

# Public Document Pack



To: Councillor Boulton, Chairperson; and Councillors Mason and Wheeler.

Town House,  
ABERDEEN 05 August 2019

## **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 **TUESDAY, 13 AUGUST 2019 at 11.00 am.**

FRASER BELL  
CHIEF OFFICER - GOVERNANCE

### **BUSINESS**

1.1 Procedure Notice (Pages 5 - 6)

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

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

[Local Development Plan](#)

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

#### **PLANNING ADVISER - GAVIN EVANS**

2.1 Erection of 2 storey gable extension; single storey extension /decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement - 11 Gordon Road Aberdeen - 190575

2.2 Delegated Report, Original Application Form, Decision Notice and Letter of Representation (Pages 7 - 26)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:- 190575

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

2.3 Planning Policies Referred to in Documents Submitted (Pages 27 - 28)

2.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 29 - 118)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number 190575

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

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

## **SECOND REVIEW**

3.1 Erection of single storey extension to rear and 1.5 storey extension to gable - 107 Hilton Road - 190594

3.2 Delegated Report, Original Application Form and Decision Notice (Pages 119 - 132)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-190594

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

3.3 Planning Policies Referred to in Documents Submitted (Pages 133 - 134)

3.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 135 - 156)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number 190594

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

3.5 Determination - Reasons for Decision

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

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

### **THIRD REVIEW**

4.1 Erection of fence to the front and rear - 7 Airyhall Terrace Aberdeen - 190128

4.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 157 - 228)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:- 190128

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

4.3 Planning Policies Referred to in Documents Submitted (Pages 229 - 230)

4.4 Notice of Review with Supporting Information Submitted by Applicant (Pages 231 - 238)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number 190128

<https://publicaccess.aberdeency.gov.uk/online-applications/search.do?action=simple&searchType=Application>

4.5 Additional Representations Received since submission of the Notice of Review (Pages 239 - 248)

4.6 Determination - Reasons for Decision

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

4.7 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.aberdeency.gov.uk](http://www.aberdeency.gov.uk)

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

## 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.



## Strategic Place Planning

Report of Handling

<b>Site Address:</b>	11 Gordon Road, Mannofield, Aberdeen, AB15 7RY
<b>Application Description:</b>	Erection of 2 storey gable extension; single storey extension /decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement
<b>Application Ref:</b>	190575/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	5 April 2019
<b>Applicant:</b>	Mr Calum Smith
<b>Ward:</b>	Airyhall/Broomhill/Garthdee
<b>Community Council:</b>	Braeside and Mannofield
<b>Case Officer:</b>	Nicholas Lawrence

### RECOMMENDATION

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Refuse

### APPLICATION BACKGROUND

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#### Site Description

The subject property, together with the abutting number 9 Gordon Road, forms a semi-detached 1½ storey bungalow displaying a distinctive hipped-gable roof arrangement with a pair of pitched dormers in the attic space. The style and form of this inter-war dwelling is replicated in the immediate area, producing a dominant suburban character and sense of place.

There have been alterations to dwellings in the area, principally to the rear and whilst there are limited roof extensions, the dominant character is of bungalows displaying the simple roof profile. A number of dwellings have garages that are set back from the face of the dwelling, which reflects changing transport shift towards the dominance of the motor car since the dwellings were constructed.

The site is located within a Residential Area as shown on the Proposals Map to the Aberdeen Local Development Plan 2017 (ALDP), to which policy H1 attaches.

#### Relevant Planning History

Application Number	Proposal	Decision Date
190214/PREAPP	Proposed 1.5 storey extension to side; single storey extension to rear and alteration to an existing rear dormer	Advice Issued 12.04.2019

## BACKGROUND AND BASIS OF APPLICATION

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### Background

The Pre-Application Advice (the Advice) addressed both the lateral roof/gable and rear extension elements of the proposed scheme. On the latter, the local planning authority had and retains no objection to this aspect of the scheme including the decking area.

With regard to the lateral roof/gable extension, the Advice noted that to *some extent* the extension had been designed with regard to the host dwelling. However, the Advice expressed with absolute clarity that the proposal as presented was contrary to the adopted Householder Development Guide Supplementary Guidance (the Guidance) and this aspect of the scheme could not be supported on the basis; that the proposal would unbalance the existing pair of unaltered semi-detached properties to the detriment to the character of the surrounding area. The proposal would therefore be contrary to the Guidance and in turn policies D1 and H1 of the ALDP, together with national guidance set within Scottish Planning Policy.

In the interest of adopting a positive and proactive position in the decision-taking process the Advice offered the following counsel...*some amendments require to be made, namely: the proposed half-hip style should be removed and it is recommended that the existing roof is extended width-ways over the proposed garage (to the extremity) using the same roof profile and eaves heights. A smaller dormer with a hipped pitched roof, or rooflights, could be incorporated on the front elevation.*

This position in terms of the roof profile and the application proposal in general was reiterated by e-mail, together with a drawing to the Applicant on the 15<sup>th</sup> of April 2019 setting out a roof profile form that, in principle, could be supported by the Local Planning Authority.

### Basis of Application

The Application takes a divergent view to that advice offered on two separate occasions and the position of the Applicant not to explore the advice is predicated on the following basis:

- The property was purchased to extend as per the application as anything less was not viable.
- When the property was marketed, we had to move quickly to secure the purchase and unfortunately could not afford the time to await the outcome of a planning enquiry [comments by applicant to support proposed development]; and
- Other properties in the area have been extended.

Whilst the above sets out in outline the Applicant's reasoning in pursuing a scheme outwith the advice given, it should be noted that the above is caveated by the Applicant in the following terms:

- On the first bullet point; the Applicant within the supporting documentation accepts the fact that the house was purchased to extend the *in itself does not justify the design* [applicants submitted comments on application] and
- The process of purchasing a property is not a material consideration in the determination of a planning application and the Applicant has not evidenced how this event could lawfully be considered as a determining factor in assessing a planning application.



With regard to the final point; the matter of precedent is addressed under the main issues section of this report.

## **PROPOSED DEVELOPMENT**

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### **Description of the Proposed Development**

In brief, planning permission is sought for the following elements:

- 2 storey lateral roof/gable extension including enlargement of rear dormer; new pitched dormer to the street elevation roof slope (to provide 2 new bedrooms, small enlargement – via rear dormer to bathroom and bedroom 4); and
- Single storey rear extension to create enlarged kitchen and dining area; and
- Rear decking to rear of single storey extension.

The disposition and appearance of the proposed developmental elements is shown on submitted drawings, proposed ground floor plan, proposed first floor plan, and proposed elevations and site plan.

### **Supporting Documents**

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PPFCT9BZMJY00>

- Supporting Statement and e-mail correspondence

## **CONSULTATIONS**

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**Braeside and Mannofield Community Council** – No response

## **REPRESENTATIONS**

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1 written objection has been received. The matters raised can be summarised as follows –

- Disrupts the traditional nature of the street facing elevations

## **PLANNING POLICY FRAMEWORK AND MATERIAL CONSIDERATIONS**

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### **Legislative Requirements**

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

### **National Planning Policy and Guidance**

- 3<sup>rd</sup> National Planning Framework
- Scottish Planning Policy

- Planning Advice Note 67 Housing Quality

### **Aberdeen City and Shire Strategic Development Plan (2014) (SDP)**

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29<sup>th</sup> March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

### **Aberdeen Local Development Plan 2017 (ALDP)**

- H1 Residential Areas
- D1 Quality Placemaking by Design

### **Supplementary Guidance**

- Householder Development Guide

## **EVALUATION**

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### **ABERDEEN CITY AND SHIRE STRATEGIC DEVELOPMENT PLAN (2014) (SDP)**

In terms of assessment against the SDP, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require consideration against the SDP.

### **MAIN ISSUES**

Firstly; whether the proposed development is acceptable in principle; secondly, whether the proposal in its detailed form harms the character and appearance of the area; thirdly, the question of precedent; and fourthly, private interest. All issues have regard to the provisions of the ALDP, supporting Guidance and other material considerations.

### **Principle of the Proposed Development**

ALDP policy H1 supports householder development subject to, in part, that the development does not have an unacceptable impact on the character and amenity of the surrounding area; and complies with Supplementary Guidance.

Therefore the principle of the proposed development is deemed acceptable subject to the provisions of ALDP policy H1, other policies within the ALDP, Supplementary Guidance: Householder Development Guide (the Guidance), together with national guidance and policy.

The proposed development as outlined above has 3 main elements (lateral roof/gable extension, rear single storey extension, and decking to rear). As noted in the advice, the Local Planning Authority is of the view that the only aspect of the proposal at issue relates to the lateral roof/gable extension.

### **Impact upon the Character and Appearance of the Area**

The character of an area is more than the visual flow of the type of buildings and their associated materials; it also embraces the juxtapositions between buildings, their setting and the spaces they create.

Both ALDP policies D1 and H1, together with the Guidance seek to ensure that due regard is had to the impact of a development upon the character and appearance of its environs (i.e. context), which includes impact upon the building in its entity (i.e. 9 and 11 Gordon Road). The Guidance notes that modifying only one half of a hipped roof is likely to result in the roof having an unbalanced appearance which will not be supported, unless it will not result in any harm to the character and appearance of the area, which includes visual amenity, of the area.

The policy requirements of the ALDP are founded upon national advice within Scottish Planning Policy (SPP). Planning Advice Note 67 (Housing Quality) comments that local authorities should not abandon any expectation of achieving design quality and notes that *It is in suburban settings that opportunities for good design are most likely to be missed.*

As noted above, the character of the area is suburban in terms of form and setting (i.e. a sense of place) and in any such area there has been a range of architectural responses to the changing needs of occupiers of the dwellings. This is most notably expressed by the number of rear extensions to properties immediately to and in the wider area of the site. Accordingly, the streetscape maintains character of small villa type bungalows, with symmetrical roof profiles, set back from the road with driveways and garages set back from the front of the properties that has reflected the changing transport shift towards the dominance of the motor car since the dwellings were constructed.

Whilst there are a number of lateral gable/roof extensions in the area these are limited; and where they have occurred the existing domestic form and appearance has been reinforced by the lower floor element being a living room/comparable habitable space that follows the existing window design of the host dwelling, rather than becoming a garage. Due to the limited number of extensions there has been no significant change in the character of the street and the wider area.

The proposed lateral extension, will alter the balance of the unaltered pair of dwellings, and this imbalance coupled to the form, mass and detail (dormer / garage) will in turn erode the character and appearance of the area. This aspect of the proposed development would represent an abandonment of seeking to achieve good design (i.e. the right development in the right place) and would harm not only the host building but also the character and appearance of the area. Therefore, the lateral gable/roof extension is contrary to advice set within policies D1 and H1 of the ALDP, the Guidance, as well as advice at the national level within SPP and PAN 67.

### **Precedent**

It is a tenet of planning law and good governance that each planning application is determined upon its own merits, and the decision should be taken with regard to the provisions of the

Development Plan (ALDP) and national guidance unless other material considerations indicate otherwise.

Notwithstanding this fact, the Applicant considers in correspondence to the Local Planning Authority that precedent is the key determinative factor.

The pre-application advice addressed the matter of precedent and context:

*Whilst it is acknowledged that there are examples of properties with half-hipped style roofs in the vicinity, proposals require to be assessed in conjunction with current Policy and Supplementary Guidance and the nearby modifications appear to be historic, with none determined under current Local Plan policies and Supplementary Guidance. As such, these existing altered dwellings would not be considered to set a precedent in this instance. In addition, these examples are not considered so numerous to have resulted in a significant change in the character of the street.*

Again, notwithstanding the above fact the Applicant cites a grant of planning permission in 2017 (Application Reference 171005/DPP - 26 Craighton Terrace) as a basis to allow the Application. It is not considered that the approval of a side extension at 26 Craighton Terrace is relevant to or sets any kind of precedent for the proposed development. On Craighton Terrace there are currently side extensions with raised gables on six of the eight houses at Nos. 29-43. One further property, No.37 has a side extension but with the original hipped roof profile retained. Thus there is a cluster of properties at the south west end of Craighton Terrace that have been altered in this manner. No.26 sits directly opposite that cluster. Further, it is the last property in the street (north west side) and thus does not have the same disruptive impact on the streetscape.

The character of this particular section of Craighton Terrace does not reflect the whole of that road and that aspect of character does not exist with the environs of the application site.

The Applicant also references numbers 17, 19 and 19a Gordon Road; however, it is a terrace of three dwellings and were designed as a single entity and have not been laterally extended and therefore are different from the proposal (i.e. proposed lateral extension to dwelling).

Whilst the Applicant quotes examples of extensions to other properties, what is being assessed is what is appropriate in respect of the application site only; and the Local Planning Authority has positively addressed this matter with a suggested way forward.

Therefore, the proposition that precedent should permit a grant of planning permission, fails.

### **Private interests**

The purpose of planning is to consider the broad aspect of public interest, rather than to protect any one or more person's private interest. In this regard, the Applicant within the supporting information commented upon his private interest in purchasing the property to extend. This does not form a material consideration in the decision-taking process.

### **REFUSAL REASON**

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1. The proposed lateral roof/gable extension by reason of its design, form, mass and composition would harm both the conformation of the pair of semi-detached dwellings, together with the character and appearance of the area contrary to policies D1 (Quality Placemaking by Design) and H1 (Residential Areas), and the Householder Development Guide Supplementary Guidance

to the Aberdeen Local Development Plan 2017, together with national guidance in Scottish Planning Policy and Planning Advice Note 67 on Housing Quality.

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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            100159595-001

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

## Description of Proposal

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

Proposed two-storey side extension, single-storey rear extension, extension to rear box dormer and minor internal alterations.  
Erection of new boundary wall and replacement boundary fence.

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

## 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="Calum"/>	Building Number:	<input type="text" value="10"/>
Last Name: *	<input type="text" value="Smith"/>	Address 1 (Street): *	<input type="text" value="Airyhall Terrace"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB15 7QN"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## 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="11 GORDON ROAD"/>
Address 2:	<input type="text" value="MANNOFIELD"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB15 7RY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="804410"/>	Easting	<input type="text" value="391559"/>
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## 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)

Written response to a Pre-Application Enquiry

Title:

Ms

Other title:

First Name:

Jacqui

Last Name:

Thain

Correspondence Reference Number:

190214/PREAPP

Date (dd/mm/yyyy):

12/03/2019

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.

## Trees

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

Yes  No

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

## Access and Parking

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

Yes  No

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

## Planning Service Employee/Elected Member Interest

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

Yes  No

## Certificates and Notices

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

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

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

Yes  No

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

Yes  No

## Certificate Required

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

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Mr Calum Smith

On behalf of:

Date: 03/04/2019

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

## Declare – For Householder Application

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

Declaration Name: Mr Calum Smith

Declaration Date: 03/04/2019

## Payment Details

Online payment: ABSP00003877

Payment date: 03/04/2019 19:34:00

Created: 03/04/2019 19:35

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## **DECISION NOTICE**

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

#### **Detailed Planning Permission**

Mr Calum Smith  
10 Airyhall Terrace  
Aberdeen  
AB15 7QN

With reference to your application validly received on 5 April 2019 for the following development:-

**Erection of 2 storey gable extension; single storey extension /decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement  
at 11 Gordon Road, Mannofield**

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>
GR001	Location Plan
GR002	Existing Elevations and Plans
GR003	Existing Floor Plans
GR004	Proposed Elevations and Site Plan
GR005	Proposed Ground Floor
	Proposed First Floor

#### **REASON FOR DECISION**

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

1. The proposed lateral roof/gable extension by reason of its design, form, mass and composition would harm both the conformation of the pair of semi-detached

dwellings, together with the character and appearance of the area contrary to policies D1 (Quality Placemaking by Design) and H1 (Residential Areas), and the Householder Development Guide Supplementary Guidance to the Aberdeen Local Development Plan 2017, together with national guidance in Scottish Planning Policy and Planning Advice Note 67 on Housing Quality.

**Date of Signing** 24 May 2019



**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 Strategic Place Planning (address at the top of this decision notice).

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

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

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# Comments for Planning Application 190575/DPP

## Application Summary

Application Number: 190575/DPP

Address: 11 Gordon Road Mannofield Aberdeen AB15 7RY

Proposal: Erection of 2 storey gable extension; single storey extension /decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement

Case Officer: Nicholas Lawrence

## Customer Details

Name: Ms Julia Strickland

Address: Aberdeen Civic Society c/o 1 Mackie Place Aberdeen

## Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Aberdeen Civic Society objects to this proposal as it disrupts the traditional nature of the street facing elevations. Can Aberdeen City Council decide what policy it has to control this type of development such that the character of the street is retained? This type of development is becoming more prevalent in the city.

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## **National Planning Policy**

Scottish Planning Policy (SPP)

<https://www.gov.scot/Resource/0045/00453827.pdf>

## **Aberdeen City and Shire Strategic Development Plan (SDP)**

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.aspx?IID=1111&SID=90>

## **Aberdeen Local Development Plan (ALDP)**

D1: Quality Placemaking by Design;

H1: Residential Areas

## **Supplementary Guidance**

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

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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 100166702-001

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

## 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="Calum"/>	Building Number:	<input type="text" value="10"/>
Last Name: *	<input type="text" value="Smith"/>	Address 1 (Street): *	<input type="text" value="Airyhall Terrace"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB15 7QN"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

11 GORDON ROAD

Address 2:

MANNOFIELD

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB15 7RY

Please identify/describe the location of the site or sites

Northing

804410

Easting

391559

## 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 2 storey gable extension; single storey extension /decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement

## 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.

I wish to have the decision to refuse the application overturned - please refer to Appeal Report for details.

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)

Appeal report Appendices

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

190575/DPP

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

05/04/2019

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

24/05/2019

## 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 Calum Smith

Declaration Date: 07/06/2019





# Appeal Report

11 Gordon Road, Aberdeen AB15 7RY

Planning Application ref: 190575/DPP

Decision Notice Issue Date: 24<sup>th</sup> May 2019

Mr Calum Smith  
7<sup>th</sup> June 2019

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  - XX. 7 Craigton Avenue Report of Handling

## **1. INTRODUCTION**

This report has been prepared in order to formalise an appeal against the decision taken by Aberdeen City Council Planning Authority to refuse Planning Permission for works at 11 Gordon Road, Aberdeen AB11 7RY, under Planning Application Reference 190575/DPP. The Application Description as assigned by the Planning Department is: Erection of two storey gable extension; single storey extension/decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement.

It is the intention of this report to challenge the recommendation to refuse Planning Permission, by reviewing and addressing the justifications provided for the conclusions drawn.

## **2. APPLICATION HISTORY**

Prior to lodging the Planning Application, a Pre-Application Advice Form was submitted in the hope of obtaining “agreement in principle” to the proposals. The Applicant then met with the appointed Planning Officer at the application address to discuss the proposals and received very positive feedback with assurances that there would be no issues in obtaining Planning Permission given the clear precedents that had been set in the vicinity. The Pre-Application Written Response (Appendix VI) was then issued some three weeks later on 12<sup>th</sup> April 2019, and contrary to the verbal advice given previously, stated that the proposals in their current form would not be supported by the Planning Authority. Given the feedback previously received from the Planning Officer, coupled with the firm belief that the proposals are acceptable, the decision was taken not to alter the design and to lodge the Planning Application in its current form (appendices I-V) along with a Supporting Statement (appendix VII) which addressed the points raised.

The subsequent correspondence received from the Planning Authority and the reasoning noted in the Report of Handling largely echo the Pre-Application Advice given.

The Report of Handling (appendix X) and Decision Notice (Appendix XI) were issued on 24<sup>th</sup> May 2019.

### **3. REPORT OF HANDLING – OVERVIEW**

Firstly, it should be noted that the Planning Authority acknowledges within the Report of Handling that they hold no objection to the design of the proposed rear extension elements, including the decking area.

However, with regard to the gable extension, the Report of Handling contends that the proposal is not acceptable and it is on this basis that the application was refused. The refusal reason was given as follows:

*“The proposed lateral roof/gable extension by reason of its design, form, mass and composition would harm both the conformation of the pair of semi-detached dwellings, together with the character and appearance of the area contrary to policies D1 (Quality Placemaking by Design) and H1 (Residential Areas), and the Householder Development Guide Supplementary Guidance to the Aberdeen Local Development Plan 2017, together with national guidance in Scottish Planning Policy and Planning Advice Note 67 on Housing Quality.”*

This report shall now provide a direct response to the justification provided within the Report of Handling for arriving at this decision.

### **4. REPORT OF HANDLING – RESPONSE**

#### **4.1 BASIS OF APPLICATION**

The report begins by noting that some positive and proactive advice was provided by the Planning Authority, as follows: *“some amendments require to be made, namely: the proposed half-hip style should be removed and it is recommended that the existing roof is extended width-ways over the proposed garage (to the extremity) using the same roof profile and eaves heights. A smaller dormer with a hipped pitched roof, or rooflights, could be incorporated on the front elevation.”*

Whilst this counsel was appreciated, it was acknowledged within the Supporting Statement that *“Construction of a full hip roof in lieu of the proposed half hip would significantly compromise the bedroom accommodation to the point that the extension would no longer be viable.”* It was not the intention that this be considered as justification for the design, it was merely stated as the basis on which it was felt necessary to challenge the advice given.

\*Note: differing terminology was adopted to describe both the existing and proposed roof profiles during the course of the correspondence with the Planning Authority. In order to avoid confusion from this point forth, the report shall consistently use the terms considered to best describe the roof profiles, namely: 2/3 hip (existing) and 1/3 hip (proposed), as both existing and proposed roof profiles exhibit a raised hip, but to different extents.

The author of the Report of Handling then sets out what they consider to be the basis of the application, in the following terms:

*“The Application takes a divergent view to that advice offered on two separate occasions and the position of the Applicant not to explore the advice is predicated on the following basis:*

- *The property was purchased to extend as per the application as anything less was not viable.*

- *When the property was marketed, we had to move quickly to secure the purchase and unfortunately could not afford the time to await the outcome of a planning enquiry [comments by applicant to support proposed development]; and*

- *Other properties in the area have been extended.”*

Firstly, in response to the accusation that the applicant chose “not to explore the advice” given – indeed, the suggested roof profile was reviewed in detail during a comprehensive feasibility study, but discounted for the reason previously stated.

Secondly, again these points were not intended to form the justification for the design (a point acknowledged within the Supporting Statement), they were noted simply to provide background to the application.

The author acknowledges that the first two points are caveated within the Supporting Statement (the third will be explored later) and it is therefore difficult to see the need to address it further within the Report of Handling.

However, it should be noted that whilst the design of an extension cannot be justified by the Applicant’s accommodation requirements, there is a social argument that may be considered. The demographic of Mannofield and Airyhall has been steadily evolving over recent years with many young families moving to the area, which in turn provides local investment and a positive contribution to the community. The application property in its current form is not suitable for a modern family of four, and the proposed extension is considered necessary in order to create the required accommodation. With this in mind, it would not be unreasonable to hope that the Planning Authority would be more supportive when considering such applications.

## **4.2 EVALUATION**

The Report of Handling sets out the Planning Policy Framework and notes that *“The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered.”*

Specific policies are then identified as:

### **Aberdeen Local Development Plan 2017 (ALDP)**

- D1 Quality Placemaking by Design (Appendix XII)
- H1 Residential Areas (Appendix XIII)

## Supplementary Guidance

- Householder Development Guide (Appendix XIV)

The author then goes on to list what they consider to be the main considerations, as follows:

*“Firstly, whether the proposed development is acceptable in principle; secondly, whether the proposal in its detailed form harms the character and appearance of the area; thirdly, the question of precedent; and fourthly, private interest. All issues have regard to the provisions of the ALDP, supporting Guidance and other material considerations.”*

The author’s assessment of these points will now be reviewed.

### 4.2.1 Firstly, whether the proposed development is acceptable in principle

The author acknowledges that *“the principle of the proposed development is deemed acceptable subject to the provisions of ALDP policy H1, other policies within the ALDP, Supplementary Guidance: Householder Development Guide (the Guidance), together with national guidance and policy.”*

### 4.2.2 Secondly, whether the proposal in its detailed form harms the character and appearance of the area

The author notes that *“the character of the area is suburban in terms of form and setting (i.e. a sense of place) and in any such area there has been a range of architectural responses to the changing needs of occupiers of the dwellings. This is most notably expressed by the number of rear extensions to properties immediately to and in the wider area of the site. Accordingly, the streetscape maintains character of small villa type bungalows, with symmetrical roof profiles, set back from the road with driveways and garages set back from the front of the properties that has reflected the changing transport shift towards the dominance of the motor car since the dwellings were constructed.*

*“Whilst there are a number of lateral gable/roof extensions in the area these are limited; and where they have occurred the existing domestic form and appearance has been reinforced by the lower floor element being a living room/comparable habitable space that follows the existing window design of the host dwelling, rather than becoming a garage. Due to the limited number of extensions there has been no significant change in the character of the street and the wider areas.”*

The sample area on which the preceding passage is based is not defined. It is therefore proposed, for the purposes of this report, that the sample area be defined as the following three streets: Gordon Road, Craigton Terrace and Craigton Avenue, as outlined in Figure 1. These three streets, framed within the triangle formed by Craigton Road, Springfield Road and St. John’s Terrace, exhibit largely similar housetypes, namely pairs of semi-detached, 1.5 storey granite dwellings with hipped roofs and dormer windows. In the interests of achieving like-for-like comparison, the 3no. larger, detached houses at the southwestern end of Gordon Road & Craigton Terrace have been excluded.



Fig. 1

The key observations noted by the author within the area may be summarised as follows:

1. The number of lateral gable/roof extensions in the area is limited
2. The ground floor of the extensions within the area is utilised as a habitable space rather than a garage
3. Due to the limited number of extensions there has been no significant change in the character of the street and the wider areas

In order to conduct a balanced review of these three points, it would seem prudent to provide a quantified assessment of the area.

**1. The number of lateral gable/roof extensions in the area is limited**

Figure 2 highlights in orange the lateral gable/roof extensions within the area.



Fig. 2

It can be seen that of the 109no. properties, 26no. have lateral gable/roof extensions – in other words, nearly a quarter of the housing within the sample area. It could reasonably be contested therefore that lateral roof/gable extensions within the area are not limited and are in fact fairly common.

**2. The ground floor of the extensions within the area is utilised as a habitable space rather than a garage**

Figure 3 highlights in blue the garage extensions within the area. In each case, the extension has been built on the side of the house and the garage is aligned with the front of the dwelling, rather than set back.





Fig. 3

It can be seen that 44no. of the 109no. properties have had garage extensions built, over 40%.

**3. Due to the limited number of extensions there has been no significant change in the character of the street and the wider areas**

As noted in response to Point No. 1, the suggestion that the number of lateral gable/roof extensions in the area is limited, is somewhat erroneous. However, the character of an area may be altered by developments of any kind. It should be noted therefore that of the 109no. dwellings within the sample area, 63no. have an extension of some description, be it single-storey or two-storey, that is aligned with the front of the original house. It can therefore be reasonably argued, given that more houses have been extended than not, that the character of the three streets within the sample area has been significantly changed.

This review has demonstrated that the author's three key observations of the area are fundamentally flawed, therefore their assessment of the impact the proposed development would have on said area is significantly undermined.

The author then specifically addresses the proposed design as follows:

*"The proposed lateral extension, will alter the balance of the unaltered pair of dwellings, and this imbalance coupled to the form, mass and detail (dormer / garage) will in turn erode the character and appearance of the area. This aspect of the proposed development would represent an abandonment of seeking to achieve good design (i.e. the right development in the right place) and would harm not only the host building but also the character and appearance of the area. Therefore, the lateral gable/roof extension is contrary to advice set within policies D1 and H1 of the ALDP, the Guidance, as well as advice at the national level within SPP and PAN 67."*

From the preceding passage, it would be reasonable to summarise that the author's objections to the development are twofold:

1. The design of the lateral roof extension & front dormer
2. The inclusion of an integral garage within the lower level of the extension

The author's reasoning shall now be reviewed.

#### **1. The design of the lateral roof extension & front dormer**

The Planning Authority have expressed a view that the proposed roof extension contravenes Policy 3.1.8 of the Householder Development Guide (Figure 4).

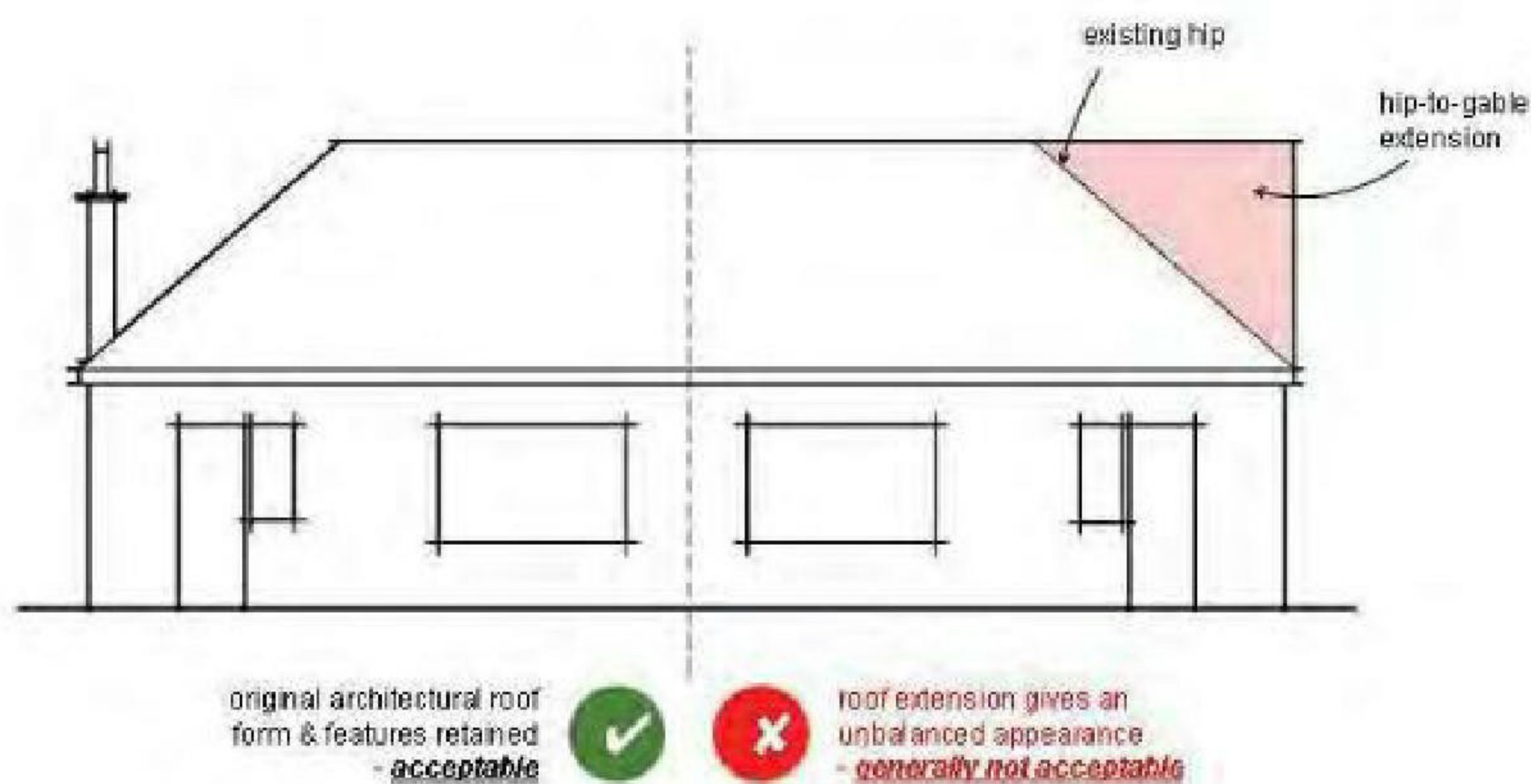
### 3.1.8 Roof Extensions

#### Hipped roof extensions

Modifying only one half of a hipped roof is likely to result in the roof having an unbalanced appearance.

**The practice of extending a hipped roof on one half of a pair of semi-detached houses to terminate at a raised gable will not generally be accepted unless:**

- The other half of the building has already been altered in this way; **or**
- Such a proposal would not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area.



#### Hipped Roof Extensions

Figure 4

It is clear that the roof profile of the adjoining dwelling (No. 9) has not been altered. However, the policy also notes that such a proposal will be deemed acceptable provided it does not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area.

Firstly, it should be noted that the proposed roof profile is one of a raised hip (1/3 hip), rather than a full gable as shown on the illustration within HDG 3.1.8, in order to match the numerous neighbouring dwellings which have already been developed in such a way.

Figure 2 demonstrated the extent of two-storey extensions constructed within the area. In order to explore this further, Figure 5 shows the mix of different roof types which exist within the area (both extended and unextended properties).



Figure 5

It can be seen that the predominant roof profile within the sample area is hipped, with a mix of full hips, 2/3 hips and 1/3 hips. Some 25no. houses within the area exhibit a 1/3 hip roof profile, the proposed roof profile at 11 Gordon Road. Taking a more localised sample, travelling southwest along Gordon Road from the application property, nine of the next 17 properties within the sample area have a 1/3 hip roof – over 50%. The dwelling immediately opposite (No. 4) also has a 1/3 hip roof. Images A-H below show existing examples of 1/3 hip roofs on Gordon Road.



Image A: 2 & 4 Gordon Road (immediately opposite application property) – 1/3 hip roof profile to No. 4



Image B: 13 & 15 Gordon Road (immediately adjacent to application property) – an identical roof profile to the proposal



Image C: View from the southwest showing the application property on the left and two nearby extensions with raised hip roofs



Image D: 17, 19 & 19a Gordon Road (80m from the application property) – 1/3 hip roof to both sides



Image E: 25 & 27 Gordon Road – no. 27 has a 1/3 hip roof, again identical to the proposed roof profile at no. 11



Image F: 29 & 31 Gordon Road – no. 31 has a 1/3 hip roof, again identical to the proposed roof profile at no. 11



Image G: 33 & 35 Gordon Road – further examples of 1/3 hip roofs on the same side of the street



Image H: 37 & 39 Gordon Road – no. 39 has a 1/3 hip roof, again identical to the proposed roof profile at no. 11



It has been demonstrated therefore that whether the application property is viewed only in the context of its immediate neighbours, in the context of the wider streetscape of Gordon Road, or in the context of the wider sample area, the proposed roof profile is in keeping with the existing character and appearance of the area.

