

Public Document Pack



To: Councillor Boulton, Chairperson (for items 3 and 4); Councillor Macdonald, Chairperson (for item 2); and Councillors Duncan and MacKenzie.

Town House,
ABERDEEN 29 April 2020

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet remotely on **WEDNESDAY, 6 MAY 2020 at 10.00 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

In accordance with UK and Scottish Government guidance, meetings of this Committee will be held remotely as required. In these circumstances the meetings will be recorded and thereafter published on the Council's website at the following [link](#)

B U S I N E S S

1.1 Procedure Notice (Pages 5 - 6)

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

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

[Local Development Plan](#)

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

PLANNING ADVISER - GAVIN EVANS - COUNCILLOR MACDONALD WILL CHAIR THIS REVIEW.

2.1 Erection of Dwelling house with double garage and associated access road - Highview House, Blacktop Road Aberdeen - 191418 (Pages 7 - 32)

2.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 33 - 68)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 191418.

2.3 Planning Policies Referred to in Documents Submitted (Pages 69 - 70)

2.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 71 - 88)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 191418.

2.5 Determination - Reasons for Decision

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

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

PLANNING ADVISER - GAVIN EVANS - COUNCILLOR BOULTON WILL CHAIR THE NEXT TWO REVIEWS.

3.1 Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear - 36 Raeden Crescent Aberdeen - 191508 (Pages 89 - 112)

3.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 113 - 142)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 191508.

3.3 Planning Policies Referred to in Documents Submitted (Pages 143 - 144)

3.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 145 - 160)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 191508.

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

PLANNING ADVISER - GAVIN EVANS

4.1 Erection of replacement 1.5 storey extension to rear and straightening of eaves - 16 Newlands Avenue Aberdeen - 191551 (Pages 161 - 178)

4.2 Delegated Report, Original Application Form, Decision Notice and Letter of Representation (Pages 179 - 196)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 191551.

4.3 Planning Policies Referred to in Documents Submitted (Pages 197 - 198)

4.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 199 - 222)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 191551.

4.5 Determination - Reasons for Decision

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

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

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain on lymcbain@aberdeencity.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. The Committee clerk will confirm these reasons with the LRB, at the end of each case, in recognition that these will require to be intimated and publicised in full accordance with the regulations.

LOCAL REVIEW BODY

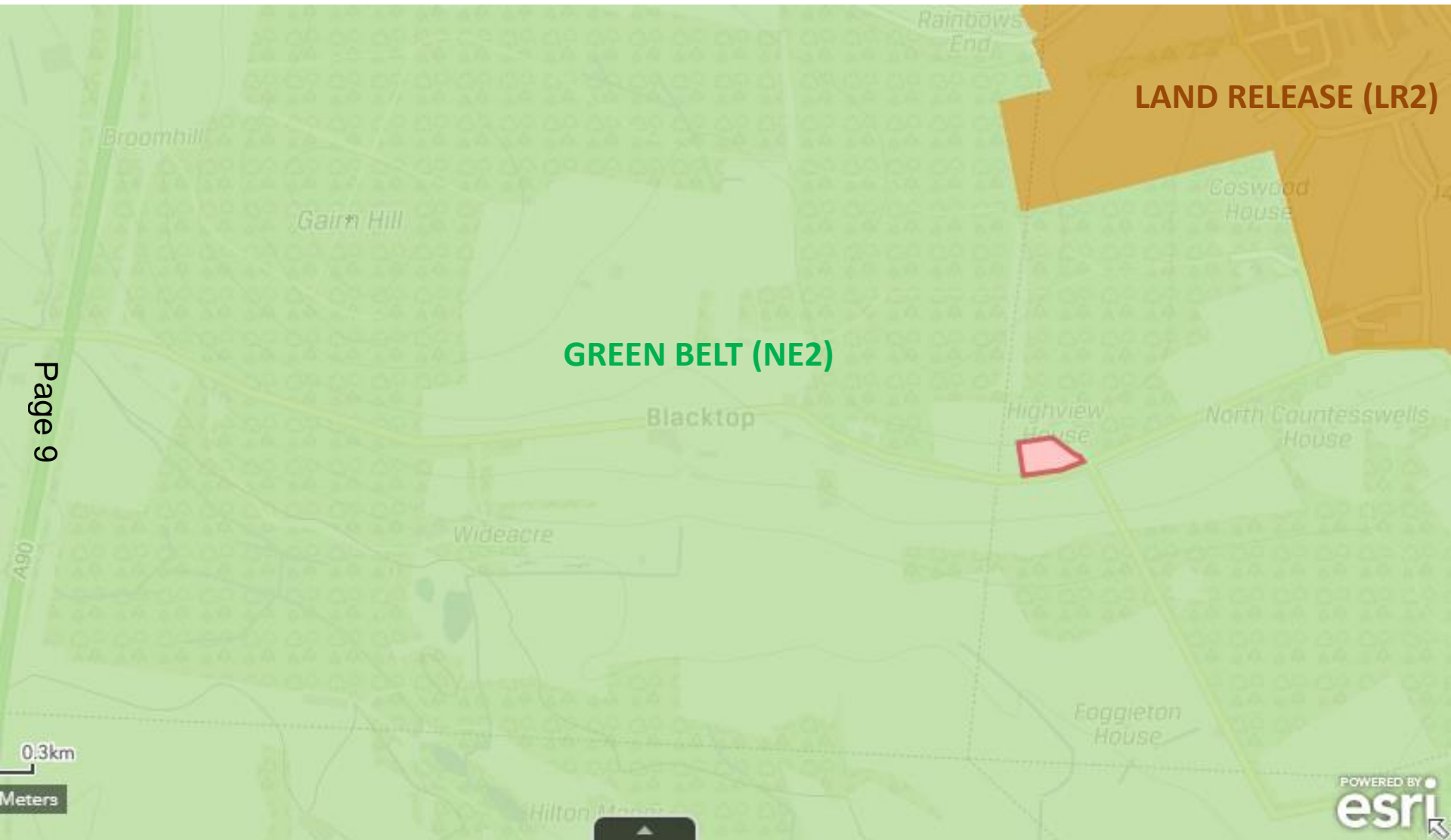


191418/DPP– Review against refusal of planning permission for:

Erection of dwelling house with double garage and associated access road

Highview House, Blacktop Road, Aberdeen

LDP Zoning context



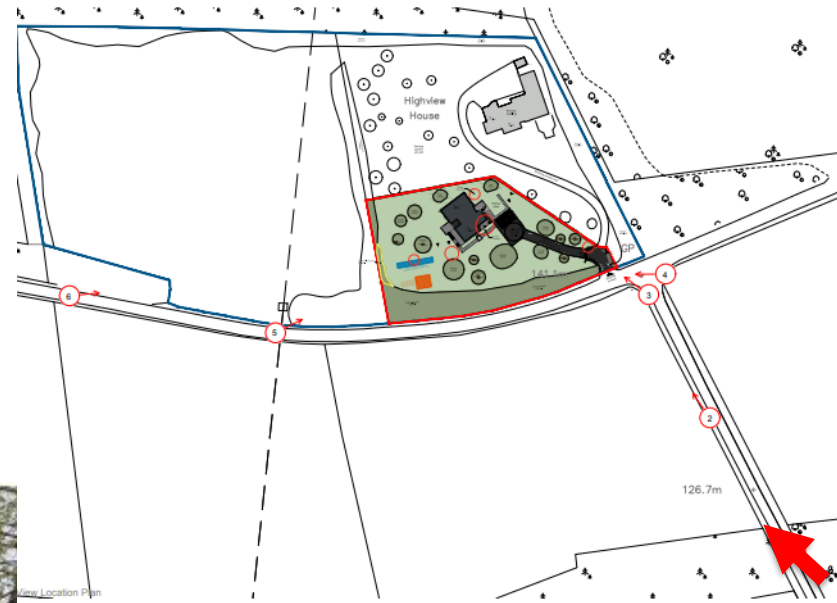
Aerial Photo



Site Plan as Proposed



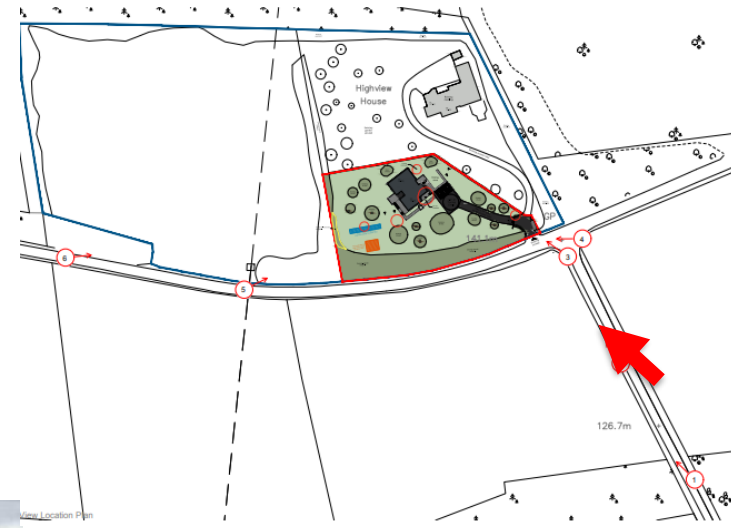
Key Views 1



Page 12

View 1 - Dwelling concealed from view

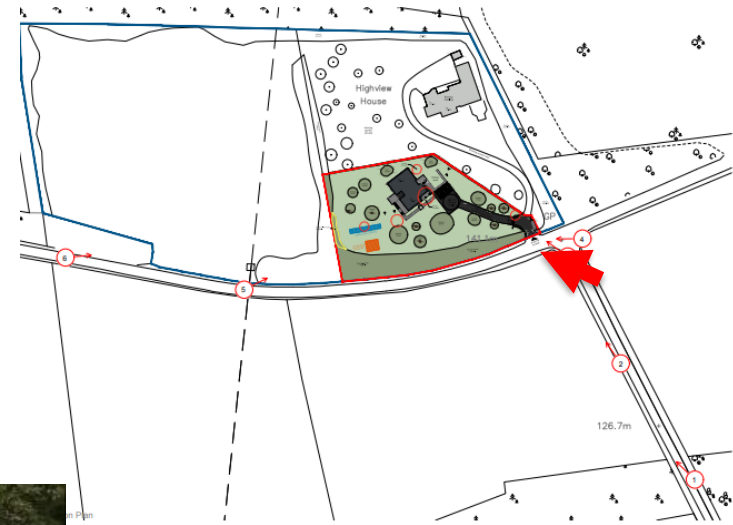
Key Views 2



Page 13

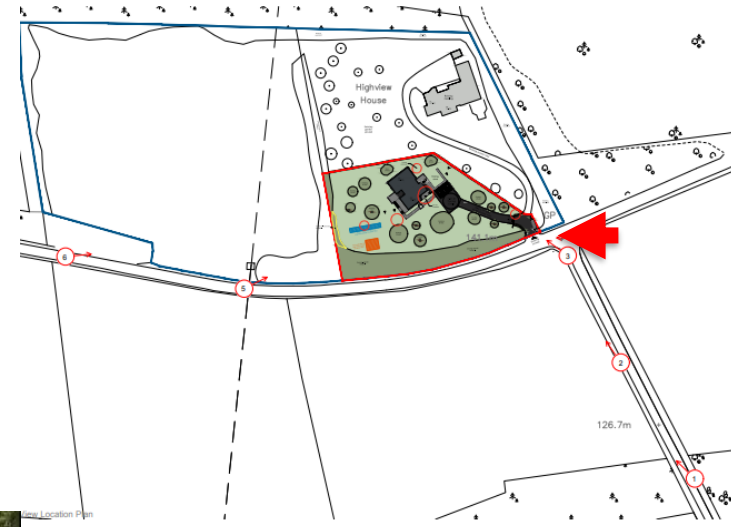
View 2 - Dwelling concealed from view

Key Views 3



View 3 - Dwelling concealed from view

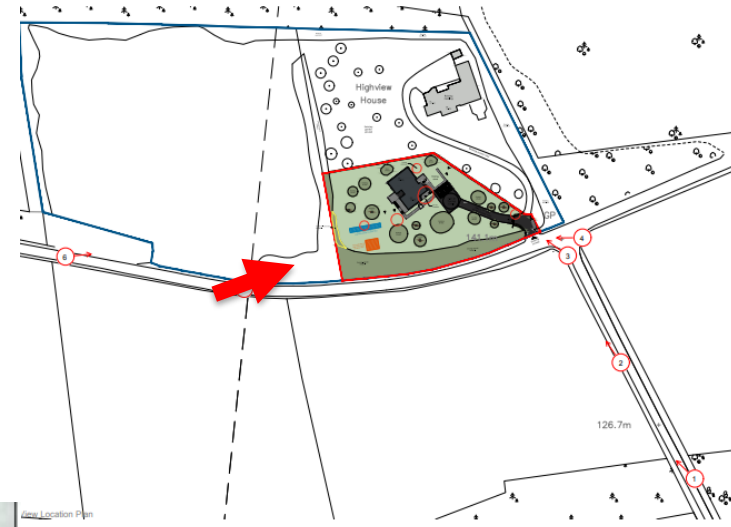
Key Views 4



Page 15

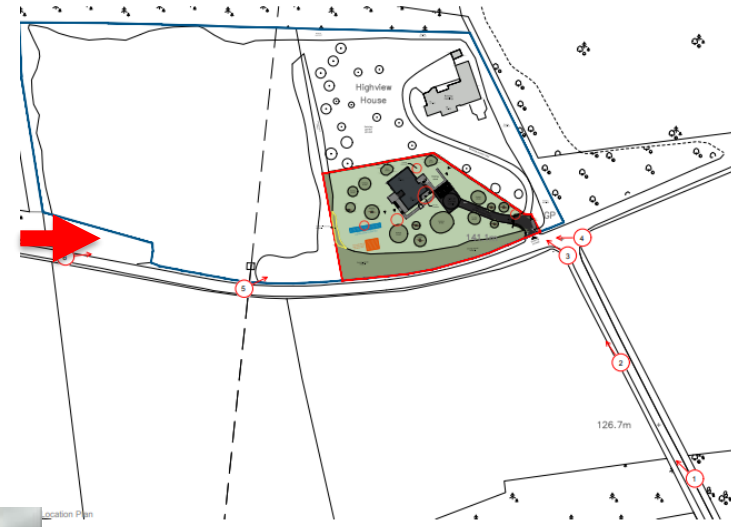
View 4 - Dwelling concealed from view

Key Views 5



View 5 - Dwelling ridgeline visible prior to proposed Leyandii hedge planting

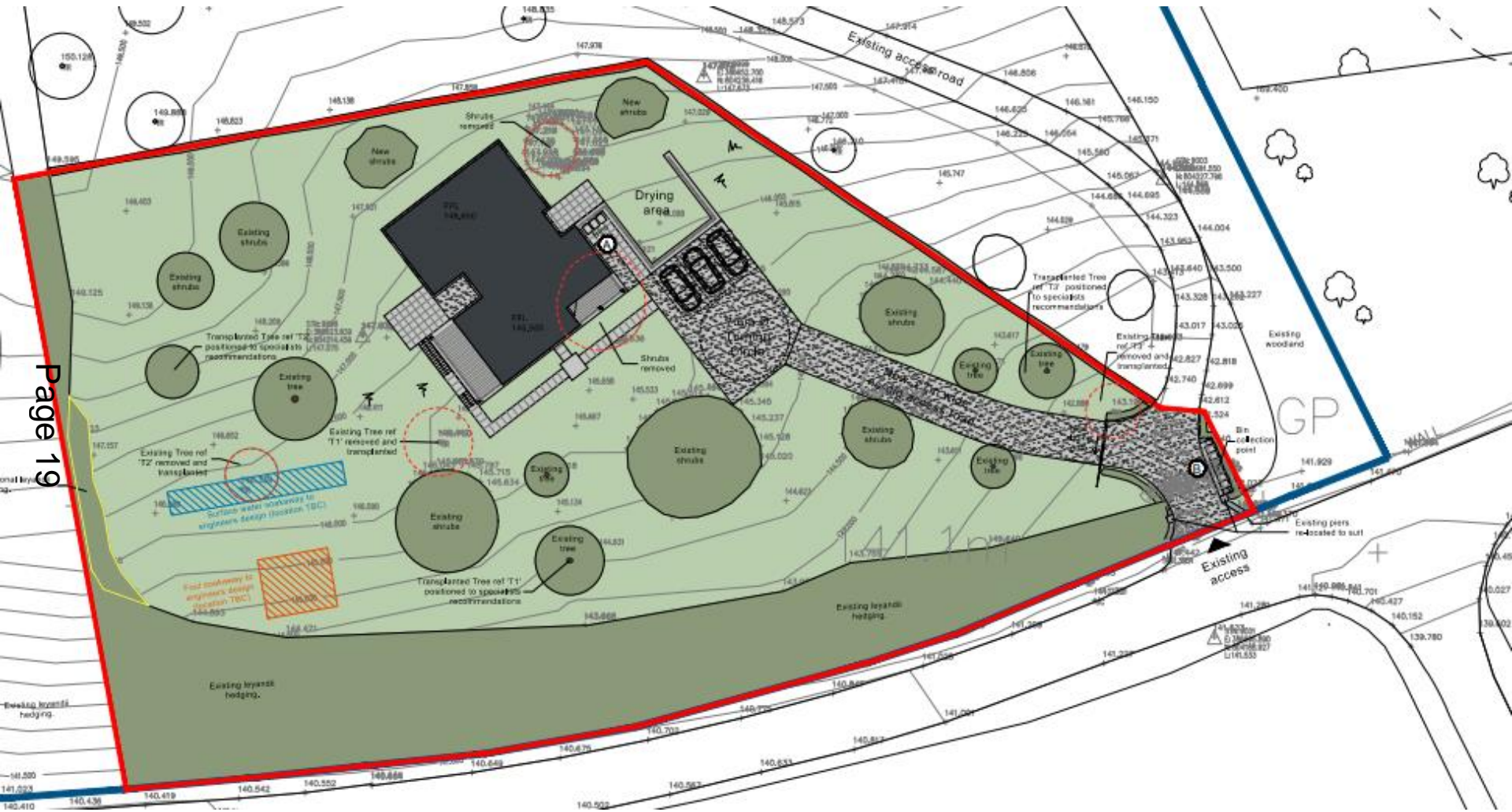
Key Views 6



Site Plan as Proposed

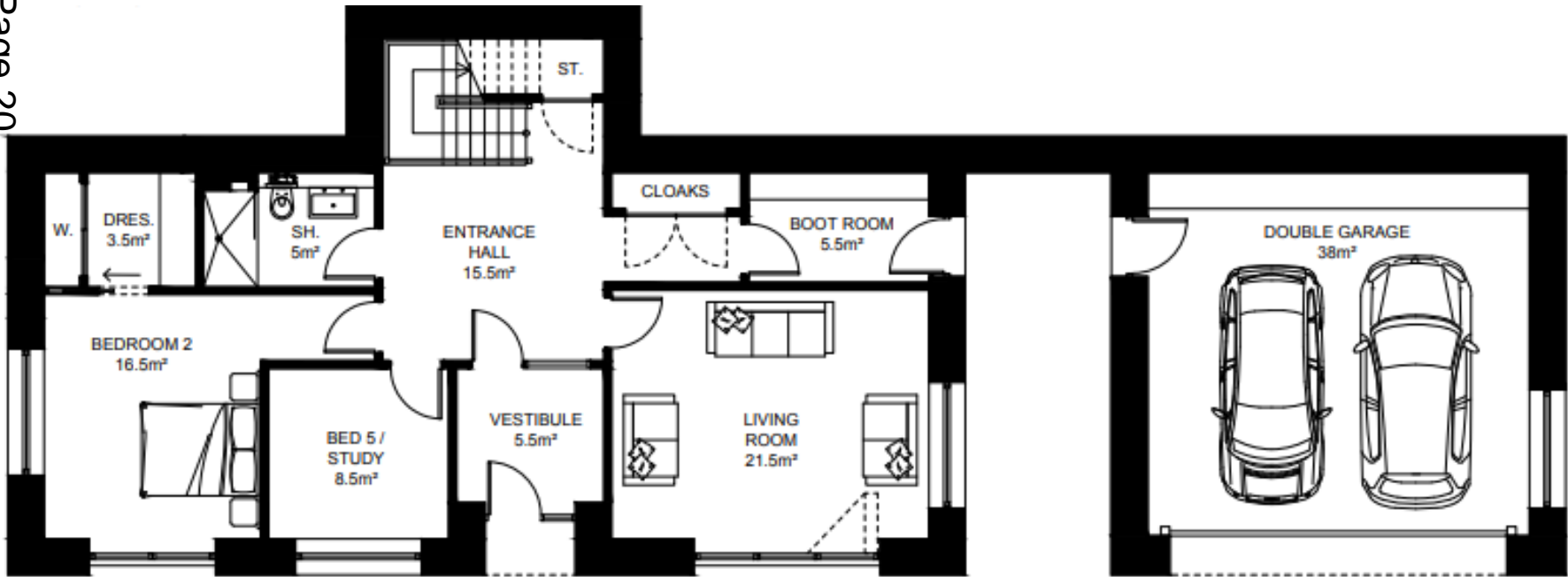


Site Plan as Proposed



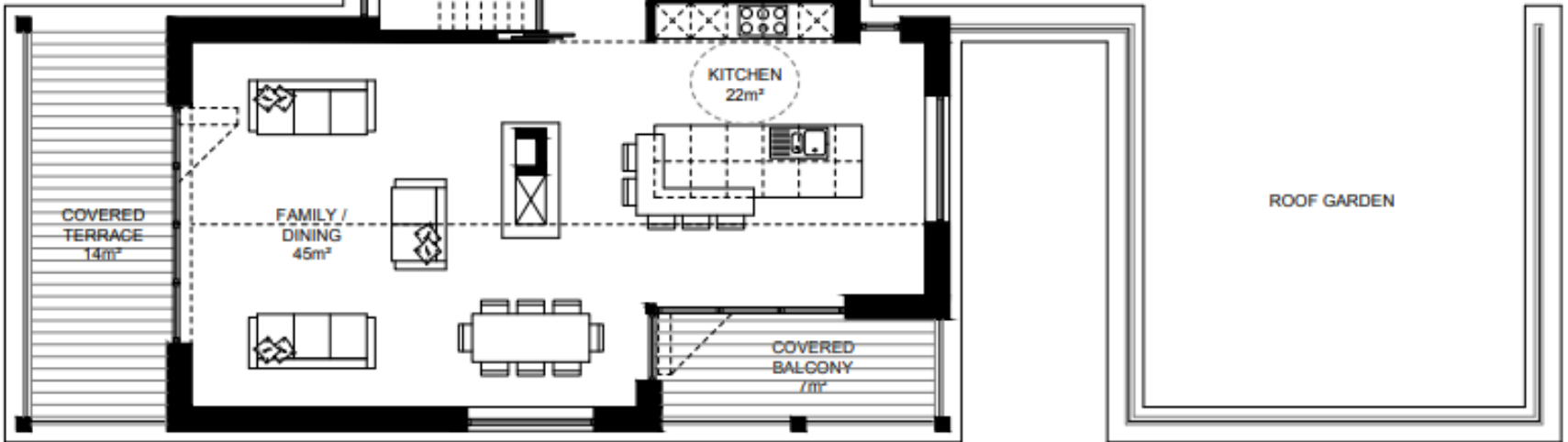
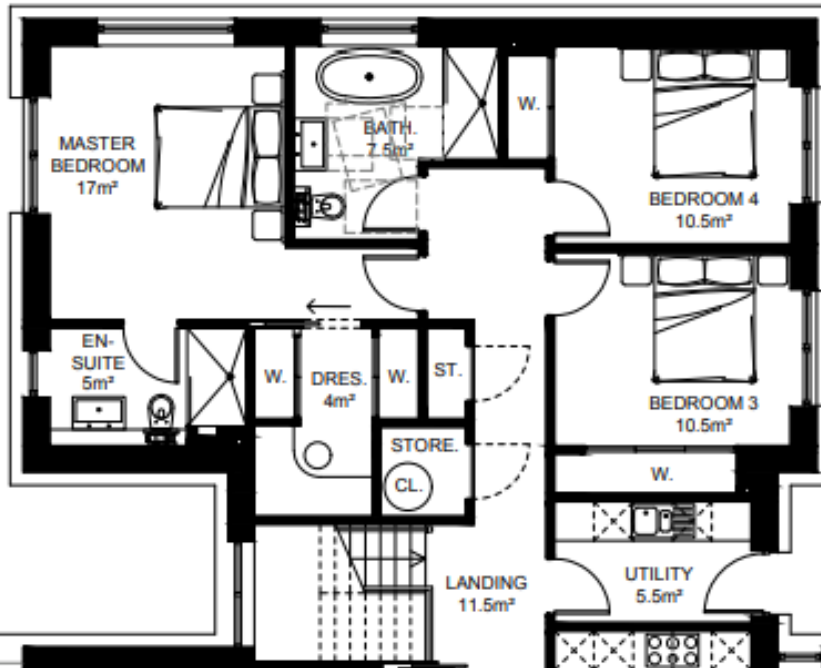
Proposed Ground Floor Plan

Page 20



GROUND FLOOR PLAN
SCALE 1:50@A1 / 1:100@A3

Proposed First Floor Plan



FIRST FLOOR PLAN
SCALE: 1:50 (A1)

Elevations



SOUTH-EAST

Page 22



SOUTH-WEST ELEVATION
SCALE 1/8"=1'-0" / 1/16"=1'-0"

SOUTH-WEST

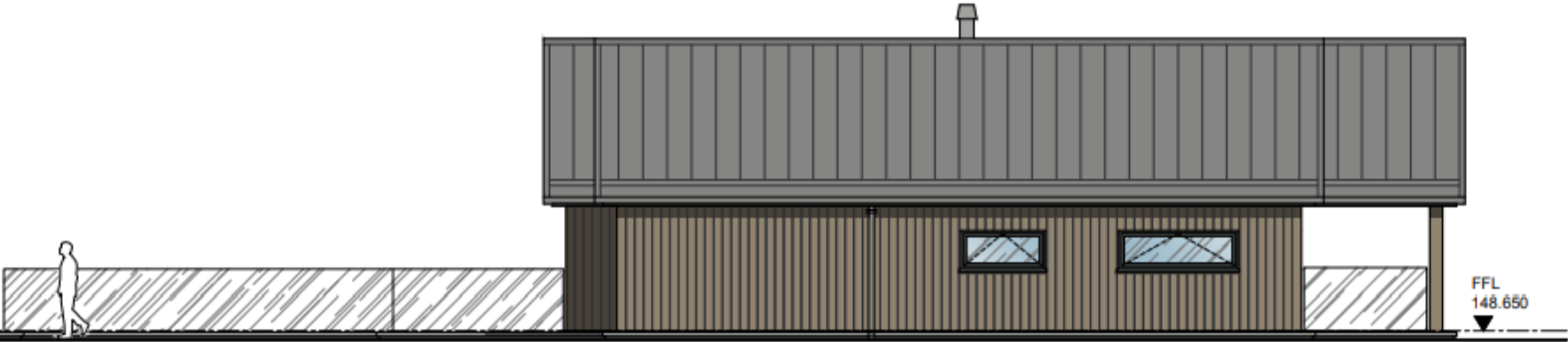
Elevations



NORTH-EAST ELEVATION
SCALE 1:50@A1 / 1:100@A3

NORTH-EAST

Page 23



NORTH-WEST

Reasons for Refusal

- 1) The application site lies within the Green Belt on the Aberdeen Local Development Plan (ALDP) Proposals Map 2017. Policy NE2 (Greenbelt) in the ALDP 2017 makes no provision for new/additional dwellinghouses in the countryside, unless it has been demonstrated as being essential for an existing agriculture or forestry enterprise, which the applicant has not been done in this case and does not accord with any of the 'exceptions' within the policy. In addition, the proposal is at odds with Scottish Planning Policy (SPP) which seeks the implementation of 'green belts' to protect the landscape setting of cities and towns. Therefore, collectively the principle of development is unacceptable.
- 2) The site would be located outwith a 400m radius of a bus stop, within a relatively undeveloped rural/green belt area, and therefore it is likely that occupants of the development would be unduly dependent on use of the private vehicle to transport themselves from the site to other parts of the city / essential supporting services. The proposal, therefore, would conflict with the policy objectives of Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel) in the Aberdeen Local Development Plan 2017 and their relevant supplementary guidance (Transport and Accessibility). Further, the green belt nature of the site, its location outwith the urban core and relative remoteness from a bus stop, together with the above policy considerations demonstrate that the proposal would not accord with the Scottish Planning Policy expectation of sustainable development.
- 3) Given the existing trees along the southern and western boundaries of the site are not protected and could be removed without the control of the Planning Authority, they cannot be relied upon as providing screening of the site and of the proposed house. Should they be removed and the proposed dwellinghouse is built, the proposed development would have an adverse visual impact on the character of the rural landscape/Green Belt given it would result in the incremental erosion of the open countryside which has been strategically designated to prevent coalescence with Aberdeenshire and maintain open views of the city from rural vistas to the west of the city under the guidance of Scottish Planning Policy in adopting the current Local Development Plan. Therefore, the proposal would conflict with the aims of Policy D2 (Landscape) in the Aberdeen Local Development Plan 2017 and Scottish Planning Policy (SPP).

