

Public Document Pack



To: Councillor McRae, Chairperson; and Councillors Alphonse, Boulton, Bouse (for items 3 to 5) and Lawrence (for items 2 to 4).

Town House,
ABERDEEN 06 November 2023

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet remotely on **MONDAY, 13 NOVEMBER 2023 at 10.00 am.**

JENNI LAWSON
INTERIM CHIEF OFFICER – GOVERNANCE (LEGAL)

Members of the public can observe the meeting via Microsoft Teams [here](#). You should have your camera and microphone off at all times and observe only.

BUSINESS

1.1 Procedure Notice (Pages 5 - 6)

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

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 Detailed Planning Permission for the change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people - 16 Urquhart Street Aberdeen - 230570

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 230570.

2.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 7 - 36)

2.3 Planning Policies Referred to in Documents Submitted (Pages 37 - 38)

2.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 39 - 46)

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

REVIEW TWO

3.1 Detailed Planning Permission for the formation of 1st floor extension over existing garage and extensions to front and rear - 6 Morningside Avenue Aberdeen - 230683

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 230683.

3.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 47 - 68)

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

3.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 71 - 92)

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

REVIEW THREE

- 4.1 Detailed Planning Permission for the erection of first floor extension over existing garage to side and formation of dormers to front and rear - 31 Morningside Avenue Aberdeen - 230767

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 230767.

- 4.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 93 - 116)

- 4.3 Planning Policies Referred to in Documents Submitted (Pages 117 - 118)

- 4.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 119 - 130)

- 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

REVIEW FOUR

- 5.1 Detailed Planning Permission for the extension to an existing garage to front - Skarra-Don, Pitmedden Road, Dyce - 230757

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 230757.

- 5.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 131 - 150)

- 5.3 Planning Policies Referred to in Documents Submitted (Pages 151 - 152)

- 5.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 153 - 190)

- 5.5 Determination - reasons for decision

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

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain on lymcbain@aberdeencity.gov.uk / tel 01224 067344

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 2013 (the regulations), and (two) Aberdeen City Council's Standing Orders.
2. Local members are not permitted to sit on cases that fall within their ward.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
 9. 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

10. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.
11. 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.”
12. 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.
13. 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.**
14. The LRB will give clear reasons for its decision.

 <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:	First Floor Left, 16 Urquhart Street, Aberdeen, AB24 5PJ
Application Description:	Change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people
Application Ref:	230570/DPP
Application Type:	Detailed Planning Permission
Application Date:	17 May 2023
Applicant:	Mr John Kirk
Ward:	George Street/Harbour
Community Council:	Castlehill and Pittodrie
Case Officer:	Jack Ibbotson

DECISION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises a flatted property situated at first-floor level within a traditional granite and slate mid-terraced 2½ storey residential tenement containing a total of six properties situated on the eastern side of Urquhart Street. The application property, originally designed and used as a mainstream residential flat, has recently been refurbished and is currently untenanted with the intention to bring it into use as a as Short Term Let (STL). The property has two double bedrooms and is double-aspect, with two windows on the building’s front elevation, facing west over Urquhart Street, and two windows looking east over communal rear garden area. The property is accessed by a communal ground-floor front entrance door centrally positioned on the front elevation of the building facing onto Urquhart Street. It is not clear if other properties in the building are being used as an STL and it is assumed that the remaining five properties are in mainstream residential use.

Relevant Planning History

None relevant.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought, for the change of use of the property from a residential flat to Short Term Let (STL) accommodation (both sui generis).

The applicant advises that the maximum occupancy for the STL is 4 persons at any one time, with a minimum stay duration of 3 nights. The property would be operated as an STL on a permanent basis and customers of the property would utilise existing on-street waste and recycling bins on Urquhart Road directly in front of the property's entrance. The property does not benefit from off-street parking. There is not controlled on-street parking (Controlled Parking Zone) in this area so visitors would be able to park on this street if spaces are available.

Amendments

None.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RUFWPTBZJE600>

- Short term let checklist

CONSULTATIONS

Roads Development Management Team – The site is in the inner-city boundary and is not in a controlled parking zone. For residential dwellings (2-bedroom flats) in the inner-city boundary the parking standards are for 1.5 (non-allocated) spaces per unit. This proposal has no parking associated with it and none is proposed. Parking around this area is on street but it is known to have parking pressures. The proposed use and the current use would likely have similar parking levels.

The site is fronted by good standard adopted footways which provide connectivity to the city centre and other amenities. The nearest public transport stops are on King Street and Park Road and are approximately 5-minute walk from the site. Cycling around the site is on carriageway but near recommended routes.

Roads have no objections to this proposal.

Waste And Recycling – No objection. On street bins can be used subject to correct business waste arrangement with Aberdeen City Council Waste department.

Environmental Health – No observations or objections.

Castlehill And Pittodrie Community Council – None received

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 30 (Tourism)

Aberdeen Local Development Plan (2023)

The following policies are relevant –

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy VC2 (Tourism and Culture)
- Policy VC4 (City Centre and Retail Core)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

Other National Policy and Guidance

Scottish Government publications:

- Short Term Lets: [Business and regulatory impact assessment – November 2021](#)
- Scottish Government – [Research into the impact of short-term lets on communities across Scotland – October 2019](#)

EVALUATION

Tackling the Climate and Nature Crises, Climate mitigation and Biodiversity

Policy 1 (Tackling the Climate and Nature Crises) of National Planning Framework 4 (NPF4) requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate mitigation and adaptation) requires development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. Policy 3 (Biodiversity) of NPF4 requires proposals for local development to include measures to conserve, restore and enhance biodiversity, proportionate to the nature and scale of development.

The proposed development, comprising the change of use of an existing property, with no associated external alterations, is sufficiently small-scale such that it would not make any material difference to the global climate and nature crises nor to climate mitigation and adaptation, nor are there any opportunities to minimise greenhouse gas emissions given the nature of the proposals as a change of use. Therefore the proposals are compliant with Policies 1 and 2 of NPF4. The proposed development is wholly internal, small-scale and does not offer the opportunity for any biodiversity gain and the proposals are thus considered to be acceptable, despite some minor tension with Policy 3 of NPF4.

Provision of Short Term Let accommodation and impacts on character & amenity

Policy 30 (Tourism), paragraph (e) of NPF4 states:

e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or*
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits*

Policy H1 (Residential Areas) of the ALDP states:

'Within existing residential areas, proposals for non-residential uses will be supported if:

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

Impact on character and amenity of the area

The application property is situated within a residential area as zoned in the ALDP Proposals Map, and Urquhart Street has no other use types present. Urquhart Street is open to two way traffic but is not heavily trafficked. The residential status of the street and its quiet character would therefore be impacted by a change of use of the flat out of a residential use to effectively a business use.

The use of the application property as an STL, with a potentially increased frequency of comings and goings (when the property is occupied), is likely to have an impact on the character of the wider area, which could be adverse in the worst case scenario of full occupancy of four adults arriving at different times or at irregular hours on a more frequent basis than the established

residential use is likely to cause. In terms of impacts on amenity, the property shares an entrance door and stairwell with five other properties in a traditional tenement building, all of which are in use as mainstream residential flats. The Planning Service considers that the use of the property as an STL could therefore result in increased harm to the amenity of the neighbouring properties within the tenement building, beyond that which would typically be expected from a property in mainstream residential use, particularly due to the following:

- the potential for noise from increased coming and goings via the communal entrance and stairwell due to frequent customer turnovers (check-ins and check-outs) and cleaning between occupancies;
- the potential for noise from customer activities within the property, particularly in the quieter, more sensitive late evening and early morning periods – especially if used as a ‘party flat’;
- the potential for the disturbance of privacy and the perceived impact on safety resulting from the use of communal areas (including gardens) by transient persons unknown to permanent residents.

It is considered that there would be impacts on amenity from the use of the application property as an STL arising from the increased probability of noise emissions affecting the occupants of the other flats from regular arrivals and departures by customers, via noise transmission through the floors and ceilings (particularly given the building is a historic tenement of traditional construction and the position of the property within the middle of the building), and to the impact on safety and security from the use of the communal entrance and stairwell by transient non-residents, either actual or perceived.

In this instance, the proposed STL is a 2-bedroom flat with a stated maximum occupancy of four people. It is thus considered unlikely that the flat would be used for the hosting of parties or other events of an anti-social nature. However, the use of a 2 bedroom residential flat is not likely to regularly see 4 adults congregate at the property by virtue of the relatively small scale of the flat, which is much more likely should a change of use to short term let be permitted. It is considered that this intensification of use could harm the amenity of neighbouring established residential properties in terms of noise from activities within the property during the more sensitive late night and early morning periods by virtue of a potential change in numbers of adults regularly staying in the property. It is acknowledged that such activities could nevertheless take place in the property if operated as mainstream residential accommodation, however it is less likely to be as frequently than would be the case if this proposed change of use is granted and implemented.

The location of the flat, at 1st floor level, both above, below and on the same landing as other residential flats in the traditional granite tenement building means that this impact is likely to have a larger impact through noise transfer below and above, than would be the case, for example, a ground floor flat. The application property shares a landing with another property on the first-floor level of the building. As a direct neighbour the comings and goings on the landing may be noted over and above the movement of residents on the floor above and below and this would intensify due to the increase in occupation, and the potential for visitors not to be familiar with the building, or have less regard for the peace and quiet enjoyed by permanent occupants as these guests are itinerant and have less reason to maintain the character of the shared spaces. This would cause harm to the relatively quiet character of this property and surrounding residential street.

Customers of the property would have access to the communal garden area to the rear of the building, although it is not anticipated that customers staying at the property on a short-term basis would be likely to use the garden area for any significant periods of time. However, should visitors decide to use this space, which was noted as being a quiet street, in a quiet residential area this

could be both a nuisance through increased noise and disturbance, or if not noisy, the presence of strangers in a communal garden is likely to be perceived as a loss of security by other residents.

The Planning Service considers that the maximum occupation of 4 customers of this relatively small traditional tenement flat is likely to cause harm to amenity of neighbouring residents, in particular when fully occupied. In the context of this residential area, in a 1st floor position the amenity of the neighbouring mainstream residential properties within the building, would be affected beyond the impacts to amenity which could occur if the property were to remain in / revert to mainstream residential use.

A secondary impact is the potential for a reduction in safety and security for the permanent residents in the building resulting from the use of the property as an STL could occur through the regular change in guests staying at the property. The surroundings and building were not busy, and therefore this is likely to be perceived as a greater change, than in a busier area or should the maximum number of occupants be less.

It is therefore considered that the use of the property as an STL would cause harm to the character and amenity of the area and impact neighbours, contrary to Policy 30(e)(i) of NPF4 and it has not been demonstrated *“that the use doesn’t cause conflict with, or any nuisance to, the enjoyment of existing residential amenity”* which does not comply with Policy H1 criteria 2 of the ALDP.

Provision of Short Term Let tourist accommodation and local economic benefits

Policy VC2 (Tourism and Culture) of the ALDP states that:

‘Proposals for new, or expansion of existing, visitor attractions and facilities capable of strengthening the appeal and attraction of Aberdeen to a wide range of visitors will be supported.

Proposals should complement existing visitor facilities and be sequentially located in the city centre, or on a site allocated for that use in this Plan, unless activity and locality specific issues demonstrate that this is impracticable.’

The use of the property as an STL offers a different type of visitor accommodation to hotels and guesthouses that can be more attractive for certain visitors, particularly families and business travellers / contract workers who may be staying in the city for several weeks. The Scottish Government’s publication on ‘Short Term Lets: Business and regulatory impact assessment’ from November 2021 states:

‘Short-term lets make an important contribution to the tourist economy because they can:

- a) offer visitors a unique tourist experience through a host's local knowledge, increasing the attractiveness of Scotland as a place to visit,*
- b) offer accommodation in places not served by hotels and hostels, for example, and therefore help with dispersal of visitors from "hotspot" areas,*
- c) offer more affordable accommodation, helping to attract tourists that may have a lower budget, and*
- d) provide additional capacity to accommodate tourist or other visitor demand in areas with a high demand over a short period of time (for example, to accommodate tourists during the Edinburgh Festival or the Open golf tournament).’*

Although it is not possible to precisely quantify or demonstrate the local economic benefits that would be derived from the use of the application property as an STL, as required by Policy 30(e)(ii) of NPF4, given the likely use of the property by tourists and/or business travellers, it is envisaged that customers of the property would be likely to spend money in the local tourism and hospitality sectors, to the benefit of those businesses. This is backed up in general terms by the Scottish Government's 'Research into the impact of short-term lets on communities across Scotland' publication, produced in October 2019, which states in Key Findings - Chapter 5:

'The positive impacts of STLs most commonly identified related to the local economic impacts associated with the tourism sector.'

The application property lies outside the city centre boundary meaning customers of the STL would be further away from the services, businesses and amenities in the city centre as compared to sites within the city centre or mixed use areas as defined in the ALDP. Therefore the likely benefit of increased footfall of businesses in the city centre is not necessarily as likely to be increased as similar schemes located within the city centre or mixed use areas.

Considering that there are likely to be more sustainably located sites closer to the city centre, whilst the site is not considered unsustainable, the proposal would not be in total accordance with policy VC2 or VC4 of the Aberdeen Local Development Plan. These policies seek to steer tourist accommodation towards the city centre or existing Local Plan tourist allocations unless it is demonstrated otherwise impracticable. The Planning Service has received a number of applications and enquiries for Short Term Let applications within the city centre, and therefore it is not considered impracticable to site this type of development in the busier, better connected locations within the centre closer to public transport nodes, tourist and business facilities.

As such the proposal cannot be considered to be sequentially the most appropriate location for tourist development, especially when it is also considered to result in harm to the amenity of existing residents of this residential area. As such this proposal presents tension with policies VC2 and VC4 of the ALDP in terms of the sequential location of tourist development.

The location of visitor accommodation outside of the city centre (as shown on the Proposals Map) would also conflict with Policy VC4 (City Centre and Retail Core) which is the preferred location for all retail, office, hotel, commercial leisure, community, cultural and other significant footfall generating development serving a city-wide or regional market. By directing development of this nature (visitor accommodation) to the city centre the ALDP seeks to support the vitality, vibrancy and viability of the city centre by refocusing and adapting through diversification which would include this land use, that would contribute to increasing footfall, dwell time, and provide economic and social activity during the day and into the evening. Siting visitor accommodation in a residential area away from the city centre would detract from the spatial approach to new development of this type adopted by Policy VC4.

Housing

Although housing is in need in Aberdeen, there is not currently understood to be any significant pressure placed on local housing need from the amount of STL's in Aberdeen, as is experienced elsewhere in Scotland (for example Edinburgh and the Highlands & Islands in particular). Therefore it is considered that the loss of residential accommodation resulting from the use of the property as an STL would not have a significant impact on local housing need.

However, the loss of a residential flat where there is little identified economic benefit, and there is an identified harm to residential amenity would result in a small impact upon localised market

residential availability. Cumulatively, or should housing provision change over time, this may result in an unacceptable impact upon housing supply and therefore it is not possible to conclude that the proposal is compliant with the aims of Policy 30(e)(ii) of NPF4 should the change of use and loss of a residential property be on a permanent basis.

Transport & Accessibility

Policy 13 (Sustainable Transport) on NPF4 and Policy T2 (Sustainable Transport) of the ALDP promote and encourage the use of sustainable and active modes of travel where possible, as opposed to private vehicle trips. The application property lies outside the city centre boundary and whilst close to bus routes and cycle routes, it is not within easy walking distance of the train station or city centre and as there is on street car parking. This may result in a higher use of cars by visitors as opposed to if they stayed at properties within the city centre or mixed use areas. The proposals are therefore broadly compliant with Policies 13 of NPF4 and T2 of the ALDP, although alternative city centre locations would promote sustainable travel more than this site.

Should people visit in cars, the site has on street general car parking which would be used by some visitors and is not likely to be of a higher intensity of use than that of those flats in permanent mainstream residential use. However, should all four of the visitors arrive by car individually this is likely to cause localised parking issues and also be considered an unsustainable form of development and impacting on the amenity of existing residents.

Taking into account the comments of the Roads Development Management Team on balance it is considered that the use of the property as a STL would not generally result in an increase in parking requirements over the existing use, however as there is an existing issue with on street parking provision this change of use may result in sporadic additional parking and associated tension with Policy T3 (Parking) of the ALDP.

Waste Management

Policy 12 (Zero Waste) of NPF4 and Policy R5 (Waste Management Requirements for New Developments) of the ALDP both require developments that generate waste and/or recyclables to have sufficient space for the appropriate storage and subsequent collection of that waste and recyclable materials. Although the property is a business and therefore does not pay Council Tax, it is proposed that customers of the STL utilise existing domestic on-street general waste and recycling bins situated nearby on Urquhart Street.

The Council's Waste & Recycling Service have advised that the customers of the property can continue to utilise the existing domestic bins, subject to the applicant paying a financial contribution towards the collection of the waste, via a business waste contract with the Council, in lieu of not paying Council Tax. Therefore waste and recyclables generated by the customers of the property can be adequately stored and collected and an advisory note has been added for the applicant to be aware of in relation to entering into the required business waste contract with the Council. The proposals are therefore acceptable in accordance with Policies 12 of NPF4 and R6 of the ALDP.

Conclusion

The property's use as an STL would likely provide a small scale local economic benefits, particularly to the tourism and hospitality sectors, However this is not considered to outweigh the loss of amenity to neighbouring residents caused by the intensification of use of the property with an increase in noise, comings and goings and impact upon character of the communal areas by

up to 4 guests visiting at any one time. The impact is harmful in this case because the flat is located with residential flats above, below and alongside on the same landing in a tenement building of traditional construction, all of which are accessed from the same communal stair and hall. The harm caused by the increased comings and goings, potentially at unusual hours, increased noise transfer by the likely higher number of occupants, and the impact upon security and character of the communal garden and shared internal spaces is such that the proposal is considered contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP) or Policy 30 (Tourism), paragraph (e) part i) of NPF 4.

The small scale of this change in housing provision is not considered to be a reason for refusal in isolation as it is not possible to evidence a harmful loss or under provision of housing should this change of use be permitted.

It is considered that there are sites closer to the city centre available for short term let uses which would be more appropriate, and whilst the site is not considered unsustainable in terms of accessibility, the proposal would not accord with the sequential spatial criteria of policy VC2 of the Aberdeen Local Development Plan which seeks to direct this form of development to the city centre or allocated tourist sites.

DECISION

Refuse

REASON FOR DECISION

1. It is considered that the use of the property as Short Term Let (STL) accommodation would have a significant detrimental impact upon the amenity of the immediate neighbouring residential properties within the application building, beyond what could typically be expected if it were to be used as mainstream residential accommodation. This is considered to be contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP) and Policy 30 (Tourism), paragraph (e) part i) of National Planning Framework 4.
2. It is considered that the location of this proposed STL, a tourism related use, is not within the city centre or land allocated for a tourism related use which is a requirement of Policy VC2 of the ALDP. The proposal, which is also identified as having the potential to cause harm to the amenity of existing residents in the residential area, is not considered to have met the locational requirements, and is therefore contrary to Policy VC2 (Tourism and Culture) of the Aberdeen Local Development Plan.

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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 100627972-001

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

Type of Application

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

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

Description of Proposal

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

Change of use from residential flat (sui generis) to short term let comprising 2 bedrooms and a maximum of 4 occupants (sui generis)

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:	SJA Platinum Property Group Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Jason	Building Name:	Neo House
Last Name: *	Orton	Building Number:	<input type="text"/>
Telephone Number: *	+44 7564077841	Address 1 (Street): *	Riverside Drive
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: *	AB11 7LH
Email Address: *	jason@sjastays.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:	<input type="text"/>	Building Name:	Kirklyn House
First Name: *	John	Building Number:	<input type="text"/>
Last Name: *	Kirk	Address 1 (Street): *	Kirklyn House
Company/Organisation	<input type="text"/>	Address 2:	Upperton of Gask
Telephone Number: *	<input type="text"/>	Town/City: *	Turriff
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	AB53 8AB
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:

FIRST FLOOR LEFT

Address 2:

16 URQUHART STREET

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB24 5PJ

Please identify/describe the location of the site or sites

Northing

807214

Easting

394611

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

48.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Residential flat

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.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ≤ Yes T No</p> <p>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.</p>
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 0</p> <p>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)? * 0</p> <p>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).</p>
<p>Water Supply and Drainage Arrangements</p> <p>Will your proposal require new or altered water supply or drainage arrangements? * ≤ Yes T No</p>
<p>Do your proposals make provision for sustainable drainage of surface water?? * ≤ Yes T No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p>≤ Yes</p> <p>≤ No, using a private water supply</p> <p>T No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<p>Assessment of Flood Risk</p> <p>Is the site within an area of known risk of flooding? * ≤ Yes T No ≤ Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * ≤ Yes T No ≤ Don't Know</p>
<p>Trees</p> <p>Are there any trees on or adjacent to the application site? * ≤ Yes T No</p> <p>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.</p>
<p>Waste Storage and Collection</p> <p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ≤ Yes T No</p>

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

Cleaners remove waste after each stay

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Certificates and Notices

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

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

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

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Jason Orton

On behalf of: Mr John Kirk

Date: 10/05/2023

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

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

Provide copies of the following documents if applicable:

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

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr Jason Orton

Declaration Date: 10/05/2023

Payment Details

Online payment: ABSP00009568
Payment date: 10/05/2023 12:17:00

Created: 10/05/2023 12:17

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Short Term Let Accommodation

Planning Application Supporting Information Checklist



Property Address and Floor Level: 10 Urquhart Street – 1st floor left

<p>What is the maximum number of occupants that would be allowed to stay in the property?</p>	4 people maximum
<p>How many bedrooms and beds would there be?</p>	2 bedrooms
<p>What is the minimum duration of stays for customers?</p> <p>Please also state the maximum duration of stay, if applicable.</p>	3 nights No limit on length
<p>Would there be any car parking available for customers?</p> <p>If yes, how many spaces and what type? (i.e. dedicated off-street space, on-street etc)</p>	On street paid parking only
<p>Would the property be in use as a Short Term Let (STL) on a permanent basis, or would it only be available to hire for certain periods of the year only?</p> <p>If not permanent, please provide further details</p>	Yes
<p>What would the check-in and check-out times be and would customers be met or would they collect the keys from a key box or similar?</p>	Lock box used for key access Check in 3pm - 6pm Check out - 11am
<p>Please advise what the arrangements would be, including frequency, for cleaning the property and how would waste be disposed of?</p>	After each stay
<p>Does the property share a communal access with any other properties and if so, how many?</p>	6 flats of a communal access
<p>Does the property have access to any communal amenities, including garden ground or roof terraces?</p> <p>If so, provide details</p>	Shared access to garden
<p>If known, how many other properties in the building are currently in use as Short Term Let accommodation?</p>	None as far as known
<p>If the application seeks permission retrospectively, how long has the property been in use as Short Term Let accommodation?</p> <p>Please provide any existing online links to view & book the accommodation, if available:</p>	N/A

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DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

James Duguid
SJA Platinum Property Group Ltd
Neo House
Riverside Drive
Aberdeen
AB11 7LH

on behalf of **Mr John Kirk**

With reference to your application validly received on 17 May 2023 for the following development:-

Change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people at First Floor Left, 16 Urquhart Street, Aberdeen AB24 5PJ

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

<u>Drawing Number</u>	<u>Drawing Type</u>
	Location Plan
	Other Drawing or Plan

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:-

It is considered that the use of the property as Short Term Let (STL) accommodation would have a significant detrimental impact upon the amenity of the immediate neighbouring residential properties within the application building, beyond what could typically be expected if it were to be used as mainstream residential accommodation. This is considered to be contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP) and Policy 30 (Tourism), paragraph (e) part i) of National Planning Framework 4.

It is considered that the location of this proposed STL, a tourism related use, is not within the city centre or land allocated for a tourism related use which is a requirement of Policy VC2 of the ALDP. The proposal, which is also identified as having the potential to cause harm to the amenity of existing residents in the residential area, is not considered to have met the locational requirements, and is therefore contrary to Policy VC2 (Tourism and Culture) of the Aberdeen Local Development Plan.

Date of Signing 22 September 2023

A handwritten signature in black ink that reads "Daniel Lewis". The signature is written in a cursive, slightly slanted style.

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 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A review request must be made using the 'Notice of Review' form available from <https://www.eplanning.scot/>.

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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Aberdeen City Council – Development Management Team Consultation Request

Response to application 230570 16 Urquhart Street

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.	
Would recommend the following comments are taken into consideration in the determination of the application.	Y
Object to the application (please specify reasons below).	

COMMENTS

The following development is classified as commercial and therefore receives a business waste collection.

When providing feedback on commercial developments, I can only provide a very general response regarding commercial developments due to Aberdeen City Council not being the only waste service contractor available in the city.

Site Specific comments:

- To use on street bins.

See below for general comments:

- Business premises need to be provided with a bin store to allocate, within the property curtilage for the business waste and recycling bins
- Commercial waste bins cannot be stored on the street any day of the week as per Council Policy 2009 (Obstructions- Commercial Waste Bins). Infringement on the Council Policy can lead to a fine of £500 per bin as adopted by the Enterprise, Strategic Planning and Infrastructure Committee on 29th August 2013
- There are many waste contract collection providers operating in Aberdeen and each one provides different collection of waste and recycling services. For this reason, business premises need to liaise with their waste contract collection to ensure the correct management of their waste.
- Business premises have a legal Duty of Care covering all the waste they produce. This means that it is the Business premises responsibility to manage and dispose of any waste correctly.
- The Waste (Scotland) 2012 requires that **all businesses** from 1st January 2014 are required to separate paper, cardboard, glass, plastic and metals for recycling. Some businesses will additionally be required to separate their food waste (where food waste >5kg per week).
- General tips for site and hopefully the chosen waste collection contractor will detail this but for access, the following is needed:
 - An area of hard standing at storage and collections point(s)
 - Dropped kerb at proposed bin collection point
 - Yellow lines in front of bin collection point
 - Bin storage areas to ideally be provided with a gulley and wash down facility for the interest of hygiene

For further independent guidance about waste and recycling provision, storage and collection please refer to the following document: http://www.lgcplus.com/Journals/3/Files/2010/7/14/ADEPTMakingspaceforwaste_000.pdf and additional Trade Waste information can be found in the Waste Supplementary Guidance available at <https://www.aberdeencity.gov.uk/sites/default/files/2020-07/7.1.PolicySG.ResourcesForNewDevelopmentUpdateJuly2020.pdf>

Responding Officer: L Todd

Date: 24/05/2023

Email: wasteplanning@aberdeencity.gov.uk

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Consultee Comments for Planning Application 230570/DPP

Application Summary

Application Number: 230570/DPP

Address: First Floor Left 16 Urquhart Street Aberdeen AB24 5PJ

Proposal: Change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people

Case Officer: Jack Ibbotson

Consultee Details

Name: Mr Jack Penman

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

Email: Not Available

On Behalf Of: ACC - Roads Development Management Team

Comments

I note this proposal is for a change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people at First Floor Left, 16 Urquhart Street, Aberdeen, AB24 5PJ.

The site is in the inner-city boundary and is not in a controlled parking zone. For residential dwellings (2-bedroom flats) in the inner-city boundary our parking standards are for 1.5 (non-allocated) spaces per unit. I note this proposal has 0 parking associated with it and 0 is proposed. Parking around this area is on street but it is known to have parking pressures. The proposed use and the current use would likely have similar parking levels.

The site is fronted by good standard adopted footways which provide connectivity to the city centre and other amenities. The nearest public transport stops are on King Street / Park Road and are approximately 5-minute walk from the site. Cycling around the site is on carriageway but near recommended routes.

Roads have no objections to this proposal.

