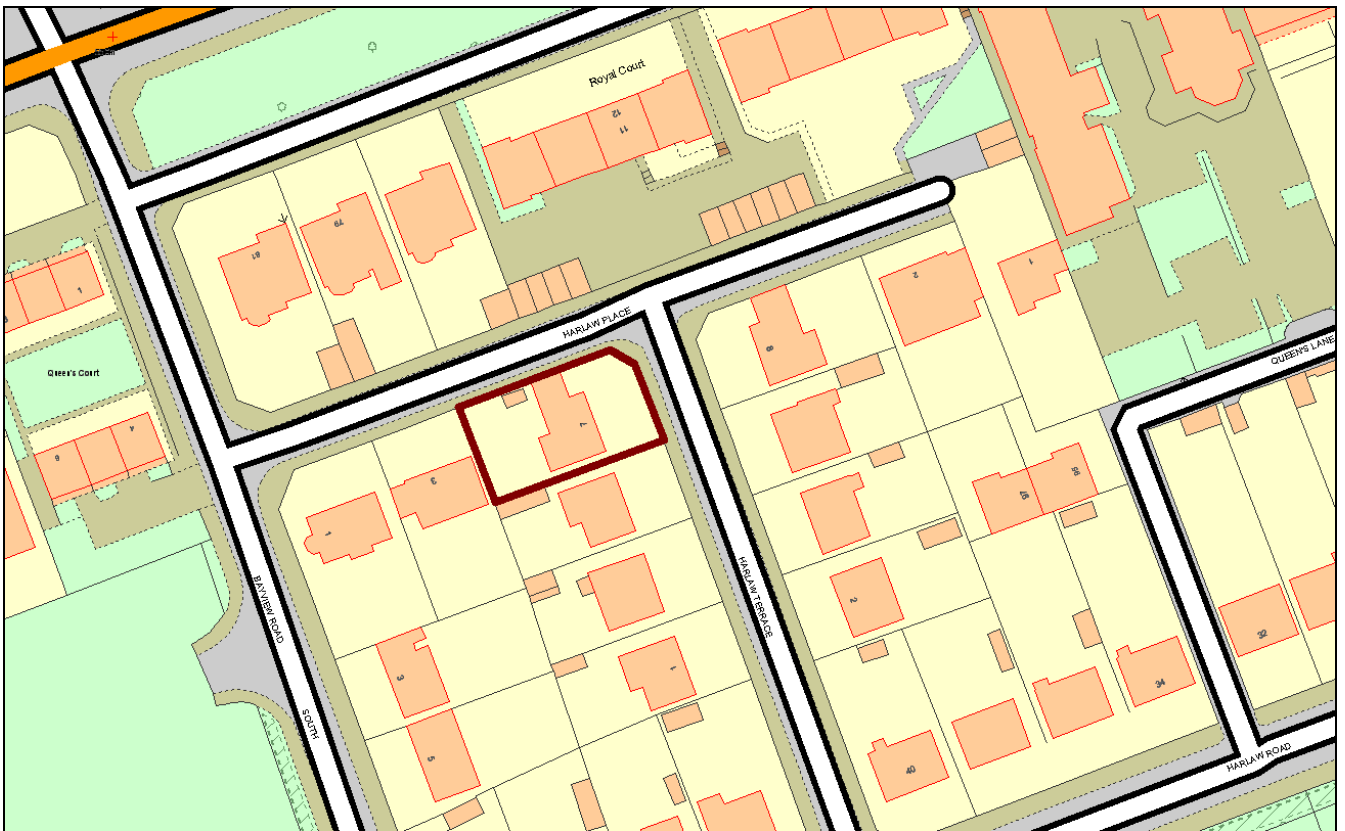


7 HARLAW TERRACE, ABERDEEN

PROPOSED ALTERATIONS TO
APPROVED CARPORT

For: Mr Ian Duncan

| | | | |
|--|---------------|-------------------|-------------------|
| Application Ref. | : P121239 | Advert | : |
| Application Date | : 03/09/2012 | Advertised on | : |
| Officer | : Jane Forbes | Committee Date | : 6 December 2012 |
| Ward: Hazlehead/Ashley/Queen's Cross(M Greig/J Stewart/R Thomson/J Corall) | | Community Council | : Comments |



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application site, which extends to some 500m², lies on the west side of Harlaw Terrace. The site comprises a 1½ storey detached granite dwellinghouse which is located on a corner site, with the front elevation of the property facing east across Harlaw Terrace, whilst the northern gable-end faces onto Harlaw Place. The rear garden, which is accessed off Harlaw Place, currently provides an area of hardstanding along with a previously approved car port which lies adjacent to the southern boundary of the site.

HISTORY

Planning permission (Ref A2/1818) for a gable extension, dormer window and rear driveway was approved unconditionally on 4 December 2002; and planning permission (Ref 09/0848) for a 1½ storey rear extension, and extension to the front dormer of the house was approved conditionally on 24 November 2009.

Most recently, unconditional approval was granted on 19 December 2011 for the erection of a domestic car port in the south-west corner of the site, with access from Harlaw Place (Ref 11/1673). The approved car port was located 1.2 metres off the southern boundary of the site, measured 6800mm in length x 6500mm in width x 5500mm in height and was constructed of a steel framed structure with a fully pitched, slated roof. The car port incorporated 2 no. rooflights on the eastern elevation, and access via an internally located ladder to attic storage space within the roof.

Planning permission has been fully implemented for the earlier two applications. In respect of the 2011 application, concerns were raised by neighbours during the construction of the car port in relation to its scale and the additional development being carried out on site which did not form part of the original approval (Ref 11/1673). An investigation was undertaken by the Development Management enforcement team, with the result that the planning authority requested the submission of a new planning application, incorporating changes to the proposal.