Policy NE1 (Green Space Network)

Policy NE1 - Green Space Network

The Council will protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network, which is identified on the Proposals Map.

Proposals for development that are likely to destroy or erode the character and/or function of the Green Space Network will not be permitted.

Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments should maintain and enhance the coherence of the network. In doing so, provision should be made for access across roads for wildlife and outdoor recreation.

Masterplanning of new developments should consider the existing areas of Green Space Network and identify new areas incorporating Green Space Network.

Masterplans will determine the location, extent and configuration of the Green Space Network within the area, and its connectivity with the wider network.

Development which has a negative impact on existing wildlife habitats and connections, or other features of value to natural heritage, open space, landscape and recreation, should be mitigated through enhancement of the Green Space Network.

- Would this proposal destroy or erode the character or function of the Green Space Network?
- Would it have a negative impact on features of value to natural heritage, open space, landscape or recreation?

Policy NE2 (Green Belt)

- Note preamble on aim of green belt (below) – not merely for purposes of visual or environmental protection

Green Belt

3.101 The aim of the Green Belt is to maintain the distinct identity of Aberdeen and the communities within and around the city, by defining their physical boundaries clearly. Safeguarding the Green Belt helps to avoid coalescence of settlements and sprawling development on the edge of the city, maintaining Aberdeen's landscape setting and providing access to open space. The Green Belt directs planned growth to the most appropriate locations and supports regeneration.

Page 26

- No development other than that which is essential for:
 - Agriculture
 - Woodland and forestry
 - Recreational uses compatible with agricultural or natural setting
 - Mineral extraction/quarry restoration
 - Landscape renewal

Policy NE2 (Green Belt)

- Then sets out further list of exceptions:
 - Small-scale expansion of existing uses in GB
 - Essential infrastructure which cannot be accommodated other than in GB
 - Conversion of historic/vernacular buildings
 - Extension of buildings above as part of conversion scheme
 - Replacement of existing houses on one-for-one basis
- Requirement that all development in the Green Belt is of the highest quality in terms of siting, scale, design and materials.

Policy D1 (Quality Placemaking by Design)

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.

- Does the proposal represent a high standard of design and have strong and distinctive sense of place?

Supplementary Guidance: Sub-division and Redevelopment of Residential Curtilages

- Generally geared towards existing residential areas, rather than green belt context.
- Highlights importance of regard for established spatial character and built form of surrounding area – sets following criteria:
 - New dwellings must respect the established pattern of development formed by the relationship between buildings and their surrounding spaces (gardens etc.);
 - The scale and massing of the any new dwellings should complement the scale of surrounding properties;
 - The density of the surrounding area should be reflected in the development proposals for the new and existing property. As a general guide, no more than a third (33 per cent) of the total site area for each individual curtilage should be built upon;

Supplementary Guidance: Sub-division and Redevelopment of Residential Curtilages

- New dwellings should generally not project forward of any established building line;
- The distance between proposed dwellings, and between proposed and existing dwellings, (i.e. between gable ends) should be similar to that predominating on the street; and,
- The ridges or wallheads of any new dwellings should be no higher than the ridges or wallheads on adjoining dwellings.
- Should not adversely affect privacy or amenity at existing property/garden

Points for Consideration:

Principle: Does Green Belt policy NE2 allow for the sub-division of existing feus and construction of new dwellings in the manner proposed?

If not, are there any other material considerations that weigh in support of the proposal?

Design: Is the proposal of high design quality, appropriate to its context (D1) - *having regard for factors such as scale, siting, footprint, proportions relative to original, materials, colour etc?*

Does it accord with the principles set out for extensions in the 'Sub-Division and Redevelopment of Residential Curtilages' SG? What weight should these be afforded if the principle of a new house is not supported by NE2?


1. Does the proposal comply with the Development Plan when considered as a whole?

2. Are there any material considerations that outweigh the Development Plan in this instance?

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)

This page is intentionally left blank

 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
---	---

Site Address:	Highview House, Blacktop Road, Aberdeen, AB15 9BE
Application Description:	Erection of dwelling house with double garage and associated access road
Application Ref:	191418/DPP
Application Type:	Detailed Planning Permission
Application Date:	17 September 2019
Applicant:	Mr Michael Robertson
Ward:	Lower Deeside
Community Council:	Cults, Bielside and Milltimber
Case Officer:	Jamie Leadbeater

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises the majority of the front garden ground pertaining to a large detached bungalow known as Highview House set within a well-defined residential curtilage on the northern side of Blacktop Road where it converges with Baillieswells Road, immediately to the west of Countesswells plantation. Adjacent land controlled by the applicant to the north is bounded to the north by a commercial conifer plantation, with mature beech trees existing adjacent to the garden of Highfield House.

The site slopes from back (northern boundary) to front (southern boundary) and contains a number of small trees and shrubs within a well-maintained lawn area. Access to the site is obtained via an existing access serving Highview House off the northern edge of Blacktop Road. Tall mature trees treat the southern and western boundaries of the site. A low granite wall defines the south edge of the garden.

Relevant Planning History

None

APPLICATION DESCRIPTION

Description of Proposal

Detailed Planning Permission is sought for the erection of a new detached 4-bedroom two storey dwellinghouse with integrated garage and associated landscaping works (including driveway and car parking area) in the front garden ground of the existing dwellinghouse in the countryside.

The ground floor (understorey) level of the building, including the garage, would be finished in rubble masonry whilst the first floor of the building – which would contain the greatest proportion of the living space – would comprise of two connected gable sections finished in vertical timber linings with zinc clad roof. A mixture of dark grey framed large glazed sections, windows and doors would be used throughout, whilst covered balcony / terrace areas are proposed on the south-east and south-west elevations.

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=PXXAP4BZJH900> .

- Planning Statement
- Infiltration & Percolation Test Report

CONSULTATIONS

ACC - Waste Strategy Team – Standard response received, setting out requirements and raising no concerns.

ACC - Flooding & Coastal Protection – No comments provided.

ACC - Roads Development Management Team – No objection.

Cults, Bieldside & Milltimber Community Council – Neutral response. Do not object to the current application but are concerned this proposal – if consented – may result in further incremental development of the area. The land under the applicant's control was considered for 5 dwellinghouses in the recent 2022 ALDP housing bid assessments under bid reference B0925 but was considered unsuitable for inclusion in the next local development plan

REPRESENTATIONS

One representation has been received which objects to the proposal. The matters raised can be summarised as follows –

- Proposal not consistent with the provisions of Policy NE2 (Greenbelt) in the Aberdeen Local Development Plan 2017;
- The proposed curtilage split will have an unacceptable effect on the character and local identity of the rural locale;
- Proposal would not be consistent with the provisions of Policy D2 (Landscape) in the Aberdeen Local Development Plan 2017; and,
- Proposed curtilage-split would set a bad precedent for similar development in the semi-rural area.

MATERIAL CONSIDERATIONS

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

- Scottish Planning Policy

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.

The SDP is now 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)

- Policy CI1 – Digital Infrastructure
- Policy D1 – Quality Placemaking by design
- Policy D2 – Landscape
- Policy NE1 – Green Space Network
- Policy NE2 – Greenbelt
- Policy NE5 – Trees and Woodlands
- Policy NE6 – Flooding, Drainage and Water Quality
- Policy R7 – Low and Zero Carbon Buildings, and Water Efficiency
- Policy T2 – Managing the Transport Impact of Development
- Policy T3 – Sustainable and Active Travel

Supplementary Guidance (SG)

- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Transport and Accessibility

EVALUATION

Principle of Development

The acceptability of the proposed development in principle falls under two different policy considerations – compliance with Policy NE1 and compliance with NE2 in the ALDP, and considerations of any other material considerations. Neither policy has any greater weight than the other, but in order for the proposal to be acceptable in principle it should comply with both policies. Furthermore, it should be noted that Scottish Planning Policy (SPP) is clear in identifying that the purpose of green belt designation in the development plan is: to direct planned growth to the most appropriate locations; protect and enhance the quality, character, landscape setting and identity of towns and cities; and, protect and give access to open space within and around towns and cities.

Policy NE1 states the Council will protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network (GSN). Proposals for development that are likely to destroy or erode the character and/or function of the GSN will not be permitted. The loss of garden ground and its associated vegetation would have only a marginal

impact on the character and function of the GSN. Given that the proposed development would be sited on a continuously maintained area of garden ground falling within a defined residential curtilage, it is likely to be of limited value to the function of the GSN, especially mindful of householder permitted development rights. Subsequently, any tension with NE1 policy would not be an appropriate basis for refusal in this instance. The development of the site area is unlikely to have any significant tangible adverse impact on the function or habitat of the wider Green Space Network

Policy NE2 in the ALDP states no development will be permitted in the Green Belt for purposes other than those essential for agriculture; woodland and forestry; recreational uses compatible uses compatible with an agricultural or natural setting; mineral extraction /quarry restoration; or landscape renewal. Beyond these provisions, the policy does make allowances for exceptions to accommodate development outwith these defined uses. The exceptions are:

- 1) Developments associated with existing activities;
- 2) Essential infrastructure;
- 3) Change of use to historic buildings;
- 4) Extensions to existing buildings; and,
- 5) Erection of replacement dwellinghouses.

The proposed development by virtue of its Class 9 use would not fall within any of the categories of permissible development set out in Policy NE2. No evidence has been provided to demonstrate that house in essential on this site to facilitate the functional requirements of, or is directly associated with, an existing agricultural or forestry enterprise. Furthermore, the proposal would not fall within any of the 'exceptions' under the provisions of the policy. Taking into account the aforementioned points, the proposal is not considered compliant with Policy NE2, a point raised by the objector. Additionally, within this context, as set out by the objector, permitting a "curtilage split" could set an unwelcome precedent for similar rural development given it would result in the undue incremental erosion of the greenbelt which would be to the detriment of the greenbelt's character and identity.

Overall, given the proposal is clearly contrary to Policy NE2 in the ALDP and contrary to the purpose of green belts as expressed in SPP, the principle of development is not considered acceptable. Furthermore, the site is not identified as an opportunity site for development within the adopted local plan.

On a related matter, it should be noted that the site formed part of a housing land allocation bid for inclusion in the forthcoming local development plan (to be adopted in 2022) under bid reference B0925 but the site has been rejected for inclusion in the draft plan due to its isolated countryside location which bears no relationship with existing settlements and would be entirely car dependent. This is a point raised by the Community Council.

Access and Parking / Public safety

Policies T2 and T3 in the ALDP require new developments to be accessible by a range of transport modes in order to minimise traffic generated. The associated Supplementary Guidance (SG) titled Transport and Accessibility states all new developments should be accessible by public transport to take cognisance of what the aforementioned policies aim to achieve and therefore new developments should have access to public transport within 400m of the proposed dwellinghouse's origin/access.

Having reviewed the site's location, the nearest permanent bus stops are located along North Deeside Road and the A944 set 2.34km to the south and 1.99km to the north respectively – far in excess of the 400m requirement. There currently is a temporary shuttle bus which runs along Beech Tree Gardens and Countesswells Road to serve the residents of the new Countesswells settlement to the Northeast-east of the site, but even at the route's closest point (where Blacktop Road meets the junction of Beech Tree Gardens and Countesswells Road) it falls well beyond 400m from the

site and Blacktop Road does not benefit from any pedestrian pavement or defined cycle way to allow safe access to any future permanent bus stop arrangements to serve the new settlement. The applicant has tried to address these concerns through their Supporting Statement by making reference to Core Paths nos. 50 and 55 as “providing safe and attractive walking and cycling routes as a means of providing a safe connection to the bus stops in Countesswells”. However, Core Path 55 runs in a northerly and north-westerly direction into and through Countesswells Woods and not towards the Countesswells housing. Whilst it connects to Core Path 50, which does eventually lead to the housing area, it would be a rather lengthy, indirect and unlit route to any future public transport routes. As such, these factors are likely to discourage access to and from the site via a range of sustainable transport modes and merely place an undue likely level of dependency on the use of the private vehicle which is environmentally unsustainable. Therefore, the proposal is non-compliant with policies T2 and T3 in the ALDP.

The Council's Roads Development Team has been consulted on the proposed access and parking arrangements, which have been considered to be acceptable from a technical roads' safety perspective. They raise no safety concerns, but the existing road access serving Highview House would be intensified under the proposals. This is considered to be a concern given the road is narrow and lies on a hillside location with no pedestrian footway or defined cycle lane. Thus, permitting such a development could worsen an existing situation which is hazardous to pedestrians, cyclists and vehicle drivers.

Layout, Siting, Scale and Design

With regards to layout, the proposed development would be appropriately proportioned in terms of striking balance between delivering a sizeable dwellinghouse whilst also offering a generously sized garden ground which would provide an acceptable level of general residential amenity. It is also noted that the site also provides adequate room to deliver a turning circle and parking space to serve the likely demands of private vehicles used by prospective owners. Finally, it is noted that the house has been sited to minimise disturbance to existing trees on the site, but upon consultation with the Council's Tree Officer the removal of two trees is considered acceptable as they are not trees which carry landscape character and amenity value. In terms of siting, the proposed house would be located far enough away from the existing house to the north-east to prevent any internal inter-looking between houses.

In terms of scale, the footprint of the house is considered reasonable given the size of the site and the height of the building has been carefully designed to take account of the topography of the site.

With regard to design, the proposed house would incorporate a mixture of traditional and contemporary features and finishes which are considered suitable for the site's green belt context. Although the proposed plans provide alternative finishing materials for the vertical wall cladding, soffits and rainwater goods, either of the options would be considered acceptable in this case. Furthermore, all elevations would contain an extensive level of glazing to serve rooms to allow an internal sense of space and permeation of natural light which contribute to an acceptable level of general residential amenity.

Overall, the proposed layout, siting, scale and design of the dwellinghouse scheme is considered acceptable within the parameters of Policy D1 in the ALDP. Notwithstanding, these merits of the proposal do not outweigh the conflict with Policy NE2 and with SPP with regard to the proposal being an unacceptable form of development in the green belt.

Landscape Impact

The proposed house has been designed to minimise the likelihood of it breaching the height of the existing trees which treat the southern and western boundaries of the site. As such, providing these trees remain in place, the proposed house would not have a prominent visual impact from Blacktop Road or from other public vistas further away. However, most critically, the Planning Authority does

not have control over whether the existing trees remain in place as they do not benefit from any protection measures such as being in a conservation area or via a Tree Preservation Order (TPO). Moreover, there is always a stronger likelihood that trees are removed where they impact on residential amenity e.g. given the house has been designed to make best use of views towards Deeside and the south-west towards Wester Ord the trees may be removed to maximise views from the living area and balcony areas.. Therefore, it is necessary/prudent to consider the implications of the proposed development on the city's landscape if the trees were not in place. As set out above, the purpose of the Green Belt is to protect the periphery of the city from development to maintain an 'open' character to rural surrounding areas in a bid to provide a more distinct/defined built edge to the city. In light of this, whilst the house is well-designed, it would be prominent within the landscape and therefore would adversely impact on the openness of the city's 'built edge' to the west, by contributing to the incremental loss of the countryside. Such an impact would harm the rural landscape character that provides the setting of the city from the west and therefore the proposal would not be compliant with Policy D2 in the ALDP, a view expressed by the objector.

Drainage

The applicant has submitted a certified "Infiltration & Percolation Test Report" to verify that appropriate surface water and foul water drainage infrastructure could be installed in line with ground conditions to serve the proposed dwellinghouse. The submitted site plan identifies this infrastructure can be accommodate within the site. Collectively this information is considered sufficient to satisfy the relevant requirements of Policy NE6 in the ALDP. If the application is approved, implementation of SUDS (Sustainable Urban Drainage System) infrastructure prior to occupation shall need to be controlled by condition.

Other site servicing matters

All new residential development in the city are required to demonstrate that they would have access to modern, up-to-date high-speed communications infrastructure e.g. fibre optic broadband, under Policy CI1 in the ALDP. This has not been demonstrated. Policy R7 in the ALDP requires development to have a low carbon and high-water efficiency usage through their design. Given that such measures would not come to light until building warrant stage, it would be reasonable to allow this policy requirement to be controlled through use of condition if the application is approved.

Strategic Development Plan implications

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

Matters raised in representation not yet addressed

- *Proposed curtilage-split would set a bad precedent for similar development in the semi-rural area* – whilst the proposal could be construed as a curtilage-split, the overriding concern is that the site falls within the designated Green Belt on the ALDP Proposals Map and that there is no provision under Policy NE2 in the ALDP for new/additional houses in the countryside. Subsequently, if this application were approved, then it could "set a bad precedent" for further residential development in the Green Belt as it would encourage the incremental loss of Green Belt land. This includes land, such as this site, which falls within a defined residential curtilage.

Conclusion

Overall, the principle of development is not considered acceptable as development of the site for residential purposes carries no appropriate justification under the provisions of Policy NE2 in the ALDP and access to and from the site is likely to be limited to use of private vehicles given the site's isolated rural location within the context of the city boundary discourages use of sustainable means of transport. Therefore, the proposal is considered to be at odds with key policies NE2, T2 and T3

in the ALDP 2017 and well as Scottish Planning Policy, which forms the basis of these policies approach and aims. Although the proposed layout and design of the house is of a good quality, the siting of the house in an isolated rural/green belt location poses an adverse impact on the character of the rural/green belt landscape and wider setting of the city from the west and therefore the requirements of both policies D1 and D2 in the ALDP could not be satisfied. As another material consideration, given Blacktop Road is positioned on a narrow hillside and benefits from no footway or defined cycle way, the proposal does pose road safety concerns for both prospective residents or the house and users of Blacktop Road by virtue of the increased use of the existing road access serving Highview House which would be intensified if the proposals are permitted. Subsequently, the drawbacks of the proposal heavily outweigh the design merits of the house and therefore the application is recommended for refusal.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed development is refused for the following reasons:

- 1) The application site lies within the Green Belt on the Aberdeen Local Development Plan (ALDP) Proposals Map 2017. Policy NE2 (Greenbelt) in the ALDP 2017 makes no provision for new/additional dwellinghouses in the countryside, unless it has been demonstrated as being essential for an existing agriculture or forestry enterprise, which the applicant has not been done in this case and does not accord with any of the 'exceptions' within the policy. In addition, the proposal is at odds with Scottish Planning Policy (SPP) which seeks the implementation of 'green belts' to protect the landscape setting of cities and towns. Therefore, collectively the principle of development is unacceptable.
- 2) The site would be located outwith a 400m radius of a bus stop, within a relatively undeveloped rural/green belt area, and therefore it is likely that occupants of the development would be unduly dependent on use of the private vehicle to transport themselves from the site to other parts of the city / essential supporting services. The proposal, therefore, would conflict with the policy objectives of Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel) in the Aberdeen Local Development Plan 2017 and their relevant supplementary guidance (Transport and Accessibility). Further, the green belt nature of the site, its location outwith the urban core and relative remoteness from a bus stop, together with the above policy considerations demonstrate that the proposal would not accord with the Scottish Planning Policy expectation of sustainable development.
- 3) Given the existing trees along the southern and western boundaries of the site are not protected and could be removed without the control of the Planning Authority, they cannot be relied upon as providing screening of the site and of the proposed house. Should they be removed and the proposed dwellinghouse is built, the proposed development would have an adverse visual impact on the character of the rural landscape/Green Belt given it would result in the incremental erosion of the open countryside which has been strategically designated to prevent coalescence with Aberdeenshire and maintain open views of the city from rural vistas to the west of the city under the guidance of Scottish Planning Policy in adopting the current Local Development Plan. Therefore, the proposal would conflict with the aims of Policy D2 (Landscape) in the Aberdeen Local Development Plan 2017 and Scottish Planning Policy (SPP).

This page is intentionally left blank



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 100180299-001

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

Type of Application

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

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

Description of Proposal

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

Erection of new dwelling house as per application drawings.

Is this a temporary permission? *

Yes No

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

Yes No

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

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Mackie Ramsay Taylor Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Bruce	Building Name:	
Last Name: *	Kinmond	Building Number:	47
Telephone Number: *	01224 639 295	Address 1 (Street): *	Victoria Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB10 1QA
Email Address: *	bruce.kinmond@mrtarchitects.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Highview House
First Name: *	Michael	Building Number:	
Last Name: *	Robertson	Address 1 (Street): *	Cults
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB15 9BE
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

HIGHVIEW HOUSE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB15 9BE

Please identify/describe the location of the site or sites

Northing

804264

Easting

386653

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

0.42

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Residential (no change of use)

Access and Parking

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

Yes No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

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

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

0

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

4

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

Water Supply and Drainage Arrangements

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

Yes No

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

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

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
 Discharge to watercourse(s) (including partial soakaway).
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

All drainage to be dealt with on site by means of soakaways and a foul septic tank to project engineers design. Refer supporting infiltration / percolation test report and associated drainage plan.

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

Yes No

Note:-

Please include details of SUDS arrangements on your plans

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

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

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

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

Assessment of Flood Risk

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

Yes No Don't Know

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

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

Yes No Don't Know

Trees

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

Yes No

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

Waste Storage and Collection

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

Yes No

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

Waste storage and collection point proposed at site access nearby adjoining public road. All as indicated on enclosed site plan.

Residential Units Including Conversion

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

Yes No

How many units do you propose in total? *

1

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

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Certificates and Notices

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

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

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

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Bruce Kinmond

On behalf of: Mr Michael Robertson

Date: 16/09/2019

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

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

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr Bruce Kinmond

Declaration Date: 16/09/2019

Payment Details

Cheque: M ROBERTSON AND MRS S K ROBERTSON, 1784

Created: 16/09/2019 12:34



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 100180299-002

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

Site Address Details

Planning Authority:

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

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:	Mackie Ramsay Taylor Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Bruce	Building Name:	
Last Name: *	Kinmond	Building Number:	47
Telephone Number: *	01224 639 295	Address 1 (Street): *	Victoria Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB10 1QA
Email Address: *	bruce.kinmond@mrtarchitects.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Highview House
First Name: *	Michael	Building Number:	
Last Name: *	Robertson	Address 1 (Street): *	Cults
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB15 9BE
Fax Number:			
Email Address: *			

Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? *

Yes No

Application Details

Please select which application(s) the new documentation is related to.

