

Public Document Pack



To: Councillor Boulton, Convener; and Councillors Donnelly and Cooke.

Town House,
ABERDEEN 19 June 2017

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, 26 JUNE 2017 at 2.00 pm.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

1.1 Procedure Notice (Pages 5 - 6)

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

MEMBERS PLEASE NOTE THAT THE FOLLOWING LINK WILL TAKE YOU TO THE LOCAL DEVELOPMENT PLAN.

[Local Development Plan](#)

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

PLANNING ADVISER - ANDREW MILLER

2.1 3 Bunstane Terrace, Cove - Erection of Single Storey Extension to Rear - 170100

2.2 Delegated Report, Plans, Decision Notice and Letters of Representation (Pages 7 - 34)

2.3 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

National Policy

- Scottish Planning Policy
- Historic Environment Scotland Policy Statement

Aberdeen Local Development Plan 2017

- D1 - Quality Placemaking by Design
- D4 - Historic Environment
- H1 - Residential Areas

Other Relevant Material Planning Considerations

- Supplementary Guidance (SG): Householder Development Guide
- Managing Change in the Historic Environment: Extensions
- Cove Bay Conservation Area Character Appraisal and Management Plan

The policies can be viewed at the following link:-

http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_local_development_plan.asp

2.4 Notice of Review with Initial Application and Supporting Information Submitted by Applicant / Agent (Pages 35 - 52)

2.5 Determination - Reasons for Decision

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

2.6 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-turn the Decision of the Case Officer

PLANNING ADVISER - ANDREW MILLER

3.1 108 Bonnymuir Place - Formation of Two Storey Extension to Form Three New Additional Dwellings to Existing Residence - 161363

- 3.2 Delegated Report, Plans, Decision Notice and Letters of Representation (Pages 53 - 92)
- 3.3 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

Aberdeen Local Development Plan 2017

- Policy H1: Residential Areas
- Policy D1: Quality Placemaking by Design
- Policy NE5: Trees and Woodland

Other Relevant Material Considerations

- Interim Planning Advice - Sub-division and Redevelopment of Residential Curtilages
- Interim Planning Advice - Trees and Woodlands

The policies can be viewed at the following link:-

http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_local_development_plan.asp

- 3.4 Notice of Review with Initial Application and Supporting Information Submitted by Applicant / Agent (Pages 93 - 108)
- 3.5 Determination - Reasons for Decision
- 3.6 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

Should you require any further information about this agenda, please contact Mark Masson on 01224 522989 or email mmasson@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. Once a notice of review has been submitted interested parties (defined as statutory consultees or other parties who have made, and have not withdrawn, representations in connection with the application) will be consulted on the Notice and will have the right to make further representations within 14 days.
Any representations:
 - made by any party other than the interested parties as defined above (including those objectors or Community Councils that did not make timeous representation on the application before its delegated determination by the appointed officer) or
 - made outwith the 14 day period representation period referred to abovecannot and will not be considered by the Local Review Body in determining the Review.
5. 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.
6. 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.

7. 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.
8. 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

9. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.
10. 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.”
11. 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.
12. 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.**
13. 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.

Report of Handling Detailed Planning Permission

170100/DPP: Erection of single storey extension to rear at 3 Bunstane Terrace, Cove Bay, Aberdeen, AB12 3NN

For: Mr James Hamilton

Application Date:	6 February 2017
Officer:	Sheila Robertson
Ward:	Kincorth/Nigg/Cove
Community Council:	Cove And Altens
Advertisement:	S60/65 – Development affecting CA
Advertised Date:	Aberdeen Citizen 22/02/17

RECOMMENDATION: Refuse

SITE DESCRIPTION

The application site relates to a single storey, mid-terraced property of traditional design, finished with dry dash render and natural slates, part of a terrace of 7 properties located to the west side of Bunstane Terrace and within the Cove Bay Conservation Area.

The property, in common with several properties to the northern end of the terrace, has been extended to the rear by a single storey mono pitched extension, extending across approximately 50% of the rear elevation and with a 4.1m projection along the northern boundary. The rearmost elevation is 4.4m in height, some 200mm below the existing ridgeline, dropping to wall head height where it joins the original building.

The rear garden boundary abuts Stoneyhill Terrace which is elevated approximately 3.8m above the ground floor level of the dwelling house. The property to the north (No.2) has an identical extension running along its northern boundary, the gap between both extensions being infilled by a single storey lean to extension with a 3m projection. The property to the south (No 4) also has an identical extension running along its northern boundary.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a full width extension, involving removal of the existing rear extension. It would project 6.6m along both boundaries with a hipped pitched roof joining at right angles with the original roof ridge. Finishing materials would include buff coloured render and a natural slate roof with clay ridge tiles, all to match or integrate with existing. All windows to the rear facing elevation would be framed in dark brown PVC.

RELEVANT HISTORY

APPLICATION REF: 170100/DPP

Planning permission (Ref: 150212) was approved in June 2015 for the erection of a single storey rear extension, installation of rooflight and re-rendering of the existing walls. This permission has not been implemented, but remains valid for a three year period until June 2018. The consented extension has a projection of 5.3m (4.2m along the mutual boundaries), with a pitched roof with a maximum height of 5m (eaves height of 3.4m). The extension was smaller in scale than the current extension.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OKP89QBZIPL00>.

CONSULTATIONS

Cove and Altens Community Council – Comments received – Due to its siting within the Old Cove Conservation Area, it is expected that all works will be in keeping with this status.

REPRESENTATIONS

No representations have been received; other than those from the Community Council.

PLANNING POLICY

National Policy

- Scottish Planning Policy
- Historic Environment Scotland Policy Statement

Aberdeen Local Development Plan 2017

- D1 - Quality Placemaking by Design
- D4 - Historic Environment
- H1 - Residential Areas

Other Relevant Material Planning Considerations

- Supplementary Guidance (SG): Householder Development Guide
- Managing Change in the Historic Environment: Extensions
- Cove Bay Conservation Area Character Appraisal and Management Plan

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning

APPLICATION REF: 170100/DPP

authorities to preserve and enhance the character or appearance of conservation areas.

Principle of Development

While the principle of extending or altering an existing dwelling is normally acceptable within a residentially zoned area such as this (H1 in the Aberdeen Local Development Plan), proposals must also be assessed in terms of factors such as design, appearance and location, impact on the character and amenity of the area and effect on residential character and amenity. Development within a conservation area should preserve and enhance the character or appearance of the surrounding area.

Site History

Planning permission exists for a rear extension of a lesser scale and projection than proposed, extending across the full width of the rear elevation; its projection along both side boundaries will be 4.2 m, with a central section projecting out a further 1.1m, set in 2m and 3.7m from the north and south boundaries respectively. The central section would have a pitched roof joining with the existing roof ridge while both flanking sections will have a flat roof no higher than existing eaves level. This previous proposal was deemed to be subservient to the existing dwelling house, to be of acceptable design, scale and massing and would have no detrimental impact on residential character and amenity and an acceptable impact on the character of the Conservation Area.

Design, scale and massing

Policy D1 of the ALDP states that new development must be designed with due consideration to its context. A general principle within the associated Supplementary Guidance: Householder Development Guide is that proposals for extensions should be architecturally compatible in design and scale with the original house and its surrounding area. Any extension should not serve to overwhelm or dominate the original form or appearance of the dwelling. The projection of an extension along a boundary separating terraced dwelling houses is restricted to a maximum of 3m in order to protect the amenity of neighbours

The principle of extending the property is therefore acceptable, as demonstrated by the previous approval, particularly since it will involve removal of an extension of identical design and dimensions to several other properties within the terrace, whose design could be deemed to be inappropriate in terms of current guidance and planning policies. However the original extension is of modest scale, covering half the width of the existing rear elevation, with a 4.1m projection and only reaching eaves height where it meets with the original building; thereby remaining subservient to the original dwellinghouse and masking neither its original character, which remains visible, nor views of the roofscapes along the entire terrace.

Certain elements of the proposed extension are considered to be acceptable in terms of the SG. The proposal would maintain both a low level of site coverage and substantially more than an adequate amount of useable rear garden space. The built footprint of the dwelling house as extended would be just under the maximum 100% increase permitted. In terms of residential amenity, the proposal would have no

APPLICATION REF: 170100/DPP

impact on daylight receipt to any neighbouring habitable rooms; there would be a negligible increase in overshadowing of the property to the north; and there would be no increase in opportunities for overlooking neighbour's rear garden space than exists at present.

However the proposal fails to accord with several of the criteria contained in the above guidance, particular in relation to projection and massing. The extension would project 6.6m along both side boundaries, which is more than double the maximum projection of 3m permitted for extensions to terraced properties. This guidance exists to protect the overall residential amenity enjoyed by immediate properties not only in terms of daylight receipt and undue overshadowing, but to avoid situations where the useable rear garden ground to adjacent properties becomes 'hemmed in' through the siting of development with excessive rear projections along common boundaries.

While it has been demonstrated that the proposed extension will neither have an unacceptable impact to adjoining properties in terms of either overshadowing or on loss of daylight, its projection will exceed the maximum allowable projection set out in the aforementioned guidance by an additional 3.6m. The limitation in respect of the maximum allowable projection still applies in this instance, and it is considered that a projection substantially in excess of the guideline maximum will result in a particularly overbearing elevation to the rear garden ground of No 2, with a slightly lesser impact to No 4, and subsequent erosion of their amenity. However, since the existing extension to the northern boundary exceeds the current guidelines by 1.m, as does the projection of the neighbours extension to the southern boundary, then a similar projection could be justified, contrary to the guidance, however not as lengthy a projection as proposed (which would be a further 2.5m) as it would result in an extension that could not be deemed to either protect neighbouring outlook or be modestly scaled and subservient to the original dwelling house.

The Householder Development Guide states that "*Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.*" The extension, as proposed, contradicts this guidance as it is of a height, mass and scale which is not subservient to the original dwelling house and dominates the original form and appearance of the rear elevation. The combination of the general form, projection, width and design of the extension, which do not take their cue from the original dwelling house, the poor and inappropriate relationship between the proposed shallow pitched roof and the profile of the existing roof, and the odd arrangement of the windows, with different cill levels on either side of the door, all result in a proposal that does not respect or complement the existing building, and therefore does not "protect the character and appearance of the building" as Historic Environment Scotland's *Managing Change in the Historic Environment: Extensions*" states they must do.

Nos. 5 and 6 Bunstane Terrace have added rear extension of similar design as proposed, involving full width extensions with roof ridges meeting at original ridge height, however their projections are restricted to 4m along the boundaries. Both properties have added a further extension to the rear extension, of lesser height and half the width and with a 5m projection along their shared boundary. However these

APPLICATION REF: 170100/DPP

extensions were approved before the introduction of the current Householder Development Guidance which states that *“ No existing extensions, dormers or other alterations which were approved prior to the introduction of this supplementary guidance will be considered by the planning authority to provide justification for a development proposal which would otherwise fail to comply with the guidance set out in this document.”*

The rear elevation of the application property, and indeed that of the entire terrace, is clearly visible to the public from the elevated position of Stoneyhill Terrace, which leads into the Conservation Area, as well as from the bridge over the railway line. It is considered that the inappropriate design, scale, massing and projection would introduce an intrusive element into the streetscape leading to an adverse impact and erosion to the character and visual amenity of the surrounding area. As such the proposal has not been designed with due consideration for its context and therefore fails to accord with Policy D1 (Quality Placemaking by Design) of the ALDP.

Impact on the Conservation Area

Policy D4 (Historic Environment) of the ALDP states that proposals affecting conservation areas will only be permitted if they comply with Scottish Planning Policy (SPP) which states proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area. For the above reasons, the proposed extension has not been designed with due consideration to its context, and would negatively affect the character of the Cove Bay Conservation Area contrary to the aims of SPP, SHEPS and therefore with Policy D4 (Historic Environment) of the ALDP.

The Cove Bay Conservation Area Character Appraisal and Management Plan states that one of the weaknesses of the current conservation area is the quality and character of additions to older properties, which have in term had a detrimental impact on the character of the historic village. The approval of the extension in this location would have a further detrimental impact on the character and appearance of this conservation area; in conflict with this character appraisal.

Conclusion

The proposal is considered to be an unacceptable form of development which is inappropriate in terms of design and which would have an adverse impact on the character and appearance of the conservation area. There are no material planning considerations which would warrant approval of planning permission and the proposal is therefore recommended for refusal for the reason detailed below.

RECOMMENDATION: Refuse**REASONS FOR RECOMMENDATION**

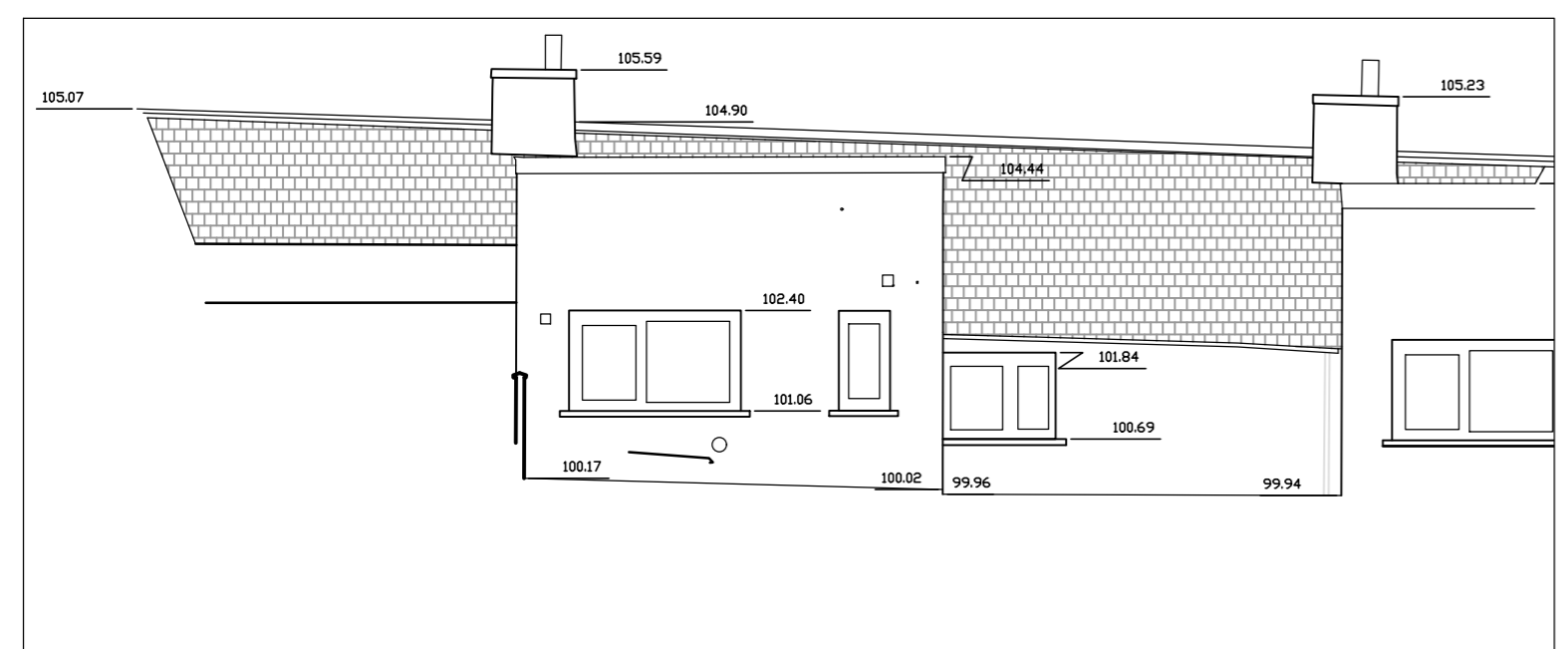
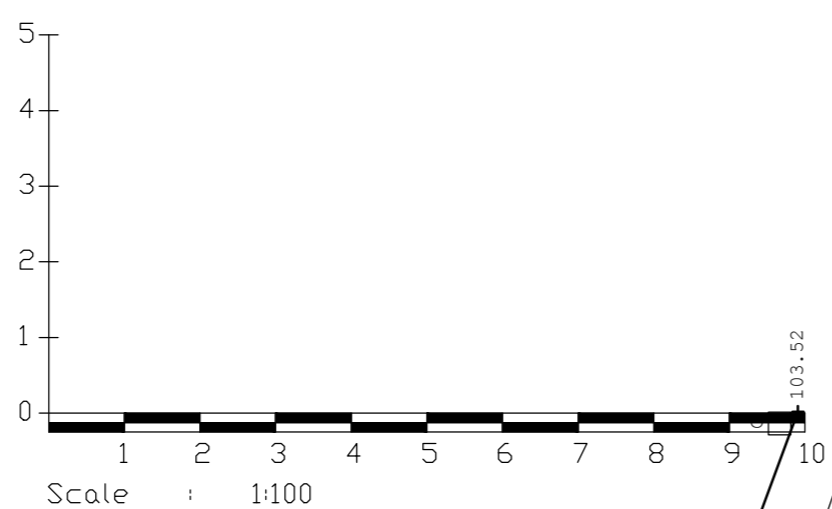
The proposal fails to comply with the relevant policies of the Aberdeen Local Development Plan 2017, namely Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas), and the Supplementary Guidance contained in the Householder Development Guide in that by reason of its scale, massing, projection

