

Signed (authorised Officer(s)):

11 CHEYNE ROAD, ABERDEEN

DEMOLITION OF EXISTING HOUSE AND
ERECTION OF REPLACEMENT DWELLING
TO INCLUDE ALTERED SITE ACCESS

For: Dr. Aleksander Janusz

Application Type : Detailed Planning
Permission
Application Ref. : P140113
Application Date : 18/02/2014
Advert : Section 60/65 - Dev aff
LB/CA
Advertised on : 19/03/2014
Officer : Gavin Clark
Creation Date : 20 November 2014
Ward: Tillydrone/Seaton/Old Aberdeen (J
Noble/R Milne/R Grant)
Community Council: No response received

RECOMMENDATION: Refuse

DESCRIPTION

The existing dwelling is set on the corner of Cheyne Road and Dunbar Street, it is single storey and detached, located within a well-established residential area. It is of little architectural merit, being of a simple dual pitched roof overhanging and gabled form, with two bays to the front and a small porch to the rear. It fronts and sees the ridgeline run parallel to Cheyne Road. There are rooflights to the rear, and finishes include render, granite and a red tile to the roof. A detached garage is located to the rear, taking access from a gated driveway on Dunbar Street. The dwelling is set within a plot extending to approximately 290 sqm. The surrounding dwellings are a mixture of single storey and one and a half storey dwellings on Cheyne Road. One and a half-storey dwellinghouses are located to the south on Dunbar Street, with further residential properties to the east. The Old Aberdeen Conservation Area is located to the immediate east of the application site. Seaton Park is located approximately 100m to the north-east.

RELEVANT HISTORY

Planning permission (Ref: 94/0428) was approved by Planning Committee in 1994 for the erection of the dwellinghouse located to the south, fronting Dunbar Street, in what was originally the rear garden of 11 Cheyne Road.

PROPOSAL

The application seeks detailed planning permission for the construction of a 1 ½ storey dwellinghouse on a plot extending to approximately 290 sqm. The existing single storey dwellinghouse and garage are to be demolished.

The proposed dwelling would have an overall height of 6m, width of 12m (including the attached garage) and depth of approximately 11.5m. The proposed footprint would extend to approximately 43% of the plot. Finishing materials include granite blocks, aluminium dark grey framed windows, render and a slated roof. The property would match the building line which presently exists along Cheyne Road.

The existing access on Dunbar Street would be closed off, with a new access formed onto Cheyne Road. This would allow for a fully enclosed garden area to the rear. Internally the proposal would include a games room and shower room at basement level, garage, sitting room, kitchen study, shower and bedroom at ground floor level and two bedrooms and two shower rooms at first floor level.

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?ref.=140113>

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

- Design Statement – dated 27th January 2014
- Design Statement – dated June 2014 (for Design Review Panel)
- Power Point Presentation – June 2014 (for Design Review Panel)

CONSULTATIONS

Roads ProjectsTeam – no objection, subject to the insertion of conditions in relation to car parking and the existing and proposed vehicular accesses

Environmental Health – no observations.

Communities, Housing and Infrastructure (Flooding) – have requested clarification on the method of discharge of all surface water relating to the development and identification of the receiving sewer/ watercourse.

Education, Culture & Sport (Archaeology) – have requested the insertion of a condition ensuring that no development takes place until a written archaeological scheme has been submitted to, and approved in writing, by the planning authority.

Community Council – no response received.

REPRESENTATIONS

One letter of representation has been received. The objection raised related to the following matters:

- Concerns were raised in relation to construction works, methods of construction and the time it would likely take to erect the dwellinghouse; and that not enough information had not been submitted in order to determine the application.

PLANNING POLICY

Aberdeen Local Development Plan

Policy H1: Residential Areas: states that, within existing residential areas, proposals for new residential development will be approved in principle if it: does not constitute overdevelopment; does not have an unacceptable impact on the character and amenity of the surrounding area; does not result in the loss of valued areas of open space and complies with Supplementary Guidance on Curtilage Splits.

Policy D1: Architecture & Placemaking: new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as scale, massing, colour, materials, details, the proportions of building elements and landscaping will be considered in assessing this.

Policy D5: Built Heritage: states that proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

Policy R7: Low & Zero Carbon Buildings: new buildings install low and zero carbon generating technologies to reduce their predicted carbon dioxide emissions. Further guidance is contained in the Councils published supplementary guidance, entitled 'Low and Zero Carbon Buildings'.

