

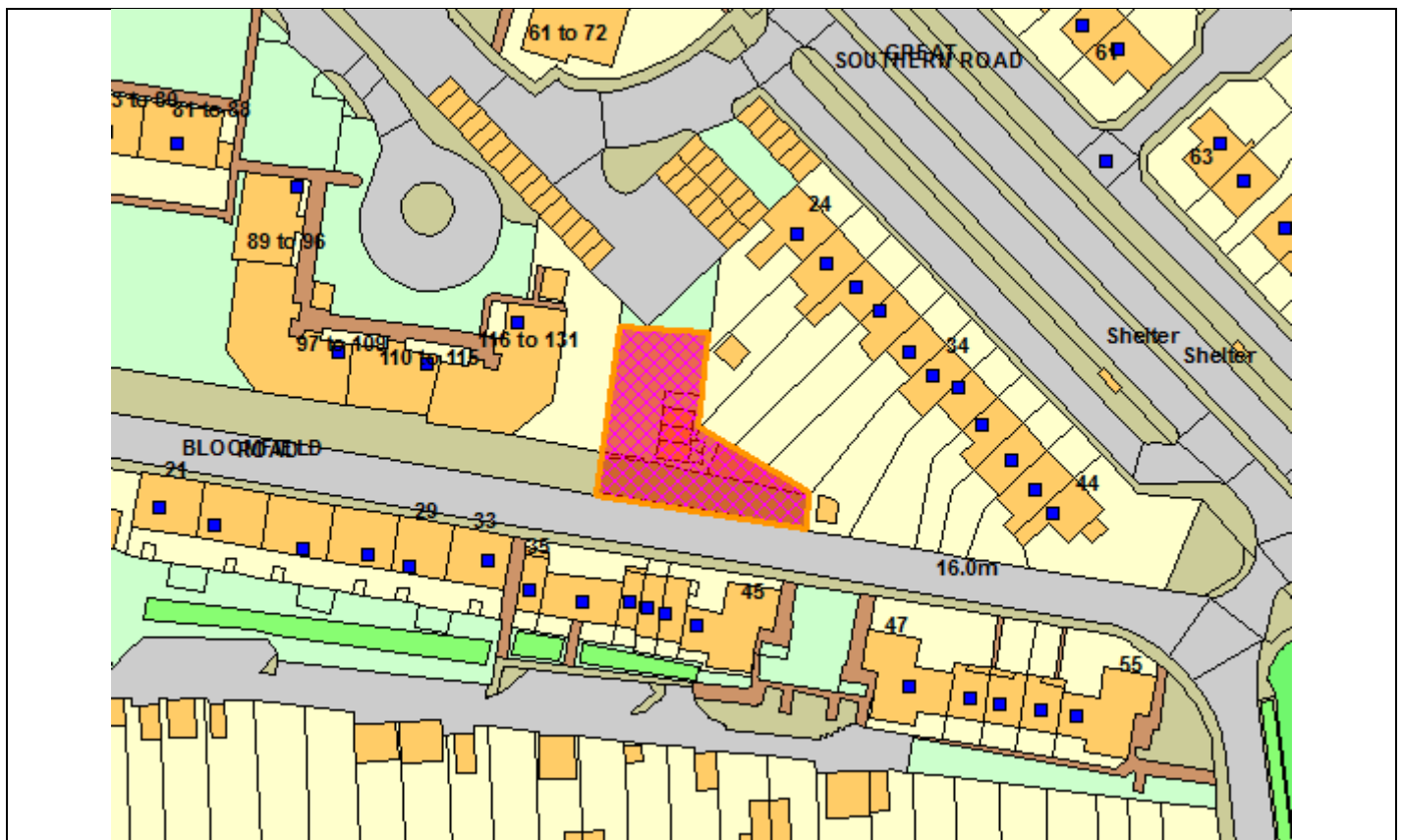


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 August 2020

Site Address:	Land Opposite To 39 Bloomfield Road, Aberdeen, AB10 6AG,
Application Description:	Erection of a 2 storey dwelling house with integral double garage; terrace; external steps; partial excavation and releveling including construction of retaining walls/fencing and associated landscaping
Application Ref:	200484/DPP
Application Type	Detailed Planning Permission
Application Date:	23 April 2020
Applicant:	Mr Jon Whyte
Ward:	Torry/Ferryhill
Community Council:	Ferryhill and Ruthrieston
Case Officer:	Dineke Brasier



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

An irregular shaped site extending to c.680m² located on the north side of Bloomfield Road, towards the end with Great Southern Road, within an existing residential area. The site initially slopes steeply up from south to north, with a change in levels of c.3.5m, before flattening out further back into the site. It is currently unused and is predominantly grassed/vegetated.