Application: *

100180299-001, application for Planning Permission, submitted on 16/09/2019

Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: * (Max 500 characters)

Additional information in response to Roads Department comments.

Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. *

Yes No

Declare – Post Submission Additional Documentation

I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mr Bruce Kinmond

Declaration Date: 01/10/2019

This page is intentionally left blank



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 100180299-003

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.

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

HIGHVIEW HOUSE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB15 9BE

Please identify/describe the location of the site or sites

Northing

804264

Easting

386653

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:	Mackie Ramsay Taylor Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Bruce	Building Name:	
Last Name: *	Kinmond	Building Number:	47
Telephone Number: *	01224 639 295	Address 1 (Street): *	Victoria Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB10 1QA
Email Address: *	bruce.kinmond@mrtarchitects.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Highview House
First Name: *	Michael	Building Number:	
Last Name: *	Robertson	Address 1 (Street): *	Cults
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB15 9BE
Fax Number:			
Email Address: *			

Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? *

Yes No

Application Details

Please select which application(s) the new documentation is related to.

Application: *

Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: * (Max 500 characters)

Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. *

Yes No

Declare – Post Submission Additional Documentation

I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mr Bruce Kinmond

Declaration Date: 12/11/2019

This page is intentionally left blank

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Bruce Kinmond
Mackie Ramsay Taylor Architects
47 Victoria Street
Aberdeen
AB10 1QA

on behalf of **Mr Michael Robertson**

With reference to your application validly received on 17 September 2019 for the following development:-

Erection of dwelling house with double garage and associated access road at Highview House, Blacktop Road

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

Drawing Number	Drawing Type
1986 L(90)001	Location Plan
1986 - L(20)010B	Multiple Floor Plans (Proposed)
1986 - L(40)010	Multiple Elevations (Proposed)
1986 - L(40)011	North Elevation (Proposed)
1986 - L(90)010C	Site Layout (Proposed)
1986 - L(90)011	Other Drawing or Plan

REASON FOR DECISION

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

- 1) The application site lies within the Green Belt on the Aberdeen Local Development Plan (ALDP) Proposals Map 2017. Policy NE2 (Greenbelt) in the ALDP

2017 makes no provision for new/additional dwellinghouses in the countryside, unless it has been demonstrated as being essential for an existing agriculture or forestry enterprise, which the applicant has not been done in this case and does not accord with any of the 'exceptions' within the policy. In addition, the proposal is at odds with Scottish Planning Policy (SPP) which seeks the implementation of 'green belts' to protect the landscape setting of cities and towns. Therefore, collectively the principle of development is unacceptable.

2) The site would be located outwith a 400m radius of a bus stop, within a relatively undeveloped rural/green belt area, and therefore it is likely that occupants of the development would be unduly dependent on use of the private vehicle to transport themselves from the site to other parts of the city / essential supporting services. The proposal, therefore, would conflict with the policy objectives of Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel) in the Aberdeen Local Development Plan 2017 and their relevant supplementary guidance (Transport and Accessibility). Further, the green belt nature of the site, its location outwith the urban core and relative remoteness from a bus stop, together with the above policy considerations demonstrate that the proposal would not accord with the Scottish Planning Policy expectation of sustainable development.

3) Given the existing trees along the southern and western boundaries of the site are not protected and could be removed without the control of the Planning Authority, they cannot be relied upon as providing screening of the site and of the proposed house. Should they be removed and the proposed dwellinghouse is built, the proposed development would have an adverse visual impact on the character of the rural landscape/Green Belt given it would result in the incremental erosion of the open countryside which has been strategically designated to prevent coalescence with Aberdeenshire and maintain open views of the city from rural vistas to the west of the city under the guidance of Scottish Planning Policy in adopting the current Local Development Plan. Therefore, the proposal would conflict with the aims of Policy D2 (Landscape) in the Aberdeen Local Development Plan 2017 and Scottish Planning Policy (SPP).

Date of Signing 11 December 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.

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.

This page is intentionally left blank

Consultee Comments for Planning Application 191418/DPP

Application Summary

Application Number: 191418/DPP

Address: Highview House Blacktop Road Aberdeen AB15 9BE

Proposal: Erection of dwelling house with double garage and associated access road

Case Officer: Jamie Leadbeater

Consultee Details

Name: Mr Nathan Thangaraj

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

Email: nthangaraj@aberdeencity.gov.uk

On Behalf Of: ACC - Roads Development Management Team

Comments

I note this application for the erection of a dwelling house with double garage and associated access road at Highview House, Blacktop Road, Aberdeen AB15 9BE.

The proposed is for a 5 bedroom dwelling, which as per ACC guidance requires an associated parking provision of 3 spaces. I can confirm that this is proposed in the form a double garage and significant driveway extents, driveways allow adequate area for vehicles to turn and exit within a forward gear. This double garage should be at least 6m x 6m with an internal minimum size of 5.7m x 5.7m.

I note the site will take access via a private road which connects to Blacktop Road and would query if there is sufficient room for a delivery van to enter the site without overhanging on the adopted carriageway. Can the applicant provide a swept path plan for a delivery van entering/exiting the site to address this issue?

I would query what the proposed refuse collection plan is for the site? I would expect the waste management team to comment on the collection plan.

Upon receipt of the requested information, I will be better placed to provide a comprehensive Roads response.

This page is intentionally left blank

Aberdeen City Council – Development Management Consultation Request

From: Jamie Leadbeater	Date: 18 September 2019
Email: JLeadbeater@aberdeencity.gov.uk	Ref: 191418/DPP
Tel.: 01224 523731	Expiry Date: 9 October 2019

Detailed Planning Permission

**191418/DPP: Erection of dwelling house with double garage and associated access road at Highview House
Blacktop Road
Aberdeen
AB15 9BE**

All plans and supporting documentation available at the following link:

<https://publicaccess.aberdeencity.gov.uk/online-application/applicationDetails.do?activeTab=summary&keyVal=PXXAP4BZJH900>

Please select one of the following

No observations/comments.	
Would make the following comments (please specify below).	
Would recommend the following conditions are included with any grant of consent.	Y
Would recommend the following comments are taken into consideration in the determination of the application.	
Object to the application (please specify reasons below).	

COMMENTS

Waste Services response regarding application 191418: Highview house

As I understand, the development will consist of an erection of **1 house**

I have consulted with colleagues across the waste operations team. I can confirm that Aberdeen City Council intend to provide the following services upon building completion.

Please note the information provided below by Waste Services is independent of the outcome of the planning application, which is being determined by the planning authority.

The residential property will be provided with:

- **1 x 180 litre wheeled bin for general waste**
- **1 x 240 litre co-mingled recycling bin for recycling**

- **1 x 240litre wheeled bin for food and garden waste (kitchen caddy, bioliners and associated information will be provided as well)**

The following costs will be charged to the developer:

- **Each 180l or 240l bin cost £30.00 each**
- **Delivery charge of £35.00**

It is pertinent to note that these services will be provided taking account of the following:

General points

- All the waste containers must be presented **the kerbside of Blacktop road** only the collection day and must be removed from the kerbside as soon as possible. No containers should be permanently stored on the kerbside.
- **No excess** should be stored out with the containment provided. Information for extra waste uplift is available to residents at either www.aberdeencity.gov.uk/wasteaware or by phoning 03000 200 292.
- Further information can be found in the Waste Supplementary Guidance available at: <https://www.aberdeencity.gov.uk/sites/aberdeen-cms/files/7.1.PolicySG.ResourcesForNewDevelopmentTC.P.4.8.9.12.13.pdf>

Developers must contact Aberdeen City Council a minimum of ONE month before properties will be occupied. Bins MUST be on site prior to residents moving into properties. A Purchase Order should be raised with Aberdeen City Council using the above details and we will provide further guidance for purchasing the bins.

In the final stages of completion, a representative from Aberdeen City Council's Waste team will assess the site to ensure that all of our considerations have been implemented.

Responding Officer: Hannah Lynch

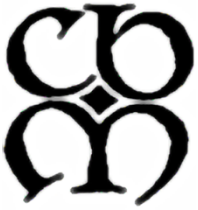
Date: 20.09.2019

Email: halynch@aberdeencity.gov.uk

Ext: 87627

Please note: Unless agreed with the Case Officer, should no response be received by the expiry date specified above it will be assumed your Service has no comments to make.

Should further information be required, please let the Case Officer know as soon as possible in order for the information to be requested to allow timeous determination of the application.



CULTS BIELDSIDE AND MILLTIMBER COMMUNITY COUNCIL

8 October 2019

Mr Jamie Leadbeater
Strategic Place Planning
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Mr Leadbeater

**191418/DPP - Erection of dwelling house with double garage and associated access road.
Highview House Blacktop Road Aberdeen AB15 9BE**

We are not uncomfortable with the above application but note that proposal B0925 for inclusion in ALDP2022 contained this as one of five houses to be built on land adjacent to Highview House. B0925 was rated as "unsuitable" by ACC for inclusion in ALDP2022 and we supported that view for the reasons given in the ACC bid assessments.

We have no objection to the current application but are concerned about the potential for incremental development. Should the application be approved we wish to see a condition included to prevent further development on the lines of B0925.

Yours sincerely

Colin Morsley


Colin Morsley: Planning Liaison Officer, CBMCC
188 North Deeside Road, Milltimber, Aberdeen AB13 0HL
☎ 01224 733108 ✉ planning@cbmcommunity.org.uk
Website: www.cbmcommunity.org.uk
The CBMCC website contains our Data Privacy Notice

This page is intentionally left blank

Comments for Planning Application 191418/DPP

Application Summary

Application Number: 191418/DPP

Address: Highview House Blacktop Road Aberdeen AB15 9BE

Proposal: Erection of dwelling house with double garage and associated access road

Case Officer: Jamie Leadbeater

Customer Details

Name: Dr Bill Harrison

Address: 16 Summer Place Dyce Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application. Reason: the proposed land use (domestic dwelling) is not consistent with policy NE2 (green belt) of the Aberdeen Local Development Plan. The proposed curtilage split of Highview House will have an unacceptable effect on the character and local identity of this rural area and is not consistent with policy D2 (landscape) of the Aberdeen Local Development Plan. The proposed curtilage split will set a bad precedent for the semi-rural area.

This page is intentionally left blank

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;

D2: Landscape

NE1: Green Space Network

NE2: Green Belt

NE5: Trees and Woodlands

NE6: Flooding, Drainage and Water Quality

R7: Low and Zero Carbon Buildings, and Water Efficiency

T2: Managing the Transport Impact of Development

T3: Sustainable and Active Travel

Supplementary Guidance

Sub-division and Redevelopment of Residential Curtilages

<https://www.aberdeencity.gov.uk/sites/default/files/2.2.PolicySG.ResiCurtilages.pdf>

Flooding, Drainage and Water Quality

<https://www.aberdeencity.gov.uk/sites/default/files/6.3.PolicySG.Flooding.pdf>

Green Space Network and Open Space

<https://www.aberdeencity.gov.uk/sites/default/files/6.4.PolicySG.OpenSpace.pdf>

Transport and Accessibility

<https://www.aberdeencity.gov.uk/sites/default/files/5.1.PolicySG.TransportAccessibility.pdf>

Resources for New Development

<https://www.aberdeencity.gov.uk/sites/default/files/7.1.PolicySG.ResourcesForNewDevelopmentTC.P.4.8.9.12.13.pdf>

This page is intentionally left blank



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 100232258-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

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" value="c/o agent"/>
First Name: *	<input type="text" value="Michael"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Robertson"/>	Address 1 (Street): *	<input type="text" value="c/o agent"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="c/o agent"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="c/o agent"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="c/o agent"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="info@auroraplanning.co.uk"/>		

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="HIGHVIEW HOUSE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB15 9BE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="804264"/>	Easting	<input type="text" value="386653"/>
----------	-------------------------------------	---------	-------------------------------------

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 dwelling house with double garage and associated access road

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 paper apart

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)

Please see Appendix One to the paper apart

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

191418/DPP

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

17/09/2019

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

11/12/2019

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

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

The application site is located within the applicant's private garden ground, which is accessed through a gate. The applicant would be happy to arrange access if required.

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: Miss Pippa Robertson

Declaration Date: 18/02/2020

This page is intentionally left blank



**HIGHVIEW HOUSE
COUNTESWELLS ROAD
ABERDEEN
AB15 9BE**

**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 191418/DPP

PAPER APART



1 Introduction

- 1.1 Planning application reference 191418/DPP was validly submitted to Aberdeen City Council on 17 September 2019 seeking planning permission for *“Erection of dwelling house with double garage and associated access road at Highview House Blacktop Road Aberdeen.”*
- 1.2 The application was refused on 11 December 2019, with the Decision Notice [Document 1] stating that:

“(1) The application site lies within the Green Belt on the Aberdeen Local Development Plan (ALDP) Proposals Map 2017. Policy NE2 (Greenbelt) in the ALDP 2017 makes no provision for new/additional dwellinghouses in the countryside, unless it has been demonstrated as being essential for an existing agriculture or forestry enterprise, which the applicant has not been done in this case and does not accord with any of the 'exceptions' within the policy. In addition, the proposal is at odds with Scottish Planning Policy (SPP) which seeks the implementation of 'green belts' to protect the landscape setting of cities and towns. Therefore, collectively the principle of development is unacceptable.

(2) The site would be located outwith a 400m radius of a bus stop, within a relatively undeveloped rural/green belt area, and therefore it is likely that occupants of the development would be unduly dependent on use of the private vehicle to transport themselves from the site to other parts of the city / essential supporting services. The proposal, therefore, would conflict with the policy objectives of Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel) in the Aberdeen Local Development Plan 2017 and their relevant supplementary guidance (Transport and Accessibility). Further, the green belt nature of the site, its location outwith the urban core and relative remoteness from a bus stop, together with the above policy considerations demonstrate that the proposal would not accord with the Scottish Planning Policy expectation of sustainable development.

(3) Given the existing trees along the southern and western boundaries of the site are not protected and could be removed without the control of the Planning Authority, they cannot be relied upon as providing screening of the site and of the proposed house. Should they be removed and the proposed dwellinghouse is built, the proposed development would have an adverse visual impact on the character of the rural landscape/Green Belt given it would result in the incremental erosion of the open countryside which has been



strategically designated to prevent coalescence with Aberdeenshire and maintain open views of the city from rural vistas to the west of the city under the guidance of Scottish Planning Policy in adopting the current Local Development Plan. Therefore, the proposal would conflict with the aims of Policy D2 (Landscape) in the Aberdeen Local Development Plan 2017 and Scottish Planning Policy (SPP)."

1.3 A review of the decision to refuse the application is now sought on the grounds that, as set out in the Planning Statement submitted with the application [Document 5] and in the following paragraphs, the proposed development:

- is supported by the vision, aims and objectives of the Strategic Development Plan; and
- complies with the relevant policies of the Local Development Plan, specifically Policies NE2, NE1, D1, D2, NE5, NE6, T2, T2, R6, R7, CI1, I1 and related Supplementary Guidance.

1.4 In particular:

- whilst not specifically listed in Policy NE2 as an exception that would apply to development in the Green Belt, the proposal does not compromise the aims of the Aberdeen Green Belt and, in that respect, is consistent with previous planning decisions;
- is well located to benefit from the services and facilities to be provided in Countesswells, which is only 200m from the site, with accessibility being appropriate to the context and scale of development, such that it is consistent with Policy T2 and Supplementary Guidance: Transport and Accessibility [Document 22]; and
- benefits from mature trees surrounding the site that screen the development from the surrounding area, with the Report of Handling [Document 11] noting that *"providing these trees remain in place, the proposed house would not have a prominent visual impact from Blacktop Road or from other public vistas further away"* and there being no proposal to remove these trees, in respect of which a Tree Preservation Order could be served on the site in accordance with section 160 of the Town and Country Planning (Scotland) Act 1997 if assurance that they will be maintained is sought.

1.5 It should also be noted that there were no objections to the application from any statutory consultees, including Cults, Bieldside & Milltimber Community Council.



2 Policy context

- 2.1 Full details of both the proposed development and the policy context against which it requires to be considered are set out in the Planning Statement submitted with the application, in terms of which it is submitted that the application complies with the Development Plan as outlined above. That Planning Statement now forms part of the review documents, and its terms are incorporated herewith.
- 2.2 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.
- 2.3 For the reasons given in both the Planning Statement and this paper apart, read in conjunction with the documents listed in Appendix One, it is submitted that the review should be allowed, and the application granted.

3 Reasons for refusal

- 3.1 Each of the reasons for refusal is addressed in turn below. In doing that, it should be remembered that 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.
- 3.2 In this case, the application requires to be assessed against the Aberdeen City and Shire Strategic Development Plan (SDP) (2014) [Document 19] and the Aberdeen Local Development Plan (ALDP) (2017) [Document 20]. Importantly, as set out in the Planning Statement, it must be recognised that paragraph 1.4 of the ALDP also expressly states that development proposals will be assessed against a number of policies within the Plan, and so "***it must be carefully considered as a whole***". The following paragraphs demonstrate how the application complies with the development plan in terms of the issues raised in the Decision Notice.
- 3.3 In this regard, it should be noted that the Report of Handling acknowledges that there are merits to the proposed development, in that:
 - it would be appropriately proportioned in terms of striking a balance between delivering a sizeable dwelling house whilst also offering generously sized garden ground which would provide an acceptable level of residential amenity;



- it provides adequate room to deliver a turning circle and parking space to serve the likely demand of private vehicles used by prospective owners;
- the house has been sited to minimise disturbance to existing trees on the site;
- there would be no overlooking between the existing and the proposed new house;
- the height of the building has been carefully designed to take account of the topography of the site; and
- the proposed house would incorporate a mixture of traditional and contemporary features and finishes which are considered suitable for the site's green belt context.

3.4 Where officers have however expressed concerns about the development proposed, these are looked at under each of the reasons for refusal below.

Reasons 1 and 3: non-compliance with ALDP Policy NE2 (Green Belt) and Policy D2 (Landscape)

3.5 Reasons for refusal 1 and 3 are considered together, as the concerns of officers in respect of the landscape and visual impact in terms of Policy D2 relate specifically to the site's location in the Green Belt and the stated aim of the Green Belt in terms of preventing coalescence.

3.6 While it is accepted that Policy NE2 – Green Belt generally only permits development in the Green Belt in specific circumstances, this must be read in the context of the purpose of the Green Belt as set out in paragraph 3.101 of the ALDP, this being to:

- maintain the distinct identity of Aberdeen and the communities within and around the city by defining their physical boundaries clearly;
- avoiding coalescence of settlements and sprawling development; and
- maintaining Aberdeen's landscape setting.

3.7 At the same time, the Green Belt is intended to direct planned growth to the most appropriate locations and support regeneration, as well as providing access to open space.



This reflects Scottish Planning Policy (2014) (SPP) [Document 21]. More specifically in terms of rural development, SPP stresses that the planning system should promote a pattern of development that is appropriate to the character of a particular rural area, and which encourages rural development that supports prosperous and sustainable communities, whilst protecting and enhancing environmental quality.

3.8 As set out in the Planning Statement, the location of the application site is consistent with the landscape character type of the wider area and will allow future occupants to access and support the provision of services and facilities in Countesswells, including by sustainable modes of transport. The proposed development is therefore consistent with the underlying aims of the Green Belt listed above, full details of which and how the proposed development complies with these are set out in Table 1 below.

3.9 In this regard it should be noted that, while the proposed development proposed is not covered by any of the specific categories of development expressly permitted by Policy NE2, it is not always possible to list every set of potential circumstances in a policy, and each application must be determined on its own merits taking into account the Development Plan and material considerations. As the primary objective of Policy NE2 is to protect the underlying aims of the Green Belt, and the proposed development is consistent with these underlying aims as set out above, it should be supported accordingly.

3.10 There are also precedents for this approach being taken as follows.

- In considering the Notice for Review for planning application reference 181539/DPP [Document 24], the Local Review Body clearly accepted that the site was within the Green Belt but, at the same time, concluded that development there would not undermine the purpose of the Green Belt and as such granted consent for the proposed development with the Decision Notice stating that:

“The LRB noted that the site, whilst zoned as Green Belt, is nevertheless immediately adjacent to two opportunity sites allocated in the Aberdeen Local Development Plan for residential development, and that the development of these sites in the long-term would move the urban edge of the city outwards to this point. The site was considered to be well screened from the road and generally not of great prominence in the landscape.”



- Likewise, the Local Review Body in determining the Notice of Review for application reference 181993/PPP [Document 25] concluded that, although the site was within the Green Belt, it related well to existing residential development in the area and that the nearby housing allocation would alter the character of the surrounding area in the future. In that context, the Local Review Body was of the view that the proposed dwelling house “...would not undermine the function of the wider Green Belt.”

3.11 It is then entirely appropriate for the Local Review Body to take the same approach in respect of this application on the basis that the proposed development would not undermine the Green Belt’s aim of maintaining the distinct identity of Aberdeen and communities within and around the city (how this is achieved is set out in table 1 below). That is particularly so given the site’s close proximity to the extensive Countesswells allocation to the east, which is currently under development and which will change the character of this area, and the existing pattern of single houses and small groups of houses to the west along Countesswells Road.

3.12 Policy NE2 also emphasises that all proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials. As set out within the Report of Handling, “*the proposed layout, siting and design of the dwellinghouse scheme is considered acceptable within the parameters of policy D1 in the ALDP*” and, as such it should also be considered appropriate in terms of Policy NE2. Further detail on how the proposal meets all other policy requirements is set out in detail within the supporting Planning Statement submitted with the application.

Table 1 Consideration of proposal against Green Belt aims

Green Belt aim	Consideration of proposal
Avoid coalescence of settlements and sprawling development on the edge of the city.	The application is for a single house within a contained site (the Report of Handling stating that it is “...set within a well-defined residential curtilage”), meaning that its development would not cause any coalescence with any existing communities.
Maintain Aberdeen’s landscape setting.	The development does not involve the removal of any trees or other landscape features and the proposed new house will not be visible from any public vantage point such that it will not undermine the identity or



	<p>landscape setting of existing communities within and around the city.</p> <p>Within the Report of Handling it is noted that, while the site is screened by existing trees, these are not protected or subject to controls by the planning authority, with concerns raised about the potential for these to be removed in future. Should the Local Review Body have similar concerns regarding the importance of the trees in the preservation of the landscape setting however, then the Council could serve a Tree Preservation Order in accordance with Section 160 of the Town and Country Planning (Scotland) Act 1997 to have control over woodland management and ensure that, if trees are removed, there is suitable replacement planting. This is the approach advocated in Circular 4/1998 paragraph 77 [Document 23].</p>
Provide access to open space	The site currently provides no public access to open space and so this will not be lost as a result of development here.
Direct planned growth to the most appropriate locations and support regeneration.	Retaining the site as green belt does nothing to support regeneration, whilst allowing development here will help to maximise the use of new services and facilities being provided at Countesswells.

Reason 2 – conflicts with objectives of Policy T2 (Managing the Transport Impact of Development) and Policy T3 (Sustainable and Active Travel)

- 3.13 Policy T2 states that *“commensurate with the scale and anticipated impact, new development must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel”*, while Policy T3 looks for new development to be accessible by a range of transport modes, again with an emphasis on sustainable and active travel. Further detail is contained within Supplementary Guidance Transport and Accessibility which states that *“All new developments should be accessible by public transport, suitable to the needs of the site. Sites should be designed to allow for public transport penetration and ideally public transport should be available within 400 metres of the origins and destinations of trips within the development.”*



- 3.14 It is then recognised in the Supplementary Guidance that the target of 400m is dependent on the needs of the site, the scale of the proposal and its likely impact. With regards to this application, the single dwelling house that is proposed will generate minimal new traffic, particularly when it is taken into account that there are 3,000 new houses allocated at Countesswells which will be using Countesswells Road. The development site is only 200m west of the new development area at Countesswells.
- 3.15 At the same time, as also noted in the Planning Statement, the site is in close proximity to core paths 50 and 55, providing safe and attractive walking and cycling routes for residents. These will also provide a connection to the bus stops in Countesswells, providing public transport links to destinations further afield, with Countesswells itself including a mixed use centre with opportunities for both employment and commercial development (including retail, leisure, civic and community uses, GP surgery, dentists and pharmacy).
- 3.16 Given the scale of the proposed development (i.e. a single house), and that the impact of this will be minimal as outlined above, the available opportunities for sustainable and active travel and access to services is considered to be more than appropriate and the application accordingly complies with Policies T2 and T3.

4 Conclusion

- 4.1 While the application site is located within the Green Belt, it is the site of an existing property, and the proposed development does not undermine the aims of the Green Belt as set out in ALDP Policy NE2 and Scottish Planning Policy. The retention of the trees on the perimeter of the site in particular screens the development from surrounding views, and their continued retention can be secured under Section 160 of Town and Country Planning (Scotland) Act 1997 to ensure that the distinct identity of Aberdeen is protected as well as ensuring compliance with Policy D2.
- 4.2 The site is also well located to access services and facilities at Countesswells by sustainable modes of transport on dedicated off road routes, with the level and means of accessibility being appropriate to the scale of development in accordance with Policy T2, Policy T3, and the related Supplementary Guidance: Transport and Accessibility.
- 4.3 Ultimately, the proposed new dwelling house would provide a well-designed, high quality home which respects the existing landscape context and complies with all other relevant



policies of the Local Development Plan, specifically Policies NE1, D1, NE5, NE6, NE9, T3, R6, R7, CI1, I1 and related Supplementary Guidance.

- 4.4 On the basis that the application is supported by the Development Plan, and no material considerations indicate otherwise, it is submitted that the Review should be allowed and the application approved.



