

Planning Development Management Committee

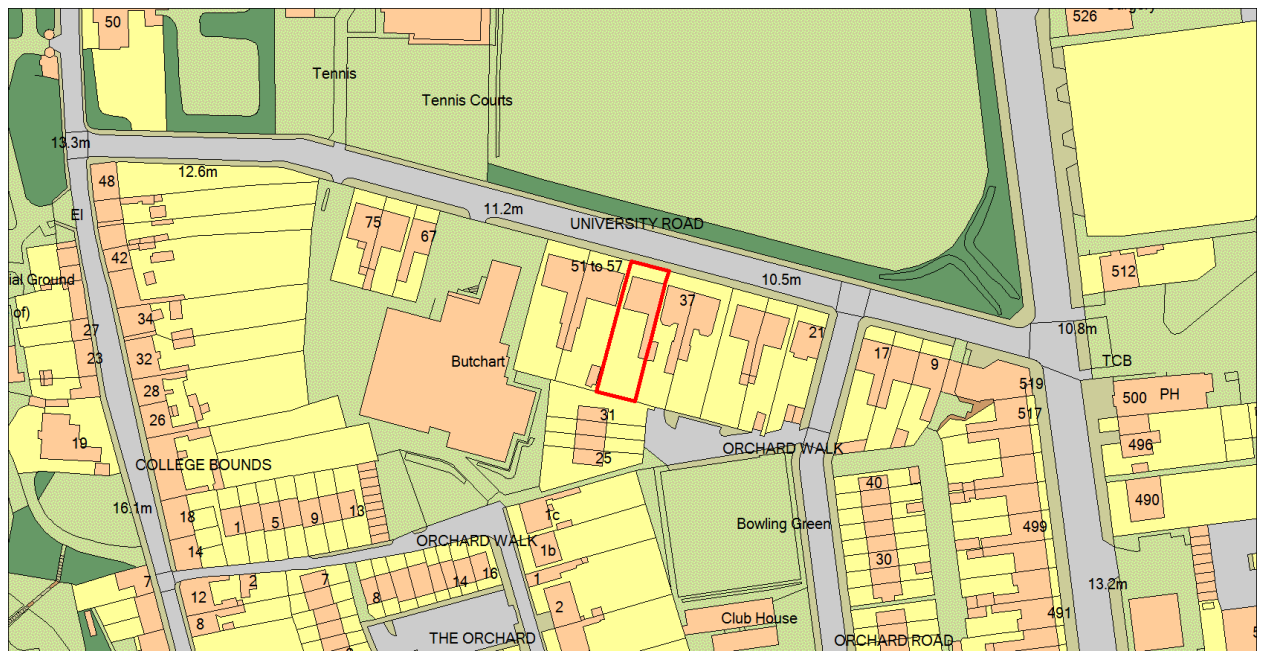
39/41 UNIVERSITY ROAD, ABERDEEN

EXTENSION OF PROPERTY TO REAR

For: Mr Michael McFadyen

Application Type : Detailed Planning Permission
Application Ref : P131212
Application Date : 15/08/2013
Officer: Sheila Robertson
Ward : Tillydrone/Seaton/Old Aberdeen
(J Noble/R Milne/R Grant)

Advert: Section 60/65 - Dev aff LB/CA
Advertised on: 18/09/2013
Committee Date: 16 January 2014
Community Council : Comments received



RECOMMENDATION:

Approve Unconditionally

DESCRIPTION

The application site is located on the south side of University Road, opposite the University of Aberdeen Kings Pavilion playing fields, within the Old Aberdeen/Balgownie Conservation Area, and is occupied by a 2.5 storey, detached dwelling house of traditional design and build, divided into 3 flats, all in the same ownership. The application refers to both the ground and first floor flats. No 39, on the ground floor, comprises a lounge, 4 bedrooms, kitchen and bathroom, and is accessed from the front of the property. It has a current HMO (Houses in Multiple Occupancy) licence for 5 people. No 41 occupies the upper floor, comprises 4 bedrooms, lounge, kitchen and 2 bathrooms with a current HMO for 5 residents. This flat has recently been sub divided to provide a self-contained flat within the attic space, comprising 3 bedrooms, living area/kitchen and bathroom. Both upper flats share an access to the side elevation of the property.

