

41 HAMILTON PLACE, ABERDEEN

ERECTION OF GARAGE AND
FORMATION OF GATES AND DRIVEWAY

For: Mr And Mrs Canale

Application Ref.	: P120703	Advert	:
Application Date	: 15/05/2012	Advertised on	:
Officer	: Jacqui Thain	Committee Date	: 19 July 2012
Ward: Hazlehead/Ashley/Queen's Cross(M Greig/J Stewart/R Thomson/J Corall)		Community Council	: Comments received



RECOMMENDATION: Approve Unconditionally

DESCRIPTION

The application site, which is occupied by a traditional, granite dwellinghouse, is situated on the south side of Hamilton Place and within the Albyn Place/Rubislaw Conservation Area. The large residential plot covers an area of approximately 739 square metres. The rear garden measures approximately 62 metres in length, and beyond, is a lane that provides access to garages on both sides. The garages to the north of the lane are of varying sizes, designs and materials. The domestic garage previously serving No. 41 Hamilton Place, measuring approximately 24.3 square metres, has been removed.

HISTORY

Previous planning applications for the site include:

91/1120 for "Erection of a Rear Conservatory," Approved Unconditionally, on 17/07/1991

120077 "Extension to the Rear of Dwellinghouse and Build Up Door to Rear," Approved Unconditionally on 16/03/2012

120458 – "Remove 5 Lawson Cypress growing in the garden. Work is to allow more light into the garden and to the retained trees. Details of replacement tree planting have been included with the application" Approved Unconditionally, on 11/5/2012

PROPOSAL

The application seeks full planning permission for a domestic garage to be located at the far (south) end of the rear garden. The garage would be situated adjacent to the eastmost boundary and measure approximately 7.2m wide x 11.5m long x 5.3m high to the top of the pitched roof. The finishing materials would be grey profiled roof sheeting and Kemnay grey drydash. Immediately to the west of the garage, in line with the front building line, timber gates would be constructed. The gates would span the gap between the garage and westmost boundary and measure approximately 2.5m wide with a maximum height of approximately 1.9m. An area of hardstanding behind the gates would serve as a driveway and measure approximately 2.5m wide and approximately 13.8m metres long. The hardstanding would be constructed of pre-cast concrete slabs.

Amended plans were lodged that show a reduction in the height of the garage, as originally proposed, by approximately 500mm. The applicants have requested that it be highlighted that this is of their own accord and in the interests of good neighbour relations, in order to address concerns raised by some neighbours to the south of the lane. They would also like to point out that the proposed garage is now no higher than the garage immediately to the east at No.39 Hamilton Place.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub Committee because the proposal has attracted 7 letters of objection to and 3 letters in support of the application. In addition, a letter of objection has been received from the Queen's Cross & Harlaw Community Council. Therefore, in terms of the Council's Scheme of Delegation, the planning application must be determined by the Development Management Sub Committee.

CONSULTATIONS

ROADS SECTION –No objection. The Roads Engineer made standard comments relating to drainage, floor level of the garage and garage door not projecting into the lane.

ENVIRONMENTAL HEALTH – No response received

COMMUNITY COUNCIL – Response. One letter of objection has been received from Queen’s Cross & Harlaw Community Council, the main points of which can be summarised as follows:

- (1) concerns over the scale of the proposal within a Conservation Area (considerably larger than the previous garage);
- (2) the effect on the general character of the area and on neighbouring properties;
- (3) additional parking via the proposed driveway;
- (4) the structure would be over-development for a rear garden within a Conservation Area;
- (5) the height of the proposal within a Conservation Area. The height and scale would result in a significant visual intrusion with respect to neighbouring properties and dwellings on the other side of the access lane;
- (6) potential impact on the amenity of residents of the dwellings to the south;
- (7) impact on open spaces between buildings to the rear of the Conservation Area; and,
- (8) the proposal (in its current form) is inappropriate for the setting further undermining the Conservation Area.

The Community Council intimate they have no objection in principle to the proposal to build a new garage.

REPRESENTATIONS

Seven letters of objection and three letters of support have been received with regard to the proposal.