Emerging Aberdeen Local Development Plan

- Policy D1: Quality Placemaking by Design
- Policy D4: Historic Environment

- Policy H1: Residential Areas
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency

Supplementary Guidance

Sub-Division and Re-Development of Residential Curtilages

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.

Principle of Development

The proposed replacement dwellinghouse is located within an existing residential area. Policy H1 (Residential Areas) of the ALDP sets out clearly that in principle development will be permitted as long as it does not constitute over development, does not have an unacceptable impact on the character or amenity of the surrounding area; and complies with the Sub-Division and Redevelopment of Residential Curtilages SPG. These matters are discussed in details in the below evaluation where it is concluded that the proposal would represent over-development of the plot and as such fails to accord with the relevant Supplementary Planning Guidance. As a result, the proposal does not comply with Policy H1 (Residential Areas) of the ALDP.

Design Review Panel:

The application was presented to the Aberdeen City and Shire Design Review Panel on the 30th June 2014. The application was discussed in great detail, where the panel agreed that a replacement of the house was the best option for the applicant as well as the street. They also deemed the design to be acceptable and appropriate for this location. They also made the following comments:

- The option for building to address both streets should be considered;
- The panel did not agree that in this instance the 9 metres to the rear boundary was relevant;
- The panel agreed that the house is too large for the site and that the development should be reduced to meet the 40% ratio;
- Relocating the garage to the side of the dwellinghouse has helped increase the rear garden and reduce the massing of the building on Cheyne Road;

- The design of the house is appropriate and improves the plot within the street;
- The house could be relocated onto the boundary of Dunbar Street and form part of the boundary;
- The panel did not feel that the building line on either street was significant given the properties on the other side and the end of Cheyne Road; and
- The pitch and form of the roof matching others on the street is welcomed and key.

The response provided by the design review panel where taken into account, however the applicant has decided not to amend the proposal and reduce the plot coverage to 40%, as per the suggestion of the Design Review Panel (which was still above the 33% suggested in the adopted Supplementary Guidance). The other points raised have been taken into account in the determination of this application, but it is noted that the council is not in agreement in relation to the distances provided in the rear garden ground.

Scale of Development:

The proposal would replace a single storey dwellinghouse of little architectural merit. The existing footprint extends to approximately 290 square metres and has plot coverage of 33% (including detached garage), which is the maximum permitted in Supplementary Planning Guidance. The proposed dwellinghouse would cover a larger area, extending to approximately 42.8% of the plot. As the maximum permitted plot coverage is 33%, the proposal is seen to be contrary to this element of the supplementary planning guidance and would constitute over development of the plot and therefore contrary to H1 (Residential Areas) of the ALDP.

The proposed rear garden also varies in length between 5m and 8m. Guidance states that rear gardens of dwellings up to two storeys in height should have an average length of at least 9m. The proposal is therefore seen to be contrary to this element of guidance.

The proposed development is seen to accord with the supplementary guidance in terms of privacy, residential amenity, daylight and sunlight. The proposal would not overlook any gardens to the rear (given adjacent plot layouts/ coverage). The proposal would have no impact in terms of trees and an acceptable access and parking within the curtilage of the site would be provided.

The surrounding area generally constitutes larger garden grounds (the next door dwellinghouse at 9 Cheyne Road has a site area of 717 sqm compared to the current site at 290 sqm and this theme continues at 1-7 Cheyne Road). The current smaller plot has clearly resulted from the sale of parts of the original rear garden ground in the past, which has seen a dwellinghouse erected in the 1990s (known as 80A Dunbar Street) facing onto Dunbar Street. The proposal cannot

therefore be compared favourably against the surrounding properties to which it most relates. Given the small site, and the level of development proposed the proposal would result in overdevelopment of the available space, and such an approach is not considered justified. The proposal does not therefore respect the development context to the east (along Cheyne Road) and therefore conflicts with Policy D1 (Architecture and Placemaking) of the ALDP.

For the reasoning mentioned above (plot coverage and available private garden ground) the proposal fails to accord with Supplementary Planning Guidance: Sub-Division and Re-Development of Residential Curtilages.

