

# Planning Development Management Committee

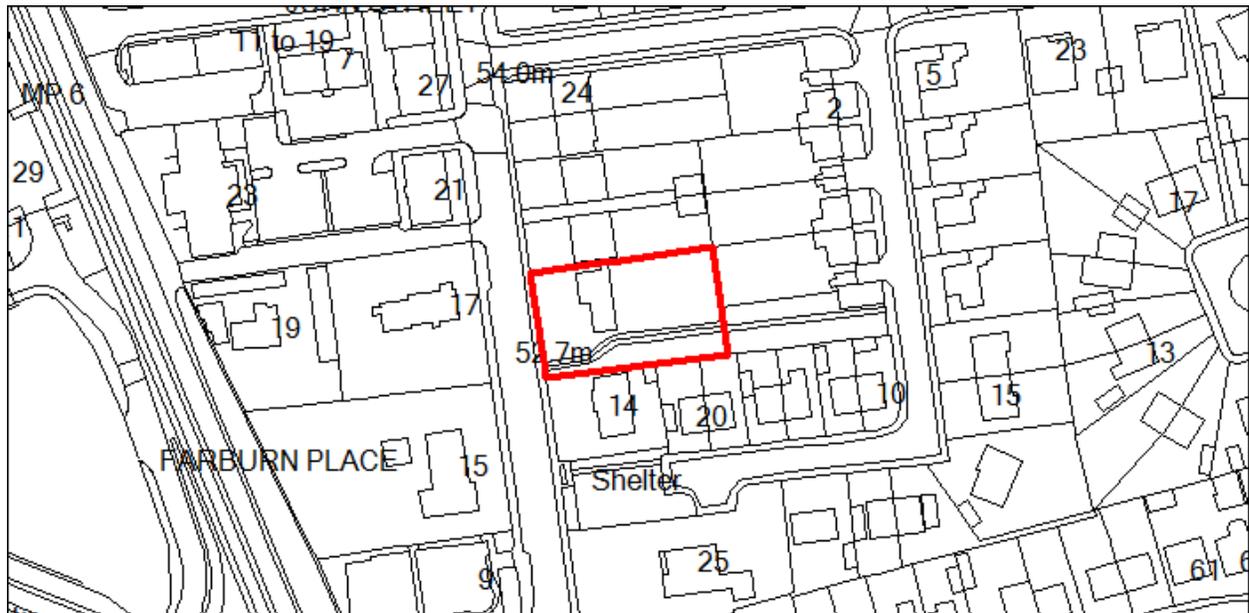
16 VICTORIA STREET, DYCE

EXTENSION TO BUILDING (2 STOREY TO  
SIDE AND REAR) TO FORM BED AND  
BREAKFAST ACCOMMODATION.

For: Melvin Developments Ltd

Application Type : Detailed Planning Permission  
Application Ref. : P141147  
Application Date: 01/08/2014  
Officer: Lucy Greene  
Ward : Dyce/Bucksburn/Danestone(B Crockett/G  
Lawrence/N MacGregor/G Samarai)

Advert :  
Advertised on:  
Committee Date: 19<sup>th</sup> March 2015  
Community Council : No comments



**RECOMMENDATION: Approve conditionally**

## **DESCRIPTION**

The application relates to a three bedroom detached house with garage. The dwelling is over two stories, 'L' shaped in plan, with a hipped roof and fronting onto the east side of Victoria Street in Dyce, just north of the junction with Farburn Terrace. The site area is 0.11 hectares.

Victoria Street largely contains properties in residential use, as well as a bank and a small Tesco store within 100m. Further north along Victoria Street is a guesthouse and also a hotel, with other guesthouses within the wider area.

Immediately to the north and south are single storey houses, whilst slightly further up the street are two storey and one and a half storey houses and flats.

## **RELEVANT HISTORY**

In 2008 planning permission (ref: 072187) was approved for a house extension to form a bed and breakfast. This was a single storey 'wrap around' extension containing 7 no. bedrooms. This consent was not implemented and has expired.