To the rear, there is an original annexe, 2.5m wide and extending 11.5m along the eastern boundary. The first 4m section of the annexe is 2 storeys, and accommodates the ground floor flat's kitchen and a bedroom for the upper flat. The walls are rendered with a lean to slate roof running west – east, and joining the rear elevation of the building immediately below eaves height. There is a single window at both ground and upper floor level on the rear facing elevation. Thereafter the annexe is single storey and used for communal storage, built of bricks with a slated lean to roof 2.6m in height running north-south, and abutting an outhouse of identical height within the rear garden of the neighbouring property to the north. The back wall of the neighbours' outbuilding extends 3m beyond the end of the applicant's annexe.

The plot extends to 530 sq.m. with a current built site coverage of 28%. The rear garden ground extends 27m from the rear elevation of the dwelling house, the rear garden boundary to the north is screened by the neighbours annexe and 1.8m high walls, while the southern and western boundaries are screened by 1.6m and 1.8m high walls respectively.

The site is located within controlled parking zone RR, where parking is restricted to permit holders only between 1000 and 1600, Monday to Friday.

RELEVANT HISTORY

130023 – Planning permission was granted on 1/03/13 to subdivide the upper flat to provide a third flat within the building at attic level and involving the formation of 3 pitched roof dormer windows to the front elevation and a box dormer window to the rear.

PROPOSAL

Planning permission is sought to erect an extension to the rear elevation involving replacement of the existing single storey annexe and widening the 2 storey element of the annexe. The finished extension would project 14m along the northern boundary (2.5m longer than existing) and the width would be increased by 2.8m to 4.65m, as would the width of the upper section of the annexe. The single storey extension would be finished in brick to emulate the materials of the existing annexe, with the rear facing elevation fully glazed, 2 high level windows and a full height window to the western elevation, and 3 rooflights

to the eastern roof elevation. The roof would be pitched and slated with a maximum height of 3.7m (1.1m higher than existing). The single storey extension would create a new bedroom/en suite shower room and kitchen/dining room within the ground floor flat. The 2 storey section of the annexe would be extended westwards to match the width of the new ground floor extension, and provide an additional bedroom for the first floor flat. Materials to include render and slate to match existing, with 2 high level windows and 2 rooflights to the rear facing elevation and a glazed wall to the western facing elevation at ground floor level. A new basement would be created below the ground level of the new extension and part of the rear garden, to provide a home cinema, gymnasium, store and bike store. The basement level would be linked to the ground floor by an internal staircase with a staircase up to the rear garden. Daylight to this area would be provided by 8 rooflights embedded in an area of timber decking surrounding the new extension. The extension would result in the ground floor flat providing 5 bedrooms (one ensuite), lounge, kitchen/diner and bathroom while the upper flat would provide a 5 bedrooms, lounge, kitchen and two shower rooms. The basement accommodation would be communal for both flats .

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?131212>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO COMMITTEE

The Community Council has objected to the proposed application as well as 6 letters of representation having been received from notified neighbours and Aberdeen Heritage Society, therefore, in terms of the Council's Scheme of Delegation, the application is required to be determined by the Development Management Sub-committee.

CONSULTATIONS

Roads Project Team –No observations.

Environmental Health –No observations

Community Council – Comments received:The Community Council objects to the application on the grounds of overdevelopment; the application will increase the bedroom capacity to 13, which, since some of the bedrooms appear to be double, could result in 20 persons sharing 5 toilets in a cramped space. Such development is inappropriate for a domestic property and will destroy the option of conversion to family use. The subterranean living room seems undesirable. While applauding the provision of a bicycle store, carrying bikes up and down stairs could lead to a trip hazard.

