

# Public Document Pack



To: Councillor Boulton, Convener; and Councillors Nicoll and Sandy Stuart.

Town House,  
ABERDEEN 06 December 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 **WEDNESDAY, 13 DECEMBER 2017 at 9.00 am.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **B U S I N E S S**

- 1 Procedure Notice (Pages 7 - 8)

**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 Erection of 2 Storey Extension to the Rear - 433 Great Western Road Aberdeen - 170350

2.2 Delegated Report, Plans, Consultee Comments and Decision Notice (Pages 9 - 40)

Members, please note that the relevant plans can be viewed online:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

2.3 Planning policies referred to in documents submitted

Members, the following planning policies are referred to:-

**National Policy**

- Scottish Planning Policy (SPP)
- Historic Environment Scotland Policy Statement (HESPS)

**Aberdeen Local Development Plan 2017**

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

**Other Relevant Material Planning Considerations**

- Householder Development Guide
- Managing Change in the Historic Environment: Extensions

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](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 41 - 84)

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 Change of use of open space to garden ground and the erection of a domestic garage with associated access - 513 Great Northern Road Aberdeen - 170607

3.2 Delegated Report, Plans and Decision Notice (Pages 85 - 110)  
Members, please note that the relevant plans can be viewed online:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

3.3 Planning policies referred to in documents submitted  
Members, the following planning policies are referred to:-

### **PLANNING POLICY**

Aberdeen Local Development Plan 2017

- D1: Quality Placemaking by Design
- D2: Landscape
- H1: Residential Areas
- NE3: Urban Green Space
- NE5: Trees and Woodland

Supplementary Guidance

- Householder Development Guide
- Transport and Accessibility
- Green Space Network and Open Space

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](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 111 - 130)

3.5 Determination - Reason 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

## **PLANNING ADVISER - ANDREW MILLER**

4.1 Change of Use from Amenity Ground to Form Driveway - 85 Arnage Drive Aberdeen - 170664

4.2 Delegated report, plans, consultee comments and decision notice (Pages 131 - 160)

Members, please note that the relevant plans can be viewed online:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OR4H9NBZLC900>

4.3 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 D2 – Landscape
- Policy NE3 – Urban Green Space
- Policy NE5 – Trees and Woodlands

Supplementary Guidance

- Transport and Accessibility
- The Householder Development Guide

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

4.4 Notice of Review with initial application and supporting information submitted by applicant / agent (Pages 161 - 180)

4.5 Determination - reason for decision

4.6 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](http://www.aberdeencity.gov.uk)

Should you require any further information about this agenda, please contact Lynsey McBain on [lymcbain@aberdeencity.gov.uk](mailto:lymcbain@aberdeencity.gov.uk) / tel 01224 522123

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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**

**170350/DPP:** Erection of 2 storey extension to rear at 433 Great Western Road, Aberdeen, AB10 6NJ.

For: Mr Kenny Diack

Application Date:	3 April 2017
Officer:	Sheila Robertson
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Ashley And Broomhill
Advertisement:	S60/65 – Development affecting Listed Building and/or Conservation Area
Advertised Date:	Aberdeen Advertiser (07/06/17)

### **RECOMMENDATION: Refuse**

#### **SITE DESCRIPTION**

The application site is located on the southern side of Great Western Road, near its junction with Anderson Drive, and within the Great Western Road Conservation Area, and comprises a traditional 2.5 storey, semi-detached property, which is in use as a Guest House. To the rear, there is an original 2 storey annexe constructed in granite and slate, running approximately 9m along the boundary to the east, shared with No 431 Great Western Road, with a more modern lean to single storey, fully glazed conservatory, constructed in PVC, projecting a further 4m. Garden ground levels drop by approximately 1m between the rear of the dwelling house and the furthestmost projection of the conservatory. The original annexe has a hipped, mono pitch roof 7m in height to the eastern boundary, whilst the conservatory has a finished height of approximately 2.9m to 3.2m as it follows the slope of the ground. The annexe is 860mm higher and 500mm longer than the neighbours' annexe to the east and to which it abuts. The rear annexe and conservatory are currently in use as owners' private accommodation. There is a small front garden and long rear garden, bounded to the south by a lane running between South Anderson Drive and Granville Place. The rear garden is split 50/50 with the area closest to the rear elevation laid out as garden ground with a recently constructed garage, car parking area and vehicular access to the lower section. The rear boundary is almost completely open. The remaining rear garden boundaries are defined by 1.6m high granite rubble walls.

#### **DESCRIPTION OF PROPOSAL**

Planning permission is sought to erect a 2 storey extension, with a hipped, mono pitched roof, to the rear of the existing annexe, involving removal of the conservatory. The wall head to the eastern boundary would be built up to within 200mm of the existing wallhead, and to the west, the eaves height would line

through with existing. The extension would replicate the footprint of the previous extension and would be finished with grey wet dash render and natural slates to the roof. There would be 2 windows at ground floor level and one to upper level to the western elevation and 2 windows to the ground floor northern elevation with a door to access the undercroft. All windows would be of a casement style in white PVC.

The proposal would not increase the existing built footprint on the site, but would increase internal floor space through the addition of two-storey extension in place of what is currently a single-storey conservatory to provide a family room at ground floor level and bedroom at upper level.

The proposal has been amended since original submission. The proposal originally provided for a 2 storey extension some 1.7m wider, which would have a single storey element wrapping around part of the west facing elevation of the annexe.

## **RELEVANT HISTORY**

Application Number	Proposal	Decision Date
141724	Erect new garage	06.03.2015
		Status: AU
091243	Erection of 2 storey extension to the rear of the existing guest house. (permission was never implemented)	13.10.2009
		Status: AC

## **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/>

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

None

## **PLANNING POLICY**

### **National Policy**

- [Scottish Planning Policy \(SPP\)](#)
- [Historic Environment Scotland Policy Statement \(HESPS\)](#)

### **Aberdeen Local Development Plan 2017**

- [D1 - Quality Placemaking by Design](#)
- [D4 - Historic Environment](#)
- [H1 - Residential Areas](#)

### **Other Relevant Material Planning Considerations**

- Householder Development Guide
- Managing Change in the Historic Environment: Extensions

## **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.

### **Principle of Development**

While the principle of extending or altering an existing dwelling is normally acceptable within a residentially zoned area such as this, 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 have a neutral or positive effect on its character and appearance.

### **Scale and Design**

A general principle in the 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. Guidance also restricts the projection of 2 storey rear extensions to 3m in the case of a semi-detached dwelling house, but only where an extension projects along a boundary separating a pair of such properties. Extensions along other boundaries have to be determined on their own merits in terms of size, scale and design and impact on residential and visual amenity.

There is a clear pattern of development towards the rear of the surrounding properties, as demonstrated by Nos.413 - 435 Great Western Road, where the projection of abutting pairs of rear 2 storey annexes are of similar length, and any extension to their rear has been restricted to single storey. Whilst the form of the proposed extension would generally replicate the dimensions of the existing annexe in terms of roof ridge and eaves height, when the fall in ground levels are taken into account, this would result in the extension having a 2.5 storey appearance towards its extremity due to the level of underbuilding required, resulting in a structure that would challenge the dominance of the existing dwelling house and would not sit well with the 2 storey form of the original rear annexe. The extension would be a significant presence as a result of its size, scale, projection and massing particularly when viewed from the east where a vertical wall, up to 7m in height would extend almost 4.5m beyond the projection of the neighbours annexe. The annexe would have a total projection of 13m, some 2m longer than the depth of the existing dwelling. It is therefore considered that the proposed extension has not been designed with due consideration for its context; the original architectural integrity of the property would be compromised and thereby unbalance the symmetrical rear elevations of surrounding properties. The rear of the dwelling house occupies an

unduly prominent position within the surrounding streetscape. The site is elevated slightly above the lane level from which the rear elevation of the dwelling house is clearly visible. In such an exposed position and at the scale proposed, the extension would be an intrusive feature, unduly prominent within the street scene and therefore detrimental to the visual amenity of wider area.

The proposed extension conflicts with Aberdeen Local Development Plan Policy D1 for the following reasons. The extension has not been designed with due consideration for its context and would have a negative impact on its setting. The proposal, being of excessive massing, would be inappropriate in relation to the existing property and nearby dwellings. The extension would not sit well with and would not have a sense of place with the main dwelling and be out of character in relation to the other rear extensions in the area. The resultant extension would be an imposing, overbearing, incongruous structure particularly when viewed from the east, that would introduce a visually intrusive element, which would have a detrimental impact on the character and appearance of the surrounding area.

The proposal is considered to conflict with the Householder Development Guide that states *“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 sufficiently subservient to the original annexe and dominates its original form and appearance. The combination of the general design and projection of the extension, which do not take their cue from the original dwelling house or annexe, the poor and inappropriate relationship between the main dwelling house and resultant annexe all result in a proposal that does not respect or complement the existing building.

### **Impact on the character of the Conservation Area**

Historic Environment Scotland’s *Managing Change for the Historic Environment: Extensions* sets four key criteria that extensions to historic buildings should meet:

- must protect the character and appearance of the building;
- should be subordinate in scale and form;
- should be located on a secondary elevation;
- must be designed in a high-quality manner using appropriate materials

The proposed extension only meets one of these criteria – that it is located on a secondary elevation. Furthermore the proposed grey wet dash render finish is low quality and does not complement this traditional granite building. The contrast created by the materials would add to its overall massing rather than being complementary. The window arrangements to the ground floor do not reflect the historic fenestration pattern and dimensions of window openings of either the original dwelling house or annexe. Policy D4 (Historic Environment) of the ALDP states that proposals affecting conservation areas will only be permitted if they comply with 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 historic character of the existing dwelling and the wider conservation area, contrary to the aims of SPP, HESPS and therefore with Policy D4 of the ALDP.

### **Impact on Residential Amenity**

Calculations based on the British Research Establishment's 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' indicate no loss of internal daylight receipt to neighbours windows, but a slight increase in overshadowing to an area of garden ground to the rear of the adjoining annexe, towards sunset, however its duration and extent of the area of overshadowing would not have a significant impact on their existing residential amenity. The window at upper level to the western elevation would not directly face any windows to the neighbouring annexe at 435 Great Western Road, and would not introduce any additional opportunity for overlooking of their rear garden area than exists at present. However the formation of a 2 storey extension on the shared boundary would erode residential amenity and general ambiance to 431 Great Western Road by the presence of such a high oppressive structure to the boundary, which would result in the usable rear garden ground becoming 'hemmed in' by the proposal. Residential amenity would therefore be impacted contrary to the aims of Policy H1.

### **Conclusion**

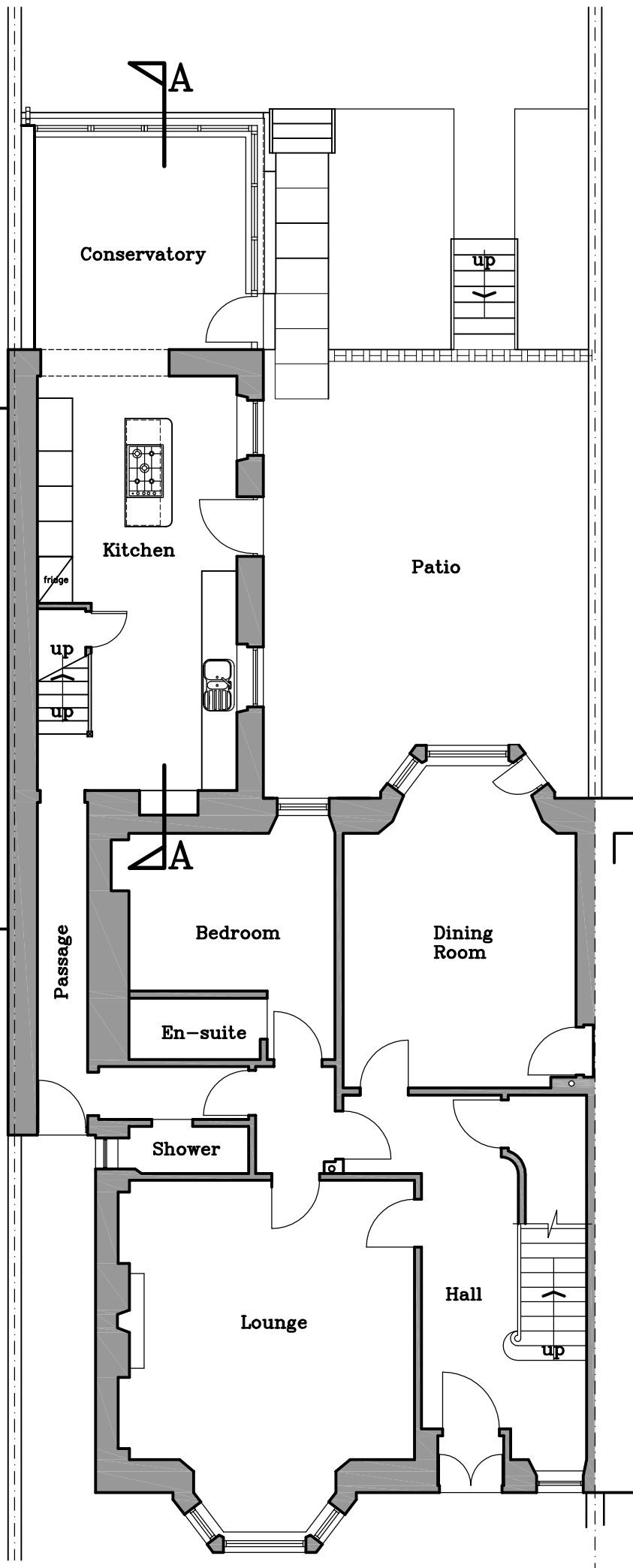
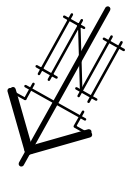
The inappropriate height, design and massing of the proposed extension and its inappropriate relationship to the existing dwelling and neighbouring properties would prevent the proposal from being architecturally compatible in terms of design and scale with the original dwelling and therefore fails to make a positive impact on the surrounding area. The proposal could therefore set a precedent for similar inappropriate alterations to neighbouring dwellings which have not already been altered in such a way, which would adversely affect the character and visual amenity of the surrounding area and that of the Conservation Area. The proposal is not considered to accord with all relevant policies and supplementary guidance and the proposal is therefore recommend for refusal for the reasons stated below.

### **RECOMMENDATION: Refuse**

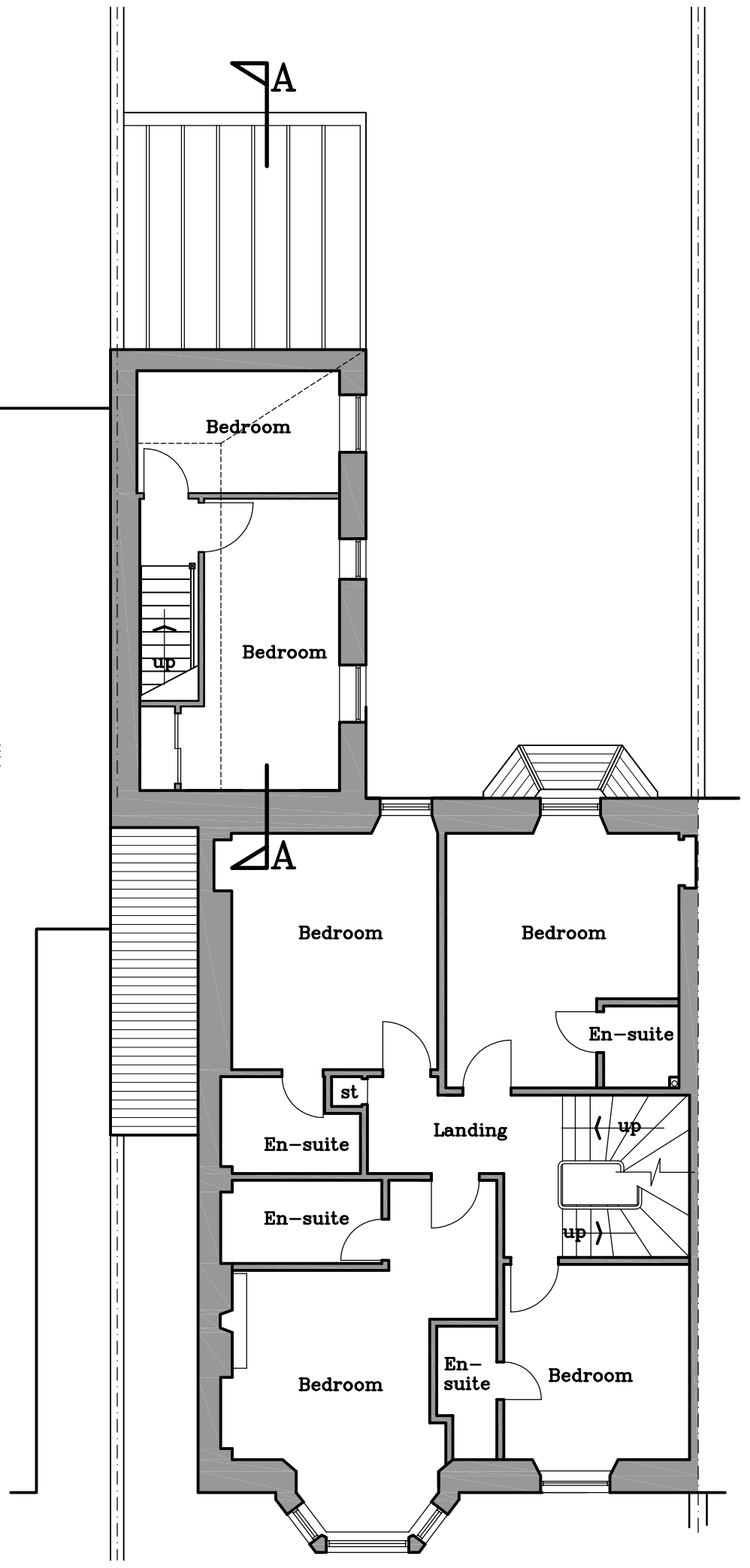
### **REASONS FOR RECOMMENDATION**

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, design and massing, 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 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. 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.

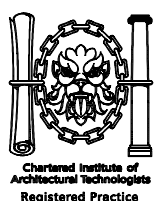


Ground Floor Plan



First Floor Plan

Mike Stephen Architectural Design Ltd.  
5 Hazlehead Place,  
Aberdeen AB15 8HD  
tel no. 01224 310313  
mobile: 07789 446 909



CLIENT :  
Mr K Diack  
Rear Annex,  
433 Great Western Road,  
Aberdeen.  
AB10 6NJ

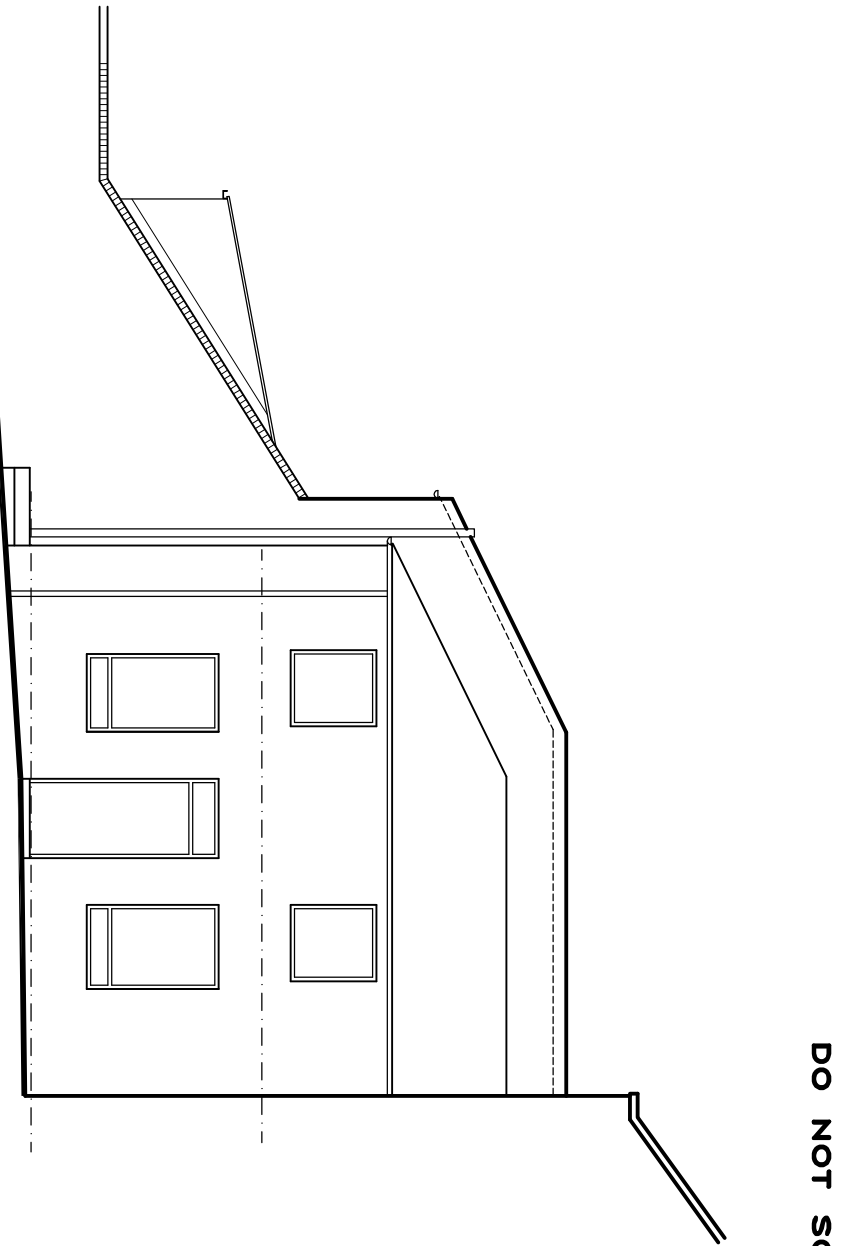
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**Description:**  
Existing Ground and  
First Floor Plan

**Scale:**  
1:100 @ A3

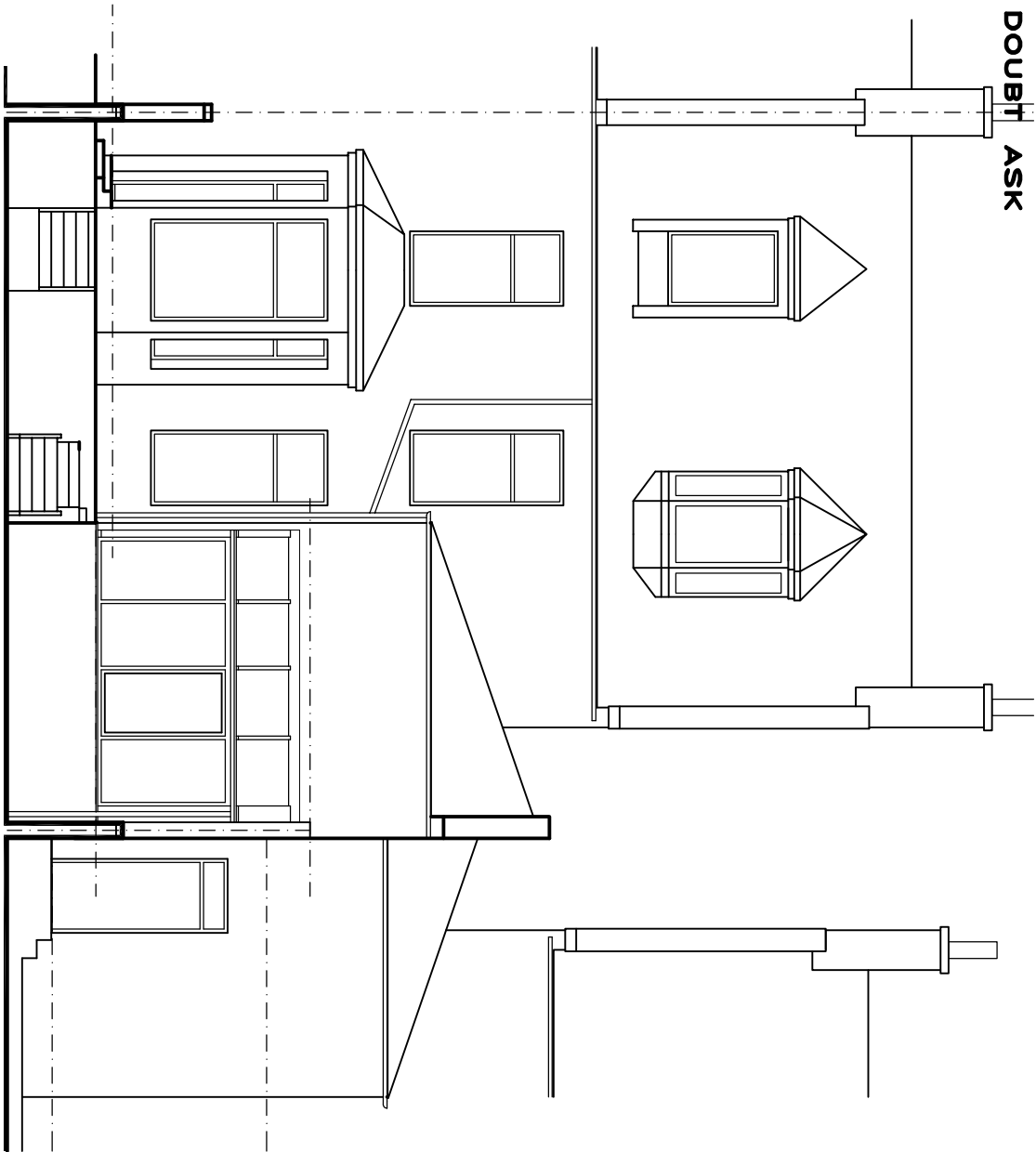
**Date**  
March 2017

**Drawing No:**  
17/04 001

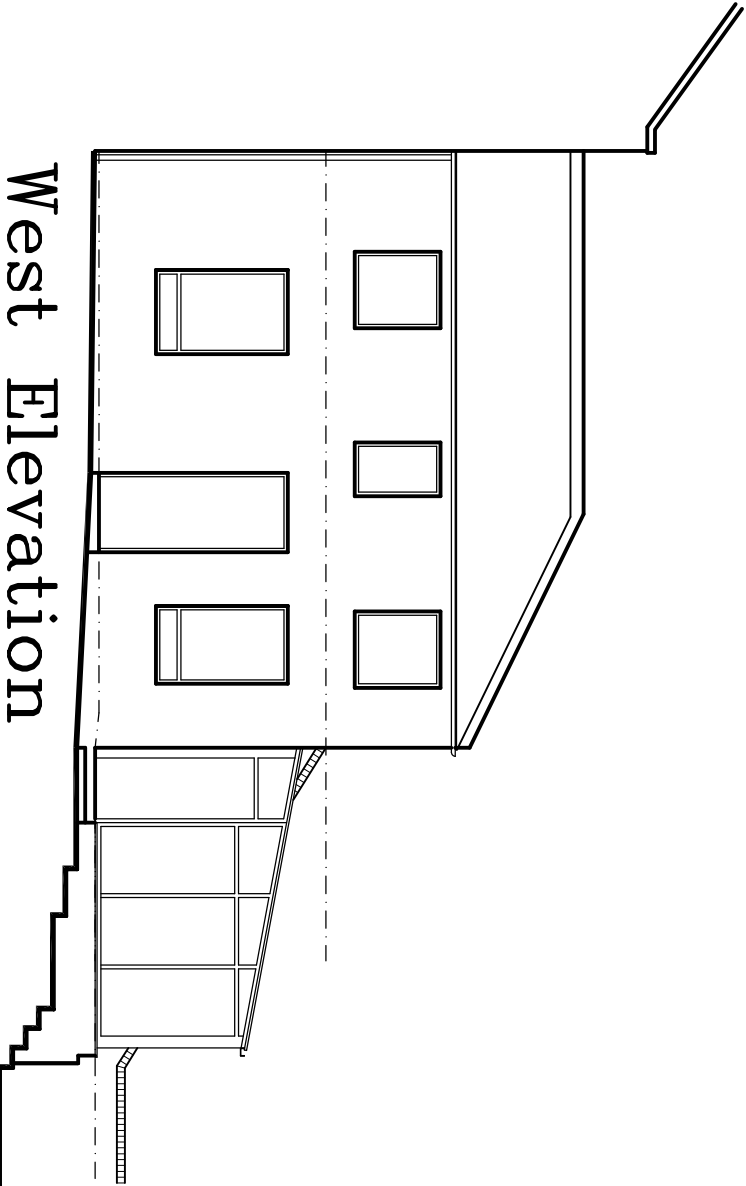
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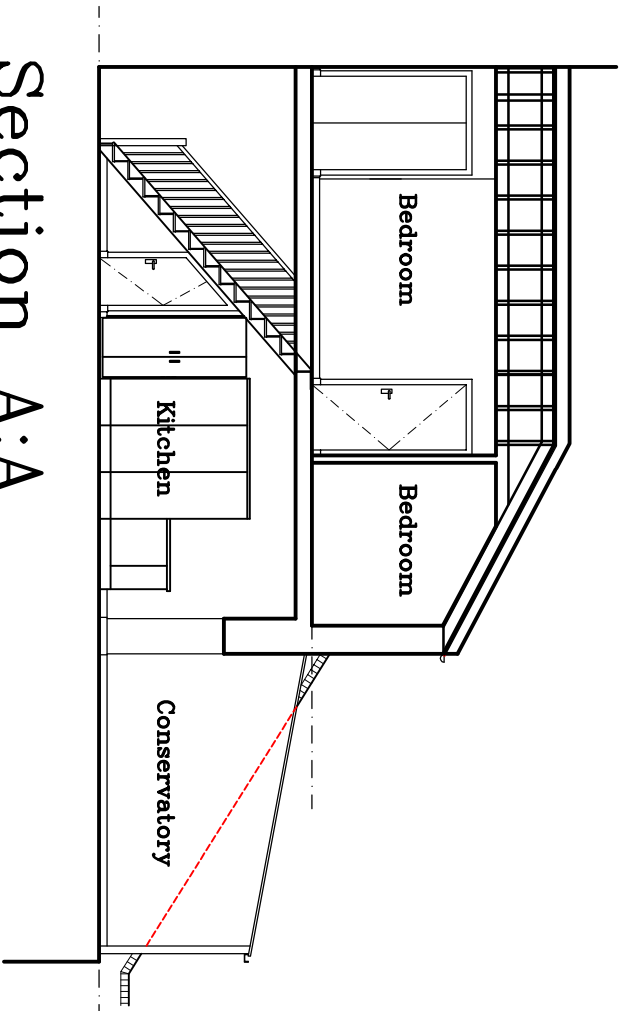
East Elevation



North Elevation



West Elevation



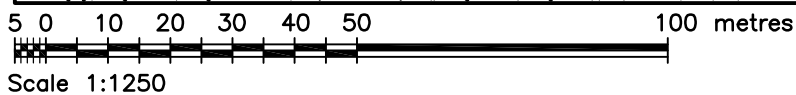
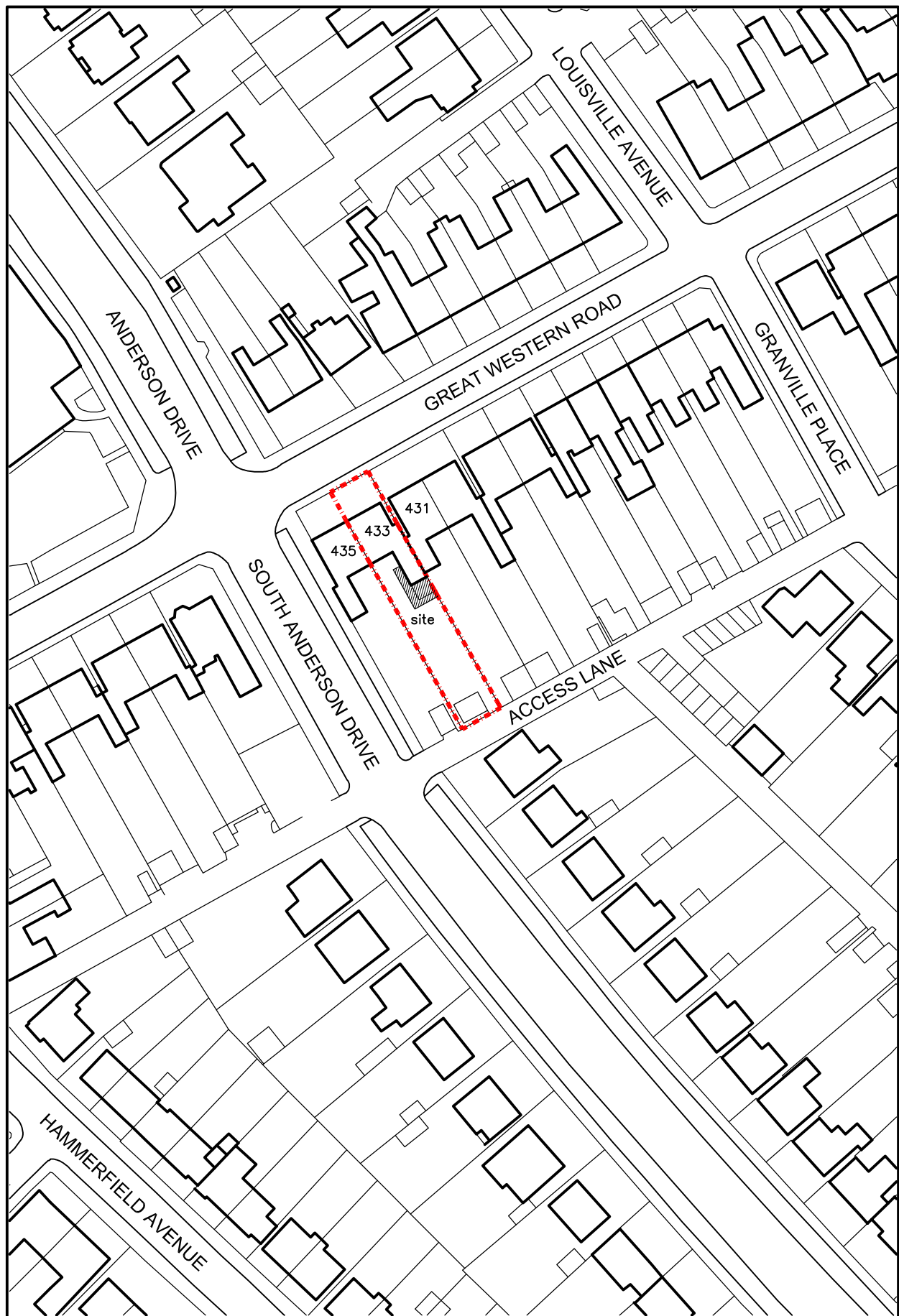
Section A:A

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CLIENT :  
Mr K Diack  
Rear Annex,  
433 Great Western Road,  
Aberdeen.  
AB10 6NJ

<b>Project:</b> Proposed Alterations and Extension To Rear Annex At 433, Great Western Road, Aberdeen		<b>Scale:</b> 1:100 @ A3
<b>Description:</b> Existing Elevations and Section		<b>Date</b> March 2017
		<b>Drawing No:</b> 17/04 002

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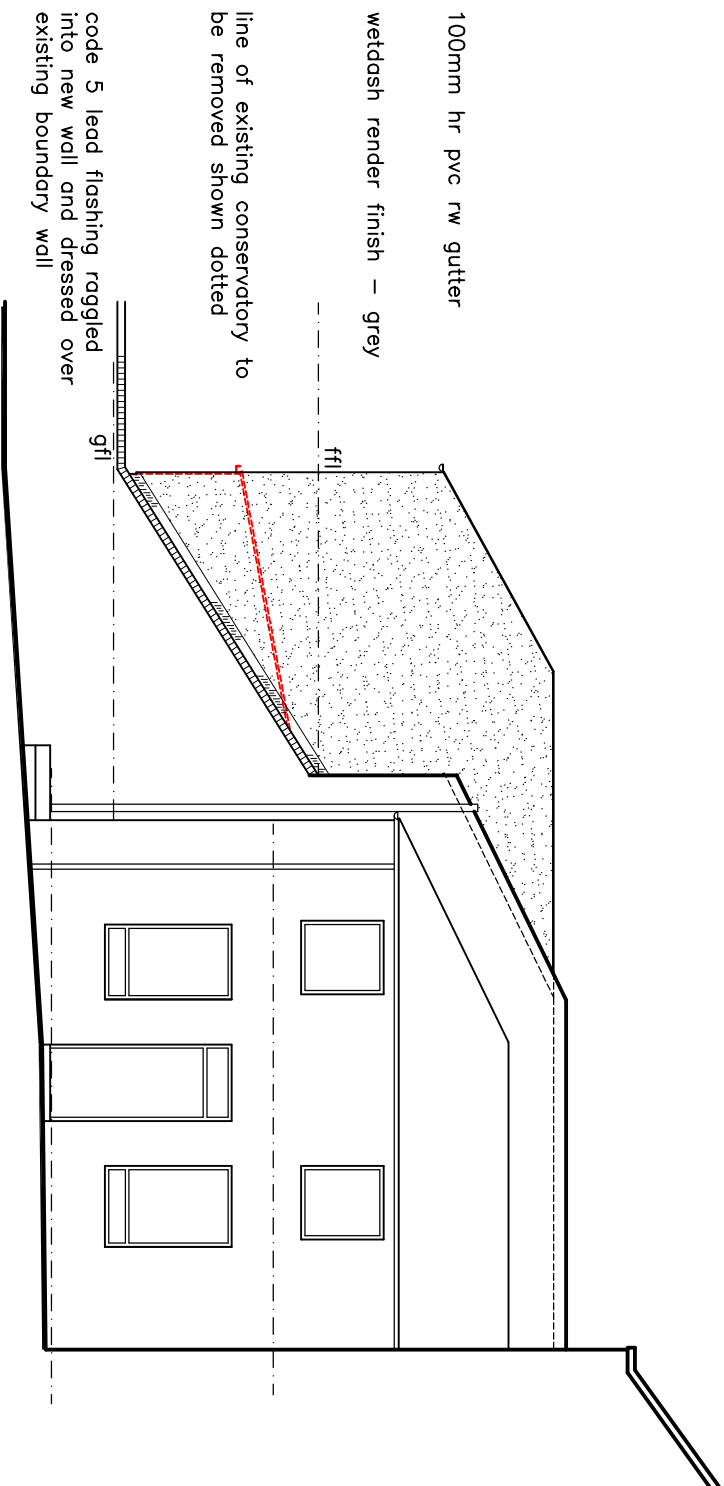
CLIENT :  
Mr K Diack  
Rear Annex,  
433 Great Western Road,  
Aberdeen.  
AB10 6NJ

