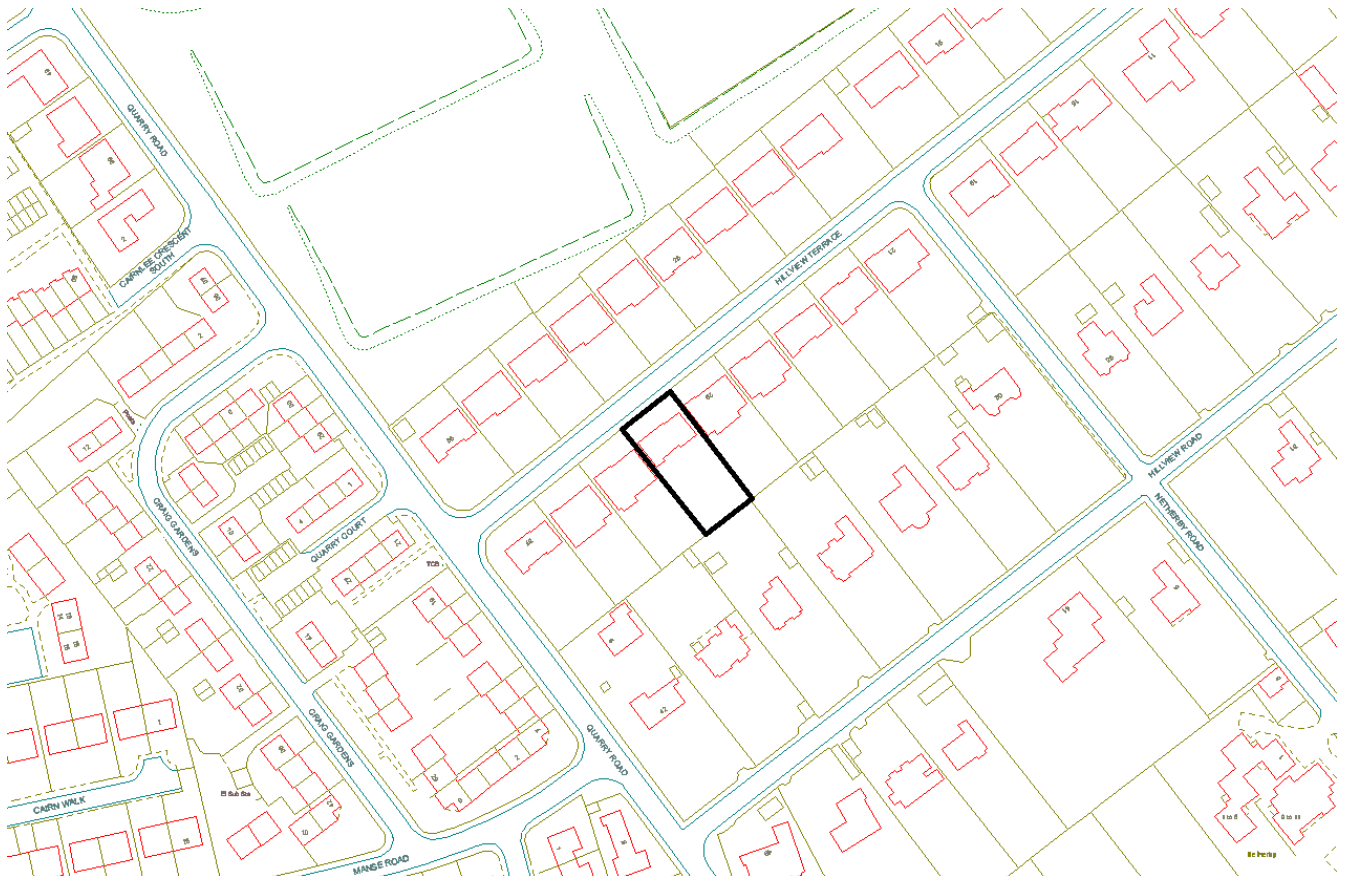


31 HILLVIEW TERRACE, CULTS

ERECTION OF SINGLE STOREY
EXTENSION TO REAR, FORMATION OF
NEW DORMERS, PORCH TO FRONT
ELEVATION AND STRAIGHTENING OF
ROOF HIPS

For: Mr & Mrs Brian Malone

Application Ref.	: P121504	Advert	:
Application Date	: 23/10/2012	Advertised on	:
Officer	: Jacqui Thain	Committee Date	: 17 January 2013
Ward: Lower Deeside (M Boulton/A Malone/M Malik)		Community Council	: No response received



RECOMMENDATION: Approve Unconditionally

DESCRIPTION

The application property is situated on the south side of Hillview Terrace and sits within a plot with an area of approximately 792 square metres. The dwelling is a single storey detached property with hipped roof and conservatory on part of the rear elevation beyond which is a large patio area that is bounded to the east by a fence approximately 1.8m in height and to the west by a fence and hedge approximately 1.4m high. The bulk of the rear garden is situated on a lower level than the application property. On the east-most boundary of the rear garden is a wall approximately 1.80m high on the other side of which are trees and bushes that range in height from approximately 2 – 4m. At the far end of the rear garden is a hedge approximately 1.80m high and on the west-most boundary is a fence approximately 2m high.

To the front of the dwelling, on the boundary to the east, is a fence approximately 1m in height on the other side of which is a hedge approximately 2 metres high. There is a large variety of house styles within the street, including a mixture of hipped and gable style roofs and box and pitched roof style dormer windows.

HISTORY

There is no planning history attached to the site.

PROPOSAL

The application seeks full planning permission for a rear extension, to straighten the hips of the roof, two dormer windows on both the front and rear elevations and a small porch on part of the front elevation.