REPRESENTATIONS

7 letters of representation have been received, including one from the Old Aberdeen Community Council. The material planning considerations raised in objection are summarised below:

- Overdevelopment of site and development is out of character with surrounding area.
- Size and scale is not of domestic proportions.

- Design and materials are out of character.
- Lack of parking facilities and impact on local amenities.
- Reduction of garden space.
- Loss of daylight to ground floor flat.

PLANNING POLICY

Aberdeen Local Development Plan

Policy D1 - Architecture and Placemaking

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, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution

Policy CF1 – Existing Community Sites and Facilities

Any proposals for new development, whether or not for community use recognised in the designation, will be opposed if a likely result would be significant erosion of the character of the area, or the vitality of the local community.

Supplementary Guidance

Dwelling extensions

Other Material Planning Considerations

Historic Scotland – ‘Scottish Historic Environment Policy’ which states that the planning authority must pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area when determining applications.

EVALUATION

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 and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

The Aberdeen Local Development Plan is of specific relevance in determining the application in terms of the associated Supplementary Guidance relating to House Extensions. Consideration should also be given as to whether the design and location of the proposed extension complies with Policies D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan, its impact on the existing character and appearance of the surrounding neighbourhood, residential amenity and the setting of a precedent.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas.

The existing use of the property is domestic, although a HMO (House in Multiple Occupancy) licence for 5 people has been granted to both the ground and first floor flats. A HMO licence may be required if more than 3 unrelated people live in a dwelling house and share bathroom/kitchen, however this is not a planning issue. In planning terms, a change of use is required when 6 or more unrelated people occupy a flat or dwelling house, in which case planning permission will be required to change the use from domestic to hostel/hotel. Both flats currently hold a HMO licence for 5 people, below the threshold before planning permission is required to change the use of each flat from domestic. There is no indication as to whether the newly created flat will be subject to an application for an HMO licence.

The site is located within an area that is zoned for existing community sites and facilities, specifically higher education and research uses associated with the University of Aberdeen. Residential uses are spread throughout the university campus, and University Road is predominantly residential. It is therefore considered that the principle of the extension to the dwelling house would be acceptable within this area. Such accommodation is consistent with the character of the area and would not conflict with the aims of Policy CF1.

The proposed extension is considered to comply with the relevant policies and guidance for the following reasons:

Aberdeen Local Development Plan

Policy D1 - Architecture and Placemaking

- The extension, following development, would be subservient to the original dwelling house, and its scale, mass and proportions are considered acceptable in relation to the existing building and plot size. The external footprint of the dwelling house would rise by 36.24sq. a 24% increase with a corresponding rise of 6.7% in site coverage to 34.7%, which is considered low and acceptable within the context of the surrounding area. Approximately 79% of the useable rear garden ground would be retained after development; therefore sufficient garden space would remain. Although the increase in the internal floor space would be higher than that of the footprint, the bulk of the increase in accommodation would be underground and not visible.
- The extension has been designed to integrate with and complement the existing building in terms of design, roof profile and materials used for the external finishes, which match existing. The proposal introduces an extension of contemporary design to a traditional building and demonstrates due regard for its context through use of appropriate scale, materials and design. The local plan promotes well-proportioned and contemporary architecture as an alternative to a poor imitation of existing architecture. There are a variety of house styles and scales within the immediate area, many have been altered or extended to the rear since original, and the extension is considered neither to compromise existing architectural consistency nor to impact detrimentally on residential character and visual amenity, thereby preserving the character of the Conservation Area.
- The new extension would not be readily visible from a public elevation. Part of the upper section may be visible from Orchard Walk, which serves a row of 4 terraced properties to the rear and terminates in a turning space 5m to the

north east of the applicants rear garden boundary, however it is unlikely that the remainder of the extension would be visible from any elevation. It is therefore considered that the location of the extension would result in minimal visual intrusion when viewed from a public elevation.