Project:  
Proposed Alterations and  
Extension To Rear Annex At  
433, Great Western Road,  
Aberdeen  
Description:  
Location Plan

Scale:  
1:1250  
Date  
January 2017  
Drawing No:  
17/04 005

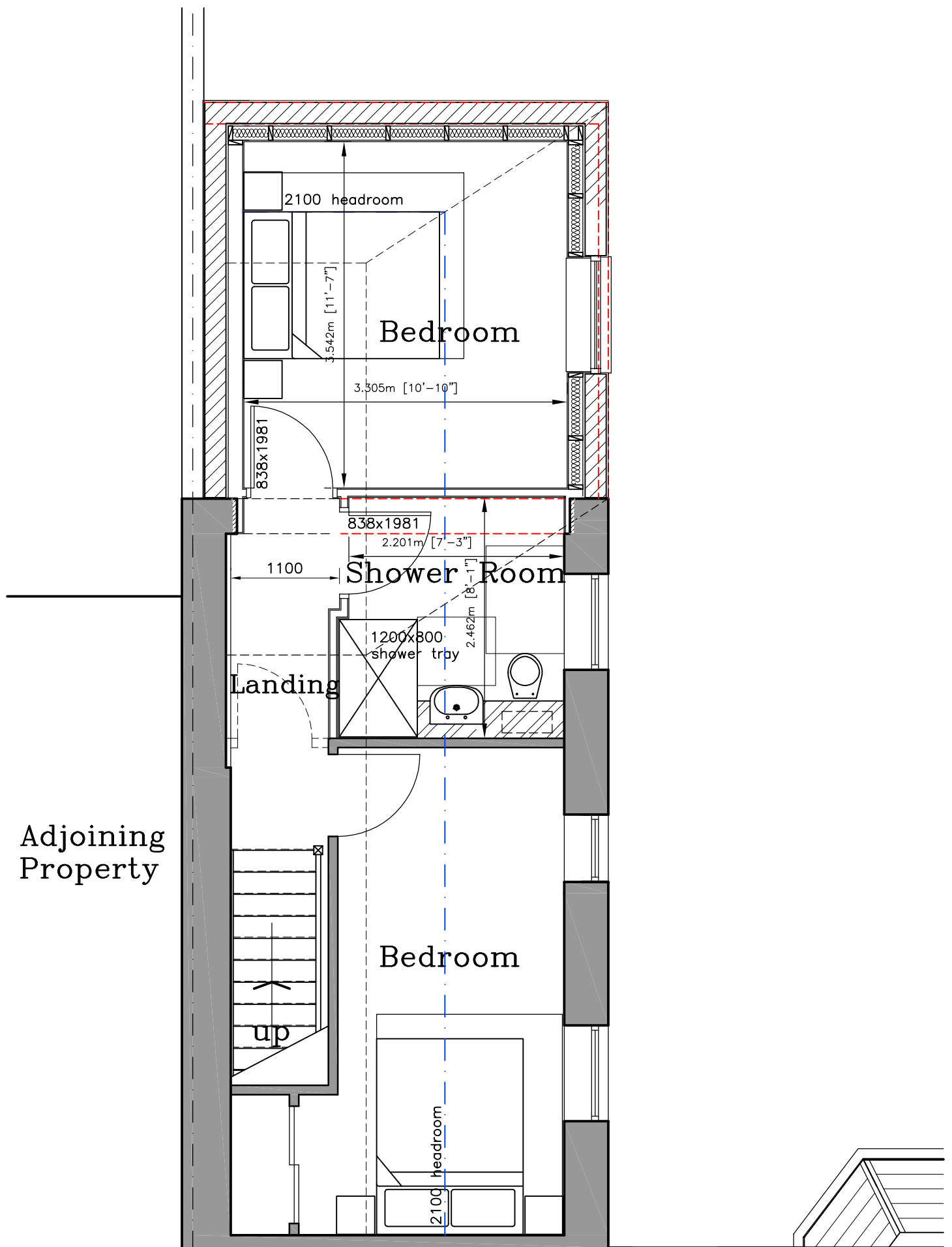
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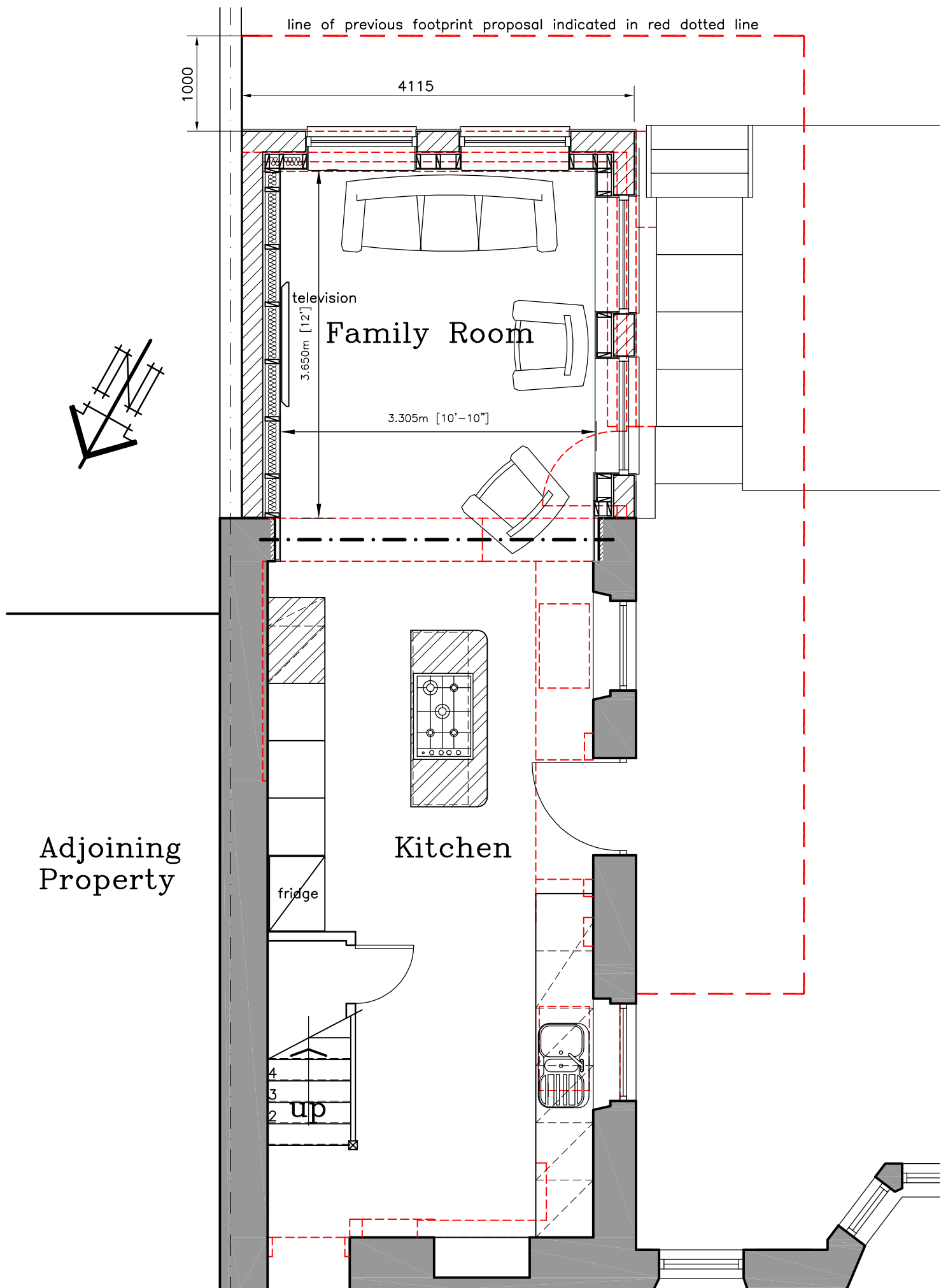
# East Elevation

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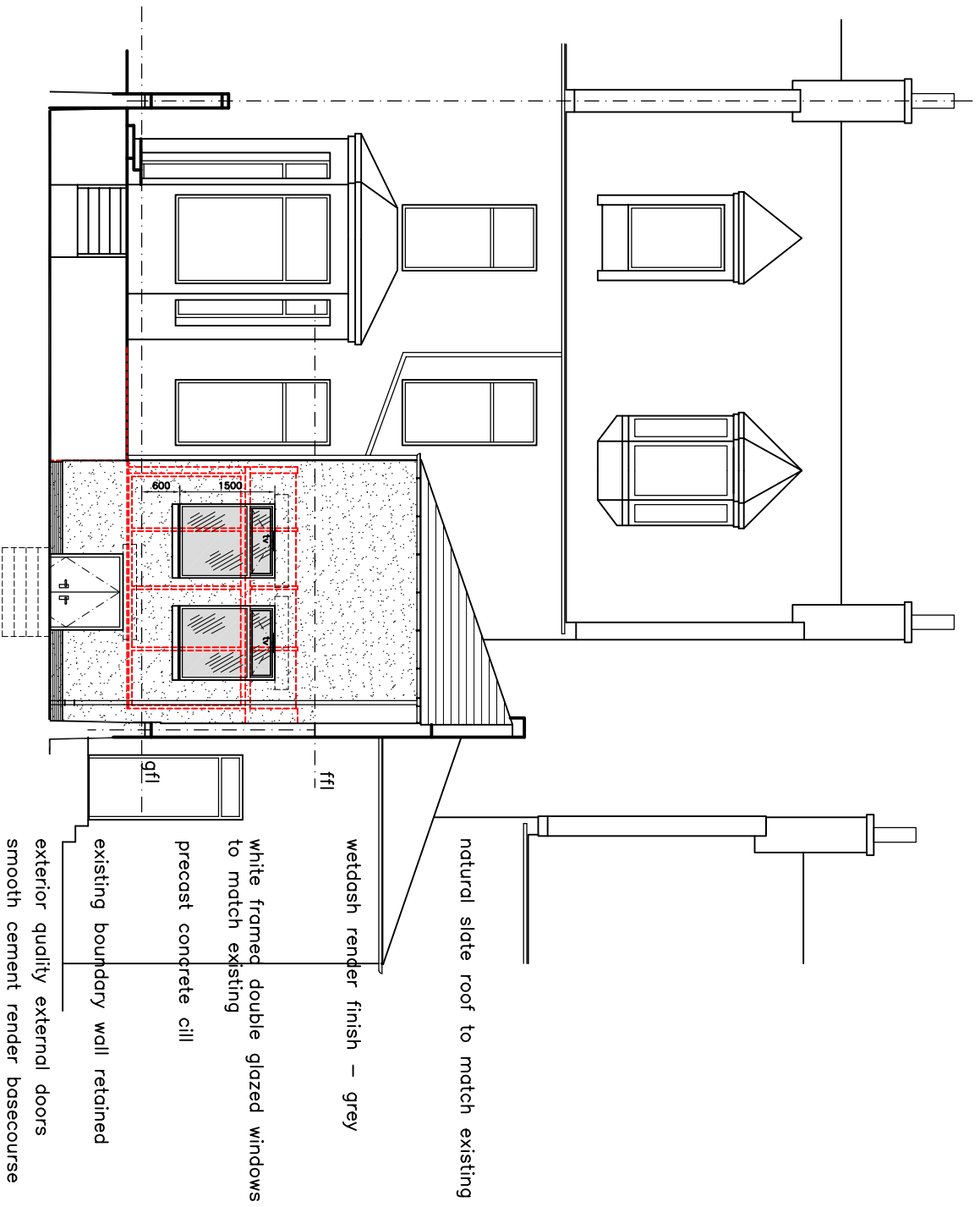
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Part Ground Floor Plan

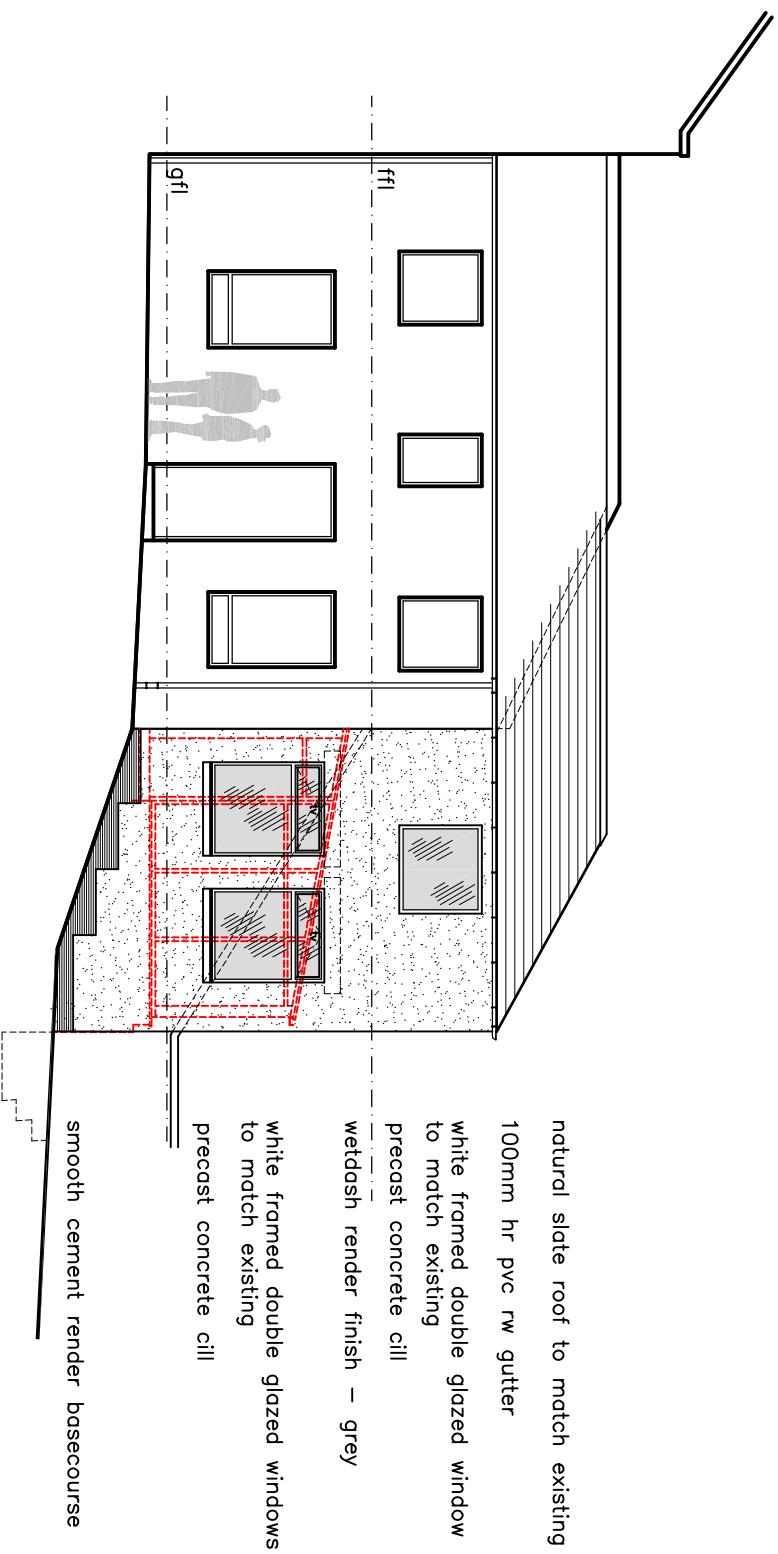
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# North Elevation

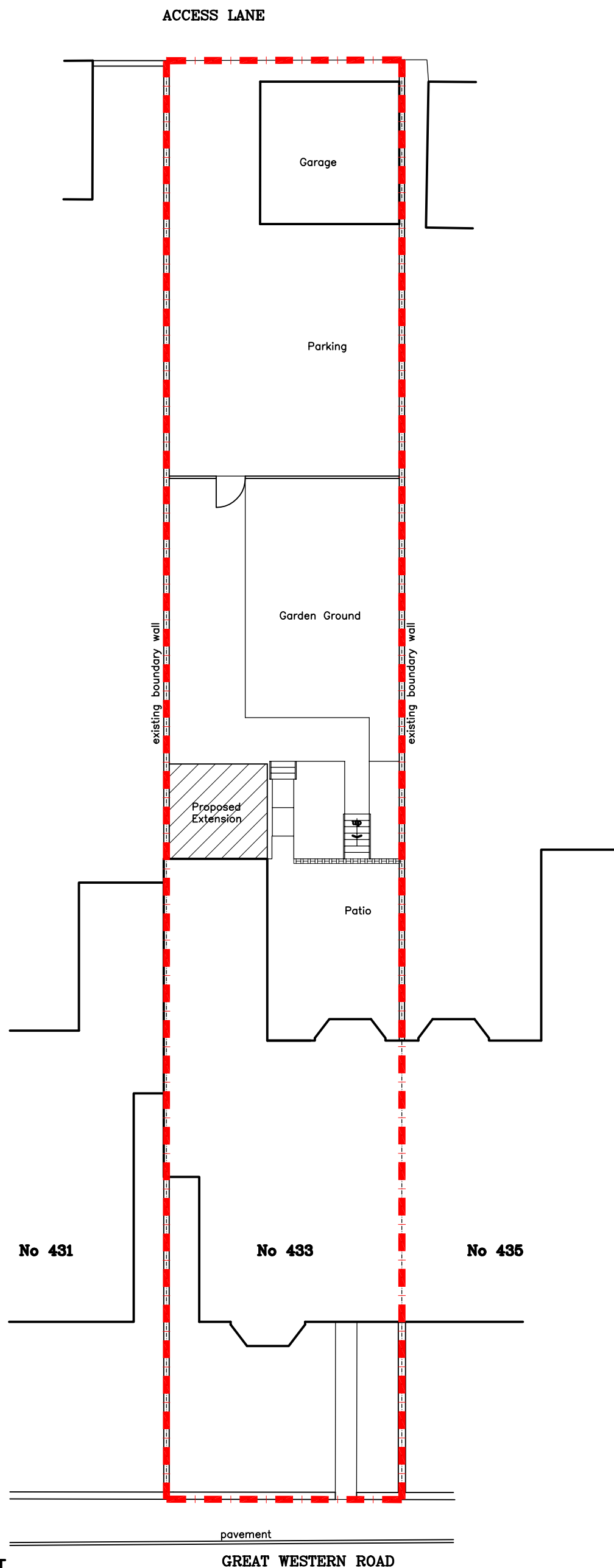
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## West Elevation

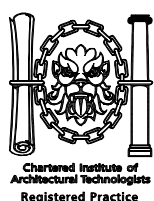
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## BLOCK PLAN

Rev A — footprint of extension updated — 22.06.17

Mike Stephen Architectural Design Ltd.  
5 Hazlehead Place,  
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tel no. 01224 310313  
mobile: 07789 446 909



CLIENT :  
Mr K Diack  
Rear Annex,  
433 Great Western Road,  
Aberdeen.  
AB10 6NJ

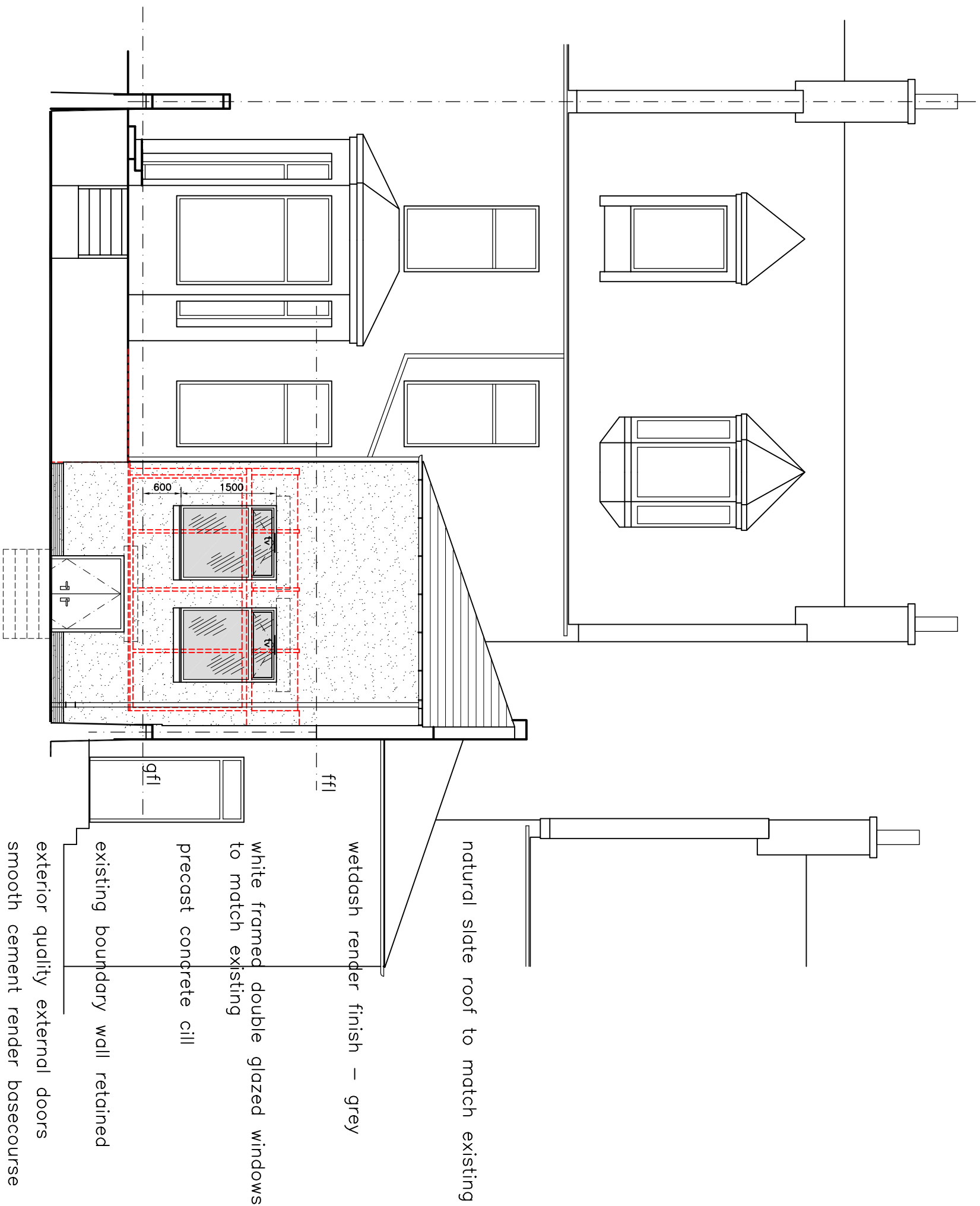
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Proposed Alterations and  
Extension To Rear Annex At  
433, Great Western Road,  
Aberdeen  
**Description:**  
Block Plan

**Scale:**  
1:200 @ A3

**Date**  
March 2017

**Drawing No:**  
17/04 006'A'

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# South Elevation

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## Consultation Response

Masterplanning, Design & Conservation Team



To:	Sheila Robertson	
From:	Zinnie Denby-Mann (Planning Trainee – Conservation) <a href="mailto:zdenbymann@aberdeencity.gov.uk">zdenbymann@aberdeencity.gov.uk</a> 01224 523065	
Date:	24 April 2017	
Application:	Ref / Description / Address:	Erection of 2 storey extension to rear   433 Great Western Road Aberdeen AB10 6NJ

### Masterplanning, Design & Conservation Team review:

Thank you for consulting me on this application for an extension to a traditional granite property in the Great Western Road Conservation Area. To the rear the property has an existing granite, two storey wing, as well as a single storey conservatory. Having looked at historical maps of the area, it is likely that the rear wing is original to the property. A significant area of the rear garden ground has been given over to car parking and a garage has been built adjacent to the rear lane.

The rear of the property is a public elevation as is it is visible from both the rear lane and South Anderson Drive. As such the proposed extension would have an impact on the Great Western Road Conservation Area.

The elevation of the proposed extension facing the rear lane is three storeys high. You may therefore wish to change the title of the application.

Historic Environment Scotland's *Managing Change for the Historic Environment: Extensions* sets four key criteria that extensions to historic buildings should meet these are:

#### "Extensions:

- must protect the character and appearance of the building;
- should be subordinate in scale and form;
- should be located on a secondary elevation;
- must be designed in a high-quality manner using appropriate materials."

The proposed extension only meets one of these criteria – that it is located on a secondary elevation.

As we have already discussed at conservation surgery, the proposed extension does not protect the character and appearance of the building. It blocks the view of a large portion of the rear elevation, including two of the windows, and the rear wing and is not designed in a manner that is sympathetic to the original building. The proposed dry-dash render finish does not compliment the building; the design of the roof and gables is not appropriate and the arrangement of the windows bears no relationship to those in the original property. As such the proposed extension would have a negative impact on both the character of the existing building and the Great

Western Road Conservation Area. In addition to this, it is proposed to remove the majority of the rear wall of the existing wing, in order to link it to the proposed extension, and to block up one of the windows on the ground floor. Both of these alterations would negatively affect the character of the building.

Whilst the proposed extension may be subordinate to the building as a whole, it is not subordinate to the rear wing, which it is an appendage to. It entirely blocks the rear elevation of this and partially blocks the western elevation, as it wraps around. Due to the sloping topography of the site the extension is taller at the rear than the wing that it adjoins. This should not be approved.

The design of the proposed extension is not high quality and the materials are not appropriate. The existing building is constructed of traditional materials including granite masonry. The proposed extension is finished in dry-dash render which is both low quality and not sympathetic to the historic structure. The proposed uPVC windows do not match the existing, as the application states and, again, are not of a quality and design that is suitable. No details of the proposed door to the lower storage area has been supplied. A design that was of high quality would bear a relationship to the building that is being extended, which the proposed does not.

Due to the reasons stated above, I recommend that this application is not approved.

Please do not hesitate to ask if you have any questions.



## **DECISION NOTICE**

### **The Town and Country Planning (Scotland) Act 1997**

### **Detailed Planning Permission**

Michael Stephen  
Mike Stephen Architectural Design Ltd.  
5 Hazlehead Place  
Aberdeen  
Scotland  
AB15 8HD

on behalf of **Mr Kenny Diack**

With reference to your application validly received on 3 April 2017 for the following development:-

**Erection of 2 storey extension to rear  
at 433 Great Western Road, 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:

<b>Drawing Number</b>	<b>Drawing Type</b>
005 REV A	Location Plan
Proposed south amended	Elevations and Floor Plans
Proposed east amended	Elevations and Floor Plans
Proposed west amended	Elevations and Floor Plans
006 REV A	Site Layout (Other)
Ground floor layoutt	Ground Floor Plan (Proposed)
First floor plan amended	First Floor Plan (Proposed)

### **REASON FOR DECISION**

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, design and massing, 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 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. 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.

**Date of Signing** 11 August 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](http://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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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 100074448-001

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.

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Ryden LLP"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="John"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Findlay"/>	Building Number:	<input type="text" value="25"/>
Telephone Number: *	<input type="text" value="01224 588866"/>	Address 1 (Street): *	<input type="text" value="Albyn Place"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="AB10 1YL"/>
Email Address: *	<input type="text" value="john.findlay@ryden.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" value="Mr"/>	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" value="Kenneth"/>	Building Number: <input type="text" value="433"/>
Last Name: *	<input type="text" value="Diack"/>	Address 1 (Street): * <input type="text" value="Great Western Road"/>
Company/Organisation	<input type="text"/>	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="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="AB10 6NJ"/>
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="433 GREAT WESTERN ROAD"/>
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="AB10 6NJ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="804676"/>	Easting	<input type="text" value="392073"/>
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## 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)

Erection of a two storey extension to the rear at 433 Great Western Road, Aberdeen, AB10 6NJ.

## 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.

Please refer to Grounds of Appeal Statement submitted as a supporting document.

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)

The following documents are referred to in the Grounds of Appeal Statement and are submitted in support; KD1(i)  
Application Forms (170350/DPP); KD1(ii) Submitted Proposals (Superseded)(170350/DPP); KD2  
Amended Proposals as Refused (170350/DPP); KD3 Decision Notice (170350/DPP); KD4  
Report of Handling (170350/DPP); KD5 Previously Approved Proposals (P091243); KD6 Report  
of Handling (P091243): and. KD7 Email Correspondence (170350/DPP)

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

170350/DPP

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

31/03/2017

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

11/08/2017

## 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

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

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

It may benefit the Review Body to visit the site and assess the impact of the proposed extension on adjoining properties and the wider area.

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 John Findlay

Declaration Date: 03/11/2017

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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](mailto: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        100047107-002

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.

## 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)

Proposed alterations and extension to annex at rear

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) \*

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:	Mike Stephen Architectural Design Ltd.		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Michael	Building Name:	
Last Name: *	Stephen	Building Number:	5
Telephone Number: *	01224 310313	Address 1 (Street): *	Hazlehead Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB15 8HD
Email Address: *	thestephenclan@btinternet.com		

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Kenny	Building Number:	433
Last Name: *	Diack	Address 1 (Street): *	Great Western Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB10 6NJ
Fax Number:			
Email Address: *			



## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

433 GREAT WESTERN ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB10 6NJ

Please identify/describe the location of the site or sites

Northing

804676

Easting

392073

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

0.06

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)

Guest House

## 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? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<div style="border: 1px solid black; padding: 2px 10px; width: 150px;">6</div>
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)? *	<div style="border: 1px solid black; padding: 2px 10px; width: 150px;">6</div>
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).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
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? * <div style="margin-top: 5px;"> <input type="checkbox"/> Yes  <input type="checkbox"/> No, using a private water supply  <input checked="" type="checkbox"/> No connection required         </div> If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
Is the site within an area of known risk of flooding? * <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</span>	
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? * <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</span>	
<h2 style="margin: 0;">Trees</h2>	
Are there any trees on or adjacent to the application site? * <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
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.	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	



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

Existing waste bins and collection facilities to remain

## Residential Units Including Conversion

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

☐ Yes ☒ No

## 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: Michael Stephen

On behalf of: Mr Kenny Diack

Date: 05/06/2017

☒ 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:

Declaration Date:

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**MR KENNETH DIACK**

**REQUEST FOR REVIEW OF THE REFUSAL  
OF APPLICATION REFERENCE NO.  
170350/DPP FOR PLANNING PERMISSION  
FOR THE ERECTION OF A TWO STOREY  
EXTENSION TO THE REAR OF A  
PROPERTY AT 433 GREAT WESTERN  
ROAD, ABERDEEN**

**GROUND OF APPEAL STATEMENT**

**3 November 2017**

**Ryden LLP  
25 Albyn Place  
Aberdeen  
AB10 1YL  
Tel; 01224 588866  
Fax; 01224 589669**

# Contents

## **1.0 Introduction**

## **2.0 Planning History**

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## **4.0 Development Plan Policy**

## **5.0 Grounds of Appeal**

## **6.0 Conclusions and Recommendations**

### **Supporting Documents**

### **KD1(i) Application Forms (170350/DPP)**

### **KD1(ii) Submitted Proposals (Superseded)(170350/DPP)**

### **KD2 Amended Proposals as Refused (170350/DPP)**

### **KD3 Decision Notice (170350/DPP)**

### **KD4 Report of Handling (170350/DPP)**

### **KD5 Previously Approved Proposals (P091243)**

### **KD6 Report of Handling (P091243)**

### **KD7 Email Correspondence (170350/DPP)**

## 1.0 INTRODUCTION

- 1.1 This Notice of Review is submitted on behalf of Mr Kenneth Diack under the terms of Section 43a(8) of the Town & Country Planning (Scotland) Act 1997 and Regulation 9 of the Town & Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013. It is against the refusal by Aberdeen City Council to grant planning permission for the erection of a two storey extension to the rear of a property at 433 Great Western Road, Aberdeen.
- 1.2 The application (Document KD1: Application Form and Plans) was submitted by Mike Stephen, Architectural Design Ltd on 31 March 2017 and validated on 3 April 2017. Following discussion with the Planning Officer amended plans were submitted on 18 May 2017 (Document KD2). The application was subsequently refused under delegated powers on 11 August 2017 (Document KD3). There were no objections to the proposals from either the neighbouring proprietors, the wider public nor any statutory bodies. The Officer's Report of Handling is attached as document KD4.
- 1.3 The application was refused as the Planning Officers contended that;
- "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, design and massing, the proposal respects neither the character and architecture of the existing dwellinghouse 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 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. 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".*
- 1.4 As set out in the Notice of Review Form, Mr Diack requests that this Review be determined by written submissions.

## 2.0 PLANNING HISTORY

- 2.1 Full planning permission Reference: P091243 was granted to the previous owners of the Guest House on the 13 October 2009. A copy of the approved plans are attached as Document KD5. That proposal was for a much larger two storey extension which was considered acceptable by the Planning Officer. The Report of Handling (Document KD6) advised that *"...in conclusion, the proposed extension is not considered to result in any significant impact on the existing residential amenity of the area, nor would there be any conflict with, or nuisance to, existing adjacent uses.*

*The proposed extension is considered to have been designed using appropriate materials and detailing, and is of an acceptable scale in the context. It is, therefore, recommended that the application be approved subject to appropriate conditions relating to construction materials”.*

- 2.2 The reason provided for approving the application stated; *“The proposed extension is considered to have been designed with due regard to its context, both in terms of respecting the scale of existing buildings and in utilising appropriate materials in construction. The proposed works are considered to be compatible with existing adjacent uses, and will not result in any significant adverse impact on existing residential amenity. In considering the above, the proposals are considered to comply with Policies 1 and 40 of the Aberdeen Local Plan. It is further noted that the proposed development would not result in any adverse impact on the character of the Great Western Conservation Area (7)”.*
- 2.3 The appellant, Mr Diack, purchased the property with the benefit of the original permission, but was not in a position to implement it prior to it lapsing in 2014. However, he was of the view, and understandably so, that a subsequent application for an extension of similar footprint, scale and design would be acceptable given that there had been no substantive changes to Planning Policy in the intervening period.
- 2.4 Following submission of the application on 31 March 2017 it became clear that the current Planning Officer had issues with the scale and design of the extension. It appears that these stem from comments of the Conservation Officer. The agent for Mr Diack requested a meeting with the Conservation Officer, but this was denied (Document KD7). Amended plans were subsequently submitted which significantly reduced the scale of the extension and replicated the footprint of the existing glazed conservatory, which itself is entirely out of character, and unsympathetic to, the existing building and wider Conservation Area. Despite these amendments the application was refused on 11 August 2017.

### **3.0 DESCRIPTION OF SITE AND PROPOSALS**

- 3.1 The property which is the subject of this review lies on the south side of Great Western Road, to the east of its junction with Anderson Drive. It is currently in use as a Guest House and comprises a traditional 2.5 storey semi-detached granite property with an original two storey annexe to the rear extending along its eastern boundary. Attached to this is a modern “lean-to” glazed conservatory constructed in white UPVC. This projects 4.0m beyond the original annexe. The property at 431 Great Western Road has been extended along the mutual boundary linking it to the annexe of the appeal property.
- 3.2 Their proposals enjoys an extensive rear garden stretching approximately 42.0m to the access lane which bounds the property to the south. A recently constructed

garage fronts the lane with an area of lower garden ground made over to car parking. The remainder is laid out as garden ground.

- 3.3 The proposal is to replace the existing conservatory with a two storey extension. The proposed extension shares the same footprint as the existing conservatory and would be finished in a grey wet dash render with a slate roof in keeping with the original building. Similarly, the hipped mono-pitched roof reflects that of the existing annexe, but is subservient to it with the wall head on the eastern boundary sitting 200mm lower. All windows would be of casement style finished in white UPVC similar to the replacement windows in the original building which are tilt and turn.
- 3.4 The original submission reflected the scale and footprint of the extension approved by the Council in October 2010. However, following discussion with the Planning Officer, amended plans were submitted which reduced the width of the extension by some 1.7m and simply replicated the footprint of the glazed conservatory.
- 3.5 The extension is required to provide a family room at ground floor level and a bedroom at the upper level. It is for the sole use of the owners of the guest house and will not provide any additional letting space.

#### **4.0 DEVELOPMENT PLAN POLICY**

- 4.1 The extant Development Plan comprises the Aberdeen City and Shire Strategic Development Plan, approved by Scottish Ministers in June 2014, and the Aberdeen City Local Development Plan adopted in February 2017. The former addresses strategic matters and is not relevant in the context of this appeal.
- 4.2 The Local Development Plan identifies the proposal site as falling within a residential area where Policy H1 applies. This advises that within existing residential areas proposals for new development and household development will be improved in principle if it does not constitute overdevelopment, does not have an unacceptable impact on the character and amenity of the surrounding area; does not result in the loss of valuable and valued areas of open space; and, complies with Supplementary Guidance.
- 4.3 The Planning Officer in determining the application also considers Policy D1 – Quality Placemaking by Design, and Policy D4 – Historic Environment to be relevant in the determination of the application. Policy D1 requires that all developments must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials. Through Policy D4 the Council seeks to protect, preserve and enhance the historic environment in line with Scottish Planning Policy, Scottish Historic Environment Policy, and its own Supplementary Guidance and Conservation Character Appraisals and Management Plan. High quality design that respects the character, appearance and setting of the historic environment and

protects the special architectural or historic interest of conservation areas will be supported.