Design and Amenity

The proposal would replace a single storey dwellinghouse of little architectural merit. The replacement dwellinghouse would cover a larger area of the site (as discussed above) and would follow the existing building line of properties on Cheyne Road. The proposed design whilst well considered in isolation would see an unacceptably sized property developed, which would appear excessive for the available plot, particularly when viewed from Dunbar Street. From directly in front, on Cheyne Road, there would be an improved architectural style than what presently exists and would bring an isolated visual more in keeping with the existing properties on Cheyne Road. It is also noted that the proposed design has been altered since the application was submitted, with a single storey rear extension removed. Materials proposed include granite blocks, aluminium windows and render

Overall, the proposal would have an overbearing impact, particularly when viewed from Dunbar Street, where the visual dominance and excessive scale of the dwellinghouse within the street scene and plot would be particularly seen. The proposal has therefore not been designed with due consideration for its context, and does not accord with Policy D1 (Architecture and Placemaking) of the ALDP.

Impact on the character and appearance of the surrounding area

The surrounding area consists of a variety of single, one and a half and two storey dwellinghouses. The property would face onto Cheyne Road and would be of a similar scale and design to these existing properties, however on a much smaller plot, and situated on a prominent corner. The proposed architectural style is an improvement on that of the existing dwellinghouse and the proposal would not detract from the character and amenity of the surrounding area, other than when the scale is viewed from Dunbar Street.

The proposal sits adjacent to the Old Aberdeen Conservation Area (which extends to the opposite side of Dunbar Street). The proposal would have a

neutral impact on the character and appearance of the conservation area and would therefore not offend the general principles of the ALDP.

Impact on Residential Amenity

The proposal would see the erection of a larger dwellinghouse on the plot, now covering approximately 42.8% of the available area. The proposal would have a negligible impact on the residential properties to the east (9 Cheyne Road) and south (Dunbar Street (given the layout and orientation of the properties on Dunbar Street) and would have no impact on the properties to the north and west. The proposal has been designed in such a way as to ensure that there would be minimal impact on the levels of privacy and overlooking of neighbouring properties. Overall, the impact on residential amenity would not be to a degree as to warrant refusal of planning permission in itself.

Transportation Issues

Access to the site would be taken from Cheyne Road (access is presently taken off Dunbar Street). The proposal has been assessed by colleagues in the roads projects team, who have raised no objection to the application, subject to the insertion of conditions in relation to car parking standards (which require three spaces for a four bedroom dwellinghouse) and that the existing access to the site be closed off.

Flooding

The Council's Flooding team have commented on the proposal and have requested the submission of further information for drainage design and any receiving watercourse, ensuring that the proposal was designed in accordance with SuDS. Following further consultation it was agreed that this information could be requested via an appropriate planning condition and as a result the proposal would accord with Policy NE6 (Flooding and Drainage) of the ALDP.

Low and Zero Carbon Buildings:

The application does not include any details to demonstrate how Low and Zero Carbon Generating Technologies will be incorporated, or alternatively how the buildings could achieve deemed compliance with the Council's published 'Low and Zero Carbon Buildings' Supplementary Guidance. On this basis it would be necessary to attach an appropriate condition to secure such information to ensure compliance with Policy R7 (Low and Zero Carbon Buildings) of the ALDP and associated Supplementary Guidance.

Issues Raised in the Submitted Letter of Representation:

Issues in relation to construction hours of construction could be adequately controlled via an informative. The method of construction and the time taken to erect a dwellinghouse are not material planning considerations. Enough information has been submitted in order to determine the application.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration.

In relation to this particular application the following policies are of relevance:

- Policy D1: Quality Placemaking by Design
- Policy D4: Historic Environment
- Policy H1: Residential Areas
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency

The above policies substantively reiterate the policies of the adopted local development plan and would not materially alter the recommendation on the planning application.

Other Matters

The Council's Archaeological service has requested the attachment of a condition requiring an archaeological assessment, if planning permission was to be granted. In this instance there are no material planning considerations that would warrant approval of planning permission, the proposal is therefore recommended for refusal.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

1. The proposal would result in 42.8% of the overall plot being developed and an insufficient level of rear garden ground would be provided in comparison with the prevailing garden sizes and site coverages. The proposal would result in over development of the site and the proposal would not comply with the Supplementary Guidance on the Sub-Division and Redevelopment of Residential Curtilages. As a result, the proposal is therefore considered contrary to the terms of Policy D1 (Architecture and Placemaking) and Policy H1 (Residential Areas) of the Local Development Plan and the associated Supplementary Planning Guidance: Sub Division and Redevelopment of Residential Curtilages.
2. The proposed development has not been designed with due consideration for its context and would have an overbearing impact, particularly when viewed from the Dunbar Street elevation, as a result the proposal is contrary to Policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.