

4 BAYVIEW ROAD, ABERDEEN

DEMOLITION OF EXISTING GARAGE AND OUTHOUSE AND FORMATION OF 2 BED DWELLING WITH ASSOCIATED PARKING

For: Mrs Ainslie Scott

Application Ref. : P120238
Application Date : 16/02/2012
Officer : Lucy Greene
Ward: Hazlehead/Ashley/Queen's Cross(M
Greig/J Stewart/R Thomson/J Corall)

Advert : Section 60/65 - Dev
aff LB/CA
Advertised on : 07/03/2012
Committee Date : 24 May 2012
Community Council : Comments



RECOMMENDATION: Refuse

DESCRIPTION

The application site consists of an existing semi detached house within a plot of 617m² in total. The site lies within the Albyn Place / Rubislaw Conservation Area. In common with others in Bayview Road, it is two and half storeys in height and built in natural stone with a slate roof. Along the side boundary and to the rear the boundary of the plot is defined by approximately 1.8m high stone walls and a double garage. To the south of the plot is Spademill Lane, a rear lane providing access to the rear of properties along surrounding streets. To the east side of the plot is a gated lane that provides access to a number of garages as well as the rear of properties on the east side of Bayview Road, including access to the garage that occupies the eastern / rear end of the application site. To the north is the adjoining semi detached house and to the west is Bayview Road, with other residential properties of traditional design on the opposite side.

Although originally a rear lane, and along most of its length are garages within the rear gardens of properties fronting onto surrounding streets, there are properties fronting onto Spademill Lane. These include a row of residential properties within relatively close proximity of the application site within an area that was originally part of plot of a property on Queens Road and another property on the north side of Spademill Lane.

HISTORY

A similar application for planning permission (ref. 111510) was refused Development Management Sub-Committee in December last year. The reason for refusal was:

The proposal would be contrary to Policies 1 and 40 of the Aberdeen Local Plan and the Council's supplementary guidance; 'The Subdivision & Redevelopment of Residential Curtilages'. The proposal represents a form of backland development which would create a tandem building line fronting onto a rear lane which would be at odds with the pattern and the overall density in the locality, with an inadequate area of garden ground being provided for the proposed house. Proposed materials would not be in keeping with the character of the surrounding buildings or the conservation area, and there would be a likely adverse impact upon the amenity, sunlight and daylight levels of 6 Bayview Road. Approval of such a proposal would set an undesirable precedent for future applications of a similar nature, which, if replicated, could result in the creation of a second building line behind existing dwellings and fundamentally erode residential amenity and the character of the conservation area.

The difference between the previous proposal and the current application:

- the house proposed under this application is smaller with the house being approximately a maximum of 10.5m long by 5.0m wide, whereas the previous house was approximately a maximum of 12.6m long by 5.9m wide. The overall plot size is larger under the current proposals with the plot proposed to be 153m² as compared to the previous 147m². The plot now proposes additional garden ground to the south west side of the proposed house, with a commensurate smaller area being left for the existing house. The house is approximately 0.5m less in height than that previously proposed.

PROPOSAL

The application proposal is to split the residential plot and to erect a new one and a half / two storey house on the eastern portion of the plot. The existing house would retain 474m² in total with the proposed house having a plot of 153m². The footprint size of houses would be 158m² and 51m² respectively, each therefore covering approximately 33% of their plot. The proposed house would be single aspect - with its frontage to the south. The proposal would involve completely removing two 5.5m lengths of the boundary wall and reducing the height of the remaining length of wall along the Spademill Lane boundary and a 1.5m stretch of the east boundary, with a 1m wall remaining with railings installed on top of the reduced height wall to the same overall height as the existing wall.

The proposed house would be elevated in split faced fyfestone in slate colour, with precast floor level course; the roof would be covered in grey concrete roof tiles with ornamental terracotta coloured ridge tiles; the windows would be timber sliding sash and there would be 2no.velux roof lights on the north elevation of the roof.

