

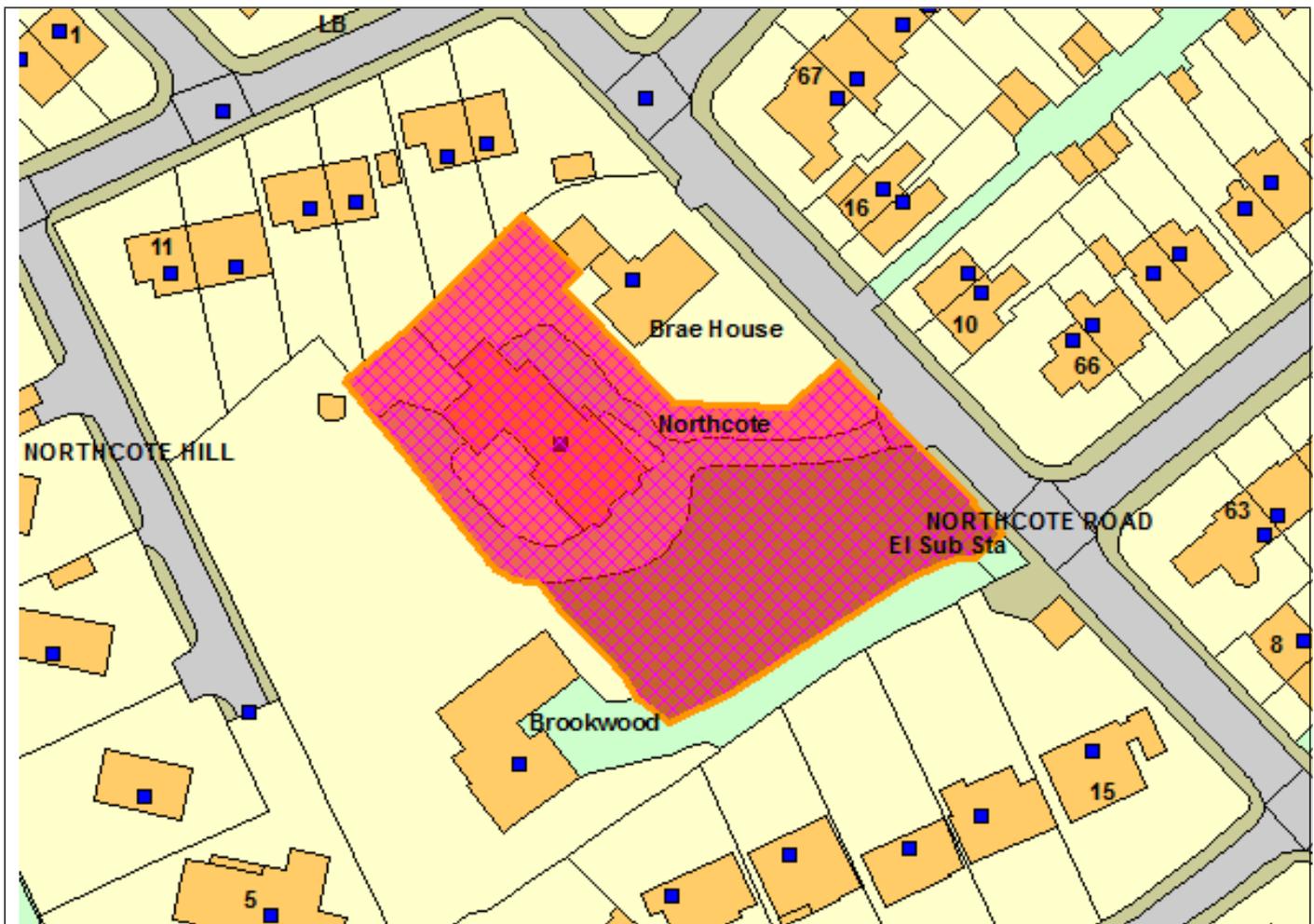


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 5 December 2019

Site Address:	Northcote House, Northcote Road, Aberdeen, AB15 7TB
Application Description:	Sub-division of existing ground floor flat into 2 flats including conversion and alterations of existing garage to form living space; car parking and associated works
Application Ref:	191574/DPP
Application Type	Detailed Planning Permission
Application Date:	18 October 2019
Applicant:	Mr John Dawson
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Braeside And Mannofield
Case Officer:	Alex Ferguson



RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

Northcote House is a traditional granite-built 2½ storey residential building currently comprising three flats (one on each floor), situated on the western side of Northcote Road. The building is believed to have been constructed in the mid 1800's and originally comprised one large dwellinghouse, prior to its sub-division into three flats at some point in the 20th Century. The main 2½ storey element of the building has a footprint of approximately 250sqm with a c. 175sqm single storey rear wing (predominantly comprising garages, stores and a sunroom) built off the northern gable of the main building. In total, the building and its northern wing have a combined footprint of approximately 425sqm and the building is set in the northwestern corner of a c. 3540sqm, 'L'-shaped site. A gravel driveway provides access to the site from Northcote Road and surrounds the building to the south (front), east and west (side). A raised, predominantly grassed area, behind the building in the northwestern corner of the site, comprises three areas of private garden ground, one allocated to each of the flats. The southern half of the site is in communal ownership (of the three flats) and mainly comprises a circa 1500sqm area of mature trees and lawn. The site lies within a residential area, with mid-to-late 20th Century dwellings bordering the plot on all sides.