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Consultee Comments for Planning Application 230570/DPP

Application Summary

Application Number: 230570/DPP

Address: First Floor Left 16 Urquhart Street Aberdeen AB24 5PJ

Proposal: Change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people

Case Officer: Jack Ibbotson

Consultee Details

Name: Mr Mark Nicholl

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

Email: Not Available

On Behalf Of: ACC - Environmental Health

Comments

no concerns or observations.

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Application 230570/DPP

Development Plan

National Planning Framework 4

[Supporting documents - National Planning Framework 4: revised draft - gov.scot \(www.gov.scot\)](https://www.gov.scot/supporting-documents-national-planning-framework-4-revised-draft)

- 1. Tackling the climate and nature crises
- 2. Climate mitigation and adaptation
- 3. Biodiversity
- 12. Zero waste
- 13. Sustainable transport
- 30. Tourism

Aberdeen Local Development Plan 2023

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

- H1 Residential Areas
- D1 Quality Placemaking
- D2 Amenity
- R5 Waste Management Requirements for New Development
- VC2 Tourism and Culture
- VC4 City Centre and Retail Core
- T2 Sustainable Transport
- T3 Parking

Other Material Considerations- National Policy and Guidance

Scottish Government publications:

- Short Term Lets: Business and regulatory impact assessment – November 2021

[G. Wider economic context - Short-term lets: business and regulatory impact assessment - gov.scot \(www.gov.scot\)](https://www.gov.scot/g-wider-economic-context-short-term-lets-business-and-regulatory-impact-assessment)

- Scottish Government – Research into the impact of short-term lets on communities across Scotland – October 2019 [people-communities-places-research-impact-short-term-lets-communities-scotland.pdf \(www.gov.scot\)](https://www.gov.scot/people-communities-places-research-impact-short-term-lets-communities-scotland.pdf)

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100649208-001

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

Applicant or Agent Details

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

≤ Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="SJA Platinum Property Group LTD"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Mitchell"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Clark"/>	Building Number:	<input type="text" value="7"/>
Telephone Number: *	<input type="text" value="07787117918"/>	Address 1 (Street): *	<input type="text" value="Albert Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text" value="07787117918"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="AB25 1XX"/>
Email Address: *	<input type="text" value="Mitchell@sjaproperty.com"/>		

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="Kirklyn House"/>
First Name: *	<input type="text" value="John"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Kirk"/>	Address 1 (Street): *	<input type="text" value="Upperton of gask"/>
Company/Organisation	<input type="text" value="John Kirk"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Turriff"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Aberdeenshire"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB53 8AB"/>
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="FIRST FLOOR LEFT"/>
Address 2:	<input type="text" value="16 URQUHART STREET"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB24 5PJ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="807214"/>	Easting	<input type="text" value="394611"/>
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Description of Proposal

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

Change of use from residential flat (sui generis) to short term let comprising 2 bedrooms and a maximum of 4 occupants (sui generis)

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.

Regarding neighbours' amenity concerns, I've maintained a positive relationship with fellow property owners, and none have objected to STL use. While the location may not align with Policy VC2, exceptions are warranted when amenity isn't disrupted. Emphasizing STL's benefits for local tourism and the city's economy, I respectfully request a reconsideration. I'm open to discussions and modifications to address any concerns. please see supporting document for a more in depth description.

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)

A letter from us explaining why we do not agree with the reasons we have been denied planning.

Application Details

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

100627972

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

09/05/2023

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

18/10/2023

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 Mitchell Clark

Declaration Date: 24/10/2023

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I am writing to appeal the decision of the planning department with regards to using 16 Urquhart Street as a STL.

The reasons for denial were the Impact on Amenity of Neighbouring Properties and Locational Requirements.

Impact on Amenity of Neighbouring Properties:

It was cited that allowing the property to be used for STL accommodation would have a significant detrimental impact on the amenity of neighbouring residential properties. I respectfully disagree with this assessment. I have maintained a positive and cooperative relationship with other property owners within the building, none of them have raised concerns about the proposed use.

Locational Requirements:

The denial also mentioned that the proposed STL use is not in line with the locational requirements as per Policy VC2 of the Aberdeen Local Development Plan. While this may be the case, I believe that exceptions can be made when the intended use does not disrupt the residential area's amenity. The property's unique position and the absence of objections from immediate neighbours should be considered in this regard.


I would like to emphasize that the denial appears to overlook the broader benefits of STL accommodation, such as supporting local tourism and contributing to the city's economy.

In light of the above, I kindly request that you reconsider the planning application for the change of use at 16 Urquhart Street. I am willing to engage in discussions, make necessary modifications to address any concerns, and work closely with the local community to ensure that the proposed STL operation does not cause any harm to existing residents.

I appreciate your time and attention to this matter and look forward to a fair and thorough review of my appeal. Please do not hesitate to contact me if you require any additional information or clarification.

Best Regards,
Mitchell

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 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <p style="margin: 10px 0 0 0;">Report of Handling</p>
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Site Address:	6 Morningside Avenue, Aberdeen, AB10 7LX
Application Description:	Formation of 1st floor extension over existing garage and extensions to front and rear dormers
Application Ref:	230683/DPP
Application Type:	Detailed Planning Permission
Application Date:	5 June 2023
Applicant:	Mr Nick Gill
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Braeside and Mannofield
Case Officer:	Rebecca Kerr

DECISION

Refuse

APPLICATION BACKGROUND

Site Description

The application site is located to the south-west of the city in the established residential neighbourhood of Mannofield. The application dwelling is c.1950s, 1.5 storey in height and semi-detached. The principal elevation faces south-east onto Morningside Avenue, its rear garden is to the north-west, which abuts the Mannofield Water Treatment Works, and bounded with neighbouring residential properties to both sides. To the north-east and south-west of the site lie other sets of semi-detached dwellings.

The application dwelling comprises a 2-bedroom property with a single-storey garage extension to the north-east side. There are existing dormers on both the front and rear of the dwelling, a large single pitched roof dormer to front and flat roofed dormer to rear. The property has been previously extended to the rear by means of a single storey rear extension which occupies the whole feu width, with pitched/hip and flat roof elements. The dwelling is of an architectural style typical of the street and is finished in grey granite, with pink granite quoin, cill and basecourse detailing, white windows, light grey door and slate roof. The side garage is finished in stone, flat roof and light grey door. The ground level of the road noticeably slopes upwards towards the front elevation of the dwelling (south-east) and gives the property a more elevated positioning compared to the opposite side of the street. The front garden contains a single width driveway, with the majority laid as rockery shrub planting.

The site sits just outwith the boundary of the Great Western Road Conservation Area which is to the north west.

Relevant Planning History

- 861150 – erection of garage; July 1986.

- 920630 – rear house extension; April 1992.

APPLICATION DESCRIPTION

Description of Proposal

The application seeks detailed planning permission for the erection of a first-floor extension, which proposes to extend the height of the existing garage, extending up and building over it to rearrange the upper floor layout of the dwelling, incorporating a new master bedroom with en-suite and study.

The extension would comprise three main elements, as outlined below:

- External wall for garage to be removed and replaced with a new wall which is brought forward in line with the existing house, and the wall above garage extended in height to meet the eaves of the existing dwelling (height of c.3.2m).
- The side elevation (north-east) of the dwelling extended to form a new gable wall above the existing garage, up to a height to meet the ridge height of the existing dwelling (c.7.5m). The proposed new roof will be clipped at the upper edge to mirror that of that of the neighbouring dwelling at 4 Morningside Avenue. The new side gable wall which is built up over the existing garage would extend back to meet the existing rear single storey extension.
- The application also proposes to extend the existing dormers to both the front and rear, resulting in two larger flat roofed box dormers. The front dormer would also have its roof changed from pitched to flat. The proposed front dormer (as extended) would have overall dimensions of c. 8.2m width, 1.8m height and a depth of 2.0m – extending the existing dormer by an additional c.5.0m in width. The proposed dormer features two large windows set within solid panelling on either end and in between both windows. The proposed rear dormer would extend an existing flat roofed glazed dormer with a predominantly solid panelled extension, featuring one slot window. Due to the existing rear single storey ground floor extension, in order to construct the proposed rear dormer it would be built over the existing extension and overlap the ridge of the roof. The proposed rear dormer (as extended) would have overall dimensions of c. 8.0m width, 1.8m height, and a depth of 2.3m – extending the existing dormer by an additional c.3.8m in width. The proposed rear dormer is already adjoined and linked to its semi-detached neighbour at the mutual boundary. The depth of the dormer roofs over the existing dormers are to be increased to accommodate new insulation.

In terms of proposed finishing materials for the extensions these are blockwork walls to new side gable, natural light grey and pink granite to the front elevation, grey tiles, white uPVC windows, timber fascias painted white, and uPVC rainwater goods.

Amendments

None.

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=RVS18FBZK6S00>

CONSULTATIONS

ACC - Roads Development Management Team – No concerns or objection to the proposal.

Braeside and Mannofield Community Council – No comments received.

REPRESENTATIONS

None received.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Development Plan

National Planning Framework 4 (NPF4)

NPF4 is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 7 (Historic Assets and Places)
- Policy 14 (Design, Quality and place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan (ALDP) 2023

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D6 (Historic Environment)

Interim Aberdeen Planning Guidance (APG)

Aberdeen Planning Guidance is Interim Planning Guidance. The documents hold limited weight until they are adopted by the Council. The weight to be given to Interim Planning Guidance prior to its adoption is a matter for the decision maker. The following guidance is relevant –

- Householder Development Guide
- Materials

EVALUATION

Principle of Development and National Planning Framework 4

The application property lies in an area zoned on Aberdeen Local Development Plan proposals map as a 'residential area' and is covered by Policy H1 (Residential Areas). Policy H1 states that a proposal for householder development will be approved in principle if it:

1. does not constitute over-development;
2. does not have an adverse impact to residential amenity and the character and appearance of an area; and
3. does not result in the loss of open space.

The proposed development relates to a first floor extension to an existing private residential dwelling and with all works contained within the residential curtilage, therefore there would be no loss of open space. The remaining issues are assessed in the evaluation below.

With regard to National Planning Framework 4, consideration must be given to Policy 1 (Tackling the Climate and Nature Crisis); Policy 2 (Climate Mitigation and Adaptation); Policy 3 (Biodiversity); Policy 14 (Design, Quality and Place); and Section (g) of Policy 16 (Quality Homes).

Policy 1 gives significant weight to the global climate and nature crises in order to ensure that it is recognised as a priority in all plans and decisions and Policy 2 states that emissions from new development are minimised as far as possible. Policy 3 seeks to protect and enhance biodiversity and natural assets. Due to the small-scale nature of the development it does not offer the opportunity to address the global climate emergency and nature crisis, minimise emission or to enhance biodiversity, with the latter being an excluded requirement for householder developments. The proposed development is for individual householder development which as per Section (c) of Policy 3 they are excluded from this requirement. Nevertheless, after development there would be adequate garden ground both to the front and rear which would remain, contributing to the retention of natural spaces and opportunities for planting. The intent of Policy 7 is to protect and enhance historic environment assets and places, and development will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced, taking consideration of context, quality of design and suitable materials.

Policy 14 (Design, Quality and Place) expects development to be designed to be consistent with the six qualities of successful places and to not have an adverse impact on the amenity of the surrounding area. Finally, Policy 16 (Quality Homes) notes that the development must not impact on the character or environmental quality of the home and surrounding area nor on any neighbouring properties. In this case, the proposed householder development seeks to adapt an existing semi-detached dwelling and extend the level of living accommodation on an appropriate basis which ensures that existing housing stock is maintained and adaptable, contributing to sustainable use of land and resources. However, there is considered to be conflict with Policies 14 and 16 of NPF4 for the reasons outlined in the evaluation below.

The main planning considerations for this proposal relate to the scale and design of the proposed extension and dormers in their context, and the impact the proposed development may have on the character and appearance of the existing dwelling and the surrounding residential area. There is also a consideration for the impact on amenity for neighbouring sites, in relation to any potential impact on privacy or light receipt.

Scale and Design of Extension

Policy D2 (Amenity) of the ALDP advises that developments should ensure minimum standards for internal floor space and private external amenity space in terms of quantity and quality. In addition, the Council's Interim 'Householder Development Guide' APG sets out the considerations to be taken into account in the assessment of householder development proposals, which advises that the built footprint of the dwelling house as extended should not exceed twice that of the original dwelling and that no more than 50% of the front or rear curtilage should be covered by development. Given the nature of the proposed works relate primarily to upper floor extensions and dormers, there is only a slight rise in plot coverage where the building line of the existing side garage is proposed to be brought forward, increasing the footprint of the original dwelling as extended (c.108sqm) by c.2sqm. Whilst this is considered to be a marginal increase, the existing dwelling has been extended previously to the rear and side, with the original house c.55sqm and extensions totalling c.53sqm, this c.2sqm increase would now double the footprint of the original dwelling and is thus at the upper threshold outlined in this Interim guidance. This factor is considered to emphasise that increasing the volume of the upper floor accommodation as a result

of the proposed extensions, on a footprint of a dwelling which has already been extended to almost double the footprint of the existing house, determines the scale of development overwhelms the original dwelling. As a result of development, the built footprint would occupy around 25% of the rear/side plot, with around 75% remaining undeveloped. Whilst this calculation has not taken into account the existing summerhouse to the rear of the garden plot, nevertheless it is considered that the quantity of private external amenity is acceptable. Over-development can also be viewed in other ways, not just the footprint a building occupies, the Planning Service must therefore also consider what impact this extension would have visually, both on the original dwelling and the streetscape.

To determine the effect the proposal will have on the character of the area it is necessary to assess the proposal in the context of Policy D1 (Quality Placemaking) of the ALDP. Policy D1 states that 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. 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. Furthermore, the Council's Interim 'Householder Development Guide' APG sets out the considerations to be taken into account in the assessment of householder development proposals, and outlines that proposals for extensions must be architecturally compatible in design and scale to both the existing dwelling and the character of the surrounding area. General principles outline that extensions should not overwhelm or dominate the original form or appearance of the dwelling, should be visually subservient (in terms of height, massing and scale) and materials should be chosen to complement the original building. On properties of two or more storeys, two-storey extensions maybe possible subject to relevant design considerations. Furthermore, the Interim APG considers that no existing extensions which were approved prior to this guidance will be considered to provide justification for a development proposal which would otherwise fail to comply with the guidance.

In terms of scale, the proposed extension would be positioned over the existing side garage, it would span the same width and meet the ridge height of the existing dwelling. It is recognised that the proposed scale of the extension would not be visually subordinate to the existing dwelling, however the principle of an extension that follows the line of the existing dwelling could be considered acceptable where it has been designed to be compatible with the dwelling and surrounding context. The concern raised by the Planning Service is in relation to the overall scale of the development resulting from the proposed extension and the subsequent impact this would have on the streetscape. Not only is the Planning Service concerned about the overall impact such a development would have appearance of the semi-detached properties, the alteration of this roof form would also diverge from the prevalent character of the surrounding area.

In terms of design, the considerations of the Interim Householder Development Guide APG would not support modifying one half of a hipped roof on a semi-detached property where the other half has not already been altered in this way as it would unbalance the appearance of the semi-detached property. The proposed extension would introduce a gable at an extended positioning closer to its neighbour at 4 Morningside Avenue to the north-east, with an upper clipped roof feature, thus changing the overall form of the dwelling. Whilst it is recognised that in this specific instance the other half of the semi-detached property has already had its roof un-hipped and altered, this is not the prevalent character of the streetscape. Of the approximately 50 dwellings along this section of road, only 4 have been extended to the side and/or altered their roof form and thus it is not considered to be the prevalent context of the surrounding area. As such, whilst it is acknowledge that neighbouring properties have been altered in a similar way, this is not considered to be suitable justification for the proposal. Due to the altering gable roof designs, there would still result in an unbalance between the semi-detached properties as a result of development – as the proposal is a clipped roof feature to its gable and its neighbour has a

straight gable. This is contrary to the Interim Householder Development Guide APG which considers that it is the neighbouring semi-detached property that should be consistent in form in the interests of maintaining a balanced appearance. As such, should any proposed extension be acceptable, it should be designed with a straight gable to replicate its other semi-detached neighbour – which is not the case in this instance.

Another important consideration in the unbalance and adverse impact on the streetscape of the proposed extension relates to the relative separation space between the neighbouring semi-detached properties. Whilst the other half of the semi-detached property at 8 Morningside Avenue has been extended to form a new pitched roof straight gable, built on and alongside the mutual boundary, there still remains a c.1.5m separation distance between it and its neighbour at 10 Morningside Avenue. In this particular circumstance the application dwelling is already attached to its neighbour to the north-east by virtue of their respective existing side garage extensions. It is also recognised that this neighbour to the north-east at 4 Morningside Avenue has also been previously extended over the side garage to form a new gable extension with clipped roof feature. It is understood that the clipped roof feature has been proposed as part of the design to reflect that of this neighbouring property, however, this results in an awkward and narrow gap between the properties at upper floor level, which is only the depth of a gutter. This results in no clear division between the respective properties and would have an unacceptable and adverse visual impact on streetscape. Considering the wider context, that the majority of the properties along Morningside Avenue have maintained the hipped roof of the original dwelling, and, both of the immediate neighbouring property extensions were approved under a different local development plan context, concludes that a negative visual impact has been introduced on the streetscape and has unbalanced the prevalent context. Therefore, it is determined that adding another extension which is too large in scale, overwhelms the original form of the dwelling, and unbalances the streetscape, would only worsen the current situation. The proposal would effectively form a terrace of properties which goes against the prevalent character of the street and thus considered to have an adverse impact on the surrounding residential amenity.

As such, in terms of overall design and scale, it is considered that the proposed extension has not been designed to respect that of the existing dwelling nor its context, in particular taking consideration of the siting and form of the neighbouring property's existing side extension along the mutual boundary. The proposed scale, height and proportion of the extension is also not considered to be subservient to or architecturally compatible with the original dwelling, as the development would effectively form a terrace, which is against the prevalent character of the streetscape and inconsistent with the aims of Policy D1.

It is accepted that the proposed finishing materials would suitably match the existing dwelling and would not conflict with the considerations of the Interim 'Materials' APG, however, this does not negate or remedy the fact the scale and design of the proposed extension is not appropriate.

In summary, the scale and design of the proposed extension is not compatible with the existing dwelling or in keeping with the character or appearance of the surrounding area as it would unbalance the existing property, effectively form a terrace with no clear visual distinction between the neighbouring semi-detached properties and is not consistent with the prevalent style of the street and as such results in over-development. The proposal is therefore not considered to comply with criteria 1 and part of criteria 2 of Policy H1 (Residential Areas) Policy D1 (Quality Placemaking) of the ALDP. In specific assessment against NPF4 Policy 14 (Design, Quality and Place) and Policy 16 (Quality Homes) determines that as the proposed extension has an adverse impact on the character of the home, surrounding area and neighbouring properties, the proposed development would also not comply with Policy 14 or Policy 16 of NPF4.

Scale and Design of Proposed Dormers

In addition to Policy 1 (Quality Placemaking) and the general principles for extensions, the Interim Householder Development Guide outlines that proposals for new dormers or roof extensions should respect the scale of the building, should be principally glazed and not dominate, overwhelm or unbalance the original roofspace. The dormer extension should not be built directly off the front of the wallhead and there should be no apron below the window on public elevations. A small apron may be acceptable on the rear or non-public elevations, no more than three slates or 300mm (whichever is lesser). The roof of the proposed dormer extension should not extend to or beyond the ridge of the existing roof or breach any hip. Flat-roofed dormer extensions should generally be 600mm below the existing ridge, sufficient distance in from the gable, and should be kept about 1500mm apart from any neighbouring dormers. In addition, the outermost windows in dormer extensions should be positioned at the extremities of the dormer, finishes should match those of the original building, and, wherever possible the window proportion and arrangement should echo those on the floor below.

The proposed front and rear dormers have been designed to sit at the same height as the existing (albeit the roof form is proposed to change from pitched to flat) and would be suitably positioned on the roofslope, sit a suitable distance from the edge of the roof as well as from the ridge of the roof. The proposed dormers would also not contain the use of any aprons and all the proposed finishing materials are considered to match the existing dwelling to a suitable degree. Whilst this does comply with some aspects of the Interim Householder Development Guide, there are other matters of concern with this element of the proposed extensions which are discussed below.

The main concern of the Planning Service and tension with the Interim guidance is that the proposed dormers are considered to dominate and overcrowd the original roof space. The proposal includes extensions to existing dormers and the resultant dormers would span the full width of the roofspace. The proposed box dormers would be c.8.2m width (front) and c.8.0m width (rear), which is considerably larger than the prevalent character of the street. As such, the scale of the proposed dormers is considered inappropriate due to the form of the gable-end extension they sit within, which has been identified above as being incompatible with the original dwelling. Extended dormers which are sited on an overwhelming side extension would be considered to exacerbate the concern and dominate the form of the existing dwelling, resulting in an adverse impact on the character and appearance of the surrounding residential area.

Whilst it is recognised that the proposed front dormer is principally glazed in relation to the proportion of glazing to solid ratios, it has not been designed to position windows at the extremity (on the extended side) and it does not comfortably align with features such as the door and garage door on the ground floor level below. In regard to the rear dormer, this is not considered to be principally glazed, it has been designed with one small horizontal slot window (for the en-suite bathroom) with the majority as solid panelling. Furthermore, the rear dormer uncomfortably overlaps and is built on top of the ridge of the existing rear single storey extension which results in a poor design solution. This coupled with the extent of solid panelling exacerbates the overwhelming and dominating appearance of the proposed rear dormer.

It is acknowledged that the neighbouring properties either side of the application site have had their dormers extended previously, however these properties are considered to be the minority of the overall character of the street. The prevalent style is individual dormers, with a few examples featuring solid panelling between windows. As outlined above, these neighbouring properties have introduced an unbalance in the overall streetscape and the addition of more dormers of a scale which dominates the existing roofslope would only worsen the current situation.

Taking all of the above matters into consideration, it is considered that the proposed dormers would overwhelm the existing roofslope, interfere with the existing architectural features on the dwelling and is not consistent with the prevalent character and style of dormers on the street or the

surrounding area. The proposed dormers are also inconsistent with the considerations of the Interim Householder Development Guide APG which results in a proposal which is considered to have an adverse impact on the character or visual amenity of the surrounding residential area. This portion of the proposal would therefore not comply with Policies D1 (Quality Placemaking) and H1 (Residential Areas) of the ALDP, or with NPF4 Policy 14 (Design, Quality and Place) and Policy 16 (Quality homes).

Impact on Conservation Area

Whilst it is recognised that the rear of site bounds with edge of Great Western Road Conservation Area, this area is occupied by the Mannofield Water Treatment Works and has limited public visibility or vantage points. As such it is not considered that the proposed development would impact on the character or appearance of the conservation area in accordance with Policy D6 (Historic Environment) and Policy 7 (Historic Assets and Places) of NPF4.

Residential Amenity

In respect of residential amenity, Policy H1 (Residential Areas), Policy D2 (Amenity) and the Interim 'Householder Development Guide' APG all advise that no extension should result in a situation where the amenity of any neighbouring properties would be adversely affected with regard to impact on privacy, daylight, general amenity, immediate outlook, and that quantity and quality of internal floorspace and private external amenity space should be ensured. Due to the nature and location of the works relative to surrounding properties, the proposal would not result in overshadowing or blocking daylight to any the neighbouring properties.

The proposed dormers are suitably located on the rear roof slopes of the existing building and therefore do not cause any overshadowing or loss of day/sunlight receipt to any neighbouring properties. The proposed dormer would introduce a new window to the rear which sits within c.1.5m away from the mutual boundary of the site boundary of the site and potentially overlook into the neighbouring garden of 4 Morningside Avenue. However, this is not considered to detrimentally impact the privacy afforded to the neighbouring site as the dormer is set back from rear elevation of the dwelling, is a high level slot window, and would face towards the garden of the application site, which avoids any privacy concerns. Furthermore, existing rear and front dormers already exist on the dwelling, with the proposal to replace existing ones with a larger styles. The face of the dormers proposes to overlook out onto the rear garden ground belonging to the existing dwelling, so that any overlooking of neighbouring gardens is of negligible impact and no worse than is currently experienced. Overall, the proposed works would not detrimentally impact on the enjoyment or amenity afforded to any neighbouring properties in relation to overshadowing, overlooking or privacy and would therefore comply with both Policy H1 (Residential Areas) and Policy D2 (Amenity) of the ALDP, and with Policy 16 of NPF4. While there would be no impact on the current levels of residential amenity, there are other issues with the proposed development which have been outlined and justified in the proceeding sections, acceptable amenity levels do not negate these issues and do not render the development acceptable to the Planning Service.

DECISION

Refuse

REASON FOR DECISION

The scale and design of the proposed extension is not compatible with the original dwelling, adversely unbalancing the semi-detached property due to the form of the roof and overwhelms the existing dwelling but virtue of its form and massing, thus resulting in over-development. The extension is also considered to conflict with the prevalent character of the street, effectively creating a terrace and resulting in no clear division between it and its neighbouring dwelling,

which has an adverse impact on the visual amenity of the surrounding residential area. Furthermore, the proposed front and rear dormers would overwhelm their existing roof slopes when incorporated into the proposed extension, exacerbating the adverse impact on the surrounding residential area. As such, the proposal is not compliant with Policy H1 (Residential Areas) or Policy D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023. The proposal is also not considered acceptable against Policy 14 (Design, Quality and Place) and Policy 16 (Quality Homes) of National Planning Framework 4.

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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 100631004-001

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)

Over garage extension and increased size of front and back dormers

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:	All Design (Scotland) Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	PAUL	Building Name:	James Gregory Centre,
Last Name: *	WALBER	Building Number:	
Telephone Number: *	01224 701576	Address 1 (Street): *	Campus 2
Extension Number:		Address 2:	Bridge of Don
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB22 8GU
Email Address: *	paul@all-design.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: *	Nick	Building Number:	6
Last Name: *	Gill	Address 1 (Street): *	Morningside Avenue
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	AB10 7LX
Fax Number:			
Email Address: *	paul@all-design.co.uk		

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

6 MORNINGSIDE AVENUE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB10 7LX

Please identify/describe the location of the site or sites

Northing

804132

Easting

391759

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

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

Yes No

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

Access and Parking

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

Yes No

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: PAUL WALBER

On behalf of: Mr Nick Gill

Date: 05/06/2023

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

Declare – For Householder Application

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

Declaration Name: Mr PAUL WALBER

Declaration Date: 05/06/2023

Payment Details

Online payment: ABSP00009671
Payment date: 05/06/2023 11:21:00

Created: 05/06/2023 11:21

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Paul Walber
All Design (Scotland) Limited
James Gregory Centre
Campus 2
Bridge Of Don
Aberdeen
AB22 8GU

on behalf of **Mr Nick Gill**

With reference to your application validly received on 5 June 2023 for the following development:-

**Formation of 1st floor extension over existing garage and extensions to front and rear dormers
at 6 Morningside Avenue, Aberdeen**

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

<u>Drawing Number</u>	<u>Drawing Type</u>
AD 1606 / 01 A	Location Plan
AD 1606 / 04 E	Elevations and Floor Plans
AD 1606 / 04 D	Site Cross Section
AD 1606 - 05 REV E	Site Cross Section
AD 1606 - 07 REV A	Multiple Elevations (Proposed)
AD 1606 / 06 C	Site Cross Section

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:-

The scale and design of the proposed extension is not compatible with the original dwelling, adversely unbalancing the semi-detached property due to the form of the roof and overwhelms the existing dwelling but virtue of its form and massing, thus resulting in over-development. The extension is also considered to conflict with the prevalent character of the street, effectively creating a terrace and resulting in no clear division between it and its neighbouring dwelling, which has an adverse impact on the visual amenity of the surrounding residential area. Furthermore, the proposed front and rear dormers would overwhelm their existing roof slopes when incorporated into the proposed extension, exacerbating the adverse impact on the surrounding residential area. As such, the proposal is not compliant with Policy H1 (Residential Areas) or Policy D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023. The proposal is also not considered acceptable against Policy 14 (Design, Quality and Place) and Policy 16 (Quality Homes) of National Planning Framework 4.

