

Public Document Pack



To: Councillor Boulton, Chairperson; and Councillors Clark and van Sweeden.

Town House,
ABERDEEN 13 September 2022

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in **Virtual - Remote Meeting on MONDAY, 26 SEPTEMBER 2022 at 1.00pm.**

Please note that A Site Visit will be undertaken by the LRB members at 11.00am.

Members of the public can view the proceedings using the link below, however must not activate their camera or microphone and must observe only. [Microsoft Teams Link](#)

VIKKI CUTHBERT
INTERIM CHIEF OFFICER - GOVERNANCE

B U S I N E S S

1.1 Procedure Notice (Pages 3 - 4)

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

Link to the [Local Development Plan](#)

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

PLANNING ADVISER - LUCY GREENE

2.1 Kercallie Cottage, 8 Charles Place - Erection of First Floor Extension - Planning Reference 220267/DPP (Pages 5 - 24)

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 220267.

- 2.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 25 - 42)
- 2.3 Planning Policies Referred to in Documents Submitted (Pages 43 - 44)
- 2.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 45 - 72)
- 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

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Mark Masson on mmasson@aberdeencity.gov.uk / tel 01224 522989

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.

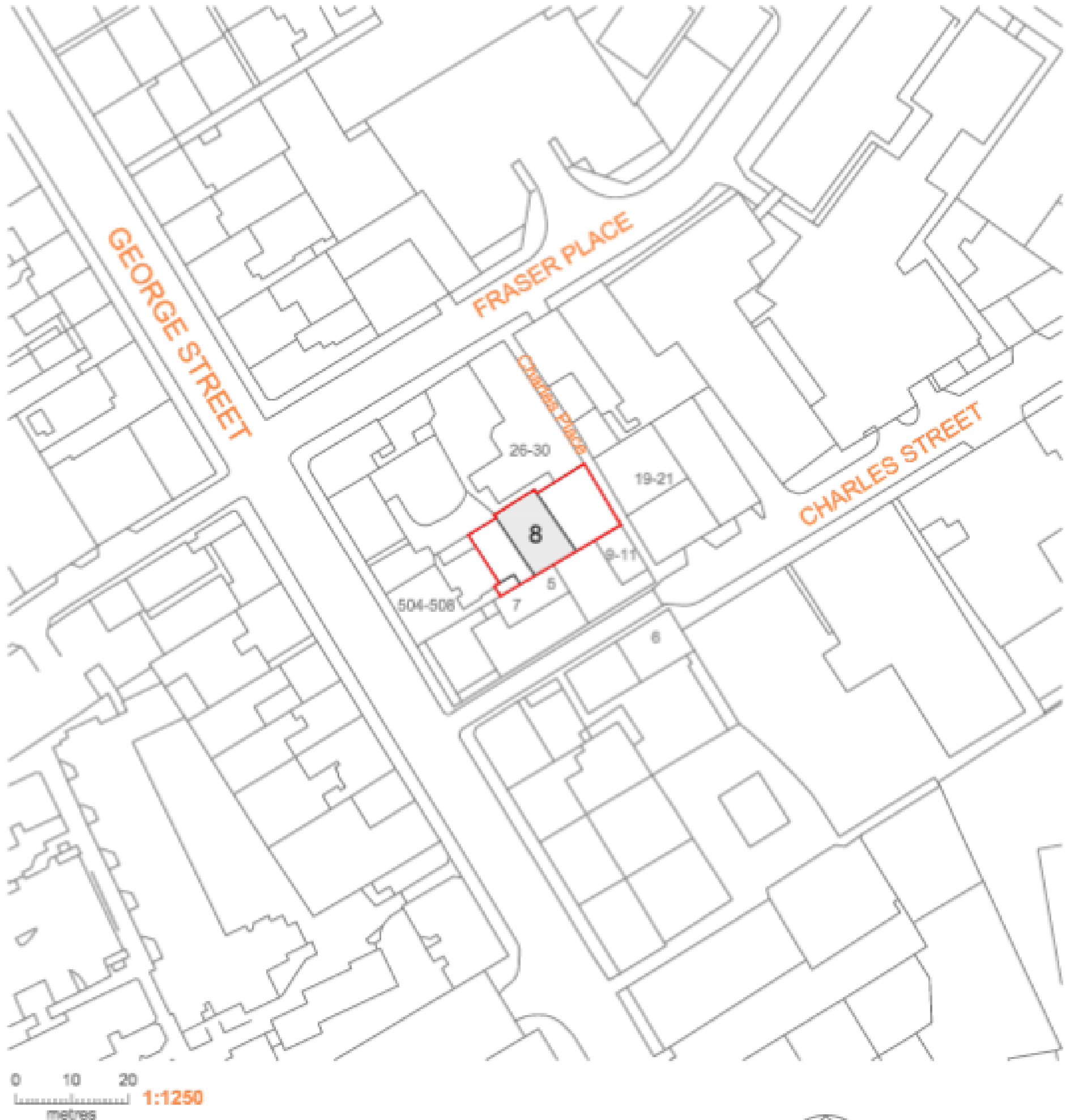


Local Review Body (LRB) 17th August 2022

**220267/DPP - Kercallie Cottage, 8 Charles Place
Erection of first floor extension**

Lucy Greene, Planning Advisor

Location Plan