- 4.4 Material considerations referred to by the Planning Officer in determining the application include Supplementary Guidance to the Local Development Plan comprising the Householder Development Guide. This guidance provides advice on extensions to residential properties and whilst the proposal is to provide owners accommodation, use of the building is as a Guest House falling within Class 7 of the Town & Country Planning Use Classes (Scotland) Order 1997 and not as a residential property. Notwithstanding, the Guidance sets out general principles for extensions to existing buildings. Such extensions should be architecturally compatible in design and scale with the original house and its surrounding areas whilst the materials used should be complementary to the original building. Any extension 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. Secondly, no extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected by impact on privacy, daylight and general amenity. Thirdly, no existing extensions, dormers or other alterations will be considered by the Planning Authority to provide justification for a development proposal which would otherwise fail to comply with the Supplementary Guidance. Fourthly, the built footprint of the dwellinghouse as extended should not exceed twice that of the originally dwelling, and fifthly, no more than 50% of the front or rear curtilage shall be covered by development.
- 4.5 Scottish Planning Policy is a further material consideration. It sets out the Scottish Government's Policies on alterations or change in the historic environment. Historic Environment Scotland provides guidance on managing change in the historic environment. Their Guidance Note on extensions sets out the principles that apply to extending historic buildings. The Guidance notes that most historic buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. It acknowledges that it is difficult to lay down hard and fast rules for new work when much will depend upon the site, the landscape, the scale and form of both the existing building and of the addition or extension proposed. In terms of the general principles it advises that extensions;
- Must protect the character and appearance of the building;
  - Should be subordinate in scale and form;
  - Should be located on a secondary elevation;
  - Must be designed in a high quality manner using appropriate materials.
- 4.6 A further material consideration, given no weight by the Planning Officer, is the planning history of the site. Annexe A of Scottish Government Circular 3/2013 Development Management Procedures highlights planning history as an appropriate material consideration. Whilst the Planning Officer made passing reference to this in her Report of Handling, no details were provided of the proposal nor the views of the Planning Officer at that time in determining the planning application. These are



important material considerations which require to be given appropriate weight by the Local Review Body.

## **5.0 GROUNDS OF APPEAL**

- 5.1 Legislation requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The proposal, which is for a modest extension to a detached Guest House to provide owners accommodation, should have been granted planning permission. It is contended that the proposal fully satisfies the terms of Planning Policy as set out in Policies H1, D1, and D4 of the extant Aberdeen Local Development Plan. Beyond this, the planning history of the site and in particular, the grant of full planning permission in 2009 for a much larger two storey extension is a material consideration which justifies approval of the current proposals.
- 5.2 Other than a passing reference, the Officer's Report of Handling is virtually silent on the previous grant of planning permission in 2009.
- 5.3 The previous permission, as is evident from the plans attached at Document KD5, was for a significantly larger extension, both in terms of the footprint and scale of accommodation being provided. It also increased the height of the existing annexe by raising both the wall head height and the ridge height. In terms of width, it extended beyond the existing annexe and obscured much of the rear of the property when viewed from the access lane. Notwithstanding, the Officer's Report of Handling in respect of that earlier application was extremely positive. The proposals were considered in terms of their impact on adjacent residential amenity and their impact on the character of the Great Western Road Conservation Area. The Officer considered that the works to the rear of the property was likely to ensure the visual impact of the proposals was relatively minimal. He acknowledged that they may be visible to north bound traffic on South Anderson Drive, but he considered the design to be of an acceptable standard unlikely to result in any adverse impact on the character of the Conservation Area. Also, despite the increased wall head height the Planning Officer did not consider this of any consequence to the adjoining property at 431 Great Western Road as it was considered unlikely to have any additional impact of any real significance. Overall, it was concluded that the proposed extension was not considered to result in any significant impact on the existing residential amenity of the area, nor would there be any conflict with, or nuisance to existing adjacent uses. It was further considered that the proposed development would not result in adverse impact on the character of the Great Western Road Conservation Area.
- 5.4 In light of the above, given that there have been no substantive changes to Planning Policy and the fact the site remains within a Conservation Area, it is difficult to comprehend the Planning Officer's comments in respect of a much reduced scale of development. It is described as being a significant presence as a result of its size,

scale, projection, and massing yet is substantially smaller than that previously approved. It is further described as occupying an unduly prominent position within the surrounding streetscape yet the previous Report of Handling considered the visual impact of the proposals to be relatively minimal. Similarly, the extension is described as an imposing, overbearing, incongruous structure when viewed from the east that would introduce a visually intrusive development. This contrasts with the earlier approved proposals which increased the wall head height to the east and extended the depth of the extension along the eastern boundary. These matters were specifically considered by the Planning Officer who concluded that the additional impact was unlikely to be of any real significance and accordingly, planning permission was granted.

- 5.5 The contrasting nature of the views expressed in the respective Reports of Handling on each application is a major concern to the appellant. The appellant purchased the property with the benefit of full planning permission for a substantial extension. The appellant was unable to implement that earlier permission but, having read the earlier Report of Handling, was confident that planning permission could be secured for a similar scale of extension. The initial proposal submitted on behalf of Mr Diack reflected that approved in 2009. However, when it became apparent that the Officer was not supportive of those proposals amended plans were submitted which substantially reduced the scale of development, maintained the footprint of the existing conservatory extension, and reduced the ridge height. It was anticipated that the amended proposals would be looked upon favourably. In amending the proposals, the appellant has demonstrated his willingness to arrive at a compromise solution which, on the basis of the previously approved proposals, should be perfectly acceptable. Indeed, it reflects badly on the Planning Authority that permission is granted previously for a much larger proposal yet permission is refused for a smaller development which has much less impact on the adjoining proprietors and the wider Conservation Area.
- 5.6 In terms of Local Development Plan Policy, notwithstanding the fact that the property operates as a Guest House falling within Class 7 of the Use Classes Scotland Order, it falls within a predominantly residential area where Policy H1 applies. This Policy advises that new development will be approved in principle if it meets certain criteria. One of those criteria relates to the loss of open space and is not relevant in respect of this proposal. Given the fact that the proposal is for a modest extension to a large semi-detached Guest House, shares the same footprint as an existing conservatory which is entirely unsympathetic to the original building or the wider Conservation Area, and the overall height of the building, falls below that of the existing, it cannot possibly be construed as overdevelopment. For similar reasons, it does not have an unacceptable impact on the character and amenity of the surrounding area. Despite being much smaller than that previously approved the Planning Officer contends that the extension would have a significant presence as a result of its size, scale, projection and massing, particularly when viewed from the east. This directly contradicts the findings of the Planning Officer who dealt with the earlier application in 2009.

- 5.7 Even in respect of the current proposals the Planning Officer acknowledges, when considering the impact on residential amenity, that the extent of overshadowing would not have a significant impact on the existing residential amenity of the occupiers of 431 Great Western Road nor would there be any impact on the privacy of those neighbouring at 435 Great Western Road. As a consequence, therefore, it is difficult to understand the Officer's conclusion that the proposal would erode residential amenity and general ambience to 431 Great Western Road by the presence of such a high "oppressive" structure to the boundary when the earlier approved scheme would have had significantly greater impact. In any event, the length of the garden of the adjacent property is such that the extension will have minimal impact on the amenity or enjoyment of the garden.
- 5.8 Those best placed to consider the impact on residential amenity are the owners and occupiers of the adjoining properties. Only the property to the east at 431 Great Western Road is in residential use and the owners of that property have not objected to the proposed extension. Nor have the owners of the Guest House at 435 Great Western Road. Indeed, there have been no objections whatsoever submitted to the proposed extension.
- 5.9 Compliance with Supplementary Guidance is a further consideration. The Guidance referred to by Policy and in the Officer's Report of Handling is the Householder Development Guide which provides advice on extensions to residential properties. This, however, is not a residential property. Whilst it is to provide owners accommodation the property is in use as a Guest House, change of use having been granted from a private dwelling in August 1990. As a consequence, the Supplementary Guidance referred to is of limited relevance. Notwithstanding, it is contended that the proposal accords with the broad terms of the Guidance. The Guidance cannot possibly cover every eventuality and each site and proposal must be considered on its merits. The Planning Officer, for example, referred to two storey rear extensions being restricted to 3m in length, but no consideration is given to the fact that the rear garden extends to approximately 42.0m, as does the gardens of the properties on either side. Contrary to the Officer's assertion it is contended, as highlighted above, that the application is compatible in design and scale with the original house and the surrounding area. It does not overwhelm or dominate the original form or appearance of the dwelling and is clearly subservient to it in terms of height, mass and scale. This will be reinforced by the fact that it is finished in a grey wet dash render which will blend with the granite of the original structure and not stand out from it.
- 5.10 The Guidance also seeks to ensure that no extension or alteration should result in a situation where the amenity of neighbouring properties would be adversely affected by impact on privacy, daylight, and general amenity. The Report of Handling acknowledges that the impact on daylighting will be minimal and for the reasons set out above, it is contended that the impact on the adjoining residential property, which lies to the east will be minimal. Finally, the built footprint of the dwellinghouse as

extended falls well below that allowed in the Guidance and significantly less than 50% of the rear curtilage is covered by development. Accordingly, it is contended that the proposals fully accord with the Supplementary Guidance.

- 5.11 Planning Policy D1 relates to quality placemaking by design and seeks to ensure high standards of design with a strong and distinctive sense of place. In this regard, it is contended that the design of the proposal reflects that of the original annexe and the grey wet dash render finish does not detract from the original building nor the wider Conservation Area. Consequently, it is also contended to satisfy the terms of Policy D4 relative to the historic environment. High quality design that respects the character, appearance and setting of the historic environment and protects special architectural or historic interest of its Conservation Areas is supported by the Council.
- 5.12 Further guidance in respect of the historic environment is provided by Scottish Planning Policy and in particular, Historic Environment Scotland. Their published Guidance Notes relative to extending historic buildings acknowledges that most buildings can sustain some degree of sensitive alteration or extension to accommodate continued or new uses. The principles set out in that Guidance are fully addressed by the proposed extension. The proposal satisfies all of the principal requirements in that the extension sits on a secondary elevation, is subordinate in scale and form to the original building, and is designed in a manner and using appropriate materials which protects the character and appearance of the building. The proposal preserves the character of the Conservation Area and as such, is in accordance with Scottish Planning Policy, Historic Environment Scotland Policy, and with Policy D4 of the Aberdeen Local Development Plan.

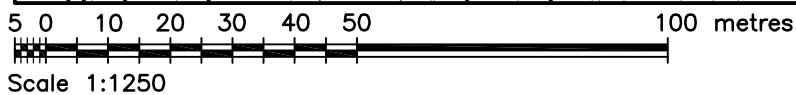
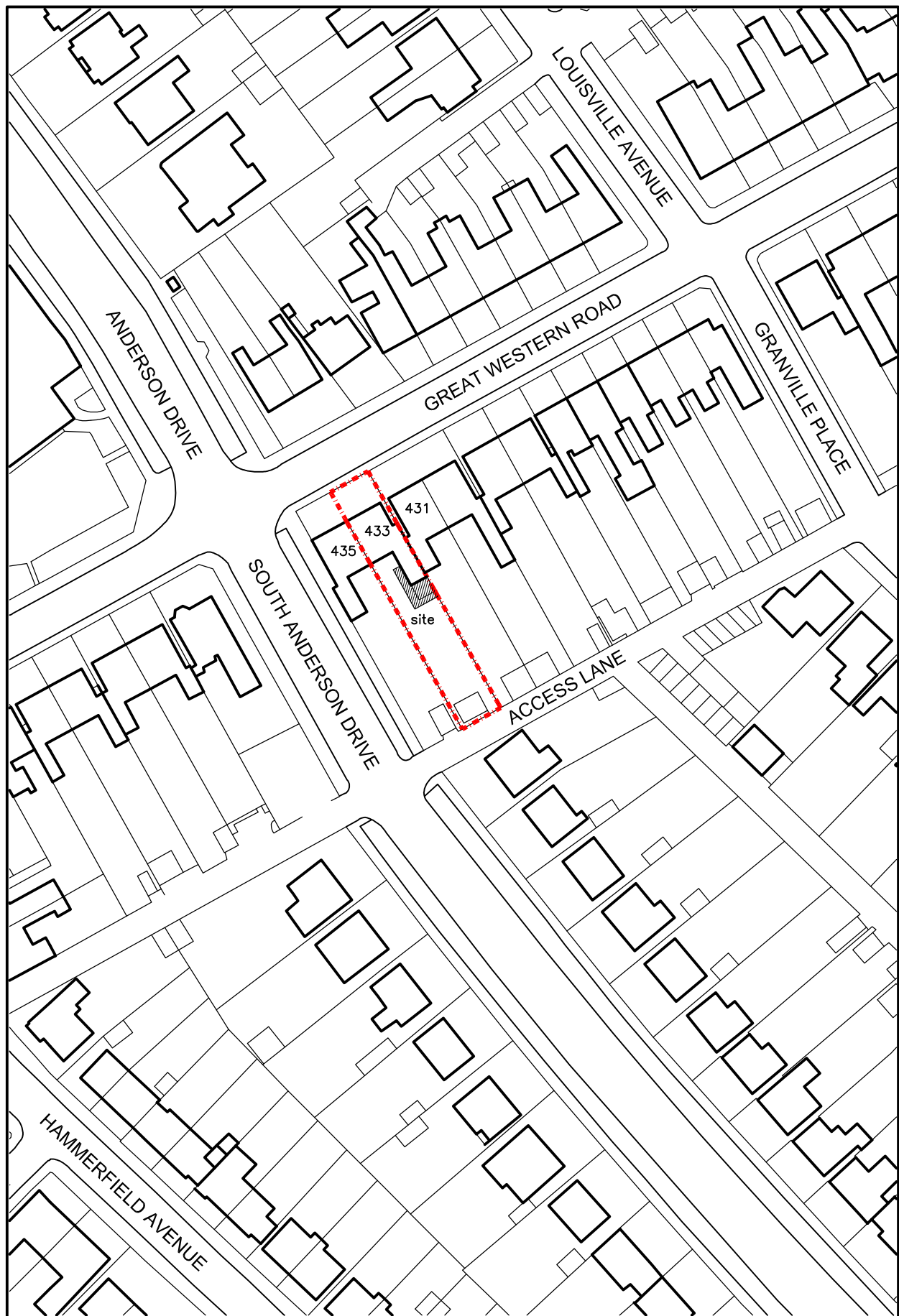
## **6.0 CONCLUSIONS AND RECOMMENDATIONS**

- 6.1 On the basis of all of the above it is contended that the proposals are fully compliant with Local Development Plan Policies H1, D1, and D4. The proposals involve a modest extension to a Guest House lying within the Great Western Conservation Area. There are no neighbouring or public objections to the proposals.
- 6.2 The proposals are also compliant with Historic Environment Scotland's Guidance on extending historic buildings. The proposals satisfy their criteria and preserve the character of the Conservation Area.
- 6.3 Planning permission was granted in October 2009 for a significantly larger extension to the property. There have been no substantive changes to Planning Policy in the intervening period and as such, this is a material consideration in the determination of the planning application. It is particularly pertinent to note that the Report of Handling in respect of the current application directly contradicts the Report of Handling on the earlier proposals. The previous proposal was considered entirely acceptable and, given the fact that the height and scale of the proposals has been

reduced significantly, it is contended that the current proposals should have been looked upon favourably.

- 6.4 On the basis of all of the above it is respectfully requested that planning permission be granted for the proposed extension to the property at 433 Great Western Road, Aberdeen.

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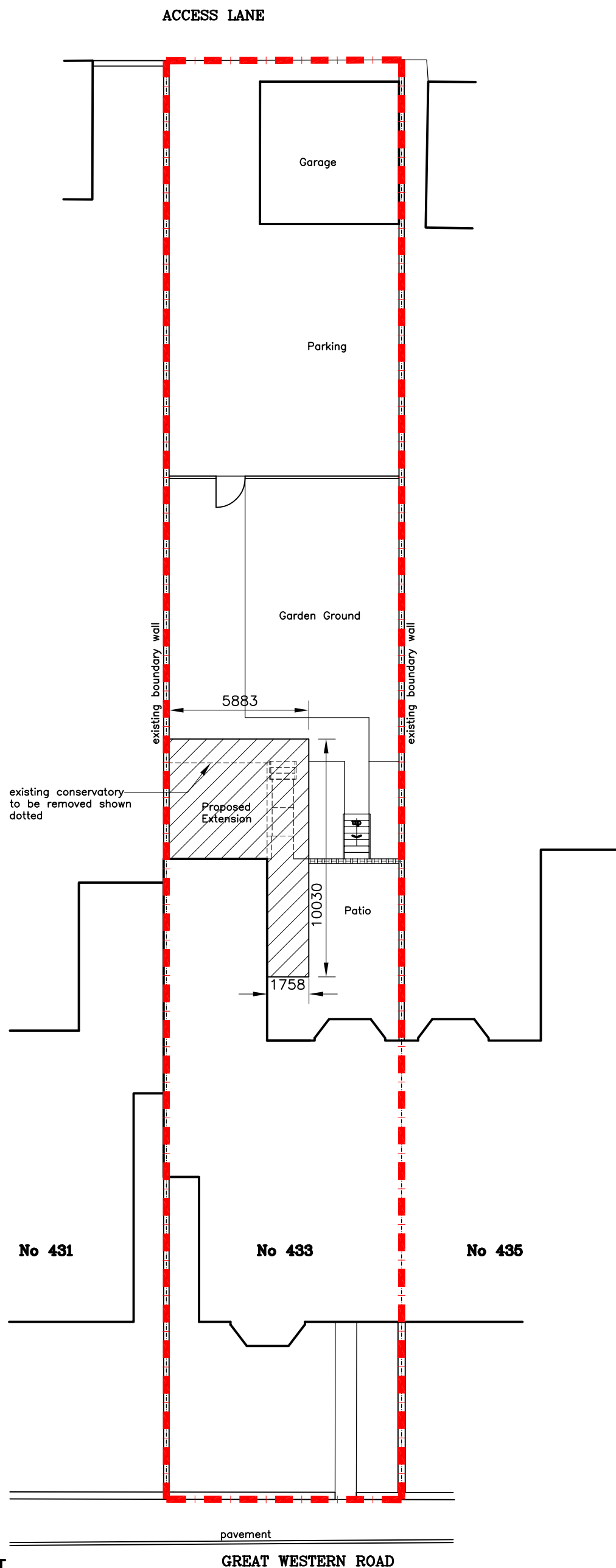
Mike Stephen Architectural Design Ltd.  
5 Hazlehead Place,  
Aberdeen AB15 8HD  
tel no. 01224 310313  
mobile: 07789 446 909



CLIENT :  
Mr K Diack  
Rear Annex,  
433 Great Western Road,  
Aberdeen.  
AB10 6NJ

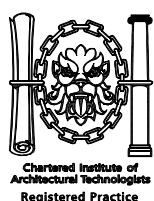
Project:  
Proposed Alterations and  
Extension To Rear Annex At  
433, Great Western Road,  
Aberdeen  
Description:  
Location Plan

Scale:  
1:1250  
Date  
January 2017  
Drawing No:  
17/04 005



## BLOCK PLAN

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CLIENT :  
Mr K Diack  
Rear Annex,  
433 Great Western Road,  
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AB10 6NJ

**Project:**  
Proposed Alterations and  
Extension To Rear Annex At  
433, Great Western Road,  
Aberdeen

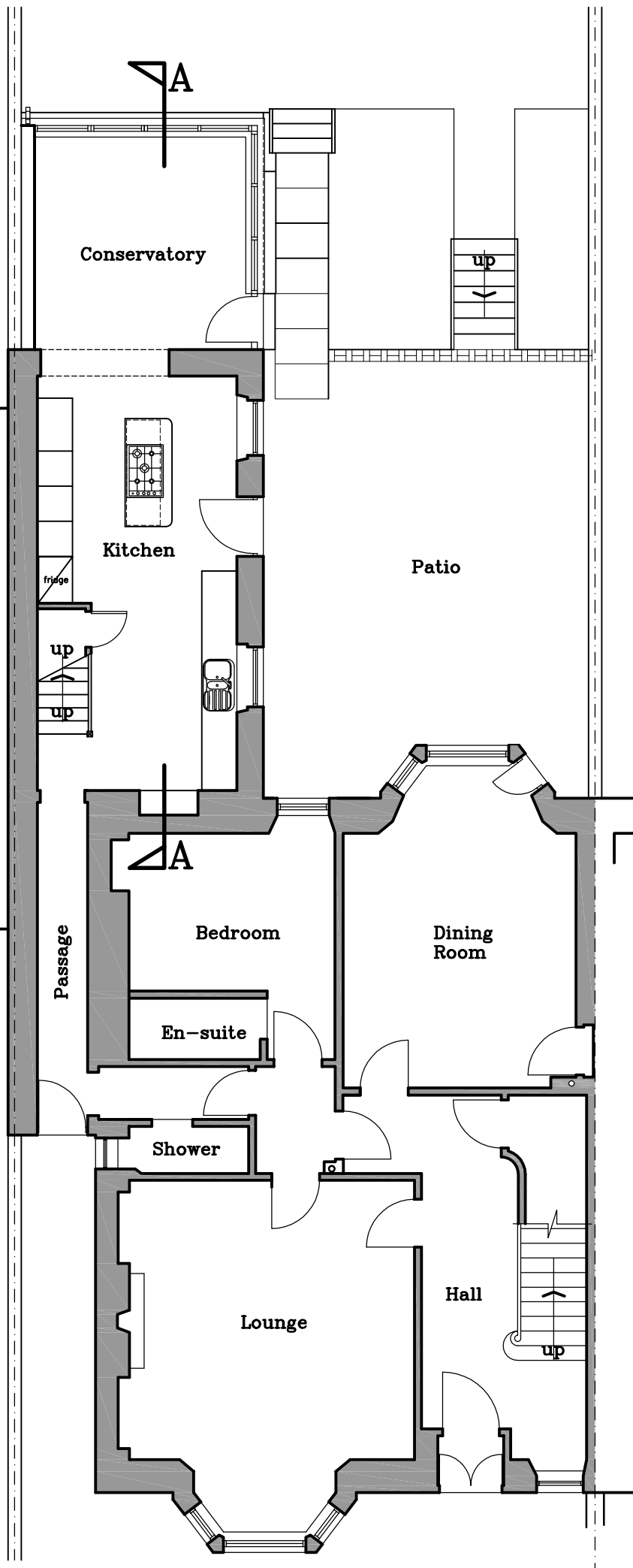
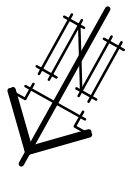
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Block Plan

**Scale:**  
1:200 @ A3

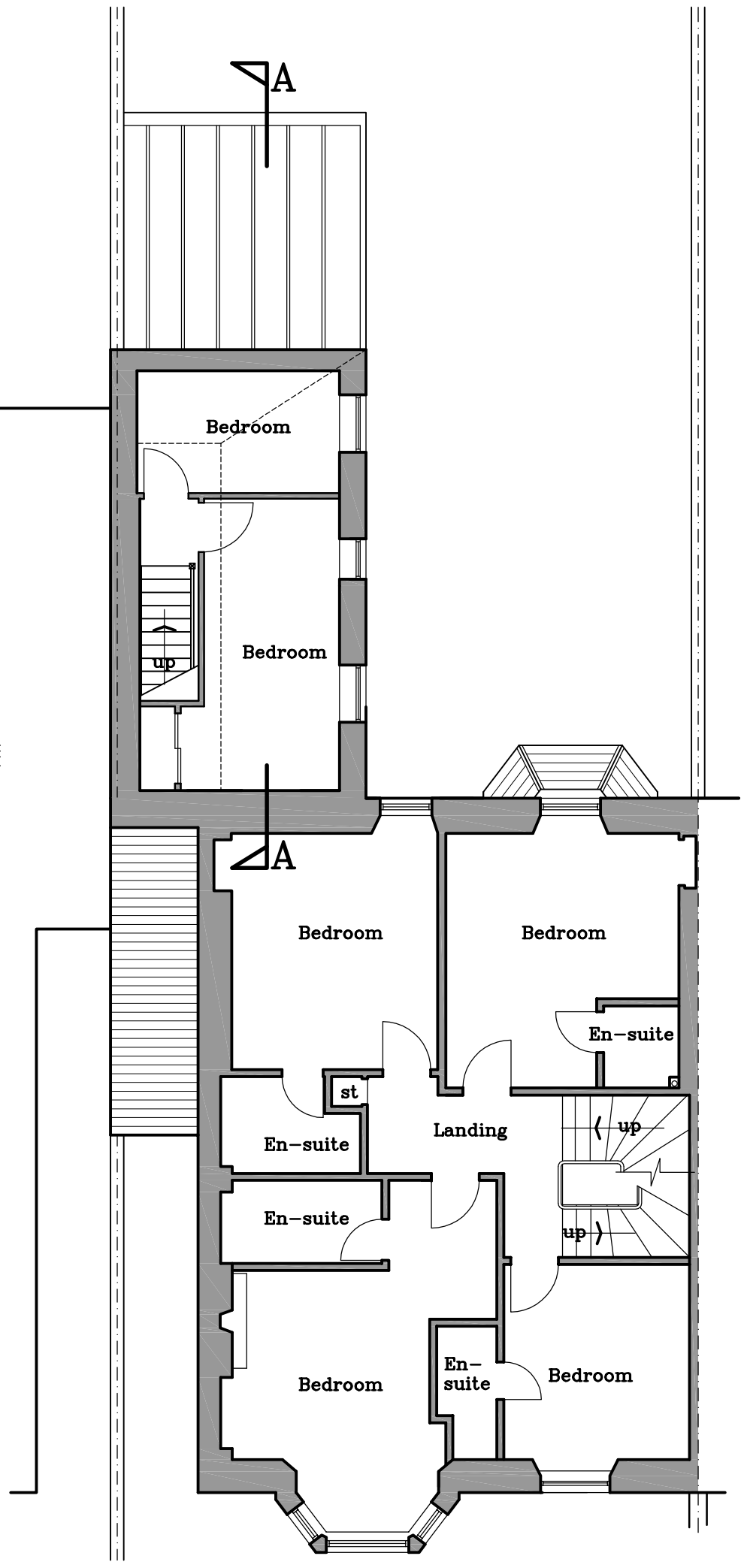
**Date**  
March 2017

**Drawing No:**  
17/04 006





Ground Floor Plan



First Floor Plan

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CLIENT :  
Mr K Diack  
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AB10 6NJ

**Project:**  
Proposed Alterations and  
Extension To Rear Annex At  
433, Great Western Road,  
Aberdeen  
**Description:**  
Existing Ground and  
First Floor Plan

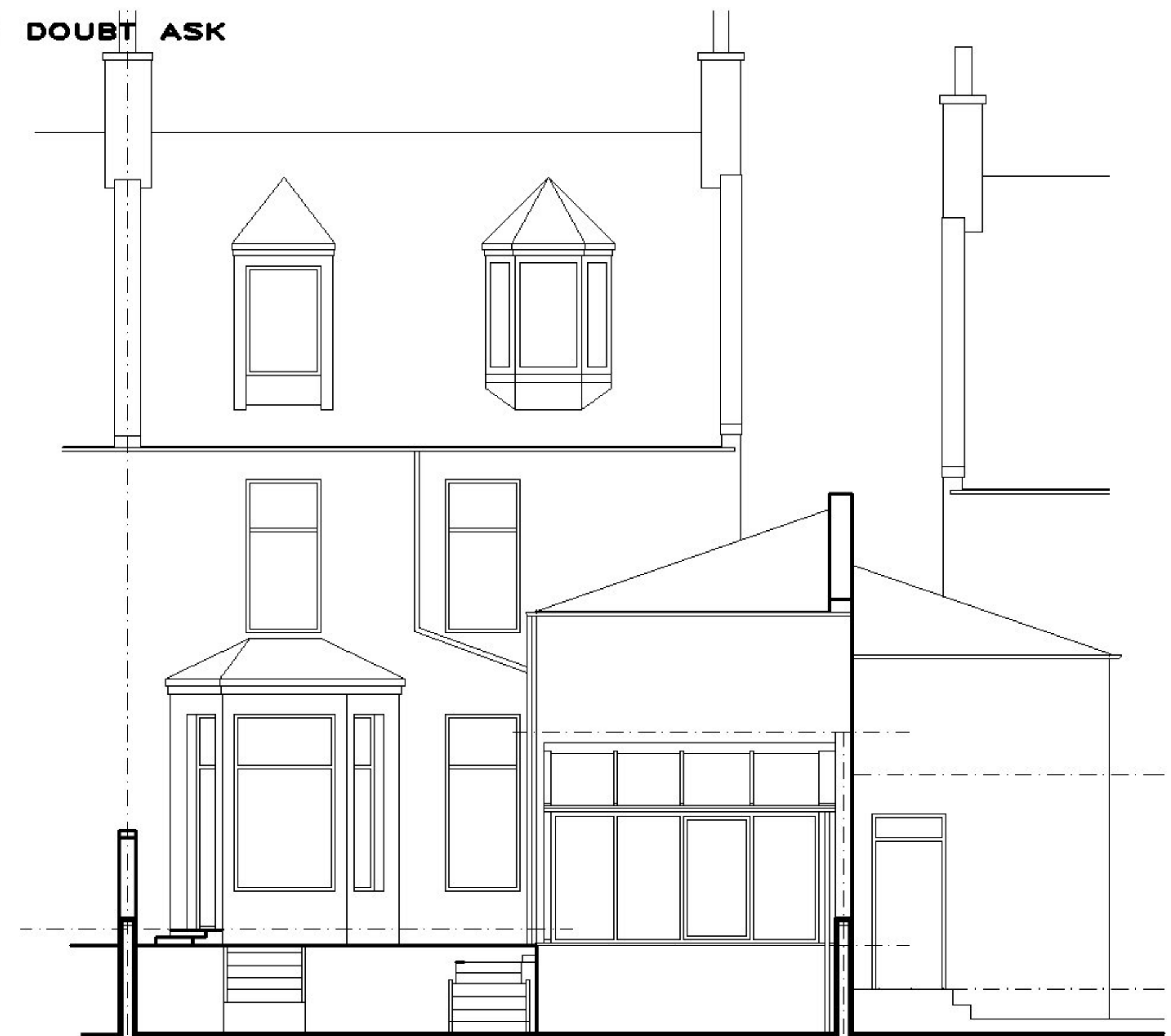
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**Date**  
March 2017

**Drawing No:**  
17/04 001



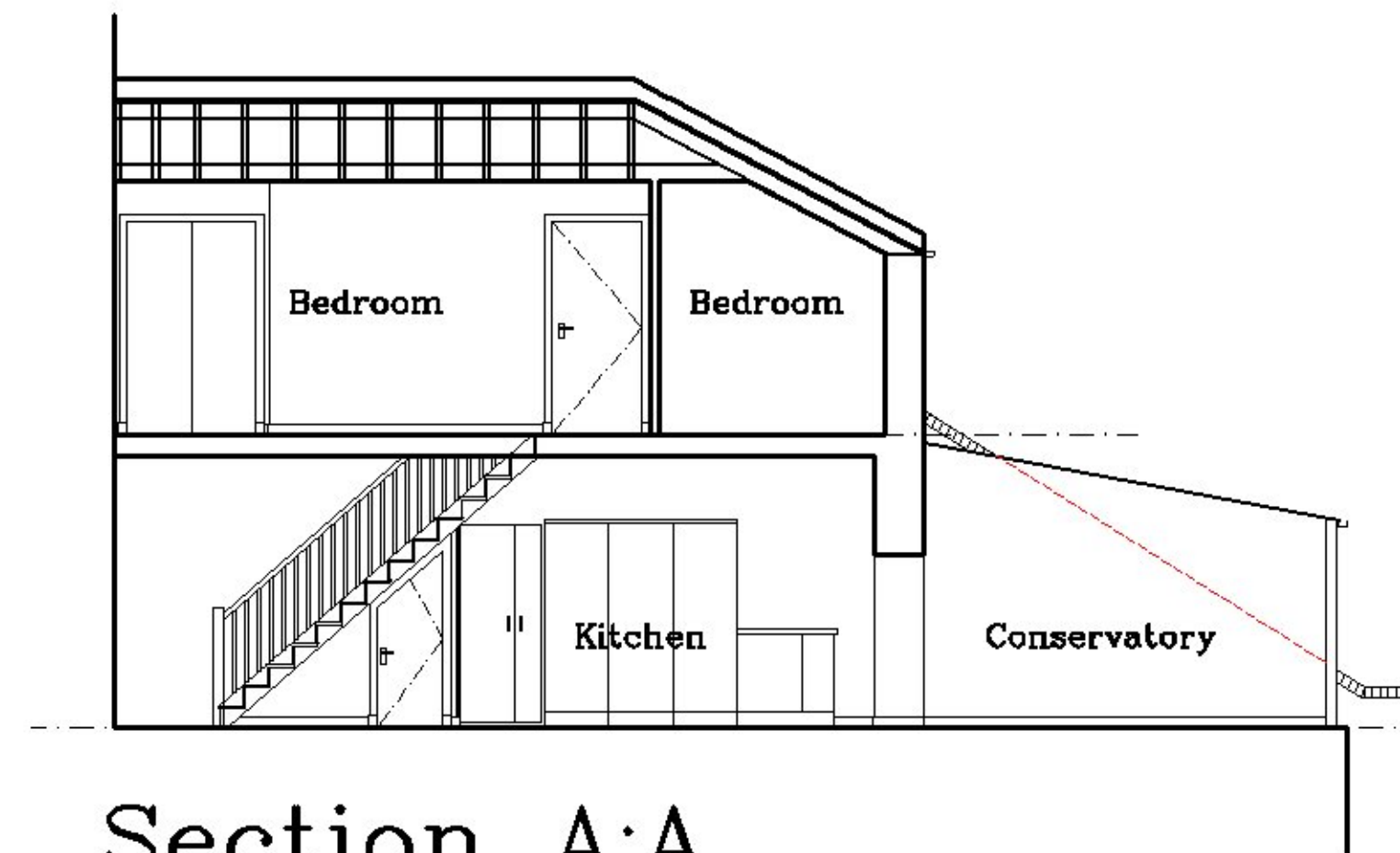
East Elevation



North Elevation

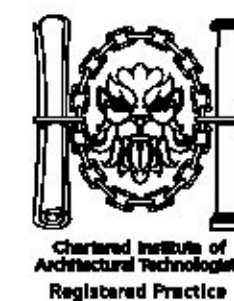


West Elevation



Section A:A

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Aberdeen.  
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Project:  
Proposed Alterations and  
Extension To Rear Annex At  
433, Great Western Road,  
Aberdeen  
Description:  
Existing Elevations  
and Section

Scale:  
1:100 @ A3  
Date  
March 2017  
Drawing No:  
17/04 002



pvc rw gutter

drydash render finish - grey

line of existing conservatory to be removed shown dotted

code 5 lead flashing ragged into new wall and dressed over existing boundary wall

gfl

ffl

code 5 lead flashing ragged into wall  
natural slate roof to match existing  
100mm hr pvc rw gutter  
68mm pvc rwp  
existing external door re-used  
precast concrete step  
smooth cement render basecourse

ridge tiles  
natural slate roof to match existing  
100mm hr pvc rw gutter  
white framed double glazed window to match existing – tilt and turn  
precast concrete cill  
drydash render finish – grey  
white framed double glazed windows to match existing – top hung  
precast concrete cill  
smooth cement render basecourse

Section A:A

Bedroom

Shower Room

Bedroom

Kitchen

Family Room

Store

215mm dense concrete block wall  
drydash render finish - grey

reinforced concrete lintels

white framed double glazed windows  
to match existing - tilt and turn

precast concrete cill  
permabil' DPC

reinforced concrete lintels

exterior quality external doors

precast concrete threshold

200mm deep concrete strip foundations

velux roof windows type GGL  
MK04 780(w)x980(h)

2462mm [8'-1"]

2400 (as existing)

4.542m [14'-11"]

1650

4.850m [15'-3"] (as existing)

2500

1500

600

1800

The floor plan shows a two-story house with a central hallway. The top floor features a large bedroom (5.083m x 4.542m) with two velux windows, a shower room (2.201m x 2.463m), and a landing. The bottom floor has a bedroom (2.100m x 2.100m) and a staircase labeled 'up'. The plan is divided into sections A-A and B-B. Dimensions for headroom are indicated as 2100mm in several areas. An 'Adjoining Property' is shown to the left. Section markers A and B are located at the bottom and right edges respectively.