APPLICATION REF: 170100/DPP

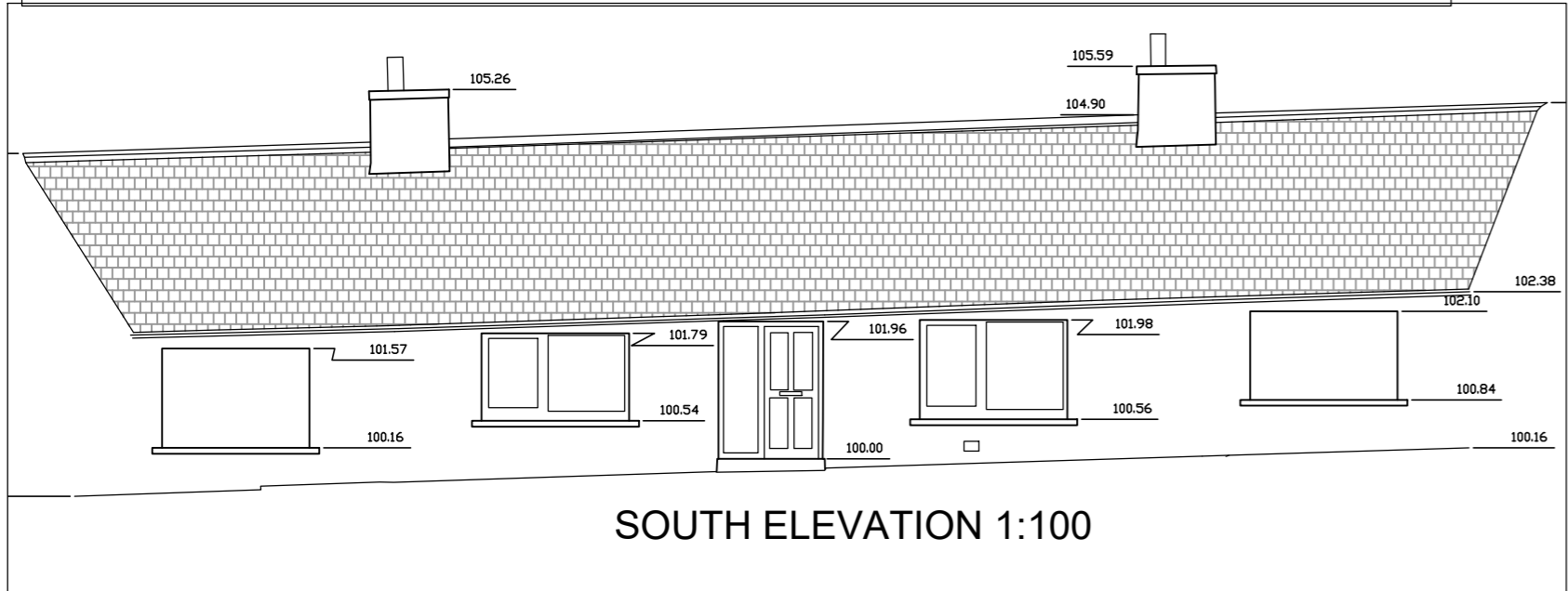
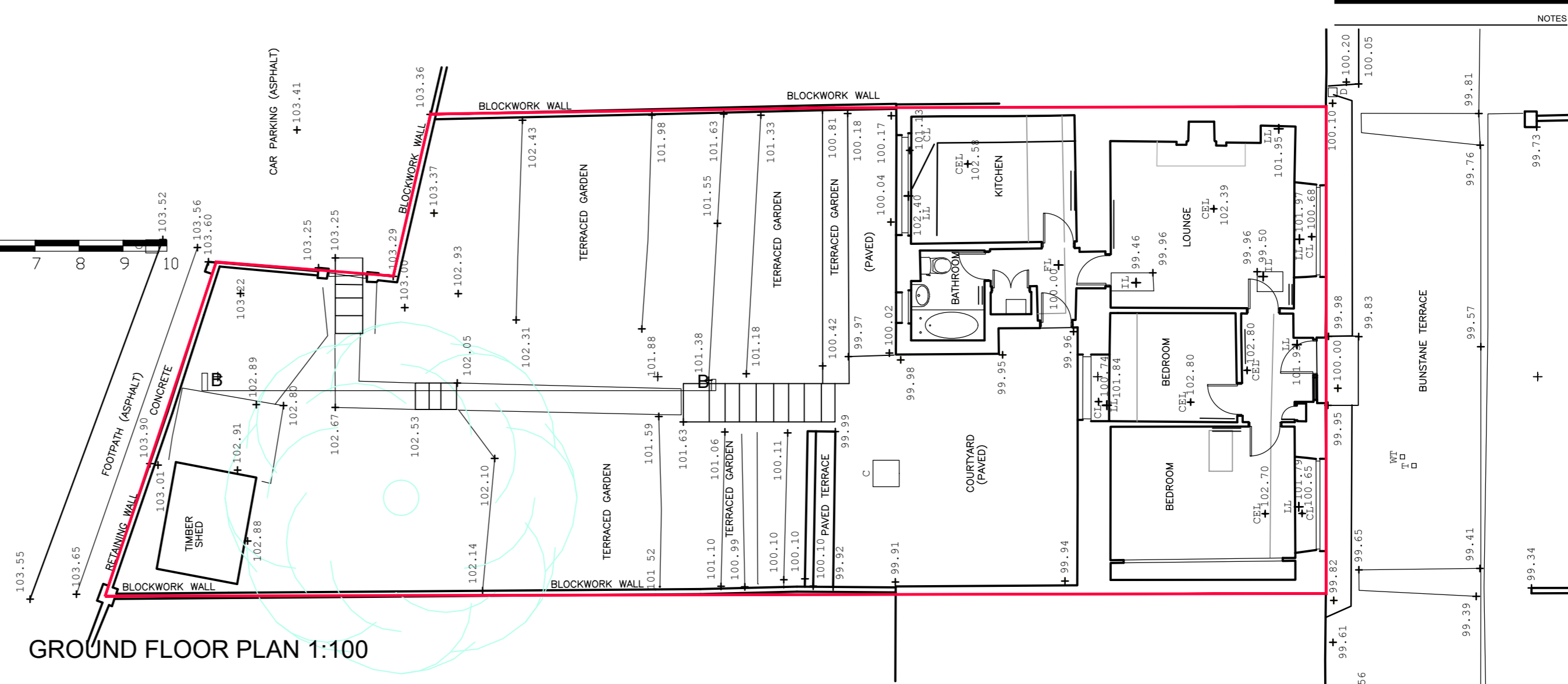
and design, the proposal respects neither the character and architecture of the existing dwelling house nor that of the surrounding area and would negatively affect current residential amenity.

Approval of the application would be detrimental to and thus neither preserve nor enhance the character of the Cove Bay Conservation Area, contrary to the provisions of Scottish Planning Policy, Historic Environment Scotland Policy Statement and thereby with Policy D4 (Historic Environment) of the Aberdeen Local Development Plan; as well as the aims of the Cove Bay Conservation Area Character Appraisal and Management Plan

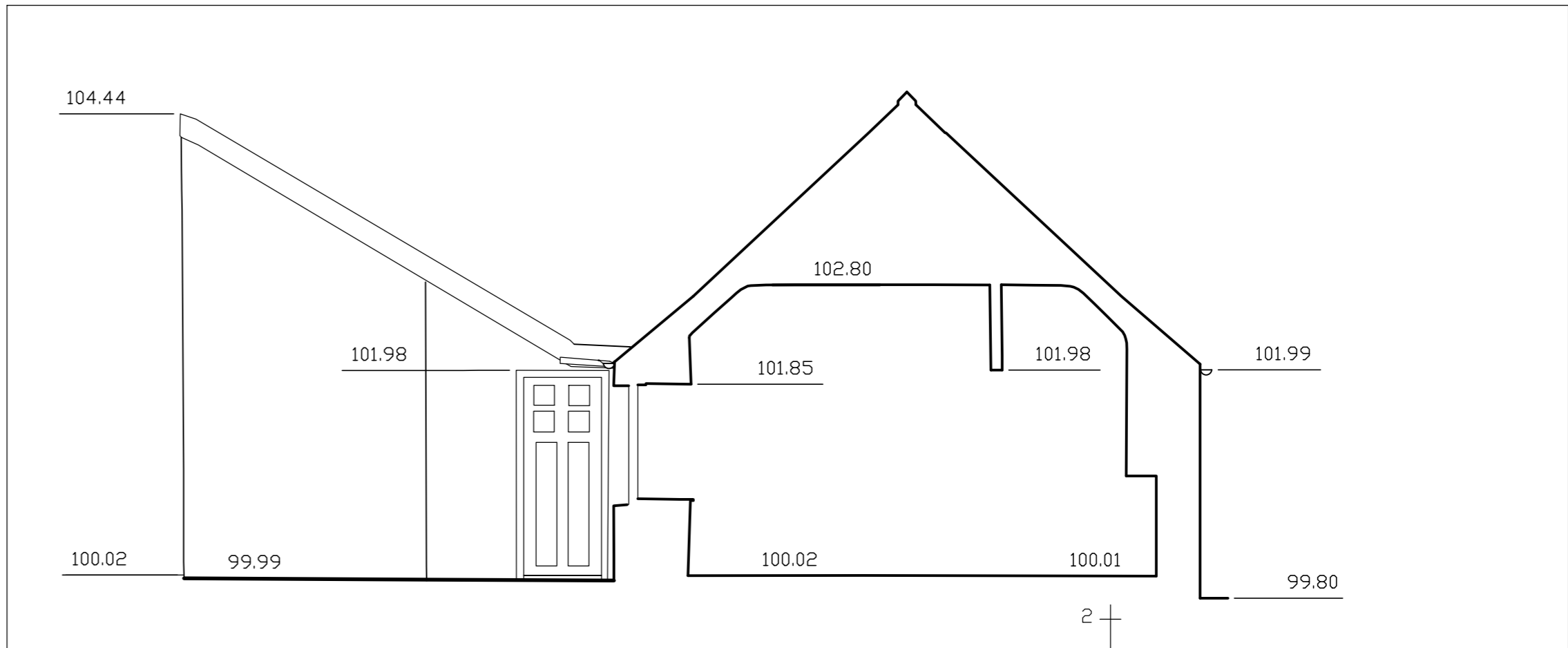
On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations that would warrant approval of the application contrary to the provision of the development plan



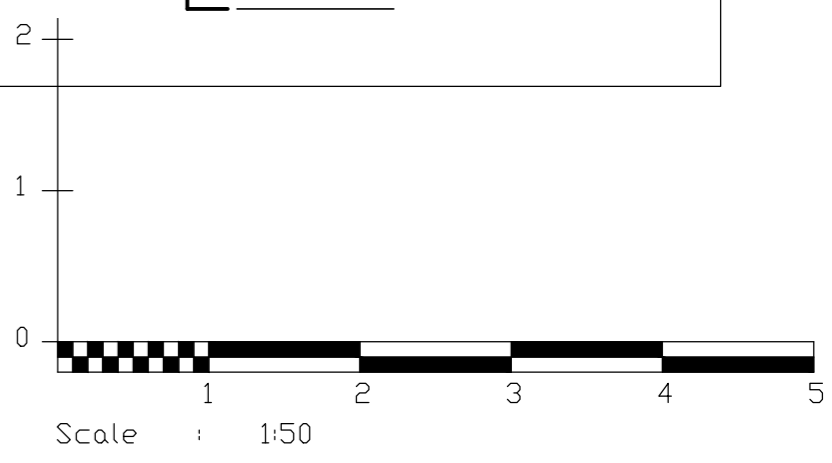
GROUND FLOOR PLAN 1:100



SOUTH ELEVATION 1:100



SECTION BB 1:50



NORTH ELEVATION Photo As Existing.

REVISIONS

NO.	DESCRIPTION	DATE

CLIENT

3 Bunstane Terrace
Cove Bay
Aberdeen

PROJECT

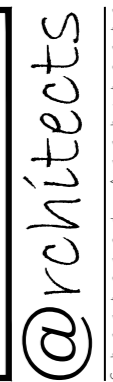
Proposed House Extension
& Internal Alterations

DRAWING TITLE

Existing Plans sections
and Elevations

SCALE
1/100 AND 1:50 @ A2
CAD FILE
1180 PL03

DATE
Jan 2017
DRAWN BY
GM



15 West High Street
Forfar, Angus
DD8 1BE

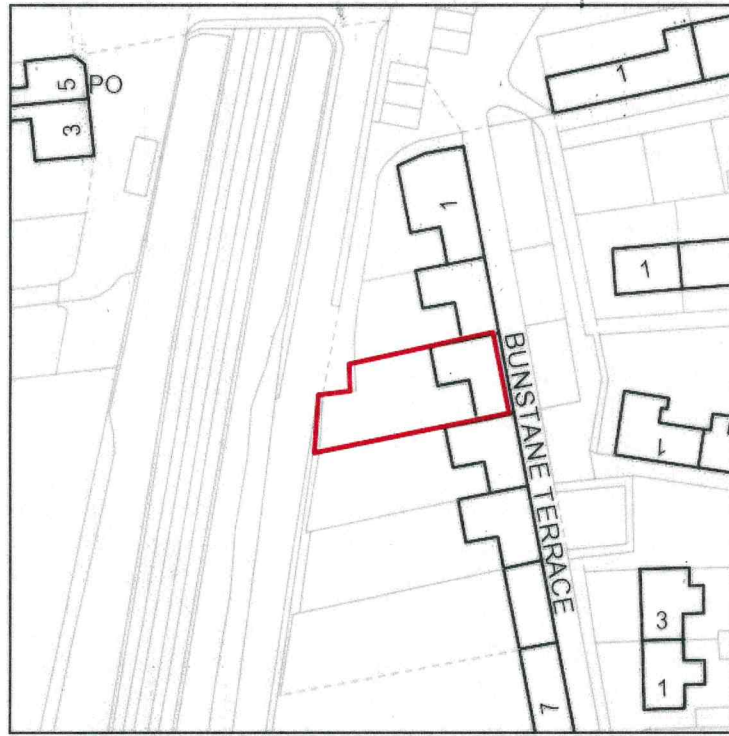
Tel: 01307 466480
Email: paul@rchitects.org.uk

DWG NO.

1180 / PL / 03

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3 BUNSTANE TERRACE, ABERDEEN, AB12 3NN



	Application Boundary
	Land in Ownership

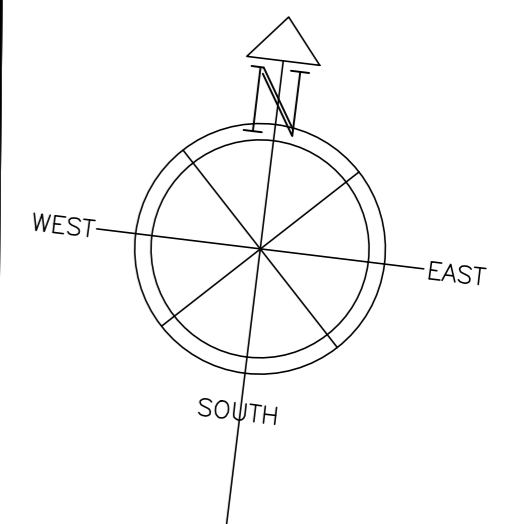
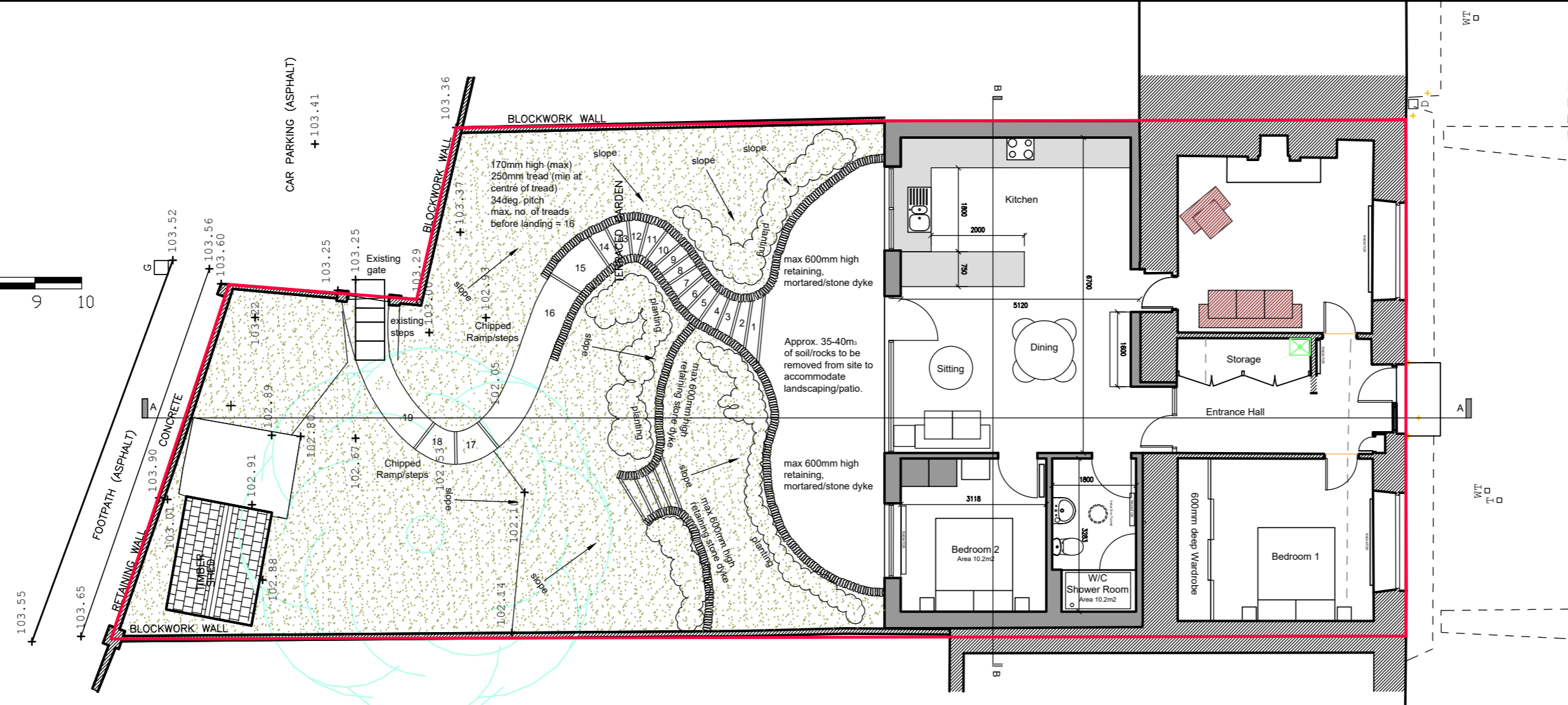
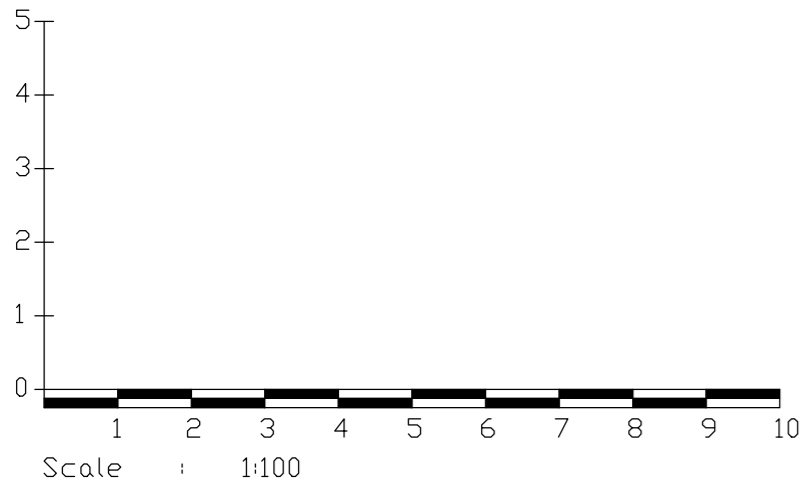
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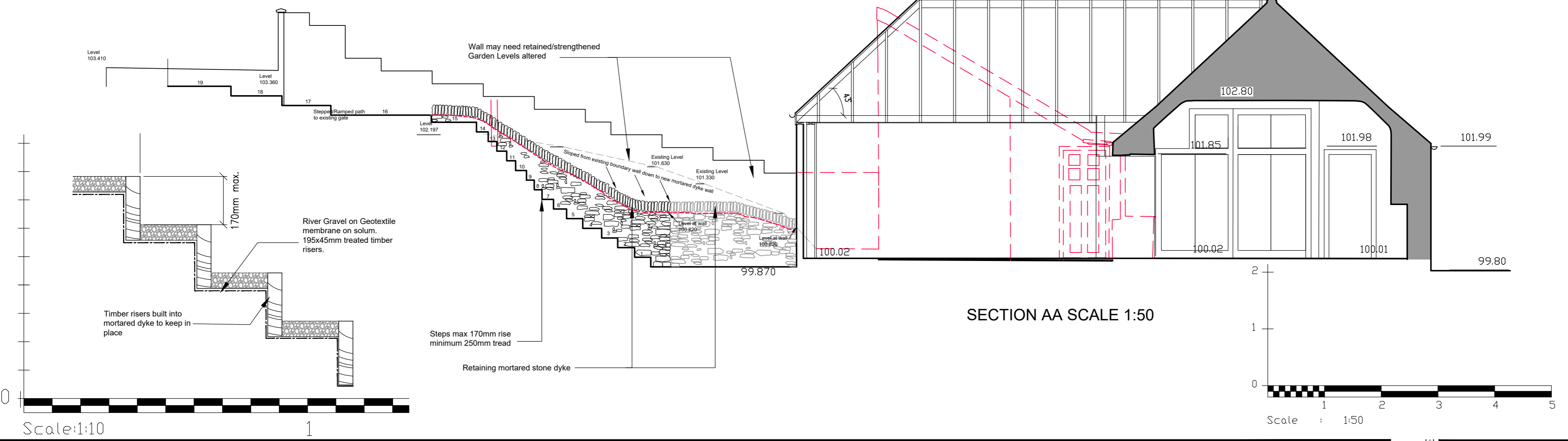
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GROUND FLOOR PLAN AND SITE PLAN SCALE 1:100

Down takings in red dotted line

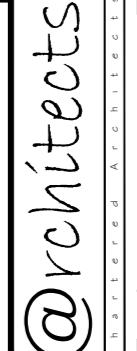


Scale:1:10

Scale : 1:50

REVISIONS

CLIENT	3 Bunstane Terrace Cove Bay Aberdeen	PROJECT	Proposed House Extension & Internal Alterations
SCALE	1/100 Site Plan and 1/50 Section AA @ A2	DATE	Jan 2017
CAD FILE	1180 PL01	DRAWN BY	GM
DRAWING TITLE		Proposed Plan and Section AA through ground floor and site	