Aerial Photograph 2022



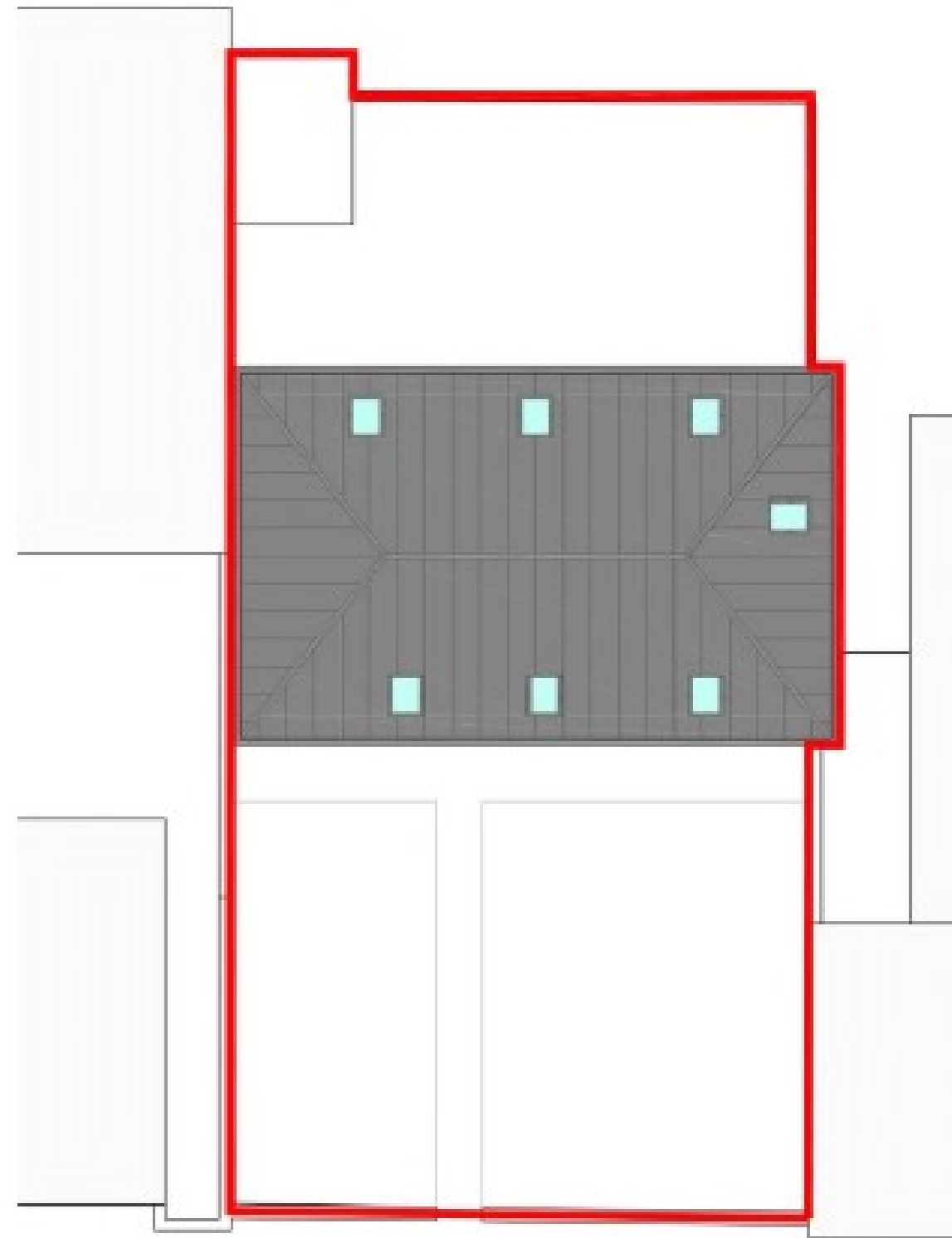
Google 3D 2022



from Charles Street



Site Plan, as proposed

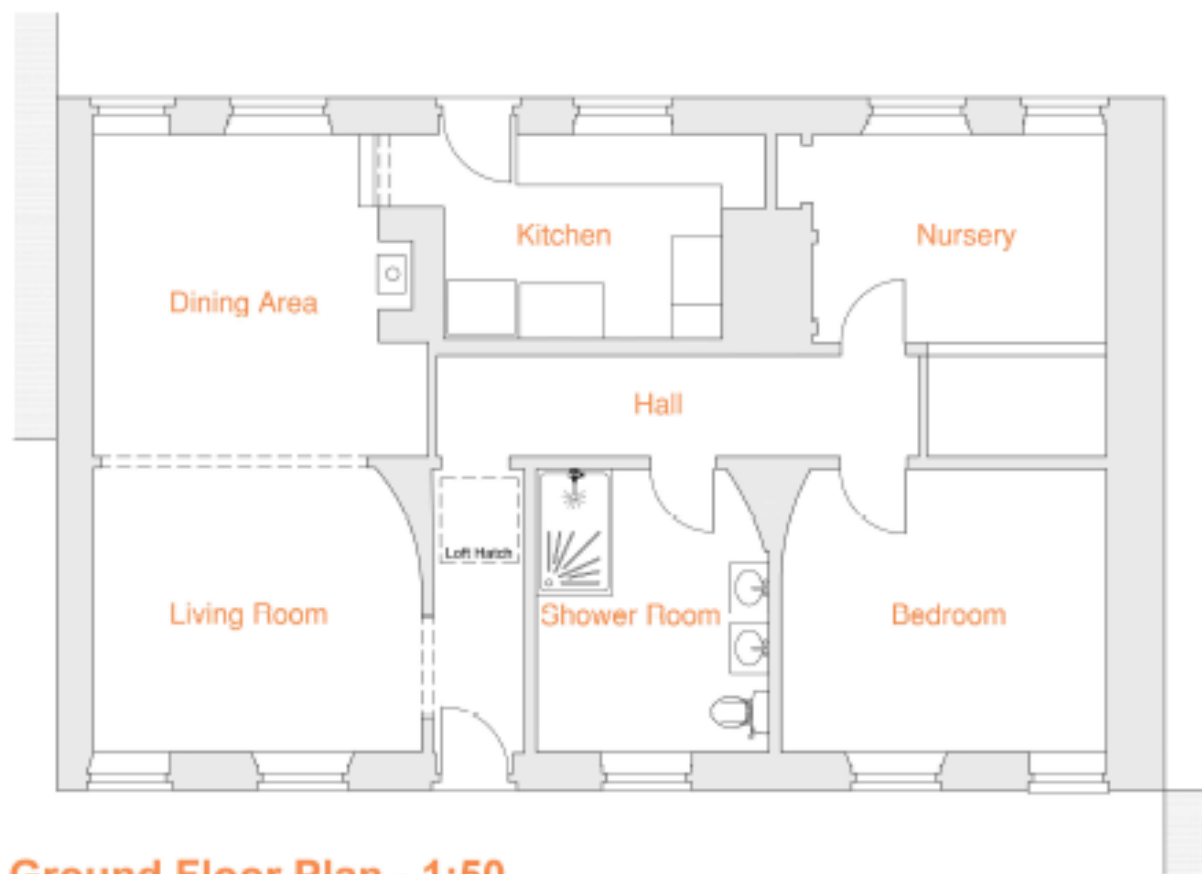


Site Plan - 1:200

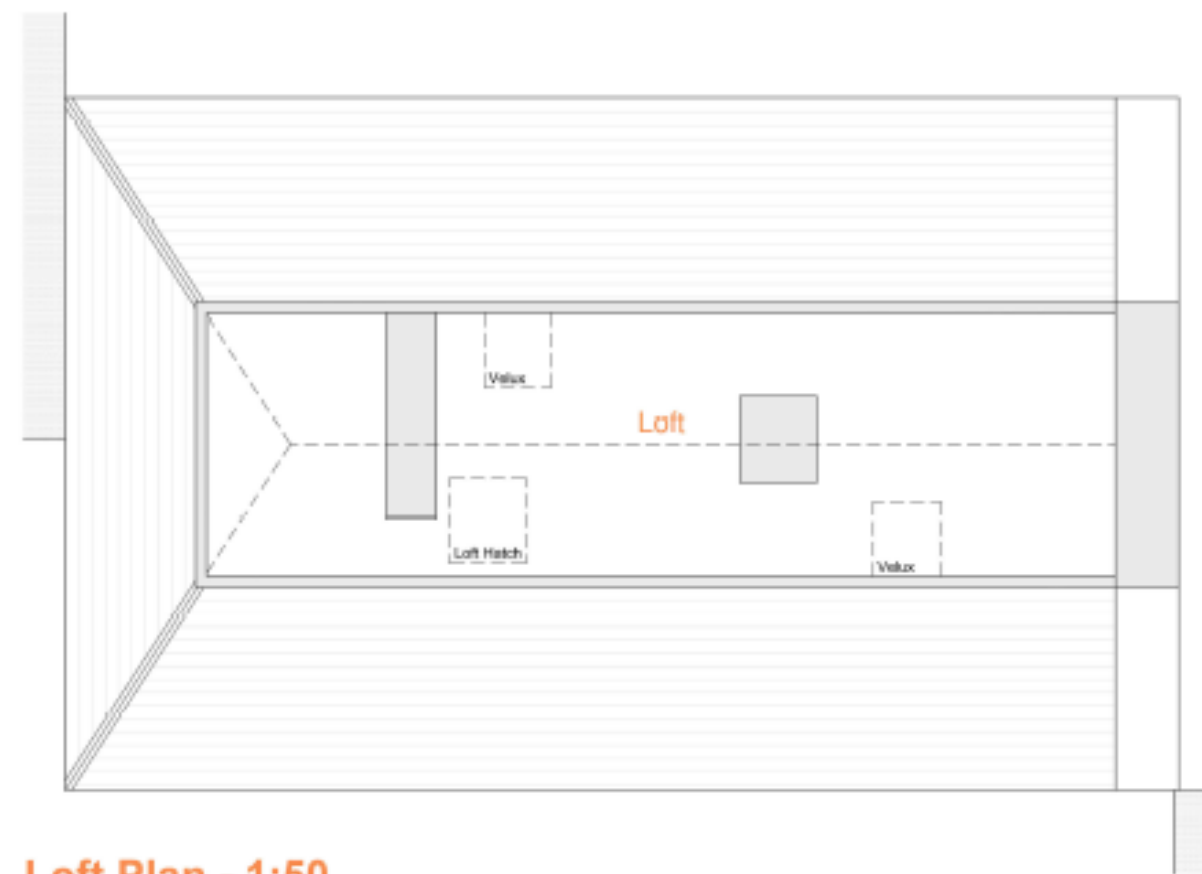


Floor Plans

As existing

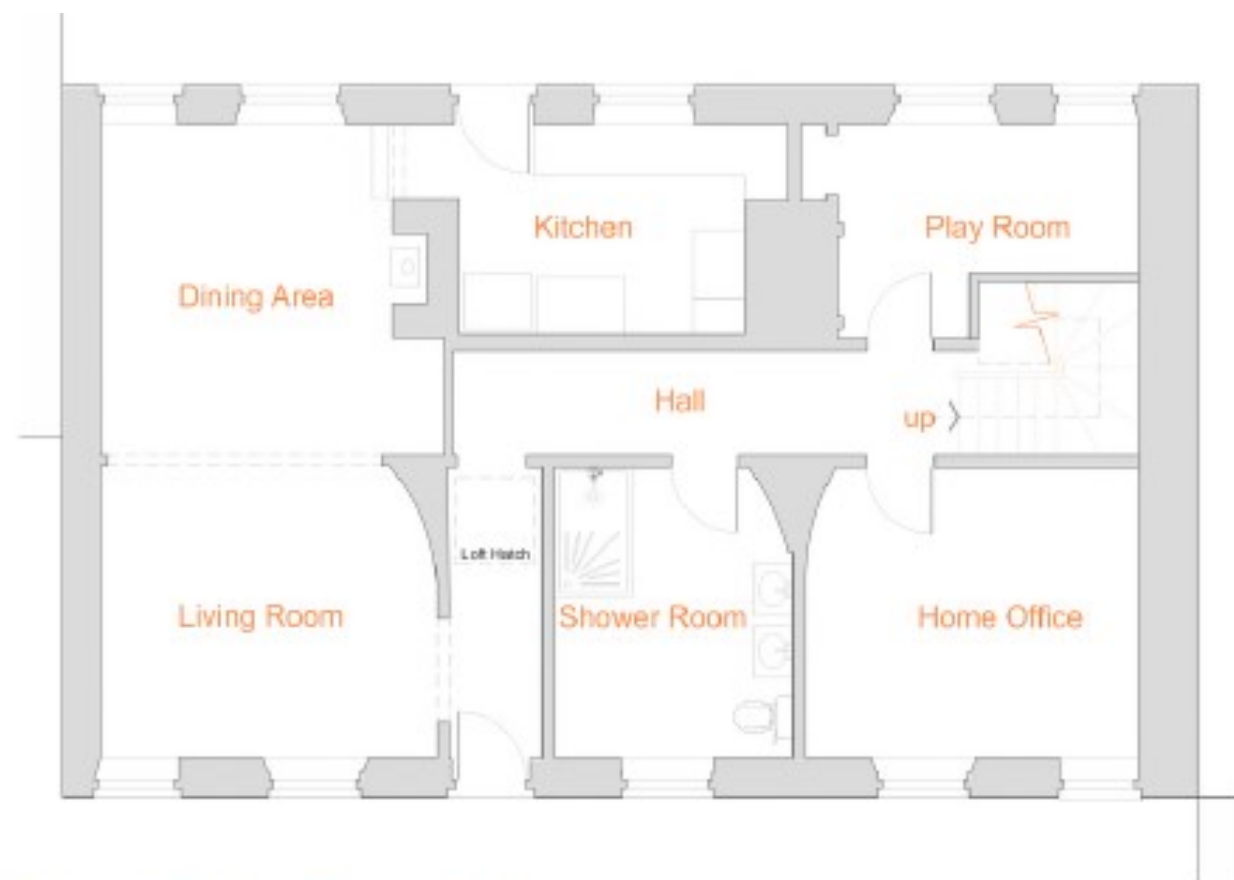


Ground Floor Plan - 1:50



Loft Plan - 1:50

As proposed



Ground Floor Plan - 1:50

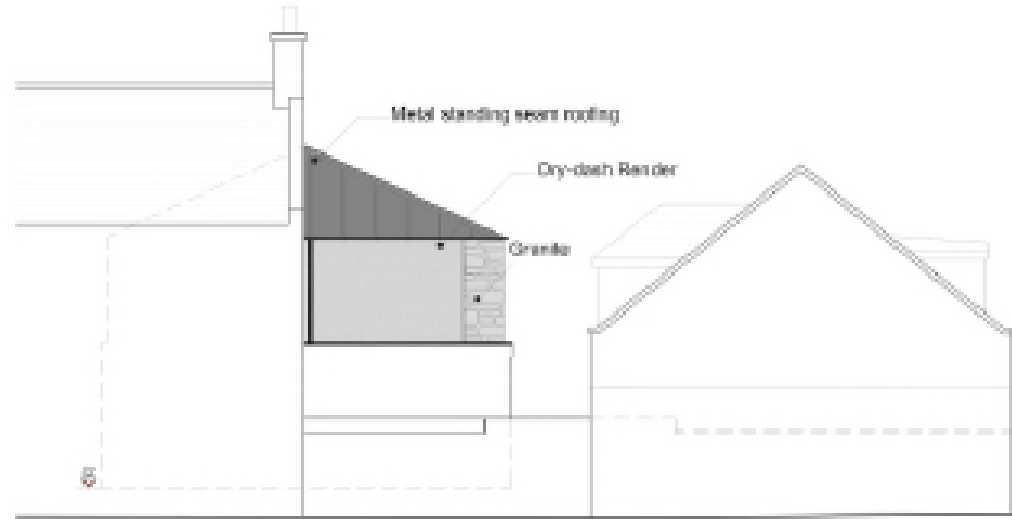


First Floor Plan - 1:50

Proposed Elevations



North East Elevation - 1:100



South East Elevation - 1:100



South West Elevation - 1:100

Existing Elevations



North East Elevation - 1:100

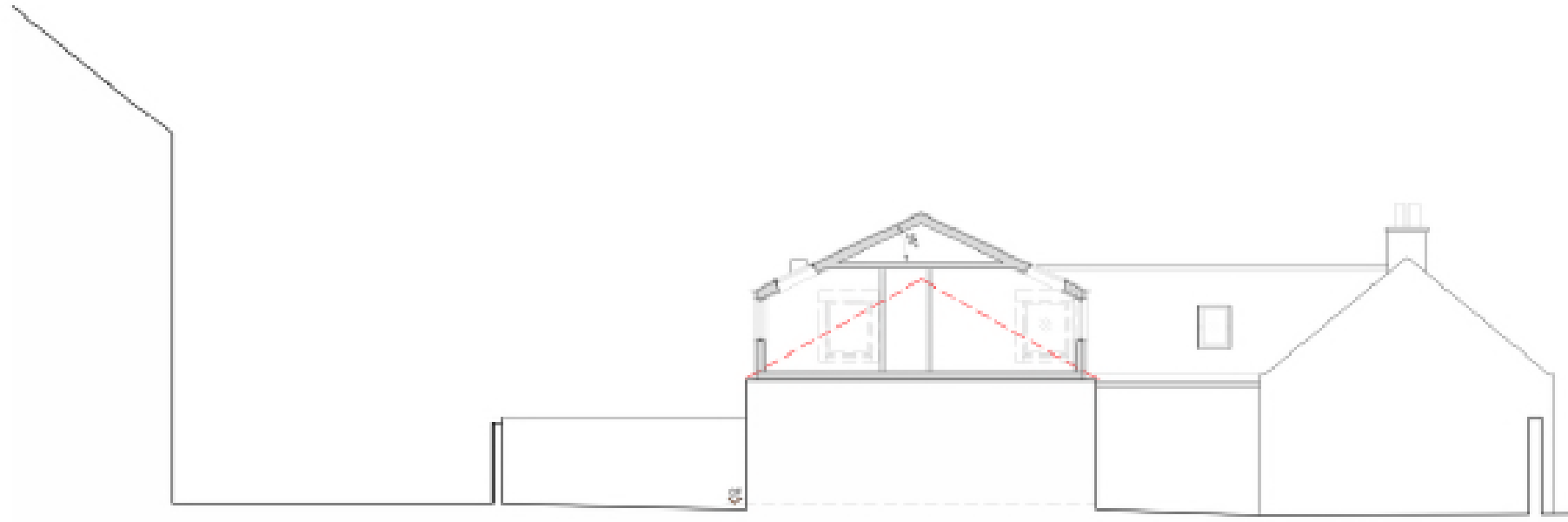


South East Elevation - 1:100

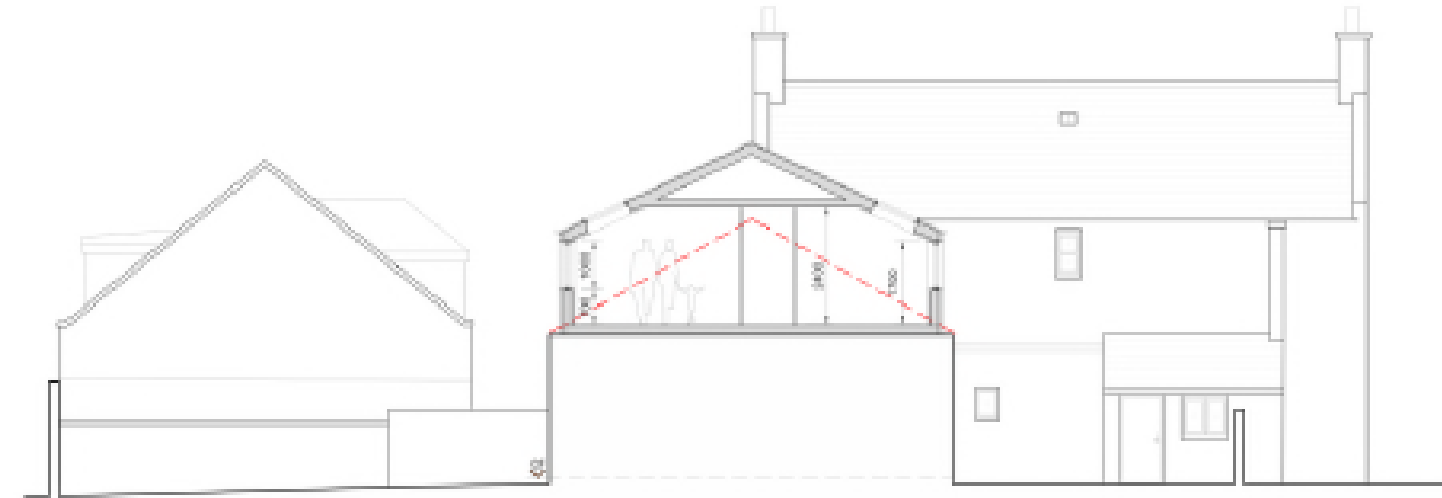


South West Elevation - 1:100

Sections – as proposed (below) and as existing (further below)