Date of Signing 25 September 2023

A handwritten signature in black ink that reads "Daniel Lewis". The signature is written in a cursive, slightly slanted style.

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 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A review request must be made using the 'Notice of Review' form available from <https://www.eplanning.scot/>.

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 230683/DPP

Application Summary

Application Number: 230683/DPP

Address: 6 Morningside Avenue Aberdeen AB10 7LX

Proposal: Formation of 1st floor extension over existing garage and extensions to front and rear dormers

Case Officer: Rebecca Kerr

Consultee Details

Name: Mr Jack Penman

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

Email: Not Available

On Behalf Of: ACC - Roads Development Management Team

Comments

I note this proposal is for the formation of 1st floor extension over existing garage and extensions to front and rear dormers at 6 Morningside Avenue, Aberdeen, AB10 7LX.

The site is in the outer city boundary and is not in a controlled parking zone.

I note the current site has 3 bedrooms. Our guidance parking standards for 3-bedroom residential dwellings in the outer city boundary is for 2 allocated spaces. I note this proposal has a driveway and a garage which provides the 2 allocated spaces. I note proposal will not introduce any more bedrooms and thus the parking requirements remain the same.

I note there are no proposals to alter the parking situation.

I can confirm that Roads have no objections to this proposal.

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Application 230683/DPP

Development Plan

National Planning Framework 4

[Supporting documents - National Planning Framework 4: revised draft - gov.scot \(www.gov.scot\)](https://www.gov.scot/supporting-documents-national-planning-framework-4-revised-draft)

- 1. Tackling the climate and nature crises
- 2. Climate mitigation and adaptation
- 3. Biodiversity
- 7. Historic Assets and Places
- 14. Design, Quality and Place
- 16. Quality Homes

Aberdeen Local Development Plan 2023

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

- H1 Residential Area
- D1 Quality Placemaking
- D2 Amenity
- D6 Historic Environment

Aberdeen Planning Guidance (APG)

- [Householder Development Guide](#)
- [Materials](#)

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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 100649535-001

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:	Karen Clark Planning Consultancy		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Karen	Building Name:	
Last Name: *	Clark	Building Number:	69
Telephone Number: *	07930566336	Address 1 (Street): *	Brechin Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Kirriemuir
Fax Number:		Country: *	UK
		Postcode: *	DD8 4DE
Email Address: *	karen@ktclark.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="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text" value="6"/>
First Name: *	<input type="text" value="Nick"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Gill"/>	Address 1 (Street): *	<input type="text" value="Morningside Avenue"/>
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="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB10 7LX"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="karen@ktclark.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="6 MORNINGSIDE AVENUE"/>
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 7LX"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="804132"/>	Easting	<input type="text" value="391759"/>
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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)

Formation of 1st floor extension over existing garage and extensions to front and rear dormers

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to attached Appeal 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)

- Appendix 1 Application Forms • Appendix 2 Plans and Location Plan • Appendix 3 Refusal Notice • Appendix 4 Report of Handling

Application Details

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

230683/DPP

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

05/06/2023

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

25/09/2023

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: Mrs Karen Clark

Declaration Date: 26/10/2023

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Town and Country Planning (Scotland) Act 1997 as amended.

Application for Review Against the Refusal of Planning Permission for the Formation of 1st floor extension over existing garage and extensions to front and rear dormers, 6 Morningside Avenue, Aberdeen

Application Reference 230683/DPP

For Mr. and Mrs. Nick Gill (The appellant)

By Aberdeen City Council (The Council)

Karen Clark, Planning Consultancy, Mayriggs, Brechin Road, Kirriemuir DD8 4DE

Telephone 07930 566336 | Email: karen@ktclark.co.uk

- 1. Executive Summary**
- 2. Reasons for refusal**
- 3. Grounds of Appeal**
- 4. Site Appraisal**

- 4.1 Site Description**

- 4.2 Surrounding Area**

- 5. Appellants**

- 6. Site History**

- 7. Design Process**

- 7.1 Design Brief**

- 7.2 Response to Site and Context**

- 7.3 Development Proposals**

- 7.4 Sustainability**

- 8. Development Plan**

- 8.1 National Planning Framework 4**

- 8.2 Aberdeen Local Development Plan 2023**

- 9. Discussion**

Appendices

- Appendix 1 Application Forms
- Appendix 2 Plans and Location Plan
- Appendix 3 Refusal Notice
- Appendix 4 Report of Handling

1. Executive Summary

This appeal statement has been prepared on behalf of Mr. and Mrs. Nick Gill, the appellant, in respect of the decision of Aberdeen City Council to refuse an application for full planning permission for the formation of 1st floor extension over existing garage and extensions to front and rear dormers at 6 Morningside Avenue, Aberdeen application Ref 230683/DPP. The application was lodged on the 5th of June 2023 and refused under delegated powers on the 25th of September 2023.

The Appeal Statement considers in detail the reasons for refusal and demonstrates that the proposal complies with the policies of National Planning Framework 4 and the Aberdeen Local Development Plan 2023. There is some conflict with the Draft Householder Design Guide, however as this document is in draft and has not yet been approved. Therefore, it is down the discretion of the decision maker, in this case the Local Review Board, to decide what weight to place on this document.

The Local Review Board is respectfully requested to uphold the review and grant planning permission.

2. Reasons for Refusal

The decision notice dated the 25th of September 2023 provides the following statement on which the Council has based this decision.

“The scale and design of the proposed extension is not compatible with the original dwelling, adversely unbalancing the semi-detached property due to the form of the roof and overwhelms the existing dwelling but virtue of its form and massing, thus resulting in over-development. The extension is also considered to conflict with the prevalent character of the street, effectively creating a terrace and resulting in no clear division between it and its neighboring dwelling, which has an adverse impact on the visual amenity of the surrounding residential area. Furthermore, the proposed front and rear dormers would overwhelm their existing roof slopes when incorporated into the proposed extension, exacerbating the adverse impact on the surrounding residential area. As such, the proposal is not compliant with Policy H1 (Residential Areas) or Policy D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023. The proposal is also not considered acceptable against Policy 14 (Design, Quality and Place) and Policy 16 (Quality Homes) of National Planning Framework 4.”

3. Grounds of Appeal

It is submitted that the proposed alterations reflect the scale and design of the existing house and does not dominate or overwhelm the original property. The proposal must be viewed as part of the overall streetscape which is defined by the mix of house types and the various alterations and extensions which have occurred over the years. The design is consistent with the design of the original house and the many examples of alterations and extension which have occurred over time in the surrounding streets.

Therefore, the proposal complies with the policies of National Planning Framework 4 and the Aberdeen Local Development. Plan 2023.

4. Site Appraisal

4.1 Site Description

The property is a semi-detached 1.5 storey house built around the late 1950s with an existing pitched roofed dormer to the front/south elevation and a box dormer to the rear. The property includes a flat roofed garage to the east which adjoins the No.4 Morningside Avenue to the east. The house sits at a slightly higher level to the road with front garden and single driveway.



View of appeal site No.6 and neighbour No.8 Morningside Avenue

4.2 Surrounding Area

The property is located within an established residential area of Mannofield which includes a range of house types. Many of the properties within the immediate area, including the neighboring house, have been extended and altered over time, none of which has had the effect of altering the character of the area. These include the following: (all properties can be viewed on a site visit which we would recommend)



8 Morningside Avenue- application 111099 Proposed extension including alterations to the roof and extension to dormer, approved 16/9/11. In determining the proposal, the Report of Handling confirmed that “The extensions are of suitable scale, design and materials for their location.”



35 Morningside Avenue- no planning records



39 Morningside Avenue- no records available



43 Morningside Avenue- no records available



57 Morningside Avenue planning consent granted January 2015 Ref 141633. The Report of Handling confirms the extension, roof and dormer alterations would “sit well with the existing dwelling.”



84 Morningside Avenue planning consent granted 101894 21/1/12 the Report of Handling concludes “the residential amenity and character of the area would be retained”. The report also confirms that the “the style of dormer accurate for the street is a box dormer.”



128 Morningside Avenue planning consent granted May 2007 for extension and dormer. Further dormer infill approved 19/2/21 Ref 201471/DPP.

Other similar extensions can be found at Nos 89, 96, 108, 104, 122, 138, 140, 142, 144 and 148.

The property and surrounding are not located in a conservation area.

5. The Appellants

The applicants Mr. & Mrs. Gill wish to extend the house to suit their growing family. Currently Bedroom 3 and the family bathroom are restricted by the sloped ceilings. In making the decision to extend their existing home rather than to move the family considered a number of factors. Primarily, the family is well established within this area with the appellants working locally in Rubislaw and Mile End Primary School. Their children currently attend Broomhill Primary School. The family are also committed to the local area through their involvement in coaching at Aberdeen Grammar and a local Beavers group at Harlaw.

Remaining in this area is essential to maintaining their commitment to the local groups and activities. Further, staying local will allow the family to reduce to only one car with the extension works including the installation of an electric car charger.

6. Planning History

The property has been extended previously; the following applications are of relevance:

- 861150 Erection of garage- approved July 1986
- 920630- rear extension, approved April 1992.

7. Design Process

7.1 Design Brief

The appellants wish to extend the house to suit their growing family. The existing accommodation Bedroom 3 and the family bathroom is restricted by sloped ceilings. The appellants are looking to make maximum use of their property, creating a cost-efficient extension while creating a design which reflects the existing street which includes similar extensions.

7.2 Development Proposals

The current proposal seeks full planning permission for alterations and extension to the existing property, extending the first floor over the garage to provide an extended 3rd bedroom and an additional bedroom with en suite. The detail of the alterations comprise the following elements:

- Front wall of the garage to be moved 0.63 meters to be in line with the front elevation of the house.
- First floor extended over the amended garage finished a new roof clipped at the upper edge to mirror that of that of the neighboring dwelling at 4 Morningside Avenue.
- Existing dormers altered and extended to the front and rear. The proposed front dormer will extend to 8.2m. The proposed dormer will include two windows. The proposed rear dormer would extend the existing flat roofed dormer extending to 8.0m.

In terms of proposed finishing materials for the extensions these are blockwork walls to new side gable, natural light grey and pink granite to the front elevation, grey tiles, white uPVC windows, timber fascias painted white, and uPVC rainwater goods, all matching the existing property.

7.3 Sustainability

The applicant is committed ensuring their homes is sustainable. It is submitted that maximizing the opportunities within the existing house is sustainable in itself. The proposed alterations include high levels of insulation to comply with current building regulations. Further, the alteration works will include the installation of an electric charging point. Finally, with the family able to remain in the local area close to work and family commitments, they intend reducing from two to one car.

8. Development Plan Policy

8.1 National Planning Framework 4

NPF4 was adopted on the 13th February 2023 and now forms part of the development plan. Considering the policies of relevance to the current application:

Policy 1 (Tackling the Climate and Nature Crises)

Policy Intent: To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 Climate Mitigation and Adaptation

Policy Intent: To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.

Response to Policies 1 and 2, while the current proposal is small scale, it is considered that by maximising the opportunities of this existing house, allowing the appellants to stay in their home, close to their work and family commitments, providing highly insulated adaptable accommodation fulfils the policy intents of minimising waste and emissions.

1.1.1 Policy 14 Liveable Places Design, quality and place

Policy Intent: To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Response: The proposal seeks to maximise the opportunities of the existing home. The house is located within an established residential area, where examples of similar alterations and extensions are evident. The house benefits from easy access to local facilities and services and therefore adheres to the principles of local living. The proposal will result in logical alterations similar to those previously approved in the area. The extension and alterations will allow the family to continue to live in the area where they are well established with work and family commitments close by. The house benefits from easy and convenient access to the local roads and well-lit footpath network which connects the safely to the wider area. The proposed house has been designed to complement the immediate area while providing adaptable accommodation allowing residents to live long term in the properties.

Therefore, it is submitted that the proposal complies with Policy 14 Liveable Spaces

Policy 16 Quality homes

Policy Intent: To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

g) Householder development proposals will be supported where they:

i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and

ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

Response: The design of the alterations has been specifically designed to provide the additional accommodation while not having a detrimental impact on the character or environmental quality of the home. The size and design and materials reflect similar extensions in the immediate area which have been undertaken with the appropriate consent. The proposed alterations will not have a detrimental impact on the amenity of the neighbouring properties by virtue of the physical impact, overshadowing or overlooking. No representations have been received from any local resident.

Therefore, it is submitted that the development accords with NPF4 policy 16-part g.

8.2 Aberdeen Local Development Plan 2023

The Aberdeen Local Development Plan 2023 is the extant plan in the determination of the current proposal, considering the policies of relevance:

- Policy H1 Residential Areas
- Policy D1 Quality Placemaking
- Policy D2 Amenity
- Policy D6 Historic Environment

Further the interim guidance of Householder Development may be of relevance, however as this as this has not been adopted, the weight which can be attached to this guidance is at the discretion of the decision maker.

Considering the relevant Local Development Plan policies in detail:

Policy H1 – Residential Areas, states

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

1. does not constitute over-development; and
2. does not have an adverse impact to residential amenity and the character and appearance of an area; and
3. does not result in the loss of open space.”

Response: The current proposal is for a side extension and first floor level and extension and alterations to the existing dormer windows. Overall, there is a 1.7 sqm increase in the ground floor footprint. The proposal leaves the existing front and rear garden substantially untouched. Therefore, it is clear that the development does not constitute overdevelopment. This is accepted in the Report of Handling.

With regard to the impact on the character and appearance of the immediate area. As has been demonstrated the wider area includes a range of house types many of which have been altered and extended over time, it is assumed all of which have benefitted from planning consent and therefore were considered appropriate in terms of design and impact on the character of the area at that time. Indeed, at the time of the application for 84 Morningside Avenue application Ref. 101894 granted consent in January 2012, the Report of Handling concludes “the residential amenity and character of the area would be retained”. The report also confirms that the “the style of dormer accurate for the street is a box dormer.” It is difficult to understand what has changed in the intervening period to render the current very similar proposal so significantly inappropriate to justify refusal of planning permission.

From a review of the area, it is clear that even with the various alterations and extensions the prevailing character of the area has remain unaltered as an attractive, low density residential area. The various altered and extended houses have not in any way detracted from the character or appearance of the area. The neighbouring houses to the site subject of the current appeal have both been altered, the house to the east, No.4 has had a similar extension and alterations to that currently proposed. As such the current proposal, which is similar to the existing extended properties, will not in any way detract from the character or residential amenity and the character and appearance of an area.

The proposed alterations do not introduce and additional windows, in fact the alterations will result in the removal of windows in the east elevation which are orientated toward the next-door property. There have been no representations from local residents. Therefore, it is submitted that the alterations will not have a detrimental impact on the residential amenity of the area in terms of overlooking, loss of daylight or loss of privacy.

Finally, the development, which is for a small householder extensions and alterations, will not result in the loss of any open space.

Therefore, it is considered that the current proposal complies with Policy H1.

Policy D1 - Quality Placemaking by Design, states

All development must ensure high standards of design, create sustainable and successful places and have a strong and distinctive sense of place which is a result of detailed contextual appraisal.

Proposals are required to ensure:

- quality architecture, craftsmanship and materials;
- a well-considered layout, including biodiverse open space, high quality public realm and landscape design.
- a range of sustainable transportation opportunities ensuring connectivity commensurate with the scale and character of the development.

Successful places will sustain and enhance the social, economic, environmental, wellbeing 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

Response - design has been carefully considered taking account of the context of the site and the surrounding properties. The proposed house represents an appropriate design providing much

needed addition accommodation for the residents, allowing this well-established local family to continue to live in the area maintaining their ties to the local community while not detracting from the existing residential amenity. It is submitted that the proposed house responds positively to the six qualities by making best use of the opportunities of the existing property while providing adaptable accommodation which is well located to services and facilities.

Therefore, it is submitted that the alterations and extension to this existing house comply with Policy D1.

Policy D2 – Amenity

In order to ensure provision of amenity the following principles will be applied. Development will be designed to:

- make the most of any opportunities offered by the site to optimise views and sunlight through appropriate siting, layout and orientation;
- ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook;
- ensure that occupiers are afforded adequate levels of amenity in relation to daylight, sunlight, noise, air quality and immediate outlook;
- have a public face to the street to ensure natural surveillance, and active street frontages;
- ensure that refuse and recycling facilities, cycle storage, low and zero carbon technology, plant and services are sensitively integrated into the design;
- ensure that external lighting minimises light spillage into adjoining areas and the sky.

Residential developments will also:

- ensure that occupiers are afforded adequate levels of privacy;
- ensure minimum standards for internal floor space and private external amenity space in terms of quantity and quality;
- provide no less than 50% usable amenity space where it is necessary to provide car-parking within a private court. Underground and/or decked parking will be expected in higher density schemes;
- ensure minimal shading of external private and public spaces;
- ensure all residents have access to usable private/ semi-private open spaces and sitting-out areas provided by way of balconies, terraces, private or communal gardens;
- have a private face to an enclosed garden or court to ensure a sense of safety and enclosure.

Response – the proposed development seeks to maximise the opportunities of this existing home. The design has been carefully developed to reflect the alterations and extensions which have previously been undertaken in the surrounding street, without resulting in a detriment to the amenity of the residents. The proposed alterations will not result in any loss of amenity for the existing neighbours in terms of daylight, sunlight, noise, air quality and immediate outlook therefore the proposals comply with Policy D2 Amenity.

The report of Handling also makes reference to The Draft Householder Design Guidance, however in doing so the Report of Handling confirms that this document has not been approved and therefore any weight in the decision-making process should reflect its unadopted status.

With regard to dormer extension on modern homes, such as the property subject of the current application, the draft guidance requires that:

- The dormer extension should not appear to dominate the original roof space;
- The dormer extension should not be built directly off the front of the wall head 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;
- 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;
- 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.
- 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. here should be more glazing than solid on the face of any dormer extension;
- 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;
- Finishes should match those of the original building and wherever possible the window proportion and arrangement should echo those on the floor below; and
- The design of any new dormer extension should take account of the design and scale of the existing dormer

In the current circumstances, and as confirmed by the Report of Handling the proposed dormers have been designed to sit at the same height as the existing dormers, the dormers are suitably positioned, do not extend above the ridge, there is no apron, and the materials are acceptable. The front elevation dormer window is positioned at the end to the dormer. The proportions of the dormers are horizontal in proportion, the finishes have been confirmed as acceptable. Finally, as required the dormer is 600mm from the new gable.

Therefore, the proposed dormers comply with the draft guidance.

The issues is that, in the opinion of the planning officer, the proposed dormers would “overcrowd” the roof and that the dormers are not in keeping with the surroundings. There is no definition

provided of an “overcrowded” roof. There are a number of dormers of similar or even larger scale within the immediate area and therefore the proposed dormers are in fact wholly in keeping with the surrounding area. The opinions expressed by the planning officer, are just that, opinions and are not based on policy.

In terms of the side extension which involves altering the hipped roof, the draft guidance is not supportive where only one half of the roof is being altered as it considers that this likely to result in the roof having an unbalanced appearance.

Therefore, while it is accepted that the requirement of the draft guidance is not met, this when the appeal site and the adjoining semi are viewed as only a stand-alone pair of semi-detached houses, and not how it relates to the adjacent houses and the overall streetscape. The adjacent house at No.4 Morningside Avenue has a straight gable, further there are numerous examples of original design and amended straight gables in the surrounding street. As such the proposed alterations reflect the surrounding area the character of which is defined by the mix of house types and the various alterations and extensions which have occurred over the years. As a result, the proposal will not result in an unbalanced appearance but rather will replicate the many extended properties in the surrounding street.

9. Discussion

The Town and Country Planning (Scotland) Act 1997 as amended requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.


The current appeal seeks planning permission for alterations and extension to the existing house allowing the family to continue to live and work in the area where they maintain strong ties to the local community. It has been demonstrated within this statement that the proposal complies with the policies of National Planning Framework 4 and the Aberdeen Local Development. Plan 2023. There may be some conflict in terms of the draft guidance of Householder Design Guide. However, it has been established, and will be apparent at a site visit, that the area has changed over time with many of the homes undergoing alteration and extension similar to that proposed which have not had a detrimental impact on the character and appearance of the area. Indeed, at the time of previous planning consents for similar alterations and extensions the Planning Service determined that the residential amenity and character of the area would be retained”. It is difficult to understand what has changed in the intervening period to render the current very similar proposal significantly inappropriate to justify refusal of planning permission.

It is submitted that the current proposal will continue the established pattern of development which, as with all residential areas, is constantly evolving. The extension and in particular the dormer design would not dominate the roof, further the altered roof design would not appear out of context and would not impose a negative design feature on the surrounding area. The Officers interpretation of the policy is subjective and has focused solely on the other half of the semi and not the impact upon the overall street scene or wider area, which is much altered and where many examples of similar alterations can be found.

We would respectfully request that the Planning refusal decision be overturned to allow the applicants to extend their house to give them much needed additional space for their family allowing them to remain in the area where they have strong ties to the community.

October 2023.

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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:	31 Morningside Avenue, Aberdeen, AB10 7NY
Application Description:	Erection of first floor extension over existing garage to side and formation of dormers to front and rear
Application Ref:	230767/DPP
Application Type:	Detailed Planning Permission
Application Date:	23 June 2023
Applicant:	Mrs Kelly Bowman
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Braeside And Mannofield
Case Officer:	Sam Smith

DECISION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises a 1.5-storey semi-detached dwelling in Mannofield which shares a mutual boundary with 29 Morningside Avenue to the north. The dwelling has a west-facing principal elevation that fronts onto Morningside Avenue and a rear garden to the east which is bounded by residential sites on each side. To the north and south of the site sits another set of semi-detached properties. The application dwelling is formed of a two-bedroom property with a single-storey garage extension to the side. There is an existing single box dormer on both the front and rear of the roof, each of which shares a party wall with the dormer on the other half of the semi-detached property. The dwelling is constructed in granite, with white windows and a doors and a slate roof. The existing garage is finished with a black roller shutter door and white lining cladding on the exterior wall. The ground level of the road noticeably slopes down towards the south of Morningside Avenue.

Relevant Planning History

31 Morningside Avenue:

230439/DPP - Erection of first floor extension over existing garage to side and formation of dormers to front and rear – Withdrawn, June 2023.

110897 - Proposed raising of part of garage roof - Approved Unconditionally, November 2011.

33 Morningside Avenue:

080567 - Alterations to first floor/roof - Approved Unconditionally, April 2008.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the erection of a first-floor extension, extending the height of the garage extension and building over it to rearrange the top floor, incorporating three bedrooms and bathroom. The extension would be formed of the following components:

- The external wall above the garage would be extended in height to meet the eaves of the dwelling and be finished in timber linings painted black.
- The extension would extend to the south boundary of the site and form a gable wall measuring 2.5m in height with a clipped hip roof to meet the ridge of the roof. The gable wall would be finished in dry dash render and the roof would be finished in slate to match the existing house.
- The proposal would extend the existing dormers to both the front and rear, resulting in 6.8m wide dormers on the existing roof slope (when combined with the neighbouring dormer joined by a party wall, a box dormer with a total width of approximately 9.9m across the semi-detached property)
 - The dormer to the front would be fitted with three windows, separated with panelling finished in dry dash render. The existing dormer window would be removed and replaced with a narrower window. The existing chimney would be maintained, sitting in the proposed roof and behind the proposed dormer extension.
 - The dormer to the rear would add one window, separated with panelling finished in dry dash render.

Amendments

None.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RWPD8MBZKSB00>

Supporting Statement

CONSULTATIONS

ACC - Roads Development Management Team – No objection to the proposal. The proposal would not impact the parking requirement on the site.

Braeside and Mannofield Community Council – No comments received.

REPRESENTATIONS

Two representations have been received in support of the application. The matters raised can be summarised as follows –

- The proposal would complement the surrounding area and not negatively impact the neighbouring properties.
- The rejection of the proposal would impact the sale or upgrading of surrounding properties in the area.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 14 (Design, Quality and place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan 2023

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)

Interim Aberdeen Planning Guidance

Aberdeen Planning Guidance is Interim Planning Guidance. The documents hold limited weight until they are adopted by the Council. The weight to be given to Interim Planning Guidance prior to its adoption is a matter for the decision maker. The following guidance is relevant –

- Householder Supplementary Guide

EVALUATION

Principle of Development

In terms of NPF4, Policy 1 (Tackling the Climate and Nature Crises) requires planning authorities when considering all development proposals to give significant weight to encouraging, promoting and facilitating development that addresses the global climate emergency and nature crisis. Similarly, Policy 2 (Climate Mitigation and Adaptation) encourages, promotes and facilitates development that minimises emissions and adapts to the current and future impacts of climate change. While Policy 3 (Biodiversity) seeks the enhancement of biodiversity.

Due to the small-scale nature of the development it does not offer the opportunity to address the global climate emergency and nature crisis, minimise emission or to enhance biodiversity, with the latter being an excluded requirement for householder developments.

Policy 14 (Design, Quality and Place) expects development to be designed to be consistent with the six qualities of successful places and to not have an adverse impact on the amenity of the surrounding area. Finally, Policy 16 (Quality Homes) notes that the development must not impact on the character or environmental quality of the home and surrounding area nor on any neighbouring properties. These matters will be addressed in the subsequent sections.

In terms of the local development plan, the application site is located in a residential area under Policy H1 (Residential Areas), and the proposal relates to householder development. Householder development would accord with Policy H1 in principle if it does not constitute over development, does not have an adverse impact to residential amenity and the character and appearance of an area; and does not result in the loss of open space.

The main planning considerations for this proposal relate to the scale and design of the proposed extension and dormers in the context of the impact it may have on the appearance and character of the surrounding residential area. There is also a consideration for the impact on amenity for neighbouring sites, in relation to any potential impact on privacy.

The development comprises a first-floor extension within a residential curtilage and would thus not result in overdevelopment or the loss of any valued open space. All other matters are discussed below.

Scale and Design

To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1 of the ALDP. This policy expects all development to ensure high standards of design, create sustainable and successful places and have a strong and distinctive sense of place. The Interim Householder Development Guide expects extensions to be architecturally compatible in design and scale with the surrounding area and for the materials used to be complementary to the existing building. On properties of two or more storeys, two-storey extensions may be possible subject to relevant design considerations.

In terms of scale, the proposed extension would sit over the existing garage, span the same width as the dwelling and meet the ridge height of the existing dwelling. Although this is not visibly subordinate to the existing dwelling, the principle of an extension that follows the line of the existing dwelling could be acceptable in such a context provided it is designed to be compatible with the dwelling. The concern raised by the Planning Service is in relation to the scale of the development resulting from the proposed extension and the impact that this would have on the streetscape.

In terms of design, the Interim Householder Development Guide would not support modifying one half of a hipped roof on a semi-detached property where the other half has not already been altered in this way as it would unbalance the appearance of the semi-detached property. The proposed extension would introduce a gable and clipped roof, changing the overall form of the dwelling and resulting in an imbalance between the two semi-detached properties. It was advised by the Planning Service during the application process that an extension over the existing garage could be accommodated if it would have a hipped roof to match the form of the existing dwelling to widen the first floor by approximately 2.4m in width. However, the agent noted that this solution was too much of a compromise to the existing building and the proposal as submitted was required in order to make the development viable financially. While viability in itself can be a material consideration, no evidence of viability was provided and thus no weight can be given to this consideration. The concerns of the Planning Service which were highlighted to the applicant have not been addressed and bar an amendment to the plans of the neighbouring property at 33 Morningside Avenue, the proposal remains the same. These material concerns are considered to outweigh an argument of viability. Not only is the Planning Service concerned about the overall impact such a development would have appearance of the semi-detached properties, the alteration of this roof form would also diverge from the prevalent character of the surrounding area.