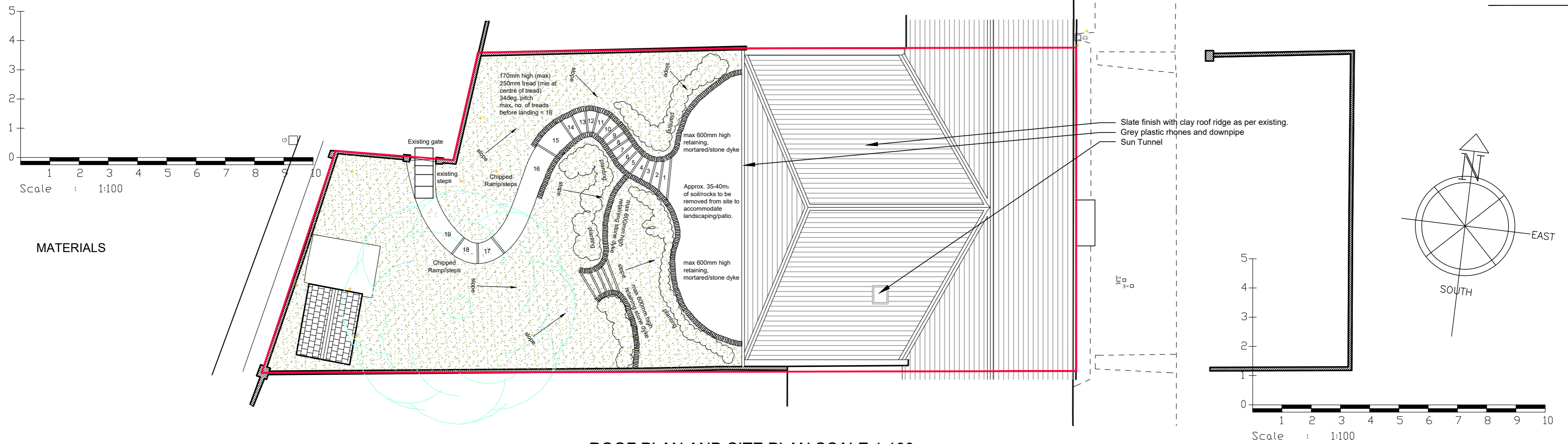


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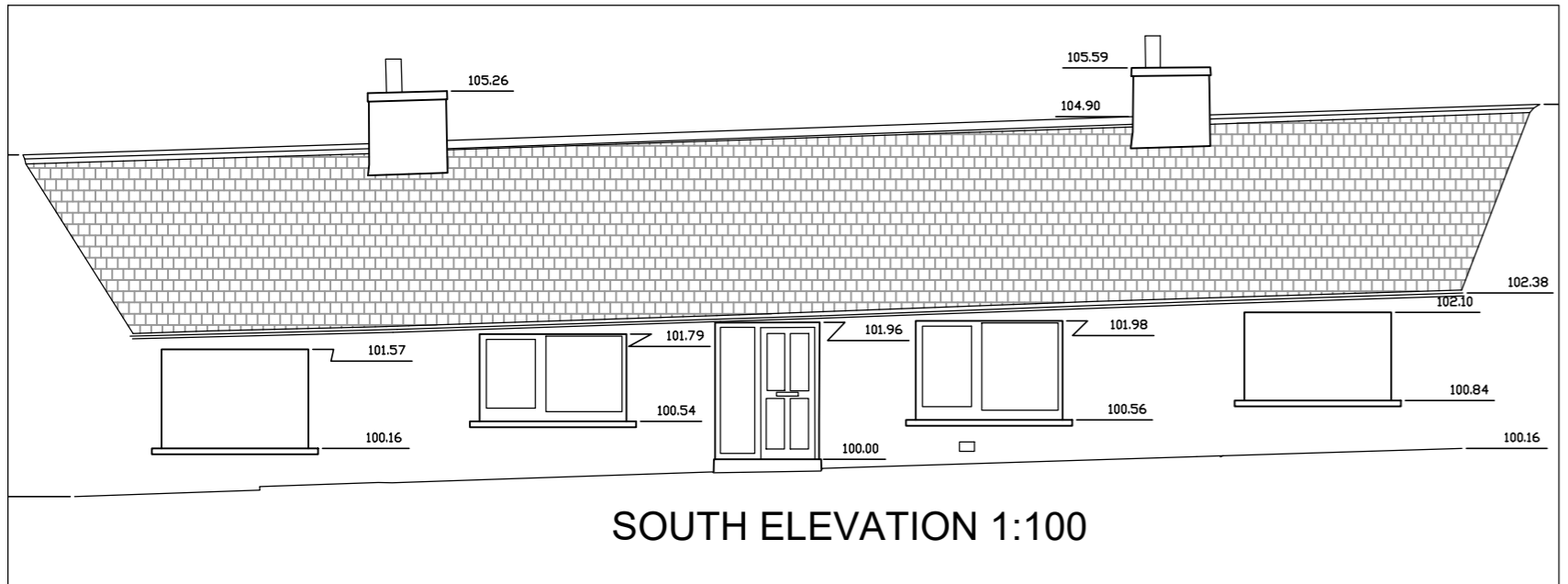
Tel: 01307 466480
Email: paul@rchitects.org.uk

DWG NO. 1180 / PL / 01

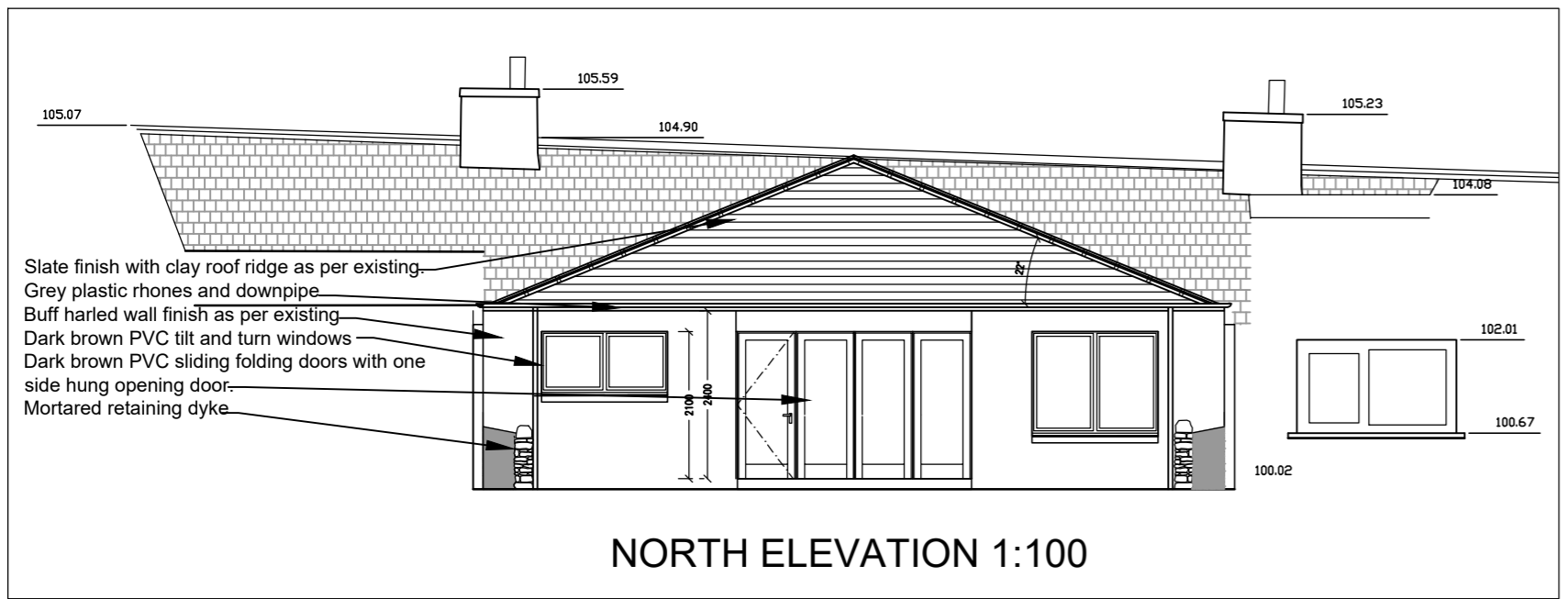
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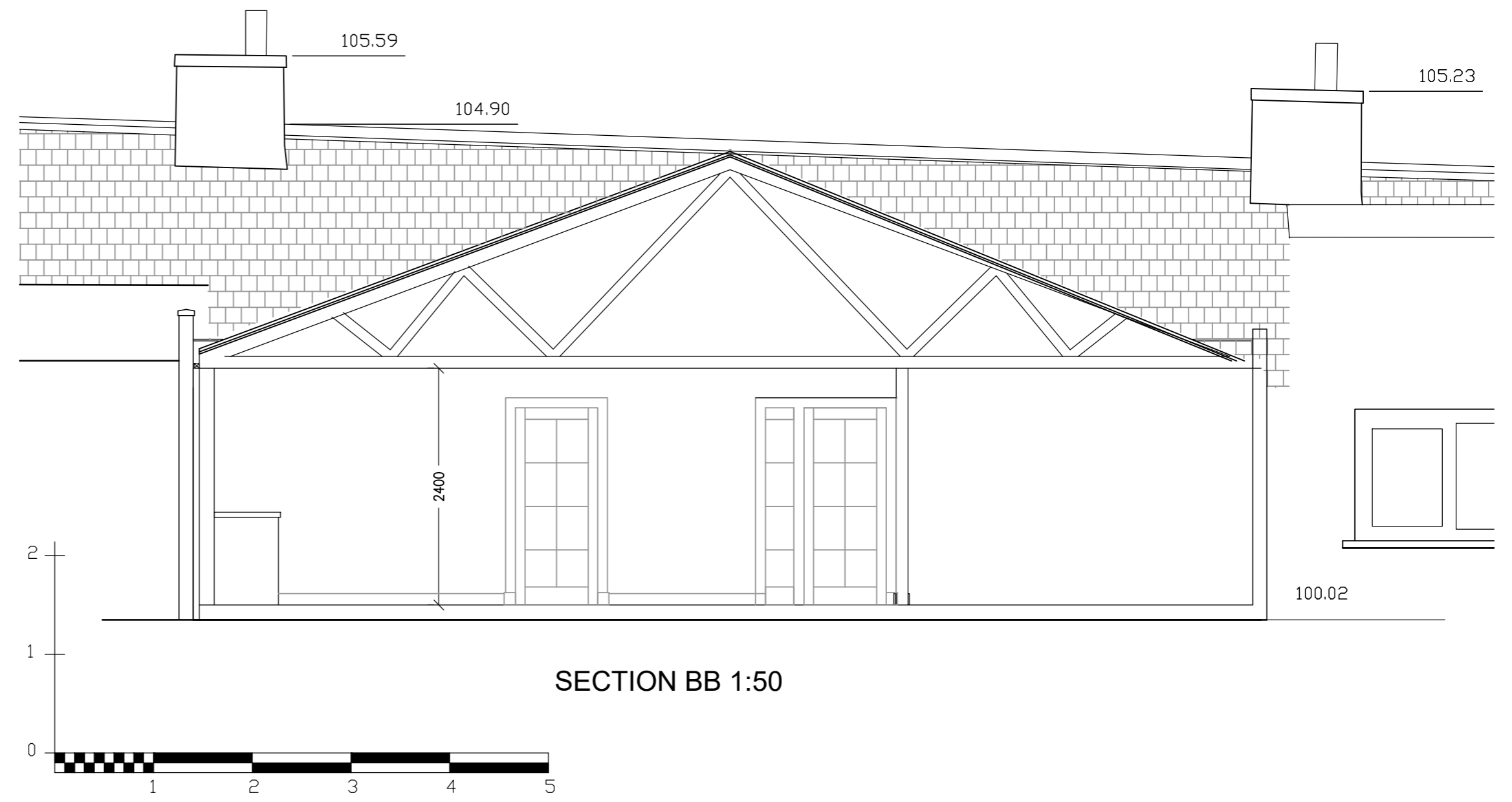
ROOF PLAN AND SITE PLAN SCALE 1:100



SOUTH ELEVATION 1:100



NORTH ELEVATION 1:100



SECTION BB 1:50

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REVISIONS

CLIENT	PROJECT
3 Bunstone Terrace Cove Bay Aberdeen	Proposed House Extension & Internal Alterations
SCALE	DATE
1/100 Plan/Elev and 1/50 Section BB @ A2	Jan 2017
CAD FILE	DRAWN BY
1180 PL02	GM
DRAWING TITLE	
Proposed Roof Plan and Site Plan Section BB	

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DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Paul Fretwell
Architects Scotland Ltd
15 West High Street
Forfar
Angus
DD8 1BE

on behalf of **Mr James Hamilton**

With reference to your application validly received on 6 February 2017 for the following development:-

Erection of single storey extension to rear at 3 Bunstane Terrace, Cove Bay

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
	Location Plan
1180/PL/01	Multiple Floor Plans (Proposed)
1180/PL/02	Elevations and Floor Plans

The reasons on which the Council has based this decision are as follows:-

The proposal fails to comply with the relevant policies of the Aberdeen Local Development Plan 2017, namely Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas), and the Supplementary Guidance contained in the Householder Development Guide in that by reason of its scale, massing, projection and design, the proposal respects neither the character and architecture of the

existing dwelling house nor that of the surrounding area and would negatively affect current residential amenity.

Approval of the application would be detrimental to and thus neither preserve nor enhance the character of the Cove Bay Conservation Area, contrary to the provisions of Scottish Planning Policy, Historic Environment Scotland Policy Statement and thereby with Policy D4 (Historic Environment) of the Aberdeen Local Development Plan; as well as the aims of the Cove Bay Conservation Area Character Appraisal and Management Plan

On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations that would warrant approval of the application contrary to the provision of the development plan.

Date of Signing 19 May 2017



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Planning and Sustainable Development (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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Comments for Planning Application 170100/DPP

Application Summary

Application Number: 170100/DPP

Address: 3 Bunstane Terrace Cove Bay Aberdeen AB12 3NN

Proposal: Erection of single storey extension to rear

Case Officer: Sheila Robertson

Customer Details

Name: Mrs Michele McPartlin

Address: Cove and Altens Community Council 14 Langdykes Way Cove Bay

Comment Details

Commenter Type: Community Councillor

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Due to its siting in the Old Cove Conservation area, we expect that all work will be in keeping with this status.

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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 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)	Agent (if any)
Name <input type="text" value="JAMES R HAMILTON"/>	Name <input type="text"/>
Address <input type="text" value="1 BUNSTANE TERRACE
COVE BAY
ABERDEEN"/>	Address <input type="text"/>
Postcode <input type="text" value="AB12 3NN"/>	Postcode <input type="text"/>
Contact Telephone 1 <input type="text"/>	Contact Telephone 1 <input type="text"/>
Contact Telephone 2 <input type="text"/>	Contact Telephone 2 <input type="text"/>
Fax No <input type="text"/>	Fax No <input type="text"/>
E-mail* <input type="text"/>	E-mail* <input type="text"/>
	Mark this box to confirm all contact should be through this representative: <input type="checkbox"/>
	Yes/ No <input checked="" type="checkbox"/> <input type="checkbox"/>
* Do you agree to correspondence regarding your review being sent by e-mail? <input checked="" type="checkbox"/> <input type="checkbox"/>	

Planning authority	<input type="text" value="ABERDEEN CITY COUNCIL"/>		
Planning authority's application reference number	<input type="text" value="170100 / DPP"/>		
Site address	<input type="text" value="3 BUNSTANE TERRACE, COVE BAY, ABERDEEN"/>		
Description of proposed development	<input type="text" value="ERECTOR OF SINGLE STOREY EXTENSION TO REAR."/>		
Date of application	<input type="text" value="1 FEB 2017"/>	Date of decision (if any)	<input type="text" value="19 MAY 2017"/>

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

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. 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)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

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

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.

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

If you have marked box 1 or 2, 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 are necessary:

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

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.

PLEASE REFER TO NOTICE OF REVIEW - STATEMENT.
(8 PAGES).

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

Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

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 and intend to rely on in support of your review.

PLEASE REFER TO NOTICE OF REVIEW - STATEMENT LIST OF DOCUMENTS AND EVIDENCE.

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.

Checklist

Please mark the appropriate boxes to confirm 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 requiring 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 [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed 

Date 25 MAY 2017.

JAMES R HAMILTON.

NOTICE of REVIEW – STATEMENT

Re. Decision Notice and supporting Report of Handling – Detailed Planning Permission – 19th May, 2017

Planning Authority Application Ref No. 170100/DPP:

Erection of single storey extension to rear @ 3 Bunstane Terrace, Cove Bay, Aberdeen, AB12 3NN

This statement is provided in support of **Notice of Review** and request for review by the Local Review Body

Reason for Request: application 170100/DPP has been refused by an appointed officer

Background

Planning permission **ref. 150212** was approved in June 2015 for the erection of a single storey rear extension and this remains valid until June 2018.

Change of ownership occurred in Nov 2016 and contact established with Building Standards Officer where advise was given that a new planning application would be required due to the non-material changes proposed, specifically

- amend design to provide superior pitched roof design
- amend design to provide feature window in place of complete glass front

New application **ref.170100/DPP** was submitted on 1st Feb 2017

The proposer respectfully offers that both changes will improve upon the current plan ref 150212 and the end intention is to achieve an extension of superior build quality which enhances both the existing property and residential character.

Pic (a) shows rear view of Bunstane Terrace as seen from Stoneyhill Terrace (which runs parallel with the railway line)



Most noticeably properties 1 to 4 have retained the existing mono pitch extensions and properties 5 to 7 have transitioned to pitched roof extensions. The proposer lives at No 1 and will be submitting planning application for this property, following completion of development at No 3.

Note: - Proposer has purchased and is developing No 3 for his elderly parents in order to provide close care.

A meeting was held with planning officer on 13th March where it was advised that application 170100/DPP would be refused unless significant changes were made to comply with latest regulations and no concession was offered in consideration of previously approved plan ref.150212

DECISION NOTICE – Matters for consideration

The reason on which Council has based this decision –

*“its scale, massing, projection and design, **the proposal respects neither the character and architecture of the existing dwelling house nor that of the surrounding area and would negatively affect current residential amenity**”*

The proposer respectfully highlights that the decision process has been compromised due to an error made during the review and recorded in **Report of Handling**, which has significantly exaggerated scale, massing and projection.

