



Strategic Place Planning

Report of Handling

Site Address:	32 Hillview Crescent, Aberdeen, AB15 9RT
Application Description:	Erection of replacement dwelling house with integrated garage, associated site works and hard surfacing/parking
Application Ref:	230825/DPP
Application Type:	Detailed Planning Permission
Application Date:	11 July 2023
Applicant:	Mr & Mrs M Freeman
Ward:	Lower Deeside
Community Council:	Cults, Bielside and Milltimber
Case Officer:	Robert Forbes

DECISION

Refuse

APPLICATION BACKGROUND

Site Description

The site lies within a suburban residential area opposite Cults academy. It comprises a detached 3 bedroom bungalow with integral garage and associated private garden ground / parking. There is a significant change in levels across the site with the site having a southerly aspect, such that the house is elevated above street level and the rear garden is elevated above the floor level of the house. The house has a dual pitched asymmetric roof with ridge running perpendicular to the street. The walls are clad with render and blockwork. Adjacent houses are of detached form and varied design and materials. The land to the north of the site, beyond a public path, is designated as a local nature conservation site (LNCS) and green space network and includes ancient woodland.

Relevant Planning History

Application Number	Proposal	Decision Date
230412/DPP	Erection of replacement dwelling house with integrated garage, associated site works and hard surfacing / parking.	01.06.2023
		Status: Withdrawn

APPLICATION DESCRIPTION

Description of Proposal

Erection of a replacement detached house with associated site works. The existing house would be demolished entirely. The proposed house would front onto the street and would have 1 ½ storeys. It would have similar footprint and siting to the existing house, but would be marginally recessed from the street relative to the existing house siting and would be marginally closer to the house to the west of the site. The upper floor would accommodate 4 bedrooms and a study and would have a substantial box dormer with pitched roof occupying the majority of the rear roof area. The front

roof slope would be pitched at 40 degrees and would accommodate 2 traditional dormers. The existing access and driveway would be retained. A 6m wide integral garage would occupy the east part of the ground floor. The house would have a total of 5 en-suite bedrooms and a separate utility room. The main lounge / dining area would be located on the north (rear) elevation. Solar panels are proposed on the upper part of the front roof.

Amendments

- The extent of parking and hard surfacing proposed at the site frontage has been reduced and a proposed SUDS feature indicated in the front garden;
- Design and extent of rear dormer increased.

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=RXDTTJBZL7200>

- Design Statement
- Bat Survey

CONSULTATIONS

ACC - Roads Development Management Team – No objection. Advise that the extent of car parking and garage dimensions are appropriate. Advise that the driveway requires to be internally drained.

North East Scotland Biological Records Centre – No objection. Advise that there are records of protected species (e.g. red squirrel , pine marten and bats) in the vicinity.

Cults, Bielside and Milltimber Community Council – No response received.

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Development Plan

National Planning Framework 4 (NPF4)

NPF4 is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 5 (Soils)

- Policy 6 (Forestry, Woodland and Trees)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)
- Policy 19 (Heating and Cooling)
- Policy 20 (Blue and Green Infrastructure)
- Policy 22 (Flood Risk and Water Management)
- Policy 23 (Health and Safety)
- Policy 24 (Digital Infrastructure)

Aberdeen Local Development Plan 2023 (ALDP)

The following ALDP policies are relevant –

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D5 (Landscape Design)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy R6 (Low and Zero Carbon Buildings and Water Efficiency)
- Policy R8 (Heat Networks)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy CI1 (Digital Infrastructure)

Interim Aberdeen Planning Guidance

Aberdeen Planning Guidance is Interim Planning Guidance. The documents hold limited weight until they are adopted by the Council. The weight to be given to Interim Planning Guidance prior to its adoption is a matter for the decision maker. The following guidance is relevant –

- Sub-division and Redevelopment of Residential Curtilages
- Amenity
- Landscape
- Transport and Accessibility
- Natural Heritage
- Trees and Woodland
- Resources for New Development
- Householder Design Guide

Other National Policy and Guidance

- Naturescot guidance <https://www.nature.scot/doc/developing-nature-guidance>

Other Material Considerations

- ACC Open Space Audit 2010

EVALUATION

Principle of Development

As the proposal is for a new house on land allocated for housing in the ALDP, it accords with NPF4 policy 16 part a. The suburban location of the site is such that residents would benefit from access to existing established nearby facilities and amenities. Whilst the delivery of housing within the built-up area of the city within a residential zoned area and in an accessible location accords in principle with NPF4 policy 13 and ALDP policy T2, the acceptability of the specific proposal requires to be assessed relative to detailed policy and guidance.