**Section B:B**

**Bedroom**

**Landing**

**Kitchen**

**Toilet**

**Store**

2400 (as existing)

1500 (as existing)

1000

1100

natural slates to match existing

100mm hr pvc rw gutter

code 5 lead flashing ragged into wall

100mm hr pvc rw gutter

reinforced concrete lintels

white framed double glazed window to match existing – tilt and turn

precast concrete cill

permabit' DPC

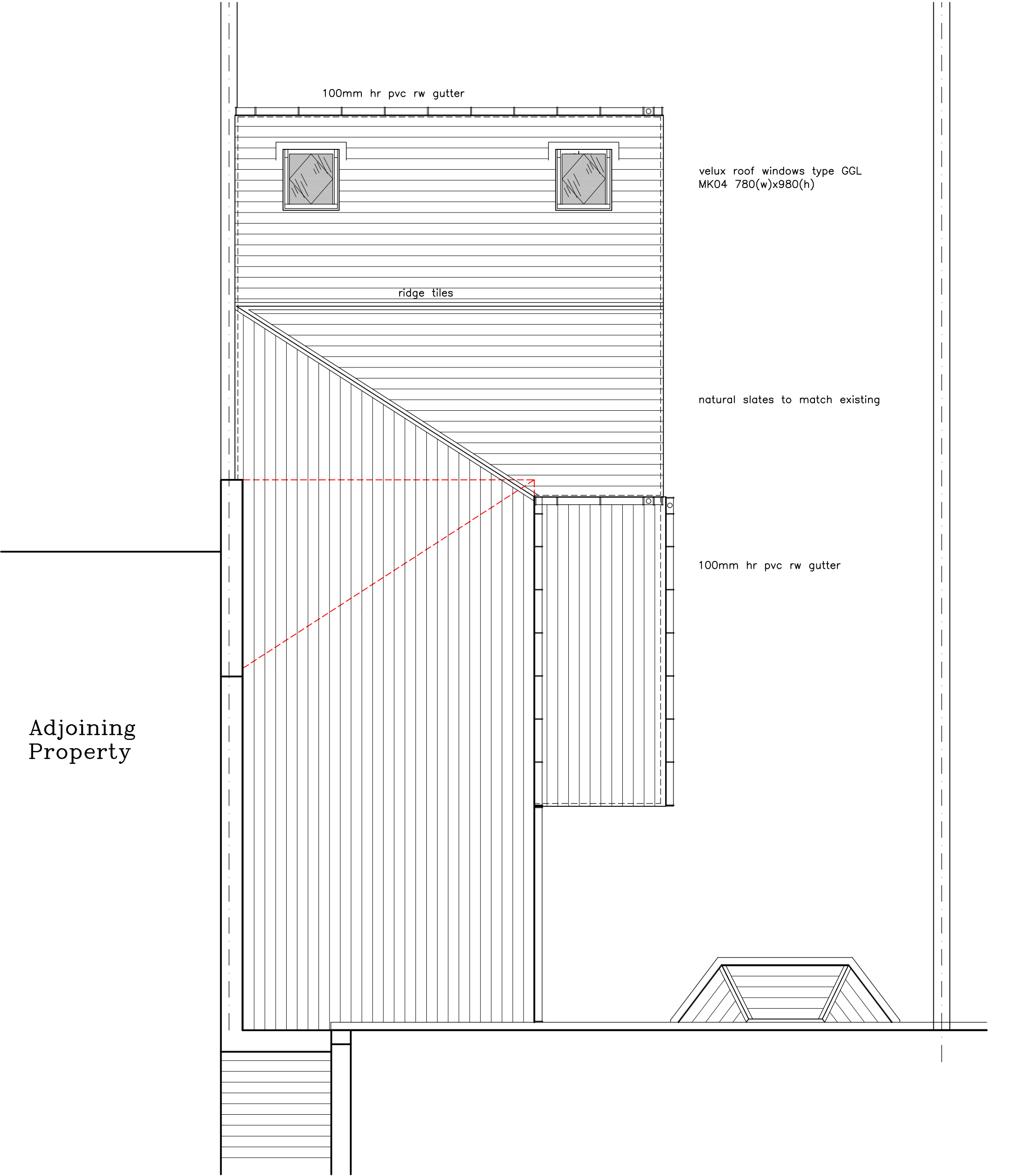
200mm deep concrete strip foundations

Architectural floor plan of the first floor, showing rooms and dimensions:

- Family Room:** 17'4" x 14'8" (5.083m x 4.48m). Includes a television and a fireplace.
- Kitchen:** 10'5" x 11'7" (3.175m x 3.565m). Includes a stove, fridge, and sink.
- Utility:** 7'7" x 14'3" (2.315m x 4.35m). Includes a washing machine and dryer.
- Toilet:** 5'10" x 8'0" (1.585m x 2.44m). Includes a toilet and sink.
- Dimensions:**
  - Overall width: 58'3" (17.81m)
  - Overall depth: 52'6" (16.00m)
  - Room dimensions: 6'65", 20'57", 4'40", 20'57", 6'65", 17'43", 4'40", 5'265", 17'43", 6'65", 10'030", 8'90", 5'10", 7'70", 4'765", 14'35", 17'58".
- Notes:**
  - existing blocked window
  - existing door reused
  - fridge
  - up (stairs)

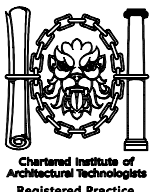
<p>Mike Stephen Architectural Design Ltd.          5 Hazlehead Place,          Aberdeen AB15 8HD          tel no. 01224 310313          mobile: 07789 446 909</p>		<p><b>CLIENT :</b>          Mr K Diack          Rear Annex,          433 Great Western Road,          Aberdeen.          AB10 6NJ</p>	<p><b>Project:</b>          Proposed Alterations and Extension          To Rear Annex At          433, Great Western Road,          Aberdeen</p> <p><b>Description:</b>          Plans, Elevations          and Sections</p>	<p><b>Scale:</b>          1:50 &amp; 1:100 @ A1</p> <p><b>Date</b>          March 2016</p> <p><b>Drawing No:</b>          17/04 003</p>
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Roof Plan

Mike Stephen Architectural Design Ltd.  
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Chartered Institute of  
Architectural Technologists  
Registered Practice

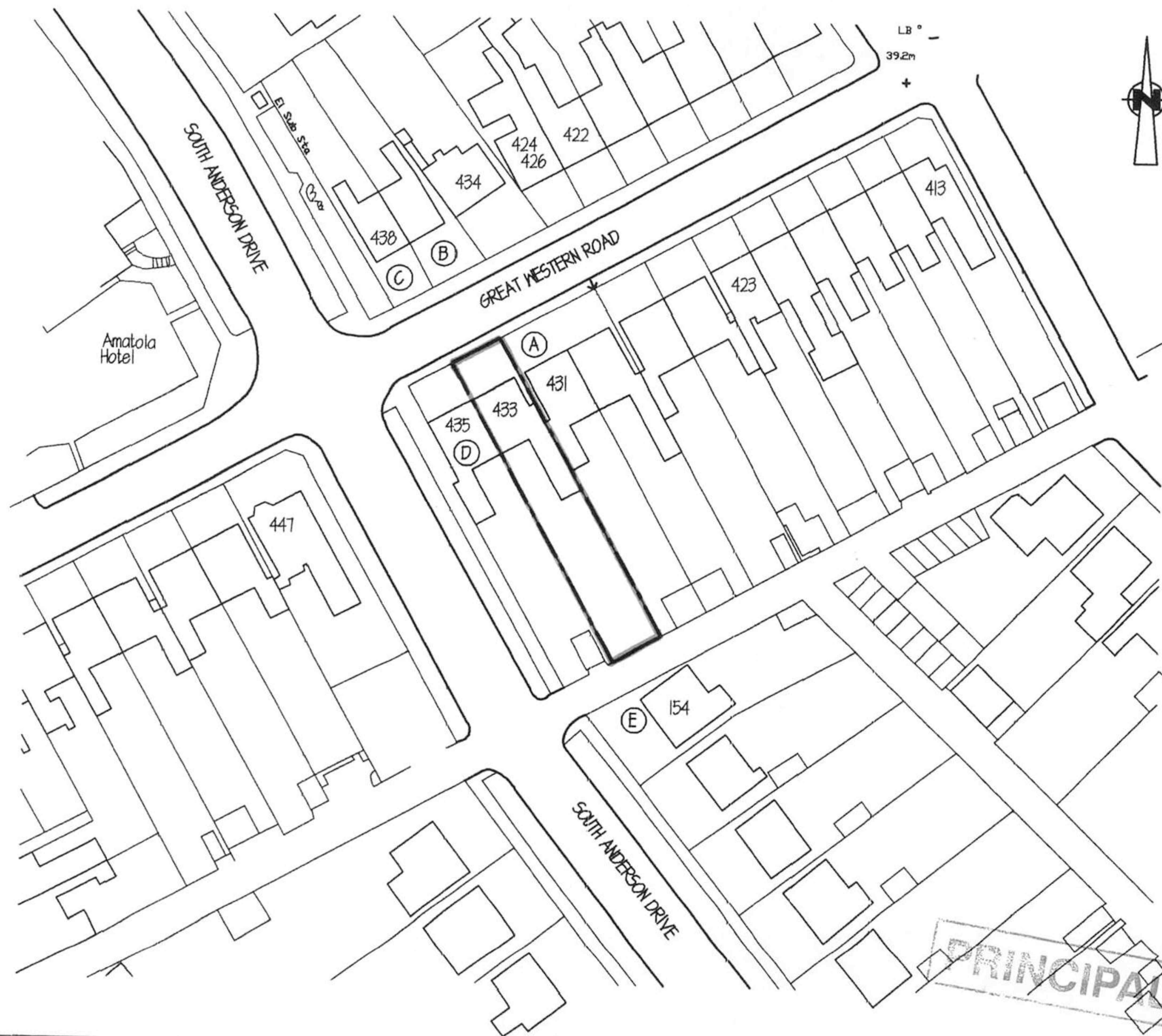
CLIENT :

Mr K Diack  
Rear Annex,  
433 Great Western Road,  
Aberdeen.  
AB10 6NJ

Project: Proposed Alterations and Extension To Rear Annex At 433, Great Western Road, Aberdeen	Scale: 1:50 @ A3
	Date March 2017
	Drawing No: 17/04 004

Description:  
Roof Plan





# NOTES

All building works to be in accordance with the Building Standards (Scotland) Regulations. Do not scale from drawing. Contractors to verify all dimensions before manufacture of components and commencement of work. Any discrepancies to be reported to Squire Associates office. All dimensions are hard to blockwork or framing unless noted otherwise.

ref / revision / date

Client ROBERT FINNIE ESQ  
GRANITE CITY GUEST HOUSE  
433 GREAT WESTERN ROAD  
ABERDEEN

Job ALTERATIONS TO OWNERS  
ACCOMMODATION

Title LOCATION PLAN



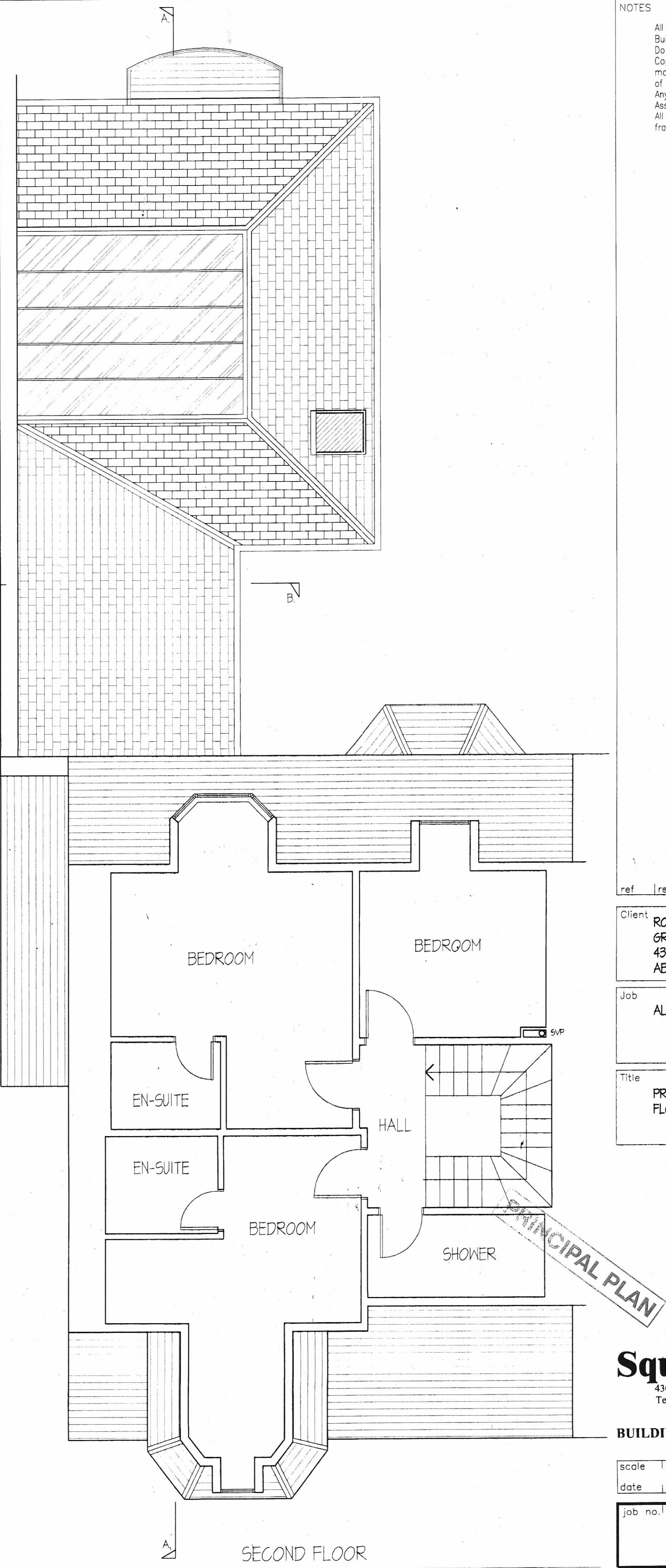
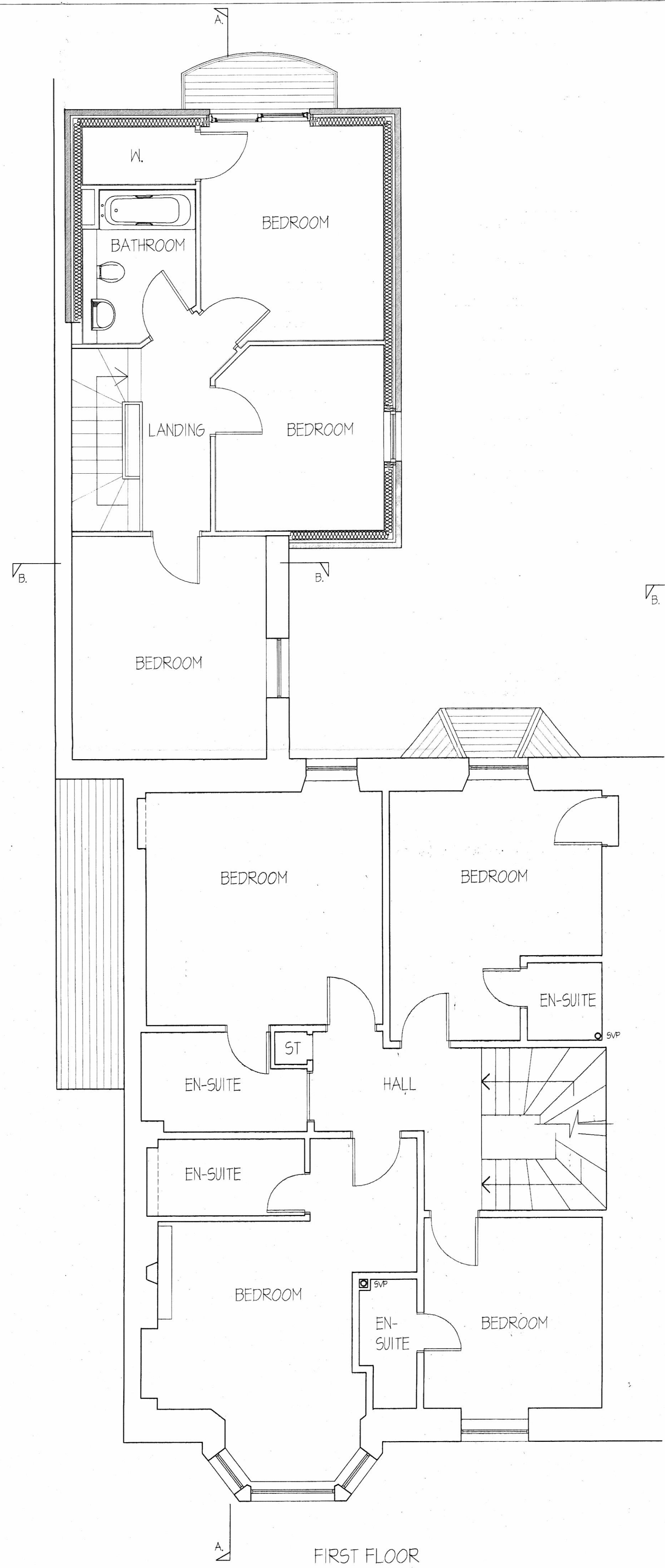
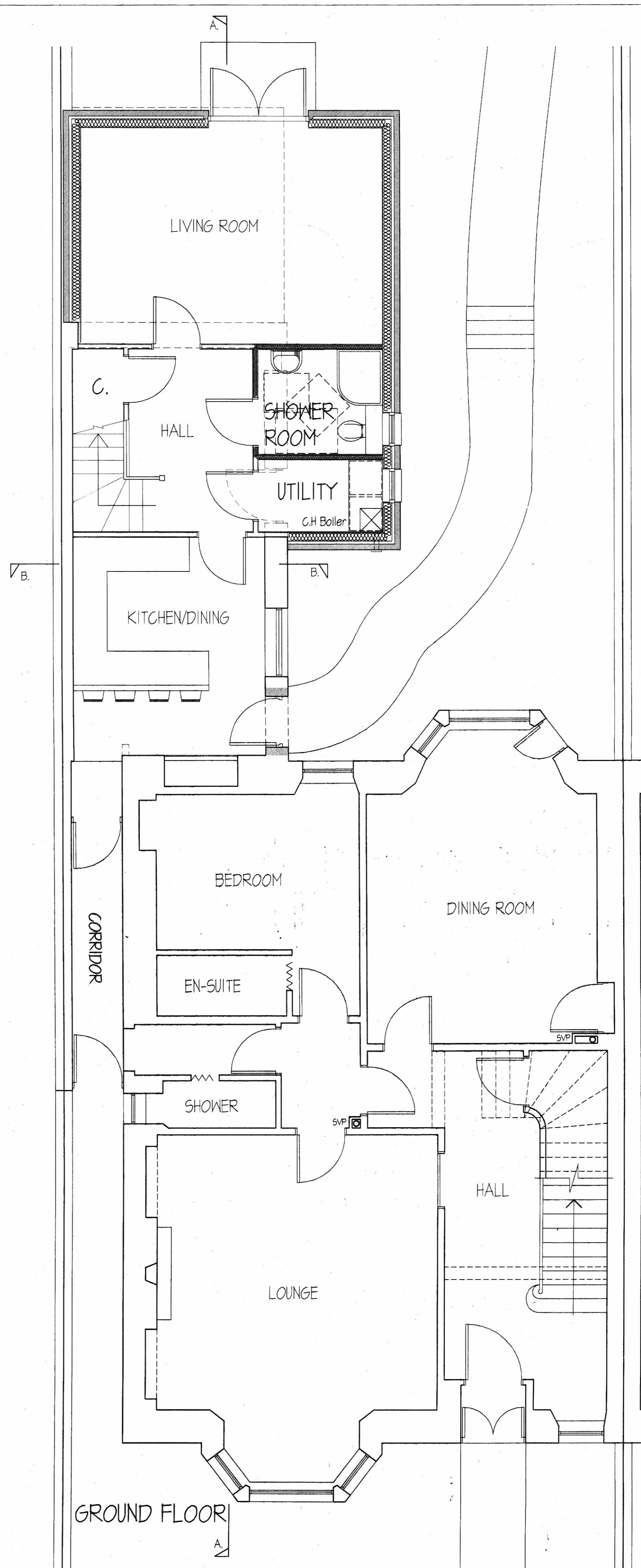
**Squire Associates**

430 CLIFTON ROAD, ABERDEEN AB24 4EU  
Tel No. 01224 661838 - Fax No. 01224 662462  
E-mail: info@squire-associates.co.uk

BUILDING SURVEYORS & ARCHITECTS

scale 1:1000	date 18/06/01	drawn by
job no. 5805	dwg. no. LOCATION	rev





NOTES

All building works to be in accordance with the Building Standards (Scotland) Regulations  
Do not scale from drawing  
Contractors to verify all dimensions before manufacture of components and commencement of work  
Any discrepancies to be reported to Squire Associates office  
All dimensions are hard to blockwork or framing unless noted otherwise

ref	revision	date
Client: ROBERT FINNIE ESQ GRANITE CITY GUEST HOUSE 433 GREAT WESTERN ROAD ABERDEEN		
Job: ALTERATIONS TO OWNER'S ACCOMMODATION		
Title: PROPOSAL DRAWING FLOOR PLANS		

**Squire Associates**  
430 CLIFTON ROAD, ABERDEEN AB24 4EJ  
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E-mail: info@squire-associates.co.uk

**BUILDING SURVEYORS & ARCHITECTS**

scale	1:50
date	18/06/09
job no.	5805
dwg.no.	L(00)12
rev	



Notes:

**Demolitions:**  
Take down existing glazed sun room extension to rear of property.  
Make safe all existing services.  
All demolition to be BS 5396: parts 1 & 2, 1947 + BS 6871, 1982.  
Allow for removal of all materials from site to tip.

**Extension walls:**  
Natural granite to base course, lintels, sills and eaves band courses.  
Blockwork with grey granite chip dry dash finish.

**Existing walls:**  
Build up existing granite walls with second hand natural granite to match to raise wallhead as indicated.  
All boarding wall to no. 431 Great Western Road build up to new height in dense concrete blockwork and finish with grey granite chip dry dash and pre cast concrete copings & labelling. Allow for code 5 lead flashing ragged into wall at junction with existing roof of no. 431 Great Western Road.

**Roof:**  
Existing slates to be removed and laid aside for re-use.  
Allow for providing additional second hand matching slates as required.

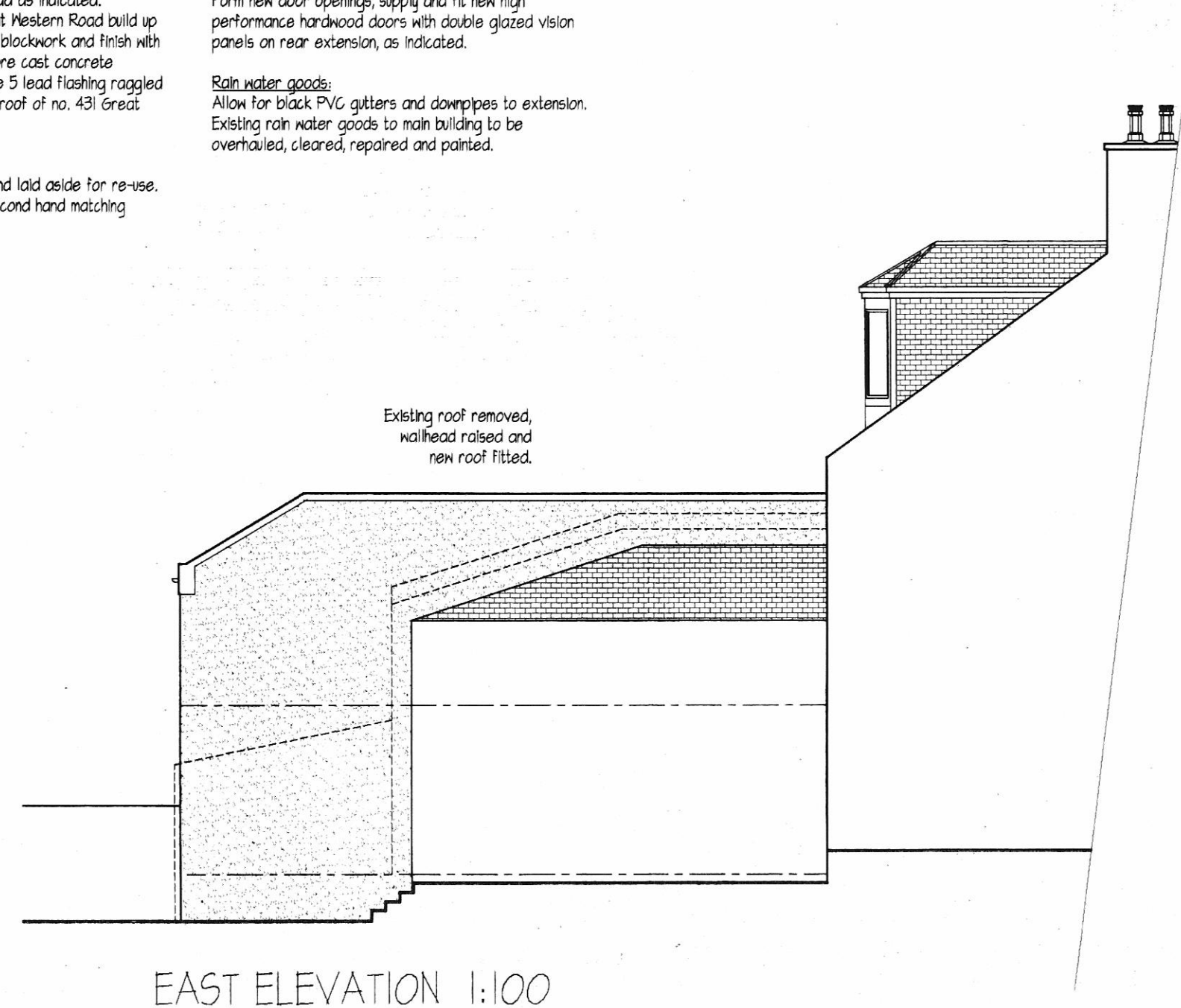
**Windows:**  
Existing windows to be retained.

**Existing rear extension:**  
Existing PVC windows retained to ground floor areas.  
At first floor existing window openings increased in height with new raised wallhead and fitted with new PVC high performance double glazed windows.

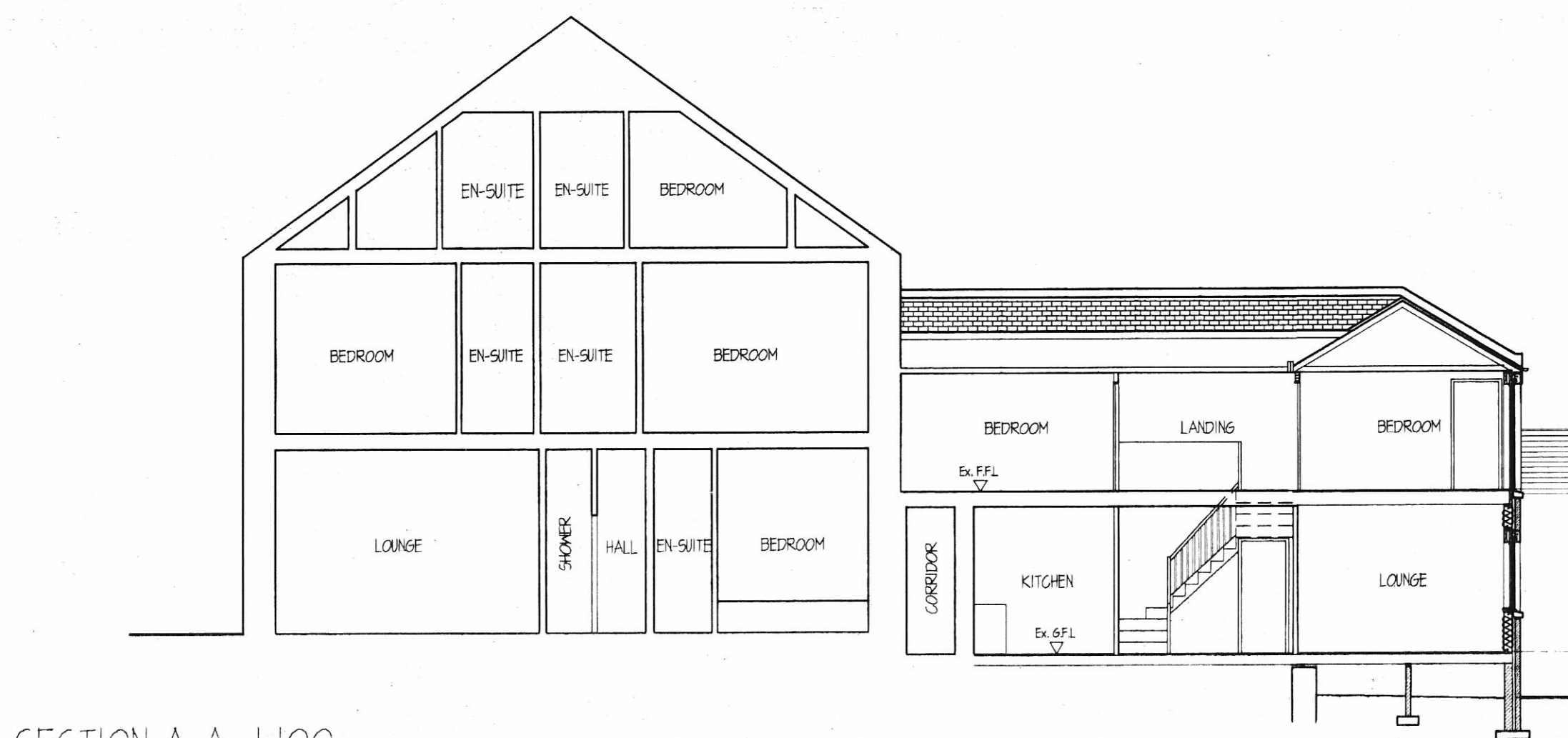
**New extension windows:**  
High performance double glazed PVC windows as indicated.

**Doors:**  
Existing main building doors to be retained.  
Form new door openings, supply and fit new high performance hardwood doors with double glazed vision panels on rear extension, as indicated.

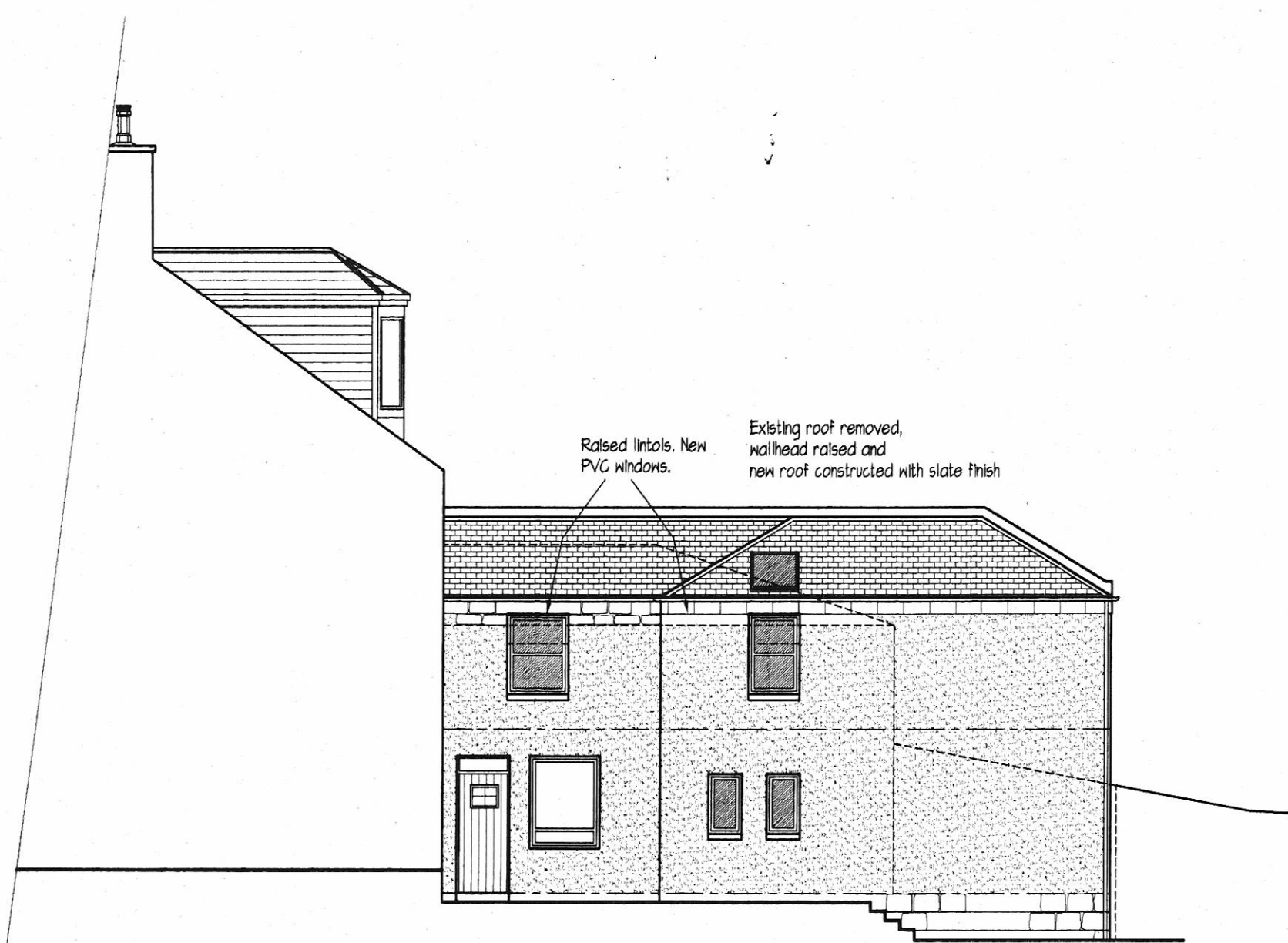
**Rain water goods:**  
Allow for black PVC gutters and downpipes to extension.  
Existing rain water goods to main building to be overhauled, cleaned, repaired and painted.



EAST ELEVATION 1:100



SECTION A-A 1:100



WEST ELEVATION 1:100



SOUTH ELEVATION 1:100



SECTION B-B 1:100

NOTES

All building works to be in accordance with the Building Standards (Scotland) Regulations.  
Do not scale from drawing.  
Contractors to verify all dimensions before manufacture of components and commencement of work.  
Any discrepancies to be reported to Squire Associates office.  
All dimensions are hard to blockwork or framing unless noted otherwise.

ref | revision | date

Client: ROBERT FINNIE ESQ  
GRANITE CITY GUEST HOUSE  
433 GREAT WESTERN ROAD  
ABERDEEN

Job: ALTERATIONS TO OWNER'S ACCOMMODATION

Title: PROPOSED ELEVATIONS SECTIONS



**Squire Associates**

430 CLIFTON ROAD, ABERDEEN AB24 4EJ  
Tel No. 01224 663838 - Fax No. 01224 662462  
E-mail: info@squire-associates.co.uk

BUILDING SURVEYORS & ARCHITECTS

scale 1:100  
date 18/6/09 | drawn by

job no. 5805 | dwg.no. L(00)13 | rev

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Signed (authorised Officer):

433 GREAT WESTERN ROAD, ABERDEEN

BUILD AN EXTENSION TO THE REAR OF  
THE EXISTING GUEST HOUSE

For: Mr Robert Finnie

Application Ref. : P091243  
Application Date : 05/08/2009  
Advert :  
Advertised on :  
Officer : Gavin Evans  
Creation Date : 9 October 2009  
Ward: Airyhall/Broomhill/Garthdee (S  
Cassie/J Wisely/I Yuill)  
Community Council: No response received

**RECOMMENDATION: Approve subject to conditions**

### **DESCRIPTION**

The application site is located on the southern side of Great Western Road, near its junction with Anderson Drive, and comprises a 2 ½ storey, mid-terrace granite property, with a small front garden and a long rear garden, which is served by a back lane running parallel to Great Western Road. The property has been previously extended, with a two-storey extension constructed in granite and slate running approximately 9m along the boundary with eastern boundary (shared with 431), and a more modern lean-to conservatory projecting a further 3.8m.

Parking for guests is provided in a gravelled area of roughly 170m<sup>2</sup>, located to the rear of the property, accessed from the rear lane and delineated from the rest of the garden by a 1.8m close boarded fence. The site is enclosed to the rear by a granite rubble boundary wall of approximately 1.6m. Screening given by this wall is supplemented by bushes and creeping plants on the boundary between numbers 433 and 435. Number 435 is also in operation as a guest house (The Fourways Guest House).

The application site is located within the Great Western Road Conservation Area (7).

## **HISTORY**

Planning permission was granted for a change of use from a private dwelling to allow use as a guest house in August 1990 (90/1189).

At their meeting of 7<sup>th</sup> February 2008, members of the planning committee resolved to refuse an application to convert the property into flats and construct an extension to the building, in accordance with officer recommendation.

## **PROPOSAL**

This application seeks permission for the construction of an extension to the rear of the property. It is proposed to remove the existing conservatory, constructed in uPVC and glass, and to extend the current extension. This would involve raising the wallhead height along the eastern boundary by approximately 600mm, with the newly altered rear wing being extended to replace the footprint of the former conservatory.

The level of the existing two-storey extension is to be raised at wallhead with salvaged granite, while the whole of finished extension will incorporate a synthetic stone stringcourse at eaves level. The new extension is to be constructed in blockwork with a grey granite chip drydash and a natural granite basecourse.

The proposal will not increase the existing built footprint on the site, but will increase floorspace through the addition of two-storey extension in place of what is currently a single-storey conservatory.

## **CONSULTATIONS**

ROADS SECTION – No objections to the proposals – It is noted that car parking guidelines recommend the provision of 1no additional off-street car parking space. Although this has not been provided, it is not considered that the shortfall would have a significant effect on parking.

ENVIRONMENTAL HEALTH – No observations

COMMUNITY COUNCIL – No observations received

## **REPRESENTATIONS**

No letters of objection have been received in relation to this application.

## **PLANNING POLICY**

### **Policy 1: Design**

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as scale, massing, colour, materials, details, the proportions of building elements and landscaping will be considered in assessing this.

### **Policy 40: Residential Areas**

The application site lies within an area designated for **R40: Residential** use in the **Aberdeen Local Plan**. **Policy 40** states that, within such areas, the predominantly residential character and amenity of the area will be retained. It is further stated that activities other than those of a

residential nature will not be permitted unless the City Council can be satisfied that the use would cause no conflict with, or nuisance to, the enjoyment of the existing residential amenity.