To the south is a three to four storey modern flatted block facing out onto Bloomfield Road; to the west is a three to four storey modern flatted complex part of Bloomfield Court; to the north is a turning area and freestanding garage blocks serving the flats to the west and further to the north; and to the east is a row of more traditional granite two storey terraced properties fronting Great Southern Road, some of which have gardens extending back to the application site boundary.

Relevant Planning History

180060/DPP - Erection of a 1½ storey dwelling with double garage, partial excavation and releveling, including construction of retaining walls and associated landscaping – Approved on 26th April 2018.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the erection of a two storey detached dwelling with integral garage on the lower ground floor. Accommodation would comprise a lounge; kitchen/family area; bedroom and bathroom on the ground floor with a further three bedrooms and two bathrooms on the first floor. The lower ground floor would include an integral double garage, study and utility room. The dwelling would have a contemporary design, with a south facing principal elevation. It would have a rectangular plan measuring c.12m by c.8.5m with a ground floor front projection measuring c.6m by c.5.5m (i.e. the ground floor is L-shaped) resulting in an overall footprint of c.130m². The dwelling would have asymmetric mono-pitched roofs where the overall height of the western half of the dwelling would be c.0.2m higher than the overall height of the eastern half. Fenestration would include fully glazed doors and full height windows on the ground floor of the north, south and east elevations, with additional smaller windows proposed on the ground floor of the west, and both the ground and first floor of the north and south elevations. Proposed materials would include vertical larch cladding and off-white smooth render for the walls, profiled metal sheeting for the roof and dark grey windows and doors.

The site itself would be predominantly levelled, with a new driveway created off Bloomfield Road with parts of the bank retained to the east and west. To the front of the ground floor of the dwelling would be a patio/terrace at ground floor level, with a private garden to the rear of the building. Boundary treatment would consist of a timber fence along the west, north and east boundary, with a more open frontage along the south facing boundary onto Bloomfield Road.

The proposal has been amended during the planning application process, with the orientation of the building altered, private rear garden area increased, and the removal of first floor windows on the east elevation. These amendments were considered to comprise a material change to the proposal and a second consultation period was undertaken.

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=Q94P2EBZHVV00

Planning and Design Statement by Eleanor Alexander Architect, dated April 2020 setting out the rationale behind the proposed design and compliance with all relevant policies.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because a total of 6 letters of objection were received during the first consultation, with additional comments received from the same 6 objectors during the renotification period.

CONSULTATIONS

ACC - Roads Development Management Team – No objections. Sufficient parking would be provided on the driveway and the garage, with the garage meeting the minimum internal dimensions required. It should be ensured that nothing higher than 1m will be located within the visibility splay.

ACC - Waste and Recycling – No objections

ACC - Contaminated Land Team – No objections subject to the use of a suitably worded condition in relation to the submission of a contaminated land assessment. The site was previously occupied by a sand pit (west) and a stone yard (east) and there is therefore the potential for some contamination.

Ferryhill and Ruthrieston Community Council – None received

REPRESENTATIONS

Six timeous letters of objection were received to the initial round of neighbour notification, raising the following matters:

1. The modern design of the proposed dwelling is not homogenous with the surrounding area and is out of character;
2. Proposal would result in a loss of privacy to gardens and properties at Great Southern Road;
3. Proposal would result in overdevelopment of the site, and would constitute a 50% increase in the floorspace previously approved;
4. The proposal would result in an increase in traffic on Bloomfield Road, which is a narrow, quiet road;
5. Comparison of the proposed design with the Whinhill Medical Centre is irrelevant.