Appraisal relative to Curtilage Splitting Guidance

The weight which can currently be afforded to APG is currently limited as it has not been formally approved. However the APG regarding Sub-division and Redevelopment of Residential Curtilages raises useful issues of particular relevance in this instance:

- “• New dwellings must respect the established pattern of development formed by the relationship between buildings and their surrounding spaces (gardens etc.);*
- The scale and massing of the any new dwellings should complement the scale of surrounding properties;*
- The density of the surrounding area should be reflected in the development proposals for the new and existing property. As a general guide, no more than a third (33 per cent) of the total site area for each individual curtilage should be built upon;*
- New dwellings should generally not project forward of any established building line;*
- The distance between proposed dwellings, and between proposed and existing dwellings, (i.e. between gable ends) should be similar to that predominating on the street; and,*
- The ridges or wallheads of any new dwellings should be no higher than the ridges or wallheads on adjoining dwellings.”*

Design Considerations

It is appreciated that there is range of form, scale, age and materiality of housing in the wider street, such that the pattern of development in the context is of a varied character. The existing house on the site is unusual in having a shallow pitched gable-fronted felt clad roof. However, the massing of development proposed would not be reflective of the immediate built context, whereby houses occupy a more restricted width of the curtilage and/or have smaller roof massing and wall-head heights. The street elevation provided shows that the wall-head and ridge height of the proposed house would noticeably exceed that of adjacent houses. It would also exceed the wall-head height of all houses along this street and would therefore appear out of place in the street scene. Many of the existing houses on the street are hipped roof bungalows and/or have attached flat roofed garages or driveways located at the side of the houses, or have gable frontages to the street, such that their apparent massing and roof volume is substantially less than that of the proposed house. The form of the proposed house and its elevated wall-head and ridge line would be alien to the existing character. It is considered that, whilst there is no uniformity in the design of the existing houses on the street, there is a degree of uniformity in terms of wall-head and general ridge heights that gives the street a degree of visual consistency, notwithstanding the variety of house designs. The character of the area would therefore be eroded by the development in conflict with the objectives of NPF4 policy 14, ALDP policy D1 and H1. Details of landscaping proposals and soft planting are required to properly address the expectations of ALDP policy D5.

Although it would not be visible from the street or other public viewpoints, the proposed dormer window on the rear elevation would conflict with guidance which states that new dormers or roof extensions should respect the scale of the building and they should not dominate, overwhelm or unbalance the original roof. The bulky appearance of the rear dormer is accentuated as its front face

is proposed to be built directly above the wall-head, rather than set back from it, although it would achieve the 400mm set back referred to in the guidance. It is considered that it would be unduly bulky and visually incongruous and requires to be reduced in massing.

Whilst a design statement has been submitted, this is of limited value as it does not explore alternative house forms / design solutions or contain detailed cross sections, perspectives, and street elevations to demonstrate the relationship of alternate house types with the street and existing houses. It is considered that a revised solution of reduced scale and height would better address and respond to some of the concerns raised and may provide a more appropriate design solution.

Amenity

The occupants of the development would benefit from access to a large enclosed private rear garden area and open outlook to the south and an attractive outlook to the north onto mature woodland. Thus an acceptable level of amenity would be achieved for prospective occupants.

However, there would be potential overshadowing of parts of the rear gardens of existing houses to the east and west of the site which would conflict with the amenity objectives of ALDP policies D2 and H1. Detailed cross sections and sunlight impact analysis are required to assess this. As no such information has been provided it is not possible to adequately assess the impact on existing houses.

As regards potential overlooking of adjacent houses, the windows of the proposed rear dormer (e.g. bedrooms 3 and 4) would have potential to overlook adjacent private garden ground, such that there would be adverse privacy impact relative to the existing situation. The proximity of the proposed house, including the proposed dormer, to the west site boundary is considered to result in an unsatisfactory relationship. Whilst there would also be potential overlooking of adjacent front gardens from the proposed front dormers, this is not considered to give rise to amenity concerns as the adjacent front gardens are not actively used and are already overlooked by the street.

It has not been demonstrated by the applicant that the proposal would not cause harm to the amenity of adjacent residents. It is therefore considered that the proposal conflicts overall with the amenity objectives of ALDP policies H1 and D2.

