

**From:** <webmaster@aberdeencity.gov.uk>  
**To:** <pi@aberdeencity.gov.uk>  
**Date:** 07/12/2011 13:44  
**Subject:** Planning Comment for 111716

Comment for Planning Application 111716

Name : [REDACTED]  
Address : 20 solent drive  
warsash

Telephone : [REDACTED]  
Email : [REDACTED]  
type : [REDACTED]  
Comment : I object.

The proposed redevelopment is completely unsympathetic to its context. Scale and massing is out of proportion with the rest of the street scene. The development of the plot is inappropriate, the character of the street is one of properties in plots with wide gaps and trees, the proposal almost fills the plot.

Flanking windows in habitable rooms overlook adjacent properties and gardens - these windows are at Ground level which is elevated to road level (parallel with eaves height of adjacent houses). Walkways flanking the proposed house and terraces are so high they overlook gardens to both sides of the proposal removing any opportunity for private enjoyment of gardens.

Materials are ill chosen, the largest areas are proposed to be in white wet dash, this will be broken up by ugly mastic strip expansion joints are being white will stick out like an eyre. Small areas of wet dash might be appropriate with the largest areas being local stone to match the vernacular of the street and immediate neighbours. the proposed use of cedar is ridiculous, i recommend the architect do a local study of traditional materials to Aberdeen.

South elevation is largely glass and will give rise to light pollution visible from accross the valley and into neighbour gardens, a reduction and greater sense of proportion and bablance needs to be given to the south elevation.

the drawings and information do not adequately relate to neighbouring properties, it can only be assumed this has been done to try and hide the fact that the scale, overlooking and domination by the proposed house is so dreadful.

41 Deeview Road South  
Aberdeen  
Cults  
AB15 9NA

15<sup>th</sup> December 2011

Aberdeen City Council  
Gareth Allison  
Planning and Sustainable Development  
Marshall College  
Broad Street  
Aberdeen  
AB10 1AB

Planning Application Number 111716, 39 Deeview Road South, Cults, Aberdeen

Dear Mr Allison,

I would like to comment on the proposed demolition of 39 Deeview Road South and replacement with a much larger dwelling as outlined in the above application.

I believe the proposed development should be significantly modified and reduced in scale if it is to comply with the standards the Council is working with in the 2008 Aberdeen Development Plan and towards as outlined in the proposed new Aberdeen Local Development Plan.

The Aberdeen Local Development Plan states "good quality design, careful siting and due consideration of scale are key to ensuring that domestic development does not erode the character and appearance of our residential areas".

My specific concerns are detailed below and I would like these to be considered when reviewing this application.

#### **1. Scale & Design**

The appearance and design of the proposed development is incompatible with the character of the rest of the street which is made up of classic Victorian granite detached and semi detached dwellings which all sit below street level. These original houses are all scaled to their plots and are sited such that there is ample space between the buildings and the boundary walls (3-5 m) securing privacy while maximising daylight and sunlight to the plots. The proposed development at #39 covers the full width of the plot and is out of scale and character with the street and impacts on daylight and privacy of the neighbouring homes.

The existing property at #39 is a detached 2 storey Victorian granite villa sited below the street level with a roof height congruent with a similar villa at #37. From the site plans the footprint of the existing dwelling and detached garage appears to be less than circa 100 m<sup>2</sup>. The proposed replacement house including garage and shed has a significantly larger footprint (greater than circa 350 m<sup>2</sup>). The Aberdeen Local Development Plan states "the

built footprint of a dwelling house as extended should not exceed twice that of the original dwelling." The proposed development is on 3 levels with a small attic space above leading to an overall roof elevation of at least 11m, higher than any other building in the street (and at least 1-2m above #41). The south elevation reveals how big the proposed development is and the north elevation shows a scale that dwarfs the neighbouring houses.

The design requires considerable groundworks to elevate the northern part of the site to street level at the back/street side of the property (2.5m) and extend across the natural slope at the south facing front/garden side (2.5m). In addition major groundworks are planned in the garden below the patio area. These changes in elevation have a major impact on the character of the site as well as privacy and light on neighbouring properties (see detailed comments below). It is worth noting that the proposed development has a 'lower ground floor' (Level 1) equivalent to the existing ground floor and that the '1st floor' (Level 3) is an additional floor level above street level.

