

LOCAL REVIEW BODY

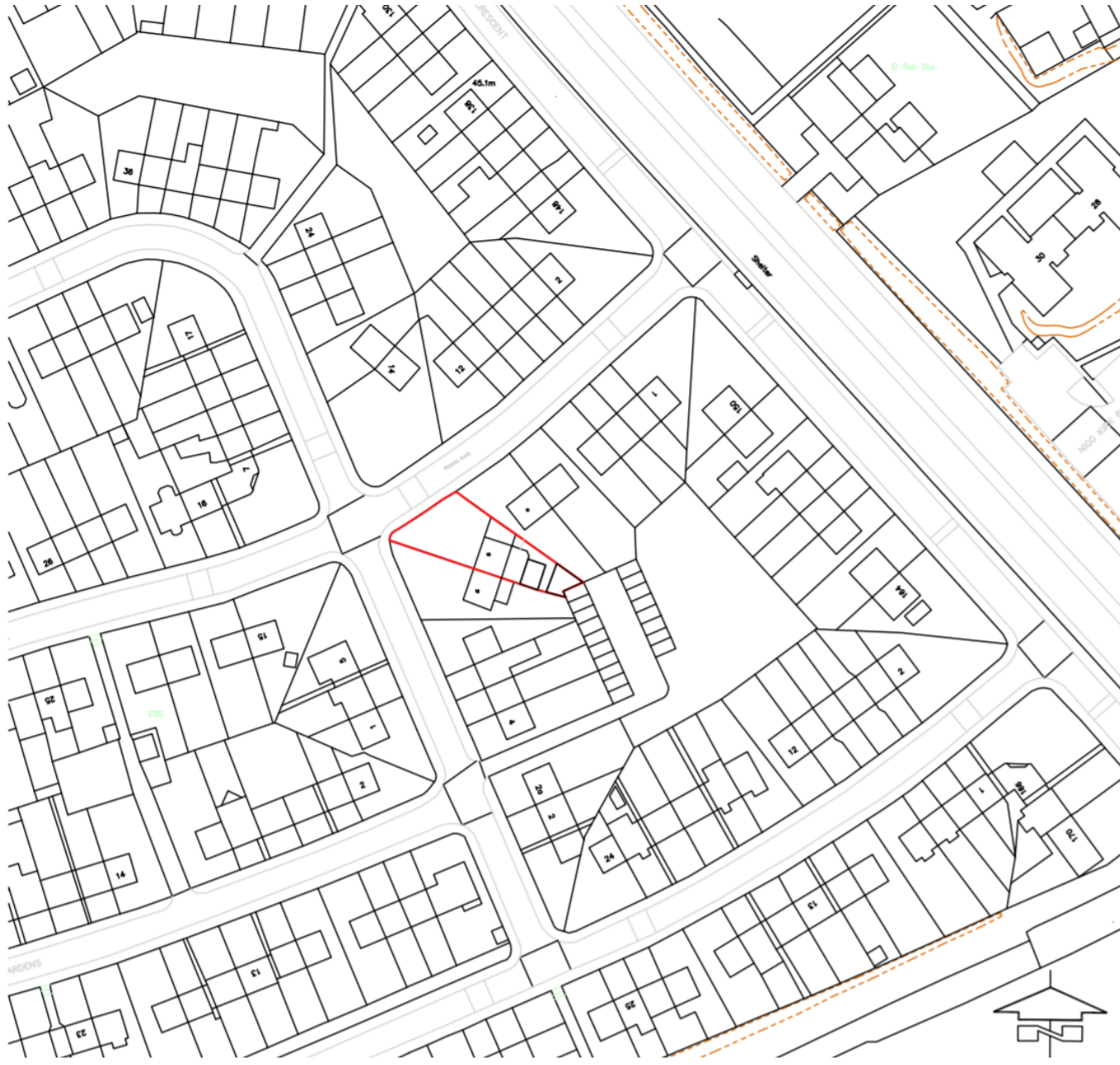


210913/DPP– Review against refusal of planning permission for:

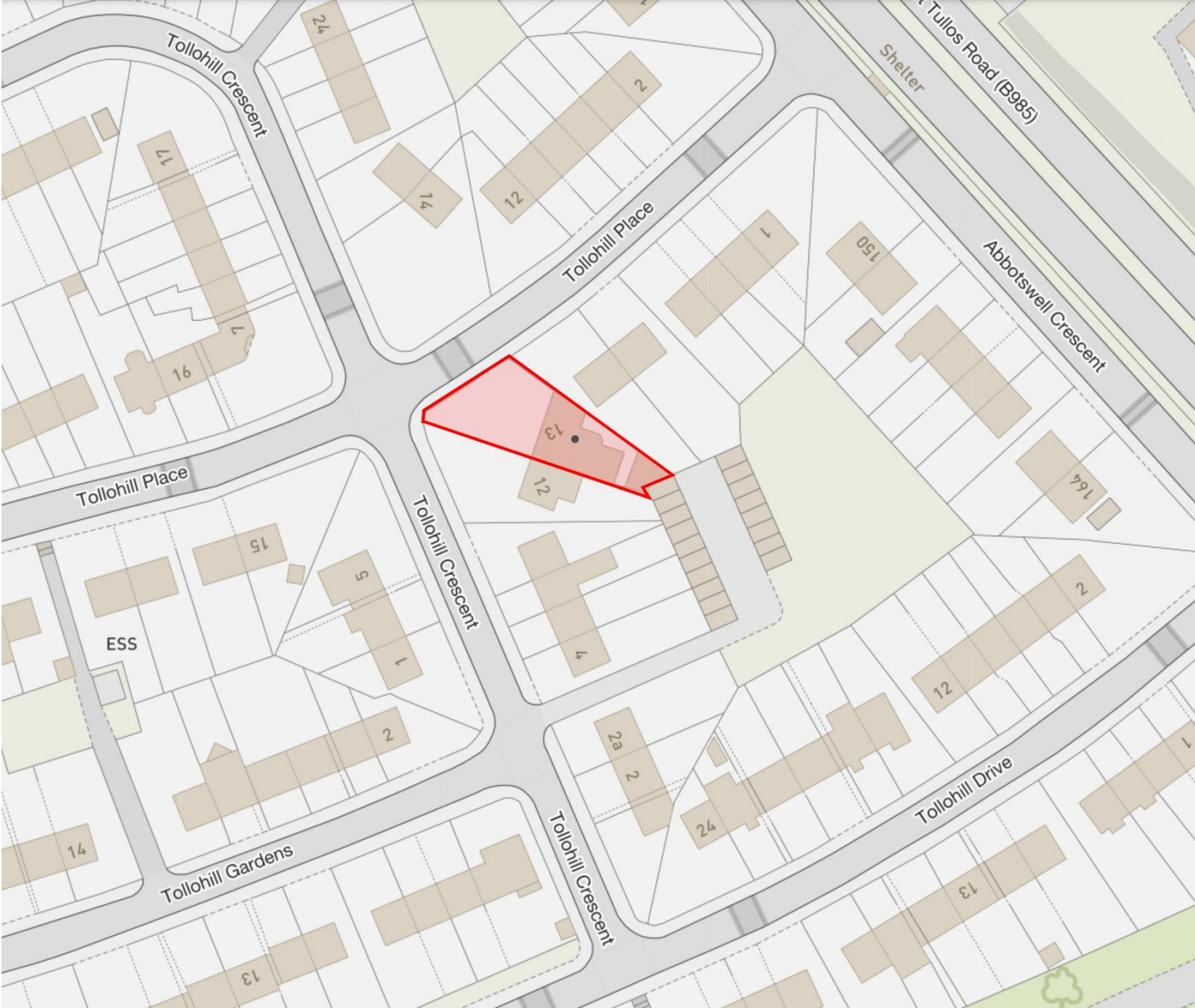
Erection of shed and pergola to rear (retrospective)