## ***2. The inclusion of an integral garage within the lower level of the extension***

The application property sits within a row of eight dwellings at the northern end of Gordon Road, between Craigton Road and Gordon Terrace. It can be seen from Figure 3 that three of these eight dwellings have a garage extension built on the side. In addition, No. 9 (which is joined to no. 11) previously had a garage extension which has subsequently been converted into living accommodation. Image I shows the three integral garages (one of them a large, double garage) adjacent to no. 11 at the northern end of Gordon Road.



Image I

It should also be noted that the proposed garage wasn't considered to be unacceptable by the Planning Authority when providing positive and proactive guidance within their Pre-Application Written Response, which stated: *"The proposed half-hip style should be removed and it is recommended that the existing roof is extended width-ways over the proposed garage (to the extremity) using the same roof profile and eaves heights."*

The suggestion that the roof profile be amended *"over the proposed garage"* would appear to represent an acknowledgement that the garage is deemed to be acceptable.

It was only within a subsequent letter from the Planner (Appendix IX), following submission of the Planning Application, that the garage was highlighted as potentially being unacceptable, with the following narrative:

*“In addition, you will have noted that when gable extensions have previously been undertaken (e.g. 13/15 Gordon Road) the extension at ground floor level (road facing) is used as an additional living area and the window design adopts that of the existing (i.e. host) building that respects this part of the buildings character. Any revision should have regard to this matter.”*

This stance was then reiterated in similar terms within the Report of Handling, as previously noted.

The example provided is peculiar, given that No. 13 doesn't have a gable extension of any description. Moreover, the statement is simply not true, as evidenced previously within this report. Indeed No.15 is one example of an extension with living accommodation on the lower level, but equally, numerous examples of extensions comprising garages can be put forward to counter this, as evidenced by the preceding images.

The author's assertion that the inclusion of a garage is not satisfactory was made without reference to any specific policy, which leads the reader to assume that this view is based only upon a subjective opinion. ALDP Policy H1 states that *“proposals for new development and householder development will be approved in principle if it does not have an unacceptable impact on the character and amenity of the surrounding area.”* It has been adequately demonstrated within the preceding paragraphs that the character and amenity of the surrounding area would not be compromised in any way by the inclusion of a garage.

#### **4.2.3 Thirdly, the question of precedent**

In consideration of the question of precedent the report's author once again attempts to discredit the arguments put forward, claiming that *“the Applicant considers in correspondence to the Local Planning Authority that precedent is the key determinative factor.”*

At no point during correspondence was it suggested that precedent is the key determinative factor, it was simply acknowledged as one very important factor, amongst others.

The author makes reference to a recent precedent cited by the Applicant during correspondence with the Planning Authority - 26 Craigton Terrace (Application Reference 171005/DPP) (Appendices XV & XVI), which was granted Unconditional Planning Permission in October 2017. However, this example is dismissed in the following terms:

*“It is not considered that the approval of a side extension at 26 Craigton Terrace is relevant to or sets any kind of precedent for the proposed development.”*

That this development is considered by the author to be irrelevant is astounding, given that:

- Craigton Terrace is the street immediately adjacent to, and running parallel to, Gordon Road
- The extension at 26 Craigton Road is almost identical to the proposal at 11 Gordon Road in terms of roof profile, dormer design and inclusion of a garage
- The application was approved only 18 months prior to the application for 11 Gordon Road, under the same Planning Policy

These three points make the application at 26 Craigton Terrace absolutely relevant in consideration of the proposed extension at 11 Gordon Road.

In addition, an application for a lateral extension at 7 Craigton Avenue (Application Reference 170133/DPP) (Appendices XIX & XX), was also granted Unconditional Planning Permission earlier in 2017. Again, the design of the proposed extension is very similar to that at 11 Gordon Road, albeit with a smaller dormer, and was approved under the current Planning Policy.

The extensions at both 26 Craigton Terrace and 7 Craigton Avenue have now been constructed and as such are highlighted on the foregoing reference plans.

This report shall now review the three applications collectively in order to compare the reasoning attributed to the decisions reached by the Planning Authority.

Figure 6 identifies the three application properties, all within the previously defined sample area.



Fig. 6

Figure 7 shows the proposed front elevations of the three application properties side-by-side in order to demonstrate the clear similarity of the designs.



Fig. 7

This report shall now compare the respective conclusions drawn within the Reports of Handling for each of the three properties, in consideration of the guidance within Policy 3.1.8 of the Householder Development Guide.

11 Gordon Road	26 Craigton Terrace	7 Craigton Avenue
<b>Proposed extension in relation to adjoining, unaltered property</b>		
<p><i>The proposed lateral extension, will alter the balance of the unaltered pair of dwellings, and this imbalance coupled to the form, mass and detail (dormer / garage) will in turn erode the character and appearance of the area. This aspect of the proposed development would represent an abandonment of seeking to achieve good design (i.e. the right development in the right place) and would harm not only the host building but also the character and appearance of the area. Therefore, the lateral gable/roof extension is contrary to advice set within policies D1 and H1 of the ALDP, the Guidance, as well as advice at the national level within SPP and PAN 67.</i></p>	<p><i>The adjoining property is unaltered and this would result in the pair of semi-detached properties appearing somewhat unbalanced as the adjoining semi has maintained its hipped roof profile; the proposal therefore fails to meet the first criteria and has to be considered in terms of the wider streetscape</i></p>	<p><i>This would result in the pair of semi-detached properties appearing somewhat unbalanced on the streetscape. Nevertheless, this type of extension would be acceptable firstly because the roofslope of the original dwelling is not a full hip. Its eaves height is raised slightly on the side elevations. While much higher than the raised eaves on the side elevations, the roof form of the proposed extension would be similar.</i></p>
<p>The author immediately dismisses the proposal, using fairly emotive language, without making specific reference to the design intent or the wider streetscape.</p>	<p>The author acknowledges that the proposal must be considered in the context of the wider streetscape, which would appear sensible.</p>	<p>The author immediately deems the roof profile to be acceptable, acknowledges that the original roof is not a full hip, and appreciates the fact that the proposed roof form is similar</p>
<b>The character of the wider streetscape and the question of precedent</b>		
<p><i>The Applicant also references numbers 17, 19 and 19a Gordon Road; however, it this is a terrace of three dwellings and were designed as a single entity and have not been laterally extended and therefore are different from the proposal (i.e. proposed lateral extension to dwelling).</i></p>	<p><i>While the street originally comprised identical semi-detached properties with hipped roofs, there are many examples of properties within the street which have added 1.5 storey gable extensions with partial hips. These are concentrated particularly towards the western end of Craigton Terrace, notably at Nos 27 &amp; 29, 33 &amp; 35, 37, and 41 &amp; 43, opposite the</i></p>	<p><i>Secondly, the proposal would not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area. This is because a substantial number of the dwellings both on Craigton Avenue and in the wider area, particularly Craigton Terrace, have been extended in such a way. As a result of these</i></p>

	<p><i>application property. It can therefore be argued that the predominant character of the properties within this section is now one of straight gables with a half hip and the current application, although proposing a partially hipped gable when the other half of the pair of semis retains the original fully hipped roof, could therefore be considered an acceptable form of extension within this locale; would not further erode the existing character of the streetscape and therefore have an acceptable impact on the visual amenity of the streetscape, in compliance with the SG</i></p>	<p><i>extensions, the character of the area has been incrementally changed, and the proposed extension would have minimal further impact on the character of the streetscape, even if only one half of the roof is altered.</i></p>
<p>Firstly, the fact that the 1/3 hip roofs on nos. 17&amp;19a are original does not diminish their relevance when considering a proposal to replicate said roof design on a neighbouring property.</p> <p>Secondly, having already dismissed the proposal within the previous paragraph, the author neglects to mention <b>any</b> of the other nearby properties which exhibit 1/3 hip roofs, as referenced on Figure 5.</p>	<p>The author acknowledges that there are a number of existing properties in the area with partially hipped roofs (i.e. 1/3 hip) and notes that the character of the streetscape has therefore evolved. <i>*Note: there are a couple of errors within the reference properties provided: Nos. 27&amp;29 should read Nos. 29&amp;31 (No. 27 does not have a 1/3 hip), and No. 37 also does not have a 1/3 hip.</i></p>	<p>Again, the author acknowledges that there are a number of existing properties in the area with partially hipped roofs (i.e. 1/3 hip) and notes that the character of the streetscape has therefore evolved. This despite the fact that at the time, only 3no. properties on Craigton Avenue had 1/3 hip roofs.</p>

Further to the above, it should be noted that the extension at 26 Craigton Avenue was in fact constructed with a full gable as opposed to the 1/3 hip on which the Planning Permission was granted. A retrospective application was then submitted to amend the Planning Permission (Appendix XVII), which again was Approved Unconditionally (Appendix XVIII). This property now has the only full gable within the sample area of 109no. houses.

In summary of the above, the design for 7 Craigton Avenue has been deemed acceptable both in terms of the character of the original building and in the context of the wider streetscape. Whilst there is no exact formula for measuring the density and relevance of precedents local to the application property, it would be reasonable to conclude that such examples in the vicinity of 7 Craigton Avenue are fewer than around 11 Gordon Road (with reference again to Figure 5).

The application for 26 Craigton Terrace was considered to be acceptable when assessed within the wider streetscape, and neighbouring precedents were specifically noted, albeit with minor inaccuracies. Again, in the absence of a precise metric, a subjective judgement must be made. Whilst it is true that six of the eight properties across the street from No. 26 have 1/3 hip roofs, the two exceptions sit directly opposite. It should also be noted that there are no examples of 1/3 hip roofs on the same side of the street as the application property. In this case, it would be reasonable to conclude that the density of precedents around 26 Craigton Terrace is similar to those within the vicinity of 11 Gordon Road.

The author notes that *“It is a tenant of planning law and good governance that each planning application is determined upon its own merits.”* That being the case, one must question whether this principle has been applied to the application at 11 Gordon Road in the same way that it was at 26 Craigton Terrace and 7 Craigton Avenue. Three near-identical proposals to three very similar housetypes within the same area, surrounded by comparable concentrations of precedents, yet two applications are supported by the Planning Authority and one is not.

#### **4.2.4 Fourthly, private interest**

The author states that *“The purpose of planning is to consider the broad aspect of public interest, rather than to protect any one or more person’s private interest. In this regard, the Applicant within the supporting information commented upon his private interest in purchasing the property to extend. This does not form a material consideration in the decision-taking process.”*

It has already been acknowledged within this report, and within the supporting statement submitted with the Planning Application, that the Applicant does not consider that his private interest justifies the design. However, with regards to the broad aspect of public interest one must question exactly whose interests are at stake. As part of the Planning Application process, Neighbour Notifications were issued to the following 13no. addresses (Appendix VIII):

- 2 Gordon Terrace Mannofield Aberdeen AB15 7RZ
- 4 Gordon Terrace Mannofield Aberdeen AB15 7RZ
- 4 Gordon Road Mannofield Aberdeen AB15 7RL
- 5 Gordon Road Mannofield Aberdeen AB15 7RY
- 6 Gordon Road Mannofield Aberdeen AB15 7RL
- 7 Gordon Road Mannofield Aberdeen AB15 7RY
- 8 Gordon Road Mannofield Aberdeen AB15 7RL
- 9 Gordon Road Mannofield Aberdeen AB15 7RY
- 10 Gordon Road Mannofield Aberdeen AB15 7RL
- 13 Gordon Road Mannofield Aberdeen AB15 7RY
- 15 Gordon Road Mannofield Aberdeen AB15 7RY
- Ardeir House Oakdale Terrace Great Western Road Aberdeen AB15 7PJ
- Rhoneth 1 Gordon Lane Aberdeen AB15 7QG

It should be noted that none of these neighbours lodged an objection to the proposal. In fact having directly engaged with several immediate neighbours to discuss the proposals, the Applicant found them to be, without exception, extremely supportive. It can therefore be reasonably concluded that public interest would not be compromised by the proposal.

## **5. CONCLUSION & SUMMARY**

It is the conclusion of this report that the application for Planning Permission to extend 11 Gordon Road should be **APPROVED UNCONDITIONALLY**. The key reasoning for this conclusion is summarised as follows:

- The proposal has been carefully designed with respect for the character and appearance of the original building, in terms of form, mass and detail;
- The combined roof profile of the application property and the adjoining dwelling (nos. 9 & 11) would exactly match that of the two properties immediately adjacent (nos. 13 & 15), and immediately opposite (nos. 2 & 4);
- Many houses with a very similar design already exist within Gordon Road and the surrounding area, whether judged on addition of a lateral extension, roof profile, or inclusion of a garage;
- Near-identical proposals in the area have recently been Approved Unconditionally by the Planning Authority under the same Policy;
- No neighbours objected to the proposals;
- The proposal is considered to be compliant with the Householder Development Guide: Supplementary Guidance and in turn Policies D1 & H1 of the Aberdeen Local Development Plan.



## 6. APPENDICES

## Appendices I-V

Applicant - Drawing No. GR001: Existing Elevations/Site Plan (as submitted)

Applicant - Drawing No. GR002: Existing Floor Plans (as submitted)

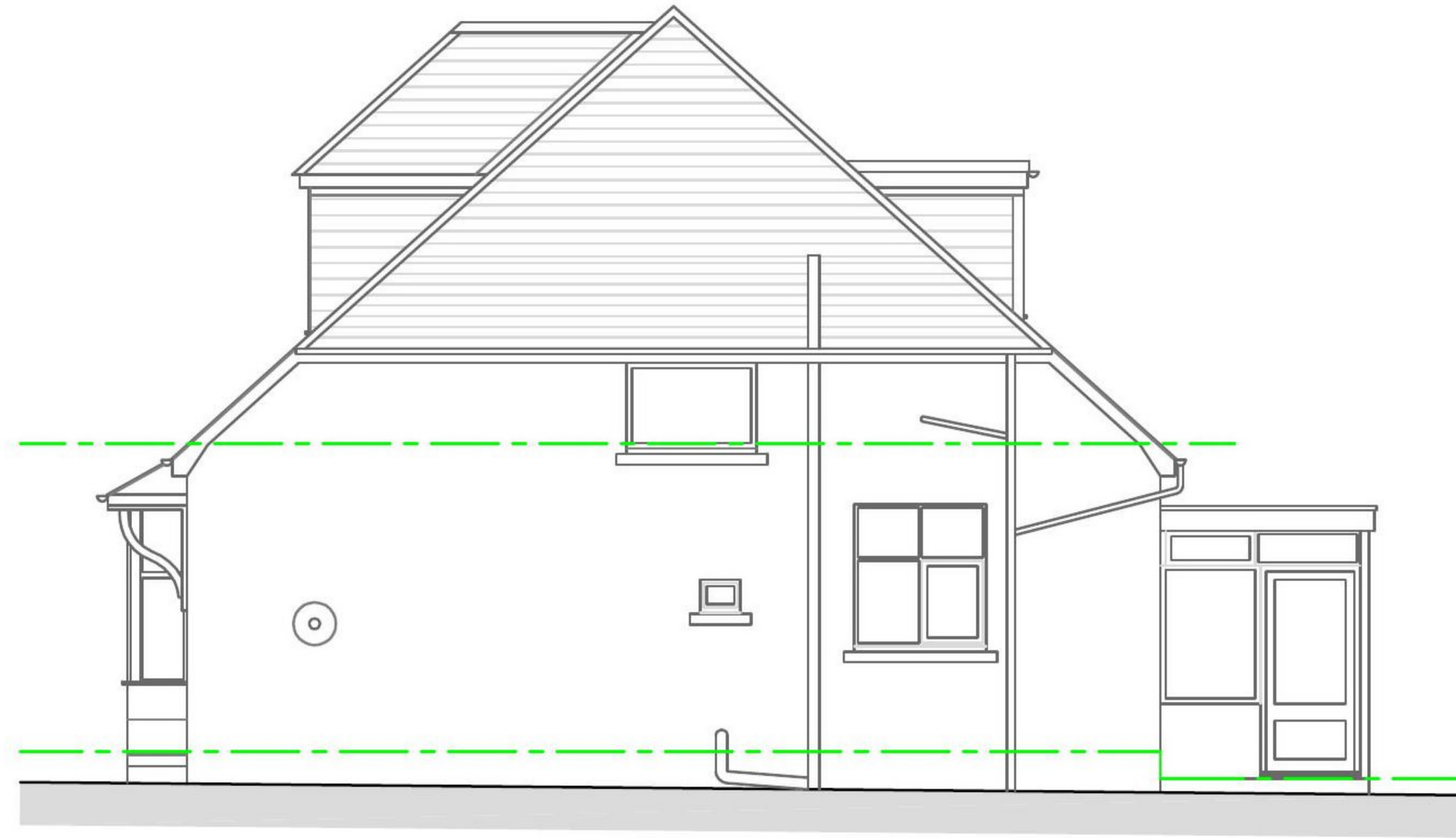
Applicant - Drawing No. GR003: Proposed Elevations (as submitted)

Applicant - Drawing No. GR004: Proposed Ground Floor Plan (as submitted)

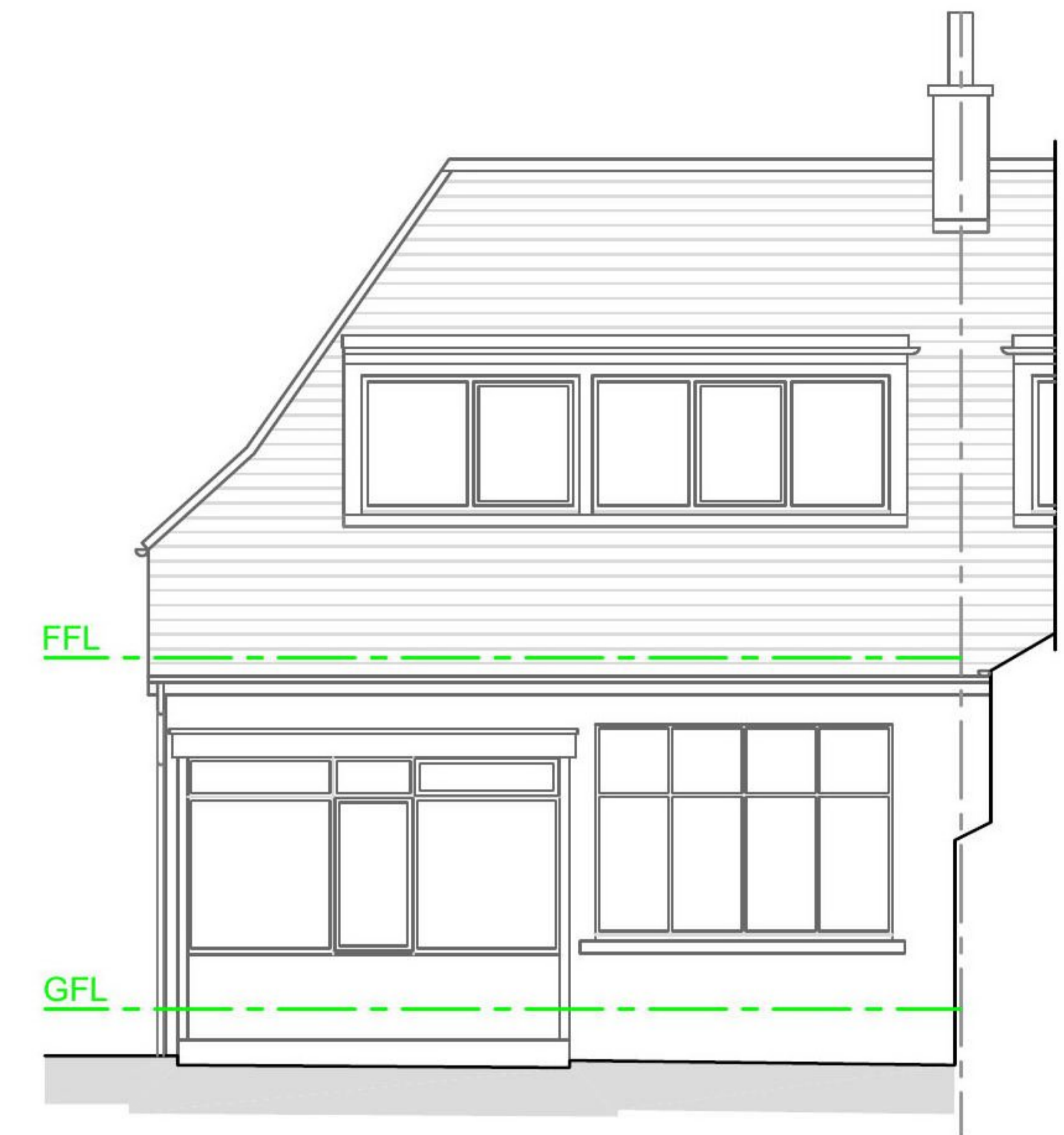
Applicant - Drawing No. GR005: Proposed First Floor Plan (as submitted)