REPORT OF HANDLING

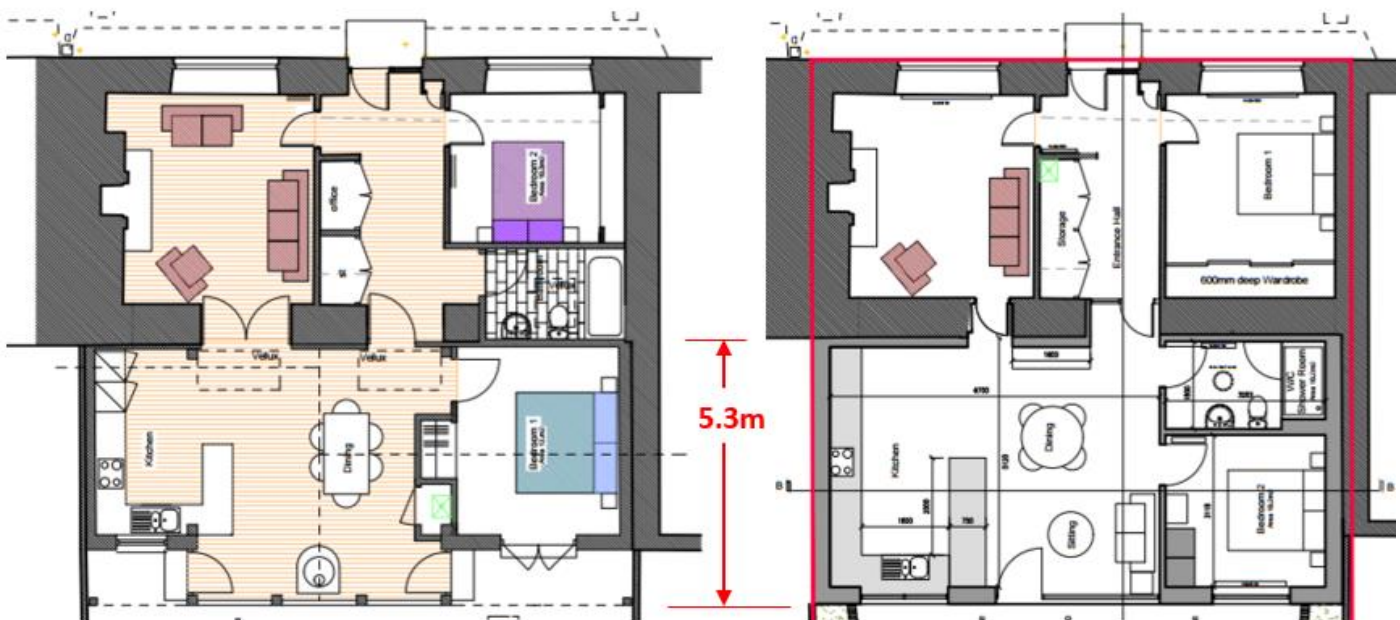
Ref statement 1 – *“The proposal fails to accord with several of the criteria contained in the above guidance, particular in relation to projection and massing. The extension **would project 6.6m** along both side boundaries”*

This statement is not correct

- Approved Drawing 1108 / PD01 (ref.150212) and Proposed Extension 1180/PL01 (ref.170100/DPP) projection is to be **5.3m** which is 1.2m beyond the current line of the existing extensions.

Approved Drawing 1108 / PD01 (ref 150212)

Proposed Extension 1180/PL01 (ref.170100/DPP)



Ref statement.

2(a) – “The projection of an extension along a boundary separating terraced dwelling houses is restricted to a maximum of **3m** in order to protect the amenity of neighbours”

2(b) - its projection **will exceed the maximum allowable projection set out in the aforementioned guidance by an additional 3.6m**

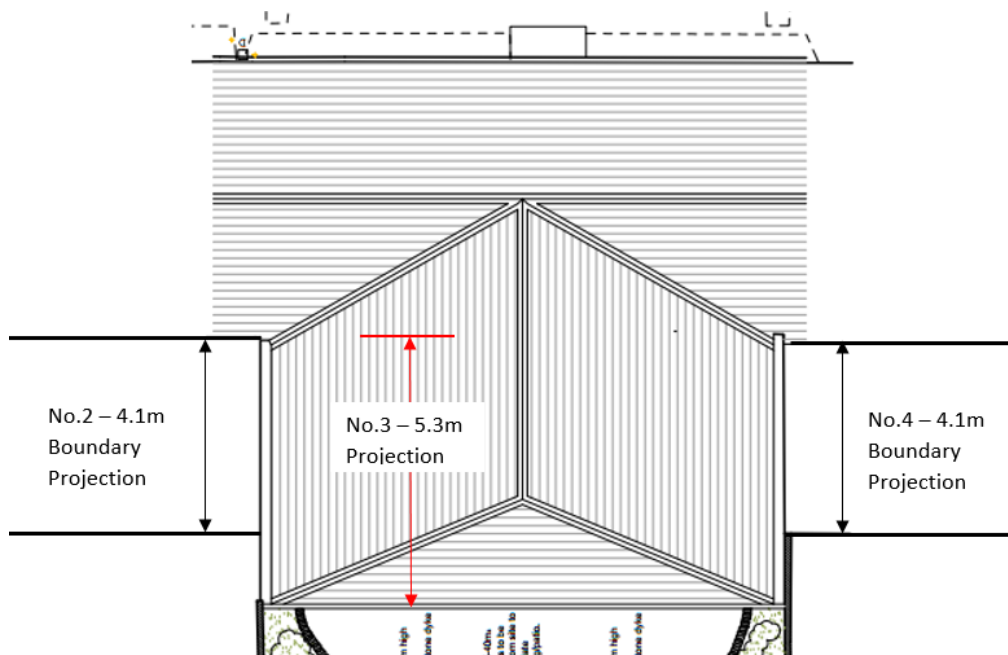
2(c) – since the existing extension to the northern boundary **exceeds the current guidelines by 1m** as does the projection of the neighbours extension to the southern boundary, then a similar projection could be justified, contrary to the guidance, however not as lengthy a projection as proposed (**which would be a further 2.5m**) as it would result in an extension that could not be deemed to either protect neighbouring outlook or be modestly scaled and subservient to the original dwelling house

Statements 2(b) and (2c) are not correct

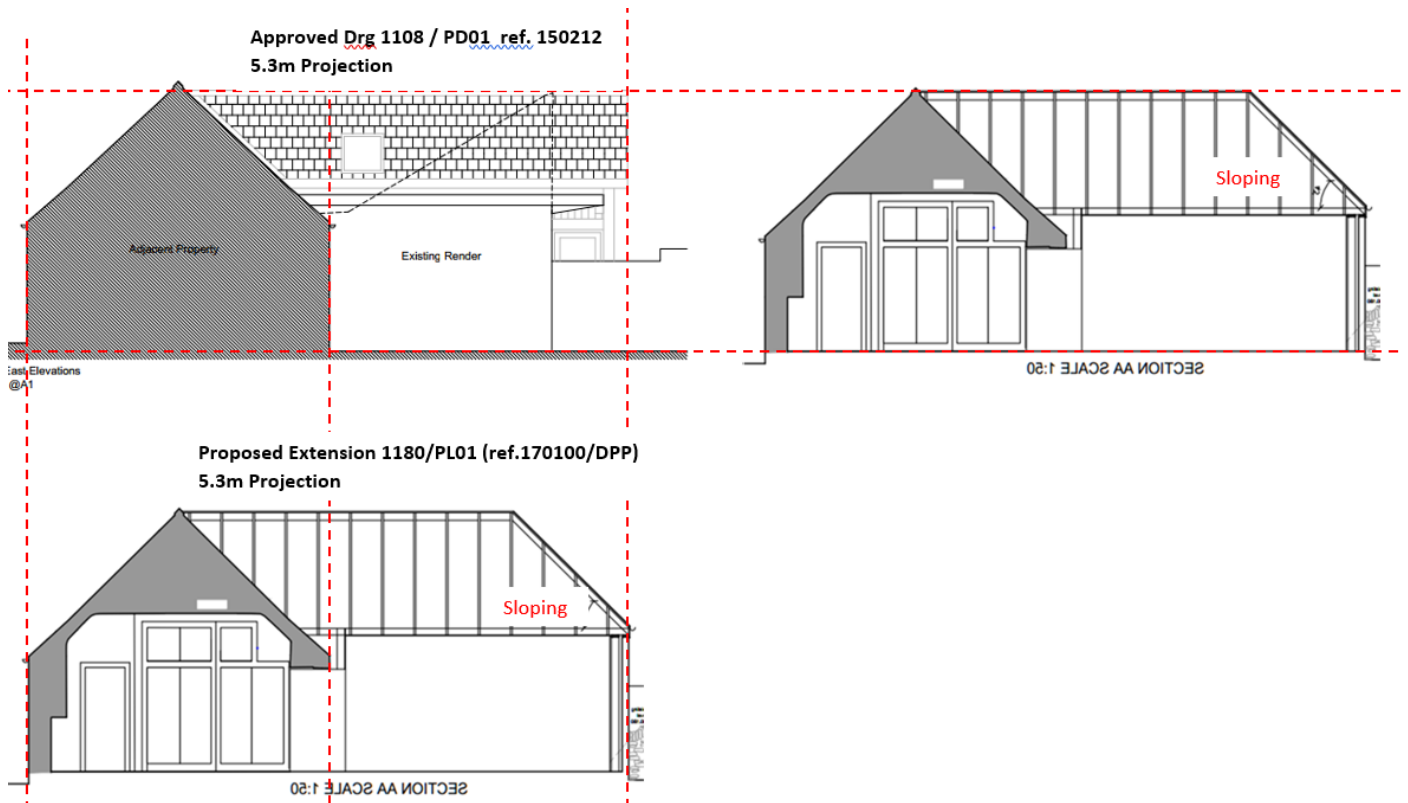
- north and south existing extensions currently exceed the guidelines by 1.1m
- Approved extension drawings 1108 / PD01 ref. 150212 projection is for a **further 1.2m**
- Proposed extension drawings 1180/PL01 ref. 170100/DPP is requesting **the same as above, 1.2m**
- **ref Statement 3** acknowledges that proposed extension -

*“it has been demonstrated that the **proposed extension will neither have an unacceptable impact to adjoining properties in terms of either overshadowing or on loss of daylight**”*

Diagram below is extract from drawing **1180/PL01 (ref.170100/DPP)** and shows the proposed relationship of pitched roof to shared boundaries.



Ref. statement 4 – “Will result in a particularly overbearing elevation to the rear garden ground on No.2 with a slightly lesser impact to No.4 and subsequent erosion of their amenity”



The proposer respectfully suggests that proposed pitch roof design is less overbearing than currently approved gable design. The gardens are tiered and rise to same elevation. It could be said that bordering properties Nos 2 and 4 currently have an overbearing elevation on property No.3



Ref. statement 5 – “Nos 5 and 6 Bunstane Terrace have added rear extension of similar design as proposed, involving full width extensions with roof ridges meeting at the original ridge height, however their projections are restricted to 4m along the boundaries. Both properties have added a further extension to the rear extension, of lesser height and half the width and with a 5m projection along the shared boundary”

The proposer understands,

“no existing extensions, dormers or other alterations which were approved prior to the introduction of this supplementary guidance will be considered by the planning authority to provide justification for a development proposal which would otherwise fail to comply with the guidance”

however, feels that it is important to amend report to reflect that shared boundary projection is **8m**

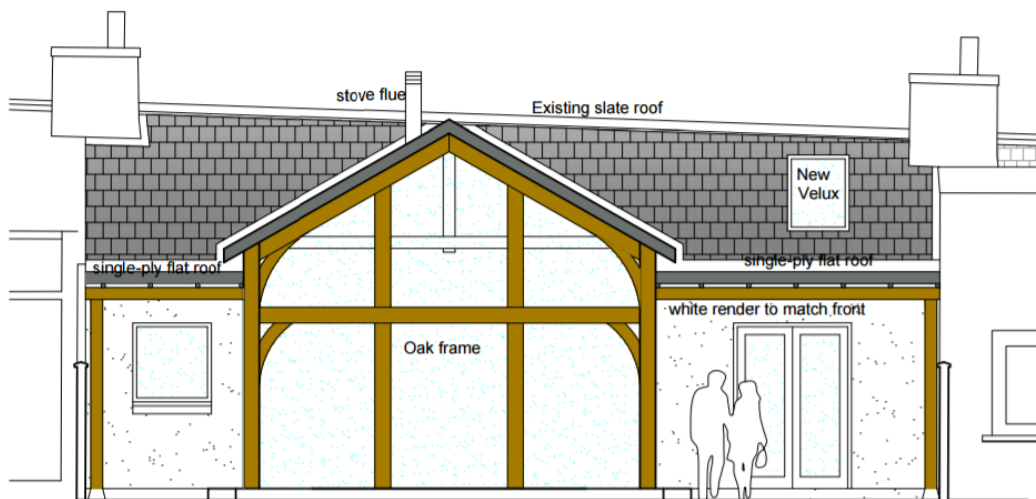


Ref. statement 6 – “the rear elevation of the application property and indeed the entire terrace is clearly visible to the public from the elevated position of Stoneyhill Terrace which leads into the Conservation Area, as well as from the bridge over the railway line. It is considered that the *inappropriate design, scale, massing and projection would introduce an intrusive element into the streetscape* leading to an adverse impact and *erosion to the character and visual amenity of the surrounding area.*”

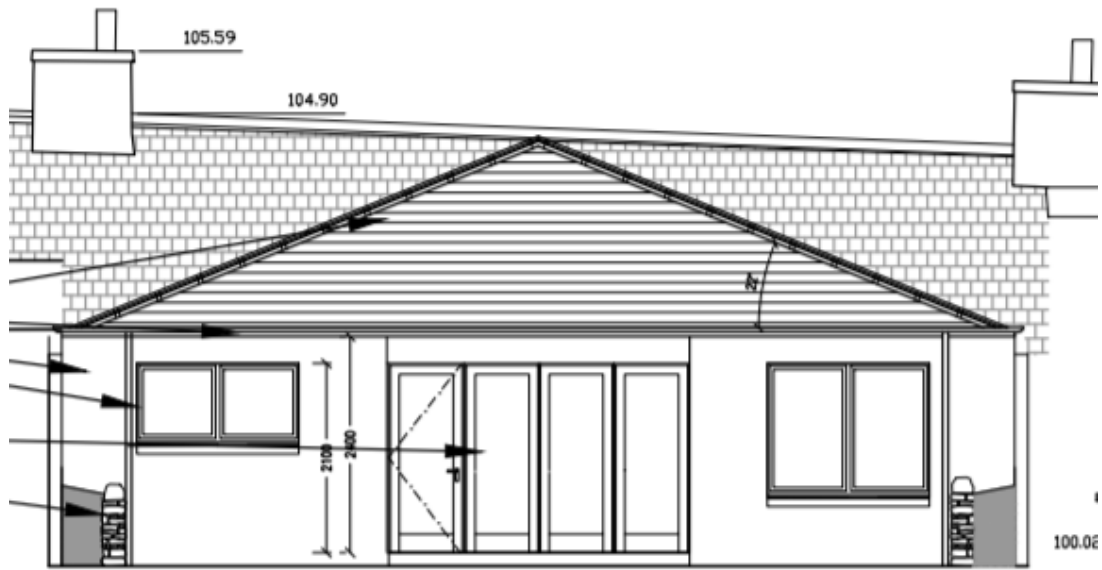
The proposer respectfully refers to previous statement that the error made in the **report of handling – description of proposal** has significantly exaggerated scale, massing and projection.

The proposer wishes to reiterate his desire to complete the development of No 3 as soon as possible and respectfully suggests that the currently approved design (shown below) is both impractical and neither meets requirement or respects the character of Bunstane Terrace.

Approved Extension 1108 / PD01 (ref 150212)



Proposed Extension 1180/PL01 (ref.170100/DPP)



CONCLUSION

The proposer requests that the Local Review Body consider the above information, the true projection and scale of **Proposed Extension 1180/PL01 (ref.170100/DPP)** (shown above) and the desire to provide a design that will enhance the existing property and surrounding area.

LIST OF DOCUMENTS AND EVIDENCE

170100/DPP | Erection of single storey extension to rear | 3 Bunstane Terrace Cove Bay Aberdeen AB12 3NN

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OKP89QBZIPL00>

Ref No	Document	Drawing No	Date
170100/DPP	Multiple Floor Plans (Proposed)	1180/PL/01	1 Feb 2017
170100/DPP	Elevation and Floor Plans	1180/PL/01	1 Feb 2017
170100/DPP	Decision Notice Application		19 May 2017
170100/DPP	Report of Handling		19 May 2017

150212 | Erection of single storey rear extension, installation of roof light and re-render of existing walls | 3 Bunstane Terrace Cove Bay Aberdeen AB12 3NN

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZY9JBZSK017>

Ref No	Document	Drawing No	Date
150212	Location Plan		10 Feb 2015
150212	Proposed Elevations	1108/PD01 Rev D	1 Feb 2017
150212	Decision Notice Application		18 June 2015
150212	Report of Handling		18 June 2015



Note : - 2015 – No 5 now has extension



Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100038338-001

The online reference 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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Remove existing kitchen and bathroom block and replace with new Kitchen/Dining area; bedroom and bathroom

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

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:	Architects Scotland Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	<input type="text"/>
Last Name: *	Fretwell	Building Number:	15
Telephone Number: *	01307 466480	Address 1 (Street): *	West High Street
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Forfar
Fax Number:	<input type="text"/>	Country: *	Angus
		Postcode: *	DD8 1BE
Email Address: *	admin@rchitects.org.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	James	Building Number:	1
Last Name: *	Hamilton	Address 1 (Street): *	Bunstane Tce
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Cove bay
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	AB12 3NN
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

3 BUNSTANE TERRACE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB12 3NN

Please identify/describe the location of the site or sites

Northing

800823

Easting

395316

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Paul Fretwell

On behalf of: Mr James Hamilton

Date: 01/02/2017

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Paul Fretwell

Declaration Date: 01/02/2017

Payment Details

Cheque: JR Hamilton, 002381

Created: 01/02/2017 13:20

Report of Handling Detailed Planning Permission

161363/DPP: Formation of 2 storey extension to form 3 new additional dwellings to existing residence at 108 Bonnymuir Place, Aberdeen, AB15 5NP,

For: Goldie Properties

Application Date:	21 September 2016
Officer:	Sepideh Hajisoltani
Ward:	Mid Stocket/Rosemount
Community Council:	Rosemount And Mile End

RECOMMENDATION: Refuse

SITE DESCRIPTION

The application relates to a corner site located to the south east of the junction of Westburn Road and Bonnymuir Place. The application property is a 2 storey dwelling with an offshoot to the rear. The back garden gains access via a lane that leads to Westburn Road. The site is located within a Residential Area as identified within the Local Development Plan (2017).

DESCRIPTION OF PROPOSAL

Detailed planning permission is sought for the erection of a two storey rear extension to the existing house to create 3 additional units (4 flats in total - three 2-bedroom and one 1-bedroom flat).

Two of the flats would have pedestrian access from Westburn Road to the north and the other two would use the existing communal lobby from Bonnymuir Place.

Vehicular access is proposed via the back lane and a total number of 4 car parks are proposed.

RELEVANT HISTORY

None.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ODUMHVBZGSJ00>.

CONSULTATIONS

ACC - Roads Development Management Team – No objection, advised that all roads concerns have been addressed in the proposed design.

ACC - Flooding and Coastal Protection- No objection to the proposal subject to a number of conditions including completion of a DIA and approval from ACC flood team prior to works commencing on site, confirmation that the project has been designed in line with the CIREA SUDS manual and confirmation that the store on site is 0.5% + CC and is existing at green field run of rate.

ACC - Environmental Health- No observations.

ACC - Waste Strategy Team- No objection

REPRESENTATIONS

2 letters of representation have been received. The matters raised can be summarised as follows:-

1. The impact of the proposal on the existing trees in the back garden.
2. The impact of the proposal on the stone wall boundary to the south of the application site.
3. Concerns over the distance between the gable end wall and the proposed car parking that might create a high risk of collision into house.

PLANNING POLICY

Aberdeen Local Development Plan 2017

- Policy H1: Residential Areas
- Policy D1: Quality Placemaking by Design
- Policy NE5: Trees and Woodland

OTHER RELEVANT MATERIAL CONSIDERATIONS

- Interim Planning Advice - Sub-division and Redevelopment of Residential Curtilages
- Interim Planning Advice - Trees and Woodlands

EVALUATION

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

Policy H1: Residential Areas

Within existing residential areas (H1 on the Proposals Map) proposals for new 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 and amenity of the surrounding area;
3. Does not result in loss of valuable and valued areas of open space;
4. Complies with Supplementary Guidance.

As the proposal involves the redevelopment of the existing residential curtilage to form four flats instead of one dwelling house, the Interim Planning Advice on

Subdivision and Redevelopment of Residential Curtilages is applicable. Whilst it is accepted that construction of new dwellings within an established area will affect the overall building density of the surrounding area, the general form of the development in the vicinity must be assessed in relation to and as a measure of the proposal's acceptability.