## **EVALUATION**

As the application site is located within an R40 Residential area, it should be assessed in terms of policy 40, with a focus on any resulting impact on adjacent residential uses or the amenity of the area generally. As the proposed development is located to the rear of the property, its visual impact will likely be less, though the proposal should be assessed in terms of policy 1. The location of the premises within the Great Western Road Conservation Area requires assessment of the impact of the proposals on the character of the Conservation Area. As noted above, the position of the works to the rear of the property is likely to ensure that the visual impact of the proposals is relatively minimal. It is noted that the rear of this property may be visible to north-bound traffic on South Anderson Drive, particularly if queued at the junction during peak times, but the design is considered to be of an acceptable standard, and is not considered likely to result in any adverse impact on the character of the Conservation Area.

The proposed materials are of an appropriate nature, and are consistent with those seen at other recent extensions to the rear of properties on Great Western Road. In terms of the impact on adjacent residential uses, it is noted that number 435 is also in use as a commercial guest house, and therefore its impact on residential amenity in terms of policy 40 may be considered to be less than if number 433 were a private dwelling. At present, there is a distance of roughly 9.5m between the rear extensions of the respective properties, and this would be lessened to roughly 7m through the proposed extension at number 433, which would project a further 2.5m westwards than the line of the existing extension.

In considering the accommodation provided in the new extension, it is noted that at ground floor level, westwards facing windows will be from a shower room and a utility room respectively. At first floor level, there are to be three bedrooms compared to the two in the existing extension. One of these is in the existing, largely unaltered part of the extension, and of the other two, one will include only a south-facing window. The remaining bedroom will feature a window facing towards number 435, though it is noted that there is a bedroom in a similar position in the current extension. The window-to-window distance of roughly 7m would clearly be considered sub-standard when assessing a new home, and perhaps even an extension to a private residential property. In the circumstances, however, the extension does not significantly alter the existing situation in terms of privacy, as there are currently 2 first-floor bedrooms with windows facing towards the extension at number 433.

A further consideration is the impact of the proposals on number 431, which is understood to be a private residential dwelling. The increased wallhead height is not likely to be of any consequence where this applies to the existing extension, 431 itself has a traditional granite extension, built across two-floors, which projects roughly 7m from the rear face of the property. What requires more careful consideration is the introduction of a two-storey element in the location of the existing conservatory. The projection of this new two-storey element would be roughly 3.8m beyond that of the rear wing at number 431.

There is currently a single tree planted on the opposite side of the boundary wall at this point, though it is not considered that the proposed extension would compromise the tree. With the existing extensions at both numbers 433 and 435, a significant shadow will be cast over the

upper sections of the rear garden at 435 currently. The addition of an additional 2-storey element in the proposed location is unlikely to have any additional impact of any real significance. It is further noted that the property at number 435 has retained almost the entire rear garden in soft landscaping, and therefore any impact as a result of the proposed development would be less significant in relative terms as a large area of garden ground would be entirely unaffected.

In conclusion, the proposed extension is not considered to result in any significant impact on the existing residential amenity of the area, nor would there be any conflict with, or nuisance to, existing adjacent uses. The proposed extension is considered to have been designed using appropriate materials and detailing, and is of an acceptable scale in this context. It is therefore recommended that the application be approved subject to appropriate conditions relating to construction materials.

## **RECOMMENDATION**

### **Approve subject to conditions**

with the following condition(s):

(1) that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity and preserving the character of the Conservation Area.

(2) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

(a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;

(b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or

(c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

## **REASONS**

The proposed extension is considered to have been designed with due regard for its context, both in terms of respecting the scale of existing buildings and in utilising appropriate materials in construction. The proposed works are considered to be compatible with existing adjacent uses, and will not result in any significant adverse impact on existing residential amenity. In considering the above, the proposals are considered to comply with policies 1 and 40 of the Aberdeen Local Plan. It is further noted that the proposed development would not result in any adverse impact on the character of the Great Western Road Conservation Area(7).

**From:** ShRobertson@aberdeencity.gov.uk  
**Sent date:** 24/05/2017 - 10:13  
**To:** thestephenclan@btinternet.com  
**Subject:** 170350 - 433 Great Western Road

Mike

The Conservation Team are internal consultees only, they are not available for applicants to discuss individual applications of this nature. Ultimately the handling of the application is the case officers responsibility. The issues regarding the proposal as submitted are not just focused on impact to the character of the Conservation Area. There are wider issues of impact to neighbouring properties from the 2 storey element and the fact that this element is contrary to the guidance on householder development in terms of projection, and the scale and massing which doesn't comply with design policies.

The extension to the neighbouring property was approved well before the new Local Plan policies and Householder Development Guide therefore cannot be used as a precedent for your client to do something similar.

In reality, the only acceptable extension will be a rebuild of the existing extension. The options are

- Withdraw the current application, and submit a fresh application to erect a single storey extension on the footprint of the existing extension.
- Opt to proceed with the current application in which case it will be refused. Your client will of course have the opportunity to appeal the decision.

The current application is due for determination no later than 02/06 therefore I would be grateful if you could get back to me as soon as possible before that date to advise me of your clients decision.

Regards

Sheila

**From:** MICHAEL STEPHEN [mailto:thestephenclan@btinternet.com]

**Sent:** 24 May 2017 07:28

**To:** Sheila Robertson

**Cc:** Kenny Diack

**Subject:** Re: RE: 170350 - 433 Great Western Road

Good morning Sheila,

I have discussed your undernoted comments with my client and, understandably, he is very disappointed with the Conservation Teams comments.

At our latest meeting we looked at the possibility of having a ground floor extension with a smaller wrap round extension to match the extension next door.

Can you advise if this is a solution you Conservation Team would consider. I can prepare a sketch if you wish.

Is it also possible for my client and myself to meet with the Conservation Team to discuss further before my client decides how he wishes to progress with this application.

regards

*mike stephen*

Mike Stephen Architectural Design Ltd

home: 01224 310313 mobile: 07789 446 909

-----Original message-----

From : [ShRobertson@aberdeencity.gov.uk](mailto:ShRobertson@aberdeencity.gov.uk)

Date : 18/05/2017 - 15:53 (GMTDT)

To : [thestephenclan@btinternet.com](mailto:thestephenclan@btinternet.com)

Subject : RE: 170350 - 433 Great Western Road

Mike

Sorry for delay in responding, I've only just managed to discuss with the Conservation Team this morning and unfortunately they aren't willing to support the formation of additional accommodation at upper level. Therefore their original view stands - that only a single storey extension in place of the existing lean to extension would be acceptable. Obviously this isn't going to be sufficient to provide your client with the accommodation they were hoping to achieve. . Can you check with your client how they wish to progress the application, if at all?

Could you also email me the photograph of the listed building off Morningfield Road, where your client is considering forming a balcony.

Regards



Sheila

**From:** MICHAEL STEPHEN [<mailto:thestephencan@btinternet.com>]

**Sent:** 05 May 2017 10:09

**To:** Sheila Robertson

**Subject:** RE: 170350 - 433 Great Western Road

Good morning Sheila,

Further to our meeting on Tuesday 2nd May 2017 please find attached amended .pdf copies of the floor plans and elevations for you to re-consider and discuss with your colleagues in the conservation team.

I have looked at trying to reduce the height of the roof to the first floor extension but unfortunately I was unable to achieve a usable headroom as the existing ceiling height above the windows is only 1680mm.

The height of the proposals on the North Elevation has been reduced by retaining the existing ground level with access to the lower store achieved by stepping down to the access door.

The drydash render has been removed and replaced with wetdash render as discussed.

I have retained the windows in PVC-u (to match the existing annex) as I feel timber windows, as originally suggested, will look out of place in this instance. The adjacent properties either side have PVC-u windows throughout their property.

I look forward to your thoughts.

regards

*mike stephen*

Mike Stephen Architectural Design Ltd.

home: 01224 310313 mobile: 07789 446 909

-----Original message-----

From : [ShRobertson@aberdeencity.gov.uk](mailto:ShRobertson@aberdeencity.gov.uk)

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## Report of Handling Detailed Planning Permission

**170607/DPP:** Change of use of open space to garden ground and the erection of a domestic garage with associated access at 513 Great Northern Road, Aberdeen, AB24 2DD.

For: Miss Aline Lataix

Application Date:	9 June 2017
Officer:	Siobhan Wolverson
Ward:	Hilton/Woodside/Stockethill
Community Council:	Woodside
Advertisement:	NOT1 – No premises on neighbouring land
Advertised Date:	21 June 2017

**RECOMMENDATION: Refuse**

### SITE DESCRIPTION

The application relates to an area of land to the rear of a 1½ storey, traditional granite property which has been divided into flats, with a northeast facing principal elevation. The application property is situated approximately 16m back from Great Northern Road and as a result has a large front garden. To the rear there is a narrow patio area which backs onto an enclosed playing field, with a narrow strip (4.5m wide) of open, grassed land in-between. This open space is owned by Aberdeen City Council and runs along the full length of the playing field, with three buildings along Great Northern Road, all of which are flats, backing openly onto it (a further building is separated from the open space by a high wall). The site would be accessed via the rear of these properties; with no direct access from either Deer Road or Great Northern Road. Beyond a strip of trees, a further area of open space continues west to Society Lane.

### DESCRIPTION OF PROPOSAL

Planning permission is sought to convert a section of the open space where it meets Deer Road to garden ground with a single garage (10m length, 4.1m width and 3.6m height) and patio (4.5m length, 4.1m width). The total length of the development, in addition to the ramped driveway entrance, would be 17.8m. As the open space has a higher ground level in comparison to Deer Road and the application property, this would have to be lowered by up to 2.4m to allow access from Deer Road. A retaining wall would also need to be built along the boundary. Pedestrian access would be created to the proposed patio from the rear of the application property, with three steps leading up to the site.

The proposed garage would have a pitched roof with concrete tiles, grey uPVC rainwater goods, grey rendered walls, white fascias, a white timber access door to the west and a black metal car-entry door to the east. There would be no windows.

## RELEVANT HISTORY

None

## SUPPORTING DOCUMENTS

All drawings and supporting documents can be viewed on the Council's website at <https://publicaccess.aberdeencity.gov.uk/online-applications>.

## CONSULTATIONS

Consultee	Date of Comments	Summary of Comments
ACC - Roads Development Management Team	N/A	No comments received; it is therefore assumed that they have no objection to the proposed development.
ACC - Land and Property Assets	13 June 2017	Should the application be approved, the applicant is required to contact the Estates Team regarding the sale of land.

## REPRESENTATIONS

None

## PLANNING POLICY

### Aberdeen Local Development Plan 2017

- D1: Quality Placemaking by Design
- D2: Landscape
- H1: Residential Areas
- NE3: Urban Green Space
- NE5: Trees and Woodland

### Supplementary Guidance

- Householder Development Guide
- Transport and Accessibility
- Green Space Network and Open Space

## 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.

### Open Space

The strip of land to the rear of the application property is considered an area of urban green space, even though it has not been identified as such on the proposals map of the Aberdeen Local Development Plan due to its small size. As per Policy NE3, planning permission is not usually granted to redevelop urban green space. There are exceptions to this policy; however this application does not satisfy the terms of a number of these exceptions:

- It is believed that the loss of this space would lead to an impact on the landscape character and amenity of the site and adjoining area, as it contributes to the setting of a number of properties (all flats) and to the wider surrounding area;
- Strips of land like this, which border small area of woodland and other green spaces, such as the school playing fields it abuts, may also be important wildlife corridors, which provide a valuable service to the city;
- This development would lead to the loss of a relatively established tree. This would be contrary to the aspiration of Policy NE5, although it is recognised that the tree has no statutory protection;
- It is also not possible for replacement green space of similar or better quality to be provided immediately adjacent to this site which would offer the visual benefit that this open, grassed area provides when compared to replacing it with a development such as the proposal.

### Residential Amenity

The inclusion of this open space into garden ground to facilitate the construction of a garage and patio would impact the general amenity of the area, with views to the south from the flatted properties being impacted by the loss of this green space. This takes into account the context of the site, as the rear curtilage is very small and the raised open space contributes to the visual amenity of the area. There is then a large netted fence between the open space and the playing field.

No other impacts on residential amenity are considered likely from the proposed garage in regards to overshadowing or effects to existing levels of privacy.

### Garage Dimensions

The proposed garage complies with the minimum acceptable external single garage space (6m x 3m), internal space (5.7m x 2.7m) and entry size (2.25m width and 1.98m height), as per *Transport and Accessibility*. The external size of the proposal would be 10m x 4m, the internal would be 9.5m x 3.8m and the entry door would have a width of 2.7m and a height of 2m. Roads Development Management has not commented on the proposal, and it is therefore assumed they have no objection to the proposed development.

### Conclusion

It is considered that by granting consent for the proposed development an undesirable precedent for development of a similar nature would be set. In this instance there are no material planning considerations which would warrant approval of planning permission. The proposal is therefore recommended for refusal for the reason detailed below.

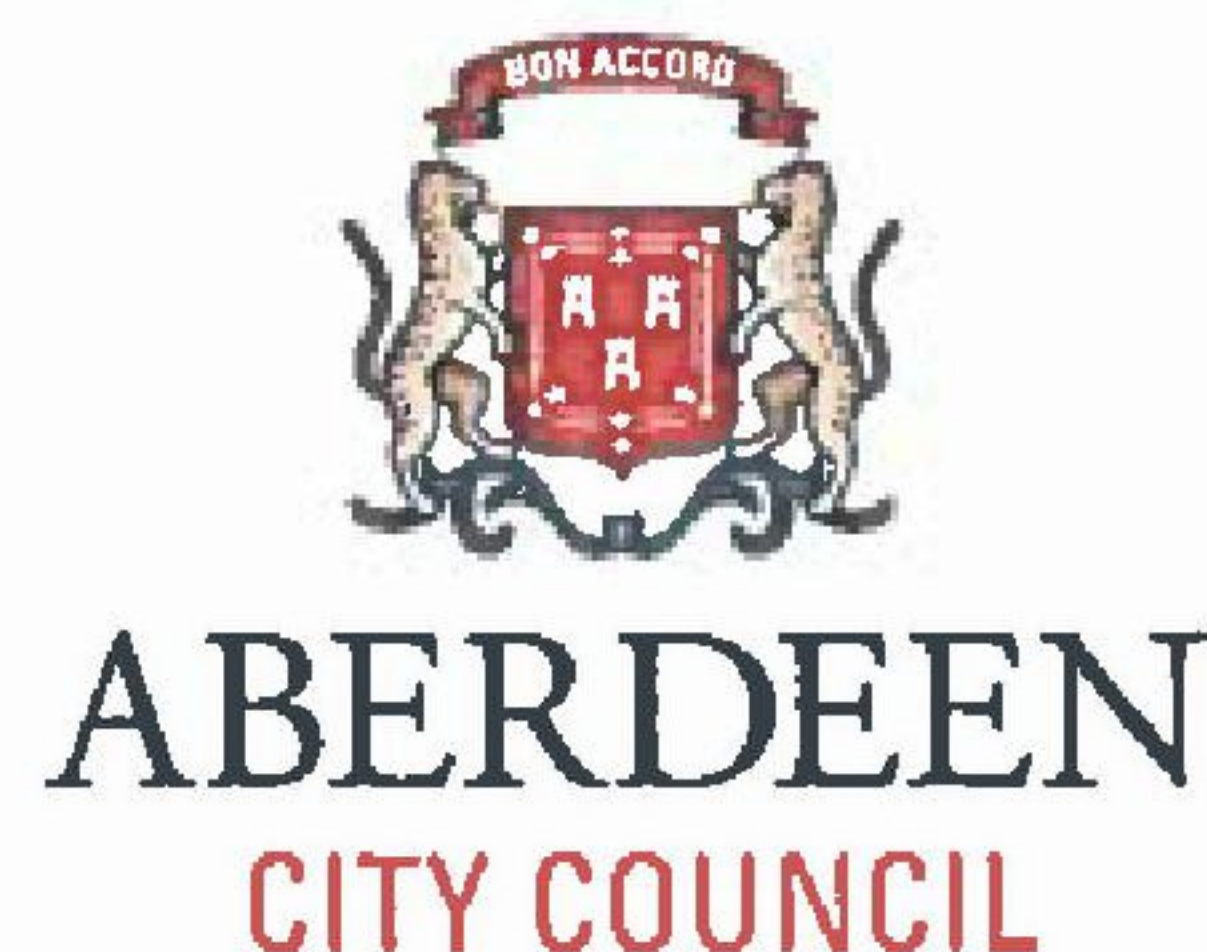
### **RECOMMENDATION: Refuse**

### **REASONS FOR RECOMMENDATION**

The proposal would lead to the loss of an area of urban green space which would result in negative impacts on the landscape character and amenity of this area. This would affect the setting of the nearby properties (flats), adversely affect the character of the surrounding area and may also obstruct a wildlife corridor. It is also likely to lead to the removal of a relatively established tree and no replacement open space close to this area would be provided of similar or better quality. In addition, it would have a negative impact on general residential amenity through the loss of open space. Therefore, although complying with Supplementary Guidance (Transport and Accessibility) as the proposed garage would exceed the minimum standards in relation to size, the proposal fails to accord with Policies D1 (Quality Placemaking by Design), H1 (Residential Areas), D2 (Landscape), NE3 (Urban Green Space) and NE5 (Trees and Woodland) of the Aberdeen Local Development Plan, in addition to the associated Supplementary Guidance (Householder Development Guide; Green Space Network and Open Space). There are no material planning considerations which would warrant approval of planning permission in this instance.



Our Ref: NS/9584  
Your Ref:  
Contact Debbie Wyllie  
Email [estates@aberdeencity.gov.uk](mailto:estates@aberdeencity.gov.uk)  
Direct Dial 01224 523064  
Direct Fax 01224 523315



22 November 2016

Ms Aline Lataix  
513 Great Northern Road  
Aberdeen  
AB24 2DD

Communities, Housing and  
Infrastructure

Land and Property Assets  
Aberdeen City Council  
Business Hub 10  
Second Floor South  
Marischal College  
Broad Street  
Aberdeen AB10 1AB

Tel 03000 200 292  
Minicom 01224 522381  
DX 529451, Aberdeen 9  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Dear Ms Lataix

**Property Enquiry: 9584**

**Subjects: Request to Purchase Area adjacent to 513 Great Northern Road, Aberdeen**

I refer to your recent application and relating correspondence requesting that Aberdeen City Council consider the sale of an area of ground which lies to the south of your property. We have now undertaken our consultation and report on the outcome below.

**Description**

The area of ground you enquired about extends to approximately 203 square metres and is located adjacent to your property at 513 Great Northern Road shown outlined in red on the attached plan.

**Ownership**

Following research into the ownership of this area of ground I can confirm that the subjects are held in the ownership of the Council. I can further confirm that there are no title restrictions which would prevent the sale of this area of ground.

**Outcome of Consultation**

I can confirm that in line with Council procedure the following response to our consultation has been received:

**Planning and Sustainable Development Service**

Following consideration of the information available, this Service is unable to confirm if a future planning application would be looked upon favourably. Therefore at this time this Service would not be in favour of a sale until such time as formal planning permission has been received.

**Roads Service**

This Service has no road concerns with the aforementioned application to purchase ground. However, it is intimated that there is a possibility that the purchaser may wish to create an entrance from Deer Road for vehicular access. This Service would like to stress that this will



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require separate planning permission and it should be noted that the approval by Roads for purchasing this land is not an indication of any decision that may be made with respect to any future applications.

**Public Infrastructure and Environment Service**

The area has little amenity value and this Service would have no objections to the sale.

**Education and Children's Services**

This Service has no objection to the sale. Woodside Primary School has also been contacted and they too have no objection.

**Conclusion of Consultation**

Following the consultation I can confirm that the Council are not prepared to proceed with the proposed disposal of the area of ground outlined above. However if you can confirm that you will submit a planning application for the ground, we may then be in a position to agree Heads of Terms. We will also have to contact the other adjacent owners to check if they may wish to purchase the ground.

**Appeal Process**

I can advise that there is an appeal process available, should the consultation result in the decision that the Council will not progress the disposal of the ground outlined above. **If the reason for the rejection of the application is due to objections from the Planning and Sustainable Development Department we advise that you contact that department directly on 01224 523470 for further information.** If the objections are from any other department, you as the applicant have the right to request the decision be referred to the next available Finance Policy & Resources Committee who will make the decision. Please note that any appeal to Committee will result in a further administration charge of £250 plus VAT to cover the additional administration cost of submitting a report to Committee. This administration fee must be paid prior to any commencement of any appeal process.

On this occasion we are not in a position to progress your application due to objections from the Planning and Sustainable Development Service. However if you wish to discuss any of the above do not hesitate to contact me at the telephone number above.

Yours sincerely



Debbie Wyllie  
Team Leader - Estates

PETE LEONARD  
DIRECTOR





0 10 20 40 Metres

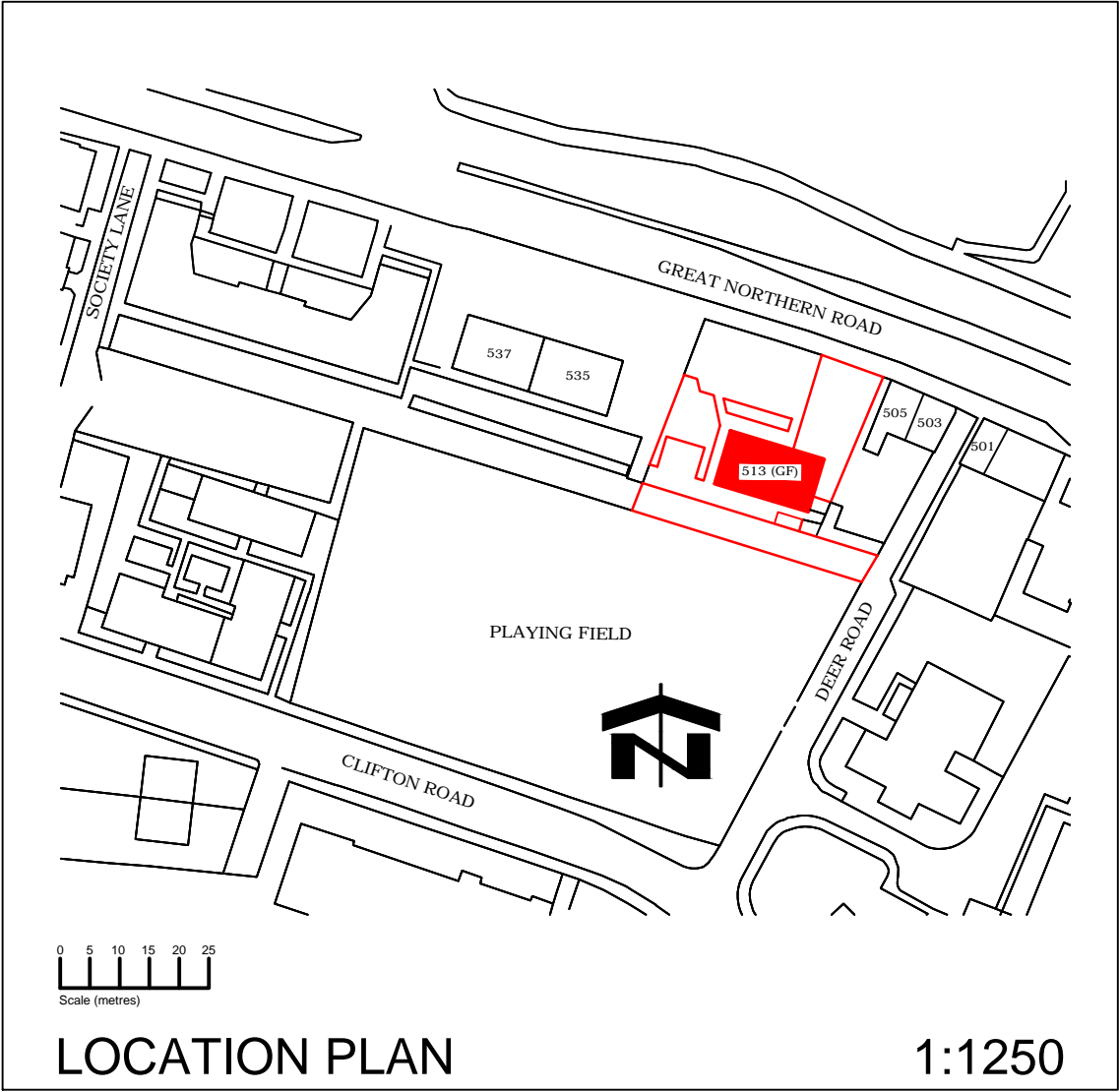
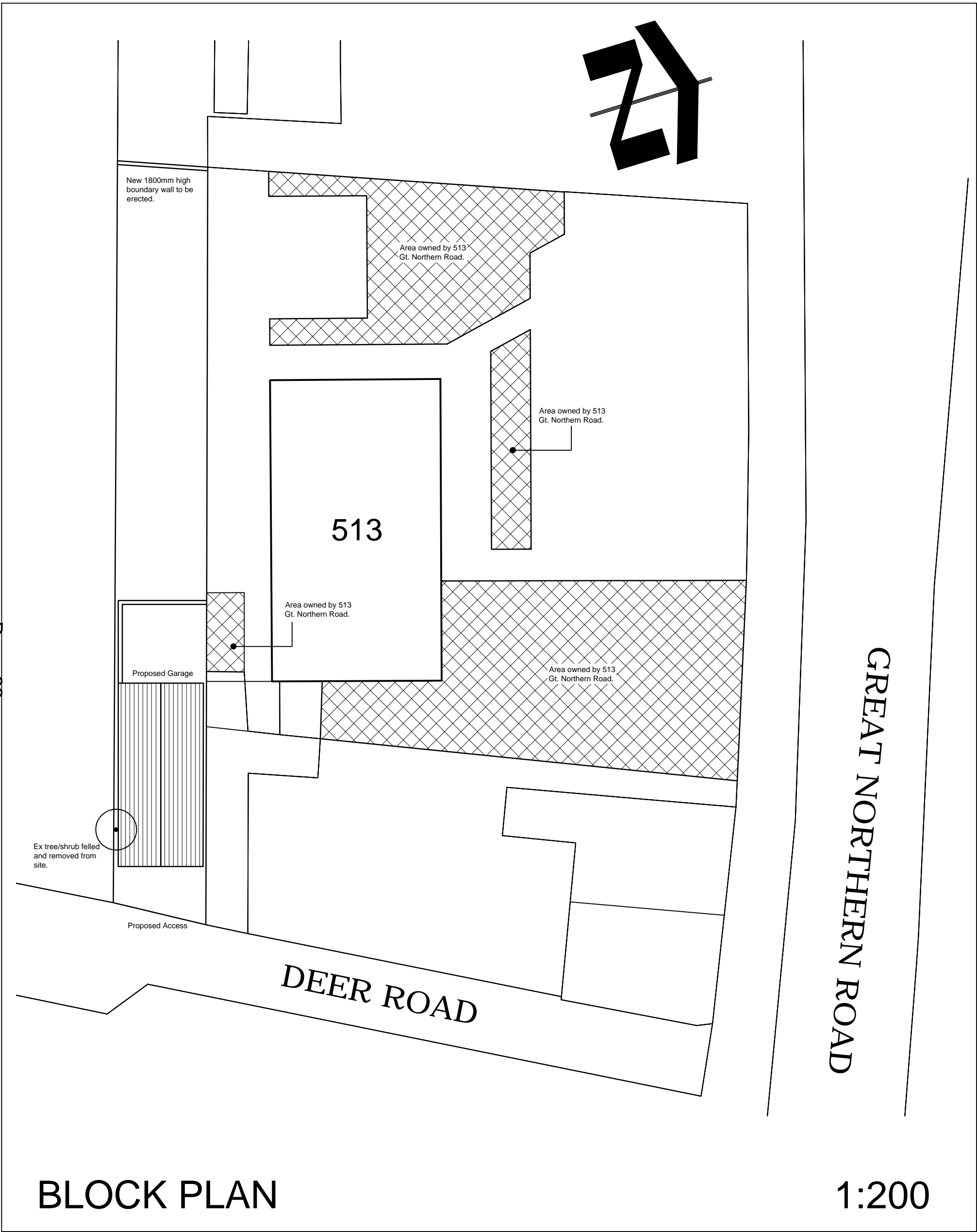
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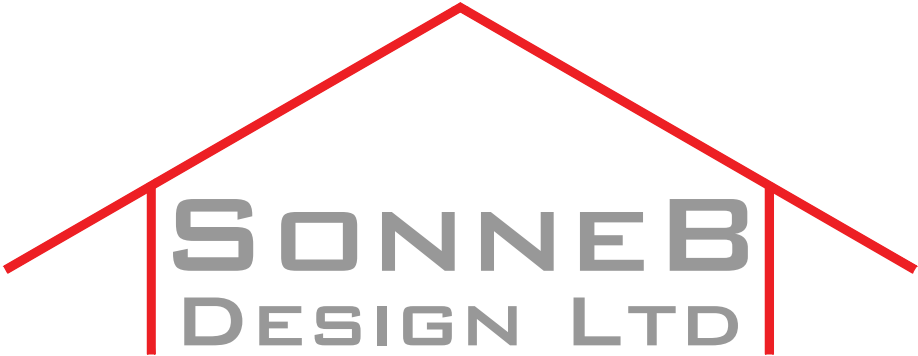


**NEW GARAGE NOTES (OUTLINE SPECIFICATION) FINISHES AND MATERIALS**

Existing tree/shrub within curtilage of site to be felled and removed as indicated on the block plan.

- New Roof**  
New pitched roof to be interlocking concrete roof tiles grey in colour as indicated on plans.  
New roof to have grey, deep flow upvc gutters and downpipes.
- New External Walls.**  
New timber access door to rear of garage to be white timber. Main door to front of garage to be metal up and over garage door, color finish to be black.  
Proposed garage to be rendered block (render colour to be grey).  
All new fascia's etc to be external grade plywood painted white to finish.  
All drainage to be tied back to existing house drainage.



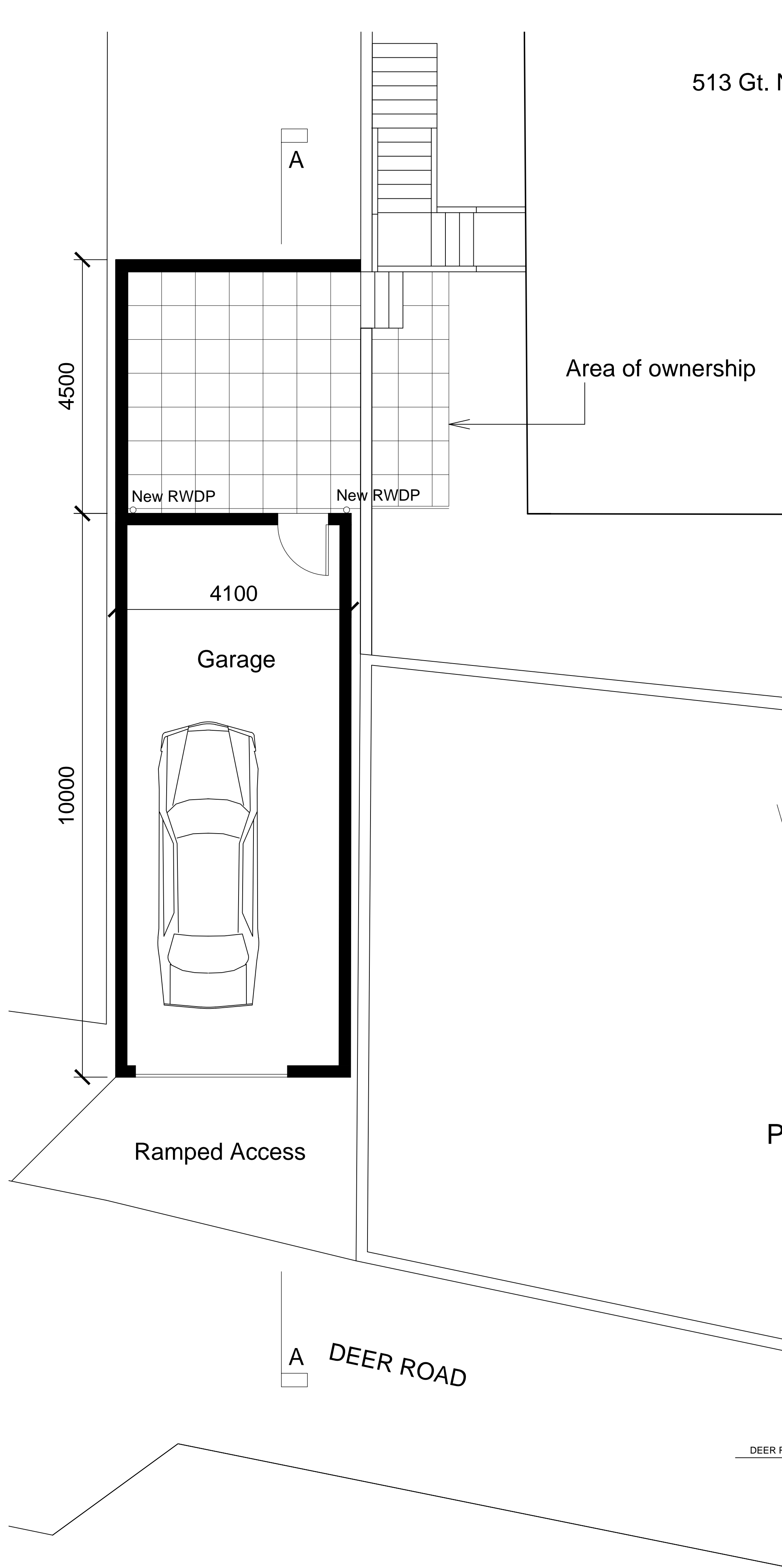


**SONNEB  
DESIGN LTD**  
TEL: 07425608511  
EMAIL: INFO@SONNEB-DESIGN.CO.UK  
WEB: WWW.SONNEB-DESIGN.CO.UK

JOB PROPOSED NEW GARAGE ON LAND ADJACENT TO 513 GREAT NORTHERN ROAD, ABERDEEN, AB24 2DD.		
TITLE LOCATION/BLOCK PLANS & SPEC.		
DATE MAY 2017	SCALE AS STATED	DWG NO AA-01

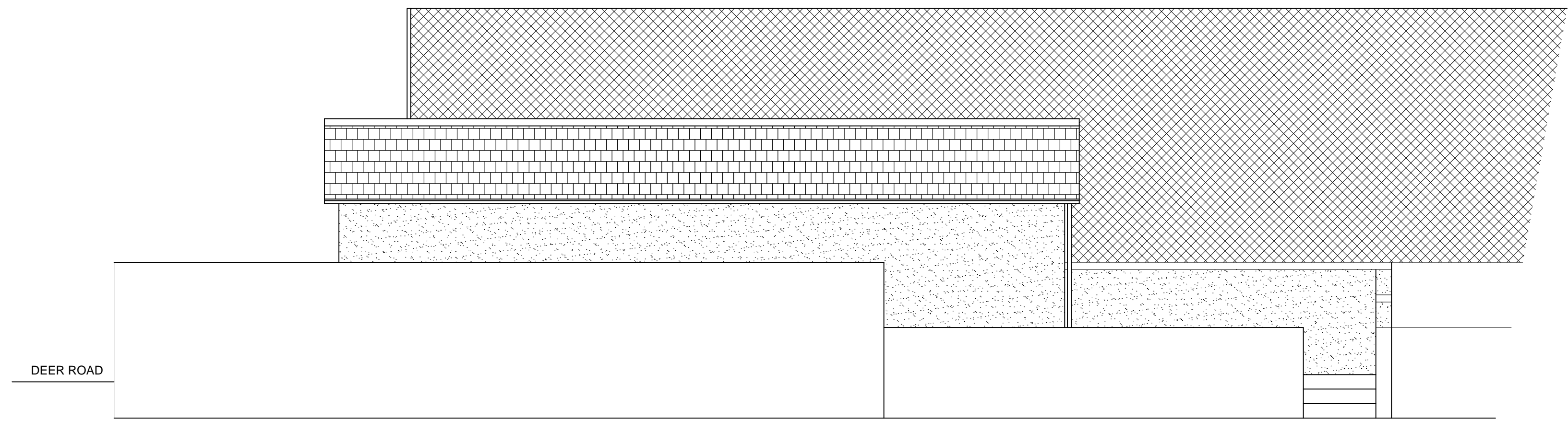


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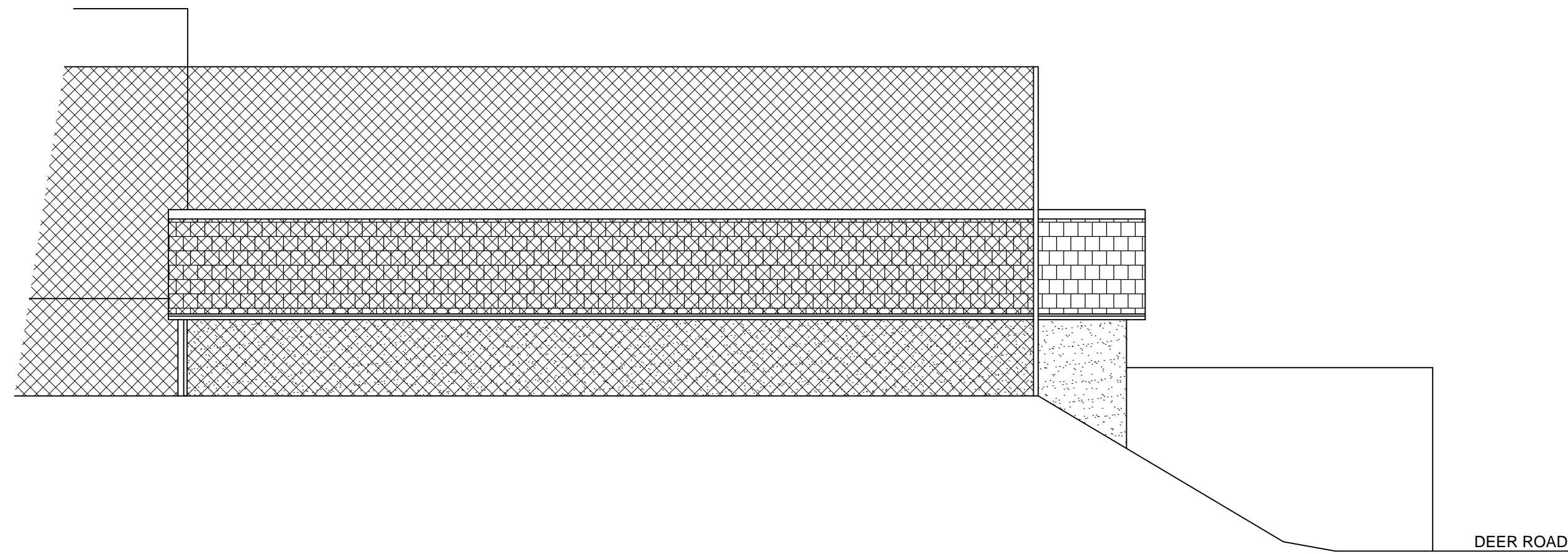