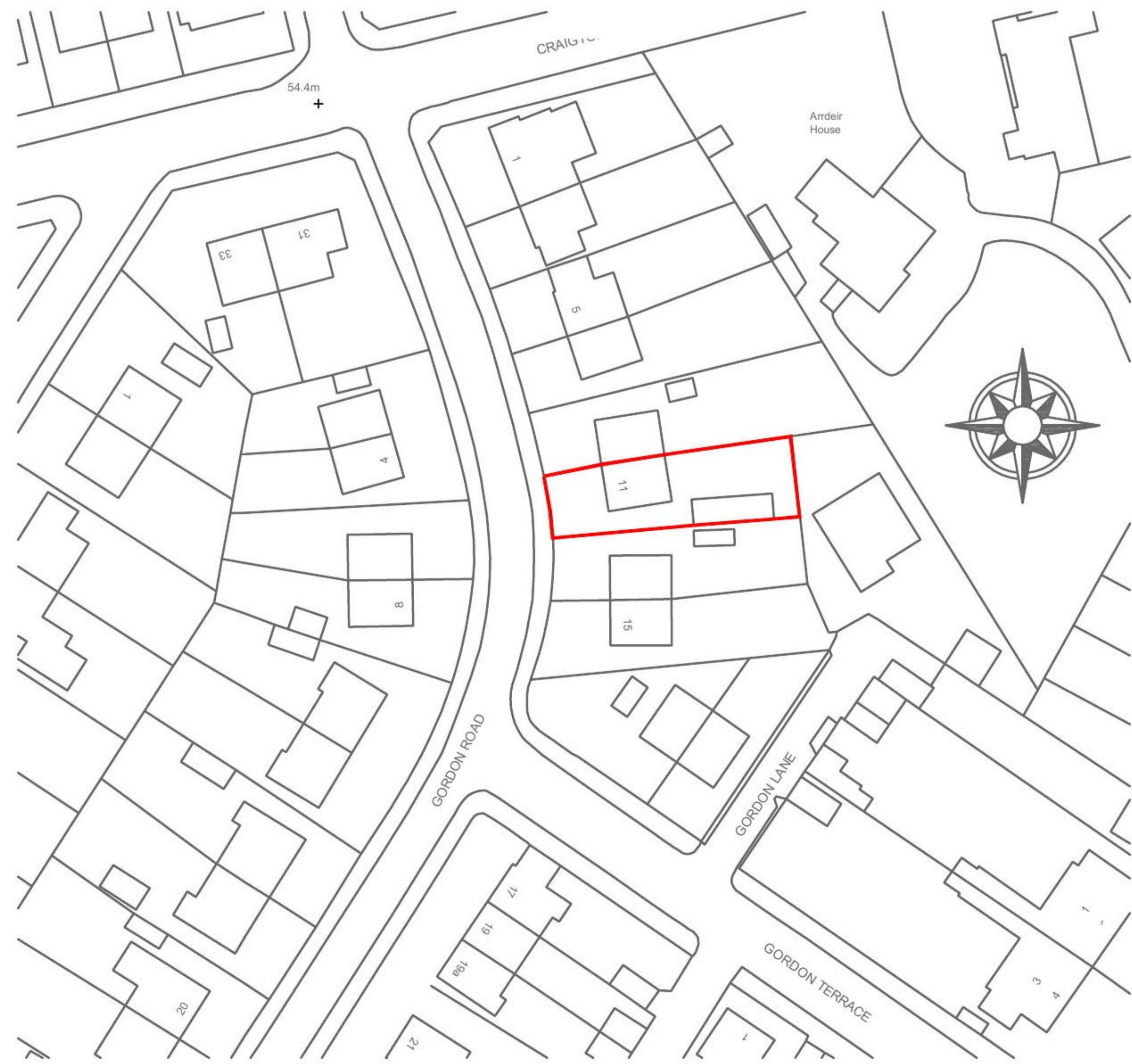
EXISTING FRONT ELEVATION  
1:100 @ A3



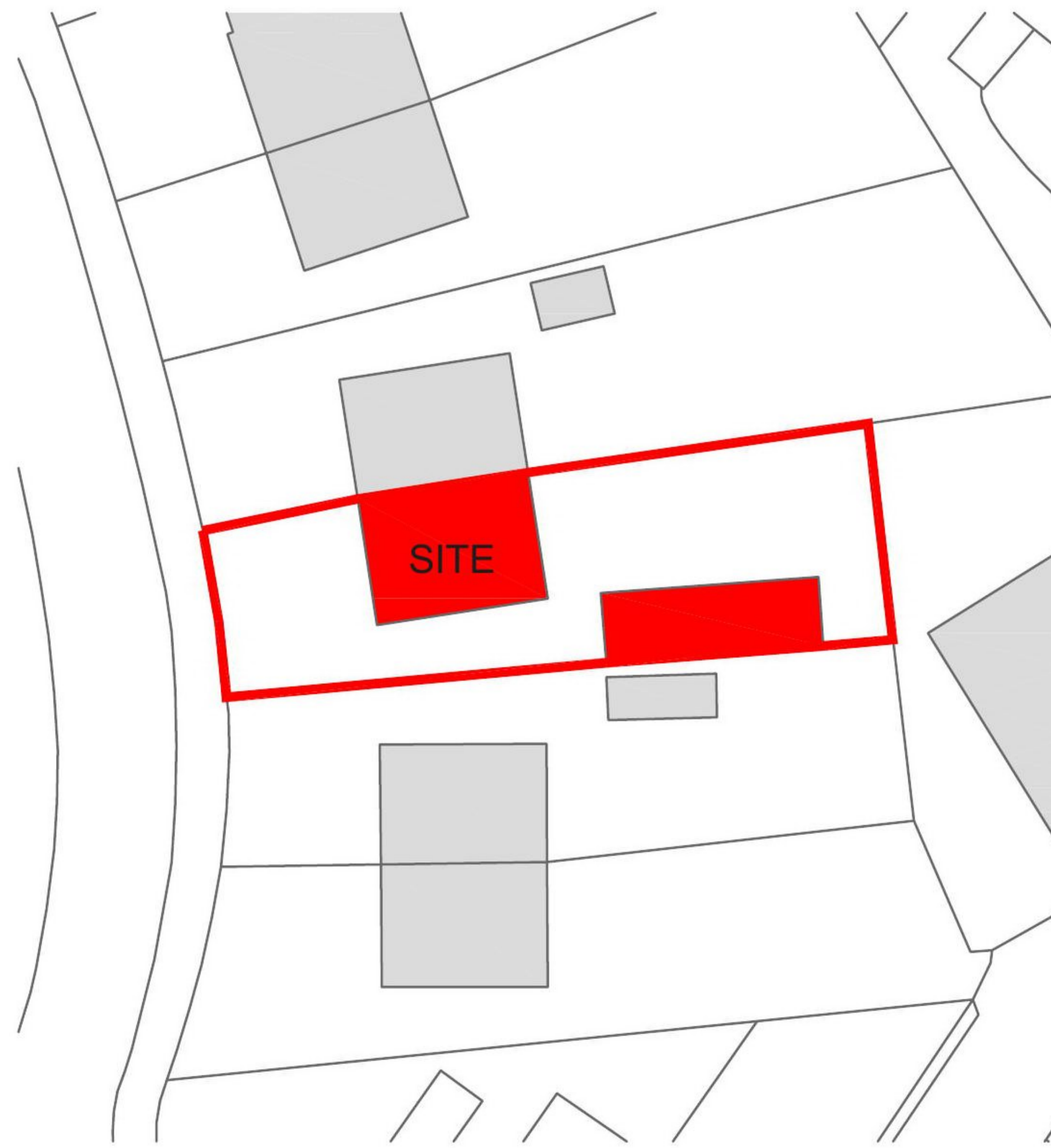
EXISTING SIDE ELEVATION  
1:100 @ A3



EXISTING REAR ELEVATION  
1:100 @ A3



LOCATION PLAN 1:1250



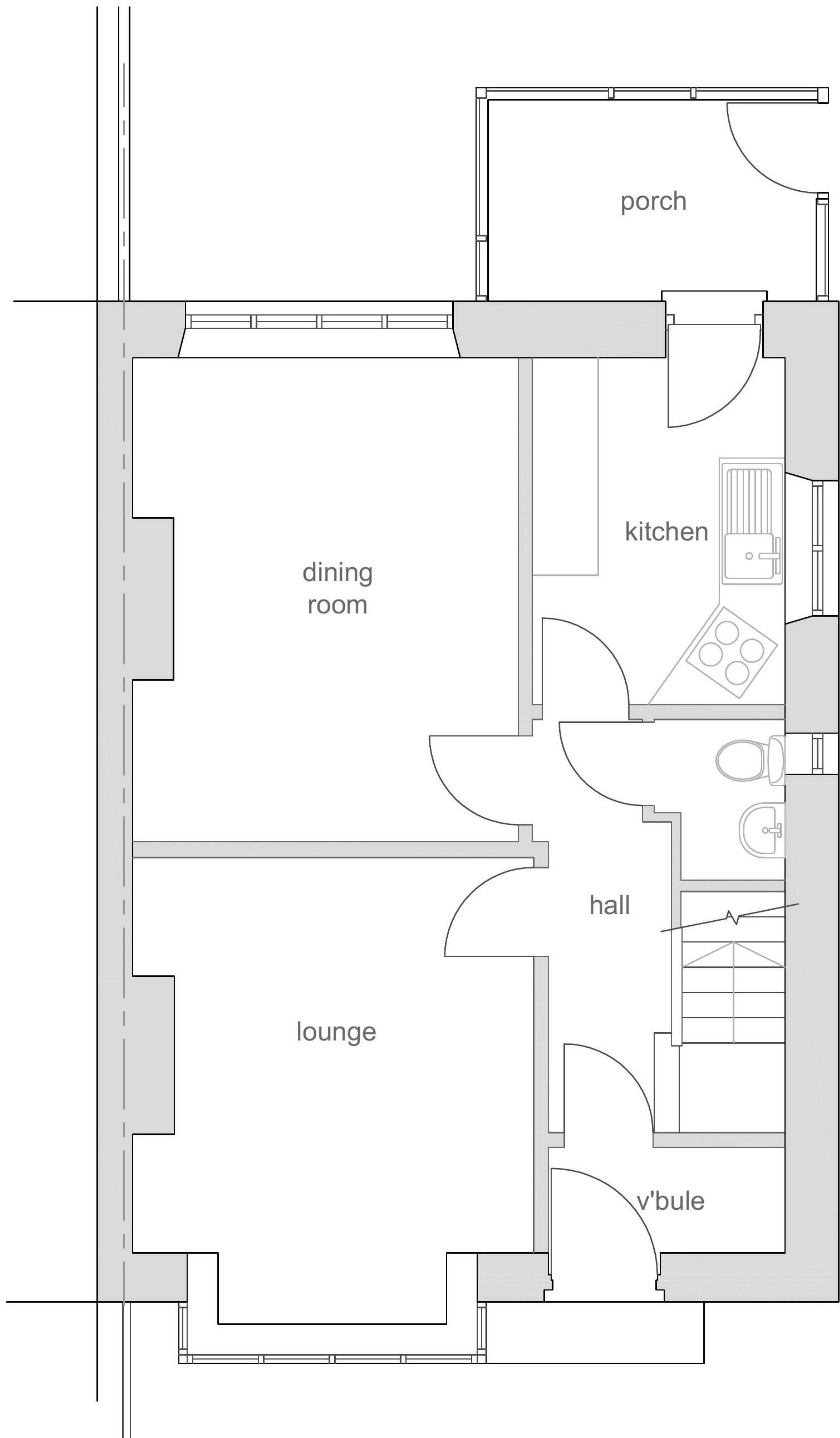
BLOCK PLAN 1:500



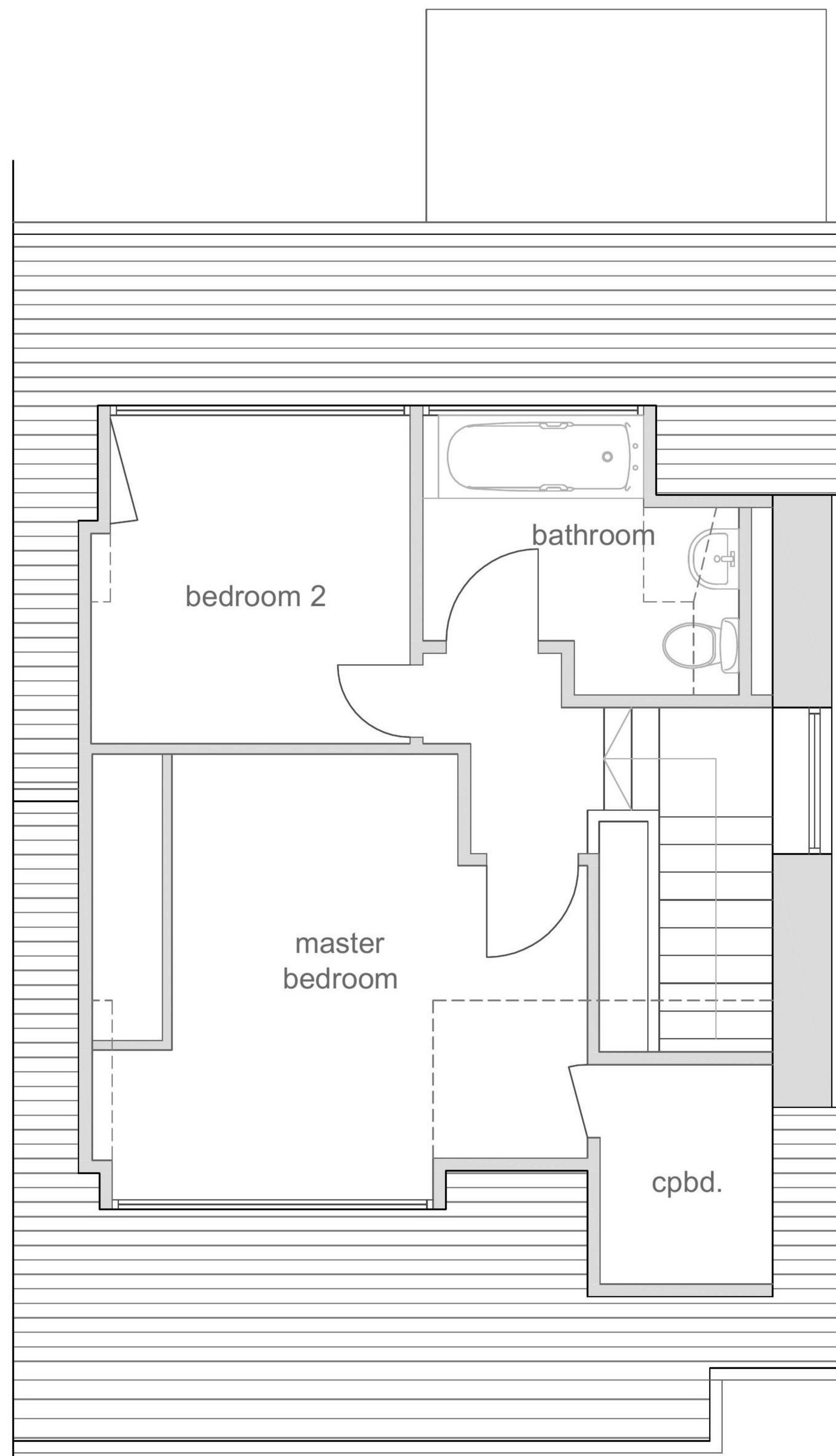
FRONT & SIDE



REAR



EXISTING GROUND FLOOR PLAN - 1:50 @ A3



EXISTING FIRST FLOOR PLAN - 1:50 @ A3



PROPOSED FRONT ELEVATION  
1:100 @ A3



PROPOSED REAR ELEVATION  
1:100 @ A3

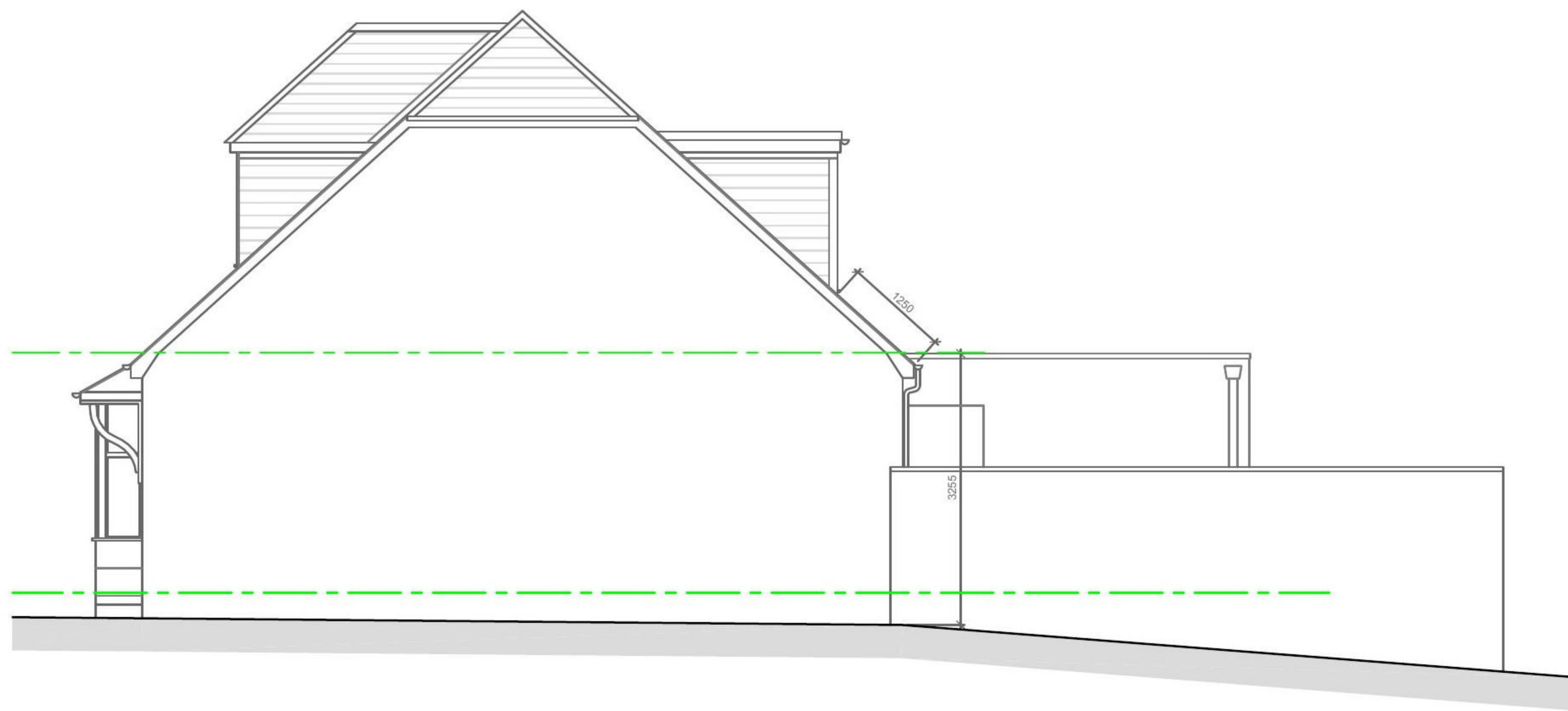
**FINISHES SCHEDULE**

**Side Extension**

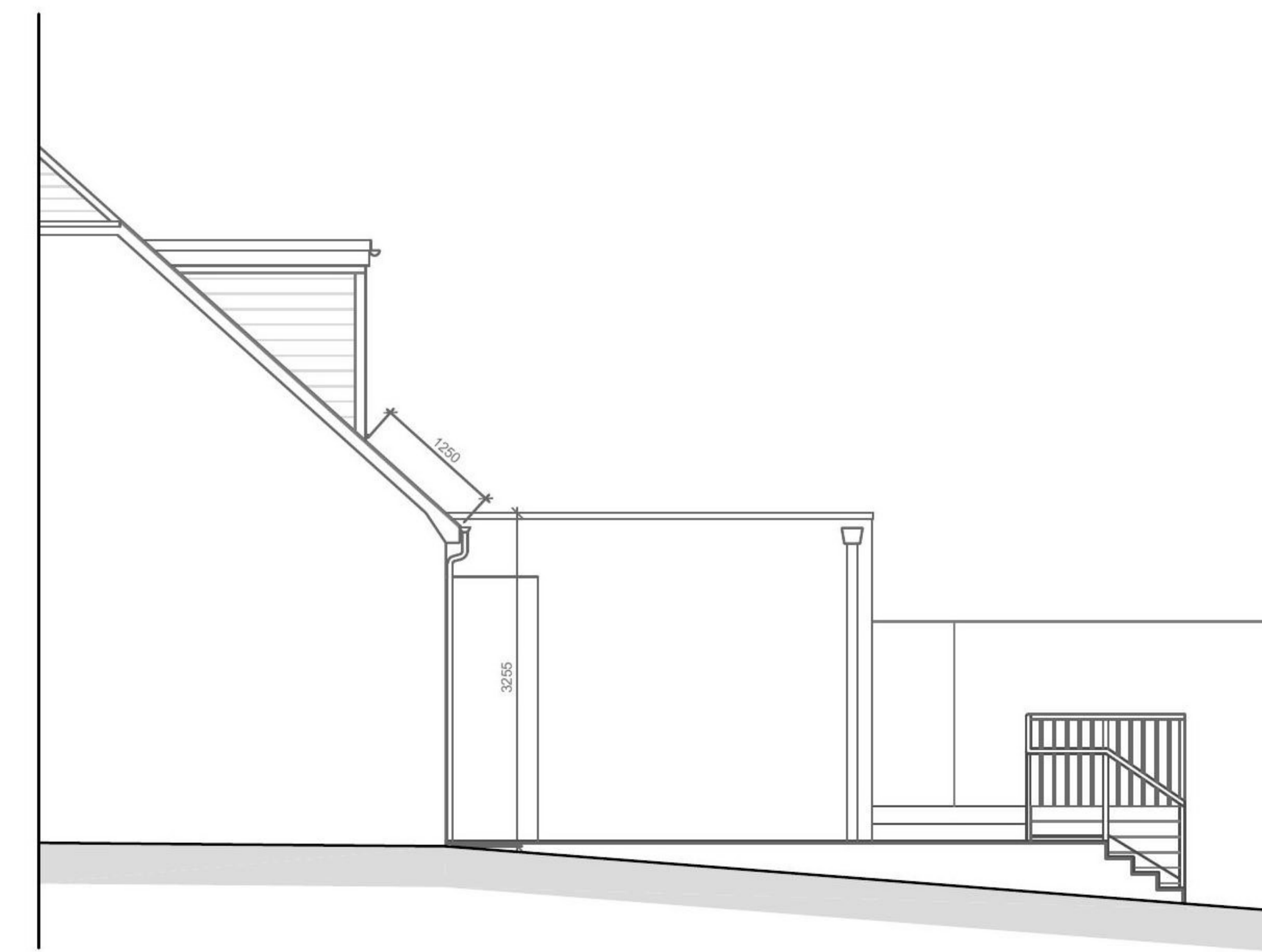
- Front wall: granite-effect synthetic stone
- Side wall: smooth cement render
- Roof: natural slate to match
- Fascia, soffit, barge board: white uPVC
- Front dormer window: white uPVC
- Rear dormer window: dark grey uPVC
- RWG: cast iron painted grey to match

**Rear Extension**

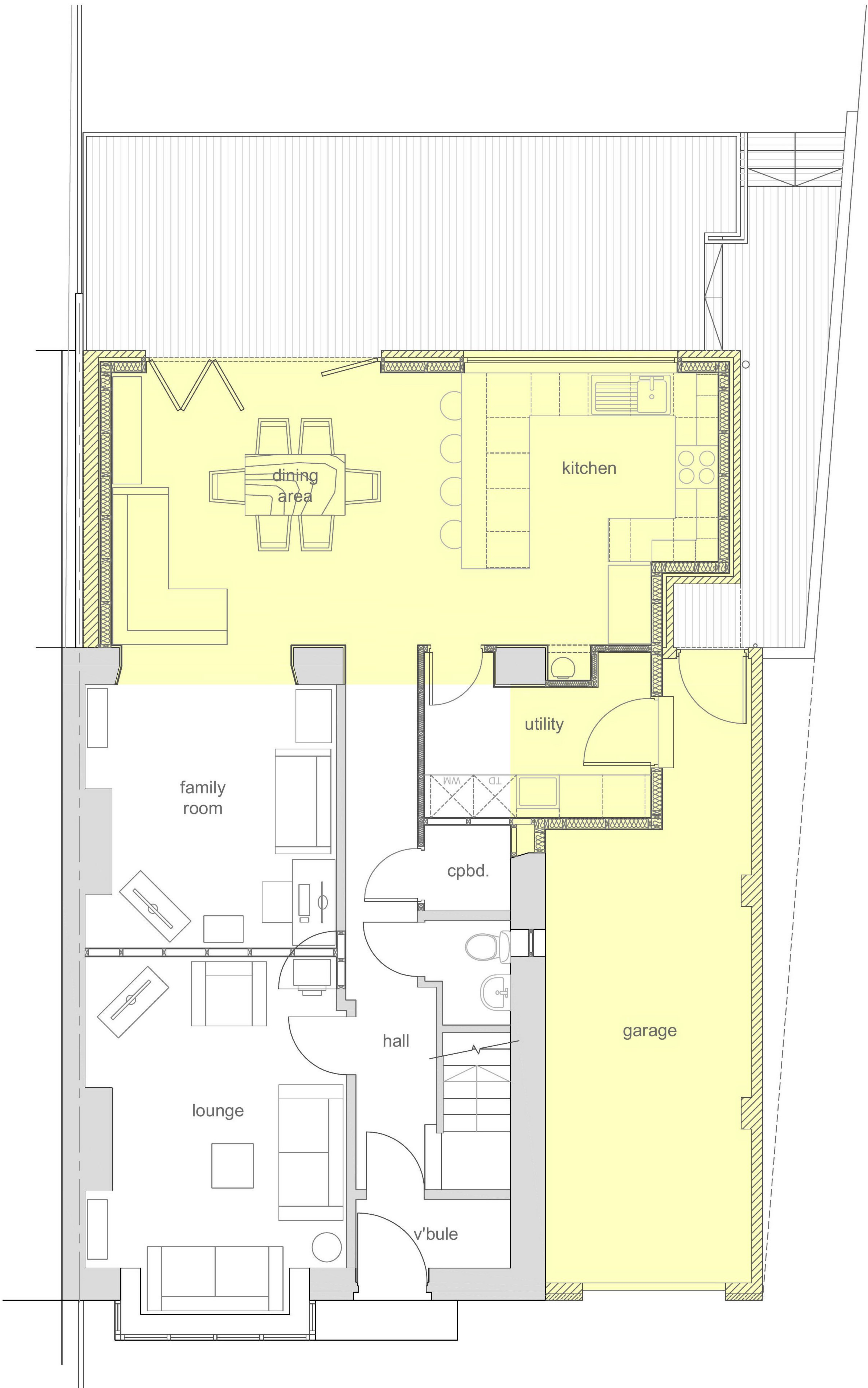
- Walls: smooth cement render
- Roof: felt (hidden)
- Parapet cap & RWP: stainless steel
- Windows/concertina door: dark grey uPVC



PROPOSED SIDE ELEVATION  
1:100 @ A3

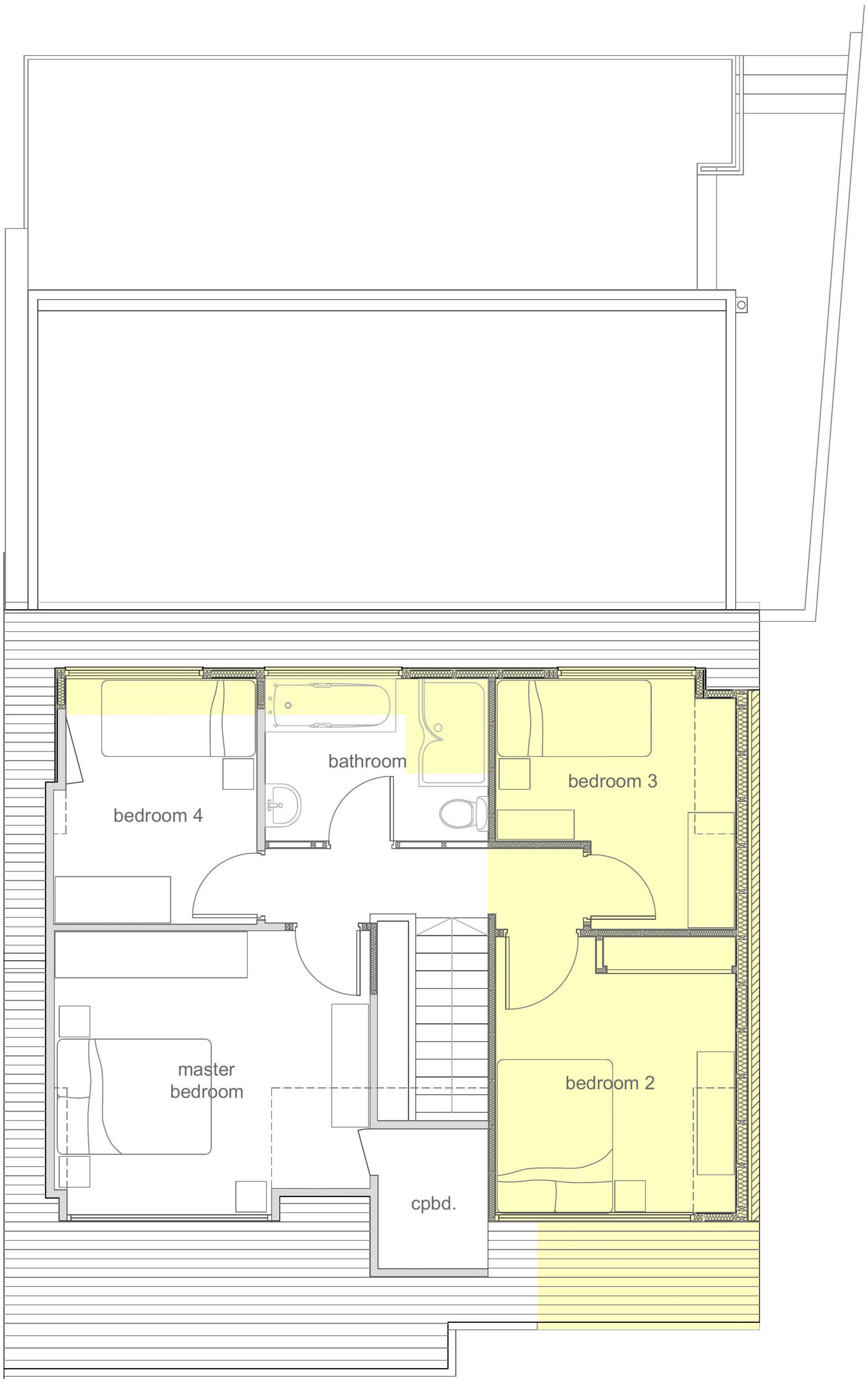


PROPOSED SECTIONAL SIDE ELEVATION  
1:100 @ A3



PROPOSED GROUND FLOOR PLAN - 1:50 @ A3

DRAWING NUMBER GR004  
 EXTENSION & INTERNAL ALTERATIONS  
 MR & MRS SMITH  
 11 GORDON ROAD, ABERDEEN  
 APRIL 2019



PROPOSED FIRST FLOOR PLAN - 1:50 @ A3

DRAWING NUMBER GR005  
EXTENSION & INTERNAL ALTERATIONS  
MR & MRS SMITH  
11 GORDON ROAD, ABERDEEN  
APRIL 2019

## Appendix VI

Planning Authority - Pre-Application Written Response Ref: 190214/PREAPP



Our Ref: 190214/PREAPP  
Your Ref  
Contact Jacqui Thain  
Email JacThain@aberdeencity.gov.uk  
Direct Dial 01224 522852



12 March 2019

Callum Smith  
10 Airyhall Terrace  
Aberdeen  
AB15 7QN

**Strategic Place Planning**

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

Dear Sir

**Pre-Application Written Response**

**190214/PREAPP - Proposed 2 storey extension to side; single storey extension to rear and alteration to an existing rear dormer  
11 Gordon Road, Mannofield**

This is a formal evaluation by the allocated case officer. It does not compromise any decision made by Aberdeen City Council and its committees and is not legally binding on the determination of any forthcoming planning application.

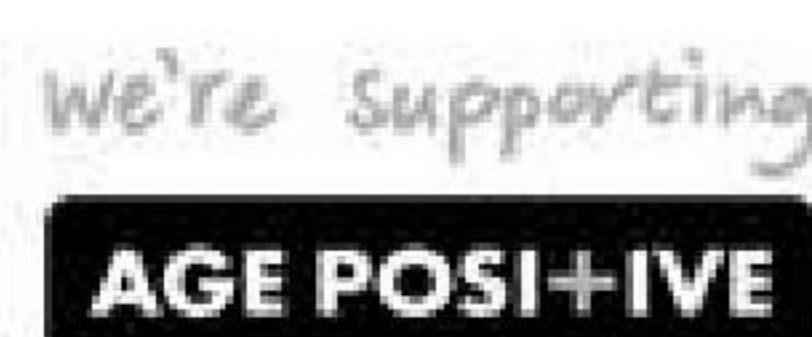
It may be subjected to a freedom of information request under the Freedom of Information (Scotland) Act 2002. Aberdeen City Council will determine what, if any, information will be exempt from such a request, in accordance with this legislation.

In order for us to improve the service, we would appreciate feedback of your experience of this service by completing our short survey:  
<https://www.surveymonkey.co.uk/r/PlanningDM>

Yours faithfully

**Daniel Lewis**  
Development Management Manager

GALE BEATTIE  
CHIEF OFFICER STRATEGIC PLACE PLANNING



Allocated officer:	Jacqui Thain
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### Site Description

11 Gordon Road, Mannofield

### Description of Proposal

Proposed 1.5 storey extension to side; single storey extension to rear and alteration to an existing rear dormer

### Relevant Planning Policies

Aberdeen Local Development Plan (2017) Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) are relevant to assess the proposal, as well as associated Supplementary Guidance: Householder Development Guide (HDG).

### Appraisal of Proposal

Planning permission is required for the gable extension due to its height, having a dormer window to the front and alterations to the rear dormer and permission is required for the proposed rear extension due to its height (from garden level) and projection. In general, the proposals would be associated with an existing property within a residential area and would be located within its boundary; would be of reasonable scale; would not increase activity on site and would be ancillary to what exists.

To some extent, the 1.5 storey gable extension has been designed with due consideration for the main dwelling. However, the Householder Development Guide sets out in paragraph 3.1.8 that alterations to one gable of a pair of hipped roofed semi-detached properties should not result in unbalancing the appearance of the pair. In order to ensure that the design of the roof complies with this Guidance, some amendments require to be made, namely: the proposed half-hip style should be removed and it is recommended that the existing roof is extended width-ways over the proposed garage (to the extremity) using the same roof profile and eaves heights. A smaller dormer with a hipped pitched roof, or rooflights, could be incorporated on the front elevation.

Whilst it is acknowledged that there are examples of properties with half-hipped style roofs in the vicinity, proposals require to be assessed in conjunction with current Policy and Supplementary Guidance and the nearby modifications appear to be historic, with none determined under current Local Plan policies and Supplementary Guidance. As such, these existing altered dwellings would not be considered to set a precedent in this instance. In addition, these examples are not considered so numerous to have resulted in a significant change in the character of the street.

Due to the proposed gable extension being located a reasonable distance from No. 13 Gordon Road and to being situated to the north of the neighbouring property (No. 13), there would be minimal impact on residential amenity by the alterations.

As the rear extension would be single storey and project no further than the neighbouring rear extension at No.9 Gordon Road, and to there being extensive boundary screening and existing overlooking at ground level and by the rear dormer, the proposed rear extension would have minimal additional impact on residential amenity.

In its current format, it is unlikely that the Planning Authority could support the proposals as the alterations to the roof would be considered to unbalance the existing pair of unaltered semi-detached properties to the detriment of the character of the surrounding area. However, if the design of the roof of the 1.5 storey extension were to be amended per the Planning Authority's recommendation, both the gable and rear extensions would be more likely to comply with Policy H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan and the Householder Development Guide.

It is noted that the existing detached garage to the rear would be removed.

#### Disclaimer

This written evaluation provides a written response to the above pre-application enquiry by the allocated case officer. It does not compromise any decision made by Aberdeen City Council and its Committees and the advice is not legally binding on the determination of a forthcoming planning application.

The information provided in this response may be subjected to a Freedom of Information Request under the Freedom of Information (Scotland) Act 2002. It will be for Aberdeen City Council to determine what, if any, information will be or not be exempt from such a request, in accordance with this legislation.

## Appendix VII

Applicant - Document No. GR101: Supporting Statement

We submitted a Pre-Application Enquiry on 6<sup>th</sup> February 2019 and received a written response from Ms Jacqui Thain on 12<sup>th</sup> March 2019 – reference: 190214/PREAPP. Whilst grateful for the guidance provided, we wish to address one particular area of the response with which we do not agree, as replicated below.

***“To some extent, the 1.5 storey gable extension has been designed with due consideration for the main dwelling. However, the Householder Development Guide sets out in paragraph 3.1.8 that alterations to one gable of a pair of hipped roofed semi-detached properties should not result in unbalancing the appearance of the pair. In order to ensure that the design of the roof complies with this Guidance, some amendments require to be made, namely: the proposed half-hip style should be removed and it is recommended that the existing roof is extended width-ways over the proposed garage (to the extremity) using the same roof profile and eaves heights. A smaller dormer with a hipped pitched roof, or rooflights, could be incorporated on the front elevation.*”**

***Whilst it is acknowledged that there are examples of properties with half-hipped style roofs in the vicinity, proposals require to be assessed in conjunction with current Policy and Supplementary Guidance and the nearby modifications appear to be historic, with none determined under current Local Plan policies and Supplementary Guidance. As such, these existing altered dwellings would not be considered to set a precedent in this instance. In addition, these examples are not considered so numerous to have resulted in a significant change in the character of the street.”***

Construction of a full hip roof in lieu of the proposed half hip would significantly compromise the bedroom accommodation to the point that the extension would no longer be viable. Whilst I appreciate that this in itself does not justify the design, I wish to point out that the property was purchased with the intention of constructing the extension in this way in order to provide the accommodation required. When the property was marketed, we had to move quickly to secure the purchase and unfortunately could not afford the time to await the outcome of a Planning Enquiry. However, we did analyse the other house extensions on the street and noted that the style of extension proposed had been built several times already. We were therefore satisfied that the precedent had been set and there should be no issues obtaining Planning Permission.

Having received the above feedback from the Pre-Application Enquiry I have now reviewed this in more detail, and comment as follows: The application property (no. 11) is situated on the east side of Gordon Road. The house directly across the road (no. 4) has a side extension with a half hip roof. Walking in a southerly direction I noted that the property two doors along (no. 15) also has a side extension with a half hip roof, as does the property immediately adjacent to it on Gordon Terrace, and the property directly opposite it on Gordon Road (no. 17). That’s four half hip roofs within a 50m radius of the application property.

Continuing along Gordon Road I noted that no fewer than six of the next 12 properties on the same side of the street have side extensions with half hip roofs (no. 19a, 27, 31, 33, 35 & 39). Indeed pairs of semi-detached properties on Gordon Road which are completely symmetrical are very rare.

This evidence I believe does not support the theory that half hip roofs *“are not so numerous to have resulted in a significant change in the character of the street.”*

In response to the comment that the similar extensions on the street *“appear to be historic and therefore cannot be considered to set a precedent.”* Many of these developments were carried out relatively recently, and although it may well be the case that this occurred prior to the introduction of the current Guidance, it cannot be denied that these developments have indeed set a precedent.

Gordon Road exhibits a wide variety of side extensions: one-storey, two-storey, full hips, half hips, gables, flat roofs, etc, etc, and most of these developments have resulted in an imbalance between neighbouring properties to some extent. It therefore seems completely purposeless to start implementing guidance at this stage which restricts further developments which are in keeping with those already in existence. We fail to see how this protects the public interest.

The proposed extension at 11 Gordon Road has been carefully designed in order to maintain the aesthetic of the public-facing elevations and ensure that they remain in keeping with the traditional character of Gordon Road. We would even argue that this is achieved to a far greater extent than some of the other extensions on the street which have been granted Planning Permission previously. We therefore feel very strongly that our application should be supported by the Planning Authority.



Photograph showing the application property on the left and two nearby extensions with half hip roofs



Further examples of half hip roofs to one side of semi-detached properties on Gordon Road

# Appendix VIII

Planning Authority - Neighbour Notification List

## List of Notified Neighbours

190575/DPP - Erection of 2 storey gable extension; single storey extension /decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement

11 Gordon Road  
Mannofield  
Aberdeen  
AB15 7RY

The following neighbouring properties were notified on 5 April 2019:

2 Gordon Terrace Mannofield Aberdeen AB15 7RZ

4 Gordon Terrace Mannofield Aberdeen AB15 7RZ

6 Gordon Road Mannofield Aberdeen AB15 7RL

4 Gordon Road Mannofield Aberdeen AB15 7RL

8 Gordon Road Mannofield Aberdeen AB15 7RL

10 Gordon Road Mannofield Aberdeen AB15 7RL

5 Gordon Road Mannofield Aberdeen AB15 7RY

Ardeir House Oakdale Terrace Great Western Road Aberdeen AB15 7PJ

7 Gordon Road Mannofield Aberdeen AB15 7RY

Rhoneth 1 Gordon Lane Aberdeen AB15 7QG

13 Gordon Road Mannofield Aberdeen AB15 7RY

9 Gordon Road Mannofield Aberdeen AB15 7RY

15 Gordon Road Mannofield Aberdeen AB15 7RY



# Appendix IX

Planning Authority - Letter to Applicant

Our Ref: 190575/DPP  
Your Ref:  
Contact: Nicholas Lawrence  
E-mail: nlawrence@aberdeencity.gov.uk  
Direct Dial: 01224 522519



15<sup>th</sup> April 2019

Mr C Smith  
10 Airyhall Terrace  
Aberdeen  
AB15 7QN

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Minicom: 01224 522381  
DX 529452, Aberdeen 9  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Dear Mr Smith

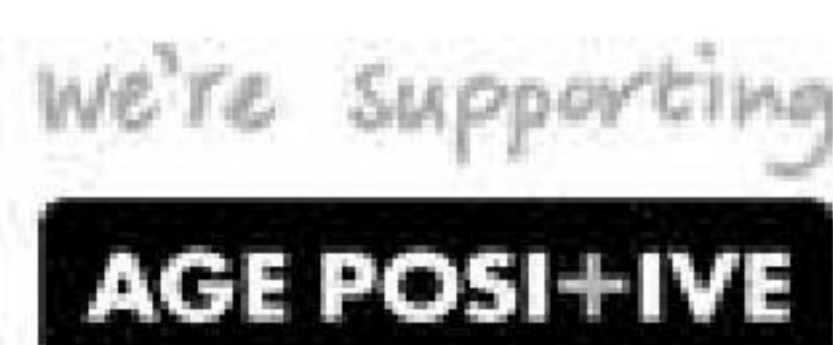
**Planning Application Reference 190575/DPP  
Proposed gable extension, rear extension, and rear decking  
Site at 11 Gordon Road, Aberdeen**

Having reviewed the submission documentation and undertaken a site visit it is evident that the proposed scheme has not followed the pre-application advice given by the Local Planning Authority on the 12<sup>th</sup> of March 2019. Consequently, the application cannot be supported, albeit not limited to the following reasons:

- The proposed developments design (e.g. scale, form, massing and composition)
- Impact upon the adjoining dwelling
- Impact upon the character and appearance of the immediate area

As you are aware the Acknowledgment Letter permits the variation of an application with the agreement of the Local Planning Authority. In this regard, the pre-application advice provides an option of taking a scheme forward; admittedly in a different form and probable configuration. To assist in this matter without prejudice to any decision, and mindful that you have not employed an agent I have appended a roof profile for the gable extension superposed upon the current proposals that follows the advice previously given. Such a profile and form will also affect the design and size of the rear extension.

GALE BEATTIE  
CHIEF OFFICER STRATEGIC PLACE PLANNING



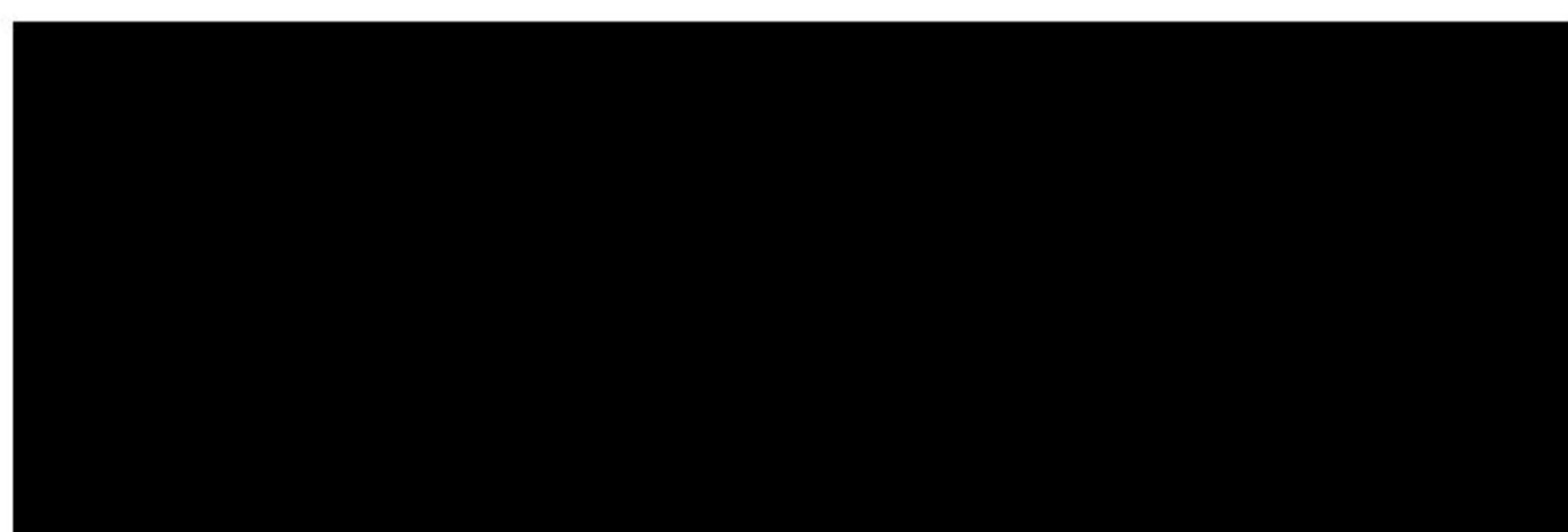
In addition, you will have noted that when gable extensions have previously been undertaken (e.g. 13/15 Gordon Road) the extension at ground floor level (road facing) is used as an additional living area and the window design adopts that of the existing (i.e. host) building that respects this part of the buildings character. Any revision should have regard to this matter.