13 Tollohill Place, Aberdeen

Location Plan



Location – GIS



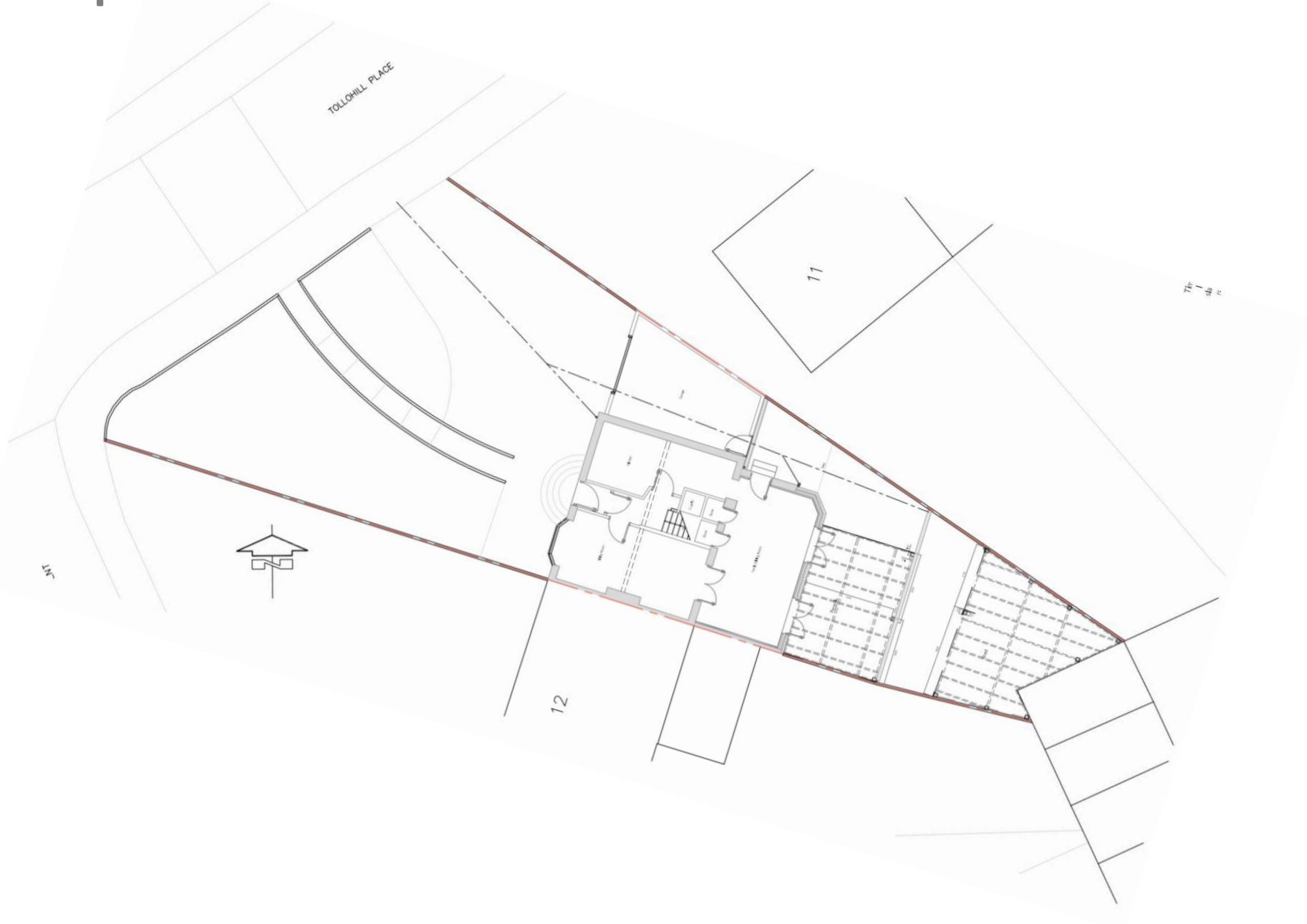
Location – Aerial Photo



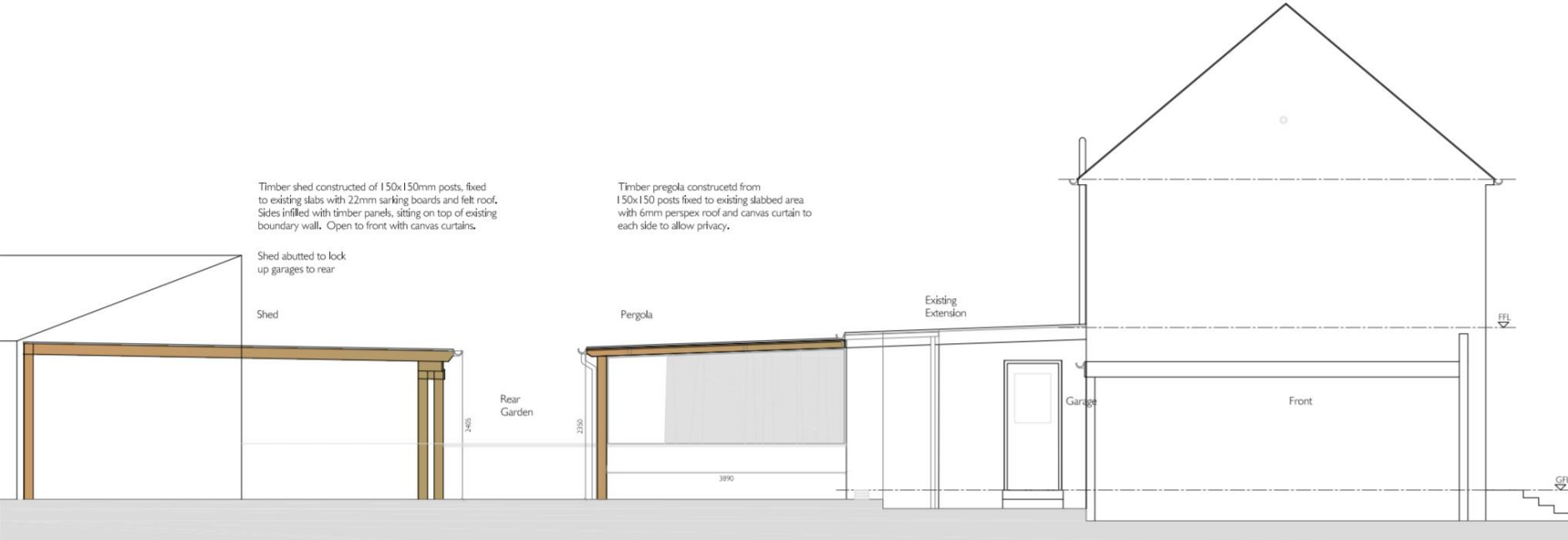
Proposed Site Plan



Proposed Site Plan

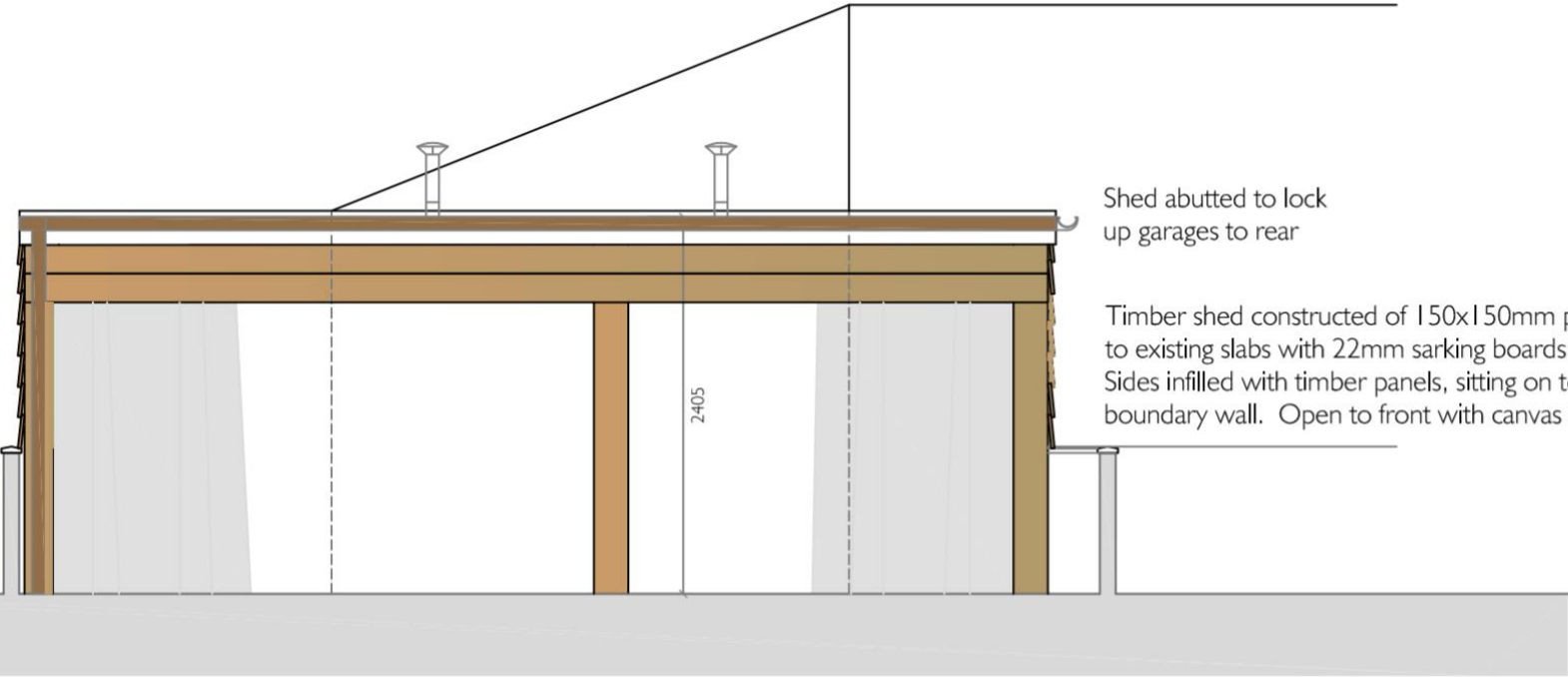


Elevations 1



NORTH EAST ELEVATION OF PERGOLA & SHED
SCALE 1:100

Elevations 2



Shed abutted to lock up garages to rear

Timber shed constructed of 150x150mm posts, fixed to existing slabs with 22mm sarking boards and felt roof. Sides infilled with timber panels, sitting on top of existing boundary wall. Open to front with canvas curtains.