The majority of properties along this section of Morningside Avenue have maintained the hipped roof of the original dwelling and no other semi-detached properties of this style (with central front doors and connected dormers) have been extended in this way. It is noted that the neighbouring property at 33 Morningside Avenue has a clipped roof, which was approved in 2008 under a different local development plan context, sitting opposite the proposed extension. The presence of the these two gable ends sitting adjacent to one another would diverge from the typical character of the street of hipped roof properties, removing the clear division between the semi-detached properties and would therefore present an adverse visual impact on the existing street scene. In addition, the proposed clipped roof would be larger and steeper than that on the neighbouring

property, and sit at a greater height due to the change in level on the site, making it a more prominent feature within the street scene than the roof of the neighbouring property. The proposal to unbalance the existing roof would therefore pose a negative impact on the character and appearance of the surrounding area, which is not considered acceptable.

The supporting statement has identified the application site as unique due to its position to the north of 33 Morningside Avenue as there is currently an uneven balance between the two properties due to the roof shape of the neighbouring property. The statement advises that the proposal would remove this unbalanced appearance and get continuity back to the street scene. Although, the neighbouring property has been altered in a similar way, this is not considered to be suitable justification for a number of reasons. Firstly, the neighbouring property sits within a different context, comprising a wider property of a different style which has had alterations to the existing first-floor space and roof, amending the shape of the original roof to maintain the width of the existing semi-detached property. Whereas the application dwelling intends to build out over the ancillary garage and around the existing chimney, more substantially unbalancing the appearance of the existing semi-detached property in width and form. In addition, as outlined in the Interim Householder Development Guide, it is the semi-detached property that should be consistent in its form, in the interest of maintaining a balanced appearance, rather than the neighbouring property, particularly as the property is of a different style and within a different context. Of the fifty dwellings along this section of road, only two have this style of roof shape and it is therefore not considered consistent with the prevalent context of the surrounding area. This neighbouring property has introduced a negative visual impact on the street scene and has unbalanced that set of semi-detached properties, adding another unbalanced property to the street scene, at a higher level, would only worsen the current situation rather than provide continuity as suggested in the supporting statement.

There are a few styles of semi-detached properties along Morningside Avenue, some of which have a chimney on either side of the property and others have a shared chimney sitting centrally on the roof to maintain symmetry on the front elevation. In this case, the proposed extension would extend past the existing chimney on the south elevation and the roof would wrap around it. This aspect of the design is considered to adversely interfere with the architecture of the existing dwelling and further unbalance the appearance of the semi-detached property. It was suggested by the Planning Service that the chimney could be removed to avoid the impact between architectural features of the building. However, as proposed, the retention of the chimney would present a highly visible and prominent imbalance on the property and therefore negatively impact the appearance of the existing dwelling as well as the character and appearance of the street scene, as all other properties have maintained balance by retaining their chimneys to the side or centre of the property.

The majority of single-storey extensions in the surrounding area are typically constructed in granite to match their respective dwelling. The proposed extension would result in 1.2m high wall head above the existing garage door due to the change in ground level and finished in black timber linings. As the side extension would be a dark colour and be the same colour on the door and external wall, it would aid in hiding the prominent wall head above the door and would not present detrimental harm to the appearance of the dwelling and would therefore be suitable in the context of the site. The use of render for the side elevations of the extension and slate to match the existing roof is considered compatible with the existing dwelling and appropriate for the proposed works.

In summary, the scale and design of the proposed extension is not compatible with the existing dwelling or in keeping with the character or appearance of the surrounding area as it would unbalance the existing property and diverge from the prevalent style of this property type in the surrounding area. The proposal would therefore not comply with Policy 14 of NPF4 or Policies D1 and H1 of the ALDP.

Dormers

The proposed front and rear dormers have been designed to sit at the same height as the existing and would therefore sit a suitable distance from the edge of the roof as well as from the ridge of the roof, adhering with this aspect of the Interim Householder Development Guide, however there are other matters of concern with this element of the proposal, which are outlined below.

The dormer on the front elevation would result in tension with the aspirations of the interim guidance as it appears to dominate and overcrowd the original roof space, spanning across the full width of the existing roof and towards the end of the proposed extension. Due to the existing party wall, the resultant box dormer would span 9.9m across the width of the semi-detached property, overwhelming the form of the existing building. The proposed dormer does not take account of the scale of the existing dormer, more than doubling the width of the existing. As such, the scale is considered inappropriate due to the form of the gable-end extension which has been identified above as incompatible with the dwelling. The existing dormer window has been removed and replaced with a narrower window which does not match the proportions of the existing ground floor window. However, as the windows have maintained a horizontal proportion this alteration is not considered to be detrimental to the appearance of the dwelling. Dormer extensions are also expected to match the materials of the existing dwelling. The proposed panelling between the dormer windows would be finished in a drydash render. Although a slate finish would be more suitable in the context of the roof covering to minimise the appearance of the dormer, this finishing material is not considered to pose a detrimental visual impact on the dwelling as the existing party wall has been finished in render and the proposal would therefore maintain this appearance. The proposed white PVC windows would be in keeping and complementary to the existing windows on the dwelling and therefore suitable for a dormer on this front elevation.

There were no identified examples along Morningside Avenue where this style of property (with a party wall connecting the dormers on each dwelling) had extended their dormer across the roof slope. In addition, the prevalent style of dormers in the surrounding area are individual dormers, with few examples containing solid panelling between windows. During the process of the application it was advised that the proposed dormer was too prominent on the roof slope and should be split up which would reduce the amount of solid panelling on the front elevation to minimise the massing of the extension and be more in keeping with the style of individual dormers on the dwellings in the surrounding area. Alternatively, it was considered that the dormer extension would be reconsidered in conjunction with the comments above in relation to amending the form of the proposed extension to a hipped roof structure, however, this was not taken into account and amendments were not made. Therefore, the overall proposal for an extended front dormer on an overwhelming side extension is considered to dominate the form of the existing dwelling and would adversely impact the character and appearance of the surrounding area.

In relation to the rear dormer, the context of the surrounding area is different in that there are multiple examples of linked and larger-scale box dormers to the rear of properties along Morningside Avenue which incorporate additional panelling. Therefore, although the overall proposed extension is considered too dominant in relation to the dwelling, the dormer itself would not present a detrimental impact on the surrounding area as it is outwith the public view and has extended the existing dormer through the addition of another dormer window of the same scale and style. This dormer also has a suitable portion of glazing and the window has been suitably placed at the extremity of the dormer. Therefore, a linked box dormer to the rear could be acceptable on a suitable side extension.

In summary, the proposed front dormer would overwhelm the existing roof slope, interfere with existing architectural features on the dwelling and diverge from the typical form of single dormers in the surrounding area. This portion of the proposal would therefore not comply with Policy 14 of NPF4 or Policies D1 and H1 of the ALDP.

Amenity

Policy D2 expects development to be designed to optimise the amenity afforded to the application dwelling and avoid adversely affecting any external private and public space. The proposed extension would not adversely impact the existing amenity afforded to the application dwelling as it would not overshadow any existing windows.

The proposed extension would sit to the side of the dwelling opposite 33 Morningside Avenue which has no windows on the north elevation. The proposal would therefore not result in overshadowing or blocking daylight to the neighbouring property.

The proposed dormer would introduce a new window to the rear which sits 1m away from the south boundary of the site and potentially overlook into the neighbouring garden. However, this is not considered to detrimentally impact the privacy afforded to the neighbouring site as the dormer is set back from rear elevation of the dwelling and would face towards the garden of the application site, avoiding looking directly towards the site. The neighbouring garden is also currently partially overlooked by the rear windows at 35 Morningside Avenue and 5 Morningside Crescent and the proposed dormer would therefore not introduce adverse overlooking that would not be typical in this residential area.

In summary, the proposed works would not detrimentally impact on the enjoyment or amenity afforded to any neighbouring properties in relation to overshadowing and overlooking and would therefore comply with Policy 16 of NPF4 and Policies D2 and H1 of the ALDP.

Representations

The contents of the representations have been taken into account, with the impact of the proposal on the surrounding area has been assessed above in the 'Scale and Design' section of the report. It has been identified that the form and design of the proposal would create an unbalanced semi-detached property and would be out of character with the surrounding area.

The impact of the outcome of this planning application on the sale of surrounding properties is not a planning consideration and has not formed part of the assessment of this application.

DECISION

Refuse

REASON FOR DECISION

The scale and design of the proposed extension is not compatible with the original dwelling, adversely unbalancing the semi-detached property due to the form of the roof and interfering with the existing chimney. The extension would also conflict with the prevalent character of the surrounding area as the majority of properties have maintained a balanced hipped roof form with a chimney in the centre or to the sides of the property. Furthermore, the proposed front dormer would overwhelm the existing roof slope when incorporated into the proposed extension, interfering with the appearance of the existing chimney and diverging from the character of front dormers in the surrounding area. As such, the proposal is not compliant with Policy H1 (Residential Areas) or Policy D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023. The proposal is also not considered acceptable against Policy 14 (Design, Quality and place) of National Planning Framework 4.

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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 100624476-002

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.

Description of Proposal

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

Formation of first-floor extension of the existing roof, to form gable with hipped end. Resubmission of 230439/DPP

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:	eb-architect Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ewen	Building Name:	Office 10
Last Name: *	Buchan	Building Number:	
Telephone Number: *	01224969600	Address 1 (Street): *	Badentoy Business Centre
Extension Number:		Address 2:	Badentoy Crescent
Mobile Number:		Town/City: *	Portlethen
Fax Number:		Country: *	Aberdeenshire
		Postcode: *	AB12 4YD
Email Address: *	ewen@eb-architect.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: *	Kelly	Building Number:	31
Last Name: *	Bowman	Address 1 (Street): *	Morningside Avenue,
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Mannofield,
Extension Number:		Country: *	Aberdeen,
Mobile Number:		Postcode: *	AB10 7NY
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

31 MORNINGSIDE AVENUE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB10 7NY

Please identify/describe the location of the site or sites

Northing

804002

Easting

391727

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)

Discussion over scale of development

Title:

Mr

Other title:

First Name:

Sam

Last Name:

Smith

Correspondence Reference Number:

230439/DPP

Date (dd/mm/yyyy):

26/04/2023

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: Ewen Buchan

On behalf of: Mrs Kelly Bowman

Date: 23/06/2023

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 Ewen Buchan

Declaration Date: 07/04/2023

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DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Ewen Buchan
eb-architect Ltd
Office 10
Badentoy Business Centre
Badentoy Crescent
Portlethen
Aberdeenshire
AB12 4YD

on behalf of **Mrs Kelly Bowman**

With reference to your application validly received on 23 June 2023 for the following development:-

**Erection of first floor extension over existing garage to side and formation of dormers to front and rear
at 31 Morningside Avenue, 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
2311 - SD01	Location Plan
2311.Planning001.1.06.23	Other Supporting Statement
2311 - PL01 A	Elevations and Floor Plans

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:-

The scale and design of the proposed extension is not compatible with the original dwelling, adversely unbalancing the semi-detached property due to the form of the roof and interfering with the existing chimney. The extension would also conflict with the prevalent character of the surrounding area as the majority of properties have maintained a balanced hipped roof form with a chimney in the centre or to the sides of the property. Furthermore, the proposed front dormer would overwhelm the existing roof slope when incorporated into the proposed extension, interfering with the appearance of the existing chimney and diverging from the character of front dormers in the surrounding area. As such, the proposal is not compliant with Policy H1 (Residential Areas) or Policy D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023. The proposal is also not considered acceptable against Policy 14 (Design, Quality and place) of National Planning Framework 4.

Date of Signing 16 August 2023

A handwritten signature in black ink that reads "Daniel Lewis". The signature is written in a cursive, slightly slanted style.

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 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A review request must be made using the 'Notice of Review' form available from <https://www.eplanning.scot/>.

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 230767/DPP

Application Summary

Application Number: 230767/DPP

Address: 31 Morningside Avenue Aberdeen AB10 7NY

Proposal: Erection of first floor extension over existing garage to side and formation of dormers to front and rear

Case Officer: Sam Smith

Consultee Details

Name: Mr Michael Cowie

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

Email: Not Available

On Behalf Of: ACC - Roads Development Management Team

Comments

It is noted this application for the erection of first floor extension over existing garage to side and formation of dormers to front and rear at 31 Morningside Avenue, Aberdeen AB10 7NY.

It is noted the proposed shall increase the number of associated bedrooms from 2 to 3, which as per ACC supplementary guidance retains the same associated parking requirement of 2no. spaces. Therefore in this regard, it is confirmed that this provision is provided and retained in the form of single driveway and single garage.

It is confirmed that Roads Development Management have no objections to this application.

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[REDACTED]

From: Adam Elan-Elmegirab [REDACTED]
Sent: 11 July 2023 14:19
To: Samuel Smith; PI
Subject: Property Ref 230767/DPP - 31 Morningside Avenue, Aberdeen

Property Ref 230767/DPP

Good afternoon Samuel,

I am writing to you in regards to the proposed planning application for 31 Morningside Avenue.

Along with my wife, we own the property directly across from 31 Morningside Avenue and have no absolutely no objections to the proposed planning/extension, and actually welcome it.

We believe the proposed extension will compliment the other homes in the area (*in fact being similar to neighbouring properties*) and have no negative impact to the others surrounding. We in fact purchased our home at the tail end of 2020 due to the existing planning permissions our property has in place which will ultimately see us extend if and when the need arises. For our young family the area was appealing due to the community, local schools, university, proximity to the city centre, and the fact we would be able to increase the size of our home should we have any further children or require a home work/study set-up. Were that to change we would need to consider relocating, not just our home but our business.

If this planning application is rejected it would suggest that only smaller families or those without children would see benefit of living in the area which is why the application should be approved.

Best Regards,

Adam Elan-Elmegirab

Adam Elan-Elmegirab
Founder & Director
The House of Botanicals
The House of Botanicals Gin • Dr. Adam's Cocktail Bitters • Pietro Nicola

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From: [Samuel Smith](#)
To: [PI](#)
Subject: FW: Ref 230767/DPP - 31 Morningside Avenue
Date: 03 July 2023 09:19:12

Good morning,

Could the below email be uploaded as supporting comments for the above application please?

Kind regards,

Samuel Smith | Planning Trainee
Aberdeen City Council | Development Management | Strategic Place Planning | Place
Marischal College | Ground Floor North | Broad Street| Aberdeen | AB10 1AB

Mobile: +44 1224 069080
www.aberdeencity.gov.uk | Twitter: @AberdeenCC | Facebook.com/AberdeenCC

-----Original Message-----

From: Sean Ashcroft [REDACTED]
Sent: 01 July 2023 16:19
To: Samuel Smith <SamuelSmith@aberdeencity.gov.uk>
Subject: Ref 230767/DPP - 31 Morningside Avenue

Good afternoon Samuel,

I am writing to you in regards to the proposed planning permission for 31 Morningside Avenue - Ref 230767/DPP.

I currently own the property next door (29 Morningside Avenue) and have no objections to the proposed planning/extension what so ever.

I believe that the proposed extension will compliment the surrounding area and and have no negative impact on the neighbouring properties. If rejected, this will severely impact not only the current sale of my house but the potential sale/purchase of any other local properties in the future.

Kind Regards,

Sean Ashcroft

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Application 230767/DPP

Development Plan

National Planning Framework 4

[Supporting documents - National Planning Framework 4: revised draft - gov.scot \(www.gov.scot\)](https://www.gov.scot/supporting-documents-national-planning-framework-4-revised-draft)

- 1. Tackling the climate and nature crises
- 2. Climate mitigation and adaptation
- 3. Biodiversity
- 14. Design, Quality and Place
- 16. Quality Homes

Aberdeen Local Development Plan 2023

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

- H1 Residential Area
- D1 Quality Placemaking
- D2 Amenity

Aberdeen Planning Guidance (APG)

- [Householder Development Guide](#)

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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 100624476-004

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 T Agent

Agent Details

Please enter Agent details

Company/Organisation:	eb-architect Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ewen	Building Name:	Office 10
Last Name: *	Buchan	Building Number:	
Telephone Number: *	01224969600	Address 1 (Street): *	Badentoy Business Centre
Extension Number:		Address 2:	Badentoy Crescent
Mobile Number:		Town/City: *	Portlethen
Fax Number:		Country: *	Aberdeenshire
		Postcode: *	AB12 4YD
Email Address: *	ewen@eb-architect.com		

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

T Individual ≤ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Kelly"/>	Building Number:	<input type="text" value="31"/>
Last Name: *	<input type="text" value="Bowman"/>	Address 1 (Street): *	<input type="text" value="Morningside Avenue,"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Mannofield,"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Aberdeen,"/>
Mobile Number:	<input type="text" value=""/>	Postcode: *	<input type="text" value="AB10 7NY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

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="31 MORNINGSIDE AVENUE"/>
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 7NY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="804002"/>	Easting	<input type="text" value="391727"/>
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Description of Proposal

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

Erection of first floor extension over the existing garage to side 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.

Seeking review of the formal refusal of the application, we believe that the application sits with in the HDG in the wider context and explained in our documents

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)

Existing and proposed drawings and supporting statement and plan.

Application Details

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

230767/DPP

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

23/06/2023

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

16/08/2023

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 Ewen Buchan

Declaration Date: 05/09/2023

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Our Ref: 2311.Planning002.04.09.23

4th September 2023

Roof Alterations and upgrades – 31 Morningside Avenue, Mannofield

When assessing the application, we would like to highlight areas that were considered during the design of the additional accommodation to the dwelling.

Prior to the commencement of this project, we carried out a site analysis of the existing dwelling and the surrounding streets.

- Several semi-detached dwellings have been developed to remove the hipped roof to form a gable wall.
- Development is predominantly to the side over the existing garage.
- Due to the topography of the site, there are several houses that sit higher and overbearing on the neighbouring properties.
- Our development site's rear garden is somewhat lower than the house, with a raised decking area. This is like several houses along this side of the street, which makes development to the rear very expensive and technically difficult.
- Development to the front would break the development/building line.

2 Bedroom properties in the area predominantly seem to be the dwellings that have been significantly altered. They appear to be falling short of modern family requirements, and sustainable and considered development of these properties appears to be to the side over the garage.

Over a period, there has been development to one side of the semi-detached dwellings on the street to differing scales, which has now resulted in the houses that are sited adjoining to unaltered properties undevelopable due to the current HDG.

We are aware of the Supplementary guidance to the local development plan. We also appreciate that it clearly states that it would likely not approve if the other side of the semi-detached home is not developed....However, it also states....

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.

We believe that this house sits uniquely in the area due to the neighbouring property, at 33 Morningside Avenue, already being developed to form a gable wall. When you view the two properties together in the wider streetscape, there is an uneven balance between the properties.

Should our proposal be approved? It would result in the two outer properties sustaining the hipped roof with the two in the middle forming gables. Our development would enhance the streetscape with a balanced view of the 4 adjoining properties. We are viewing this in the wider context and not just the single property and removing the unbalance appearance between our property and the immediate developed neighbours.

We further note that there are 4 other properties on this street and several on the neighbouring streets, that have similar works completed to a varying degree of design, but the principles of extension remain. We understand that this may have all been approved prior to the supplementary guidance adoption 5 years ago, but none of the other properties is faced with the opportunity like ours to try and get some continuity back and assist with prior planning approval.



The design is that of a small terrace house and this is apparent due to the level of development in differing scales in the surrounding area, not being able to develop the side of this property would mean the clients having to sell up and move. Rear development to the house would result in serious overshadowing and overbearing nature to the neighbouring properties, and the development of the garage would result in additional stress on the street parking, which with this proposal we are avoiding.

We understand the level change between the garage door and the eaves of the roof, however, this is not a million miles from what is there at present. There is a large portion of blank wall above what is a standard-height garage door. This is a similar design feature to the number of properties in the Morning side area that have been extended over the years.

We note there may be concern over the retention of the existing chimney, however, this has been completed elsewhere in the morning side area. We have opted to retain this due as the loss of the chimney would cause visual obscurity to the streetscape. We also note that some previous developments have removed the chimney, which we believe has resulted in the extension losing its scale.

We note There may be further concern over the dormer and its scale on the principle elevation. We have developed this dormer in relation to the current policy and believe that this fits within the requirements, 600mm away from the gable, and replicating what is already there. We also have more glazing than solid and windows line through with the openings below. Furthermore, this is not dissimilar to a recently approved dormer on 128 Morning Side Avenue (201471/DPP) which is filled between two dormers, this dormer is now to the same scale and development standard as our proposal. This was approved under the current HDG.

The dormer at the rear has been designed with the same principles as the front dormer looking to replicate the window sizes and reduce the number of solid panels. This does create an additional problem due to the large amounts of glazing. However, the dormer is not more overbearing than the current dormer due to the fall in the site. This is the inherent nature of the site being elevated above the rest, but this is a result of the site topography.

Further to the refusal of the application 230767/DPP the following points were raised as concerns and reasoning for refusal.

- 1. The scale and design of the proposed extension is not compatible with the original dwelling, adversely unbalancing the semi-detached property due to the form of the roof and interfering with the existing chimney.*

The Existing property is surrounded by houses that are semi-detached, however this house style is not the overriding style in the area. Only the neighbouring building and two-houses opposite are in this style. Due to the design of this house, it proves very difficult to develop to the rear. The only direction these properties must develop is to the side. Both semi-detached properties to the west have had their hips removed and gables formed with the chimneys being on the period of the development and not unbalancing the view of the street.

There are 7 properties developed on the road that have lost their hips and gables formed, which doesn't affect the scale and the appearance of the properties. The are also predominately at the end of each road.



eb-architect ltd

Chartered Architect
eb-architect.com

01224 969600
ewen@eb-architect.com

- 2. The extension would also conflict with the prevalent character of the surrounding area as the majority of properties have maintained a balanced hipped roof form with a chimney in the centre or to the sides of the property.*

The development proposes that the chimney would move from the side of the property to the centre of the property. Given the location it would be set back due to the dormer and the chimney would only be in view from the opposite side of the road. This is apparent in the development at 20 Morningside Crescent all be it approved prior to current HDG.

- 3. Furthermore, the proposed front dormer would overwhelm the existing roof slope when incorporated into the proposed extension, interfering with the appearance of the existing chimney and diverging from the character of front dormers in the surrounding area.*

There are many developments within the surrounding area that have extended the dormer windows and furthermore altered the scale of the dormer which forms a larger portion of the roof (reference 201471/DPP). This is the apparent design style of the immediate and further surrounding Morningside area. The dormers do fit within the current HDG for dormer design scale proportion and area of solid against glass.

Reference

2311.Planning (site plan showing houses that have hipped roofs removed and gables installed)

Planning applications within the current HDG policy, that have had the hipped roof removed and gables installed to one side of a semi-detached dwelling.

190215/DPP – approved 8th February 2019 – 12 Hutchison Terrace, Aberdeen

200284/DPP – Approved 20th February 2020 – 60 Cranford Road, Aberdeen

Planning Application Current under review

230683/DPP - 6 Morningside Avenue Aberdeen

Ewen Buchan BSc(Hons) MArch ARB RIAS RIBA

Chartered Architect



THE ROYAL INCORPORATION OF ARCHITECTS IN SCOTLAND
CHARTERED PRACTICE

Reg: SC682027 - VAT: 392 5624 74
Office 10 | Baderley Crescent | Portlethen | AB12 4YD

Page 127



Architects
Registration
Board

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Location Plan 1:1000

DO NOT SCALE FROM DRAWING
 All dimensions to be checked on site prior to construction and manufacture, and any discrepancies to be reported by Architect prior to ordering of materials and prior to carrying out any construction work.
 This drawing is copyrighted and must not be reproduced in whole or part without prior written permission. This drawing must not be scaled for construction purposes.
 CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015
 The designs on this drawing are prepared with the consideration of the need to identify hazards and give regard to the hierarchy of risk control.
 This drawing is to be read in conjunction with project specific standard hazard and risk assessment, where relevant.
 Works to be carried out in accordance with the Construction Phase Health & Safety plan prepared by the Principal Contractor

rev. description. date.



eb-architect Ltd
 Chartered Architect
 Office 10
 Badentony Business Centre
 Badentony Crescent
 Portlethen
 AB12 4YD
 eb-architect.com 01224 969600

client.
Mr & Mrs Bowman
31 Morningside Avenue,
Aberdeen, AB10 7NY

project.
Extension & alterations

drawing.
Existing Developed plan

status
Planning

scale. 1:50 @ A1 drawn by. EB
 date. 27.02.23 check by. EB

job no. dwg no. rev.
2311 SITE PLAN

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Strategic Place Planning

Report of Handling

Site Address:	Skarra-Don, Pitmedden Road, Dyce, Aberdeen, AB21 0HD
Application Description:	Extension to an existing garage to front
Application Ref:	230757/DPP
Application Type:	Detailed Planning Permission
Application Date:	22 June 2023
Applicant:	Mr Rob Wraith
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Dyce and Stoneywood
Case Officer:	Rebecca Kerr

DECISION

Refuse

APPLICATION BACKGROUND

Site Description

The application site is located in the north-west of the city, situated in a rural context which is c.325m south-east of the city boundary, which follows the mid-point of the River Don. The application site forms part of the wider Dyce neighbourhood, at an area generally known as Beidleston and Pitmedden. The application site is also located c.90m south-west from the Aberdeen-Inverness Railway Line (the route of which is designated as a Local Nature Conservation Site). The site is bounded to the north, east and west by agricultural land, with access to the site taken from the south-west corner of the plot off Pitmedden Road. The application plot is bounded to the south-east by neighbouring plot containing Beidleston Cottage (which is a traditional granite single-storey detached cottage).

The application property is a large 1.5 storey modern detached dwelling, upper level accommodation of which is in the attic space with dormers. The property is finished in buff dry-dash render, grey concrete roof tiles, stone quoin detailing and dark brown windows, doors, fascias and soffits. A large area of hardstanding to the front of the dwelling forms a driveway, which leads to a large detached double garage (containing storage space above), which is located in the south-east corner of the plot and which is forward of the principal elevation of the dwellinghouse. The remainder of the plot is laid to grass lawns with small trees lining the driveway along the south and the boundary of the plot is mature, well-maintained c.1.8m high hedging. A summerhouse (c.20sqm) and shed (c13sqm) are also located in the north-east of the plot. The closest distance between the application and the neighbouring property Beidleston Cottage is c.14.5m.

The existing garage, to which this application relates, is located forward of the principal elevation of the dwellinghouse and is sited in the south-east portion of the existing plot, c.3.2m from the north-east boundary and set back c.35m from the road. The existing garage is pitched roof form with its gable facing south-west onto the hardstanding / driveway area.

Relevant Planning History

230811/PND – Prior Notification for the complete demolition of dwellinghouse at Beidleston Cottage, Pitmedden Road; prior approval not required and the works are considered to be permitted development under Class 70 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended. Letter dated 11 August 2023.

230799/PND – Prior Notification for the complete demolition of dwelling house; withdrawn by applicant 4 July 2023.

182134/CLP – Proposed domestic garage to rear curtilage of detached dwelling, Beidleston Cottage, Pitmedden Road – certificate of lawful use and development issued 20 February 2019.

110990 – Extension, raising of roof and 5 dormer windows; approved 12 August 2011.

94/2775 – Erection of an extension to dwellinghouse.

90/0685 – Enlargement of dwellinghouse.

A7/1488 – Erection of a garage and formation of a driveway.

APPLICATION DESCRIPTION

Description of Proposal

The application seeks detailed planning permission for an extension to an existing double garage by way of a further double garage on its south east elevation. The proposed new development would extend in pitched roof form to integrate with the existing garage, with its gable located on the south-east.