Should you wish to submit a new set of drawings and allowing for the prescribed period to determine planning applications with the potential need to re-notify neighbours, all information should be submitted no later than 16:00 hrs on the 3<sup>rd</sup> of May 2019.

Alternatively, should you require further time to consider your options under the scope of the Development Management Service Charter we are providing you with the opportunity to withdraw the application and submit a revised scheme.

I look forward to receiving notification on how you wish to proceed with the application.

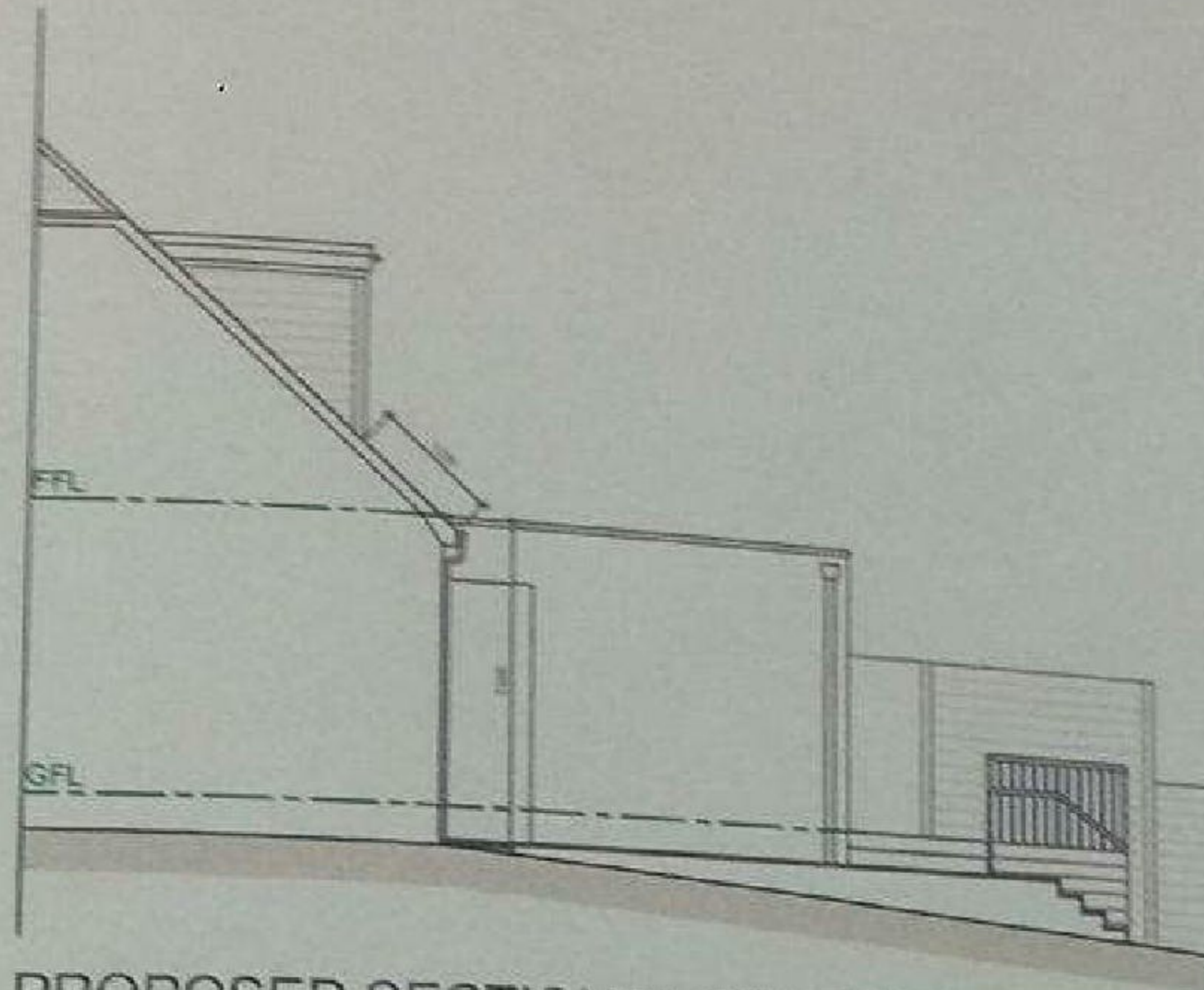
Yours sincerely



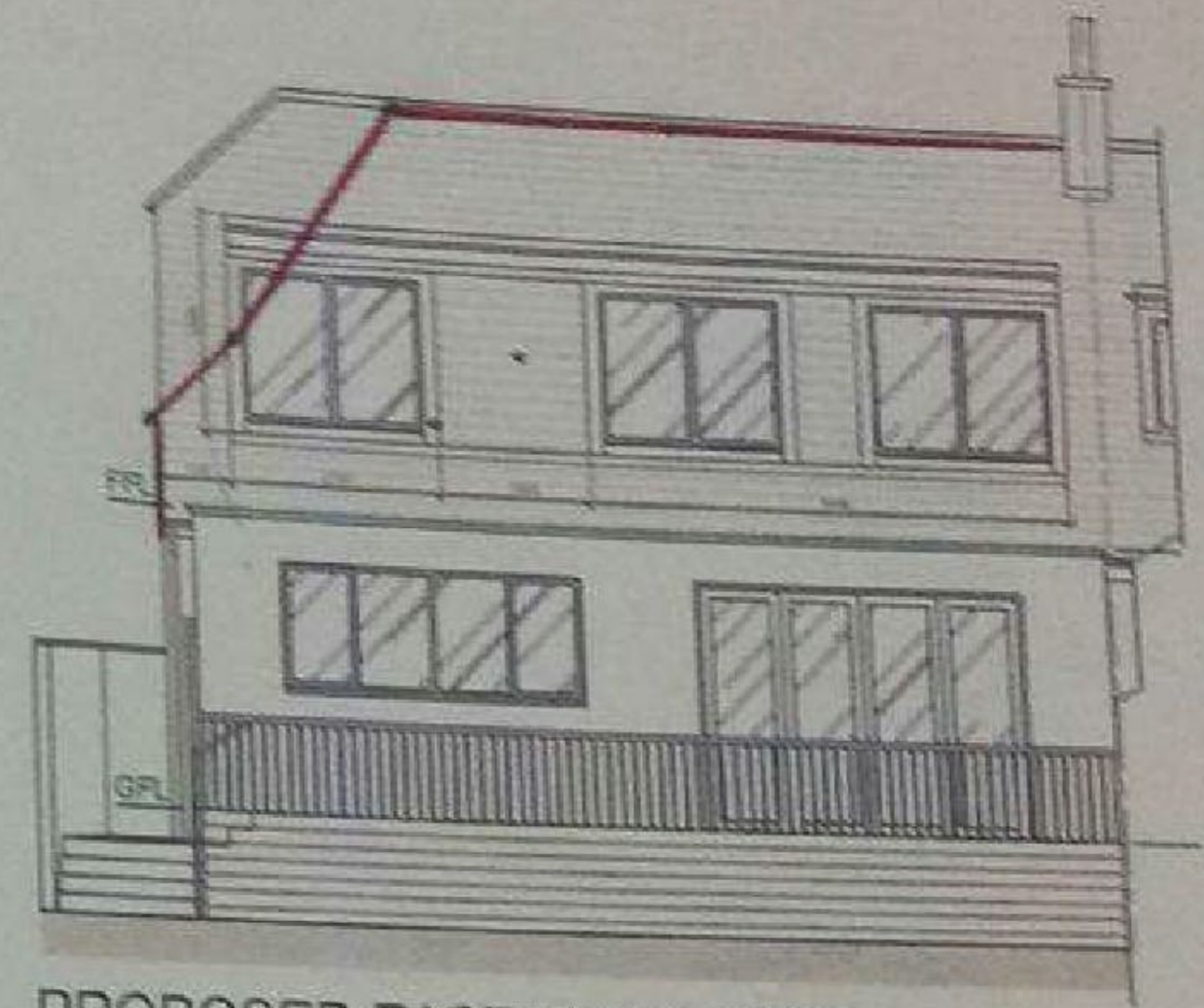
**Nicholas Lawrence**  
Senior Planner



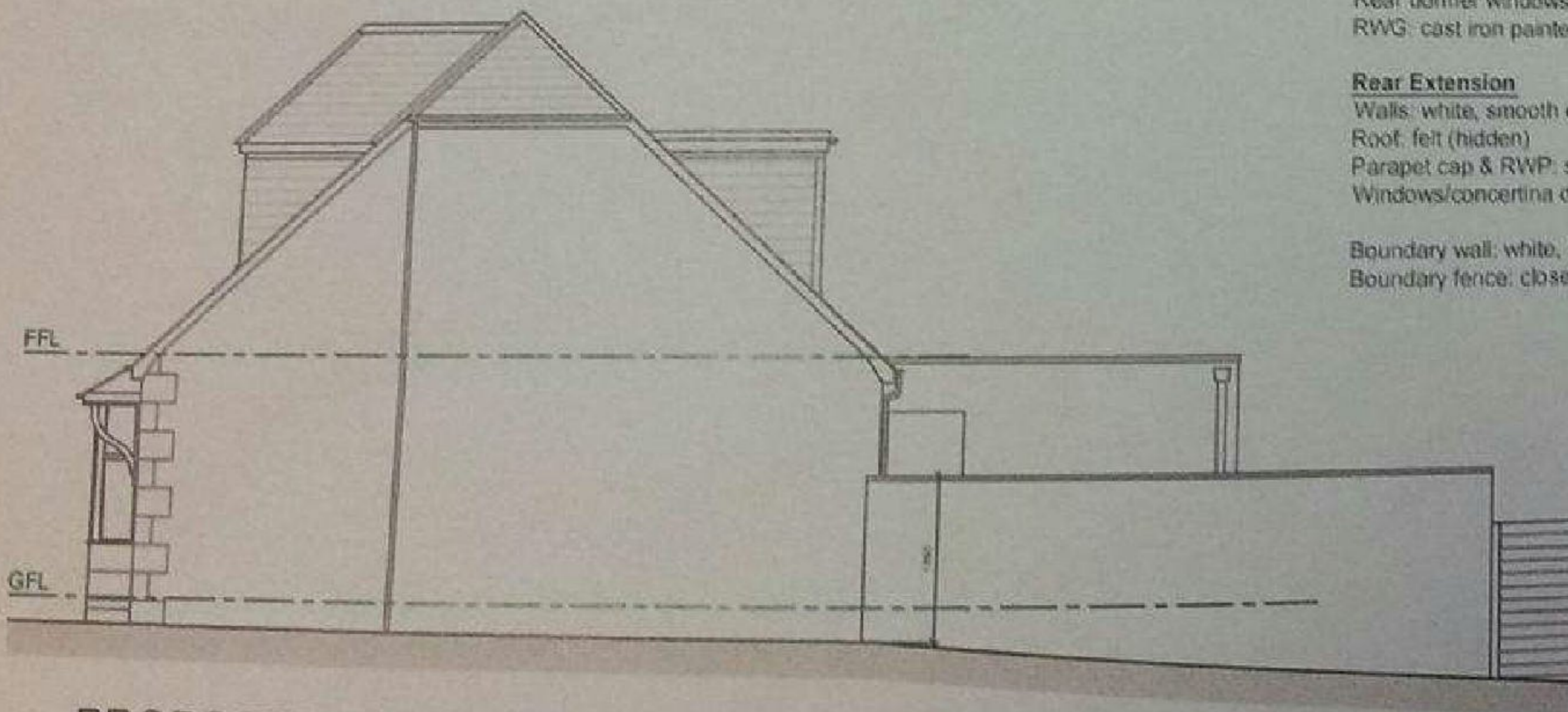
PROPOSED WEST ELEVATION  
1:100 @ A3



PROPOSED SECTIONAL SOUTH ELEVATION  
1:100 @ A3



PROPOSED EAST ELEVATION  
1:100 @ A3



PROPOSED SOUTH ELEVATION  
1:100 @ A3

**FINISHES SCHEDULE**

**Side Extension**

Front wall: granite-effect synthetic stone  
Side wall: white, smooth cement render  
Roof: natural slate to match  
Fascia, soffit & barge board: white uPVC  
Front dormer windows: white uPVC  
Rear dormer windows: dark grey uPVC  
RWG: cast iron painted grey to match

**Rear Extension**

Walls: white, smooth cement render  
Roof: felt (hidden)  
Parapet cap & RWP: stainless steel  
Windows/concertina door: dark grey uPVC

Boundary wall: white, smooth cement render  
Boundary fence: close board timber stained brown



PROPOSED SITE PLAN 1:500

DRAWING NUMBER GR003  
EXTENSION & INTERNAL ALTERATIONS  
MR & MRS SMITH  
11 GORDON ROAD, ABERDEEN  
APRIL 2018

nt plan  
2017

# Appendix X

Planning Authority - Report of Handling



## Strategic Place Planning

Report of Handling

<b>Site Address:</b>	11 Gordon Road, Mannofield, Aberdeen, AB15 7RY
<b>Application Description:</b>	Erection of 2 storey gable extension; single storey extension /decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement
<b>Application Ref:</b>	190575/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	5 April 2019
<b>Applicant:</b>	Mr Calum Smith
<b>Ward:</b>	Airyhall/Broomhill/Garthdee
<b>Community Council:</b>	Braeside and Mannofield
<b>Case Officer:</b>	Nicholas Lawrence

### **RECOMMENDATION**

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Refuse

### **APPLICATION BACKGROUND**

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#### **Site Description**

The subject property, together with the abutting number 9 Gordon Road, forms a semi-detached 1½ storey bungalow displaying a distinctive hipped-gable roof arrangement with a pair of pitched dormers in the attic space. The style and form of this inter-war dwelling is replicated in the immediate area, producing a dominant suburban character and sense of place.

There have been alterations to dwellings in the area, principally to the rear and whilst there are limited roof extensions, the dominant character is of bungalows displaying the simple roof profile. A number of dwellings have garages that are set back from the face of the dwelling, which reflects changing transport shift towards the dominance of the motor car since the dwellings were constructed.

The site is located within a Residential Area as shown on the Proposals Map to the Aberdeen Local Development Plan 2017 (ALDP), to which policy H1 attaches.

#### **Relevant Planning History**

Application Number	Proposal	Decision Date
190214/PREAPP	Proposed 1.5 storey extension to side; single storey extension to rear and alteration to an existing rear dormer	Advice Issued 12.04.2019

## BACKGROUND AND BASIS OF APPLICATION

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### Background

The Pre-Application Advice (the Advice) addressed both the lateral roof/gable and rear extension elements of the proposed scheme. On the latter, the local planning authority had and retains no objection to this aspect of the scheme including the decking area.

With regard to the lateral roof/gable extension, the Advice noted that to *some extent* the extension had been designed with regard to the host dwelling. However, the Advice expressed with absolute clarity that the proposal as presented was contrary to the adopted Householder Development Guide Supplementary Guidance (the Guidance) and this aspect of the scheme could not be supported on the basis; that the proposal would unbalance the existing pair of unaltered semi-detached properties to the detriment to the character of the surrounding area. The proposal would therefore be contrary to the Guidance and in turn policies D1 and H1 of the ALDP, together with national guidance set within Scottish Planning Policy.

In the interest of adopting a positive and proactive position in the decision-taking process the Advice offered the following counsel...*some amendments require to be made, namely: the proposed half-hip style should be removed and it is recommended that the existing roof is extended width-ways over the proposed garage (to the extremity) using the same roof profile and eaves heights. A smaller dormer with a hipped pitched roof, or rooflights, could be incorporated on the front elevation.*

This position in terms of the roof profile and the application proposal in general was reiterated by e-mail, together with a drawing to the Applicant on the 15<sup>th</sup> of April 2019 setting out a roof profile form that, in principle, could be supported by the Local Planning Authority.

### Basis of Application

The Application takes a divergent view to that advice offered on two separate occasions and the position of the Applicant not to explore the advice is predicated on the following basis:

- The property was purchased to extend as per the application as anything less was not viable.
- When the property was marketed, we had to move quickly to secure the purchase and unfortunately could not afford the time to await the outcome of a planning enquiry [comments by applicant to support proposed development]; and
- Other properties in the area have been extended.

Whilst the above sets out in outline the Applicant's reasoning in pursuing a scheme outwith the advice given, it should be noted that the above is caveted by the Applicant in the following terms:

- On the first bullet point; the Applicant within the supporting documentation accepts the fact that the house was purchased to extend the *in itself does not justify the design* [applicants submitted comments on application] and
- The process of purchasing a property is not a material consideration in the determination of a planning application and the Applicant has not evidenced how this event could lawfully be considered as a determining factor in assessing a planning application.

With regard to the final point; the matter of precedent is addressed under the main issues section of this report.

## **PROPOSED DEVELOPMENT**

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### **Description of the Proposed Development**

In brief, planning permission is sought for the following elements:

- 2 storey lateral roof/gable extension including enlargement of rear dormer; new pitched dormer to the street elevation roof slope (to provide 2 new bedrooms, small enlargement – via rear dormer to bathroom and bedroom 4); and
- Single storey rear extension to create enlarged kitchen and dining area; and
- Rear decking to rear of single storey extension.

The disposition and appearance of the proposed developmental elements is shown on submitted drawings, proposed ground floor plan, proposed first floor plan, and proposed elevations and site plan.

### **Supporting Documents**

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PPFCT9BZMJY00>

- Supporting Statement and e-mail correspondence

## **CONSULTATIONS**

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**Braeside and Mannofield Community Council** – No response

## **REPRESENTATIONS**

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1 written objection has been received. The matters raised can be summarised as follows –

- Disrupts the traditional nature of the street facing elevations

## **PLANNING POLICY FRAMEWORK AND MATERIAL CONSIDERATIONS**

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### **Legislative Requirements**

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

### **National Planning Policy and Guidance**

- 3<sup>rd</sup> National Planning Framework
- Scottish Planning Policy



- Planning Advice Note 67 Housing Quality

### **Aberdeen City and Shire Strategic Development Plan (2014) (SDP)**

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29<sup>th</sup> March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

### **Aberdeen Local Development Plan 2017 (ALDP)**

- H1 Residential Areas
- D1 Quality Placemaking by Design

### **Supplementary Guidance**

- Householder Development Guide

## **EVALUATION**

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### **ABERDEEN CITY AND SHIRE STRATEGIC DEVELOPMENT PLAN (2014) (SDP)**

In terms of assessment against the SDP, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require consideration against the SDP.

### **MAIN ISSUES**

Firstly; whether the proposed development is acceptable in principle; secondly, whether the proposal in its detailed form harms the character and appearance of the area; thirdly, the question of precedent; and fourthly, private interest. All issues have regard to the provisions of the ALDP, supporting Guidance and other material considerations.

### **Principle of the Proposed Development**

ALDP policy H1 supports householder development subject to, in part, that the development does not have an unacceptable impact on the character and amenity of the surrounding area; and complies with Supplementary Guidance.

Therefore the principle of the proposed development is deemed acceptable subject to the provisions of ALDP policy H1, other policies within the ALDP, Supplementary Guidance: Householder Development Guide (the Guidance), together with national guidance and policy.

The proposed development as outlined above has 3 main elements (lateral roof/gable extension, rear single storey extension, and decking to rear). As noted in the advice, the Local Planning Authority is of the view that the only aspect of the proposal at issue relates to the lateral roof/gable extension.

### **Impact upon the Character and Appearance of the Area**

The character of an area is more than the visual flow of the type of buildings and their associated materials; it also embraces the juxtapositions between buildings, their setting and the spaces they create.

Both ALDP policies D1 and H1, together with the Guidance seek to ensure that due regard is had to the impact of a development upon the character and appearance of its environs (i.e. context), which includes impact upon the building in its entity (i.e. 9 and 11 Gordon Road). The Guidance notes that modifying only one half of a hipped roof is likely to result in the roof having an unbalanced appearance which will not be supported, unless it will not result in any harm to the character and appearance of the character, which includes visual amenity, of the area.

The policy requirements of the ALDP are founded upon national advice within Scottish Planning Policy (SPP). Planning Advice Note 67 (Housing Quality) comments that local authorities should not abandon any expectation of achieving design quality and notes that *It is in suburban settings that opportunities for good design are most likely to be missed.*

As noted above, the character of the area is suburban in terms of form and setting (i.e. a sense of place) and in any such area there has been a range of architectural responses to the changing needs of occupiers of the dwellings. This is most notably expressed by the number of rear extensions to properties immediately to and in the wider area of the site. Accordingly, the streetscape maintains character of small villa type bungalows, with symmetrical roof profiles, set back from the road with driveways and garages set back from the front of the properties that has reflected the changing transport shift towards the dominance of the motor car since the dwellings were constructed.

Whilst there are a number of lateral gable/roof extensions in the area these are limited; and where they have occurred the existing domestic form and appearance has been reinforced by the lower floor element being a living room/comparable habitable space that follows the existing window design of the host dwelling, rather than becoming a garage. Due to the limited number of extensions there has been no significant change in the character of the street and the wider area.

The proposed lateral extension, will alter the balance of the unaltered pair of dwellings, and this imbalance coupled to the form, mass and detail (dormer / garage) will in turn erode the character and appearance of the area. This aspect of the proposed development would represent an abandonment of seeking to achieve good design (i.e. the right development in the right place) and would harm not only the host building but also the character and appearance of the area. Therefore, the lateral gable/roof extension is contrary to advice set within policies D1 and H1 of the ALDP, the Guidance, as well as advice at the national level within SPP and PAN 67.

### **Precedent**

It is a tenet of planning law and good governance that each planning application is determined upon its own merits, and the decision should be taken with regard to the provisions of the

Development Plan (ALDP) and national guidance unless other material considerations indicate otherwise.

Notwithstanding this fact, the Applicant considers in correspondence to the Local Planning Authority that precedent is the key determinative factor.

The pre-application advice addressed the matter of precedent and context:

*Whilst it is acknowledged that there are examples of properties with half-hipped style roofs in the vicinity, proposals require to be assessed in conjunction with current Policy and Supplementary Guidance and the nearby modifications appear to be historic, with none determined under current Local Plan policies and Supplementary Guidance. As such, these existing altered dwellings would not be considered to set a precedent in this instance. In addition, these examples are not considered so numerous to have resulted in a significant change in the character of the street.*

Again, notwithstanding the above fact the Applicant cites a grant of planning permission in 2017 (Application Reference 171005/DPP - 26 Craigton Terrace) as a basis to allow the Application. It is not considered that the approval of a side extension at 26 Craigton Terrace is relevant to or sets any kind of precedent for the proposed development. On Craigton Terrace there are currently side extensions with raised gables on six of the eight houses at Nos. 29-43. One further property, No.37 has a side extension but with the original hipped roof profile retained. Thus there is a cluster of properties at the south west end of Craigton Terrace that have been altered in this manner. No.26 sits directly opposite that cluster. Further, it is the last property in the street (north west side) and thus does not have the same disruptive impact on the streetscape.

The character of this particular section of Craigton Terrace does not reflect the whole of that road and that aspect of character does not exist with the environs of the application site.

The Applicant also references numbers 17, 19 and 19a Gordon Road; however, these are a terrace of three dwellings and were designed as a single entity and have not been laterally extended and therefore are different from the proposal (i.e. proposed lateral extension to dwelling).

Whilst the Applicant quotes examples of extensions to other properties, what is being assessed is what is appropriate in respect of the application site only; and the Local Planning Authority has positively addressed this matter with a suggested way forward.

Therefore, the proposition that precedent should permit a grant of planning permission, fails.

### **Private interests**

The purpose of planning is to consider the broad aspect of public interest, rather than to protect any one or more person's private interest. In this regard, the Applicant within the supporting information commented upon his private interest in purchasing the property to extend. This does not form a material consideration in the decision-taking process.

## **REFUSAL REASON**

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1. The proposed lateral roof/gable extension by reason of its design, form, mass and composition would harm both the conformation of the pair of semi-detached dwellings, together with the character and appearance of the area contrary to policies D1 (Quality Placemaking by Design) and H1 (Residential Areas), and the Householder Development Guide Supplementary Guidance

to the Aberdeen Local Development Plan 2017, together with national guidance in Scottish Planning Policy and Planning Advice Note 67 on Housing Quality.

# Appendix XI

Planning Authority - Decision Notice

## **DECISION NOTICE**

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

#### **Detailed Planning Permission**

Mr Calum Smith  
10 Airyhall Terrace  
Aberdeen  
AB15 7QN

With reference to your application validly received on 5 April 2019 for the following development:-

**Erection of 2 storey gable extension; single storey extension /decking with external steps and extension of dormer to rear; alterations to boundary wall and fence replacement  
at 11 Gordon Road, Mannofield**

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:

<u>Drawing Number</u>	<u>Drawing Type</u>
	Location Plan
GR001	Existing Elevations and Plans
GR002	Existing Floor Plans
GR003	Proposed Elevations and Site Plan
GR004	Proposed Ground Floor
GR005	Proposed First Floor

#### **REASON FOR DECISION**

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

1.  
The proposed lateral roof/gable extension by reason of its design, form, mass and composition would harm both the conformation of the pair of semi-detached

dwellings, together with the character and appearance of the area contrary to policies D1 (Quality Placemaking by Design) and H1 (Residential Areas), and the Householder Development Guide Supplementary Guidance to the Aberdeen Local Development Plan 2017, together with national guidance in Scottish Planning Policy and Planning Advice Note 67 on Housing Quality.

**Date of Signing** 24 May 2019



**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 Strategic Place Planning (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.



## Appendix XII

ALDP Policy D1 (Quality Placemaking by Design)

This Section of the Plan sets out the Council's policies for ensuring that new development contributes to achieving our vision of a sustainable city and how we will meet the objectives and targets of the Strategic Development Plan.

## Quality Placemaking by Design

**3.1** Quality placemaking is at the core of planning in Aberdeen. Scottish Planning Policy, Creating Places: A Policy statement on Architecture and Place for Scotland, and Designing Streets promote the delivery of well-designed places and sustainable communities through good planning. Quality placemaking plays a positive part in reducing the impact of climate change and improving health and well-being.

**3.2** Quality placemaking is about creating development that sustains and enhances the social, economic, environmental and cultural attractiveness of the city as a place to be and is a material consideration in determining applications. Placemaking requires a collaborative process to achieving development that complements and enhances the site context and can be measured by six essential qualities: **a distinct identity, welcoming, safe and pleasant, easy to move around, adaptable to changing circumstances and is resource efficient.**

**3.3** All development must follow a thorough process of site context appraisal to arrive at an appropriate proposal. Context will differ from site to site, however significant characteristics include: siting; scale; mass; detail; proportion; materials; colour; orientation; land designation; surrounding uses; transportation and connectivity; existing building heights; landscaping; natural heritage features; topography; views and the relationship to streets and open spaces. Not all development will be of a scale to make a significant placemaking impact, however all good design and detail adds to the attractiveness of the built and natural environment and careful consideration is crucial. All development, from window replacements to large developments, represents an opportunity to add to the rich placemaking legacy of our built environment.

**3.4** Aberdeen encourages an engaging, designed approach to secure quality placemaking through the appropriate use of pre-application discussion, the application of the masterplan process and on design matters. The Aberdeen City and Shire Design Review Panel offers professional, peer advice to support the decision making process. (See relevant Technical Advice Note)

### Policy D1 - Quality Placemaking by Design

All development 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. Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

- **distinctive**
- **welcoming**
- **safe and pleasant**
- **easy to move around**
- **adaptable**
- **resource efficient**

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

To further ensure there is a consistent approach to placemaking throughout the city, the Aberdeen Masterplan Process will be applied to larger sites within the city.

Further guidance can be found within the supplementary guidance detailed below and Technical Advice notes listed in Appendix 4 Masterplans and Appendix 5 Supplementary Guidance.

# Appendix XIII

ALDP Policy H1 (Residential Areas)

Residential and mixed use development within the area surrounding the harbour must take account of the character of the area and avoid undue conflict with adjacent harbour-related land uses. New development must not impinge upon the viability or operational efficiency of the harbour, or of existing businesses within the harbour zoned area. Mitigation measures may be required in order to permit uses which could otherwise give rise to such conflict.

### **Pipelines, Major Hazards and Explosives Storage Sites**

**3.74** Within Aberdeen City, there are a number of high pressure pipelines and sites where hazardous substances or explosives are stored. For each of these sites a consultation zone has been established by the Health and Safety Executive to ensure that only appropriate new or replacement development takes place and that there is no increased risk to public safety.

#### **Policy B6 - Pipelines, Major Hazards and Explosives Storage Sites**

Where certain types of new development are proposed within the consultation zones of pipelines, major hazards and explosive storage sites, the Council will be required to consult the Health and Safety Executive (HSE) to determine the potential risk to public safety.

The Council will take full account of the advice from the HSE in determining planning applications. In addition to consultation with the HSE, the Council will consult the operators of pipelines where development proposals fall within these zones. Pipeline consultation zones are shown on the LDP Constraints Map.

### **Meeting Housing and Community Needs**

**3.75** Our vision for Aberdeen as a place which offers a high quality of life requires us to create sustainable communities in which amenity is maintained to a high level and for a wide choice of housing styles and types to be made available for everyone.

#### **Policy H1 - Residential Areas**

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

- 1 does not constitute over development;
- 2 does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3 does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and
- 4 complies with Supplementary Guidance.

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

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

Any proposed loss of Local Shops or Community facilities would need to comply with the relevant policies Policy CF1 Existing Community Sites and Facilities and Policy NC7 Local Shop Units.

## Appendix XIV

Householder Development Guide: Supplementary Guidance excerpt - Policy 3.1.8



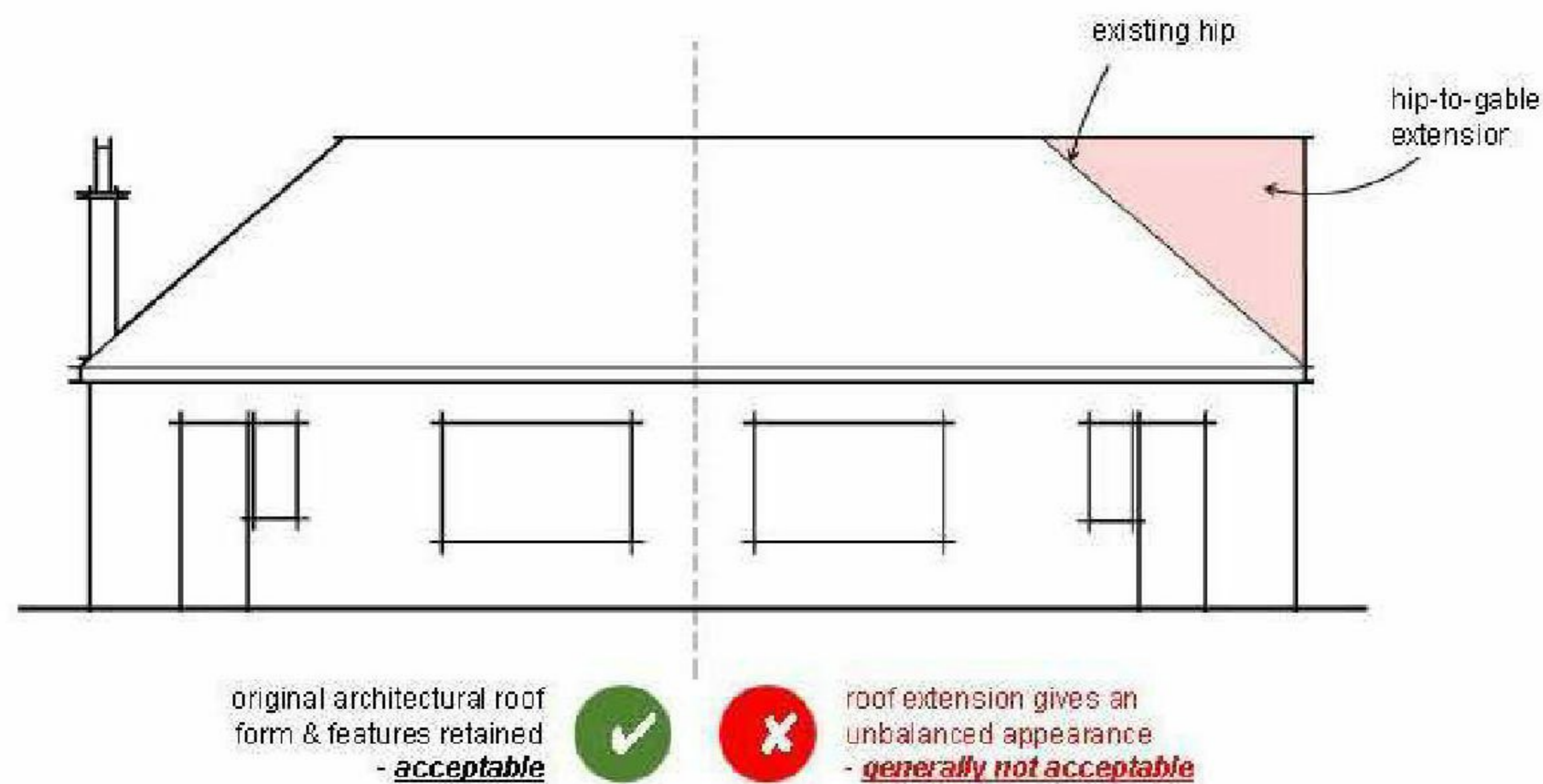
### 3.1.8 Roof Extensions

#### Hipped roof extensions

Modifying only one half of a hipped roof is likely to result in the roof having an unbalanced appearance.

**The practice of extending a hipped roof on one half of a pair of semi-detached houses to terminate at a raised gable will not generally be accepted unless:**

- The other half of the building has already been altered in this way; **or**
- Such a proposal would not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area.



