

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 Type: Detailed Planning
Permission

Application Ref. : P130164

Application Date : 07/02/2013

Officer : Jacqui Thain

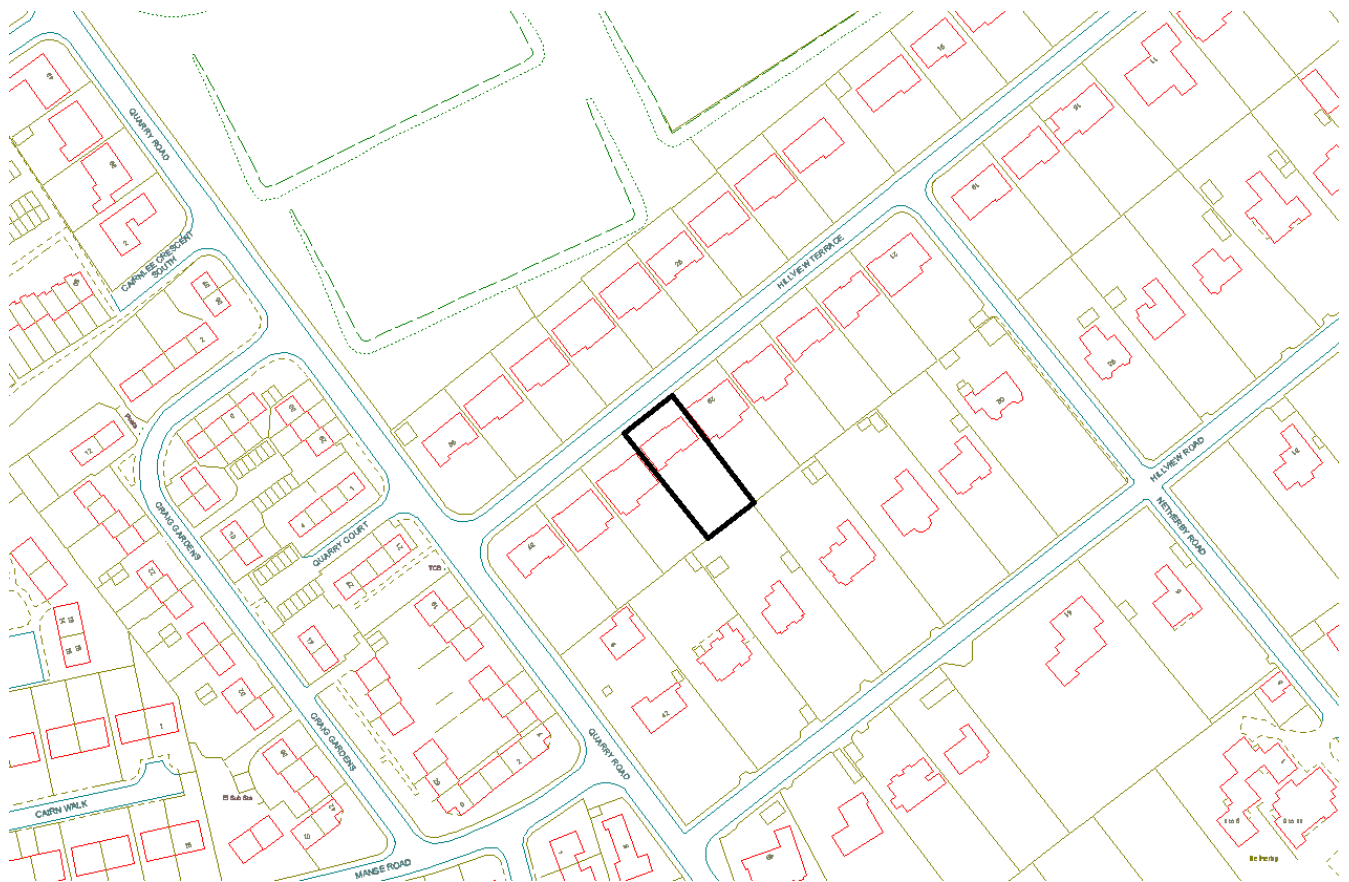
Ward: Lower Deeside (M Boulton/A
Malone/M Malik)

Advert :

Advertised on :

Committee Date : 21 March 2013

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

A previous planning application, reference 121504, for an almost similar proposal, with the exception of a slightly smaller rear extension, was approved unconditionally by the Planning Committee on 17th January, 2013.