Objections

Issues raised in the objections can be summarised as follows:

1. The size and height of the proposed garage are excessive;
2. The height is not in keeping with other garages;
3. The height of the garage will impact on and dominate the lane;
4. The garage could be adapted to accommodate living space, granny annexe, office accommodation or a business;
5. The gates and driveway could give access to a least 3 more vehicles;.
6. Overlooking and impact on privacy; and
7. The garage could block sun from a neighbouring plot.

It is stated in two of the letters of representation that they do not object to the applicant building a new garage. Other matters were discussed in the objections that are not material planning considerations.

One objector highlighted the application ward was incorrect. This was an administrative error that has since been rectified. Much of the content of one of the objection letters relates to a previously approved planning application (reference 120077 approved on 16th March, 2012).

Letters of Support

1. The immediate neighbour states, having viewed the plans for the proposed garage, it is of a similar design and size to their garage. He states that given the varying design of existing garages on the lane, there has been a reasonable precedent set for the proposed development.
2. The points in support of the application, raised by the applicants, can be summarised as follows:

Siting and Orientation - The garage would be located back from the lane edge by an average of 2.7m and the face of the garage would be located approximately 25m from the rear elevations to the properties on Craigie Park which are to the south of the garage. The garage would present the gable to the lane and is under 75% of the width of the plot. The applicants state several garages in the lane extend across the width of the plots.

Design – The garage is designed as single storey with a traditional roof pitch angle and the roof truss area would be for use as storage. The overall height would be no higher than the pitched roof garage to the east. It is stated the length of the garage is longer than a standard domestic garage to suit their needs (storage of vintage cars) and the garden is 62m in length and not typical of plot sizes in the West End.

Adjacent Properties – The applicants state that the houses in Craigie Park have their amenity space towards the rear lane and the dwellings have high granite walls, approximately 2.4 – 2.5m to the rear lane affording no visual break and the houses are of 1.5 storey and generally have 1 rear upper bedroom window.

Community Council – The applicant states that he met with a member of the Queen's Cross & Harlaw Community Council. The applicant confirmed the garage would not subsequently be utilised for residential purposes and is happy for planning Conditions to be attached to the consent restricting the use of the garage and formation of windows.

The applicants conclude that the siting of the garage in relation to the houses has an insignificant impact on the properties at Craigie Park. It is stated daylighting, privacy and preservation of amenity are not at risk as the garage would be located to the north of all the dwellings on Craigie Park and the garage would not be visible to the occupants on the ground floor or immediate space to the rear of the dwellings – the dwellings have high enclosure walls. It is confirmed that the garage would be readily visible from the first floor single dormer windows of the properties on

Craigie Park, as would all other garages on the lane. The applicants conclude they are aware the garage is long, however, the remaining amenity space would be more than the majority of dwellings in the West End.

3. A further representation and attached 3d/montage images (appended to the application plans) were lodged by the applicants in order to illustrate the garage as part of the streetscape of the lane.

PLANNING POLICY

Aberdeen Local Development Plan (2012)

Policy H1 – Residential Areas:

Proposals for householder development will be approved in principle if it:

- does not constitute over-development
- does not have an unacceptable impact on the character and amenity of the surrounding area
- complies with Supplementary Guidance

Policy D1 – Architecture and Placemaking Design: To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, details, the proportions of building elements and landscaping will be considered in assessing this.

Historic Scotland’s Scottish Historic & Environment Policy (SHEP) seeks to preserve and enhance the historic character and amenity of the Conservation Area

EVALUATION

The application shall be determined in accordance with Development Plan Policy unless material considerations indicate otherwise. In this instance there are no strategic issues. The adopted Aberdeen Local Development Plan is of specific relevance in determining the application in terms of Policy H1 (Residential Areas) and Policy D1 (Architecture and Placemaking Design). The Council also has a statutory duty to consider whether the proposal preserves or enhances the character of the Conservation Area.

The proposals are considered to comply with the relevant Policies for the reasons detailed below.

Policy H1 of the Aberdeen Local Development Plan

The proposal is for a garage, gates and driveway within a residential area which already has several garages of varying design, scale and materials. It is therefore considered that the additional impact on the character and amenity of the residential area would be minimal. The gates, garage and driveway would sit well within the plot and only the front elevation of the garage and timber gates would

be readily visible from the lane. The proposals comply with interim Supplementary Guidance with regard to design, scale and materials and plot coverage.