PROPOSED PLAN 1:50

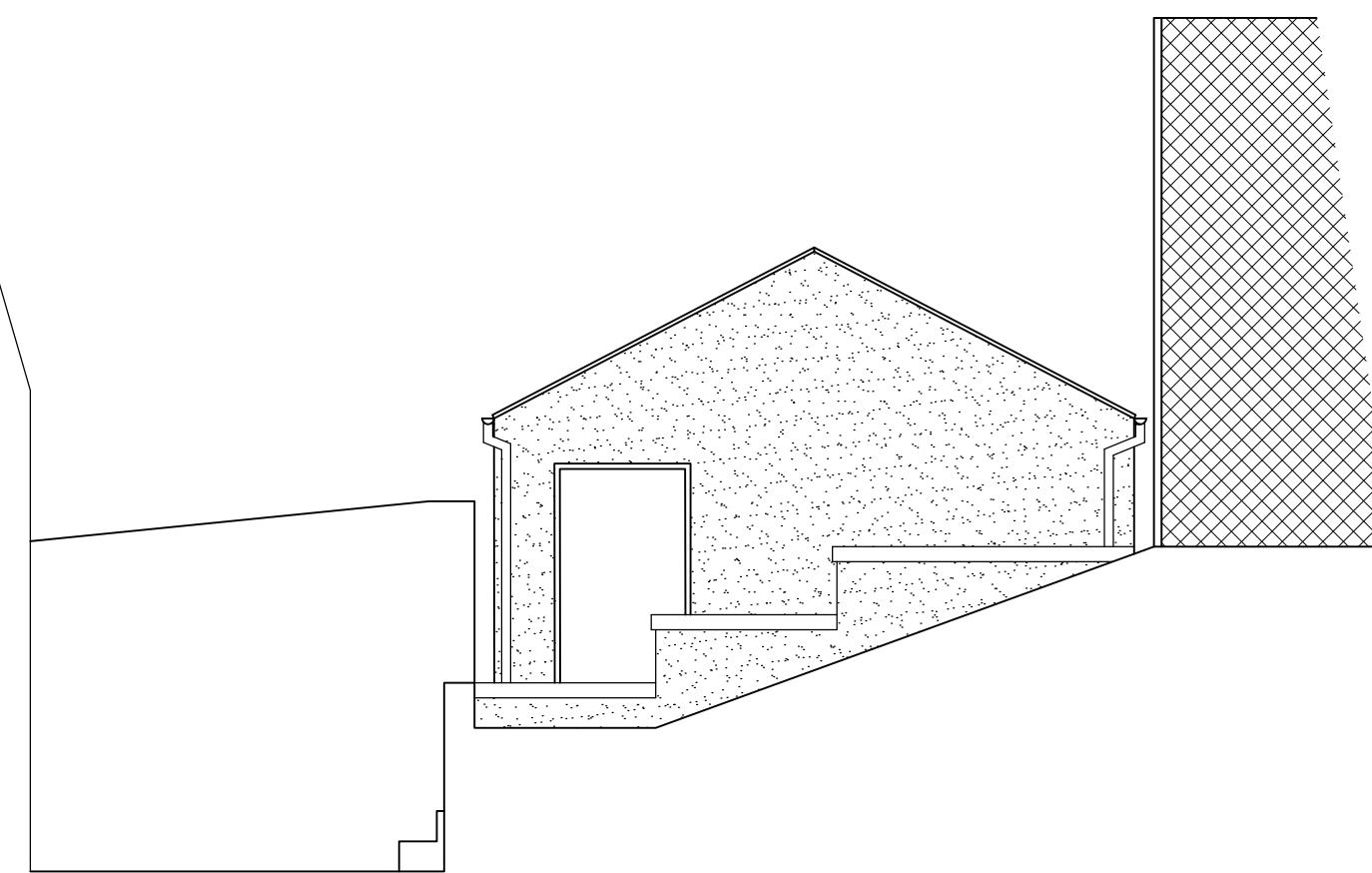
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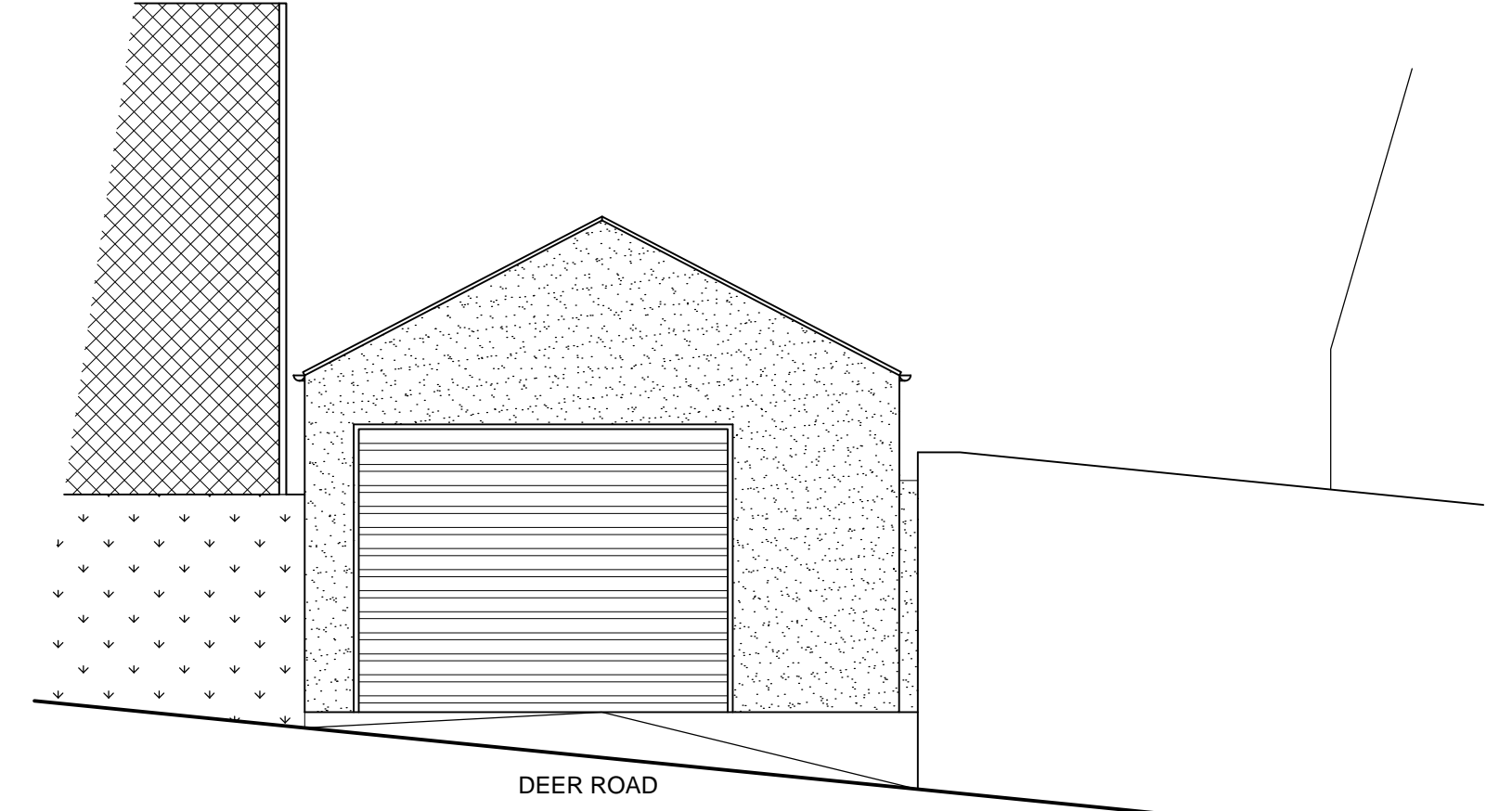
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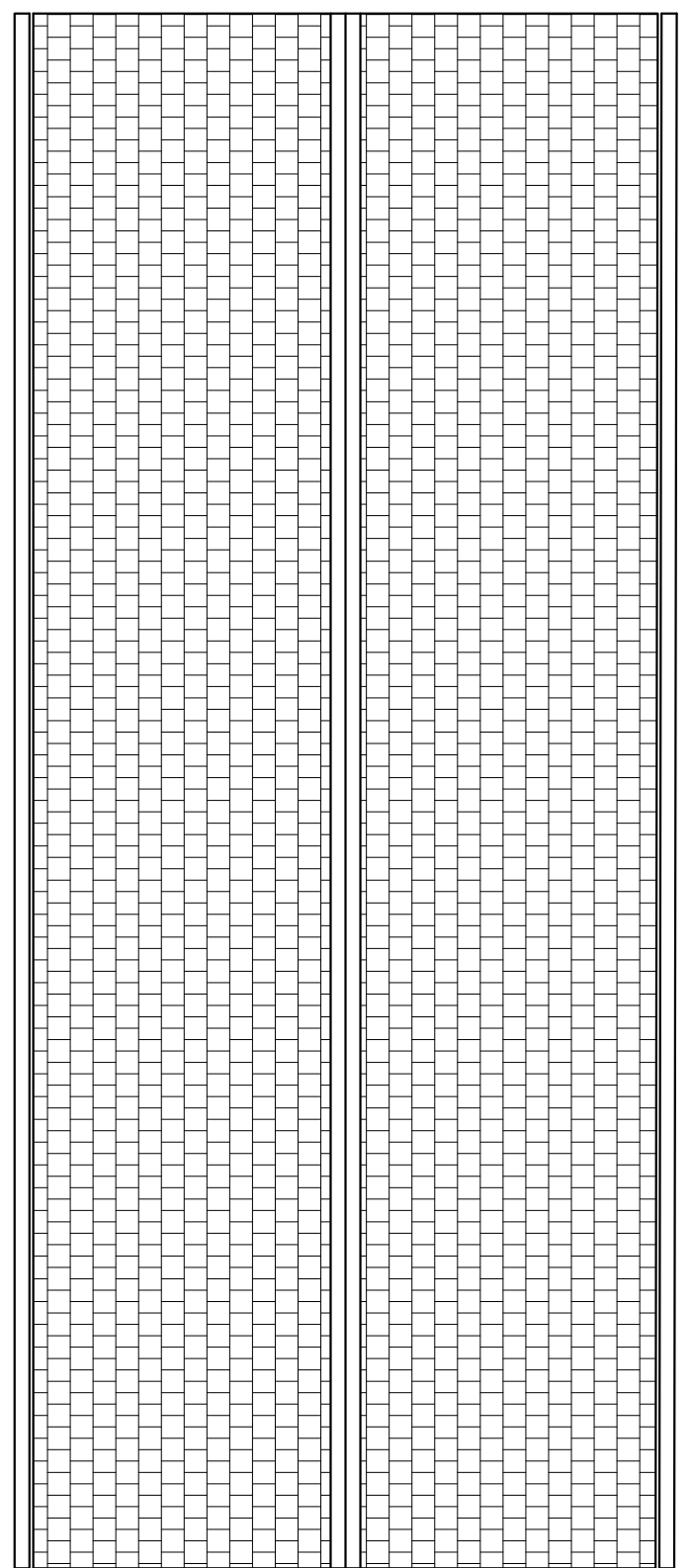
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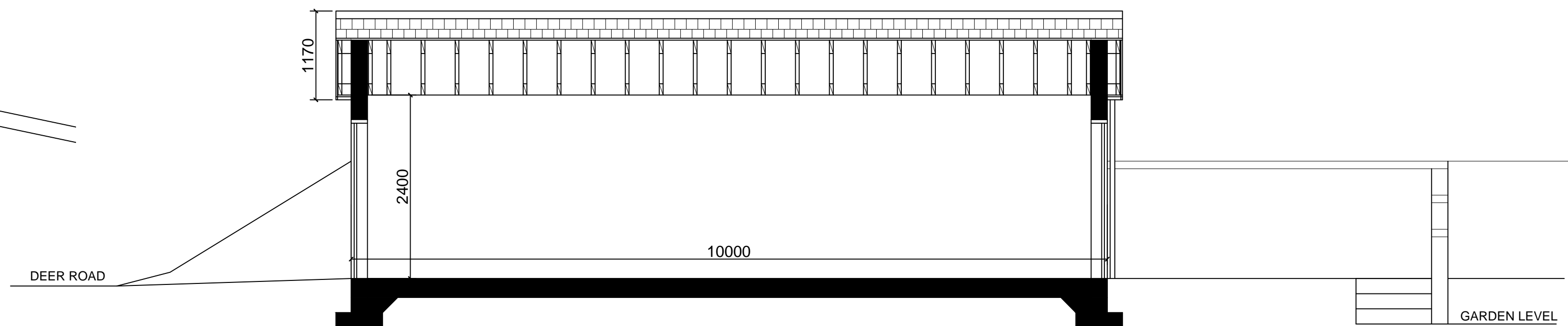
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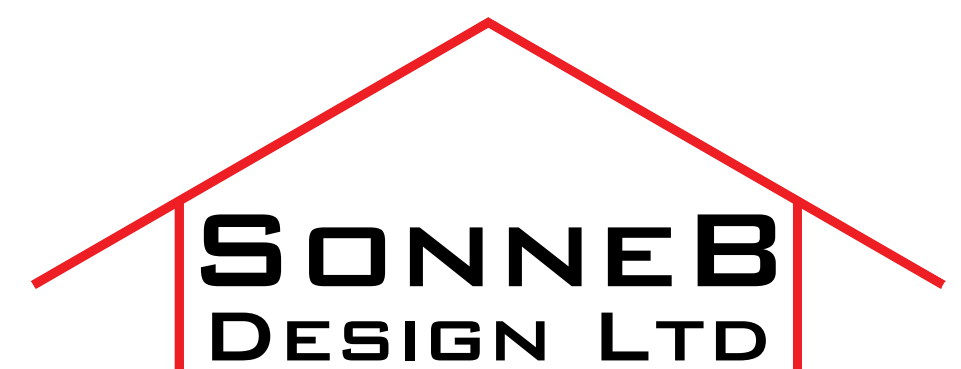
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ROOF PLAN 1:50



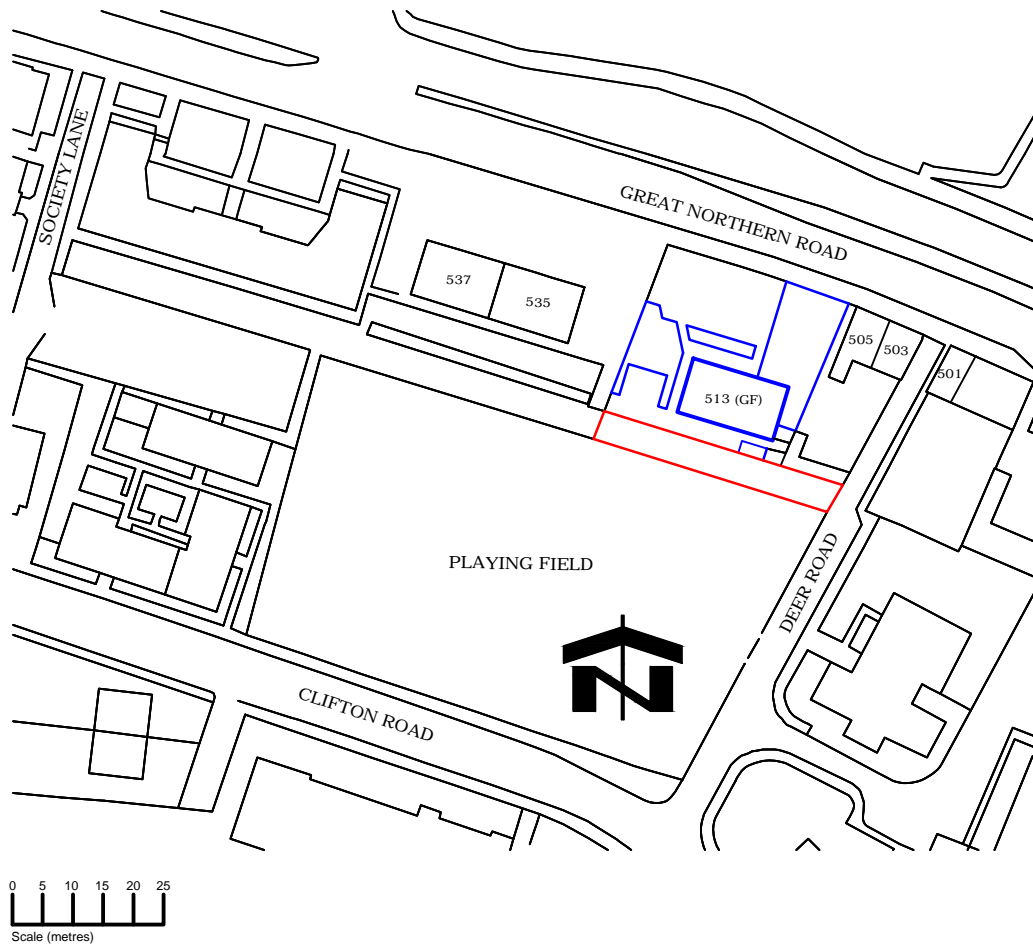
PROPOSED SECTION A-A 1:50



TEL: 07425608511  
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WEB: WWW.SONNEB-DESIGN.CO.UK

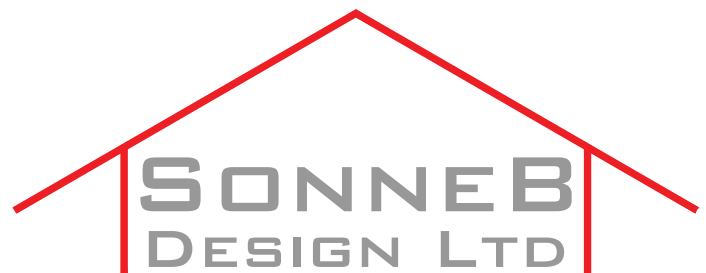
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PROPOSED NEW GARAGE ON LAND ADJACENT TO 513 GREAT NORTHERN ROAD, ABERDEEN, AB24 2DD.		
TITLE		
PLANS, ELEVATIONS & SECTION		
DATE	SCALE	DWG NO
MAY 2017	AS STATED	AA-02

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LOCATION PLAN

1:1250



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WEB: [WWW.SONNEB-DESIGN.CO.UK](http://www.sonneb-design.co.uk)

JOB PROPOSED NEW GARAGE ON LAND ADJACENT TO 513 GREAT NORTHERN ROAD, ABERDEEN, AB24 2DD.		
TITLE LOCATION PLAN		
DATE MAY 2017	SCALE AS STATED	DWG NO LOC-01

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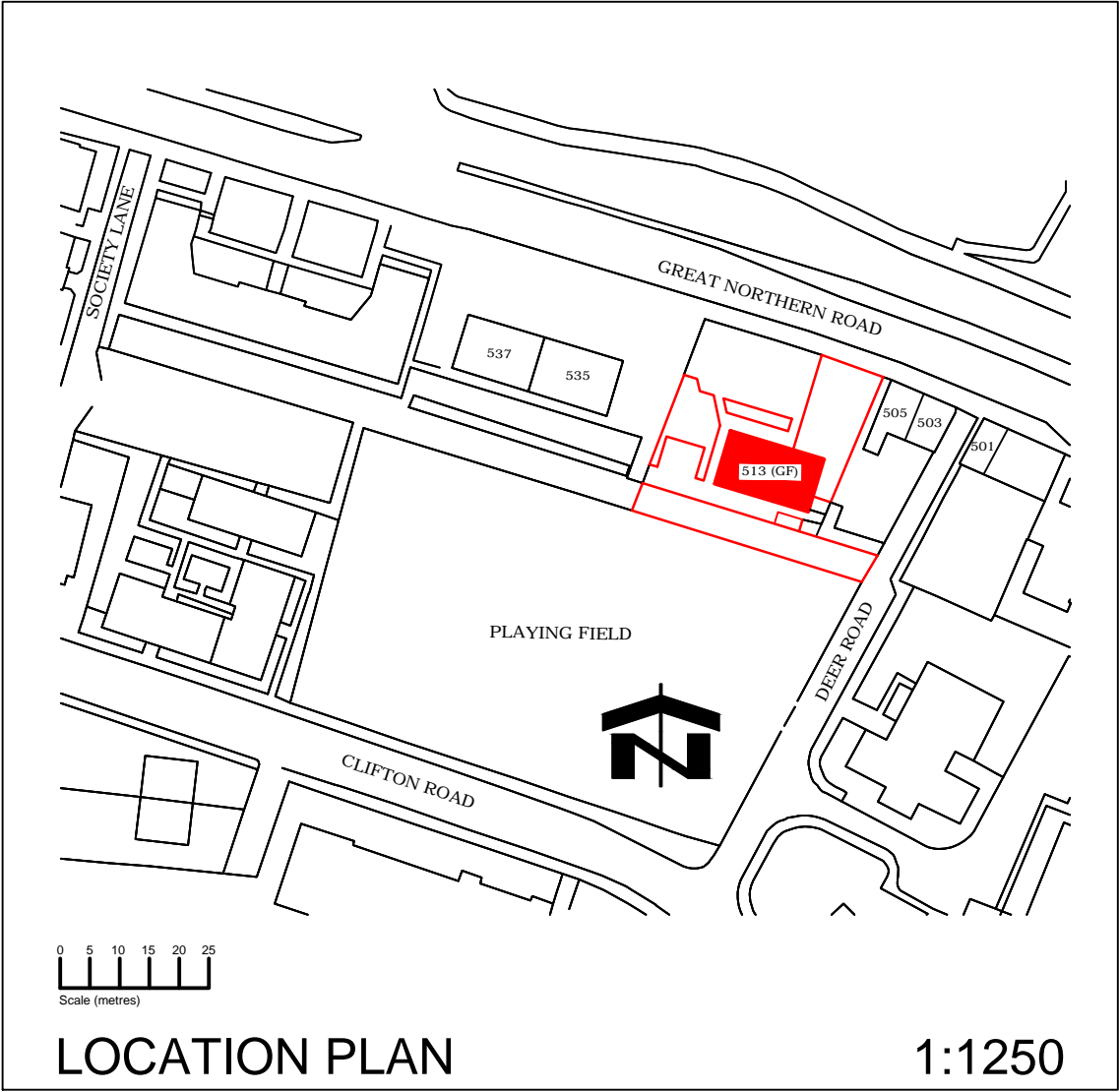
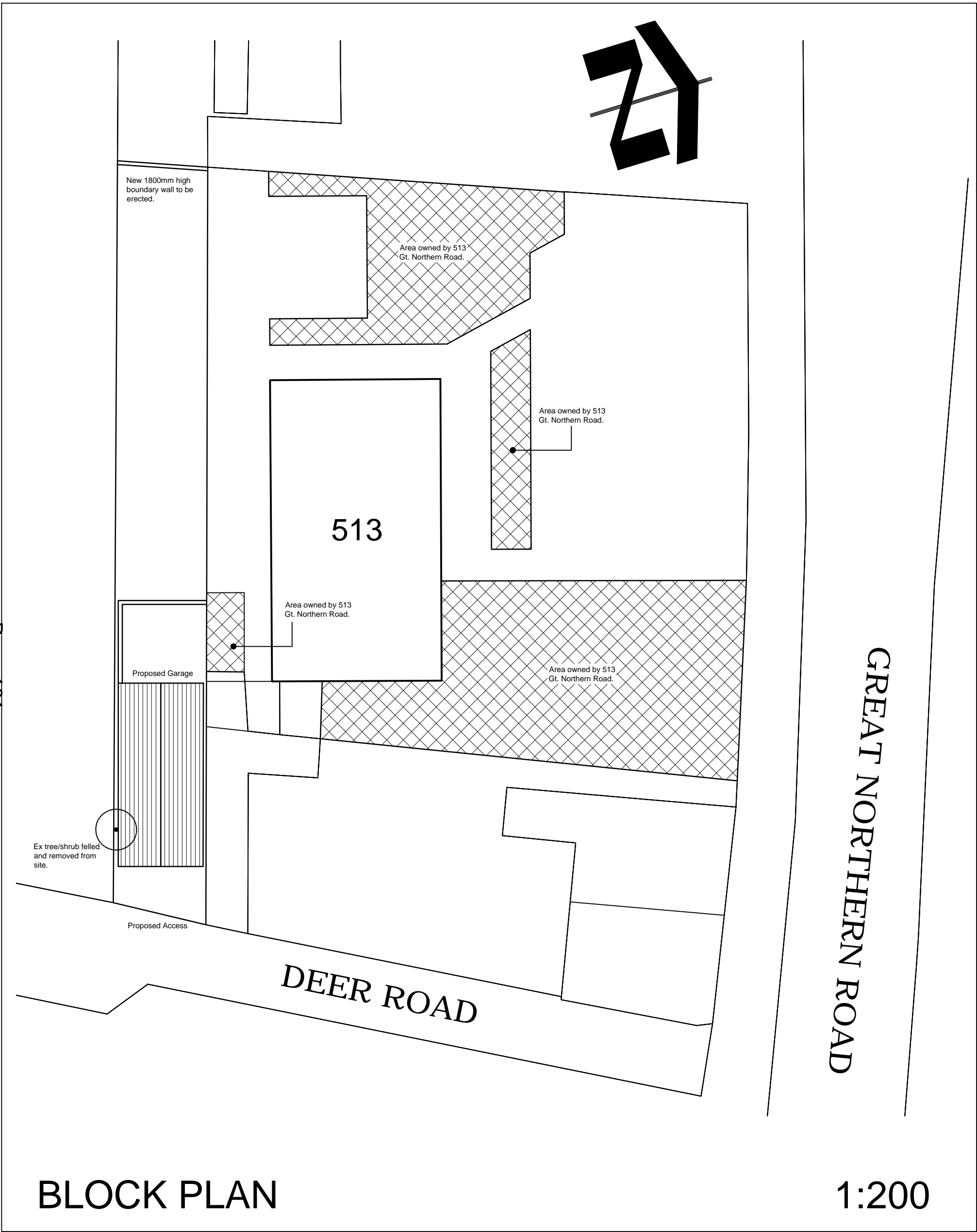








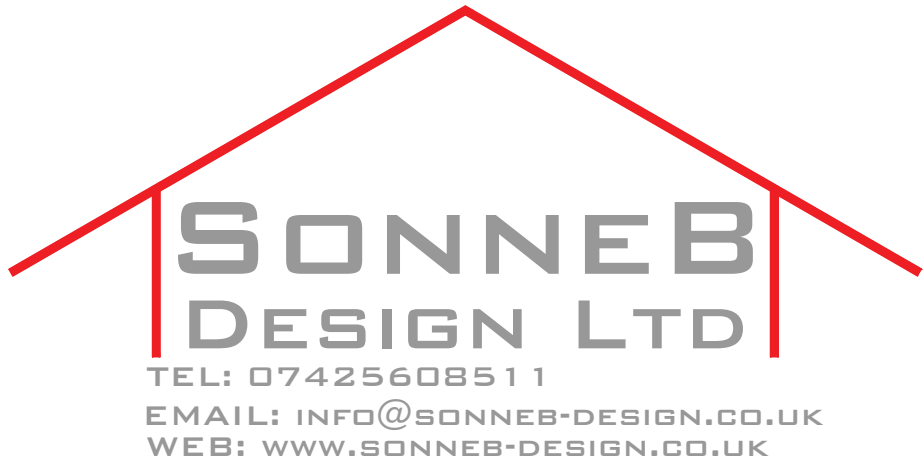




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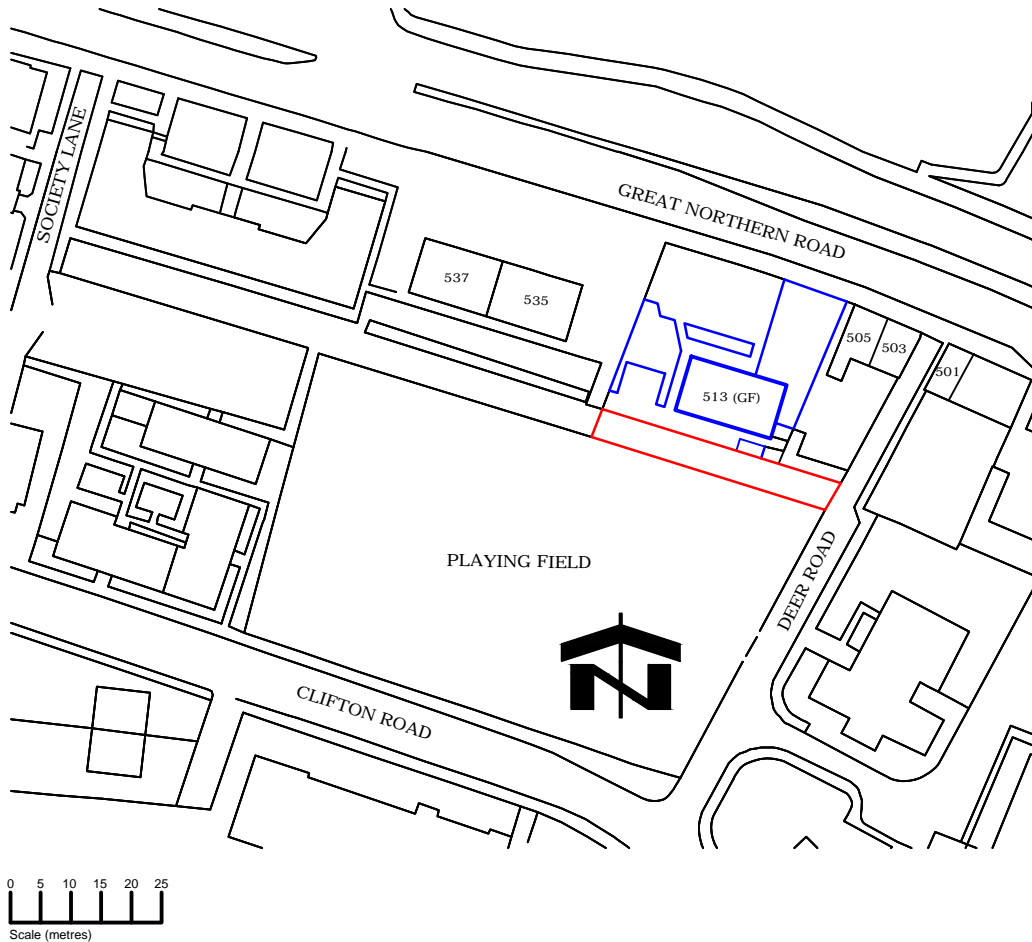
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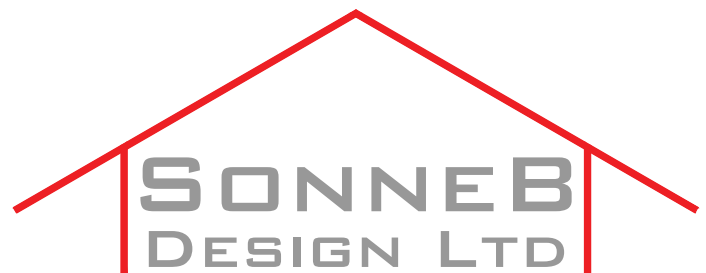


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LOCATION PLAN

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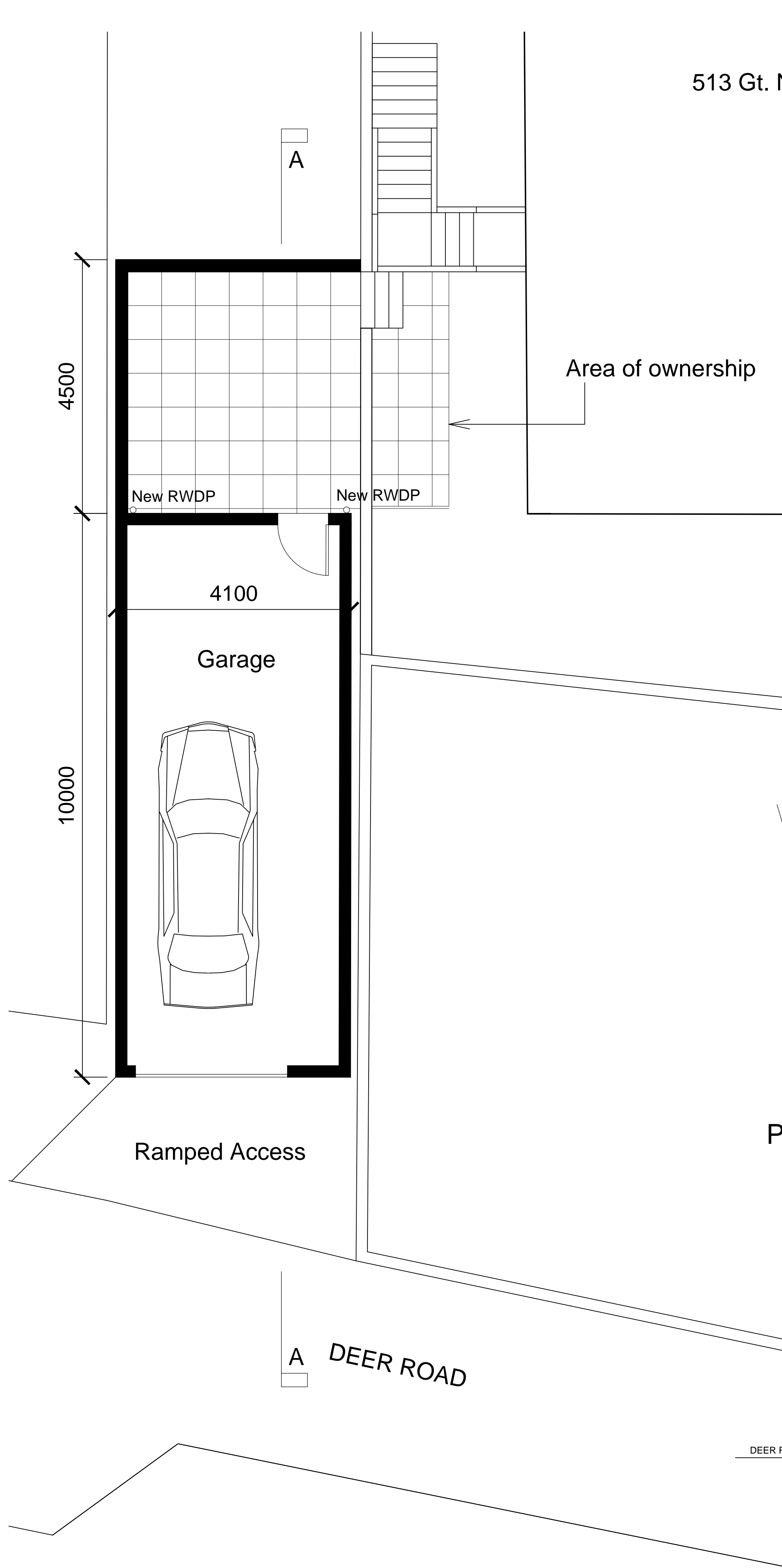
TEL: 07425608511

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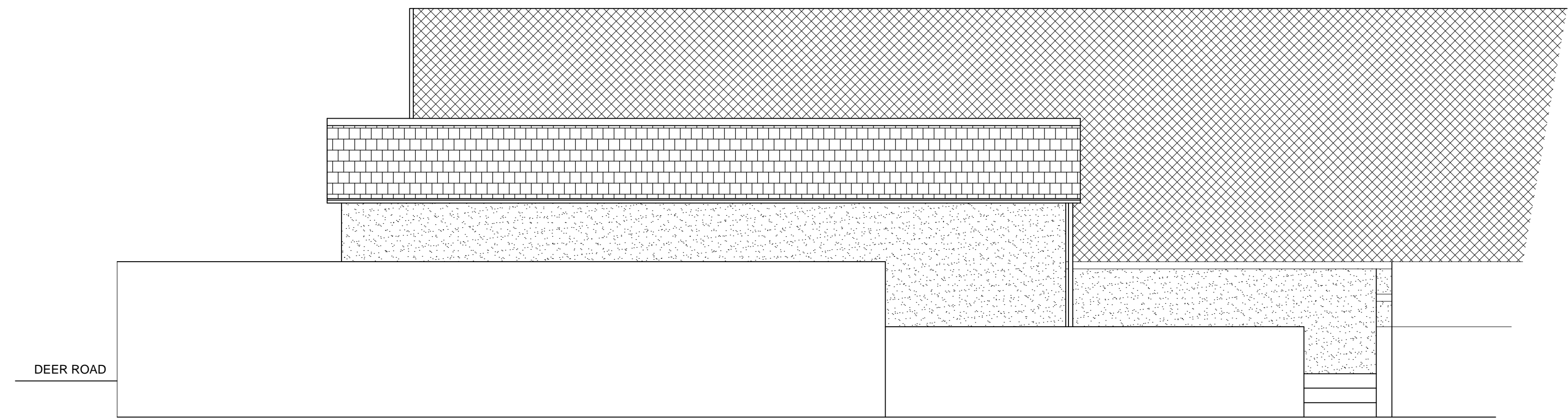
JOB PROPOSED NEW GARAGE ON LAND ADJACENT TO 513 GREAT NORTHERN ROAD, ABERDEEN, AB24 2DD.		
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DATE MAY 2017	SCALE AS STATED	DWG NO LOC-01