#### Hipped Roof Extensions

#### Wall-head gables

A wall-head gable commonly has a centre window, with flues passing each side within the masonry to a common central chimney. It would be essential for any such feature to be constructed in the same material as the wall below. Wall-head gables have a strong visual impact which could substantially alter the character of a building. They are therefore unlikely to be acceptable on listed buildings, but might be accepted in conservation areas or on other older buildings of a traditional character.



## Appendix XV

26 Craigton Terrace Proposed Elevations Drawing (initial application)



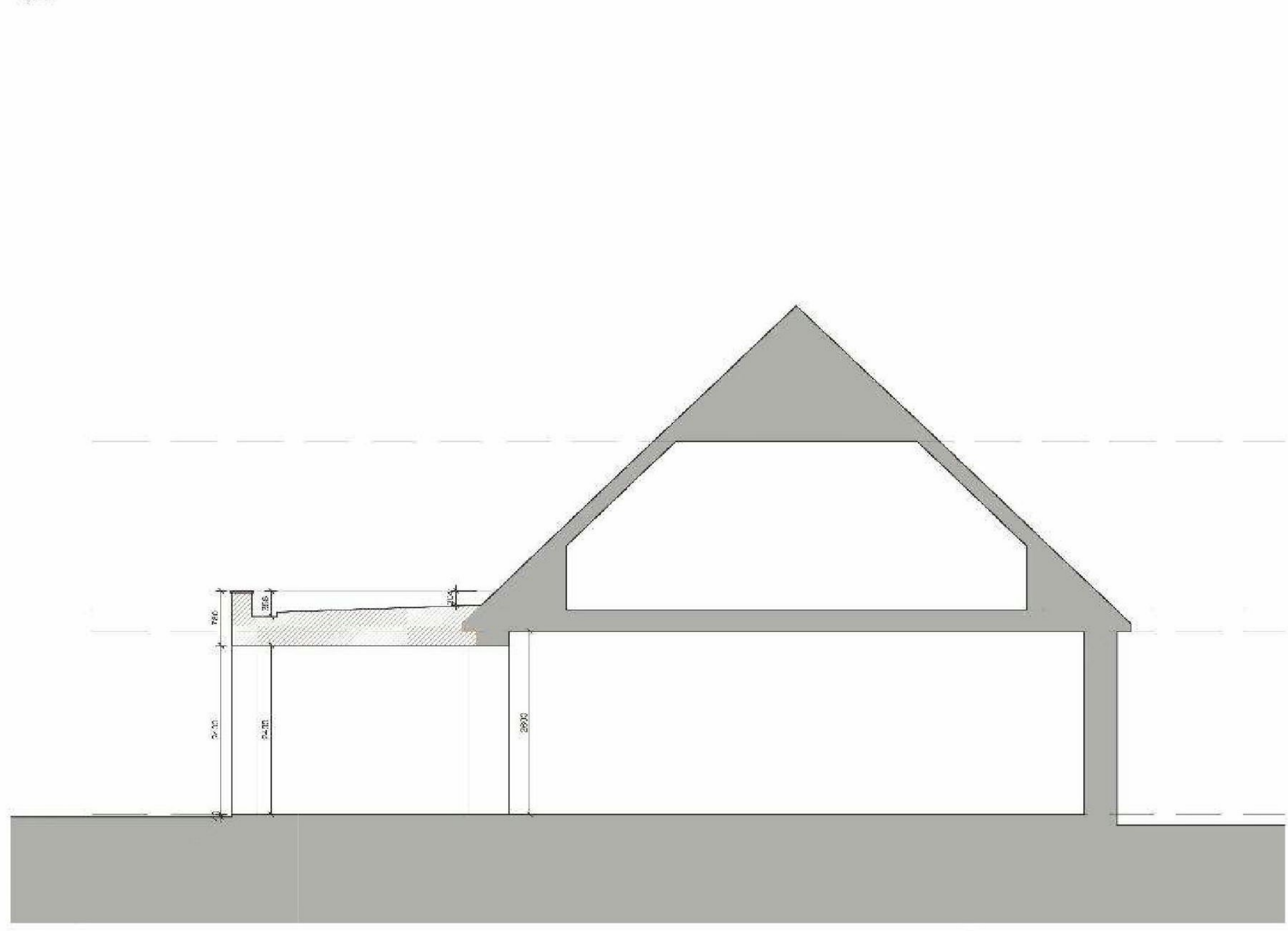
01 Proposed South Elevation  
1:50



02 Proposed North Elevation  
1:50



03 Proposed West Elevation  
1:50



04 Proposed Section  
1:50

Client:	Site name:	Drawn:	Check:
Project: Proposed alterations to 26 Glasgow Terrace, Glasgow			
Drawing Title: Proposed elevations			
Scale:	Drawn:	Check:	Appr:
1:50	DS	DS	AT
Date:	25/03/17	Origin:	AT

**WELLWOODLESLIE**  
Chartered Architects

1st Floor  
63 West Street,  
Broughty Ferry, Dundee, DD2 2AM  
Tel: 01392 772222  
E-mail: [enquiries@wellwoodleslie.com](mailto:enquiries@wellwoodleslie.com)

**PLANNING**

IC: Minor planning alterations to  
Exde 18001

Date: 03/10/17

Page 06



## Appendix XVI

26 Craigton Terrace Report of Handling (initial application)

## Detailed Planning Permission

**171005/DPP:** Formation of single storey extension to rear and 1.5 storey gable extension at 26 Craighton Terrace, Mannofield, Aberdeen, AB15 7RN

For: Mr Joe Lewis

Application Date:	18 August 2017
Officer:	Sheila Robertson
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Braeside And Mannofield
Advertisement:	N/A
Advertised Date:	N/A

**RECOMMENDATION: Approve Unconditionally**

### SITE DESCRIPTION

The application relates to a 1.5 storey, semi-detached dwelling house with a south eastern facing principal elevation, constructed of pink and grey granite and with a fully hipped slated roof. The property has previously been extended to the rear by a full width lean to extension with a 2.3m projection and 3.2m in height. A 'U' shaped conservatory approximately 4.3m wide x 3.7m projection has been added to the rear of this extension. There is single, flat roofed, garage, its front elevation lining through with the rear building line of the dwelling house, 2.8m wide, 2.3m in height and extending 10.5m along the western boundary. The area of land between the front the dwelling house and garage has been enclosed by a car port of timber construction and translucent roofing sheets. The site extends to 516sq.m with a current built site coverage of 36% (inclusive of the car port).

### DESCRIPTION OF PROPOSAL

Erect a 1.5 storey extension to the gable, and single storey extension extending across the full width of the rear elevation of both the existing dwelling house and the proposed gable extension. The existing rear extensions, car port and garage would be removed. The proposal would provide an extended kitchen/dining room, utility room and garage at ground floor level and a new master bedroom/ensuite at upper level.

The gable extension would extend 9.2 m along the full length of the gable, be 3.4m in width, and its roof ridge and eaves height would tie in with existing to the front and rear elevations. The gable wall would be built up to terminate in a partially hipped roof. To the rear, the extension would be 11.8m in width, the south west corner chamfered to follow the plot boundary, with a 3.5m projection and a flat roof 3.2m in height. Two pitched roofed dormers would be added to the front elevation and a single pitched roofed dormer and roof light to the rear. Finishing materials would include pink and grey granite to the principal elevation, to match existing with granite quoins, white wet dash render to remaining walls, and white PVC window frames. The garage door would be grey aluminium. The rear extension would have 2 sets of glazed doors to the rear, separated by timber linings. The erection of a wall and gate, both lining through with the forward building line of the dwelling house, constitute permitted development and do not require to be assessed as part of this application as would the proposed decking to the rear, since no part would be elevated by 0.5m or more above the existing ground level.

Following a request from the Planning Authority, amended plans have been submitted, altering the internal layout to permit an increase in the internal dimensions of the garage to ensure compliance with the minimum size requirements for a single garage.

## **RELEVANT HISTORY**

None

## **SUPPORTING DOCUMENTS**

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

## **CONSULTATIONS**

**ACC Roads Development Management Team** - The proposed garage, as amended, is now sized to the minimum internal dimensions required for a single garage. No objections to the amended proposal.

## **REPRESENTATIONS**

Two letters have been received in support of the proposal.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan 2017(ALDP)**

- Policy D1 – Quality Placemaking by Design
- Policy H1 – Residential Areas
- Policy T2 (Managing the Transport Impact of Development)

### **Supplementary Guidance (SG)**

- Householder Development Guide

- Transport and Accessibility 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.

### **Principle of development**

The application site is located within an area zoned for residential use in the adopted Aberdeen Local Development Plan, and relates to an existing dwelling house. The proposal is therefore acceptable in principle subject to an acceptable form and appearance. In determining what constitutes acceptable development, the aforementioned national and local planning policies and associated supplementary guidance will be of relevance.

### **Design, Scale & Massing**

General principles expect that all domestic extensions should be architecturally compatible in design and scale with the original house and surrounding area, materials should be complementary and any development should not overwhelm or dominate the original form or appearance of the dwelling house. The Householder Development Guide restricts the projection of single storey extensions to semi-detached dwelling houses to 4m.

### **Gable extension**

The Supplementary Guidance relating to alterations to a hipped roof refers to the case of semi-detached properties where modifying only one half of a hipped roofed pair of semis to terminate in a straight gable is likely to result in the building having an unbalanced appearance, and this practice would not be generally acceptable unless the other half of the building has already been altered in this way, or such a proposal would not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area. In this case, the proposal relates to the modification of one half of a pair of fully hipped roofed semi's to provide a straight gable that terminates at a raised half hip. The adjoining property is unaltered and this would result in the pair of semi-detached properties appearing somewhat unbalanced as the adjoining semi has maintained its hipped roof profile; the proposal therefore fails to meet the first criteria and has to be considered in terms of the wider streetscape.

While the street originally comprised identical semi-detached properties with hipped roofs, there are many examples of properties within the street which have added 1.5 storey gable extensions with partial hips. These are concentrated particularly towards the western end of Craighton Terrace, notably at Nos 27 & 29, 33 & 35, 37, and 41 & 43, opposite the application property. It can therefore be argued that the predominant character of the properties within this section is now one of straight gables with a half

hip and the current application, although proposing a partially hipped gable when the other half of the pair of semis retains the original fully hipped roof, could therefore be considered an acceptable form of extension within this locale; would not further erode the existing character of the streetscape and therefore have an acceptable impact on the visual amenity of the streetscape, in compliance with the SG.

The gable extension would be of acceptable scale, massing and design relative to the existing dwelling house. The eaves and roof ridge height would respect existing and the proposed use of pink and grey granite would integrate well with the frontage of the existing dwelling house. The roof would be slatted to match existing.

The proposed dormers would align with and replicate the form of existing dormers. They would be suitably located, proportioned, and would incorporate a suitable proportion of glazed on the faces with glazing to their extremities, in compliance with the Householder Development Guide. The dormers would be finished with uPVC framed windows and slate to the haffits, all to match existing. They would integrate well with the existing character of both the dwelling house and the predominant character within the immediate streetscape, replicating the original dormer design; would not result in visual clutter on the roof thereby having a negligible impact on the visual quality of the streetscape.

#### Rear extension

The proposal would be architecturally compatible with the original dwelling house in regards to scale and design. It would not be visible from the principal elevation of the property and therefore would not be seen from public views, with little effect on the character of the streetscape as a result. Whilst it is a relatively modern design in relation to the dwelling house, the materials proposed for use are appropriate to the rear of this property.

#### Built site coverage

The built footprint of the development would be suitable relative to the size of the original house, in addition to the scale of the rear curtilage. The combined extensions would result in a net reduction of 35sq.m in the existing footprint of the dwelling house and garage and a corresponding drop in the built site coverage from 36% to 29.6%. The undeveloped area of useable rear garden ground remaining following construction of this proposal would be comfortably in excess of 50%. Overdevelopment of the plot is therefore not an issue in the determination of this application

#### Impact on residential amenity

The rear garden abuts the rear gardens of several neighbouring dwelling houses - Nos.16 to 22 Springfield Road, which sit to the west and perpendicular to the application property, and are separated by a 2m high boundary wall; No.1 Craigton Avenue to the north with a communal boundary screened by trees; and by an identical semi-detached dwelling house to the east, separated by a low wall to the mutual boundary and severable shrubs and small trees. This property has been extended to the rear by a single storey extension sitting 3.25m off the common boundary.

Guidance advises that any proposals which have a significant adverse impact on privacy, daylight and general amenity will count against a development proposal. The limitation on the projection along a mutual boundary contained in the SG is designed to protect neighbouring properties from undue overshadowing or loss of daylight to their nearest windows. In this instance the projection of the rear extension is less than the maximum permitted.

Calculations regarding impact to neighbours' daylight receipt examines loss to windows serving habitable rooms, and is assessed on methodology contained in the BRE Information Paper on 'Site Layout Planning for Daylight'. Where the proposed extension is perpendicular to the windows to be assessed, the 45° method is applied; in this case the nearest window to the rear elevation of the adjoining semi at 34 Craigton Terrace sits close to the boundary and serves a habitable room. Calculations indicate that the proposed rear extension satisfies the 45° method for daylighting assessment and that this window is sufficiently distant to ensure levels of daylight receipt would be unaffected. All other neighbouring windows are set sufficiently distant from the proposed rear and gable extensions so as to be unaffected in terms of loss of daylight.

Turning to the impact to adjacent properties in terms of overshadowing, the height, orientation and distance of the proposed structures are determining factors. The removal of the garage would increase the amount of morning sunshine received by the properties to the west while the formation of the gable extension would marginally increase overshadowing levels during early morning to Nos 16 and 18 Springfield Road and to the adjoining dwelling house, however given the size of the affected areas relative to the overall size of their rear gardens and the duration of any additional overshadowing, it is considered there would be a negligible loss of neighbouring amenity, insufficient to warrant refusal of the application.

The new dormer windows to the principal elevation would neither be on the same plane nor directly face any windows of neighbouring properties across the street. Notwithstanding this, there would be a minimum window-to-window distance between facing properties of at least 28m, well out-with the prescribed distance of 18m required to ensure internal privacy therefore current privacy levels would be retained. To the rear elevation, the garden boundaries are sufficiently well screened to ensure no additional overlooking from the ground floor windows. There are two existing dormers at upper level which already permit views across neighbouring rear gardens, the new dormer would offer negligible additional opportunity for overlooking of neighbours' external private space.

Overall, residential amenity would be retained in compliance with Policy H1.

### **Car parking provision**

The proposal includes removal of the existing garage and car port and would increase the number of bedrooms in the property from 3 to 4. As per the Transport and Accessibility Supplementary Guidance, the property is required to provide 3 off street parking spaces. This parking requirement is met by the widening of the driveway to provide parking for 2 cars and a further parking space provided within the garage, whose dimensions have been increased since original submission to accord with the

minimum specification. Colleagues in Roads Development originally raised concerns regarding the low level of off street parking associated with the new development however as a result of the amended layout plan, the concern has been removed and the proposal is considered to accord with the Policy T2 (Managing the Transport Impact of Development) and its associated Supplementary Guidance (Transport and Accessibility).

**RECOMMENDATION: Approve Unconditionally**

**REASONS FOR RECOMMENDATION**

The scale, massing, design, and proportions of the extensions are considered acceptable in the context of the both the plot size and existing dwelling. The proposal has been designed with due consideration for the architectural form of the existing dwelling house and the context of the surrounding area. The new dormers would be of suitable scale and design and be generally compliant with the Supplementary Guidance: Householder Development Guide. The proposal would result in minimal visual impact on the character of the wider area. The site would not be over-developed and the proposal would have no significant adverse impact on residential amenity of neighbouring properties in terms of overshadowing, or on daylight receipt and privacy. Sufficient off street parking space would be provided, in compliance with the SG. The proposal complies with Policies D1 (Architecture and Placemaking) and H1 (Residential Areas) of the Aberdeen Local Development Plan and with the Supplementary Guidance contained in the Householder Development Guide and the Transport and Accessibility Guide. 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 refusal of the application.

## Appendix XVII

26 Craigton Terrace Proposed Elevations Drawing (retrospective application)



4.0 – Elevations



01  
PR02  
South Elevation, as approved permission ref: 171005/DPP  
1:100 on A3



03  
PR02  
West Elevation, as approved permission ref: 171005/DPP  
1:100 on A3



02  
PR01  
South Elevation, as Built  
1:100 on A3



04  
PR02  
West Elevation, as Built  
1:100 on A3

## Appendix XVIII

26 Craigton Terrace Report of Handling (retrospective application)



## Strategic Place Planning

Report of Handling

<b>Site Address:</b>	26 Craighton Terrace, Mannofield, Aberdeen, AB15 7RN
<b>Application Description:</b>	Amendment to previously approved planning application (Ref 171005/DPP) involving formation of straight rather than partially hipped gable (retrospective)
<b>Application Ref:</b>	181466/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	17 August 2018
<b>Applicant:</b>	Mr Joe Lewis
<b>Ward:</b>	Airyhall/Broomhill/Garthdee
<b>Community Council:</b>	Braeside And Mannofield
<b>Case Officer:</b>	Sheila Robertson

### RECOMMENDATION

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Approve Unconditionally

### APPLICATION BACKGROUND

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#### Site Description

The original property comprised a 1.5 storey, semi-detached dwelling house, with a south eastern facing principal elevation, constructed of pink and grey granite with a fully hipped slated roof. To the side elevation, there was a flat roofed garage and timber car port, with a single storey extension added to the rear elevation.

#### Relevant Planning History

Planning permission (Ref: 171005) was approved in October 2017 for the erection of a 1.5 storey extension to the side elevation with a partially hipped gable wall; dormers to the front and rear elevations; and a single storey extension to the rear elevation. All the works have been completed however the side extension has been constructed with a straight gable wall rather than a partial hip, as approved.

### APPLICATION DESCRIPTION

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#### Description of Proposal

Permission is sought retrospectively to amend the previously approved planning permission involving formation of a straight gable to the side extension rather than partially hipped.

#### Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:  
<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PDI6SEBZGLS00>

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

- Letter from the applicant explaining how the error occurred and a straight gable rather than a partially hipped was constructed.
- Supporting statement from the agent, detailing similar examples of properties within the surrounding area with straight gables, and demonstrating how the roof as built would have limited visual impact.

## **CONSULTATIONS**

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None

## **REPRESENTATIONS**

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Three written representations have been received (1 objection and 2 in support). The matter raised in objection can be summarised as follows: Approval of this application would be inconsistent with the SG, and could result in a precedent being set within the street, whereby approval of straight gables could lead to a terracing effect on blocks of properties.

## **MATERIAL CONSIDERATIONS**

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### **Legislative Requirements**

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

### **Aberdeen Local Development Plan (ALDP)**

Policies D1 – Quality Placemaking by Design and H1 – Residential Areas

### **Supplementary Guidance (SG)**

Householder Development Guide (HDG)

## **EVALUATION**

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### **Principle of Development**

The principle of the development has already been established by the previous approval. The amended application falls to be assessed in terms of its impact to the established character of the streetscape, and impact on residential character and amenity. These issues are discussed below:

### **Gable extension**

The original proposal for the gable extension was assessed against the guidance contained in the HDG relating to alterations to a hipped roof which states that, in the case of semi-detached properties, modifying only one half of a pair of hipped roofed semis to terminate in a straight gable is likely to result in the building having an unbalanced appearance, and this practice is therefore not generally acceptable unless the other half of the building has already been altered in this way, or such a proposal would not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area. In this case, the proposal related to the modification of one half of a pair of fully hipped roofed semis to provide a straight gable that terminated at a raised half hip. The adjoining property was unaltered, and it was recognised that this would result in the pair of semi-detached properties appearing somewhat unbalanced as the adjoining semi maintained its hipped roof profile; the proposal therefore failed to meet the first criteria and had to be considered in terms of the character of the wider streetscape.

While the street originally comprised identical semi - detached properties with hipped roofs, there were many examples of properties within the street which had added 1.5 storey gable extensions, all with partial hips, concentrated mainly towards the western end of Craigton Terrace, notably at Nos 27 & 29, 33 & 35, 37, and 41 & 43, opposite the application property. It was therefore considered that the predominant character of the properties within that section of the street was one of straight gables with a half hip and the proposal, although proposing a partially hipped gable when the other half of the pair of semis retained its original fully hipped roof, could therefore be considered an acceptable form of extension within this locale; would not further erode the existing character of the streetscape and was deemed to have an acceptable impact on the visual amenity of the streetscape, in compliance with the HDG.

The extension has now been completed however a straight gable rather than partially hipped, as approved, has been included. It was acknowledged that, in approving the original application, a degree of visual imbalance would be created between the pair of semi - detached dwelling houses however it is not considered that approval of the current application will exacerbate this situation.

However in terms of the wider streetscape, it is acknowledged that the straight gable would be at odds with the predominant characteristic of partially hipped gables and therefore contrary to the SG. 26 Craigton Terrace is the last house on the north side of the street when travelling west and shares its western boundary with Nos 14 – 22 Craigton Terrace, which sit at right angles to the application property, and face west towards Springfield Road. These properties have all been built with straight gables as original. A tree belt planted along the eastern boundary of 14 Craigton Terrace effectively screens the gable of the application property, which, as a result, is not readily visible when entering Craigton Terrace from Springfield Road. When travelling westwards along Craigton Terrace towards Springfield Road, the gable is screened by the property's dormer windows, erected to the principal elevation

Although it is accepted that the prevailing character of properties within this section of Craigton Terrace is predominantly one of extended gables terminating in partial hips, the application property is not seen within the context of these properties. The disparity in the shape of the gable is only apparent when the property is viewed face on. In addition there is variety in the style, scale, position and number of dormers added to these properties, therefore given the variety of roofscapes and roof alterations within the immediate area, the absence of the partial hip would not be readily noticeable or impact negatively on the visual quality of the streetscape.

### **Impact on Residential Amenity**

The increase in the height of the gable wall would have no impact on neighbouring properties, which are all sufficiently distant so as to be unaffected in terms of loss of day light or overshadowing. Residential amenity would be retained in compliance with Policy H1.

### **Matter raised in Representation**

It is acknowledged that the amendment to the gable, as built, would result in a roof profile that is contrary to the current HDG however on balance, the amendment to the roof profile would have limited negative impact on the prevailing residential character and visual amenity of the area; would not further erode the existing character of the streetscape; and therefore would not result in an unacceptable impact on the visual amenity of the streetscape. Such material considerations have allowed for a departure from this element of the policy guidance on this occasion. Approval of the application may risk setting a precedent for similar proposals, particularly should the hipped roof of the adjoining semi be altered and where visual balance would be expected, however it should be noted that every proposal is thoroughly assessed on its own merits on a site specific basis and given that the predominant character towards the west end of the street is one of gables with partially hipped roofs then this characteristic would be taken into account in determination of any future applications to alter an existing hipped roof profile.

## **RECOMMENDATION**

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Approve Unconditionally

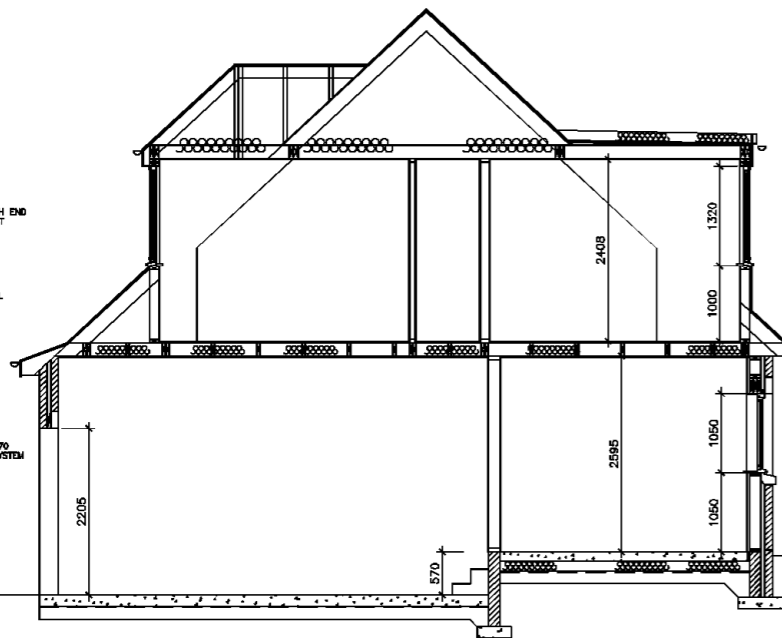
## **REASON FOR RECOMMENDATION**

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Although it is acknowledged that, in this locale, the formation of a straight rather than a partially hipped gable would be contrary to the Supplementary Guidance contained in the Householder Development Guide, as relating to alterations to hipped roofed properties, since it would result in a roof profile at odds with the predominant character of the immediate streetscape, the alteration is considered to be small scale and, given the property's position within the streetscape, it would not be unduly visually intrusive. There would be limited additional visual impact to the established character of the surrounding area and it is therefore considered that this is sufficient justification to approve the application contrary to the guidance contained in the Supplementary Guidance. The proposal is otherwise considered to have been designed with due consideration for the context of the surrounding area and would therefore be compliant with Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) 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 - including the matters raised in representation - that would warrant refusal of the application.

# Appendix XIX

7 Craigton Avenue Proposed Plans & Elevations Drawing



1 LAYER SARRAFILL DARK GREY SEAMLESS FINISH ON 130mm KINGSPAN INSULATION, INSTALLED BY CERTIFIED CONTRACTOR BROWN UP BELOW SLATES BY 450mm OVER TILING FELT  
 1 LAYER FELT ON 18mm MOISTURE RESISTANT CHIPBOARD ON 100 x 50 x 25 x 50 TREATED TYPED FIRING PIECES ON 30 x 200 C24 JOISTS AT 400mm CENTRES  
 12.5 PLAIN PLASTERBOARD CEILING FINISH

100mm DEEPFLOW GUTTER  
 GLASSWOOL INSULATION TO OVERLAP KINGSPAN AT ROOF APPEX  
 INSULATION PACKED BEHIND FASCIA

140mm KINGSPAN XPS INSULATION BETWEEN 50 x 200 C16 BATTERS WITH 200mm AIR GAP ABOVE WITH 42.5 mm Kooltherm INSULATED PLASTERBOARD TO LIE IN

200mm GLASSWOOL INSULATION LAID WITH 150mm BETWEEN JOISTS & 200mm LAD PERPENDICULAR WITH PROPRIETARY TRAY TO PROVIDE 50mm AIR GAP

22mm MOISTURE RESISTANT CHIPBOARD FLOORING (10kg/m Density) ON 175 C24 JOISTS AT 400mm CENTRES, FULL DEPTH DIMMER AT MID SPAN AND UNDER PARTITIONS  
 100mm MINERAL WOOL SOUND INSULATION TO 16/m3 DENSITY OVER UTILITY WITH 2 LAYERS 12.5mm SOUNDBLOCK PLASTERBOARD CEILING THROUGHOUT

2/150 x 20 C16 TIMBERS AS LINTOL SUPPORTED ON 2/60 x 120 POSTS AT EACH END SPACED TOGETHER WITH 42.5mm WIRE NAILS AT 200mm CENTRES, 20mm FROM SIDES  
 ROESLIZE K9 EXTERNAL LINTOL

UPVC DOUBLE GLAZED WINDOWS WITH TRICKLE VENT AND SECURITY LOCKS WITH PRECAST CONCRETE CILL WITH DPC BUILT INTO 200mm CONCRETE TO BE LAMINATED TO BS 62 82 WHERE BELOW 800mm FROM FLOOR LEVEL

HORIZONTAL DPC 150mm ABOVE GROUND LEVEL  
 150mm AIR GAP UNDER JOISTS TO SOLIUM  
 DPM TAKEN UP WALL AND LAPPED UNDER DPC  
 600 x 200 DEEP C35 STRIP CONG. FOUNDS WITH A302 BOTTOM MESH AND 400mm GROUND COVER  
 BLACK EARTH AND SOIL WITH VEGETABLE TO BE COMPLETELY REMOVED TO 1400 PHN

2/150 x 20 C16 TIMBERS AS LINTOL SUPPORTED ON 2/60 x 120 POSTS AT EACH END SPACED TOGETHER WITH 42.5mm WIRE NAILS AT 200mm CENTRES, 20mm FROM SIDES  
 DOUBLE BATTERS AT CORNER SIDES

CODE No 5 LEAD UPSTAND FLASHING TAKEN UP CORNER FRONT AND UNDER WINDOW CILL

2135 x 2135 OVERHEAD GARAGE DOOR WITH 70 x 70 REDWOOD POSTS FITTED WITH AUTOMATIC OPENING SYSTEM WITH CATHIC CH919 LINTOL

BREAK UP EXISTING CONCRETE FLOOR AND INSTALL 150mm C35 IN-SITU CONCRETE GARAGE FLOOR WITH A142 TOP MESH, LAID TO FALL ON 1200 GAUGE POLYTHENE D.P.M. LINKED TO WALL D.P.C. LAID ON 200mm TYPE 1 BLUNDED HARDWARE

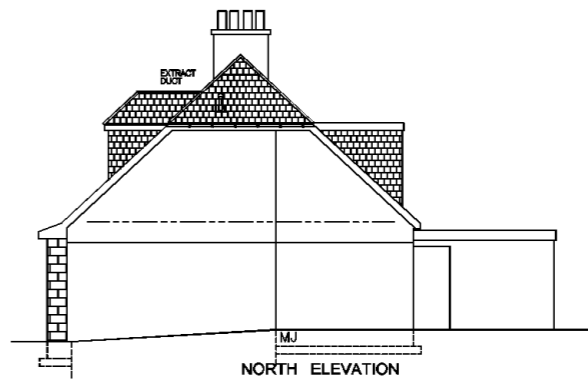
- FINISHES
- ROOF BLUE/GRAY SLATES TO MATCH EXISTING
- WALLS KEMNAY GREY DRY DASH WITH LIGHT GREY BACKGROUND BULLNOSED FYFESTONE FRONTAGE
- WINDOWS WHITE UPVC WINDOWS WITH SEALED DOUBLE GLAZING UNITS
- FASCIAS WHITE PAINTED REDWOOD
- FLASHINGS CODE No. 5 LEAD VALLEY GUTTERS AND UPSTAND FLASHINGS
- GUTTERS GREY UPVC



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

FOUNDATIONS  
 IN-SITU CONCRETE FOUNDATIONS TO BEAR ON ORIGINAL FIRM GROUND 600 x 200 DEEP FOUNDS TO EXTERNAL WALLS WITH C35 GRADE CONCRETE WITH A302 MESH WITH 40mm COVER AND TO HAVE 450mm MINIMUM GROUND COVER TYPED DOWN BELOW DRAIN BATTERS  
 ALL VESSEL WATER AND BLACK SOIL REMOVED FROM UNDER EXTENSION SOLID FLOOR

120mm C35 IN-SITU CONCRETE FLOOR WITH A142 TOP MESH  
 130mm KINGSPAN TYPED POLYETHYLENE INSULATION ON 1200 gauge SHAP PROFILE KEYS/BEAMS ON 50mm SAND BLINDING ON 150mm MIN. CONSOLIDATED SELECTED FILL IN 200mm MAX LAYERS  
 25 mm POLYSTYRENE PERIMETER INSULATION

EXTERNAL WALLS  
 100mm FOUNDATION ON 100mm DENSE CONCRETE BLOCK, 50mm CRITY WITH STAINLESS STEEL WALL TIES AT 600mm HORIZONTAL CENTRES AND 450mm VERTICAL CENTRES  
 150 x 60 C16 STUDS AT 800 x 150 TO BS 5268 Part 2 STRUCTURAL TYPED FRAMING INNER LEAF WITH 50mm C35 Type F2 (BS 5888) INLINED AT 150mm CDS WITH BREAKER MEMBRANE MOISTURE BARRIER  
 140mm KINGSPAN TYPED WALL TIES WITH 12.5mm WIPOLUR CHECK PLASTERBOARD FINISH

NOTES :

- 1) ALL TIMBERS PRESSURE IMPREGNATED AGAINST ROT AND FUNGAL ATTACK. (Preservative treatment to BS 6268 part 5)
- 2) BLOCKWORK TO BE 10 N/mm<sup>2</sup> STRENGTH AND 2000 Kg/m<sup>2</sup> Density STAINLESS STEEL VERTICAL WALL TIES TO BE AT 225mm c/c ADJACENT OPENINGS & FIXED WITH 220mm FROM THE SIDE OF OPENING NO - STAINLESS STEEL TYPE - "COLLIER" FITTED
- 3) TIMBER FRAME TO COMPLY WITH THE FOLLOWING BS 5268 PART 2 - STRESSES, MATERIALS AND WORKMANSHIP
- 4) - TRUSSED PARTIES
- 5) - PRESERVATIVE TREATMENT
- 6) - TIMBER FRAME WALLS

THE GARY WALL TO BE VENTED WITH OPEN PERFORATED VENTILATORS LOCATED AT 1.2m CENTRES AT GROUND FLOOR LEVEL, FIRST FLOOR AND ABOVE AND BELOW HORIZONTAL FIRESTOPPS.

ROOF  
 NATURAL SLATE TO MATCH EXISTING ON BREAKER MEMBRANE ROOFING FELT ON 22mm WIPOLUR ROOFING BOARDERS WITH 3mm GAPS ON ROOF TRUSSES AT 600mm MAXIMUM SPACING TO MATCH EXISTING FROM

150mm GLASSWOOL INSULATION LAID WITH 150 mm BETWEEN JOISTS AND 200mm LAD PERPENDICULAR TO JOISTS  
 ROOF VENTILATION BY DAUXEX (OR EQUAL) BREAKER MEMBRANE ROOFING FELT FLAT ROOF

1 LAYER SARRAFILL DARK GREY SEAMLESS FINISH ON 130mm KINGSPAN INSULATION, INSTALLED BY CERTIFIED CONTRACTOR BROWN UP BELOW SLATES BY 450mm OVER TILING FELT, 1 LAYER FELT ON 18mm MOISTURE RESISTANT CHIPBOARD ON 100/25 x 50 TREATED FIRING PIECES ON 50 x 200 C16 JOISTS AT 400mm CENTRES  
 12.5 PLAIN PLASTERBOARD CEILING FINISH WITH ALL JOISTS TAPED AND FILLED  
 INTERNAL PARTITIONS

NON-LOAD BEARING PARTITIONS TO BE 70 x 40 C16 STUDS AT 800mm MAXIMUM CENTRES - TOP BOTTOM & 2 ROOFS OF INTERMEDIATE WALLS WITH 100mm MINERAL WOOL SOUND INSULATION BATTES, 10kg/m<sup>3</sup> DENSITY WITH 12.5mm SOUNDBLOCK PLASTERBOARD (10kg/m<sup>3</sup> density) TO BOTH SIDES. 12 x 80 OUGE REDWOOD FASCIES, 14 x 120 OUGE REDWOOD SKIRTINGS.