The Aberdeen development Plan encourages retention of granite buildings. Only the street side of the development would be granite faced the rest being dash rough cast white or cedar timber, which adversely affects the character of the area. Although the site plans do not indicate any exterior lighting, the southern elevation of the proposed development is c 75% glass which is likely to result in considerable light pollution.

## 2. Privacy.

The current dwelling at #39 has 2 windows on the west wall at ground level that are below the height of the party boundary wall at a distance of circa 4m from the boundary wall. The proposed development has 6 windows on the west wall at levels 1 and 2, plus a balcony on level 3 and the main entrance to the 'granny' flat on level 2, all at a distance of 1m from the boundary wall. At #41 we have 4 windows on the east side of our property (a utility room, a bathroom and sitting room on the ground floor and a bedroom on the second floor) at a distance of c 5-10m from the boundary. I believe the proposed development does not comply with your guidance with respect to "separation distance of 18m between windows where dwellings would be directly opposite one another". The developer has said he will consider increasing the distance between his proposed development and the boundary to 2m, bringing the total distance between the windows of both houses to c 7-12m, which is insufficient to allay our concerns.

The proposed balcony on Level 3 and the entrance to the separate granny flat on Level 2 are of particular concern:

- The flat entrance enables access to the flat from street level at a height of up to circa 2m above the boundary wall affording full view in to our windows on the east side and potential noise nuisance into our property. This access to the flat is a major concern for us - both the elevation above and the proximity to the boundary. The developer has said he will look at this entrance.
- The balcony will overlook our garden and much of the screening vegetation has already been removed in preparation of the site. I note the Aberdeen Local Development Plan states "any proposed balcony which would result in direct overlooking of the private garden/amenity space of a neighbouring dwelling, to the detriment of neighbours' privacy, will not be supported by the planning authority".

The proposed changes to garden level are also a concern as the plans do not show the full extent of the ground works which in discussion with the developer indicate the level may be built up to above the existing boundary wall resulting in loss of privacy in our garden. As mentioned above much of the screening vegetation has already been removed in preparation of the site.

### 3. Daylight and Sunlight

The current dwelling is 2 storey whereas the proposed development is 3 storeys and significantly larger than the existing villa and is sited only 1m away from the boundary wall with #41. The area plans of the development site show the proposed dwelling will be sited forward from the existing south side building line by at least 1-2m. Any change in the building line relative to the existing will impact the amount of light we get from the east and our privacy. The height of the building at over 10m in elevation will result in significant loss of light from the east. The Aberdeen Local Development Plan states "It is appropriate to expect that new development will not adversely affect the daylighting of existing development. Residents should reasonably be able to expect good levels of daylighting within existing and proposed residential property". I believe the proposed development does not comply with the 25% or 45% methods of assessing the potential impact of proposed development upon the daylight to our house.

If the development goes ahead in its current form we will no longer enjoy sunlight into the east side of our house and upper garden from March to September due to the excessive overshadowing of the proposed development which will completely block out any direct sunlight from the east.

Finally, I believe the plans and application drawing submitted do not include sufficient information to fully understand the impact of the proposed development and completely fail to illustrate how the proposals deal with the issues I have outlined above.

I believe Planning should require the applicant to demonstrate how the proposals comply with the standards the Council is working with in the 2008 Aberdeen Development Plan and towards as outlined in the proposed new Aberdeen Local Development Plan as I believe they do not.

Yours sincerely,



Dr R J Wood

Ardgowan  
37 Deeview Road south  
Cults  
Aberdeen  
AB15 9NA  
6<sup>th</sup> January 2012

**Gareth Allison**  
Planning Enforcement Officer  
Planning & Sustainable Development  
Enterprise, Planning & Infrastructure  
Aberdeen City Council  
Business Hub 4  
Ground Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

**Planning Application P111716, 39 Deeview Road South**

Dear Mr Allison,

Thank you for seeing me and saying that you would be accepting objections into January 2012. Please find our objection as we believe the proposed development is unsuitable and will have a negative impact on neighbouring properties, is too large, insensitive and out of context. We believe it will adversely affect and lead to an erosion of character in the area. In summary we object to the proposed development because it will negatively impact on the following -