The footprint of the proposed garage extension is c.54sqm, with an internal floorspace of c.48sqm. In total, the existing and proposed garage would be c.112sqm (c.54sqm = extension, c.67sqm = existing). Overall dimensions for the garage extension are c.4.7-5.3m height to roof ridge (highest point is to gable due to slope), c.2.3m to eaves, extending to a width of c.7.0m, c.8.5m depth. The roof ridge would extend to a width of c.10m from the gable to where it meets the pitched roof of the existing garage, positioned c.0.20m below the ridge of the existing garage.

The proposed new garage extension has a double sectional roller door to the front (south-west) elevation, with dimensions of c.4.7m width by c.2.0m height. Proposed finishing materials are dry-dash render, stone quoin detailing, concrete roof tiles and dark brown uPVC windows/rainwater goods to match that of the existing garage and dwellinghouse.

Amendments

None.

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=RWM1TQBZKQD00>

CONSULTATIONS

ACC - Roads Development Management Team – No objection or concerns with the proposal.

Dyce and Stoneywood Community Council – No comments received.

REPRESENTATIONS

None received.

MATERIAL CONSIDERATIONS**Legislative Requirements**

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

Development Plan**National Planning Framework 4 (NPF4)**

NPF4 is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 8 (Green Belts)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan (ALDP) 2023

- NE1 (Green Belt)
- D1 (Quality Placemaking)
- D2 (Amenity)
- D7 (Our Granite Heritage)
- T3 (Parking)

Interim Aberdeen Planning Guidance (APG)

Aberdeen Planning Guidance is Interim Planning Guidance. The documents hold limited weight until they are adopted by the Council. The weight to be given to Interim Planning Guidance prior to its adoption is a matter for the decision maker. The following guidance is relevant –

- Householder Development Guide
- Transport and Accessibility

EVALUATION**Principle of Development and National Planning Framework 4 (NPF4)**

The application property lies in an area zoned on Aberdeen Local Development Plan (ALDP) proposals map as a 'Green Belt' and is covered by Policy NE1 (Green Belt). Policy NE1 states that

no development will be permitted in the Green Belt for purposes other than those (a) essential for agriculture; woodland and forestry; (b) recreational uses compatible with an agricultural or natural setting; (c) mineral extraction/quarry restoration; (d) is associated with existing activities in the Green Belt; (e) directly associated with essential infrastructure; (f) for the generation of renewable energy; (g) replacement dwellinghouses of similar scale and footprint; (h) appropriate change of use which contributes to landscape character; and (i) conversion/rehabilitation of historic buildings. In general, for extending original buildings, Policy NE1 outlines that the design and siting will be sympathetic in terms of massing, detailing and materials, and it will relate well to the original building, with the original building remaining visually dominant – which correlates with Policy D1 (Quality Placemaking).

In this case the proposal falls under section (d) and is associated with existing activities in the Green Belt and is within the boundary of that activity. The proposed development seeks to extend an existing garage within an existing private residential dwelling, with all works contained within the established residential plot boundaries. Whilst the principle of an extension to a residential dwelling or associated building in the Green Belt is acceptable, Policy NE1 also states that development must be small-scale, does not significantly increase the intensity of the activity, and the proposed built construction is subordinate to what already exists (including extensions to existing dwellings). Consideration of these matters are considered in the evaluation below.

In respect to NPF4, Policy 1 (Tackling the Climate and Nature Crises) states that when considering all development proposals, significant weight will be given to the global climate and nature crises. Policy 2 (Climate Mitigation and Adaptation) encourages, promotes and facilitates development that minimises emissions and adapts to the current and future impact of climate change. In terms of this application, it is not considered to have a significantly adverse risk of or impact on climate change. However, it is recognised that the purposes of the proposed garage are for the storage of a number of private vehicles which are owned by the applicant, and thereby it could be argued there is some tension with Policy 1 as it does not seek to reduce emission through car usage. Furthermore, the proposed seeks to extend an existing garage to occupy a similar footprint as an existing garage (currently within the neighbouring dwellings plot at Beidleston Cottage, which is within the ownership of the applicant) and thus also has some tension with principles of sustainability, reuse and life-cycle of building structures, as new build construction is more damaging in terms of carbon emissions than reusing an existing structure. Policy 3 (Biodiversity) seeks to protect and enhance biodiversity and natural assets. No details as to whether the development encourages, promotes biodiversity as required by Policy 3 have been submitted. The proposal is for individual householder development which as per Section (c) of Policy 3 they are generally excluded from this requirement. It is acknowledged that the development would still maintain the existing garden ground, landscaped area and mature hedging, thus contributing to the retention of natural spaces and opportunities for planting.

Policy 8 (Green Belts) of NPF4 echoes Policy NE1 of the ALDP in relation to the purposes of the Green Belt, and in addition references that development must relate to essential key workers or flood risk management. It also states that the following requirements must be met:

- reasons are provided as to why a green belt location is essential and why it cannot be located on an alternative site outwith the green belt;
- the purpose of the green belt at that location is not undermined;
- the proposal is compatible with the surrounding established countryside and landscape character;
- the proposal has been designed to ensure it is of an appropriate scale, massing and external appearance, and uses materials that minimise visual impact on the green belt as far as possible; and
- there will be no significant long-term impacts on the environmental quality of the green belt.

Policy 14 (Design, Quality and Place) and Section (g) of Policy 16 (Quality Homes) advises that householder development proposals will be supported where they do not have a detrimental impact on the character of the home or the surrounding area. Consideration of these policies are assessed in the evaluation below.

Proposed Scale and Design of Garage

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 (Quality Placemaking) 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. Policy D1 is supported by the aspirations of the Householder Development Guide APG, which sets out specific guidance relating to outbuildings which it classifies as *'detached buildings within a dwelling's curtilage that are used in association with the enjoyment of the residential use of the property, e.g. garages, sheds and greenhouses'*. The guidance highlights that such buildings are traditionally single storey in height, with either a flat or pitched roof, but does accept that it may be possible to accommodate an additional storey within the roofspace, noting that the building should still have the appearance of being single storey. The guidance outlines certain criteria which must be applied in terms of the scale and general design of such ancillary buildings (set out below), which will help determine whether the development would constitute over-development, as well as considering whether the character and amenity of the area will be maintained. Furthermore, guidance states that outbuildings will not usually be acceptable in front gardens because of the damaging impact development forward of a front building line can have on the visual character of an area.

- *Outbuildings must always be subordinate in scale to the dwellinghouse and two storey outbuildings will generally not be permitted;*
- *Where a second storey is to be accommodated within a pitched roof space, outbuildings should retain the impression of being single storey in height*
- *Access to an upper floor should be situated internally;*
- *Outbuildings should not have a negative impact on the character of the surrounding area;*
- *Where highly visible and especially in conservation areas, detached garages should be of a scale and design that respects the prevalent context of the surrounding area; and*
- *Proposals will be assessed on their impact on the amenity of the area (e.g. loss of daylight/privacy) in the same way as extensions.*

In terms of level of development, it is recognised that the existing curtilage is generous and of a sufficient size, so that in terms of built footprint the proposed garage, as extended, does not represent over-development in the typical sense, as more than 50% of the rear curtilage would remain undeveloped. This takes into account the plot size as existing and considers the scenario should the neighbouring dwelling (including garage) Beidleston Cottage be demolished as per 230811/PND. Given the nature of development and siting forward of the principal elevation of the existing dwelling, plot calculations have been undertaken on the basis of the whole curtilage. This indicates that before and after development, for either the existing or enlarged curtilage after demolition of neighbouring dwelling, would result in 12% up to 16% or 8% to 10% rise respectively, in the plot covered by development. However, over-development cannot just be considered in this typical form, and the Planning Service must also consider the impact this development would have in terms of its scale, massing, visual dominance and its overall presence in the landscape and thus its impact on the character of the Green Belt. Policy NE1 specifically states that development must be small-scale, not significantly increase the intensity of the activity, and the proposed built construction is subordinate to what already exists (including extensions to existing buildings). Whilst it is acknowledged that the development seeks to extend an existing garage, which is not single storey in height, the proposal is considered to exacerbate the overall visual dominance of the outbuilding and thus the proposed built form is neither small-scale nor subordinate to what already exists.

In this instance, the proposed garage extension would be located within the front garden ground of the existing curtilage, and given the considerable scale of development being sought (c.7.0m wide by c.8.5m deep, c.4.7-5.3m height, with a roof ridge which would extend c.10m in addition from the existing garage), it is considered that the proposed development would have a significant visual impact and appear particularly dominant from Pitmedden Road. This impact would be amplified by the development being forward of the principal elevation of the main dwelling. The surrounding rural open landscape character and existing planting/landscaping provides very limited screening opportunities. It is acknowledged that presently the application site is partially screened by the neighbouring dwelling at Beidleston Cottage, however as per the proposal under 230811/PND, it is likely that this dwelling is to be demolished, although this is not guaranteed. However, if it was then the proposed garage extension would be sited in an open 'clearing' created by this proposed demolition and would have even more visual prominence – which is considered to contrary to the aims of Policies D1, and NE1 of the ALDP.

Turning to the garage itself and its built form, the considerations of the Householder Development Guide APG highlighted above, are important matters to consider. In this case, the garage (as extended), would not give the impression of being single storey, owing to the fact that windows have been incorporated into the upper level of the development, giving it the appearance of being two storey's in height. Whilst clarification was sought with regards to the upper floor and it was advised no accommodation was being formed at this level, the important factor here is its appearance. Given the scale of the proposed garage and presence of domestic-style openable windows on the proposed south-east gable, it would have the appearance of being two storey's as viewed from the surrounding area, which does not adhere to the criteria of the aforementioned APG. Nevertheless, it is assumed that if any upper storage level of accommodation was to be provided, access would be need to be suitably formed internally. In terms of size, the proposed development would roughly double the size of the existing garage. The footprint of the proposed garage extension is c.54sqm and therefore, the existing and proposed garage would total c.112sqm overall (c.54sqm = extension, c.67sqm = existing). At the proposed size, the development would not bear any resemblance to an ancillary domestic building in terms of footprint, with a total width and depth of c.14.2m and c.10.3m respectively, and is of a scale which would have some parallels with the size of an independent dwellinghouse rather than an ancillary building. Therefore, the development is not considered to be subordinate in scale to the dwellinghouse, nor the existing garage. Finally, in terms of materials, it is recognised that the proposed development would be sympathetic to the existing building and garage with regard to the choice of finishing materials, however this does not negate or override the non-compliance with other aspects of planning policy discussed above.

In terms of justification for the proposal, as mentioned above, it has been advised that the garage would be used for the storage of a number of private vehicles which are owned by the applicant. Further to this, via correspondence from the agent on the 12 September 2023, there was mention of keeping a motorhome on site. In terms of the aforementioned motorhome, having undertaken a desk based review, it is noted that in general the heights of motorhomes are in excess of 2m, which means that there is no feasible way that a motorhome could be manoeuvred into the existing or proposed extension as the openings are 2m in height. No further information on this was submitted to the Planning Service to consider, bar its passing mention in an email exchange. Regardless, neither the storage of private cars/motorhomes are considered to be sufficient justification for the scale of the proposed garage.

It has been noted above that the neighbouring garage and dwellinghouse are to be demolished, but it also noted that there is no guarantee that this demolition will take place. Notwithstanding this, the applicant has not explained why the existing garage on the neighbouring plot at Beidleston Cottage could not be retained and used for the purposes of storage ancillary to the residential use, especially considering that it appears this garage has only been recently

constructed and would be on part of the footprint of the proposed garage. In addition, the applicant has also not advised what other options were looked at in response to their needs. It is considered that there are potential options that could allow for a more suitable form of development on this site that the Planning Service could deem as acceptable. While not requested by the Service, the information could still have been submitted in support of the proposal.

In summary, the proposed development is not considered to be of domestic proportions in terms of scale, footprint, and design, and thus is an inappropriate form of development for ancillary buildings. The scale of the garage and its presence would appear to be excessive in the context of the plot and wider landscape setting of the Green Belt, and thus would have a significantly greater visual impact than as is the case with the existing garage, which is already considered to be of substantial size. Taking all of the above into account it is considered that the proposed development is not suitably compliant with and fails to address the requirements of both Policy NE1 (Green Belt) and Policy D1 (Quality Placemaking) of the ALDP, which seeks to support development which responds to the site context and which is designed with due consideration to siting, scale, massing; which reinforces established patterns of development and there is not suitable justification to state otherwise. There is also considered to be a conflict with Policies 8, 14 and 16 of NPF4, which seek well designed development that does not have a detrimental impact on the character of the surrounding area and the proposal is considered inappropriate and with respect to these policies for the aforementioned reasons.

Amenity

Policy D2 (Amenity) and the aspirations of the Householder Development Guide APG outline that proposals for ancillary buildings will be assessed on their impact on the amenity of the area (e.g. loss of daylight/privacy) in the same way as extensions. While in terms of amenity, it is not considered that the proposed development would adversely impact any neighbouring properties in terms of daylight or sunlight, and there would be no impact in terms of privacy, this does not outweigh the significant issues highlighted in the evaluation above. With specific regard to the adverse impact and visual dominance the proposed development would have on the character and setting of the surrounding area and overall siting and layout of the proposed garage would conflict with the principles of Policy D2.

Roads Comments

Policy T3 (Parking) outlines that all development must include sufficient measures to accommodate transport impacts and parking requirements, commensurate with the scale and anticipated impact. Policy T3 is supported by the aspirations of the Transport and Accessibility APG, which outlines minimum acceptable dimensions for garages. This application was reviewed by the Council's Roads Development Management Team and they have advised the following, in line with the Transport and Accessibility APG. The proposed application site is located in the outer city boundary and as such is not in a controlled parking zone. The minimum acceptable size of a new single garage is 6.0m x 3.0m, with a minimum internal size no less than 5.7m x 2.7m. the minimum effective entry width is 2.25m with a height of 1.98m. The acceptable size of a double garage is 6m x 6m external, with minimum internal size no less than 5.7m x 5.7m (this is a local variation). It is noted that the proposed dimensions exceed this and therefore Roads Development Management Team have no objection to the proposal.

Overall, while Roads has raised no objection to this proposal in relation to the overall dimensions of the proposed garage, the Planning Service has significant concerns and find the development to be wholly unacceptable for the reasons highlighted in the evaluation above. In addition, given the scale of the proposed garage, it is considered that the level of vehicular parking which would be created as a result of development is not commensurate with the size of dwelling or the surrounding area, and as such there is some conflict with Policy T3 (Parking).

DECISION

Refuse

REASON FOR DECISION

The proposed garage development is considered to be of an inappropriate scale, footprint, massing and design, which does not reflect the typical proportions of a domestic ancillary building. The scale of the garage and its presence would appear to be excessive and visually dominant in the context to the existing dwelling, the plot and surrounding area. As such, the proposed development fails to respect the site's existing context or the wider character of the Green Belt, resulting in an adverse visual impact. The proposal is therefore considered to be contrary to the requirements of Policy NE1 (Green Belt), Policy D1 (Quality Placemaking), Policy D2 (Amenity) and T3 (Parking) of the Aberdeen Local Development Plan 2023. There is also considered to be some conflict with Policy 1 (Tackling the Climate and Nature Crises); Policy 2 (Climate Mitigation and Adaptation); Policy 8 (Green Belts); Policy 14 (Design, Quality and Place); and Policy 16 (Quality Homes) of National Planning Framework 4; which seek climate-conscious and well-designed development that does not have a detrimental impact on the character of the surrounding area. There are no material planning considerations which would warrant approval 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 100633030-001

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)

To remove the existing dwelling within the curtilage of Skarra Don. To extend the existing Garage at Skarra Don

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:	Taylor Architecture and Building Consultants Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Steven	Building Name:	<input type="text"/>
Last Name: *	Taylor	Building Number:	24
Telephone Number: *	07500026150	Address 1 (Street): *	Oldmeldrum Road
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Newmachar
Fax Number:	<input type="text"/>	Country: *	Aberdeenshire
		Postcode: *	AB21 0PJ
Email Address: *	Steven@taylorarchitecture.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:	Skarra Don
First Name: *	Rob	Building Number:	<input type="text"/>
Last Name: *	Wraith	Address 1 (Street): *	Pitmedden Road
Company/Organisation	<input type="text"/>	Address 2:	Dyce
Telephone Number: *	<input type="text"/>	Town/City: *	Aberdeen
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	AB21 0HD
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:

SKARRA-DON

Address 2:

PITMEDDEN ROAD

Address 3:

DYCE

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB21 0HD

Please identify/describe the location of the site or sites

Northing

815113

Easting

385916

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: Steven Taylor

On behalf of: Mr Rob Wraith

Date: 21/06/2023

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 Steven Taylor

Declaration Date: 21/06/2023

Payment Details

Pay Direct

Created: 21/06/2023 16:09

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Steven Taylor
Taylor Architecture and Building Consultants Ltd
24 Oldmeldrum Road
Newmachar
Aberdeenshire
AB21 0PJ

on behalf of **Mr Rob Wraith**

With reference to your application validly received on 22 June 2023 for the following development:-

Extension to an existing garage to front at Skarra-Don, Pitmedden 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
265(PA)001	Location Plan
265(PA)006	Elevations and Floor Plans
265(PA)005	Site Cross Section
265(PA)007	Other Drawing or Plan
265(PA)008	Other Drawing or Plan

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:-

The proposed garage development is considered to be of an inappropriate scale, footprint, massing and design, which does not reflect the typical proportions of a domestic ancillary building. The scale of the garage and its presence would appear to be excessive and visually dominant in the context to the existing dwelling, the plot and surrounding area. As such, the proposed development fails to respect the site's existing context or the wider character of the Green Belt, resulting in an adverse visual impact. The proposal is therefore considered to be contrary to the requirements of Policy NE1 (Green Belt), Policy D1 (Quality Placemaking), Policy D2 (Amenity) and T3 (Parking) of the Aberdeen Local Development Plan 2023. There is also considered to be some conflict with Policy 1 (Tackling the Climate and Nature Crises); Policy 2 (Climate Mitigation and Adaptation); Policy 8 (Green Belts); Policy 14 (Design, Quality and Place); and Policy 16 (Quality Homes) of National Planning Framework 4; which seek climate-conscious and well-designed development that does not have a detrimental impact on the character of the surrounding area. There are no material planning considerations which would warrant approval of planning permission in this instance.

Date of Signing 22 September 2023

A handwritten signature in blue ink that reads "Daniel Lewis". The signature is written in a cursive, slightly slanted style.

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 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A review request must be made using the 'Notice of Review' form available from <https://www.eplanning.scot/>.

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 230757/DPP

Application Summary

Application Number: 230757/DPP

Address: Skarra-Don Pitmedden Road Dyce Aberdeen AB21 0HD

Proposal: Extension to an existing garage to rear

Case Officer: Rebecca Kerr

Consultee Details

Name: Mr Jack Penman

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

Email: Not Available

On Behalf Of: ACC - Roads Development Management Team

Comments

I note this proposal is for an extension to an existing garage to rear at Skarra-Don, Pitmedden Road, Dyce, Aberdeen, AB21 0HD.

This site is in the outer city boundary and not in a controlled parking zone.

The minimum acceptable external size of a new single garage is 6.0m x 3.0m, with a minimum internal size no less than 5.7m x 2.7m. The minimum effective entry width is 2.25m with a height of 1.98m.

The acceptable size of a double garage is 6m x 6m external, with a minimum internal size no less than 5.7m x 5.7m (this is a local variation). It is noted that the proposed dimensions exceed this.

I can confirm that Roads have no objection to this proposal.

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Application 230757/DPP

Development Plan

National Planning Framework 4

[Supporting documents - National Planning Framework 4: revised draft - gov.scot \(www.gov.scot\)](https://www.gov.scot/supporting-documents-national-planning-framework-4-revised-draft)

- 1. Tackling the climate and nature crises
- 2. Climate mitigation and adaptation
- 3. Biodiversity
- 8. Green Belts
- 14. Design, Quality and Place
- 16. Quality Homes

Aberdeen Local Development Plan 2023

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

- NE1 Green Belts
- D1 Quality Placemaking
- D2 Amenity
- D7 Our Granite Heritage
- T3 Parking

Aberdeen Planning Guidance (APG)

- [Householder Development Guide](#)
- [Transport and Accessibility](#)

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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 100633030-004

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="Taylor Architecture and Building Consultants Ltd"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Steven"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Taylor"/>	Building Number:	<input type="text" value="24"/>
Telephone Number: *	<input type="text" value="07500026150"/>	Address 1 (Street): *	<input type="text" value="Oldmeldrum Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Newmachar"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Aberdeenshire"/>
		Postcode: *	<input type="text" value="AB21 0PJ"/>
Email Address: *	<input type="text" value="Steven@taylorarchitecture.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="Skarra Don"/>
First Name: *	<input type="text" value="Rob"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Wraith"/>	Address 1 (Street): *	<input type="text" value="Pitmedden Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Dyce"/>
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="AB21 0HD"/>
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="SKARRA-DON"/>
Address 2:	<input type="text" value="PITMEDDEN ROAD"/>
Address 3:	<input type="text" value="DYCE"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB21 0HD"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="815113"/>	Easting	<input type="text" value="385916"/>
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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)

Extension to an existing garage to front at Skarra-Don, Pitmedden 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.

Attached statement in supporting documents.

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)

We raised the possibility of changing the roof shape to hip, however we have added to this in section 6 of the statement that the dimensions of the footprint would also be reduced to suit the alternative roof shape.

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)

Local Review Statement List of drawings - Page 20 of the Supporting Statement

Application Details

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

230757/DPP

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

22/06/2023

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

22/09/2023

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 to inspect the context to which the application relates would assist the members conclude that the proposals are an improvement over the existing situation.

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 Steven Taylor

Declaration Date: 03/10/2023

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230757/DPP | Extension to an existing garage to front | Skarra-Don Pitmedden Road Dyce Aberdeen AB21 0HD

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RWM1TQBZKQD00>

Prepared by Taylor Architecture Ltd



Fig 1 Proposed Application Site

01 - Summary

Applicant - Mr Rob Wraith
Owner and Occupier - Skarra Don Dyce Aberdeen AB21 0HD

This appeal statement is prepared to inform members of reasoning to allow the applicant permission to extend the existing garage to Skarra Don.

It will address the issues the applicant and building designer have with the officers interpretation of the proposals and as highlighted in "Reason for Decision" document.

02 - Relevant timeline / Discussion.

- Application for Garage Extension Validated 22nd June 2023
- Application for Prior notification demolition of cottage and ancillary buildings
- Receipt of Prior notification to demolish the cottage and ancillary buildings

- Determination Deadline 21st August 2023
- Request for Extension of time 22nd August 2023 (+1 Day after deadline)
- Decision issued 22nd Sept 2023 (+32 Days after determination deadline)

Architects drawings were prepared and lodged 28-06-23 for a full Planning Permission under one application.

It was advised 03-07-23 that the demolition of Beidleston would be done under a separate application for prior notification.

The application for demolition was approved 11-08-23 by Officer Robert Forbes.

The first correspondence from Rebecca keep was also on the 11-08-23, whereby she asks

Further to my site visit to the above property please can you advise on the following to allow me to continue my assessment of the proposal.

- *Upper-level floor plan (including the floor relationship to the proposed new windows).*
- *Please provide some commentary by mean of justification for the scale of the proposed garage, as this is a substantially large size for a domestic property.*

We responded on 11-08-23 with;

1. *There isn't a proposed upper floor level . Just a high level window for light to penetrate deeper on the floor plan.*
2. *The client owns several vehicles and a motor home by which for security reasons he wishes to store securely undercover . The garage is proportionate to the dwelling and Plot size .*

A Request for Extension of Time email received 22 August 2023, beyond the determination deadline.

"As you'll be aware the determination deadline for this application was yesterday, however I would kindly request a one-month extension taking us to 25 September 2023 for the Planning Service to complete evaluation of the proposal. I wasn't able to complete my assessment prior to the corresponding demolition application, which I believe has now been determined allowing me to move forward."

On 11-09-23, 3 weeks after the extension of time we were advised that;

*"230757/DPP – Skarra-Don, Pitmedden Road, Dyce; Extension to an existing garage to front
Thank you for the clarification on my previous queries regarding the intended purpose for the garage and whether there is an upper-level floorplan. Following conclusion of the associated demolition application, undertaking my evaluation determines that the proposed development is not in compliance with the relevant policies of Aberdeen Local Development Plan 2023, National Planning Framework 4 or relevant guidance. Due to the overall scale of the proposed garage extension and its visual impact on the character of the surrounding green belt, the proposal is considered unacceptable and as such has been recommended for refusal.*

Whilst I appreciate that the above is not your preferred outcome, my report is currently being reviewed by my manager and I will provide a formal decision on the matter shortly."

Having not heard anything since the two questions asked on 11-08-09 concerning the use of the building and the need for an upper window, we hadn't expected to receive notice that the application was being recommended for refusal without any dialogue or discussions.

On 12-09-23 we issued a drawing to convey the visual impact on the site prior to and after the proposed works. See Annex 01.

On the 13th Sept we were told

"I can confirm receipt and that the information has been shared with my line manager, which he will review in due course alongside my draft report."

This was followed up on 20-09-23;

"Thank you for submitting the additional information regarding the above application, which has now been reviewed by the Planning Service, including by my line manager Garfield Prentice. Unfortunately, it is not considered justification to support the proposal and we will be proceeding to determine the application by the 25 September 2023 deadline, with a recommendation of refusal.

I am aware that the above is not the preferred outcome for yourself or client, however upon receipt of the formal decision notice and should you wish to appeal a decision made by the Planning Authority, please see [here](#). I trust the above advises accordingly on this matter."

We asked on 20-09-23, why the drawn information on Annex 1 could not be considered as justification;

"The additional drawing i produced demonstrates the reduction in built elements on the site. The mass of the steel garage, cottage, and multitude of extensions are considerably more than what the garage extension adds . The build line distance from the street boundary is also considerably more. These are material considerations to our proposal as they currently exist within the ownership of the applicant and site boundary, therefore surely must be considered. There is a demolition application of prior notification approved but that is not implemented, therefore the lay f the land is how i have shown in model form."

21-09-23 Aoife in Rebecca Kerrs Absence ;

"I am writing in relation to the above application and in Rebecca's absence. Further to your email of the 12th September, I wanted to provide you with an update of our assessment. I can advise that we have reviewed all supporting information, including the plan that you sent with your earlier email and the Service are still proceeding with a recommendation of refusal for this application, with the report currently going through final sign-off with management. The reasons, which were briefly outlined in Rebecca's earlier email, will be explained in full in the report of handling. It is our intention to have the decision notice issued tomorrow and the report of handling will be available to view thereafter."

Upon receiving this we asked "could we not propose a hipped roof , and if so we would enter into an extension of time."

This request was refused on 22-09-23

"No, we would not accept a hip roof, the type of roof is not the issue in this case. As I mentioned in my email yesterday, you will receive the decision notice by the end of the day today."

This position has left the applicant with no other option but to appeal to the Local Review Body (LRB)

03 - Objective of Application

The applicant has owned and lived at Skarra Don since 1992. Several works have been carried out to the dwelling and it has been transformed from a modest single storey bungalow to a large family home. The dwelling for a period of 31 years has had a garage to the East of the principal entrance. The garage has been extended over the years as the family grew and currently sized to suit the users needs and plot ratio. The previous owners of Beidleston Cottage, has extended the property multiple times to the front and rear, inc a conservatory that does not have planning permission and a steel garage under 182134/CLP that clashes with the orientation and palette of materials of the site.

The applicant took the opportunity to buy the plot off market as the current owners were moving away and employed Taylor Architecture Ltd to assist with developing a brief.



Fig 2 Historic Photo, Showing Garage as at 1994, Forwards of the Principal Elevation

The main areas of concern for the applicant are as follows;

1. The condition of the existing cottage was deemed poor with un-insulated walls.
2. The layout was convoluted and not conducive to modern living.
3. The mass of extensions to the front of the plot were detrimental to the approach of the site from Pitmedden Road.
4. The steel garage which was built under permitted development rights and considered erratic in context.
5. The principal entrance of Skarra Don was obscured by building mass upon approach from Pitmedden Road.
6. The cottage as a residential property was surplus to applicants requirements.