Most other properties within the surrounding area have a site coverage that is approximately 15-20% of the total site. In this instance approximately 37% of the total site would be built upon. It is considered that the proposed site coverage would not reflect the prevailing building density of the surrounding area. Given the relatively low density of development in this locality, the maximum of one third site coverage mentioned in the Interim Planning Advice is not directly relevant. Nevertheless, using that measure, the proposal also fails to comply with the Interim Planning Advice as the site coverage would exceed that figure.

In terms of impact on the spatial character of the area, whilst acknowledging that there are traditional, granite-built 2 storey terraced properties on the south side of Westburn Road to the east and west of the site, it is nevertheless considered that the proposed extension is uncharacteristic of the established and clearly discernible built form in the area due to its somewhat incongruous form and large scale (in terms of both footprint and overall projection to the rear). The built form in the surrounding area is of properties generally of similar footprints and which are set well forward in elongated plots providing generous rear gardens. The proposal fails to reflect this form.

Notwithstanding that no daylight calculations have been provided, it is noted that bedroom 1 in flat 3 and bedroom 2 in flat 4 would not receive a good level of daylight due to the overall projection of the proposed extension. It should also be noted that the first floor balcony compromises flat 3 for daylight. It is also noted that flats 1 & 2 facing Bonnymuir Place would have no direct view to the communal back garden. There is no specific guidance for rear gardens of flatland dwellings; however it is considered that the proposed area as the communal garden fails to provide sufficient and appropriate private amenity space for all units. The disposition of bikes and bins means that flat 3 on the ground floor is wholly compromised by neighbours' likely movements. A detailed landscape plan to show how the applicant envisages the very limited communal space would be used (for example the incorporation of a drying green and sitting out areas) would have been helpful. However, no such plan was submitted with the application.

Being to the north of the adjacent residential property, the proposal would not have any significant detrimental impact on the level of direct sunlight which falls on building or its garden to the south. The proposal would have no impact in terms of privacy and overlooking. There are no habitable space windows within 18m of neighbouring windows.

In terms of parking arrangements it is considered that 3 additional cars would be using the rear lane which is not considered to be a significant increase. The Roads Development Management Team has no objection to the proposal. As the proposed

parking arrangements raise no specific amenity or public safety issues, they are considered acceptable.

The proposed scale and massing of the extension and number of dwellings combined with a proposed garden ground with insufficient amenity for future residents would represent overdevelopment on the site to the detriment of the character of the area.

It is considered that the proposal, which is highly visible from Westburn Road, would set an unacceptable precedent for similar sites on corner locations in the locality and further beyond, the cumulative effect of which would have a harmful effect on the character or amenity of the immediate area of the wider city.

For the reasons mentioned above, it is considered that the proposal does not fully accord with the provisions of policy H1.

Policy D1: Quality Placemaking by Design

All development must ensure high standards of design and will be expected to contribute towards creating successful places. The criteria used on assessing an application will be relevant to the scale, character and nature of the proposal.

The scale and massing of any new dwelling(s) should complement the scale of surrounding properties and reflect local urban form to create a distinctive place. In this instance the proposal should be clearly designed to represent an extension to the existing building, both in built form and subservience. Whilst the proposed eaves height is lower than the original roof, it is still considered that the proposal would dominate the visual appearance of the original dwelling particularly when seen travelling westwards along Westburn Road. It is acknowledged that the extension would not impact on the existing frontage of the house when viewed from Bonnymuir Place.

The overall projection to the rear is longer than the public frontage of the original dwelling to Westburn road. The combination of the visual impact of this long projection to the rear and introduction of two entrance doors and bay windows on the north elevation would result in this elevation being of a form that would read as a separate building with a principal elevation to Westburn Road, instead of an extension to what is currently a secondary elevation of the existing dwelling.

The proposed extension would extend across almost the full length width of the existing building, and would dominate and overwhelm that elevation, when seen from Westburn Road to the east. The proposed balcony on the first floor would also add to this overwhelming look. This elevation is highly visible from Westburn Road and also from the existing rear lane. There is also poor relationship between existing and proposed roof forms on this elevation. The combination of the overall width of the extension, the poor and inappropriate relationship between the proposed roof line and that of the existing house, the general form and design of the extension and its overall size, results in a proposal that does not respect or complement the existing building. A shorter, narrower extension would add more breathing space along the communal passage and would also reduce the detrimental visual impact particularly from the eastern view.

The south elevation would be visible from the neighbouring garden to the south and also from the rear lane. Whilst it is appreciated that the blank façade would shield views to and from the neighbouring house and the neighbouring residents may not mind having a large blank gable, it is noted that such design (being a relatively long blank façade) is not positive and would result in detrimental impact on the visual appearance of the building.

It is considered that the proposal does not read well in terms of balance and enabling the original building to remain visibly dominant and is not subservient to the existing building.

Taking account of the above considerations in relation to the built form, scale, massing, proportions and character of the development, it is considered that the proposal does not fully accord with provisions of policy D1.

Policy NE5: Trees and Woodland

There is a presumption against all activities and development that will result in the loss of or damage to trees. Appropriate measures should be taken for the protection and long term management of existing trees both during and after construction.

The trees along the southern boundary are to be retained and no trees are to be felled as part of the proposed development. Part of the proposed extension will encroach on the root protection of one of the trees; however it is considered that the small amount of damage to its root plate can be mitigated through appropriate tree management strategy.

Other Matters Raised in Representations

Objection 1 relating to trees has been considered in the evaluation section of this report.

Objection 2 relates to the impact of the proposal on the stone wall boundary to the south of the application site. It is noted that the structural stability, damage to property and boundary disputes are not material planning considerations and have not been considered in this assessment.

Objection 3 relates to the risk of collision due to the location of the proposed car park. The roads officer has considered the application and has no objection to the proposal.

Full regard has been given to all concerns raised in representations.

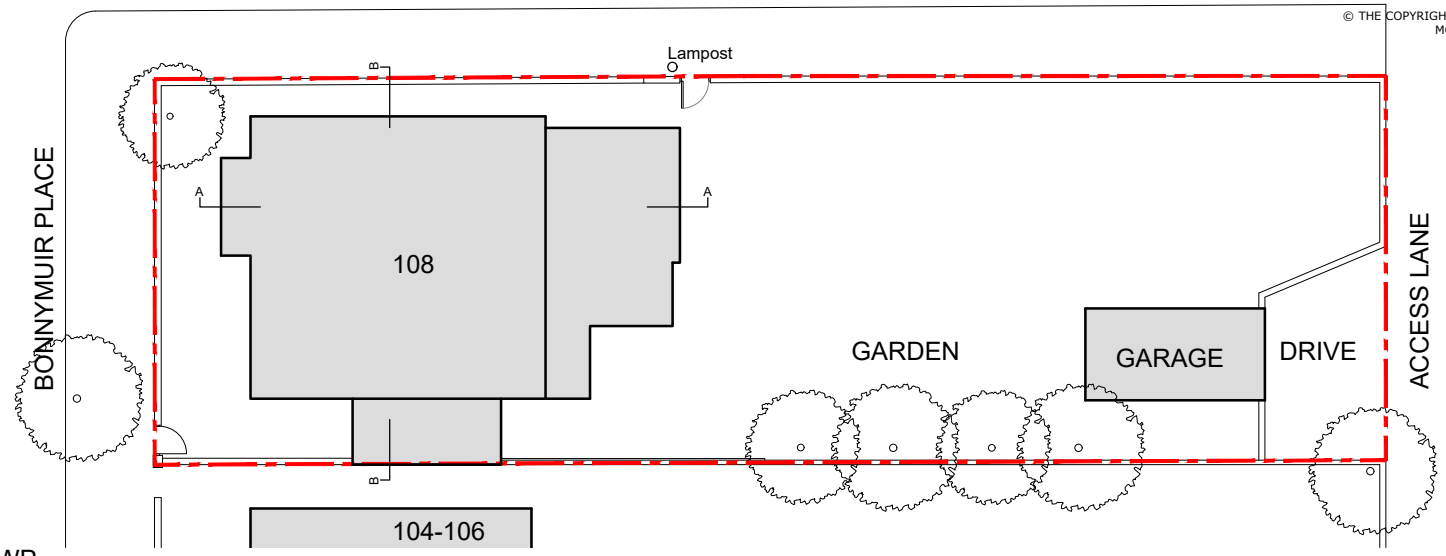
RECOMMENDATION: Refuse

REASONS FOR RECOMMENDATION

The proposal fails to comply with policy D1 (Quality Placemaking by Design) and Policy H1 (Residential Areas) of Aberdeen Local Development Plan (2017) and the Interim Planning Advice on Sub-Division and Redevelopment of Residential Curtilages. The excessive scale and massing of the extension (in relation to the

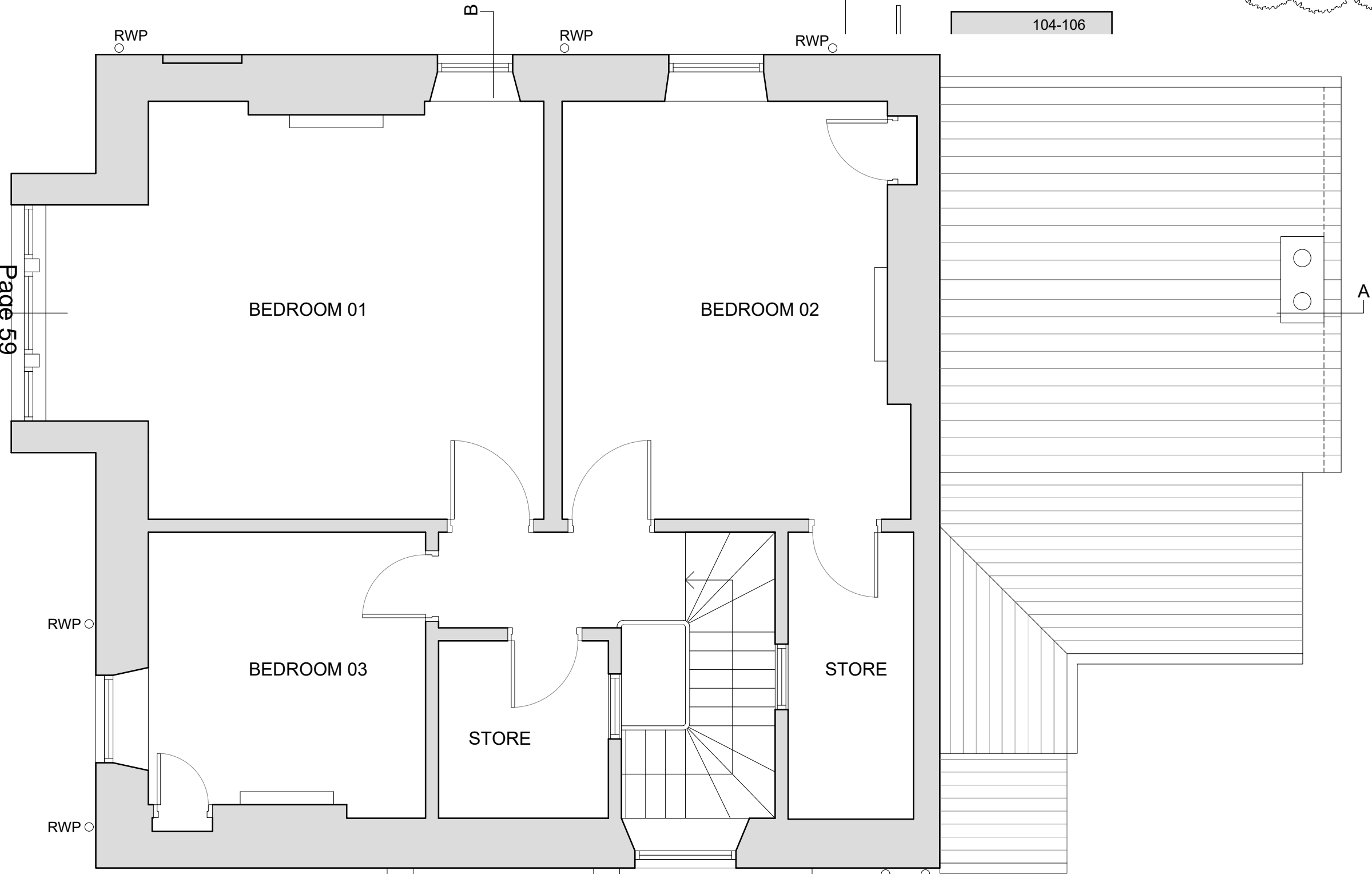
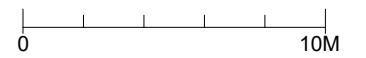
existing dwelling and also the general built form in the surrounding area) and the proposed garden ground with insufficient amenity for future residents would represent overdevelopment of the site and would result in an unbalanced and visually dominant street frontage.

In terms of impact on trees, it is considered that subject to appropriate protection and mitigation measures the proposal could sufficiently comply with policy NE5 (Trees and Woodlands).

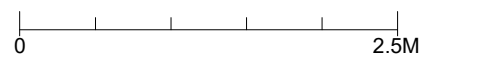


243 WESTBURN ROAD

SITE PLAN SCALE 1:250



FIRST FLOOR PLAN SCALE 1:50



Rev.	By	Description	Date

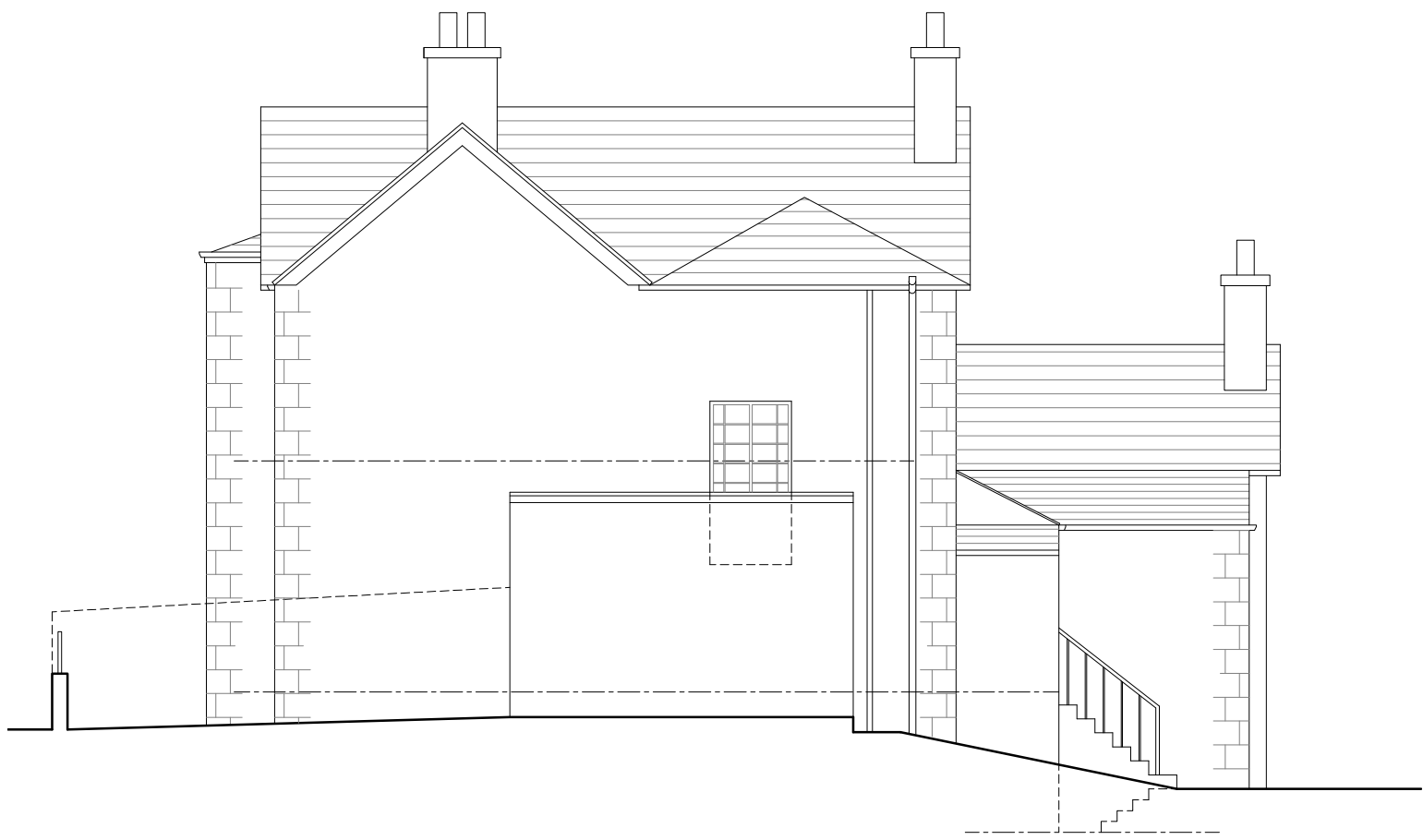
Anderson House
 Quarry Road
 Aberdeen
 AB16 5UU
 01224 945880
 info@mcgregorgarrow.co.uk
 www.mcgregorgarrow.co.uk



Project
EXTENSION - CHANGE OF USE
 Location
108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
EXISTING 1st FLOOR_SITE PLAN

Project Ref. G015	Drawing No. 002	Revision -
Scale A3 AS SHOWN	Date MAY. 2016	Drawn by IMcG

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SOUTH ELEVATION



WEST ELEVATION

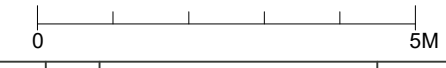


NORTH ELEVATION



EAST ELEVATION

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Rev.	By	Description	Date

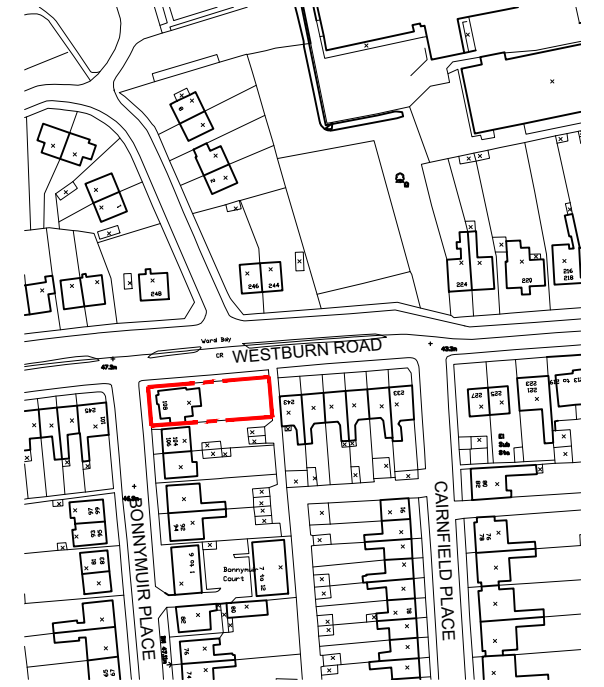
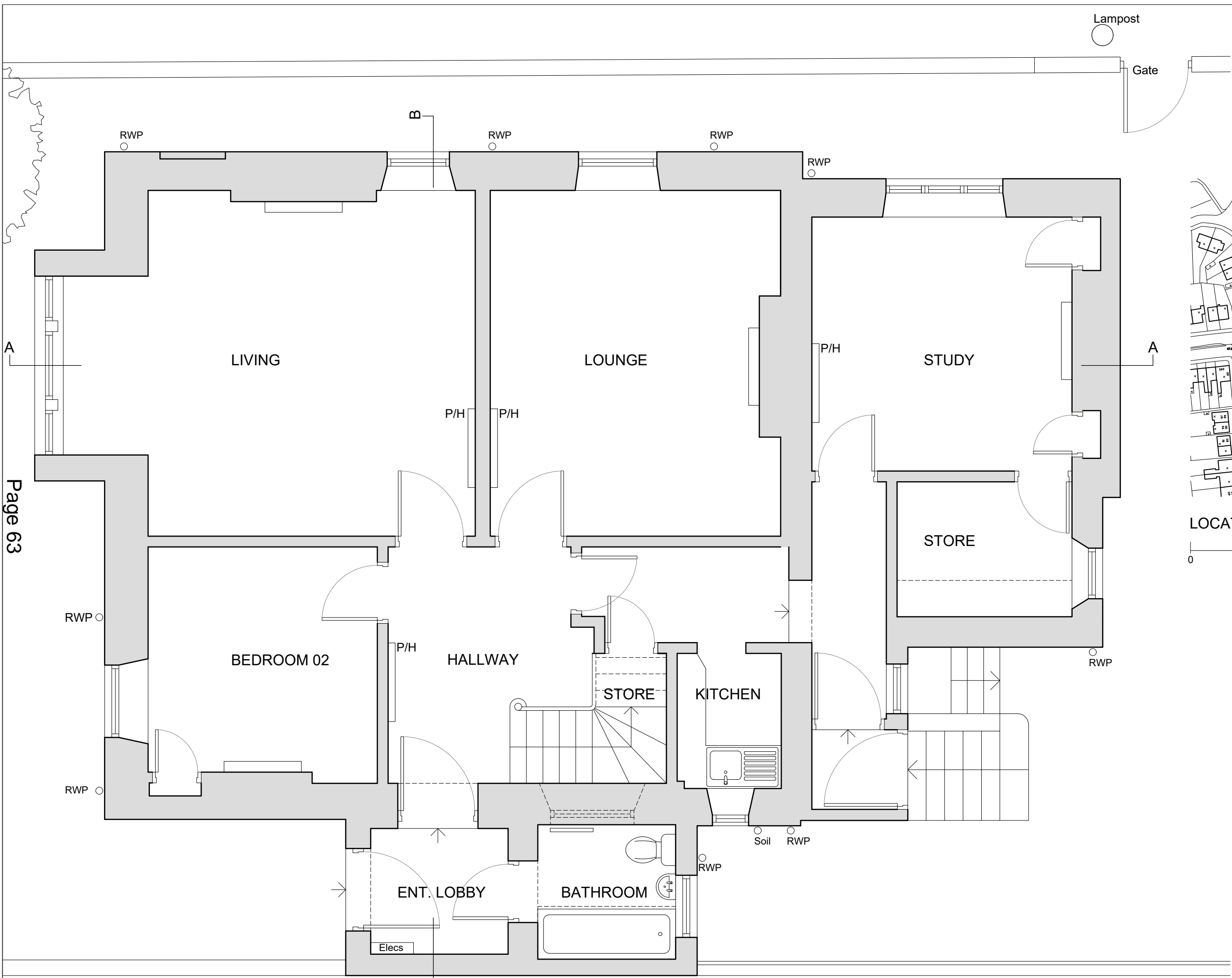
Anderson House
 Quarry Road
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 AB16 5UU
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 info@mcgregorgarrow.co.uk
 www.mcgregorgarrow.co.uk