WINDOWS  
 DOUBLE GLAZED HIGH PERFORMANCE UPVC WINDOWS WITH ADJUSTABLE TRICKLE VENTS TO GIVE 1000mm<sup>2</sup> AVERAGE OPENING AREA.  
 FIRST FLOOR WINDOWS FITTED WITH EASY CLEAN FACILITY HINGES.  
 FIRST FLOOR WINDOWS TO BEDROOMS FITTED WITH OPENING SASHES TO GIVE 450mm MINIMUM CLEAR OPENING HEIGHT & 800mm HEIGHT TO BE 1100mm MINIMUM ABOVE FLOOR LEVEL

GLAZING BELOW 1500mm FROM FLOOR LEVEL OR 300mm FROM DOOR TO BE TOUGHENED SAFETY GLASS TO BS 6262, part 4 2005

WINDOWS AND DOORS TO BE DESIGNED TO RESIST FORCED ENTRY AND TO COMPLY WITH SECURE BY DESIGN AND BS 7412:2007 AND INSTALLED TO BS 8215-4:2007

ALL GLAZING TO BE LOW E<sub>s</sub> WITH GLASS - 4/16/4 WITH 100mm SPACER FILLED WITH Argon or 0.1 Argon Gas Gas achieves a U-value of 1.4 W/m<sup>2</sup>K

ALL WINDOWS TO HAVE A GLAZING AREA EQUAL TO AT LEAST 1/20th OF THE FLOOR AREA & A VENTILATOR WITH AN OPENING AREA OF NOT LESS THAN 1/30th OF THE FLOOR AREA.

INTERNAL FINISHES  
 ALL PLASTERBOARD JOINTS AT WALLS AND CEILINGS TO BE AMES TYPED AND FILLED WITH OPTIC FILLER, SAWNED DOWN READY FOR DECORATION OF 1 COAT PRIMER AND TWO COATS CALCEOLAN PAINT.  
 ALL WOODWORK TO HAVE NAIL HOLES FILLED READY FOR 1 COAT PRIMER, 1 COAT UNDERCOAT & 1 COAT GLOSS, SAWNED DOWN BETWEEN COATS

ELECTRICS  
 TRIM PVC AND EARTH CABLES TO NEW SOCKETS, SWITCHES & LIGHTS CONNECTED TO EXISTING DISTRIBUTION BOARD  
 ALL ELECTRICAL WORK TO BE CARRIED OUT TO COMPLY WITH BS 7671 (2008)  
 ALL SOCKETS TO BE POSITIONED 350mm FROM INTERNAL CORNERS AND AT LEAST 400mm ABOVE FLOOR LEVEL OR 150mm ABOVE SKIRTINGS.  
 LIGHT SWITCHES TO BE POSITIONED BETWEEN 900-1100mm ABOVE FLOOR LEVEL.  
 LOW ENERGY LIGHT BULBS TO BE FITTED TO ALL NEW FITTINGS

OPTICAL SMOKE DETECTION SYSTEM TO COMPLY WITH BS EN 14864:2005  
 WIRE RIBD BACK TO CONSUMER UNIT AND INSTALLED THROUGHOUT THE HOUSE AND LOCATED 300mm FROM ANY WALL OR LIGHT FITTING WITH BATTERY BACK UP

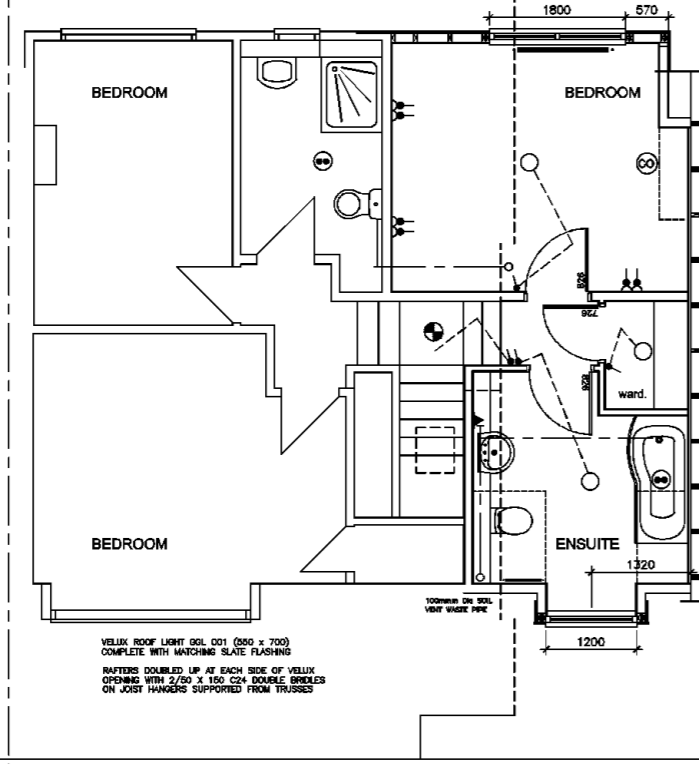
RAINWATER GOODS  
 100mm BLACK UPVC DEEPFLOW GUTTERS FIXED BY CLIPS AT 600mm CENTRES WITH 60mm DIA. DOWNPIPES AT 1500mm CENTRES CONNECTED TO DRAIN VIA GULLY TRAP WITH 100mm DIA UPVC PIPES

PLUMBING  
 PVC INTERNAL WASTE PIPES INSTALLED AS MANUFACTURERS INSTRUCTIONS AND TO BS 5072, AND CONNECTED TO DRAIN DRAIN COPPER PIPE WORK TO NEW SANITARY APPLIANCES FULLY LARGED TO BS5422 WITH TUBULOT AND CONNECTED TO EXISTING HOT & COLD SUPPLIES

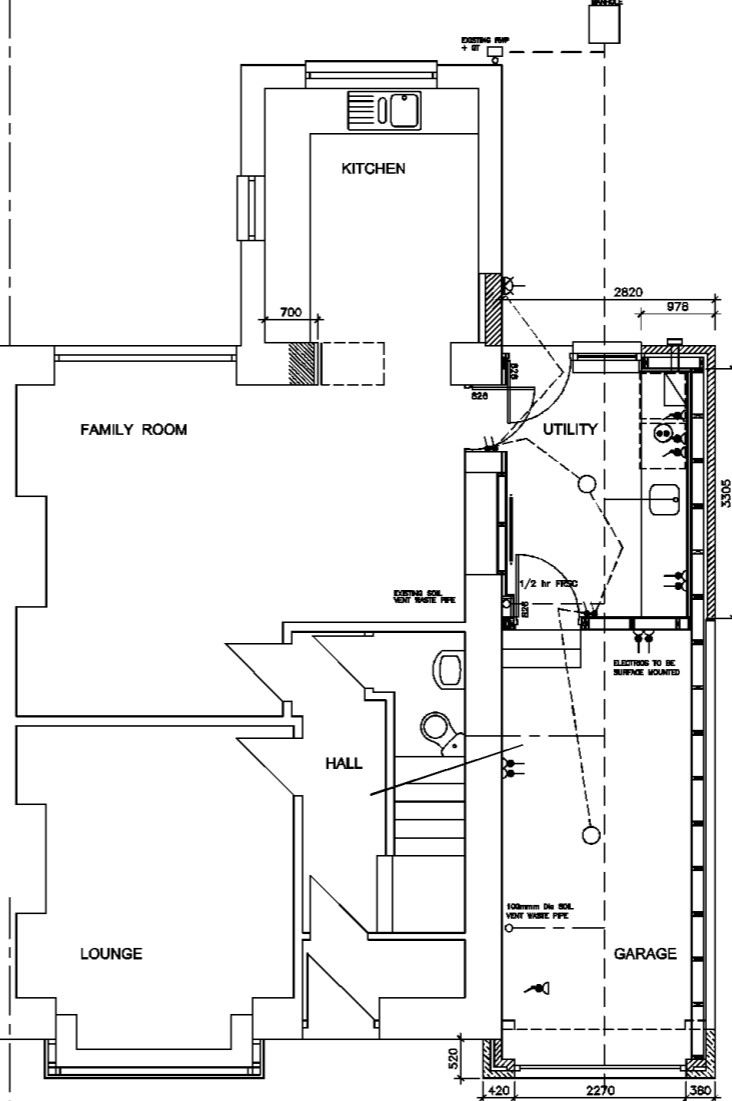
EXTERNAL DRAINAGE  
 110mm DIA. UPVC PIPES TO BS 6301 SURROUNDED & EMBEDDED IN 5-10 PEA GRAVEL & TO BE LAID AT MINIMUM 1:50 GRADIENT BACK TO EXISTING DRAINAGE LINE  
 ALL DRAINAGE TO BE PROVIDED WHERE PASSING THROUGH EXTERNAL WALLS BY UNLITTING GULLY. IF DRAINAGE PIPES BELOW NEW FOUNDATION LEVEL - FULLY SURROUND IN 5-10mm PEAS GRAVEL. ( DO NOT ENCASE IN CONCRETE )  
 NEW ROOMING EYES CONSTRUCTED WITH 135° BENDS, ACCESS CAP & CONCRETE ENCASED COVER

NEW DRAINAGE INSTALLED TO BS EN 12055-3 : 2000 AND REFERRED TO BS EN 1910 : 1999

HEATING  
 METRIC CENTRAL HEATING WITH ONE CONDENSER BOILER WITH WALL MOUNTED GAS VALVE INSTALLED IN UTILITY AND INTERLOCKED THROUGHOUT THE HOUSE ENGINEER TO SCOTTISH GAS SAFE REQUIREMENTS AND FITTED WITH BALANCED POWDERED FUELE INSTALLED AS MANUFACTURERS INSTRUCTIONS  
 BOILER TO BE FITTED WITH SAFETY LABELS AND MANUFACTURERS PRINTED USER INSTRUCTIONS TO BE MADE AVAILABLE  
 ALL PIPING TO BE FULLY LARGED  
 STERNO RADIATORS (OR EQUAL) WHERE SHOWN CONNECTED TO EXISTING CENTRAL HEATING SYSTEM AND FITTED WITH THERMOSTATIC CONTROL VALVE  
 PIPING FULLY LARGED WITH UNBELFET OR TUBULOT TO BS 5422  
 EXISTING HEATING SYSTEM IS GRADUALLY HEATING ONE APPOINTMENT TO 21 °C AND ALL OTHERS IN AT 18 °C



FIRST FLOOR PLAN



GROUND FLOOR PLAN

NEW GAS FIRED CONDENSING BOILER WITH SEDULK RATING OF ABOVE 80 DESCRIBED BY APPROVED HEATING ENGINEER TO SCOTTISH GAS REQUIREMENTS AND FITTED WITH POWERED FLUE TO TERMINATE IN COMPLIANCE WITH BUILDING RULES AND MANUFACTURERS LITERATURE

BLOCK UP OPENING WITH 215mm BLOCK FRAMING AND INSULATION TO FINISH FLUSH WITH EXISTING WALL

INCREASE WIDTH OF OPENING TO KITCHEN AND FLOOR OVER WITH AT LEAST 9 NO ROESLIZE K9 CONCRETE LINTOLS WITH 150mm SEATING

CONCRETE EXTERNAL STEPS TO GIVE 250mm GOING AND 170mm RISE WITH LEVEL PLATT 400mm BEYOND DOOR LEAF

EXTEND EXISTING DRAINS WITH 110mm DIA UPVC PIPES WITH SHALLOW ACCESS AT END

UPVC DOUBLE GLAZED WINDOWS WITH TRICKLE VENT AND SECURITY LOCKS WITH PRECAST CONCRETE CILL WITH DPC BUILT INTO 200mm CONCRETE TO BE LAMINATED TO BS 62 82 WHERE BELOW 800mm FROM FLOOR LEVEL

SOLID CODE BY FIRE RESISTANT DOOR WITH SELF CLOSING DEVICE, SMOKE SEAL AND INTENSIFICANT STRIPS ALL ROUND.

TIMBER STEPS TO GARAGE WITH 100mm RISE AND 240mm GOING

EXISTING TOILET WASTE REROUTED UNDER THE FLOOR WITH 100mm UPVC PIPES

WASTE PIPE FITTED WITH FIRE COLLAR WHERE PASSING THROUGH FLOOR IN GARAGE

2 LAYERS 12.5mm PLASTERBOARD TO BOUNDARY WALL IN UTILITY WITH STAGGERED JOINTS TAPED AND FILLED WITH ADDITIONAL 50 X 38 FRAMING AS SERVICE VOID WITH 12.5mm PLASTERBOARD FINISH

50 x 50 TREATED CAVITY FIRE STOPS LOCATED AROUND ALL OPENINGS, DPC LEVEL, EAVES LEVEL AND AT ALL CORNERS WITH DPC BETWEEN BLOCKWORK BROWN DOWN TO CHAFFY FILL LEVEL AND BE WRAPPED IN DPC. FIRE STOPS APPLIED ALL ROUND AT FIRST FLOOR LEVEL

THE CAVITY WALL TO BE VENTED WITH OPEN PERFORATED VENTILATORS LOCATED AT 1.2m CENTRES AT GROUND FLOOR LEVEL, FIRST FLOOR AND ABOVE AND BELOW HORIZONTAL FIRESTOPPS.

BLOCKWORK TIED TO EXISTING WITH EPDMET STARTER BARS  
 100 x 450 BAT STRIPS AT 400 VERT. CENTRES FIXED TO KIT WITH 4 NO 60mm LONG NO 12 SCREWS AND M12 RAWLK SLEEVE ANCHOR TO WALL

EXISTING GARAGE WALL TO BE INSPECTED AND IF NECESSARY REPAIR AND REBUILD WITH 100mm BLOCK WITH ROUGHCAST FINISH, 60mm GYPSUM AND 50 X 100 SERO FRAMING WITH 50mm C35 BREAKER MEMBRANE AND 2 LAYERS 12.5mm PLASTERBOARD TO BOUNDARY WALL WITH SEAMERED JOINTS TAPED AND FILLED

BREAK UP EXISTING CONCRETE FLOOR AND INSTALL 150mm C35 IN-SITU CONCRETE GARAGE FLOOR WITH A142 TOP MESH LAID TO FALL ON 1200 GAUGE POLYTHENE D.P.M. LINKED TO WALL D.P.C. LAID ON 200mm TYPE 1 BLUNDED HARDWARE

2135 x 2135 OVERHEAD GARAGE DOOR WITH 70 x 70 REDWOOD POSTS FITTED WITH AUTOMATIC OPENING SYSTEM WITH CATHIC CH919 LINTOL

EXISTING DRAIN TO SEWER IN STREET VALVE LOCATED IN DRIVE

- ELECTRICAL LEGEND
- 13amp SWITCHED SOCKET
  - LIGHT SWITCH
  - 13 amp SPUR OUTLET
  - 45 amp CSU
  - CEILING LIGHT
  - TV OUTLET
  - PHONE OUTLET
  - EXTRACT FAN
  - HEAT DETECTOR
  - RADIATOR

LIMITING RELIEF  
 SEAL JOINTS BETWEEN WALLS, CEILING AND FLOORS, AND AT WINDOW, DOOR AND ROOF SPACE OPENINGS;  
 SEAL VAPOUR CONTROL MEMBRANES IN TIMBER FRAMED AND OTHER FRAMED PANEL CONSTRUCTIONS;  
 SEAL AT SERVICE PENETRATIONS OF THE FABRIC OR AROUND BOVING FOR SERVICES, AND FITTING DRAUGHT STRIPPING IN THE FRAMES.

**MIKE MAIR MCIAI**  
 ARCHITECTURAL SERVICES  
 2 HARVEST HILL, WESTHILL  
 tel : 01224 741701

PROPOSED EXTENSION AT  
 7 CRAIGTON AVENUE  
 ABERDEEN  
 FOR Mr. HARBORD

PLANS, SECTION  
 + ELEVATIONS

scale 1:50 + 1:100  
 date Jan. 2017  
 dra No 16/856/02



# Appendix XX

7 Craigton Avenue Report of Handling

## Report of Handling Detailed Planning Permission

**170133/DPP:** Proposed upper floor extension above garage, front dormer, and enlargement of the rear dormer at 7 Craigton Avenue, Aberdeen, AB15 7RP,

For: Mr Martin Harboard

Application Date:	14 February 2017
Officer:	Roy Brown
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Braeside And Mannofield
Advertisement:	N/A
Advertised Date:	N/A

**RECOMMENDATION: Approve Unconditionally**

### **SITE DESCRIPTION**

The application site relates to a 1 ½ storey semi-detached dwelling, and its associated front and rear curtilage. The dwelling has front and rear dormers, an attached garage to its north, and a single storey rear extension. The dwelling has a northeast facing principal elevation, which fronts Craigton Avenue, and adjoins 5 Craigton Avenue to the southwest. Craigton Avenue is on a slope running from the northwest to the southeast, and the street and the wider area is characterised by architecturally similar hipped roof semi-detached residential properties, many of which have been extended by way of half hip roofs, and an additional dormer on their principal elevations.

### **DESCRIPTION OF PROPOSAL**

Detailed Planning Permission is sought for the erection of an upper floor extension above the garage to form a half hip roof with its raised eaves being located on the northwest (side) elevation, the addition of a hipped roof dormer on the principal elevation, and the extension of the existing dormer on the rear elevation.

### **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:

## CONSULTATIONS

Consultee	Date of Comments	Summary of Comments
ACC Roads Development Management Team	24/2/2017	No objection.
Community Council	N/A	None.
Scottish Water		No objection. The applicant should be aware that this does not confirm that the proposed development currently be serviced. There is no record of public Scottish Water infrastructure within the curtilage of the proposed works.

## REPRESENTATIONS

One letter of objection has been received. The matters raised can be summarised as follows:-

- Land ownership issues
- There is no allowance for overhang of guttering in the proposed plans.
- The regulations for allowed space between external walls of properties, and how it would affect the development of a similar extension to 9 Craighton Avenue.

## PLANNING POLICY

### **Aberdeen Local Development Plan (ALDP) 2017**

Policy D1 – Quality Placemaking by Design

Policy H1 – Residential Areas

**Interim Planning Advice (IPA)** –The Full Council has instructed that the Supplementary Guidance associated with the adopted Aberdeen Local Development Plan 2017 should be adopted. It needs to be ratified by the Scottish Government and is therefore referred to as Interim Planning Advice (IPA) until it is formally adopted. ‘The Householder Development Guide’ Interim Planning Advice (IPA) is relevant in the assessment of this application.

## 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

The proposed extension would be of a domestic scale, which is ancillary to the existing dwelling, and compatible with the overall site and the surrounding residential area. It would not significantly increase the intensity of activity on site, which would remain a single residential curtilage. In principle, an extension to this dwelling, which is located within an existing residential area, under Policy H1, would be acceptable.

### Policy Assessment

As noted, the proposed extension would be of a suitable size and scale in its context. It would be ancillary in terms of built footprint relative to its curtilage and the original dwelling as the built footprint of the dwelling as extended would not be double that of the original dwelling, and there would still be less than 50% of the rear curtilage covered by development, in compliance with the relevant IPA. For these reasons, the proposed extension would also not constitute over development, in compliance with Policy H1.

The ridge height and eaves height of the principal and rear elevations of the proposed extension would match the original dwelling. The proposal relates to the modification of one half of a hipped roof, as the adjoining property is unaltered, and the proposed extension would terminate at a raised half hip. This would result in the pair of semi-detached properties appearing somewhat unbalanced on the streetscape. Nevertheless, this type of extension would be acceptable firstly because the roof slope of the original dwelling is not a full hip. Its eaves height is raised slightly on the side elevations. While much higher than the raised eaves on the side elevations, the roof form of the proposed extension would be similar.

Secondly, the proposal would not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area. This is because a substantial number of the dwellings both on Craigton Avenue and in the wider area, particularly Craigton Terrace, have been extended in such a way. As a result of these extensions, the character of the area has been incrementally changed, and the proposed extension would have minimal further impact on the character of the streetscape, even if only one half of the roof is altered.

Finally, the slope of Craigton Avenue, the stepping down of the properties would assist in mitigating the unbalanced roof form. The roofing materials would match the existing building, and the other finishing materials would be acceptable in the context, and thus complementary to the original building. The dormer on the principal elevation would be subtle in size, would align with and replicate the form of the existing dormer on the principal elevation. It would be suitably located, proportioned, and would be entirely glazed on the face, in compliance with the guidelines of the IPA. The extended dormer on the rear elevation would not comply with a number of the guidelines in the IPA in that it would have a 600mm high apron and the glazing would not be located at the extremities. Nevertheless, the existing dormer also has such an apron, and also does not have glazing to the extremities. The proposed dormer, while larger both in terms of size and massing, would be an extension to an existing dormer which already fails to comply with the guidelines in the IPA and would be located on the non-public rear elevation. It would therefore not adversely affect the character of the original building and would be acceptable in this particular case. While only partially compliant with the

IPA, the proposed extension and associated dormers would be architecturally compatible in design and scale with the original building and the surrounding area.

The proposed extension would result in overshadowing to a very minor proportion of the rear curtilage of 11 Craigton Avenue. Given the minor size of the area compared to the overall size of the affected curtilage, and the amenity offered by the patio area and lawn of the neighbouring property being unaffected, the impact on sunlight would not significantly adversely impact the level amenity to the residents of the 11 Craigton Avenue. There would be no significant material change to the level of overlooking to the rear curtilage of neighbouring properties, and no resultant overlooking into any neighbouring property. The proposed extension would therefore not result in a situation where the amenity of any neighbouring property would be adversely affected.

Although the proposal would only partially comply with the relating IPA, it would not constitute overdevelopment or adversely affect the character and amenity of the surrounding area, in compliance with Policy H1. It would respond to the site context, which for the scale of the development would comply with the six essential qualities of placemaking, in compliance with Policy D1.

#### Other Considerations

The matters raised in the letter of objection are not material planning considerations for which the planning authority has powers of intervention. The issues are therefore not included in the assessment. Issues concerning land ownership, mutual boundaries and title deeds are civil matters. The issue concerning space between external walls between properties would be considered by Aberdeen City Council Building Standards in an associated Building Warrant application. Building regulations are governed by separate legislation to planning legislation and policies and are therefore not included in this assessment.

#### Aberdeen Local Development Plan 2017 – Legal Challenge

Combined Corp BVI Ltd has lodged an appeal against the adoption of the Aberdeen Local Development Plan 2017. The appellant seeks to quash that part of the Plan which incorporates the recommendations made by the Reporter in relation to Issue 11 – Allocated Sites and General Area Strategy; Deeside and Issue 12 – Alternative Sites; Deeside.

The remainder of the proposals and policies in the Local Development Plan 2017 are not subject to legal challenge and therefore, with the exception of the sites affected by Issue 11 and 12, planning applications can continue to be determined in accordance with the adopted Local Development Plan 2017.

### **RECOMMENDATION: Approve Unconditionally**

#### **REASONS FOR RECOMMENDATION**

The proposed extension would be architecturally compatible in terms of its design and scale with the original building, its site and the surrounding area. Although only partially compliant with the Interim Planning Advice: 'The Householder Development Guide', it would not adversely affect the character and amenity of the surrounding area. It would therefore comply with Policy H1 – Residential Areas and Policy D1 – Quality Placemaking by Design of the adopted Aberdeen Local Development Plan.

## **INFORMATIVES**

- 1) Scottish Water has advised that their decision not to object to this application does not confirm that the proposed development can currently be serviced. There is no record of public Scottish Water infrastructure within the curtilage of the proposed works.



## Strategic Place Planning

Report of Handling

<b>Site Address:</b>	107 Hilton Road, Aberdeen, AB24 4HX,
<b>Application Description:</b>	Erection of single storey extension to rear and 1.5 storey extension to gable
<b>Application Ref:</b>	190594/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	16 April 2019
<b>Applicant:</b>	Mr Darren Lawrence
<b>Ward:</b>	Hilton/Woodside/Stockethill
<b>Community Council:</b>	Woodside And Hilton
<b>Case Officer:</b>	Sheila Robertson

### **RECOMMENDATION**

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Refuse

### **APPLICATION BACKGROUND**

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#### **Site Description**

The application relates to a 1.5 storey, semi-detached, granite built dwelling house occupying an elevated position to the south side of Hilton Road, directly facing Stewart Park. The application property forms one half of a pair of semis, with fully hipped roofs and front dormers. The south side of Hilton Road, between Hilton Walk to the east and Mosman Gardens to the west, features 6 pairs of semi-detached dwellings and one detached, of similar architectural character and all featuring unaltered, fully hipped gables.

#### **Relevant Planning History**

There is no relevant planning history at the application site.

### **APPLICATION DESCRIPTION**

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#### **Description of Proposal**

Planning permission is sought for the erection of an extension to the side and rear, comprising 2 separate elements: a 1.5 storey gable extension and a single storey extension to the rear. The gable extension would be 2.2m in width and extend along the full length of the gable to within 169mm of the frontage, with a pitched roof sitting 228mm below the existing ridge, terminating at a straight gable and involving removal of the existing chimney. The roof would be finished with slate to match existing with granite tabling to the gable and terracotta ridge tiles. There would be no windows to the principal elevation; a partially glazed door would be inserted to the gable and a single roof light to the rear elevation. The gable extension would be constructed with granite ashlar blocks to the front and rear elevations and roughcast to the gable wall. To the rear, the extension would be single storey, 4.47m in width and with a projection of 2.25m from the original dwelling and extend across the new extension and part of the original rear elevation. The roof would be flat

and 2.6m in height. All walls would be completely glazed. The extensions would provide a utility room and extended kitchen at ground floor level and an additional bedroom at upper level.

### **Supporting Documents**

All drawings and supporting documents listed below can be viewed on the Council's website at: <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PPORPTBZMO100>

## **CONSULTATIONS**

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**Woodside and Hilton Community Council** – No comments received.

## **REPRESENTATIONS**

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None

## **MATERIAL CONSIDERATIONS**

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### **Legislative Requirements**

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

### **Aberdeen City and Shire Strategic Development Plan (2014) (SDP)**

In terms of assessment against the Strategic Development Plan, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

### **Aberdeen Local Development Plan (2017) (ALDP)**

- Policy D1 - Quality Placemaking by Design
- Policy H1 - Residential Areas

### **Supplementary Guidance**

- The Householder Development Guide (HDG)

## **EVALUATION**

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### **Principle of Development**

The application site is located within a residential area, wherein Policy H1 (Residential Areas) of the ALDP applies, and the application relates to householder development. The proposal would comply with this policy in principle if it does not constitute over-development of the site; the character and amenity of the surrounding area is not adversely affected; and it complies with associated SG. These issues are assessed in the evaluation below.

### **Scale and Design**

To determine the effect of the proposal on the character of the area, it is necessary to assess it in the context of Policy D1 of the ALDP. This policy recognises that not all development will be of a scale that makes a significant placemaking impact but recognises that good design and detail adds to the attractiveness of the built environment. The HDG sets out limitations in terms of scale and dimensions and contains a general principle which expects that extensions should be architecturally compatible in design and scale with the original house and its surrounding area.



The proposed extension would comply with certain elements of the HDG; it would increase the original footprint of 93sq.m by a further 34sq.m, well under the maximum 100% increase on original permitted by the guidance; built site coverage would increase from 25% to 34.5%, thereby retaining a low level of development acceptable within the context of the surrounding area; and, given the scale of the rear garden, well in excess of 50% of the rear garden would be retained. The proposal would therefore not constitute over-development and be acceptable within the context of the both the plot size and surrounding area.

In terms of design, both elements of the extension would be subservient to the original dwelling house in terms of height. The rear element of the extension would be an acceptable addition in terms of its design, being of a simplified design that would not compete with the character of the original dwelling house and finished with contemporary materials that would contrast assertively with the traditional design and materials of the original architecture. However, while the principle of an extension to the gable would be acceptable, its design fails to meet the specific guidance contained in the Supplementary Guidance: Householder Development Guide, relating to proposals that would introduce a straight gable to a hipped roof profile, which states that the practice of extending a hipped roof on one half of a pair of semi-detached houses to terminate at a raised gable will not generally be accepted unless the other half of the building has already been altered in this way; or such a proposal would not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area. In this instance the hipped roof of the adjoining dwelling house, 105 Hilton Road, has not been altered or extended. This proposal, to add an extension to the gable that would terminate in a straight gable and see the removal of the chimney, would result in architectural unbalance in the roof profile between the two properties. Therefore, the proposal does not meet the criteria for the first exception and requires to be assessed against the second. For such an alteration to comply with the HDG, it would require the proposal not to have an adverse impact on the character or visual amenity of the wider area. In this case, the existing streetscape sees a consistent design theme of hipped roofed properties with symmetrical roof profiles, and it is within this context that the application property is read. While there have been alterations to these dwellings, principally to the rear, they all retain their original design character to their principal elevations, in the form of hipped roofs and tall chimneys to the gable walls. The roof form of these properties contributes significantly to the architectural character of the streetscape and the surrounding area. There are no examples of properties within this contextually relevant streetscape that have seen the hipped roof profile altered or extended to form a vertical gable end. Subsequently, the original architectural character of the street is retained, and approval of this proposal would introduce an intrusive feature to the streetscape, alter the balance between an unaltered pair of hipped semis, which coupled with the extension's form, mass and detailing, would initiate architectural erosion to an otherwise uniform design theme, to the detriment of the existing character and visual appearance of the streetscape. In addition, the incorporation of granite tabling does not reflect the original character of the dwelling house and the removal of the chimney would further increase visual imbalance.

This form of gable extension would therefore not only result in the loss of architectural balance between the pair of semi-detached properties and on the streetscape, but could set an unwelcome precedent for similar proposals being granted under current policies and guidance, to the detriment of the character and visual amenity of the surrounding area. This element of the proposal would directly conflict with the HDG and is therefore not considered to demonstrate due consideration for its context and the character of the streetscape, contrary to the aims of Policy D1.

### **Impact on Residential Amenity**

Both extensions would be located sufficiently distant from all other neighbouring properties to ensure no impact to their receipt of internal day light or direct sunshine and there would be no

impact to neighbours' current levels of privacy. Residential amenity would therefore be retained in compliance with Policy H1.

## **RECOMMENDATION**

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Refuse

## **REASON FOR RECOMMENDATION**

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The proposed gable extension would appear architecturally incongruous with the original dwelling and the surrounding area, and would have an adverse impact on the character and visual amenity of the surrounding area as it would result in architectural imbalance between the application property and the adjoining hipped roofed property, which would disrupt the uniform character of the hipped roofed properties on Hilton Road and create a disruptive architectural feature within a street that otherwise retains its original form and character. This is in direct conflict with the Supplementary Guidance: 'The Householder Development Guide'. It would appear out of context and have a negative design contribution on its setting, to the detriment of residential character and visual amenity and the application is therefore contrary to the Aberdeen Local Development Plan Policies D1: Architecture and Placemaking and H1: Residential Areas, of the Aberdeen Local Development Plan and the relevant Supplementary Guidance: Householder Development Guide. Furthermore, it could set a precedent for similar proposals being granted under current policies and guidance which, cumulatively, would have a significant adverse impact on the character and visual amenity of the surrounding area. In this instance, there are no material planning considerations that would warrant a grant of planning permission, contrary to the local plan policies and guidance.



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 100160444-001

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

## Description of Proposal

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

Proposed extension.

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:	west end architectural design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Scott	Building Name:	
Last Name: *	Findlay	Building Number:	24
Telephone Number: *	01224 548841	Address 1 (Street): *	Slessor Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB12 5LX
Email Address: *	scott.findlay@wead.co.uk		

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: *	Darren	Building Number:	107
Last Name: *	Lawrence	Address 1 (Street): *	Hilton Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB24 4HX
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

107 HILTON ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB24 4HX

Please identify/describe the location of the site or sites

Northing

808379

Easting

392009

## Pre-Application Discussion

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

Yes  No

## Trees

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

Yes  No

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

## Access and Parking

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

Yes  No

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

## Planning Service Employee/Elected Member Interest

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

Yes  No

## Certificates and Notices

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

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

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

Yes  No

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

Yes  No

## Certificate Required

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

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Scott Findlay

On behalf of: Mr Darren Lawrence

Date: 09/04/2019

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

## Declare – For Householder Application

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

Declaration Name: Mr Scott Findlay

Declaration Date: 09/04/2019

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## **DECISION NOTICE**

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

### **Detailed Planning Permission**

Scott Findlay  
West End Architectural Design  
24 Slessor Road  
Aberdeen  
AB12 5LX

on behalf of **Mr Darren Lawrence**

With reference to your application validly received on 16 April 2019 for the following development:-

**Erection of single storey extension to rear and 1.5 storey extension to gable at 107 Hilton 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:

<u>Drawing Number</u>	<u>Drawing Type</u>
1901/LAWR/P/001	Location Plan
1901/LAWR/P/005	Elevations and Floor Plans
1901/LAWR/P/004	Site Layout (Proposed)

#### **REASON FOR DECISION**

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

The proposed gable extension would appear architecturally incongruous with the original dwelling and the surrounding area, and would have an adverse impact on the character and visual amenity of the surrounding area as it would result in architectural imbalance between the application property and the adjoining hipped roofed property, which would disrupt the uniform character of the hipped roofed

properties on Hilton Road and create a disruptive architectural feature within a street that otherwise retains its original form and character. This is in direct conflict with the Supplementary Guidance: 'The Householder Development Guide'. It would appear out of context and have a negative design contribution on its setting, to the detriment of residential character and visual amenity and the application is therefore contrary to the Aberdeen Local Development Plan Policies D1: Architecture and Placemaking and H1: Residential Areas, of the Aberdeen Local Development Plan and the relevant Supplementary Guidance: Householder Development Guide. Furthermore, it could set a precedent for similar proposals being granted under current policies and guidance which, cumulatively, would have a significant adverse impact on the character and visual amenity of the surrounding area. In this instance, there are no material planning considerations that would warrant a grant of planning permission, contrary to the local plan policies and guidance.