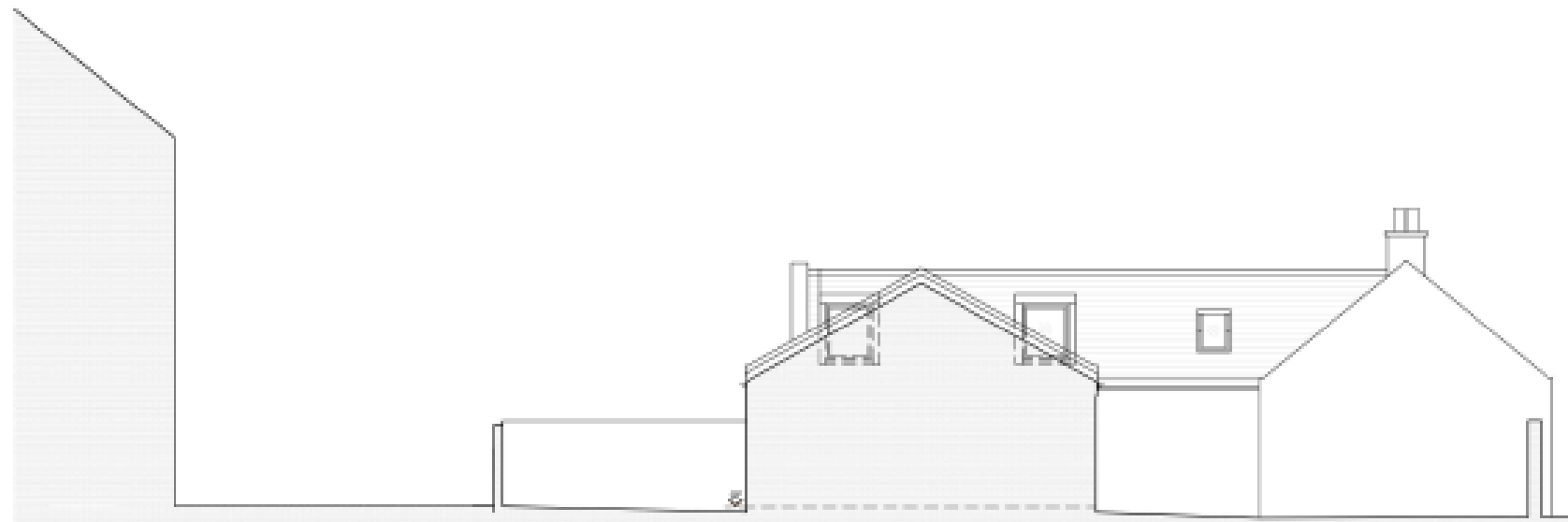


South East Section - 1:100



North West Section - 1:100

Page 13



South East Section - 1:100



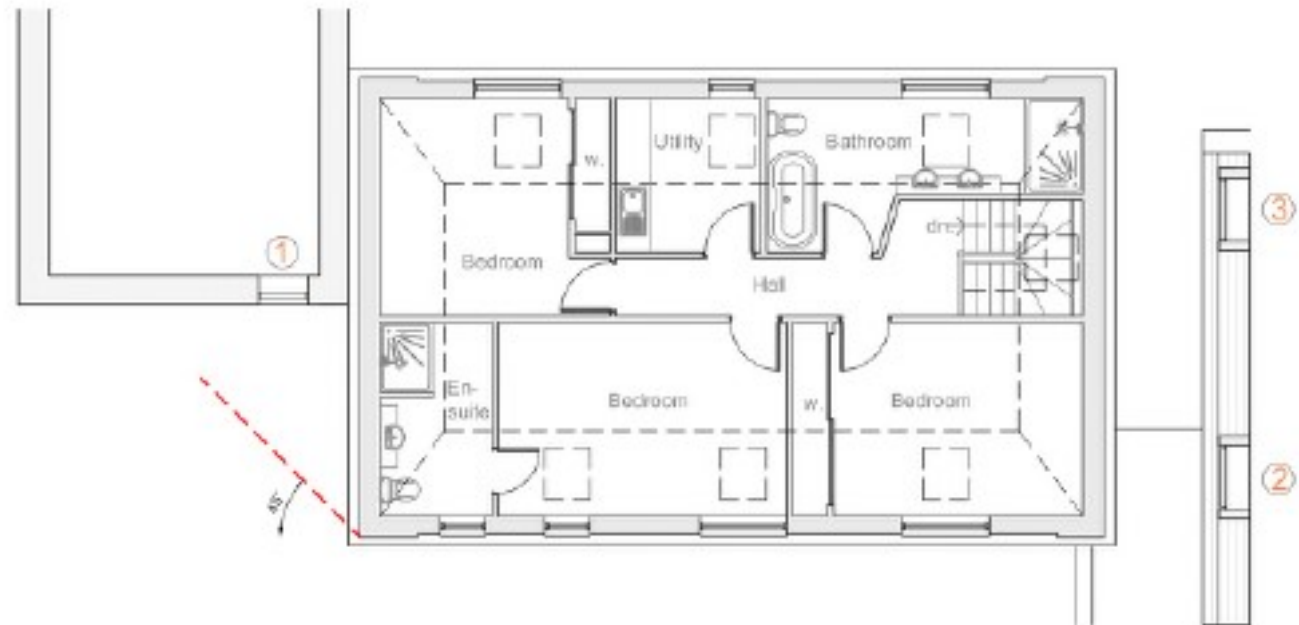
North West Section - 1:100



North East Elevation - 1:100



Front Visual



First Floor Plan - 1:100



Rear Visual

Reasons for Refusal

Stated in full in Report of Handling in Agenda. Key points:

- Design detailing and materials would lack architectural compatibility with original building
- Excessive scale and form would dominate the original building
- Upper storey would affect privacy, sunlight and daylight of neighbours and would be overbearing – privacy of flats at 506 George St, sunlight, daylight and outlook for staff flat at PDSA
- Contrary to Policy H2 and D1 in adopted plan and Householder SG
- Also contrary to H2, D1 and D2 (Amenity) in the Proposed Plan

Applicant's Case

- Impact on neighbour at PDSA (to north) has been resolved with $\frac{3}{4}$ storey , hipped roof and set back of upper storey from existing building
- Drawing demonstrates compliance with 25 and 45 degree rules
- Any development of this nature in a city centre may lead to reduction in amenity, however, proposals do not have significant detrimental impact.
- An additional storey inevitably adds height and mass
- Potential to add dormers do not work
- Materials are existing stonework from chimney, larch cladding, grey dry dash to end elevations and metal standing seam. All these are used extensively within the city – examples given
- There are a variety of building styles and materials in the area
- Examples provided of similar proposals, including 90 Loch Street

Policies – LDP 2017

Policy H2: Mixed Use

Policy H2 - Mixed Use Areas

Applications for development or change of use within Mixed Use Areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. Where new housing is proposed, a satisfactory residential environment should be created which should not impinge upon the viability or operation of existing businesses in the vicinity. Conversely, where new industrial, business or commercial uses are permitted, development should not adversely affect the amenity of people living and working in the area.

Policies – LDP 2017

Policy H1: Relates to new residential developments (excerpt)

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.

Householder Development Guide

General Principles

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.

No specific guidance on adding storey - two storey extensions to two storey buildings may be acceptable, subject to criteria.

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

Evaluation

- **Primacy of Development Plan**
- **The Planning Act requires all applications to be determined in accordance with Development Plan unless material considerations indicate otherwise**
- **Careful assessment, each application treated on its merits**

Basis for Decision

Zoning:

How would it affect the character of the building and area and the relevant supplementary guidance?

What is the impact on amenity of occupiers of neighbouring staff flat and other residential uses ?

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

2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?


Decision – state clear reasons for decision



Thank you
Questions ?

Lucy Greene (Planning Advisor): lgreene@aberdeencity.gov.uk

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 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
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Site Address:	Kercallie Cottage, 8 Charles Place, Aberdeen, AB25 3TW
Application Description:	Erection of first floor extension
Application Ref:	220267/DPP
Application Type:	Detailed Planning Permission
Application Date:	3 March 2022
Applicant:	Mr Darko Kresic & Ms Karine Franck
Ward:	George Street/Harbour
Community Council:	George Street
Case Officer:	Roy Brown

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises a single-storey granite-built dwellinghouse and its front and rear curtilage in a residential area. The dwellinghouse has a northeast facing principal elevation.

The immediate surrounding area is particularly dense in nature, with the site bounded by Charles Place, a pedestrian lane, to the northeast; residential dwellings (5 and 7 Charles Street) and a 7-bedroom HMO property (9 Charles Street) to the southeast; the residential flats of 506 George Street to the southwest and the PDSA Pet Hospital (30 Fraser Place), which has staff living accommodation in its upper floor to the north.

The building does not front a road as its principal elevation is screened from Charles Place by way of c.2m high boundary treatment. The dwellinghouse is visible from public areas on Charles Street to the southeast beyond the residential curtilage of 9 Charles Street to the southeast and beyond 30 Fraser Place from Fraser Place to the northwest.

Relevant Planning History

None.

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought for the erection of an upper storey extension above the original dwelling to become two storeys in form with a hipped roof.

The resulting dwelling would be increased in height by c.4m, would have a maximum and ridge height of c.7m and a resulting eaves height of c.5.2m. The extension would be c.13m in width and c.7.8m in length (c.0.4m less than the length of the original dwelling).

The walls of the extension would be finished in timber cladding, drydash render and granite; its windows would be framed in, and its fasciae and soffits would be finished in, grey uPVC; and its roof would be finished in grey standing seam metal cladding.

Amendments

None.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R86CCSBZL5R00>

Planning Statement (Prepared by JV Carroll)

Sets out the site context, the proposals and justifies the development against planning policies and guidance, as well as the comments that have been provided by the Planning Service prior to the determination of the application.

CONSULTATIONS

Roads Development Management Team – No objection or roads related concerns.

George Street 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.

Development Plan

Aberdeen City and Shire Strategic Development Plan 2020

The current Strategic Development Plan for Aberdeen City and Shire was approved by Scottish Ministers in September 2020 and forms the strategic component of the Development Plan. No issues of strategic or cross boundary significance have been identified.