Appendix 1 – Documents Submitted with Notice of Review

Application Documents

1. Decision Notice
2. Application Form
3. Location Plan
4. Existing Site Plan
5. Planning Statement
6. Proposed Site Plan
7. Proposed Floor Plans and Elevations
8. Proposed Drainage Plan
9. Infiltration and Percolation Testing Report
10. Proposed Building Outline in Context
11. Delegated Report of Handling
12. Proposed North Elevations
13. Proposed SW – SE Elevations
14. Proposed Floor Plans
15. Letter of Correspondence

Consultation Responses

16. Aberdeen City Council Roads Development Management Team
17. Aberdeen City Council Waste Strategy
18. Cults Bieldside and Milltimber Community Council

Policy Documents

19. Aberdeen City and Shire Strategic Development Plan
20. Aberdeen City Local Development Plan
21. Scottish Planning Policy
22. Supplementary Guidance: Transport and Accessibility
23. Circular 4/1998 The Use of Conditions in Planning Permissions

Precedent Information

24. Planning application reference 181539/DPP
25. Planning application reference 181993/PPP



This page is intentionally left blank

LOCAL REVIEW BODY

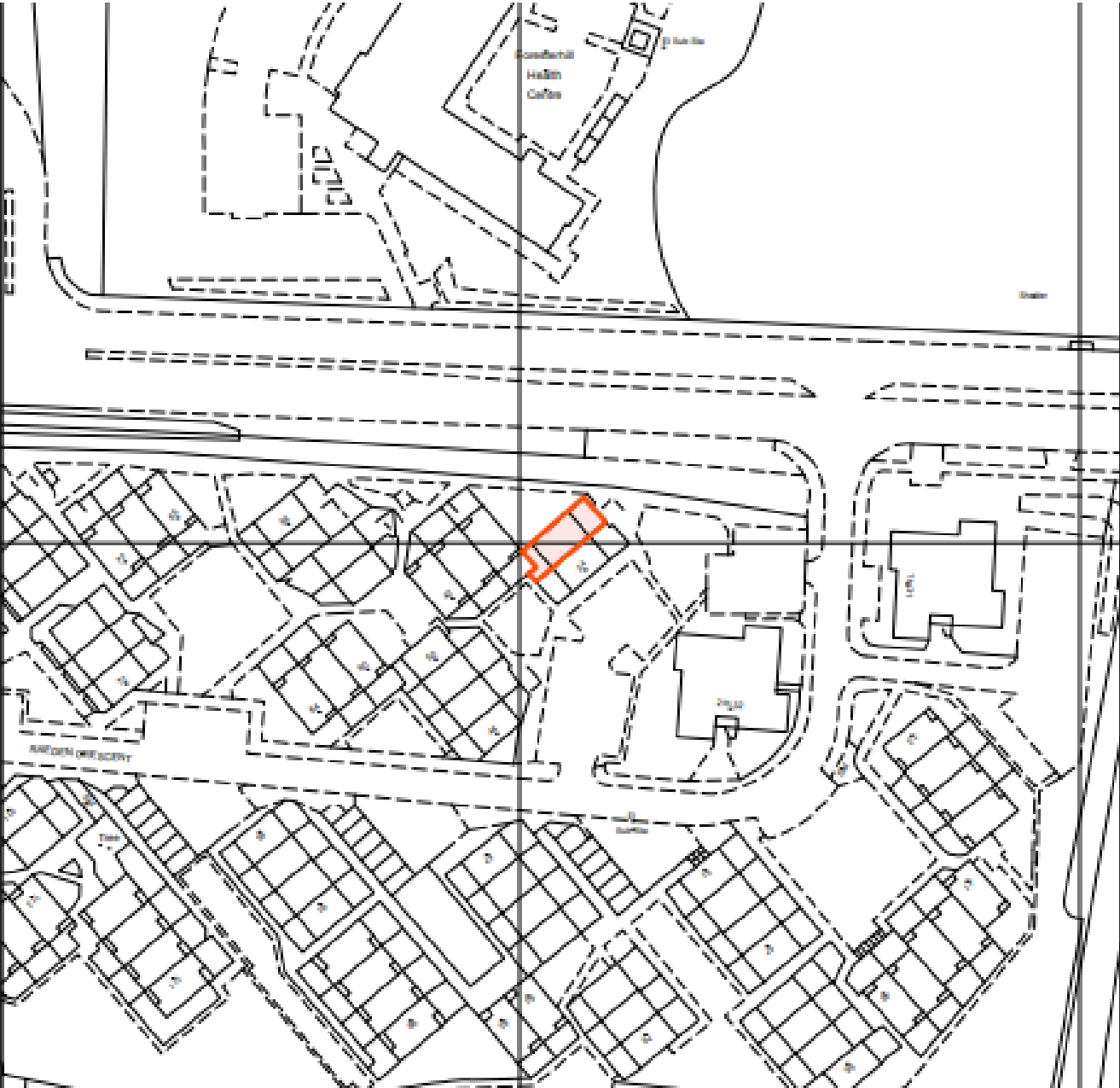


191508/DPP– Review against refusal of planning permission for:

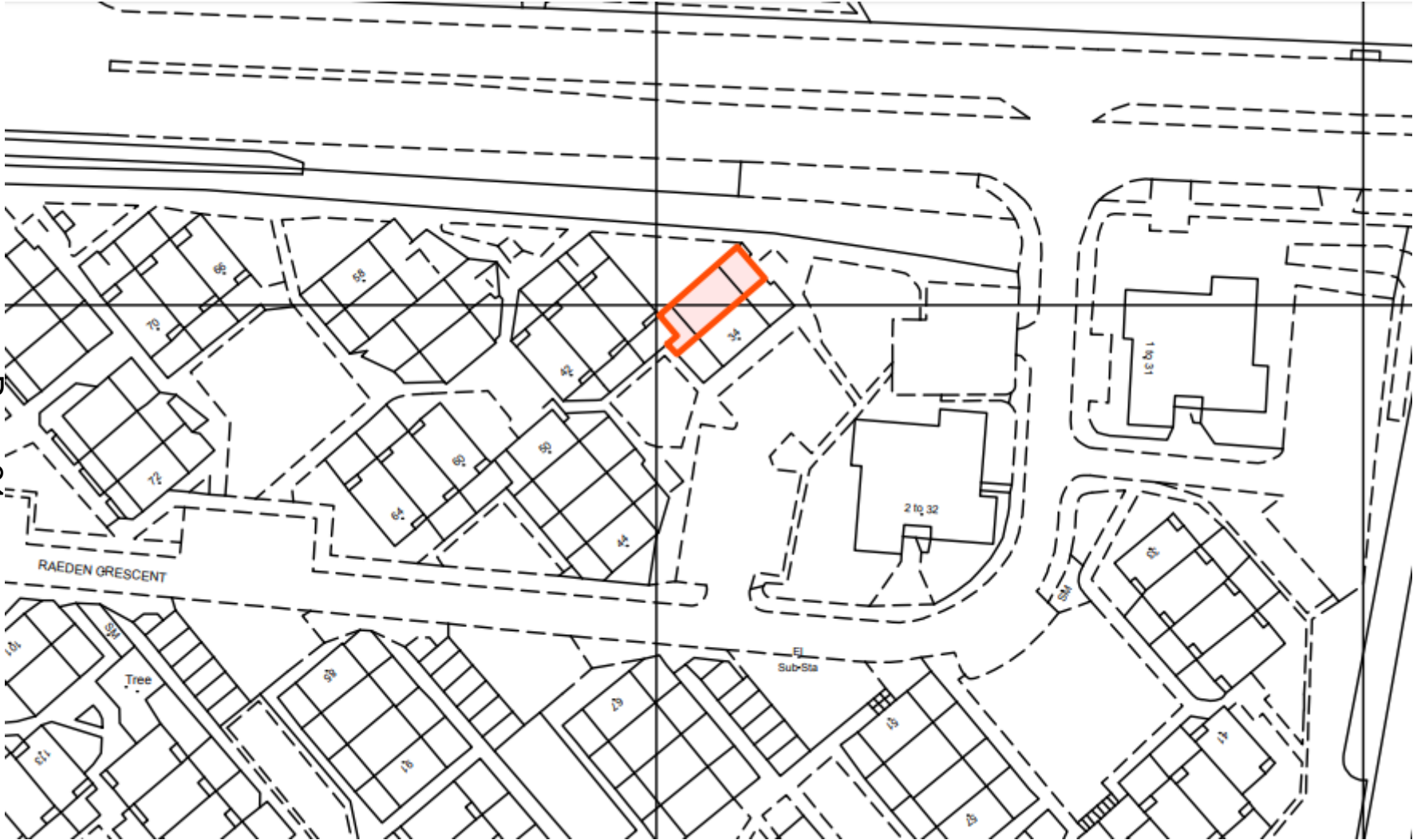
Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear

36 Raeden Crescent, Aberdeen

Location Plan



Location Plan



View up Westburn Road



View from Westburn Road



View of Courtyard Elevation

Page 94



Google

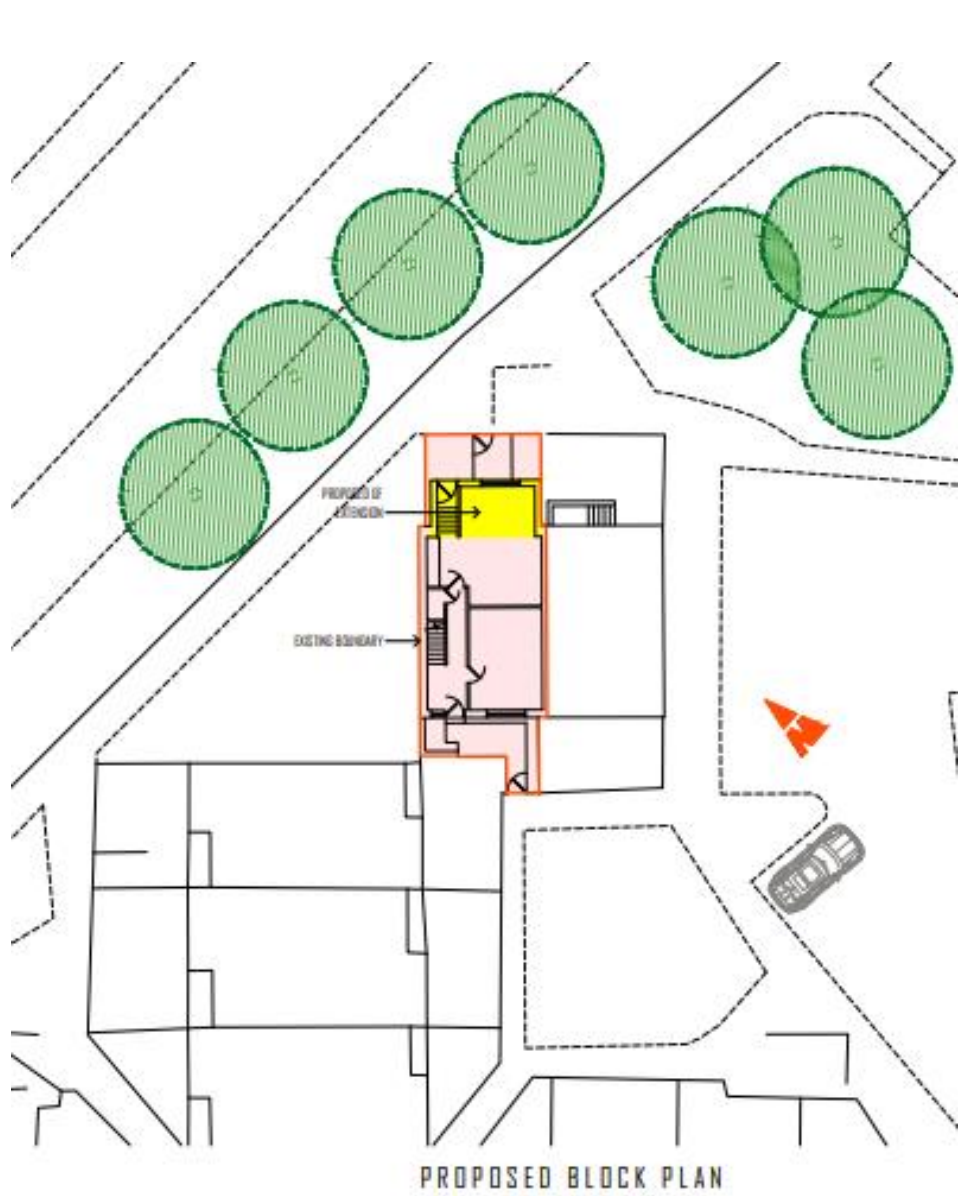
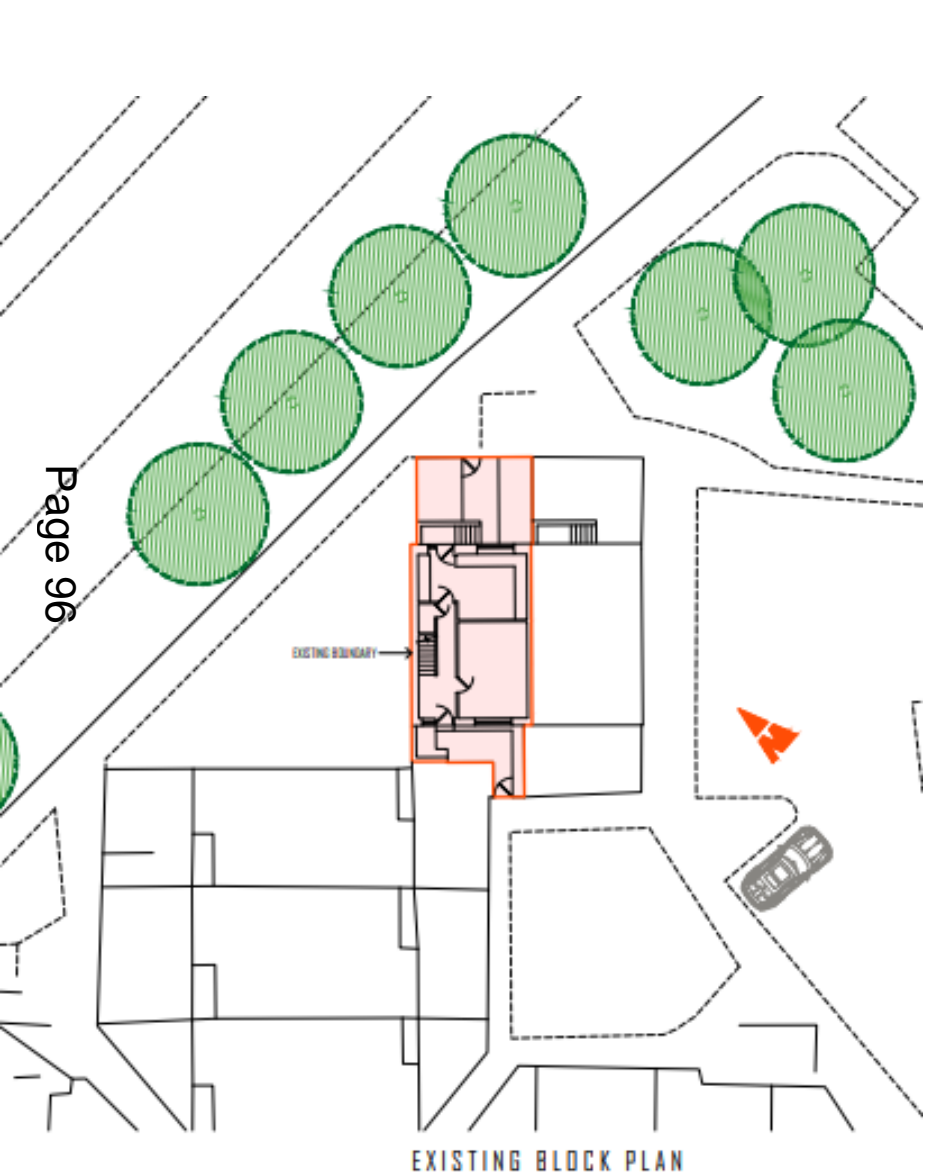
Wider Context (property not shown)

Page 95



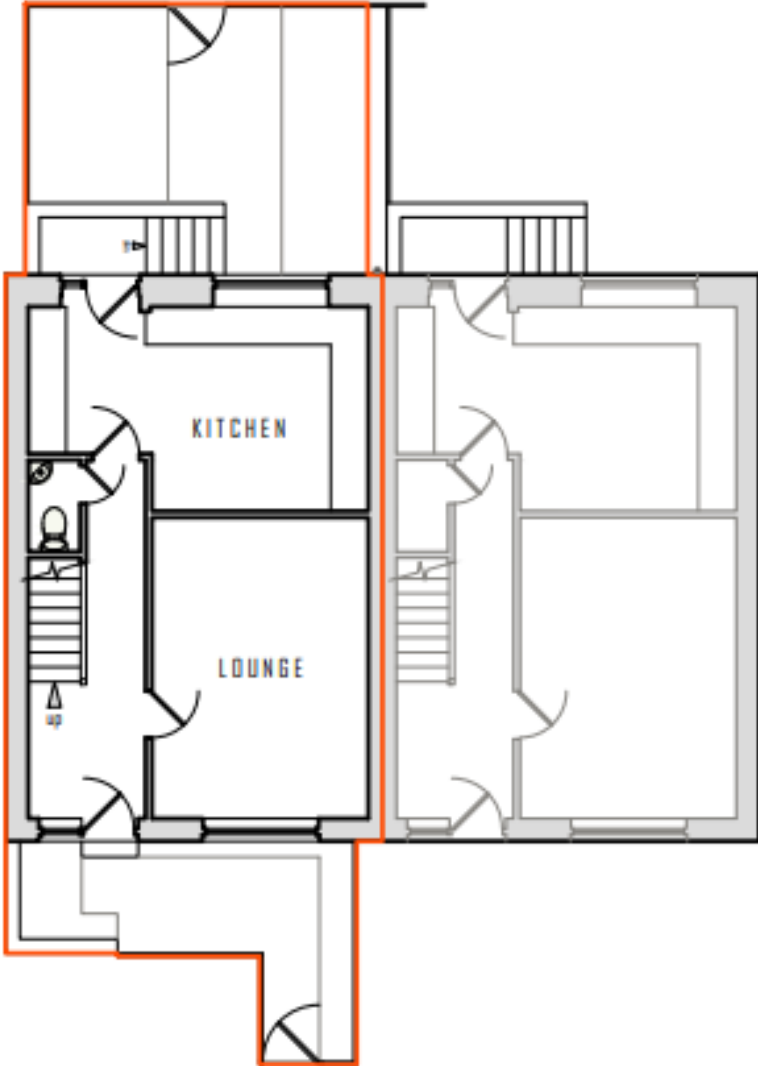
Existing and Proposed Block Plan

Page 96

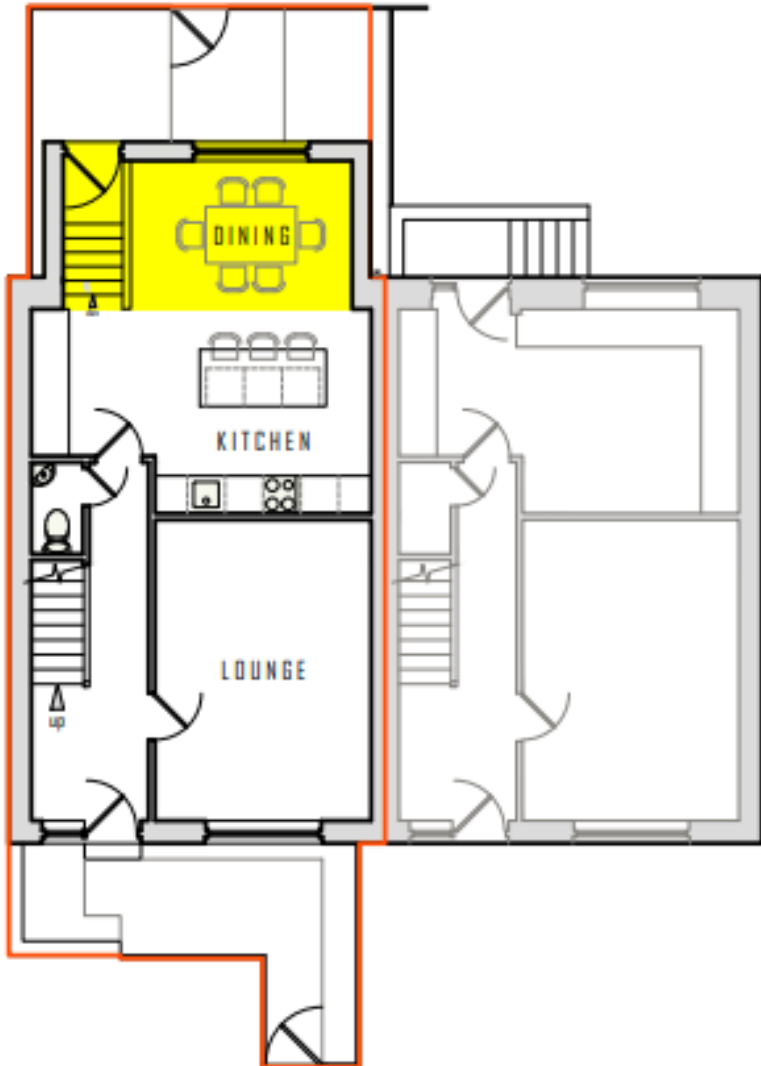


Existing and Proposed Ground Floor

Page 97

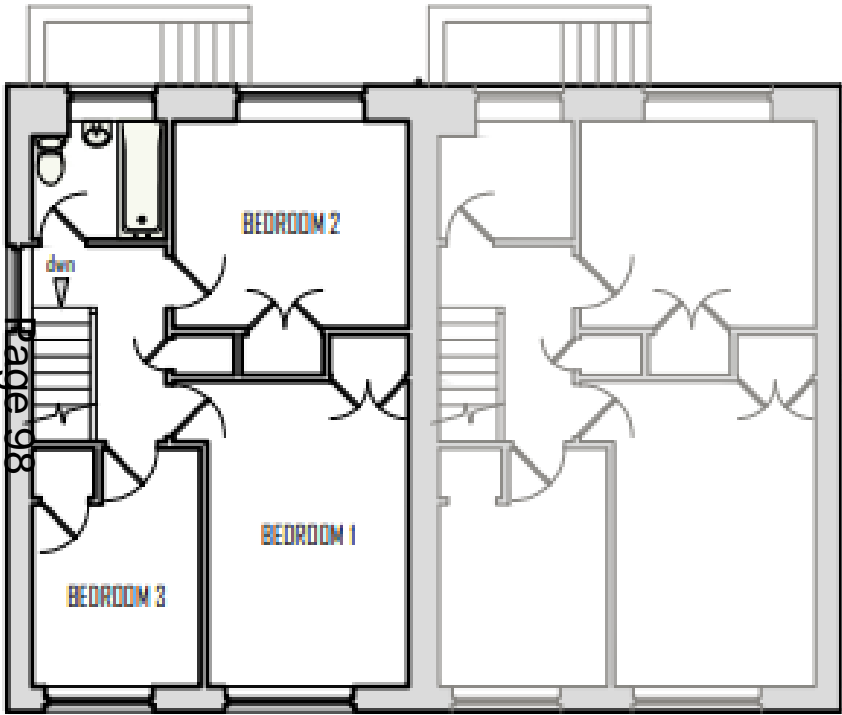


EXISTING GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

Existing and Proposed First Floor



Page 98

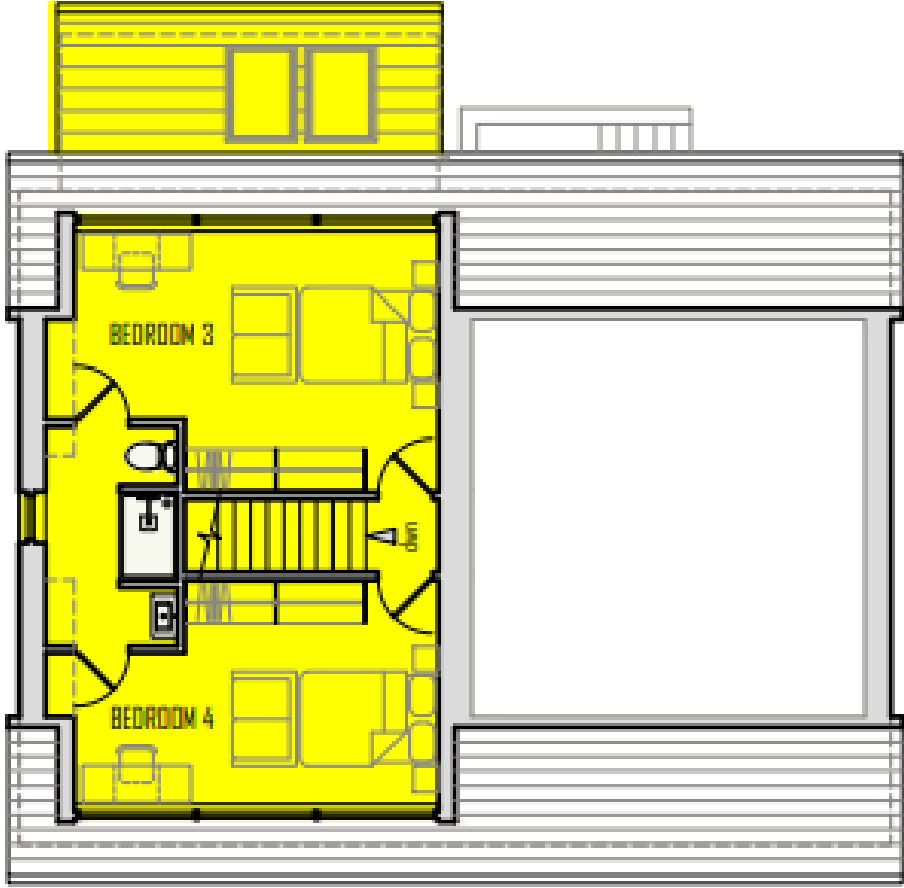


EXISTING FIRST FLOOR PLAN

PROPOSED FIRST FLOOR PLAN

Proposed Second Floor

Page 99



PROPOSED SECOND FLOOR PLAN

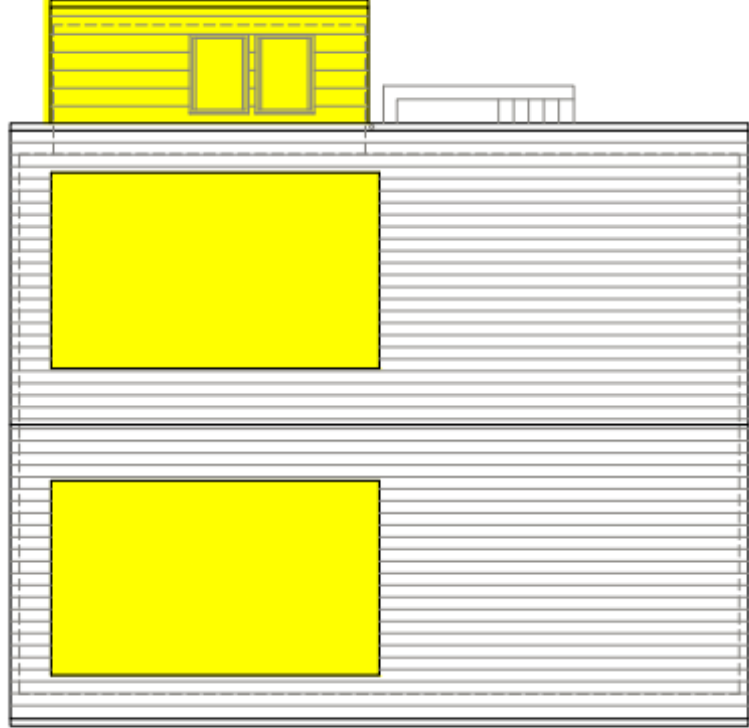


Existing and Proposed Roof Plan



Page 100

EXISTING ROOF PLAN



PROPOSED ROOF PLAN

Existing and Proposed North Elevation

Page 101



EXISTING NORTH ELEVATION



RATIONAL - ALUCLAD TRIPLE GLAZED WINDOW UNITS [TYP]
[COLOUR REF RAL 7016 OUTSIDE & RAL 9016 INSIDE]

