



Strategic Place Planning

Report of Handling

Site Address:	108A North Deeside Road, Peterculter, Aberdeen, AB14 0QB
Application Description:	Erection of 1.5 storey extension to front
Application Ref:	190441/DPP
Application Type:	Detailed Planning Permission
Application Date:	21 March 2019
Applicant:	Mr Rod Nicholson
Ward:	Lower Deeside
Community Council:	Culter
Case Officer:	Roy Brown

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

A 1½ storey detached granite dwelling in a shared curtilage of two residential dwellings in Peterculter. The dwelling has an east facing principal elevation and two modern attached garages and a roof terrace on its south. The dwelling is in the northwest corner in the rear of the site, and is to the rear of number 108, therefore not fronting any public road. The application site is bounded by North Deeside Road to the south from which this site is accessed; Eastleigh Nursing Home to the west; Culter Mills Sports and Recreation Club to the north; and 106 North Deeside Road to the east.

Relevant Planning History

Planning permission was refused on the 25th January 2019 for the erection of a 1½ storey extension to the rear of this dwelling (Ref: 181783/DPP). The decision was upheld by the Local Review Body (LRB) on the 5th March 2019. The proposed extension in this application is the same as the extension refused and upheld by the Local Review Body in the planning application with reference: 181783/DPP.

That planning application was refused, and upheld by the LRB, on the basis that the extension would serve to dominate the original dwelling in terms of scale and massing which was demonstrated by its significant footprint, the width of its gable relative to that of the original dwelling and its significant projection from the principal elevation of the dwelling which would be greater than overall length of the dwelling. The proposal would be more than double the footprint of the original dwelling house, would be contrary to the pattern of development and the character of the surrounding area given that the extended dwelling would be approximately the same size as the primary 108 North Deeside Road and would have the appearance of being significant back land development whereas the existing character has the appearance of being an ancillary

building within the curtilage of number 108. It was thus considered to conflict with the Supplementary Guidance: 'The Householder Development Guide' and Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan.

The difference in the consideration of this application is that a supporting statement dated 13th March 2019 has been submitted; the proposed plans indicate that the existing attached garages to the south of the dwelling would be removed; and no bat survey has been submitted with this particular application.

APPLICATION DESCRIPTION

Description of Proposal

The erection of a 1½ storey gable roofed extension to the front of the dwelling, which projects approximately 8.3m from this elevation. The extension would have a built footprint of c. 59.6sqm; the roof would have an eaves height of c. 3.4m and a (maximum) ridge height of c. 6.4m. The extension would primarily be finished in stone facing, a slated roof and dark grey uPVC windows and doors.

The proposed plans show that the existing garages would be removed from the dwelling. The removal of the garages and the resulting altered south elevation would be considered Permitted Development under Class 2B of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, and thus would not require planning permission. As the removal of the garages and alterations to the south elevation do not require planning permission, these works are not included in this application.

Supporting Documents

All drawings and the supporting statement listed below can be viewed on the Council's website at: <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=POEH1CBZLZ900>

Supporting Statement (Prepared by Inspired Design & Development Ltd)

Seeks to justify the proposed extension; highlights the planning history of the site to address the issues raised by the planning authority and by the Local Review Body; seeks to justify the proposal in that it would accord policies and guidance, notably with respect to built footprint as the existing garages would be removed.

CONSULTATIONS

Culter Community Council – Objection – This application proposes exactly the same extension as was refused planning permission under Ref: 181783/DPP. Whilst removing the garages would change the arithmetic in terms of built footprint, the other reasons for the previous refusal have not been addressed. The neighbours' concerns regarding loss of privacy have not been allayed as the application has not been altered and the primary glazing for the main living area is floor-to-ceiling across the east façade. The proposal would be over-development of the site and an inappropriate precedent for the immediate area. Should the Planning Authority be minded to grant planning permission, they should request a condition forbidding security lighting spilling into the neighbouring property.

Roads Development Management – No objection - No roads concerns.

