application reference number	P140452		
Site address	10 STONEHILL TERRACE COVE BAY AB12 3UE		
<div style="border: 1px solid black; padding: 5px; display: inline-block;">                     RECEIVED                      28 AUG 2014                 </div>			
Description of proposed development	Proposed replacement windows.		

Date of application

3 / 4 / 14.

Date of decision (if any)

9 / 7 / 14.

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

**4. Nature of Application**

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

**5. Reasons for seeking review**

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

**6. Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

*(Empty box with a diagonal line through it)*

**7. Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Private land to rear of property.

### 8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Grounds of Appeal.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes  No

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

### 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

*Grounds of appeal.*

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

### 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form



Statement of your reasons for requesting a review



All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.



Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

### DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

JACK PEDAL

Date:

25/8/14.

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

## Linda Speers

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**From:** PI  
**Sent:** 17 April 2014 11:21  
**To:** Linda Speers  
**Subject:** FW: Planning Comment for 140452

Robert Vickers

Planning and Sustainable Development  
Aberdeen City Council  
Marishal College  
Business Hub 4  
Broad Street  
Aberdeen  
AB10 1AB

We are always trying to improve the quality of customer service that we provide and would like to know your views on the service you have received to help us learn what we need to do better. With this in mind we would appreciate it if you could take a few moments to fill in our short feedback form by clicking on <http://www.aberdeencity.gov.uk/customerfeedback> and selecting the relevant department. Many thanks.

-----Original Message-----

**From:** [webmaster@aberdeencity.gov.uk](mailto:webmaster@aberdeencity.gov.uk) [<mailto:webmaster@aberdeencity.gov.uk>]  
**Sent:** 14 April 2014 17:15  
**To:** PI  
**Subject:** Planning Comment for 140452

Comment for Planning Application 140452

Name : Cove and Altens Community Council Address : c/o 14 Langdykes Way Cove Bay Aberdeen  
AB12 3HG

Telephone : [REDACTED]

Email

type :

Comment : Old Cove Conservation Area

Any alterations should be in keeping with the Conservation Area.

**IMPORTANT NOTICE:** This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.

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**CR SMITH**

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## **Grounds of Appeal**

*On behalf of*

**Miss Stalker  
10 Stoneyhill Terrace  
Cove Bay  
AB12 3NE**

**Proposed replacement PVCu windows**

*Planning ref – P140452*

**Date of refusal – 9<sup>th</sup> July 2014**

## Property History & Introduction

The following statement is to be read in conjunction with our appeal against the *refusal of replacement windows at 10 Stoneyhill Terrace, Cove Bay*. The proposals are to replace timber windows with new PVCu windows.

The Planning Department has rejected our application to replace the existing windows on the grounds that the proposed design, opening mechanism and colour are inappropriate and contrary to the guidance of replacement windows for conservation areas in Aberdeen City Council.

The client's property is a part of a semi-detached house in a residential area of mixed styled properties. It sits within the Cove Bay Conservation Area with timber sash and case windows to the front and casement to the rear.

The windows are now in need of replacement. We propose to replace these with a higher standard of window units using Rosewood coloured PVCu frame. The windows will have a tilt and turn opening mechanism to the front and casements to the rear, some windows will also incorporate Georgian astragals to follow what is there originally.

## Grounds of Appeal

The refusal states that the proposed windows are contrary to the council's guidance in terms of design, opening mechanism and colour, and would set an undesirable precedent for future applications.

It is our belief that on this occasion Aberdeen City Council has been particularly unfair in their decision to refuse our application for a number of reasons.

Firstly I would like to bring to your attention the type of properties which make up Stoneyhill Terrace and the surrounding area. These houses do not form any type of uniformity that is often found in a conservation area. A lot of the properties have been erected in different eras and the design of each differs immensely. To the top of the street there are traditional cottages, further down where our clients property sits is are a line of houses which have a different type of design. This is again the same situation of another era of houses across the road.

Our client's property also looks to have had work on it since it was originally erected as like a number of properties in the street, a garage has been incorporated into the overall envelope of the building. This design of building surely cannot be classed as sympathetic to the conservation area.

The second point I would like to raise is the huge amount of differing types of windows that have been installed to the area. Vast amounts are of PVCu material and have the same opening methods as our proposals. There is again no colour uniformity in the area. Even the traditional looking cottages have differing window styles from each other, in all aspects of opening type, colour and design.

In terms of our proposals, the front windows will match in colour with the existing front door and to the rear there will be no colour change to what is there just now. The opening methods will match other windows in the immediate area. Our proposed design to the front of the property will mimic the Georgian astragal detail to the top



of the window. To the rear, the only change is the amount of openings to the windows on the ground floor and the introduction of astragal's to the first floor windows. These windows are out of sight from any public viewing point.

I would also like to bring to your attention that during the planning process a concern the planning officer had was of the windows to the front and the inclusion of internal astragals. We felt this was an unfair request purely based on the surrounding area's mismatch of both properties and replacement window styles.

It is clear that although our proposals do not follow Aberdeen City Council's guidelines, no real assessment of the existing, proposed and immediate area has been undertaken. Both CRSmith as an agent and our client were well aware the proposals didn't comply with the guidance for replacement windows in conservation areas but felt that in this circumstance the policy should have been over-ruled.

We believe that the Stoneyhill Terrace area, of the conservation area has already been massively affected by the installation of replacement windows. It therefore seems that the refusal is unjust in terms that our client's property is the only property within the street that still has the traditional windows installed.

I have attached photos that show the vast amount of replacement windows, which are currently installed on Stoneyhill Terrace, as well as the differing types of buildings that make up the immediate surrounding area of the Cove Bay.

