

39 DEEVIEW ROAD SOUTH, CULTS

PROPOSED SUMMER HOUSE

For: Mr William Dale

Application Ref. : P121083
Application Date : 01/08/2012
Officer : Jane Forbes
Ward: Lower Deeside (M Boulton/A
Malone/M Malik)

Advert :
Advertised on :
Committee Date : 8 November 2012
Community Council : Comments



RECOMMENDATION: Approve Unconditionally

DESCRIPTION

The application site, which extends to some 1981m², lies on the south side of Deevview Road South, Cults at a distance of approximately 85 metres to the west of its junction with St Devenick's Place. This section of Deevview Road South, which is bounded on the north by the Deeside Walkway, is characterised by mainly 1½ and 2 storey traditional detached or semi-detached properties along the southern side of the road. The ground levels within the application site and those neighbouring it drop quite significantly from north to south, and there is an established pattern along the road whereby the rear elevations of properties face north onto Deevview Road South whilst the main elevations face south onto private garden ground and beyond across the Dee Valley. The application site has recently been cleared in preparation for the erection of a replacement dwellinghouse, for which planning consent was granted in April 2012.

HISTORY

Ref 11/1716 - Conditional planning permission was granted in April 2012 by Development Management Sub-Committee for the erection of a replacement house with associated access, turning space and landscaping.

PROPOSAL

The application seeks full planning permission for the erection of a summerhouse to the south of the replacement dwellinghouse and within the rear garden of the application site. The proposed summerhouse, which would extend to a footprint of 27m², would lie at a distance of some 43 metres from Deevview Road South and the northern boundary of the site. It would be located 11.5 metres back from the rear (south) boundary, at a distance of 1.2 metres from the eastern (side) boundary and at 15 metres from the rear (southern) elevation of the replacement dwelling. The proposed summerhouse which would be finished in cedar timber linings would have a flat sarnafil roof at a height of 3.5 metres above ground level, and incorporate a fully glazed roof lantern measuring 2.4 metres x 2.4 metres, which would project a further 900mm above the main roof level. A combination of full length sliding doors and full length windows would be included on the northern and western elevations.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub Committee because the proposal has attracted an objection from the Cults Bieldside and Milltimber Community Council, and therefore, in terms of the Council's Scheme of Delegation, must be determined by the Development Management Sub Committee.

CONSULTATIONS

ROADS SECTION – Response received – no observations.

ENVIRONMENTAL HEALTH – No response received.

COMMUNITY COUNCIL – Issues raised in a letter of representation received from Cults Bieldside and Milltimber Community Council can be summarised as follows:

- The proposed summerhouse is more substantial than one would expect;
- The footprint and massing of the proposed development are excessive given the considerable development already approved for the site;

- Approval of such a proposal would set a precedent for further over-development within the area.

REPRESENTATIONS

In addition to the letter of objection from Cults Bieldside and Milltimber Community Council, one letter of objection was received with regards this application, raising the following issues:-

- The proposal would introduce more hard landscaping and an overly large summerhouse;
- The proposed summerhouse is of a scale that would constitute feu splitting;
- The loss of any trees and mature hedging as a result of the proposed development would be unacceptable, and contrary to national policy;
- The proposed development would lie in the middle of a 'bat run';
- The proposed development would have an adverse impact on existing amenity, with light pollution from the proposed summerhouse adversely impacting on humans and animals;
- The proposed summerhouse would be of an inappropriate scale which would constitute overdevelopment and would be out of keeping in terms of its design in relation to similar types of ancillary development of a residential nature, and would not fit with the character of the surrounding area.

PLANNING POLICY

Aberdeen Local Development Plan 2012: Policy H1 (Residential Areas) – The site is located within an H1 Residential Area, where proposals for new residential development and householder development will be approved in principle if it (amongst other things):

1. does not constitute over development;
2. does not have an unacceptable impact on the character or amenity of the surrounding area; and
3. complies with Supplementary Guidance on House Extensions.

Aberdeen Local Development Plan 2012: Policy D1 (Architecture and Placemaking) – States that 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 including siting, scale, massing, colour, materials and orientation will be considered in assessing that contribution.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that, in making a determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the Plan, so far as material to the application, unless material considerations indicate otherwise. In this instance, the issues for consideration are the design and scale of the proposed summerhouse and its impact on the residential character and amenity of the area.