**Date of Signing** 5 June 2019



**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 Strategic Place Planning (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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## **National Planning Policy**

Scottish Planning Policy (SPP)

<https://www.gov.scot/Resource/0045/00453827.pdf>

## **Aberdeen City and Shire Strategic Development Plan (SDP)**

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.aspx?IID=1111&sID=90>

## **Aberdeen Local Development Plan (ALDP)**

D1: Quality Placemaking by Design

H1: Residential Areas

<https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan>

## **Supplementary Guidance**

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

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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            100160444-003

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:

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

First Name: \*  Building Name:

Last Name: \*  Building Number:

Telephone Number: \*  Address 1 (Street): \*

Extension Number:  Address 2:

Mobile Number:  Town/City: \*

Fax Number:  Country: \*

Postcode: \*

Email Address: \*

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="Darren"/>	Building Number:	<input type="text" value="107"/>
Last Name: *	<input type="text" value="Lawrence"/>	Address 1 (Street): *	<input type="text" value="Hilton 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="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB24 4HX"/>
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="107 HILTON 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="AB24 4HX"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="808379"/>	Easting	<input type="text" value="392009"/>
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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 single storey extension to rear and 1.5 storey extension to gable.

## 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 see notice of review as compiled by Aurora Planning.

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)

Aurora Planning - Notice of review.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

190594/DPP

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

09/04/2019

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

05/06/2019

## 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 Scott Findlay

Declaration Date: 19/06/2019

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**107 HILTON ROAD  
ABERDEEN  
AB24 4HX**

**NOTICE OF REVIEW  
UNDER  
S.43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

in respect of

**DECISION TO REFUSE PLANNING APPLICATION REFERENCE 190594/DPP**

**PAPER APART**



## 1 Executive summary

1.1 Planning application reference 190594/DPP was submitted to Aberdeen City Council on 9 April 2019 (validated 16 April 2019), seeking the “erection of single storey extension to rear and 1.5 storey extension to gable” at 107 Hilton Road, Aberdeen.

1.2 The application was refused on 5 June 2019, with the Decision Notice [Document 9] stating that:

*“The proposed gable extension would appear architecturally incongruous with the original dwelling and the surrounding area, and would have an adverse impact on the character and visual amenity of the surrounding area as it would result in architectural imbalance between the application property and the adjoining hipped roofed property, which would disrupt the uniform character of the hipped roofed properties on Hilton Road and create a disruptive architectural feature within a street that otherwise retains its original form and character. This is in direct conflict with the Supplementary Guidance: 'The Householder Development Guide'. It would appear out of context and have a negative design contribution on its setting, to the detriment of residential character and visual amenity and the application is therefore contrary to the Aberdeen Local Development Plan Policies D1: Architecture and Placemaking and H1: Residential Areas, of the Aberdeen Local Development Plan and the relevant Supplementary Guidance: Householder Development Guide. Furthermore, it could set a precedent for similar proposals being granted under current policies and guidance which, cumulatively, would have a significant adverse impact on the character and visual amenity of the surrounding area. In this instance, there are no material planning considerations that would warrant a grant of planning permission, contrary to the local plan policies and guidance.”*

1.3 A review of the decision to refuse the application is now sought on the grounds that the proposed development:

- is supported by the vision of the Strategic Development Plan;
- complies with the relevant policies of the Local Development Plan, including Policies H1, H3, D1 and related Supplementary Guidance; and
- is supported by other relevant material considerations, including Scottish Planning Policy (2014), the previous consent for the site and permitted development rights.



- 1.4 In this regard, the Delegated Report [Document 8] for the application confirms that the proposed rear extension is acceptable, such that the reasons for refusal relate only to the proposed gable extension. As such, it is the proposed gable extension that is the focus of this paper apart.
- 1.5 Likewise, the Delegated Report confirms that the principle of the proposed gable extension is acceptable, with the reasons for refusal relating purely to the visual appearance of this in relation to the existing hipped roof structure of numbers 107 and 105 Hilton Road. These concerns are addressed in detail below.
- 1.6 It should also be noted that no objections to the application were received from any statutory consultees or neighbours.
- 1.7 For the reasons given in this paper apart, it is submitted that the review should be allowed, and the application approved.
- 1.8 A full list of documents submitted with the application is provided in Appendix One, together with all other relevant documents referred to in this paper apart.

## **2 Background**

- 2.1 107 Hilton Road is one half of a pair of semi-detached granite dwelling houses of 1.5 storeys in height. While the Delegated Report describes this as forming part of a row of six pairs of similar houses, it should be noted that there are in fact only five pairs of semi-detached houses, with a single detached dwelling house at number 109 (directly to the west of the application site), together with a detached garage which is architecturally distinct from the rest of the area. In addition, planning permission in principle for the sub-division of the curtilage at number 109 and the erection of a second detached dwelling house there was granted in 2017. There is therefore less uniformity of streetscape than suggested in the Delegated Report.
- 2.2 That is particularly so if the property is viewed in the context of the wider area, within which there is a range of architectural styles, including four in a block flats, terraced properties and a sheltered housing complex to the rear of the application site. Directly opposite the application site is Stewart Park such that there are no properties facing this. Photos showing the variety of roof styles in the area are provided in Appendix Two.
- 2.3 Neither number 107 nor any of the neighbouring properties are listed or subject to any special protections.



- 2.4 In 2005, the previous owners were granted planning permission for an extension and domestic garage at number 107 (application reference 050451), the drawing of the approved front elevation for which is included at Appendix Three. This shows that the approved extension and garage would have attached to the roof of the existing house in a very similar way to the gable extension now proposed, establishing that this was previously considered acceptable in principle.
- 2.5 The applicants moved into the property in 2007, anticipating that they would construct the approved extension in due course if/when they had children and needed the additional space to accommodate a growing family. The applicants have since had two children and, as anticipated, are now in need of that additional space. In particular, the size of the kitchen and the lack of storage space means the property does not currently provide the quality family home that it potentially could.

### 3 The proposed development

- 3.1 Against this background, the applicants seek to construct a single storey extension to the rear of the property and a 1.5 story extension to the gable, providing additional space at ground floor level for a family dining kitchen and a much needed utility room, as well an additional bedroom upstairs. At the same, the additional space will also allow the property to be used more flexibly in future, whether by the applicants themselves or by any future occupiers.
- 3.2 From the plans submitted with the application [Documents 5 and 6], it can be seen that the proposed gable extension would be constructed with granite ashlar blocks, with granite tabling and a slate roof to match that of the existing house, and that:
- **North elevation** (facing the street) – the proposed gable extension would have a lower ridge height than the existing house and is set back from the principal elevations, such that the profile of the extension is subservient to that of the existing building. Space has also been left between the new gable end and the boundary to allow for access and maintenance, and to maintain the existing pattern of development and semi-detached nature of the property.
  - **West elevation** – a door at ground floor level allows access into the proposed new utility room, with no new windows proposed above this such that no concerns arise with regards to overlooking or loss of privacy at the neighbouring property at number 109.





- **South elevation** – the single storey elevation to the rear would be largely glazed with sliding doors to allow easy access to the garden while also taking advantage of solar gains.

3.3 In this regard, it should be noted that the proposed gable extension could be constructed under permitted development rights were it not for the fact that the gable extension element would be within 10 metres of the boundary with number 109. Importantly, if the proposed gable extension were more than 10 metres from the boundary with number 109, there is nothing in the General Permitted Development Order which would restrict the form of the proposed roof, with this expressly allowing any alterations to a roof as may be required for the purposes of an extension permitted under the Order. On the basis that the only thing preventing this being constructed under permitted development rights is the distance from the boundary, the key consideration should be whether there is any potential impact on the neighbouring property at number 109, rather than any potential impact on the streetscape. As set out in paragraph 4.8 below, the Delegated Report confirms that there would be no impact on the neighbouring property at number 109, on the basis of which it is submitted that the application should be considered acceptable..

#### **4 Policy context**

4.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.

4.2 In this case the application requires to be assessed against the Aberdeen City and Shire Strategic Development Plan (SDP) (2014) and the Aberdeen Local Development Plan (ALDP) (2017). Policies of particular relevance to this application are set out below.

##### **Aberdeen City and Shire Strategic Development Plan (SDP) (2014) [Document 10]**

4.3 The SDP’s vision for Aberdeen City and Shire is for it to be:

*“...an even more attractive, prosperous and sustainable European city region and an excellent place to live, visit and do business.”*

4.4 The proposed extension would create a more attractive living environment for the applicants in line with this vision.



## Aberdeen Local Development Plan (ALDP) (2017) [Document 11]

4.5 The key ALDP policies and associated supplementary guidance relevant to this application are:

- Policy H1 – Residential Areas
- Supplementary Guidance: Householder Development Guide
- Policy D1 – Quality Placemaking by Design
- Policy H3 – Density

4.6 Each of these is looked at in turn below, in doing which it should be noted that the ALDP stresses that:

*“It is important to remember that development proposals will be assessed against a number of policies within the Local Development Plan so it must be carefully considered as a whole.”*

4.7 In terms of the ALDP’s spatial strategy, the application site is located in a residential area within which proposals for residential development, such as that proposed in terms of this application, are generally supported under **Policy H1 – Residential Areas**, subject to certain criteria being met. Specifically, it must be demonstrated that any such development:

- does not constitute over development;
- 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.

4.8 With regards to these criteria, there would clearly be no loss of open space, and the Delegated Report confirms that:

- the proposed extension would not constitute over-development in that the increase in footprint would be well under the maximum of 100% generally permitted, total site coverage would still be relatively low at 34.5% and well over 50% of the rear garden would be retained;
- both extensions would be located a sufficient distance from all other neighbouring properties to ensure that there would be no impact on daylight, direct sunshine or privacy, and no loss of residential amenity as a result;



- both elements of the extension would be subservient to the original dwelling house in terms of height;
- the rear element of the extension would be an acceptable addition in terms of both principle and design; and
- the proposed gable extension would also be acceptable in principle.

4.9 The only concerns raised then relate to the roof form of the proposed gable extension, the impact this would have on the character and visual amenity of the area, and the extent to which this conforms with **Supplementary Guidance: Householder Development Guide** [Document 12].

4.10 For semi-detached houses, the Supplementary Guidance requires extensions of more than one storey to comply with a number of general guidelines as set out below.

- Proposals should be architecturally compatible in design and scale with the original house and its surrounding area – as set out above, there is a wide range of architectural styles in the surrounding area, and the proposed gable extension has been designed to reflect common features such as a mix of pitched and hipped roofs and retaining a straight gable end.
- Materials used should be complementary to the original building – as explained previously, the proposed gable extension roof would be finished with slate to match the existing roof, with granite tabling and terracotta ridge tiles. No concerns have been raised with regard to the suitability of these materials, which are considered to complement the original building well.
- 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 – as highlighted above, the Delegated Report confirms that the proposed gable extension would be visually subservient to the original building and is considered appropriate in terms of height, mass and scale.
- No extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected – as stated previously, the Delegated Report also confirms that there would be no loss of neighbouring residential amenity as a result of the gable extension proposed.
- No existing extensions, dormers or other alterations which were approved prior to the introduction of this supplementary guidance will be considered by the planning authority to provide justification for a development proposal



which would otherwise fail to comply with the guidance set out in this document – as set out above, it should be noted that an application for a very similar extension was granted in 2005 and, while it is accepted that this should not be taken as precedent in accordance with this element of the guidance, it is a material consideration that should be taken into account, particularly given that it was for the same property as the current application.

- The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling – as highlighted previously, the Delegated Report confirms that the proposed gable extension complies with the guidance in this regard.
- No more than 50% of the front or rear curtilage shall be covered by development – again, as set out above, the Delegated Report confirms that the proposed gable extension complies with the guidance in this regard.

4.11 On the basis of the points raised in paragraph 4.10 above, the proposed extension should be supported in terms of the Supplementary Guidance and Policy H1.

4.12 At the same time, consideration also needs to be given to **Policy D1 – Quality Placemaking by Design**, which requires all development to ensure high standards of design and to have a strong and distinctive sense of place, this being founded in context appraisal, detailed planning, quality architecture, craftsmanship and materials. In this regard, the proposed gable extension has been designed to create a visually coherent building that sits well within the site.

4.13 In designing the proposed extension, account has been taken of those aspects of the six qualities of successful placemaking which are relevant to the proposal, as required by Policy D1 and set out below:

***Distinctive*** – in responding to the site context and existing development on this in terms of scale and materials, as set out above;

***Welcoming*** – in that details, materials and colour have been considered and chosen to be consistent with those featured on the existing dwelling house;

***Safe and pleasant*** – in having no impact on adjoining residential amenity, while improving the residential amenity enjoyed by the applicants;

***Adaptable*** – in providing greater flexibility to meet the changing needs of the current and future occupiers; and



**Resource efficient** – in allowing the applicants to continue living in their property and making efficient use of land, rather than requiring them to move to a new greenfield property.

- 4.14 With regards to the last point above, it must also be taken into account that the supporting text for **Policy H3 – Density** emphasises that higher density developments are generally encouraged in the interests of sustainability and efficient use of land. The development proposed in terms of this application directly seeks to make more efficient use of the land at 107 Hilton Road, in accordance with this policy principle.

## 5 Material considerations

### Scottish Planning Policy (2014) [Document 13]

- 5.1 SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. As a statement of Ministers’ priorities, the content of SPP is a material consideration that carries significant weight. Where proposals accord with SPP, their progress through the planning system should be smoother.
- 5.2 SPP includes a presumption in favour of development that contributes to sustainable development, which requires the planning system to support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. That means decisions on planning applications should be guided by a number of principles, including:
- supporting good design and the six qualities of successful places; and
  - making efficient use of existing capacities of land, buildings and infrastructure.
- 5.3 As set out in paragraph 4.13, the development proposed by way of this application clearly complies with these principles and should therefore be approved as constituting sustainable development in accordance with SPP. That is particularly so given that the development is also consistent with the requirements of SPP to optimise the use of land within settlements to support the creation of more compact, higher density, accessible and vibrant cores.



## **Planning application reference 050451**

- 5.4 It is important to note that the previous owners of number 107 were granted planning permission for a very similar extension in 2005. While it is accepted that different guidance was in force at that time, this nonetheless indicates that the proposal was not considered to be out of keeping with the architectural character of the area then. As such, it is not clear why the proposal should be considered out of keeping with the architectural character of the area now.

## **The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 [Document 14]**

- 5.5 As established by case law, the “fallback” position of development allowed under permitted development rights is a material consideration and needs to be taken into account as such. As stated in paragraph 3.3, the development proposed by way this application would constitute permitted development if it were further away from the boundary with the neighbouring property at 109. That being the case, there is no justification for refusing the application on the grounds of its architectural merits.

## **6 Reasons for refusal**

- 6.1 Although only one reason for refusal was given in the Delegated Report, it is comprised of five separate elements. Each of these is addressed in turn below, with reference to the relevant Development Plan provisions outlined above.

**The proposed gable extension would appear architecturally incongruous with the original dwelling and the surrounding area, and would have an adverse impact on the character and visual amenity of the surrounding area as it would result in architectural imbalance between the application property and the adjoining hipped roofed property, which would disrupt the uniform character of the hipped roofed properties on Hilton Road and create a disruptive architectural feature within a street that otherwise retains its original form and character.**

- 6.2 As set out in paragraphs 2.1 and 2.2, while number 107 and the adjoining semi-detached house at 105 Hilton Road both have hipped roofs, this is by no means a uniform feature of the area, in which a number of roof styles can be seen. These include pitched roofs on the sheltered housing complex to the rear and on the Hilton Heights development just a short distance to the east on Hilton Road, and a unique detached garage building immediately next door at number 109 which has shallow pitched edges and a flat roof element in the middle. Likewise, even the semi-detached properties themselves are not of a uniform character, with a mix of dormer designs



on those closest, and with the street facing roofs of others largely unaltered or with small skylights. Within this context the proposed gable extension would not appear architecturally incongruous, but would be a well-designed addition to an already varied streetscape.

**This is in direct conflict with the Supplementary Guidance: 'The Householder Development Guide'.**

- 6.3 In reaching this conclusion, the Delegated Report indicates that significant weight has been placed on section 3.1.8 of the Supplementary Guidance, which sets out provisions relating to roof extensions. However, it is important to note that this is not an application for a roof extension. Instead, the relevant provisions of the Supplementary Guidance against which the application should be assessed are those relating to rear and side extensions outlined in paragraph 4.10 above, with which the application clearly complies, as also outlined above. Conversely, to take the approach outlined in the Delegated Report would be to say that no side extensions of more than one storey could ever be permitted on hipped roof properties, which would not be in line with the general principles on side extensions set out above. The conclusion that the proposed extension would not comply with the Supplementary Guidance is not therefore justified, rather it should be considered to comply with the Guidance for the reasons given in this paper apart.

**It would appear out of context and have a negative design contribution on its setting, to the detriment of residential character and visual amenity and the application is therefore contrary to the Aberdeen Local Development Plan Policies D1: Architecture and Placemaking and H1: Residential Areas, of the Aberdeen Local Development Plan and the relevant Supplementary Guidance: Householder Development Guide.**

- 6.4 This is largely a repeat of what has already been said in the first two points above, and which has been responded to in detail in the context of these. At the same time, it is submitted that the proposed gable extension does comply with Policies D1 and H1 for the reasons given in paragraphs 4.7 to 4.13 above.

**Furthermore, it could set a precedent for similar proposals being granted under current policies and guidance which, cumulatively, would have a significant adverse impact on the character and visual amenity of the surrounding area.**

- 6.5 In this regard, this application requires to be determined on its own merits, and not on the basis of what other applications may or may not be submitted in the future.



**In this instance, there are no material planning considerations that would warrant a grant of planning permission, contrary to the local plan policies and guidance.**

6.6 As detailed above, the application complies with the relevant ALDP policies and Supplementary Guidance. However, paragraphs 5.1 to 5.5 above set out important material considerations which lend additional support to the proposed development, those being, SPP, the previous consent and development allowed for under permitted development rights.

## **7 Conclusion**

7.1 For the reasons given in this paper apart, it is submitted that the proposed development:

- is supported by the vision of the Strategic Development Plan;
- complies with the relevant policies of the Local Development Plan, including Policies H1, H3, D1 and related Supplementary Guidance; and
- is supported by other relevant material considerations, including Scottish Planning Policy (2014), the previous consent on the site and permitted development rights.

7.2 As such, the review should be allowed, and the application approved.





## **Appendix One – List of documents**

### **Planning application documents**

1. Application Form
2. Location Plan
3. Existing Block Plan
4. Existing Plans and Elevations
5. Proposed Site Layout
6. Proposed Floor Plans and Elevations
7. Neighbour Notification List

### **Delegated report and decision notice**

8. Delegated Report
9. Decision Notice

### **Development Plan and other policy documents**

10. Aberdeen City and Shire Strategic Development Plan (2014)
11. Aberdeen Local Development Plan (2017)
12. Supplementary Guidance: Householder Development Guide

### **Material considerations**

13. Scottish Planning Policy (2014)
14. The Town and Country Planning (General Permitted Development) (Scotland) Order 1992

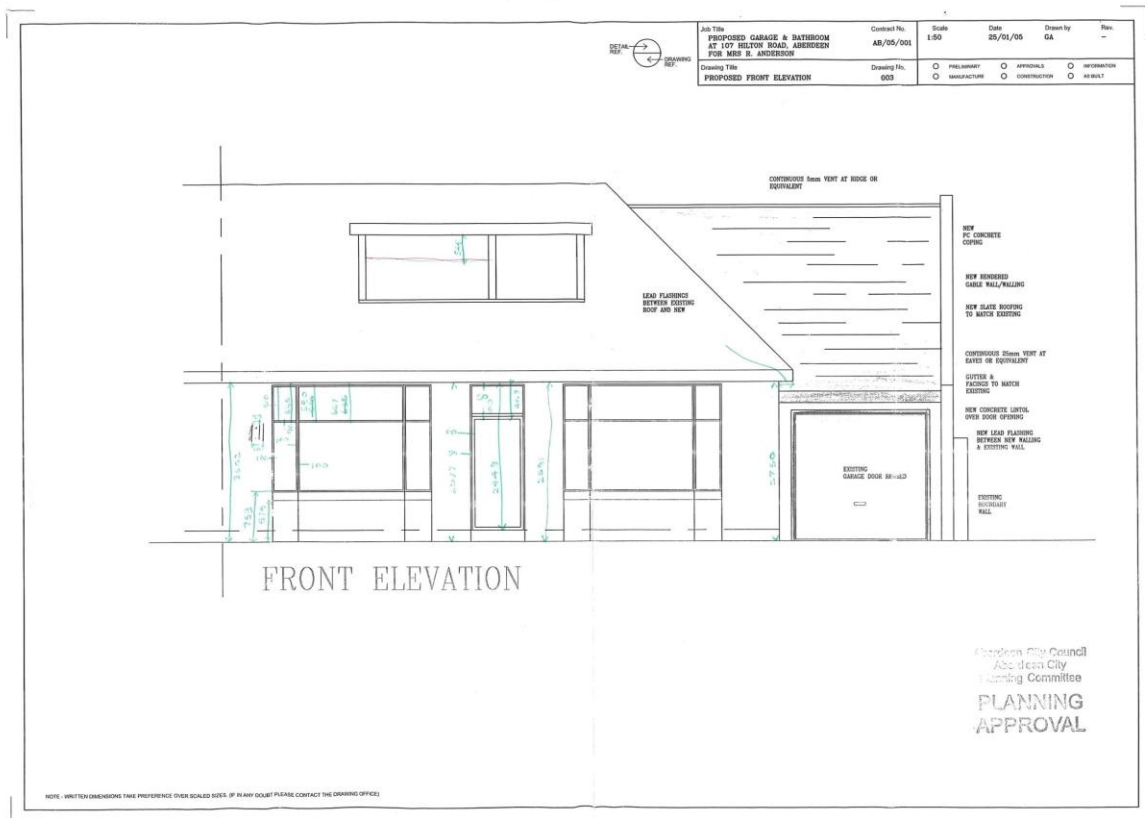



Appendix Two – Photos of variety of roof styles in area





Appendix Three – Approved front elevation from application reference 050451



 <p><b>ABERDEEN</b> CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
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<b>Site Address:</b>	7 Airyhall Place, Aberdeen, AB15 7RH,
<b>Application Description:</b>	Erection of fence to front and side
<b>Application Ref:</b>	190128/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	25 January 2019
<b>Applicant:</b>	Mr and Mrs Steven and Claire Mearns
<b>Ward:</b>	Airyhall/Broomhill/Garthdee
<b>Community Council:</b>	Braeside And Mannofield
<b>Case Officer:</b>	Roy Brown

## **RECOMMENDATION**

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Refuse

## **APPLICATION BACKGROUND**

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### **Site Description**

A modern 1½ storey semi-detached dwelling and its front and rear curtilage in a residential area. The dwelling has a northeast facing principal elevation. The application site is triangular in shape and is located on a corner plot between Airyhall Place and Airyhall Gardens. It is bounded by Airyhall Place to the northeast; 5 Airyhall Place to the southeast, which the property adjoins; 1 Airyhall Gardens to the northwest; and Airyhall Gardens to the north.

A fence varying between 2m and 2.2m in height has been erected without planning permission on the northeast, north and west boundaries. Prior to its erection, there was an original approximately 0.6m high concrete boundary wall on these boundaries and a hedge along the building line of the principal elevation to the northwest of the elevation, which divided the front curtilage with the private rear curtilage. It should be noted that the existing fence is not the subject of this current application, and any grant of this current application would not authorise the existing fence.

### **Relevant Planning History**

Planning permission was granted in 2017 for the erection of the 1.5 storey extension to the side of the dwelling (Ref: 170114/DPP).

The unauthorised erection of the current fence on the property was brought to the attention of the Planning Authority in June 2018. Planning application with reference 181521/DPP sought retrospective permission for the erection of that fence, before being withdrawn on the 31<sup>st</sup> October of last year.

## **APPLICATION DESCRIPTION**

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## Description of Proposal

Planning permission is sought for the erection of a timber fence to the front and side of the dwelling around the northwest, north and northeast boundaries and the existing driveway.

Where it would bound the existing driveway, the timber fence would be c.1.9m in height and would sit on top of a c.0.3m existing masonry wall, resulting in an overall height of c.2.2m; and would be 1.5m in height around the northeast, north and northwest boundaries. The fence would run for c.9.1m along the northeast (front) boundary; for c.5.5m along the north; and for c.3.1m along the north west boundary, resulting in a total length of c.17.5m.

## Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PLVYQ3BZKKQ00>.

*Planning Statement (Ref: 1127.05)* – Describes the site, the reason for the development and justification by identifying and showing photographs of nearby fences and walls of a similar height.

## CONSULTATIONS

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**Aberdeen City Council Roads Development Management** – No objection - Airyhall Place/ Gardens is not subject to a mandatory 20mph speed limit but does have advisory 20mph signage and markings to which it can be expected that vehicles shall drive at or approximately 20mph. The agent has submitted a plan confirming that visibility splays of 2.5m x 22m can be maintained, as requested by Roads Development Management.

**Braeside and Mannofield Community Council** – No objection. The reduction in height from the previous withdrawn application is welcomed. They request that vehicle sight distances are maintained after the erection of the proposed fence.

## REPRESENTATIONS

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25 letters of objection have been received. The matters raised can be summarised as:

- The proposal would have a negative impact on road and pedestrian safety, specifically visibility splays when turning right from Airyhall Gardens onto Airyhall Place. Airyhall Place is highlighted as being a thoroughfare for children walking to Airyhall Primary School.
- The application is not in compliance with recommended planning regulations of being 1m in height, given its proximity to the road.
- The existing fence has been allowed to remain for the past 6 months without recourse.
- Request that the Roads authority undertake an assessment of the height of the fence relative to road and pedestrian safety, and visit the site.
- Request that the Planning Development Management Committee (PDMC) visit the site.

## MATERIAL CONSIDERATIONS

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### Legislative Requirements

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

### Aberdeen Local Development Plan (ALDP)

Policy D1 - Quality Placemaking by Design

## Policy H1 - Residential Areas

### **Supplementary Guidance (SG)**

The Householder Development Guide (HDG)

## **EVALUATION**

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### **Principle of Development**

The application site is located in a residential area, under Policy H1 of the ALDP, and the proposal relates to householder development. Householder development would accord with this policy in principle if it does not constitute over development, adversely affect the character and amenity of the surrounding area, and it complies with the Supplementary Guidance, in this case the Householder Development Guide (HDG). These issues are assessed in the below evaluation.

### **Design and Scale**

To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1 of the ALDP. This policy recognises that not all development will be of a scale that makes a significant placemaking impact but recognises that good design and detail adds to the attractiveness of the built environment.

The HDG states with regards to fences, walls and other boundary enclosures that in all instances, the scale and form of boundary enclosures should be appropriate to their context and should not detract from the street scene as a result of inappropriate visual impact. Policy D1 states that quality development will be informed by existing features such as existing boundary walls.

Given the existing fence is unauthorised, this assessment must consider what existed on the site prior to the erection of the existing fence. The site previously had a low 0.6m high boundary wall and a hedge set back from the boundary. The scale, siting and soft landscaped form of the previous boundary treatment was compatible in the surrounding suburban residential area, and was an appropriate method of boundary treatment for the front and side boundaries of this property with a prominent corner location. It did not have a detrimental impact to the visual amenity of the street scene.

The height of the proposed fence, however, would appear incongruous with the original dwelling and the surrounding area. Its 1.5m and 2.2m heights would not be appropriate given its location to the front and side of the property adjacent to the public road in its suburban context. It would disrupt the building line of the principal elevation of the pair of semi-detached properties. Because of its height, siting on and length around the vast majority of the public boundaries, the proposed fence would appear unduly prominent on the streetscape, to the detriment of the street scene, in conflict with the Supplementary Guidance: 'The Householder Development Guide' and the character of the surrounding area, in conflict with Policies H1 and D1 of the ALDP.

### **Precedent**

The Planning Statement submitted by the agent justifies the development by noting that there are already walls and fences that are greater than 1.5m in height on corner sites along Airyhall Place and therefore that a precedent has been set. There are, however, no examples of planning permission being granted for boundary treatment to the front and sides of properties under current policies and guidance. The Supplementary Guidance: 'The Householder Development Guide' states that no existing alterations which were approved prior to the introduction of this supplementary guidance will be considered by the planning authority to provide justification for a development proposal which would otherwise fail to comply with the guidance set out in that document. Further, each application must be decided on its own merits and therefore similar

boundary treatment cannot be used to justify this proposal, which would have a detrimental impact on the street scene.

There is no record that any of the four boundary enclosures identified in the Planning Statement (bounding 124 Craighton Road; 9 Airyhall Place; 27 Airyhall Drive and 28 Airyhall Place) have been granted planning permission or were the subject of any planning application. Development which could be unauthorised in the area would not in any way justify the grant of planning permission of this proposal and would not qualify as precedent as they would not have been as a result of decisions by the Planning Authority.

The grant of planning permission in this application could set an unwelcome precedent for boundary enclosures of a similar scale, height and design in the surrounding area, which would have a significantly detrimental impact on the street scene, and thus the character of the surrounding area, in conflict with Policies D1 and H1 of the ALDP.

### **Public Safety**

In their comments, Roads Development Management state that the priority junction between Airyhall Place and Airyhall Gardens is not a 20mph zone, but has advisory 20mph signage and markings to which it can be expected that vehicles shall drive at that speed. The applicant has submitted a plan demonstrating that the proposal would not adversely affect the visibility splay of the junction between Airyhall Place and Airyhall Gardens. Therefore, the proposed fence would not have a detrimental impact on the visibility splay of any approaching cars.

The proposal would not adversely affect pedestrian safety given there is a footway on both sides of both Airyhall Gardens and Airyhall Place. The fence would not impede the visibility between vehicles and pedestrians, including children, crossing Airyhall Gardens.

Given the low speed of the traffic in the area, and the fact that the proposed fence would not have an adverse impact on the visibility splay on the junction, it can be concluded that the proposed fence would not adversely affect road and pedestrian safety. Roads Development Management have not objected to this planning application.

### **Amenity**

The Supplementary Guidance: 'The Householder Development Guide' states with regards to fences, walls and other boundary enclosures that proposals for boundary enclosures will not be permitted where they would result in an unacceptable impact upon the amenity of neighbouring dwellings. In this instance, the proposed fence would not adversely affect the level of residential amenity of any neighbouring property in terms of the level of sunlight, daylight and privacy afforded to them, in accordance with Policies H1 and D1 of the ALDP; and the Supplementary Guidance: 'The Householder Development Guide'.

### **Matters Raised in the Letters of Representation**

The matters raised in relation to road and pedestrian safety have been satisfactorily addressed in the above evaluation.

With respect to the length of time taken to take action against the existing fence, the regularisation of a boundary enclosure at 7 Airyhall Place has been on-going through the submission and assessment of this application and the previous application before it, which was withdrawn before a decision was made. The proposed fence is being refused primarily on the basis of its height and its negative impact on the character of the surrounding area. The existing unauthorised fence is even greater in height than the proposed fence. It therefore could be subject to formal enforcement action.



There are no “recommended planning regulations” requiring fences near roads to be no greater than 1m in height, nor is there any relevant planning policies and guidance recommending a specific height, and each planning application would be assessed on their own merits. However, if the fence was no greater than 1m it would not require planning permission as it would be permitted development under the provisions of Class 3E of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended.

The request for the PDMC to undertake a site visit cannot be addressed in this evaluation. As this application is being determined under delegated powers, the PDMC will not visit this site.

It would be the position of Roads Development Management as the roads authority to independently consider whether a site visit was required for them to inform their consultation response to the Planning Authority. Roads Development Management were made aware of this request through further consultation following the submission of these letters of objection.

### **Matters Raised by Braeside and Mannofield Community Council**

The submitted plan satisfactorily demonstrates that the proposal would not adversely affect vehicular visibility.

## **RECOMMENDATION**

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Refuse

## **REASON FOR RECOMMENDATION**

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The proposed fence would be incongruous in design, siting, scale and height to the original building and the surrounding area. Because of its height, the proposed fence would have a detrimental impact on the street scene which would have an adverse impact on the character of the surrounding area. The grant of planning permission for such a proposal could also set a negative precedent for similar development which would be significantly detrimental to the character of the surrounding area. The proposal would therefore conflict with Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the Aberdeen Local Development Plan; and the Supplementary Guidance: ‘The Householder Development Guide’. There are no material planning considerations that warrant the grant of planning permission in this instance.

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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 100151584-001

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

## Description of Proposal

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

Retrospective planning application for the erection of a 1.5m high boundary fence at the back of the pavement of Airyhall Place

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

No  Yes - Started  Yes – Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): \*

16/07/2018

Please explain why work has taken place in advance of making this application: \*  
(Max 500 characters)

Contractor advised that fence was permitted development

## 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:	James Greig - Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	
Last Name: *	Greig	Building Number:	27
Telephone Number: *	01467633855	Address 1 (Street): *	Castleview Avenue
Extension Number:		Address 2:	Kintore
Mobile Number:		Town/City: *	Inverurie
Fax Number:		Country: *	Scotland
		Postcode: *	AB51 0SA
Email Address: *	jhgreig@gmail.com		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *	Steven and Claire	Building Number:	7
Last Name: *	Mearns	Address 1 (Street): *	Airyhall Place
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB15 7RH
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

7 AIRYHALL PLACE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB15 7RH

Please identify/describe the location of the site or sites

Northing

804302

Easting

390903

## 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)

Client discussed proposals with Planning Officers following which previous application for retrospective approval was withdrawn

Title:

Mr

Other title:

First Name:

Roy

Last Name:

Brown

Correspondence Reference  
Number:

Date (dd/mm/yyyy):

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.