The roof ridge would run east-west, so that there would be an eaves height wall along the boundary with the neighbouring house to the north, 6 Bayview Road. Compared to the ground level to the north, the eaves height is shown proposed to be approximately 3.1m above ground level, with the ridge height being 5.7m. The submitted drawings show the ridge height of the proposed house to be 0.815m above the roof of the garage in the rear garden of no. 6 Bayview Road – the house to the north.

The plot coverage of the existing house is approximately one quarter, this would reduce to approximately one third site coverage under the proposal, whilst the proposal house would result in an approximately one third site coverage of its plot.

A Design Statement was submitted with the application. This includes, inter alia, the following:

- the proposed house would not detract from the area and would result in the removal of an unattractive garden wall;
- there have been a number of developments on the south side of the lane, the pavement has been widened and lighting installed. The proposed development on the north side of the lane would complete this;
- the proposal would improve natural surveillance;
- the site has a unique location and would not set a precedent;
- the positioning of the house is akin to a gatehouse;
- materials mirror those used on new developments in the vicinity;
- due to the levels, the proposed house would sit significantly lower and would not obstruct daylight.
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REASON FOR REFERRAL TO SUB-COMMITTEE

The application falls outwith the scope of the Scheme of Delegation due to the number of representations and the objection from the Community Council.

CONSULTATIONS

ROADS SECTION – Satisfied with the proposal.

ENVIRONMENTAL HEALTH – No comments

COMMUNITY COUNCIL – Objects on the following basis:

- adverse impact on the Conservation Area;
- adverse impact on visual amenity and neighbours;
- in terms of its height and footprint the development would be imposing and would adversely impact neighbours in terms of daylight and sunlight;
- concern relating to pedestrian access and vehicle movements resulting in a hazard in the narrow Spademill Lane;
- proposed materials do not reflect those in the area;
- loss of the natural stone boundary wall;
- the construction of some modern buildings in the back lane is a matter of regret and should not be a precedent;
- the proposal is contrary to the Supplementary Guidance on splitting residential plots in terms of the construction of houses in rear gardens;
- allowing this proposal would set a damaging precedent.

REPRESENTATIONS

Twenty letters of objection were received. The issues raised in objections were as follows:

- that the proposal would represent over development;
- that the proposal is of little architectural merit;
- further danger for vehicles accessing the lane to the rear of Bayview Road, exiting onto Spademill Lane (21 users). Traffic on Spademill Lane has increased due to offices using it to access rear car parks;
- the proposed house would block sunlight to gardens to the north and to the lane, making the lane more icy;
- impact on the character of the conservation area due to proposed building and loss of granite wall;
- the proposal would set a precedent for development of rear gardens;
- the proposal would significantly reduce the garden of the existing house and would have inadequate garden itself;
- proposed house would be out of keeping in terms of scale, with the existing;
- proposal is not designed with due consideration for its surroundings and is contrary to Policy 1 in the adopted local plan;
- proposal would front onto a rear lane in contravention of Council guidance;
- in view of the above, the proposal would be contrary to policy relating to residential areas and supplementary guidance, Scottish Planning Policy; and,
- a recent refusal for two houses on Spademill Lane (ref. 110848) raised many similar concerns and there should be consistency.

PLANNING POLICY

Aberdeen Local Development Plan 2012

Local Plan Zoning: Policy H1 allows for development if, inter alia, the proposal complies with Supplementary Guidance on Curtilage Splits and does not have an unacceptable impact on the surrounding area

Policy D1: states that new development must be designed with due consideration for its context and make a positive contribution to its setting.

Factors such as scale, massing, colour, materials, details, the proportions of building elements and landscaping will be considered.

Policy D4: Aberdeen's Granite Heritage: Permission will not be granted for the removal of granite boundary walls in conservation areas.

Supplementary Guidance (SG)

The Sub-Division and Redevelopment of Residential Curtilages: new development shall be assessed against the following criteria; privacy, amenity space, daylight and sunlight, design and materials, density, pattern/scale of development, trees and garden ground, pedestrian and vehicular safety, car parking and precedent.