Whilst the application site covers the entire curtilage of the building, the application proposals specifically relate to the ground floor flat (Flat 1), its adjoining garage and utility room in the rear wing and its area of private garden ground in the northern corner of the site. The neighbouring flats occupy the first (Flat 2) and second (Flat 3) floors respectively.

Relevant Planning History

Application Number	Proposal	Decision Date
191392/DPP	Sub-division of existing ground floor flat into 2no. flats including conversion and alterations of existing garage to form living space; car parking and associated works	16.10.2019 Status: Withdrawn by Applicant

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the sub-division of the existing ground floor flat into two flats, for physical alterations associated to the subdivision and for the excavation of a section of raised grass area in order to extend the existing driveway.

A partition wall would be erected within the main building in order to create a new flat (Flat 4) within the northern part of the main building and the single storey rear wing. It is proposed to replace the existing utility room door on the eastern elevation of the rear wing with a new white timber door (which would form the front entrance door to the new flat) and glazed side screen, and to replace

the existing garage door with white timber-framed patio doors and side screens. The front (east) elevation would be finished with a grey wet-dash render to match existing.

A 1.2m high, c. 28sqm area of raised grass positioned opposite the applicant's garage would be excavated to the ground level of the existing driveway and laid with gravel chips in order to form an extension to the driveway and provide additional space for off-street car parking and bin storage. The existing granite rubble wall and steps would be re-used in the new layout and an existing retaining wall along the eastern boundary would be revealed and finished with a grey render on its western elevation.

Alterations made since original submission

Initially it was proposed to finish the eastern elevation of the rear wing with PVC doors and windows and a white render whilst it was not proposed to re-use the existing granite steps to provide access to the garden area for Flat 4. Amended plans were subsequently submitted in order to change the colour of the wall finish, the material for the windows and doors, and to include the re-use of the existing steps.

The initial proposals also sought to increase the height of the existing parapet wall to the garage and to raise the height of the applicant's section of the flat roofed northern wing by 200mm in order to accommodate insulation. The increases in the parapet and flat roof heights were subsequently omitted from the proposals and those elements are to remain as existing.

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=PZIK2HBZKCM00>

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the local Community Council have objected, and because a total of 32 objections to the application have been submitted by members of the public.

CONSULTATIONS

ACC - Roads Development Management Team – No objection. The proposals would increase the parking requirement from 1.5 spaces for the existing flat, to 3 spaces for the two existing and proposed flats. A single space would be provided for each flat, resulting in a cumulative shortfall of one space. However, the wider site incorporates an extensive driveway area which has space for at least 10 cars without any obstructions being caused. The likelihood of any parking overspill onto the adopted road is minimal. The new parking area is adequately sized and the proposed bin storage areas are acceptable.

ACC - Environmental Health – No response.

ACC - Waste Strategy Team – No objection. Provided comments on what type of bins will require to be purchased for the new flat and details of where they should be presented for collection. These comments are added as an advisory note for the applicant to be aware of.

Braeside And Mannofield Community Council – Object for the following reasons:

- The development is contrary to aspects of supplementary guidance 'Modifications to Existing Buildings and Curtilages';
- The application is a further erosion of the character of the country houses set within the Pitfodels area which relates back to the original feu splitting in 1845;
- The application is alien to the general pattern, density and character of the building;
- The application borrows amenity from the existing tenants;
- There would be a loss of garden area to form additional car parking, to the detriment of visual amenity; and
- There would be a reduction in sunlight afforded to a room within the ownership of Flat 2 (marked as a 'Store' on the submitted drawings).