Project
EXTENSION - CHANGE OF USE
 Location
108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
EXISTING ELEVATIONS

Project Ref. G015	Drawing No. 003	Revision -
Scale A3 1:100	Date SEP. 2016	Drawn by IMcG

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LOCATION PLAN 1:2500



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GROUND FLOOR PLAN SCALE 1:50



Rev.	By	Description	Date

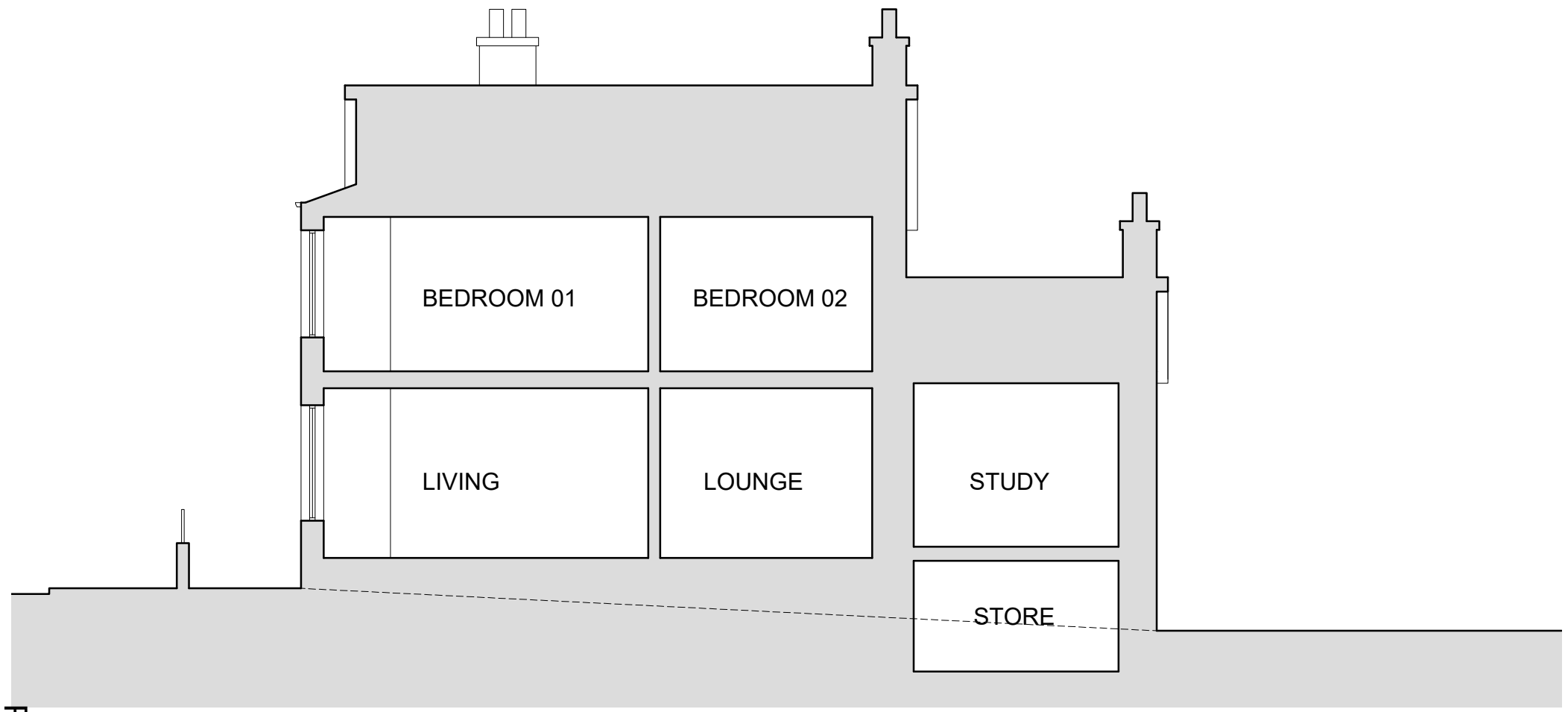
Anderson House
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Project
EXTENSION - CHANGE OF USE
 Location
 108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
EX. GROUND FLOOR_LOCATION

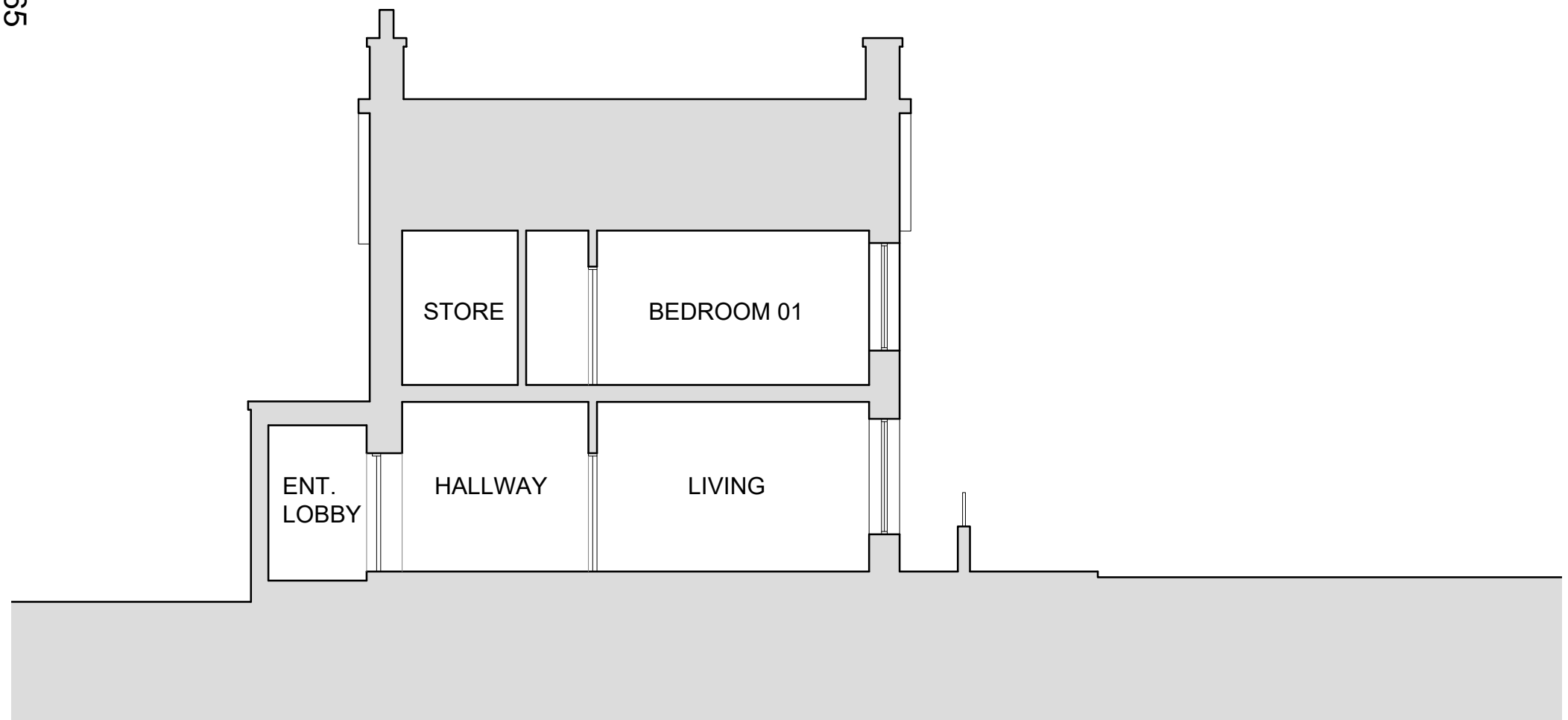
Project Ref. G015	Drawing No. 002	Revision -
Scale A3 AS SHOWN	Date MAY. 2016	Drawn by IMcG

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SECTION A-A

Page 65



SECTION B-B



Rev.	By	Description	Date

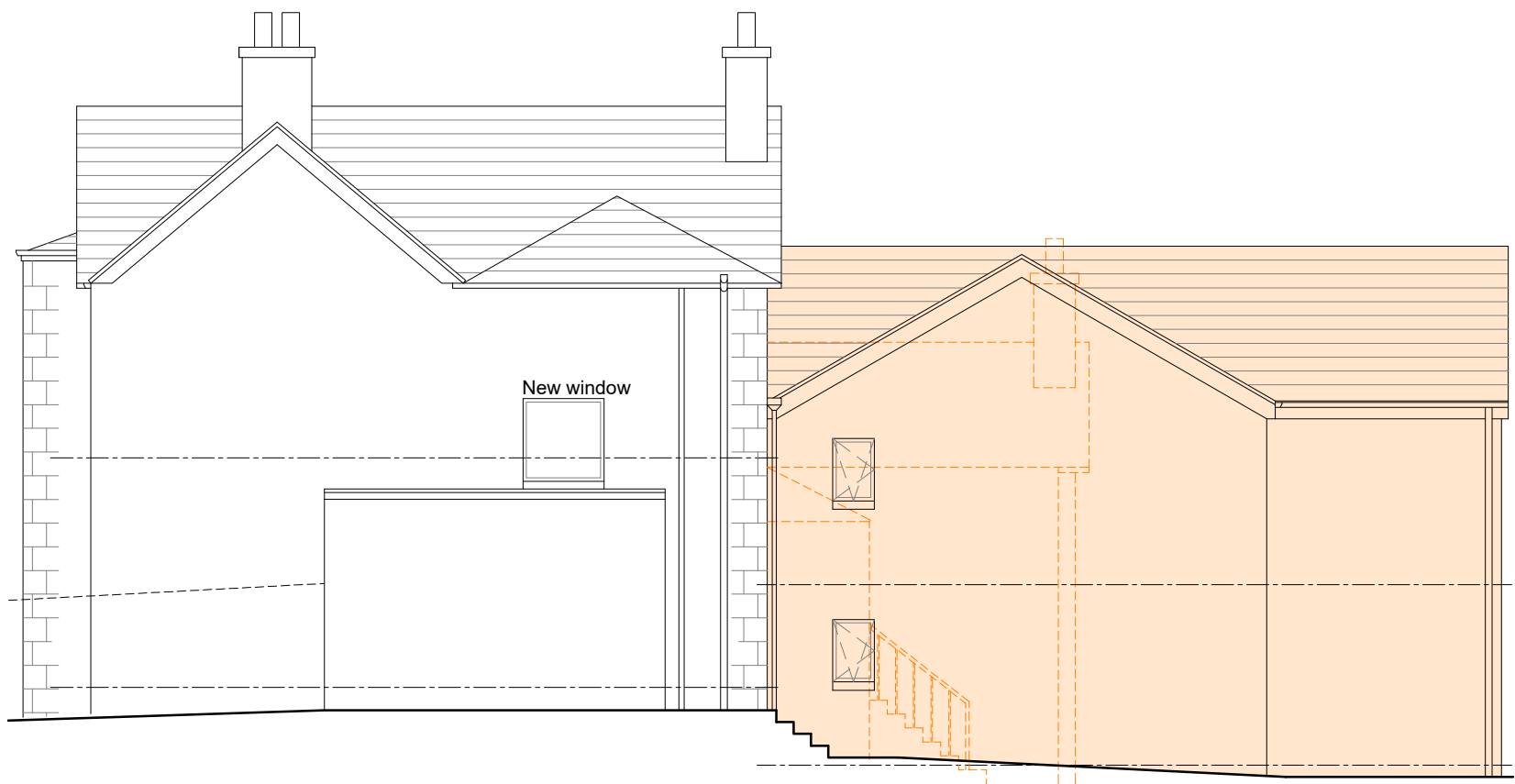
Anderson House
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Project
EXTENSION - CHANGE OF USE
 Location
108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
EXISTING SECTIONS

Project Ref. G015	Drawing No. 004	Revision -
Scale A3 1:100	Date SEP. 2016	Drawn by IMcG

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SOUTH ELEVATION

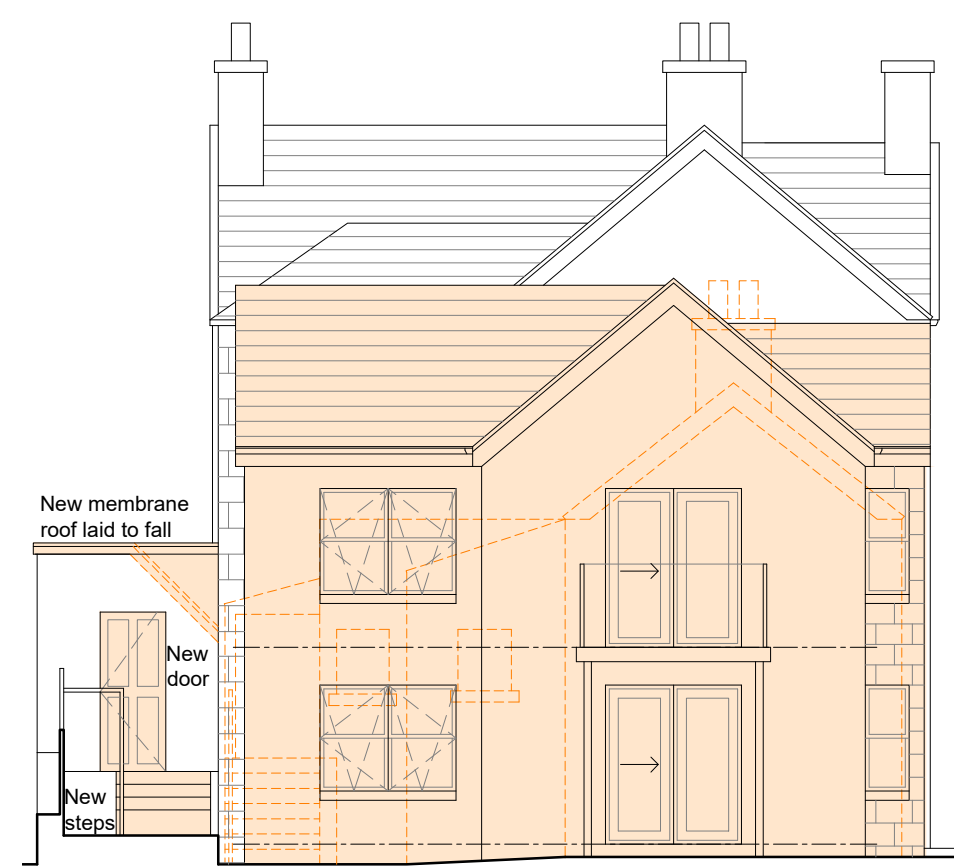


WEST ELEVATION

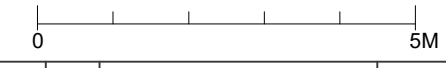
- FINISHES (NEW EXTENSION)**
- WALLS**
Render finish on blockwork, colour tbc.
Fyfestone used to form bay window.
 - ROOF**
Slates, to match existing
 - WINDOWS/DOORS**
White UPVC
 - FASCIA/SOFFITS**
White UPVC
 - RAINWATER GOODS**
Black UPVC



NORTH ELEVATION



EAST ELEVATION



Rev.	By	Description	Date

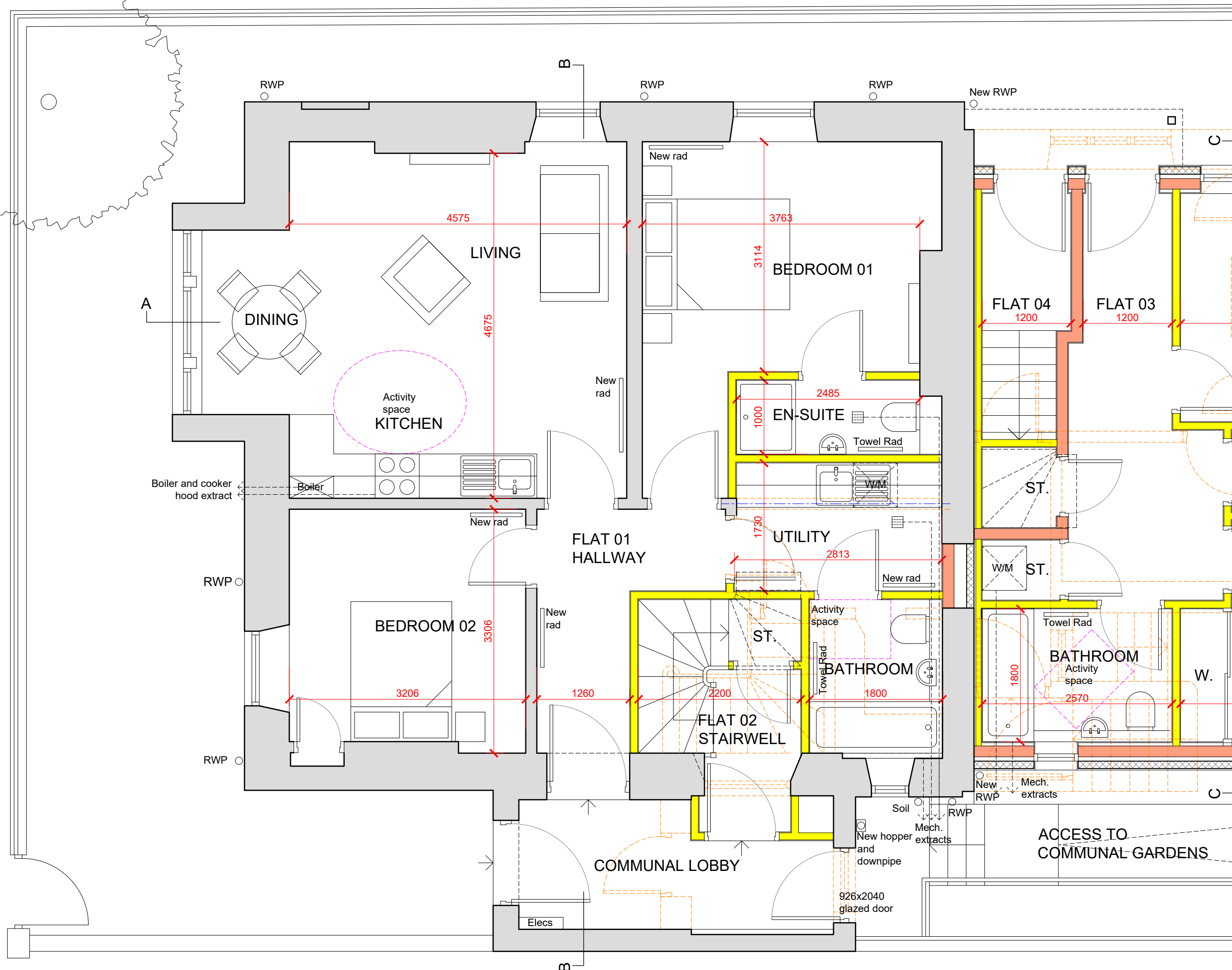
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Project
EXTENSION - CHANGE OF USE
 Location
108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
PROPOSED ELEVATIONS