Aberdeen Local Development Plan 2017 (ALDP)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within 5 years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this 5-year period. The Proposed Aberdeen Local Development Plan 2020 has been submitted to the Planning & Environmental Appeals Division at the Scottish Government in July 2021. The formal examination in public of the Proposed Local Development Plan 2020 has commenced with reporters appointed.

Material consideration will be given to the Proposed Local Development Plan 2020, in the context of the progress of its examination, in the assessment of planning applications.

Given the extant local development plan is beyond its five-year review period consideration, where relevant, weight should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: “Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration”.

The following policies are relevant –

Policy H2 – Mixed Use Areas
 Policy D1 – Quality Placemaking by Design
 Policy D5 – Our Granite Heritage

Supplementary Guidance (SG)

The Householder Development Guide (HDG)

Proposed Aberdeen Local Development Plan 2020

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The Proposed ALDP constitutes the Council’s settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis.

The following policies are relevant –

Policy H2 – Mixed Use Areas
 Policy D1 – Quality Placemaking
 Policy D2 – Amenity
 Policy D7 – Our Granite Heritage

EVALUATION

Principle of Development

The application site is zoned within a mixed-use area under Policy H2 – Mixed Use Areas of the Aberdeen Local Development Plan 2017 and relates to householder development. Development would accord with this policy in principle if it takes into account the existing uses and character of the surrounding area and avoids undue conflict with the adjacent land uses and amenity. These issues are considered below.

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 Supplementary Guidance: The Householder Development Guide, relevant in the assessment of this extension states that *'Proposals for extensions ... 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.'*

In this instance, the proposed roof extension would serve to dominate the scale and form of the original dwelling as it would result in the dwellinghouse having a two-storey hipped roofed form with a significantly raised eaves and ridge heights whereas the original dwellinghouse is of a single storey hipped roofed form, resulting in the height of the dwellinghouse being more than doubled by the proposal. Furthermore, the building is historic, having been a very small terrace of three small buildings, as such this extension would serve to dominate the original building and result in the loss of the original architectural character and form of the existing dwellinghouse.

Notwithstanding the re-use of original granite, which is welcomed and accords with the principles of Policy D5 of the ALDP, the finish and detailing of the proposed roof extension would have little consistency in that the building would retain its original granite walls at ground floor level, and the extension would comprise timber cladding, smooth drydash render, metal standing seam roof cladding with reclaimed granite features. The quantity of these materials would have minimal consistency in terms of colour, texture, materials and detailing, which would detract from the architectural integrity of the dwellinghouse. In the context of the surrounding area, the introduction and extensive use of larch timber cladding at the upper storey level would appear somewhat jarring and inconsistent with its historic character. Additionally, the proposed windows would not be of proportions or design that would relate to those of the floor below, further impacting the character of the existing dwelling.

Whilst the extension would be publicly visible in the context of Charles Street adjacent to buildings of varying finishing materials, the extension would not be of design, detailing, scale, form and materials that would be consistent with the original building and thus would detract from the character and visual amenity of the surrounding area, in conflict with Policies D1 and H2 of the ALDP and the HDG.

Amenity

In terms of privacy, the proposed extension would have three bedrooms windows facing the southwest which would be c.14m from the rear elevation of the flats in 506 George Street and just c.6m from the curtilage of these properties. Given there are no windows at first floor level at this location currently, the proposal would introduce direct overlooking into the windows of the flats and their residential curtilage from the southeast, which would be detrimental to the privacy and thus the residential amenity of these properties.

The proposed extension would be erected and constructed at a distance of just c.2m from the dormer windows of the living room and bedroom of one of the staff flats in the PDSA Hospital to the north. Given the proximity of the proposed extension to these windows, the presence of the extension would have a significant adverse impact on the outlook, and thus amenity, afforded to the occupants of this accommodation, in conflict with Policies H2 and D1 of the ALDP and the HDG.

With respect to background daylight and sunlight, using the 45-degree and 25-degree sunlight and daylight methods in the HDG, the Planning Service has established that the proposed extension would furthermore adversely affect the level of background daylight into these dormer windows given the c.2m distance and height of the development relative to these windows. Additionally, the proposal would adversely affect the existing level of outlook and sunlight afforded to the ground floor bedroom on the southwest elevation of 9 Charles Street given the increased height the dwelling and the orientation of the development to the west of the affected window.

Finally, the proposed extension would adversely affect the existing level of sunlight afforded to the curtilage of 9 Charles Street. The formation of the upper storey southeast facing gable would result in three two-storey walls bounding this curtilage would be particularly overbearing on this space. Given 9 Charles Street has a large number of residents and this is the primary outdoor space afforded to this property, it would detract from the residential amenity afforded to this properties.

It has been established using the 45-degree daylight and sunlight methods that the proposed extension would not adversely affect the level of background daylight afforded to 7 Charles Street, notably its first-floor northeast facing window. Nevertheless, the proposed upper storey extension would adversely impact on the privacy, sunlight and background daylight of neighbouring residential properties as well as being overbearing to neighbouring residential curtilage. The impact on the privacy afforded to the flats of 506 George Street, in particular, would be significantly detrimental to the existing level of residential amenity. The proposed upper storey extension would therefore significantly and adversely affect the existing amenity of the adjacent uses, in conflict with Policies H2 and D1 of the ALDP and the HDG.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 substantively reiterate those in the adopted Local Development Plan and the proposal is unacceptable in terms of both Plans for the reasons previously given.

Matters Raised in the Supporting Statement

The justification for the design in the Supporting Statement in terms of the materials proposed and the consideration of the wider Aberdeen context in choosing these is noted, as well as the consideration of thermal efficiency. Nevertheless, as explained above, the design, detailing, scale and materials are considered to not be architecturally compatible with this dwellinghouse in the context of the surrounding area, and as such, the extension is considered to conflict with the relevant planning policies of the ALDP and the HDG.

With respect to the comparisons of this development to the upper storey extension that was erected at 90 Loch Street, it must be noted that every planning application being assessed on its own merits. Furthermore, that development is of a particularly different context given this is a householder development, the roof extension more than doubles the height of, and thus dominates the original dwelling and, for the reasons set out above, the detailing and finish is not consistent with the architectural character of the original building and its surrounding context.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

By way of its design, detailing and materials which would not be consistent with the architectural character of the original building and its excessive scale and form which would serve to dominate the original building, the proposed upper storey extension would be architecturally incompatible

with the original dwelling and would detract from the character and visual amenity of the surrounding area.

Furthermore, the proposed upper storey extension would adversely impact the existing level of privacy, sunlight and background daylight of neighbouring residential properties as well as be overbearing to neighbouring residential curtilage. The impact on the privacy afforded to the flats of 506 George Street and on the sunlight, background daylight and outlook afforded to the staff flat of the PDSA Hospital which is in very close proximity to the extension, in particular, would be significantly detrimental to their existing level of residential amenity. The proposed upper storey extension would therefore significantly adversely affect the existing amenity of the adjacent uses.

The proposed extension would therefore conflict with Policies H2 – Mixed Use Areas and D1 – Quality Placemaking by Design of the Aberdeen Local Development Plan 2017; the Supplementary Guidance: ‘The Householder Development Guide’; and Policies H2 – Mixed Use Areas, D1 – Quality Placemaking and D2 - Amenity of the Proposed Aberdeen Local Development Plan 2020.



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 100539284-001

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)

First floor extension to existing single storey dwelling

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:	J.V. Carroll, Chartered Architectural Technologists		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Ross	Building Name:	Inverden House
Last Name: *	Clarihew	Building Number:	<input type="text"/>
Telephone Number: *	01224 643106	Address 1 (Street): *	Queens Lane North
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Aberdeen
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	AB15 4DF
Email Address: *	info@jvcarroll.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:	<input type="text"/>	Building Name:	Kercallie Cottage
First Name: *	Darko Kresic	Building Number:	8
Last Name: *	& Ms Karine Franck	Address 1 (Street): *	Charles Place
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Aberdeen
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	AB25 3TW
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

KERCALLIE COTTAGE

Address 2:

8 CHARLES PLACE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB25 3TW

Please identify/describe the location of the site or sites

Northing

807150

Easting

393648

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: Ross Clarihew

On behalf of: Mr Darko Kresic & Ms Karine Franck

Date: 03/03/2022

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 Ross Clarihew

Declaration Date: 03/03/2022

Payment Details

Online payment: ABSP00008000
Payment date: 03/03/2022 14:38:00

Created: 03/03/2022 14:39

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Ross Clarihew
J.V. Carroll, Chartered Architectural Technologists
Inverden House
Queens Lane North
Aberdeen
Scotland
AB15 4DF

on behalf of **Mr Darko Kresic & Ms Karine Franck**

With reference to your application validly received on 3 March 2022 for the following development:-

Erection of first floor extension at Kercallie Cottage, 8 Charles Place

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
F:33 - 04	First Floor Plan and Sections (Proposed)
F:33 - 05 A	Location Plan
F:33 - 03 A	Elevations and Floor Plans (Proposed)

DETAILS OF ANY VARIATION MADE TO THE ORIGINAL APPLICATION

None.