REPRESENTATIONS

A total of 32 representations have been submitted, all objecting to the application. The matters raised in the objections can be summarised as follows:

- The Aberdeen Local Development Plan (ALDP) states that there should be limited development in the Deeside area, due to pressure on infrastructure;
- The proposals would have a detrimental impact on existing trees and wildlife;
- The proposals would result in the overdevelopment of the site;
- The proposals would not respect the established density and pattern of development of the area;
- The proposals would have a detrimental impact on the amenity of the existing flats and neighbouring houses by:
 - Increasing pressure on, and proportionate share of, communal areas (garden and driveway)
 - Reducing the area of private garden ground associated to Flat 1 (the existing application property)
 - Resulting in a loss of privacy to Flat 3 (East)
 - Loss of daylight and sunlight receipt to two rooflights serving a room owned by Flat 2 in the single storey rear wing
 - Additional noise disturbance to existing residents resulting from the activities of additional residents
 - Placement of bins adjacent to the boundary with the neighbouring dwelling to the east
 - Placement of new kitchens would lead to cooking fumes etc affecting adjacent properties
- The proposals would not create a sufficient residential environment for the occupants of the new flat (Flat 4), due to:
 - Overlooking by existing residents;
 - Poor quality of outlook for the new flat;
 - Insufficient quantity and quality (usability) of private garden ground (non-compliance with Subdivision and Redevelopment of Residential Curtilages supplementary guidance)
 - Communal garden areas are also overshadowed by mature trees
- The proposals do not demonstrate the six qualities of successful placemaking;
- The alterations to the garage roof may have detrimental impacts on the existing drainage arrangement;
- A Tree Survey must be submitted, as required by supplementary guidance;
- The excavated car parking area would encroach within the Zone of Influence of some trees, contrary to supplementary guidance;

- The design of the proposed alterations to the northern wing is not compatible with the existing building – specifically the proposed use of PVC windows and doors and a white wet dash render;
- The addition of further bins would create road safety issues on collection days when they are placed adjacent to the site entrance on Northcote Road, within visibility splays;
- The new flat would result in an increase in traffic using the site and Northcote Road, to the detriment of road safety and on-street parking provision;
- The internal driveway area within the site is insufficient to cope with additional vehicles and cars may have to reverse out onto Northcote Road;
- There is insufficient car parking available within the site at present and this would be exacerbated by the proposals. Three spaces are required for the two flats, according to the Council's Transport and Accessibility supplementary guidance, yet only two are provided;
- The access point for the new, excavated car parking area is too narrow, such that cars could not access the space if the neighbouring space owned by Flat 3 is in use;
- The placement of patio doors serving the new flat, facing immediately onto the communal driveway area, would be to the detriment of the safety of the residents;
- If approved, a condition should be added to ensure that the proposed car parking area would be constructed prior to occupation of the new flat;
- The proposals conflict with Conservation Area Policy;
- Any extension to the footprint of the building would be detrimental to its character;
- The approval of this application would set an undesirable precedent for the addition of further residential units to the site in future;
- No details have been provided as to the materials to be used for the new retaining wall;
- The new retaining wall would detrimentally impact on the roots of the adjacent boundary hedge;
- The building is currently under consideration for listing by Historic Environment Scotland.

In addition to the above, the following non-material considerations have also been raised:

- The land ownership of various parts of the site as shown on the submitted drawings is queried;
- The proposals would render existing property title deeds inaccurate, requiring revision;
- The alterations to the existing garage would have structural implications for adjoining parts of the single storey northern wing;
- Councillors should consider applying a 20mph speed limit to Northcote Road;
- The internal alterations (specifically the siting of a new kitchen within the front room of the existing ground floor flat) would be unsympathetic to the character of the building;
- There is no provision to extend the existing feu disposition of water supply to a fourth property;
- The applicant has been parking a van poorly on Northcote Road, to the detriment of road safety.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

National Planning Policy and Guidance

- Scottish Planning Policy (SPP)

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)

- D1: Quality Placemaking by Design
- H1: Residential Areas
- NE5: Trees and Woodland
- NE6: Flooding, Drainage & Water Quality
- NE8: Natural Heritage
- R6: Waste Management Requirements for New Development
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel

Supplementary Guidance and Technical Advice Notes

- Householder Development Guide
- Sub-division & Redevelopment of Residential Curtilages
- Trees and Woodlands
- Transport and Accessibility

EVALUATION

Principle of Development

The application site lies within a residential area, as zoned in the Aberdeen Local Development Plan and Policy H1 (Residential Areas) is applicable. Policy H1 states:

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

1. *does not constitute over development;*

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

Assessment of the proposals is therefore required in order to ensure compliance with the four criteria of Policy H1 noted above.

Over development

In relation to residential development, 'over development' is typically assessed by calculating the impact of proposed physical works (i.e. a new building or an extension an existing building) on an existing residential curtilage in order to ensure that the existing dwelling is not overwhelmed by new development and retains an appropriate plot ratio (dwelling footprint to garden ground). However, in this instance, the proposals would not involve any increase in the footprint of the existing building. The works would involve the excavation of a section of grassed garden area to form an extension to the existing driveway but this area would not be significant, given the size of the site and the remaining amount of garden ground. Therefore, strictly in terms of physical works, the usual criteria for assessing over development are not applicable in this instance and the physical works would not result in the over development of the site.