MATCHING CONCRETE TILE TO ROOF + 2ND VELUX ROOF LIGHTS

MATCHING uPVC DOOR / FANLIGHT + KITCHEN WINDOW IN WHITE

PROPOSED NORTH ELEVATION

Existing and Proposed South Elevation

Page 102



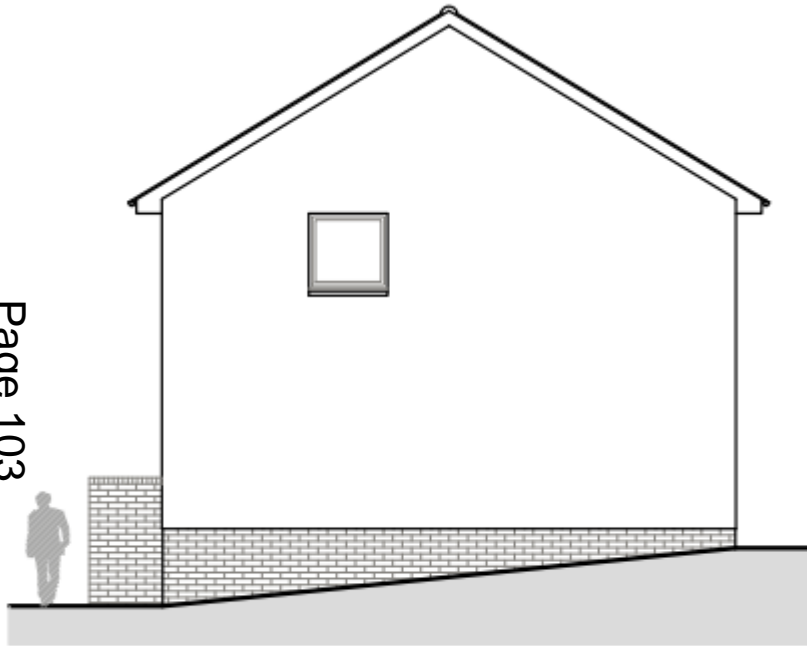
EXISTING SOUTH ELEVATION



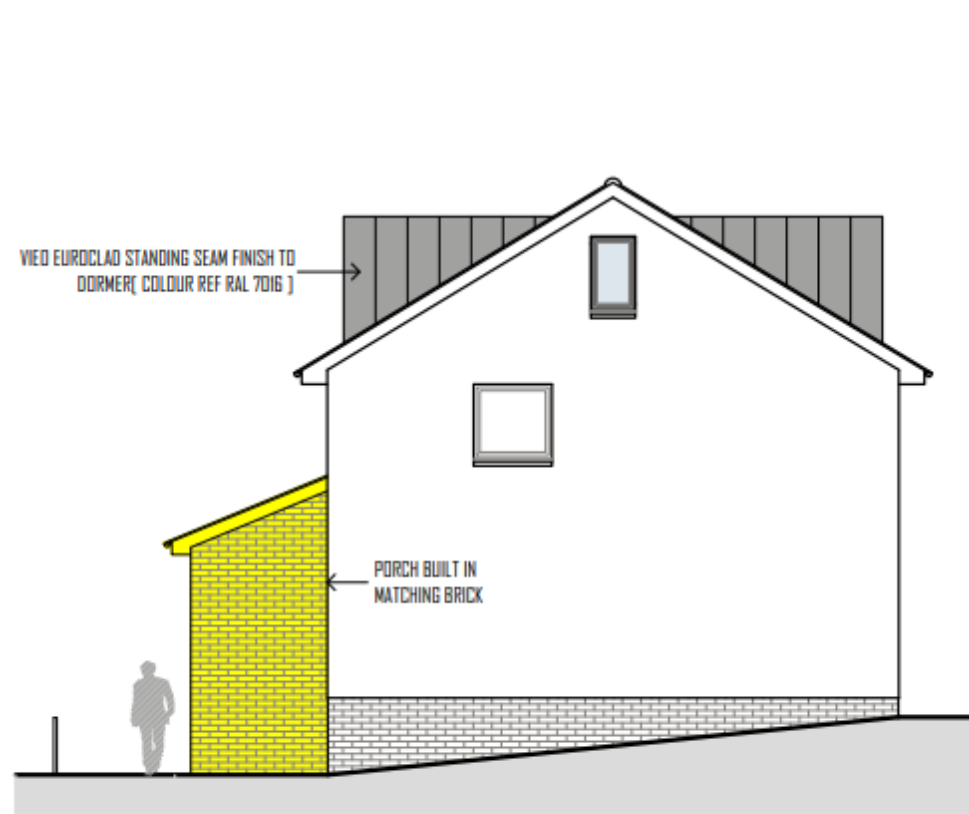
PROPOSED SOUTH ELEVATION

Existing and Proposed West (side) Elevation

Page 103

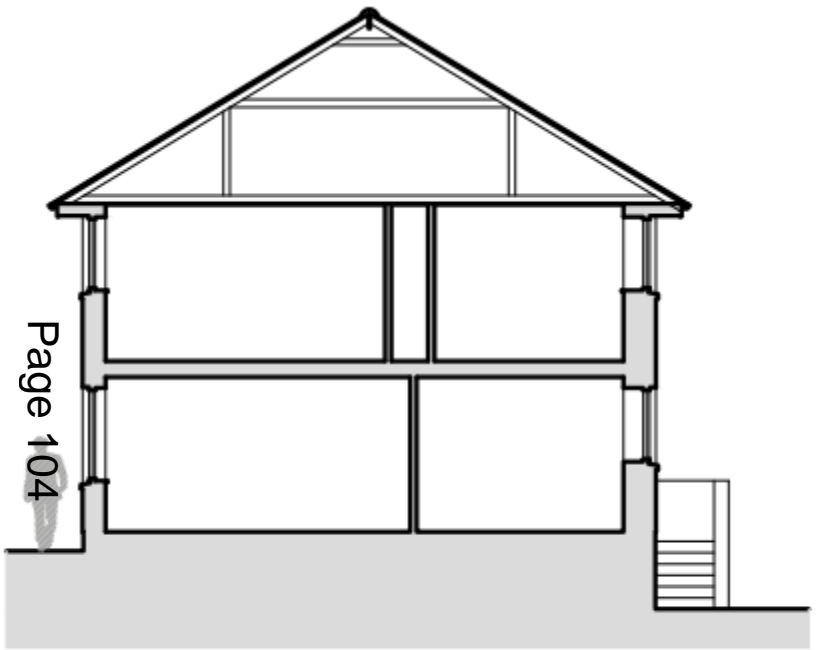


EXISTING WEST ELEVATION



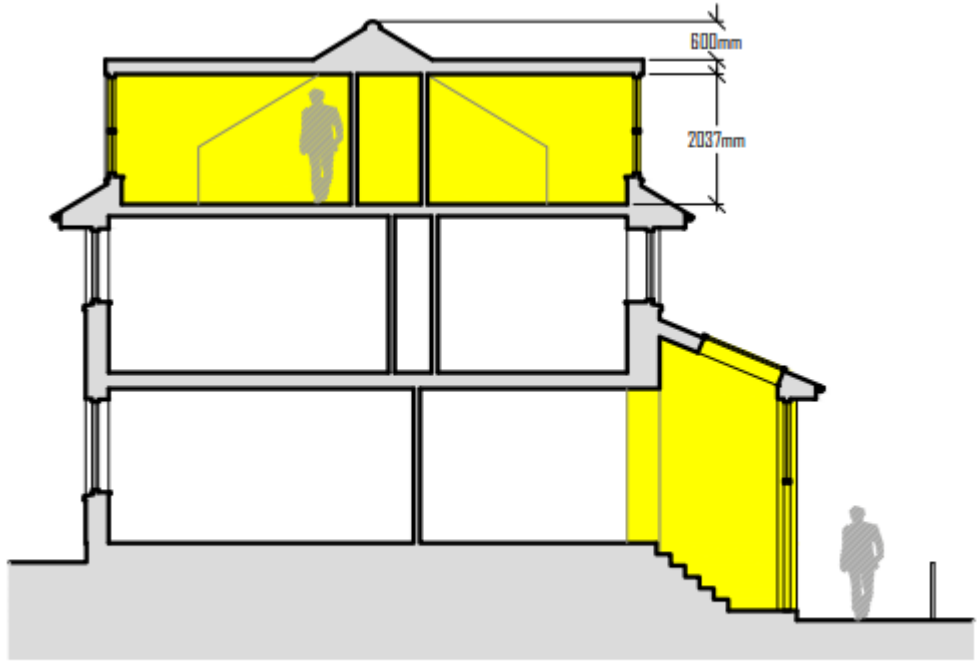
PROPOSED WEST ELEVATION

Existing and Proposed Sections



Page 104

EXISTING SECTION AA



PROPOSED SECTION AA

Reasons for Decision

would detract from the uniform character and appearance and the established pattern of development by introducing dormer windows in an area where there are presently none.

Proposed dormers are of a scale and design that would dominate the roofslope and would not be compatible with the architectural character of the original dwelling.

Potential to set unwelcome precedent for similar scaled dormers in the surrounding area, detracting from the uniform character and the visual amenity of the surrounding area

Conflict with Policies D1 – Quality Placemaking by Design and H1 - Residential Areas of the ALDP and the associated Supplementary Guidance: 'The Householder Development Guide'.

Policy H1 (Residential Areas)

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.

- Is this overdevelopment?
- Would it have an *'unacceptable impact on the character and amenity'* of the area?
- Would it result in the loss of open space?
- Does it comply with Supplementary Guidance?

Householder Development Guidance

- General Principles –
 - Should be '**architecturally compatible in design and scale with the original house and its surrounding area**'.
 - Should not '**dominate or overwhelm**' the original house and should '**remain visually subservient**'.
 - Should not result in adverse impact on '**privacy, daylight, amenity**'

Page 107

Footprint of dwelling as extended should not exceed **twice that of original house**

- **No more than 50% of front or rear curtilage** may be covered (anything less than that considered on its merits)
- Approvals pre-dating the guidance (2017) do not represent a '**precedent**'

Rear extensions to semi-detached properties limited to **4m projection** along mutual boundary

Householder Development Guidance

Dormer Windows – General Principles

- New dormers should respect scale of the building and should not dominate, overwhelm or unbalance the original roof;
- In terraces or blocks of properties of uniform design where there are no existing dormers, the construction of new dormers will not be supported on the front or other prominent elevations (e.g. fronting onto a road);

Householder Development Guidance

Dormer Windows – Modern Properties

- New dormers should respect scale of the building and should not dominate, overwhelm or unbalance the original roof;
- Should not be built directly off wallhead and aprons should be avoided on principal elevations
- Should be positioned a min. of 600mm below existing roof ridge
- Should be positioned a min. of 600mm in from gable/party wall
- Glazing should be included to extremities
- Should be more glazing than solid
- Finishes should match those of the original building
- Wherever possible the window proportion and arrangement should echo those on the floor below

Policy D1 (Quality Placemaking by Design)

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.

- Does the proposal represent a high standard of design and have strong and distinctive sense of place?

Points for Consideration:

Zoning: Does the proposal comply with the tests set out in policy H1 (Residential Areas)?

Design: Is the proposal of sufficient design quality (D1) - *having regard for factors such as scale, siting, footprint, proportions relative to original, materials, colour etc?*

Does it accord with the principles set out for both extensions and dormer windows in the 'Householder Development Guide'?

1. Does the proposal comply with the Development Plan when considered as a whole?

2. Are there any material considerations that outweigh the Development Plan in this instance?

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)

This page is intentionally left blank



Strategic Place Planning

Report of Handling

Site Address:	36 Raeden Crescent, Aberdeen, AB15 5WJ.
Application Description:	Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear
Application Ref:	191508/DPP
Application Type:	Detailed Planning Permission
Application Date:	4 October 2019
Applicant:	Mr E McMillan
Ward:	Mid Stocket/Rosemount
Community Council:	Rosemount And Mile End
Case Officer:	Roy Brown

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises a two-storey semi-detached dwelling and its associated front and rear curtilage within a residential area. The dwelling has a southwest facing principal elevation that fronts a public footpath and open space serving Raeden Crescent and is visible from the A944 (Westburn Road). The site slopes from the southwest to the northeast in that the ground level at the rear elevation is approximately 0.8m lower than that of the principal elevation.

The application site is bounded by the front curtilage of 38 Raeden Crescent and the public footpath to the southwest; 34 Raeden Crescent to the southeast, to which the property adjoins; a public footpath leading to Westburn Road to the northeast; and open space to the northwest.

The surrounding area of Raeden Crescent is characterised by its '*Radburn*' urban form whereby there are uniform single storey and two-storey terraced and semi-detached fronting public paths and open spaces. None of the properties in Raeden Crescent have dormer extensions.

Relevant Planning History

None

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought for the erection of box dormers on the front and rear of the dwelling; and for the erection of a single storey extension to the rear of the dwelling.

The dormers would each be c.5.5m in width and rising a maximum of c.2m in height above the roof slope; positioned c.0.6m below the roof ridge, be located on the mutual boundary and would be c.550mm in from the gable. Their front faces would be fully glazed with dark grey alu-clad framed windows and the walls and roof would be finished in grey standing seam metal cladding.

The rear extension would have a lean-to roof with a maximum height of c.4.6m and an eaves height of c.3.8m. It would be c.5.9m in width and would project c.2.1m from the rear elevation of the property, and along boundary shared with 34 Raeden Crescent. It would be finished with brick for the walls, concrete tiles for the roof, and white uPVC framed windows and doors.

Supporting Documents

All drawings can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PYT0PHBZJZG00>

CONSULTATIONS

Roads Development Management – No objection following the submission of photographic evidence showing that there are always spaces within the car park and therefore it is considered that the development would not have a detrimental impact to the level parking provision afforded to the surrounding residential properties.

Rosemount And Mile End Community Council – No response received.

REPRESENTATIONS

4 representations have been received (4 objections). The matters raised can be summarised as follows –

- The proposed extension would be overbearing to the adjacent properties, particularly 34 Raeden Crescent and would not be in-keeping with the surrounding area.
- The design and scale of the proposed dormers would be too large, would take up most of the roof space and would be built up to the mutual boundary. They would appear unbalanced as they would not be located centrally on the roof.
- The proposal would remove the symmetry of the two properties.
- The proposed finishing materials on the dormers and the extension would not be compatible with the existing building and the surrounding area.
- The grant of planning permission for the dormers could set a precedent for development which would change the consistent architectural nature of the surrounding area.
- The proposal would adversely affect the privacy of the properties opposite, and the users of Westburn Road.
- The proposed extension would overshadow the rear curtilage of 34 Raeden Crescent.
- The proposal could impact to parking availability in the surrounding area.
- The proposed extension would cross the boundary of 34 Raeden Crescent. Consent for access, development and maintenance will not be provided by 34 Raeden Crescent.

- Concerns raised with respect to the structural integrity of the building.
- Concern raised regarding where the building materials would be stored.
- The guttering is not shown on the plans.

MATERIAL CONSIDERATIONS

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)

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 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 (ALDP) (2017)

Policy D1 - Quality Placemaking by Design

Policy H1 - Residential Areas

Supplementary Guidance (SG)

The Householder Development Guide (HDG)

EVALUATION

Aberdeen City and Shire Strategic Development Plan (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.

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 Proposed Front and Rear Dormers

A general principle for dormers in the Supplementary Guidance: 'The Householder Development Guide' is that '*in terraces or blocks of properties of uniform design where there are no existing dormers, the construction of new dormers will not be supported on the front or other prominent elevations (e.g. fronting onto a road)*'. In this instance, whilst this property is not a terraced dwelling, the property is part of the wider area of Raeden Crescent, which is architecturally characterised by its uniform '*Radburn*' appearance and urban form. This uniform appearance contributes to the character and visual amenity of the surrounding area. As both the front and rear elevations of the property are publicly visible and there are no dormers on any of the properties of this house type, nor on any of the properties on Raeden Crescent, the dormers would thus conflict with this general principle in the HDG. The proposed dormers would not be compatible with the established pattern of development, in conflict with Policy D1 of the ALDP and would detract from the uniform character and visual amenity of the surrounding area, in conflict with Policy H1 – Residential Areas of the ALDP.

The design and scale of the proposed dormers would conflict with the dormer design guidance for modern properties in the HDG in that they would appear to dominate the original roof spaces. Their significant size, scale and massing on the roof slope can be quantified in that the area of the dormers would cover more than 50% of the principal and rear roof elevations and the roof plan. The proposed finishes would not match those of the original building and the window proportions and arrangement would not echo or align with those below.

It is recognised that the dormers would partially comply with the HDG in that they would be sited more than 600mm below the roof ridge, the front face of the dormers would be fully glazed and they would be acceptably located on the party wall. However, the erection of the proposed dormers would detract from the uniform character and appearance, and the established pattern of development of the surrounding area. The proposed dormers would be of a design and scale that would serve to dominate the roof slope of the dwelling and would not reflect the architectural character of the original dwelling. As such, the proposed dormers would 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'.

Notwithstanding every planning application is assessed on its merits, given the absence of existing dormers and dormers having been approved under current policies and guidance in the surrounding area, the grant of planning permission for the proposed dormers could set a precedent for similar scaled dormers in the surrounding area, which would detract from the uniform character and the visual amenity of the surrounding area, and could incrementally adversely affect the character and visual amenity of the surrounding area.

The Proposed Rear Extension

The proposed rear extension would be architecturally compatible in design and scale to the original dwelling in terms of its height, single storey form, its lean-to pitched roof, finishing materials and its footprint. It would not result in the footprint of the dwelling being doubled and more than 50% of the garden ground being covered by development. The proposed extension would project less than 3m from the rear elevation along the boundary shared with the adjoining property, in accordance with SG. The use of brick would correspond with the basecourse of the original dwelling. Whilst it would be visible from out with the site, the ancillary scale, form and

massing of the proposal would prevent it from being unduly prominent from Ashgrove Road West or detracting from the uniform character and appearance of Raeden Crescent. In contrast to the proposed dormers, the design and scale of the extension would be architecturally compatible with the original dwelling and the surrounding area, in compliance with the Supplementary Guidance: The Householder Development Guide, and Policies D1 and H1 of the ALDP. It must be emphasised that planning permission is refused due to the design and scale of the proposed dormers but not that of the extension.

Residential Amenity

The proposed extension and dormers would not adversely affect the level of privacy afforded to the adjacent property given the windows would be on the same elevations as existing windows associated with the dwelling.. In accordance with the HDG, the proposed front dormer is more than 18m from the windows of the properties to the southwest of the property and therefore it is not considered that the windows of this dormer would adversely affect the privacy afforded to any of these properties.

Calculations, using the 45-degree daylight method in the HDG demonstrate that the proposed extension and dormers would not adversely affect the level of background daylight afforded to the habitable rooms of any neighbouring property.

Using the 45-degree sunlight method in the HDG, c.2sqm of the rear curtilage of 38 Raeden Crescent would be overshadowed by the development. As the development is to the northwest of the affected space, the rear curtilage is overshadowed by the property itself, the space would be overshadowed during a very limited time from late afternoon to evening in the summer months and the space which would be overshadowed is negligible relative to the total area of the rear curtilage of the 38 Raeden Crescent, the proposed extension would not adversely affect the level of sunlight of the adjacent property to any significant degree whereby it would adversely affect the level of amenity afforded to that property.

The proposed extension and dormers would therefore have a negligible impact to residential amenity in terms of privacy, sunlight and background daylight, in accordance with Policies H1 and D1 of the ALDP, and the HDG.

Parking Provision

The submitted evidence satisfactorily demonstrates that the proposal would not adversely affect the level of parking provision in the surrounding area. Roads Development Management concord with this position.

The Matters Raised in the Letter of Representation

The matters raised in relation to the design and scale of the proposed extension and dormers, precedent, the impact to neighbouring sunlight and privacy and the impact to parking provision in the surrounding area have been addressed in the above evaluation.

The downpipes and guttering for the rear extension are shown on the submitted elevations and would terminate within the site.

The storage of materials during construction, the impact to the structural integrity of the building and the other boundary/landownership issues relating to access, construction and maintenance are not material planning considerations for the assessment of this application.

With respect to the development being built over the mutual boundary, the application has been revised so that it would not cross the boundary line of the properties and so that it would be located within the site itself. The submitted land ownership certificate is correct.

The matters raised in relation to structural integrity are not material planning consideration but would be considered under separate legislation by Building Standards in a building warrant application.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed dormers would detract from the uniform character and appearance and the established pattern of development of the surrounding area of Raeden Crescent, where there are no such dormers. The proposed dormers would be of a design and scale that would serve to dominate the roofslope of the original dwelling and would not be compatible with the architectural character of the original dwelling.

Notwithstanding every planning application is assessed on its merits, given the absence of existing dormers and dormers having been approved under current policies and guidance in the surrounding area, the grant of planning permission for the proposed dormers could set a precedent for similar scaled dormers in the surrounding area, which detract from the uniform character and the visual amenity of the surrounding area.

The proposed dormers would therefore conflict with Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the Aberdeen Local Development Plan; and the associated Supplementary Guidance: ‘The Householder Development Guide’. There are no material planning considerations that warrant the grant of planning permission in this instance.



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 100184243-001

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)

Porch and Dormer 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:	Fitzgerald + Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Kevin	Building Name:	
Last Name: *	Duguid	Building Number:	53
Telephone Number: *	01224 633 375	Address 1 (Street): *	Albert Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB25 1XT
Email Address: *	info@fitzgeraldassociates.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:	36
First Name: *	E	Building Number:	
Last Name: *	McMillan	Address 1 (Street): *	Raeburn Crescent
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB15 5WJ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

36 RAEDEN CRESCENT

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB15 5WJ

Please identify/describe the location of the site or sites

Northing

806801

Easting

391407

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)

Pre-application inquiry

Title:

Mr

Other title:

First Name:

Roy

Last Name:

Brown

Correspondence Reference Number:

Date (dd/mm/yyyy):

13/06/2019

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: Kevin Duguid

On behalf of: Mr E McMillan

Date: 03/10/2019

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 Kevin Duguid

Declaration Date: 03/10/2019

Payment Details

Cheque: E McMillan, 0

Created: 03/10/2019 15:21



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 100184243-002

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

Site Address Details

Planning Authority:

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

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:	Fitzgerald + Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Kevin	Building Name:	
Last Name: *	Duguid	Building Number:	53
Telephone Number: *	01224 633 375	Address 1 (Street): *	Albert Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB25 1XT
Email Address: *	info@fitzgeraldassociates.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: *	E	Building Number:	36
Last Name: *	McMillan	Address 1 (Street): *	Raeden Crescent
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB15 5WJ
Fax Number:			
Email Address: *			

Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? *

Yes No

Application Details

Please select which application(s) the new documentation is related to.

Application: *

Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: * (Max 500 characters)

Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. *

Yes No

Declare – Post Submission Additional Documentation

I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mr Kevin Duguid

Declaration Date: 25/10/2019

This page is intentionally left blank

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Kevin Duguid
Fitzgerald + Associates Ltd
53 Albert Street
Aberdeen
AB25 1XT

on behalf of **Mr E McMillan**

With reference to your application validly received on 4 October 2019 for the following development:-

Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear

at 36 Raeden Crescent, Aberdeen

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

Drawing Number	Drawing Type
SP-EM_sk03a	Site Layout (Proposed)
SP-EM_sk01b	Multiple Floor Plans (Proposed)
SP-EM_sk02b	Multiple Elevations (Proposed)
SP-EM_sk04a	Roof Plan (Proposed)
191508/1	Location Plan
SP-EM_sk05	East Elevation (Proposed)

REASON FOR DECISION

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

The proposed dormers would detract from the uniform character and appearance and the established pattern of development of the surrounding area of Raeden Crescent, where there are no such dormers. The proposed dormers would be of a design and scale that would serve to dominate the roofslope of the original dwelling and would not be compatible with the architectural character of the original dwelling.