Supplementary Guidance – Householder Development Guide

House Extensions

- The guidance relating to extensions to detached properties is not specific about size of extension. Extensions relating to such properties are determined on a site specific basis in terms of impact to residential character and amenity.
- General principles expect that extensions should be architecturally compatible in design and scale with the original house and surrounding area, materials should be complimentary and any development should not overwhelm or dominate the original form or appearance of the dwelling house. The extension is considered to integrate with and complement the existing building in terms of design, roof profile, height and materials used for the external finishes, and is acceptable in the context of the existing building and surrounding properties. The proposed extension is considered to blend with the existing architectural character of the dwelling house and would have no impact on the visual amenity of the streetscape, not being readily visible from a public viewpoint. In this instance the proposal is considered to generally meet the requirements of the above guidance.
- The extension is considered not to increase the potential for further overlooking of neighbouring properties and gardens than exists at present. The glazed rear elevation would face towards the front garden and blank gable of the property at 31 Orchard Walk, to the immediate south west. There is sufficient boundary treatment to ensure no overlooking of this property. The windows facing the property to the north west are mainly high level, and there is sufficient boundary screening to prevent overlooking. Current residential amenity will therefore be retained.
- No development should result in a situation where amenity is 'borrowed' from an adjacent property. There is sufficient distance between the proposed extension and the property to the north west to ensure no additional loss of daylight or overshadowing than exists at present. The extension would be completely screened by the neighbour's annexe to the east. Calculations indicate that the extension to the 2 storey section of the annexe would have no impact to neighbouring properties in terms of overshadowing or loss of daylight. Although calculations indicate a slight loss of daylight, from the extension at upper level, to a ground floor bedroom window of No 39, this property is in the ownership of the applicant. Calculations further indicate that the potential loss of daylight would not be unduly onerous and partially offset by the orientation of the rear elevation, which faces south.

Additional Guidance

Historic Scotland – 'Scottish Historic Environment Policy'

The property lies within the Old Aberdeen Conservation Area and Scottish Historic Environment Policy (SHEP) must be referred to in determination of the application. SHEP states that the planning authority must pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area when determining applications. The proposed extension is considered to be of suitable scale, materials and design, is not readily visible from a public elevation and therefore there would be no unduly intrusive impact on the visual character of the conservation area, thereby preserving its existing character.

With regard to the objections, those related to size, scale, design and impact to the character of the area and residential amenity have been addressed. With regard to the remaining objections, the site lies within a controlled parking area, which allows residents to obtain parking permits for day time parking. The Roads Project Team has provided no adverse comments in relation to the application, since the increase in accommodation would not require additional parking provision. Similarly no comments have been received from Environmental Health regarding any potential impact on local services. Approval of this application would not necessarily result in a rise in similar applications nor set a precedent for approval of applications of a similar nature since every application is determined on its own merits. Building standards will ensure that all regulations are met, and that the property will be safe. Any concerns regarding the number of occupants within the entire building would be addressed by any future HMO application that may be submitted, or by a separate planning application for change of use, should the number of inhabitants within any flat rise to 6 or above.

RECOMMENDATION

Approve Unconditionally

REASONS FOR RECOMMENDATION

The proposed extension complies with the Aberdeen Local Development Plan Policies D1 (Architecture and Placemaking) and CF1 – Existing Community Sites and Facilities, and the Supplementary Guidance relating to House Extensions. The extension is of suitable scale, design and materials for its location, would not have any adverse impact on residential character or amenity of neighbouring properties or on the visual character of the surrounding area. The character of the Conservation Area would be preserved, in compliance with Scottish Historic Environment Policy'

Dr Margaret Bochel

Head of Planning and Sustainable Development.