The proposed development is considered to be of an acceptable scale, with no adverse impact on the residential character and amenity of the area, and is deemed compliant with the relevant terms of the Council's Supplementary Guidance on Householder Development. Concerns have been raised by both the Cults Bieldside and Milltimber Community Council and a neighbouring resident in relation to the scale of proposed development. However, the scale and massing of the proposed summerhouse are deemed to be commensurate with that of a typical ancillary building for domestic purposes, and are considered not to be excessive. The proposed development, which would extend to a footprint of 27m² within a site of some 1981m², is considered acceptable both in the context of the replacement dwellinghouse and the overall plot size. Furthermore the proposed development which is described as a summerhouse would be contained within the application site and as such could not constitute feu splitting, as suggested within a letter of objection submitted by a neighbouring resident. Taking into consideration the footprint of the approved replacement dwelling which would be approximately 297m², the plot ratio within the site would rise from 15% to 16% as a result of the proposed summerhouse, and as such would remain very much within an acceptable level of development both in terms of the application site and the surrounding residential area. This scale of development would also comply with the general principles for householder development as outlined within the Council's Supplementary Guidance on Householder Development which states that no more than 50% of the front or rear curtilage shall be covered by development. It is also worth noting that the scale of the proposed summerhouse only slightly exceeds what would be considered acceptable under permitted development regulations (ie without any requirement for planning permission).

Given the considerable drop in ground levels within the site, the proposed location of the summerhouse within the rear garden of the application site and to the south of the approved replacement dwellinghouse would ensure that the summerhouse would be barely visible from Deevie Road South. Whilst the development would likely be visible from the neighbouring application sites, when consideration is given to its proposed location close to the southern boundary of the site, the existing natural screening which remains within the neighbouring sites, and the separation distance between this proposed ancillary building and the neighbouring properties, it is deemed that such development would have minimal visual impact from neighbouring properties or their sites. Concerns have been raised in relation to light pollution from the proposed summerhouse affecting both humans and animals. Whilst the proposal includes a glazed roof lantern along with glazing on the northern and western elevations which would emit a certain level of light, such emission would be within the context of the domestic use of the summerhouse as a relatively modest building which would remain ancillary to the main dwellinghouse, and is therefore unlikely to be of a level which would have any significant impact beyond the immediate surrounds of the summerhouse building.

Local Development Plan Policy D1 (Architecture and Placemaking) states that 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. As outlined previously, the scale and location of the proposed summerhouse are

considered appropriate in the context of the site and the surrounding area. The relatively contemporary design of the proposed ancillary building is considered to be in keeping with that of the previously approved replacement dwellinghouse, which included the use of cedar timber linings. Whilst concerns have been raised in relation to the design of the summerhouse being out of keeping with that of similar ancillary buildings within the surrounding area, there are no specific policy requirements which would restrict the introduction of a modern design in this instance, and given that the proposed development would be barely visible from any public elevation outwith the site, the contemporary nature of the proposed development would have no impact on the more typically traditional character of properties within the area.

Concerns have been raised in relation to the location of the proposed development in the middle of a bat run, and the resultant requirement for a bat survey. However, the proposal does not involve the demolition of any existing building, or removal of mature trees, therefore there is no requirement for a bat survey in this instance. The site does not have any special protected status in terms of nature conservation. As such concerns raised in relation to the proposed location of the summerhouse potentially impacting on bats are considered unfounded.

Concerns were also raised regarding the possible further loss of trees and mature hedging as a result of the proposed development, however the proposal has no impact on trees or hedging and therefore would not result in any such loss.

Taking the above into account, it is considered that the proposed summerhouse would not be in conflict with either Policy H1 (Residential Areas) or Policy D1 (Architecture and Placemaking) in the Aberdeen Local Development Plan, with appropriate consideration having been given to the scale, design and location of the proposed development and where it is deemed that such development would have minimal impact on the residential character and amenity of the area.

RECOMMENDATION

Approve Unconditionally

REASONS FOR RECOMMENDATION

The proposal complies with Policy D1 (Architecture and Placemaking) and Policy H1 (Residential) in the Aberdeen Local Development Plan. The proposed summerhouse will have no adverse impact on the residential character and amenity of the area. The summerhouse will be located with sufficient separation distance from neighbouring properties to ensure existing residential amenity is maintained. The proposed scale, materials, design and location of the summerhouse are considered acceptable and appropriate within the context of the residential setting.

Dr Margaret Bochel
Head of Planning and Sustainable Development.