## **PROPOSAL**

The proposal is for a two storey extension to the existing house, and change of use to a guesthouse.

The extension would be to the south side and rear (east) of the existing house. On the front elevation the proposed addition would extend forward similar to the existing wing, with a similar hip roofed but slightly greater width than the existing northern wing.

Bedrooms and a communal kitchen, lounge, dining room would be created within the extension. A new entrance would be provided to the rear, with only a single internal point of access between the existing house and the extension. The applicant has stated that the existing house would be used as manager's accommodation.

The current footprint is approximately 82.5m<sup>2</sup>, whilst the proposed extension would be 187m<sup>2</sup>; the building as proposal would thus be 269.5m<sup>2</sup> in total.

## **Supporting Documents**

All drawings and the supporting documents listed relating to this application can be viewed on the Council's website at

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141147>

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

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because there are seven representations. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Projects Team** – No objection.

**Environmental Health** – Responded confirming no observations.

**Enterprise, Planning & Infrastructure (Flooding)** – Request attachment of condition relating to SUDS.

**Community Council** – No comments received.

## **REPRESENTATIONS**

Seven letters of representation have been received. The objections raised relate to the following matters –

- Overlooking of private family gardens by windows with impact on privacy;
- That the proposals would result in over development of the site;
- That the proposals would result in overshadowing;
- Exacerbation of traffic congestion – that traffic queues back from the traffic lights, past the access to the application site. One of the proposed access points is close to an existing bus stop and this would further exacerbate congestion;
- Proposals would cause noise and disturbance due to additional vehicles and occupants of the bed and breakfast;
- Potential for odours from commercial bins;
- Proposals would exacerbate poor drainage that exists in the area;
- Queries relating to a public footpath shown on historic plans of the area, the land in question is a strip along the southern boundary and is shown as part of the application site. On site, the land is part of the garden of the application premises (within the site edge red);
- That the right of way was closed on the basis that no building work would take place on the land acquired;
- Access to the bin store;
- That the existing house is leased out to an oil company to provide accommodation for its staff (queries whether comments from Roads Officers were made on this basis);
- Mature trees have been felled on the basis that they were dead; and
- Issues relating to neighbours boundary walls.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan**

#### **Policy H1 – Residential Areas**

States that within existing residential areas, proposals for non-residential uses will be refused unless:

- They are considered complementary to residential use; or
- It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

#### **Policy D1 – Architecture and Placemaking**

New development must be designed with due consideration for its context.

### **Supplementary Guidance**

#### **Householder Development Guide**

This includes guidance on proposals involving formation of Houses in Multiple Occupation (HMO). It is noted that this is not an application for HMO, however, as there are certain similarities between the uses in this instance, it is considered helpful to consider whether these matters are relevant.

HMOs will be assessed with regard to matters including, but not limited to, the following:

1. Any adverse impact upon pedestrian or road traffic safety as a result of increased pressure on car parking;
2. Significantly adverse impact upon residential amenity for any reason. This may include, but not be limited to, adequate provision of refuse storage space, appropriate provision of garden ground/amenity space, and an appropriate level of car parking; and
3. An excessive concentration of HMOs in a given locality, cumulatively resulting in a material change in the character of that area. This will be assessed in consultation with the Council's HMO Unit within the Housing & Environment service, who hold relevant information on the location of existing licensed HMO properties.  
(Where it is not practicable for dedicated car parking to be provided alongside the development, a proposal must not exacerbate existing parking problems.)

## **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.

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

#### Principle of Use

The application premises are located on a busy road, where there are houses and flats, a small number of shops and other public facilities and, along the length of the street, several other guesthouses / bed and breakfasts / small hotels. The principle of the use in this location is considered acceptable and appropriate within this area. Taking into account the character of the area, the additional comings and goings associated with a guesthouse, as opposed to a house, would be unlikely to have a significant impact on residential amenity in terms of disturbance. Consideration is given, below, to the details of this particular proposal.

As a result of negotiations, the number of B&B bedrooms has been reduced by one (ten to nine) and changes to the front elevation and locations of windows have taken place, in order to help to address issues of design and impact on neighbours.