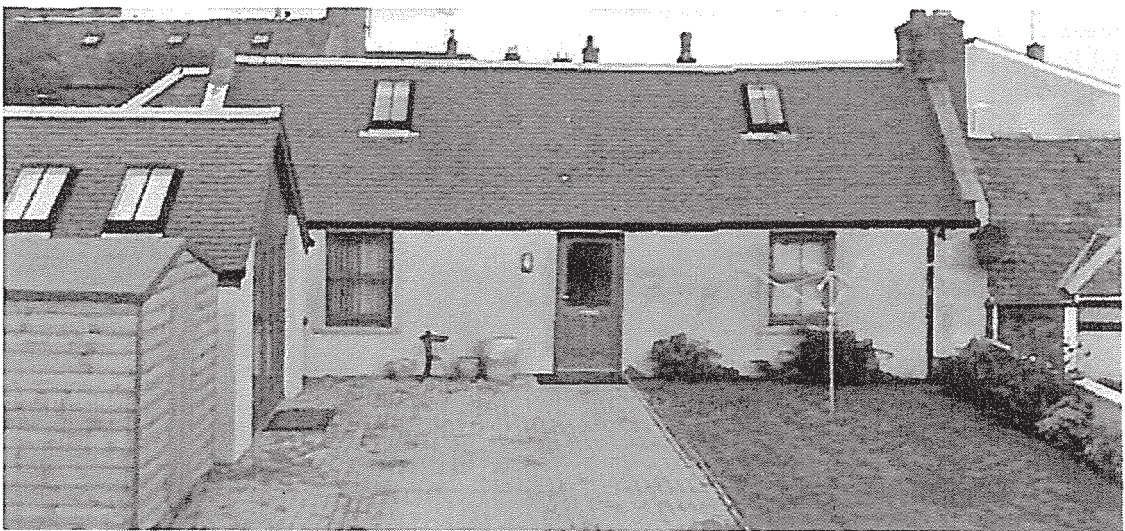
These examples can be found on Annex 1

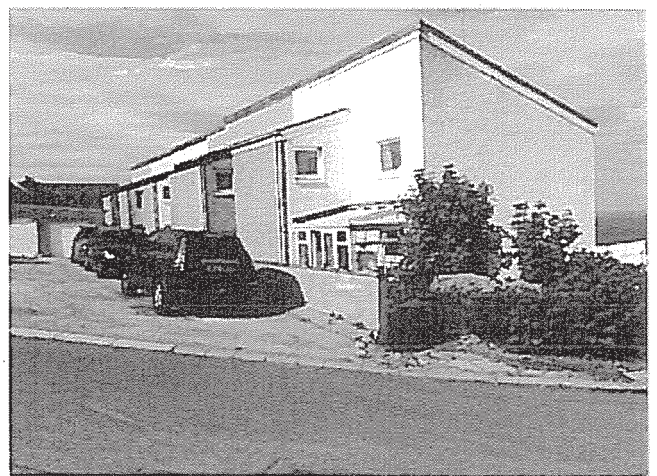
#### Conclusion

The Planning Department has refused our application on the basis that the proposals are contrary to policy in terms of design, opening method and colour, and could set an undesirable precedent for future applications. We feel that the planning department has been particularly harsh in this instance purely on the fact that over 90% of the immediate surrounding area have replacement windows already installed. None of the windows form any type of uniformity in relation to design, opening methods and colour.

We therefore seek to appeal the decision of the Planning Department.

10 Stoneyhill Terrace, Cove Bay







# Agenda Item 3.1

Signed (authorised Officer(s)):

111 MALCOLM ROAD, PETERCULTER

ERECTION OF GARAGE WITH ANCILLARY  
ACCOMMODATION AT UPPER LEVEL

For: Mr & Mrs White

Application Type : Detailed Planning  
Permission

Application Ref. : P131381

Application Date : 19/09/2013

Advert :

Advertised on :

Officer : Linda Speers

Creation Date : 4 July 2014

Ward: Lower Deeside (M Boulton/A  
Malone/M Malik)

Community Council: No comments

## **RECOMMENDATION:**

### **Refuse**

#### **DESCRIPTION**

The application site is located on Malcolm Road with access off the Shoddy Road and consists of a large corner site approximately 0.35 acres. The site comprises of a traditional granite 2-storey dwelling which fronts south and has been extended with a number of single storey extensions to the side and rear, the total footprint currently is 160sqm. Also on the site along the northern boundary is an old garage possibly an original bothy measuring 13000mm long. The remainder of the site consists mainly of garden ground which falls away from the dwelling to the west and north, with the northern part of the site sitting circa 800mm below road level. The site is enclosed by a stone dyke on the north and west boundaries measuring circa 1600mm high at various points and an 1800mm high timber fence to the south and east boundaries. Beyond the site to the north is greenbelt land, adjacent to the west is a local football ground and to the south and east is residential properties. The current site coverage is 3% of the total 1425sqm curtilage.

## **RELEVANT HISTORY**

The original site has been divided into 3no. separate properties over time, now consisting of 111, 111a, 113 Malcolm Road. The following is a note of the planning history:

96/2435: Planning Permission – Construction of the detached dwelling house. Approved Conditionally 1997

A7/0695: Planning Permission – House Extension and dormer window to 111a. Approved Unconditionally 2009

090679: Planning Permission – Erection of house, garage, new access road and boundary fence. Approved Conditionally 2009.

## **PROPOSAL**

Planning permission is sought to demolish the existing garage and replace with a new 1.5 storey domestic garage with ancillary accommodation in the far north-west corner of the site, sitting 1000mm off the north and west boundary. The proposed structure would be L-shaped with a 300mm step-in to break up the north elevation. The total length of the north elevation would be 14700mm and 8500mm on the west elevation. The proposed footprint would be 98.6sqm. The structure would contain 2no. garages, gym with shower room on the ground floor, snooker room and entertaining space on the first floor. The north and west elevations would be mainly solid with a single window on the west elevation which would be concealed by the boundary wall. The east elevation would contain 2no. 2500mm wide garage doors and a 1000mm wide strip of glazing to the gable at first floor level. The south elevation would have a glazed entrance and additional double doors to garage and a number of windows on the gable at both ground and first floor level. The roof would have a number of roof lights on all elevations. The total height of the garage would be 6500mm to the higher structure and 5600mm to the lower structure. The materials include granite gable with granite quoins to the south and east elevation, the remainder would be roughcast render and a slate roof.

Amended plans have been received since the original submission. The original design was 2-storey and 7200mm high with a Juliet balcony at first floor level on the south elevation and rivalled the main residence. The Planning Authority expressed concerns for the overall mass and height of the structure and ascertained whether its intended use was of domestic nature. The plans were subsequently amended by reducing the structure to 1.5 storey and stepping in part of the north elevation by 300mm. It was confirmed that the use was solely subsidiary to the main dwelling and for personal domestic use to aid training for sporting activities, entertaining and housing family vehicles.