Whilst the proposal incorporates a wood burning stove, it is noted that the existing house has a solid fuel fire which could generate air pollution. Although no air quality impact assessment has been submitted, the site does not lie within an air quality management area. Thus there would be no likely significant impact on local air quality relative to the existing situation, and thus no conflict with NPF4 policy 23 and ALDP policy WB2.

Open Space / Greenspace Impact

The application does not affect existing designated public open space as defined in the Open Space Audit as the development is of an existing house site. As there is no loss of green or blue infrastructure there is no conflict with NPF4 policy 20. Although ALDP policy NE2 seeks provision of open space in all development, the fact that the site is an existing house is a significant material consideration, such that it would not be reasonable to require public open space provision on site. Whilst the replacement house would result in an increase in bedspaces and thus a marginal increase in pressure / use of open space outwith the site, given the limited scale of the development, any tension with ALDP policy NE2 does not warrant refusal. The occupants would benefit from access to a large enclosed private rear garden area.

Biodiversity Impact

The proposal would result in potential impacts during construction (e.g. loss of existing vegetation due to excavation and temporary site works) and therefore would have an inevitable degree of

adverse impact on biodiversity. However, the proposal does not impact on any designated wildlife site (e.g. the nearby Local Nature Conservation Site) and the footprint of the building avoids loss of garden ground. There are no records of protected species being present on the site and the scale of the development is below the threshold whereby a formal ecology assessment is required. The bat survey has been reviewed by the Planning Service and its findings have been accepted.

Whilst there is potential for enhancement of biodiversity on site, submission of a landscape and biodiversity enhancement plan is required to evidence that in accordance with the objectives of NPF4 policies 1 and 3, related Naturescot biodiversity guidance and ALDP policy NE3.

Drainage

The site is not identified as being at risk of flooding and the proposed development is below the threshold whereby a drainage impact assessment is required. The site layout has been amended to reduce the extent of hard surfacing at the site frontage in accordance with the objectives of NPF4 policy 22 and ALDP policy NE4. However, details of proposed SUDS are required in order to accord with policy 22 part c. Further reduction of the scale (footprint) of development would better accord with the sustainability objectives of ALDP policy NE4 and related guidance by enabling exploration of novel SUDS solutions and provision of increased soft planting within the proposed front garden area. It is presumed that foul water would connect to the exiting sewer in accordance with policy 22 part d.

Tree Impact

No tree survey / arboricultural report has been provided in order to assess the impact on existing tree stock as requested by the Planning Service. Given that the proposed house would lie no closer to the trees within the rear garden than the existing house, it is considered that the occupation of the house does not result in longer term risk of tree removal relative to the existing situation. However, a tree survey and tree protection plan are required to demonstrate how the existing trees within the rear garden will be protected during the demolition and construction work and demonstrate compliance with ALDP policy NE5 and NPF4 policy 6. There would be potential for additional tree planting on site. However inadequate information has been submitted in order to assess such proposals.

Parking / Traffic Impact

Provision of off-street car parking for prospective occupants would be required to address the expectations of ALDP policy T3 and could be addressed by condition. The revised site plan shows two external parking spaces with associated manoeuvring space which combined with the garage space, is considered appropriate in extent. The proposed integral garage would provide secure bicycle parking.

Notwithstanding the steep gradient of the driveway and safety risk to road users / pedestrians due to the location of the site access directly opposite a pedestrian access to a school, ACC Roads Service do not object to the proposed arrangement on road safety grounds. It is accepted that the existing drive gradient would not increase. However, minimisation of proposed driveway gradient would be desirable in order to reduce risk.

Infrastructure Impact

The site lies within an established suburban area, such that physical infrastructure and service connections and supporting facilities are readily available. The scale of the development is below the threshold where developer obligation contributions would be sought to address potential infrastructure deficiencies (e.g. education capacity). It is proposed to connect to the existing public wastewater and water supply infrastructure which accords with the expectations of ALDP policy NE4. Whilst the development would place limited increased burdens on existing facilities and infrastructure, the scale of such impact does not warrant refusal.

It is presumed that there is adequate telecoms services (e.g. phone, internet) at the site given its location within an urban area and thus no conflict with NPF4 policy 24 and ALDP policy CI1. No evidence exists that that the development would adversely impact on existing TV reception or other telecommunications signals.