REPRESENTATIONS

2 representations have been received (2 objections). The matters raised can be summarised as follows –

- Overlooking from the ground floor windows in the east elevation of the extension into 106 North Deeside Road, its rear garden and the private garden of 104 North Deeside Road.
- Given recent development at 102 North Deeside Road which is considered to affect the privacy of number 104 from the east, the proposal would result in further loss of privacy to 104 from the west.
- The proposal would result in over-development and an inappropriate precedent in the immediate area.
- Issues with respect to existing CCTV cameras and security lighting on 108 North Deeside Road; and that this could be included on east elevation of the proposed extension of 108A North Deeside Road.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

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

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

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

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

Aberdeen Local Development Plan (ALDP) (2017)

Policy H1 - Residential Areas

Policy D1 - Quality Placemaking by Design

Policy NE8 – Natural Heritage

Supplementary Guidance (SG)

The Householder Development Guide (HDG)

EVALUATION

Aberdeen City and Shire Strategic Development Plan (SDP)

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

Principle of Development

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

Design and Scale

To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1. 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.

Whilst this extension is a 'front' extension, and thus would be significantly contrary to the Householder Development Guide relating to front extensions, given the nature and orientation of the dwelling and the characteristics of the site whereby the existing building does not have a street facing principal elevation, is located at the northwest corner of the site and therefore could not be extended to its west and north, and currently has the appearance of an ancillary building to 108 North Deeside Road, it is legitimate to not require or enforce strict compliance with the SG relating to front extensions. These factors mean that this particular dwelling could accommodate a front extension greater than the limitations specified in the SG, but for the reasons set out in this report, not to the extent proposed.

The proposed finishing materials, particularly its slate roof would be complementary to those of the original dwelling and a gable roof would relate to the original dwelling.

However, the proposed extension would be contrary to the SG: 'Householder Development Guide' in that it would not be subservient in terms of mass and scale to the original dwelling. The HDG states that *'any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.'* Whilst its ridge and eaves heights would be less than those of the original dwelling, the significant 8.3m projection of the extension from the principal elevation would be disproportionate to the original dwelling and its main gable, which is approximately 9m in width. The gable end would be wider than those of the original dwelling. Together these features would result in the extension being of a significant massing which would not be subservient to the original dwelling and would have a dominating impact, altering the character of the building on the site.

The HDG states that *'the built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.'* Although the proposed extension in this application is the same as the extension to the property in the recently refused application (Ref: 181783/DPP), a key justification in the submitted supporting statement in light of the previous refusal is that by removing the existing garages, the proposal would comply with the SG with respect to built footprint. This is because if the existing garages were removed as shown in the proposed plans (Drawing No: P02 Rev J), the dwelling and the extension would be 1.95 times the footprint of the original dwellinghouse. However, the removal of the garages does not require planning permission and thus is not included in this application, irrespective of what is shown on the proposed plans indicate. The total footprint of the dwelling as extended with the proposed extension and the

existing garage extensions would be 2.5 times that of the original dwellinghouse, in conflict with the Supplementary Guidance: 'The Householder Development Guide'.

Although this proposal would not necessarily constitute over development in terms of the amount of ground developed on the site, the extension would result in the dwelling itself being over-developed. The existing character of the area is of this dwelling appearing as an ancillary building within the curtilage of the primary granite dwelling in the centre of the site. This proposal would result in 108A having almost the same footprint as 108 North Deeside Road, which would negatively affect the relationship between the two buildings, would appear as significant back land development in the rear curtilage and therefore would be contrary to the pattern of development and the character of the surrounding area.

It must be highlighted that even if the garages were removed, which is a key justification by the applicant for this proposal, the proposed extension, which is the same as that previously refused and upheld by the LRB (181873/DPP), would not be of a scale and massing which is architecturally compatible with the original dwelling and the surrounding area. The design and scale of the proposal would thus conflict with the Householder Development Guide, and policies D1 and H1 of the ALDP.