## **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131381>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

## **CONSULTATIONS**

**Roads Projects Team** – No observations

**Environmental Health** – No observations

**Enterprise, Planning & Infrastructure (Flooding)** – No observations

**Community Council** – No comments received

## **REPRESENTATIONS**

No letters of representation/objection/support have been received.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan 2012**

- **Policy D1 - Architecture and Placemaking**

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

### **Supplementary Guidance**

- **The Householder Development Guide**

There are no specific guidelines relating to erection of domestic garages, however general principles require that any development should not overwhelm or dominate the original form or appearance of the dwelling house. No more than 50% of the rear garden should be covered by development. No development should result in a situation where amenity is borrowed from an adjacent property. All development is expected to be architecturally compatible in design and scale with the original house and its surrounding area. Materials should be complimentary to the original building.

## **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) 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.

While the principle of a garage with modest ancillary accommodation is acceptable within this residential site, the proposal is also required to be appropriate in terms of design, appearance and fitting for its location, its impact

on the character and amenity of the area and the effect on the residential amenity.

From the onset, concerns over the height and mass were noted and attempts to alter the structure were welcomed by the Planning Authority and considered an improvement from the original submission. However, and notwithstanding such changes including a lower height of 6500mm, the overall massing and built form is still considered substantial and domineering for its location. The garage would be located along the northern boundary and partly screened by the stone dyke. The northern elevation would be solid and over 14000mm in length and in a prominent position and visible from Malcolm Road and from the west which includes a local football ground and the Shoddy Road which is a popular walking route to Anguston. Stepping the building in to break up the northern elevation was thought to improve the elevation but the overall effect of the massing is still considered unacceptable for such a prominent and visible urban location adjacent to the green belt.

The proposed garage is considered to be excessively large in terms of its overall appearance; specifically the ancillary accommodation brings into question the main purpose of such a facility. The applicant was reluctant to reduce the heights further because this would jeopardise the internal accommodation on both levels. A suggestion to reduce the garage floor to ceiling height was deemed technically not viable. However, the agent did offer an alternative solution to curve the ridge giving a 300mm reduction to the overall height. From a design aspect a curved ridge wouldn't sit well with the area or architectural compatible with the original house; introducing an additional design issue without adequately reducing the overall massing. Domestic garages within the immediate area are generally either single or double garages of modest scale and design. The size and massing of the garage is such that it does not reflect the domestic scale that could be expected for such a structure. The design could easily be mistaken for a residential dwelling by virtue of its location within the site, combined with its excessive scale and design.

In terms of Policy D1 (Architecture and Placemaking) the proposal has failed to consider the context of the surrounding area, and would not make a positive contribution to the setting of the house/area. As a result of the scale and massing of the proposed development, it is likely to dominate the streetscape and have a detrimental visual impact on the character of the surrounding neighbourhood.

It is acknowledged that the plot size is sufficiently generous to support a structure of such a footprint without impacting detrimentally on the plot ratio; however, this is not an important or overriding issue in this case. It is considered that the prominent location of the proposal to the front of the existing dwelling and adjacent to the boundary of the site and road; combined with its excessive scale and massing would result in a garage that would be out of character for the



location, to the detriment of the visual character and amenity of the surrounding residential area and adjacent area of green belt. Accordingly the proposal is considered to be contrary to Policy D1 (Architecture and Placemaking) and is recommended for refusal.

## **RECOMMENDATION**

### **Refuse**

#### **REASONS FOR RECOMMENDATION**

The proposed garage and ancillary accommodation is considered inappropriate as it does not reflect domestic scale. The design, scale, massing, domineering appearance and materials would be detrimental to the visual character and residential amenity of the original property and the surrounding area and is therefore contrary to the Aberdeen Local Development Plan 2012, Policy D1 (Architecture and Placemaking) and with the general principles contained in the Householder Development Guide.

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## **Policy D1 – Architecture and Placemaking**

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.

Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

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**ABERDEEN**  
CITY COUNCIL

Business Hub 4, Ground Floor North Marischal College, Broad Street ABERDEEN AB10 1AB

Tel: 01224 523 470

Fax: 01224 523 180

Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE                      000099309-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

## Applicant or Agent Details

Are you an applicant, or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="ajfitchet   architect llp"/>
Ref. Number:	<input type="text"/>
First Name: *	<input type="text" value="Alastair"/>
Last Name: *	<input type="text" value="Fitchet"/>
Telephone Number: *	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address: *	<input type="text"/>

You must enter a Building Name or Number, or both:\*

Building Name:	<input type="text" value="North Tay Office Centre"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="48 Loons Road"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Dundee"/>
Country: *	<input type="text" value="UK"/>
Postcode: *	<input type="text" value="DD3 6AP"/>

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both:*	Building Name:	<input type="text"/>
Other Title: *	<input type="text" value="Mr and Mrs"/>		Building Number:	<input type="text" value="111"/>
First Name: *	<input type="text" value="P"/>	Address 1 (Street): *	<input type="text" value="Malcolm Road"/>	
Last Name: *	<input type="text" value="White"/>	Address 2:	<input type="text"/>	
Company/Organisation:	<input type="text"/>	Town/City: *	<input type="text" value="Peterculter"/>	
Telephone Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>	
Extension Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB14 0XB"/>	
Mobile Number:	<input type="text"/>			
Fax Number:	<input type="text"/>			
Email Address:	<input type="text"/>			

## Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>		
Full postal address of the site (including postcode where available):			
Address 1:	<input type="text" value="WILLOW WOOD"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="111 MALCOLM ROAD"/>	Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Address 3:	<input type="text" value="PETERCULTER"/>	Post Code:	<input type="text" value="AB14 0XB"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="801471"/>	Easting	<input type="text" value="383219"/>
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## Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

verbal indication at end of 2013 that approval was imminent, sudden change of decision to refusal, changes in massing requested and accommodated, then suddenly materiality was questioned and changed accordingly. area has no firm character or singular building material so being in keeping is not an issue. site is large enough to accommodate this subservient proposal. client has young, expanding family and is keen to provide space outwith the house envelope, replacing their dilapidated garage.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? \*

Yes  No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

there are a number of emails as correspondence between myself and the Planning Department, complying with their constantly moving goalposts, which can be collated and issued should they Review panel wish to see them and the Planning Department dont release them.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

P131381

What date was the application submitted to the planning authority? \*

19/09/13

What date was the decision issued by the planning authority? \*

09/07/14

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.