NORTHWEST ELEVATION OF SHED
SCALE 1.50

Elevations 3



Timber pergola constructed from 150x150 posts fixed to existing slabbed area with 6mm perspex roof and canvas curtain to each side to allow privacy.

Existing Extension

2350

**SOUTH EAST ELEVATION OF PERGOLA
SCALE 1.50**

Photos



Photos



Reasons for Refusal

- Overdevelopment of the site – compares the pergola to an extension and highlights that the footprint of the original dwelling would more than double.
- Pergola and shed, when combined with existing development, result in 71.8% of the rear curtilage being covered by development, in conflict with the Householder Development Guide SG.
- Results in a disproportionately small area of private, undeveloped garden ground, which is incongruous with the established pattern of development and the character of the surrounding area.
- Pergola and shed result in development projecting along almost the entirety of the south-western boundary shared with 12 Tollohill Crescent which resultant adverse impact on outlook and amenity.
- Conflict with Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) of the ALDP; associated Householder Development SG; and equivalent policies of the proposed ALDP.
- No material planning considerations that warrant approval in this instance.

Applicant's Case

- Argues that the pergola and shed individually would fall under permitted development rights, if not for the 'developed' area at the rear of the house exceeding 50%;
- The pergola was built to facilitate a member of the household who was suffering from mental health problems and found it impossible to leave the house. It was built to afford privacy, while still being able to access the rear garden and get outside for fresh air and to help alleviate the mental health issues suffered.
- Disputes the appointed officer's inclusion of a garage to the side of the property within a calculation of the developed area to the rear. Puts forward alternative calculations showing that the proportion of developed rear curtilage is less than stated, and that the developed area of the entire plot would be less than 50%.
- Both structures are free standing and do not have permanent foundations and are demountable.
- The pergola structure is open on 3 sides, the shed being open at the front.

Applicant's Case

- The rear 'garden' area is entirely slabbed, similar to several other properties in the surrounding area;
- Contends that the impact to number 12 Tollohill Crescent would not be significant due to the orientation of the gardens (south east facing) - these structures do not block out any light to the adjoining property, with the pergola being open on 3 sides, with a Perspex roof which allows daylight to pass through. Neither structure is considered to result in adverse impact on privacy, daylight or general amenity of any neighbouring properties.
- The development is entirely to the rear of the property, and cannot be seen from the street side.
- Barbecue is not used any more frequently than any of the other neighbouring properties do and any smoke is directed through a flue at high level, resulting in less impact on neighbours than usual domestic use of a barbecue.



H1: Residential Areas

- Is this overdevelopment?
- Would it have an *'unacceptable impact on the character and amenity'* of the area?
- Would it result in the loss of open space?
- Does it comply with Supplementary Guidance?

(e.g. Householder Development Guide)



D1: Quality Placemaking by Design

All dev't 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”*.

Proposals will be assessed against the following six essential qualities:

- Distinctive
- Welcoming
- Safe and pleasant
- Easy to move around
- Adaptable
- Resource-efficient

SG: Householder Development Guide

- Extensions should be architecturally compatible with original house and surrounding area (design, scale etc)
- Should not '*dominate or overwhelm*' original house. Should remain visually subservient.
- Extensions should not result in a situation where the amenity of neighbouring properties would be adversely affected (e.g. privacy, daylight, general amenity)
- Approvals pre-dating this guidance do not represent a 'precedent'

SG: Householder Development Guide

- The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.
- No more than 50% of the front or rear curtilage shall be covered by development.
- On properties of 2 or more storeys, two storey extensions will generally be possible, subject to the considerations set out in the 'General Principles'.

SG: Householder Development Guide

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.

Points for Consideration:

Zoning: Do members consider that the proposed works would adversely affect the character or amenity of the area, as set out in policy H1? Do the proposed alterations accord with the relevant SG, also tied to policy H1?

Design: Is the proposal of sufficient design quality (D1), appropriate to its context?

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

2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)