Garage

Amended plans have been submitted that show the height of the garage has been reduced by approximately 500mm to 5.3m, thereby making it no higher than the garage immediately to the east at No. 39 Hamilton Place and more in keeping with others in the lane. The garage, as amended, would not constitute a dominant feature within the lane. Although it is acknowledged there may be some additional visual impact to the south by the garage, this is not considered to be excessive bearing in mind the height of the garage immediately to the east and the staggered and varied layout of the garages on the north side of the lane. In addition, the proposed garage would be set back approximately 4.15m from the lane/5.1m from the neighbouring garage to the west and partially screened by both garages. The impact on the adjoining properties to the east and west would be minimal due to existing garages serving the dwellings, there being very long rear gardens and high interfeu boundary walls.

The proposals would not constitute over-development of the site. After development of the garage and driveway (and the existing rear offshoot and recently approved rear extension) site coverage would be approximately 37%, which is not considered excessive for the size of the plot or the West End of Aberdeen. Although the proposed garage is considerably larger than the previous garage, the plot is of a substantial size and could readily accommodate the garage and driveway. After development, a considerable proportion of usable rear garden ground would remain.

There would be no impact on the privacy of neighbouring residents' to the south by the garage: there would be no rooflights and no glazing on the south, east and west elevations. The impact on the privacy of the adjoining neighbours, by the window on the north elevation, would be minimal due to high screening to the east and west. As the garage would have a north/south orientation, and there are high walls and trees to the east and west, the impact by overshadowing to the west would be negligible and for a short period of the day only. There would be no impact by overshadowing to the east and south.

Gates & Driveway

The gates and driveway would sit well with the proposed garage and within the plot and comply with interim Supplementary Guidance in relation to design, scale and materials. The proposals would result in no detrimental impact on surrounding properties or on residential character and amenity. The driveway would be situated behind the gates which would be extensively screened by the substantial garage to the west and partially screened by the garage immediately to the east.

Policy D1 of the Aberdeen Local Development Plan

The proposals would sit comfortably within the plot and lane and would make a positive contribution to their setting. In assessing the application against Policy D1 (Architecture & Placemaking Design) it is considered that full consideration

has been given with regard to suitability within the plot and the context of the surrounding area. The garage, gates and driveway are appropriate for setting and factors such as siting, design, scale, massing, colour, materials, details and proportions of building elements have been considered.

Historic Scotland's Scottish Historic & Environment Policy (SHEP)

The garage, gates and driveway are appropriate for the setting, being of suitable design, scale and materials and would uphold the principles of Historic Scotland's SHEP that seek to retain the character and amenity of the Conservation Area. Due to extensive screening, the bulk of the garage and the driveway would not be readily visible from the lane, resulting in minimal additional impact on the character and amenity of the Conservation Area.

The height of the garage is not considered excessive within the Conservation Area. Revised plans show the proposed height as having been reduced by 500mm making the garage no higher than the existing garage to the east.

Although it is acknowledged the garage would have a substantial footprint, taking account of the size of the rear garden at the application site and other rear gardens in the vicinity, the proposal is considered acceptable and would not undermine the Conservation Area. The garage would not extend the full width of the plot, as is the case with other garages on the lane, therefore it is considered the impact on open spaces between buildings on the lane would be minimal.

A change of the use of the domestic garage to living space, granny annexe, office accommodation or a business would require a separate planning application. The Roads Engineer agrees with the proposals provided his comments are met and does not express concern with regard to vehicle numbers and additional parking. The remainder of the relevant issues raised in the letters of objection have been dealt with above.

RECOMMENDATION

Approve Unconditionally

REASONS FOR RECOMMENDATION

The garage, gates and driveway would sit well within the plot and comply with Policy H1 and D1 of the Aberdeen Local Development Plan and the related interim Supplementary Guidance. The proposals would result in no detrimental impact on neighbouring dwellings, the amenity and character of the residential area or on the character and amenity of the Conservation Area.

Dr Margaret Bochel

Head of Planning and Sustainable Development.