However, whilst the proposals would not constitute over development in a physical sense, it is pertinent to also assess whether the addition of a fourth residential unit, contained within the envelope of the existing building, would result in the over development of the site in terms of the intensification of residential use on the site. In this regard, whilst the Council does not have any supplementary guidance (SG) specific to the sub-division of existing flatted buildings (the Sub-division and Redevelopment of Residential Curtilages supplementary guidance relates specifically to the '*construction of new houses and flats **within the garden ground** of existing residential property*' and the '*complete demolition and replacement of existing dwellings by new dwellings on the same curtilage*'), it is acknowledged that the intensification of a flatted development by creating additional units within the existing building envelope could contribute towards its over development, should the new units place undue strain on communal amenities.

However, in this instance, all of the existing flats would retain access to their own areas of private garden ground in addition to shared use of the larger communal external amenity space in the southern half of the site. The total amount of communal garden ground available to each flat would be significantly in excess of what would normally be expected for flatted properties in the city.

Therefore it is considered that due to the significant size of the curtilage, and in the absence of any increase in the footprint of the existing building, the intensification of use of the site's communal amenities resulting from the creation of one additional unit would not be significant enough to constitute the over development of the site.

Impact on the character and amenity of the surrounding area

This criterion is assessed under three separate headings, as follows:

Impact on the character of the area

The eastern boundary of the Pitfodels Conservation Area lies approximately 80m to the west of the site, marking the eastern edge of The International School of Aberdeen. Beyond the school to the west lie a mix of low-density uses within expansive, mature-landscaped plots, such as the Marcliffe Hotel. The context of the area immediately surrounding the application site however, is

predominantly residential, consisting of mostly mid-20th Century single and 1½ storey detached and semi-detached dwellings. In this regard, the application site is not typical of the surrounding area which does not have many (if any) flatted developments.

The building itself is set at least 40m back from Northcote Road, with mature landscaping and a 20th Century detached dwelling occupying much of the intervening space. The rear, northern wing of the building proposed to incorporate new windows and doors serving the new flat is not visible from outwith the site. The physical alterations would be relatively minor in their nature, limited to the non-traditional flat-roofed garage which is clearly secondary and subservient to the original granite-built main building and the physical works would not adversely affect the character of the area. The building is neither listed, nor sited within a conservation area.

Furthermore, given the surrounding area comprises predominantly suburban detached and semi-detached dwellings, the application site does not correspond with the prevailing character of the area. With this in mind it is considered that the addition of a further flat within the envelope of the existing building would not cause any harm to the character of the surrounding area.

Impact on the amenity of existing and neighbouring residents

The main properties that could be affected by the proposed development in terms of amenity are the three existing flats within the building and, to a lesser extent, the neighbouring detached dwelling to the east, 'Brae House'. The main aspects which could affect existing amenity are as follows:

- Privacy / overlooking

The entire floor area of the new flat (Flat 4) is already in residential use as part of Flat 1, and the existing windows generally overlook areas of communal driveway and garden ground. Whilst the existing garage door is proposed to be replaced with glazed patio doors to serve a new living room, that living room would overlook the shared driveway area and toward the landscaped eastern boundary of the site. Whilst Flats 1 and 3 would have access over the driveway and to areas of garden ground to the rear of the site, the likely impact of the new windows & doors on privacy would be minimal and restricted to the driveway area. The existing hedge lining the mutual eastern boundary of the site is proposed to be retained. The proposals would therefore not result in the direct overlooking of any neighbouring windows or private garden areas.

- Daylight / sunlight receipt

Initially, it was proposed to increase the height of the existing garage parapet and the applicant's section of the flat roof behind it by approximately 200mm. These aspects of the proposals have subsequently been omitted from the application however, as the required insulation is now proposed to be accommodated internally, within the existing building envelope. The proposals would not result in the loss of any daylight or direct sunlight receipt to any existing windows, nor to the two recently installed rooflights in the adjacent section of flat-roof owned by Flat 2.

- Access to external amenity space

The existing private areas of garden ground allocated to Flats 2 & 3 would be unaffected by the proposals and they would retain access to the communal areas of garden ground to the front of the building, albeit they would share that space with one additional flat. Flat 1's private garden area would be subdivided into two parts, in order to provide a section of private garden ground to Flat 4, as well as the southern section converted into an extension to the driveway to provide additional car parking. Flat 1 would therefore see a reduction in their private garden ground area from approximately 178sqm to approximately 78sqm. It is acknowledged that this would be a sizeable reduction compared to the existing situation. However, the remaining garden area contains a significant amount of trees and bushes (thus

limiting its usability), is not particularly usable at present and the resultant area would still provide a south-facing area of private garden ground in which the residents could sit out, should they wish, whilst retaining access to the larger communal lawn in the southern half of the site. Taking this into account and given private garden areas are not typically a requirement for flatted developments, it is considered that the access to external amenity space, whilst reduced from the present situation, would be sufficient and would not cause significant detriment to the amenity currently on offer to the occupants of Flat 1.