Two objectives were set;

1. Remove the mixture of buildings that conceal Skarra Don. In doing so; a) relieve the visual constraints and density on the site. b) create the opportunity to extend the garden space. c) Re-cycle the Granite within the site as feature walling, d) recycle the existing steel garage.
2. Extend the existing garage onto the footprint of the steel garage to be demolished, to provide storage of a camper van, cycles and garden maintenance machinery.

04 - Response to the Report of Handling

04.1 Application Background -

The Site description refers to *"The application plot is bounded to the south-east by neighbouring plot containing Beidleston Cottage (which is a traditional granite single-storey detached cottage)."*

This statement is incorrect insofar as the application site includes Beidleston Cottage. The inference of "neighbouring plot" suggests the development, as applied for, may impact an adjoining plot. We confirm that the entire red boundary line as shown in Fig 01 above is within the control and ownership of the applicant.

The description further reads;

"A large area of hardstanding to the front of the dwelling forms a driveway, which leads to a large detached double garage (containing storage space above), which is located in the south-east corner of the plot and which is forward of the principal elevation of the dwelling house."

At this point in the description it should be noted and as shown on the prepared Taylor Architecture Ltd drawings, that the existing garage is not forward of the main street facing elevation of the subjects within the application boundary and it is not visible upon approach to the application site. See below Fig 2 Site Image. The prominence of the garage has been considered during the design development process using 3d visualisation software and we have consistently referenced back to the existing context.



Fig 2 View of Application Site upon approach from Pitmedden Road

"The closest distance between the application and the neighbouring property Beidleston Cottage is c.14.5m."

As mentioned above Beidleston Cottage is within the application site and ownership of Mr Rob Wraith. We consider the distance to the neighbouring property to be over 150m to the West of the site boundary.

"The existing garage, to which this application relates, is located forward of the principal elevation of the dwelling house and is sited in the south-east portion of the existing plot, c.3.2m from the north-east boundary and set back c.35m from the road"

Whilst the garage building is forwards of the principal entrance to Skarra Don, it is located centrally to the site to the rear of Beidleston Cottage, its several extensions and steel garage recently completed. We have to consider the proposals in light of the extant context.

04.2 Relevant Planning History -

The officer has not noted our application lodged under no. 2030757/DPP lodged 21st June 2023. This submission was a Detailed Planning Permission Application which included for the demolition of the cottage, extensions and steel garage within the application site of Skarra Don garage extension. We had anticipated that due to the encompassing nature of the ownership and the impact that the demolition works have on overall appearance, that both the clients objectives of the development should be processed simultaneously.

In separating the actions to be carried within the site bounds, could risk a situation whereby the visual impact of the proposals would not be read holistically, or separate actions within the site could lead to a disjointed approach.

The officer states on the 22nd of August that she wasn't able to complete her assessment until the demolition application position was known. This infers to us that the authority wishes to view the site beyond the demolition of the cottage, which we feel is wrong as the control of the demolition is with the same applicant and has not been implemented. The officer has not advised us that if the cottage was to remain in place would the extension be supported.

Also further relevant application history would be Application 94/1279 approved 10th August 1994 for the erection of the garage to the front of the main elevation of Skarra Don. The size of this garage and associated car parking was increased under application 07/1451 approved unconditionally 27th Sept 2007. The garage and parking areas have been established for almost 30 years of the applicants ownership, and the outcomes sought by the applicant do not alter this fact.

04.3 Application Description - Amendments

The officer states no amendments which we advise is not correct.

Prior to the refusal date we had opened dialogue with the planning office to try an understand the officers position, (up to the point of being told the recommendation for refusal no advice was given) . We prepared (Annex 1) drawing 265(PA)011 Ex and Props Density Comparison and issued to the planning officer on 12th Sept 2023. This drawing challenges the notion of size and density and demonstrates via 5 tests on the built element why the proposal should be supported, as principally they would be visually "lesser' than what is currently on site.

Along with issuing the drawing, we stated;

*See attached Taylor Architecture drawing 265(PA)011 Ex and Props Density Comparison.
It is clear that our proposals consolidate the building elements and massing within the land to which he owns.*

We have tested the impacts of the proposed and the drawing shows a significant improvement against what is currently there.

The resulting garage is big, but the plot size and existing dwelling volume can more than accommodate this development.

The materials proposed are consistent with the existing dwelling.

Surely having a motorhome tucked away in the garage is visually less obtrusive? Also creating the distance from the boundary and consolidating the palette of materials will improve the visual amenity.

Please lay out how you have concluded that the scale of the garage is too big. Also confirm what you consider to be detrimental to the visual impact.

Rebecca was absent and Aoife Murphy had confirmed on the 21st Sept;

"I can advise that we have reviewed all supporting information, including the plan that you sent with your earlier email (referring to drawing 265(PA)011 Ex and Props Density Comparison) and the Service are still proceeding with a recommendation of refusal for this application" "The reasons, which were briefly outlined in Rebecca's earlier email, will be explained in full in the report of handling. It is our intention to have the decision notice issued tomorrow and the report of handling will be available to view thereafter."

Rebecca's earlier email dated 11th Sept (the day prior to us issuing the additional drawing) only advised;

"Due to the overall scale of the proposed garage extension and its visual impact on the character of the surrounding green belt, the proposal is considered unacceptable and as such has been recommended for refusal."

This response did not give us the ability to report to the applicant enough detail on the councils position nor, and perhaps in light of the application approaching the end of the extension of time, allow the applicant to engage in any alternative solutions.

Procedurally, if the drawing numbered 265(PA)011 Annex 1 had been considered in the determination then it should be uploaded and accessible on the planning portal. The importance of this drawing to the success of this application and appeal is that it constructively quantifies the "before and after" context of the site.

In addition, prior to the application refusal date we raised a possible alternative solution in the form of creating a "Hip End" on the garage. This was issued to the planner on the 21st Sept 2023 with the purpose of reducing the roof mass and removing the first floor window. If this dialogue could have been explored, then we would have mutually agreed an extension of time with the officer allowing more time for us to receive the planners full explanation as to refusal and discuss alternatives. Aoife Murphy confirmed via email on the 22nd Sept ;

*"No, we would not accept a hip roof, the type of roof is not the issue in this case.
As I mentioned in my email yesterday, you will receive the decision notice by the end of the day today."*

The department would not allow for further discussions prior to the determination.

We will look at the formal evaluation below issued on the refusal documents.

04.4 Evaluation

Principal of Development

The officer writes;

"Whilst the principle of an extension to a residential dwelling or associated building in the Green Belt is acceptable, Policy NE1 also states that development must be small-scale, does not significantly increase the intensity of the activity, and the proposed built construction is subordinate to what already exists (including extensions to existing dwellings)"



Fig 3 Applicants Garage to the left, Steel Garage to be re-cycled centre and cottages to the right of photo.

Our drawing 265(PA)011 demonstrates no increase in the intensity of activity on the site and the “nett” effect of the proposals is a significant decrease of built construction to what already exists. The tests demonstrated on drawing page 011 showing such a reduction on the site then the balance of proposed elements should be considered as sub-ordinate.

“However, it is recognised that the purposes of the proposed garage are for the storage of a number of private vehicles which are owned by the applicant, and thereby it could be argued there is some tension with Policy 1 as it does not seek to reduce emission through car usage.”

The total emissions from the application site boundary will reduce with the removal of the cottage, both in terms of trips generated and fossil fuel consumption on site. The applicant has multiple cars, cycles, camper van and grounds maintenance vehicles that he wishes to securely store. The total number of vehicles on site is decreasing therefore we see no tension with Policy 1. No new vehicles are being purchased, the neighbouring vehicles are moving away as is the neighbours, therefore a reduction “running” emissions on the site.

“Furthermore, the proposed seeks to extend an existing garage to occupy a similar footprint as an existing garage (currently within the neighbouring dwellings plot at Beidleston Cottage, which is within the ownership of the applicant) and thus also has some tension with principles of sustainability, reuse and life-cycle of building structures, as new build construction is more damaging in terms of carbon emissions than reusing an existing structure.”

The steel garage that the officer is referring to is “alien” to the shape, form and palette of materials on the site. It was developed under permitted development rights and it’s juxtaposition is the main catalysts driving the applicant to purchase the property and “clean up “ the “miss -mash” of buildings on the site. See Fig 3 Below. This building has been sold for re-use as a maintenance shed on a rural estate, thus re-cycling the embodied energy held within. No opportunity was afforded to the applicant to convey this to the department.

“Policy 3 (Biodiversity) seeks to protect and enhance biodiversity and natural assets. No details as to whether the development encourages, promotes biodiversity as required by Policy 3 have been submitted. The proposal is for individual householder development which as per Section (c) of Policy 3 they are generally excluded from this requirement. It is acknowledged that the development would still maintain the existing garden ground, landscaped area and mature hedging, thus contributing to the retention of natural spaces and opportunities for planting. ”

Taylor Architecture Ltd drawing 265(PA)007 and 265(PA)011 conveys the increase in lawn area and hedging. The officer report should state that there is an increase natural assets with a reduction in built elements on the site. Fig 4 and 5 below shows the increase in areas of lawn and hedging.

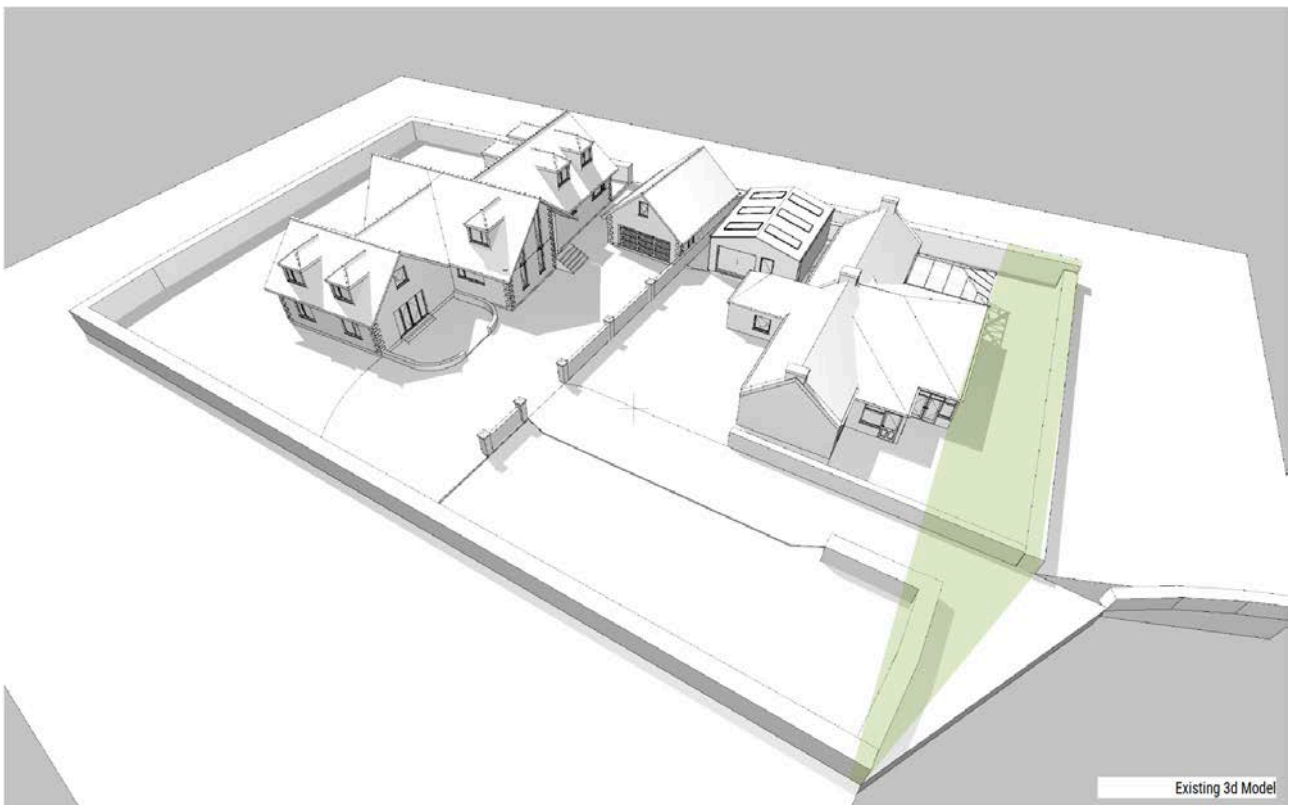


Fig 4 As Existing

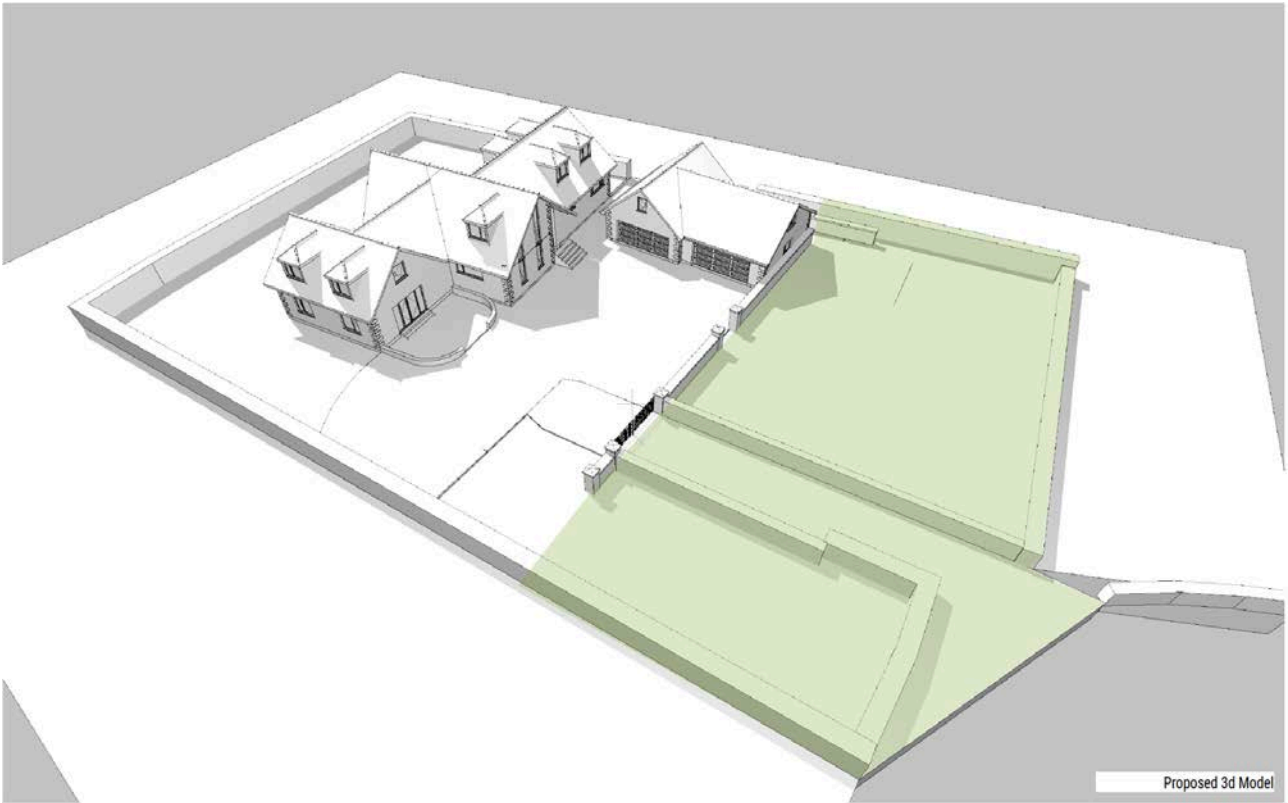


Fig 5 As Proposed



Ex. view from the South. The existing trees remain unaltered and the hedging will increase to both sides of the driveway.
 The Garage extension will be barely visible as the viewer gets closer to the site due to the existing screening.
 The dwelling viewed from South is and will remain superior in size and mass by some measure, and the visual amenity improved by removing all the building mass to the east of the left hand side tree.

Proposed Scale and Design of the Garage

"The guidance highlights that such buildings are traditionally single storey in height, with either a flat or pitched roof, but does accept that it may be possible to accommodate an additional storey within the roof space, noting that the building should still have the appearance of being single storey. The guidance outlines certain criteria which must be applied in terms of the scale and general design of such ancillary buildings (set out below), which will help determine whether the development would constitute over-development, as well as considering whether the character and amenity of the area will be maintained. Furthermore, guidance states that outbuildings will not usually be acceptable in front gardens because of the damaging impact development forward of a front building line can have on the visual character of an area."

The proposed building is single storey as confirmed via email to the officer on 11th August 2023

"Hi Rebecca

- 1. There isn't a proposed upper floor level . Just a high level window for light to penetrate deeper on the floor plan.*
- 2. The client owns several vehicles and a motor home by which for security reasons he wishes to store securely undercover . The garage is proportionate to the dwelling and Plot size .
Trust this is acceptable .
Kind Regards"*

In terms of the garages position to the principal entrance side of the dwelling, this has been established and used by the applicant since 1994 and an extension to the original garage was approved by Aberdeen City Council in 2007. Our drawings demonstrate, taking into account the buildings to be removed, that the visual character of the area is greatly improved and building elements forward of the principal dwelling are lesser in mass yet compatible in shape and appearance to the existing garage.

"Outbuildings must always be subordinate in scale to the dwelling house and two storey outbuildings will generally not be permitted;"

Our proposed Garage is subordinate in scale to the dwelling Skarra Don and is of single storey. The proposals reveal more of the principal elevation than currently exists.

"Where a second storey is to be accommodated within a pitched roof space, outbuildings should retain the impression of being single storey in height"

No second storey is proposed to be accommodated within the pitched roof space of the garage extension

"Access to an upper floor should be situated internally;"

No second storey is proposed to be accommodated within the pitched roof space of the garage extension.

"Outbuildings should not have a negative impact on the character of the surrounding area;"

Our proposed Garage is harmonious with the shape and size of Skarra Don.

The proposed gable replicates the principal entrance gable to the dwelling, yet at a lesser size within the profile of the existing garage therefore appearing sub servant and ancillary.

The overall proposals have a positive impact on the surrounding character of the Green Belt as there is a nett reduction in massing on the site.

*"Where highly visible and especially in conservation areas, detached garages should be of a scale and design that respects the prevalent context of the surrounding area; and"
Proposals will be assessed on their impact on the amenity of the area (e.g. loss of daylight/privacy) in the same way as extensions.*

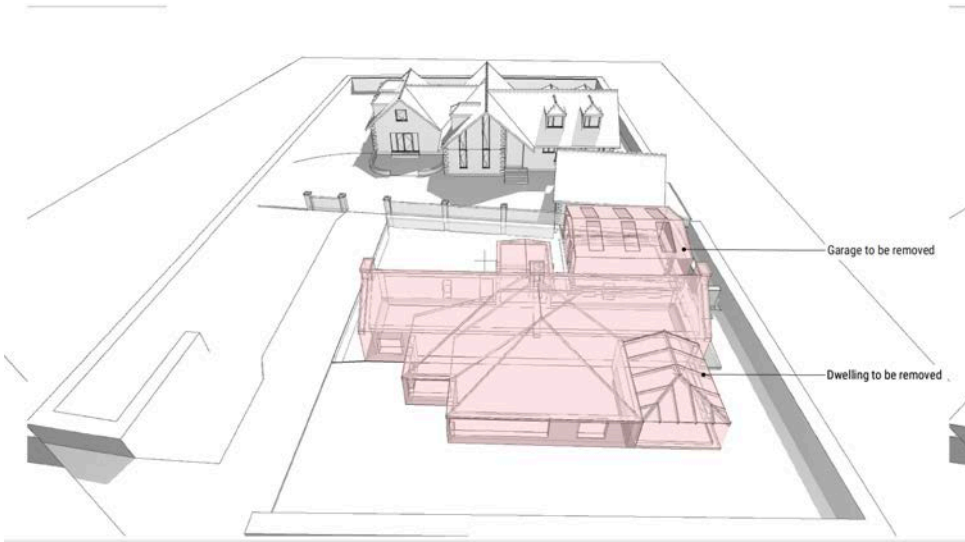


Fig 6 As Existing

Our proposals have been designed and developed particularly in respect of the site context and there is no impact on amenity.

"In terms of level of development, it is recognised that the existing curtilage is generous and of a sufficient size, so that in terms of built footprint the proposed garage, as extended, does not represent over-

development in the typical sense, as more than 50% of the rear curtilage would remain undeveloped. This takes into account the plot size as existing and considers the scenario should the neighbouring dwelling (including garage) Beidleston Cottage be demolished as per 230811/PND. Given the nature of development and siting forward of the principal elevation of the existing dwelling, plot calculations have been undertaken on the basis of the whole curtilage. This indicates that before and after development, for either the existing or enlarged curtilage after demolition of neighbouring dwelling, would result in 12% up to 16% or 8% to 10% rise respectively, in the plot covered by development."

The officer confirms that the plot is big enough to accept the proposed garage and it does not represent overdevelopment.

We cannot agree with the officers methodology of reporting an increase in the plot coverage beyond the implementation of the demolition application. Fig 6 above and 7 below shows the existing and proposed forms. Red colouring being buildings to be removed and orange the proposed garage extension. The breadth and depth of footprint removed is considerable and quantified on Annex 1

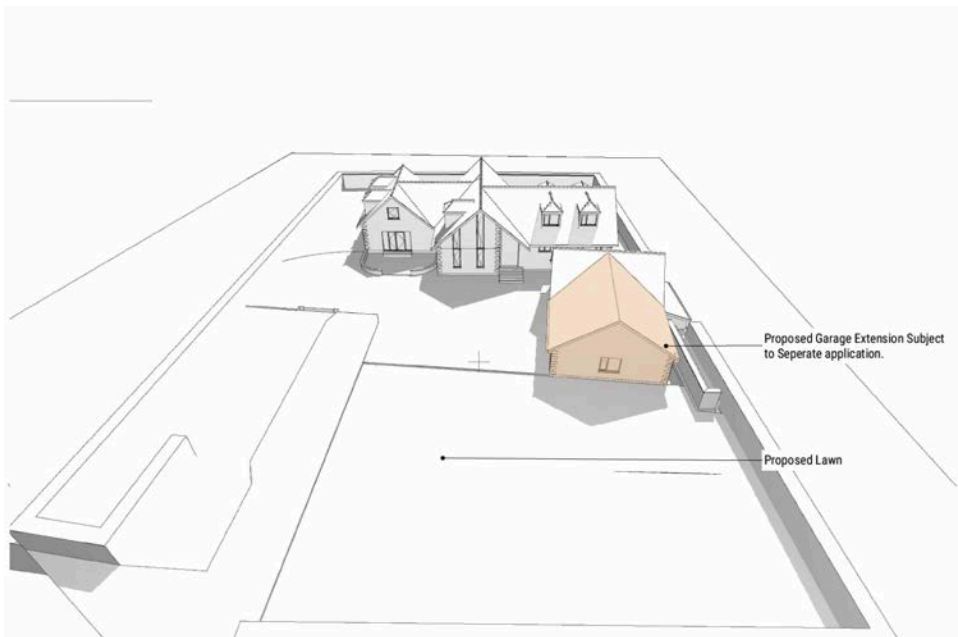


Fig 7 As Proposed

"Whilst it is acknowledged that the development seeks to extend an existing garage, which is not single storey in height, the proposal is considered to exacerbate the overall visual dominance of the outbuilding and thus the proposed built form is neither small-scale nor subordinate to what already exists."

Fig 6 and 7 demonstrates the exact opposite of what the officer is reporting in terms of visual dominance. If we are looking at the "overall" visual dominance then we have to consider the removal of the superstructure highlighted in Red on Fig 6 and the proposed in Orange on Fig 7

"In this instance, the proposed garage extension would be located within the front garden ground of the existing curtilage, and given the considerable scale of development being sought (c.7.0m wide by c.8.5m deep, c.4.7-5.3m height, with a roof ridge which would extend c.10m in addition from the existing garage), it is considered that the proposed development would have a significant visual impact and appear particularly dominant from Pitmedden Road"

The visual impact as a result of the entire proposed works has improved and revealed the principal elevation of Skarra Don on approach from Pitmedden Road. We had considered retaining the steel garage that is scheduled to be removed, however the orientation and palette of materials were not conducive to the principal elevation as revealed. The steel garage would appear erratic, disconnected from the existing garage and ultimately not what the applicant is looking to achieve. See Fig 8 / 9 below.



Fig 8 As Existing

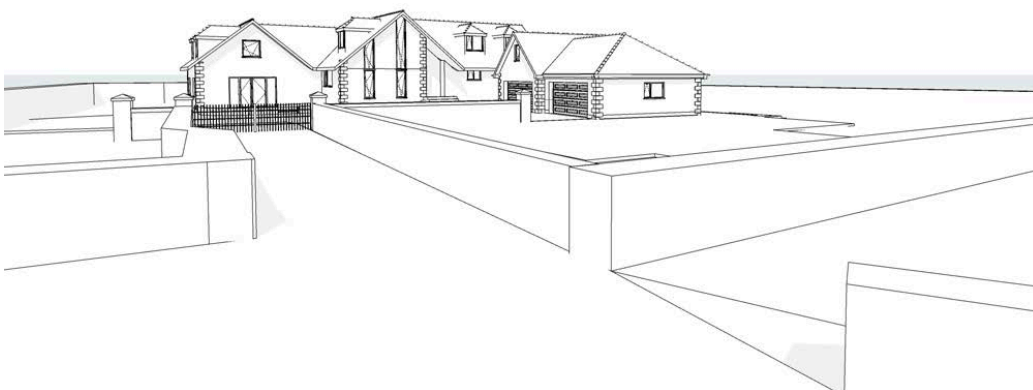


Fig 9 As Proposed

“It is acknowledged that presently the application site is partially screened by the neighbouring dwelling at Beidleston Cottage, however as per the proposal under 230811/PND, it is likely that this dwelling is to be demolished, although this is not guaranteed. However, if it was then the proposed garage extension would be sited in an open ‘clearing’ created by this proposed demolition and would have even more visual prominence – which is considered to contrary to the aims of Policies D1, and NE1 of the ALDP. ”

The proposed extension would be contained within the profile of the existing garage as viewed on approach from Pitmedden road therefore we do not agree that the prominence is adversely affected as a result of its construction. The width of the extension is narrower than the length of the existing. See below Fig 10. Fig 11 Shows the site on approach from the South. The mass of the existing dwellings roof, the ridge level and inclusion of 5 dormers ensures the dwelling is more prominent from the roadside in both directions. Fig 12 and Fig 13 conveys the improved “openness” and distance created to the road edge.



Fig 10 As proposed on approach from the East to Skarra Don. The garage extension highlighted in purple.



Fig 11 Approach from the South on Pitmedden Road

“Turning to the garage itself and its built form, the considerations of the Householder Development Guide APG highlighted above, are important matters to consider. In this case, the garage (as extended), would not give the impression of being single storey, owing to the fact that windows have been incorporated into the upper level of the development, giving it the appearance of being two storey’s in height. Whilst clarification was sought with regards to the upper floor and it was advised no accommodation was being formed at this level, the important factor here is its appearance. Given the scale of the proposed garage and presence of domestic-style openable windows on the proposed south-east gable, it would have the appearance of being two storey’s as viewed from the surrounding area, which does not adhere to the criteria of the aforementioned APG. ”



Fig 12 As Existing. South View



Fig 13 As Proposed. South View.

Prior to the determination of the application we had advised the department that the applicant could accept hipping the roof and removing the upper window. This concession would limit his storage capabilities of taller items but would allow him to still meet his requirements. Fig 14 and Fig 15 Show this. This option and the ability to talk with the planner was not entertained and it was reported via the email from Aoife 22-09-23.