Please select a further procedure \*

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? \* (Max 500 characters)

to discuss the issues which caused the significant hold ups, then how the opinion of one officer was totally overturned by their superior, and repeated attempts to comply with changing requirements got nowhere

Please select a further procedure \*

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? \* (Max 500 characters)

to appreciate the variety in the character of the area, and how little an impact the proposal will have on that, and how the local authority has allowed this variety, which my client is happy to fit into

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

private land, client owns a dog



## Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Alastair Fitchet

Declaration Date: 08/09/2014

Submission Date: 08/09/2014

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## Linda Speers

---

**From:** Alastair Fitchet [ ajfitchet | architect ]  
**Sent:** 21 May 2014 18:33  
**To:** Linda Speers  
**Subject:** P131381 - peterculter garage

Linda

My Client needs a decision on the above Application. They have been extremely accommodating on the changes they have had to make on the proposals despite being told the original design was going to be recommended for approval last year. We have reduced it in scale a number of times, broken up the north elevation, amended the materials to match the existing house, and tolerated the protracted time to obtain approval. There have been no objections, and we are obviously grateful that it has not been refused, however we really must obtain approval now. What do we have to do to achieve this? We have accommodated every request you have made to amend the scheme, however we cannot reduce the height of either area and further and still retain the viability of the project. Please advise.

 regards

Alastair

---

Alastair J. Fitchet BSc, Dip (Arch) RIAS RIBA  
Chartered Architect


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## Linda Speers

---

**From:** Alastair Fitchet [ [ajfitchet](#) | architect ]  
**Sent:** 30 April 2014 16:27  
**To:** Linda Speers  
**Subject:** P131381 - Peterculter garage  
**Attachments:** 168\_D\_006.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Linda

Prior to your meeting with Garfield tomorrow I have attached the latest revision of the sections drawing through the proposed garage and shown a simple curve at the ridge which will bring the overall building height down by 300mm as previously discussed. If the principal of this is agreed tomorrow then I will issue a formal revision of all drawing to this effect. I do not wish the application to be refused based on the lack of drawn information, as i have not revised any further drawings based on your advice not to.

 Regards

Alastair

---

Alastair J. Fitchet BSc, Dip (Arch) RIAS RIBA  
Chartered Architect


[ajfitchet | architect llp](#)

[www.ajfitchet.co.uk](http://www.ajfitchet.co.uk)

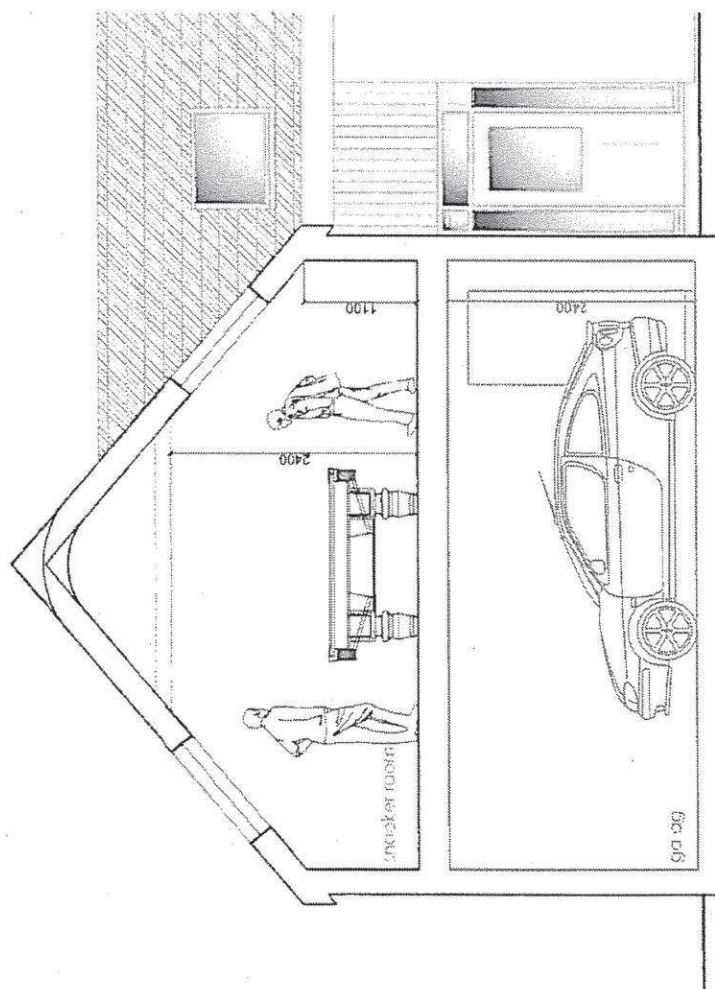
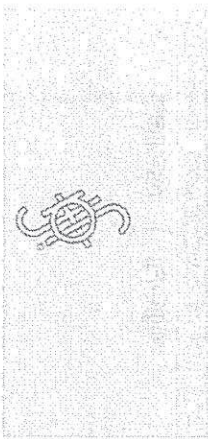
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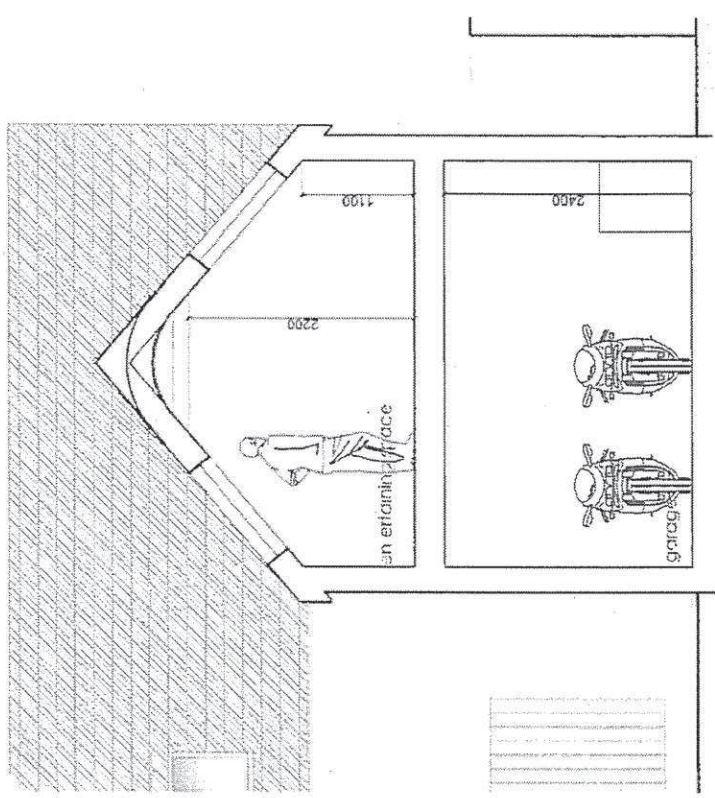
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section a-a | 1:50