Privacy and overlooking	Amenity
Daylight	Sunlight
Design	Materials
Context	Setting
Scale and Massing	Existing Street Scene
Precedent	Light Pollution Internal and External
Integrated Garage	Ground Level Raised to Street Level

Our objections are based on 'The Aberdeen Local Plan' 2008 and 'The Sub-division and Redevelopment of Residential Curtilages Supplementary Planning Guidance' 2008. The objections to the quality of design and design criteria are based on Council Policy and analytical design criteria which (Caroline Thomson) is very familiar with, having spent most of her working life in design, she holds an MA in Fine Art and Design.

We object to the complete demolition and proposed replacement of an unsuitable new dwelling of much greater density, scale and massing. This is a major issue as it is out of context in the street scape and garden plot. The proposal is at least three times bigger than the existing house, stretching nearly the full width of the plot. The proposed development is the size of three houses being put on this plot with the only (proposed) integrated garage opening onto the street with very large parking area.

Council Policy states that 3.6.6 in all circumstances; the scale and massing of any new dwelling(s) should complement the scale of the surrounding properties. The relationship between the proposed

dwelling(s) will need to be illustrated with any planning application. We believe the proposal to be alien in this respect it is massive, insensitive to and out of context with the fundamental character of this attractive residential street of late 19<sup>th</sup> century villas (the semi-detached properties have the appearance of a villa) built from granite block, set in large private plots in a semi-formal building line fronting onto a public road in quite a clear pattern.

The privacy and overlooking from the proposed development on neighbouring existing properties is very bad indeed.

We believe an undesirable precedent will be set if this application is approved, Council Policy states Policy 4 'whereby it will be difficult to resist similar developments and the cumulative effect would have a harmful effect on the character and amenity of the immediate area'. This threat would set a precedent for creeping development which in 10yrs, 15yrs, or 20 yrs time has the potential to obliterate the character and unique setting of Deevue Road South which would become unrecognisable.

**The integrated garage proposed stretches to the northern boundary of the plot which ignores the existing building pattern and clear informal building line. The Car Parking Area takes more space than any other property on the street (even the semi-detached villas).** No other house on the street has an integrated garage which stretches the proposed development to the northern boundary of the plot. The houses conform to a rough build line, the proposed development does not. It nearly fills the plot from East to West it stretches along nearly the whole of the front face. The existing house is approximately 1/3<sup>rd</sup> of the size of this proposal and is centrally located, with no parking area, large spaces to either side of the property with many mature trees and shrubs, which fit the pattern of the existing houses, built on the street. This proposal does not.

Currently each house on Deevue Road South has a detached garage, small parking area and sits comfortably within its garden plot, with large spaces between the gable ends. Each property has many trees and shrubs in the garden some of which date from the late 19<sup>th</sup> century which create dense screening and a green leafy environment; there are large spaces between the villas giving a high level of Residential Amenity and character which the proposed development does not respect. Indeed the developer clear felled the site of the rare and interesting species of shrub and tree which we believe contained bat roosts, before submitting the application.

The northern side of the street is flanked by the much enjoyed amenity of the Deeside Railway Line giving further historical identity to the context and setting in the wider terms of the city of Aberdeen to the street scene on Deevue Road South which forms an intrinsic part of the history and setting of this area. This proposed development will adversely affect the fundamental character of this street, the appearance and residential amenity of the area and the city as a whole will be negatively impacted. We are asking the Council to uphold their policies and protect the Appearance and Residential Amenity of this street and therefore the Amenity of the City.

Policy R1 Residential Areas states that 'applications require to be satisfactory in terms of siting, design and external appearance of the buildings'. The proposed development, in terms of siting due to its scale and massing and design, would be more appropriate in a rural setting where the property was approached by a long drive. The proposed plans show it to be overbearing and dominant its main roof is too large and too high and it is not comparable with other properties on the street. It does not respect the scale, form or density of the area and therefore does not make a positive contribution to the setting. It is out of context in the street setting.