Notwithstanding every planning application is assessed on its merits, given the absence of existing dormers and dormers having been approved under current policies and guidance in the surrounding area, the grant of planning permission for the proposed dormers could set a precedent for similar scaled dormers in the surrounding area, which detract from the uniform character and the visual amenity of the surrounding area.

The proposed dormers would therefore conflict with Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan; and the associated 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 10 December 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.

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.

This page is intentionally left blank

Consultee Comments for Planning Application 191508/DPP

Application Summary

Application Number: 191508/DPP

Address: 36 Raeden Crescent Aberdeen AB15 5WJ

Proposal: Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear|cr|

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 single storey extension to public facing (northeast) rear and formation of dormers to front and rear at 36 Raeden Crescent, Aberdeen AB15 5WJ.

I note this proposal increases the number of associated bedrooms from 3 to 4, which as per ACC supplementary guidance incurs the requirement of an additional car parking space provision. However, this existing dwelling does not have its own associated parking and is served by a communal car parking court and therefore I would request evidence that this car park and surrounding area would not be negatively impacted by such a proposal.

Upon receipt of this additional information, Roads Development Management shall be better placed to provide final comments.

This page is intentionally left blank

Comments for Planning Application 191508/DPP

Application Summary

Application Number: 191508/DPP

Address: 36 Raeden Crescent Aberdeen AB15 5WJ

Proposal: Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear|cr|

Case Officer: Roy Brown

Customer Details

Name: Mr Kenneth Coutts

Address: 33 Ceadar Place Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to make a limited objection to the proposed development at 36 Raeden Crescent.

It is quite a large development and I am afraid that it might dominate the neighbouring house at number 34 Raeden Crescent. The planned extension is very large and will be built right up to the property line of number 34.

I also feel that the dormer extensions, front and rear, are too large for the property taking up most of the roof space and again are being built right up to the property line. They are also built off centre and look out of balance.

I also get the impression that the materials being used don't fit in with the existing building. The brick wall of the extension should be harled and finished in white. This would allow it to blend in much better. The Metal of the dormer does not fit in and will look like a big metal box attached to the roof. If the dormers could be centred, the size scaled back and more appropriate materials used I believe this would be more appropriate.

This page is intentionally left blank

Comments for Planning Application 191508/DPP

Application Summary

Application Number: 191508/DPP

Address: 36 Raeden Crescent Aberdeen AB15 5WJ

Proposal: Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear|cr|

Case Officer: Roy Brown

Customer Details

Name: Mrs Chirsty Coutts

Address: 34 Raeden Crescent Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As the immediate neighbour of this semi-detached property, sharing a party wall in the existing building and a garden boundary, I wish to object to this proposal. The bases for my objection to each part of this proposal are outlined below.

Additional Dormer Bedrooms and Bathroom:

It is proposed to replace much of the existing roof with a large, flat-roofed dormer to both front and rear leaving very little tiled area. Note that the side walls of the dormer would be built onto the party wall, so coming right up to the boundary. It may be necessary to create a seal between the dormer and the existing roof which could overlap onto the roof of number 34. The proposed dormer, being asymmetric, is stepped in from the opposite gable. The planning bases for my objection to this part of the proposal are;

-Out of Character for the area: The estate is composed of traditional built houses with tiled roofs. The proposed dormer, due to its scale, would give a visual impression of a flat roofed building. This would dominate this part of the estate and is seriously out of character.

-Design: The dormer is replacing almost the entire roof at both front and back of the property. It is both the scale of this design and its asymmetry that I object to. It also precludes any future matching development at number 34. The dormer should be reduced in size and stepped in an equal amount from each side of no.36.

-Precedent: If this is approved, similar applications might be expected in future across the estate. This would lead to population and traffic increase and an overwhelmingly negative visual impact.

Extension to Rear

The wall of the rear extension is shown in the proposed "north" elevation to cross over the line of junction between the two properties; the wall itself crosses the boundary and would require removal of the wrought iron boundary fence, which was installed at my cost. The roof overhangs my garden and would need to be keyed into the wall of my property. While I understand the applicant accepts this boundary issue and intends to revise the plans accordingly, I am nevertheless objecting to the plan as it stands, on the following basis;

-Overshadowing: Due to the slope of the site, the extension at ground level is equivalent in height to almost two storeys and due to the roof design, would dominate my garden and rear entrance. A solution would be to move the wall away from the boundary.

-Design and Materials: The design style of the estate is typically Scottish, with harled walls above a brick base. A large area of brickwork would stand out as very different from the rest of the estate. A solution would be to use the same style as the rest of the estate.

In conclusion, I wish to make clear that I will not give consent to any of the new building work (which is not of the nature of necessary repairs) to mutual boundaries partly owned by me and neither will I consent to any damage to nor alteration of any part of my property, again as a result of new building rather than as part of necessary repairs . Further, I will not consent to any encroachment on to my property for new building works (as opposed to necessary repairs) to be attended to next door . Neither will I consent to any roof/guttering /flashing projecting over the mid-line between the properties so as to overhang my own or (in the case of flashing) to actually sit on my own property beyond the agreed mid-line .

Comments for Planning Application 191508/DPP

Application Summary

Application Number: 191508/DPP

Address: 36 Raeden Crescent Aberdeen AB15 5WJ

Proposal: Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear|cr|

Case Officer: Roy Brown

Customer Details

Name: Mrs Irene Ball

Address: 353 Stroud Rd Gloucester

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I am writing to object to the planning application for 36 Raeden Crescent Aberdeen, which I believe to be inappropriate for this area. It is an unacceptable development in terms that it will dominant the surrounding houses, in particular the neighbouring property of 34 and the pensioner's bungalows (38 to 42). It will be over bearing and aesthetically totally out of character with the surrounding estate. There will be a double impact on number 34 as the development will be both to their front and back.

Rear extension

In the submitted supporting statement it refers to the extension to the rear of the property as "a simple lean to structure" but in reality I do not believe this to be the case as the height of the current kitchen is well above garden ground level as evidenced by the steps and their internalisation in the plans. In fact the document states that it is only coming as part pf the proposal due to "changes in ground levels across the site and the amount of underbuilding to the rear of the existing house"- I would therefore say, this is a two storey extension. I am concerned this new building will dominant the neighbouring property of 34 and will look out of place as you walk down and up the path to the rear of the two properties. The additional levelling of the ground may have an impact on the drainage of the property which may in turn have a detrimental effect on number 34 and the public footpath to the rear of the properties. I note that in the documents submitted there appears to be no identification of drainage or guttering, all of which I will assume to be contained within the boundary of 36.

There is also a question about the materials being used to construct the extension. The Supporting Statement states that "the materials used in the rear extension are the same as those in the original house" and also "the design of the rear extension ... using similar external finishes to those found in the existing house". The moving away from the current materials will again set a precedence resulting in it being out of character or not being in keeping with the houses on the

rest of the estate.

Dormers

Given that the dormers cover almost the entire roof, front and back, they totally dominate the property and the surrounding area and as a result look overbearing and unbalanced. They dwarf the current building and its neighbour 34. The plans show the dormers are the minimum 600mm from the gable end and the ridge of the roof (as required by Aberdeen City Council), there is no such "allowance" on the connecting side and they continue to the party wall with neighbouring 34, which I understand is unusual.

There is also no indication if they are resting on the wall head and I am unable to determine this from the documents so just raise it as a point to be checked.

I also raise the question as to whether the current building will be able to support the proposed massive development and as to whether this will have an adverse effect on the roof and structure of number 34.

There is no indication of where guttering and the flashing will be placed but again this would need to be contained within the boundary of 36 and not allow the ingress of water into 34.

Due to the height of the dormers there may well be an impact on the neighbours opposite privacy. The rear dormer will also overlook Westburn Road so the occupants and road-users' privacy will also be affected as the bushes and shrubs are below the level of this part of the development. In addition, from the public footpath to the rear of property and from Westburn Road this build will look out of place as no other house along this route has been remodelled to such an extent.

Based on the brochures provided the materials for dormers are out of character with the current building and those in the surrounding area.

Currently, I am unaware of any such dormers within the estate and approval will set a precedence. This in turn will lead to many others developing in such a manner and the consistent architectural nature of the estate will be changed forever.

It should be noted that when 34 & 36 were built in 1968/69 they were designed to complement each other and such a massive development would remove that symmetry.

This is a significant construction on a small site with limited space (there is only a very small area left in the back garden and the small front garden includes a steep slope at the boundary between 36 and 38), there is a question as to where will the necessary building materials will be stored.

This in itself could well lead to a loss of amenity and enjoyment of their premises for the surrounding neighbours.

Comments for Planning Application 191508/DPP

Application Summary

Application Number: 191508/DPP

Address: 36 Raeden Crescent Aberdeen AB15 5WJ

Proposal: Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear|cr|

Case Officer: Roy Brown

Customer Details

Name: Mrs Mhairi Angus

Address: Peppercoats Brow Pardshaw Cockermonth

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to make an objection to the proposed development at 36 Raeden Crescent. It appears to be an over development of a small house which is overbearing, in particular for its neighbour Number 34 Raeden Crescent, and out of character with the surrounding area.

The dormer extensions, front and rear, are problematic for numerous reasons.

1. They are out of scale for the house supporting them, occupying almost all the roof space turning a pitched roof into a flat roof. From the point of view of setting precedents it would damage the character of the area; with odd houses popping up with similar dormers it could adversely affect the look of the housing scheme.
2. They have been positioned off centre ending exactly on the shared boundary. This could undermine the soundness of No 34's roof as well as creating the look of overwhelming No.34.
3. The windows are large and overlooking neighbours' houses to the front of the development, in eye line with their bedrooms and bathrooms and impacting on their privacy.
4. The materials suggested, brick and metal, are out of character with the surrounding area.
5. The addition of more bedrooms when multiplied across the estate would increase the parking requirements, which are already strained.

This page is intentionally left blank

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>

This page is intentionally left blank



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 100184243-004

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="E"/>	Building Number:	<input type="text" value="36"/>
Last Name: *	<input type="text" value="McMillan"/>	Address 1 (Street): *	<input type="text" value="Raeburn Crescent"/>
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="Ab15 5WJ"/>
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="36 RAEDEN CRESCENT"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB15 5WJ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="806801"/>	Easting	<input type="text" value="391407"/>
----------	-------------------------------------	---------	-------------------------------------

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 porch to front and formation of dormers to front and rear

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.

Per attached LRB statement.

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

Yes No

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

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

Location plan - existing plans and elevations - proposed plans and elevations, along with LRB statement.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

191508/DPP

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

03/10/2019

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

10/12/2019

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 Kevin Duguid

Declaration Date: 30/01/2020

This page is intentionally left blank

PLANNING APPLICATION (ref 191508/DPP) - Erection of single storey extension to public facing (northeast) rear and formation of dormers to front and rear at 36 Raeden Crescent, Aberdeen, AB15 5WJ

Applicant – Mr E McMillan

Request for review of refusal of planning application for the erection of a single storey extension to the public facing (northeast) rear and formation of dormers to the front and rear of the dwellinghouse at 36 Raeden Crescent, Aberdeen.

Statement to accompany the Notice of Review.

Introduction

This Notice of Review has been prepared by Fitzgerald Associates Ltd on behalf of Mr E McMillan to support the request for review under the terms of Section 43A (8) of the Town and Country Planning (Scotland) Act 1997 and Regulation 9 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, against the refusal by Aberdeen City Council to grant full planning permission for the construction of dormer extensions to the front and rear and a small rear extension to the dwellinghouse at 36 Raeden Crescent, Aberdeen.

Site

The application property is located within a modern development of houses and flats of varying design and massing to the south of Westburn Road. The property is a modern, two storey, semi-detached house which faces a landscaped square and backs onto Westburn Road at approximately a 45 degrees angle. The opposite side of the square is formed by a terrace of two storey houses of a similar design, the third, north west, side is enclosed by a terrace of bungalows whilst to the south east of the application property, bordering the road access to the square is a block of 4/5 storey flats in a building with mono pitched roofs.

There are small private garden areas to the front and rear of the property. The site slopes from the front to the rear.

The site is separated from Westburn Road by a landscaped buffer which includes substantial areas of trees and shrubs. Car parking is laid out along the entrance to the square and around the high block of flats.

External finishes throughout the wider Raeden Crescent development are generally buff coloured roughcast, brick base courses and features and brown concrete roof tiles.

The site does not lie within a conservation area.



Background

The background to the application is described in the Supporting Statement (appendix 1) which was submitted with the application but for ease of reference is repeated here. 'The applicant and his family have lived in the property for many years; they are well settled with children attending local schools and wish to continue to live in the area. The house presently comprises 3 bedrooms, one of which is of very restricted size. The applicant wishes to alter the house in a sensitive way to meet the needs of his growing family and to provide for modern living requirements by the formation of improved bedroom accommodation, including an additional bedroom and an en suite bathroom. He also wishes to extend the kitchen at the rear to provide a dining area within the enlarged room'

Proposal

The proposal was described in detail in the Supporting Statement

The application seeks full planning permission to extend the existing dwelling. There are two parts to the proposal

Firstly a very small ground floor extension to the rear of the property. This is a simple lean to structure with wall and roof finishes matching the existing house. This extension which projects only 2.15metres from the rear of the house occupies less than 50% of the garden area allows the existing kitchen to become a dining kitchen. It is believed that this part of the proposal only requires planning permission because of changes in ground levels across the site and the resultant amount of underbuilding to the rear of the existing house. The Report of Handling considers this aspect of the proposal to be acceptable and does not form part of the reasons for refusal.

The second part of the application seeks approval for the formation of identically designed dormer windows on both the front and rear elevations. The dormers have fully glazed frontages with triple glazed windows in grey frames and with haffits and fascia formed in a grey standing seam metal cladding. The dormers extend from the boundary with the adjoining semi-detached house to 600mm from the edge of the roof and are set 600mm below the ridge of the house. The Report of Handling incorrectly refers to the distance between the dormer haffit and edge of roof as c 550mm where the submitted information shows the distance to be 680mm. The dormers allow the extended house to contain four bedroom rather than the present three bedrooms, one of which, as has been previously mentioned, is of very restricted size.

No comments were made on the application by the Rosemount and Mile End Community Council.

Following the submission of photographic evidence by the applicant which shows that there are always spaces within the car park serving the houses within the development the Roads Development Management Officer advised that the proposed extension to the house would not have a detrimental impact on the level of parking provision afforded to the surrounding residential properties.

Four letters of representation were received to the application. The issues raised by these are discussed later in this statement.

RESPONSE TO REPORT OF HANDLING AND REASONS FOR REFUSAL

The decision notice gives the following reasons for refusal:

The proposed dormers would detract from the uniform character and appearance and the established pattern of development of the surrounding area of Raeden Crescent, where there are no such dormers. The proposed dormers would be of a design and scale that would serve to dominate the roofslope of the original dwelling and would not be compatible with the architectural character of the original dwelling.

Notwithstanding every planning application is assessed on its merits, given the absence of existing dormers and dormers having been approved under current policies and guidance in the surrounding area, the grant of planning permission for the proposed dormers could set a precedent for similar scaled dormers in the surrounding area, which detract from the uniform character and the visual amenity of the surrounding area.

The proposed dormers would therefore conflict with Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan; and the associated Supplementary Guidance: 'The Householder Development Guide'. There are no material planning considerations that warrant the grant of planning permission in this instance.

In addressing the grounds for refusal it is necessary to respond to the Report of Handling.

A copy of the Report of Handling is produced as appendix 2 and of the Refusal Notice as appendix 3. This response also refers in detail to the Supporting Statement attached as appendix 1.

The Report of Handling states explicitly that the proposed rear extension is acceptable, complies with policy and has no adverse impact on residential amenity. The reasons for refusal of permission relate solely to the proposed dormer windows and accordingly this Review Statement only responds to the matters raised in relation to the dormer extensions.

Planning Policy Framework and Evaluation of Application

The Report of Handling describes the main issues which require to be considered in the determination of the application. It is agreed that the issues relate solely to those of the principle of erecting dormers, their design and appearance and impact on residential amenity. The Report of Handling assesses design in detail in terms of national and local planning policy.

National Policy and Strategic Development Plan

The Report of Handling concludes that *'due to the small scale of this proposal it 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'*
It is agreed that this is clearly the case.

Aberdeen Local Development Plan 2017

Development Plans are required to be consistent with national policy. It is the Aberdeen Local Development Plan 2017 (ALDP) which sets out detailed policy and provides the detailed guidance against which the application requires to be assessed.

It is agreed that the relevant policies are those set out in the Report of Handling namely Policies D1: Quality Placemaking and Design and H1: Residential Areas together with the Supplementary Guidance: Householder Development Guide which forms part of the Development Plan.

Policy D1 is a city wide policy requiring development to meet high standards of design and have a strong and distinctive sense of place. Proposals will be considered against the following six essential qualities - distinctive, welcoming, safe and pleasant, easy to move around, adaptable, resource efficient. I.e. it reaffirms the design principles in Scottish Planning Policy.

Policy H1 states that within existing residential areas (H1 on the Local Development Plan Proposals Map) and within new residential developments, proposals for new development and householder development will be approved in principle if they:

1. do not constitute over development;
2. do not have an unacceptable impact on the character and amenity of the surrounding area
3. do 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. comply with Supplementary Guidance.

The Householder Development Guide contains the following general principles in respect of dormer windows on modern properties.

1. New dormers or roof extensions should respect the scale of the building and they should not dominate, overwhelm or unbalance the original roof;
2. In terraces or blocks of properties of uniform design where there are no existing dormers, the construction of new dormers will not be supported on the front or other prominent elevations (e.g. fronting onto a road).

It then includes the following detailed requirements in respect of modern properties.

1. The dormer extension should not appear to dominate the original roofspace
2. The dormer extension should not be built directly off the front of the wallhead as the roof will then have the appearance of a full storey. On public elevations there should be no apron below the window, although a small apron may be acceptable on the rear or non-public elevations. Such an apron would be no more than three slates high or 300mm, whichever is the lesser;
3. The roof of the proposed extension should not extend to, or beyond the ridge of the existing roof, nor should it breach any hip. Dormer extensions cannot easily be formed in hipped roofs. Flat roofed extensions should generally be a minimum of 600mm below the existing ridge;
4. The dormer extension should be a minimum of 600mm in from the gable. The dormer haffit should never be built off the gable or party walls, except perhaps in the situation of a small semi-detached house where the dormer extension may sometimes be built off the common boundary. In terrace situations, or where a detached or semi-detached bungalow is very long, dormer extensions should be kept about 1500mm apart (i.e. dormer haffits should be 750mm back from the mutual boundary) so as not to make the dormer appear continuous or near continuous;
Dormers Modern
5. The outermost windows in dormer extensions should be positioned at the extremities of the dormer. Slated or other forms of solid panel will not normally be acceptable in these locations. In the exception to this situation, a dormer on a semi-detached house may have a solid panel adjacent to the common boundary when there is the possibility that the other half of the house may eventually be similarly extended in the foreseeable future. In this case the first part of the extension should be so designed as to ensure that the completed extension will eventually read as a single entity;
6. There should be more glazing than solid on the face of any dormer extension;
7. Box dormer extensions should generally have a horizontal proportion. This need not apply however, to flat roofed individual dormers which are fully glazed on the front;
- 8 Finishes should match those of the original building and wherever possible the window proportion and arrangement should echo those on the floor below;
9. The design of any new dormer extension should take account of the design and scale of the existing dormer.

Response to Evaluation of the Application in the Report of Handling

The Report of Handling which considers that the principle of the development accords with Policy H1 so long as it does not constitute over development, adversely affect the

character and amenity of the surrounding area and it complies with the Householder Development Guide is considered to be the correct approach.

The drawing below illustrates that the proposed dormers meet all of following the detailed requirements of the Householder Development Guide:

Requirement 2: The dormers will not be built off the wallhead nor will there be any apron below the windows.

Requirement 3: The roof of the dormers is 680mm lower than the ridge of the house.

Requirement 4: The dormer is set back 600mm from the gable end of the roof. This part of the specification allows dormers to be built off the mutual boundary with the neighbouring semi-detached house as proposed.

Requirements 5 and 6: Both dormers are proposed to be fully glazed.

Requirement 7: The dormers are to be fully glazed and with a horizontal proportion.

Requirement 8: The finishes reflect the materials used in the existing house but to give a crisp, contemporary appearance.

Requirement 9: There are no existing dormers.

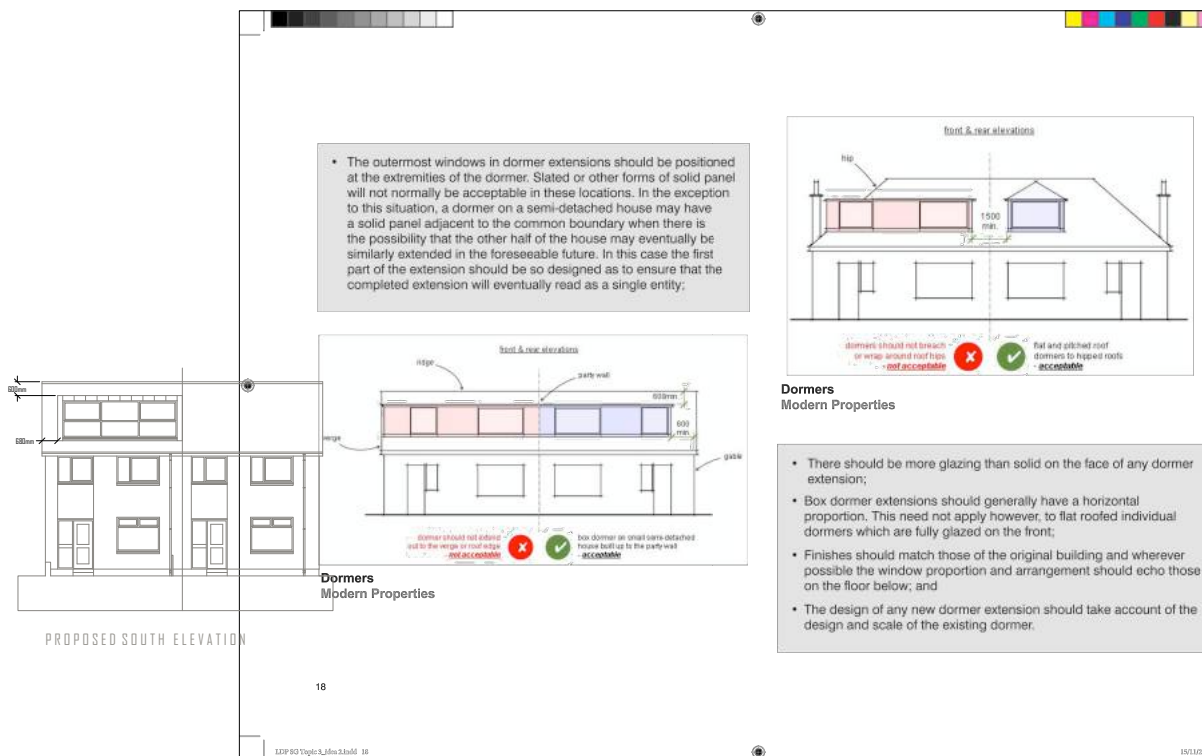
The Report of Handling generally acknowledges that the dormers meet these specific requirements but that they conflict with policy for essentially two reasons. Firstly there are no existing dormers within the wider development so the proposed dormers would not be compatible with the established pattern of development and would therefore be in conflict with Policy D1 of the Aberdeen Local Development Plan and by detracting from the uniform character and visual amenity of the surrounding area be in conflict with Policy H1 and secondly the scale of the dormers would dominate the roof slope of the existing house.

Taking these points in turn.

The Raeden Crescent development is a pleasant environment in which to live and well located for services and access to public transport. Indeed it is for these very reasons that the applicant wishes to alter his house to meet the needs of his family and to remain in the area. The houses though are of unremarkable architectural quality. It is felt that the Appointed Officer in the Report of Handling has overstated the uniformity of the buildings. The applicant's property is tucked away in one corner of the courtyard and is one of the only pair of semi-detached houses which forms the north east corner of the 'square'. There is a block of 4/5 storey flats on the east side of the 'square'. By denying the applicant the opportunity to construct dormer windows for this reason denies any other resident of the development the opportunity to adapt their house in this manner to meet their own needs. Dormer windows are an efficient way to provide additional living accommodation both in terms of land use and the potential to improve the energy performance of the house. It is simply not accepted that the dormers will damage the appearance or amenity of the area.

The alterations to the house respond to the design of the existing house and characteristics of the surrounding area in an imaginative way. The front dormer will only be seen from within the Square which the house faces. The house fronts a corner of the Square and it is felt quite legitimate, in design terms, to allow alterations of the type proposed which introduce a feature which adds interest to the area. The rear elevation backs on to Westburn Road at an angle of 45 degrees. Whilst it can be seen from that road it is set back a considerable distance and viewed through an area of trees and shrubs and any visual impact extremely limited.

In the Report of Handling the Appointed Officer contends that the size, scale and massing of the dormers on the on the roofslope can be quantified in that the area of the dormers would cover more than 50% of the principal and rear roof elevations and the roof plan. There is nothing in Council Policy which limits dormers to 50% of the roofslope and this seems to be an arbitrary figure introduced by the Appointed Officer without any considered justification. By way of example a sketch in the Supplementary Guidance showing acceptable dormers on single storey houses has 45% of the roofslope covered. The application has 53% of the roofslope covered but this is on a higher property and with less impact. Fig_01 below details an extract from the householder policy guidance, with the proposed elevation overlaid.



