

# LOCAL REVIEW BODY

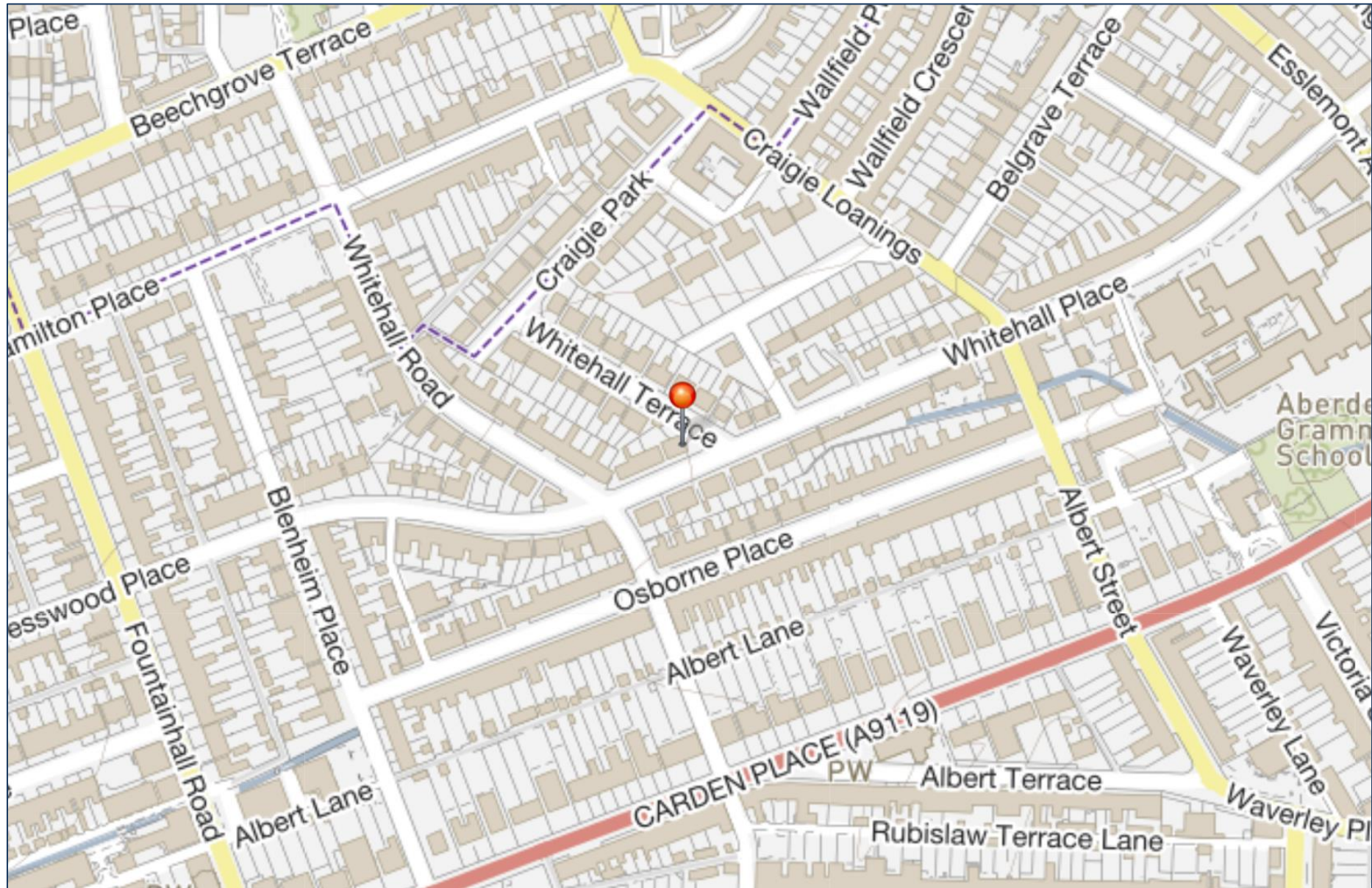


201165/DPP– Review against refusal of planning permission  
for:

*“Erection of summerhouse”*

at 82 Whitehall Place, Aberdeen, AB25 2RZ

# Location Plan (GIS)



# Location Plan



# Site Plan



# Site Photo



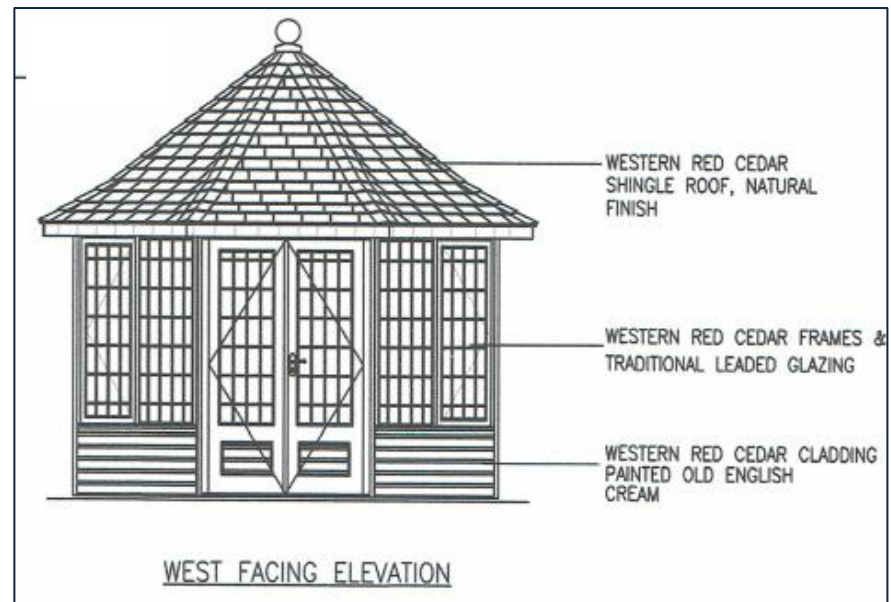
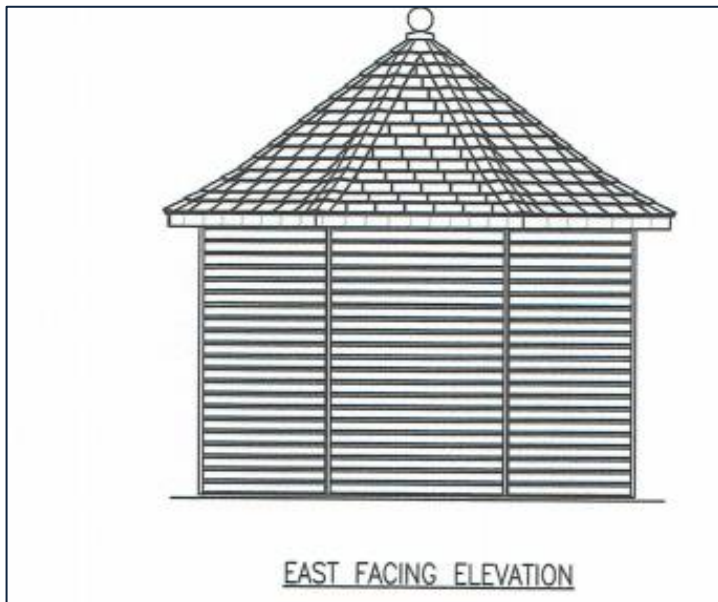
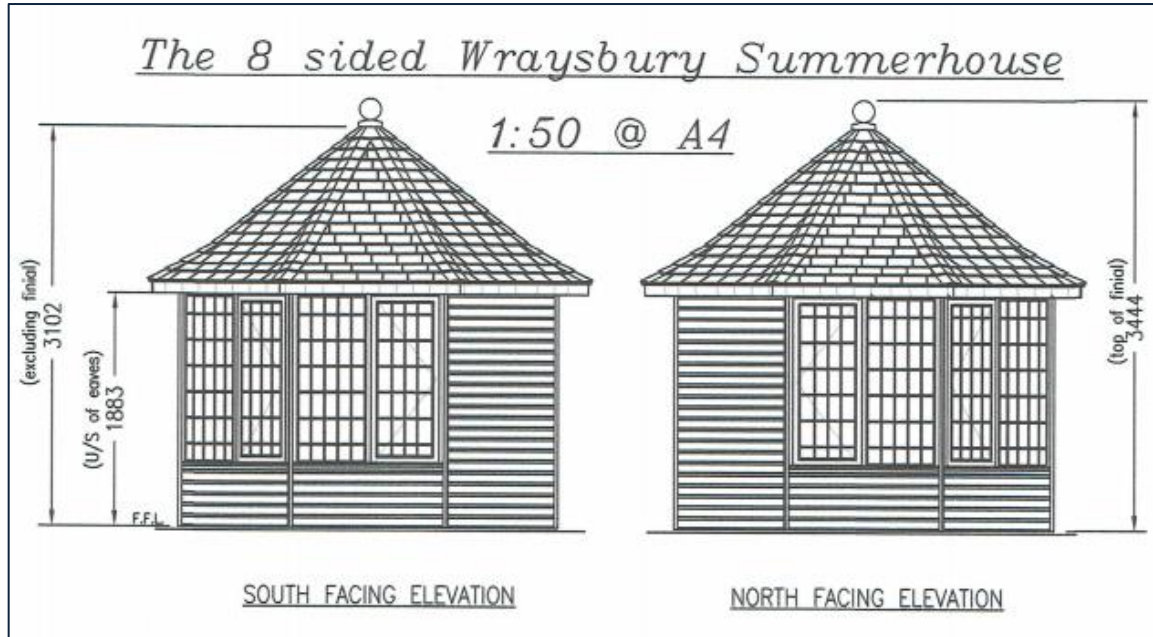
# Site Photos