With regard to design, The Finalised Aberdeen Local Plan Policy 1: Design states that to ensure high standards of design, new development should be designed with due consideration to its context and make a positive contribution to its setting. We do not believe the proposed plans are in line with policy, nor do we believe they accord with the local plan or fit into its context. The largest areas of

this massive proposed development are to be finished in an enormous expanse of white wet dash broken up by large ugly mastic expansion joints. The building will stick out horribly.

The Building Materials proposed are cheap and more appropriate for a block of flats with limited build life and maximum developer profit, often found in 1970's purpose built blocks, now being knocked down. The proposal does not match or blend in with the neighbouring granite properties.

The drawings do not adequately show the proposed house's relationship, ridge heights and building lines to the neighbouring properties. I can only assume this is to hide how truly over dominant and out of scale they are.

The Light Pollution from the south and sides of the building which has massive expanses of glass will flood out at night and affect neighbouring properties as well as light up the valley. The light pollution from the external lighting to the many flanking external doors and walk ways will cause unnecessary light pollution to neighbouring properties. The quantity of external entrance doorways and walkways is unnecessary for a domestic house, causing a dramatic increase in light pollution from the external lighting as well as the internal lighting. A block of flats would normally have this amount of high level entrances and external lights and walkways but not a private Villa. All our main habitable rooms will be negatively affected by the light pollution - kitchen/diner, sitting room/dining room, two bedrooms, and my studio where I work.

Overlooking and Privacy aspects are really bad and worsened because all the flanking windows and doors of the proposed development are at ground level which is elevated to road level parallel to the eaves of our house the windows and doors look down into our property. The 18 meter rule has extenuating circumstances as per Council Policy under these circumstances. Our living-room/eat-in kitchen, sitting room/dining room, studio where I work, two bedrooms and the whole of our garden will be completely overlooked. We will not have any private space in which to sit out and relax as the whole garden will be overlooked.

Because the Lateral Windows and Doors Overlooking is Very Invasive, we would like the proposed design altered to have non habitable rooms, obscured glass and non-opening doors on lateral walls.

The proposed height and protruding design of the Terrace will overlook all the private space in our garden negating any opportunity to enjoy private time in the garden. It will also overlook our main habitable rooms on the south side of our property.

The Walkways will overlook all space in our garden and badly overlook our main habitable rooms, they are very high, almost level with the eaves of our house and will look down into our property increasing the problems with overlooking and privacy.

The Build Line to the South and rear of the properties along the valley forms an Informal Build Line to allow the residents of each house private space to be enjoy their main garden and main habitable rooms, the design of the proposed development is not characteristic and unlike the rest of the street will overlook our habitable rooms and garden so we will have no privacy to either the front or back of our property either inside or out. The massive areas of glass and the huge protrusion of elevated terrace mean we are seen from every angle. We are asking the Planning Department to look at the southern elevation of the proposal as we believe it to be out of context and overbearing and intrusive.

We are concerned as to the design criteria which would inspire someone to build a house in an urban town garden where the views from the many high level opening doors and windows in the main habitable rooms, the walkways and terrace are so intrusively and invasively of ourselves going about our private business in our home and garden in the neighbouring property. **This proposed development drastically reduces the functionality of our home.** I have an MA in Fine Art and Design and teach and work in this subject, the design values in this building are from an analytical

design perspective, extremely insensitive to its contextual setting they bear no relationship to the existing housing stock which is of similar character, density and pattern. The main bulk of the proposed materials are neither cutting edge nor high quality they are cheap and quick to build with. The weather is more ferocious on the side of the valley which catches the worst of the wind and rain; the existing houses are built to withstand this unlike the build quality of the proposed development.