Further Guidance

Scottish Historic Environment Policy: SHEP & Historic Scotland's Technical Guidance: new development should be designed to preserve and/or enhance the character of the conservation area.

EVALUATION

The application shall be determined in accordance with the development plan unless material considerations indicate otherwise.

The site lies within an area zoned residential and residential use is therefore considered acceptable in principle, however, subject to other considerations including amenity, siting, design and appearance, landscaping and public safety. The SPG on splitting residential plots provides detailed guidance. The impact on the Conservation Area is also a key issue.

Considering the matters raised by the SPG:

- There are no privacy issues, as the proposed house would have windows only to the south, towards Spademill Lane.
- The proposal has been amended to increase visibility for vehicles exiting the site, and the Roads Section do not object to the proposal. It is also located close to the Bayview Road end of Spademill Lane and there is a narrow path on one side. It is not considered that public safety is a reason for refusal.
- In terms of amenity space, there would be approximately 65m² of garden ground, located to the side and front of the property. There would be some degree of privacy due to the existing boundary wall. Although not unacceptable in terms of the amenity of future residents, the size of plots provided for the proposed and existing house would not be in keeping with those in the area in general.
- The design, proportions and appearance would not be in keeping with other buildings, either along the main road frontages or within the rear lanes, nor would the proposed materials, match the natural stone and slate prevalent in the area. The application site lies within the Conservation Area where it is the duty of the planning authority to have regard to the impact on the character of the area.

The proposal would not preserve or enhance the character of the Conservation Area, due to the loss of the granite boundary wall along Spademill Lane, the loss of enclosure and proposal to install modern railings; the design, proportions and proposed materials of the proposed house would not be in keeping with the traditional buildings in the area.

- In terms of plot coverage, the footprint of the existing and proposed houses would cover approximately one third of their sites, which is not representative of the houses fronting onto the main roads. On Bayview Road, houses typically cover approximately one quarter of the site area. Although, the proposed house would not be dissimilar from others along the rear lane, these few properties were erected some time ago and should not be taken to be representative of a form of development that accords with current policies. Approving planning permission for a further house within the rear lanes in this area, could set a precedent for houses within the rear gardens along Spademill Lane to the detriment of the Conservation Area and the amenity of the area in general.
- In terms of the impact on daylighting and sunlighting, the proposal would have some impact on the end portion of the garden to no. 6 Bayview Road, the adjacent house. There is a garage at the end of the garden which would reduce the impact to some extent, however, the proposed house would be to the south, higher than the existing double garage on the site, and on the boundary. Whilst there would be some effect on the neighbouring garden, this issue alone would not be sufficient to warrant refusal of the application. The proposed house is lower in height by approximately 0.5m than that previously refused.

The matters raised in objections have largely been addressed above. There was a recent refusal of two houses that would have fronted onto Spademill Lane within the rear garden 43 Rubislaw Den South and this raised very similar issues.

In conclusion, the proposal is considered to be unacceptable, as it would be out of keeping with the layout and density of the surrounding area, detrimental to the character of the conservation area in terms of the design, appearance and materials and would not comply with the SPG on the splitting of residential plots in terms of these criteria.

Should Members wish to approve the application, it is recommended that careful consideration be given to the use of materials, and that conditions be attached including relating to materials, the proposed railings, to ensure that the parking is provided and hours of construction.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The proposal would be contrary to Policies H1, D1 and D4 of the Aberdeen Local Development Plan 2012 and the Council's supplementary guidance: 'The Subdivision & Redevelopment of Residential Curtilages'. The proposal

represents a form of backland development which would create a tandem building line fronting onto a rear lane which would be at odds with the pattern and the overall density in the locality. Proposed materials would not be in keeping with the character of the surrounding buildings or the conservation area, and the loss of a natural stone garden wall would also detract from the character of the Conservation Area. Approval of such a proposal would set an undesirable precedent for future applications of a similar nature, which, if replicated, could result in the creation of a second building line behind existing dwellings and fundamentally erode residential amenity and the character of the conservation area.

Dr Margaret Bochel

Head of Planning and Sustainable Development.