section b-b | 1:50

affitchet   architect ltd registered in scotland   SC30-079	drawing description   proposed sections drawing number   160_D_006 scale   1:50 @ A3 for construction purposes, do not scale   refer dimensional queries to architect	revision   prelr issue - 03.09.13 planning application - 12.09.13 planning amends - 06.02.14 redscribe curved steps - 30.04.14	client   mr and mrs p. white project   proposed new garage 111 mel-dm road, peterculter
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## Linda Speers

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**From:** Alastair Fitchet [ ajfitchet | architect ]  
**Sent:** 18 March 2014 10:57  
**To:** Linda Speers  
**Subject:** RE: P131381

Linda

I am astounded at how your department has handled this application. I refer back to your email to me on 8th November last year stating that your report was complete and the application was to be recommended for approval. Now, having made several concessions and changes to reduce the overall impact of the proposals (which did not need to be done to be recommended for approval in November) I am now faced with a recommendation for refusal, 4 months later.

As I have stated in my correspondence since you first had to backpedal and advise me that your line manager did not agree with your recommendation, my client has been very willing to revisit the height of the proposals and work with your department as much as possible to achieve a suitable compromise between their ultimate desired result and something which met with members of your departments apparently subjective opinion of what was acceptable. I have demonstrated that the garage is subservient to the existing house by way of contextual elevation and I do not believe that you feel that my contextual representation is in any way factually incorrect. I have revised the ridge line of both elements of the proposals, and significantly reduced the eaves level and therefore the amount of wall/mass. The north elevation has been split up to break down the apparent feeling of overpowering mass too which your department decided was an issue (despite this elevation being significantly obscured by the 6ft boundary wall) all at your departments request. There is no practical way left to reduce the proposals any further and achieve what my client desires. My client and I feel that we have been more than reasonable with accommodating your departments requests, and tolerant of both the time taken and the repeated requests to reduce the scale.

To have now added the materiality into the equation is unfair to say the least. The applicants land is not within the heart of old Aberdeen, nor is it in the heart of Peterculter, and it is not even on the main road out of the town - the site is accessed by a track off of the B979. The only way that anyone would see the proposed garage would be to be visiting the applicant or the sports ground beyond, or the very few other dwellings off this track. You state that the choice of materials bears no resemblance to the surrounding area. Granted the original farmhouse is granite built however it has plain rendered extensions added to it, the new house to the east of this is in an off white roughcast and facing block quoins and concrete tiles on the roof. The houses to the south of the applicants house are all modern built, in a combination of render and facing block. I recall the first time visiting the applicant having driven up the B979 out of the town and commenting to myself that there is a good variety of styles of property in the area, and it wasn't filled with granite boule buildings with slated roofs. There are a number of properties finished in an off white render and there are indeed some very contemporary white rendered properties in the vicinity. Had the whole area been a very definitive style then I would of course have advised the applicant that your department would likely be very strict on the materiality and it would have to be absolutely in keeping with all of the surrounding properties.

Had the issue of materiality been brought up earlier I would have suggested that I delete the words 'off white smooth render' and replacing with 'render to match neighbouring house', and also removing the word 'sandstone' and replacing with 'stone to match existing house', or whatever wording your department would find acceptable. I would even have welcomed a condition to state what your department wanted the

external finishes to match.

I hope you appreciate my frustration at this whole process. I will speak with my client and let you know how we wish to move this forward now.

Regards

Alastair

---

Alastair J. Fitchet BSc, Dip (Arch) RIAS RIBA  
Chartered Architect

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On 13/03/2014 16:28, Linda Speers wrote:

Alastair,

Thank you for the response. I apologise for the delay in return, I needed to discuss this latest proposal with both my team leader and line manager. Following this discussion in which we revisited the entire proposal and its intention as an ancillary building, we concur that the proposal as it stands is unacceptable in domestic terms. The proposal has been assessed against the relevant policy D1 and will move with a refusal for the following reasons:

- Height, scale and mass: Despite attempts to reduce the height and mass from the original submission, the proposal is still considered too large in its context and proximity to the road and in relation to the existing property. The scale of the proposed building will undoubtedly dominate the original property. We feel that further attempts could be made to reduce the height given its intended use as a garage and ancillary accommodation to the main residence.
- Materials: Having focused a lot on the height, the choice of materials are in fact inappropriate too, the use of Sandstone and white smooth render in this urban location is unusual and bears no reflection on the original traditional granite farmhouse or the surrounding area.

I appreciate at this stage in the process this will be disappointing to both you and your client, however if you or the applicant are aggrieved by the decision, you will have the right (within 3 months of the decision) to have the decision reviewed by the Local Review Body. Also the planning fee remains available for a further application of the same nature in both cases, withdrawal or refusal.

- Withdrawal is a year from lodge date
- Refusal is a year from the refusal date

Feel free to contact me should you wish to discuss any of the points raised.

We are always trying to improve the quality of customer service that we provide and would like to know your views on the service you have received to help us learn what we need to do better. We would very much appreciate you taking a few moments to fill in our short feedback form by clicking on <http://www.aberdeencity.gov.uk/customerfeedback> and selecting Development Management (Planning Applications Team). Many thanks in advance.