REASON FOR DECISION

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

By way of its design, detailing and materials which would not be consistent with the architectural character of the original building and its excessive scale and form which would serve to dominate the original building, the proposed upper storey extension would be architecturally incompatible with the original dwelling and would detract from the character and visual amenity of the surrounding area.

Furthermore, the proposed upper storey extension would adversely impact the existing level of privacy, sunlight and background daylight of neighbouring residential properties as well as be overbearing to neighbouring residential curtilage. The impact on the privacy afforded to the flats of 506 George Street and on the sunlight, background daylight and outlook afforded to the staff flat of the PDSA Hospital which is in very close proximity to the extension, in particular, would be significantly detrimental to their existing level of residential amenity. The proposed upper storey extension would therefore significantly adversely affect the existing amenity of the adjacent uses.

The proposed extension would therefore conflict with Policies H2 - Mixed Use Areas and D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan 2017; the Supplementary Guidance: 'The Householder Development Guide'; and Policies H2 - Mixed Use Areas, D1 - Quality Placemaking and D2 - Amenity of the Proposed Aberdeen Local Development Plan 2020.

Date of Signing 16 June 2022



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

RIGHT OF APPEAL

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.

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Consultee Comments for Planning Application 220267/DPP

Application Summary

Application Number: 220267/DPP

Address: Kercallie Cottage 8 Charles Place Aberdeen AB25 3TW

Proposal: Erection of first floor extension to front and rear

Case Officer: Roy Brown

Consultee Details

Name: Mr scott lynch

Address: Marischal College, Gallowgate, Aberdeen AB10 1YS

Email: Not Available

On Behalf Of: ACC - Roads Development Management Team

Comments

I note that this application is for the erection of a first floor extension to the front and rear of 8 Charles Place. The site is located in the inner city, in controlled parking zone W.

The proposals would see the property increase in size from 2 bedrooms to 3, leaving the required parking provision unchanged.

The proposals will not alter the existing parking provision.

As such, there are no Roads concerns with this proposal.

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Aberdeen Local Development Plan (ALDP)

[Aberdeen Local Development Plan | Aberdeen City Council](#)

- Policy H2 – Mixed Use Areas
- Policy D5 – Our Granite Heritage
- Policy H1 – Residential Areas
- Policy D1 - Quality Placemaking by Design

Supplementary Guidance

Householder Development Guide

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

Other Material Considerations

Proposed Aberdeen Local Development Plan (2020)

<https://www.aberdeencity.gov.uk/services/planning-and-building/local-development-plan/aberdeen-local-development-plan/aberdeen-local-development-plan-review#3678>

In particular, policies:

Policy H2 – Mixed Use Areas

Policy D1 – Quality Placemaking

Policy D2 – Amenity

Policy D7 – Our Granite Heritage

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100539284-004

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:	<input type="text" value="J.V. Carroll, Chartered Architectural Technologists"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Ross"/>	Building Name:	<input type="text" value="Inverden House"/>
Last Name: *	<input type="text" value="Clarihew"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="01224 643106"/>	Address 1 (Street): *	<input type="text" value="Queens Lane North"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="AB15 4DF"/>
Email Address: *	<input type="text" value="info@jvcarroll.co.uk"/>		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Kercallie Cottage"/>
First Name: *	<input type="text" value="Darko Kresic &"/>	Building Number:	<input type="text" value="8"/>
Last Name: *	<input type="text" value="Ms Karine Franck"/>	Address 1 (Street): *	<input type="text" value="Charles Place"/>
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="AB25 3TW"/>
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="KERCALLIE COTTAGE"/>
Address 2:	<input type="text" value="8 CHARLES PLACE"/>
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="AB25 3TW"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="807150"/>	Easting	<input type="text" value="393648"/>
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Description of Proposal

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

First floor extension to existing single storey dwelling

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.

APPEAL STATEMENT ATTACHED.

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)

1) Planning Appeal Statement 2) F3301 - Existing survey drawing 3) F3303A - Sketch Proposal 4) F3304 - Daylighting drawing
5) F3305A - Site & Location Plans

Application Details

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

220267/DPP

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

03/03/2022

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

16/06/2022

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)

WE FEEL A SITE VISIT MAY BE BENEFICIAL IN ORDER THE APPEAL BODY CAN APPRECIATE THE SECLUDED NATURE OF THE SITE.

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 site has a locked gate entrance with boundary treatments making access difficult, without a pre-arranged arrangement.

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 Ross Clarihew

Declaration Date: 06/07/2022

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**PROPOSED ALTERATIONS & EXTENSION TO FORM ADDITIONAL STOREY
AT 8 CHARLES PLACE, ABERDEEN
MR DARIO KRESIC & MS KARINE FRANCK**



PLANNING APPEAL STATEMENT

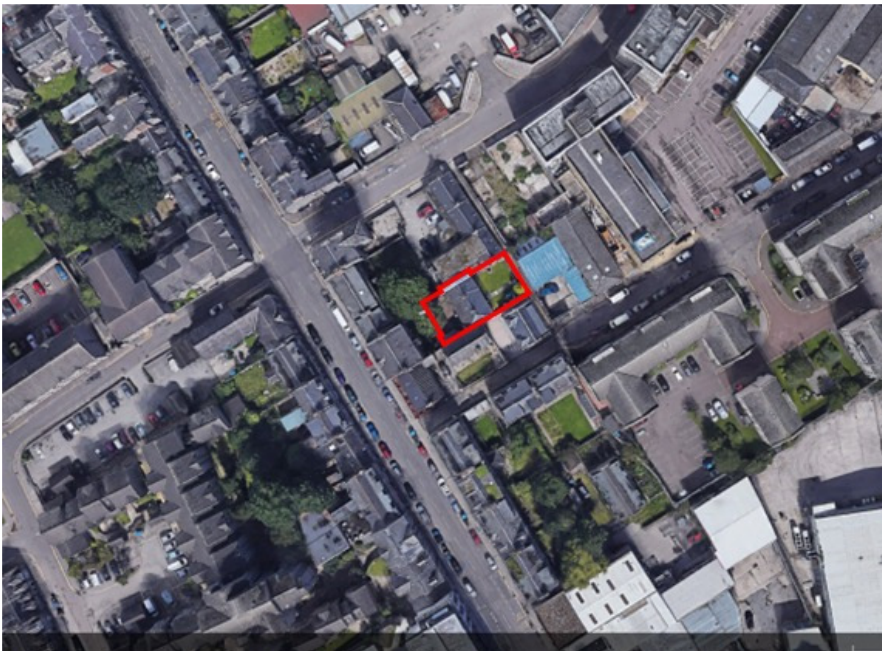


J V CARROLL
Chartered Architectural Technologist
Building Design Consultants

**INVERDEN HOUSE, QUEENS LANE NORTH, ABERDEEN, AB15 4DF
t: 01224-643 106 e: info@jvcarroll.co.uk**

1.0 INTRODUCTION

- 1.1 Householder Planning Permission was sought for the formation of an additional storey to the existing dwellinghouse, to create further accommodation to this current single storey house. The end design would provide a storey & 3/4 dwelling.
- 1.2 All accommodation is currently over a single level which includes two bedrooms. There is an open plan living / dining space, bathroom, small kitchen, but no utility room, and the roofspace is currently used as a storage space and does not possess enough height to be converted into any form of accommodation.
- 1.3 The dwelling is situated on a secluded site in a city centre location, just off the main thoroughfare of George Street. The property sits on a sizable plot, which is detailed later in this statement along with the plot ratio.
- 1.4 The appeal site is located within a mixed-use area and is surrounded by a combination of residential and commercial premises.
- 1.5 The application was seeking additional accommodation for this young family who have invested substantially in the current building and site, since taking ownership several years back, to make this a lovely family home and vastly improve its appearance.
- 1.6 Planning Permission was refused (220267/DPP) on 16th June 2022.
- 1.7 This statement will provide the basis of our appeal to the Local Review Body. The appeal is being made as we disagree with the view of the planning authority on this proposal and would ask that further consideration be given to the site context and a more proactive view to the proposal.



2.0 APPRAISAL

STAGE 1:

Applicants Name: Mr Dario Kresic & Ms Karine Franck

Design Brief: To design extension creating a second storey to provide additional accommodation

Site Details: 8 Charles Place, Aberdeen, AB25 3TW

Total Site area = 312 sq.m. Plot Ratio = 35%

Grid Ref = [NJ 93649 07151](#)

- 2.1 The site is located on Charles Place, connecting Fraser Place to the North with Charles Street to the South. Charles Place is a pedestrian access, rather than a road for vehicle traffic and runs parallel with George Street, which lies approximately 25m to the East. The surrounding area contains a mixture of residential & commercial buildings.
- 2.2 This statement has been prepared and submitted in support of our appeal to the Local Review Body for application (220267/DPP) which was determined on 16th June 2022.
- 2.3 The Planning authority have detailed their concerns / reasons for refusal within the refusal document and the Report of Handling.
- 2.4 Below is a brief summary of their reasons for refusal;
- Design, detailing & materials not consistent with architectural character of the original building.
 - Detracts from the character and visual amenity of the surrounding area.
 - Affects amenity of neighbouring properties.
 - Scale and form excessive.
- 2.3 Topography – The site is generally very level, with the front garden containing pathways/grass and the rear containing a hard standing rear yard area.
- 2.4 The appeal site extends to some 312 sq.m. and houses the property and associated domestic garden space. The site is already serviced by the usual utilities such as gas, electric, BT etc as well as being connected to the combined drainage / sewer system. The site is bounded all around by masonry walls and timber fences.