# Site Photo

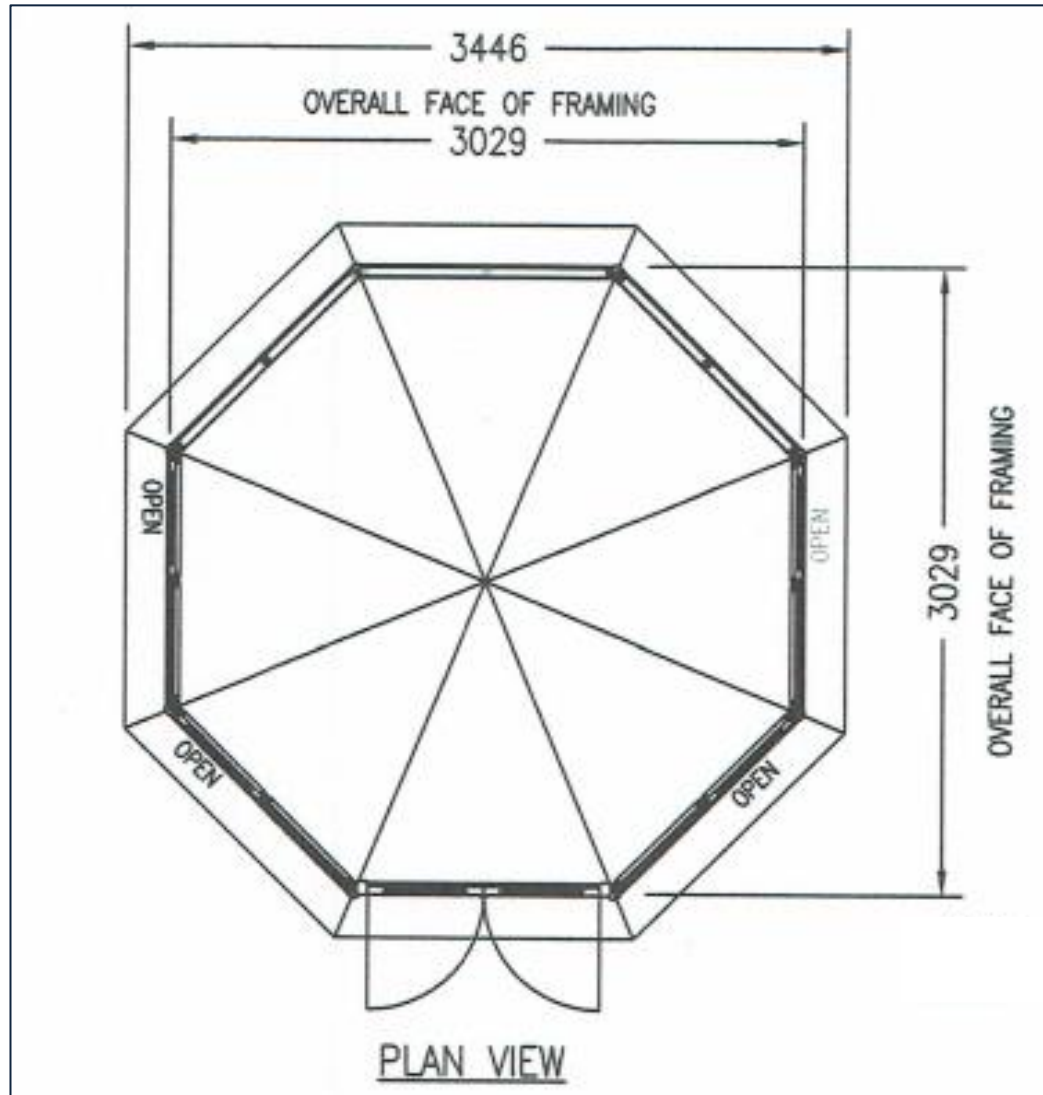


# Elevations





# Ground Floor Plan



# Reasons for Decision

The proposal has failed to consider the context of the site and its surrounding area, and on the basis that the proposed summerhouse would occupy a prominent location within the front garden of a residential curtilage and lie forward of the front building line, it is considered that such development would be incompatible with the established pattern of development on the streetscape, and have an adverse effect on the existing built environment. The proposal is therefore considered to be contrary to the requirements of Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) of the Aberdeen City Local Development Plan, and does not comply with the Council's Supplementary Guidance on 'Householder Development'.

The proposal would fail to preserve the character and appearance of the Rosemount and Westburn Conservation Area in line with the legislative requirements of Scottish Planning Policy and Historic Environment Policy Scotland, and would therefore also fail to address the requirements of Policy D4 (Historic Environment) of the Aberdeen City Local Development Plan.

# Applicant's Case

## Policy H1 – Residential Areas

Agrees with the appointed officers report that the proposal does not constitute over development; does not have an unacceptable impact on the character and amenity of the surrounding area and does not result in the loss of valuable and valued areas of open space.

With regards to compliance with Supplementary Guidance – The Householder Development Guide does not state that outbuildings will never be permitted in front gardens, but that locations will be restricted in the interest of ensuring that development forward of a front building ensuring no negative visual impact on the area.

The proposal is not considered to project forward of the existing building line along either Whitehall Place or Whitehall Terrace, which in some cases have development right up to the footway. Additionally, any potential visual impact would be minimised by the existing hedge and those elements which will be visible have been designed to be unobtrusive and to complement the streetscape.

Noted that the proposed development complies with all other criteria of the Supplementary Guidance.

# Applicant's Case

## **Policy D1 - Quality Placemaking by Design**

Applicant sets out that the development complies with the six qualities of successful placemaking. Although it is noted that not all qualities are relevant to all applications.

## **Policy D4 – Historic Environment**

The proposed summerhouse would not alter the pattern of the streets in the area, nor would it have any impact on any existing buildings or the identified parkland settings, it presents no conflict with this designation.