Project Ref. G015	Drawing No. 011	Revision -
Scale A3 1:100	Date SEP. 2016	Drawn by IMcG

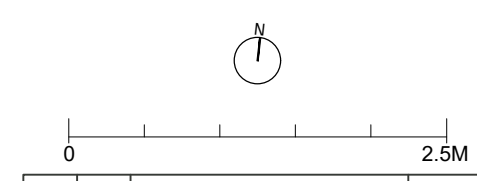
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- Symbol Key:**
- Existing wall
 - Blockwork wall
 - External kit wall, insulated
 - New internal partition, insulated
 - Downtakings



REFER TO DRAWING G015-008 FOR NEW BUILD GROUND FLOOR LAYOUT

FLAT 01
TOTAL FLOOR AREA = 70.0sqm



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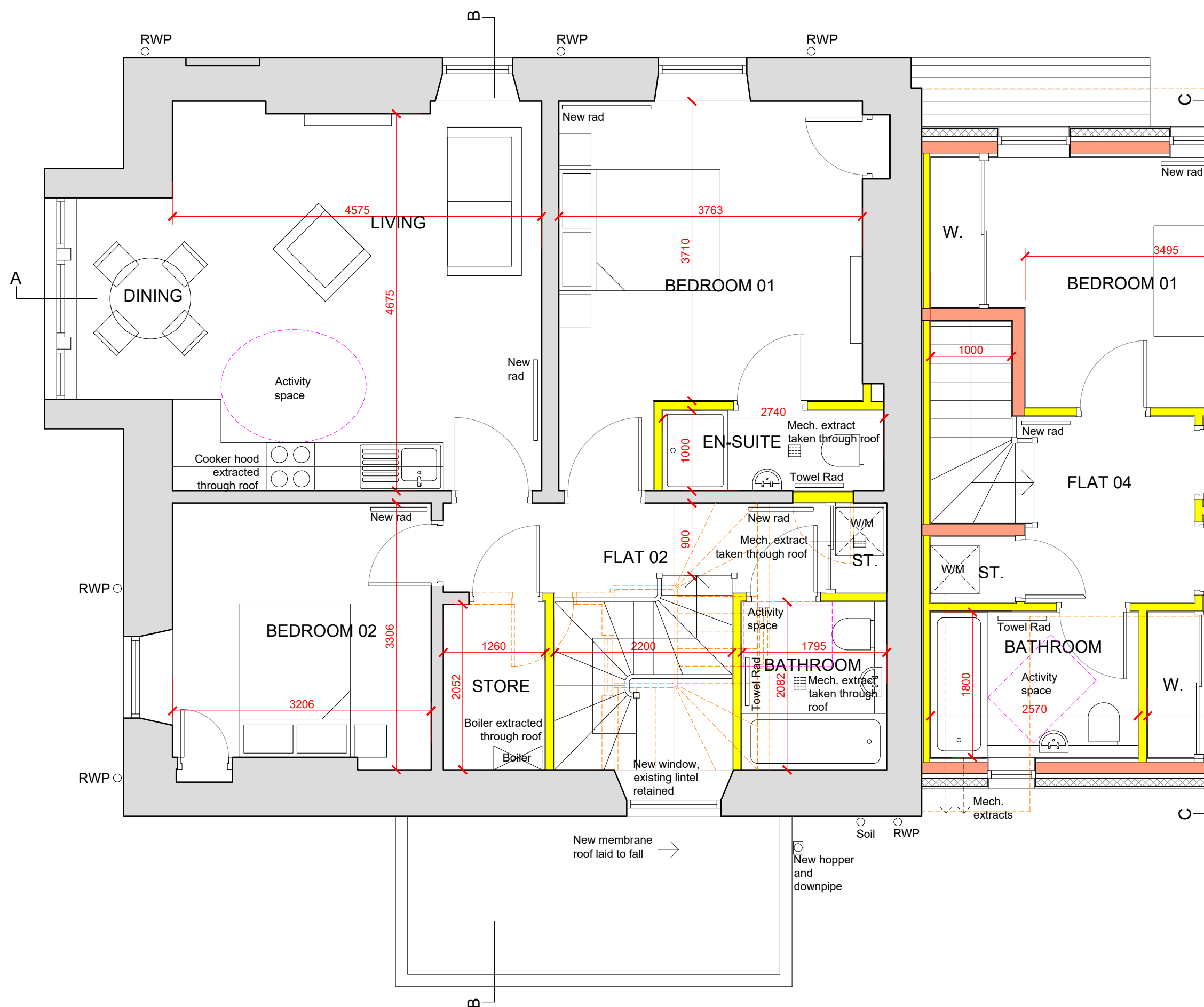
Project
EXTENSION - CHANGE OF USE
 Location
108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
GROUND FLOOR PLAN - FLAT 01

Project Ref. G015	Drawing No. 006	Revision -
Scale A3 1:50	Date SEP. 2016	Drawn by IMcG

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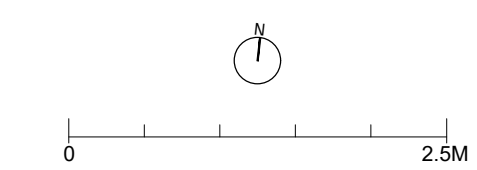
Symbol Key:

-  Existing wall
-  Blockwork wall
-  External kit wall, insulated
-  New internal partition, insulated
-  Downtakings



REFER TO DRAWING G015-009 FOR NEW BUILD FIRST FLOOR LAYOUT

FLAT 02
TOTAL FLOOR AREA = 75.0sqm



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mcgregor garrow
ARCHITECTS

Project
EXTENSION - CHANGE OF USE

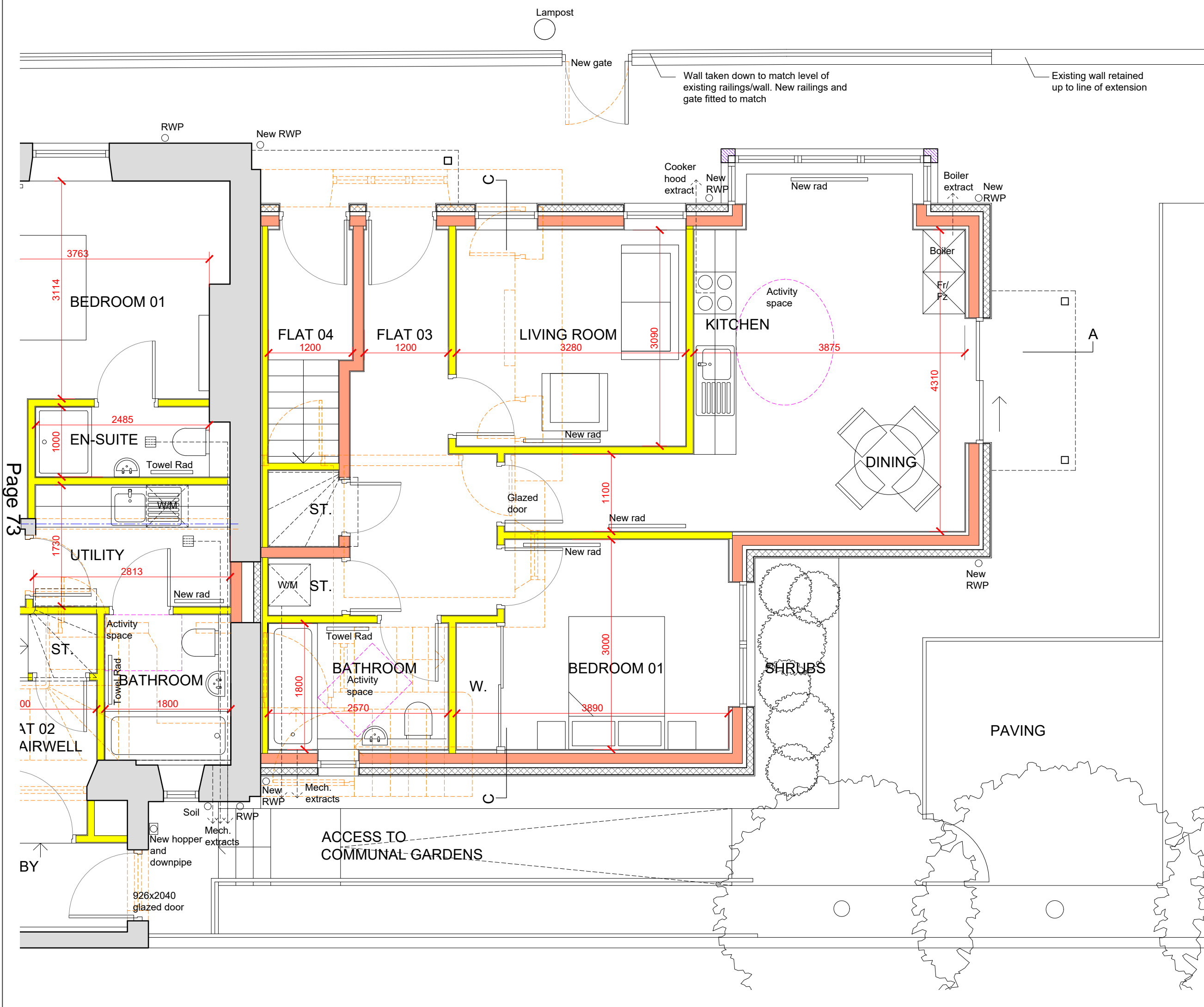
Location
108 BONNYMUIR PLACE

Client
S. GOLDIE

Drawing Title
FIRST FLOOR PLAN - FLAT 02

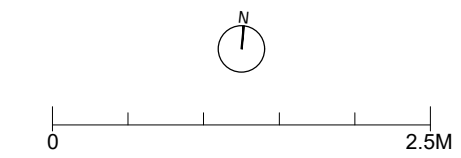
Project Ref. G015	Drawing No. 007	Revision -
Scale A3 1:50	Date SEP. 2016	Drawn by IMcG

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- Symbol Key:**
- Existing wall
 - Blockwork wall
 - External kit wall, insulated
 - New internal partition, insulated
 - Downtakings

FLAT 03
 TOTAL FLOOR AREA = 61.0sqm



Rev.	By	Description	Date

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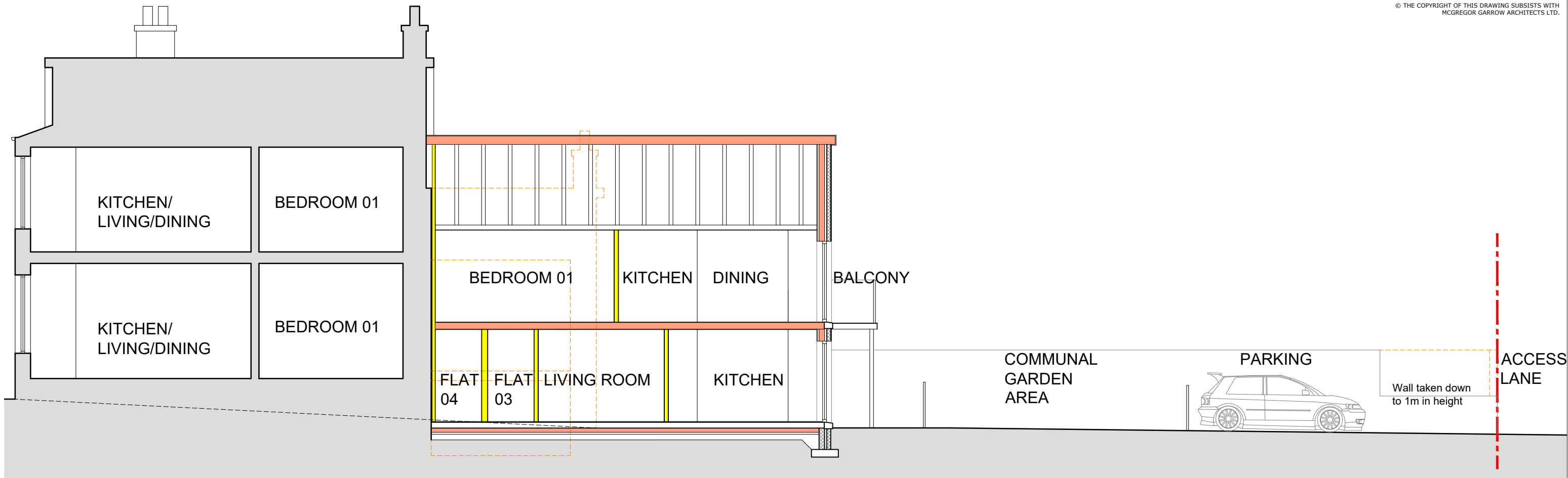
mcgregor garrow
 ARCHITECTS

Project
EXTENSION - CHANGE OF USE
 Location
108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
GROUND FLOOR PLAN - FLAT 03

Project Ref. G015	Drawing No. 008	Revision -
Scale A3 1:50	Date SEP. 2016	Drawn by IMcG

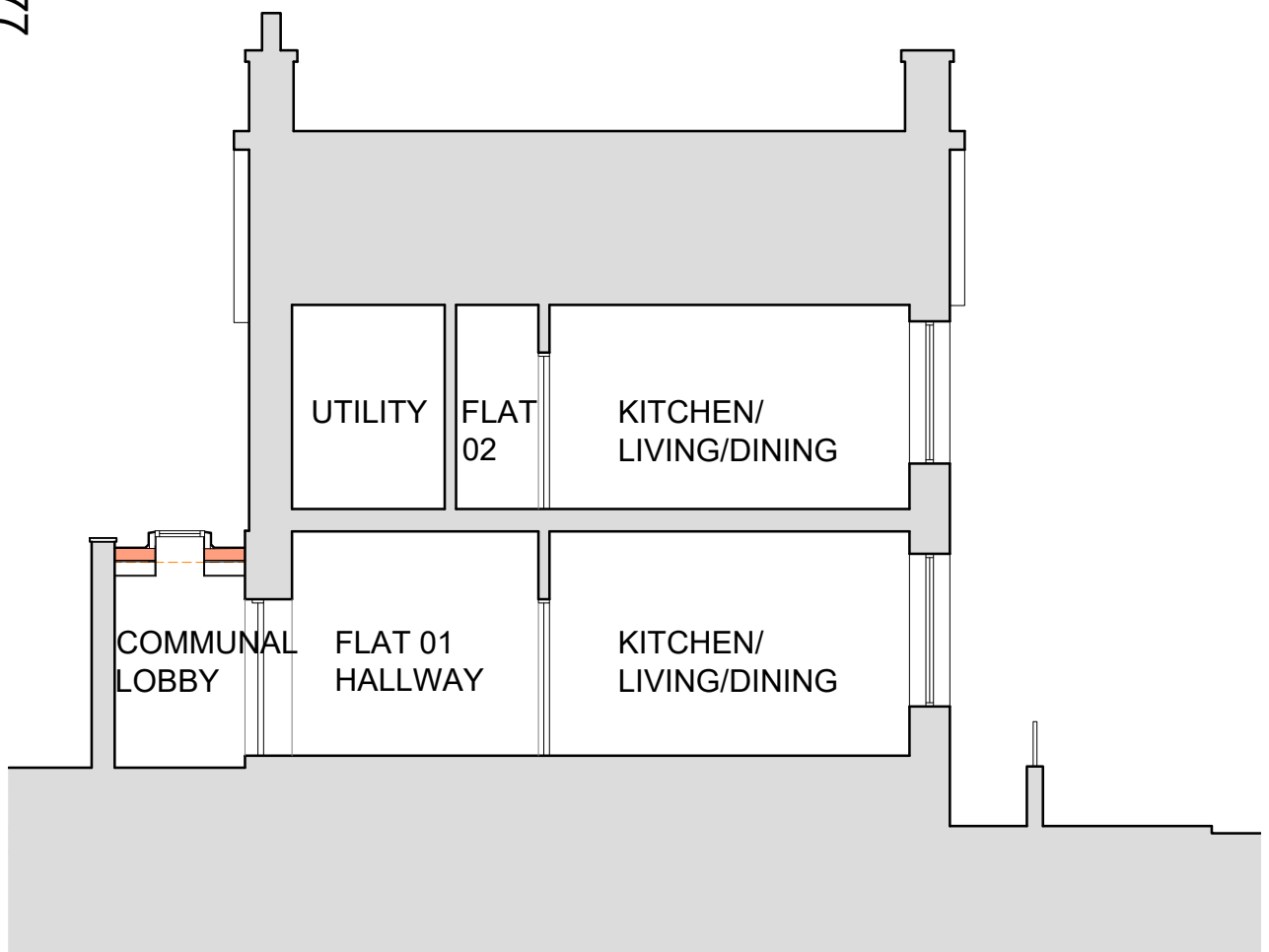
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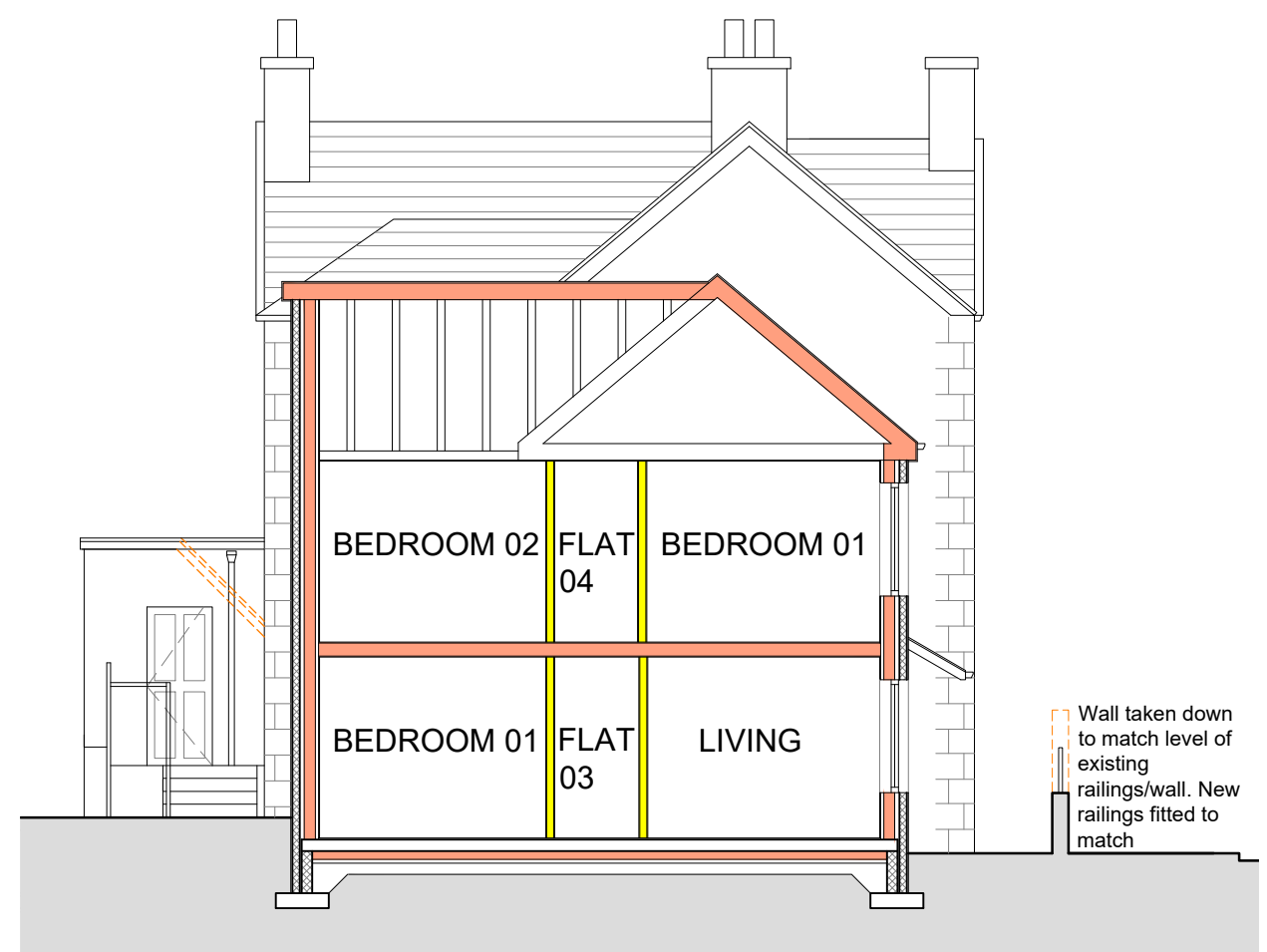