Letters of Representation

The Report of Handling states that 4 representations were received. It is regrettable that the Report does not include a more detailed analysis of these objections. Only one was received from an address within the Raeden Crescent development. This was from the neighbour at number 34, the half of the semi-detached block. One other objection came from an Aberdeen address whilst the other two from addresses in England. It is accepted entirely that these parties are perfectly entitled to make representations but a

reading of the Report could give the impression that there was more substantial objection locally than is the case evidence by the representations which have been received. It is submitted that, in any event, it is not the number of objections but rather the substance of the planning matters raised which should be addressed in the determination of an application.

The Report of Handling fairly summarises the points raised in the letters of representation in 12 bullet points and addressed these in the section 'The Matters Raised in the Letter of Representation' (It is presumed that this section considers all letters of representation).

In essence the grounds of objection include concerns about the design, scale and finishes of the proposed dormers and the impact of both the dormers and rear extension on residential amenity together with Issues of precedent, parking and a number of 'property' rather than planning issues.

The matters of design have been dealt with already in this statement with the exception of the issue of symmetry. The policy clearly allows this type of development, and with the option for the neighbour to extend in a similar manner will provide the symmetry this is designed to afford.

The Report of Handling has concluded that there is no adverse impact on residential amenity in terms of shadowing or privacy. Similarly the issue of parking provision has been addressed to the satisfaction of the Roads Officer.

The submitted plans were adjusted to confirm that all works would take place within the applicant's own property. As stated in the Report of Handling matters relating to the storage of materials during construction, the impact to the structural integrity of the building and the other boundary/landownership issues relating to access, construction and maintenance are not material planning considerations.

Summary and Conclusion

It is felt that the foregoing demonstrates that the proposal for carefully designed dormer windows which respect the character of the application property as well as the wider area and without causing any adverse impact on residential amenity meets both Policies D1: Quality Placemaking and Design and H1: Residential Areas and the Supplementary Guidance: Householder Development Guide

There is no sound planning reason to effectively place an embargo on any dormer extension within the Raeden Crescent development.

It is hoped, therefore, that the Local Review Body will overturn the decision taken by the Appointed Officer and grant planning permission for the construction of well-designed dormers and a very modest rear extension to the property thus allowing the applicant to provide for the changing needs of his family.

This page is intentionally left blank

LOCAL REVIEW BODY



191551/DPP – Appeal against refusal of planning permission for:

‘Erection of replacement 1.5 storey extension to rear and straightening of eaves’

at 16 Newlands Crescent, Aberdeen

Location Plan



Aerial Photo: Location



Street view image



Block Plan: Existing/Proposed



Front Elevation: Existing/Proposed

Page 166



PROPOSED SOUTH WEST
ELEVATION

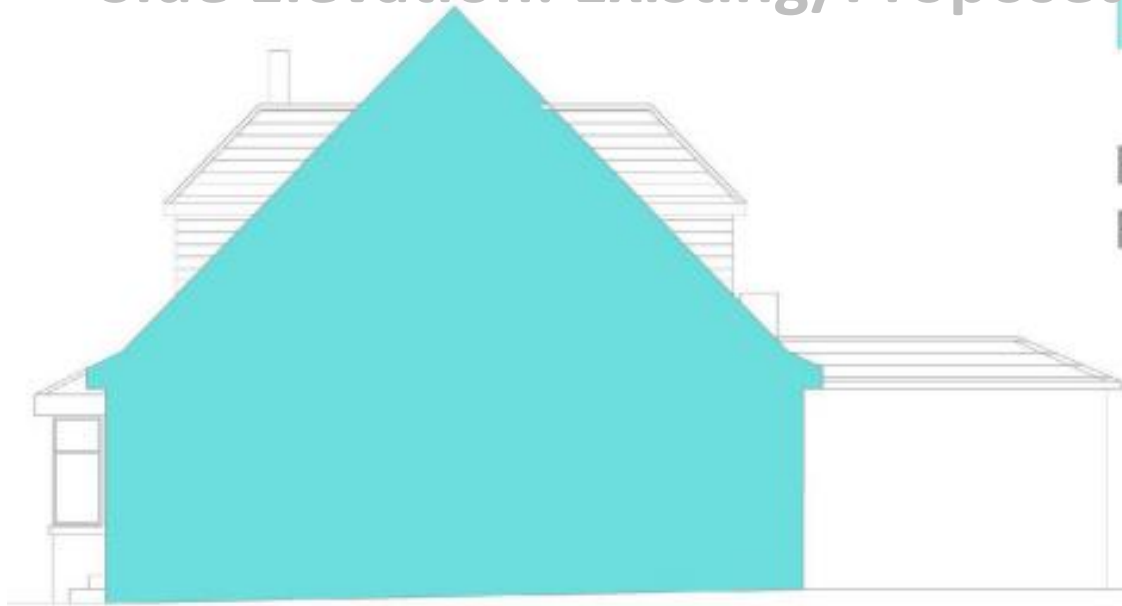
Rear Elevation: Existing/Proposed



Side Elevation: Existing/Proposed



Side Elevation: Existing/Proposed

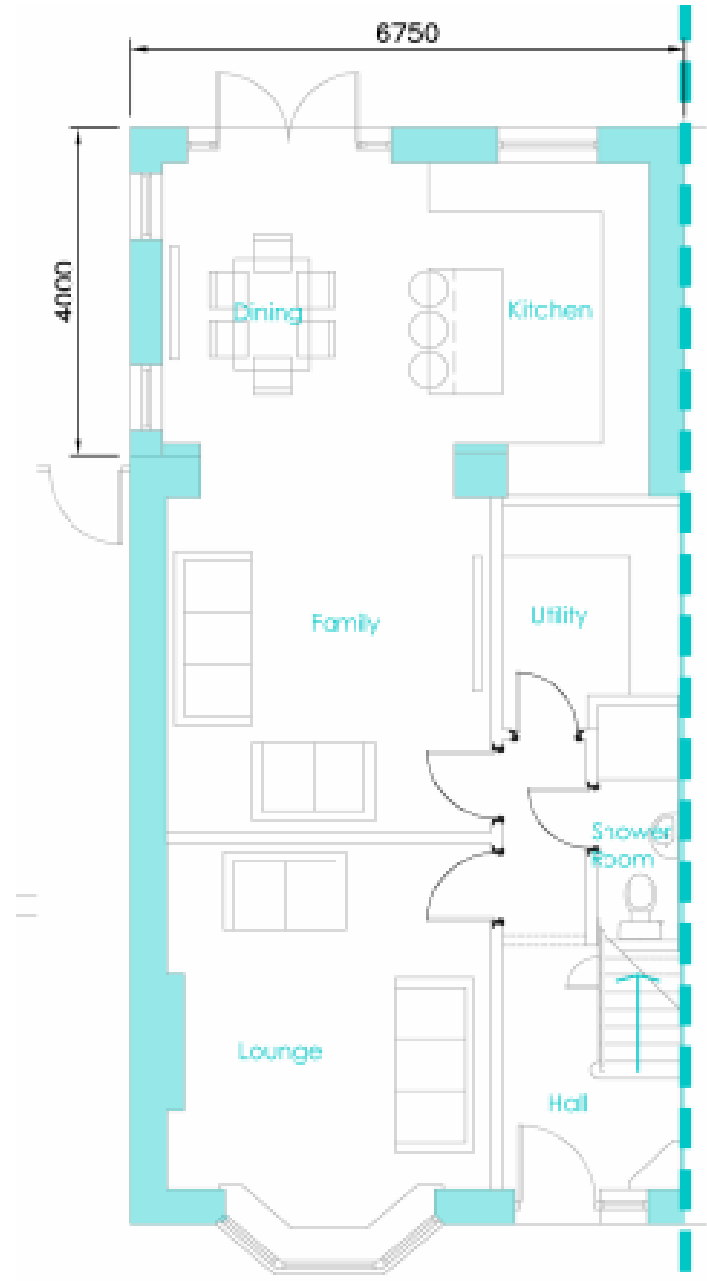
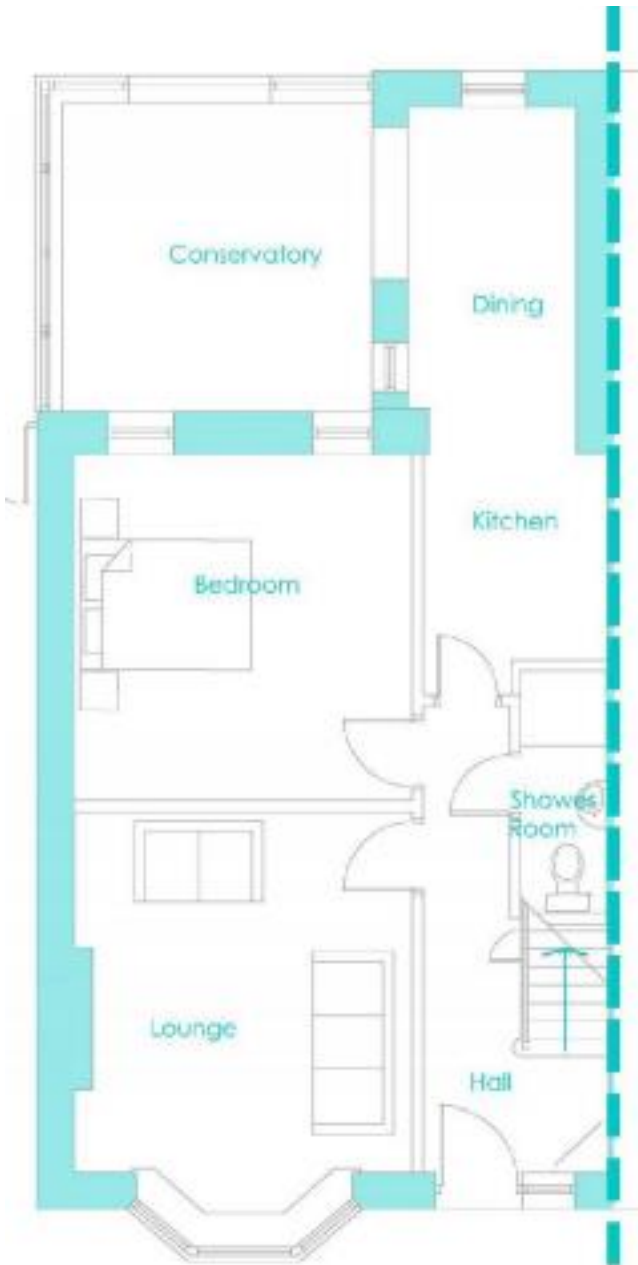


E
F

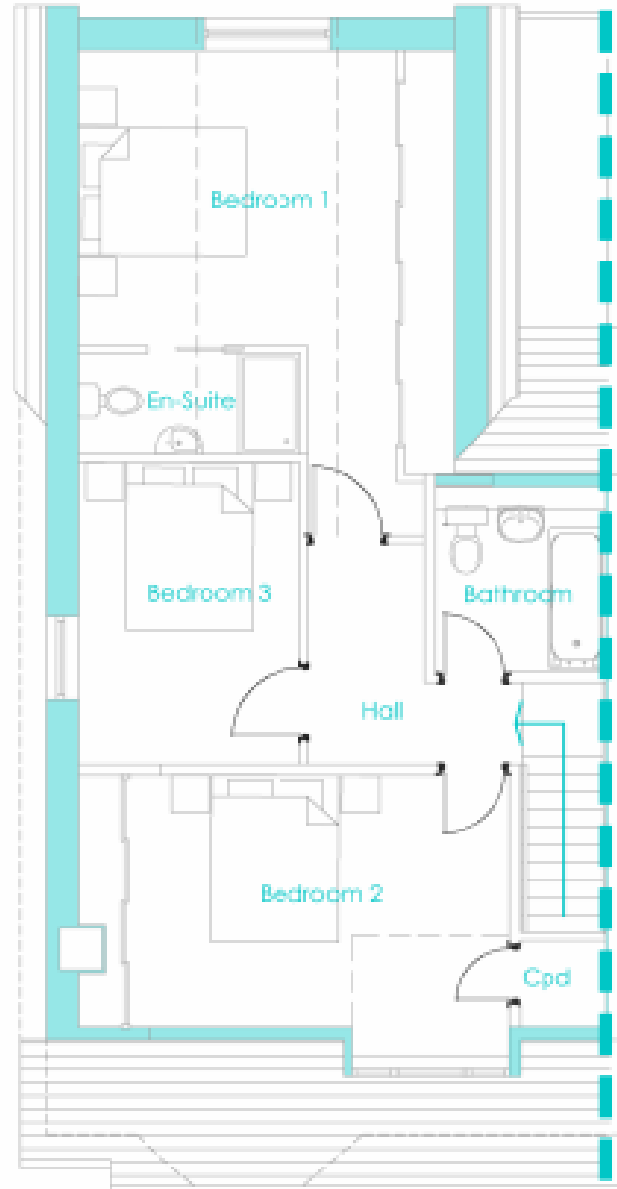
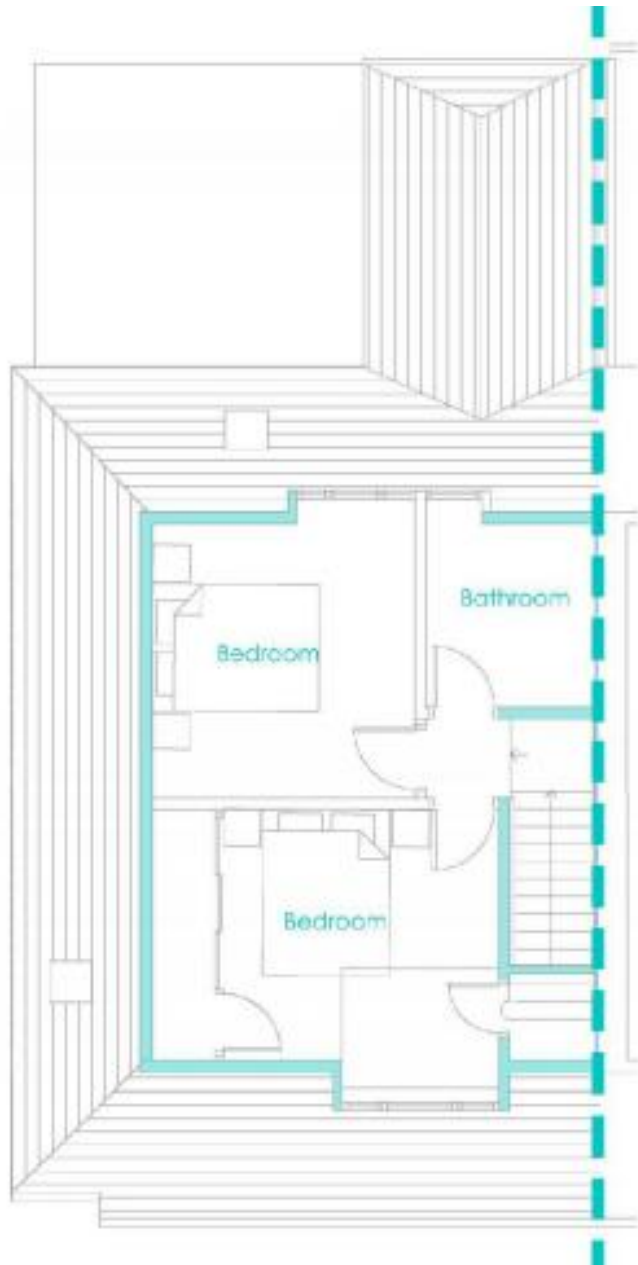


Ground floor: Existing/Proposed

Page 170



First floor: Existing/Proposed



Reasons for Refusal

The proposed straightening of the gable would create an imbalance in the appearance of the set of semi-detached dwellinghouses at 14 / 16 Newlands Crescent which would result in a development that fails to accord with the prevailing character of the streetscene which would dilute Newlands Crescent's 'distinctive sense of place'.

Resultant conflict with Policy H1 (Residential Areas) and Policy D1 (Quality Placemaking by Design) in the ALDP, as well the Householder Development Guide SG - section 3.1.8 of which prohibits the practice of extending hipped roofs on one in a pair of one and half storey semi-detached dwellinghouses to terminate at a raised gable where the other half of the building has not already been altered

No other material considerations outweigh this conflict and therefore the proposed development is considered unacceptable.

H1: Residential Areas

- Is this overdevelopment?
- Would it have an *'unacceptable impact on the character and amenity'* of the area?
- Would it result in the loss of open space?
- Does it comply with Supplementary Guidance?

(e.g. Householder Development Guide SG)

D1: Quality Placemaking by Design

All dev't 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”*.

Proposals will be assessed against the following six essential qualities:

- Distinctive
- Welcoming
- Safe and pleasant
- Easy to move around
- Adaptable
- Resource-efficient

Householder Development Guide

Extensions should:

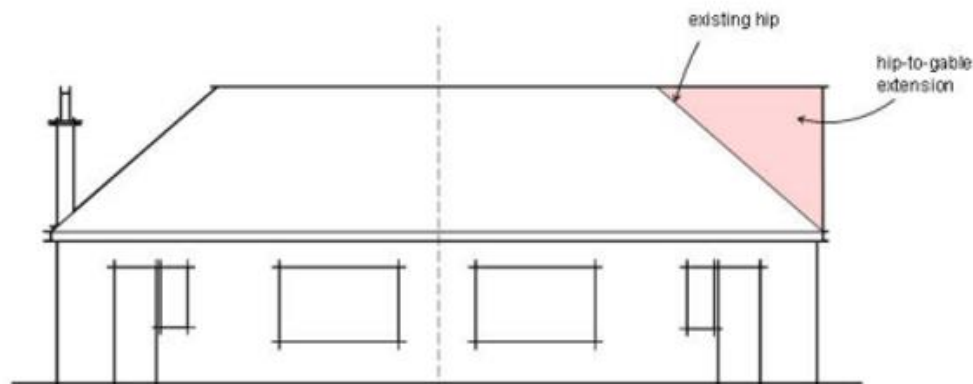
- Be “***architecturally compatible with original house and surrounding area***” (design, scale etc)
- Should not ‘***dominate or overwhelm***’ the original house. Should remain visually subservient.
- Should not result in adverse impact on **privacy, daylight, amenity**
- Approvals pre-dating this guidance do not represent a ‘**precedent**’
- Footprint of dwelling should not exceed **twice that of original house**
- **No more than 50% of front or rear curtilage** may be covered (anything less than that considered on its merits)

Householder Development Guide

- “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.



original architectural roof form & features retained
- *acceptable*



roof extension gives an unbalanced appearance
- *generally not acceptable*

Points for Consideration:

Zoning: Does the proposal comply with the tests set out in policy H1 (Residential Areas)?

Design: Is the proposal of sufficient design quality (D1) - *having regard for factors such as scale, siting, footprint, proportions relative to original, materials, colour etc?*

The proposal involves altering a hipped roof on one half of a pair of semi-detached houses, which is not generally accepted by the Householder Development Guide SG. Do members consider that there is anything specific to the streetscape here which would mitigate any adverse impact on character or visual amenity?

1. Does the proposal comply with the Development Plan when considered as a whole?

2. Are there any material considerations that outweigh the Development Plan in this instance?

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)

This page is intentionally left blank

 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
---	---

Site Address:	16 Newlands Crescent, Aberdeen, AB10 6LH,
Application Description:	Erection of replacement 1.5 storey extension to rear and straightening of eaves
Application Ref:	191551/DPP
Application Type:	Detailed Planning Permission
Application Date:	17 October 2019
Applicant:	Mrs Louisa Thow
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Ashley And Broomhill
Case Officer:	Jamie Leadbeater

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises the residential curtilage of a traditional 1.5 storey semi-detached dwellinghouse on the north-eastern side of Newlands Crescent.

The property incorporates features such as a bay window to front and hipped roof dormer windows to front and rear set within hipped slated roof, which also includes a single chimney stack at the side end of the house. External walls to the main part of the building are finished in traditional granite blocks whilst a single storey projecting with adjoining conservatory exists on the rear elevation. The application property forms one half of a symmetrical shaped building, the other half comprising another dwellinghouse which is identical in its built form and appearance other than a difference in doors and window frames.

In terms of the wider streetscene, all houses are of the same original house type and very few have been altered from their original built form.

Relevant Planning History

None

APPLICATION DESCRIPTION

Description of Proposal

Detailed Planning Permission is sought for straightening the gable of the existing hipped roof and erection of a 1.5 storey extension to the rear of the dwellinghouse.

The rear extension would project 4m outwards from the original rear elevation and span the full

width of the house (6.75m). Its eaves would measure 3.37m and its ridge would measure 7.28m high. Roof tiles and render to the walls to match existing finishes.

Supporting Documents

All drawings can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PZEM5FBZK9C00> .

CONSULTATIONS

ACC - Roads Development Management Team – No concerns

Ashley And Broomhill Community Council – No response received

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, 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)

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 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)

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

Supplementary Guidance

- Householder Development Guide

EVALUATION

Principle of Development

The site falls within a “Residential Area” designation on the ALDP Proposals Map to which Policy H1 in the Aberdeen Local Development Plan (ALDP) applies. Policy H1 supports new residential development within such areas providing it satisfies the following criteria:

- 1) Does not constitute “overdevelopment”;
- 2) Does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3) Does not result in the loss of valuable and valued open space; and,
- 4) Complies with supplementary guidance (the Householder Development Guide in this case).

Overdevelopment

The proposed extension would not more than double the footprint of the original dwellinghouse, nor would it result in more than 50% of the rear curtilage being developed. As such, the proposal would not result in ‘overdevelopment’ of the site in line with the Householder Development Guide SG’s relevant requirements.

Impact on Character and Amenity

In terms of character, the proposed straightening of the gable would be a readily visible alteration to the dwellinghouse as it would alter the form, massing and scale of the built envelope of the application property which would create a visual imbalance to the set of semi-detached dwellinghouses (application property and adjoining property 14 Newlands Crescent) from the street. Given the prevailing character of the street is that of unaltered sets of semi-detached dwellinghouses built in a singular architectural style, such an alteration would contribute to the erosion of the street’s prevailing character which is unacceptable. Subsequently, this impact would conflict with the guidance set out in Section 3.1.8 of the Householder Development Guide SG which sets out that the practice of extending the hipped roof on a one and half storey pair of semi-detached houses to terminate at a raised gable will not be accepted unless the other half of the building has been altered or such a proposal would not, as a result of the existing streetscape and character of buildings therein, result in any adverse impact on the character or visual amenity of the wider area. Moreover, for the avoidance of doubt, whilst it is accepted that the street does comprise of altered roofs at numbers 5, 10, 23 and 28, these are in the minority and approved before the current LDP plan period. As per General Principle 3 in the Householder Development Guide SG, no such alterations shall justify proposals that would otherwise fail to comply with the guidance. With regards to the proposed rear extension component of the proposal it would not have an overt impact from the street, but this would only be the case if the roof extension was first permissible.

In terms of amenity, the considerations are two-fold. Firstly, the impact on public visual amenity. Having considered the visual impact of the straightening of the hipped roof from the street on Newlands Crescent – the primary public vista to the site – the impact on visual amenity is considered unacceptable given the impact on the prevailing character of the street. Secondly, the impact on neighbours’ residential amenity in respect of privacy and loss of daylight/sunlight. Although the first-floor window in the side gable would be orientated towards the roof of number 18 Newlands Crescent, its elevated position could present a platform to overlook into part of the garden ground of that neighbouring property. Other than that, the proposal would not have any other potential private amenity implications on neighbours. In addition, upon application of the sunlight/daylight tests set out in Appendix 2 of the SG, the straightening of the gable may cause some reduction in natural daylight into the window on the side elevation of number 18 Newlands Crescent but the impact would not be so significant to warrant refusal of the application in itself. In addition, whilst the proposed rear extension would project 4m outwards from the original rear elevation at one and half storeys, given the presence of existing single storey flat roof extensions

to number 14 and 18 on either side with similar size projections, the proposed rear extension would not have an adverse daylight/sunlight impact on immediate neighbours.

Overall, taking the public and neighbouring amenity impacts into consideration, the proposal would have an unacceptable amenity impact in the round.

Loss of valuable and valued open space

The site lies within a defined residential curtilage and therefore would not give rise to loss of valuable and valued public open space.

Compliance with Householder Development Guide SG

Given the commentary in the above paragraphs, it is not considered the proposal would comply with the all relevant requirements in the Householder Development Guide SG i.e. General Principles and Rear and Side Extensions. Specifically, whilst it accepted the extent of the proposal would not result in 'overdevelopment' of the site and the choice of finishing material are acceptable, the alteration to the existing roof space would not be architecturally compatible in design and scale to the original house, especially in the context that the application property and adjoining dwellinghouse are visually read as one built envelope from the street.

Design

Policy D1 in the ALDP requires development proposals to be designed to a high standard to create a strong and distinctive sense of place which is as a result of contextual appraisal.

Whilst it is accepted that the choice of finishing materials are sympathetic to the existing building and wider street, as set out previously, the straightening of the hipped roof would alter the form, massing and scale of the built envelope of the application property which would create an visual imbalance to the set of semi-detached dwellinghouses (number 14 and 16 Newlands Crescent). Given this visual impact would adversely harm the prevailing character of the street, it would weaken Newland Crescent's 'distinctive sense of place' and therefore the proposal would not comply with Policy D1 in the ALDP.