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 to the rear would be removed and a single storey extension created on the rear elevation. The proposed extension would be situated approximately 50mm/200mm off the gable elevations, measure approximately 15.1m wide overall, project a maximum of 2.546m and have a part pitched, part flat roof. One rooflight would be located on either side of the pitched roof. The overall height of the extension would be approximately 3.2m to the top of the flat roofs/4.75m to the top of the pitched roof.

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 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.

The materials for all alterations would match the main dwelling.

In addition to the above proposals, some minor works are proposed that fall within the scope of permitted development.

All drawings relating to this application can be viewed on the Council's website at <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=130164>. On accepting the disclaimer enter the application reference quoted on the first page of this report.

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. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

ROADS PROJECT TEAM – Response received. The Roads Engineering Officer made comment with regard to parking and notes the proposal would convert the dwelling from a 2 bedroom to 4 bedroom house. The Roads Engineering Officer is satisfied that an adequate number of car parking space has been provided within the site and concludes he has no objection to the planning application.

ENVIRONMENTAL HEALTH – Response. No observations received.

COMMUNITY COUNCIL – No response received.

REPRESENTATIONS

There are no letters of representation

PLANNING POLICY

Aberdeen Local Development Plan (2012)

Policy D1 – Architecture and Placemaking Design:

To ensure high standards of design, new development must be designed with due consideration to its context and make a positive contribution to its setting.

Policy H1 – Residential Areas:

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential development and householder development will be approved in principle if (1) does not constitute over development; (2) does not have an unacceptable impact on the character or amenity of the surrounding area; (3) does not result in the loss of valuable and valued areas of open space; (4) complies with Supplementary Guidance on Curtilage Splits; and (5) complies with Supplementary Guidance on House Extensions.

Supplementary Guidance:

Householder Supplementary Guidance:

The Council's Supplementary Guidance "Householder Development Guide" states any alterations should be architecturally compatible in design and scale with the original house and its surrounding area. With regard to front extensions, (in this instance porches) the extension 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. Rear extensions to detached dwellings shall be assessed on their own merits.

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.

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

As most elements of the proposal already have planning permission and could be implemented, the only element requiring to be considered is the enlarged area of rear extension.

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.

The proposal is considered to comply with the relevant policies for the reasons detailed below.

Policy H1 of the Aberdeen Local Development Plan

The increase in the size of the previously approved rear extension is considered acceptable. The revised proposal would be only marginally larger than the approved extension. The increase in width would be approximately 5.75m and the overall projection would remain the same as that previously approved.

Overall, the rear extension would sit well with and be subservient to the existing property being of appropriate scale, design and materials. 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 additional overshadowing on the gable of the property to the east by the increase in width of 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 rear extension would not result in over-development of the site. After completion, a substantial proportion of usable garden ground would remain. There would be minimal additional and no detrimental impact on the character and amenity of the residential area. The extension would not be readily visible from the street, there is an existing conservatory to the rear of the property and there is high screening on all rear boundaries.

Policy D1 of the Aberdeen Local Development Plan

The proposal would sit comfortably with the existing dwelling and would make a positive contribution to its setting. In assessing the application against Policy D1 (Architecture & Placemaking) 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.

Supplementary Guidance:

The alterations fully comply with the relevant Household Supplementary Guidance. The proposal is architecturally compatible in design and scale with the original house and its surrounding area and would not overwhelm or dominate the original property.

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 amenity and character of the residential area.

Dr Margaret Bochel

Head of Planning and Sustainable Development.