Quality of amenity for new occupants

The new flat would be predominantly single-aspect, with most windows facing to the east, but would also have one bedroom facing west. Combined with the large amount of glazing proposed on the eastern elevation, containing most of the living areas, daylight receipt for the new flat would be sufficient. The main outlook of the flat would be eastward, over the communal driveway / parking area and toward the landscaped eastern boundary. Given that section of the communal driveway would only likely be used infrequently by the occupants of Flats 1 and 3 to park cars and access their private garden areas, the proposed outlook for the flat is considered to be acceptable and the occupants of the new flat would not be likely to suffer a significant amount of overlooking from passing neighbours to the extent that it would detrimentally impact on privacy.

The new flat would have access to a c. 75sqm area of private garden ground, subdivided from the area currently associated to Flat 1. As with the remaining area for Flat 1, the space allocated to the new flat would incorporate trees and bushes which would limit its usability. Nevertheless, it would provide a private area for sitting out to the occupants of the flat, with access to the substantial communal lawn to the south also provided. Taking the foregoing into account it is considered that the occupants of the new flat would benefit from a satisfactory level of residential amenity.

Loss of Open Space

The proposals relate to an existing residential curtilage and would not result in the loss of any valued areas of open space.

Compliance with supplementary guidance

Householder Development Guide (HDG)

The HDG states that: *'proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building'*. Initially it was proposed to introduce PVC-framed windows and doors to the converted section of the rear wing. Whilst that material would not be consistent with the predominantly timber-framed traditional windows and doors of the 19th century main building, the alterations would be limited to the non-original single-storey flat-roofed rear wing of the building, which is architecturally subservient and secondary to the main portion of the building. The building is not listed, nor sited within a conservation area and there are other, non-traditional window types and frame materials evident in the building, including PVC windows to the top-floor flat and a PVC conservatory adjoining the garage of Flat 2, on the opposite side of the rear wing. The initially proposed use of PVC windows and doors in the rear wing of the building was therefore considered to be acceptable. However, the applicant has taken on board the concerns raised by objectors and has subsequently amended the proposals to change the material for the new doors and window frames to timber. This represents an improvement on the initial proposals and the proposed works would be satisfactory in terms of design. The use of a grey-render finish to the eastern elevation of the rear wing, to match existing, is also acceptable.

The HDG also states that: *'no extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity will count against a development proposal'*. The impact of the

proposals on existing amenity is assessed in the foregoing section of the evaluation. Whilst it is acknowledged that the proposals would have some impact on the amenity of the neighbouring properties, it is not considered that the impact would cause a significant adverse impact.

Sub-division and Redevelopment of Residential Curtilages (SRRC)

As noted above, the SRRC SG specifically relates to the construction of dwellings within the garden ground of existing residential property and the replacement of existing dwellings on the same curtilage. As a result, the SG is not particularly relevant to the assessment of this application, as it predominantly relates to dwellinghouses, rather than flatted developments. Nevertheless, it does contain relevant themes in respect of seeking to protect existing amenity and to provide adequate amenity for new occupants – both of which are addressed in the foregoing evaluation.

The SG also seeks to ensure that mature or attractive garden ground or trees should be retained where they make a significant contribution to the visual amenity of the neighbourhood. No existing trees are proposed for removal and the area of grassed garden ground to be excavated is relatively small, set back from the street and does not make a significant contribution to the visual amenity of the neighbourhood.

The SG notes that where trees are present on or adjacent to the application site, an Arboricultural Impact Assessment (AIA) will be required and that daylight and sunlight calculations should be submitted. However, the Planning Authority is satisfied that the excavated area of garden ground neither contains any trees, nor would the excavation cause any significant harm to the root protection areas of any nearby trees. Therefore, an AIA is not considered necessary in this instance, nor are daylight / sunlight calculations, given the new flat would clearly benefit from adequate daylight receipt and the initially proposed roof alterations have been omitted from the proposals, which would not affect daylight receipt for any neighbouring properties.

Trees and Woodlands

As noted above, the proposed works would not result in the loss of, or any significant harm to, any existing trees on the site.

Transport & Accessibility

The Transport & Accessibility SG notes that, as a guideline maxima, flatted developments in Outer City locations should have 1.5 car parking spaces per unit. The proposed development would see Flat 1 lose its car parking space within the garage which is to be converted into living accommodation for Flat 4. Two new car parking spaces would be provided in the excavated, extended driveway area, one space for each of Flats 1 and 4. This would result in a shortfall of one space between the two properties. However, in addition to the garages associated to Flats 2 & 3, and their own private sections of driveway, the communal driveway area surrounds the building on three sides and is approximately 10m wide in front of the building to the south. There is therefore ample space within the grounds of the site in which multiple cars could be parked, without detriment to the on-street car parking supply on Northcote Road. The Council's Roads Development Management Team do not object to the proposals.

