

# CULTER COMMUNITY COUNCIL



St Quentin  
18 Hillside Road  
Peterculter  
Aberdeenshire  
AB14 0TX

18 March 2012

Ms Jane Forbes  
Planning Officer, (Enterprise, Planning & Infrastructure)  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
Aberdeen AB10 1AB

Dear Ms Forbes,

**Planning Application P12/0172: 66 Malcolm Road, Peterculter:  
Demolition of existing house and erection of new 3-bedroom house with integral double garage.**

This application was discussed by Culter Community Council (CCC) and referred to the CCC Planning Sub-group for further detailed discussion. Two site visits were also made. As a result, I have been asked to write to you detailing the members' strong objections to this application as follows:

- The proposed new house would result in a gross overdevelopment of this site with very little garden remaining.
- The house to the south (on higher ground) stands only some 30cm from their mutual boundary and has a garage window and bedroom (?) window facing the blank wall of the existing cottage some 3-4 metres distant. The blank wall and overhanging roof of the proposed new house will be somewhat less than one metre distant – very significantly reducing the light available to these neighbouring windows.
- The house on the north side (on a similar level) stands approximately one metre from their mutual boundary. It has three windows facing south some three metres from the blank wall of the existing cottage. The proposed new house will reduce this distance to some two metres and the proposal is for four windows in the new house to be facing the three existing windows in the neighbouring house. This will not only reduce the light available to the existing three windows in the neighbouring house but will also remove all privacy from the existing neighbour and the proposed new house.

- The overall mass of the west elevation (facing on to Malcolm Road) will be over-dominant in the streetscape. Aesthetically it will not sit sympathetically with the neighbouring houses even though several are of individual design, in this immediate area of Malcolm Road.

Had the members of CCC seen this proposed new house set in a medium to large garden where it would be 'showcased' and therefore able to blend much more sympathetically with, rather than dominate, its neighbours, then we would be supporting the design but must object to it being proposed for this particular site for the reasons given above.

Yours sincerely,

Lavina C Massie (Planning Liaison)  
Culter Community Council

cc: Cllr Marie Boulton  
Cllr Aileen Malone  
Cllr Alan Milne

Copy

64 Malcolm Road  
Peterculter  
Aberdeen  
AB14 0XB

Planning and Sustainable Development  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

10th March 2012

Dear Sir

**Objection to Planning application ref: 120172**  
**Demolition of Existing Dwellinghouse and Erection of New 3 Bed Detached Dwellinghouse with Integral Double Garage, 66 Malcolm Road, Peterculter, Aberdeen AB14 0XB**

We refer to aforementioned planning application. We occupy number 64 Malcolm Road, immediately to the south of the application site. The deadline for submission of representations is 13<sup>th</sup> March 2012, and this letter is therefore within the necessary time period. We have several issues of concern in regard to this application and we wish to object to the development for the following reasons:

#### **1 Density of Proposed Development**

We are aware that the planning application proposals should comply with the policies which are contained in the *Aberdeen Local Development Plan 2012*. The relevant policy in this case is *H1 – Residential Areas*, and this stipulates that proposals should not constitute over development; and should not have an unacceptable impact on the character and amenity of the surrounding area. Examination of the plans which have been submitted indicates that neither of these policy criteria would be complied with.

Firstly, the replacement dwellinghouse represents over development of the existing plot. The existing dwellinghouse and garage cover approximately 15% of the curtilage, and the proposed application would cause this to double to approximately 30%. This plot ratio is wholly at odds with the existing pattern of development in the immediate area. Examination of the plot ratios contained in the 3 plots to the north of the site, and the 2 plots to the south, (on the east side of Malcolm Road) indicates that the plot ratios range between 13%-19%. The proposed development represents a much greater density of development than that found in the immediately adjoining area, and on this basis represents overdevelopment.

The second relevant policy criteria seeks to ensure that proposals do not have an adverse impact on the character and amenity of the surrounding area. All of the dwellinghouses on Malcolm Road are of traditional suburban design. The proposed dwellinghouse is of a contemporary style, incorporating a zinc monopitched roof and 3 large picture windows on the front elevation. There are no other examples of this style within the vicinity, and it is therefore considered that the proposal would have an unacceptable impact on the character of the surrounding area.