Strategic Development Plan implications

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

Conclusion

Overall, it is considered the proposed straightening of the existing hipped roof would create an unbalanced appearance to the set of semi-detached dwellinghouses number 14 and 16 Newlands Crescent, on a planned street of identical properties which has been relatively unaltered since they were built. As such, the proposal would adversely harm the prevailing character of the street and dilute its distinctive sense of place. Therefore, the proposal would fail to meet all relevant requirements of policies H1 and D1 and its associated supplementary guidance the Householder Development Guide in the Aberdeen Local Development Plan 2017. In the absence of any other overriding material considerations, the application is recommended for refusal.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed straightening of the gable would create an imbalance in the appearance of the set

of semi-detached dwellinghouses comprising the application property and adjoining number 14 Newlands Crescent, which would result in a development that fails to accord with the prevailing character of the streetscene which would dilute Newlands Crescent's 'distinctive sense of place'. As such, the proposal is considered to be in conflict with Policy H1 (Residential Areas) and Policy D1 (Quality Placemaking by Design) in the Aberdeen Local Development Plan 2017, as well as failing to comply with all relevant requirements of the Householder Development Guide Supplementary Guidance document, including Section 3.1.8 of the guidance which prohibits the practice of extending hipped roofs on one in a pair of one and half storey semi-detached dwellinghouses to terminate at a raised gable where the other half of the building has not already been altered or such a proposal would adversely impact on the character and visual amenity of the area, mindful of existing streetscape. No other material considerations outweigh this conflict and therefore the proposed development is considered unacceptable.

This page is intentionally left blank



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 100189392-001

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)

1.5 Storey extension to rear of property & straightening of eaves.

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:	Katrina Denholm Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Katrina	Building Name:	
Last Name: *	Denholm	Building Number:	8
Telephone Number: *		Address 1 (Street): *	Scotsmill Avenue
Extension Number:		Address 2:	Blackburn
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	UK
		Postcode: *	AB21 0HR
Email Address: *	katrina.denholm@gmail.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Louisa	Building Number:	16
Last Name: *	Thow	Address 1 (Street): *	Newlands Crescent
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Aberdeen City
Mobile Number:		Postcode: *	AB10 6LH
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

16 NEWLANDS CRESCENT

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB10 6LH

Please identify/describe the location of the site or sites

Northing

804486

Easting

392464

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: Katrina Denholm

On behalf of: Mrs Louisa Thow

Date: 14/10/2019

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: Mrs Katrina Denholm

Declaration Date: 14/10/2019

Payment Details

Cheque: x, x

Created: 14/10/2019 22:10

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Katrina Denholm
Katrina Denholm Architect
8 Scotsmill Avenue
Blackburn
Aberdeen
AB21 0HR

on behalf of **Mrs Louisa Thow**

With reference to your application validly received on 17 October 2019 for the following development:-

Erection of replacement 1.5 storey extension to rear and straightening of eaves at 16 Newlands Crescent, Aberdeen

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

Drawing Number	Drawing Type
KHD-A1160-P-01-001	Location Plan
KHD-A1160-P-01-003 Rev A	Elevations and Floor Plans

REASON FOR DECISION

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

The proposed straightening of the gable would create an imbalance in the appearance of the set of semi-detached dwellinghouses comprising the application property and adjoining number 14 Newlands Crescent, which would result in a development that fails to accord with the prevailing character of the streetscene which would dilute Newlands Crescent's 'distinctive sense of place'. As such, the

proposal is considered to be in conflict with Policy H1 (Residential Areas) and Policy D1 (Quality Placemaking by Design) in the Aberdeen Local Development Plan 2017, as well as failing to comply with all relevant requirements of the Householder Development Guide Supplementary Guidance document, including Section 3.1.8 of the guidance which prohibits the practice of extending hipped roofs on one in a pair of one and half storey semi-detached dwellinghouses to terminate at a raised gable where the other half of the building has not already been altered or such a proposal would adversely impact on the character and visual amenity of the area, mindful of existing streetscape. No other material considerations outweigh this conflict and therefore the proposed development is considered unacceptable.

Date of Signing 21 January 2020



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

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

None.

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

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

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

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

Notices of review submitted by post should be sent to 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.

This page is intentionally left blank

Consultee Comments for Planning Application 191551/DPP

Application Summary

Application Number: 191551/DPP

Address: 16 Newlands Crescent Aberdeen AB10 6LH

Proposal: Erection of replacement 1.5 storey extension to rear and straightening of eaves

Case Officer: Jamie Leadbeater

Consultee Details

Name: Mr scott lynch

Address: Marischal College, Gallowgate, Aberdeen AB10 1YS

Email: slynch@aberdeencity.gov.uk

On Behalf Of: ACC - Roads Development Management Team

Comments

I note that this application is for the erection of a replacement 1.5 storey extension to the rear, and straightening of eaves at 16 Newlands Crescent, Aberdeen. The site is located in the outer city, outwith any controlled parking zone.

The proposals will neither affect the parking provision, nor the parking requirement.

As such, there are no Roads concerns.

This page is intentionally left blank

National Planning Policy

Scottish Planning Policy (SPP)

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

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

The Strategic Development Plan 2014 is now 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 Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

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>

This page is intentionally left blank



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 100235327-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

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="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="c/o agent"/>
First Name: *	<input type="text" value="Louisa"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Thow"/>	Address 1 (Street): *	<input type="text" value="c/o agent"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="c/o agent"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="c/o agent"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="c/o agent"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="info@auroraplanning.co.uk"/>		

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="16 NEWLANDS CRESCENT"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB10 6LH"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="804486"/>	Easting	<input type="text" value="392464"/>
----------	-------------------------------------	---------	-------------------------------------

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 replacement 1.5 storey extension to rear and straightening of eaves

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 paper apart

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)

Please see appendix one to the paper apart.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

191551/DPP

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

15/10/2019

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

21/01/2020

Review Procedure

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

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

Yes No

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

Please select a further procedure *

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

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

A site visit would allow members to see the other properties in the area which have been modified in a similar way to that proposed in terms of the application to which this Notice of Review relates.

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: Miss Pippa Robertson

Declaration Date: 18/02/2020

This page is intentionally left blank



16 NEWLANDS CRESCENT

ABERDEEN

AB10 6LH

**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 191551/DPP

PAPER APART



1 Introduction

1.1 Planning application reference 191551/DPP was submitted to Aberdeen City Council on 15 October 2019 (validated 17 October) seeking planning permission for the “Erection of replacement 1.5 storey extension to rear and straightening of eaves” at 16 Newlands Crescent Aberdeen AB10 6LH.

1.2 The application was refused on 21 January 2020, with the Decision Notice [Document 5] stating that:

“The proposed straightening of the gable would create an imbalance in the appearance of the set of semi-detached dwellinghouses comprising the application property and adjoining number 14 Newlands Crescent, which would result in a development that fails to accord with the prevailing character of the streetscene which would dilute Newlands Crescent's 'distinctive sense of place'. As such, the proposal is considered to be in conflict with Policy H1 (Residential Areas) and Policy D1 (Quality Placemaking by Design) in the Aberdeen Local Development Plan 2017, as well as failing to comply with all relevant requirements of the Householder Development Guide Supplementary Guidance document, including Section 3.1.8 of the guidance which prohibits the practice of extending hipped roofs on one in a pair of one and half storey semi-detached dwellinghouses to terminate at a raised gable where the other half of the building has not already been altered or such a proposal would adversely impact on the character and visual amenity of the area, mindful of existing streetscape. No other material considerations outweigh this conflict and therefore the proposed development is considered unacceptable.”

1.3 Notably, the Decision Notice refers only to the proposed works to the roof and not the rear extension, with the Delegated Report [Document 6] for the application making it clear that the latter is acceptable. Specifically, the Delegated Report confirms that:

- the proposed extension would not more than double the footprint of the original dwellinghouse, nor would it result in more than 50% of the rear curtilage being developed, in accordance with Supplementary Guidance;
- the rear extension would also not have an overt impact from the street, subject to the works to the roof being permissible;
- there would be no over development of the site;



- there would be no loss of valuable and valued public open space;
- there would be no adverse impact on daylight/sunlight of immediate neighbours, nor any loss of daylight that would justify the application being refused; and
- the proposed finishing materials would be acceptable.

1.4 The only concern then raised in respect of the rear extension is that the first-floor window in the side gable could present a platform to overlook into part of the garden ground of number 18 Newlands Crescent. However, it should be noted that the proposed new gable window would look out over the garden of number 18 less than the existing dormer window to the rear number 16 would. And, with that dormer window being removed to create the proposed new extension, the development represents an improvement in this regard.

1.5 In light of the above, the rear extension clearly complies with all policy requirements as set out in the Delegated Report and should be supported accordingly.

1.6 The only outstanding concerns then raised relate to the impact that the proposed works to the roof would have on the application property and the adjoining number 14 Newlands Crescent, and the impact that this would have on the character of the wider area as a result. As such, it is these works that are the main focus of this paper apart.

1.7 Importantly in this regard, it should be noted that the proposed works to the roof would not terminate in a raised gable as indicated in the Decision Notice, but would create a half-hipped roof, with this retaining the same pitch as the original roof.

1.8 A review of the decision to refuse the application is now sought on the grounds that:

- half-hipped roofs such as that proposed in terms of this application are a common feature on Newlands Crescent; and
- where similar half-hipped roofs have been approved on other properties on Newlands Crescent, they were assessed against the same test as this application requires to be assessed against and were deemed to be acceptable (see paragraphs 4.4 and 4.5 below).



1.9 It is accordingly submitted that the proposed half-hipped roof:

- is architecturally compatible with both the applicant property and other properties in the area;
- would not have an adverse impact on the character and visual amenity of the area;
- allows the applicants to make more efficient use of their property, which should be supported in the interests of sustainability;
- complies with all relevant requirements of the Householder Development Guide Supplementary Guidance document, including Section 3.1.8 of this, as well as Policies H1, D1 and H3 of the Local Development Plan;
- is supported by other material considerations, namely Scottish Planning Policy and the approval of previous planning applications for the creation of half-hipped roofs on other properties on Newlands Crescent; and
- should be approved in line with the approach taken in respect of other properties on Newlands Crescent as being in accordance with the Development Plan and relevant material considerations.

1.10 At the same time, all other elements of the proposed development also comply with the Development Plan for the reasons given in the Delegated Report.

1.11 It should also be noted that no objections to the application were received from any statutory consultees or neighbours.

1.12 For the reasons given in this paper apart, it is submitted that the review should be allowed, and the application approved.

1.13 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 16 Newlands Crescent is a traditional 1.5 storey semi-detached dwelling house on the north-eastern side of Newlands Crescent, with a hipped slated roof. The property dates from c.1950 and is not listed or subject to any special designations or protections.
- 2.2 Notwithstanding the statement in the Report of Handling that very few houses in the wider street scene have been altered from their original built form, it is important to note that works have been carried out to a number of these to form half-hipped roofs, rather than the fully hipped roofs they would have had originally, including multiple examples where one half of a semi-detached pair of properties has such a roof but the other half does not. Specifically, this can be seen at numbers 2, 5, 10, 23, 28 and 60 respectively (see photo below providing an overview of the street scene, in addition to which photos of numbers 2, 5, 10, 23, 28 and 60 are provided in Appendix 2). It is submitted that these are clear features of the area and cannot be dismissed as being in the minority and not relevant as set out in the Report of Handling, but must be taken into account for the reasons set out in paragraphs 3.11 below.



- 2.3 The applicant seeks to alter the roof of number 16 Newlands Crescent to create a half-hipped roof of a similar nature to those already seen on numbers 2, 5, 10, 23, 28 and 60. The proposed alterations to the roof, together with the proposed rear extension, would provide additional space for modern family living and allow the property to be used more flexibly in future, whether by the applicants themselves or by any future occupiers.
- 2.4 From the elevation plans submitted with the application [Document 4], it can be seen that the materials of the proposed half-hipped roof would match the materials on the existing roof, and the Delegated Report confirms that these are sympathetic to both the original property and the wider street. At the same time, the half-hipped roof would retain the same pitch as the existing roof, such that the roof still appears hipped from longer views.



3 Policy context

3.1 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.

3.2 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 7]

3.3 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."

3.4 The proposed works to the roof would create a more attractive living environment for the applicants in line with this vision.

Aberdeen Local Development Plan (ALDP) (2017) [Document 8]

3.5 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; and
- Policy H3 – Density.

3.6 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.”

3.7 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.

3.8 With regards to these criteria, the Delegated Report confirms that the first and the third are satisfied as set out in paragraph 1.3 above, with concerns only raised with regards to the second and fourth criteria (i.e. the impact that the proposed works to the roof would have on the character of the area, and the extent to which this conforms with Supplementary Guidance (namely the Householder Development Guide). Both of these are addressed below.

3.9 In terms of the impact on the character of the area, half-hipped roofs such as that proposed are already a feature on the street as set out in paragraph 2.2 above, including multiple examples where one half of a semi-detached pair of properties has such a roof but the other half does not. As such, approval of this application would not introduce anything new into the built environment, and there would be no impact on the street’s character as a result. This is also confirmed in decisions on other planning applications for works to create half-hipped roofs on Newlands Crescent as set out in paragraphs 4.4 and 4.5 below, from which it is clear that such works were not considered to result in loss of the character of the streetscape in those instances. The same conclusion should now be reached in respect of the works proposed in terms of this application.



3.10 In terms then of **Supplementary Guidance: Householder Development Guide** [Document 9], this sets out guidelines for specific types of development (including works to hipped roofs as proposed in terms of this application), as well as general principles with which all applications for householder development are expected to comply. Of these, the general principles are that:

“1. Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. 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.”

“2. No extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity will count against a development proposal.”

“3. 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.”

“4. The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.”

“5. No more than 50% of the front or rear curtilage shall be covered by development.”

3.11 Within this, it is noted that principle 3 states that no existing alterations which were approved prior to the introduction of the supplementary guidance will be considered to provide justification for a development proposal which would otherwise fail to comply with the guidance. However, whereas the existing examples of half-hipped roofs referred to in paragraph 2.2 above may pre-date the guidance, it should be noted that the Reports of Handling for at least two of these are clear that the previous Local Development Plan and its associated supplementary guidance required these to be assessed against an analogous test to that against which this application requires to be assessed as set out in more detail in paragraphs 4.4 and 4.5 below, with these having been considered to comply with that. On the basis that these half-hipped roofs were deemed acceptable in terms of the same test as that against which this application requires to be determined,



it is submitted that they do provide justification for the half-hipped roof proposed in this instance, and the application should be approved in line with the decisions made on those applications.

3.12 Of the other principles:

- neither 4 nor 5 are relevant to the proposed alterations to the roof;
- the Delegated Report makes it clear that no loss of residential amenity would result from the proposed works, such that principle 2 is satisfied; and
- it is submitted that the proposed alterations to the roof comply with principle 1 on the basis that the resultant half-hipped roof would be architecturally compatible with both (i) the application property (given that this would retain the same pitch as the existing roof and still appear hipped from longer views), and (ii) other properties in the area (a number of which also feature half-hipped roofs of this nature, and with these existing roofs to be considered relevant to the determination of the application for the reasons given in paragraph 3.11 above), in addition to which the proposed materials complement the original building (with the Delegated Report confirming that these would be acceptable as set out in paragraph 1.3 above).

3.13 Paragraph 3.1.8 of the guidance then provides specific advice in relation to hipped roof extensions, within which it is noted that:

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

3.14 It then goes on to state 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.



3.15 Figure 1 below shows the type of modification that is referred to in this part of the guidance.

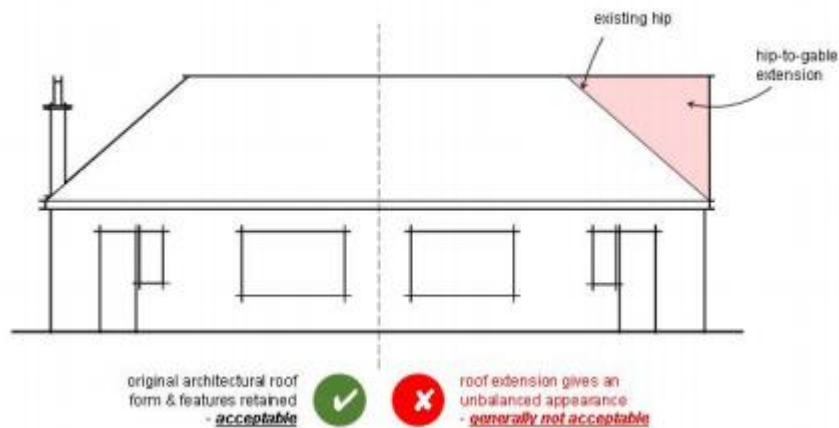


Figure 1: Hipped Roof Extension

3.16 In contrast to what is shown in Figure 1 however, the proposed alterations to which this application relates would result in a half-hipped roof, which would not have a gable as described in the Supplementary Guidance. Figure 2 identifies the roof arrangement proposed.



Figure 2: Proposed Development

3.17 In light of the above, the general presumption against extending a hipped roof to terminate at a raised gable is not relevant to the determination of the application.

3.18 This notwithstanding, it is submitted that the proposed half-hipped roof would not result in any adverse impact on the character or visual amenity for the reasons set out in the last bullet point of paragraph 3.12 above so, even if the test set out in paragraph 3.1.8 of the Supplementary Guidance were to be applied, the application would still be acceptable in terms of the second bullet point of this.



- 3.19 The primary test against which the application should be assessed is then that set out in the first general principle of the Supplementary Guidance as set out in paragraph 3.10 above (i.e. that this should be architecturally compatible with the original house and its surrounding area, and that materials used should be complementary to the original building), with which it is again submitted that the proposed half-hipped roof complies for the reasons given in the final bullet point of paragraph 3.12 above.
- 3.20 On the basis of the points raised in paragraphs 3.7 to 3.19 above, the proposed works should be supported in terms of the Supplementary Guidance and Policy H1.
- 3.21 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 alteration to the roof reflects the form of other half-hipped roofs on the street, such that there would be no impact on the prevailing character or sense of place.
- 3.22 Importantly, in designing the proposed half-hipped roof, 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 in the area with a roof form that is in keeping with others on the street as set out above, and with materials that are sympathetic to both the original property and the wider streetscape as also set out above;
 - ***Welcoming*** – again with materials having been considered and chosen to be consistent with those featured on the existing dwelling house as set out above;
 - ***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 in a sustainable location easily accessible by a range of modes of transport, rather than requiring them to move to a new greenfield property.

3.23 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 16 Newlands Crescent, in accordance with this policy principle.

4 Material considerations

Scottish Planning Policy (2014) (SPP) [Document 10]

4.1 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 and, where proposals accord with SPP, their progress through the planning system should be smoother.

4.2 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.

4.3 The proposed half-hipped roof clearly complies with these principles in that it demonstrates the six qualities of successful places as set out in paragraph 3.22 above, and would allow the applicants to make more efficient use of their property. The application should therefore be approved on the basis that the proposed development constitutes sustainable development in accordance with SPP. At the same time, 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, and again should be supported accordingly.



Precedent decisions

4.4 As noted in paragraph 3.11 above, the Reports of Handling for at least two previously consented half hipped roofs on Newlands Crescent make it clear that these were assessed against an analogous test to that against which this application requires to be assessed (i.e. whether the proposed works would be architecturally compatible with both the application property and other properties in the area, and whether there would be an adverse impact on the character or visual amenity of the area). As such, while the decisions below were determined under the previous Local Development Plan and associated Supplementary Guidance, they indicate how this test should be applied, and the half-hipped roofs created as a result of these create a precedent which should be followed in this application.

- **Planning application reference P120042** for an extension at 10 Newlands Crescent, including works to the original hipped gable to create a half-hipped gable (approved 30 March 2012), the Committee Report for which [Document 11] makes it clear that this was not considered to have a detrimental effect on the character and amenity of the area on the basis that:

“Other properties in the street [...] have had one hip straightened so these proposals will not seem out of place.”

- **Planning application reference 130549** for the erection of a rear extension and enlargement of the dwelling house roof at 5 Newlands Crescent, including raising the original hipped gable to create a half-hipped gable (approved 13 June 2013), the Delegated Report for which [Document 12] states that:

“The roof of the other half of the building has not been modified, therefore the proposal has to be considered in terms of the wider streetscape. The following properties have straightened or partially straightened their hipped gables – Nos. 2, 10, 23 and 28. The predominant character of the surrounding area, although mainly one of fully hipped properties, has already been incrementally eroded by several examples of changes to the roof profiles therefore the current proposal is considered not to add to further erosion and irretrievable loss of the character of the streetscape.”



- 4.5 Both of these make it clear that changes to roof profiles to create half-hipped roofs are a feature of the area and, just as the works proposed in those applications were not considered to adversely impact on the character of the streetscape, the same conclusion should be reached in respect of the half-hipped roof proposed in terms of this application.

5 Reasons for refusal

- 5.1 Although the Decision Notice only contains one reason for refusal, there are three elements to this, each of which are addressed in turn below.

The proposed straightening of the gable would create an imbalance in the appearance of the set of semi-detached dwellinghouses comprising the application property and adjoining number 14 Newlands Crescent, which would result in a development that fails to accord with the prevailing character of the streetscene which would dilute Newlands Crescent's 'distinctive sense of place'.

- 5.2 As set out in paragraph 2.3 above, the proposed development would result in a half-hipped gable, of which there are already a number of examples on the street, including on properties where one half of a semi-detached pair has been altered in this way and the other has not. At the same time, as also set out above, the half-hipped nature of this and the fact that it retains the same pitch as the original roof means that it would still appear hipped from longer views. As such, there is no justification for concluding that this would result in an imbalance in the appearance of the application property and adjoining number 14 Newlands Crescent, or that this would fail to accord with the character of the streetscene.

The proposal is considered to be in conflict with Policy H1 (Residential Areas) and Policy D1 (Quality Placemaking by Design) in the Aberdeen Local Development Plan 2017, as well as failing to comply with all relevant requirements of the Householder Development Guide Supplementary Guidance document, including Section 3.1.8 of the guidance which prohibits the practice of extending hipped roofs on one in a pair of one and half storey semi-detached dwellinghouses to terminate at a raised gable where the other half of the building has not already been altered or such a proposal would adversely impact on the character and visual amenity of the area, mindful of existing streetscape.

- 5.3 Policies H1 and D1 and the Householder Development Guide are considered in detail in paragraphs 3.7 to 3.22 above, in light of which it is submitted that the proposed



development does comply with these. In particular, as highlighted in paragraphs 3.16 and 3.17 above, the prohibition on extending hipped roofs to terminate at a raised gable as referred to in the reason for refusal is not relevant to the determination of this application, as this is not what is proposed in this instance. Instead, as also set out above, the proposed alteration to the roof would create a half-hipped gable, of which there are already a number along the street, and the presence of which means that the proposed development would not adversely affect the character or visual amenity of the area and there is no conflict with the Supplementary Guidance in this regard.

No other material considerations outweigh this conflict and therefore the proposed development is considered unacceptable.

- 5.4 As the application accords with the Development Plan for the reasons set out in paragraphs 3.3 to 3.23 above, there is no need other material considerations to justify the application being approved. However, it should still be noted there are key material considerations which lend further support to the application as set out in paragraphs 4.1 to 4.5 above, namely SPP and the decisions to grant planning permission for similar half-hipped roofs on other properties on the street, with those applications having been assessed against an analogous test to that against which this application requires to be assessed. The provisions of the Development Plan notwithstanding, the application should therefore still be approved in line with SPP and these precedent decisions.

6 Conclusion

- 6.1 The application was refused on the basis that the proposed alterations to the roof would have a negative impact on both the application property and the character of the area, with the reason for refusal in particular citing the provision in the Supplementary Guidance which creates a presumption against works resulting in a raised gable. The proposed alterations would however create a half-hipped roof rather than a raised gable, such that this presumption is not relevant to the determination of the application.

- 6.2 Rather, as set out in the foregoing paragraphs:

- half-hipped roofs such as that proposed in terms of this application are a common feature on Newlands Crescent; and
- where similar half-hipped roofs have been approved on other properties on Newlands Crescent, they were assessed against the same criteria as this application requires to



be assessed against and were deemed to be acceptable (see paragraphs 4.4 and 4.5 above).

6.3 It is accordingly submitted that the proposed half-hipped roof:

- is architecturally compatible with both the applicant property and other properties in the area;
- would not have an adverse impact on the character and visual amenity of the area;
- allows the applicants to make more efficient use of their property, which should be supported in the interests of sustainability;
- complies with all relevant requirements of the Householder Development Guide Supplementary Guidance document, including Section 3.1.8 of this, as well as Policies H1, D1 and H3 of the Local Development Plan;
- is supported by other material considerations, namely Scottish Planning Policy and the approval of previous planning applications for the creation of half-hipped roofs on other properties on Newlands Crescent; and
- should be approved in line with the approach taken in respect of other properties on Newlands Crescent as being in accordance with the Development Plan and relevant material considerations.

6.4 At the same time, all other elements of the proposed development also comply with the Development Plan for the reasons given in the Delegated Report.

6.5 As the proposed development complies with the Development Plan and all relevant material considerations, with no material considerations to indicate otherwise, the review should be allowed and the application granted.



Appendix 1 – Documents submitted with Notice of Review

Application Documents

1. Application Form
2. Location Plan
3. Existing plans and Elevations
4. Updated Proposed Plans
5. Decision Notice
6. Delegated Report of Handling

Policy Documents

7. Aberdeen City and Shire Strategic Development Plan
8. Aberdeen Local Development Plan
9. Supplementary Guidance: Householder Development Guide
10. Scottish Planning Policy

Precedent Information

11. Committee Report for planning application reference 120042
12. Delegated Report for planning application reference 130549



Appendix Two – Photos of properties on Newlands Crescent where one half of semi-detached pair has been modified



Number 2 Newlands Crescent



Number 23 Newlands Crescent



Number 5 Newlands Crescent



Number 28 Newlands Crescent



Number 10 Newlands Crescent



Number 60 Newlands Crescent