Following amendments to the proposal, and in particular the removal of first floor windows in the east elevation and the re-orientation of the building, a further round of neighbour notification was triggered. A total of 6 timeous letters of objection were received, all from the same objectors as previously raising the following additional matters:

6. Insufficient garden space for proposed residents, which is less than the minimum requirements;
7. Removal of upper floor windows on the east elevation is an improvement. If Councillors are minded to approve the application, can a condition be added to remove permitted development rights to ensure no windows can be installed in that upper floor elevation without express consent from the Planning Authority, and that the boundary treatment is installed prior to occupation.

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 may also be a material consideration. The Proposed SDP constitutes the settled view of the Strategic Development Planning Authority (and both partner Councils) as to what should be the final content of the next approved Strategic Development Plan. The Proposed SDP was submitted for Examination by Scottish Ministers in Spring 2019, and the Reporter has now reported back. The Scottish Ministers will consider the Reporter's Report and decide whether or not to approve or modify the Proposed SDP. The exact weight to be given to matters contained in the Proposed SDP in relation to specific applications will depend on whether:

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

Aberdeen Local Development Plan (2017)

H1: Residential Areas

D1: Quality Placemaking by Design

T2: Managing the Transport Impact of Development

R2: Degraded and Contaminated Land

R6: Waste Management Requirements for New Development

R7: Low and Zero Carbon Building and Water Efficiency

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- these matters have been subject to public consultation through the Main Issues Report; and,
- the level of objection raised in relation these matters as part of the Main Issues Report; and,
- the relevance of these matters to the application under consideration.

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

H1: Residential Areas

D1: Quality Placemaking

D2: Amenity

T2: Sustainable Transport

T3: Parking

R2: Degraded and Contaminated Land

R5: Waste Management Requirements in New Development

R6: Low and Zero Carbon and Water Efficiency

Supplementary Guidance

Subdivision and Redevelopment of Residential Curtilages

Transport and Accessibility

Technical Advice Note

Materials

EVALUATION

Principle of Development

The principle of residential development on the site has been accepted as part of the previous permission 180060/DPP, which is still valid and can still be implemented.

The site is located in an existing residential area and policy H1 applies. This policy sets out that residential development is acceptable in principle provided it:

- Would not result in overdevelopment;
- Would not have an adverse impact on the character and amenity of the surrounding area;
- Would not result in the loss of valuable and valued open space; and
- Complies with all relevant Supplementary Guidance, in this case Supplementary Guidance on the Subdivision and Redevelopment of Residential Curtilages.

The site was previously used as part of the garden of the Bloomfield Court flats immediately to the west of the application site. However, it hasn't been used as such for a long period of time, and is currently fenced off and overgrown. As such, it is not considered to comprise valuable or valued open space, and this part of the policy is complied with.

A further detailed assessment of all other criteria will be set out below.

Scale and Design

The previously approved 1½ storey dwelling had an overall footprint of c.110m² with a traditional pitched roof design, predominantly rendered walls and a gabled front projection with full height glazing and a garage on the lower ground floor. The site itself measured just under 600m², resulting in a plot coverage of c.18.9%

This current application sees an increase in both the development site to c.680m², and the footprint of the building to c.130m², resulting in a plot coverage of c.19.1%. As such, the proposal would be for a similar level of development on the site taking account of the increase in the size of

both the development site and the footprint of the building. Similarly, the site layout of both proposals is comparable, with a garage set at lower ground level, a large garden area to the side and relatively shallow rear garden.

Where the current proposal is different from that previously approved is its design, scale and massing. The previous approval was for a 1½ storey detached dwelling of a fairly traditional pitched roof design with a gabled front projection. This current proposal is for a two storey dwelling of a contemporary design. It would have an off-set mono pitched roof finished in metal profile sheeting, with walls finished in a combination of off-white smooth render and timber linings. The dwelling would have a south-facing principal elevation, and would have a rectangular plan orientated in an east-west direction. The single storey front projection would include full height glazing on both the south and east elevations and would act as a design feature upon approach from the east breaking up the massing of the overall building. The garage would sit within the existing bank on the site, which would be partly excavated to create the driveway area to the front. This split-level approach would work well to ensure the property would not appear too overtly dominating in the surrounding area, as it would be seen against the soft landscaped bank which rises up towards the dwelling.