In assessing the application, it is understood that the impact of the proposals on the amenity of the residents in the adjoining properties will require to be considered. This is not assisted by the position of the neighbouring dwellinghouses being shown indicatively on the submitted site plan. Notwithstanding this fact, there are several windows in the neighbouring properties, which would be extremely close to the new development. At the moment the existing dwellinghouse provides satisfactory separation between the gable walls and boundary. These proximity issues can be examined in more detail, namely:

## **2 South Wall of Proposed Property**

The south wall of the proposed new dwelling is built hard to the boundary along its length where it forms the garage (below ground). Where it rises above ground, it extends to nearly two storeys in height. There are no dimensions on the proposal drawings, however, it appears to be very close to the mutual boundary for its western portion, and built **hard up to** the mutual boundary for its eastern portion. The 'Upper Level Plan' drawing unfortunately does not illustrate accurately the proximity of our property to the new south wall, and consequently takes no cognisance of the three existing windows on the north wall of our property, and the window facing west. These windows serve the garage at ground floor level and our Living Room and Bedroom respectively at first floor level. The proposed height and close proximity of this wall would essentially block nearly all daylight and view from our bedroom window, and severely restrict the amount of daylight and any view to our Living Room window. Essentially, the proximity of the south wall of this property would be extremely detrimental to the amenity we currently enjoy to these rooms.

In addition, there are fundamental buildability issues in regard to the formation of the south wall to the garage; in terms of how the north wall and foundations to our property could be properly supported and maintained where such a large excavation is required. Construction of the south wall where it rises above ground, and the future maintenance of both this wall and the projecting roof eaves would also be questionable given the proximity of these elements to the mutual boundary.

Section AA (Dwg 2/190/004) does not illustrate the worst case scenario in regard to the proximity of the south wall to our property – a more telling section would be one drafted through the rear (east) of the proposed dwelling, ie. through bedroom 2. This would clearly demonstrate the full impact that this south wall will have on our property and illustrate the loss of amenity we will endure as a result of the relationship of our existing windows to the proposed south wall.

### **3 Glazing to Family Room**

Loss of privacy is a further matter which is worthy of consideration. Policy H1 states that proposals should comply with the City Council's supplementary guidance on curtilage splits and residential extensions. These documents contain guidance on the appropriate separation distances between windows, and stipulate that 18 metres is necessary between windows which face each other to ensure that adequate privacy is preserved. The proposed Family Room located to the north-east of the proposed dwelling is fully glazed along both its south and east elevations. The close proximity of the proposed south glazing to both the mutual boundary, and to the windows that exist on the north elevation of our property, will result in a severe loss of amenity and privacy to ourselves. Clearly, as proposed, the 18m window-to-window planning policy relationship to a first floor window would be breached by the east glazing.

### **4 Levels**

The proposed drawings give no indication of the proposed finished levels either internally or externally. Clearly, clarification of this matter is required since this will have a considerable bearing on the impact to the neighbouring properties.

### **5 Location of Adjacent Properties**

It will be imperative for the developer to accurately locate the existing adjacent properties, and all of their relevant window positions, to allow a full assessment to be made of this proposal.

Policy H1 – Residential Areas contains a range of criteria which require to be met to allow compliance to be achieved. The primary aims of the policy are to ensure that new development does not adversely affect the character and amenity of the area. For the reasons discussed above, the proposed development would have a detrimental effect on these qualities. The design of the dwellinghouse bears no resemblance to any other properties within the area, as a result is at odds with its character. The plot ratio which is illustrated on the site plan would also introduce a new density of development, which would be very different from the current pattern. And finally the proximity of the dwellinghouse and the proposed fenestration would significantly undermine both the level of residential amenity and privacy which is currently enjoyed by the neighbouring properties. On the basis of these factors, the application is contrary to the statutory local development plan, and should therefore be refused. We would be grateful if you could keep us advised of the progress of this application.

Yours faithfully

Mr + Mrs W Thain

PI - Planning Application Ref: 120172

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**From:** [REDACTED]  
**To:** <pi@aberdeencity.gov.uk>  
**Date:** 27/02/2012 10:47  
**Subject:** Planning Application Ref: 120172

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To Whom it May Concern

We would like to object to the proposed development at 66 Malcolm Road on the grounds that it is not in keeping with the surrounding locale.

Regards,

Jim and Annette Sugden. (70 Malcolm Road).

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From:  
To: <pi@aberdeencity.gov.uk>  
Date: 3/12/2012 6:29 pm  
Subject: 120172 application comments  
Attachments: objection letter.doc

Copy.

Please find attached my comments on planning application above. Derek Watts

YOUR REF - 120172

Mr D. Watts  
68 Malcolm Road  
Peterculter  
Aberdeen  
AB14 0XB

12<sup>th</sup> March 2012

Enterprise, Planning & Infrastructure  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Dear Sir/Madam

**Demolition of Existing Dwellinghouse and Erection of New 3 Bed Detached Dwellinghouse with Integral Double Garage, 66 Malcolm Road, Peterculter, Aberdeen, AB14 0XB**

We write with reference to the above planning application, as immediate neighbours to the development. The deadline for the submission of representations is the 13<sup>th</sup> March 2012, and this letter is therefore within the necessary time period.