Linda Speers

Planning Technician

Planning and Sustainable Development

Enterprise, Planning and Infrastructure

Aberdeen City Council

Business Hub 4

Ground Floor North

Marischal College

Broad Street

Aberdeen

AB10 1AB

Email: [LSpeers@aberdeencity.gov.uk](mailto:LSpeers@aberdeencity.gov.uk)



Direct Dial

Direct Fax:

Please note that I only work *Thursday & Friday*

---

**From:** Alastair Fitchet [ [ajfitchet](mailto:ajfitchet@ajfitchet.com) | architect ]  
**Sent:** 06 March 2014 12:13  
**To:** Linda Speers  
**Subject:** P131381

Linda

Please find attached revised elevations for the above application. This is further to your latest email.

I have discussed this at length with the Applicant. While we have no problem with revising the plan form to step the two 'wings' and have shown this on the attached drawing to break up the north elevation, it is not practically possible to lower the garage ceiling height at all. The garage floors are set at the standard 150mm below finished floor level of the other ground floor accommodation, so lowering the ceilings would bring the ceiling level almost flush with the top of the door into the garage from the circulation space. Also, to get a garage door and its opening mechanism clear of any vehicle in the garage the ceiling will require to be high enough to clear the door opening, both from the garage doors themselves and from the pedestrian door into the circulation space. Notwithstanding that, there will be no point erecting a garage that is limited to very low vehicles. For the Applicant to go to the expense of erecting this garage they expect to be able to fit a normal sized door to get the likes of a small 4x4 or van into it with adequate clearance. It would be a false economy to spend the money erecting a garage that was of limited benefit even on a domestic scale.

I trust that you will look favorably on these comments and the latest elevations and now be recommending the Application for Approval imminently.

Regards

Alastair

---

Alastair J. Fitchet BSc, Dip (Arch) RIAS RIBA  
Chartered Architect

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## Linda Speers

---

**From:** Alastair Fitchet [ajfitchet | architect]  
**Sent:** 06 March 2014 12:13  
**To:** Linda Speers  
**Subject:** P131381  
**Attachments:** 168\_D\_007.pdf

Linda

Please find attached revised elevations for the above application. This is further to your latest email.

I have discussed this at length with the Applicant. While we have no problem with revising the plan form to step the two 'wings' and have shown this on the attached drawing to break up the north elevation, it is not practically possible to lower the garage ceiling height at all. The garage floors are set at the standard 150mm below finished floor level of the other ground floor accommodation, so lowering the ceilings would bring the ceiling level almost flush with the top of the door into the garage from the circulation space. Also, to get a garage door and its opening mechanism clear of any vehicle in the garage the ceiling will require to be high enough to clear the door opening, both from the garage doors themselves and from the pedestrian door into the circulation space. Notwithstanding that, there will be no point erecting a garage that is limited to very low vehicles. For the Applicant to go to the expense of erecting this garage they expect to be able to fit a normal sized door to get the likes of a small 4x4 or van into it with adequate clearance. It would be a false economy to spend the money erecting a garage that was of limited benefit even on a domestic scale.

I trust that you will look favorably on these comments and the latest elevations and now be recommending the Application for Approval imminently.

Regards

Alastair

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Alastair J. Fitchet BSc, Dip (Arch) RIAS RIBA  
Chartered Architect

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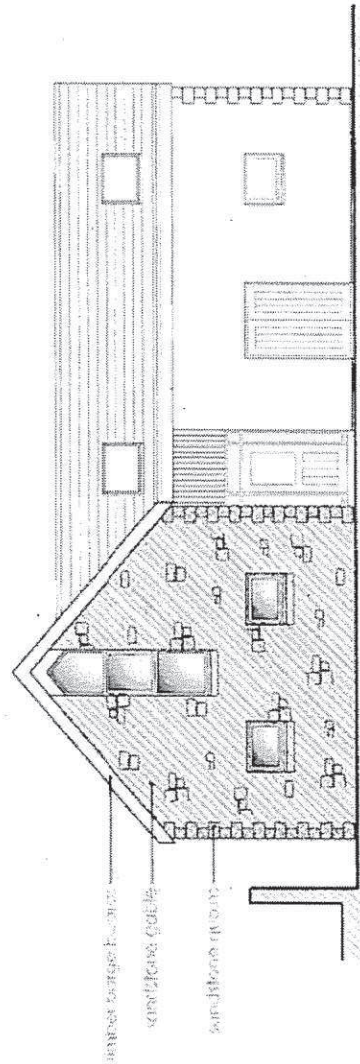
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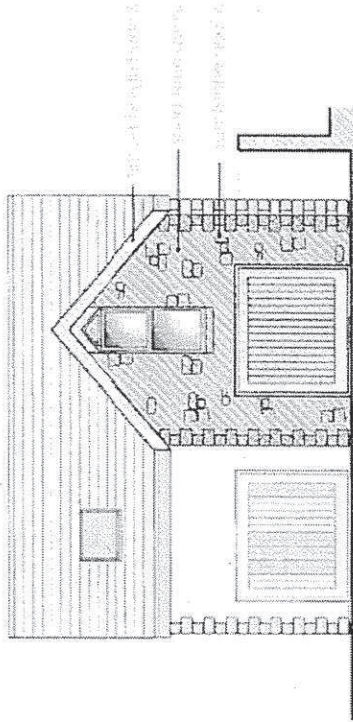
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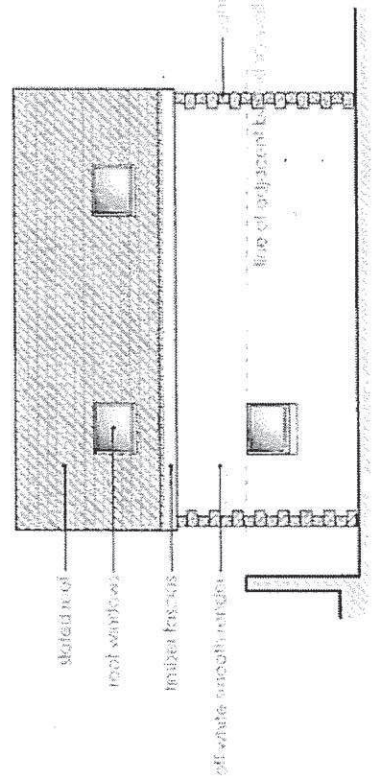
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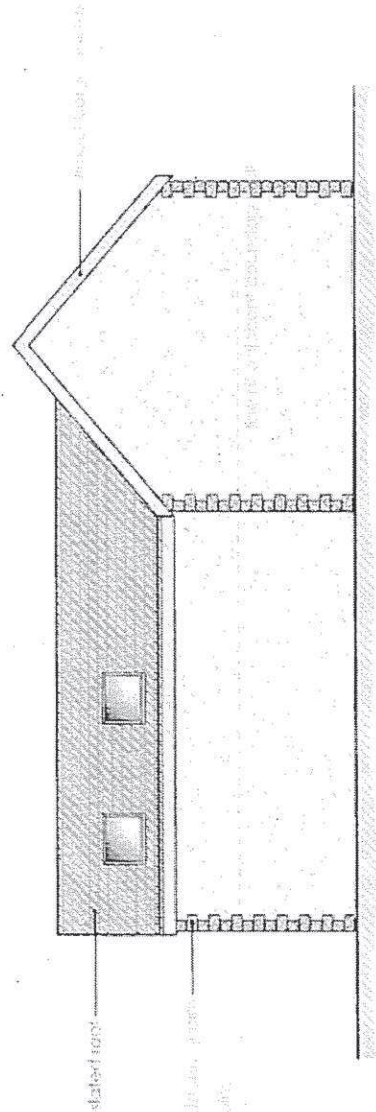
south elevation (1/30)