SECTION A-A

Page 77



SECTION B-B



SECTION C-C



Rev.	By	Description	Date

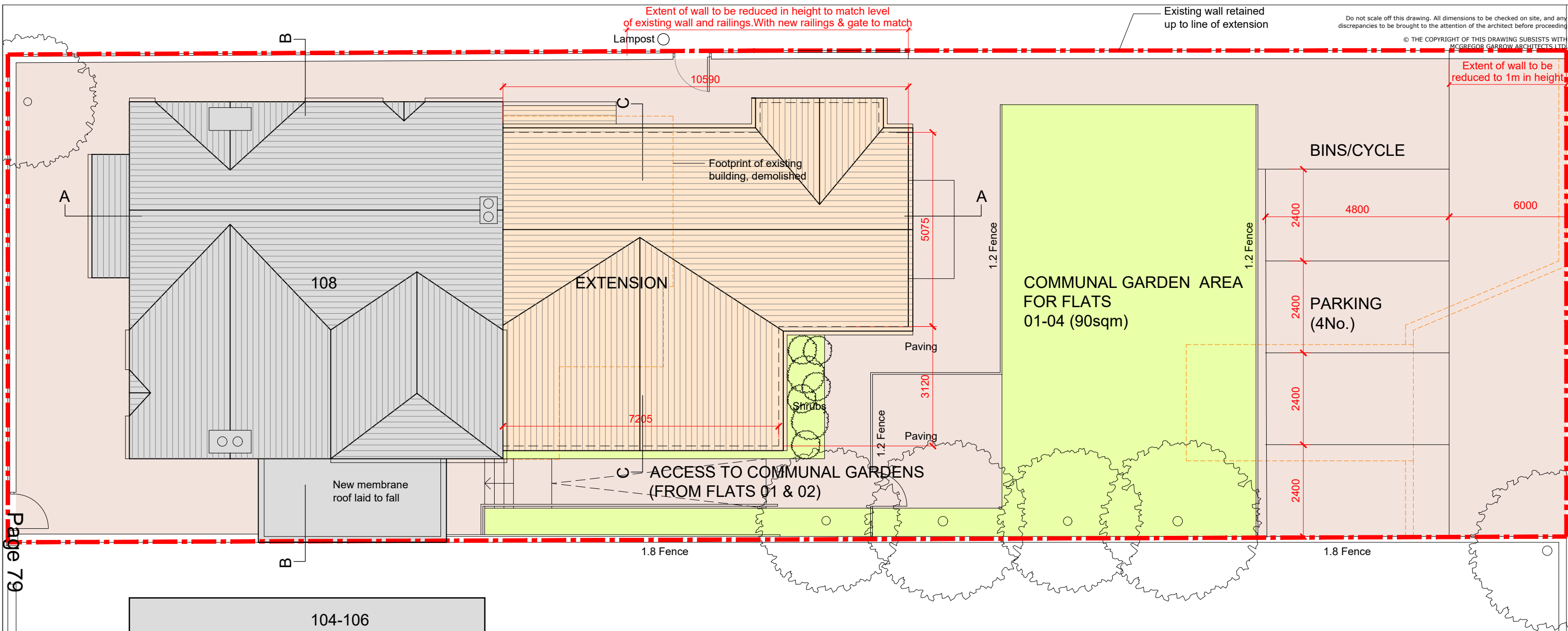
Anderson House
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 info@mcgregorgarrow.co.uk
 www.mcgregorgarrow.co.uk



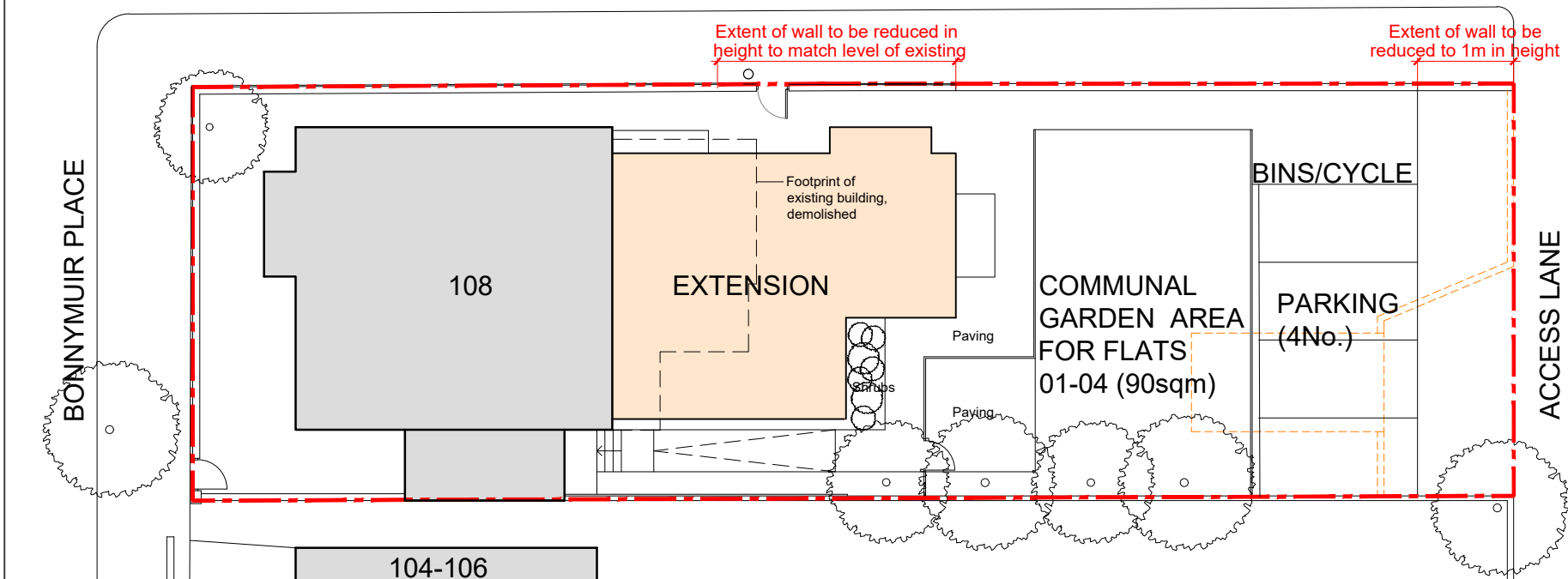
Project
EXTENSION - CHANGE OF USE
 Location
108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
PROPOSED SECTIONS

Project Ref. G015	Drawing No. 010	Revision -
Scale A3 1:100	Date SEP. 2016	Drawn by IMcG

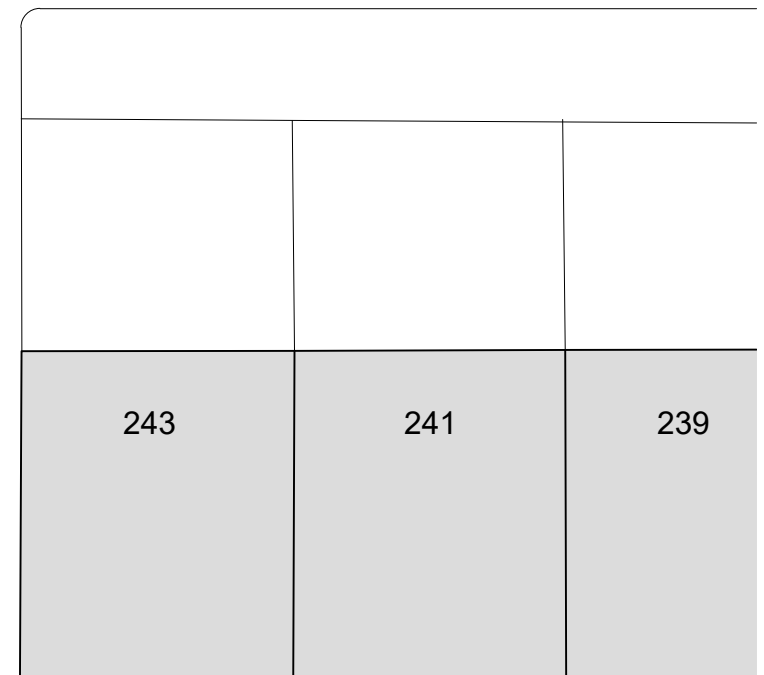
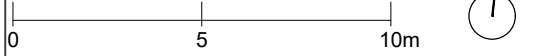
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ROOF PLAN 1:100



SITE PLAN 1:200



Rev.	By	Description	Date

Anderson House
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mcgregor garrow
 ARCHITECTS

Project
EXTENSION - CHANGE OF USE

Location
108 BONNYMUIR PLACE

Client
S. GOLDIE

Drawing Title
PROPOSED ROOF_SITE PLAN

Project Ref. G015	Drawing No. 005	Revision -
Scale A3 AS SHOWN	Date SEP. 2016	Drawn by IMcG

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RENDERED VISUALISATIONS
 FOR ILLUSTRATION PURPOSES ONLY

Rev.	By	Description	Date

Anderson House
 Quarry Road
 Aberdeen
 AB16 5UU
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 www.mcgregorgarrow.co.uk



Project
EXTENSION - CHANGE OF USE
 Location
108 BONNYMUIR PLACE
 Client
S. GOLDIE
 Drawing Title
RENDERED IMAGES

Project Ref. G015	Drawing No. 012	Revision -
Scale A3 N.T.S.	Date SEP. 2016	Drawn by IMcG

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DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Ian McGregor
McGregor Garrow Architects
Anderson House
Quarry Road
Aberdeen
Scotland
AB16 5UU

on behalf of **Goldie Properties**

With reference to your application validly received on 21 September 2016 for the following development:-

**Formation of 2 storey extension to form 3 new additional dwellings to existing residence
at 108 Bonnymuir Place, Aberdeen**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
Proposed Plan – Flat 03	008
Proposed Sections	010
Proposed Elevations	011
Proposed Plan-Flat 01	006
Proposed Plan- Flat 04	009
GF and Location Plan	002
Proposed Site and Roof Plan	005
Proposed Plan- Flat 02	007
Proposed Visualisations	012

PETE LEONARD
DIRECTOR

The reasons on which the Council has based this decision are as follows:-

The proposal fails to comply with policy D1 (Quality Placemaking by Design) and Policy H1 (Residential Areas) of Aberdeen Local Development Plan (2017) and the Interim Planning Advice on Sub-Division and Redevelopment of Residential Curtilages. The excessive scale and massing of the extension (in relation to the existing dwelling and also the general built form in the surrounding area) and the proposed garden ground with insufficient amenity for future residents would represent overdevelopment of the site and would result in an unbalanced and visually dominant street frontage.

In terms of impact on trees, it is considered that subject to appropriate protection and mitigation measures the proposal could sufficiently comply with policy NE5 (Trees and Woodlands).

Date of Signing 2 March 2017



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Planning and Sustainable Development (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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Comments for Planning Application 161363/DPP

Application Summary

Application Number: 161363/DPP

Address: 108 Bonnymuir Place Aberdeen AB15 5NP

Proposal: Formation of 2 storey extension to form 3 new dwellings to existing residence

Case Officer: Gareth Allison

Customer Details

Name: Mr Andrew Foubister

Address: 243 Westburn Road Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Concerned about the distance between our gable end wall and the proposed car parking for 4 cars entering and exiting at 90 degrees to the gable, creating a high risk of collision into house.

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Comments for Planning Application 161363/DPP

Application Summary

Application Number: 161363/DPP

Address: 108 Bonnymuir Place Aberdeen AB15 5NP

Proposal: Formation of 2 storey extension to form 3 new dwellings to existing residence

Case Officer: Gareth Allison

Customer Details

Name: Mrs Wendy Jappy

Address: 106 Bonnymuir Place Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: On behalf of myself and my neighbour (who resides at 104 Bonnymuir Place), we would like to be given the opportunity to discuss what changes are proposed in relation to the stone boundary wall which adjoins the rear gardens of our properties along with the line of mature trees which are also lined along the rear garden stone boundary wall.

We would prefer to retain the trees as they are an important natural feature. If they were removed, it would dramatically change our garden outlook.

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MEMO



ABERDEEN
CITY COUNCIL

To	Garath Allison Planning & Infrastructure	Date	23/09/16
		Your Ref.	161363
		Our Ref.	
From	Flooding		
Email	pa.flooding@aberdeencity.gov.uk		
Dial	01224 53 2387		
Fax			

Flooding
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 11 ,
2nd Floor West,
Marischal College
Broad Street
Aberdeen AB10 1AB

Planning application no. 161363

Following a review of the information supplied. The ACC Flood team would require the following conditions placed on this application in order that this information can be supplied and reviewed prior to committee approval:-

- Completion of a DIA and approval from ACC flood team prior to works commencing on site; **Reason: Flood Risk**
- Conformation that the project has been designed in line with the CIREA SUDS manual; **Reason Flood Risk**
- Conformation that the store on site is 0.5% + CC and is existing at green field run of rate; **Reason Flood Risk**

Regards
Katy Joy Goodall - Flooding & Coastal

Pete Leonard

Corporate Director

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100025879-002

The online reference 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:	McGregor Garrow Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ian	Building Name:	Anderson House
Last Name: *	McGregor	Building Number:	
Telephone Number: *	01224 945880	Address 1 (Street): *	Quarry Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB16 5UU
Email Address: *	ian@mgregorgarrow.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="26"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Beechgrove Place"/>
Company/Organisation	<input type="text" value="Goldie Properties"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB15 5HF"/>
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="108 BONNYMUIR PLACE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB15 5NP"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="806833"/>	Easting	<input type="text" value="392236"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

Please provide a description of your 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)

Extension to existing house to create 3 additional units (4 in total)

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 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.

Refer to Supplementary Statement for full representation, which covers issues regarding: - Incorrect Site Coverage Stated (in planning refusal) - Surrounding Precedents - Investment in the City - A Corner Site - Only Option (providing affordable accommodation)

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

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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)

G010_001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012. Planning Permission-2 (Original Planning Application) Decision Notice, Delegated Report, Supplementary Statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

161363/DPP

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

21/09/2016

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

02/03/2017

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

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

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: Mr Ian McGregor

Declaration Date: 01/06/2017

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PLANNING APPEAL – SUPPLEMENTARY STATEMENT

PLANNING APPLICATION REF NO. 161363/DPP

108 BONNYMUIR PLACE

Incorrect Site Coverage Stated

The site coverage does not equate to 37%. It measures 35% which is only marginally over the recommended one third site coverage.

Surrounding Precedents

Properties in the surrounding area do not adhere to the site coverage guidelines and do not approximate to 15-20%. It can be seen from the attached image from that many surrounding sites have coverage closer to 50%. This is often due to large garages and rear extensions being built on garden space. In addition Bonnymuir Court (also circled) offers no garden space to its residents. Efforts have been made to the proposed development allowing direct access to recreational garden space from all of the units and the site footprint was scaled back to reflect a reasonable development in keeping with density and character of the surrounding area.

Investment in the City

The site shows signs of long term neglect both inside and out and is in need of immediate attention. Its defective structural timber and antiquated electrical installation as detailed in the home report are in such a state as to render the building a serious hazard. Rectifying this and improving the look from outside will require investment. Considering the recent downturn in Aberdeen it seems prudent to support projects that will improve the city and give opportunity rather than take a bureaucratic approach. To leave the site in its current form and put it back on the market due to minor planning constraints would send a devastating message for investment.

A Corner Site

The site being on a corner with lane access offers an ideal opportunity for flats with off street parking to which the roads officer has raised no concern or objection. However, as it is on a corner it stands unique within its surrounding. The main frontage looks onto Bonnymuir Place and so the Westburn Road face is essentially a 'side' view of the building making it somewhat impossible to create a consistent frontage with the street. Rather than opt for a plain continuation of the gable wall, the extension at the rear of the building has been designed to replicate the architecture found on the Bonnymuir frontage of the building. This is considered a tribute to the original architecture as the edifice has stood on this plot longer than its neighbouring buildings. It can be seen from the elevation drawings and images that the eave height on the extension is significantly lower than the original building making it inferior to and an appendage to the existing building.

Only Option

The development is ideally situated for flats that will be affordable in the area fulfilling a need for students and other staff members at the ever expanding Aberdeen Royal Infirmary hospital. It also sits on a common bus route for residents to enjoy further access to the city. It can be seen from the drawings of Flats 1 and 2 that the already existing extension to the back which was an old maid's quarters with wash house below is not required for these flats, nor can it be practically incorporated due to its offset nature and so would be wasted if not used. With Flats 1 and 2 in place the only economic solution for the site is to have flatted properties to the rear in place of this extension as per the attached drawings, a mandatory step for getting a small business off the ground in a challenging environment.





Marischal college Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100025879-001

The online reference 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.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Extension to existing house to create 3 additional units (4 in total)

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

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:	McGregor Garrow Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	ian	Building Name:	Anderson House
Last Name: *	McGregor	Building Number:	
Telephone Number: *	01224 945880	Address 1 (Street): *	Quarry Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB16 5UU
Email Address: *	ian@mcgregorgarrow.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	26
Last Name: *		Address 1 (Street): *	Beechgrove Place
Company/Organisation	Goldie Properties	Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB15 5HF
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

108 BONNYMUIR PLACE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB15 5NP

Please identify/describe the location of the site or sites

Northing

806833

Easting

392236

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Submitted a pre-application enquiry to the council. Gareth Allison responded with a range of points, which we have endeavoured to answer and address by submitting a full set of planning drawings

Title:

Mr

Other title:

First Name:

Gareth

Last Name:

Allison

Correspondence Reference Number:

Development at 108

Date (dd/mm/yyyy):

29/08/2016

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

520.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Residential dwelling

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

1

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

4

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Bin/Recycling area provided adjacent to the rear car parking area

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

4

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Ian McGregor

On behalf of: Goldie Properties

Date: 21/09/2016

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|------------------------------|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Ian McGregor

Declaration Date: 21/09/2016

Payment Details

Online payment: ABSP00001008
Payment date: 21/09/2016 10:52:00

Created: 21/09/2016 10:52