Amenity

The proposed extension is almost entirely glazed at ground floor level on the east elevation, this glazing serves a habitable room and faces towards the rear curtilage of 106 North Deeside Road. The existing level of boundary treatment by way of the c.1.7m high granite boundary wall and the tree would be sufficient in ensuring that the proposed extension would not have a significant adverse impact on the level of privacy and general amenity afforded to this neighbouring property. This boundary treatment and the significant 20m distance from the extension to the closest boundary to 104 North Deeside Road means that the proposed extension would not adversely affect the level of privacy afforded to 104 North Deeside Road (or any other properties to the east).

Overlooking from the rear elevation into the easternmost rear window of 108 North Deeside Road would be prevented by its rear annexe. Otherwise, the level of privacy afforded to 108 North Deeside Road and Eastleigh Nursing Home to the west would be unchanged from the level of privacy which currently exists given the presence of the existing roof terrace on the south elevation of the application property. The proposed extension would have negligible adverse impact to neighbouring amenity in terms of sunlight and background daylight. The proposed extension would therefore not have a significant adverse impact on the level of amenity afforded to the neighbouring properties, in accordance with Policies H1 and D1 of the ALDP, and the SG.

Natural Heritage

Given the preliminary roost assessment for the previous application was undertaken within the last 12 months (in October 2018) and found no evidence of bats, no further bat survey is required for the assessment of this application. The proposal would not have a significant impact on bats or bats habitats, in compliance with Policy NE8 and the Natural Heritage Supplementary Guidance.

Matters Raised in the Letters of Objection

The matters raised in the letters of objection with respect to privacy and over-development have been addressed in the above evaluation.

With respect to precedent, every planning application is assessed on its own merits and the application site is unique in that there is an ancillary dwelling within the feu of a larger, primary property. It is unlikely that such a proposal would be replicated elsewhere nearby. Nevertheless, it is recognised that the grant of planning permission could set a precedent for substantial back land development of a similar nature in the surrounding area.

No security lighting or CCTV cameras are included in this application. Concerns with existing CCTV and security lighting on 108 North Deeside Road would not be relevant in the assessment of this application. Lighting nuisance is addressed by Environmental Health legislation.

Matters Raised by Culter Community Council

The matters raised by Culter Community Council in relation to the loss of privacy and overdevelopment have been addressed in the above evaluation and it is considered by the Planning Authority that the existing boundary treatment between the application property and numbers 106 and 108 would ensure there would be no loss of privacy. With respect to precedent, every planning application is assessed on its own merits and the application site is unique in that there is an ancillary dwelling within the feu of a larger, primary property. It is unlikely that such a proposal would be replicated elsewhere nearby. Nevertheless, it is recognised that the grant of planning permission could set a precedent for substantial back land development of a similar nature in the surrounding area.

Had the Planning Authority been minded to grant planning permission, it would not have included a condition limiting security lighting on the extension. This is because such a condition would not be necessary as nuisance from lighting would be controlled separately under Environmental Health legislation.

Conclusion

The proposed extension in this application is not materially different to the application refused and upheld by the Local Review Body in application with reference: 181783/DPP. There has been no change in the relevant planning policies and guidance since the previous application, and no different material considerations that warrant a different recommendation in this application. There are thus no material considerations that warrant any decision other than to refuse planning permission.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed extension would serve to dominate the original dwelling in terms of scale and massing, in conflict with the Supplementary Guidance: 'The Householder Development Guide' and Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the Aberdeen Local Development Plan, which can be demonstrated by the width of its gable relative to that of the original dwelling and its significant projection from the principal elevation of the dwelling which would be greater than overall length of the dwelling, and its significant footprint. Given the presence of the existing garages, the dwelling as extended would be more than double that of the original dwelling, in conflict with the Supplementary Guidance: 'the Householder Development Guide'.

The proposed extension would be contrary to the pattern of development and the character of the surrounding area, in conflict with Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the Aberdeen Local Development Plan given that the extended dwelling would be almost the same size as the primary 108 North Deeside Road and would have the appearance of being significant back land development whereas the existing character has the appearance of being an ancillary building within the curtilage of number 108.

There are no material considerations that warrant the grant of planning permission in this instance.