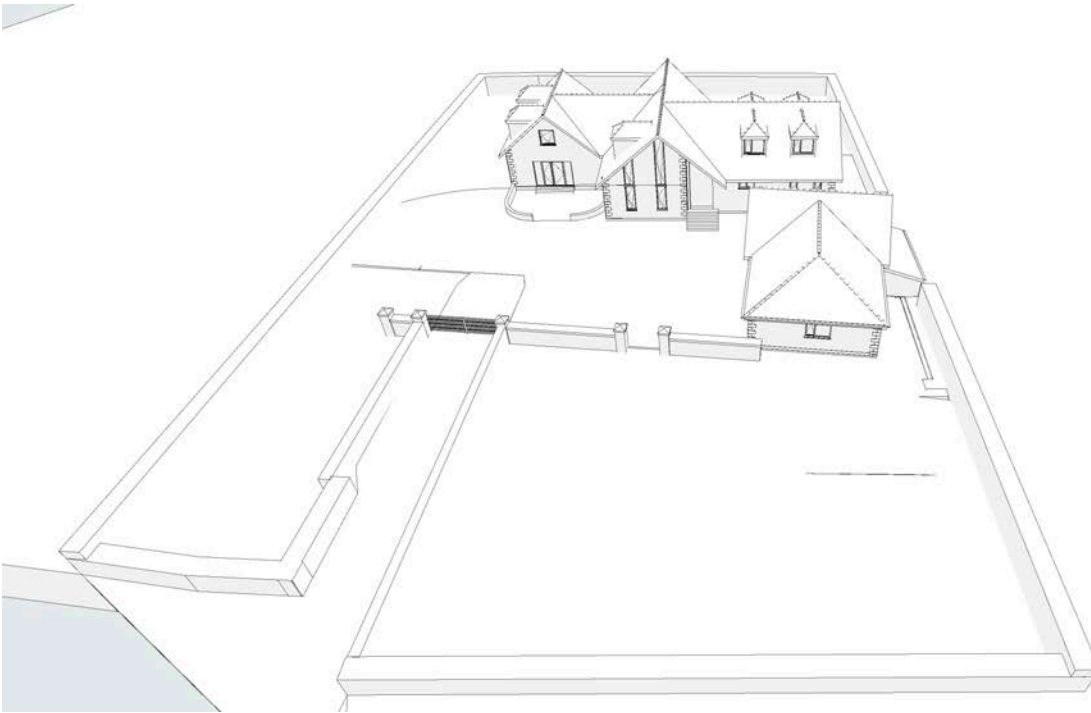


Fig 14 Hip Option



Fig 15 Hip Option

“In terms of size, the proposed development would roughly double the size of the existing garage. The footprint of the proposed garage extension is c.54sqm and therefore, the existing and proposed garage would total c.112sqm overall (c.54sqm = extension, c.67sqm = existing). At the proposed size, the development would not bear any resemblance to an ancillary domestic building in terms of footprint, with a total width and depth of c.14.2m and c.10.3m respectively, and is of a scale which would have some parallels with the size of an independent dwelling house rather than an ancillary building. Therefore, the development is not considered to be subordinate in scale to the dwelling house, nor the existing garage.”

We accept that the proposal is to create a garage which is bigger than that offered by the the notional home developer, but we do not accept that it is excessively big for the proposed plot ratio or its relationship to the principal elevation of Skarra Don.

Our evidence of this is deduced by testing the site with the following;

1. Buildings Gross Footprint - Just under a 40% reduction in building footprint as proposed. ie the coverage of buildings on the site is significantly less as proposed.
2. Buildings Gross Footprint as a Ratio - When looking at the entire plot there is a 10% increase in Landscape / amenity space.
3. Buildings Mass as a Volume - There is a 32% reduction in building mass as a result of the proposed works. The proposed volumes appearance would be coherent as opposed to fragmented with different materials and forms.
4. Building Faces and Gables. - The form of the proposed development would see 6 main building gables / faces removed and 1 additional garage gable built in its place. The prominence of the buildings on the plot reduces as a result of the proposed works, contrary to the report by the officer.

5. Distance to the building line - As a result of the works the distance from the roadside boundary increases from 5.5m to 19m. This is not far off 4 times as much pre-development. Fig 16 Below.



Fig 16 Proposed Build Line and Green Space created as part of the application.

We were advised that the above 5 points could not be considered as justification for the proposal. These must be considered as part of the proposal as they quantify the impact on the visual impact of the proposed development.

"In terms of justification for the proposal, as mentioned above, it has been advised that the garage would be used for the storage of a number of private vehicles which are owned by the applicant. Further to this, via correspondence from the agent on the 12 September 2023, there was mention of keeping a motorhome on site. In terms of the aforementioned motorhome, having undertaken a desk based review, it is noted that in general the heights of motorhomes are in excess of 2m, which means that there is no feasible way that a motorhome could be manoeuvred into the existing or proposed extension as the openings are 2m in height. No further information on this was submitted to the Planning Service to consider, bar its passing mention in an email exchange. Regardless, neither the storage of private cars/motorhomes are considered to be sufficient justification for the scale of the proposed garage. "

We confirm that the client owns a Campervan with a height of 1.98m and that it was this vehicle we propose to store in the garage. We also confirm that the additional space in the extended garage would allow for fitting an EV Charge station , storage of e Bicycles and grounds maintenance equipment suitable for a plot of this size. The clients wish to store such property securely is justification enough for the scale of the garage.

"It has been noted above that the neighbouring garage and dwelling house are to be demolished, but it also noted that there is no guarantee that this demolition will take place. Notwithstanding this, the applicant has not explained why the existing garage on the neighbouring plot at Beidleston Cottage could not be retained and used

for the purposes of storage ancillary to the residential use, especially considering that it appears this garage has only been recently constructed and would be on part of the footprint of the proposed garage."

The applicant considers the existing garage to be incompatible with his objectives insofar as;

1. Its size, shape and form differ from that of the existing dwelling, creating a "mish-mash" of styles on the site.
2. Its orientation does not align with the existing garage, leaving it to look uncomfortable in its build plane.
3. The materials are erratic in the context of the principal dwelling and contrary to the objectives introducing cohesion to the site.

"In addition, the applicant has also not advised what other options were looked at in response to their needs. It is considered that there are potential options that could allow for a more suitable form of development on this site that the Planning Service could deem as acceptable. While not requested by the Service, the information could still have been submitted in support of the proposal. "

If additional information is not requested by the service, then how could we have known to submit same information. Further more if this information is to be submitted to support the application, then how could it possibly convey an alternative solution. We do not understand what this statement is referring to and it is a pity that the officer did not raise any such thoughts during the application.

The applicant would have been happy to discuss the application with the service, but it appears to us, their priority was to get a refusal determination out the door 4 weeks late without allowing discussions on alternative solutions.

"In summary, the proposed development is not considered to be of domestic proportions in terms of scale, footprint, and design, and thus is an inappropriate form of development for ancillary buildings. The scale of the garage and its presence would appear to be excessive in the context of the plot and wider landscape setting of the Green Belt, and thus would have a significantly greater visual impact than as is the case with the existing garage, which is already considered to be of substantial size. Taking all of the above into account it is considered that the proposed development is not suitably compliant with and fails to address the requirements of both Policy NE1 (Green Belt) and Policy D1 (Quality Placemaking) of the ALDP, which seeks to support development which responds to the site context and which is designed with due consideration to siting, scale, massing; which reinforces established patterns of development and there is not suitable justification to state otherwise. There is also considered to be a conflict with Policies 8, 14 and 16 of NPF4, which seek well designed development that does not have a detrimental impact on the character of the surrounding area and the proposal is considered inappropriate and with respect to these policies for the aforementioned reasons."

Our in depth analysis of the site, development of the clients brief and testing of the existing and proposed built forms via 3d modelling demonstrate that the site can support a garage of this size and that the visual amenity within the green built is not adversely affected. In the contrary the visual amenity of this site is improved due to the consolidation of buildings, compatibility of finishes and increased open space within the plot. The garage as proposed does not exceed the proportions of that typically associated with "larger" homes in the countryside, and the functionality should be considered as an important part of the assessment.

Roads Comments

"Overall, while Roads has raised no objection to this proposal in relation to the overall dimensions of the proposed garage, the Planning Service has significant concerns and find the development to be wholly unacceptable for the reasons highlighted in the evaluation above. In addition, given the scale of the proposed garage, it is considered that the level of vehicular parking which would be created as a result of development is not commensurate with the size of dwelling or the surrounding area, and as such there is some conflict with Policy T3 (Parking). "

The total hardstanding area for all the vehicles that currently exists on the site is more than what is being proposed by this application. The area is fit and proper for the client to enter and exit the site in forwards gear, leading to a safer exit onto Pitmedden Road. Guests will also have an adequate space to park and manoeuvre their vehicles as opposed to parking on the verge of the access road.

The parking areas are not visible on the main approach to the site due to extensive boundary hedging and the introduction of a granite wall, re-cycled from the demolition works. If these areas are lesser in sqm than existing, not visible upon approach and allows the users to safely egress from the site then the proposals are commensurate.

05 - Conclusions

We contend that the proposed extension to the garage is in keeping with the existing dwelling and that the overall impact of the proposed works is a positive improvement on what currently exists.

Building the proposed garage extension on the footprint of the existing steel garage, with a smaller footprint is an improvement in itself without considering the other buildings to be removed.

The steel garage as shown on Fig 3 looks out of place and inappropriate within the context of the principal dwelling therefore in appropriate to be re-used. This opportunity cleanses the site of this and the incongruous conservatory to the East of the cottage.

The garage as proposed is befitting of the dwelling in appearance, its use and users (of 30 years) requirements, and the parking areas are suitable for a safe access and egress in forwards gear.

The service did not inform us of their position until after the determination deadline, or accept our information demonstrating the improvements on the site as a result of the client objectives. The interpretation lies solely with individual members within the Planning Department and no other objection has been received from consultee's or neighbours.

The service has applied a "notional dwelling " approach to this application when it should be assessed on its individual merits.

We respectfully request that the members re-consider the services position and approve the application.

06 - Alternative Solution

Should the Local review board not agree to over turn the refusal of the application based on the submitted drawings then we would ask that it could be considered and conditioned that the following amendments to the scheme be considered;

1. Create a hipped roof facing the approach on Pitmedden Road
2. Thus item 1 removing the window and appearance of the building being 2 storey.
3. A reduction in width by 500mm to the North and a reduction of 560mm to the East boundary, bringing the proposed profile further into the extents of the existing garage. This translates to a reduction of 7.59sqm.
4. A reduction in parking areas as shown on the proposed revise plans.

List of drawings - As Lodged per the Extension and Prior Notification Applications.

265(PA)001 Location
265(PA)002 Ex. Plans, Elevations, Views
265(PA)003 Existing Site Sections
265(PA)004a Existing Elevations
265(PA)005a Proposed Site Sections
265(PA)006 Proposed Floor Plan, Section, Elevations
265(PA)007a Ex v's Prop 3d Massing
265(PA)008 Ex v's Proposed 3d Views - Materials
265(PA)009 Granite Re-Use
265(PA)010 Proposed Site Layout

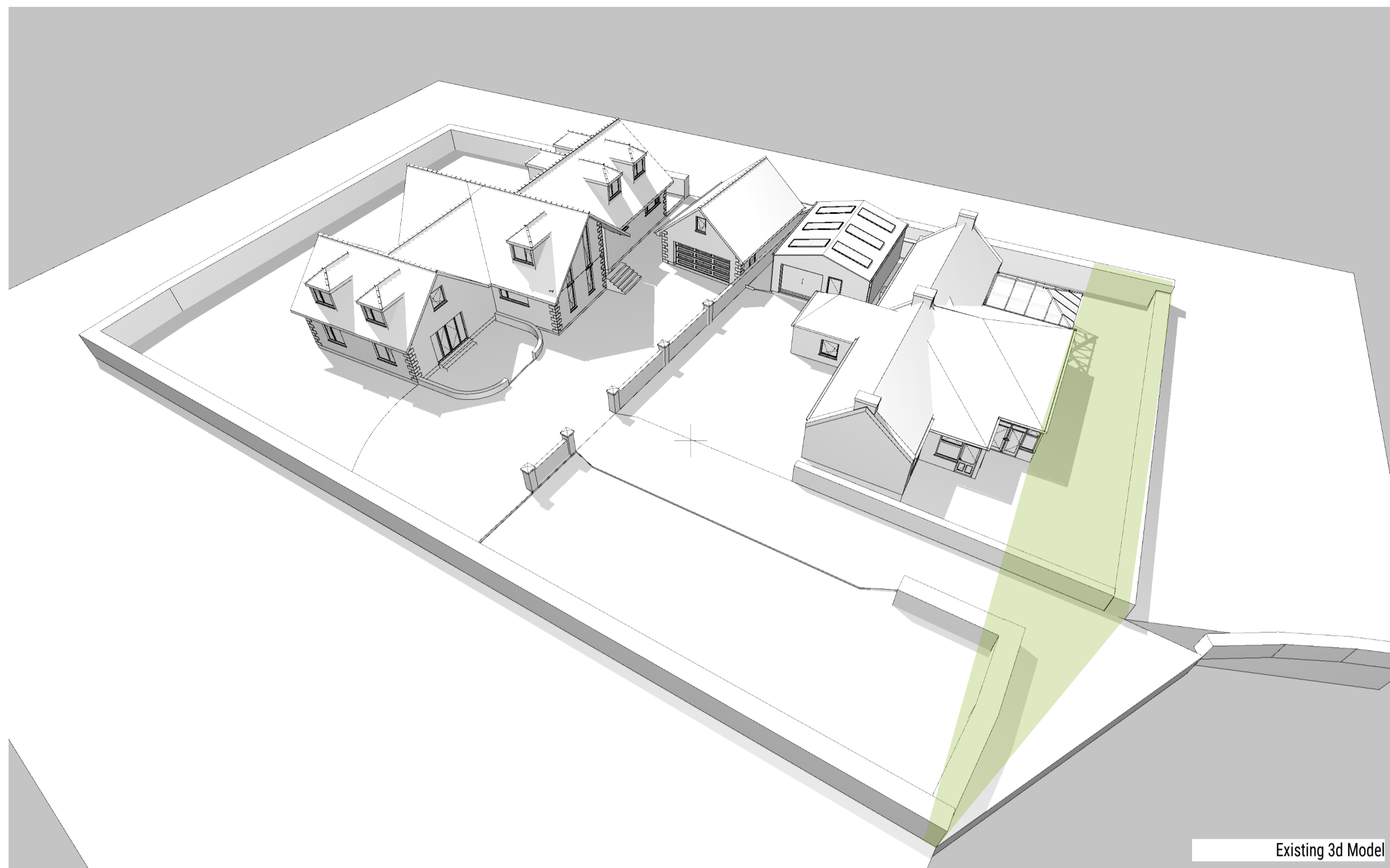
List of drawings - To be considered under Section 06 above - Alternative Solution

265(PA)005b Proposed Site Sections
265(PA)006a Proposed Floor Plan, Section, Elevations
265(PA)007.0 b Ex v's Prop 3d Massing
265(PA)007.1 Ex v's Prop 3d Massing
265(PA)007.2 Ex v's Prop 3d Massing
265(PA)007.3 Ex v's Prop 3d Massing
265(PA)008a Ex v's Proposed 3d Views - Materials
265(PA)009a Granite Re-Use _ Building Re-cycling
265(PA)010a Proposed Site Layout
265(PA)012a Ex _ Prop Density Schedule

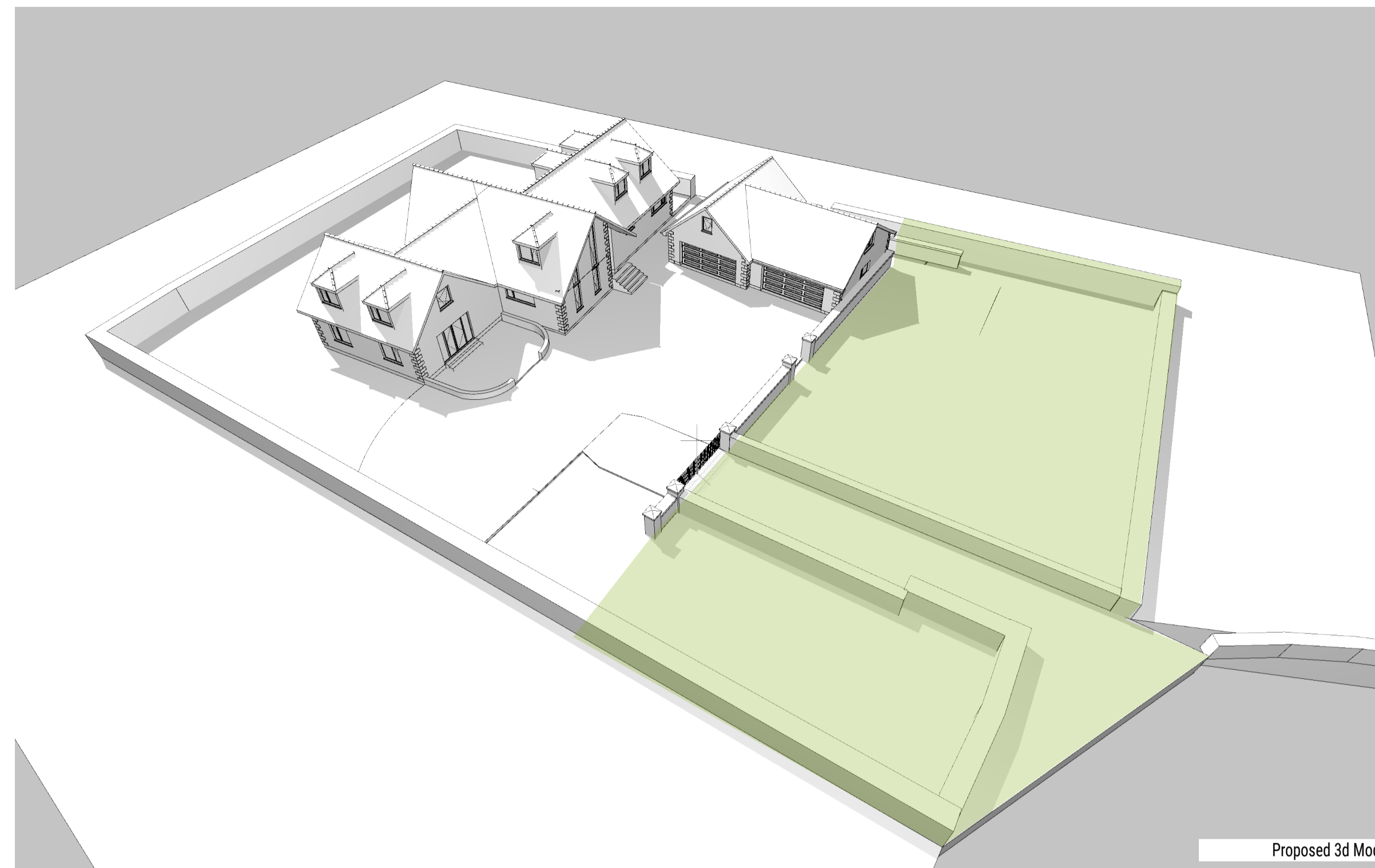
Annex 01 - Taylor Architecture Drawing 265(PA)012 Ex - Prop Density Schedule as Lodged

Annex 02 - Taylor Architecture Drawing 265(PA)012a Ex - Prop Density Schedule as Alternative Solution

Annex 03 - Various As Existing and Proposed 3d Views



Existing 3d Model



Proposed 3d Model

Test the Existing and Proposed Gross foot prints, volumes of building mass, plot ratio and build lines to demonstrate the reduction of impact on the green belt.

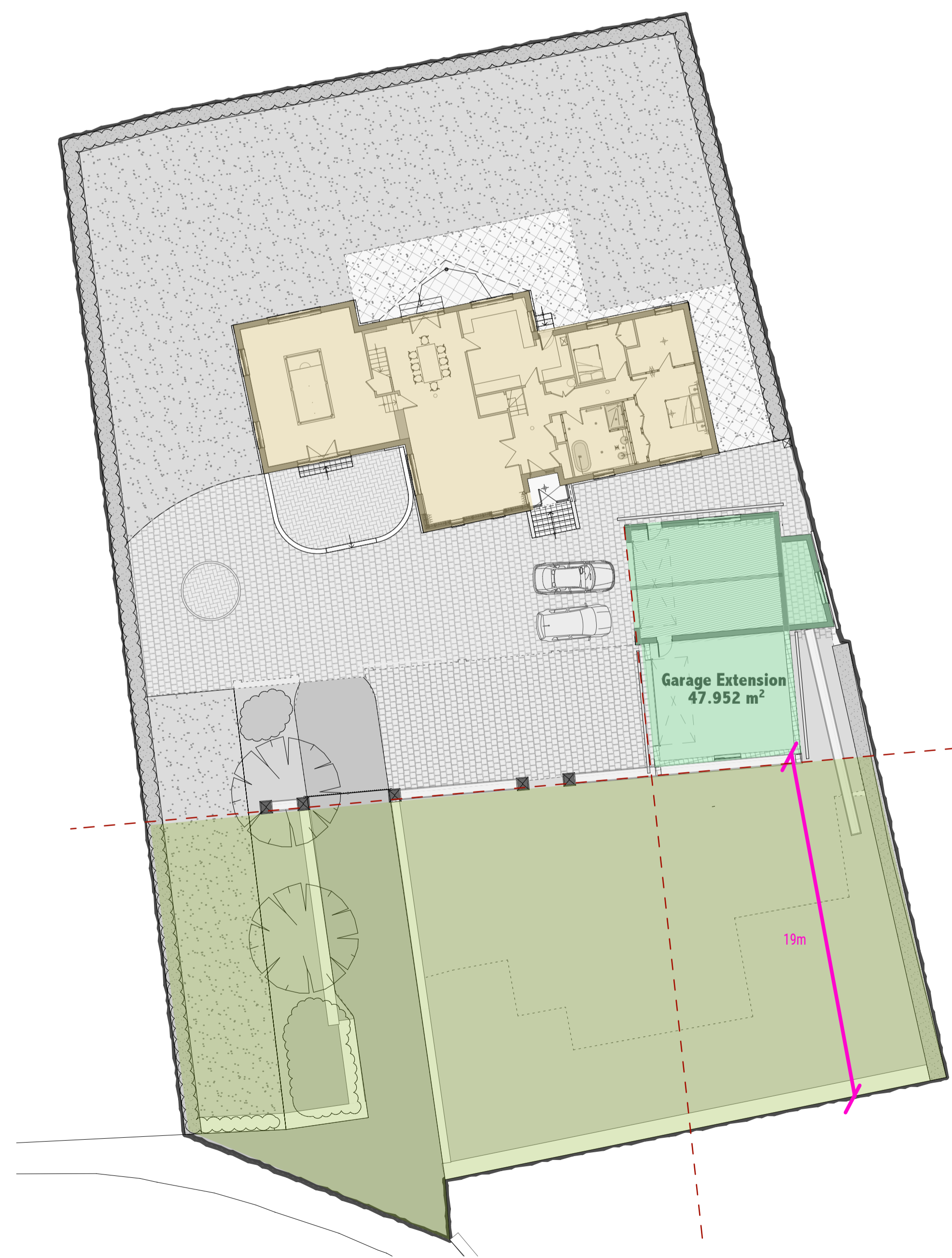
Test	Existing	Proposed	Variance Reduction / %
1.0 Buildings Gross Footprint expressed as a sqm.	574	351	38.9% Reduction in Footprint compared to existing
2.0 Buildings Gross Footprint expressed as a Plot Ratio	25 75 (Amenity)	15.2 84.8 (Amenity)	9.8% less building footprint on the plot compared to existing
3.0 Buildings Mass expressed as a volume m3	2508	1698	32% reduction in volume against the existing mass of buildings
4.0 Removal of main built element faces / gables. Quantity	6	1	83% reduction in prominence in number of building faces / gables
5.0 Distance of build line to principal entrance boundary edge to the East. LnM	5.5	19	345% Increase in distance to the boundary principal Boundary (East)

- Key**
- Skarra Don Dwelling
 - Skarra Don Garage
 - Beidleston Industrial Garage
 - Beidleston Cottage
 - Distance to Principal Elevation
 - Build Line to Principal Elevations
 - Area of Garden / Landscaping (inc Access) increased to principal elevation.