#### Residential Amenity

The application proposal is for a large extension to a detached house within a large plot, with the existing unit/ managers accommodation having three bedrooms). The houses in this area generally overlook rear garden areas, as is usually the case in residential areas. Over half of the existing rear garden would remain landscaped and there is the potential to plant trees to further soften the appearance of hardstanding to the front. The outlook of existing houses would not be unduly adversely impacted.

The proposed extension is no closer to the house to the north than existing, and following proposed demolition of the garage, there would be a driveway adjacent to the boundary. It is considered that there would little impact on sun and daylighting to the north.

The house to the south, due to the orientation would not suffer loss of sunlight as a result of the erection of such an extension.

In terms of privacy there are two main areas for consideration: the potential impact on privacy within rear gardens of properties on Glenhome Terrace to the south, mainly from the window at the southern end of the rear elevation; and the potential impact on the neighbour to the south from windows in the gable. The larger window in the south elevation has been relocated further westwards so that it would be opposite the gable of the neighbour's house. A further window was omitted in favour of a rooflight. There is a gap of approximately 1m, between the extension and the mutual boundary. The rear elevation of the extension is approximately in line with the boundary of the garden to number 20 Glenhome Terrace, a semi-detached property, and this garden is overlooked to an extent by its adjoined neighbour. As a result of the development there would be an oblique view of the eastern side of this garden, from the first floor bedroom window,

however this area of the garden is already overlooked. It is acknowledged that there the proposed use is not 'residential', and this, to some extent, changes the nature of overlooking. However, it is considered that the proposed use is pseudo-residential and the relationship would not be dissimilar to a commonly occurring relationship between houses such that the impact is not sufficient to warrant refusal of the application.

#### Design and Massing

The proposed extension would be finished in materials to match the existing house. The design of the front elevation was amended so that the proposed frontage is more balanced. The height of the extension matches that of the existing house.

The extension would result in a building of a significantly larger massing, however, it sits within a large plot, such that site coverage is slightly less than 25%. A 'rule of thumb' used for householder development is that site coverage should be carefully considered if it more than one third, thus the plot ratio is considered acceptable.

Car parking and TransportationThe Roads Development Management Team are satisfied with the level of parking proposed and the access arrangement. It is further considered that there would be an insignificant impact on the flow of traffic on this stretch of Victoria Street.

#### Other Matters Raised In Objections

A number of matters have been dealt with in the sections above.

Potential for odour from commercial bins – the level of waste generated by a guesthouse of this size is considered unlikely to cause particularly large or unpleasant waste. A condition would be attached to any approval granted, relating to approval of details of the refuse storage arrangements.

In terms of drainage, a condition would be attached to any permission granted, requiring sustainable urban drainage.

The applicant has submitted the required certificate with the application, confirming site ownership. Otherwise the history of ownership of the walls and area of ground on the south side of the application site, is not a material planning consideration.

There is no Tree Preservation Order on the site, or other tree protection measures, as such historic tree felling would not be a material planning consideration.

The fact that the property may be owned/ leased by an oil company is not a material planning consideration.

**RECOMMENDATION: Approve conditionally**

## **REASONS FOR RECOMMENDATION:**

The application proposal is for a guesthouse and this use would be appropriate in principle within an area zoned under Policy H1 (Residential Area). The proposal would have an acceptable impact on occupiers of neighbouring properties in terms of privacy, sun and daylighting and is acceptable in terms of policy in the Local Development Plan 2012.. Car parking provision is adequate and impact on the local road network is considered to be insignificant. The design of the proposal is in keeping with the existing building and although massing would be large, it is appropriate on this particular site.

(1) that occupation of the hereby approved development shall not take place unless there has been submitted to and approved in writing for the purpose by the planning authority a detailed scheme of landscaping for the site, which scheme shall include proposed areas of tree/shrub planting in particular along the street frontage including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(2) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(3) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority. Details shall include the location of refuse storage area - in order to preserve the amenity of the neighbourhood and in the interests of public health.

(4) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with the approved plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(5) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning

Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.