- 2.5 Access to the site is taken directly from Charles Place, a pedestrianised lane. Charles Place can be accessed from either Charles Street or Fraser Place. There are no other properties accessed from Charles Place, with the neighbouring building to the North, occupied by PDSA being accessed via Fraser Place. Whilst the building to the Southeast is accessed from Charles Street.



**Application site highlighted in red*

3.0 PLANNING

STAGE 2:

3.1 There is no other recent planning history on this site.

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

- Policy H2: Mixed use areas
- Policy D1: Quality Placemaking by Design
- Policy D2 - Amenity
- Policy D5: Our Granite Heritage
- Householder Development Guide

3.3 Pre-Application Discussion:

We understand pre-application was carried out by a previous agent, prior to this practice being appointed and we understand comments were raised about various elements. A suggestion was made by the Planning authority at this time that dormers to the first floor may be acceptable, however there is not sufficient height in the existing roofspace to cater for this, nor would a large box dormer sit well on the roofscape of the current building and would most likely make the elevation look “top heavy”.

We have taken our own fresh view on the proposal, and it is our belief that the application presented complies with the above stated Policies.

4.0 DESIGN PRINCIPLES

STAGE 3:

- 4.1 Establishing the design principles, by studying the site and context appraisal, has enabled us to make informed decisions of the rules to be applied to the site. The design of the extension takes consideration of the principles contained within policies for housing, but also reflects and compliments the elements of existing buildings in the surrounding area, as well as buildings which have been approved/constructed recently in the nearby area and set a form of precedent for this project.

The proposed extension will be a simple and modern construction with the use of native timber cladding, dry-dash render and re-used granite as the external cladding facade. The North East & South East front corners of the building will feature re-used granite from the chimney downtakings, which will be a link between the original building below and addition above. Native Scottish larch cladding will be used between the corner sections of granite. The elevations to the North West & South East will have a grey granite dry-dash render finish. The roof will be finished in a standing seam metal cladding, dark grey in colour.

The extension proposed at first floor to create the additional accommodation will not be a full height storey but instead a $\frac{3}{4}$ storey in order to restrict the overall height and mass of the building. This will be a purpose-built timber kit design with high levels of thermal insulation to all elements to ensure the dwelling is both thermally & cost efficient. This is imperative with the current high energy prices and cost of living crisis, whilst also future proofing the property against the coming energy efficiency targets for the new & existing building stock.

There is little continuity between the style of the surrounding buildings, with most featuring various material types. This design, with the use of the materials stated, will complement the existing architecture in the surrounding area and that of the existing structure.

- 4.2 Maintenance

The extension will be constructed from minimal maintenance products and the uPVC windows will ensure that the frames retain their appearance without further cost to the occupants. The render will retain its dark colour without any further maintenance, whilst the timber cladding requires no maintenance and will be allowed to weather naturally. Finally, the metal roof cladding again will require to ongoing maintenance.

4.3 Construction / Energy Efficiency:

Current building standard requirements ensure that all new building works will meet a high level of thermal comfort. These proposals will at minimum meet this level of thermal efficiency; with the external wall construction consisting of the external cladding finish, 140mm timber framed walls with high levels of insulation board between and over the kit followed by battens and plasterboard on the inside face to ensure optimum air tightness to the building envelope. Similarly, the roof will be insulated in a similar fashion as a continuous “blanket” of insulation to retain the heat and reduce ongoing running costs.

4.4 Lighting

Low level unobtrusive lighting to be provided around the dwelling to reduce glare and unnecessary lighting pollution. All lighting within the extension will be low energy type, however natural daylight should be utilized whenever possible and this has been incorporated into the design by the addition of velux roof windows to the bedrooms, aswell as the main windows themselves.

4.5 Water / Foul & Surface Water Drainage

All rainwater and foul drainage connected into existing combined drainage / sewer system.

4.6 Boundary Enclosures

The site is currently bounded by masonry walls and timber fencing, which will be unaffected by these works.

5.0 DESIGN SOLUTION

5.1 Local Styles

The application in context with its surroundings gives way to this having a rather “open to interpretation” view. By that we suggest there appears to be no fixed ‘local style’ in vicinity of the application site. There is a mixture of 2,3,4 & 5 storey buildings within approx. 70m of the site. These examples are shown on the forthcoming pages under the Materials section. 8 Charles Place is the only single storey building in the immediate area.

5.2 Daylight/Sunlight

A major part of the final design solution was how the new extension affected the daylight/sunlight levels to existing neighboring properties. As development in built up areas such as this, can have a substantial effect on the amenity enjoyed by neighbouring properties unless considered from the early stages of the design process.

The building that would have potentially been the most affected was the PDSA, Pet Hospital building at 26-30 Fraser Place to the North. However, with some thought into the design we have been able to overcome this issue by satisfying the guidance set out by the local authority on this matter. As well as the PDSA building, the same applies to the buildings at 5-7 & 9 Charles Street, which again we were able to show compliance with.

In order to negate any issues with the loss of amenity, we have offset the first floor wall back from the existing wallhead and designed a hipped end roof to both side elevations which is shown in drawing: F33:04. The new extension eaves wallhead is restricted in height at the first floor to form a storey & $\frac{3}{4}$ design, rather than a full two storey's in order to keep the overall height down and any potential impact to the neighbouring properties. The said drawing clearly shows compliance with the 25 & 45 degree methods, laid out within Aberdeen City Council guidance, thus a sufficient level daylight to neighboring properties would be maintained.

Whilst it is acknowledged that any development of this nature in a city centre location may lead to some reduction in amenity, this application clearly demonstrates that the proposal would not constitute having a “significant detrimental impact” on the daylight/sunlight levels enjoyed by the neighbouring properties.

5.3 Materials

The design makes use of several different materials, which all complement the existing structure. Whilst we note the Planning Authorities comments regarding the selection of multiple materials, we would like to elaborate on the material choices. The design sets out to respect the existing granite stonework of the existing building, taking heed of Policy D5 – Our Granite Heritage. Furthermore, it is proposed to retain & re-use granite doughtings from the chimneyhead of the original building and re-use at each corner of the new extension, as a link between new and old. This is a sustainable choice, in comparison to importing an alternative and also meets the guidance set out by the local policies and guidance on this matter.

The remainder of the front and rear elevation walls will consist of native Scottish larch cladding. Timber cladding is a sustainable material and is used throughout the country on a wide variety of project types. It is also commonly found in new constructions in Aberdeen, and over time once weathered corresponds with the grey granite very well. The return side elevations will be a simple grey granite chip dry dash render to blend in with the granite below and adjacent at the new first floor level.

Finally, the roof is proposed to be finished in a metal standing seam cladding. This material has also been used extensively throughout the country and here in Aberdeen. The use of this modern material will give the building a sleek and more contemporary feel, clearly defining the upper level as an addition and the lower granite as the original. This material also reflects Aberdeen’ historic context, where lead roofing with protruding wood core rolls were commonplace. The use of grey modern ‘standing- seam’ metal cladding replicates the aesthetic of the lead and the wood core roll joints which adds visual interest to the cladding, helping to break up the appearance of large areas over an elevation. Grey or dark grey cladding in any form tends to sit well within the Aberdeen context and contribute towards our ‘sense of place’, whether that be replicating lead or traditional slated roofs.

Please see illustrations below of similar types of materials to those selected for this proposal. For further material details please refer to the full planning permission application drawings.



a) Grey upvc d/g windows.



b) Scotlarch cladding.



c) Grey standing seam metal cladding.



d) Granite chip render.

Below are some examples of materials in the immediate & local area of the application site, as well as demonstrating the local styles and the multiple storey nature of the buildings;



a) Two storey building immediately to the South East, 9-11 Charles Street. Modern dry-dash render & fystone.



b) Two storey building immediately to South West, 5-7 Charles Street. Granite lower walls and harling above. Similarities to appeal site with varying lower & upper wall finishes.



c) Two storey building to the North East, 26-30 Fraser Place with a mixture of materials.



d) Four storey building to South East on Charles Street.



e) Five storey building on George Street, within 75m of application site with multiple materials used.



f) Three storey building at 90 Loch Street, in the local vicinity. Very relevant due to added storey & material selection.



g) Causewayend Student Accommodation with use of metal standing seams cladding.

5.0 RESPONSE TO PLANNING REFUSAL

We believe the appeal before you presents justification for the Planning Refusal to be overturned in favour of an approval. Whilst we respect the view of the Planning authority, we also completely disagree with their assessment of this application and their subsequent justification. We will elaborate on their various concerns below;

SCALE & MASS

The Planning authority have suggested that the proposed extension should be visually subservient to the original building in terms of height, mass & scale. When adding an additional storey to an existing building, increasing its height & mass is unavoidable. However, a development of this form is not uncommon. We believe the reference to the mass and scale within their “*guidance*”, would more apply to adding extensions elsewhere to an existing dwelling.