The overall height of the dwelling would be c.6.8m, not including the lower ground floor, with an eaves height of c.4.8m. Even though this would be lower than the ridge height of the previously approved dwelling, which was set at 7.5m, due to the change in design with the gable facing Bloomfield Road, and the use of a full two storey design, the overall massing of the proposed dwelling would appear larger than that of the one previously approved. However, the dwelling would be set in an area with a mixed character, which consists of a mix of three and four storey flats to the west and south, and two storey terraced dwellings to the east. Given this context, the introduction of a full two storey dwelling on this site would not appear out of character or of an unacceptable scale and massing.

Furthermore, given there is a mix of traditional and more modern building designs in the surrounding area, the introduction of a contemporary design would be accepted. Proposed finishing materials include vertical larch cladding and off-white smooth render for the walls. These are all set out as acceptable materials appropriate in this mixed context in the Material Technical Advice Note.

Residential amenity

Properties at Great Southern Road

The proposal would have an east elevation facing the two storey terraced properties on Great Southern Road, whose generally long rear gardens would border the application site. Proposed boundary treatment would include a 1.8m timber fence along this boundary, which would be accepted, and would ensure that no ground floor windows in this elevation would result in unacceptable levels of overlooking/loss of privacy to the private rear gardens of these properties. The proposed design would not include any east facing windows on first floor level, ensuring that there would be no adverse impact on the residential amenity of these dwellings due to increased overlooking/ loss of privacy.

Other properties

The distance between the boundary of the application site and the Bloomfield Court flats to the west is set at c.9.5m. Again, the design would only include ground floor windows on this elevation, which, with suitable boundary treatment of a 1.8m high timber fence, would not result in any overlooking/loss of privacy to the residents of these flats.

The proposal would result in the introduction of a structure with an eaves height of c.4.8m across a length of c.8m at a distance of just over 10m from the main windows serving a number of flats. This could be considered to have an impact on the outlook of these flats, which is currently partly

screened by trees and mature vegetation on the east boundary of the application site. However, taking account of the relatively low eaves height of the building, and that the pitch of the roof slopes up away from the west boundary, it is considered that this would not have such a detrimental impact on the outlook of these properties to warrant refusal of the proposal.

Given the relatively low height of the building and the shallow pitched roof, it would not result in any significant loss of light to the flats in Bloomfield Court to the west. The building would be too far from the existing properties on Great Southern Road to the east and Bloomfield Road to the north to result in a loss of light to these properties.

Future occupants

The proposed dwelling would provide a good level of living accommodation for future occupants. The rear garden is relatively shallow at c.6.7m. However, this is an increase when compared to the scheme previously approved, which had a rear garden with a depth of c.5m. Furthermore, due to the width of the plot at c.15m, the large side garden, and the south facing terrace to the front, it is considered that the dwelling would be served by sufficient usable outdoor amenity space.

Parking and access

Bloomfield Road is a narrow two way street with on-street parking and communal bins serving the flats along the south side, and double yellow lines on the north side. There is a single pavement, again running along the south. Supplementary Guidance on Transport and Accessibility sets out that a bedroom dwelling in this location should have a maximum of three parking spaces. These spaces are provided in the double garage and on the driveway to the front.

Colleagues in Roads Development Management were consulted on the scheme, and did not raise any concerns in relation to an increase in traffic on Bloomfield Road and the proposed access and parking arrangements.

Waste

The proposed site layout shows a bin store to the side of the proposed dwelling, with proposed kerbside collection. This would be acceptable.

Contaminated land

The site was previously used as a sand pit and stone yard and there might be some contamination resulting from these previous uses. The Council's Contaminated Land Unit has been consulted on this application, and raised no objections subject to the inclusion of a suitably worded condition requesting the submission of a contaminated land assessment prior to development.

Low and Zero Carbon

No information has been submitted setting out how the proposal will comply with the requirements as set out in relation to policies on low and zero carbon building and water efficiency. Policy R7 (Low and Zero Carbon Building, and Water Efficiency) sets out that all new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology. These details, plus additional information on water saving technologies and techniques to be installed in the building can be submitted through condition.