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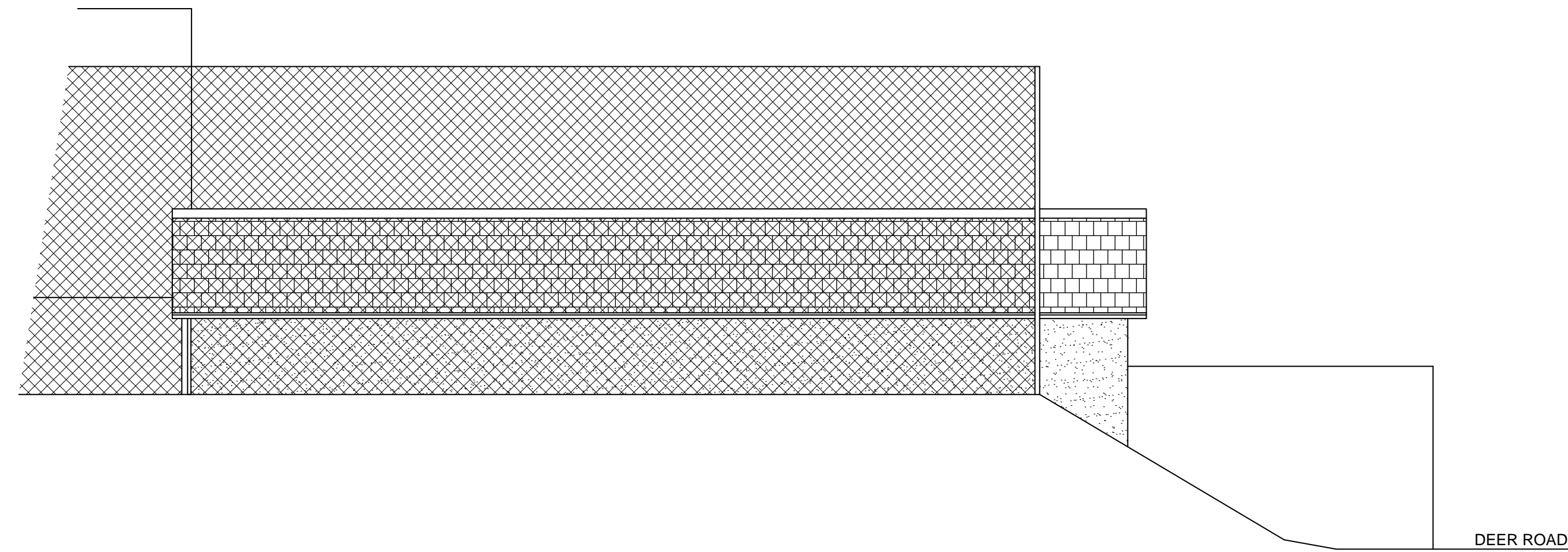


PROPOSED PLAN 1:50

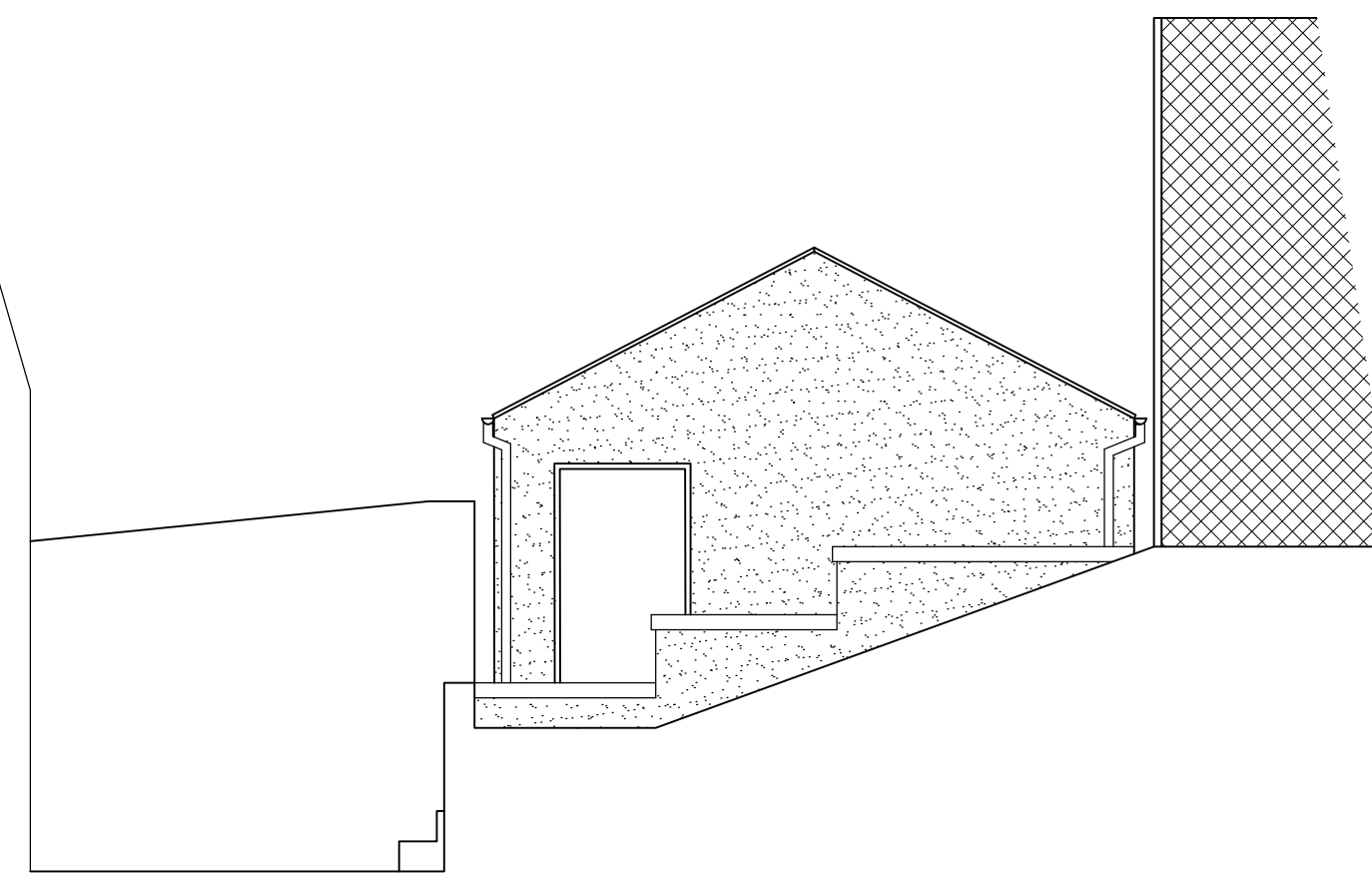
513 Gt. N



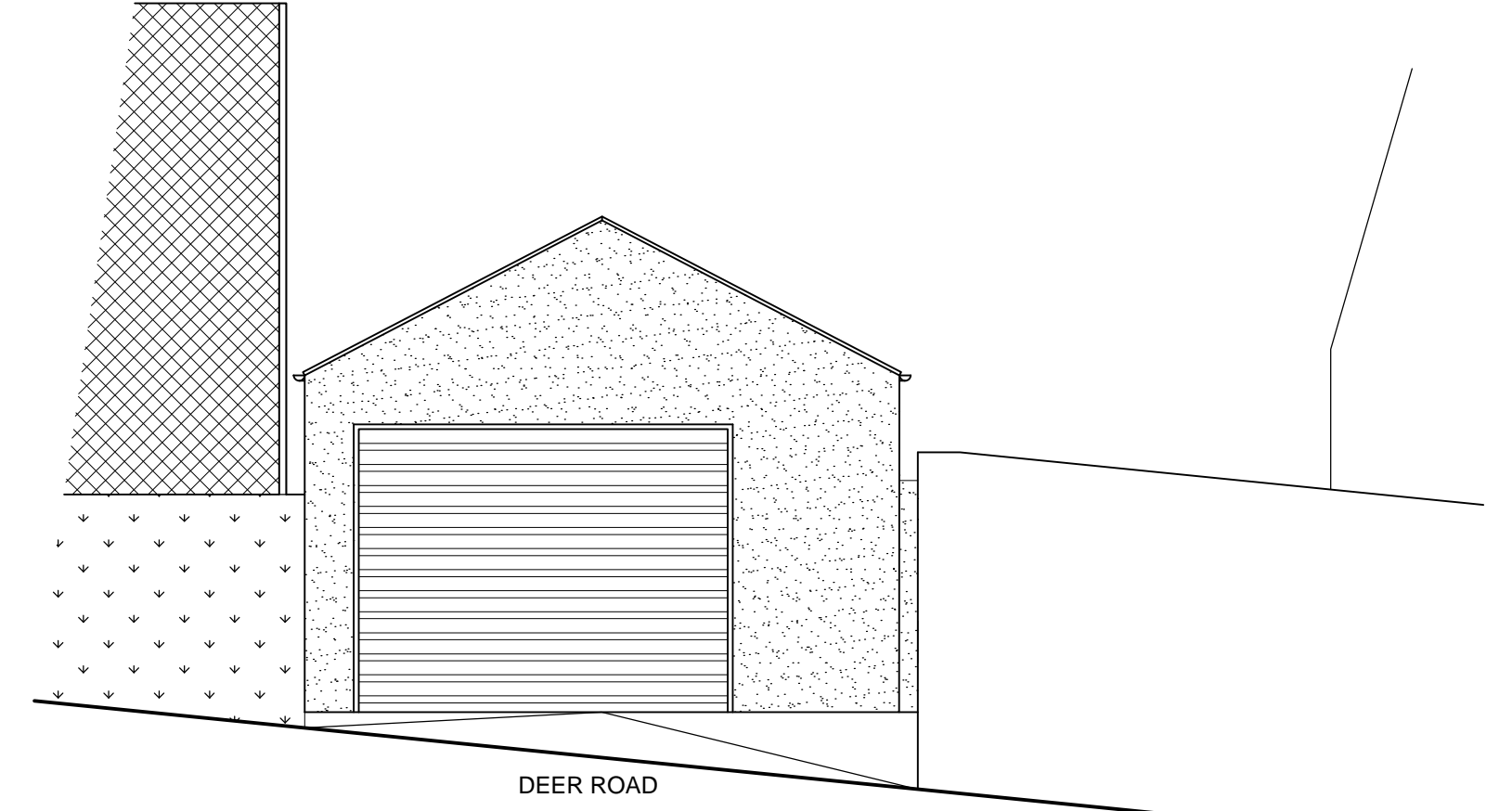
PROPOSED NORTH ELEVATION 1:50



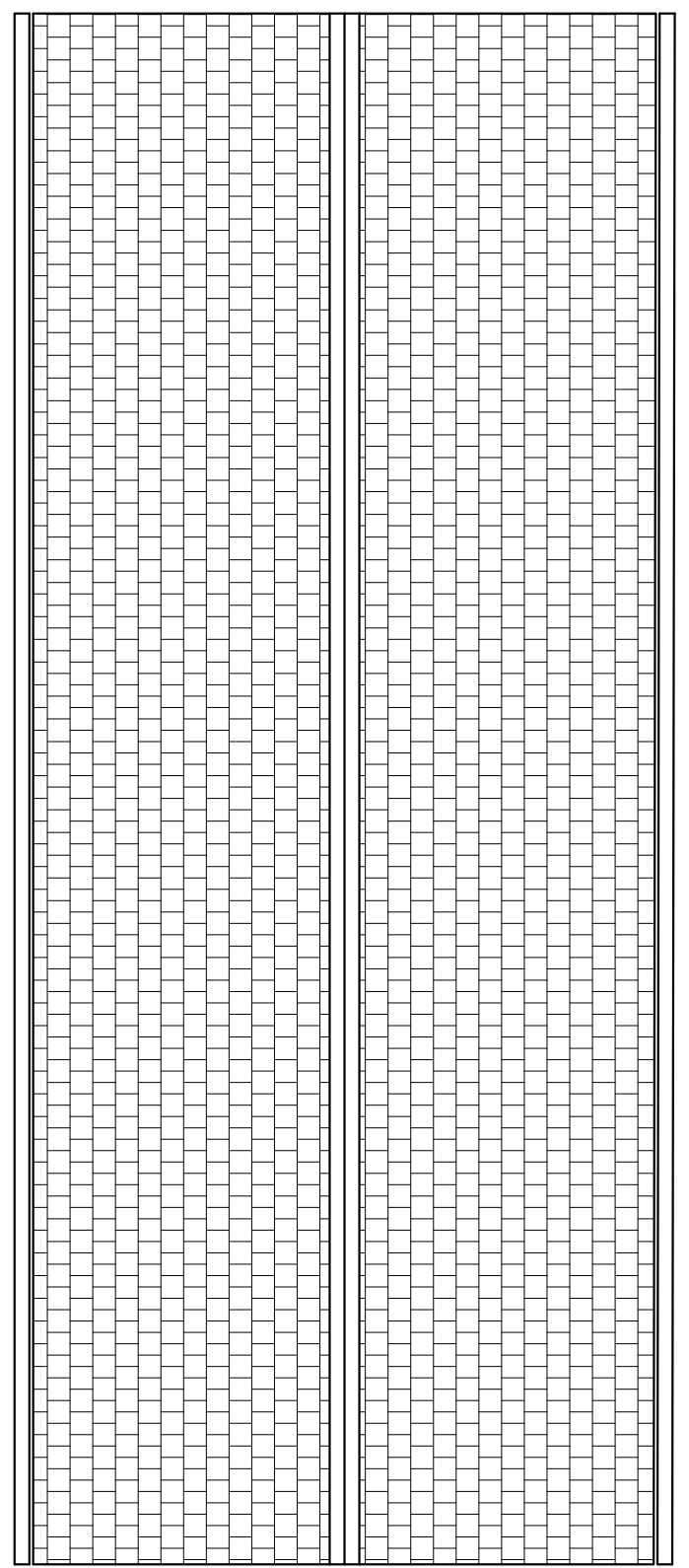
PROPOSED SOUTH ELEVATION 1:50



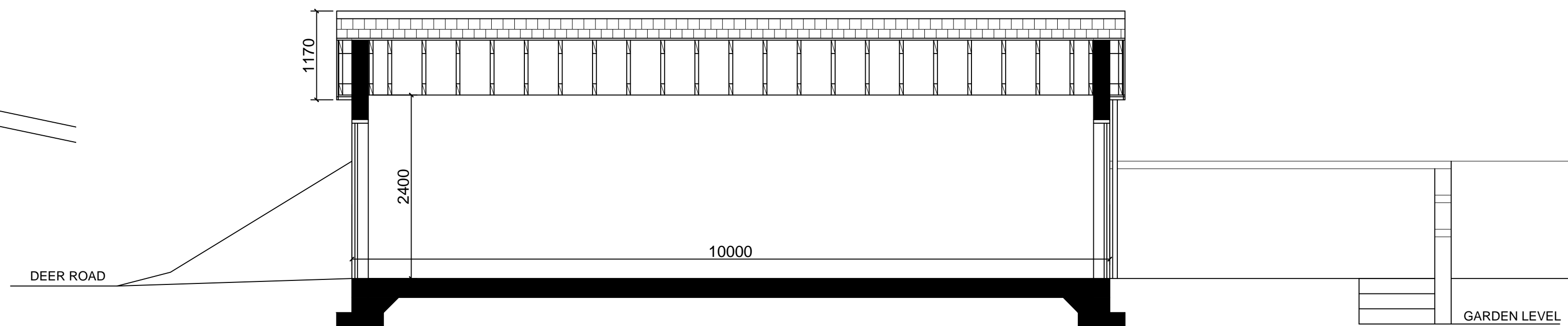
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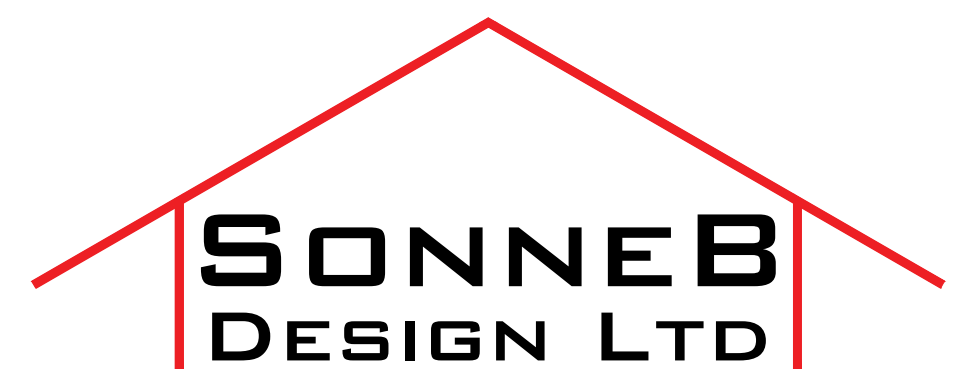
PROPOSED EAST ELEVATION 1:50



ROOF PLAN 1:50



PROPOSED SECTION A-A 1:50



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JOB		
PROPOSED NEW GARAGE ON LAND ADJACENT TO 513 GREAT NORTHERN ROAD, ABERDEEN, AB24 2DD.		
TITLE		
PLANS, ELEVATIONS & SECTION		
DATE	SCALE	DWG NO
MAY 2017	AS STATED	AA-02

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## **DECISION NOTICE**

### **The Town and Country Planning (Scotland) Act 1997** **Detailed Planning Permission**

Mark Benson  
SonneB Design Ltd  
37 Thistle Drive  
Portlethen  
Aberdeen  
Scotland  
AB12 4QH

on behalf of **Miss Aline Lataix**

With reference to your application validly received on 9 June 2017 for the following development:-

**Change of use of open space to garden ground and the erection of a domestic garage with associated access  
at 513 Great Northern Road, 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:

<b>Drawing Number</b>	<b>Drawing Type</b>
LOC-01	Location Plan
AA-02	Elevations and Floor Plans
AA-01	Ground Floor Plan (Proposed)

#### **REASON FOR DECISION**

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

The proposal would lead to the loss of an area of urban green space which would result in negative impacts on the landscape character and amenity of this area. This



would affect the setting of the nearby properties (flats), adversely affect the character of the surrounding area and may also obstruct a wildlife corridor. It is also likely to lead to the removal of a relatively established tree and no replacement open space close to this area would be provided of similar or better quality. In addition, it would have a negative impact on general residential amenity through the loss of open space. Therefore, although complying with Supplementary Guidance (Transport and Accessibility) as the proposed garage would exceed the minimum standards in relation to size, the proposal fails to accord with Policies D1 (Quality Placemaking by Design), H1 (Residential Areas), D2 (Landscape), NE3 (Urban Green Space) and NE5 (Trees and Woodland) of the Aberdeen Local Development Plan, in addition to the associated Supplementary Guidance (Householder Development Guide; Green Space Network and Open Space). There are no material planning considerations which would warrant approval of planning permission in this instance.

**Date of Signing** 8 August 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](http://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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Print Form

# NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

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

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

1. Applicant's Details		2. Agent's Details (if any)	
Title	Ms	Ref No.	170607/DPD
Forename	ALINE	Forename	
Surname	LATAIX	Surname	
Company Name		Company Name	
Building No./Name		Building No./Name	
Address Line 1	513 Great Northern Rd	Address Line 1	
Address Line 2		Address Line 2	
Town/City	ABERDEEN	Town/City	
Postcode	AB24 2DD	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	ABERDEEN CITY COUNCIL		
Planning authority's application reference number			
Site address	<div>513 Great Northern Road</div> <div>ABERDEEN</div>		
Description of proposed development	<div>change of use of open space to garden ground and the erection of a domestic garage</div>		



Date of application

25/05/17

Date of decision (if any)

10/08/17

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

#### 4. Nature of Application

Application for planning permission (including householder application)

☒

Application for planning permission in principle

☐

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

☐

Application for approval of matters specified in conditions

☐

#### 5. Reasons for seeking review

Refusal of application by appointed officer

☒

Failure by appointed officer to determine the application within the period allowed for determination of the application

☐

Conditions imposed on consent by appointed officer

☐

#### 6. Review procedure

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

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

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

☒  
☐  
☒  
☒

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

#### 7. Site inspection

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

Can the site be viewed entirely from public land?

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

☒  
☒



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

## 8. Statement

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

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

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

see separate document

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

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



## 9. List of Documents and Evidence

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

- plans
- map
- statement
- letter from estate dpt

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

## 10. Checklist

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

Full completion of all parts of this form

☐

Statement of your reasons for requesting a review

☐

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

☐

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

## DECLARATION

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

Signature:

[Redacted Signature]

Name:

ALINE LATAY

Date:

7/11/17

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





GREAT N

487  
101  
187

101 687

537

587

106 of 107

503 505

DEER ROAD

50.0m

513

Strip of land  
needed

School playing field

are we are  
interested in  
fenced off

535

487



1:500

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Aline Lataix

513 Great Northern Road

Aberdeen AB24 2DD

Application ref no 170607/DPD

To whom it may concern,

### **NOTICE OF REVIEW**

This is in response to the refusal of planning permission by Aberdeen City Council for the change of use of open space to garden ground and the erection of a domestic garage with associated garage at 513 Great Northern Road, Aberdeen.

### **Introduction**

The application was submitted on 9<sup>th</sup> June 2017. The decision notice was issued on 8<sup>th</sup> August 2017. We wish to appeal the decision and the following statement sets out the particulars of the case considered relevant to the determination of the review against the refusal of planning permission.

### **Proposed project**

The application sought to obtain consent to the change of use of an open space at the rear of our property at 513 great northern road. The area of land is a long, narrow strip of land of 203sq metres, measuring roughly 5 metres wide by 40 metres long. It is located between 513 Great northern Road and the playing fields of Woodside School. There is no access to the playing fields or to Deer Road from this area of land because of the high fences. There is open access to and from the rear of the flats at 535/537 great northern road. This strip of land slopes down very sharply. It is made of grass, weeds and self-seeded trees. The council comes very regularly to maintain this area.

Our project was to acquire this strip of land with a view to give us access to Deer Road and build a garage at one end, therefore providing us with much needed parking space.

When we first requested to purchase this area of land (see property enquiry 9584 / 22 November 2016 / estates depart ACC), the Public Infrastructure and Environment Service as well as the Education and Children's Services (Woodside School) had no objections to the sale / change of use.

Also, while the appointed officer has a number of concerns, he agrees that our proposal is "complying with Supplementary Guidance (Transport and Accessibility) as the proposed garage would exceed the minimum standards in relation to size".

### **Reasons for refusal**

The appointed officer decided to refuse the planning application because:

"The proposal would lead to the loss of an area of urban green space which would result in negative impacts on the landscape character and amenity of this area. This would affect the setting of the nearby properties (flats), adversely affect the character of the surrounding area and may also obstruct a wildlife corridor. It is also likely to lead to the removal of a relatively established tree and no replacement open space close to this area would be

provided of similar of better quality. In addition, it would have a negative impact on general residential amenity through the loss of open space.”

### **Grounds for appeal**

The reasons for refusal by the appointed officer are vague and do not clearly or specifically explain the negative impacts the proposal would have on the landscape character and amenity of the area.

More precisely, I disagree that ‘it would affect the setting of the nearby flats’: the strip of land is fenced off at the end. The neighbouring flats have used the area to let their dogs defecate (the council dogs were informed) or run wild. Young people have also climbed onto the fences to access Deer Road causing damage to the fences (holes). We also fixed the fence that runs along the playing fields so that the big holes in the fence were not used as entry / exit to the said playing fields.

I also disagree that ‘it would adversely affect the character of the surrounding area’: there is a newly built building next door to our property housing 2 large garages. Also, because of the fences, litter gathers at the bottom of the fence by Deer Road especially and this is a messy sight for all walking down Deer Road. The litter is never picked up.

I also disagree with the view that the proposal may also affect a wildlife corridor: the council sprays this 5-metre wide land with heavy pesticides regularly. It is sprayed at the top and the bottom of this area of land, resulting in a complete disappearance of insects over the years (and may harm the paws of small animals like cats). The grass is also cut every 6 weeks or so, which prevents bees from finding food, or for the butterflies, wasps, beetles etc. as cut grass is not a flower-rich habitat.

I also disagree about the ‘relatively established tree’: it is a number of self-seeded trees that are now embedded in the fence.

I also disagree that ‘no replacement open space close to this area would be provided of similar or better quality’: the appointed officer seems to depict this area as almost recreational. It is not. It is a heavy sloped terrain throughout the length. It is also stuck between a fence and a wall and provides no access / short cuts for locals. It is also very narrow. There is an abundance of parks (opposite the property, next to Shmu for example, Stewart Park is also nearby or the green area inside Woodside School which is open to all after school hours), much woodlands by the river, which are minutes’ walk away and green open spaces. All these are far ‘better’ than the area at the back of 513 great northern road.

I therefore disagree with the concluding statement of the appointed officer which says that ‘it would have a negative impact on general residential amenity through the loss of open space’: as explained before, this land is no recreational space and offers very little in terms of the amenity of the area.

### **Conclusion**

This notice of review contests the decision by the appointed officer to refuse the proposed planning application. I believe that the reasons mentioned by the appointed officer are not justified and that my application is consistent with all relevant policies in the Aberdeen Local Development Plan and its associated Supplementary Guidance.



# APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997  
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please refer to the accompanying Guidance Notes when completing this application  
**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	Ms	Ref No.	
Forename	Aline	Forename	Mark
Surname	Lataix	Surname	Benson
Company Name		Company Name	SonneB Design Ltd
Building No./Name	513	Building No./Name	37
Address Line 1	Great Northern Road	Address Line 1	Thistle Drive
Address Line 2		Address Line 2	Portlethen
Town/City	Aberdeen	Town/City	Aberdeen
Postcode	AB24 2DD	Postcode	AB12 4QH
Telephone		Telephone	07425608511
Mobile		Mobile	07425608511
Fax		Fax	
Email		Email	info@sonneb-design.co.uk

**3. Postal Address or Location of Proposed Development (please include postcode)**  

Land adjacent to the south of 513 Great Northern Road, Aberdeen, AB24 2DD.

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

**4. Type of Application**  
 What is the application for? Please select one of the following:
 

Planning Permission	<input checked="" type="checkbox"/>
Planning Permission in Principle	<input type="checkbox"/>
Further Application*	<input type="checkbox"/>
Application for Approval of Matters Specified in Conditions*	<input type="checkbox"/>
Application for Mineral Works**	<input type="checkbox"/>

NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.

\*Please provide a reference number of the previous application and date when permission was granted:

Reference No: <input style="width: 150px;" type="text"/>	Date: <input style="width: 150px;" type="text"/>
--	--



**\*\*Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.**

### 5. Description of the Proposal

Please describe the proposal including any change of use:

Application for change of use from open green space land to residential for purposes of erection of garage and entrance driveway.

Is this a temporary permission?

Yes ☐ No ☒

If yes, please state how long permission is required for and why:

Have the works already been started or completed?

Yes ☐ No ☒

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application

### 6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes ☐ No ☒

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting ☐ Telephone call ☐ Letter ☐ Email ☐

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes ☐ No ☒

Please provide a description of the advice you were given and who you received the advice from:

Name:

Date:

Ref No.:

### 7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha):

Square Metre (sq.m.)

203 sq.m.



## 8. Existing Use

Please describe the current or most recent use:

Open grassed area/strip of land.

## 9. Access and Parking

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

Yes ☒ No ☐

*If yes, please show in your drawings the position of any existing, altered or new access and explain 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 changes to public paths, public rights of way or affecting any public rights of access?

Yes ☐ No ☒

*If yes, please show on your drawings the position of any affected areas and explain 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?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total number of existing spaces plus any new spaces)

1

*Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)*

## 10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements?

Yes ☒ No ☐

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

Yes, connecting to a public drainage network

☒

No, proposing to make private drainage arrangements

☒

Not applicable – only arrangement for water supply required

☐

What private arrangements are you proposing for the new/altered septic tank?

Discharge to land via soakaway

☐

Discharge to watercourse(s) (including partial soakaway)

☐

Discharge to coastal waters

☐

*Please show more details on your plans and supporting information*

What private arrangements are you proposing?

Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)

☐

Other private drainage arrangement (such as a chemical toilets or composting toilets)

☐

*Please show more details on your plans and supporting information.*

Do your proposals make provision for sustainable drainage of surface water?

Yes ☐ No ☒



*Note:- Please include details of SUDS arrangements on your plans*

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

Yes ☐ No ☒

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

### 11. Assessment of Flood Risk

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

Yes ☐ No ☒

*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 ☐

*If yes, briefly describe how the risk of flooding might be increased elsewhere.*

### 12. Trees

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

Yes ☒ No ☐

*If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.*

### 13. Waste Storage and Collection

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

Yes ☐ No ☒

*If yes, please provide details and illustrate on plans.*

*If no, please provide details as to why no provision for refuse/recycling storage is being made:*

### 14. Residential Units Including Conversion

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

Yes ☐ No ☒

If yes how many units do you propose in total?

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



### 15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace?

Yes ☐ No ☒

If yes, please provide details below:

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace (sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

### 16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes ☐ No ☒ Don't Know ☐

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

### 17. Planning Service Employee/Elected Member Interest

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

Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority?

Yes ☐ No ☒

If you have answered yes please provide details:

### DECLARATION

I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed ☒

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants

Yes ☒ No ☐ N/A ☐

Signature

Name:

Mark Benson

Date:

08.06.17

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







# LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997  
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)  
Regulations 2013

## CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

### CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

#### I hereby certify that -

- (1) No person other than myself was owner 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 application. ☐
- (2) None of the land to which the application relates constitutes or forms part of agricultural land. ☐

Signed:

On behalf of:

Date:

### CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

#### I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are: ☒

Name	Address	Date of Service of Notice
Aberdeen City Council, Land & Property Assets	Land & Property Assets, Aberdeen City Council, Business Hub 10, Second Floor South, Marischal College, Broad Street, Aberdeen, AB10 1 AB.	8th June 2017

- (2) None of the land to which the application relates constitutes or forms part of agricultural land ☐
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐



Name	Address	Date of Service of Notice

Signed:

On behalf of:

Aline Lataix

Date:

08.06.17

### CERTIFICATE C

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

- (1) I have been unable to serve notice on **every** person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. ☐

or

- (2) I have been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates. ☐

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

or

- (4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. ☐

or

- (5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐

Name	Address	Date of Service of Notice



- (6) I have \_\_\_\_\_ taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have \_\_\_\_\_ been unable to do so.

Steps taken:

--

Signed:

--

On behalf of:

--

Date:

--

#### CERTIFICATE D

Certificate D is for use where the application is for mineral development.

- (1) No person other than myself \_\_\_\_\_ was an owner 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. ☐

or

- (2) I have \_\_\_\_\_ served notice on each of the following persons other than myself \_\_\_\_\_ who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are: ☐

Name	Address	Date of Service of Notice

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

or

- (4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have \_\_\_\_\_ served notice on each of the following persons other than myself \_\_\_\_\_ who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant. ☐

- (5) Notice of the application as set out below has been published and displayed by public notice ☐

Signed:

--

On behalf of:

--

Date:

--



### CERTIFICATE E

Certificate E is required where the applicant is the sole owner of all the land and the land to which the application relates is agricultural land and there are or are not agricultural tenants.

**I hereby certify that -**

(1) No person other than myself \_\_\_\_\_ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application. ☐

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants. ☐

**or**

(1) No person other than myself \_\_\_\_\_ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application. ☐

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants. These people are: ☐

Name	Address	Date of Service of Notice

(3) I have \_\_\_\_\_ taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and have \_\_\_\_\_ been unable to do so. ☐

Steps taken:

--

Signed:

--

On behalf of:

--

Date:

--

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



# NOTICE TO OWNERS AND AGRICULTURAL TENANTS

Town and Country Planning (Scotland) Act 1997  
Regulation 15 (1) of the Town and Country Planning (Development Management Procedure)  
(Scotland) Regulations 2013

Name [Note 1]	Land & Property Assets
Address	Aberdeen City Council
	Marischal College
	Broad Street
	Aberdeen, AB10 1AB

Proposed development at [Note 2]	Land adjacent to the south of 513 Great Northern Road,
	Aberdeen, AB24 2DD.

Notice is hereby given that an application is being made to

[Note 3]	Aberdeen City	Council by	Aline Lataix
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For planning permission to [Note 4]

Erect a garage and associated vehicle access.
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If you wish to obtain further information on the application or to make representations about the application, you should contact the Council at [Note 5]

Planning & Sustainable Development, Aberdeen City Council, Broad Street, Aberdeen, AB10 1AB.
--

(The grant of planning permission does not affect owners' rights to retain and dispose of their property unless there is some provision to the contrary in an agreement or lease. The grant of planning permission for non-agricultural development may affect agricultural tenants security of tenure.)

Signed On behalf of Date	
	Aline Lataix

\*Delete where appropriate

[Note 1] – Insert name and address of owner or agricultural tenants

[Note 2] – Insert address or location of proposed development.

[Note 3] – Insert name of planning authority.

[Note 4] – Insert description of proposed development.

[Note 5] - Insert planning authority address.



# NOTICE TO OWNERS AND AGRICULTURAL TENANTS

The Town and Country Planning (Scotland) Act 1997  
The Town and Country Planning (Development Management Procedure) (Scotland)  
Regulations 2013 (Regulation 15)

## NOTES FOR GUIDANCE

Before applying for planning permission or planning permission in principle under regulations 9 to 11, applicants should notify all persons who (other than themselves), were the owners of any of the land to which the application relates, or were agricultural tenants at the beginning of the prescribed period (in effect 21 days ending with the date on which the application was submitted).

Notices to owners and agricultural tenants should be in the form set out in schedule 1 of the regulations and must include:

1. The name of the applicant
2. The address or location of the proposed development
3. A description of the proposed development and
4. The name and address of the planning authority who will determine the application.

The grant of planning permission will not affect the rights of an owner, or tenant under a lease which has at least 7 years to run, to dispose of the consented property unless there is express provision in the lease/Agreement.

### Applications for the working and winning of underground minerals

The notification of site owners and agricultural tenants regarding applications for the working and winning of underground minerals may be both onerous and complex. In addition to those owners and agricultural tenants with rights in relation to the relevant surface land, there may be other people with ownership rights to minerals, other than those vested in the Crown (oil, gas, coal, gold and silver), who may be difficult to identify and notify.

For the purposes of these applications, regulation 15(4) amends the requirement to notify owners to relate to those who "to the applicant's knowledge" are owners

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



## Report of Handling Detailed Planning Permission

**170664/DPP:** Change of use from amenity ground to form driveway at 85 Arnage Drive, Aberdeen, AB16 6US,

For: Mrs Sarah Buchan

Application Date:	8 June 2017
Officer:	Roy Brown
Ward:	Kingswells/Sheddocksley/Summerhill
Community Council:	Mastrick, Sheddocksley And Summerhill
Advertisement:	N/A
Advertised Date:	N/A

### **RECOMMENDATION: Refuse**

#### **SITE DESCRIPTION**

The application site relates to a modern two storey semi-detached dwelling, its front and rear curtilage, and a section of footway and amenity land forward of the dwelling. The dwelling has a northwest facing principal elevation, which fronts Arnage Drive. The amenity land has an established street tree.

The site is situated in a residential area of similarly designed semi-detached and terraced houses and is bounded by Arnage Drive to the northwest; 83 Arnage Drive to the northeast; the rear curtilage of properties fronting New Park Road to the southeast; and 87 Arnage Drive to the southwest.

Arnage Drive has amenity land at either side of the road dividing the footway from the road. These strips are lined with established street trees. Several properties on Arnage Drive have driveways crossing these strips of amenity land.

#### **DESCRIPTION OF PROPOSAL**

Detailed planning permission is sought for the change of use of an approximately 10sqm area of amenity space forward of the residential property to form a driveway. The driveway would result in the removal of the tree to accommodate the driveway.

#### **RELEVANT HISTORY**

There is no relevant planning history for this application.

#### **SUPPORTING DOCUMENTS**

All drawings and supporting documents listed below can be viewed on the Council's website at <https://publicaccess.aberdeencity.gov.uk/>

## CONSULTATIONS

Consultee	Date of Comments	Summary of Comments
Aberdeen City Council Roads Development Management Team	12 <sup>th</sup> June 2017	No objection - The driveway would be internally drained, it would not result in the loss of on-street parking, and there would be no visibility concerns. Due to the neighbouring footway crossing, the combined crossing is longer than would usually be permitted. However, due to the footway being set back from the road, it is not a concern. The footway crossing must be constructed by Aberdeen City Council at the expense of the applicant.
Aberdeen City Council Flooding And Coastal Protection	15 <sup>th</sup> June 2017	No objections – The application does not pose any flood risk.