Rosemount and Westburn Conservation Area Appraisal - does not identify it as being a key or notable building within this character area, nor are either the house itself or the views along the street as a whole described as making any particular contribution to the character area, as such there would be no impact on the character area as a whole.

Nothing within the appraisal that justifies refusal of the proposed summerhouse at 82 Whitehall Place.

Policy D4 also needs to be read in the context of relevant national policy on the historic environment, including Scottish Planning Policy, the Historic Environment Policy for Scotland, and Historic Environment Scotland guidance notes on Managing Change in the Historic Environment.

# Applicant's Case

Makes reference to planning application 131045 and 182030/DPP - lend significant support to this application also being approved.

## Conclusion:

- The proposed summerhouse would not project forward of the existing building line established by other development on both Whitehall Place and Whitehall Terrace;
- The summerhouse would be largely screened from view by the existing hedge that bounds the site, with scope for a condition to be applied to any grant of planning permission to ensure that continues to be the case in future, such that the visual impact would be minimal; and
- Precedent decisions make it clear that the Conservation Area has capacity to absorb far more significant changes than that proposed in terms of this application, including development that does project forward of the existing building line.

# Considerations

## Policies

- Policy H1 - Residential Areas
- Policy D1 - Quality Placemaking by Design
- Policy D4 - Historic Environment

## Supplementary Guidance (SG)

- Householder Development Guide

## Other Material Considerations

- Rosemount and Westburn Conservation Area Appraisal
- Scottish Planning Policy
- Historic Environment Policy for Scotland
- Managing Change Guidance “Setting”

# Policy H1 – Residential Areas

## Policy H1 - Residential Areas

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

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

Does the proposal comply with all criteria?

# Householder Development Guidance – Outbuildings

In many cases ancillary buildings may be classed as permitted development. Where planning permission is required, the following rules will apply:

- Outbuildings must always be subordinate in scale to the dwellinghouse and two storey outbuildings will generally not be permitted;
- Where a second storey is to be accommodated within a pitched roofspace, outbuildings should retain the impression of being single storey in height and dormers will not be permitted as a means of gaining additional headroom;
- Access to an upper floor should be situated internally;
- Outbuildings should not have a negative impact on the character of the surrounding area;
- Where highly visible and especially in conservation areas, detached garages should be of a scale and design that respects the prevalent context of the surrounding area;
- Proposals will be assessed on their impact on the amenity of the area (e.g. loss of daylight/privacy) in the same way as extensions;
- Outbuildings will not usually be acceptable in front gardens because of the damaging impact development forward of a front building line can have on the visual character of an area.



# Policy D1 - Quality Placemaking by Design

## Policy D1 - Quality Placemaking by Design

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. Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

- **distinctive**
- **welcoming**
- **safe and pleasant**
- **easy to move around**
- **adaptable**
- **resource efficient**

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

Does the proposal represent a high standard of design and have strong and distinctive sense of place?

# Policy D4 - Historic Environment

## Policy D4 - Historic Environment

The Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, SHEP and its own Supplementary Guidance and Conservation Area Character Appraisals and Management Plan. There will be a presumption in favour of the retention and reuse of listed buildings and buildings within conservation areas that contribute to their character. High quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings, conservation areas and historic gardens and designed landscapes, will be supported.

Does the proposal present a high quality design that respects the character appearance and setting of the conservation area?

# Points for Consideration:

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

Zoning: Does the proposal comply with the tests set out in policy H1 (Residential Areas) and does it accord with the principles set out for outbuildings in the 'Householder Development Guide'?

Design: Is the proposal of sufficient design quality to be considered compliant with Policy D1 - *having regard for factors such as scale, siting, materials etc?*

Historic Environment: Would the proposed development impact the character and appearance of the Rosemount and Westburn Conservation Area/be compliant with the criteria of Policy D4?

## 2. Do other material considerations (e.g. Proposed ALDP, SPP, HEPS, Managing Change Guidance etc.) weigh in favour of approval or refusal?

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)