east elevation (1/30)



south elevation (1/30)



east elevation (1/30)

Architectural drawing showing floor plans and elevations of a building. The drawings are labeled 'south elevation (1/30)', 'east elevation (1/30)', and 'south elevation (1/30)'. The drawings include a scale bar and a north arrow.

Architectural drawing showing floor plans and elevations of a building. The drawings are labeled 'south elevation (1/30)', 'east elevation (1/30)', and 'south elevation (1/30)'. The drawings include a scale bar and a north arrow.

## Linda Speers

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**From:** Alastair Fitchet [ ajfitchet | architect  
**Sent:** 14 February 2014 16:48  
**To:** Linda Speers  
**Subject:** P131381  
**Attachments:** 168\_D\_006.pdf; 168\_D\_007.pdf; 168\_D\_008.pdf

Linda

Further to my telephone call earlier, please find attached revised proposals for the new garage at 111 Malcolm Road, Peterculter.

These revised proposals take into account the concerns raised about the massing of the building and have significantly reduced its height. It has never been the intention to erect anything other than a building to further the enjoyment of the main house. The garage is deigned to replace an inadequate, run down garage on the site which is used for nothing more than storage, with a suitable building to shelter the applicants vehicles, allow the applicant to train for sporting activities, and provide further entertaining space in the loftspace to make the best use of the space. The revised proposals will make the new garage appear significantly subservient to the main house, and will not dominate its presence. By using materials similar to that of the existing house too - natural stone, render, and slates - the applicant is keen to see the new garage as complimenting the main house, not dominating it.

If you have any queries please get in touch, however I trust that the revised proposals meet with approval from your department and I look forward to Planning Permission being granted in the very near future.

Regards

Alastair

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Alastair J. Fitchet BSc, Dip (Arch) RIAS RIBA  
Chartered Architect

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## Linda Speers

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**From:** Alastair Fitchet [ ajfitchet | architect ]  
**Sent:** 08 November 2013 14:17  
**To:** Linda Speers  
**Subject:** Planning App: P131381  
**Attachments:** 168\_D\_008A.pdf

Linda

Thanks for calling me back today. It is good to be able to chat through proposals with you as my experience of other Authorities in the past has been that there is rarely any chance for dialogue and discussing reasons behind a design.

I have attached a revised contextual elevation as promised, having been out to site earlier this week to check on existing conditions. I have accurately positioned the height of the chimneys on the existing house, together with the eaves, and also revised the relative ground levels, all of which make the garage appear more subservient to the existing house.

I trust that this satisfies your concerns and that approval is issued in due course, however if you require any further information please dont hesitate to contact me.

Regards

Alastair

---

Alastair J. Fitchet BSc, Dip (Arch) RIAS RIBA  
Chartered Architect

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## Linda Speers

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**From:** Alastair Fitchet [ ajfitchet | architect ]  
**Sent:** 23 October 2013 18:06  
**To:** Linda Speers  
**Subject:** P131381  
**Attachments:** 168\_D\_008.pdf

Linda

Further to our telephone conversation, please find attached drawing 168\_D\_008 showing the north elevation of the garage in context. I have taken the ordnance survey data and projected the existing house elevation from that, calculating heights from google maps, using windows and experience as markers. If you need it to be more accurate to make a certain decision on the Applications determination then please let me know.

I look forward to hearing the outcome of your visit to site tomorrow.

Regards

Alastair

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Alastair J. Fitchet BSc, Dip (Arch) RIAS RIBA  
Chartered Architect