PROPOSAL

This application, which is partially retrospective in nature, seeks full planning permission for the erection of a domestic car port on site. During construction work of the previously approved car port a door opening was created along the southern elevation of the roof. Following a site visit by an enforcement officer it was established that an external access to the attic store was being created on this southern elevation and the ridge height of the car port was reaching 6000mm, neither of which formed part of the original approval. As a result of these modifications it was established that a new planning application would be required.

This current application relates to a car port with the same footprint as was approved under the previous application (6800mm x 6500mm), but with an increase of 500mm in its overall height to 6000mm. The car port incorporates a pitched roof with 3 no. rooflights in place of the originally approved 2, with the additional rooflight being located on the west elevation. Whilst the new application originally included external stairs and a door opening on the southern

elevation, and this was reflected by the development being carried out on site, amended plans have now been submitted which omit the door opening and external stair access from the proposal. The proposed finishes match those of the original proposal, including timber linings on both gable ends and a slated roof.

It should be noted that representations made in respect of the application largely pre-date the revisions that omitted the external stair from the proposal.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Development Management Sub Committee because the proposal has attracted an objection from the Queen's Cross/Harlaw 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 Queen's Cross/Harlaw Community Council can be summarised as follows:

- The structure built is substantially different to the originally approved design (under planning application Ref 11/1673);
- The current proposal is considerably larger than the original design and includes an external door and access stair at 'attic storage' level which introduces issues of overlooking and loss of privacy; and
- The scale of development is inappropriate for the residential setting and would have an adverse impact on the character of the area.

Concerns were also raised by the Community Council in relation to the building operations taking place on site during construction of the car port, including the delivery of materials on site and the internal finish of the attic storage space within the car port.

REPRESENTATIONS

In addition to the letter of objection from Queen's Cross Harlaw Community Council, six letters of objection were received with regards this application, raising the following issues:-

- The proposal does not conform to the initially approved plan;
- A gable-end doorway and stairs would introduce overlooking and impact on privacy;
- Loft space created above the car port is likely to be used for purposes other than storage;
- The scale and design of the development is out of character and inappropriate within the surrounding residential area, with the ridge level of the car port lying higher than any other garage facility in the area;

- The structure has a considerable visual impact on neighbouring properties, and on the area in general;
- Lights proposed on the car port ceiling would cause light pollution to neighbouring properties;
- Potential noise from external stairs would impact on neighbouring properties;
- The material finishes are not in keeping with adjacent properties;
- The car port adversely impacts on views from neighbouring properties;
- The number of window openings has been increased from the original approval, and this is inappropriate for an attic storage area;
- The submitted drawings do not show clearly what the modifications are from the original approval.

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. The issues for consideration are the design and scale of the changes to the currently proposed car port and its impact on the residential character and amenity of the area.

In terms of assessing the scale, location and design of the car port, it should be noted that neither the overall footprint of the development, nor its siting within the rear garden of No 7 Harlaw Terrace nor its material finish have changed from the original application which was approved in 2011. Although the height of the structure has increased by 500mm, the additional ground excavation work undertaken on site has resulted in there being no increase to the ridge level of the car port in relation to adjacent buildings, ie the ridge level above ordnance datum has not changed. Therefore, whilst concerns have been raised regarding the visual impact of the car port, its impact was assessed as part of the original application and the alterations proposed as part of this application do not alter the situation. Similarly, whilst concerns were raised relating to light pollution from

light fixtures proposed for the ceiling of the car port, these light fixtures also formed part of the original approval. Furthermore, it should be noted that these light fittings could be installed without the requirement for planning consent, therefore on both counts their potential impact cannot be taken into consideration as part of the evaluation of this new proposal. Plot coverage remains as previously approved which was deemed acceptable within the context of the residential site and the surrounding area.

Neighbours raised concerns in terms of the number of rooflights proposed for the car port, and whilst this application proposes 3 rooflights in place of the 2 approved under the original application, it is considered that this 3rd rooflight to be located on the western elevation of the car port roof would have no adverse impact on existing privacy nor introduce any overlooking of neighbouring properties. It is worth noting that the introduction of rooflights to this type of development would be deemed permitted development, and as such would not require planning consent.

Taking all of the above into consideration the proposal is deemed to be compliant with both Policy D1 (Architecture and Placemaking) and H1 (Residential Areas) in the Aberdeen Local Development Plan. Ultimately the proposal differs only marginally from the original proposal which was granted consent in December 2011. Whilst this new application raised concerns in relation to the overlooking of neighbouring properties and the resulting impact on existing privacy which the introduction of a door opening and external stair access on the southern gable-end of the car port introduced, and these concerns were material planning considerations, amended plans have now adequately addressed these concerns, thereby ensuring the proposal has no adverse impact on the amenity and character of the surrounding residential area. Similarly, whilst concerns have been raised with regards the previously approved car port not having been constructed in accordance with the approved plans, these concerns are being directly addressed as a result of the submission and evaluation of this new application. Finally, in order to address concerns relating to the future use of the attic store area above the car port, a condition has been applied which restricts the use of the attic to that which would be ancillary to a residential property.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed car port does not conflict with either Policy D1 (Architecture and Placemaking) or H1 (Residential Areas) in the Aberdeen Local Development Plan. The development is of an acceptable scale and design for the location and incorporates suitable materials with the result that it does not adversely impact on the residential character and amenity of the area, and has only minimal impact on neighbouring properties.

it is recommended that approval is granted with the following condition(s):

(1) that the carport hereby granted planning permission shall not be used for any purpose other than that which is ancillary to the domestic use of the dwelling house - in order to preserve the amenity of the neighbourhood.

Dr Margaret Bochel

Head of Planning and Sustainable Development.