The existing conservatory would be removed and a single storey extension created on part of the rear elevation. The proposed extension would be situated approximately 200mm off the west-most gable, project approximately 2.23m, have an overall width of approximately 9.3m and an overall height of approximately 4.75m to the top of the pitched roof. There would be full height glazing and sliding doors on the rear elevation and one rooflight on each of the north-east and south-east elevations.

The hips of the existing roof would be straightened and two box dormer windows created on both the front and rear elevations of the dwelling. The proposed dormers would be of uniform same style and all have an overall width of approximately 3.8m.

On the front elevation of the dwelling, a small porch would be created. The proposed porch would be located off centre and measure approximately 1.86m deep x 2.12m wide x 4.2m high to the top of the pitched roof. There would be extensive glazing on all elevations of the porch.

The materials for all alterations would match the main dwelling.

In addition to the above proposals, one window on the south-west elevation of the main dwelling would be built up, two rooflights created on both the front and rear elevations, one rooflight to the rear removed and one window on the rear elevation would be removed, the opening enlarged and patio doors created. These works are classed as Permitted Development, therefore do not require assessed in conjunction with the current planning application.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-Committee because the applicant is an Elected Member of Aberdeen City 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 – Response. The Roads Engineer made comment with regard to parking. He notes the proposal would convert the dwelling from a 2 bedroom to a 4 bedroom house and the current parking guideline recommends the provision of additional parking for the proposed development. The Roads Engineer is satisfied that an adequate area has been provided within the site to meet the parking requirement for the development and concludes he has no objection to the planning application.

ENVIRONMENTAL HEALTH – Response. No observations

COMMUNITY COUNCIL – No response received

REPRESENTATIONS

One anonymous letter of objection has been received in which the author makes comment with regard to the proposed porch on the basis that no other house in the street has a porch. Other matters were discussed in the letter that are not material planning considerations.

PLANNING POLICY

Aberdeen Local Development Plan (2012)

Policy H1 – Residential Areas:

A proposal 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

Householder Supplementary Guidance :

The guidance states front extensions (in this instance, porches) should be of a scale and design which is complementary to, and consistent with, the original dwelling. Modest porches will generally be acceptable and should not detract from the design of the original building or the character of the street. The guidance also states proposed dormer windows should not dominate the roof, the dormers should have extensive glazing, the glazing is to be located at the extremities of the dormer and the dormers should be situated off the roof ridge and in from the edge of the roof. Supplementary guidance also states rear extensions to detached dwellings shall be assessed on their own merits.

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.

EVALUATION

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend...Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

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 issues for consideration are: the design and impact on visual amenity; impact on residential amenity of occupiers of nearby houses including in terms of privacy, overshadowing, sunlight, daylighting; and, any other relevant matters raised by objectors.

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

Policy H1 of the Aberdeen Local Development Plan

The proposed alterations would sit well with the main dwelling and are fully compliant with supplementary guidance being of appropriate design, scale and materials.

The straightening of the hips of the roof and formation of dormer windows on the front and rear elevations is acceptable. Although there may be some additional impact by overshadowing on the gable windows of the neighbouring properties by the straightening of the roof hips, the potential impact is considered to be tolerable, would be for a short period of the day only and considered insufficient to warrant refusal of the planning application. Due to existing overlooking to the

front and rear and the distance from the neighbouring dwellings to the north and south, there would be minimal additional impact on neighbouring residents' privacy by the dormer windows.

The rear extension would sit well with and be subservient to the existing property. Due to there being no glazing on the gable elevations of the proposed extension and existing overlooking by the conservatory and large dining room window in-situ, there would be negligible additional impact on neighbouring residents' privacy. Although there may be some overshadowing to the west by the extension, the impact would be minimal, for a short period of the day only and considered insufficient to warrant refusal of the planning application.

The porch would sit well with the dwelling being of appropriate design and scale. Due to existing overlooking, high screening to the east and distance from the neighbouring properties, the additional impact on neighbouring residents' privacy would be negligible.

The alterations would result in no detrimental impact on the character and amenity of the residential area. The straightening of the hips and formation of dormers would sit well with the property and within the streetscape. There is a large variety of house styles, including many examples of gable style roofs, within the vicinity and the box style dormers would not be out of place within the street, there being many of similar style nearby. Although there are no other front porches in the vicinity, the porch proposed is considered to be modest in scale in comparison with the existing dwelling, would sit well with the property and within the streetscape and would be extensively screened by the high hedging adjacent to the nearby boundary to the east. The rear extension would not be readily visible from the street and would be extensively screened by boundary treatments.

The rear extension, having only a marginally larger footprint than the existing conservatory, would not result in over-development of the site. After completion, a substantial proportion of usable garden ground would remain.

Policy D1 of the Aberdeen Local Development Plan

The proposals would sit comfortably with the existing dwelling 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 alterations are appropriate for the setting and factors such as siting, design, scale, massing, colour, materials, details and proportions of building elements have been considered.

Parking

In terms of parking, adequate space is available on the site and the Roads Section does not object.

Issues raised by objector

The front porch complies with supplementary guidance on front extensions and the design is appropriate for the house.

In conclusion, the proposal is acceptable in terms of its design, appearance and impact on the amenity of the occupiers of nearby houses. It, therefore, complies with Aberdeen Local Development Plan policies relating to residential areas and design, as well as the relevant supplementary guidance.

RECOMMENDATION

Approve Unconditionally

REASONS FOR RECOMMENDATION

The porch, rear extension, straightening of the roof hips and formation of dormer windows would sit well with the main dwelling. The proposals comply with Policy H1 and D1 of the Aberdeen Local Development Plan and with the related Household Supplementary Guidance. The alterations would result in no detrimental impact on neighbouring dwellings or on the the amenity and character of the residential area.

Dr Margaret Bochel

Head of Planning and Sustainable Development