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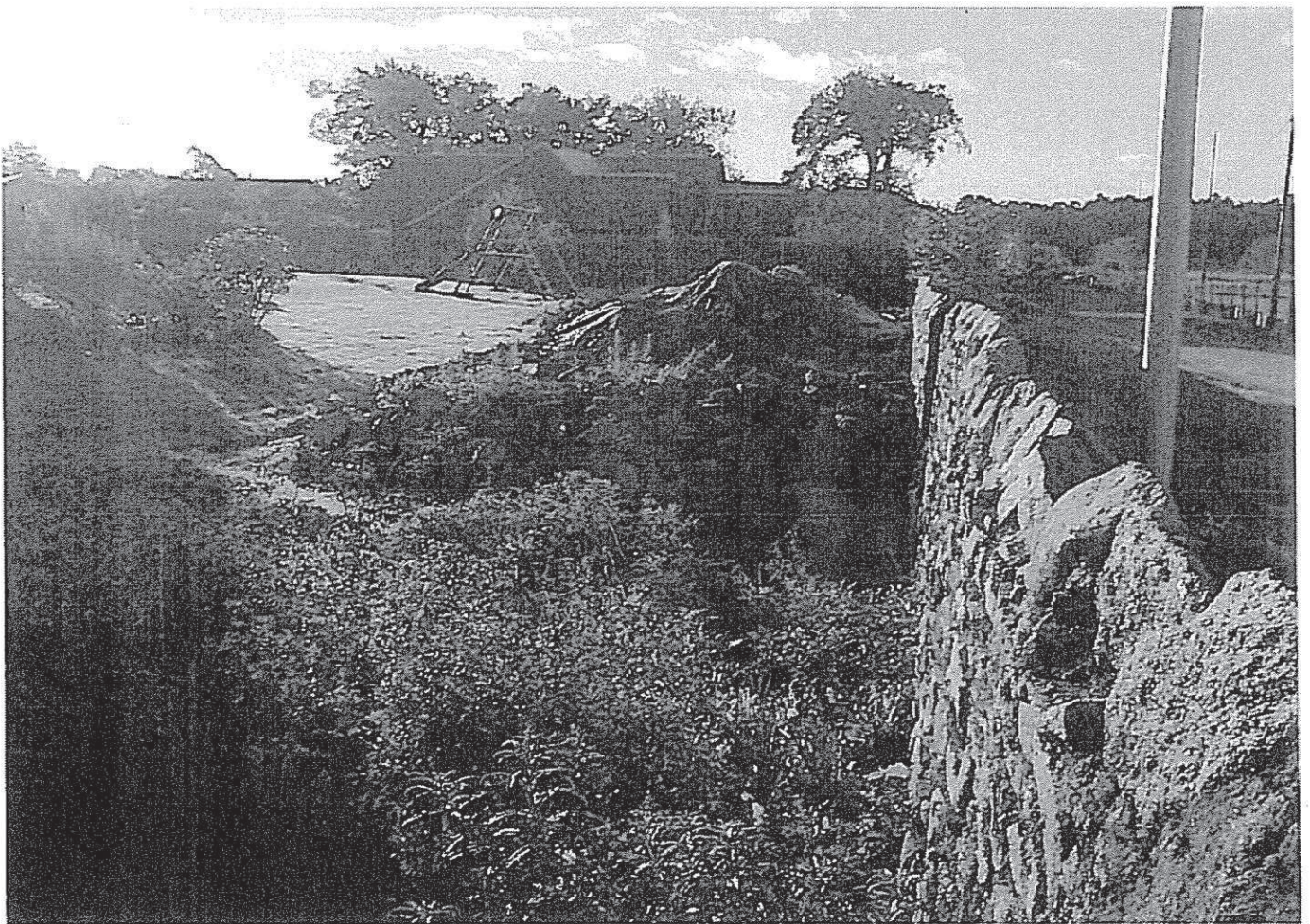
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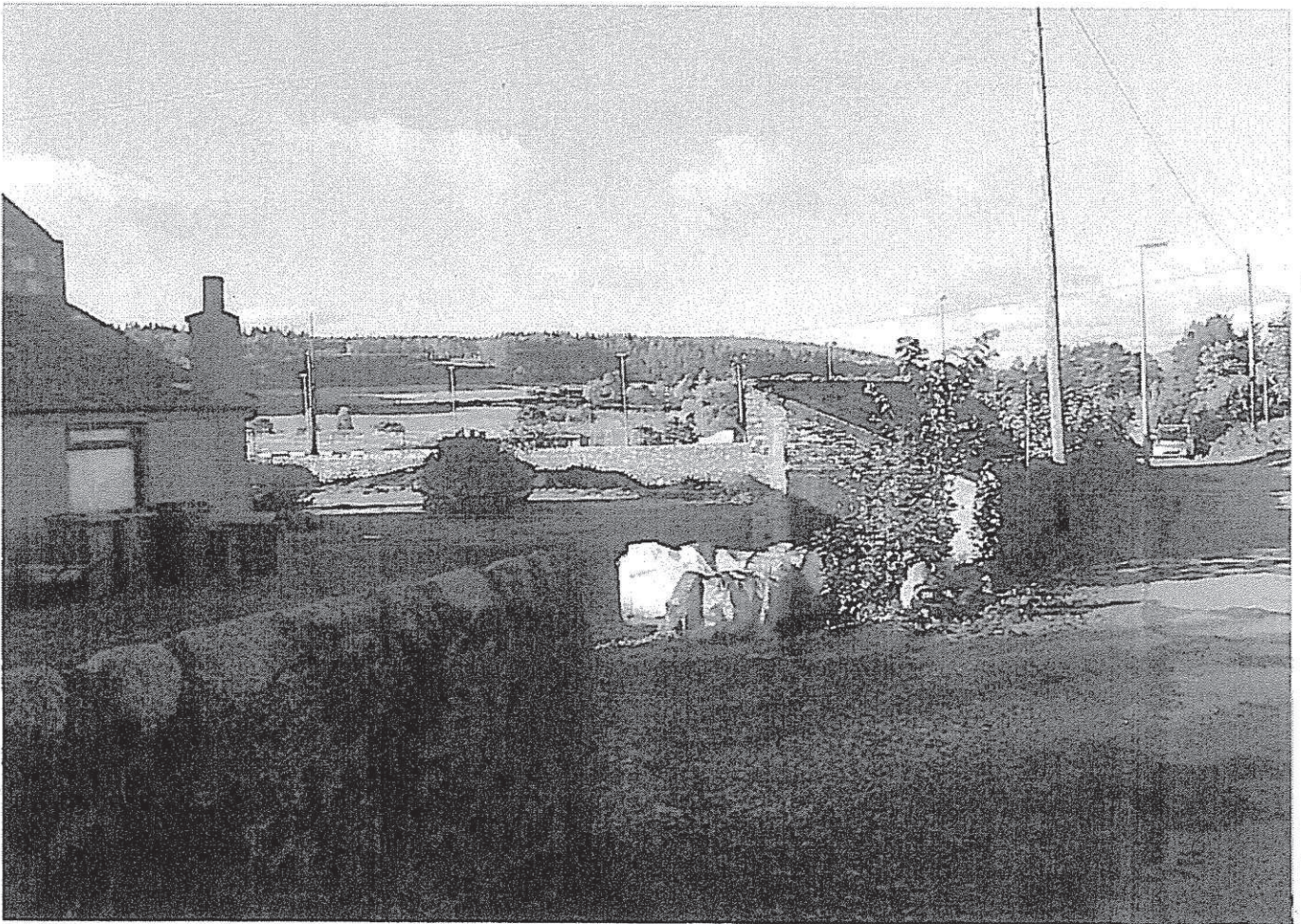
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