As heat network zones are not identified in the ALDP, the proposal does not conflict with NPF4 policy 19 part a. ALDP Policy R8 within the ALDP states that heat networks are encouraged and supported. Such heating systems are desired in terms of sustainable design. However, there is no such network in the vicinity. As guidance referred to in policy R8 (i.e. Aberdeen Planning Guidance regarding Heat Networks and Energy Mapping) has yet to be published, the weight which can be afforded to that policy is limited. Whilst no details of the proposed primary heating / cooling systems are provided, and no connection to the district heating network is proposed, this is not a reasonable requirement in this instance. It would not therefore be reasonable to refuse the development on the basis that no connection to a heat network is proposed.

Waste

No evidence of material recycling or salvage of demolition material for re-use in the construction has been provided in accordance with NPF4 policy 12 part a. Whilst the proposal relates to a brownfield site, the demolition of the existing house would result in a degree of tension with NPF4 policy 1 and NPF4 Policy 9 part d). Given the need to conserve embodied energy, demolition of buildings is the least preferred option, with retention and adaptation of the existing building being preferred. However, demolition of the existing house does not require planning permission and submission of a site specific waste management plan could be the subject of a suspensive condition.

There would be no significant increase in operational waste generation relative to the existing situation and waste uplift would be by wheelie bins. There would be adequate space for provision of waste and recycling bins within the external areas at the frontage of the house and no physical measures (e.g. bin store) or condition is needed in this instance to ensure accordance with ALDP policy R5 and NPF4 policy 12 part c.

Energy and Water Efficiency

Whilst the proposal incorporates PV solar panels and this is considered appropriate, no detailed technical information has been submitted in relation to provision of energy and water saving technology on site, in order to demonstrate compliance with NPF4 policy 2 and ALDP Policy R6. Rainwater captured on site could be stored in water butts and used for watering plants. Non-potable water could also in theory be stored in tanks and used for purposes such as flushing toilets.

Precedent

Many of the existing houses on the street are hipped roof bungalows and/or have attached flat roofed garages or driveways located at the side of the houses, or have gable frontages to the street, such that their apparent massing and roof volume is substantially less than that of the proposed house. The form of the proposed house and its elevated wall-head and ridge line would be alien to the existing character. It is therefore considered that the potential replication of this form of replacement house in the wider street would result in further detriment to its character and thus establishes an undesirable precedent.

Other Considerations

The proposal results in no wider public or amenity benefits (e.g. economic, social or environmental) that would warrant setting aside the above policy concerns and justify approval. There are no other identified material considerations which weigh in favour of approval.

DECISION

Refuse

REASON FOR DECISION

1. Lack of Information

Insufficient information has been provided in order to enable full analysis of the potential impact of the development in relation to impact on and/or protection of trees, biodiversity enhancement and landscaping, energy and water saving measures, surface water drainage, sunlight impact assessment on adjacent private gardens. Thus it has not been demonstrated that the proposal complies with policies 1 (Tackling the Climate and Nature Crises), 2 (Climate Mitigation and Adaptation); 3 (Biodiversity); 6 (Forestry, Woodland and Trees); 22 (Flood Risk and Water Management) within National Planning Framework 4 (NPF4) and policies NE3 (Our Natural Heritage), NE4 (Our Water Environment), NE5 (Trees and Woodland), D2 (Amenity), D5 (Landscape Design) and R6 (Low and Zero Carbon Buildings and Water Efficiency) within the Aberdeen Local Development Plan 2023 (ALDP).

2. Amenity / Overdevelopment

The scale and positioning of the proposed house relative to adjacent houses, such that it would exceed the existing wall-head and ridge heights, would have a substantially enlarged roof form that would occupy an increased width of the curtilage, is considered to be indicative of overdevelopment of the site. The proposal has an adverse impact on existing amenity by reason of the potential overlooking of adjacent private gardens from the upper floor rear windows. The scale, form and massing of the proposed house would adversely affect the streetscape. It would also result in an uneasy relationship with the neighbouring properties due to the significantly higher wall-head and ridge heights, the proximity to the side boundaries and excessive size of the proposed rear dormer. It is therefore considered that the proposal conflicts with the amenity and design quality objectives of NPF4 Policy 14 (Design, Quality and Place) and ALDP policies H1: Residential Areas, H2: Amenity and D1: Quality Placemaking.

3. Precedent

Approval of the application would result in the creation of an adverse precedent for similar proposals in the vicinity which would have further adverse effects on the street scene and amenity by reason of the scale and massing of the proposed house relative to the prevailing character.