## Trees

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

Yes  No

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

## Access and Parking

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

Yes  No

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

## Planning Service Employee/Elected Member Interest

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

Yes  No

## Certificates and Notices

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

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

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

Yes  No

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

Yes  No

## Certificate Required

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

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: James Greig

On behalf of: Mr and Mrs Steven and Claire Mearns

Date: 25/01/2019

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

## Declare – For Householder Application

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

Declaration Name: Mr James Greig

Declaration Date: 25/01/2019

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## **DECISION NOTICE**

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

#### **Detailed Planning Permission**

James Greig  
James Greig - Architect  
27 Castleview Avenue  
Kintore  
Inverurie  
AB51 0SA

on behalf of **Mr and Mrs Steven and Claire Mearns**

With reference to your application validly received on 25 January 2019 for the following development:-

#### **Erection of fence to front and side at 7 Airyhall Place, Aberdeen**

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

<b>Drawing Number</b>	<b>Drawing Type</b>
1127: F: 04	Location Plan
1127: F: 03 Rev A	Elevations and Floor Plans (Proposed)
1127.F.05	Site Layout (Indicating Visibility Splay)
1127: F: 01 REV A	Site Layout (Proposed)

#### **REASON FOR DECISION**

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

The proposed fence would be incongruous in design, siting, scale and height to the original building and the surrounding area. Because of its height, the proposed fence would have a detrimental impact on the street scene which would have an adverse

impact on the character of the surrounding area. The grant of planning permission for such a proposal could also set a negative precedent for similar development which would be significantly detrimental to the character of the surrounding area. The proposal would therefore conflict with Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. There are no material planning considerations that warrant the grant of planning permission in this instance.

**Date of Signing** 8 March 2019



**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 Strategic Place Planning (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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# MEMO



To	Roy Brown Planning & Infrastructure	Date	06/03/2019
		Our Ref.	190128/DPP
From	Michael Cowie		
Email	<a href="mailto:micowie@aberdeencity.gov.uk">micowie@aberdeencity.gov.uk</a>		
Dial	01224 523671		
Fax			

**Strategic Place Planning**  
Aberdeen City Council  
Business Hub 4  
Ground Floor North  
Marischal College  
Aberdeen  
AB10 1AB

Tel 03000 200 291  
Minicom 01224 522381  
DX 529451, Aberdeen 9  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

## **Planning Application No. 190128/DPP – Erection of fence and side (retrospective) at 7 Airyhall Place, Aberdeen AB15 7RH.**

I have considered the above planning application and have the following observations:

### **1 Development Proposal**

- 1.1 I note that the application is for a retrospective erection of fence at 7 Airyhall Place.
- 1.2 I note that Airyhall Place/Gardens is not subject to a mandatory 20mph speed limit but does have advisory 20mph signage and markings to which it can be expected that vehicles shall drive at or approximately to 20mph. Therefore, we would request to see visibility splays of 2.5m x 22m which it is believed can be achieved when exiting Airyhall Gardens and this would be beneficial if the applicant can provide evidence on this.

### **2 Driveway Access**

- 2.1 As per previous comments dated 30/01/2019, I note that at the driveway it is proposed to retain a stretch of low level wall for 5m north of the access at which point the fence shall be erected, this therefore retains adequate pedestrian visibility when exiting the driveway.

### **3 Conclusion**

- 3.1 As per previous Roads Development Management comments, we have no objection to this proposal.

Michael Cowie  
Engineer  
**Roads Development Management**

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# Consultee Comments for Planning Application 190128/DPP

## Application Summary

Application Number: 190128/DPP

Address: 7 Airyhall Place Aberdeen AB15 7RH

Proposal: Erection of fence to front and side (retrospective)

Case Officer: Roy Brown

## Consultee Details

Name: Mr Michael Cowie

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

Email: micowie@aberdeencity.gov.uk

On Behalf Of: ACC - Roads Development Management Team

## Comments

I note this application for the erection of fence to front and side (retrospective) at 7 Airyhall Place, Aberdeen AB15 7RH.

I can confirm that the proposed erection of fence shall not impede directly within the required visibility splays when exiting the junction of Airyhall Gardens/Place given the wide nature of existing footpaths.

I note that a stretch of low level existing wall shall be retained for 5m north of the access at which point the fence shall be erected, this therefore retains adequate pedestrian visibility when exiting the driveway.

I can confirm that Roads Development Management have no objection to this application.

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# Comments for Planning Application 190128/DPP

## Application Summary

Application Number: 190128/DPP

Address: 7 Airyhall Place Aberdeen AB15 7RH

Proposal: Erection of fence to front and side (retrospective)

Case Officer: Roy Brown

## Customer Details

Name: Mr Ken Reilly

Address: 59 Gordon Road Aberdeen

## Comment Details

Commenter Type: Community Councillor

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

Comment Reasons:

Comment: We welcome the reduction in height from the previous withdrawn application, but ask that a check is made to make sure acceptable vehicle sight distances at the junction are maintained after the erection of the proposed fence.

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3 Airyhall Place  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

**PLANNING APPLICATION: 190128/DPP**

Further to my objection dated 17<sup>th</sup> September 2018, I am disappointed that the above planning application has been submitted to Aberdeen City Council again not in compliance with recommended planning guidelines for fencing of 1 metre or 3.28 ft given its proximity to the road layout. As previously stated I also object to this new application because of road and pedestrian safety. As residents/road users in this area, driving towards the bottom of Airyhall Gardens turning right into Airyhall Place I believe that road and pedestrian safety is compromised by the height of this fence, and the sight line required by drivers is obstructed by the erection and size of this fence.

I would request Aberdeen City Council's Roads Department undertake an assessment of the height of this fence relative to the road and pedestrian safety prior to any recommendation being given to the planning committee. I would also request that members of the Planning Committee visit the site.

On the grounds of public safety, I object to this planning application.

Yours faithfully



*ALAN KRASER*

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9 Airyhall Place  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam


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On the grounds of public safety, I object to this planning application.

Yours faithfully



A. SOSS

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# Comments for Planning Application 190128/DPP

## Application Summary

Application Number: 190128/DPP

Address: 7 Airyhall Place Aberdeen AB15 7RH

Proposal: Erection of fence to front and side (retrospective)

Case Officer: Roy Brown

## Customer Details

Name: Mrs Angela Taylor

Address: 3 Aiyhall Gardens ABERDEEN

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to my objection dated 17th September 2018, I am disappointed to find that the above planning application has been resubmitted to Aberdeen City Council. The new application is still not in compliance with recommended planning regulations of 1 metre / 3.28 ft high, given its proximity to the road layout.

I also object to this new application because of road and pedestrian safety. As a regular road user of Airyhall Gardens turning right into Airyhall Place, the view of oncoming traffic from the right is blocked by the height of the fence. I have to pull half way out from Airyhall Gardens into the middle of the Airyhall Place to have a full view of the road. I believe this issue will remain the same with the fence at a height of 1.5 meters. Airyhall Place is also a main thoroughfare for children walking to Airyhall Primary School and the fence at this height could be the cause of an accident at this junction.

I request that Aberdeen City Council's Roads Department undertake an on-site assessment of the height of this fence relative to road and pedestrian safety prior to any recommendation being given to the planning committee. I would also request that members of the Planning Committee visit the site.

On the grounds of public safety, I object to this planning application

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4 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

**PLANNING APPLICATION: 190128/DPP**

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I would request Aberdeen City Council's Roads Department undertake an assessment of the height of this fence relative to the road and pedestrian safety prior to any recommendation being given to the planning committee. I would also request that members of the Planning Committee visit the site.

On the grounds of public safety, I object to this planning application.

Yours faithfully



ALISON THOMSON

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29 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

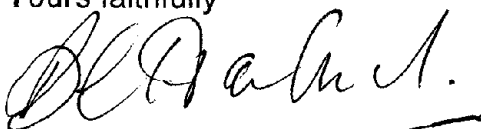
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I would request Aberdeen City Council's Roads Department undertake an assessment of the height of this fence relative to the road and pedestrian safety prior to any recommendation being given to the planning committee. I would also request that members of the Planning Committee visit the site.

On the grounds of public safety, I object to this planning application.

Yours faithfully



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25 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

**PLANNING APPLICATION: 190128/DPP**

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I would request Aberdeen City Council's Roads Department undertake an assessment of the height of this fence relative to the road and pedestrian safety prior to any recommendation being given to the planning committee. I would also request that members of the Planning Committee visit the site.

On the grounds of public safety, I object to this planning application.

Yours faithfully



BRYAN SLOAN

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# Comments for Planning Application 190128/DPP

## Application Summary

Application Number: 190128/DPP

Address: 7 Airyhall Place Aberdeen AB15 7RH

Proposal: Erection of fence to front and side (retrospective)

Case Officer: Roy Brown

## Customer Details

Name: Mrs Brenda Pirie

Address: 2 Airyhall Gardens Aberdeen

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the retrospective planning permission being granted as the erection of the fence has caused a safety hazard to vehicles and pedestrians. When exiting Airyhall Gardens at the T junction with Airyhall Place the turn cannot be safely carried out without the front bumper of the car being half way across the road to allow the driver line of sight towards any traffic approaching from south to north on Airyhall Place. This is a safety hazard for residents of Airyhall Gardens. This is also a busy thoroughfare as it is the route to the local infant and primary school. Drivers coming on to Airyhall Place from Craigton road may be unaware of the hazard. I am aware of at least one near miss where a driver was trying to exit Airyhall Gardens.

There was previously a clear line of sight as there was only a minimal 3ft barrier wall at the boundary of the property and the pavement.

I request a site safety assessment of these safety hazards be conducted by the Roads Department and taken into account when this application is considered. This was previously suggested by the Community Council comments in relation to the previous application reference 181521/DPP. They also called for a site visit prior to a decision being made on the development.

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# Comments for Planning Application 190128/DPP

## Application Summary

Application Number: 190128/DPP

Address: 7 Airyhall Place Aberdeen AB15 7RH

Proposal: Erection of fence to front and side (retrospective)

Case Officer: Roy Brown

## Customer Details

Name: Mr Bruce Pirie

Address: 2 Airyhall Gardens Aberdeen

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I believe that the proposed reduction of the fence from 2.0m to 1.5m (plus kerb height it sits on), impedes the vision of traffic from Airyhall Gardens looking southward to Airyhall Place. I am outraged that a fence of 1.8m plus the kerb height it sits on, has been allowed to remain erect for the past 6 months without recourse.

This has demonstrated scant regard for residents of the neighbourhood, council planning procedures or concerns voiced over road safety which were raised at the previous application.

The basis for my objection to this 2nd planning application is as follows:

It creates a road safety issue for myself, other motorists and pedestrians, as a right turn taken from Airyhall Gardens at the T-junction onto Airyhall Place, cannot be safely carried out, without the front bumper of the car encroaching halfway across the road, to allow the driver a clear line of sight towards any traffic approaching from south to north along Airyhall Place.

This poses quite a concern as the junction and these roads are frequently used as a route towards the local infant and primary school which are in close proximity.

I would urge that a safety assessment on this matter is carried out.

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10 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

**PLANNING APPLICATION: 190128/DPP**

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I would request Aberdeen City Council's Roads Department undertake an assessment of the height of this fence relative to the road and pedestrian safety prior to any recommendation being given to the planning committee. I would also request that members of the Planning Committee visit the site.

On the grounds of public safety, I object to this planning application.

Yours faithfully



CORINE GRAHAM.

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5 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam


**PLANNING APPLICATION: 190128/DPP**

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On the grounds of public safety, I object to this planning application.

Yours faithfully



D. THORNTON

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29 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

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On the grounds of public safety, I object to this planning application.

Yours faithfully



F. HARBORD

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14

Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

**PLANNING APPLICATION: 190128/DPP**

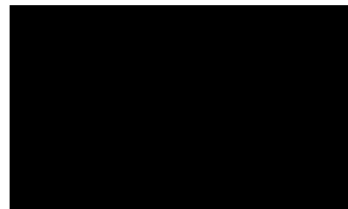
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On the grounds of public safety, I object to this planning application.

Yours faithfully

C. HORN



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| Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

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On the grounds of public safety, I object to this planning application.

Yours faithfully



HELEN EWEN

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18 Airyhall Gardens  
ABERDEEN  
ABIS T&L

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

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On the grounds of public safety, I object to this planning application.

Yours faithfully



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Place  
22 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

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On the grounds of public safety, I object to this planning application.

Yours faithfully



(JOHN ABEL)

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31 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam


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On the grounds of public safety, I object to this planning application.

Yours faithfully

  
J. SHIPLEY

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4 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

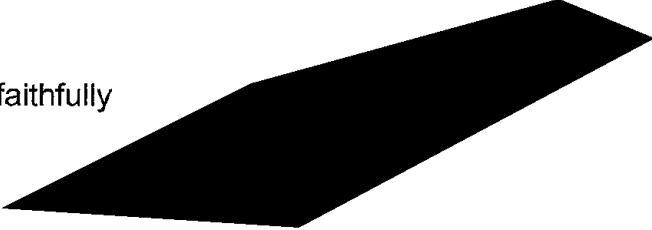
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On the grounds of public safety, I object to this planning application.

Yours faithfully



KEVIN THOMSON.

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37, Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

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On the grounds of public safety, I object to this planning application.

Yours faithfully



(L. NARAYANAN)

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13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

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**PLANNING APPLICATION: 190128/DPP**

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On the grounds of public safety, I object to this planning application.

Yours faithfully



(M. INSCH.)



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// Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

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On the grounds of public safety, I object to this planning application.

Yours faithfully



MARGARET MUNRO.

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 Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

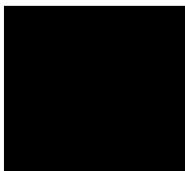
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On the grounds of public safety, I object to this planning application.

Yours faithfully



*N. HAY*

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# Comments for Planning Application 190128/DPP

## Application Summary

Application Number: 190128/DPP

Address: 7 Airyhall Place Aberdeen AB15 7RH

Proposal: Erection of fence to front and side (retrospective)

Case Officer: Roy Brown

## Customer Details

Name: Mr Phil Taylor

Address: 3 Airyhall Gardens ABERDEEN

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to my objection dated 17th September 2018, I am disappointed to find that the above planning application has been resubmitted to Aberdeen City Council. The new application is still not in compliance with recommended planning regulations of 1 metre / 3.28 ft high, given its proximity to the road layout.

I also object to this new application because of road and pedestrian safety. As a regular road user of Airyhall Gardens turning right into Airyhall Place, the view of oncoming traffic from the right is blocked by the height of the fence. I have to pull half way out from Airyhall Gardens into the middle of the Airyhall Place to have a full view of the road. I believe this issue will remain the same with the fence at a height of 1.5 meters. Airyhall Place is also a main thoroughfare for children walking to Airyhall Primary School and the fence at this height could be the cause of an accident at this junction.

I request that Aberdeen City Council's Roads Department undertake an on-site assessment of the height of this fence relative to road and pedestrian safety prior to any recommendation being given to the planning committee. I would also request that members of the Planning Committee visit the site.

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33

Airyhall Gardens  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

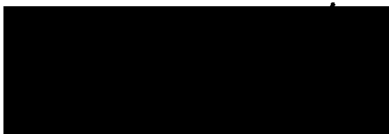
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On the grounds of public safety, I object to this planning application.

Yours faithfully



SC LAIRD

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9 Airyhall Place  
ABERDEEN

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

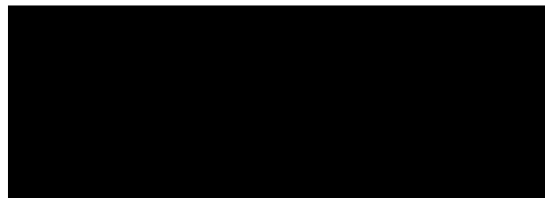
**PLANNING APPLICATION: 190128/DPP**

Further to my objection dated 17<sup>th</sup> September 2018, I am disappointed that the above planning application has been submitted to Aberdeen City Council again not in compliance with recommended planning guidelines for fencing of 1 metre or 3.28 ft given its proximity to the road layout. As previously stated I also object to this new application because of road and pedestrian safety. As residents/road users in this area, driving towards the bottom of Airyhall Gardens turning right into Airyhall Place I believe that road and pedestrian safety is compromised by the height of this fence, and the sight line required by drivers is obstructed by the erection and size of this fence.

I would request Aberdeen City Council's Roads Department undertake an assessment of the height of this fence relative to the road and pedestrian safety prior to any recommendation being given to the planning committee. I would also request that members of the Planning Committee visit the site.

On the grounds of public safety, I object to this planning application.

Yours faithfully



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18  
~~18~~ Airyhall Gardens  
ABERDEEN  
AB15 7QL

13 February 2019

Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
ABERDEEN

Dear Sir/Madam

**PLANNING APPLICATION: 190128/DPP**

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Yours faithfully

[REDACTED]

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## **Aberdeen Local Development Plan (ALDP)**

H1: Residential Areas;

D1: Quality Placemaking by Design;

## **Supplementary Guidance**

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

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# NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County 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	<input type="text" value="Mr"/>	Ref No.	<input type="text"/>
Forename	<input type="text" value="Steven"/>	Forename	<input type="text"/>
Surname	<input type="text" value="Mearns"/>	Surname	<input type="text"/>
Company Name	<input type="text" value="N/A"/>	Company Name	<input type="text"/>
Building No./Name	<input type="text" value="7"/>	Building No./Name	<input type="text"/>
Address Line 1	<input type="text" value="Airyhall Place"/>	Address Line 1	<input type="text"/>
Address Line 2	<input type="text" value="Airyhall"/>	Address Line 2	<input type="text"/>
Town/City	<input type="text" value="Aberdeen"/>	Town/City	<input type="text"/>
Postcode	<input type="text" value="AB15 7RJ"/>	Postcode	<input type="text"/>
Telephone	<input type="text" value="REDACTED"/>	Telephone	<input type="text"/>
Mobile	<input type="text" value="REDACTED"/>	Mobile	<input type="text"/>
Fax	<input type="text"/>	Fax	<input type="text"/>
Email	<input type="text" value="REDACTED"/>	Email	<input type="text"/>
3. Application Details			
Planning authority	<input type="text" value="Aberdeen City Council"/>		
Planning authority's application reference number	<input type="text" value="190128/DPP"/>		
Site address	<input style="width: 100%; height: 100%;" type="text" value="7 Airyhall Place, Aberdeen AB15 7RJ"/>		
Description of proposed development	<input style="width: 100%; height: 100%;" type="text" value="Erection of fence to front and side at 7 Airyhall Place, Aberdeen"/>		

Date of application

25/01/2019

Date of decision (if any)

08/03/2019

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.

Site inspection to see that the fence has no impact on safety as determined by report by roads and is in keeping with some of the properties already on Airyhall Place

**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:

n/a

### 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.

The reasons on which the Council has based this decision are as follows:-  
The proposed fence would be incongruous in design, siting, scale and height to the original building and the surrounding area. Because of its height, the proposed fence would have a detrimental impact on the street scene which would have an adverse impact on the character of the surrounding area.

Point 1: on the above refusal reason. Not one of the 21 letters of representation and the 4 x full objections from 2 households have sited the above reason for submitting representations or objections. They have all submitted safety concerns for the proposed fencing.

Point 2: On the reason for refusal the precedent has already been set for the street scene with at least 4 corner plots on Airyhall Place with fencing or walls that will be above my proposed front boundary fence of above 1.5 m. Whether they applied for planning permission or not this should be taken into consideration as these fences, walls has formed part of the street scene on Airyhall place for a number of years with no concerns raised.

Point 3: All 21 letters of representation all are formed on the basis "on the grounds of public safety I object to this planning application" this has already been assessed as safe by the roads department on my original application and on my more recent application which reduces the fence even further.

Point 4: on the letters of representation it should be noted that they have all been typed up identically and submitted on the same date and are an act of 1 individual trying to drum up support. This was the same person who went round the doors asking people to sign up to a petition on my first application.

Point 5: 2 full objection letters from 2 Airyhall gnds on the grounds of safety. This is a bit hypocritical considering that they have hedging above 2 meters right around the front of the property and up to the driveway, meaning they are edging out and reversing out blindly on to the main street. Roads has already assessed my fence as safe{would they be willing to assess 2 Airyhall Gds in terms of safety}

Point 6: I have taken on board feedback from my 1st application, submitted another application that has lowered the height of my fencing which is keeping in with other properties on my street, assessed safe by roads department and maintains a level of safety and security for my 2 children to play in their garden safely.

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.

n/a

## 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

190128DP Roads Development Report  
1143.F.05 Planning Statement

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

## 10. Checklist

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

Full completion of all parts of this form

Statement of your reasons for requesting a review

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

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

## DECLARATION

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

Signature:  Name:  Date:

**Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.**

**REF: 1127.05**

**PROPOSAL:**

**ERECTION OF A 1.5m HIGH VERTICAL TIMBER SLATTED BOUNDARY FENCE  
AT 7 AIRYHALL PLACE, ABERDEEN**

**PLANNING STATEMENT:**

**GENERAL INFORMATION**

7 Airyhall Place is a corner wedged shaped site located at the junction of Airyhall Place and Airyhall Gardens. Only a small portion of the garden can be described as private due to the wedge shape of the site. The largest portion of the garden ground is to the side of the house to the north with the longest boundary to Airyhall Place.

The house was previously owned by an elderly couple. The garden was laid out with a conifer hedge ran from the corner of a former garage and ran to the north corner of the site with a very narrow strip of shrubs and rose bushes between the hedge and a 900mm concrete block wall. A small drying green was positioned at the rear of the house.

Mr & Mrs Mearns altered and extended the house to obtain a layout more suited to today's living style. The drying green to the rear of the house was replaced by a deck area which is overlooked by and accessed from the kitchen and family area. The unruly hedge, vegetable garden and shrub areas of the garden to the north were remodelled as a level grassed area for the client's children to play in. The boundary fence was specifically erected to permit the children to play safely especially when playing ball games.

**JUSTIFICATION**

Planning policy permits walls and fences to be erected at the back of the pavement on a principal elevation without the need to apply for Planning Permission. The client would prefer a fence of 1.5m and is applying for permission accordingly.

It is noted that the precedent has already been set along Airyhall Place at corner sites and similar wedge shaped sites by the erection of walls, fences and a combination of walls with a fence immediately behind and at heights greater than 1.5m along the back of the footpath on principal elevations. A site Plan and photographs are attached to confirm this observation.

# PHOTOGRAPHS



P1



P2



P3



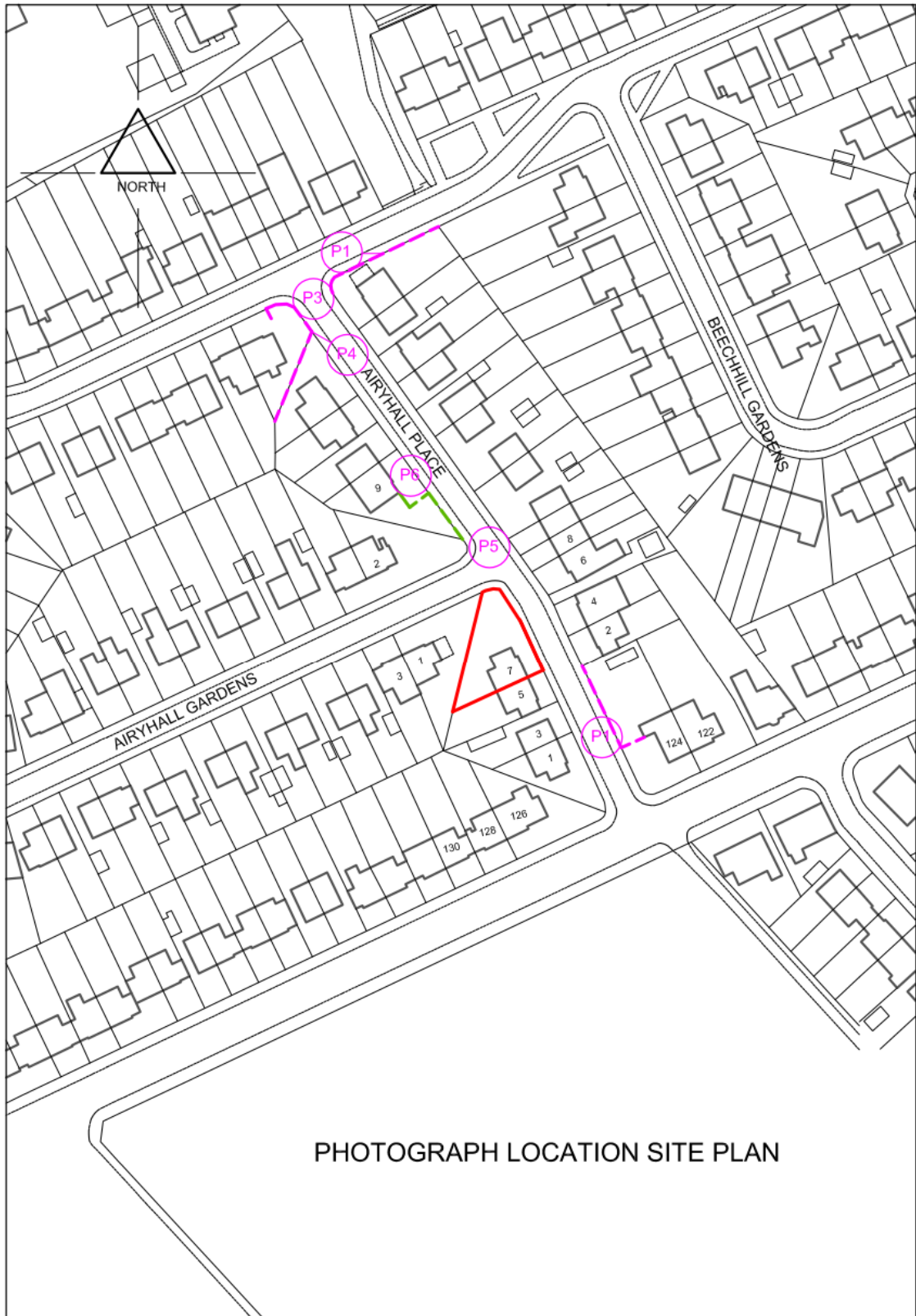
P4



P5



P6



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Dear Sirs/Madam,

Additional Comments the applicant/

Ref: 190128/DPP 7 Airyhall Place AB15 7RH

We would like to state for the record that this has been a rather stressful situation to deal with.

This planning application, has not been a fair process due to the ongoing campaign by certain individuals drumming up animosity within the community. If the process could flow with an application put in and refusal based on people sending in their own objections we would understand this, but going around knocking on doors, getting a petition signed or printing off identical letters and getting people sign on their door step, has in our views been rather unfair and discriminating which has undermined the process.

We were told by council staff that in all their years of working in planning that they have never seen a petition being set up against planning for a fence.

There is no point in showing the fence in the photos from additional comments from A Taylor as it is now, as this is not what we are proposing in our amended plans to the council. We have planned to lower the neighbouring fence to 2m and front to 1.5m. We were unaware when we started the process that corner properties had different planning rules to other simple front and back properties within the street and we admitted that straight away to yourselves the council. If the neighbours had approached us and spoke to us directly they would have realised this but unfortunately none of our neighbours have spoken to us and the first we heard of it was seeing a petition sent in to the planning department, not a very nice welcome from the community.

We offered at the beginning to cut the fence down to the height that we would be applying for of which we were advised by the council to not do any amendments until the whole process had been finished so we find the personal vendetta by certain members of the community rather disappointing as we were only following the advice given.

There are no concerns for safety, as outlined in the roads department report that was done when the fence was erected they stated they do not object to the fence. If we are going about safety concerns we would say a bigger concern for safety in the immediate area is the large hedging which surrounds the side and front of 2 Airyhall Gardens which means that the occupants must come out of their driveway onto the pavement blind. We believe that everyone should look at the safety aspect of their own property before passing comment on others, we have left a 5-metre view when exiting our property to protect pedestrian safety.

We cannot see why there would be objections on the grounds of being detrimental to this area, as things stand, there are walls and fencing on Airyall Place that are similar and in some cases taller than our fence that are also on corner sites.

We have planning application in place to lower our fence to 1.5m at front and 2m at neighbouring that will bring it well below what some of our neighbours have in place.

There have been no objections to fencing and walls that are greater to our fence in height, this seems to be driven by a couple of people who clearly have issue with our property of which we are at a loss of why we are being singled out.

Braeside Community Council have come back and said they would support our amended plans if roads deemed it safe, which they have and the last application there was no objections from Braeside Community Council

Michael Cowie has submitted a report on behalf of ACC Roads Development team on our property with proposed fence and deemed it safe on original planning application, let alone our amended plans to reduce height. See below

*“Note this application for the erection of fence to front and side (retrospective) at 7 Airyhall Place,  
Aberdeen AB15 7RH.*

*I can confirm that the proposed erection of fence shall not impede directly within the required*

*visibility splays when exiting the junction of Airyhall Gardens/Place given the wide nature of existing footpaths.*

*I note that a stretch of low level existing wall shall be retained for 5m north of the access at which*

*point the fence shall be erected, therefore retains adequate pedestrian visibility when exiting the driveway.*

*I can confirm that Roads Development Management have no objection to this application”.*

The statement that some properties close to 7 Airyhall Place have been on the market for some time, is pulling at straws. We refuse to accept that properties are not selling in the area due to our fence. The property market in Aberdeen has seen a big downturn in recent years with last year showing a 6.8% drop in house prices in Aberdeen compared to a Scottish average rise of 3.7% over the same period. This is mainly due to the drop-in population in the city and the drop-in oil prices and nothing to do with a fence being put up in Airyhall Place. We do think this is a rather unfair statement to blame us for. We have tried our best to update a property and create a safe and secure home to raise a family but this whole process has left us rather disheartened about this area.

We were advised by a planning officer when the fence was put up not to take it down and to go through the whole planning process before touching the fence. We have the security and safety of our young family to take into consideration and do not see why people in the streets around our property have been allowed to have fencing or walls of a greater height than our amended proposal.

We have never shown a lack of respect of the planning process we have been in regular contact both by phone and in person at Marishal college with planning officials for advice and to ensure due process is followed in a fair and unbiased manner.



We thank you for taking your time to help in this process and hope that we can come to fair solution for everyone.

Yours sincerely

Mr and Mrs S Mearns

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20/6/2019

Lynsey M McBain  
Asst Clerk to the Local Review Body  
Aberdeen City Council  
Town House  
Broad Street  
Aberdeen  
AB10 1AQ

Dear Ms McBain,

Regarding planning reference: 190128,

This unauthorised fence has shown scant regard for complying to any planning regulations from the outset. The fact it was erected prior to any application confirms this.

The fact that the owner has requested it goes to Local Planning review shows his lack of respect for the decisions made by the Planning Dept, and undermines their authority in their roles.

The sooner this visual monstrosity is lowered to the compliant level, the better. It sets a bad precedent to others to ignore planning regulations.

This hideous fence has a detrimental effect on the visual aesthetics of the neighbourhood, and I'm sure will devalue other properties in the area.

It still, in my opinion, also remains a potential traffic danger as it continues to block the line of sight of traffic approaching from Craigton Road, when exiting Airyhall Gardens.

I urge the Local Review Body uphold the original decision of the planning dept.

Your sincerely,

Page 19

Control System  
Block Diagram  
Transfer Function  
Block Diagram  
Block Diagram  
Block Diagram  
Block Diagram

Control System

Control System

The transfer function of the system is given by the ratio of the Laplace transform of the output to the Laplace transform of the input. The system is said to be stable if the poles of the transfer function are in the left half of the s-plane.

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Control System

Block Diagram

Block Diagram

2 & 3 Airyhall Gardens  
ABERDEEN  
AB15 7QL

25 June 2019

Ms L McBain  
Assistant Clerk to the Local Review Body  
Aberdeen City Council  
Town House  
Broad Street  
ABERDEEN  
AB10 1AQ

Dear Mr McBain

**PLANNING REFERENCE: 190128  
ERECTION OF FENCE TO THE FRONT AND SIDE – 7 AIRYHALL PLACE, ABERDEEN**

Thank you for your letter dated 7<sup>th</sup> June in relation to the above planning application, which we received on 11<sup>th</sup> June 2019.

We write on behalf of over 30 residents who have previously noted their concerns regarding this development in a petition and complaints.

We would wish Councillors to consider the precedent allowing this fence to remain in situ would have on the rest of the city.

in the absence of a site visit from Councillors we enclose some photographs of the junction prior to the erection of the fence and after. Given our concerns regarding safety have been highlighted in previous correspondence we will not repeat these here, however the photographs illustrate those concerns as well as showing the fence structure and scale

The application was refused on the grounds of “The proposed fence would be incongruous in design, siting, scale and height to the original building and the surrounding area. Because of its height, the proposed fence would have a detrimental impact on the street scene which would have an adverse impact on the character of the surrounding area. The grant of planning permission for such a proposal could also set a negative precedent for similar development which would be significantly detrimental to the character of the surrounding area. The proposal would therefore conflict with Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. There are no material planning considerations that warrant the grant of planning permission in this instance”.

The, appeal to the LRB would appear to be irrelevant and erroneous as the applicant sits a reason other than the grounds of refusal as the grounds of the appeal. The request for a review is on the grounds of the roads department assessment that there is no impact on safety. We understand that there has been no site visit to conduct such as assessment.

We would also like to note our concerns that several properties close to the property have been on the property market for some time, therefore having an adverse negative impact on the surrounding area

The decision Councillors will make relates to the Planning Application above, not whether another property in the area has planning permission or not.

The fence has been in situ for a considerable time with neither planning permission not modification and no enforcement action has been taken. Hopefully this review will uphold the decision of the officers of Aberdeen City Council and conclude the matter.

Yours sincerely

Mrs B Pirie & Mrs A Taylor