Summary of compliance with Policy H1

To summarise, for the reasons given in the foregoing evaluation, it is considered that the proposals would not constitute overdevelopment of the site, would not adversely affect the character or amenity of the area to a significant degree, would not result in the loss of any open space and are generally compliant with the Council's supplementary guidance documents which are relevant to the application. The proposals are thus considered to comply with Policy H1 (Residential Areas) of the ALDP.

Other relevant policies

Policy D1 (Quality Placemaking by Design)

Policy D1 states: *'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.'*

D1 further notes that proposals will be considered against the following six essential placemaking qualities, although notes that the criteria used in assessing an application will be relevant to the scale, character and nature of the proposal. The six qualities of successful placemaking are typically more appropriate in the assessment of large-scale new housing developments and new places and are considered to be of limited relevance to the assessment of this application, which involves minor physical alterations to an existing non-traditional, subservient rear extension to the original building. Nonetheless, the development is considered to be of an adequate design for the context of the site (Welcoming), would not adversely affect neighbouring uses (Safe and Pleasant) and would result in denser development, sharing infrastructure and amenity with adjacent sites (Resource Efficient). The proposals are thus considered to comply with Policy D1.

Policy NE5 (Trees and Woodland)

Policy NE5 states a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands. The development has been sited to ensure that no trees would be removed or damaged. The proposals are thus compliant with Policy NE5.

Policy NE6 (Flooding, Drainage and Water Quality)

Following concerns raised in representations that the increased height of the applicant's section of the rear wing flat roof would pose drainage issues and lead to the pooling of water on the neighbour's section of roof, the applicant subsequently omitted the initially proposed roof alterations from the application, by proposing to accommodate the required insulation within the existing building. As a result, the shared roof would drain as existing, the proposals would not pose any risk of flooding to neighbouring properties and would be adequately drained, in accordance with Policy NE6.

Policy NE8 (Natural Heritage)

The excavation of a small section of raised grass would not affect any designated sites, protected species or carbon-rich soils and the proposals thus do not conflict with Policy NE8.

Policy R6 (Waste Management Requirements for New Development)

Policy R6 requires all developments to have sufficient space for the storage and collection of waste. New bins would require to be purchased for the new flat. There is ample space within the site for additional wheelie bins to be stored. They would be collected from the roadside on Northcote Road on collection days, as per the existing arrangement for the site. There is space to the side of the main driveway entrance and a grass verge on Northcote Road, on which the bins could be temporarily placed while awaiting collection. The proposals are therefore compliant with Policy R6.

Policy T2 (Managing the Transport Impact of Development) & Policy T3 (Sustainable and Active Travel)

Policies T2 and T3 require new developments to minimise traffic generated, to maximise opportunities for sustainable and active travel and to be accessible by a range of transport modes. The creation of one additional flat within the site would not be likely to result in a significant increase in traffic generated. The site lies in close proximity to regular bus services on North Deeside Road and there is space within the flats in which bicycles could be stored. Thus the site is accessible by a range of transport modes and sustainable and active travel could be utilised if the occupants wished to do so. The proposals are therefore compliant with Policies T2 and T3.

Summary of Local Development Plan considerations

Whilst it is acknowledged that the proposal to create an additional flat within the existing flatted building would impact upon the amenity of the existing residents, for the reasons given in the foregoing evaluation, it is considered that the impact on that amenity would not be sufficiently detrimental so as to warrant the refusal of the application and a satisfactory level of amenity would remain on offer to both existing and new residents.

Furthermore, the proposals would not result in the over development of the site, nor would they harm the character of the area. The proposals would be generally compliant with all relevant ALDP Policies and associated supplementary guidance and the application is therefore recommended for approval.

Strategic Development Plan

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. It does, however, highlight the long-term need for new housing in Aberdeen, targeting 40% of all new housing in Aberdeen to be on brownfield sites.

Other Material Considerations

In addition to the ALDP, the National Planning Framework (NPF) and Scottish Planning Policy (SPP) are material considerations in the determination of this application. Both documents encourage sustainable economic growth and SPP introduces a 'presumption in favour of development that contributes to sustainable development', including:

- *making efficient use of existing capacities of land, buildings and infrastructure*
- *supporting delivery of accessible housing*

It is considered that the proposed development would represent the efficient use of existing land on what is a relatively expansive site, delivering accessible housing in the process.

Matters raised by the Community Council

The majority of the concerns raised by the local Community Council have been addressed in the foregoing evaluation. The remainder of the concerns can be addressed as follows:

- *The development is contrary to aspects of supplementary guidance 'Modifications to Existing Buildings and Curtilages'*

It is presumed that the supplementary guidance referred to is the 'Subdivision and Redevelopment of Residential Curtilages' SG. The foregoing evaluation notes that that SG is not specifically relevant to this proposal.