Matters raised in letters of objection

1. The modern design of the proposed dwelling is not homogenous with the surrounding area and is out of character – *This is addressed in the evaluation*
2. Proposal would result in a loss of privacy to gardens and properties at Great Southern Road – *This is addressed in the evaluation;*
3. Proposal would result in overdevelopment of the site, and would constitute a 50% increase in the floorspace previously approved – *This is addressed in the evaluation above. The proposed footprint*

of the dwelling is c.20m² larger than that previously approved. However, the development site has also increased by c.80m² resulting in an overall similar level of development across the site;

4. The proposal would result in an increase in traffic on Bloomfield Road, which is a narrow, quiet road – *Colleagues in Roads Development Management have assessed the proposal, and did not raise concerns in relation to the increase in traffic on Bloomfield Road associated to the single dwelling subject of this application;*
5. Comparison of the proposed design with the Whinhill Medical Centre is irrelevant – *The proposal is assessed in the context of the immediate surrounding area, and its design is considered acceptable in this context.*
6. Insufficient garden space for proposed residents, which is less than the minimum requirements – *This is addressed in the evaluation above;*
7. Removal of upper floor windows on the east elevation is an improvement. If Councillors are minded to approve the application, can a condition be added to remove permitted development rights to ensure no windows can be installed in that upper floor elevation without express consent from the Planning Authority, and that the boundary treatment is installed prior to occupation – *Given the distance between the east elevation of the dwelling and the rear elevation of the properties on Great Southern Road it is not considered necessary to recommend the inclusion of a condition restricting permitted development rights for the property. It is recommended however that a condition be attached requiring installation of boundary treatment as set out in the submitted drawings (1.8m timber fencing along the west, north and east boundaries) be installed prior to occupation.*

Proposed Aberdeen Local Development Plan

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

Policy D2 (Amenity) is a new policy, setting out that development should not have an adverse impact on existing residential amenity and should provide a good living environment for future residents. These issues are addressed above, and it is considered that this proposal would meet this emerging policy.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposal is considered not to have an adverse impact on the character and appearance of the surrounding area, nor would it be an overdevelopment of the site, nor would it have an adverse impact on the residential amenity of surrounding properties or local highway conditions, especially in relation to parking and access. Subject to conditions, it would comply with policies H1 (Residential Areas), D1 (Quality Placemaking by Development), T2 (Managing the Transport Impact of Development), R2 (Degraded and Contaminated Land), R6 (Waste Management Requirements for New Development) and R7 (Low and Zero Carbon Building, and Water Efficiency) of the 2017 Aberdeen Local Development Plan, policies H1 (Residential Areas), D1 (Quality Placemaking), D2 (Amenity), T2 (Sustainable Transport), T3 (Parking), R2 (Degraded and Contaminated Land), R5 (Waste Management Requirements for New Development) and R6 (Low and Zero Carbon Building, and Water Efficiency) of the 2020 Proposed Local Development Plan, Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages and Transport and Accessibility, and Technical Advice Note on Materials.

CONDITIONS

1. No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been approved in writing by the planning authority.

The scheme shall follow the procedures outlined in "Planning Advice Note 33 Development of Contaminated Land" and shall be conducted by a suitably qualified person in accordance with best practice as detailed in "BS10175 Investigation of Potentially Contaminated Sites - Code of Practice" and other best practice guidance and shall include:

- a. an investigation to determine the nature and extent of contamination and any ground gases
- b. a site-specific risk assessment
- c. a remediation plan to address any significant risks and ensure the site is fit for the use proposed
- d. verification protocols to demonstrate compliance with the remediation plan

Reason: To ensure that the site is suitable for use and fit for human occupation

2. No building(s) on the development site shall be occupied unless

- a. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken

and

- b. a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination and ground gas issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

Reason: To ensure that the site is suitable for use and fit for human occupation

3. The building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Resources for New Development' Supplementary Guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full

Reason: To ensure that this development complies with requirements for reductions in carbon emissions specified in Policy R7 of the 2017 Aberdeen Local Development Plan.

4. The building hereby approved shall not be occupied unless the boundary treatment as specified in drawing 02E have been installed, and shall be retained as such or replaced with a fence/screening of a similar height unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of residential amenity.