The Ridge Heights and Building Mass will have a Detrimental Effect on Sunlight and Daylight, we believe there will be Negative Impact from Shadowing and Soft Wave on our house and garden, our main habitable rooms and the garden will suffer as currently we enjoy the amenity of a sunny garden and light and sunny main habitable rooms. **The winters are very long in Aberdeen and the sun sits low in the sky for longer periods of the year, this makes the height of the ridgeline even more critical as all the afternoon and evening sun will be below the ridge line for substantial periods of the year.**

**In summary, the south side, the north side, the east side and the west side of this development's design is unsuitable, alien and out of context.**

Development Guide lines The Supplementary Guidance Notice is more restrictive and considered 'Necessary' to establish the criteria against which applications for redevelopment and curtilage splitting should be assessed. Although Policy 30 does not apply and No 39 Deeview Road South is not a Listed Building, **under Council Policy it is not acceptable to replace it with an unsuitable building.**

The developer Clear Felled the Site prior to the planning application being submitted. Due to the age of the site there were many Specimen Rare and Interesting trees and shrubs. We believe there were bat roosts in the mature trees. The felling operation could have been done more selectively and sensitively. Two independent tree surgeons said "they had never seen such a mess of felled trees" as the work carried out on this site and asked "who could have done this type of chainsaw work"! The subsequent bon firing of the green wood has necessitated a complaint to the council as the Post Man stated the area was covered in dense smoke. The neighbourhood has suffered the nuisance of cars on the street covered with bonfire ash, burning smuts in the wind, washing and rooms with open windows smelling of smoke.

We believe there to be bat roosts under the slate roof / granite stone wall and newts in the ponding water at No.39. Other wild life on site will be difficult to ascertain due to the mess of felled trees and shrubs.

Having lived in peace for over 16 years at our home in Deeview Road South, within 5 days of the developer phoning me out of the blue to tell me what he was going to build on site, all communication with him broke down as he informed me to only speak to him through his lawyer at Leddingham and Chalmers, yet he did not tell me which Partner, to speak to. We know of several people on the street who would have been delighted to buy No 39 and restore it, leaving its footprint unchanged.

**In summary having referred to the Aberdeen Local Plan 2008 and 'The Subdivision and Redevelopment of Residential Curtilages Supplementary Planning Guidance' 2008 – we believe under the guidelines laid out there are other more appropriate options for this particular house and garden, instead of the proposed insensitive, massive, overbearing, over dominant bully boy of a house with its huge area of glass and white wet dash which will stick out like a sore thumb by day and by night.**

**The proposed development fails the criteria set out in Policy R1 Residential Areas on siting, design and external appearance it is 3 times the size of the existing property, it does not conform to the informal build line either to the north or the south of the property, the ridge heights are much greater affecting sunlight, daylight and shadowing of neighbouring No37, the integrated**



garage and parking area are out of context, high level walkways, raised terrace and glaring lighting, raised exits and entrances at the height of the eaves of the neighbouring house at No.37 are unacceptable. This insensitive proposal is not the right design for the right garden or the right street.

The issues of privacy and overlooking are very bad indeed as due to the topography No 37 sits much lower than No 39 this proposal negates any private space in the garden at No 37 allowing the occupants of the proposed development at No 39 voyeuristic opportunities to view the private activities in the garden and all the main habitable rooms of the occupants at neighbouring No 37, due to the difference in heights we believe this to be an extenuating circumstance to the 18meter rule.

No other house on the street has an integrated garage extending to the northern boundary or such a large parking area.

Policy 4 addresses the vast negative we see in this proposal of the loss and erosion of the character and amenity value to the existing neighbouring properties, the street, the area and eventually if this precedent is allowed over time the character of Aberdeen City as a whole. Slow developer creep has been addressed in planning law. We note this type of development is a recognised problem and has been tightened up to prevent it from continuing in 'The Sub - division and Redevelopment of Residential Curtilages Supplementary Planning Guidance 2008.

The bat roosts we believed to be in the mature trees at No 39 were destroyed when the developer insensitively clear felled the site, we believe there are bats roosting in the house roof/walls. We are aware the garden was a haven for various forms of wildlife, including newts in the ponding water.

We ask for the site to be re landscaped and restoration of the trees and shrubs which enriched our lives as the occupants of No.37 to be restored.

We ask for a fence or hedging to be planted by the developer between No 37 and No 39 to restore the privacy which used to exist with tree and shrub cover. As a direct result of the developers actions, we at No 37 are now also losing the cover and privacy from our own shrubs and trees due to the sudden exposure they have to the weather as formerly the trees and shrubs at No. 39 worked in harmony with our own as they grew up together as old established gardens. Already the changes made by the developer have negatively affected the functionality of our neighbouring house and garden.

Yours Sincerely

Caroline & Andrew Thomson