- *The application is a further erosion of the character of the country houses set within the Pitfodels area which relates back to the original feu splitting in 1845 and is alien to the general pattern, density and character of the building*

The site is not located within the Pitfodels Conservation Area. The primary consideration in the determination of this application is Policy H1 and the relevant supplementary guidance, which are addressed above.

Matters raised in representations

The majority of the material concerns raised by objectors in representations have been addressed in the foregoing evaluation. The remainder of the concerns can be addressed as follows:

- *The Aberdeen Local Development Plan (ALDP) states that there should be limited development in the Deeside area, due to pressure on infrastructure*

Paragraph 2.25 on Page 19 The ALDP states that *'relatively limited development is proposed along the Deeside corridor'*. However, this paragraph forms part of a city-wide appraisal of land release sited for new housing development and is not applicable to householder development or the subdivision and redevelopment of existing residential curtilages.

- *The proposals would not respect the established density and pattern of development of the area;*

The surrounding area is characterised by suburban detached and semi-detached dwellings. The application site is therefore not typical of the character, density or pattern of development of the area. It is considered that the addition of one further flat to the expansive flatted development would not adversely affect the character of the area, nor constitute overdevelopment, in accordance with Policy H1.

- *The proposals would have a detrimental impact on the amenity of the existing flats and neighbouring houses by:*
 - *Additional noise disturbance to existing residents resulting from the activities of additional residents*
 - *Placement of bins adjacent to the boundary with the neighbouring dwelling to the east*
 - *Placement of new kitchens would lead to cooking fumes etc affecting adjacent properties*

The additional noise disturbance resulting from the creation of one additional flat, housed within the envelope of an existing flat, would not have a significant impact on amenity. Additionally, bedrooms are proposed to be sited within the main body of the building, with the living areas contained within the converted garage area, with no neighbouring properties located above.

The location of the bins on the submitted drawings is indicative and there is ample space for them to be sited elsewhere within the site. Nonetheless, the siting of the bins would not likely affect amenity. Any issues in relation to foul odours etc from either bins or domestic kitchens would be subject to Environmental Health action and are not a Planning matter.

- *The proposals would not create a sufficient residential environment for the occupants of the new flat (Flat 4), due to:*
 - *Communal garden areas being overshadowed by mature trees*

The new flat would have access to a small private external amenity space as well as the large communal area. The combination of the two spaces would be sufficient for the occupants of one two-bed flat.

- *A Tree Survey must be submitted, as required by supplementary guidance;*

As noted in the foregoing evaluation, a Tree Survey (or AIA) was not considered necessary. SPP Paragraph 35 states that: *'planning authorities should avoid asking for additional impact appraisals, unless necessary to enable a decision to be made.'*

- *The excavated car parking area would encroach within the Zone of Influence of some trees, contrary to supplementary guidance;*

The Council's Trees and Woodlands SG states that buildings and garden ground should generally be sited outwith the Zone of Influence (ZOI) of existing trees. However, given there would be little change from the existing situation, except for the potential slight incursion of the car parking area into a ZOI, the proposals are considered to be acceptable in this regard.

- *The design of the proposed alterations to the northern wing is not compatible with the existing building – specifically the proposed use of PVC windows and doors and a white wet dash render;*

The applicant has taken on board the aforementioned concerns in relation to the appearance of the external alterations and amended plans have subsequently been submitted, with the colour of the render changed to grey and the material for the windows and doors changed to timber.

- *The addition of further bins would create road safety issues on collection days when they are placed adjacent to the site entrance on Northcote Road, within visibility splays;*

There is space available adjacent to the entrance to the site and on an adjacent grass verge, in which bins could be temporarily placed without detriment to road safety.

- *The new flat would result in an increase in traffic using the site and Northcote Road, to the detriment of road safety and on-street parking provision;*

The addition of one property to the street would result in a negligible increase in traffic to the local road network. There is sufficient car parking available for the new flat within the site, such that on-street parking provision should not be affected.

- *The internal driveway area within the site is insufficient to cope with additional vehicles and cars may have to reverse out onto Northcote Road;*

The shared driveway is substantial in size and would provide ample space for cars to be parked and manoeuvred following the addition of a further flat to the site. It is highly unlikely that any cars would be required to reverse out onto Northcote Road. Cars may be required to reverse within the site but such distances would be short and would not adversely affect public safety.

- *The access point for the new, excavated car parking area is too narrow, such that cars could not access the space if the neighbouring space owned by Flat 3 is in use;*

Based on the plans submitted, the gap at the front of the new car parking area, between the raised garden area and the adjacent car parking space in the ownership for Flat 3, would be approximately 3m wide, which is considered sufficient to allow cars to enter and exit the extended driveway area.