## REPRESENTATIONS

None

## PLANNING POLICY

### Aberdeen Local Development Plan 2017

- Policy H1 – Residential Areas
- Policy D1 – Quality Placemaking by Design
- Policy D2 – Landscape
- Policy NE3 – Urban Green Space
- Policy NE5 – Trees and Woodlands

### Supplementary Guidance

- Transport and Accessibility
- The Householder Development Guide

## 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.

The following issues are of relevance:



### The Loss of Public Amenity Land

Policy NE3 (Urban Green Space) aims to protect all types and sizes of urban green spaces from redevelopment, unless such development meets certain criteria. One of these criteria is that the redevelopment of an urban green space will not be acceptable unless there is no significant loss to the landscape character and amenity of the site and adjoining area. Policy H1 states that proposals for householder development will be approved in principle if it does not result in the loss of valuable and valued areas of open space.

In this instance, the land to be crossed would not be usable for recreation and was also not included in the Open Space Audit 2010 audited sites. This space, however, forms part of a linear strip of soft landscaped amenity space between the footway and Arnage Drive, which is lined with street trees. It is an important natural landscape feature of the streetscape, which significantly contributes to the character of the surrounding area. The loss of the soft landscaped amenity land to accommodate a tarred access would be detrimental to the visual amenity of the streetscape.

The Supplementary Guidance on Householder Development advises that proposal for change of use from amenity land to private garden ground should not fragment or, if replicated, be likely to incrementally erode larger areas of public open space or landscaping. In this instance, the land is relatively small in area, approximately 10 sqm. However, the grant of planning permission would set an unwelcome precedent for similar proposals elsewhere on Arnage Drive, which would remove street trees and open space be detrimental to local landscape character. It would also cumulatively result in habitat fragmentation and urban bio-diversity.

There are examples on the street of the amenity space on Arnage Drive being removed to form a driveway into the residential properties. However, there is no record of these developments in the planning register therefore they either were constructed more than 30 years ago or were constructed without the necessary planning permission. A general principle in 'The Householder Development Guide' is that no existing alterations which were approved prior to the introduction of the 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. The same principle applies to development carried out without planning permission. As this proposal would fail to comply with the supplementary guidance, the other driveways on the street cannot be used to justify this proposal. While there are examples on the street of driveways crossing amenity land, none of these were approved under current adopted policies and guidelines and the vast majority of the amenity land and street trees remain and contribute significantly to local landscape character. If granted planning permission, this proposal would set a precedent for similar applications which if approved would cumulatively result in the likely removal of the majority of the amenity land and street trees on Arnage Drive and in the surrounding area, to the significant detriment of the local landscape character.

The change of use from amenity land would be to the detriment of local landscape character and amenity and would therefore fail to comply with the aims of Policy NE3

– Urban Green Space; Policy H1 – Residential Areas; or the Supplementary Guidance: ‘The Householder Development Guide’.

### The Impact on Trees

The proposal would result in the loss of an established street tree and would be located approximately 1.5m from another tree which overhangs the site. Given its proximity, the proposal would also likely damage this tree. Policy NE5 – Trees and Woodlands states that there is a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation. The Householder Development Guide states that the change of use from amenity land should not result in any loss of visual amenity including incorporating established landscaping features such as mature trees or trees that make a significant contribution to the area. It is unlikely the Council would support the incorporation and likely loss of such features, however in circumstances where it is acceptable replacement planting to compensate will normally be required. The street trees are important natural features of Arnage Drive, which contribute significantly to local landscape character and amenity. In this area there has been significant difficulty in retaining street trees on these areas of amenity land. ‘Google Street view’ shows that four street trees which existed in 2008 have since been removed on this street alone. Three of these at the time had recently been planted. In this case the tree to be removed and the adjacent tree are both relatively young (between 10 and 15 years old) and now established. As they grow they will increasingly contribute to landscape character, local amenity and contribute towards climate change mitigation. As such, meaningful replacement planting to compensate for the loss of the established tree and the likely damage to another would not be possible given the difficulty of successful replacement planting on this street scape and the contribution which these trees already make.

The proposal would result in the loss of one established street tree and likely damage to another. These trees both contribute to landscape character, local amenity, and climate mitigation. The proposal would therefore fail to comply with Policies NE5 – Trees and Woodlands; D1 – Quality Placemaking by design; and D2 – Landscape of the adopted Aberdeen Local Development Plan; and the Supplementary Guidance: ‘The Householder Development Guide’.

### The Design and Scale of the Driveway

The design of the driveway itself would partially comply with the Supplementary Guidance: ‘Transport and Accessibility’ as it would be accessing onto a lightly trafficked residential street; it would not result in the loss of on-street parking; the existing driveway is long enough so that cars would not overhang the footway; there would be no loose chippings within 2m of the footway; it would be more than 3m in width; and it would have a drain which would prevent water from discharging onto the footway. The proposal would not adversely affect the visibility splay onto Arnage Drive. Due to the neighbouring footway crossing, the combined crossing is longer than would usually be permitted. However, due to the footway being set back from the road, it would not be a concern. The proposal would also be within 15m of a



junction although given the road is likely trafficked and the junction serves primarily as an access, its proximity would not be to the detriment of road safety.

However, the Supplementary Guidance: 'Transport and Accessibility' states that permission will not be granted for a driveway across an amenity area unless it would produce a demonstrable improvement in road safety and have no adverse effect on the amenity area. The loss of the soft landscaped amenity land and a street tree to accommodate a tarred access would be detrimental to the visual amenity of the streetscape. Again, as the proposal would have an adverse impact on the amenity of the area, the proposed driveway would also be contrary to the aims of the Supplementary Guidance: 'Transport and Accessibility'.

### Summary

The proposed change of use to form a driveway would result in the removal of an established street tree and damage to another, which both contribute to local landscape character and amenity. Their loss would adversely affect the character and amenity of the surrounding area. The loss of the soft landscaped amenity land to accommodate a tarred access would be detrimental to the visual amenity of the streetscape. The proposal would set an unwelcome precedent for similar proposals in the surrounding area, which cumulatively have a significant determine impact on its character. The design of the driveway would, however, not adversely road safety. The proposal would therefore fail to comply with Policies D1 – Quality Placemaking by Design; D2 – Landscape; NE3 – Urban Green Space; Policy H1 – Residential Areas; and NE5 – Trees and Woodlands of the adopted Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. While it would accord with road safety guidelines, it would adversely affect the amenity of the surrounding area, and therefore the proposal would not comply with the general aims of 'Supplementary Guidance': 'Transport and Accessibility'.

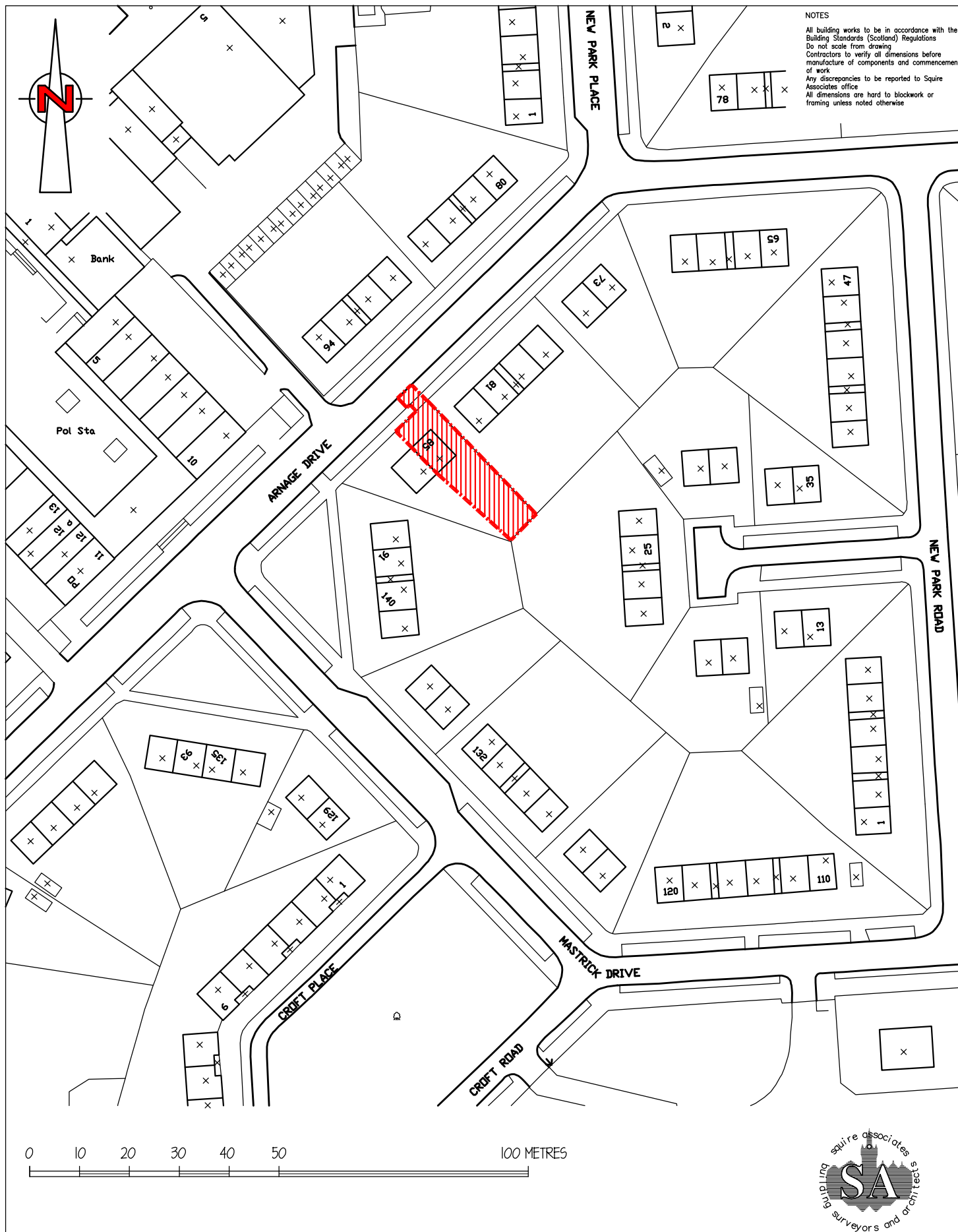
### **RECOMMENDATION: Refuse**

### **REASONS FOR RECOMMENDATION**

The proposed change of use to form a driveway would result in the removal of an established street tree and likely damage to another, which both contribute to local landscape character and amenity. Their loss would adversely affect the character and amenity of the surrounding area. The loss of the soft landscaped amenity land to accommodate a tarred access would be detrimental to the visual amenity of the streetscape. The proposal would set an unwelcome precedent for similar proposals in the surrounding area, which cumulatively would be significantly detrimental to the surrounding area. The design of the driveway would, however, not adversely road safety. The proposal would therefore fail to comply with Policies D1 – Quality Placemaking by Design; D2 – Landscape; NE3 – Urban Green Space; H1 – Residential Areas; and NE5 – Trees and Woodlands of the adopted Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. While it would accord with road safety guidelines, it would adversely affect the amenity of the surrounding area, and therefore the proposal

would not comply with the general aims of 'Supplementary Guidance': 'Transport and Accessibility'. There are no material planning considerations which warrant the grant of Planning Permission in this instance.





## Squire Associates

430 CLIFTON ROAD, ABERDEEN AB24 4EJ  
Tel No. 01224 663838 - Fax No. 01224 662462  
E-mail: info@squire-associates.co.uk

**BUILDING SURVEYORS & ARCHITECTS**

Client  
**MRS. S. BUCHAN**

Job  
**85 ARNAGE DRIVE,  
ABERDEEN**

ref | revision  
Title  
**LOCATION PLAN**

| date

scale **1:1000 @ A4**

date **APRIL '17**

drawn by

job no.

**6620**

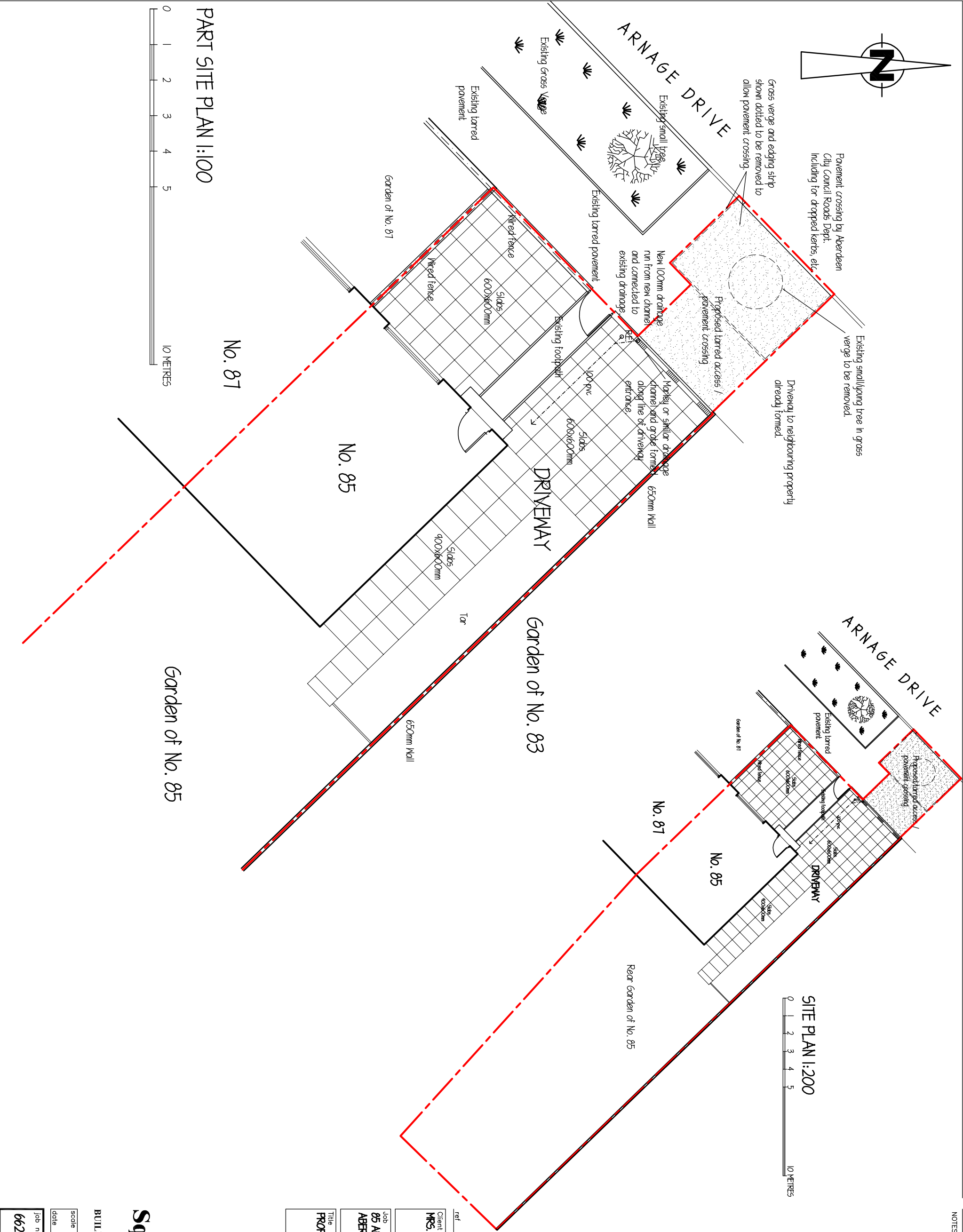
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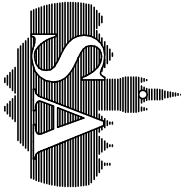
All building works to be in accordance with the Building Standards (Scotland) Regulations. Do not scale from drawing. Contractors to verify all dimensions before manufacture of components and commencement of work. Any discrepancies to be reported to Squire Associates office. All dimensions are hard to blockwork or forming unless noted otherwise.

ref	revision	date
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Client  
**MRS. S. BUCHAN**

Job  
**85 ARNAGE DRIVE,  
ABERDEEN**

Title  
**PROPOSED SITE PLAN**



**Squire Associates**  
430 CLIFTON ROAD, ABERDEEN AB24 4BJ  
Tel No. 01224 663838 - Fax No. 01224 662462  
E-mail: info@squire-associates.co.uk

**BUILDING SURVEYORS & ARCHITECTS**

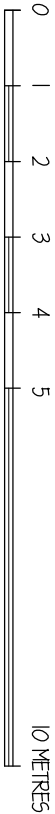
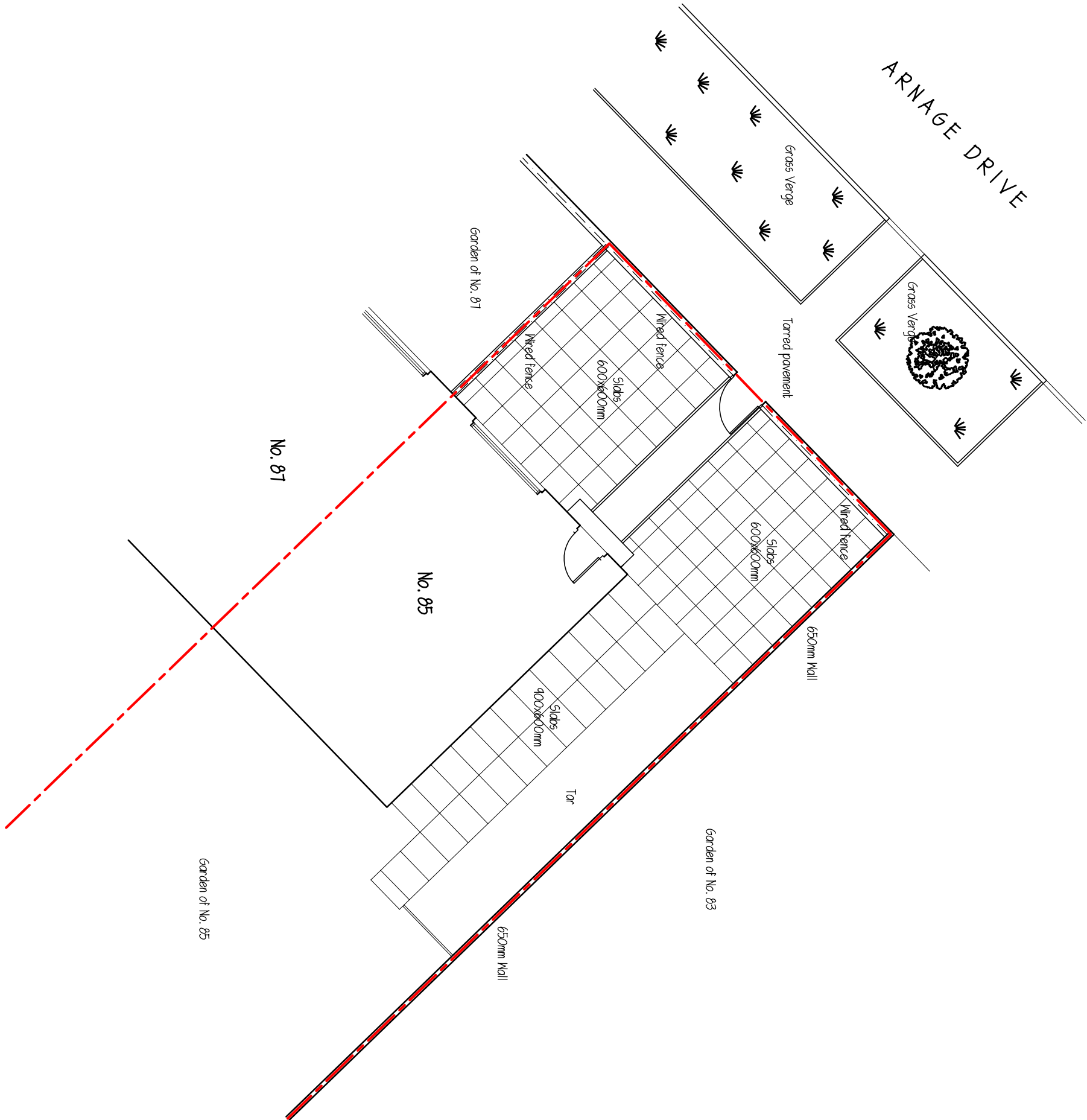
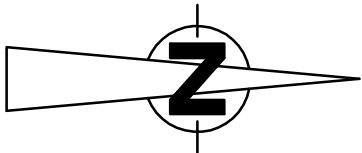
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NOTES

All building works to be in accordance with the Building Standards (Scotland) Regulations. Do not scale from drawing. Contractors to verify all dimensions before manufacture of components and commencement of work. Any discrepancies to be reported to Squire Associates office. All dimensions are hard to blockwork or forming unless noted otherwise.

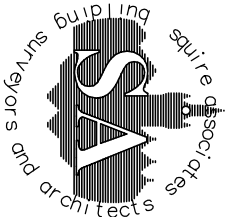


ref	revision	date
-----	----------	------

Client  
MRS. S. BUCHAN

Job  
85 ARNAGE DRIVE,  
ABERDEEN

Title  
SURVEY SITE PLAN



**Squire Associates**  
430 CLIFTON ROAD, ABERDEEN AB24 4EJ  
Tel No. 01224 663838 - Fax No. 01224 662462  
E-mail: info@squire-associates.co.uk  
**BUILDING SURVEYORS & ARCHITECTS**

scale	1:100 @ A3
date	APRIL 17
job no.	6620
dwg.no.	5D02
rev	

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## Consultation

Thanks Lina

This goes against Council policy as regards to how it manages its own trees so I can't support it

Richard Nicholson  
Arboricultural Officer  
Communities, Housing & Infrastructure  
Aberdeen City Council  
Business Hub 11, 2nd Floor West  
Marischal College  
Broad Street  
Aberdeen AB101AB

Tel: 01224 522063

Mob: 07802 332 642

E-mail: [richardn@aberdeencity.gov.uk](mailto:richardn@aberdeencity.gov.uk)

**From:** Lina-Elvira Back

**Sent:** 27 June 2017 09:49

**To:** Roy Brown; Richard Nicholson

**Cc:** Kevin Wright

**Subject:** RE: E-Consultation Request Notification, Aberdeen City Council, Application Ref: 170664/DPP

**Importance:** High

Hi Roy

I wasn't consulted on this one, not sure about Kevin? The tree is a street tree, therefore I've copied in Richard Nicholson so he is aware of this application. My only comment is that as per NE5 policy, there should be a presumption against removal of street trees for application. The tree next to it is also unlikely to survive the development which means we are left without street trees in this stretch of road. Therefore I would suggest we should have replacement planting of a tree specified by our Arboricultural service to match the site and existing stock once the development is completed.

**Richard**, please feed back directly to Roy with your thoughts, but if you could please copy me in!

Kind regards

Lina

**From:** Roy Brown

**Sent:** 26 June 2017 17:03

**To:** Kevin Wright; Lina-Elvira Back

**Subject:** FW: E-Consultation Request Notification, Aberdeen City Council, Application Ref: 170664/DPP

Hi,

Do you have any comments with regards to the below application?

Kind regards,

## **Roy Brown**

### **Planning Technician (Development Management)**

Planning and Sustainable Development | Communities Housing and Infrastructure | Aberdeen City Council |  
Business Hub 4 | Ground Floor North | Marischal College | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522453

Development Management: 01224 523470

**We are always trying to improve the quality of customer service that we provide and would like to know your views on the service you have received to help us learn what we need to do better. We would very much appreciate you taking a few moments to fill in our short feedback form by clicking on <https://www.surveymonkey.co.uk/r/PlanningDM>**  
**Many thanks in advance.**

**From:** Aftab Majeed

**Sent:** 26 June 2017 17:02

**To:** Roy Brown

**Subject:** RE: E-Consultation Request Notification, Aberdeen City Council, Application Ref: 170664/DPP

Hi Roy

Yes this is in notice of Kevin and Lina. I didn't received comments from them to date and assumed that they may not have any comments to provide. The deadline was today. You may need to send them a reminder asking for their comments if they have any.

Thanks

Aftab

**Aftab Majeed** (CEnv,MCIEEM,MRTPI)

Environmental Planner

Environmental Policy Team

Planning and Sustainable Development

### **Communities Housing and Infrastructure**

Aberdeen City Council

Marischal College

Broad Street

Aberdeen AB10 1AB

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

Direct Dial: 01224 523464

Mobile: 07584275958

Fax: 01224 523180

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



*Protecting the irreplaceable, promoting the sustainable*

**From:** Roy Brown  
**Sent:** 26 June 2017 16:31  
**To:** Aftab Majeed  
**Subject:** RE: E-Consultation Request Notification, Aberdeen City Council, Application Ref: 170664/DPP

Hi Aftab,

Thank you for the comments, is this being put on onto Kevin/Lina too? There would be a loss of one young tree on the street.

Kind regards,

**Roy Brown**  
**Planning Technician (Development Management)**

Planning and Sustainable Development | Communities Housing and Infrastructure | Aberdeen City Council |  
Business Hub 4 | Ground Floor North | Marischal College | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522453  
Development Management: 01224 523470

**We are always trying to improve the quality of customer service that we provide and would like to know your views on the service you have received to help us learn what we need to do better. We would very much appreciate you taking a few moments to fill in our short feedback form by clicking on <https://www.surveymonkey.co.uk/r/PlanningDM>**  
**Many thanks in advance.**

**From:** Aftab Majeed  
**Sent:** 26 June 2017 13:29  
**To:** Roy Brown  
**Subject:** RE: E-Consultation Request Notification, Aberdeen City Council, Application Ref: 170664/DPP

Hi Roy  
Please find attached my comments on the above application.  
Thanks

Aftab

**Aftab Majeed** (CEnv,MCIEEM,MRTPI)  
Environmental Planner  
Environmental Policy Team  
Planning and Sustainable Development

**Communities Housing and Infrastructure**

Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen AB10 1AB

Email: [amajeed@aberdeencity.gov.uk](mailto:amajeed@aberdeencity.gov.uk)  
Direct Dial: 01224 523464  
Mobile: 07584275958  
Fax: 01224 523180  
Website: [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

*Protecting the irreplaceable, promoting the sustainable*

**From:** EPConsultations  
**Sent:** 12 June 2017 11:53  
**To:** Kevin Wright; Aftab Majeed; Steven Shaw  
**Subject:** FW: E-Consultation Request Notification, Aberdeen City Council, Application Ref: 170664/DPP

Dear All,

Please see request for comments. Roy has specifically asked for comments on Tree and Open Space Impact.

Lead Responder: Aftab Majeed

Deadline for comments: comments to Aftab by 26<sup>th</sup> June

Responder Group: Aftab Majeed, Kevin Wright, Environmental Services

Find folder [here](#) for saving your response.

Regards,

Gordon



# **Consultee Comments for Planning Application 170664/DPP**

## **Application Summary**

Application Number: 170664/DPP

Address: 85 Arnage Drive Aberdeen AB16 6US

Proposal: Change of use from amenity ground to form driveway

Case Officer: Roy Brown

## **Consultee Details**

Name: Mrs Katy Joy Goodall

Address: Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB

Email: kagoodall@aberdeencity.gov.uk

On Behalf Of: ACC - Flooding And Coastal Protection

## **Comments**

ACC Flood team have no objections or comments to make to this application as it does not pose any flood risk.

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# Consultee Comments for Planning Application 170664/DPP

## Application Summary

Application Number: 170664/DPP

Address: 85 Arnage Drive Aberdeen AB16 6US

Proposal: Change of use from amenity ground to form driveway

Case Officer: Roy Brown

## Consultee Details

Name: Mr scott lynch

Address: Marischal College, Gallowgate, Aberdeen AB10 1YS

Email: slynch@aberdeencity.gov.uk

On Behalf Of: ACC - Roads Development Management Team

## Comments

I note that this application is for the change of use from amenity ground to form a driveway.

The site is in the outer city, outwith any controlled parking zone.

The driveway is internally drained, there is no loss of on-street parking (due to existing single yellow line) and there are no visibility concerns. For these reasons, I have no concerns with this application.

The footway crossing must be constructed by Aberdeen City Council at the expense of the applicant. Due to the neighbouring footway crossing, this combined footway crossing will be longer than we'd typically permit. However, due to the footway itself being set back from the road, this is not a concern.

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## Environmental Policy team response - planning application, masterplan, and development framework consultations

### PROPOSAL DETAILS

	Enter details in this column
Application / plan name	Change of use of amenity ground to pavement crossing and new driveway
Application reference number / reference	170664/DPP
Planning case officer	Choose an item.
Date of request	12/06/2017
Date response required	26/06/2017
Date of response	26/06/2017
EP team (name of responder)	Aftab Majeed
Other EP team members or Services consulted by EP	Environmental Services Specify:

### POLICY AND GUIDANCE

	Enter text in this column
<b>Relevant policy and legislation</b>	
Relevant legislation / regulations	
Relevant LDP policies	NE4 - Open Space Provision in New Development Choose an item. Choose an item. Choose an item. Choose an item. Choose an item. Choose an item.

Relevant Supplementary Guidance/Technical Advice Note	<p>Policies; Choose an item. Choose an item. Choose an item. Choose an item.</p> <p>Development Frameworks / Masterplans Choose an item. Choose an item.</p> <p>Green Space Network and Open Space.</p>
Other key references, e.g. ACC strategies, Local Biodiversity Action Plan, Scottish Planning Policy, National Planning Framework, TPO/Cons area/GSN GIS tool	<p>Local Planning Advice Choose an item.</p> <p>Other Key References Choose an item. Choose an item. Choose an item.</p> <p>Specify;</p>

## COMMENTS

Relevant Policy/guidance or other reference	Comments (including compliance, non-compliance and reasoning)
Relevant LDP policies Choose an item.	The proposed development would result in loss of existing open space. However the area is not a part of the open space audit 2010 audited sites. This may be due to the fact that it may have been classified as private garden or there would not have been access to visit the area at the time of the audit.
Policies; Choose an item.	The change of use will have an impact on the general environment particularly risk of increasing surface water runoff



<p>Development Frameworks / Masterplans Choose an item.</p> <p>Local Planning Advice Choose an item.</p> <p>Other Key References Choose an item. Specify;</p>	<p>which may contribute towards localised flooding. There will also be a loss of habitat and urban biodiversity creating further fragmentation of habitat and wider connectivity. The development should minimise the habitat fragmentation and loss of biodiversity.</p> <p>There may be loss of trees. Kevin or Lina should be able to provide further advice.</p>
<p>Relevant LDP policies Choose an item.</p> <p>Policies; Choose an item.</p> <p>Development Frameworks / Masterplans Choose an item.</p> <p>Local Planning Advice Choose an item.</p> <p>Other Key References Choose an item. Specify;</p>	

## CONCLUSION

Summary of environmental effects of concern and further information required

<b>Topic</b> Summary 1. Explanation/reasoning  If approved; 1.
<b>Topic</b> Summary 1. Explanation/reasoning  If approved; 1.
<b>Topic</b> Summary 1. Explanation/reasoning  If approved; 1.

#### DEVELOPER CONTRIBUTIONS

<b>Enter text</b>
Not required

**FURTHER ADVICE PROVIDED**

	Enter text in this column
Date	
Response by	
Response to	
Advice provided	The development should consider green infrastructure practices to improve the overall connectivity in enhancing the urban environment.

**EP TEAM ADMIN**

Environmental Policy Team monitoring	Enter text in this column
Site visited?	No Free text
Time on this response	1 hr
EP team members / other services or external consultees consulted	Choose an item. Choose an item. Choose an item. Choose an item. Choose an item.  External consultees; Choose an item. Choose an item.  Specify:
Outcome	



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## **DECISION NOTICE**

### **The Town and Country Planning (Scotland) Act 1997** **Detailed Planning Permission**

Andy Farquhar  
Squire Associates  
430 Clifton Road  
Aberdeen  
UK  
AB24 4EJ

on behalf of **Mrs Sarah Buchan**

With reference to your application validly received on 8 June 2017 for the following development:-

**Change of use from amenity ground to form driveway  
at 85 Arnage Drive, 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:

<b>Drawing Number</b>	<b>Drawing Type</b>
SD01	Location Plan
WD01 REV A	Site Layout (Proposed)

#### **REASON FOR DECISION**

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

The proposed change of use to form a driveway would result in the removal of an established street tree and likely damage to another, which both contribute to local landscape character and amenity. Their loss would adversely affect the character and amenity of the surrounding area. The loss of the soft landscaped amenity land to accommodate a tarred access would be detrimental to the visual amenity of the

streetscape. The proposal would set an unwelcome precedent for similar proposals in the surrounding area, which cumulatively would be significantly detrimental to the surrounding area. The design of the driveway would, however, would not adversely road safety. The proposal would therefore fail to comply with Policies D1 - Quality Placemaking by Design; D2 - Landscape; NE3 - Urban Green Space; H1 - Residential Areas; and NE5 - Trees and Woodlands of the adopted Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. While it would accord with road safety guidelines, it would adversely affect the amenity of the surrounding area, and therefore the proposal would not comply with the general aims of 'Supplementary Guidance': 'Transport and Accessibility'. There are no material planning considerations which warrant the grant of Planning Permission in this instance.

**Date of Signing** 7 August 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](http://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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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 100054493-002

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:	Squire Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andy	Building Name:	
Last Name: *	Farquhar	Building Number:	430
Telephone Number: *	01224 663838	Address 1 (Street): *	Clifton Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	UK
		Postcode: *	AB24 4EJ
Email Address: *	andy@squire-associates.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" value="Mrs"/>	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" value="Sarah"/>	Building Number: <input type="text" value="85"/>
Last Name: *	<input type="text" value="Buchan"/>	Address 1 (Street): * <input type="text" value="Arnage Drive"/>
Company/Organisation	<input type="text"/>	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="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="AB16 6US"/>
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="85 ARNAGE DRIVE"/>
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="AB16 6US"/>

Please identify/describe the location of the site or sites

Northings	<input type="text" value="807182"/>	Easting	<input type="text" value="390379"/>
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## 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)

Change of use of amenity ground to form driveway at 85 Arnage Drive, Aberdeen

## 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.

We do not feel that the Planner has made the right decision in this instance and this is indicated in the attached supporting statement.

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)

Supporting statement and photographs provided

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

170664/DPP

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

06/06/2017

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

07/08/2017

## 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 Andy Farquhar

Declaration Date: 06/11/2017

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**Change Of Use Of Amenity Ground To Form Driveway  
At  
85 Arnage Drive, Aberdeen.**

**Supporting Statement**

**November 2017**

Our Client is aggrieved at the Planners decision to refuse Planning approval to form a new driveway to her property at 85 Arnage Drive Aberdeen.

Planning have stated that the reason for refusal " would result in the removal of an established street tree and likely damage to another, which both contribute to local landscape character and amenity".

The proposal would be to remove 1no. tree only and there would be no possible damage to the second tree, as supposed by the Planner. The 2no. trees in front of the property are not "well established trees" as stated by Planning as they were both planted in the last 3-4 years to replace a single damaged tree, therefore the removal of one of the trees to permit the access would return the street scene to its original design.

The Planners state "that the loss of the soft landscaped amenity land to accommodate a tarred access would be detrimental to the visual amenity of the streetscape". This small patch of grass can hardly be classed as "Amenity area". The patch of grass and tree is an area that is regularly fouled on by dogs as can be seen by the attached photograph. Furthermore there are numerous driveways already formed along the length of the street where the grass patch has obviously been allowed to be removed in the past to accommodate the formation of driveways (see photographs) therefore the argument that this application would set a precedent is spurious.

Permitted Development rights allow for the provision of any building required for a purpose incidental to the enjoyment of the dwelling house, including garages. Therefore the Client would be entitled to construct a garage within her property which would by inference require a pavement crossing.

Due to the busy nearby shops and due to single yellow line markings directly in front of the Applicants site it is often near impossible for our client to get parked anywhere near her own property. Given that our client would be entitled to a garage within the site, this implies that that on site parking would also be entitled and would ease access and reduce the stress of finding parking remote from the dwelling.

Our client would be more than happy to provide funds for the planting of a replacement tree in another area.





EXTRA TREE. TO CLOSE TOGETHER















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 100054493-001

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)

Change of use of amenity ground to pavement crossing and new driveway

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) \*

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:	Squire Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andy	Building Name:	
Last Name: *	Farquhar	Building Number:	430
Telephone Number: *	01224 663838	Address 1 (Street): *	Clifton Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	UK
		Postcode: *	AB24 4EJ
Email Address: *	andy@squire-associates.co.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:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Sarah	Building Number:	85
Last Name: *	Buchan	Address 1 (Street): *	Arnage Drive
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB16 6US
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

85 ARNAGE DRIVE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB16 6US

Please identify/describe the location of the site or sites

Northing

807182

Easting

390379

## 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)

Asked if Planning was required and what Planning Application was required. Was informed full Planning Application was required as pavement crossing was passing over amenity ground (grass verge)

Title:

Mr

Other title:

First Name:

Roy

Last Name:

Brown

Correspondence Reference  
Number:

mail no 36752

Date (dd/mm/yyyy):

01/06/2017

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:

278.00

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)

house and garden with pavement and amenity area in front

## 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?

0

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)? \*

2

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

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)

Existing house only forming parking for existing situation

## Residential Units Including Conversion

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

☐ Yes ☒ No

## 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

Are you able to identify and give appropriate notice to ALL the other owners? \*

☒ Yes ☐ No

## Certificate Required

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

Certificate B

## Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] 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;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: \*

Name:

Address:

Aberdeen City Council Marischal College, Broad Street, Aberdeen, AB10 1AB

Date of Service of Notice: \*

06/06/2017



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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Name:

Address:

Date of Service of Notice: \*

Signed: Andy Farquhar

On behalf of: Mrs Sarah Buchan

Date: 06/06/2017

☒ 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 principal 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. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☐ Yes ☒ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ 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 Andy Farquhar

Declaration Date: 06/06/2017

## **Payment Details**

Cheque: Squire Associates Clients Account, 000148

Created: 06/06/2017 11:59



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