The Planning report references the height being increased by 4 meters. This is completely incorrect; the overall height increase is only 1.58m. This is clearly shown on our submitted drawings. Every effort has been made to soften the extension at the upper level, and we would highlight that the upper level has been set in from the existing wall line around all elevations. The hipped end design softens the view also, as opposed to having full gable ends. The design is such that the new upper storey is not full height, again to restrict height and the scale of the building. The end design proposed has been reduced and contained to ensure the massing of the building is not excessive and out of proportion with the current building or surroundings. We have explored the potential of adding dormers to the existing roof, but there is not sufficient height to achieve this, and this option is a non-starter.

We had referenced a previously approved application at 90 Loch Street as an example where an additional storey had been added above an existing traditional building. However, we are disappointed that this comparison is being dismissed by the Planning authority, despite their obvious similarities regarding scale and materials choices. The development mentioned is no less subservient than the appeal site and is in a far more prominent location? The appeal site is secluded from view almost completely, whilst 90 Loch Street site on a busy street adjacent to city centre shopping centres and the cities College building.

Final point on this matter, we would note that 90 Loch Street is also located within a densely built area, which has not prohibited development in that instance. Adding an additional storey to a current building does not appear to be controversial elsewhere in the City either, with this practice itself on numerous occasions having taken a single storey bungalow for example and adding a storey above it.

MATERIALS & VISUAL APPEARANCE

The Planning authority have also said the materials choices are not suitable for the existing building nor surrounding area. This has surprised us greatly. The use of materials such as larch cladding, standing seam metal roofing is extremely popular at present, including on extended properties and they can correspond very well with existing traditional materials such as granite. See photo (a) in Appendix 8 on the forthcoming pages.

It is also worth noting and re-emphasising that the appeal site is extremely secluded from view, not within a conservation area and is situated within an area where the external fabric of buildings is extremely varied and of no fixed style. We are not looking at a regulated street of single storey houses, all with granite frontages and slated roofs.

See photo (b) in Appendix 8 for an example where an extension has been added to a property within a Conservation Area, fronting a public view (side lane), far more so than the appeal site, which has been granted by the Planning authority. Whilst this example does not contain multiple materials, how can the use of the standing seam cladding throughout be acceptable in this instance and respect its surroundings and that of the Conservation Area? This extension also dominates this side of the house in mass & scale. The surrounding buildings are all traditional granite dwellings with slated roofs.

To revisit the building at 90 Loch Street again, which contains the original lower levels in granite stonework and the upper areas in standing seam cladding. We believe this to be a good example aesthetically of how an additional storey can be added without detracting from the original structure. This building has been used as an example by Aberdeen City Council themselves in a Materials Guidance document regarding the potential and acceptable use of metal cladding.

The examples could be endless and for that reason we will not be drawing this statement out longer than required, as we feel it should be recognised quite clearly that the materials chosen complement the existing structure and its surroundings.

Finally, the Planning authority have made comment regarding window proportions and alignment with the windows below. Again, to use 90 Loch Street as a direct comparison, our situation would appear little different to the approval of that building. See Appendix 7 which demonstrates the alignment of the windows and how we have designed the proposal. Given the amount of ground floor windows it made it difficult to have all windows completely aligned, which we don't believe is necessary. However, the said Appendix should highlight that this aspect has been considered in the design process.

AMENITY

The issue of the loss of amenity has been used as a reason for the refusal of this proposal. Firstly, we will look at overlooking created by this extension.

The concerns of the Planning authority were the building to the rear of the appeal site at 506 George Street. From the rear of the appeal building to the rear face of 506 George Street is 14m. This distance is considerable, given the city centre location, in a built-up area. Overlooking is surely unavoidable in built up areas, with flat windows looking directly across to other buildings throughout the city. Granted, these are quite often historic situations, but it is also accepted in new build situations, otherwise nothing would ever be developed in areas such as this. Two of the rear windows serve a bathroom and utility room, therefore it could be conditioned that these be obscure, if desired by the Planning authority. This would leave the end bedroom which is unlikely to have a direct line of sight to the windows of 506 George Street due to trees, outbuildings & alignment of the windows. The residents of 506 George Street currently overlook our client's property to the rear, as do the dormer windows of the PDSA building which overlook directly into our clients private garden space. Whilst we acknowledge these concerns, it would seem unfair when the adjacent buildings cannot be deemed "***good neighbours***" themselves on these topics.

Secondly, we will consider the comments regarding the lack of sunlight / daylight apparently caused by this proposal. We have demonstrated quite clearly on drawing F:33:04 that our proposal does comply with their 25 / 45 degree methods and our proposal has specifically been designed with this in mind.

The Planning authority report mentions the proposal adversely affecting the background daylight of the two dormer windows of the PDSA building to the North West. However the North East Elevation on drawing F:33:04 shows the 25 degree line being projected from the mid-point of the said dormers and not intersecting with the extension. Similarly, we have demonstrated that the 45 degree method shows compliance for the gable end window of the building at 5-7 Charles Street, which is actually recognised in the planning report.

Thirdly and finally, the report advises that the proposal will cause a loss of privacy, sunlight & background daylight to the HMO property at 9 Charles Street. We would again make the point that similarly 9 Charles Street has an element of overlooking into our client's property. It is worth noting that the two sets of windows do not have a direct line of site into each other's windows. If looking south from the front south east upper window of the appeal building, you could overlook the outdoor space of 9 Charles Street, however it is apparent this area is not used for any other purpose than car parking. See photo (c) in Appendix 8.

It is recognised that some overshadowing will take place in this car parking area to No. 9 Charles Street. However, this situation is made no worse by this proposal and is already in place due to the building at 5-7 Charles Street and even the buildings beyond on George Street. Albeit the approval of 9 Charles Street was granted despite this. We do not feel our client's proposal should be penalized for making the situation no worse. Please refer to Appendix 9 where we demonstrate the shadow cast with and without our appeal building in place. This exercise demonstrates that the shadow cast by our building makes this situation no worse than what currently exists.

To conclude our response to the issues raised regarding amenity. It is acknowledged that given the density and constrained nature of this city centre location, the amenity of existing neighbouring residential properties may be altered by the proposal, however given the mitigations measures explained and designed into the proposal, it should not be considered that the proposal will not have a significant enough detrimental impact on the residential amenity such as to warrant the refusal of the application. We have come across similar conclusions reached by the Planning authority on applications such as this and would ask that a similar transparent approach be taken in this case, given the detailed justification provided.

6.0 CONCLUSION

In summary, we believe the submitted Planning documentation along with the contents of this Appeal Statement sets out grounds for the overturn and approval of the proposal to 8 Charles Place.

It is our opinion that the matter of materials & visual appearance has been considered, justified and should present no issues to the Planning authority. The main issues, again in our opinion, would be that of the Scale/Mass and Amenity. We believe Section 5 more than elaborates on each of these topics, providing justification and further detail on our findings after what has been a lengthy design process. The following bullet points should streamline the contents & findings of this report;

- Materials complement both the existing building and surrounding buildings where possible.
- “Mishmash” of different materials and styles on adjacent buildings.
- Materials choices used throughout city, on many occasions with multiple materials which have all been accepted by the Planning authority at some stage.
- Extension has been designed to limit effect on neighbouring properties amenity, this has dictated roof design, eaves height and footprint size.
- Neighbouring buildings cannot be deemed “good neighbours”, and for that reason cannot be afforded the full protection of local authority guidelines. This is a fact stated in the Householder Development Guide.
- Site extremely secluded with very limited public view.
- Not within a Conservation Area, listed or protected in anyway.
- No public / neighbour objections.

7.0 APPENDIX

7.A.



Images demonstrating the alignment of the new first floor windows with those existing at ground floor level.

8.0 APPENDIX

8.A.

Example of larch cladding, standing seam roofing and traditional granite stonework working well in conjunction with each other.



8.B.

Example of an extension added in Aberdeen's West End, within a Conservation Area, with the use of standing seam cladding and an extension dominating rear/side aspect.



8.C.

Photo of outdoor space at 9 Charles Street, which is used solely for car parking.



9.0 APPENDIX

Shadow cast of building at 5-7 Charles Street on to 9 Charles Street, without the appeal site building shown in order to demonstrate what shadow cast currently exists.



12 Noon



6pm

Existing shadow cast of appeal building on 9 Charles Street, without upper storey added.

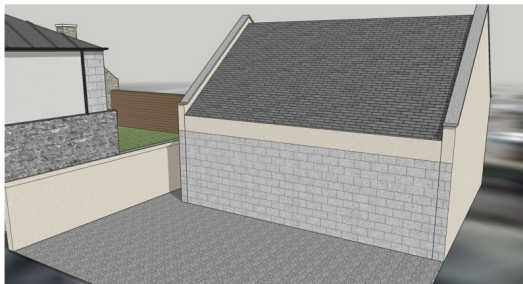


12 Noon



6pm

Shadow cast of appeal building at 8 Charles Place, with proposed storey added, but without shadows cast from 5-7 Charles Street. As you can see the shadow cost is marginally more intrusive than the existing example above. However, this clearly demonstrates that the top example casts a far greater shadow than the limited shadow cast of the appeal site.



12 Noon



6pm

Proposed shadow cast throughout the day with upper storey added to appeal site, including 5-7 Charles Street.



9 am



12 Noon



3 pm



6pm

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