- *The placement of patio doors serving the new flat, facing immediately onto the communal driveway area, would be to the detriment of the safety of the residents;*

The patio doors would be sliding (and thus not open out onto the driveway area) and fully glazed, thus visibility of the communal driveway would be maximised. It is not envisaged that

the driveway area in front of the new flat would see a significant amount of traffic, thus the risk to safety is considered to be minimal.

- *If approved, a condition should be added to ensure that the proposed car parking area would be constructed prior to occupation of the new flat;*

A condition is recommended in order to require the car parking area to be formed prior to occupation of the flat.

- *The proposals conflict with Conservation Area Policy;*

The application site does not lie within a Conservation Area, thus Policy D4 (Historic Environment) is not relevant.

- *The approval of this application would set an undesirable precedent for the addition of further residential units to the site in future;*

Each planning application is assessed on its own merits at the time of the application and the approval of this application would not set a precedent for future development.

- *No details have been provided as to the materials to be used for the new retaining wall;*

No details were submitted initially but amended plans have since been submitted which indicate that the existing retaining wall along the eastern boundary would be retained, exposed (following adjacent excavation) and finished with a grey render.

- *The new retaining wall would detrimentally impact on the roots of the adjacent boundary hedge;*

It is understood that there is an existing retaining wall that runs along the mutual boundary, albeit the majority of it is underground and cannot be seen at present. The applicant proposes to retain and reveal this wall, and to finish it with a grey render. With the existing wall to be retained it is likely that there would be no impact on the existing hedge belonging to the neighbour to the east. Nevertheless, unlike trees, hedges are not given any particular protection in Planning policy or guidance. The hedge is not proposed to be removed and any detrimental impacts to the neighbours' hedge as a result of the development would be a civil matter between the applicant and the owner of the hedge.

- *The building is currently under consideration for listing by Historic Environment Scotland*

The building is not listed at present and any proposals to potentially list the building do not carry any weight in the determination of this application.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed development would not constitute the over development of the site, nor would it adversely affect the character of the area or result in the loss of any open space. Whilst the proposed

development would impact on the amenity of some neighbouring properties it is considered that the impact on amenity would not be significantly detrimental so as to warrant the refusal of the application. A reasonable level of residential amenity would remain for the existing properties and be afforded to the occupants of the new property. The proposals would also be generally compliant with the relevant Council supplementary guidance documents (Householder Development Guide, Sub-division and Redevelopment of Residential Curtilages, Trees and Woodlands and Transport and Accessibility), thus the proposed development is considered to comply with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan (ALDP).

The development would be of an acceptable design, appropriate for its context, in accordance with Policy D1 (Quality Placemaking by Design) of the ALDP, whilst the proposals would not result in the loss of, or damage to, any existing trees, in accordance with Policy NE5 (Trees and Woodland). The proposals would not increase the risk of flooding to any existing properties, and would be adequately drained, in accordance with Policy NE6 (Flooding, Drainage & Water Quality) and would not harm and protected species, in accordance with Policy NE8 (Natural Heritage). The new development would incorporate adequate facilities for the storage of waste, in accordance with Policy R6 (Waste Management Requirements for New Development) and would accommodate sufficient off-street car parking and be accessible by a range of transport modes, including sustainable and active travel, in accordance with ALDP Policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel).

In addition to general compliance with the relevant policies and supplementary guidance of the ALDP, Scottish Planning Policy (SPP) is a material consideration. SPP states a presumption in favour of development that contributes to sustainable development and promotes the efficient use of existing capacities of land, buildings and infrastructure. The proposed development is considered to contribute toward sustainable development via the efficient use of existing land in accordance with SPP and there are no other material considerations which would warrant the refusal of the application.

CONDITIONS

(1) CONSTRUCTION OF PARKING AREA

Prior to the occupation of the hereby approved new flat, the extended car parking area as shown in drawings 100 Rev F and 3955_102a shall be constructed and laid out in full accordance with the approved plans, or similar as may be agreed in writing with the Council, as Planning Authority.

Reason: In the interests of ensuring adequate off-street car parking is provided within the site.

(2) BIN PROVISION

The hereby approved flat shall not be occupied until such time as a scheme for the storage of waste generated by the new flat has been agreed in writing with the Council as Planning Authority and thereafter the agreed scheme has been implemented.

Reason: In the interests of ensuring the adequate storage of waste and protecting amenity.

ADVISORY NOTES FOR APPLICANT

WASTE STORAGE AND COLLECTION

Each new property will be provided with:

- **1 x 180 litre wheeled bin for general waste**
- **1 x 240 litre co-mingled recycling bin for recycling**
- **1 x 240litre wheeled bin for food and garden waste (kitchen caddy, bioliners and associated information will be provided as well)**

The following costs will be charged to the developer:

- **Each 180l or 240l bin cost £35.00 each**
- **£30 delivery charge for the 6 bins**

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

General points

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

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

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

Responding Officer: Hannah Lynch

Email: halynch@aberdeencity.gov.uk