We wish to object to the development for the following reasons.

We are aware that the planning application proposals should comply with the policies which are contained in the *Aberdeen Local Development Plan 2012*. The relevant policy in this case is *H1 - Residential Areas*, and this stipulates that proposals should not constitute over development; and should not have an unacceptable impact on the character and amenity of the surrounding area. Examination of the plans which have been submitted indicates that neither of these policy criteria would be complied with.

Firstly, the replacement dwellinghouse represents over development of the existing plot. The existing dwellinghouse and garage cover approximately 15% of the curtilage, and the proposed application would cause this to double to approximately 30%. This plot ratio is totally at odds with the existing pattern of development in the immediate area. Examination of the plot ratios contained in the 3 plots to the north of the site, and the 2 plots to the south, (on the east side of Malcolm Road) indicates that the plot ratios range between 13%-19%. The proposed development represents a much greater density of development than that found in the immediately adjoining area, and on this basis represents overdevelopment.

The second relevant policy criteria seeks to ensure that proposals do not have an adverse impact on the character and amenity of the surrounding area. All of the dwellinghouses on Malcolm Road are of traditional suburban design. The proposed dwellinghouse is of a contemporary style, incorporating a zinc monopitched roof and 3 large picture windows on the front elevation. There are no other examples of this style within the vicinity, and it is therefore

considered that the proposal would have an unacceptable impact on the character of the surrounding area.

In assessing the application, it is understood that the impact of the proposals on the amenity of the residents in the adjoining properties will require to be considered. This is not assisted by the position of the neighbouring dwellinghouses being shown indicatively on the submitted site plan. Notwithstanding this fact, there are several windows in the neighbouring properties, which would be extremely close to the new development. At the moment the existing dwellinghouse provides satisfactory separation between the gable walls and boundary. The current plans would result in dwellinghouse being constructed only a metre from the first floor window in 64 Malcolm Road, and approximately 2 metres from the south facing windows in 68 Malcolm Road. Moreover the new dwellinghouse would be at a much higher level than the ground floor windows of our property. The very close proximity of the dwellinghouse to the existing windows in the neighbouring properties would mean that the levels of residential amenity which are currently enjoyed would be significantly eroded.

Loss of privacy is a further matter which is worthy of consideration. Policy H1 states that proposals should comply with the City Council's supplementary guidance on curtilage splits and residential extensions. These documents contain guidance on the appropriate separation distances between windows, and stipulate that 18 metres is necessary between windows which face each other to ensure that adequate privacy is preserved. The proposed windows to the north of the property would face directly onto the existing windows at number 64, and are only 2 metres away. This is clearly a totally inadequate distance to ensure that adequate levels of privacy are provided.

We would also ask for clarification on the boundary treatments, currently there is a boundary wall between our property and number 66 which forms part of the garage which is proposed to be demolished. There are no details of the wall being reinstated or material proposed within the application drawings, with the proposed dwellinghouse at a higher level than the existing property we would be very concerned the change in level between the two sites and the effect this will have on the boundary treatment.

Policy H1 – Residential Areas contains a range of criteria which require to be met to allow compliance to be achieved. The primary aims of the policy are to ensure that new development does not adversely affect the character and amenity of the area. For the reasons discussed above, the proposed development would have a detrimental effect on these qualities. The design of the dwellinghouse bears no resemblance to any other properties within the area, as a result is at odds with its character. The plot ratio which is illustrated on the site plan would also introduce a new density of development, which would be very different from the current pattern. And finally the proximity of the dwellinghouse and the proposed fenestration would significantly undermine both the level of residential amenity and privacy which is currently enjoyed by the neighbouring properties. On the basis of these factors, the application is contrary to the statutory local development plan, and should therefore be refused.

Yours faithfully

Derek Watts

Case No.	120172
Received	11 MAR 2012
By	JAF
Date	13/03/12

South

**From:**  
**To:** <pi@aberdeencity.gov.uk>  
**Date:** 12/03/2012 18:56  
**Subject:** Comment on a Planning Application 120172p  
**Attachments:** objection letter.doc

*Copy*

Please find attached my comments on planning application, please ignore my last email as the attachment was for my husband. Laura Watts

YOUR REF – 120172

Mrs L. Watts  
68 Malcolm Road  
Peterculter  
Aberdeen  
AB14 0XB

12<sup>th</sup> March 2012

Enterprise, Planning & Infrastructure  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

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Yours faithfully

Laura Watts

City Development Services Letters of Representation	
Application Number:	120172
RECEIVED	12 MAR 2012
Dev. (North)	Dev. (South)
Case Officer:	IAE
Date Acknowledged:	13/03/12

South