As Existing Site

1:200



As Proposed Site

1:200

Issue Status **Planning Permission**

Project Title
Proposed Demolition of Existing Dwelling and Extension of Existing Garage.
Skarra Don, Dyce, Aberdeen, AB21 0HD
For Mr Rob Wraith

Drawing Title
Ex / Prop Density Schedule

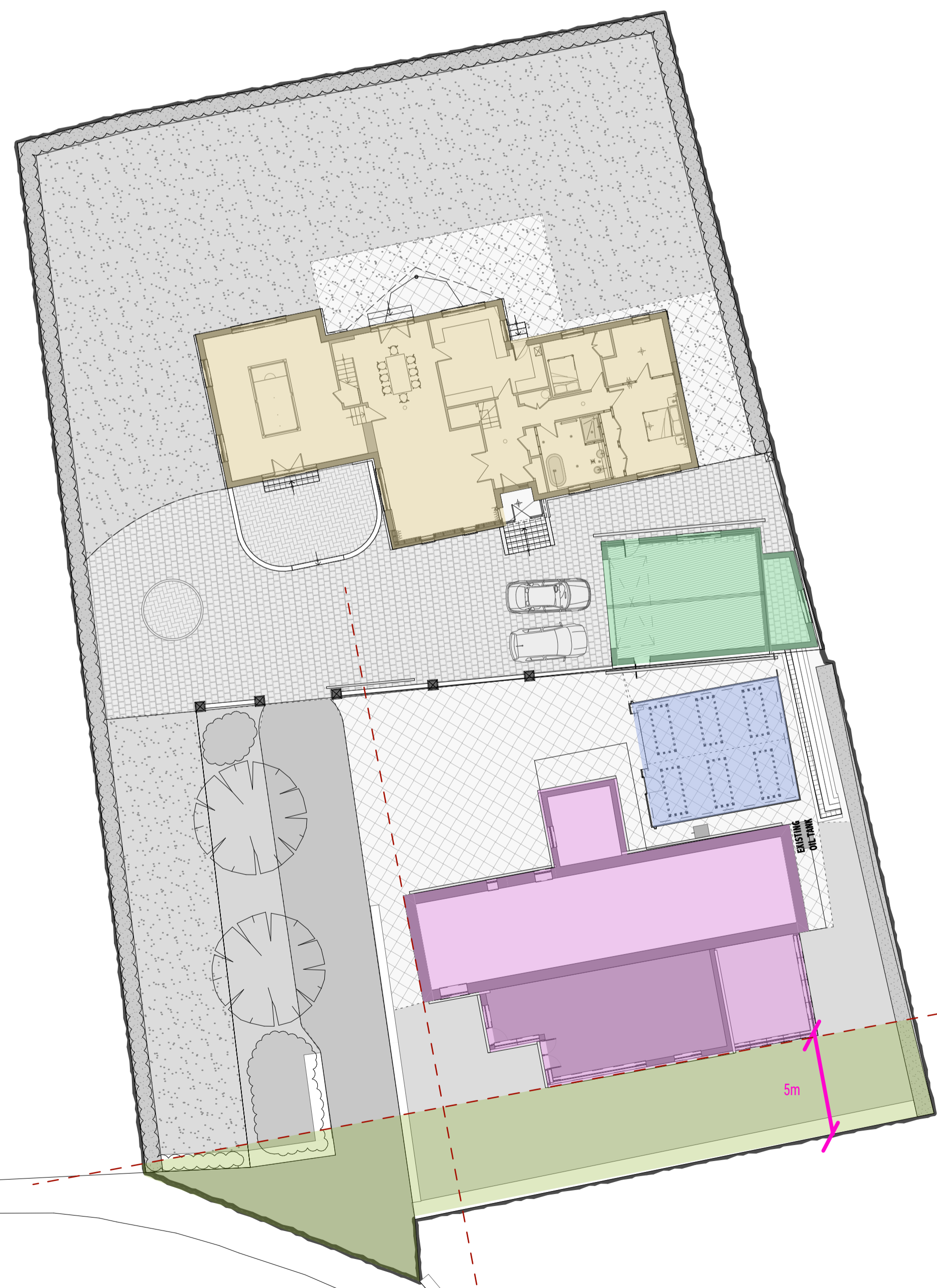
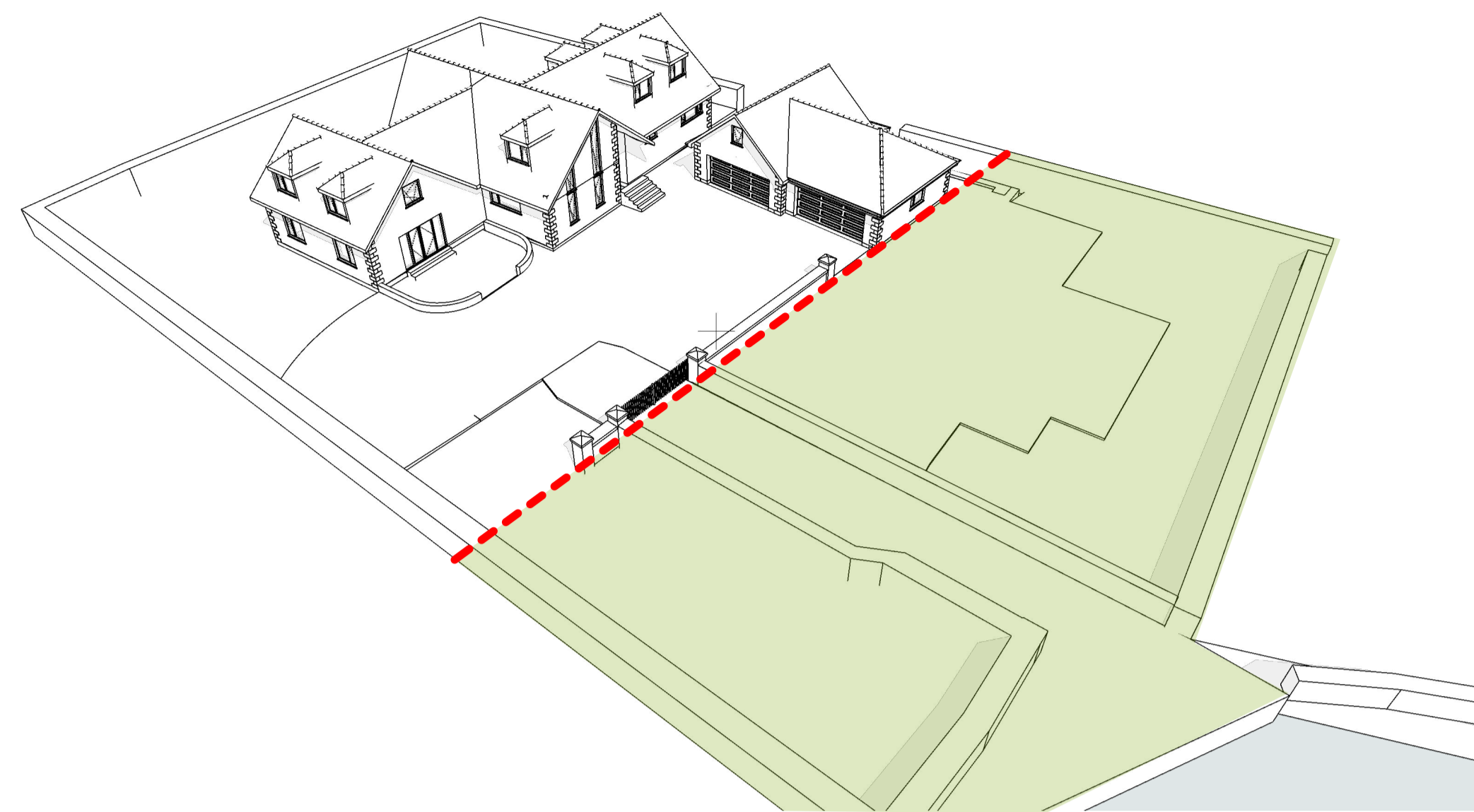
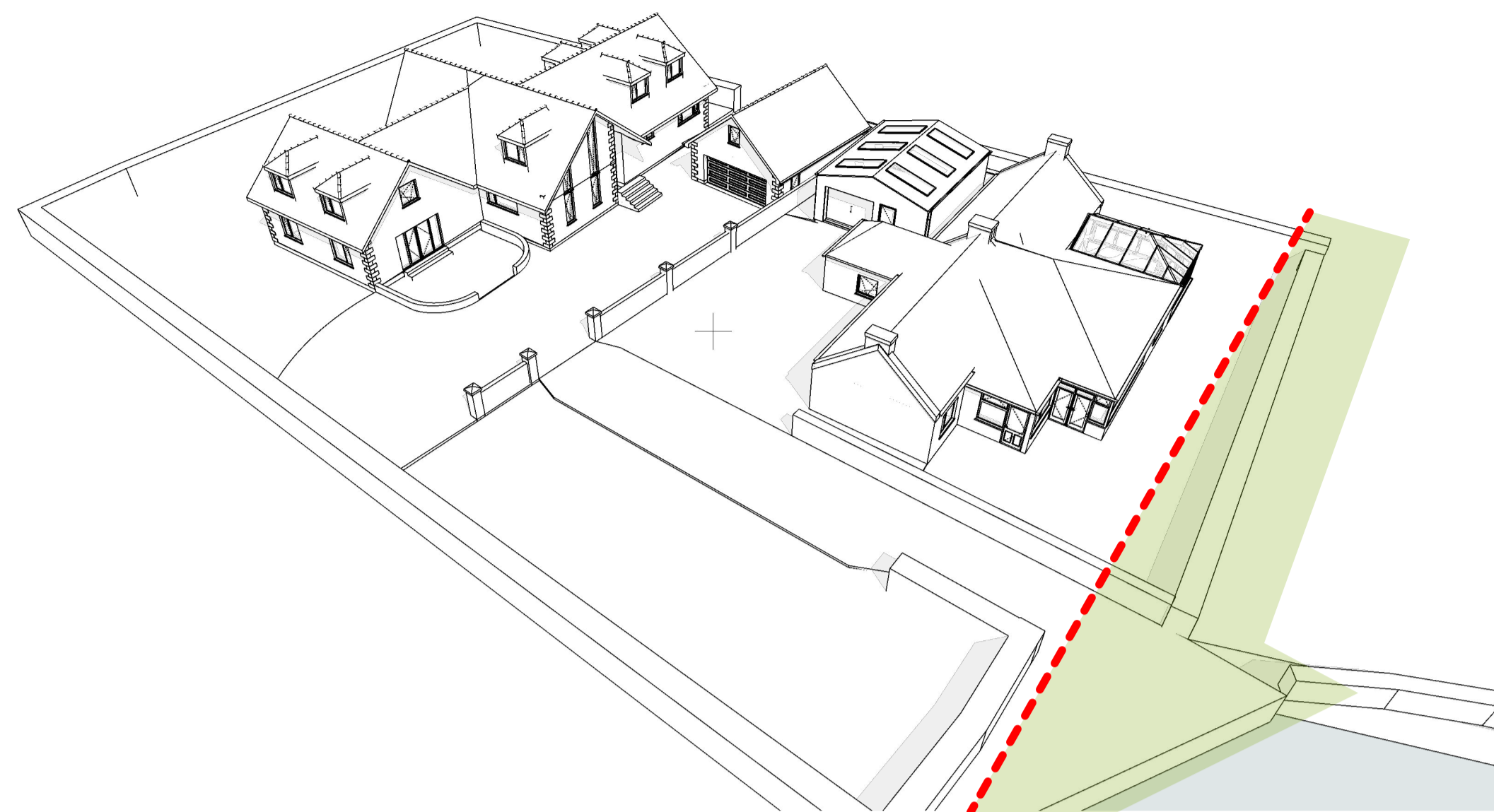
Scale at A1	Date	Drawn	Checked	Approved
	14.06.23	ST	-	-

TAYLOR
architecture

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E steven@taylorarchitecture.co.uk
www.taylorarchitecture.co.uk
Job No. 265 Drawing No. 265(PA)011 Rev.

Test the Existing and Proposed Gross foot prints, volumes of building mass, plot ratio and build lines to demonstrate the reduction of impact on the green belt.

Test	Existing	Proposed	Variance Reduction / %
1.0 Buildings Gross Footprint expressed as a sqm.	574	344	40% Reduction in Footprint compared to existing
2.0 Buildings Gross Footprint expressed as a Plot Ratio	25 75 (Amenity)	15 85 (Amenity)	10% less building footprint on the plot compared to existing
3.0 Buildings Mass expressed as a volume m3	2508	1658	33% reduction in volume against the existing mass of buildings
4.0 Removal of main built element faces / gables. Quantity	6	1	83% reduction in prominence in number of building faces / gables
5.0 Distance of build line to principal entrance boundary edge to the East. LnM	5.5	19	345% Increase in distance to the boundary principal Boundary (East)



- Key**
- Skarra Don Dwelling
 - Skarra Don Garage
 - Beidleston Industrial Garage
 - Beidleston Cottage
 - Distance to Principal Elevation
 - Build Line to Principal Elevations
 - Area of Garden / Landscaping (inc Access) increased to principal elevation.

As Existing Site

1:200



Alternative Option for Consideration at Appeal.
 Hipped Roof to the East Elevation of the Garage.
 Reduction in Building Width by 500mm. (7sqm)
 Reduction in Ridge height 400mm
 Removal of First Floor Window.

Issue Status **Planning Permission**

Project Title
 Proposed Demolition of Existing Dwelling and Extension of Existing Garage.
 Skarra Don, Dyce, Aberdeen, AB21 0HD
 For Mr Rob Wraith
 Drawing Title
Ex / Prop Density Schedule

Scale at A1	Date	Drawn	Checked	Approved
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 Job No. 265 Drawing No. 265(PA)012a Rev.

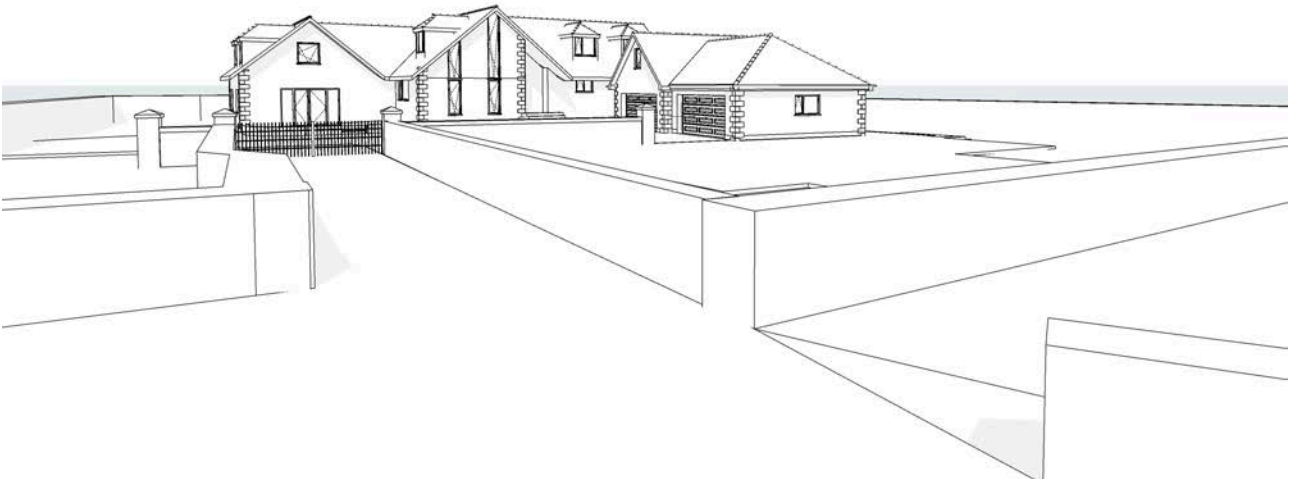
As Proposed Site

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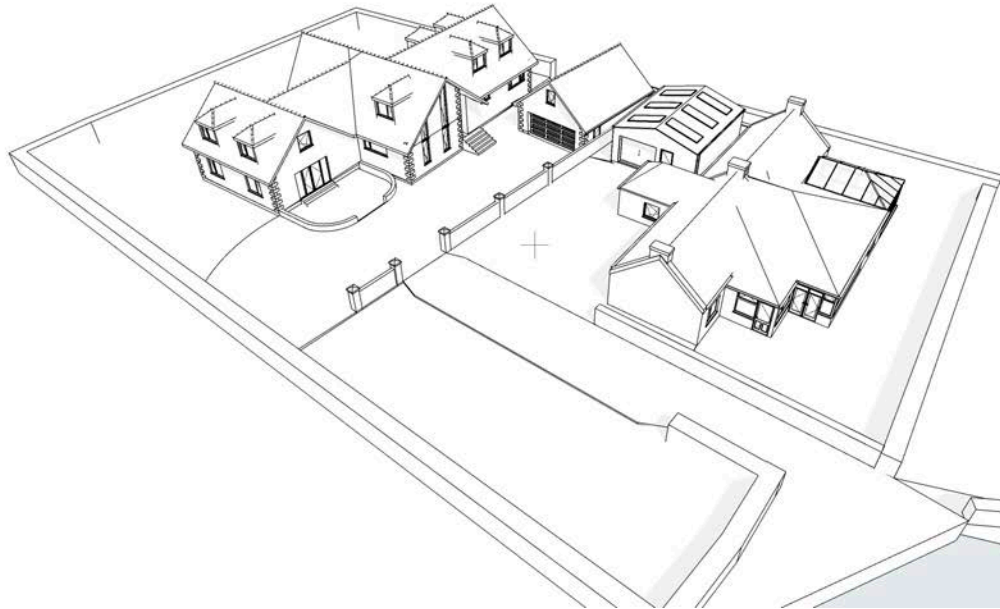
Annex 03 - Various As Existing and Proposed 3d Views



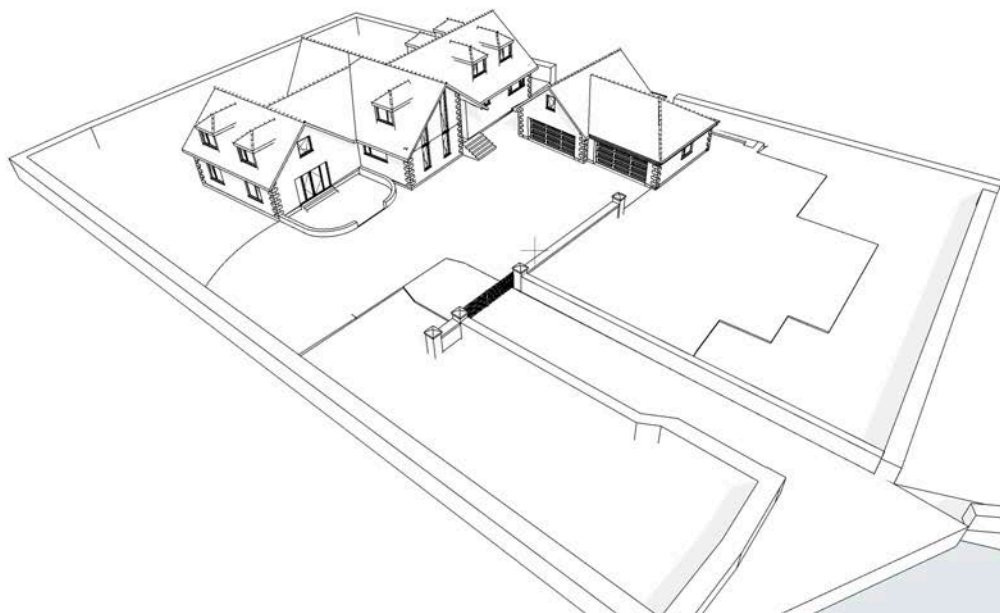
Existing viewed from the principal vehicle entrance



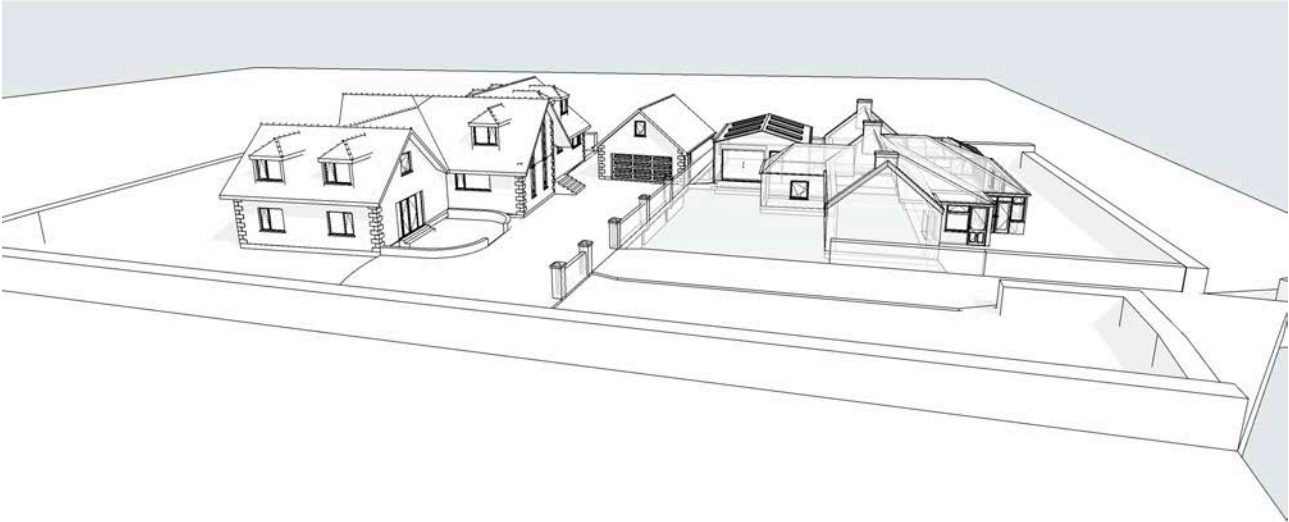
Proposed viewed from the principal vehicle entrance



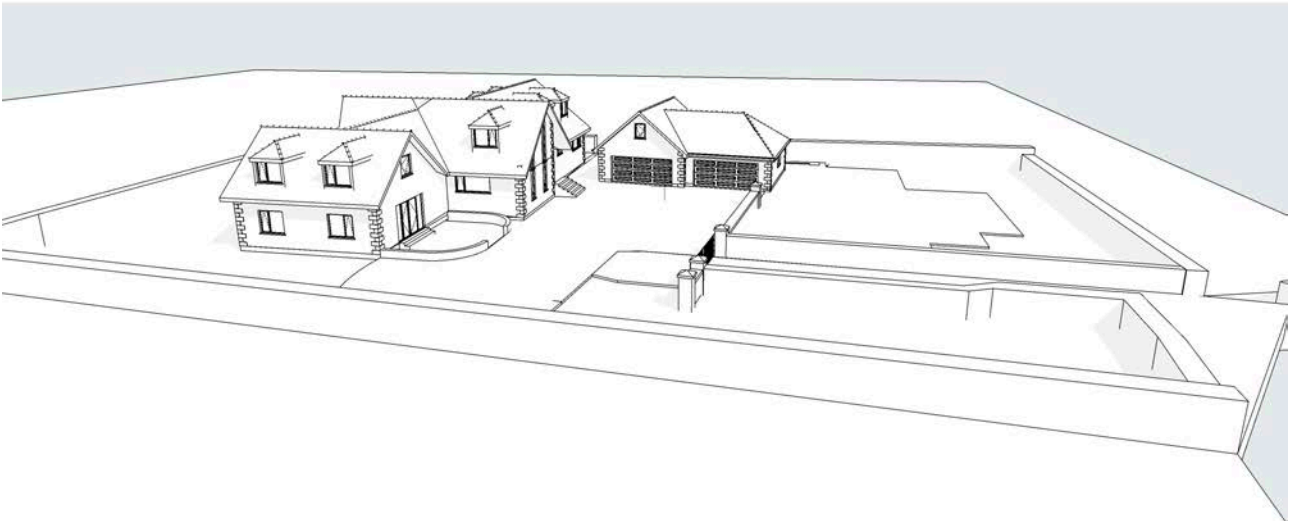
Existing aerial SE



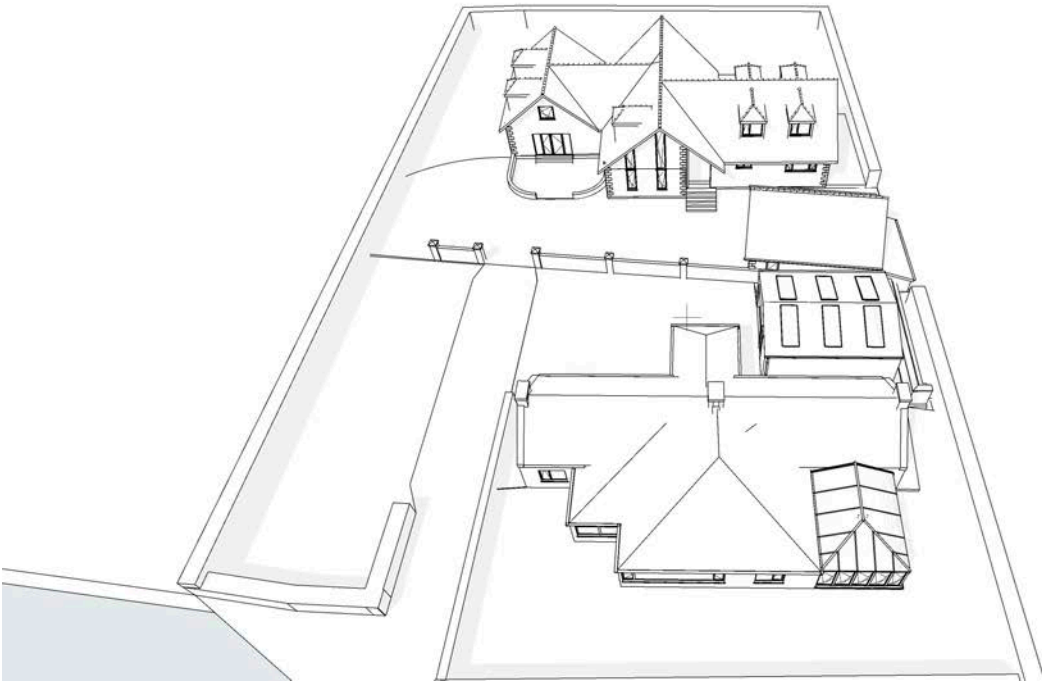
Proposed aerial SE



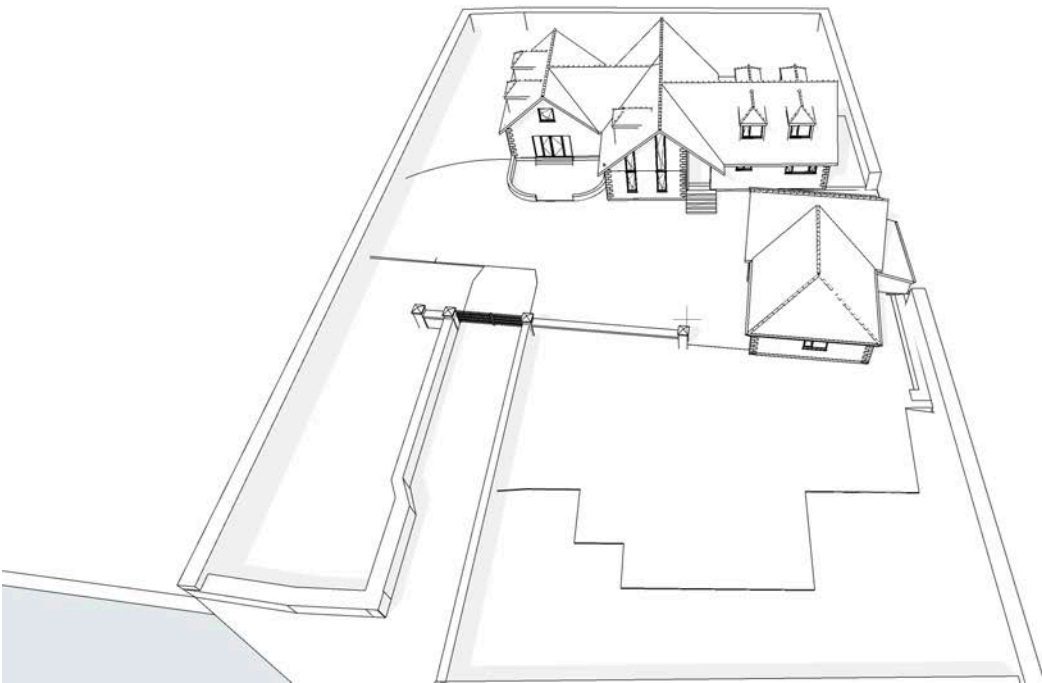
Existing Aerial South



Proposed Aerial South



Existing aerial East



Proposed aerial East



Proposed Image



Proposed View from Vehicle Entrance



Proposed Garage Principal Elevation



Existing



Demolition



Proposed



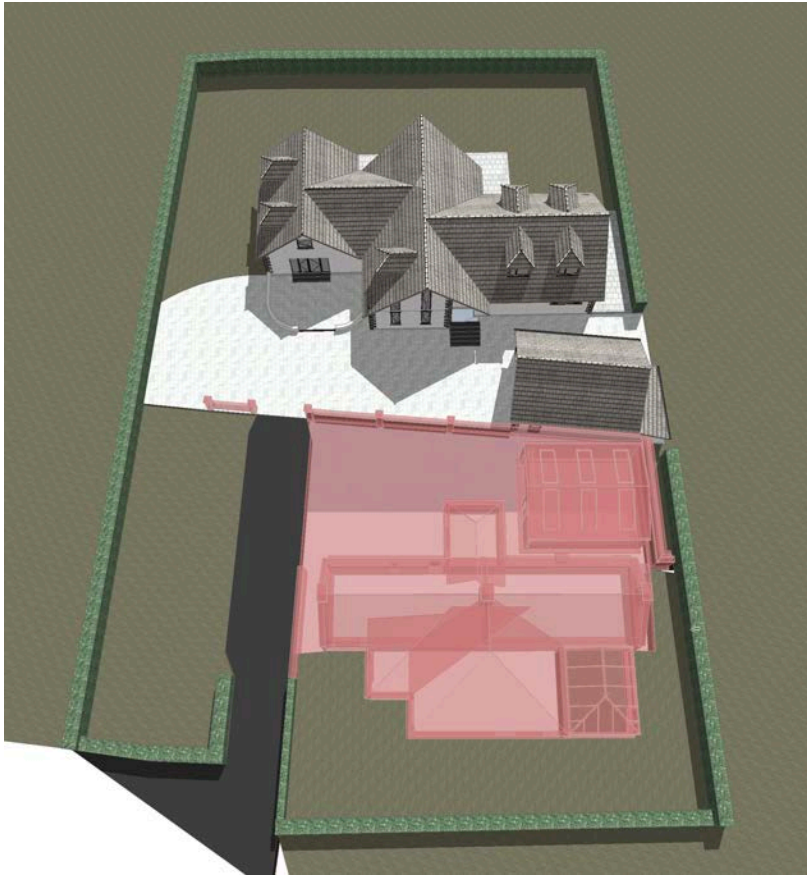
Existing



Demolition



Proposed



Demolition



Proposed



Existing



Demolition



Proposed

End